



# Office of Government Information Services Open Cases

as of August 20, 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.

Case #	Received	Dept/Agency	Category	Description	Status	Notes
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 and requester on numerous occasions regarding requests pending. Awaiting a response from agency regarding a 2nd request from customer to move that one along. Follow up 8/25/10.
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.
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, NSA, CIA, Treasury	Privacy Act	Customer is seeking assistance from OGIS on Privacy Act cases to 6 agencies.	Ombuds service provided	OGIS cannot assist with the PA requests, however OGIS analyst has contacted agencies for the status of requests and appeals. All agencies except CIA and OIP have been successful. Awaiting new consent to contact OIP again.

Case #	Received	Dept/Agency	Category	Description	Status	Notes
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	Customer asked to be placed in a favorable fee category; agency denied that treatment. Both parties agreed on 08/17/10 to a fee amount; the agency began processing the request. The customer asked OGIS to leave the file open until records received.
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. The agency's component is evaluating options to resolve the dispute.
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

Case #	Received	Dept/Agency	Category	Description	Status	Notes
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 and DHS	Delay	Customer seeks information on the status of 20 delayed requests	Facilitating resolution	Department of State forwarded an updated status of all cases (28). Analyst has followed up with the customer and attorney, awaiting response. Also received USCIS statuses.
10-0207	5/20/2010	DOJ	Denial	Customer disputes the withholding of 388 of 405 pages of records requested.	Fact finding	The agency pulled the file and will discuss further 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. OGIS will discuss the issue with the general counsel's office to determine whether the fee category can be decided at the threshold level rather than on appeal.

Case #	Received	Dept/Agency	Category	Description	Status	Notes
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	Facilitating resolution	Received a response from the Department of State (8/13 and 8/17) regarding the status of the delayed request. Follow up with requester 8/23.
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.	Facilitating resolution	The agency responded directly to the requester that after the close of the investigation, all of the publicly available documents were posted online.
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	The requester appealed the adverse decision and OGIS will follow up on the fee issue as the appeal moves forward.

Case #	Received	Dept/Agency	Category	Description	Status	Notes
10-0246	6/24/2010	DOD	Denial	Customer was denied access to requested records.	Fact finding	OGIS is gathering agency representatives to discuss best practices with requests such as these and hopes to meet in late September.
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.
10-0254	6/30/2010	VA	Denial	Customer disputes the denial of request.	Fact finding	OGIS is gathering agency representatives to discuss best practices with requests such as these and hopes to meet in late September.
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.

Case #	Received	Dept/Agency	Category	Description	Status	Notes
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	
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.

Case #	Received	Dept/Agency	Category	Description	Status	Notes
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	The agency wanted to do some fact finding on its end before speaking again with OGIS about the request.
10-0282	7/22/2010	DOD	Fees	Customer is disputing the denial of a fee waiver	Fact finding	



Case #	Received	Dept/Agency	Category	Description	Status	Notes
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.
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 spoke with the agency generally about the case on 08/19/10 and the agency will gather the proper representatives to speak more specifically about it and call OGIS.

Case #	Received	Dept/Agency	Category	Description	Status	Notes
10-0288	7/27/2010		Info	Misdirected request, possible PA.	Ombuds service provided	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. Letter sent 8/11/10.
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.
10-0292	7/26/2010	DOJ	Delay	Customer is seeking assistance with several requests.	Assigned to analyst	
10-0295	7/30/2010	DOJ	Denial	Customer disputes the withholding of information requested.	Assigned to analyst	

Case #	Received	Dept/Agency	Category	Description	Status	Notes
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	Analyst has contact State and received the current status. Contact will be made on 8/23/10 to customer to inform of the updates.

Case #	Received	Dept/Agency	Category	Description	Status	Notes
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, Ombuds service provided	Sent customer info on OGIS/FOIA and consent form.
10-0304	8/10/2010	DOJ	Ombuds issues	Customer is looking for the status of requests and appeals with BOP.	Fact finding	Sent letter asking for consent on 8/18/10, awaiting response from customer before attempting to contact agency.
10-0306	8/10/2010	HUD	Delay	Customer is looking for the status of request.	Assigned to analyst	

Case #	Received	Dept/Agency	Category	Description	Status	Notes
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	
10-0309	8/13/2010	State	Delay	Customer is inquiring about a long delay of a request to the State Department	Fact finding	
10-0310	8/16/2010	DOJ	Denial	Customer disputes that the records requested "do not exist"	Pending assignment	

Case #	Received	Dept/Agency	Category	Description	Status	Notes
10-0311	8/17/2010	DOJ	Agency practices	Agency initially accepted customer's appeal but wrote back seven months later stating that the appeal had not actually been received in a timely fashion and the matter was closed.	Assigned to analyst	OGIS is waiting for the customer to return the signed consent prior to contacting agency.
10-0312	8/18/2010	DOJ	Denial	Customer is not satisfied with the appeal response given.	Pending assignment	
10-0313	8/20/2010	DOJ	Delay	Customer is looking for the status of request.	Pending assignment	