



## CENTER FOR HUMAN RIGHTS AND CONSTITUTIONAL LAW

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August 6, 2018

*Via Priority Mail USPS*

United States Citizenship and Immigration Services

National Records Center, FOIA/PA Office

PO Box 648010

Lee's Summit, MO 64064-8010

and facsimile to 802-288-1793

Re: Freedom of Information Request

To Whom It May Concern:

This request is made pursuant to the Freedom of Information Act ("FOIA") on behalf of the following non-profit organizations: National Partnership for New Americans, UnidosUS, CASA, Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA), Mi Familia Vota, Michigan United, El Rescate, New York Immigration Coalition (NYIC), and OneAmerica (hereinafter the "Requesting Parties"). The Requesting Parties are represented in this matter by the Center for Human Rights and Constitutional Law ("CHRCL").

### Location of documents sought

This request seeks documents in the possession of the United States Citizenship and Immigration Services ("USCIS") Headquarters and its various facilities including processing centers and district offices handling or compiling data regarding the intake, processing or adjudication of N-400 naturalization applications.

### Purpose of document request

The Requesting Parties seek access to the information described below in order to further their study and assessment of the federal Government's costs, budget allocations for, policies and practices relating to the adjudication of, and delays in processing of N-400 naturalization applications.

The assessments arrived at by the Requesting Parties along with documents released or summaries of such documents will be shared with interested non-profit organizations, religious entities, and U.S. policy makers, with the goal of increasing public

understanding of the issues addressed in the requested documents and encouraging the formulation of proposals for a naturalization policy consistent with norms of due process and fair treatment of United States residents eligible to apply for naturalization.

#### Time to Respond

If you find it impossible to produce all documents called for by this request within the statutorily prescribed time limits, please produce all documents that are located by you within such time and advise us when you believe the remainder of the documents requested will be produced.

#### Request for fee waiver

Because the Requesting Parties are non-profit organizations, and because the information sought will be used solely for humanitarian purposes, we request that a fee waiver be granted in this matter. However, in the event a fee waiver is denied, we request that you process this request immediately and the Requesting Parties agree to pay all fees reasonably incurred responding to this request while reserving their right to appeal any denial of the fee waiver request. Please advise the undersigned if additional information is needed to adjudicate this request for a fee waiver.

#### Definitions

The terms “document” or “documents” as used in this request refer to all forms of communication preserved in some physical form, including, but not limited to, spreadsheets, data compilations, directives, files, indices, orders, reports, cables, emails, telegrams, notes, letters, instructions, memoranda, reviews, photographs, and transcripts, whether maintained in paper, digital, video, audio tape, or any other form. The terms document and documents refer to all documents whether generated by CIS Headquarters, regional processing centers where N-400 naturalization applications are adjudicated, and in any other USCIS location or database with information related to the processing and adjudication of N-400 applications.

#### Documents requested

Unless otherwise indicated, the Requesting Parties seek access to copies of the following documents relating to the time period January 1, 2016, to the present, including documents that relate in whole or in part to any portion of that time period:

1. All documents that report to USCIS Headquarters and those generated by USCIS Headquarters on numbers of approvals and denials of N-400 naturalization applications including but not limited to data compilations that in any way provide the reasons for denials of N-400 naturalization applications.

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2. All documents compiling data submitted by one or more of the agency's locations processing or adjudicating N-400 naturalization applications or produced by USCIS Headquarters related to the volume of or reasons for RFEs ("Requests For Evidence") and NOID ("Notices of Intent to Deny") notifications issued in N-400 cases.
3. All documents compiling data submitted by one or more of the agency's locations processing or adjudicating N-400 naturalization applications or produced by USCIS Headquarters related to the delay in processing N-400 applications.
4. All documents relating to funds allocated by Congress for the processing and/or adjudication of N-400 applications.
5. All documents compiling data that show the fees received with naturalization applications, excluding documents relating to individual cases such as receipts, deposits, etc.
6. All documents regarding USCIS's allocation of funds to its various facilities and field offices for the processing or adjudication of N-400 applications.
7. All documents relating in whole or in part to decisions by USCIS officials regarding allocations of funds to the processing centers and field offices for the adjudication of N-400 applications.
8. All documents that address or concern delays or backlogs in the processing time for naturalization applications.
9. To the extent not provided in response to Request Number 8, all data compilations and spreadsheets addressing in whole or in part delays or backlogs in the processing or adjudication of naturalization applications.
10. To the extent not provided in response to a separate request, all documents reporting on: (a) the volume of naturalization applications received; (b) where the applications were received; (c) where the applications were processed and adjudicated; and (d) how long it took to fully process and adjudicate the naturalization applications.
11. All documents relating to inquiries from or responses to members of Congress relating to the delays in processing N-400 applications.
12. All documents including but not limited to memoranda, guidance, instructions, or directives issued to facilities, centers, or field offices discussing policy or procedures to be followed in the processing or adjudication of N-400 applications.
13. All documents and data compilations sent to or prepared by the Administrative Appeals Office addressing the number of pending and decided appeals of denials of N-

400 applications and the outcome of those appeals. This request does not seek copies of the individual appeals or decisions.

14. All documents sent to or prepared by USCIS regarding delays in naturalization applications due to problems implementing or using the Electronic Immigration System (“ELIS”).

15. All documents and data relied upon in The Department of Homeland Security Ombudsman 2017 Annual Report To Congress regarding the USCIS (at [https://www.dhs.gov/sites/default/files/publications/DHS%20Annual%20Report%202017\\_0.pdf](https://www.dhs.gov/sites/default/files/publications/DHS%20Annual%20Report%202017_0.pdf)).

16. All documents and data relied upon in The Department of Homeland Security Office of Inspector General Report “USCIS Has Been Unsuccessful in Automating Naturalization Benefits Delivery,” dated November 30, 2017 (at <https://www.oig.dhs.gov/reports/2018/uscis-has-been-unsuccessful-automating-naturalization-benefits-delivery/oig-18-23>).

17. All complaints filed by naturalization applicants or those acting on behalf of naturalization applicants regarding inappropriate, abusive, or discriminatory treatment of naturalization applicants by USCIS employees.

18. All documents related to a review, update, or revision of the USCIS Fee Review Study described here: <https://www.federalregister.gov/documents/2016/05/04/2016-10297/us-citizenship-and-immigration-services-fee-schedule>.

19. All documents relied upon, issued in response to, or to implement the change in the mission of USCIS announced on February 22, 2018 described here: <https://www.uscis.gov/news/news-releases/uscis-director-l-francis-cissna-new-agency-mission-statement>

20. All documents received by USCIS from the White House or forwarded by USCIS to the White House regarding in whole or in part the processing or adjudication of naturalization applications.

#### Handling claimed exemptions

If you locate documents responsive to these requests regarding which you claim an exemption in whole or in part from disclosure, please identify (1) the author and his/her position in the Government, (2) the addressee(s), (3) the date of the document(s), (4) the general topic of the document(s), (5) the number of pages in the document(s), and (6) the specific exemption(s) claimed. If you claim an exemption to part(s) of a document, please produce the portion(s) for which no exemption is claimed and provide the information listed above for the portion(s) for which exemption(s) is/are claimed. This will permit us

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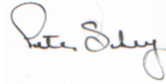
to determine whether or not to seek administrative or judicial review of your claims of exemption(s).

If we do not hear from you by the expiration of the statutory time period, we will deem your non-response to be a denial of this request and may seek administrative review. Please advise us to whom the administrative appeal should be addressed.

If you have any questions please feel free to call the undersigned at (323) 251-3223, or email at [pschey@centerforhumanrights.org](mailto:pschey@centerforhumanrights.org).

Thank you for your consideration and assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Schey".

Peter A. Schey, Esq.  
Center for Human Rights and  
Constitutional Law

ccs: Requesting parties