

ALLEN V. DHS, ET. AL; 09-CV-00373-TUC-FRZ (D. AZ)

PLAINTIFFS OBJECTION TO DEFENDANTS MOTION TO DISMISS AND
MOTION FOR A VAUGHN INDEX.

Plaintiffs Exhibit I
2 pages with cover

Office of General Counsel
20 Massachusetts Avenue NW, Room 421
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

April 15, 2009

APP2009000253

Kenneth Allen
10055 E. Gray Hawk Drive
Tucson, AZ 85730

Dear Kenneth Allen:

Re: NRC2009014617

You appealed the action of the National Records Center regarding your request for access to records pertaining to Barry Soetoro, dated March 18, 2009.

We have notified the National Records Center of your communication. Although the Freedom of Information Act authorizes you to treat the failure to act on your request within the specified time limit as a denial thereof, this Office cannot act until there has been an initial determination by the office having jurisdiction of the records. Our function is limited to the review of those records to which access is in fact denied.

In the event that the National Records Center still has not responded to your request at the time you receive this letter, you may, if you choose, treat this letter as a denial of your appeal and bring action in an appropriate federal court. We hope that, in making a decision, you will give sympathetic consideration to the fact that this agency has many requests pending at this time and is making every possible, reasonable effort to process them.

Sincerely,

A handwritten signature in black ink that reads "Peter D. Gregory".

Peter D. Gregory, Chief
Commercial & Administrative Law Division
Department of Homeland Security
Citizenship and Immigration Services