



OFFICE of GOVERNMENT INFORMATION SERVICES

March 3, 2016 - Sent via e-mail

NATIONAL  
ARCHIVES  
and RECORDS  
ADMINISTRATION

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In Re: Case No.: 201600323  
NG: CM: HK

Dear [REDACTED]

This responds to your December 2, 2015, request for assistance to the Office of Government Information Services (OGIS). You asked for assistance with your records request to the Department of Interior (DOI) Fish and Wildlife Service (FWS). Thank you for your interest in OGIS.

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.

You submitted a request to the FWS for [REDACTED] enforcement personnel and Office of Law Enforcement investigative agents. On [REDACTED], FWS denied your request. FWS stated that they did not conduct a search for responsive records as they would neither confirm nor deny the existence of the requested information. Accordingly, FWS stated that the records you are seeking are exempt from release per Exemption 7(E) of the FOIA, 5 U.S.C. § 552(b)(7)(E). You appealed the agency's decision to DOI's Office of the Solicitor, but you have not received a response to your appeal.

We carefully reviewed your submission of information, and we understand that you dispute DOI's response to your request. Specifically, you expressed concern that FWS failed to demonstrate how fulfilling your request, even in part, would compromise investigative tactics or aid those who might wish to evade them. In addition, you stated it impossible that this exemption could apply to all responsive records.



NATIONAL  
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Since this matter is still pending with DOI's FOIA appeals unit, there is not much OGIS can offer at this point other than getting the appeal's tracking number and an estimated date of completion for your appeal. OGIS staff contacted DOI to discuss the status of your appeal. DOI informed OGIS that your appeal is pending and has been assigned [REDACTED] as the tracking number.

I hope you find this information useful. 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,

[REDACTED]

JAMES V.M.L. HOLZER  
Director

cc: Cindy Cafaro, FOIA Officer, DOI

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.