



# Office of Government Information Services Open Cases

as of September 30, 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.
10-0023	1/25/2010	DOT	Delay	The appeal deadline has run out but there are about 80 requests ahead of the requester in the queue; wants help resolving the delay.	Facilitating resolution	Agency reviewed and remanded request for reprocessing; produced additional records on 05/06/10 but did not address other records requested. Agency FOIA Public Liaison initially worked with OGIS but did not respond after mid-July. Customer appealed 09/10.
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.

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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.
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. Followed up on 9/10/10.
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. OIP said it would update OGIS on the progress. OGIS has not received an update.
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.

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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).
10-0145	4/16/2010	DOJ	Delay	Customer is seeking assistance in getting a disclosure from agency.	Ombuds service provided	Sent letter to requester explaining that OGIS does not handle PA requests, however offered consent to handle ombuds issues (status) and gave contact information for the FOIA Public Liaison at BOP.
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.
10-0168	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.

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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; sent letter 9/23/2010 saying case would be closed 10/15/2010 if we do not receive consent by that date
10-0200	5/17/2010	DOJ	Denial	Customer disputes the withholding of information requested.	Fact finding	Analyst sent a letter to customer and contacted OIP regarding the appeal. Awaiting a response.
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.
10-0212	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, OMB and OIP held a fact finding meeting and call with representatives to gather information on 09/16/10. OGIS is confirming the status with each agency and will set a second meeting.
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 9/25.
10-0259	7/7/2010	DOI	Denial	Customer disputes the withholding of information.	Fact finding	Two phone conversations with the customer regarding request, have consulted with agency regarding denial (9/17), awaiting response.

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10-0264	7/8/2010	DOJ	Denial	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 reviewed the records and explained to OGIS why it cannot release anything: some were provided by private entities and requester would need to seek release from them; others are part of the investigatory file and the agency position stands.
10-0282	7/22/2010	DOD	Fees	Customer is disputing the denial of a fee waiver	Fact finding	

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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 stated on 08/30/10 that it anticipated getting back to OGIS with solid feed back later that week. On 09/28/10, agency said an appeal response was imminent.

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	
10-0303	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. Awaiting consent.
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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10-0311	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. The requester agreed, so long as he did not have to go to the end of the queue. Estimated response for 09/30/10
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	
10-0320	8/30/2010	EPA	Denial	Customer disputes classification of documents requested.	Fact finding	

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10-0321	8/31/2010	State	Delay	Customer is looking for the status of request.	Fact finding	Consent received. Analyst contacted State, waiting for a response (9/17/10).
10-0324	8/30/2010	DOJ	Delay	Customer is looking for the status of requests to several agencies.	Assigned to analyst	
10-0325	9/7/2010	DOJ	Denial	Customer is disputing the denial of appeal	Fact finding	Awaiting consent form and more information that was requested.
10-0328	9/8/2010	DOJ	Denial	Customer disputes the appeal determination.	Fact finding	

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10-0330	9/12/2010	VA	Ombuds issues	Customer is looking for info on where within the VA to go to obtain military and medical records	Ombuds service provided	Advised customer to file an appeal. Also advised him to contact VHA's FOIA public liaisons for more information and assistance.
10-0331	9/13/2010	DOJ	Ombuds issues	Customer is looking for some clarification on DOJ's regulations pertaining to informants.	Fact finding	OGIS is reviewing the materials provided by the customer.
10-0332	9/13/2010	multiple	Delay	Customer is looking for the status of FOIA and PA requests to multiple agencies	Fact finding	
10-0333	9/13/2010	DOJ	Denial	Customer disputes denial of appeal	Fact finding	

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10-0334	9/13/2010	DOJ	Info	Misdirected request.	Fact finding	
10-0335	9/13/2010	DOJ	Info	Misdirected request.	Fact finding	
10-0336	9/13/2010	DOJ	Info	Misdirected request.	Fact finding	
10-0337	9/13/2010	DOJ	Delay	Customer is looking for the status of request.	Assigned to analyst	

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10-0338	9/13/2010	DOJ	Denial	Customer disputes the denial of request.	Assigned to analyst	
10-0339	9/15/2010	DHS	Denial	Customer disputes the withholding of information.	Fact finding	OGIS is reviewing the materials provided by the customer.
10-0340	9/16/2010	SSA	Info	Privacy Act Request.	Fact finding	
10-0341	9/17/2010	DOJ	Denial	Misdirected request.	Fact finding	

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10-0343	9/20/2010	FDIC	Denial	Customer disputes the agency's withholding of information under Exemptions 4 and 6.	Fact finding	Discussed the dispute in detail with the customer on 09/29/10 and will call the agency.
10-0344	9/20/2010	VA	Denial	Customer disputes the withholding of information.	Assigned to analyst	
10-0345	9/16/2010	DOD	Delay	Customer is wanting an intermittent release of the data	Assigned to analyst	
10-0346	9/16/2010	FDIC	Agency practices	Customer disputes agency practice of refusing to accept FOIA requests made with a PO Box as the originating address.	Fact finding	Left a message with the customer to discuss the issue on 09/29/10.

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10-0347	9/20/2010	DOD	Delay	Customer made a request and received no response. Possible misdirected request.	Fact finding	OGIS will check status but also advise customer to make the request to another agency that may have the records.
10-0348	9/21/2010	EEOC	Fees	Customer disputes being charged for shipping of the materials requested.	Fact finding	
10-0349	9/21/2010	DHS	Denial	Customer disputes "no records" denial.	Fact finding	Left a message with the customer on 09/29/10 to ensure the dispute is clear before contacting the agency.
10-0350	9/22/2010		Info	Misdirected request	Assigned to analyst	

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10-0351	9/22/2010	DOD	Agency practices	Customer is not satisfied with response given by the agency	Assigned to analyst	
10-0352	9/23/2010	VA	Denial	Customer was denied access to a database and disputes exemptions claimed.	Fact finding	Spoke to the customer to clarify the details of the dispute; he will return the consent and OGIS will contact the agency.
10-0353	9/24/2010	DOJ	Denial	Customer is not satisfied with response given by the agency	Pending assignment	
10-0354	9/24/2010	DOJ	Delay	Customer is looking for the status of request.	Pending assignment	



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10-0355	9/24/2010	DOJ	Ombuds issues	Misdirected request.	Pending assignment	
10-0356	9/24/2010	EEOC	Delay	Customer is looking for the status of request.	Pending assignment	
10-0357	9/28/2010		Info	Misdirected request.	Pending assignment	
10-0358	9/28/2010	DOD	Info	Misdirected request.	Pending assignment	

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10-0359	9/29/2010	DOJ	Denial	Customer disputes the withholding of information	Pending assignment	
10-0360	9/29/2010		Info	Customer is looking for help in filing a state FOI	Pending assignment	
10-0361	9/30/2010	DOJ	Denial	Customer is not satisfied with response given by the agency	Pending assignment	