



OFFICE of GOVERNMENT INFORMATION SERVICES

March 14, 2016—Sent via U.S. mail

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

Re: Case No.: 201600211
NG: CM

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 by U.S. mail on November 23, 2015. Your request for assistance pertains to your attempt to obtain records from the Federal Bureau of Investigation (FBI).

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. Our goal is 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 the material you submitted, and we note that you did not submit your original records request or the FBI's response. However, the [REDACTED] letter from the Department of Justice Office of Information Policy (OIP) responding to your appeal indicates that the FBI responded to your request by informing you that it conducted a search of its Central Records System indices and located no records [REDACTED]. You dispute this response.

In working cases similar to yours, the FBI has explained to OGIS that, like all Federal agencies, it creates, maintains, and obtains records as it carries out its responsibilities. As it does so, the Bureau organizes these records into case files which are indexed in the FBI's Central Records System (CRS). The CRS encompasses the centralized records of FBI Headquarters, field offices, and legal attaché offices. The records maintained in the FBI's CRS consist of administrative, applicant, criminal, personnel and other files compiled for law enforcement purposes.

Access to the CRS is afforded by the General Indices, which are arranged in alphabetical order. The General Indices consist of various subjects which are searched either manually or through the automated indices. The entries in the General Indices fall into two categories: (1) a "main" entry, which carries the name of an individual, organization, activity or the like, in which the *main subject* of a file is maintained in the system; or (2) "Reference" entries, sometimes called "cross-references," which are generally only a mention of or reference to an individual or organization which is located in the body of an investigative or administrative file of **another** individual, organization, or event.



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In response to your submission, we contacted the FBI to discuss your request and the agency's response. FBI FOIA confirmed that it searched its main file for [REDACTED], but the agency was not able to find any responsive records (main files). For this reason, FBI issued a "no records" response to your request. Please know that Federal courts have long settled that in regard to a search for documents, the crucial issue is whether an agency conducted an adequate search for a document, not whether a document *might* exist. An adequate search is conducted when the search is reasonably calculated to uncover all relevant documents. See *Weisberg v. Dep't of Justice*, 705 F.2d 1344, 1351 (D.C. Cir. 1983).

You do not explain in your submission to OGIS why you believe the FBI may have records related [REDACTED]. If you believe that [REDACTED] may be mentioned in the file of another subject, you may wish to submit another records request for cross-references. To make a request for cross-references—defined as a mention of a subject in the main file of another person, place, or event—you need to provide information in your request that allows the FBI to ensure with certainty that any records it locates are related [REDACTED], and not related to someone else with a similar name. This information may include the following:

- The specific circumstances in which [REDACTED] had contact with the FBI;
- The date(s) of such contact;
- The location(s) of such contact;
- [REDACTED] full name (first, middle, and last name) as well as any prior names or aliases;
- [REDACTED] Social Security number, date of birth, place of birth, and home address;
- Names of [REDACTED] associates, the mention of whom might aid in the identification of responsive records;
- Other references to [REDACTED] in media, such as books, articles, websites, etc.

Please note that the FBI may not be able to identify responsive cross-references despite the additional information you provide.

I hope you find this information useful. At this time OGIS can offer you no further assistance with this issue. Thank you for bringing this matter to OGIS; we consider your case closed.

Sincerely,

/s/

JAMES V.M.L. HOLZER
Director

cc: FBI FOIA