

U.S. Department of
Homeland Security

United States
Coast Guard



Office of the Chief Administrative
Law Judge
United States Coast Guard

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March 14, 2023

Hilary Han, Esq.
Dobrin & Han PC
705 Second Avenue, Suite 610
Seattle, WA 98104

RE: DHS FOIA Appeal Number 2022-HQAP-00424
FOIA Request Number 2022-OBFO-34778

Dear Ms. Han:

This letter concerns your appeal of the Department of Homeland Security's (DHS) Office of Biometric Identity Management's (OBIM) response to your FOIA request 2022-OBFO-34778, wherein you sought records pertaining to your client, Maria del Sagrario Martinez Rodriguez.

Pursuant to a memorandum of agreement, the United States Coast Guard Office of the Chief Administrative Law Judge is reviewing FOIA appeals for DHS General Counsel's office. Therefore, the Office of the Chief Administrative Law Judge hereby renders the official appeal decision on behalf of DHS.

On February 6, 2023, I remanded your FOIA request to OBIM for an explanation regarding its response. OBIM did not provide an explanation or otherwise respond to the remand. As such, this letter constitutes final action of the Department of Homeland Security concerning your FOIA request 2022-OBFO-34778 (designated as 2022-HQAP-00424 on appeal). Accordingly, you may now pursue the appeal in United States District Court. You may seek judicial review of this decision pursuant to 5 U.S.C. § 552(a)(4)(B) in United States District Court for either: (1) the district where you reside; (2) the district where the agency records are situated; or (3) the District of Columbia.

As part of the 2007 FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. If you wish to contact OGIS, you may email them at ogis@nara.gov or call 1-877-684-6448.

Sincerely,

Janine E. DiBerardino

Janine E. DiBerardino
Attorney Advisor
United States Coast Guard

Ex L. 6 (1/1)