



OFFICE of GOVERNMENT INFORMATION SERVICES

October 13, 2015 - Sent via U.S. mail

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

Case No: 201501251
JH: CM: AB

NATIONAL
ARCHIVES
and RECORDS
ADMINISTRATION

8601 ADELPHI ROAD
OGIS
COLLEGE PARK, MD
20740-6001

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

This responds to your submission to the Office of Government Information Services (OGIS), which we received on September 28, 2015. Your request for assistance pertains to a Freedom of Information Act (FOIA) request you made to the Executive Office for United States Attorneys (EOUSA) for records concerning [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 records. OGIS serves as the Federal FOIA Ombudsman and our jurisdiction is limited to assisting with the FOIA process.

We carefully reviewed your submission and understand that EOUSA provided you with a copy of [REDACTED]. You appealed EOUSA's action on your request to the Office of Information Policy (OIP) at the Department of Justice, citing EOUSA's failure to provide you with a copy of the [REDACTED]. OIP affirmed EOUSA's action on your request.

We discussed your request with EOUSA and learned that [REDACTED]. EOUSA informed us that, as required by agency's approved records disposition schedule, the agency retains files on former [REDACTED] for two years. After two years, the file is destroyed.

As required by the Federal Records Act, each federal agency, including EOUSA, maintains a records retention schedule that includes a plan for disposing of old records. Agency heads work with the Archivist of the United



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States to create these lists of records that no longer have “sufficient administrative, legal, research, or other value to warrant their further preservation by the Government” (44 U.S.C. § 3303(3)). According to EOUSA, the record you seek was destroyed pursuant to the agency’s records disposition schedule.

I know that this is not the outcome for which you hoped. However, I hope you find the explanation provided above useful. 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/

JAMES V.M.L. HOLZER

Director

cc: Donna Preston, FOIA Public Liaison, EOUSA