



OFFICE of GOVERNMENT INFORMATION SERVICES

May 2, 2016 — Sent via U.S. mail

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Re: Case No. 201600542
NG: HK: CM: KG

NATIONAL
ARCHIVES
and RECORDS
ADMINISTRATION

8601 ADELPHI ROAD
OGIS
COLLEGE PARK, MD
20740-6001

web: www.ogis.archives.gov
e-mail: ogis@nara.gov
phone: 202-741-5770
toll-free: 1-877-684-6448
fax: 202-741-5769

Dear [REDACTED]:

This responds to your request for assistance from the Office of Government Information Services (OGIS), which we received on February 22, 2016 via U.S. mail. Your request for assistance pertains to your records request to the Bureau of Prisons (BOP).

OGIS was created to complement existing Freedom of Information Act (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. Please know that 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.

After opening a case, OGIS gathers information from the requester and the agency to learn more about the nature of the dispute. This process helps us gather necessary background information, assess whether the issues are appropriate for mediation, and determine the willingness of the parties to engage in our services.

OGIS staff carefully reviewed the correspondence you submitted with your request for assistance. Because you did not provide a copy of your initial request to BOP or the agency's response, we contacted the agency for that material and obtained the additional correspondence, the agency's initial determination and the appeal response. From the documentation it appears you submitted a FOIA request to BOP seeking copies of [REDACTED]. BOP responded to your request by releasing [REDACTED] pages in their entirety. You appealed this response. On [REDACTED] the Department of Justice's Office of Information Policy (OIP) informed you that as a result of discussions between BOP and OIP, BOP conducted a second search for a [REDACTED]. OIP released those [REDACTED] pages to you in their entirety. You dispute this response, asserting that the agency omitted information from the records it released to you.



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In response to your submission, OGIS contacted OIP and BOP to discuss the agency's response to your appeal. BOP informed OGIS that it interpreted your initial request as seeking ██████████. On appeal, the agency also provided a ██████████. In response to your assertion that ██████████ is not complete, OGIS inquired about the specific ██████████ that you cited in your submission ██████████. BOP explained to OGIS that ██████████ are publicly available. The agency further explained that the ██████████ you cite in your correspondence with OGIS are sensitive official use records that are not included on the BOP website.

Because BOP interpreted your request for only the ██████████ and only processed those records, you may wish to submit a new FOIA request and specifically ask for the ██████████. BOP will then review the ██████████ under FOIA for segregable information that may be released. BOP will also afford you appeal rights which will give you an opportunity to challenge any withholdings it made to the ██████████ to OIP.

As a reminder, OGIS's jurisdiction is limited to assisting with the FOIA process. OGIS cannot compel agencies to release documents or enforce FOIA. In cases such as this where an agency is firm in its position, there is little for OGIS to do beyond providing more information about the exemptions the agency invoked. At this time, there is no further assistance OGIS can offer. Thank you for bringing this matter to OGIS. We will close your case.

Sincerely,

/s/

JAMES V.M.L. HOLZER
DIRECTOR

cc: ██████████ Senior Attorney, Department of Justice, Office of Information Policy
C. Darnell Stroble: FOIA Public Liaison, Bureau of Prisons