



OFFICE of GOVERNMENT INFORMATION SERVICES

April 6, 2015 — Sent via U.S. mail



Re: Case No.: 201500491  
NG: CM

NATIONAL  
ARCHIVES  
and RECORDS  
ADMINISTRATION

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OGIS  
COLLEGE PARK, MD  
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Dear [REDACTED]:

This responds to your March 2, 2015 request for assistance from the Office of Government Information Services (OGIS), which we received on via U.S. mail. Your request for assistance pertains to your records request to the Federal Bureau of Investigation (FBI); OGIS previously assisted you with this records request pursuant to OGIS case No. 201400368.

Congress created OGIS 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. 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 regarding three issues related to your records request:

1. Pending FOIA request: OGIS's June 23, 2014 letter to you informed you that the FBI expected to complete its processing of its cross reference search (resulting in 809 pages of records) and the [REDACTED] Police Department records (25 pages) in February, 2015. You have not received these records.
2. Fees: You also brought to our attention the FBI's lack of response concerning your agreement to pay fees that has been assessed for processing your request.
3. Processing: You asked us to assist you with obtaining the 25 pages of [REDACTED] Police Department records separate from the 809 pages that FBI identified in response to the cross reference search.

We discussed your concerns with Dennis Argall, FBI's FOIA Public Liaison. Regarding your pending records request, Mr. Argall provided an updated estimate, that the agency will complete work on your request in August, 2015. Mr. Argall also stressed that his office can only provide an estimate as his unit is making every effort to close the pending requests ahead of yours.



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April 6, 2015

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We also discussed your concerns about fees. Mr. Argall explained that once a FOIA requester indicates his/her willingness to pay, the FBI then considers the request “perfected” – the requester will not receive a statement of fees until the agency responds to the request. Mr. Argall also stated that FBI does not take payment plans; the fees are due upon release of records or submission of a fee letter (i.e., \$15/CD or \$.10/page.) Mr. Argall also explained that FBI tends to make a release of approximately 500 pages with each interim release.

Regarding your request that the FBI process the 25 pages of the ██████████ police department records separately from the 809 pages of records it identified in the cross reference search of the victim's name, Mr. Argall declined to process these records separately and told OGIS that the 25 pages of Berkeley Police Department records will be processed with the cross reference records.

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

Sincerely,

/S/

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

cc: Dennis Argall, FBI FOIA