



OFFICE *of* GOVERNMENT INFORMATION SERVICES

July 28, 2016—Sent via email

[REDACTED]  
[REDACTED]

Re: Case No.: 201600897  
NG: CM

NATIONAL  
ARCHIVES  
*and* RECORDS  
ADMINISTRATION

8601 ADELPHI ROAD  
OGIS  
COLLEGE PARK, MD  
20740-6001

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Dear [REDACTED]

This responds to your request for assistance from the Office of Government Information Services (OGIS), which we received on May 25 via email. Your request for assistance pertains to your Freedom of Information Act (FOIA) request to U.S. Customs and Border Protection (CBP).

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 CBP for records related to your client, [REDACTED]. CBP responded to your request, partially releasing 248 pages with portions withheld pursuant to FOIA Exemptions 3, 6, 7(C) and 7(E), 5 U.S.C. §§ 552 (b)(3), (b)(6), (b)(7)(C) and (b)(7)(E). You appealed this response, and CBP affirmed its initial decision in this matter.

In your submission to OGIS, you explain that [REDACTED] has been twice denied a visa to travel to the United States. You explain the hardship that this has caused your client and ask for OGIS's assistance with this matter.

In response to your submission, we contacted CBP's FOIA appeals office to discuss your request and the agency's response. CBP affirmed its decision to withhold portions of the records you seek. In cases such as this where an agency is firm in its position, there is little for OGIS to do beyond providing more information about the agency's actions.

While your correspondence to OGIS does not address CBP's withholdings, we note that the agency's April 22, 2016 response to your appeal includes a



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thorough explanation of the cited exemptions and the withheld material. Regarding your concerns about [REDACTED] visa applications, you may wish to submit a request to the U.S. Department of State. Please refer to the Visa Records Contact Information chart located at <https://foia.state.gov/Request/VisaRecords.aspx> for more information about where to file your request.

I hope that this information about your request is useful to you. Thank you for contacting OGIS; we will now consider this matter closed.

Sincerely,

/s/

NIKKI GRAMIAN  
Acting Director

cc: CBP FOIA Appeals

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.