



OFFICE of GOVERNMENT INFORMATION SERVICES

July 18, 2016 — Sent via U.S. mail



Re: Case No.: 201600464
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

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 Department of Health and Human Services (HHS). We apologize for our delay in responding to your request.

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 carefully reviewed your submission. On [REDACTED], you made a request to HHS for [REDACTED]. HHS acknowledged your request on [REDACTED]. On [REDACTED], HHS contacted you to ask for the date and location of the regional office to which the form was submitted; the agency asked for a response within 10 days. You responded to the agency on [REDACTED], and followed up on [REDACTED] requesting an estimated date of completion. On [REDACTED] and [REDACTED] you appealed the agency's lack of response. Both appeals were returned to you as undeliverable. You ask for OGIS's assistance with this matter.



In response to your submission, OGIS contacted HHS to discuss your request. Michael Marquis, Director of the Freedom of Information and Privacy Acts Division at HHS, and Michael Bell, HHS FOIA Public Liaison, assisted OGIS with this request. In response to OGIS's inquiry, Mr. Marquis asked the HHS Office of Civil Rights (OCR) to conduct an additional search for [REDACTED] responsive to your request. Additionally, Mr. Bell asked the Operating Division to search for the form. The two divisions were unable to locate the form.

[REDACTED]
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HHS further informed OGIS that on [REDACTED], the agency responded to your request, informing you that it could not locate records responsive to your request. I understand that the agency provided appeal rights to you in that letter, which is enclosed. As you may be aware, 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.

I hope that this information about your request is useful to you. At this time, there is no further action that OGIS can take on your request for assistance. Thank you for contacting OGIS.

Sincerely,

/s/

NIKKI GRAMIAN

Acting Director

Enclosure

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.