

OFFICE of GOVERNMENT INFORMATION SERVICES

June 16, 2016 — Sent via U.S. mail



Re: Case No. 201600769 NG: CM: KG

NATIONAL ARCHIVES and RECORDS ADMINISTRATION

8601 ADELPHI ROAD OGIS COLLEGE PARK, MD

20740-6001

web: www.ogis.archives.gov e-mail: ogis@nara.gov phone: 202-741-5770 toll-free: 1-877-684-6448 fax: 202-741-5769



This responds to your request for assistance from the Office of Government Information Services (OGIS), which we received on April 15, 2016 via U.S. mail. Your request for assistance pertains to your records request to the Department of Justice (DOJ), Federal Bureau of Investigation (FBI).

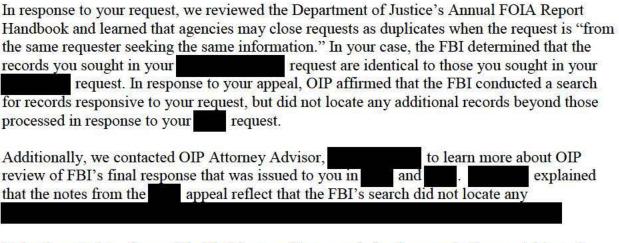
OGIS was created to complement existing Freedom of Information Act (FOIA) practice and procedure; we strive to work in conjunction with the existing request and appeal process. The goal is for OGIS to allow, whenever practical, the requester to exhaust his or her remedies within the agency, including the appeal process. Please know that 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 provides mediation services to resolve disputes between FOIA requesters and Federal agencies. After opening a case, OGIS gathers information from the requester and the agency to learn more about the nature of the dispute. This process helps us gather necessary background information, assess whether the issues are appropriate for mediation, and determine the willingness of the parties to engage in our services. As part of our information gathering, OGIS carefully reviewed your submission of information.

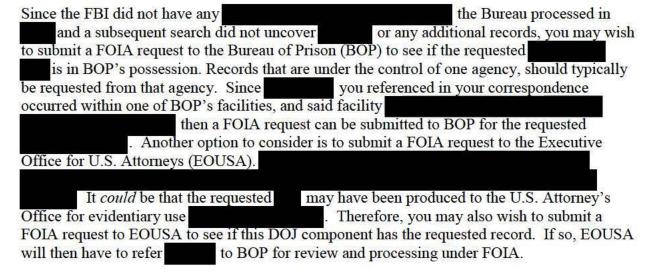


You submitted a request to FBI on	. On
FBI responded to your request, informing you the ager	ncy processed and
released records responsive to this request to you on	. You
appealed this determination on . I	OOJ's Office of
Information Policy (OIP) responded to your appeal on	
affirming the FBI's action on your request. You reque	sted assistance from
OGIS.	

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Federal courts have long settled that in regard to a search for documents, the crucial issue is whether an agency conducted an adequate search for a document, not whether a document *might* exist. An adequate search is conducted when the search is reasonably calculated to uncover all relevant documents. *Weisberg v. Dep't of Justice*, 705 F.2d 1344, 1351 (D.C. Cir. 1983) The reasonableness of an agency's search can depend on whether the agency properly determined where responsive records were likely to be found, and searched those locations, or whether the agency improperly limited its search to certain record systems or otherwise failed to explain how and why the particular search at issue was conducted.



It should also be noted that both BOP and EOUSA have approved records management schedules and said document may have been destroyed pursuant to the agency's records management schedules.

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I hope that this information about your request is useful to you. At this time, there is no further assistance OGIS can offer. Thank you for bringing this matter to OGIS. We will close your case.

Sincerely,

/s/

NIKKI GRAMIAN Acting Director

cc: Dennis Argall, FOIA Public Liaison, Federal Bureau of Investigations , Associate Chief, Administrative Appeals Staff, Office of Information Policy, Department of Justice