



OFFICE of GOVERNMENT INFORMATION SERVICES

April 18, 2016 — Sent via email

[REDACTED]

Re: Case No.: 201600460  
NG: CM: KG

NATIONAL  
ARCHIVES  
and RECORDS  
ADMINISTRATION

8601 ADELPHI ROAD  
OGIS  
COLLEGE PARK, MD  
20740-6001

web: [www.ogis.archives.gov](http://www.ogis.archives.gov)  
e-mail: [ogis@nara.gov](mailto:ogis@nara.gov)  
phone: 202-741-5770  
toll-free: 1-877-684-6448  
fax: 202-741-5769

Dear [REDACTED]

This responds to your request for assistance from the Office of Government Information Services (OGIS), which we received on February 2, 2016 via email. Your request for assistance pertains to a records request to the Equal Employment Opportunity Commission (EEOC).

As you are aware, 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.

OGIS staff carefully reviewed your submission. On [REDACTED] you appealed the EEOC New York Office's denial of your FOIA request for a [REDACTED]

[REDACTED] We understand that to date, you have not received an acknowledgement from the agency that your appeal was received or processed.

In response to your submission, OGIS contacted EEOC to find out the status of your appeal. EEOC's FOIA Public Liaison Stephanie Garner explained that, according to EEOC's FOIA regulations, FOIA appeals must be submitted in writing to Assistant Legal Counsel, FOIA Programs, Office of Legal Counsel, Equal Employment Opportunity Commission, 131 M Street, N.E., Suite 5NW02E, Washington, D.C. 20507 and should include a copy of your determination letter. The agency included appeal instructions in the [REDACTED] [REDACTED] response letter regarding case # [REDACTED].

In your case, it appears that you submitted your appeal via email to the New York Office; for this reason, it has not been processed. As a courtesy to you, in response to OGIS's inquiry, Ms. Garner located your [REDACTED] appeal and will log it into the EEOC's appeal processing queue. The Legal Counsel will acknowledge your appeal in writing and provide you with the tracking number and the contact information for the person who will process it.



[REDACTED]  
April 18, 2016

Page 2 of 2

On [REDACTED] you followed up with OGIS, copying us on an email you sent to EEOC. In your email you are appealing the New York District Offices' determination for FOIA requests [REDACTED] and [REDACTED]. You attached both letters to your email. As you know, 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.

At this point in the FOIA process, there is no further action that OGIS can take on your request for assistance. Thank you for contacting OGIS.

Sincerely,

/s/

JAMES V.M.L. HOLZER  
DIRECTOR

cc: Stephanie Garner, FOIA Public Liaison, Equal Employment Opportunity Commission

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.