



OFFICE *of* GOVERNMENT INFORMATION SERVICES

April 7, 2016—Sent via email

████████████████████
████████████████████

Re: Case No.: 201600559
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 ██████████:

This responds to your two requests for assistance from the Office of Government Information Services (OGIS), which we received on February 26 and March 7, 2016, via email. Thank you for your interest in OGIS.

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 our office about two requests you made to the Federal Bureau of Investigation (FBI).

Request No. ██████████

You made a request for information about ██████████ ██████████. Although the FBI initially denied this request, you appealed this response and the Office of Information Policy (OIP) remanded your request to the FBI for additional processing. You requested OGIS's assistance in determining the status of your remanded request.

OGIS staff contacted the FBI to discuss the status of this request. According to FBI FOIA staff, the remanded request was assigned request No. ██████████, and the agency responded to you on ██████████ and closed the case. For your reference, we have attached a copy of FBI's final response. Please note, you have 60 days from the date of that letter to appeal the agency's response for this request.



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Request No. [REDACTED]

You also requested records related to [REDACTED]. 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 appealed this response, and OIP affirmed the FBI's action on your request. You dispute this response; specifically, you state that the FBI should have found and released two complaints [REDACTED]

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 files [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).

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 agency's actions. 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/

JAMES V.M.L. HOLZER
Director

Enclosure

cc: FBI FOIA

We appreciate your feedback. Please visit <https://www.surveymonkey.com/s/OGIS> to take a brief anonymous survey on the service you received from OGIS.