



# Office of Government Information Services Open Cases

as of September 3, 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.
10-0071	3/3/2010	NASA	Ombuds issues	Customer is processing an extremely voluminous request and the FOIA requester is unwilling to narrow its scope.	Fact finding	OGIS is contacting other agencies to try to convene them for a discussion on how each has handled or is handling the request.
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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10-0104	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 began discussing the issue with the agency and the Justice Department's Office of Information Policy in May to try to reach a resolution. The discussions are ongoing.
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 (8/20/10).

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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	Fact sheet not included w 5/28 letter, so re-sent & answered specific ombuds questions; also asked for consent

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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	OGIS is talking with the agency to better understand what type of a document this is and why specifically it cannot be released.
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 discussed the issue with the general counsel's office and counsel will review the matter and follow up with OGIS.

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10-0245	6/17/2010	Treasury	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.
10-0246	6/24/2010	Multiple	Denial	Customer filed the same request with approximately 40 departments and agencies; some have denied citing one or more exemptions while one agency released it. The customer asked if OGIS could help determine the appropriate consistent response.	Fact finding	OGIS is gathering agency representatives to discuss this request 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. Obtained status of all agencies except DoD at this point. Customer has been informed via phone of the current statuses. Follow up on 9/1.
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.

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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	
10-0278	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 review the requested records prior to discussing with OGIS. Agency contact said she would call after Labor Day to discuss.

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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.
10-0285	7/20/2010	DOJ	Delay	Customer is looking for the status of request.	Fact finding	Customer also seeking information on agency practice.

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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 stated on 08/30/10 that it anticipated getting back to OGIS with solid feed back later that week.
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.
10-0295	7/30/2010	DOJ	Denial	Customer disputes the withholding of information requested. One issue was remanded on appeal; offered to find out status of this request.	Fact finding	
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.



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10-0298	8/3/2010	DOJ	Delay	Customer is looking for the status of request.	Fact finding	
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.	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.

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10-0308	8/10/2010	DOJ & NARA	Denial	Customer disputes the withholding of information requested.	Fact finding	
10-0310	8/16/2010	DOJ	Denial	Customer requested information from a database, the name of which appears to have been changed.	Facilitating resolution	8/24 Sent customer a letter informing him of the name change and asking him for consent if this does not answer his question completely.
10-0311	8/17/2010	DOJ	Agency practices	Agency initially accepted customer's appeal with a letter but wrote back seven months later stating that the appeal had not been received in a timely fashion and the matter was closed.	Facilitating resolution	The agency offered to re-open the appeal as a matter of administrative discretion, stating that its action to close the appeal was correct.
10-0313	8/20/2010	DOJ	Delay	Customer is looking for the status of request.	Fact finding	

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10-0314	8/23/2010	DOJ	Denial	Customer disputes the withholding of information requested.	Assigned to analyst	
10-0315	8/24/2010	DOL	Ombuds issues	Customer is seeking advice from OGIS on a conflict of interest issue.	Fact finding	
10-0316	8/12/2010	DOL	Fees	Customer disputes the denial of fee waiver	Fact finding	
10-0319	8/30/2010	DOJ	Delay	Possible Privacy Act. Customer is looking for the status of requests.	Fact finding, Ombuds service provided	

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10-0320	8/30/2010	EPA	Denial	Customer disputes classification of documents requested.	Fact finding	
10-0321	8/31/2010	State	Delay	Customer is looking for the status of request.	Fact finding	Analyst sent an email to the customer asking for a signed consent in order to make contact with State.
10-0322	9/1/2010	DOJ	Ombuds issues	Customer states that despite repeated requests, the agency has refused to give an estimated date of completion on three FOIA requests.	Fact finding	Left a voice message with the agency FOIA Public Liaison to discuss the matter on 09/03/10.
10-0323	9/1/2010		Privacy Act	Misdirected request.	Ombuds service provided	