

## OFFICE of GOVERNMENT INFORMATION SERVICES

April 8, 2015 - Sent via U.S. mail



Re: Case No.: 201500479

NG: CM

NATIONAL ARCHIVES and RECORDS ADMINISTRATION

8601 ADELPHI ROAD
OGIS
COLLEGE PARK, MD
20740-6001

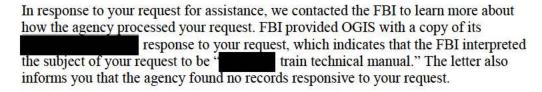
web: www.ogis.archives.gov e-mail: ogis@nara.gov phone: 202-741-5770 toll-free: 1-877-684-6448 fax: 202-741-5769



This responds to your February 24, 2015 request for assistance from the Office of Government Information Services (OGIS), which we received via U.S. mail. Your request for assistance pertains to your Freedom of Information Act (FOIA) request to the Federal Bureau of Investigation (FBI).

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.

I understand from your submission that you seek records related to administered by the U.S. Army and FBI; as you explain in your correspondence, a Police officer who assisted in your investigation received this training. The FOIA appeal response letter from the Department of Justice Office of Information Policy (OIP) that you enclosed in your submission indicates that the FBI searched for, but did not locate, records responsive to your request. You dispute this response and request OGIS's assistance in obtaining these records.



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. *Weisberg v. Dep't of Justice*, 705 F.2d 1344, 1351 (D.C. Cir. 1983).



In your correspondence to OGIS, you explain that the officer who testified at your trial was trained in at the "FBI and Army base." It appears that there are several Army Engineering Design Handbooks titled Trains available on the World Wide Web. You may wish to ask a friend or family member to find and print this publicly-available document(s) for you. For your reference, I have enclosed the front cover of one of these handbooks. You may also wish to submit a FOIA request to the Army to see if any additional records related to this topic can be released to you.

Army FOIA requests may be directed to:

Alecia Bolling FOIA Contact Freedom of Information Act Office Suite 144 7701 Telegraph Road, Room 150 Alexandria, VA 22315-3905

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,

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

cc: Dennis Argall, FBI FOIA

AMCP 706-179

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## ENGINEERING DESIGN HANDBOOK

## **EXPLOSIVES SERIES**

## **EXPLOSIVE TRAINS**

