



OFFICE *of* GOVERNMENT INFORMATION SERVICES

May 24, 2016 — Sent via email

Re: Case No. 201600703  
NG: HK: CM: CL

NATIONAL  
ARCHIVES  
*and* RECORDS  
ADMINISTRATION

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OGIS  
COLLEGE PARK, MD  
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Dear [REDACTED]:

This responds to your April 4, 2016, request for assistance from the Office of Government Information Services (OGIS) concerning your Freedom of Information Act (FOIA) request to the Civil Division of the Department of Justice.

As you know, 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.

You submitted a FOIA request (No. [REDACTED]) to the Civil Division for records concerning federal judge [REDACTED]. The Civil Division's December 29, 2015 response to your request stated that the Division does not maintain records on U.S. federal judges; therefore it has no documents responsive to your request. On appeal (No. [REDACTED]), DOJ's Office of Information Policy affirmed the Civil Division's response to your request. You contacted OGIS because you dispute this response.

We carefully reviewed your submission and contacted Civil Division Senior Supervisory FOIA Counsel [REDACTED] to inquire about the Division's action on your request. [REDACTED] affirmed the agency's response to your request. In situations where an agency is firm in its position, OGIS can do little beyond providing information about the agency's action on a request and the rationale behind it.

The Civil Division defends the federal government in suits challenging the constitutionality, lawfulness, or propriety of Presidential initiatives, federal statutes, and government programs and actions and initiates litigation to enforce various federal statutes and the federal consumer protection and immigration laws. The Division maintains record material relating to cases and matters under its jurisdiction, as well as records relating to the administration of the Division. [REDACTED] explained that that the Division does not



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maintain records of judges' hearing schedules; therefore, it did not conduct a search for records responsive to your request. For your reference, I enclose information from the Civil Division's website regarding its mission and the records it maintains.

Further, please understand that FOIA covers records held by the executive branch, not the judicial or legislative branches of the Federal government. As such, FOIA cannot be used to obtain Federal court records including records concerning the schedules of federal judges. However, some U.S. District Courts provide judges' calendars online. [REDACTED] [REDACTED] calendar is available at [REDACTED].

I hope you find this information useful. We will take no further action on your submission.

Sincerely,

/s/

NIKKKI GRAMIAN  
Acting Director

cc: DOJ Civil Division FOIA Unit, via email