



OFFICE *of* GOVERNMENT INFORMATION SERVICES

June 10, 2016 — Sent via email

[REDACTED]

Re: Case No. 201600834
NG: CM: KG

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 request for assistance from the Office of Government Information Services (OGIS), which we received on May 10, 2016 via email. Your request for assistance pertains to your records request to the Department of Homeland Security, United States Citizenship and Immigration Services (USCIS).

OGIS was created 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. Please know that 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.

OGIS provides mediation services to resolve disputes between FOIA requesters and Federal agencies. After opening a case, OGIS gathers information from the requester and the agency to learn more about the nature of the dispute. This process helps us gather necessary background information, assess whether the issues are appropriate for mediation, and determine the willingness of the parties to engage in our services. As part of our information gathering, OGIS carefully reviewed your submission of information.

On [REDACTED] you made a request to USCIS for the Citizenship or Alien file for [REDACTED]. USCIS responded to your request on [REDACTED], releasing three pages from the agency's electronic files. The agency's letter notified you that USCIS was unable to locate [REDACTED] alien file, or A-file. You appealed this response on [REDACTED] asking the agency to find the file, provide you with the disposition information if it had been moved to another agency, or provide proof of its destruction. On [REDACTED] USCIS responded to your appeal and affirmed the file was lost.



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In your submission to OGIS you explained in a similar case, USCIS was able to locate a lost A-file when you supplied the subject's wife's name. OGIS discussed this matter with USCIS, and the agency explained that records about the subject of your previous request, [REDACTED], were not in the agency's Central Index System, since he would have entered the United States before the Immigration Naturalization Service (INS) was computerized. USCIS also searched their card index system, but found nothing. On appeal you supplied the subject's wife's information. USCIS was able to locate the wife's Alien file number by adding 1 to her A-number and searching the National File Tracking System for a file location. USCIS pulled the next file in the numerical sequence and it was [REDACTED] file. However, your current request is slightly different.

The agency located the Alien File for [REDACTED] in their tracking system. When USCIS searched for the file in the National File Transfer System, the system notes the files as "Lost." USCIS did try to use the information you provided about [REDACTED] wife, however, they could not locate her in the system. The last location of the box was in Newark, New Jersey, but USCIS does not have any record of retiring the boxes to a Federal Records Center (FRC), or any accompanying accession data. Newark staff has confirmed that they cannot locate the box or file. You noted in your correspondence that you learned from a government employee that sometimes agencies will recall multiple boxes from the FRC to ensure that the lost file isn't misplaced in another box. In this case, the agency doesn't have any location information for the file, so this approach is not possible.

I know this situation is unfortunate, and regrettably OGIS cannot be of further assistance. Thank you for contacting OGIS; we will now consider this matter closed.

Sincerely,

/s/

NIKKI GRAMIAN
Acting Director

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.