

**United States Department of Energy
Office of Hearings and Appeals**

In the Matter of Andrew Trettel)

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Filing Date: April 8, 2026)

Case No.: FIA-26-0030

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Issued: April 23, 2026

Decision and Order

Andrew Trettel (Appellant) appeals a final determination letter (Determination Letter) issued to him from the Department of Energy (DOE), National Nuclear Security Administration (NNSA), concerning Request No. FOIA 25-00595-M, filed under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, as implemented by the DOE in 10 C.F.R. Part 1004. The Determination Letter informed the Appellant that the NNSA’s Los Alamos Field Office (NA-LA) conducted a search for responsive records, and after completing its search, the NA-LA did not locate any records responsive to the request. Appeal Letter Email from Andrew Trettel to OHA at 2 (April 8, 2026). In this appeal, the Appellant challenges the adequacy of the NNSA’s search. *Id.* at 1–2. In this Decision, we deny the appeal.

I. Background

On September 15, 2025, the Appellant submitted a FOIA request to the NNSA seeking the following records:

I want a copy of a technical report that Los Alamos National Laboratory (LANL) made around 1967. The citation information for this report is the following:

Originating organization: Los Alamos Scientific Laboratory (now called Los Alamos National Laboratory)
Report code: LA-tr-67-20
Title: Heat transfer in pipes
Author: Nusselt, Wilhelm
Page count: 54 pages
Year: 1967 (approximately)

This technical report is an English translation of an article published in 1910 in German. I already have a copy of the original article in German. The German article’s citation information is Nusselt, Wilhelm. 1910. Der Wärmeübergang in Rohrleitungen. VDI-Forschungsheft, volume 89, pages 1 to 30.

Upon receipt of the Appellant's FOIA request, the NNSA assigned the request to NA-LA to conduct a search for responsive records. Appeal at 3. Contractor staff at LANL conducted a search of four record systems within LANL's National Security Research Center (NSRC), a repository for historical and technical report records at the laboratory, including records dated from 1943 to the present. Memo from NA-LA to NNSA FOIA Office at 1 (November 18, 2025); Email from LANL FOIA Program Manager to OHA at 1 (April 16, 2026). The search of the NSRC was conducted using the following seven search terms: "LA-TR-67-20," "Report," "Heat transfer in pipes," "Heat transfer," "Pipes," "Nusselt, Wilhelm," and "1967." Memo from NA-LA to NNSA FOIA Office at 1-2. This search did not yield records responsive to the Appellant's FOIA request. *Id.* at 2.

NA-LA personnel also conducted a search of the office's electronic system of records (eDOCS) for responsive records. Memo from NA-LA to NNSA FOIA Office at 2. This search was conducted using the following search terms: "Los Alamos Scientific Laboratory," "Report code: LA-tr-67-20 in 1967," "Heat transfer in pipes in 1967," "Nusselt, Wilhelm," and "Nusselt, Wilhelm. 1910. Der Wärmeübergang in Rohrleitungen. VDI-Forschungsheft, volume 89, pages 1 to 38." *Id.* This search did not yield records responsive to the Appellant's FOIA request. *Id.*

On January 27, 2026, the NNSA issued the Determination Letter to the Appellant. Appeal at 3-5. In the Determination Letter, the NNSA notified the Appellant that, after conducting a search, it did not locate records responsive to the Appellant's FOIA request. *Id.* at 4. On April 8, 2026, the Appellant filed the instant appeal with OHA, challenging the adequacy of the NNSA's search. *Id.* at 1-2. In his appeal, the Appellant wrote that the NNSA's search did not include "all relevant databases" for responsive records, including the "Los Alamos Authors database." *Id.* at 2. The Appellant also wrote that he believed that LANL maintained physical copies of old reports in its Research Library, and that the NNSA should have conducted a search of this library for responsive records. *Id.*

Upon receipt of the Appellant's appeal, OHA learned that LANL personnel conducted a search of LANL's Research Library, which has a limited collection of technical reports that have not been digitized, for the technical report requested by the Appellant. Email from LANL to OHA at 1-2 (April 15, 2026). LANL personnel conducted a manual search of boxes, each of which was labeled with a technical report number range, within the Library's print collection. *Id.* This collection included records in paper form, microfilm, and microfiche. *Id.* After completing this search, LANL personnel were unable to locate the technical report requested by the Appellant. *Id.* OHA also learned that LANL staff conducted a search of its "Los Alamos Authors database," which contains scientific and technical documents, including technical reports, dated from 1943 to the present. Email from LANL to OHA at 1 (April 16, 2026). This search did not yield responsive records. OHA also learned that LANL staff searched for digitized technical reports on internal shared drives within the Research Library, but the staff did not locate the report requested by the Appellant. Email from LANL to OHA at 2 (April 15, 2026).

II. Analysis

When responding to a FOIA request, an agency's search must be "reasonably calculated to uncover all relevant documents." *Truitt v. Dep't of State*, 897 F.2d 540, 542 (D.C. Cir. 1990) (quoting *Weisberg v. U.S. Dep't of Justice*, 705 F.2d 1344, 1351 (D.C. Cir. 1983)). "The adequacy of a FOIA search is generally determined not by the fruits of the search, but by the appropriateness of the methods used to carry out the search." *Jennings v. Dep't of Justice*, 230 F. App'x 1, 1 (D.C. Cir. 2007) (internal quotation marks omitted). An agency is not required to conduct an exhaustive search of each of its record systems, it need only conduct a reasonable search of systems that are likely to uncover responsive records. *Ryan v. FBI*, 113 F. Supp. 3d 356, 362 (D.D.C. 2015) (citing *Oglesby v. U.S. Dep't of the Army*, 920 F.2d 57, 68 (D.C. Cir. 1990)). In conducting a search, an agency must search in locations where responsive records are likely to be found. *Powell v. IRS*, 280 F. Supp. 3d 155, 162–63 (D.D.C. 2017). Documentation of an agency's search should "identify the terms searched" or contain an explanation as to how the search was conducted. *Oglesby*, 920 F.2d at 68. OHA will remand a case where it determines that the search conducted was inadequate, after reviewing the facts of the case. See, e.g., *Ayyakkannu Manivannan*, OHA Case No. FIA-17-0035 (2017).

We have received sufficient information upon which to conclude that the NNSA's search was adequate. In his FOIA request, the Appellant identified LANL as the location where the technical report was located, so it was reasonable for the NNSA to limit its search to that laboratory. See *Whitmore v. Dep't of Justice*, 132 F. Supp. 3d 69, 77 (D.D.C. 2015) (Court held it was reasonable for the agency to "rely on the plain language of the request itself" in identifying which location to search for responsive records.). Searches of the aforementioned electronic record systems within LANL's NSRC, Research Library, and the NA-LA, were conducted using search terms provided in the Appellant's FOIA request, which included the name of the technical report's author. Given that the Appellant sought one technical report, written by one author, we find that the search terms used by the NNSA were reasonably calculated to locate the technical report requested by the Appellant. LANL staff also explained to OHA the types of records maintained in each of the electronic databases searched and that the aforementioned electronic databases maintained historical records and those dated from 1943 to the present. Finally, although the Determination Letter did not indicate that a search was conducted for physical copies of the technical report requested by the Appellant, OHA learned that a search for physical records was conducted. LANL staff conducted a manual search of boxes at LANL's Research Library, for a copy of the technical report in three types of physical form, using the identifying number for the technical report provided in the Appellant's FOIA request.

Based on the foregoing, we find that the search performed by the NNSA was reasonably calculated to locate the technical report requested by the Appellant in his FOIA request and was therefore adequate.

III. Order

It is hereby ordered that the appeal filed by Andrew Trettel, on April 8, 2026, Case No. FIA-26-0030, is denied.

This is a final order of the Department of Energy from which any aggrieved party may seek judicial review pursuant to the provisions of 5 U.S.C. § 552(a)(4)(B). Judicial review may be sought in the district in which the requester resides or has a principal place of business, or in which the agency records are situated, or in the District of Columbia.

The 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect the right to pursue litigation. OGIS may be contacted in any of the following ways:

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