



OFFICE of GOVERNMENT INFORMATION SERVICES

September 3, 2014 — Sent via email



Re: Case No.: 201400661  
MN: NG

NATIONAL  
ARCHIVES  
and RECORDS  
ADMINISTRATION

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OGIS  
COLLEGE PARK, MD  
20740-6001

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Dear [REDACTED]

This letter responds to your July 11, 2014 request for assistance from the Office of Government Information Services (OGIS), which we received on July 15, 2014 via email. Your request for assistance pertains to your Freedom of Information Act (FOIA) request to the Federal Bureau of Investigation (FBI), and your subsequent appeal of the FBI's response to the Department of Justice, Office of Information and Policy (OIP).

We apologize for the delay in responding to your request. OGIS is short-staffed and we are not responding to requests as quickly as we would like.

As you are likely 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 release documents. OGIS serves as the Federal FOIA Ombudsman and its jurisdiction is limited to assisting with the FOIA process.

Your request to the FBI sought records related to [REDACTED]. The FBI's FOIA unit responded to your request (with two different tracking numbers) by informing you that the unit conducted a search of the FBI's Central Records System, Electronic Case File System and Electronic Surveillance (ELSUR) indices and it could not locate any responsive records. You appealed this response, and OIP affirmed the FBI's response. You dispute this response, noting news sources that indicate FBI involvement in the investigation. In particular, you question the adequacy of the FBI's search for records responsive to your request.

OGIS's Deputy Director, Nikki Gramian, contacted the FBI's FOIA Public Liaison, Mr. Dennis Argall, to discuss the records search conducted in response to your request. According to Mr. Argall, when the FBI searches its



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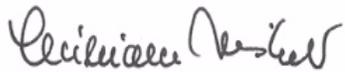
Central Records System, the search includes all FBI records, which would include the FBI's field offices and its headquarters records.

Mr. Argall explained that FBI used a variation of the search terms "[REDACTED]", "[REDACTED]", "[REDACTED]" and "[REDACTED]". However, these search terms did not yield any hits on the FBI's Central Records System. Thus, FBI issued its response stating it was "unable to identify main file records responsive to the FOIA." If you are dissatisfied with the terms the FBI used to search for records responsive to your request, you may wish to provide the FBI with additional search terms it can use to conduct another search.

Ms. Gramian noted that the article about the [REDACTED] that you included with your submission of information named the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) as another Federal agency investigating this incident. In our role as FOIA Ombudsman, Ms. Gramian contacted ATF to inquire whether you submitted a request to that agency as well and, if so, the status of that request. She learned from the FOIA Public Liaison's office that you also submitted a FOIA request to ATF for records related to this explosion and that ATF is in process of issuing its final response to your request.

I hope this information is useful to you. Thank you for contacting OGIS; we will now close your request.

Sincerely,



Miriam Nisbet, Director  
Office of Government Information Services (OGIS)

cc: Mr. Dennis Argall, FBI FOIA Public Liaison  
Ms. Stephanie Boucher, ATF FOIA Public Liaison

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.