



OFFICE of GOVERNMENT INFORMATION SERVICES

January 7, 2013 - Sent via U.S. mail

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

In Re: Case No. 201300127
MN: CZ: CM

NATIONAL
ARCHIVES
and RECORDS
ADMINISTRATION

8601 ADELPHI ROAD
COLLEGE PARK, MD
20740-6001

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e-mail: ogis@nara.gov
phone: 202-741-5770
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Dear [REDACTED]

This responds to your November 3, 2012 request to the Office of Government Information Services (OGIS), which we received on November 13, 2012. You requested assistance with three Freedom of Information Act (FOIA) requests that you made to the U.S. Department of Justice Federal Bureau of Prisons (BOP).

OGIS was created under the OPEN Government Act of 2007 to resolve FOIA disputes with the goal of avoiding litigation. Since opening our doors in September 2009, OGIS has received more than 1,000 cases and has successfully resolved most of them by facilitating discussions between FOIA requesters and Federal agencies. We offer mediation services as a nonbinding alternative to litigation. Participation in OGIS's mediation services is voluntary and the office has no binding authority. OGIS does not process FOIA requests or review FOIA appeals. OGIS cannot compel an agency to release records.

After opening a case, OGIS conducts fact finding with 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. As part of our fact finding, we carefully reviewed your submissions of information. We also contacted BOP to inquire about your requests.

In response to our inquiry, BOP searched its database for information about your requests. BOP found that you have filed seven requests since December 20, 2009. Two of your requests, which are related to email messages for yourself, remain open and are being processed by BOP's South Central Regional Office. The case numbers of these two requests are [REDACTED] and [REDACTED]. BOP also informed OGIS that it recently responded to another of your requests (BOP case no. [REDACTED]). BOP provided OGIS with a copy of its response letter; we have attached it to this letter in case you did not receive it.



[REDACTED]
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In your November 3, 2012 letter to OGIS, you ask about preservation of phone calls and emails. As the federal FOIA ombudsman, this issue is outside the scope of our office's mission. We are sorry that we cannot assist you with preservation of your own records. However, you may know that agencies have their own records retention schedules that outline how long agencies must keep certain types of records. You may wish to research the records retention schedule of the agency at issue to determine how long any of your correspondence with the agency would be maintained by the agency.

You also state in your letter that you wrote to the Federal Bureau of Investigation (FBI) but received no response. You do not specify whether you made a FOIA request to the FBI or wrote to that agency for some other reason. If you made a FOIA request and would like OGIS's assistance checking the status of that request, please provide us with any additional information about that request (including the FBI request number, if you received one) and we would be glad to contact the agency on your behalf to check the status of your request.

We hope that this additional information about your FOIA request is helpful to you. Thank you for bringing this matter to our office, we will close your case at this time.

Sincerely,



Miriam Nisbet, Director
Office of Government Information Services

Enclosure