



OFFICE of GOVERNMENT INFORMATION SERVICES

August 24, 2015 — Sent via email

NATIONAL
ARCHIVES
and RECORDS
ADMINISTRATION

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Re: Case No.: 201501030
JH: NG: AB

Dear [REDACTED]:

This responds to your July 31, 2015 request for assistance to the Office of Government Information Services (OGIS). Your request for assistance pertains to a Freedom of Information Act (FOIA) request you made to the 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 records. OGIS serves as the Federal FOIA Ombudsman and our jurisdiction is limited to assisting with the FOIA process.

I understand that your organization, the [REDACTED] makes an annual request for copies of [REDACTED]. You submitted a request for the [REDACTED]. At the request of USCIS, you withdrew this request and re-submitted the request on [REDACTED]. Unfortunately, your request was not routed to the correct office. You followed up with USCIS on [REDACTED] and were told it would be logged in. You contacted OGIS because you have not yet received a response and would like assistance with this delay.



In your submission to OGIS, you state that the reason you were asked to withdraw and resubmit your request in [REDACTED] were unclear. We discussed your request with USCIS; according to the agency, when the FOIA staff reviewed your first request, it appeared that USCIS had not received all of the submissions from the EB 5 Regional Centers. USCIS suggested that you resubmit your request to increase the likelihood that you receive a [REDACTED]

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You also expressed concern about not having received a letter of acknowledgement for this request. USCIS provided OGIS with a copy of your acknowledgement letter (attached).

Regarding your delayed request, USCIS expects that it will take the agency between eight to ten months to respond. The agency estimates that it will have to review and redact approximately 15,000 pages as part of your request. Additionally, because [REDACTED], the Department of Homeland Security's FOIA regulations require USCIS to provide each of the Regional Centers a "reasonable amount of time" to object to the release of any information.

USCIS noted that the agency might be able to process future requests for [REDACTED] more quickly if your organization submits a separate request for each of the Regional Centers. Submitting the requests separately will make it easier for USCIS to send you responsive records on a rolling basis as each Regional Center responds. A list of all of the Regional Centers is available here: <http://www.uscis.gov/working-united-states/permanent-workers/employment-based-immigration-fifth-preference-eb-5/immigrant-investor-regional-centers>

While I understand that this is not the outcome you wanted, I hope you find this information useful. At this time, there is no further assistance OGIS can offer. Thank you for bringing this matter to OGIS. We will close your request for assistance.

Sincerely,

/S/

Dr. James Holzer, Director
Office of Government Information Services (OGIS)

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.