



OFFICE *of* GOVERNMENT INFORMATION SERVICES

September 8, 2016 — Sent via U.S. mail

NATIONAL
ARCHIVES
and RECORDS
ADMINISTRATION

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Re: Case No. 201600894
NG: CM: KG

Dear [REDACTED]:

This responds to your request for assistance from the Office of Government Information Services (OGIS), which we received on May 23, 2016 via U.S. mail. Your request for assistance pertains to your records request to the Department of the Navy, Naval History and Heritage Command (NHHC).

As you may be aware, 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 made a request to the Navy for a [REDACTED]. On [REDACTED] the Navy informed you that your request was referred to NHHC. You have not received a response from the agency. You seek OGIS's assistance with this matter.

In response to your submission, OGIS contacted the Department of Defense FOIA Public Liaison, Melissa Walker, to discuss your request and obtain an estimated date of completion. Ms. Walker informed OGIS that NHHC processed your request and sent you a determination letter on [REDACTED]. We've enclosed a copy with this letter.

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Under the FOIA Improvement Act of 2016, in cases of adverse determinations, agencies shall notify requesters of the right “to seek dispute resolution services from the FOIA Public Liaison of the agency **or** the Office of Government Information Services.” 5 U.S.C. § 552 (a)(6)(A)(i)(III). Prior to an agency’s decision on an administrative appeal, OGIS is limited in what services we can provide. At this point in the process, we can only work with agencies to provide more information about how the records were processed. 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. You have 90 days from [REDACTED] to submit your appeal.

Please do not hesitate to contact OGIS if you need further assistance with issues of delay, or if you have questions after the administrative appeal is complete. I hope you find this information useful. Thank you for contacting OGIS; we will now consider this matter closed.

Sincerely,

/s/

NIKKI GRAMIAN

Acting Director

cc: Melissa Walker, FOIA Public Liaison, Department of Defense

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.