



OFFICE *of* GOVERNMENT INFORMATION SERVICES

July 6, 2015 — Sent via email

██████████
████████████████████

Re: Case No.: 201500832
NG: CM

NATIONAL
ARCHIVES
and RECORDS
ADMINISTRATION

8601 ADELPHI ROAD
OGIS
COLLEGE PARK, MD
20740-6001

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e-mail: ogis@nara.gov
phone: 202-741-5770
toll-free: 1-877-684-6448
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Dear ██████████:

This responds to your June 10, 2015 request for assistance from the Office of Government Information Services (OGIS), which we received via email. Your request for assistance pertains to your Freedom of Information Act (FOIA) request to the U.S. Postal Service (USPS).

Congress created OGIS to complement existing FOIA practice and procedure; we strive to work in conjunction with the existing request and appeal process. The goal is for OGIS to allow, whenever practical, the requester to exhaust his or her remedies within the agency, including the appeal process. OGIS has no investigatory or enforcement power, nor can we compel an agency to release documents. OGIS serves as the Federal FOIA Ombudsman and our jurisdiction is limited to assisting with the FOIA process.

In your correspondence to OGIS, you describe the professional challenges that you have faced since a person or persons mailed anonymous letters about your ██████████ to 42 state bar associations. I understand that you submitted a FOIA request to USPS for ██████████ that you believe may show the individual(s) who mailed the letters in question. USPS denied your request pursuant to FOIA exemptions 6 and 7(C), 5 U.S.C. §§ 552(b)(6) and (7)(C). You appealed that request, and USPS denied your appeal. You seek OGIS assistance with this matter.

In response to your request, we contacted USPS to inquire about the agency's analysis of your request and appeal. The agency confirmed that it must withhold the information you seek. In cases such as this where an agency is firm in its position, there is little for OGIS to do beyond providing more information about the agency's actions.

As USPS explains in its letter responding to your appeal, FOIA Exemptions 6 and 7(C) protect personal privacy interests. FOIA Exemption 6 protects information about individuals in "personnel and medical files and similar files" when the disclosure of such information "would constitute a clearly unwarranted invasion of personal privacy." FOIA Exemption 7(C) is limited to information compiled for law enforcement purposes and protects personal information when disclosure "could reasonably be expected to constitute an unwarranted invasion of personal privacy."

When making release determinations pursuant to Exemptions 6 and 7(C), an agency must weigh the public interest against an individual's right to privacy. Courts have



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consistently held that the central purpose of FOIA is to allow people to learn about the *conduct of agencies*, not to discover information about other individuals. The Supreme Court held that “the statutory purpose [of FOIA] is not fostered by disclosure of information about private citizens that is accumulated in various governmental files but that reveals little or nothing about an agency’s own conduct.” *U.S. Dep’t of Justice v. Reporters Committee for Freedom of the Press*, 489 U.S. 749, 773 (1989). USPS’s May 27, 2015 appeal response letter provides insight into the agency’s balancing personal privacy interests against any public interest in the disclosure of the record you seek.

I hope that this information about your request is useful to you. At this time, there is no further assistance OGIS can offer. Thank you for bringing this matter to OGIS. We will close your case.

Sincerely,

/s/

Nikki Gramian, Acting Director
Office of Government Information Services (OGIS)

cc: Christopher Klepac, USPS FOIA

We appreciate your feedback. Please visit <https://www.surveymonkey.com/s/OGIS> to take a brief anonymous survey on the service you received from OGIS.