



OFFICE *of* GOVERNMENT INFORMATION SERVICES

December 3, 2015 - Sent via email

[REDACTED]  
[REDACTED]

Re: Case No. 201501020  
NG: CM: KG

NATIONAL  
ARCHIVES  
*and* RECORDS  
ADMINISTRATION

8601 ADELPHI ROAD  
OGIS  
COLLEGE PARK, MD  
20740-6001

web: [www.ogis.archives.gov](http://www.ogis.archives.gov)  
e-mail: [ogis@nara.gov](mailto:ogis@nara.gov)  
phone: 202-741-5770  
toll-free: 1-877-684-6448  
fax: 202-741-5769

Dear [REDACTED]:

This responds to your request for assistance from the Office of Government Information Services (OGIS), received on July 20, 2015. Your request for assistance pertains to three requests you sent to the United States Park Police (USPP). I apologize for our delay in responding to your request for assistance.

As you know, Congress created OGIS to complement existing Freedom of Information Act (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.

As you explain in your correspondence to OGIS, you emailed two of your three requests on August 11, 2014 directly to the USPP FOIA Officer. On September 3, 2014, you sent the third request to the same email address. By February 2015 you had not received an acknowledgement from the agency. You reached out to the FOIA Public Liaison for the National Park Service (NPS) via telephone and learned that the three requests were not entered into the FOIA tracking system. You resubmitted your requests directly to the NPS FOIA Public Liaison via email. By July 2015, when you still had not received anything from the agency, you contacted OGIS to request mediation.

OGIS contacted NPS and then USPP to ask for tracking numbers and estimated dates of completion for your requests. USPP informed OGIS that the agency did not have copies of your requests; OGIS provided them on your behalf on September 4, 2015. Unfortunately, to date, the agency has not responded to OGIS's request for tracking numbers or estimated dates of completion for your requests.

The Openness Promotes Effectiveness in our National (OPEN) Government Act of 2007, 5 U.S.C. § 552(a)(7)(B), gives requesters the right to request an estimated date on which an agency expects to respond to a request.



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Guidance issued by DOJ's Office of Information Policy (OIP) states that agencies "should make a reasonable judgment as to when they believe processing will be complete, based upon what remains to be done in a given case and in light of the agency's experience with processing similar requests. The important point is that the agency and the requester are able to communicate easily regarding the status of a request." (See OIP Guidance: Assigning Tracking Numbers and Providing Status Information for Requests, November 18, 2008, <http://www.justice.gov/oip/foiapost/2008foiapost30.htm>.)

Please know that OGIS's mediation process is voluntary; we cannot compel an agency or a requester to participate in our mediation services. At this time, there is no further assistance OGIS can offer since the agency has declined to respond to OGIS. Thank you for bringing this matter to OGIS. We will close your case.

Sincerely,

/s/

JAMES V.M.L. HOLZER  
Director

cc: Janeen Tyson, FOIA Public Liaison, United States Park Police