



OFFICE of GOVERNMENT INFORMATION SERVICES

May 15, 2015 — Sent via U.S. mail



Re: Case No. 201500359  
NG: CM: CL

NATIONAL  
ARCHIVES  
and RECORDS  
ADMINISTRATION

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Dear [REDACTED]:

This responds to your January 28, 2015 request for assistance from the Office of Government Information Services (OGIS). Your request for assistance pertains to your Freedom of Information Act (FOIA) request, No. [REDACTED], and subsequent appeal, No. [REDACTED], to the United States Postal Service Office of the Inspector General (USPS OIG).

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. As the Federal FOIA Ombudsman, OGIS fosters better understanding of FOIA. Because our jurisdiction is limited to the Federal FOIA, this letter will not address the non-FOIA issues raised in your correspondence: specifically section 7(b) of the Inspector General Act and the Whistleblower Protection Act and the allegations of misconduct against you.

I understand you appealed USPS OIG's decision to release forty-one pages of OIG records with portions withheld under FOIA Exemptions 7(C) and 7(E), 5 U.S.C. §§ 552(b)(7)(C) and (b)(7)(E). You were particularly dissatisfied by the USPS OIG's decision to redact the name and identifying information of the individual who initiated allegations of misconduct against you. USPS OIG's [REDACTED] letter in response to your appeal explained that the agency conducted thorough searches of the OIG's database and found no additional responsive records. USPS OIG affirmed its initial response to your request. You dispute this response.

To learn more about the USPS OIG's response to your request and appeal, we contacted USPS OIG FOIA Officer Paul Maloney to inquire about the agency's response to your request. Mr. Maloney affirmed the agency's position on your request. 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 and the cited exemptions.

Under FOIA Exemption 7(C), USPS OIG withheld the name of the third party or parties named in the records you seek. Exemption 7(C) protects from disclosure law



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enforcement information the disclosure of which “could reasonably be expected to constitute an unwarranted invasion of personal privacy.” Agencies regularly apply Exemption 7(C) to withhold references to individuals who are not targets of investigation, but who are merely mentioned in law enforcement files, as well as to individuals in whom a law enforcement agency has an investigatory interest.

With regard to your request for access to records that include the name and identifying information of the individual who [REDACTED], please know that in order to protect an individual’s personal privacy, both the FOIA and the Privacy Act of 1974 prohibit the government from releasing information about a third party without his or her written consent or proof of his/her death, or without a showing of an overriding public interest in disclosure of the information. Please know that these third party protections also apply if someone requests from the government records pertaining to *you*.

FOIA Exemption 7(E) applies to information compiled for law enforcement purposes and authorizes an agency to withhold information that “would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law.”

Finally, please know that the USPS OIG FOIA professionals who search for and process records in response to FOIA requests are not responsible for providing assistance outside the realm of the FOIA and cannot assist you with the allegations of misconduct against you.

I hope you find this information useful. Thank you for contacting OGIS; we will now consider this matter closed.

Sincerely,

Nikki Gramian, Acting Director  
Office of Government Information Services

cc: Paul Maloney, FOIA Officer, USPS OIG