



OFFICE of GOVERNMENT INFORMATION SERVICES

September 1, 2015 — Sent via email

[REDACTED]

Re: Case No. 201501049  
NG: CM: CL

Dear [REDACTED]

This letter responds to your July 29, 2015, request for assistance from the Office of Government Information Services (OGIS). Your request for assistance pertains to your Freedom of Information Act (FOIA) requests, Nos. OS-[REDACTED], OS-[REDACTED] and OS-[REDACTED], to the Department of the Interior (DOI), Office of the Secretary (OS).

Congress created OGIS to complement existing FOIA practice and procedure; we strive to work in conjunction with the existing request and appeal process. Our goal is 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 process one request before others. OGIS serves as the Federal FOIA Ombudsman and our jurisdiction is limited to assisting with the FOIA process.

You contacted OGIS because you are concerned about DOI's delay in responding to your requests. We carefully reviewed your submission and contacted OS FOIA Public Liaison Clarice Julka to learn more about the status of your FOIA requests.

Regarding request No. OS-[REDACTED], Ms. Julka informed OGIS that OS responded to this request on August 4, 2015. If you are dissatisfied with OS's action on this request, the next step in the administrative process is to file an appeal by following the instructions in OS's final response letter and the Department of the Interior's FOIA regulations, available at <http://www.gpo.gov/fdsys/pkg/FR-2012-12-31/pdf/2012-31117.pdf>.

I understand that the agency previously informed you that request No. OS-[REDACTED] is "in progress." Ms. Julka further explained that the agency is collecting records that are potentially responsive to this request and estimates that the agency will complete processing the request by October 31, 2015.

OGIS staff also inquired about the status of OS-[REDACTED]. According to Ms. Julka, the records responsive to this request contain White House equities and the

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White House must review them before OS can respond to your request. Ms. Julka estimates that OS will complete processing the request by September 30, 2015.

In your submission to OGIS, you assert the importance of the information you seek and your desire to inform the public about this topic. The FOIA gives requesters the right to request an estimated date on which an agency expects to respond to a request, 5 U.S.C. § 552(a)(7)(B). An estimate is an agency's best determination as to when the agency believes it will complete processing a request, based upon what remains to be done in a given case and in light of the agency's experience with processing similar requests. It is not a guarantee that agency will have responded to you by that date.

I understand your frustration with the delay in the responses to your requests. Delays, while unfortunate, are an unavoidable aspect of FOIA for many agencies, particularly those that receive as many requests and appeals as OS. The need to consult with other agencies before responding to a FOIA request can also further delay the process.

Although this may not be the result for which you hoped, I hope you find this information useful. At this time, OGIS cannot offer you any additional assistance. Thank you for bringing this matter to OGIS. We will close your case.

Sincerely,

/s/

Dr. James Holzer, Director  
Office of Government Information Services

cc: Clarice Julka, FOIA Public Liaison, Department of the Interior, Office of the Secretary, via email