



OFFICE *of* GOVERNMENT INFORMATION SERVICES

December 3, 2015 — Sent via U.S. mail

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

Re: Case No. 201600166  
NG: CM: KG

NATIONAL  
ARCHIVES  
*and* RECORDS  
ADMINISTRATION

8601 ADELPHI ROAD  
OGIS  
COLLEGE PARK, MD  
20740-6001

web: [www.ogis.archives.gov](http://www.ogis.archives.gov)  
e-mail: [ogis@nara.gov](mailto:ogis@nara.gov)  
phone: 202-741-5770  
toll-free: 1-877-684-6448  
fax: 202-741-5769

Dear [REDACTED]:

This responds to your November 12, 2015, request to the Office of Government Information Services (OGIS), which we received via phone. Your request for assistance concerns your Freedom of Information Act (FOIA) request to the Department of the Treasury's Office of the Comptroller of the Currency (OCC).

Congress created OGIS to complement existing FOIA practice and procedure and we strive to work in conjunction with the existing request and appeal process. OGIS's goal, whenever practical, is to allow 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 process a particular request before others. OGIS serves as the Federal FOIA Ombudsman and our jurisdiction is limited to assisting with the FOIA process.

You contacted OGIS regarding your [REDACTED] FOIA request which you sent to the Department of Justice's Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). ATF referred your request on [REDACTED] to OCC, because your request was for records regarding [REDACTED]. The OCC responded to your request on [REDACTED], stating that, in order to process your request, you must submit a signed request that includes your name, address, phone number, complaint number and a copy of your driver's license, along with a notarized statement, and/or an unsworn declaration in lieu of a notarized statement. OCC also informed you that this information is required under the Privacy Act. You responded to this request on [REDACTED] and stated that you would not provide the documentation that the agency requested, since your original request to ATF was notarized. You asked OGIS to look into this matter.



Please know, when an individual requests access to his or her own records, it is most often, but not always, considered a Privacy Act, or first-party, request. Privacy Act matters are outside the scope of our office's mission as the FOIA Ombudsman. However, many Privacy Act requests overlap with FOIA; therefore, OGIS provides ombuds services, including providing information about the process and the status of requests, to individuals requesting their own records. OGIS does not have a statutory role in reviewing policies, procedures and compliance with the Privacy Act as we do with FOIA. In addition, OGIS has no investigatory or enforcement power, nor can we compel an agency to release documents.

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December 3, 2015

Page 2 of 2

OGIS contacted the FOIA Public Liaison for the Department of the Treasury to discuss your request. We learned, in order for the agency to process your request, you must submit the documentation the agency requested in its ██████████ letter. We note that in your ██████████ letter to the agency you noted that the agency did not send you a telephone number you could use to contact the agency; we asked Treasury for this information and the agency provided the following number: (202) 649-6758. We also enclosed a copy of the Office of the Comptroller of the Currency's FOIA regulations.

We hope this information about the Treasury's requirements to process your FOIA request is helpful to you. At this time, OGIS can offer no further assistance. Thank you for bringing this matter to OGIS. We will close your case.

Sincerely,

/s/

JAMES V.M.L. HOLZER  
Director

cc: Ryan Law, FOIA Public Liaison, Department of the Treasury

Enclosure