



OFFICE of GOVERNMENT INFORMATION SERVICES

February 11, 2014 — Sent via email

[REDACTED]

Re: Case No.: 201500339

Dear [REDACTED]

This responds to your January 22, 2015 request for assistance from the Office of Government Information Services (OGIS), which we received via email. Your request for assistance pertains to your Freedom of Information Act (FOIA) request to Customs and Border Protection (CBP).

Congress created OGIS to complement existing FOIA practice and procedure; we strive to work in conjunction with the existing request and appeal process. The goal is for OGIS to allow, whenever practical, the requester to exhaust his or her remedies within the agency, including the appeal process. OGIS has no investigatory or enforcement power, nor can we compel an agency to release documents. OGIS serves as the Federal FOIA Ombudsman and our jurisdiction is limited to assisting with the FOIA process.

You contacted OGIS about a FOIA request you made to CBP for records related to [REDACTED] (assigned CBP tracking No. [REDACTED]). CBP received your request and notified you that the records you seek are under the purview of DHS Headquarters (DHS HQ); CBP forwarded your request to that office for review and direct response. You dispute this action.

I contacted CBP to discuss your request and the agency's decision to forward it to DHS HQ. According to CBP, the decision to refer your request to DHS HQ was an error. The agency returned your request to CBP and placed it in the queue to be worked in turn. CBP also informed me that you filed a second FOIA request for information related to the decision to refer request No. [REDACTED] to DHS HQ. Since the agency resolved its error, it has closed your second request.

I hope that this information about your request is useful to you. Thank you for bringing this matter to OGIS. We will close your case.

Sincerely,

Nikki Gramian, Acting Director
Office of Government Information Services (OGIS)

cc: Patrick Howard, CBP Acting Branch Chief

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