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Dear Sir / Madam:

I am seeking data about the processing of N-400 applications by USCIS. It is cumulative data without information concerning any particular applicant. All queries will be annual totals for the period from 1 Jan 2018 to 31 Dec 2023 (six years).

1. Please provide the yearly number of permanent residents who were eligible to apply for citizenship via the N-400 application during the particular year. While a precise total could be quite cumbersome to compute, it is acceptable to give approximate totals. For example, the total for a particular year could include all Alien ID / numbers which were assigned / activated before the end of year and had not been terminated (through granting citizenship, voluntarily gave up status, deported, deceased, etc.) by the end of the year.

If it is possible to distinguish between I-130 petitions (for spouse of U.S. citizen to immigrate), the I-130 based Alien numbers should be separated out and to qualify, the resident must also have been issued the alien number at least three years before the end of the particular year. There should be a separate total for I-130 aliens.

If it is not possible to separate out the I-130 applications aliens then they should be included with all other alien numbers.

For the general category of alien numbers, to be considered for a particular year, the alien number must have been issued at least five years before the end of the particular year.

It is understood that there are other requirements to file an N-400 citizenship application, specifically the periods of actual residence in the U.S., but it is felt that is not significant enough factor to warrant the cumbersome summing of periods of actual residence prior to the end of the particular year. As the actual residence requirement is generally only half of the period with a valid resident ID it is expected that over 95% of potential applicants will meet the residency requirement and that should be sufficient.

Please also break down the number of eligible aliens (with I-130 alien totals separated from others if possible) query by the Country where the resident was born. As there may be numerous countries with a small number of residents it is acceptable to truncate the list with the 99 most common countries with all lesser countries grouped as 'Other' (e.g. Monaco and Luxenburg could be grouped together with other countries in the Other entry as there likely won't be a significant number of residents with those birth countries. This would be a simple Group By Clause in SQL in a traditional normalized database. It is also recommended that this list of 99 countries be used in later queries as the later queries will have much smaller numbers and there could be substantial shifts in the countries considered.

3. I also request that you determine the number of new N-400 applications (I-130 separated from Others) accepted for each applicable year but also broken down by country of birth for the applicant as well.

4. I further request the number of pending applications (I-130 separated from Others), i.e. applications whose acceptance date is before the end of the particular year and which have not yet been completed or where the completion date is after the end of the particular year. Please also break down the I-130 and Others totals by country of birth as well.

5. I further request the number of approved N-400 applications during the particular year with I-130 separated from Others, but also broken down by the number of interviews held (not canceled interviews) prior to the approval.

I request that these approval totals be broken down by country of birth as well.

6. I also request the number of denied N-400 applications with I-130 separated from Others but also broken down by the number of interviews held (not cancelled interviews) prior to the denial. I further request that these denial totals be broken down by country of birth as well.

I also request a separate break down of denied applications (with I-130 separated from others) by the number of interviews canceled. I further request that these denial totals be broken down by country of birth as well.

I also request a separate break down of denied applications (with I-130 separated from others) by the number of interviews cancelled where the cancellation record was entered more than one month after the scheduled interview date. I further request that these denial totals be broken down by country of birth as well.

7. I request the number of closed applications which were neither approved or denied applications ('other') during the year but also broken down by the number of interviews held (not scheduled and cancelled interviews) prior to the closing. I also request that these other totals be broken down by country as well. If the total number of 'other' closed N-400 applications is less than 100 during the year, this analysis can be omitted with 'insufficient data for analysis'.

8. Lastly, I also request the number of processed N-400 applications broken down by decision (Approved, Denied, and Other) but also broken down by whether or not there was a concurrent I-751 application from the same applicant (accepted date of I-751 prior to the N-400 decision and I-751 not decided within one week before the N-400 decision, could be labeled 'no I-751' and 'have I-751') but also with the average, minimum, maximum, and standard deviation of delay from N-400 application acceptance date to the date of the decision. I further request that these processed totals be broken down by country of birth as well.

While almost all of the information in these databases is privileged or confidential the cumulative totals are not and represent important measures of the performance of USCIS. As such they should be accessible under the FOIA as public interest into agency performance.

Also, while the FOIA does not require any agency to retain or produce new records, queries against existing databases to produce cumulative totals is not considered new records.

See the 9th Circuit Decision in THE CENTER FOR INVESTIGATIVE REPORTING, v. UNITED STATES DEPARTMENT OF JUSTICE, Case: 18-17356, 12/03/2020, ID: 11913401, DktEntry: 64-1 which can be retrieved from <https://www.eff.org/document/cir-v-doj-9th-cir-opinion> and states 'the use of a query to search for and extract a particular arrangement or subset of existing data from the ... [agency] database does not require the creation of a "new" agency record under FOIA.'

I prefer electronic documents via email bcarr@gmail.com, or ftp / web access. Downloading via PAL is perfect.

Your attention to this matter is appreciated.

Brian Carr