



OFFICE of GOVERNMENT INFORMATION SERVICES

October 2, 2015 - Sent via U.S. mail



Case No: 201501183
NG: CM: AB

NATIONAL
ARCHIVES
and RECORDS
ADMINISTRATION
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Dear [REDACTED]:

This responds to your September 10, 2015 submission to the Office of Government Information Services (OGIS). Your request for assistance pertains to your Freedom of Information Act (FOIA) request to the Center for Disease Control and Prevention (CDC).

Congress created OGIS 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 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.

We have carefully reviewed your submission of information and we understand that you are dissatisfied with CDC's delay in processing a request that you submitted on [REDACTED] and an appeal that you submitted on [REDACTED]. You asked for OGIS's assistance in resolving this matter.

In response to your submission, we contacted the Program Support Center Appeals Office to inquire about the status of your appeal. The Office confirmed that it expects respond to your appeal in April, 2016.

We also contacted CDC to discuss the status of your request. As you might know, CDC processes requests on a first-in, first-out basis. While discussing your request with CDC's FOIA unit, we learned that CDC has close to 40 "expedited" requests in its queue, and that there are more than 1 million pages responsive to those requests; the agency must conduct a page-by-page and line-by-line review of all of this material before it begins processing other requests, including yours. CDC estimates that your request will rise to the top of the queue in 36 months. Please know that CDC might begin processing your request before or after this estimated time frame based on the complexity of the records in its queue.

I understand that you are frustrated by the delay in the response to your request. CDC's FOIA Public Liaison acknowledged the importance of the records you seek and assured us that the agency is taking every step to move through its



Mr. Lee Smith
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backlog as quickly as possible, including bringing on additional FOIA processors to assist with the processing of pending requests.

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/

DR. JAMES V.M.L. HOLZER
Director

cc: Katherine Norris, Centers for Disease Control and Prevention, Health and Human Services

Denise Wallace, Program Support Center, Health and Human Services