



OFFICE *of* GOVERNMENT INFORMATION SERVICES

April 18, 2016— Sent via email

[REDACTED]  
[REDACTED]

NATIONAL  
ARCHIVES  
*and* RECORDS  
ADMINISTRATION

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Re: Case No. 201600557  
JH:NG

Dear [REDACTED]

This responds to your request for assistance from the Office of Government Information Services (OGIS) which we received on February 26, 2016 via email. You asked for OGIS's assistance concerning your Freedom of Information Act (FOIA) request to Export/Import Bank of the United States (EXIM Bank).

As you are aware, 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.

We carefully reviewed your submissions and understand that you submitted a request to EXIM Bank seeking the minutes of all Advisory Committee meetings that took place in calendar years 2014 and 2015. In response to your request, the agency sent you an email that included an estimate of fees for this request; EXIM Bank informed you that you were placed in the "all other" fee category and estimated the initial cost of the processing of your request to be \$384.00. The agency further informed you that responding to your request would require 12 hours of search and review time at \$32.00 per hour. You dispute this estimate and seek OGIS's assistance with this matter, particularly with the agency's policy of charging review fees for "all other" category requesters.

OGIS discussed your request with EXIM Bank's FOIA Public Liaison, Ms. Lennell Jackson. We explained to Ms. Jackson your concern that as an "all other" requester, you were being charged review fees that are not required to be assessed pursuant to the FOIA. We also inquired about the agency's regulation that requires a "review" fee for "all other" category requesters. Ms. Jackson explained that based on a conversation she had with you on



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March 4, 2016, she reversed the agency's decision to charge any fees for your request (a copy of Ms. Jackson's email is attached for your reference). Since the issue of charging you fees is now moot, we then asked Ms. Jackson whether or not the agency plans to amend its FOIA regulations since it requires "review" fees to be assessed for requesters which are placed in "all other" category. Ms. Jackson stated that EXIM Bank is planning to make corrections to their FOIA regulations in the near future.

I hope that this information about your request is useful to you. Thank you for contacting OGIS; we will now consider your request with OGIS closed.

Sincerely,

/S/

JAMES V.M.L. HOLZER

Director

cc: Ms. Lennell Jackson, EXIM Bank FOIA Public Liaison

We appreciate your feedback. Please visit <https://www.surveymonkey.com/s/OGIS> to take a brief anonymous survey on the service you received from OGIS.