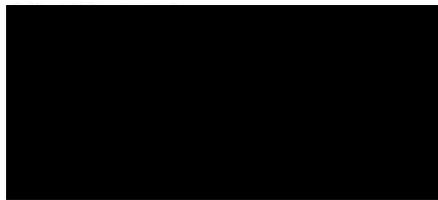




OFFICE of GOVERNMENT INFORMATION SERVICES

October 28, 2015 - Sent via U.S. Mail



NATIONAL ARCHIVES and RECORDS ADMINISTRATION

Re: Case No.: 2015-01066  
JH: NG:HK

11 ADELPHI ROAD  
OGIS  
COLLEGE PARK, MD  
20740-6001

Dear [REDACTED]:

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

This responds to your August 3, 2015, request for assistance to the Office of Government Information Services (OGIS). Your request for assistance pertains to your Freedom of Information Act (FOIA) request [REDACTED] to the Bureau of Prisons (BOP), and subsequent appeal [REDACTED] to the Department of Justice, Office of Information Policy (OIP). In your request to the BOP, you are seeking "reports, investigations, recommendations prepared by [REDACTED] [REDACTED] and reports prepared by the [REDACTED] during your segregation from [REDACTED] to date.

Congress created OGIS to complement existing FOIA practice and procedure; we strive to work in conjunction with the existing request and appeal process. OGIS serves as the Federal FOIA Ombudsman and our jurisdiction is limited to assisting with the FOIA 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.

We carefully reviewed your submission. You submitted your request to the BOP and received a response in which the BOP identified seven (7) pages responsive to your request. BOP released five pages in part and withheld two pages in full pursuant to exemptions 7(C) and 7(F) of the FOIA, 5 USC § 552(b)(7)(C) and (b)(7)(F). You appealed this response to OIP, which affirmed the agency's initial responses.

We reached out to the agency to discuss your dispute and the records you requested and the agency defended its position to withhold portions of the requested information pursuant to exemptions 7(C) and 7(F).



NATIONAL ARCHIVES

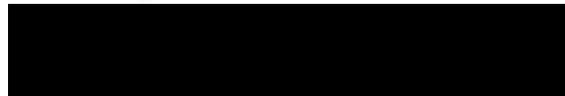
Exemption 7(C) of the FOIA provides that an agency may withhold records or information compiled for law enforcement purposes to the extent that the production of the records could reasonably be expected to constitute an unwarranted invasion of personal privacy. FOIA Exemption 7(C) is limited to information compiled for law enforcement purposes and protects personal information when disclosure “could reasonably be expected to constitute an unwarranted invasion of personal privacy.” In considering withholding records under Exemption 7(C), an agency must weigh the interest in public disclosure against an individual’s right to privacy. Courts have 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 U.S. 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). It may be helpful to know that BOP protects your identity much the same way were it to receive a request for your records from anyone other than you.

Exemption 7(F) allows for the withholding of information compiled for law enforcement purposes if the release of the information could endanger the physical safety of individuals. Courts have held that when disclosure of information compiled for law enforcement purposes could lead to further violence or jeopardize the safety of individual(s), as it would likely result in harassment and/or retaliation to possibility include physical assaults, directed toward individual(s) identified in the investigation and resulting in a threat not only to the named individual but also the safe operation of the institution, the information is exempt from disclosure pursuant to exemption 7(F). *Anderson v. Bureau of Prisons*, 806 F. Supp 2d 121 (D.C. 2011).

Therefore, because the release of the records could reasonably be expected to constitute an unwarranted invasion of personal pricy and could endanger the physical safety of individuals, information responsive to your request was withheld.

I hope you find this information useful in understanding why the BOP responded to your request as it did. At this time, there is no further assistance OGIS can offer and we will close your case. Thank you for bringing this matter to OGIS.

Sincerely,

A solid black rectangular redaction box covering the signature of James V.M.L. Holzer.

JAMES V.M.L. HOLZER  
Director

cc: Darnell Stroble, BOP FOIA Public Liaison