



OFFICE of GOVERNMENT INFORMATION SERVICES

December 7, 2015—Sent via U.S. mail

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

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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Re: Case No.: 201501253
NG: CM

Dear [REDACTED]:

This responds to your September 23, 2015 request for assistance from the Office of Government Information Services (OGIS), which we received via U.S. mail. Your request for assistance pertains to your Freedom of Information Act (FOIA) request to the Federal Bureau of Investigation (FBI).

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.

I understand that you made a request for records about [REDACTED]. The FBI responded to your request by informing you that the agency is not obligated to answer questions or do research. You appealed that response, and the Office of Information Policy (OIP) upheld the FBI's response while informing you that without [REDACTED] consent or proof of death, the FBI is not required to search for responsive records pursuant to FOIA Exemption 7(C), 5 U.S.C. § 552 (b)(7)(C). You dispute this response, asserting that [REDACTED] is deceased.

FOIA Exemption 7(C) protect personal privacy interests. This exemption is limited to information compiled for law enforcement purposes and protects personal information when disclosure "could reasonably be expected to constitute an unwarranted invasion of personal privacy." As you may be aware, these privacy interests may be decreased for deceased individuals. We contacted FBI to inquire about your request, and FBI FOIA staff informed



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OGIS that you did not submit proof of [REDACTED] death with your records request. You may wish to resubmit your request with a copy of the obituary—obtained by your brother—that you reference in your submission to OGIS.

I hope that this information about your request is useful to you. Thank you for contacting OGIS; we will now consider this matter closed.

Sincerely,

/s/

JAMES V.M.L. HOLZER
Director

cc: Dennis Argall, F.B.I. FOIA