



OFFICE of GOVERNMENT INFORMATION SERVICES

June 29, 2016—Sent via email

[REDACTED]
[REDACTED]

Re: Case No.: 201600750
NG: CM

NATIONAL
ARCHIVES
and RECORDS
ADMINISTRATION

8601 ADELPHI ROAD
OGIS
COLLEGE PARK, MD
20740-6001

web: www.ogis.archives.gov
e-mail: ogis@nara.gov
phone: 202-741-5770
toll-free: 1-877-684-6448
fax: 202-741-5769

Dear [REDACTED]:

This responds to your March 25, 2016 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. Department of Justice Antitrust Division.

As you may be aware, 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 process one request before others. OGIS serves as the Federal FOIA Ombudsman and our jurisdiction is limited to assisting with the FOIA process.

You contacted OGIS with concerns about two FOIA requests that you submitted to Antitrust. The first, filed in [REDACTED], is for records related to the [REDACTED]. The second, which you filed one month later, is for emails related to [REDACTED]. In its [REDACTED] letter acknowledging your requests, Antitrust explained that it combined your [REDACTED] requests in to one, and assigned it tracking No. [REDACTED]. You request OGIS's assistance with this matter.



In response to your submission, OGIS contacted Antitrust FOIA staff to discuss your requests and particularly your concerns about the agency having combined them into one. Antitrust FOIA staff explained that the agency interpreted your request as seeking "any and all records dated between [REDACTED] [REDACTED]". According to Antitrust, agency directives instruct Antitrust staff to add any substantive emails to the official file. Antitrust FOIA staff informed OGIS that agency staff tend to be very inclusive when adding emails to the official file.

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OGIS also inquired about the estimated processing time of more than five months that you were previously provided for this request. Antitrust FOIA staff informed OGIS that at this point, that processing time appears to be accurate.

I understand that you are frustrated by the delay in the response to your request. Delays, while unfortunate, are an unavoidable aspect of FOIA for many agencies, particularly those that deal with complex or sensitive records, or for requests seeking email records.

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

Deputy Director

cc: DOJ Antitrust Division FOIA Staff

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.