



United States Department of State

Washington, D.C. 20520

MAR 14 2011

Dear Requester,

RE: visa records for Enrique Puyana Mantilla

This is in response to your request dated 02-01-2011. We have assigned Case Control Number F201101263 and will begin the processing of your request based upon the information provided in your communication.

The cut-off date is the date the search is initiated unless you have provided a specific timeframe.

We have considered your request for a fee waiver. A waiver or reduction of fees may be appropriate when the disclosure of records is in the public interest because the disclosure is likely to contribute significantly to public understanding of the operations or activities of the Government and is not primarily in the interest of the requester. See 22 C.F.R. § 171.17. In light of the information supplied in your request, we will now defer our decision to grant or deny your request for a fee waiver until we are able to determine whether the disclosure of any records responsive to your request is in the public interest, consistent with the application of 22 C.F.R. § 171.17.

Unusual circumstances (including the number and location of Department components involved in responding to your request, the volume of requested records, etc.) may arise that would require additional time to process your request.

We will notify you as soon as responsive material has been retrieved and reviewed.

Should you have any questions, you may call our FOIA Requester Service Center at (202) 261-8484 or send an email to FOIAstatus@state.gov. Please refer to the Case Control Number in any communication.

Sincerely,

Wilma Manning *WM*
Chief, Requester Communications Branch

Fees: The Freedom of Information Act (FOIA) provides that agencies may assess fees to recover the direct costs of processing requests, unless a fee waiver has been granted.

According to our regulations, by making a FOIA request, you have agreed to pay all applicable fees up to \$25 unless a fee waiver has been granted. You may specify a willingness to pay a greater amount. If the estimated fees exceed this limit, you will be notified.

You have stated your willingness to pay the fees incurred in the processing of this request up to \$ all.

Please let us know if you are willing to pay the fees that will be incurred in the processing of your request. You may set a limit of the maximum amount that you wish to pay. Please be advised that, without an agreement to pay fees, your request will be processed without cost up to the required first 2 hours of search time (for all other requester category only) and duplication of the first 100 pages (for all other, media, educational and non-commercial scientific requester categories).

Based upon the information that you have provided, we have placed you in the requester category checked below. This request will be processed in accordance with the fee schedule designated for that category (see 22 C.F.R. 171, enclosed):

Commercial Use Requesters – Charges may be assessed that recover the full direct costs of searching for, reviewing for release, and duplicating the record(s) sought.

Educational Institution Requesters – Charges may be assessed that recover the cost of duplicating the record(s) sought only, after the first 100 pages of duplication.

Non-commercial Scientific Institution Requesters – Charges may be assessed that recover the cost of duplicating the record(s) sought only, after the first 100 pages of duplication.

Representative of the News Media – Charges may be assessed that recover the cost of duplicating the record(s) sought only, after the first 100 pages of duplication.

All Other Requesters – Charges may be assessed that recover the full reasonable direct cost of searching for and duplicating the record(s) sought, after the first 100 pages of duplication, and the first two hours of search time.

You have indicated your inclusion in a category different than the one indicated above. Please forward the information requested on the enclosed sheet titled "Requester Categories" to substantiate your inclusion in a particular category of requester.

We will notify you of the costs incurred in processing your request as soon as the search for, and review of, any responsive documents have been completed.

Visa Records: For visa records, provide the location of the U.S. Foreign Service post abroad where application was made; the type of visa (immigrant or non-immigrant); whether granted or denied; date of issuance or denial; and case number (for immigrant visa only). Please include any additional information which you believe might be helpful to locate the documents you are seeking.

For Pending Visa Petitions: The applicant, the applicant's attorney, or other designated representative of record may request copies of the following records directly from the National Visa Center (NVC), and **need not file a FOIA request:**

- (a) Correspondence previously sent or given to the applicant by a post or NVC;
- (b) Civil documents presented by the applicant, such as birth, death, and divorce certificates; and
- (c) Visa applications and any other documents submitted by the applicant in the form in which they were submitted.

Requests for these items may be sent to:

National Visa Center
Attention: Written Correspondence
32 Rochester Avenue
Portsmouth, NH 03801-2909

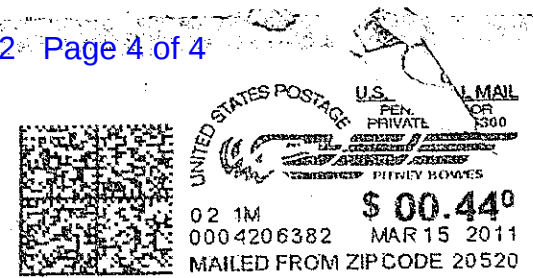
The request should include the name and address of the requesting party and his/her relation to the applicant, name of petitioner and beneficiary, the case number, and the documents being requested.

Limitations on Releasability: Please note, the FOIA exempts from disclosure those agency records that are otherwise protected from release by federal statutes other than the FOIA (5 U.S.C. § 552(b)(3)). One such statute is Section 222(f) of the Immigration and Nationality Act (8 U.S.C. § 1202(f)), which renders confidential those records of the Department of State pertaining to the issuance or refusal of visas or permits to enter the United States. As a result, you should be aware that State Department visa records are generally exempt from disclosure under the (b)(3) exemption of the FOIA. This is the case regardless of whether the requester is a third party or the visa applicant himself/herself, and regardless of whether the visa applicant has authorized the FOIA request or is no longer living.

Although documents that were submitted by or sent to the visa applicant or his/her representative in the course of processing the visa application may be releasable to the applicant, internal records generated by the Government in the course of processing the visa application generally would not be releasable.

DEPARTMENT OF STATE, U. S. A.
WASHINGTON, D. C. 20520
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