



OFFICE *of* GOVERNMENT INFORMATION SERVICES

May 24, 2016—Sent via email

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

Re: Case No.: 201600650  
NG: CM

Dear [REDACTED]

This responds to your request for assistance from the Office of Government Information Services (OGIS), which we received on March 16, 2016 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.

In your case, you made a request to USCIS for records related to petitions [REDACTED]. USCIS rejected your requests, explaining that in order to release these records, the agency needs [REDACTED] consent. You seek assistance with this matter.

In response to your submission, OGIS staff contacted USCIS FOIA staff to discuss the agency's response to your request. USCIS explained that although [REDACTED] submitted the forms I-130 as petitioner on behalf of [REDACTED] once the I-130 is adjudicated and placed within the beneficiary's alien file, the agency considers it to be the beneficiary's own record (rather than the petitioner's record). For this reason, the beneficiary must consent to the release of these records. In making this determination,



May 24, 2016

Page 2 of 2

USCIS cites FOIA Exemption 6, 5 U.S.C. § 552(b)(6), which protects personal privacy information. You may wish to make a new request for the records you seek and submit that request with the consent of [REDACTED].

I know that this is not the outcome for which you hoped, but I hope you find this information useful in understanding why USCIS withheld the material it did in response to your request.

Sincerely,

/s/

NIKKI GRAMIAN

Acting Director

cc: USCIS FOIA

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.