



OFFICE of GOVERNMENT INFORMATION SERVICES

April 20, 2015 — Sent via U.S. Mail

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

Re: Case No.: 201500409
NG: CM: KG

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 on February 7, 2015 via U.S. mail. Your request for assistance pertains to your records request to the Federal Bureau of Prisons (BOP).

OGIS was created 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 provides mediation services to resolve disputes between FOIA requesters and Federal agencies. After opening a case, OGIS gathers information from the requester and the agency to learn more about the nature of the dispute. OGIS then decides how and whether to proceed on the request for assistance. Please know that 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.

OGIS staff carefully reviewed the correspondence you submitted with your request for assistance. In your letter to OGIS you stated, "I sought copies of all of [REDACTED] records involving [REDACTED]. [REDACTED]." BOP conducted a search using the terms and search parameters referenced in your request and did not locate any responsive records. You appealed this determination. The Department of Justice's Office of Information Policy (OIP) affirmed this determination on [REDACTED]. OGIS staff reached OIP to obtain copies of your appeal and the agency's determination, which we enclose as a courtesy to you.



Please know that 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 fall outside the scope of our office's mission as the Freedom of Information Act (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.

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OGIS also called BOP to discuss the agency's search for your FOIA request. BOP FOIA Public Liaison Darnell Stroble, in response to the conversation with OGIS, reached out to the BOP regional office that processed your request. Mr. Stroble had an opportunity to discuss your case with staff from the Western Regional Office. He confirmed that based on the date of your FOIA request the staff at BOP conducted an adequate search for responsive records and found no responsive records. Mr. Stroble explained to OGIS that the records you referenced may have been generated after the FOIA request was processed. In this regard, we recommend you submit a new request for the relevant records you seek from the agency.

I hope you find this information useful in understanding why the BOP responded to your request as it did. At this time, there is no further assistance OGIS can offer. Thank you for bringing this matter to OGIS. We will close your case.

Sincerely,

/s/

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

cc: Sean O'Neill, Chief , Administrative Appeals Staff, Office of Information Policy