



# Office of Government Information Services Open Cases

as of August 13, 2010

Case #	Received	Dept/Agency	Category	Description	Status	Notes
10-0004	1/6/2010	DOT	Fees	Customer believes FAA charged search fees for EIS-related documents in contradiction of CEQ regulation pertaining to NEPA.	Facilitating resolution	Spoke to FAA FOIA Officer and FPL several times, both of whom have spoken to customer regarding issue. Consulted with CEQ and OIP; drafting final response.
10-0021	1/22/2010	DOL	Denial	Request for "native electronic format" of OSHA Admin. Manual posted pursuant to (a)(2) denied. Preparing appeal and customer seeking OGIS input on case.	Fact finding	Spoke to DOL OGC and customer on several occasions. Met with customer to discuss issues. Consulting with DOJ OIP and DOL.
10-0060	3/2/2010	DOL	Delay	Public interest fee waiver denied and appeal affirmed denial.	Facilitating resolution	Spoke to customer to clarify issues in dispute and in discussions with DOL.
10-0088	3/19/2010	DOJ	Denial	Customer disputes withholding of information under Exemptions 3 (42 U.S.C. 300aa-12(d)(4)(A) and 6.	Facilitating resolution	Discussed issues with FPL and requested OIP reconsideration of appeal decision.

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10-0090	3/19/2010	DHS	Denial	Customer disputes withholding of information under Exemptions 2 and 5.	Fact finding	OGIS was to discuss in a conference call with agency representatives on 05/24/10 but an emergency arose and the agency canceled the call. The agency has not committed to rescheduling a discussion despite email, phone and in-person requests.
10-0104	3/26/2010	State	Denial	Customer is requesting assistance in getting documents that were withheld in a FOIA request.	Fact finding	Analyst been in contact with agency on numerous occasions regarding requests pending. It is still unclear whether dispute is already in litigation. Awaiting a response from agency. Sent a ticklet to State, still no response (8/12/10).
10-0111	3/30/2010	DOD	Denial	Customer disputes withholding of Army toxicology report data under Exemptions 6 and 7(A).	Fact finding	Agency cannot release the record due to a position in pending litigation. It looked into alternative ways to release the underlying information but the data is not collected elsewhere. There is no present way to release that information to the customer.
10-0122	4/5/2010	HHS	Agency practices	Customer questioned agency's process of deleting certain information from a preliminary response without citing an exemption or formally denying release.	Facilitating resolution	OGIS is discussing the issue with the agency and the Justice Department's Office of Information Policy. FDA, OIP and OGIS are working on a solution and will keep the requester apprised.

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10-0139	4/14/2010	n/a	Denial	Customer is seeking assistance in obtaining more information regarding withholdings and for denial of fee waiver.	Fact finding	OGIS clarified issues with customer and will discuss matter with CIA.
10-0144	4/16/2010	USPS, DOJ	Privacy Act	Customer is seeking assistance from OGIS on Privacy Act cases to 6 agencies.	Fact finding	Spoke with customer 7/7/10, and customer understands now that OGIS cannot assist with the PA requests, however would like OGIS to contact the agencies and ask for them to contact him for updates on the status. Analyst will begin calling agencies 7/28/10.
10-0153	4/26/2010	n/a	Agency practices	Customer is seeking OGIS assistance with the assignment of rights from JMP to NSC.	Facilitating resolution	OGIS to discuss matter with CIA week of 5/10/2010.
10-0160	4/27/2010	State	Fees	Customer disputes denial of fee waiver.	Facilitating resolution	Requester wrote back to the agency to ask to be placed in a favorable fee category; agency is considering it and working on its response.

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10-0168	4/29/2010	DOJ	Denial	Customer disputes withholding of information under Exemptions 6 and 7(C).	Facilitating resolution	OGIS and OIP met and called the requester on 08/04/10 to directly discuss the matter and potential resolutions. OGIS will follow up with the agency's component to continue the discussion.
10-0190	5/13/2010	n/a	Info	Customer is looking for information on the services provided by OGIS	Fact finding, Ombuds service provided	Fact sheet not included w 5/28 letter, so re-sent & answered specific ombuds questions; also asked for consent
10-0200	5/17/2010	DOJ	Denial	Customer disputes the withholding of information requested.	Fact finding	Analyst drafted a letter to customer.
10-0202	5/17/2010	State	Delay	Customer seeks information on the status of 20 delayed requests	Fact finding	Department of State forwarded the status of all cases (28). Analyst has followed up with the customer and attorney. A new status from State has been requested 7/30/10. Still awaiting response.

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10-0207	5/20/2010	DOJ	Denial	Customer disputes the withholding of information requested.	Fact finding	The agency is going to conduct a re-review on the appeal decision and then talk again with OGIS.
10-0212	5/24/2010	VA	Fees	Agency quoted the requester \$50,000 to pull 1,000 records requested for review, not duplication, citing an agreement with the Federal Records Center to charge \$50/record. Customer disputes the fees being charged.	Fact finding	Customer appealed the agency's response and it was upheld. OGIS discussed the issue with the agency's FOIA Public Liaison and will review agency documents describing the fee agreement.
10-0221	6/1/2010	DOJ	Delay	Misdirected appeal and agency failure to respond to request dated 3/2/2010	Facilitating resolution	Working with FOIA processor to determine requester's place in queue. Awaiting response.
10-0222	6/1/2010	State	Delay	Customer is trying to get the status of a request that was made to the State Department	Fact finding	Awaiting a response from the Department of State regarding the status of the delayed request.

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10-0228	6/11/2010	USDA	Denial	Customer disputes withholding of addresses and locations of burn permits related to the 2008 Rich Fire in California.	Fact finding	The agency is re-reviewing the materials to determine whether it can discretionarily release additional information.
10-0245	6/17/2010	Treasury, DOE	Fees	Initial FOIA request to Department of Energy was re-routed to Department of Treasury and requester disputes the fees as well as some processing details.	Fact finding	OGIS has spoken with the agency's FOIA Public Liaison and the requester and is continuing fact finding with the agency.
10-0246	6/24/2010	DOD	Denial	Customer was denied access to requested records.	Fact finding	OGIS spoke with the customer about the matter and will continue fact finding with the agency.
10-0248	6/24/2010	DHS, HHS, DOD, Natl Endowment for Democracy	Delay	Customer is looking for the status of multiple requests.	Fact finding	Sent acknowledgement letter 7/6/10, received consent. Will begin contacting agencies 7/29/10.

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10-0254	6/30/2010	VA	Denial	Customer disputes the denial of request.	Fact finding	OGIS spoke with the customer about the matter and will continue fact finding with the agency.
10-0256	7/1/2010	DOJ	Info	Customer looking for information about mediation and what OGIS can do regarding an appeal denial	Fact finding	Sent letter with information about OGIS, FOIA and PA along with consent.
10-0259	7/7/2010	DOI	Denial	Customer disputes the withholding of information.	Assigned to analyst	Two phone conversations with the customer regarding request, will consult with agency regarding denial.
10-0264	7/8/2010	DOJ		Customer disputes the denial of appeal.	Assigned to analyst	

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10-0268	7/12/2010	SEC		Customer is not satisfied with the handling of a FOIA request.	Assigned to analyst	
10-0271	7/14/2010	DOJ, DHS	Denial	Customer disputes the withholding of information.	Assigned to analyst	
10-0272	7/15/2010	DOJ	Delay	Customer states that Agency was unresponsive to the request.	Fact finding	Sent a consent letter on 7/27/10 with a request for more information. Received consent 8/10 but no further information. Sent 2nd request for info on 8/11.
10-0273	7/14/2010	SEC	Fees	The customer has made a voluminous request to the agency and would like to narrow it down, but cannot without knowing more about the types of records at issue.	Fact finding	The customer provided OGIS with a clearer picture of the issue and OGIS will now call the agency to discuss.



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10-0274	7/19/2010	DOJ	Delay	Customer is looking for the status of request.	Fact finding	
10-0275	7/19/2010	DOJ	Delay	Customer is looking for the status of request.	Fact finding	
10-0278	7/20/2010	DHS	Denial	Customer questions both the substance of the exemptions claimed and the fact that some were claimed for the first time on appeal, leaving no opportunity to provide arguments against them.	Fact finding	OGIS spoke with the DHS FOIA Public Liaison who said the agency will be in contact to discuss the dispute further.
10-0280	7/21/2010	VA	Privacy Act	Privacy Act request.	Assigned to analyst	Awaiting additional information from customer.

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10-0281	7/21/2010	DOJ	Denial	Customer disputes denial of expedited processing.	Fact finding	The agency is re-reviewing the appeal and will contact OGIS with its findings.
10-0282	7/22/2010	DOD	Fees	Customer is disputing the denial of a fee waiver	Fact finding	
10-0283	7/20/2010	Treasury	Delay	Customer is looking for the status of request.	Facilitating resolution	8/2 - contacted customer to request additional information. 8/11 - spoke to Treasury, release expected by 8/13.
10-0284	7/20/2010	DOJ	Delay	Customer is looking for the status of request.	Fact finding	Customer also seeking information on agency practices.

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10-0285	7/20/2010	DOJ	Delay	Customer is looking for the status of request.	Fact finding	Customer also seeking information on agency practice.
10-0286	7/20/2010	HHS	Delay	The agency has cited a D.C. District Court decision involving an injunction as rationale to prohibit release; the customer disputes that application.	Fact finding	OGIS gathered more background from the customer and will now call the agency to discuss.
10-0290	7/27/2010	DOJ	Delay	Customer is looking for the status of request.	Fact finding	OGIS advised customer that we do not handle PA requests and asked the customer for more information to clarify the issue and determine if we can assist him further.
10-0291	7/27/2010	USPS	Agency practices	The customer is dissatisfied that the agency requires payment of fees prior to the release of records and that there is a great delay after payment but prior to release. The customer also would like assistance with the status of a fee refund in the agency	Fact finding	OGIS contacted the requester to clarify the issues involved and to obtain formal consent to discuss the matter with the agency.

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10-0292	7/26/2010	DOJ	Delay	Customer is seeking assistance with several requests.	Assigned to analyst	
10-0293	7/29/2010	DHS	Denial	Customer disputes the withholding of information indexed in documents responding to a request.	Fact finding	
10-0294	7/29/2010	DHS	Delay	Customer is looking for a legible copy of one-page of previously released documents or to view the document in person	Fact finding	
10-0295	7/30/2010	DOJ	Denial	Customer disputes the withholding of information requested.	Assigned to analyst	

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10-0296	7/30/2010	Commerce	Delay	Customer is looking for the status of a request for expedited processing.	Admin closure	This issue has been added to case no. 10-0196, which has been re-opened.
10-0298	8/3/2010	DOJ	Delay	Customer is looking for the status of request.	Fact finding	
10-0299	8/4/2010	NARA	Delay	Customer is not satisfied with length of time being taken to fulfill request.	Assigned to analyst	
10-0300	8/4/2010	State	Delay	Customer is looking for the status of request.	Fact finding	Requesting status of request. Sent email to customer asking for a signature so that OGIS can contact the agency on his behalf. Consent received.

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10-0301	8/7/2010	VA	Ombuds issues	Misdirected request.	Ombuds service provided	OGIS will provide customer with information on where to lodge his complaint against the VA.
10-0302	8/6/2010	DHS	Denial	Customer disputes the withholding of information indexed in documents responding to a request.	Fact finding	
10-0303	8/9/2010	VA, DOL	Delay	Customer is looking for the status of request.	Fact finding	
10-0304	8/10/2010	DOJ	Delay	Customer is looking for the status of request.	Fact finding	

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10-0305	8/10/2010	VA	Denial	Customer seeks information the agency says it is not required to keep.	Fact finding	Contacted customer to inform him to send in an appeal to the agency first. However, will draft an email on 8/17 to include additional information about records schedules.
10-0306	8/10/2010	HUD	Delay	Customer is looking for the status of request.	Assigned to analyst	
10-0307	8/10/2010	EPA	Delay	Customer is looking for the status of request.	Assigned to analyst	
10-0308	8/10/2010	DOJ & NARA	Denial	Customer disputes the withholding of information requested.	Fact finding	

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10-0309	8/13/2010	State	Delay	Customer is inquiring about a long delay of a request to the State Department	Fact finding	