



**U.S. Citizenship
and Immigration
Services**

November 5, 2013

COW2013000875

David Gluckman
MuckRock News
DEPT MR 8659
PO Box 55819
Boston, MA 02205-5819

Dear David Gluckman:

We received your request for information relating to a June 3, 2013 FDNS Directorate memo on Revised H-1B Anti-Fraud Operational Guidance, on November 5, 2013.

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: COW2013000875. 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 complex track (Track 2). You may wish to narrow your request to a specific document in order to be eligible for the faster track. To do so, please send a written request, identifying the specific document sought, to the address above. We will notify you if your request is placed in the simple track.

In your request, you seek a fee waiver. Under the Freedom of Information Act's (FOIA) fee waiver standard, 5 U.S.C § 552 (a)(4)(iii), two requirements must be met prior to a grant of a fee waiver. As stated, documents shall be furnished without any charge or at a charge reduced below the fees established, where the requester has demonstrated that:

- (1) disclosure is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government, and
- (2) disclosure is not primarily in the commercial interest of the requester.
- (3) You are being categorized as a commercial requester as MuckRock charges fees for filing FOIA requests.

Since you have not met the necessary requirements for a fee waiver, we are denying your fee waiver request.

In accordance with Department of Homeland Security Regulations (6 C.F.R. § 5.4(a)), USCIS uses a "cut-off" date to delineate the scope of a FOIA request by treating records created after that date as not responsive to that request. Therefore, in determining which records are responsive to your request, we will only include records in the possession of this agency as of November 5, 2013, the date we began the search for records.

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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. All applicable fees under 6 C.F.R. §5.11 may be charged.

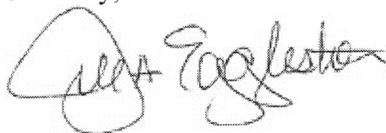
Because of unusual circumstances we may not be able to process your request within the statutory time limit, therefore, it will be necessary to extend the time limit for processing beyond the ten working day extension period due to the need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request. You may wish to modify your request so that it can be processed within the statutory time limit or arrange an alternative time period with our office. Regardless of any delay, your FOIA/PA request will be complied with as accurately as possible.

This office will be providing your records on a Compact Disc (CD) for use on your personal computer. The CD is readable on all computers through the use of Adobe Acrobat software. A version of Adobe Acrobat will be included on the CD. Your records can be viewed on your computer screen and can be printed onto paper. Only records 15 pages or more are eligible for CD printing. To request your responsive records on paper, please include your control number and write to the above address Attention: FOIA/PA Officer, or fax them to (816) 350-5785.

You may check the status of your FOIA request online, at www.uscis.gov. Click on "FOIA Request Status Check" located on the left side of the web page under "Other Services", and follow the instructions. 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. Please include the control number listed above on all correspondence with this office. Requests may be mailed to the FOIA/PA Officer at the PO Box listed at the top of the letterhead, or sent by fax to (816) 350-5785. You may also submit FOIA/PA related requests to our e-mail address at uscis.foia@uscis.dhs.gov.

Sincerely,



Jill A. Eggleston
Director, FOIA Operations