



OFFICE *of* GOVERNMENT INFORMATION SERVICES

February 18, 2015 — Sent via U.S. Mail



Re: Case No. 201400902  
NG: CM: AS

NATIONAL  
ARCHIVES  
*and* RECORDS  
ADMINISTRATION

8601 ADELPHI ROAD  
OGIS  
COLLEGE PARK, MD  
20740-6001

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

This responds to your September 8, 2014 request for assistance from the Office of Government Information Services (OGIS), which we received on September 9, 2014 by mail. Your request for assistance pertains to your Freedom of Information Act (FOIA) requests, No. [REDACTED] and [REDACTED] and appeal, No. [REDACTED], to National Archives and Records Administration (NARA) seeking information pertaining to the [REDACTED].

Congress created OGIS to complement existing 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.

We carefully reviewed your submission of information, and contacted NARA staff to inquire about your request. NARA staff affirmed their withholding of the records you seek, and provided us with additional information that is explained below.

Exemption 6, 5 U.S.C. § 552(b)(6), protects information from release that would be a “clearly unwarranted invasion of personal privacy.” Courts have found that individuals have privacy interests in their names, addresses, date of birth, place of birth and employment history, among other information, and that those privacy interests outweigh public interest in release.

NARA did perform an additional review of these records taking into account decisions they have made on similar records. But upon further consideration, NARA determined that the privileged rights of the victims of war crimes, who may still be living, outweighs any public interest in this information and is properly withheld under the applicable exemptions discussed above.

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.



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While I understand that this is not the result for which you hoped, I hope that this additional information about your request is useful to you. Thank you for bringing this matter to OGIS; at this time there is no further action for us to take and we will consider this matter closed.

Sincerely,

/s/

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

cc: FOIA Office, NARA, via email