



OFFICE of GOVERNMENT INFORMATION SERVICES

January 5, 2016—Sent via email

[REDACTED]  
[REDACTED]

Re: Case No.: 201600160  
NG: CM

NATIONAL  
ARCHIVES  
and RECORDS  
ADMINISTRATION

8601 ADELPHI ROAD  
OGIS  
COLLEGE PARK, MD  
20740-6001

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Dear [REDACTED]:

This responds to your request for assistance from the Office of Government Information Services (OGIS), which we received on November 5, 2015 via email. Your request for assistance pertains to your Freedom of Information Act (FOIA) request to the U.S. Postal Service (USPS).

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 have carefully reviewed your submission of information, and it appears that you are appealing a [REDACTED]. Because our jurisdiction is limited to the FOIA process, we cannot assist you with this part of your dispute.

We contacted USPS to discuss the two FOIA requests included in your submission of information. Regarding request No. [REDACTED], I understand that you did not appeal USPS's decision to withhold responsive records in full pursuant to FOIA Exemption 3, 5 U.S.C. § 552(b)(3), in conjunction with 39 U.S.C. § 410(c)(2). In the future, if you disagree with an agency's response to a FOIA request, you may wish to file an administrative appeal. The appeal is an important part of the FOIA administrative process. By filing an appeal, you preserve your administrative rights and give the agency a chance to carefully review and reconsider every part of a request and the agency's decision.

Your submission also included information about request No. [REDACTED], in which you requested information about [REDACTED]. USPS denied your request in full, citing FOIA Exemption 6, 5 U.S.C. § 552(b)(6), which protects information from release that would be a "clearly unwarranted invasion of personal privacy." You appealed that response, and on appeal, the USPS upheld the agency's initial determination to withhold some of the information you seek (related to hours worked, sick pay, holiday pay, vacation pay, overtime pay, benefits, reimbursed expenses, and any "deals made between these rural carriers and management"), but remanded your request for other data that is considered public.



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We discussed request No. 2 [REDACTED] with USPS's FOIA staff. Regarding the remanded portion of the request, USPS informed OGIS that the agency is finalizing its response and it expects to respond to your request shortly.

We also discussed the agency's decision to withhold certain information that you seek. USPS informed OGIS that the agency is firm in its decision. As USPS's [REDACTED] appeal response letter explains, when making release determinations pursuant to Exemptions 6, an agency must weigh the public interest against an individual's right to privacy. In your case, USPS determined that there is no public interest in the withheld information that outweighs these employees' right to privacy. Courts have consistently held that the central purpose of FOIA is to allow people to learn about the conduct of agencies, not to discover information about other individuals. The Supreme Court held that "the statutory purpose [of FOIA] is not fostered by disclosure of information about private citizens that is accumulated in various governmental files but that reveals little or nothing about an agency's own conduct." *U.S. Dep't of Justice v. Reporters Committee for Freedom of the Press*, 489 U.S. 749, 773 (1989).

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. I hope that this information about your requests 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: USPS FOIA

We appreciate your feedback. Please visit <https://www.surveymonkey.com/s/OGIS> to take a brief anonymous survey on the service you received from OGIS.