

EXHIBIT A



U.S. Citizenship and Immigration Services

Friday, October 22, 2021

REFAAT MAKKI
8310 THIRD AVENUE
FL 1
BROOKLYN NY 11209

Dear Refaat Makki:

On 10/19/2021, you or the designated representative shown below, contacted us about your case. Some of the key information given to us at that time was the following:

Caller indicated they are:	Applicant or Petitioner
Attorney Name:	Information not available
Case type:	N400
Filing date:	05/23/2000
Receipt #:	ESC*000443162
Referral ID:	SR12922104008BNY
Beneficiary (if you filed for someone else):	Information not available
Your USCIS Account Number (A-number):	A073504340
Type of service requested:	Outside Normal Processing Times

The status of this service request is:

On October 19, 2021, you or your representative contacted U.S. Citizenship and Immigration Services (USCIS) concerning your N-400 Application for Naturalization because you believe your case is outside of our normal processing time.

Your N-400 Application for Naturalization is administratively closed as of June 24, 2010. You may reopen an application by submitting a written request to USCIS within 1 year from the date the Form N-400 Application for Naturalization is closed. If USCIS does not receive your request to reopen within this time period, your application is considered abandoned and dismissed without further notice to you. See Title 8, Code of Federal Regulations (8 CFR), section 335.6.

We offer many online services and tools to help you find the information you need at www.uscis.gov/tools and my.uscis.gov, including:

Case Status: Sign up for detailed case updates in myUSCIS: my.uscis.gov/account

Check your current case status: www.uscis.gov/casestatus

Check processing times: www.uscis.gov/processingtimes

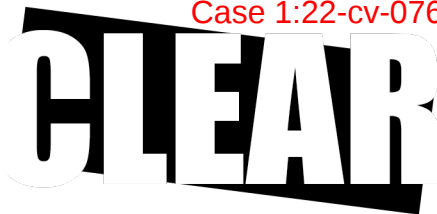
Ask about your case: www.uscis.gov/e-request

Schedule an appointment: my.uscis.gov/appointment

Ask our virtual assistant Emma: www.uscis.gov/emma

Address Changes: If you move, please visit www.uscis.gov/addresschange for information on how to update your address. Remember to update your address for all your receipt numbers.

EXHIBIT B



CREATING
LAW
ENFORCEMENT
ACCOUNTABILITY &
RESPONSIBILITY

Main Street Legal Services, Inc.
CUNY School of Law
2 Court Square
Long Island City, NY 11101-4356
www.cunyclear.org

November 16, 2021

U.S. Citizenship and Immigration Services
National Records Center
P.O. Box 648010
Lee's Summit, MO 64064

RE: Freedom of Information Act Request

To Whom It May Concern:

This is a request under the Freedom of Information Act and Privacy Act of 1974:

We are legal counsel for Mr. **REFAAT MAKKI (DOB: 06/20/1964; Country of Birth: Lebanon)**. Pursuant to the Privacy Act of 1974 (5 U.S.C. §552(A)(b)), we have attached the authorization for release of information form.

MATERIALS REQUESTED

On July 14, 2021, our office filed a USCIS FOIA request on behalf of Mr. Makki. In the response, USCIS identified 995 pages that were responsive to the request. We request copies of the following records, documents, data entries, correspondence, reports, memorandums, opinions, written or typed notes, and/or audio recordings (collectively, hereinafter "records") that were created, used or maintained by the United States Citizenship and Immigration Services (USCIS) pertaining to:

1. Any notice sent to Mr. Makki in connection to his N-400 Application for Citizenship (Receipt #ESC*000443162).
2. All records pertaining to the administrative closure of Mr. Makki's N-400 Application for Citizenship, including Requests For Evidence.
3. All records pertaining to the adjudication of Mr. Makki's N-400.

We request that you search any relevant electronic databases, including DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking Records System, DHS/USCIS-012 Citizenship and Immigration Data Repository (CIDR), as well as conduct a hand search of all files containing information pertaining to Mr. Makki. As FOIA requires, please release all reasonably segregable, non-exempt portions of any responsive documents. 5 U.S.C. § 552(b).

If the records are available electronically, we request that they be provided electronically. Please respond with all applicable documents to:

naz.ahmed@law.cuny.edu

For those records that are not available electronically, please mail them to:

Naz Ahmed
CLEAR – Main Street Legal Services, Inc.
CUNY School of Law
2 Court Square
Long Island City, NY 11101

Naz Ahmed, Esq.

November 16 2021

Date

EXHIBIT C

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
National Records Center
P.O. Box 648010
Lee's Summit, MO 64064-8010



U.S. Citizenship
and Immigration
Services

NRC2021222610

November 30, 2021

Naz Ahmad
Clear MsIs
2 Court Square
Long Island City, NY 11201

Dear Naz Ahmad:

We received your request for information relating to Refaat Makki on November 16, 2021.

Your request is being handled under the provisions of the Freedom of Information Act (5 U.S.C. § 552). It has been assigned the following control number: NRC2021222610. Please cite this number in all future correspondence about your request.

We respond to requests on a first-in, first-out basis and on a multi-track system. Your request has been placed in the simple track (Track 1). You specifically requested a copy of the All records regarding N-400 for Refaat Makki.

Consistent with 6 C.F.R. § 5.5(a) of the Department of Homeland Security (DHS) FOIA regulations, USCIS processes FOIA requests according to their order of receipt. Although USCIS' goal is to respond within 20 business days of receipt of your request, FOIA does permit a 10-day extension of this time period in certain circumstances. Due to the increasing number of FOIA requests received by this office, we may encounter some delay in processing your request. Additionally, due to the scope and nature of your request, USCIS will need to locate, compile, and review responsive records from multiple offices, both at headquarters and in the field. USCIS may also need to consult with another agency or other component of the Department of Homeland Security that have a substantial interest in the responsive information. We will make every effort to comply with your request in a timely manner.

In accordance with Department of Homeland Security Regulations (6 C.F.R. § 5.3(c)), your request is deemed to constitute an agreement to pay any fees that may be chargeable up to \$25.00. Fees may be charged for searching for records sought at the respective clerical, professional, and/or managerial rates of \$4.00/\$7.00/\$10.25 per quarter hour, and for duplication of copies at the rate of \$.10 per copy. The first 100 copies and two hours of search time are not charged, and the remaining combined charges for search and duplication must exceed \$14.00 before we will charge you any fees. Most requests do not require any fees; however, if fees in excess of \$25.00 are required, we will notify you beforehand.

USCIS no longer collects Social Security Numbers in connection with FOIA or PA requests. When forwarding to us any documents related to your request, please ensure any Social Security Numbers on the documents are blanked out or removed.

The National Records Center (NRC) has the responsibility to ensure that personally identifiable information (PII) pertaining to U.S. Citizenship and Immigration Services (USCIS) clients is protected. In our efforts to safeguard this information, we may request that additional information be provided to facilitate and correctly identify records responsive to your request. Though submission of this information is voluntary, without this information, your request may be delayed while additional steps are taken to ensure the correct responsive records are located and processed. Further, if we are unable to positively identify the subject of the record we may be unable to provide records responsive to your FOIA request.

NRC2021222610

Page 2

You may check the status of your FOIA request online at first.uscis.gov/#/check-status. If you have any questions concerning your pending FOIA/PA request, or to check the status of a pending application or petition, please call The National Customer Service Center at (800) 375-5283. Please be aware that the National Records Center no longer accepts FOIA/PA related questions directly by phone.

All FOIA/PA related requests, including address changes, must be submitted in writing and be signed by the requester. Questions concerning this FOIA/PA request may be mailed to the FOIA/PA Officer at the PO Box listed at the top of the letterhead or emailed to FOIAPAQuestions@uscis.dhs.gov. Please include the control number listed above on all correspondence with this office. You can now submit a new FOIA request online using our new Freedom of Information Act Records System (FIRST). If you wish to submit a new FOIA/PA request, please visit www.uscis.gov/FOIA for instructions and requirements.

Sincerely,



Elliot Viker
Acting Director, FOIA Operations

EXHIBIT D



CREATING
LAW
ENFORCEMENT
ACCOUNTABILITY &
RESPONSIBILITY

Main Street Legal Services, Inc.
CUNY School of Law
2 Court Square
Long Island City, NY 11101-4356
www.cunyclear.org

VIA UPS

February 8, 2022

U.S. Citizenship and Immigration Services
FOI/PA Appeals Office
150 Space Center Loop, Suite 500
Lee's Summit, MO 64064-2139

RE: Freedom of Information Act Appeal NRC2021222610

To Whom It May Concern:

This is a request under the Freedom of Information Act and Privacy Act of 1974:

We are legal counsel for Mr. **Refaat MAKKI (DOB: June 20, 1964; Country of Birth: Lebanon)**. Pursuant to the Privacy Act of 1974 (5 U.S.C. §552(A)(b)), we have attached the authorization for release of information form.

On November 16, 2021, our office filed a Freedom of Information Act/Privacy Act (FOIA/PA) request with U.S. Citizenship and Immigration Services regarding Mr. Refaat Makki.

On December 15, 2021, USCIS issued its response to our request. In the response, USCIS identified 13 pages that were responsive to our request. USCIS released these 13 pages in their entirety.

In our November 16, 2021 letter we requested any "**notice** sent to Mr. Makki in connection to his N-400 application" as well as "all records pertaining to the administrative closure of Mr. Makki's N-400 Application, including **Requests for Evidence**" (emphasis added). Your office, in response, did not send any documents that correlate to this request and instead sent us a copy of Mr. Makki's original N-400 application. We specifically requested any correspondences from USCIS to Mr. Makki in regard to the administrative closure of his case so we may understand the course of events that lead to its closure.

We timely file this appeal to request that USCIS review and reconsider our request and USCIS's decision concerning which materials properly correspond to our request.

If the records are available electronically, we request that they be provided electronically. Please respond with all applicable documents to:

naz.ahmad@law.cuny.edu

(t) 718.340.4558 / 718.340.4533

(f) 718.340.4478

(e) cunyclear@law.cuny.edu

For those records that are not available electronically, please mail them to:



Naz Ahmad
CLEAR – Main Street Legal Services, Inc.
CUNY School of Law
2 Court Square
Long Island City, NY 11101

FEE WAIVER

While this request is subject only to “reasonable duplication charges,” it merits a complete fee waiver because disclosure of the requested information is in the public interest and will likely contribute significantly to public understanding of the operations or activities of the government. 5 U.S.C. § 552(a)(4)(A).

The Creating Law Enforcement Accountability & Responsibility (CLEAR) Project is part of the City University of New York School of Law. The CLEAR Project was created in response to national security and counterterrorism policies and practices affecting Muslim, Arab, and South Asian (MASA) communities in the greater New York City area. The CLEAR project provides for important unmet legal needs of these communities by: providing support to local community-based organizations serving MASA communities, providing Know-Your-Rights workshops on related issues, and providing legal representation and consultation.

Furthermore, a complete fee waiver should be granted for Mr. Makki’s request. 5 U.S.C. § 552(a)(4)(A)(iii) mandates a fee waiver when the disclosure of the requested information is in the public interest, as opposed to a commercial interest, and will likely contribute significantly to public understanding of the operations or activities of the government. Mr. Makki’s materials request clearly meets the standards set forth in favor of a public interest fee waiver because Mr. Makki’s file will inform CLEAR’s understanding of the Controlled Application Review and Resolution (CAARP) program and the extensive delays experienced by applicants from Muslim-majority countries. CLEAR will then share this understanding widely with the MASA communities with whom we work, and those interested in law enforcement and civil liberties. *See, e.g., Judicial Watch v. Gen. Servs. Admin.*, No.Civ.A.98-2223, 2000 WL 35538030, at *8, *11 (D.D.C. Sept. 25, 2000); *McClellan Ecological Seepage Situation v. Carlucci*, 835 F.2d 1282, 1285 (9th Cir. 1987).

Additionally, CLEAR frequently serves as a resource for the news media on these issues due to our active role in the local Muslim-community organizing efforts.

This request is subject only to “reasonable duplication charges” under 5 U.S.C. §552(a)(4)(A)(ii)(II), because the records are not sought for commercial use and they are being requested by “an educational or noncommercial scientific institution whose purpose is scholarly

or scientific research.” The CLEAR project is involved in a number of initiatives, including seeking to understand the nature and scope of police policies affecting Muslim and Arab individuals, particularly the difficulties they face in applying for immigration benefits.

If necessary, CLEAR is willing to pay fees for this request up to a maximum of \$25. If you estimate that the fees will exceed this limit, please inform us before processing the request.

Please contact us at (718) 340-4630 with any questions or concerns. We look forward to receiving your response within the twenty day statutory time period. Thank you.

Sincerely,



Naz Ahmad, Staff Attorney
CLEAR Project
CUNY School of Law
2 Court Square
Long Island City, NY 11101
naz.ahmad@law.cuny.edu
(718) 340-4630

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
National Records Center
P.O. Box 648010
Lee's Summit, MO 64064-8010



U.S. Citizenship
and Immigration
Services

NRC2021222610

December 15, 2021

Naz Ahmad
Clear MsIs
2 Court Square
Long Island City, NY 11201

Dear Naz Ahmad:

This is in response to your Freedom of Information Act/Privacy Act (FOIA/PA) request for Refaat Makki received in this office on November 16, 2021 regarding the N-400 records.

We have completed the review of all documents and have identified 13 pages that are responsive to your request. Enclosed are 13 pages released in their entirety.

Documents responsive to your request may contain discretionary releases of exempt information. These discretionary releases do not waive our ability to invoke applicable FOIA exemptions for similar or related information in the future.

The enclosed record consists of the best reproducible copies available. Certain pages contain marks that appear to be blacked-out information. The black marks were made prior to our receipt of the file and are not information we have withheld under the provisions of the FOIA or PA.

The National Records Center does not process petitions, applications or any other type of benefit under the Immigration and Nationality Act. If you have questions or wish to submit documentation relating to a matter pending with the bureau, you must address these issues with your nearest District Office.

All FOIA/PA related requests, including address changes, must be submitted in writing and be signed by the requester. Questions concerning this FOIA/PA request may be mailed to the FOIA/PA Officer at the PO Box listed at the top of the letterhead or emailed to FOIAPAQuestions@uscis.dhs.gov. Please include the control number listed above on all correspondence with this office. You can now submit a new FOIA request online using our new Freedom of Information Act Records SysTem (FIRST). If you wish to submit a new FOIA/PA request, please visit www.uscis.gov/FOIA for instructions and requirements.

Sincerely,

A handwritten signature in blue ink that reads "Cmunita".

Cynthia Munita
Director, FOIA Operations

Enclosure(s)



**Notice of Entry of Appearance
as Attorney or Accredited Representative**
Department of Homeland Security

DHS
Form G-28
OMB No. 1615-0105
Expires 05/31/2021

Part 1. Information About Attorney or Accredited Representative

1. USCIS Online Account Number (if any)
▶

Name of Attorney or Accredited Representative

2.a. Family Name (Last Name)
2.b. Given Name (First Name)
2.c. Middle Name

Address of Attorney or Accredited Representative

3.a. Street Number and Name
3.b. Apt. Ste. Flr.
3.c. City or Town
3.d. State 3.e. ZIP Code
3.f. Province
3.g. Postal Code
3.h. Country

Contact Information of Attorney or Accredited Representative

4. Daytime Telephone Number
5. Mobile Telephone Number (if any)
6. Email Address (if any)
7. Fax Number (if any)

Part 2. Eligibility Information for Attorney or Accredited Representative

Select all applicable items.

1.a. I am an attorney eligible to practice law in, and a member in good standing of, the bar of the highest courts of the following states, possessions, territories, commonwealths, or the District of Columbia. If you need extra space to complete this section, use the space provided in **Part 6. Additional Information**.

Licensing Authority

1.b. Bar Number (if applicable)

1.c. I (select only one box) am not am subject to any order suspending, enjoining, restraining, disbaring, or otherwise restricting me in the practice of law. If you are subject to any orders, use the space provided in **Part 6. Additional Information** to provide an explanation.

1.d. Name of Law Firm or Organization (if applicable)

2.a. I am an accredited representative of the following qualified nonprofit religious, charitable, social service, or similar organization established in the United States and recognized by the Department of Justice in accordance with 8 CFR part 1292.

2.b. Name of Recognized Organization

2.c. Date of Accreditation (mm/dd/yyyy)

3. I am associated with , the attorney or accredited representative of record who previously filed Form G-28 in this case, and my appearance as an attorney or accredited representative for a limited purpose is at his or her request.

4.a. I am a law student or law graduate working under the direct supervision of the attorney or accredited representative of record on this form in accordance with the requirements in 8 CFR 292.1(a)(2).

4.b. Name of Law Student or Law Graduate



Part 3. Notice of Appearance as Attorney or Accredited Representative

If you need extra space to complete this section, use the space provided in Part 6. Additional Information.

This appearance relates to immigration matters before (select only one box):

1.a. U.S. Citizenship and Immigration Services (USCIS)

1.b. List the form numbers or specific matter in which appearance is entered.

2.a. U.S. Immigration and Customs Enforcement (ICE)

2.b. List the specific matter in which appearance is entered.

3.a. U.S. Customs and Border Protection (CBP)

3.b. List the specific matter in which appearance is entered.

4. Receipt Number (if any)

▶

5. I enter my appearance as an attorney or accredited representative at the request of the (select only one box):

- Applicant Petitioner Requestor
 Beneficiary/Derivative Respondent (ICE, CBP)

Information About Client (Applicant, Petitioner, Requestor, Beneficiary or Derivative, Respondent, or Authorized Signatory for an Entity)

6.a. Family Name (Last Name)

6.b. Given Name (First Name)

6.c. Middle Name

7.a. Name of Entity (if applicable)

7.b. Title of Authorized Signatory for Entity (if applicable)

8. Client's USCIS Online Account Number (if any)
 ▶

9. Client's Alien Registration Number (A-Number) (if any)
 ▶ A-

Client's Contact Information

10. Daytime Telephone Number

11. Mobile Telephone Number (if any)

12. Email Address (if any)

Mailing Address of Client

NOTE: Provide the client's mailing address. Do not provide the business mailing address of the attorney or accredited representative unless it serves as the safe mailing address on the application or petition being filed with this Form G-28.

13.a. Street Number and Name

13.b. Apt. Ste. Flr.

13.c. City or Town

13.d. State 13.e. ZIP Code

13.f. Province

13.g. Postal Code

13.h. Country

Part 4. Client's Consent to Representation and Signature

Consent to Representation and Release of Information

I have requested the representation of and consented to being represented by the attorney or accredited representative named in Part 1. of this form. According to the Privacy Act of 1974 and U.S. Department of Homeland Security (DHS) policy, I also consent to the disclosure to the named attorney or accredited representative of any records pertaining to me that appear in any system of records of USCIS, ICE, or CBP.



Part 4. Client's Consent to Representation and Signature (continued)

Options Regarding Receipt of USCIS Notices and Documents

USCIS will send notices to both a represented party (the client) and his, her, or its attorney or accredited representative either through mail or electronic delivery. USCIS will send all secure identity documents and Travel Documents to the client's U.S. mailing address.

If you want to have notices and/or secure identity documents sent to your attorney or accredited representative of record rather than to you, please select **all applicable** items below. You may change these elections through written notice to USCIS.

- 1.a. I request that USCIS send original notices on an application or petition to the business address of my attorney or accredited representative as listed in this form.
 - 1.b. I request that USCIS send any secure identity document (Permanent Resident Card, Employment Authorization Document, or Travel Document) that I receive to the U.S. business address of my attorney or accredited representative (or to a designated military or diplomatic address in a foreign country (if permitted)).
- NOTE:** If your notice contains Form I-94, Arrival-Departure Record, USCIS will send the notice to the U.S. business address of your attorney or accredited representative. If you would rather have your Form I-94 sent directly to you, select **Item Number 1.c.**

- 1.c. I request that USCIS send my notice containing Form I-94 to me at my U.S. mailing address.

Signature of Client or Authorized Signatory for an Entity

2.a. Signature of Client or Authorized Signatory for an Entity

➔ 

2.b. Date of Signature (mm/dd/yyyy)

Part 5. Signature of Attorney or Accredited Representative

I have read and understand the regulations and conditions contained in 8 CFR 103.2 and 292 governing appearances and representation before DHS. I declare under penalty of perjury under the laws of the United States that the information I have provided on this form is true and correct.

1. a. Signature of Attorney or Accredited Representative

1. b. Date of Signature (mm/dd/yyyy)

2. a. Signature of Law Student or Law Graduate

2. b. Date of Signature (mm/dd/yyyy)



Part 6. Additional Information

If you need extra space to provide any additional information within this form, use the space below. If you need more space than what is provided, you may make copies of this page to complete and file with this form or attach a separate sheet of paper. Type or print your name at the top of each sheet; indicate the **Page Number**, **Part Number**, and **Item Number** to which your answer refers; and sign and date each sheet.

1.a Family Name (Last Name)

1.b Given Name (First Name)

1.c Middle Name

2.a Page Number 2.b Part Number 2.c Item Number

2.d

3.a Page Number 3.b Part Number 3.c Item Number

3.d

4.a Page Number 4.b Part Number 4.c Item Number

4.d

5.a Page Number 5.b Part Number 5.c Item Number

5.d

6.a Page Number 6.b Part Number 6.c Item Number

6.d



EXHIBIT E

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Attn: FOIA/PA Appeals Office
P.O. Box 648010
Lee's Summit, MO 64064-8010



U.S. Citizenship
and Immigration
Services

APP2022000577

March 8, 2022

Naz Ahmad
Clear Main Street Legal Svcs, Inc
2 Court Square
Long Island City, NY 11201

Dear Naz Ahmad:

Re: NRC2021222610

You appealed the action of the National Records Center regarding your request for access to records pertaining to Refaat Makki, dated February 17, 2022.

I have decided to remand your request to the National Records Center for a further search. If records are located, those that can be released will be made available to you directly by that office.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan D. Hughes".

Alan D. Hughes, Associate Counsel
U.S. Citizenship and Immigration Services

EXHIBIT F

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
National Records Center
P.O. Box 648010
Lee's Summit, MO 64064-8010



U.S. Citizenship
and Immigration
Services

PPO2022000158

July 11, 2022

Naz AHMAD
MAIN STREET LEGAL SERVICES
2 COURT SQUARE
Long Island City, NY 11101

Dear Naz AHMAD:

This is in response to your Freedom of Information Act/Privacy Act (FOIA/PA) request received in this office on March 25, 2022 regarding Refaat Makki.

We have considered the foreseeable harm standard when reviewing the record set and have applied the FOIA exemptions as required by the statute and the Attorney General's guidance. We have completed the review of all documents and have identified 998 pages that are responsive to your request. Enclosed are 257 pages released in their entirety and 370 pages released in part. We are withholding 368 pages in full. In our review of these pages, we have determined they contain no reasonably segregable portion(s) of non-exempt information. Additionally, we have referred some pages in their entirety to another government agency. We have reviewed and have determined to release all information except those portions that are exempt pursuant to 5 U.S.C. § 552a (a)(j)(2) and (a)(k)(2) of the Privacy Act and 5 U.S.C. § 552 (b)(3), (b)(6), (b)(7)(c), and (b)(7)(e) of the FOIA.

The following exemptions are applicable:

Exemption (b)(7)(C) provides protection for personal information in law enforcement records, which could reasonably be expected to constitute an unwarranted invasion of personal privacy. We have withheld information relating to third-party individuals. The types of documents and/or information that we have withheld could consist of names, addresses, identification numbers, telephone numbers, fax numbers, or various other documents that are considered personal.

Exemption (k)(2) of the PA provides protection to investigatory material compiled for law enforcement purposes. The types of documents and/or information we have withheld in conjunction with (b)(7)(E) of the FOIA could consist of law enforcement systems checks, manuals, checkpoint locations, surveillance techniques and various other documents.

Exemption (k)(2) of the PA provides protection to investigatory material compiled for law enforcement purposes. The types of documents and/or information we have withheld in conjunction with (b)(7)(C) of the FOIA could consist of names, addresses, identification numbers, telephone numbers, fax numbers, or various other documents relating to third party individuals that are considered personal.

Exemption (j)(2) of the PA permits the government to withhold information in files which originated from an agency primarily concerned with the enforcement of criminal laws, including police efforts to prevent, control, or reduce crime or to apprehend criminals, and the activities of prosecutors, courts, correctional, probation, pardon, or parole authorities. The types of documents and/or information withheld in conjunction with (b)(7) could consist of information compiled for the purpose of identifying individual criminal offenders and alleged offenders and consisting only of identifying data and notations of arrests, the nature and disposition of criminal charges, sentencing, confinement, release, and parole and probation status; information compiled for the purpose of a criminal investigation, including reports of informants and investigators, and associated with an identifiable individual; or reports identifiable to an individual

PPO2022000158

Page 2

compiled at any stage of the process of enforcement of the criminal laws from arrest or indictment through release from supervision.

Exemption (b)(7)(E) of the FOIA provides protection for records or information for law enforcement purposes which would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law. The types of documents and/or information we have withheld could consist of law enforcement systems checks, manuals, checkpoint locations, surveillance techniques, and various other documents.

Exemption (b)(3) permits withholding of records or information if a law specifically exempts the material from disclosure, including the disclosure of which would be detrimental to security of transportation. The statute allows us to withhold this information pursuant to 49 U.S.C. 114(r) of the Aviation and Transportation Security Act.

Exemption (b)(6) permits the government to withhold all information about individuals in personnel, medical and similar files where the disclosure of such information would constitute a clearly unwarranted invasion of personal privacy. The types of documents and/or information that we have withheld may consist of birth certificates, naturalization certificates, drivers' licenses, social security numbers, home addresses, dates of birth, or various other documents and/or information belonging to a third party that are considered personal.

As a result of discussion between agency personnel and a member of our staff, as a matter of administrative discretion, we are releasing computer codes found on system screen prints previously withheld under exemption b(2). There may be additional documents that contain discretionary releases of exempt information. If made, these releases are specifically identified in the responsive record. These discretionary releases do not waive our ability to invoke applicable FOIA exemptions for similar or related information in the future.

The enclosed record consists of the best reproducible copies available. Certain pages contain marks that appear to be blacked-out information. The black marks were made prior to our receipt of the file and are not information we have withheld under the provisions of the FOIA or PA.

You have the right to file an administrative appeal within 90 days of the date of this letter. By filing an appeal, you preserve your rights under FOIA and give the agency a chance to review and reconsider your request and the agency's decision. You may file an administrative FOIA appeal to USCIS at: USCIS FOIA/PA Appeals Office, 150 Space Center Loop, Suite 500, Lee's Summit, MO 64064-2139. Both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

If you would like to discuss our response before filing an appeal to attempt to resolve your dispute without going through the appeals process, you may contact our FOIA Public Liaison, Cynthia Munita, for assistance at:

U.S. Citizenship and Immigration Services
National Records Center, FOIA/PA Office
P.O. Box 648010
Lee's Summit, MO 64064-8010
Telephone: (816) 350-5510
E-Mail: FOIAPAQuestions@uscis.dhs.gov

A FOIA Public Liaison is an agency official to whom FOIA requesters can raise concerns about the service the requester has received from the agency's FOIA Office. FOIA Public Liaisons are responsible for assisting in reducing delays, increasing transparency and understanding of the status of requests, and

PPO2022000158

Page 3

assisting in the resolution of disputes.

If you are unable to resolve your FOIA dispute through our FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman's office, offers mediation services to help resolve disputes between FOIA requesters and Federal Agencies. The OGIS does not have the authority to handle requests made under the Privacy Act of 1974. The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road - OGIS
College Park, MD 20740-6001
Telephone: (202) 741-5770 or (877) 684-6448
Email: OGIS@nara.gov
Website: ogis.archives.gov

The National Records Center does not process petitions, applications or any other type of benefit under the Immigration and Nationality Act. If you have questions or wish to submit documentation relating to a matter pending with the bureau, you must address these issues with your nearest District Office.

All FOIA/PA related requests, including address changes, must be submitted in writing and be signed by the requester. Questions concerning this FOIA/PA request may be mailed to the FOIA/PA Officer at the PO Box listed at the top of the letterhead or emailed to FOIAPAQuestions@uscis.dhs.gov. Please include the control number listed above on all correspondence with this office. You can now submit a new FOIA request online using our new Freedom of Information Act Records SysTem (FIRST). If you wish to submit a new FOIA/PA request, please visit www.uscis.gov/FOIA for instructions and requirements.

Sincerely,



Cynthia Munita
Director, FOIA Operations

Enclosure(s)

EXHIBIT G

Subject: PPO2022000158
Date: Monday, August 8, 2022 at 2:01:39 PM Eastern Daylight Time
From: Naz Ahmad
To: FOIAPAQuestions@uscis.dhs.gov
Attachments: 2021.11.16 RM FOIA REQUEST.pdf, USCIS FOIA 2 Appeal_As mailed.pdf, USCIS FOIA Appeal Receipt.pdf

Hello –

I initially filed a FOIA request on behalf of Refaat Makki in December 2021, to request a copy of an N-400 denial issued to him. I then appealed the initial response because the response did not include a copy of the decision notice.

In July 2022, USCIS produced certain documents, but again failed to produce a copy of any written notice to Mr. Makki concerning the denial or administrative closure of his N400.

I am planning to file another appeal, but is there a way to resolve this and direct USCIS to produce a copy of whatever notice was sent to Mr. Makki concerning the denial/administrative closure of his application? He never received it.

Best,

Naz