



OFFICE of GOVERNMENT INFORMATION SERVICES

August 27, 2015

Marc Rotenberg
President and Executive Director
EPIC
1718 Connecticut Avenue, NW
Suite 200
Washington, DC 20009
rotenberg@epic.org

NATIONAL
ARCHIVES
and RECORDS
ADMINISTRATION

8601 ADELPHI ROAD
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

Re: Administrative Closures

Dear Mr. Rotenberg:

The Office of Government Information Services (OGIS) received your letter dated October 30, 2014, regarding the concerns of many of your colleagues in the open government community related to the administrative closures of FOIA requests by Federal agencies through the use of "still interested" letters.

As described in our November 25, 2014, correspondence to Mr. Nate Jones of the National Security Archive, we determined that this issue is more appropriate for OGIS's review function than for its mediation function. For that reason, my Deputy instructed the review team to pay particular attention to this practice when they conduct reviews of individual agencies' FOIA programs. Currently, our office is conducting reviews of the FOIA units of six (6) components of DHS, and the team is paying attention to this issue in their work. Our reports will provide a more detailed assessment of this practice within each office.

As you are aware, we have been operating without a Director for much of the past year. Now that we are fully staffed, I have directed our review team to analyze the use of "still interested" letters by Federal agencies. The review team hopes to complete its review by the end of the calendar year.

Thank you again for making us aware of this matter and I look forward to working together to address this issue. If you have addition questions or concerns, please don't hesitate to contact OGIS's Attorney Advisor, Hirsh Kravitz, at 202-741-5776 or hirsh.kravitz@nara.gov.



Sincerely,

Dr. James Holzer
Director

cc:

Cause of Action

Center for Effective Government

Citizens for Responsibility and Ethics in Washington

Electronic Privacy Information Center

Government Accountability Project

James Madison Project

Law Offices of Mark Zaid

MuckRock

National Security Archive

National Security Counselors

Openthegovernment.org

Project on Government Oversight

Public Employees for Environmental Responsibility

Sunlight Foundation