



OFFICE *of* GOVERNMENT INFORMATION SERVICES

January 29, 2016—Sent via email

[REDACTED]
[REDACTED]

Re: Case No.: 201600223
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 November 30, 2015 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) requests to U.S. Citizenship and Immigration Services (USCIS).

As you are 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 our jurisdiction is limited to assisting with the FOIA process.

I understand that you made two requests—one in [REDACTED] and one in [REDACTED]—for records about [REDACTED]. You explain in your submission that you are concerned about discrepancies between the two responses.

We discussed your concerns with USCIS FOIA staff. As you are aware, in response to [REDACTED], the agency identified 148 pages that are responsive to your request. In response to [REDACTED], the agency identified 140 responsive pages. USCIS FOIA staff explained that when responding to the latter request, the FOIA processor working on your case mistakenly referred eight pages that you received pursuant to [REDACTED] to Immigration and Customs Enforcement (ICE). Because FOIA review is done line by line and page by page and depends on the judgment of FOIA processors, it is not unusual for discrepancies to arise when two people review the same file.

You also express concern about how USCIS verifies the authenticity of the records it released, and I understand that you have communicated directly with



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the agency about your concerns. Please know that an agency's FOIA office is responsible solely for responding to FOIA requests by retrieving and reviewing responsive records from its original files. FOIA does not require agencies to respond to questions about 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/

JAMES V.M.L. HOLZER

Director

cc: USCIS 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.