



OFFICE of GOVERNMENT INFORMATION SERVICES

June 19, 2015 — Sent via email

[REDACTED]

Re: Case No.: 201500715  
NG: CM

NATIONAL  
ARCHIVES  
and RECORDS  
ADMINISTRATION

8601 ADELPHI ROAD  
OGIS  
COLLEGE PARK, MD  
20740-6001

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

Dear [REDACTED]:

This responds to your May 9, 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) request to U.S. Citizenship and Immigration Services (USCIS).

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.

You made a request to USCIS for records related to [REDACTED], who immigrated to the U.S. in [REDACTED]. USCIS's [REDACTED] response letter appears to characterize the records you seek as having been created prior to 1906; it also directs you to request the records you seek from the National Archives and Records Administration (NARA). You appealed that response, albeit outside USCIS's appeal deadline, in an attempt to clarify that you seek records created after 1906. USCIS considered your appeal untimely and advised you of your right to re-file the request. You made another request to USCIS for [REDACTED] records, and the agency reiterated its suggestion that you request these records from NARA.

OGIS staff contacted USCIS to discuss your request, particularly your concern that the agency may not understand the age of the records you seek (in light of its response to your first request). According to USCIS appeals staff, agency FOIA staff performed a search for the records you seek and found that [REDACTED] alien file has been transferred to NARA; this is in accordance with standard agency practice in which USCIS transfers files in five-year



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blocks 100 years after the alien's year of birth. You can learn more about requesting these records by contacting:

National Archives & Records Administration  
Old Military and Civil Records  
700 Pennsylvania Ave, NW  
Washington, DC 20408  
inquire@nara.gov

As the agency's letter explains, arrival records (such as the passenger or crewmen manifest or I-94) that date prior to December 31, 1982 are transferred to the National Archives. Since the subject of your request immigrated to the U.S. sometime in [REDACTED], USCIS no longer has the records you seek.

I hope that this information about your request is useful to you. 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/

Nikki Gramian, Deputy Director  
Office of Government Information Services (OGIS)

cc: Mark Porter, USCIS