

1. Where do I submit a FOIA request?

Please submit all new FOIA requests, FOIA inquiries, FOIA status requests, and address changes for a FOIA case via one of the following:

Address: Department of Homeland Security
National Records Center
PO BOX 648010
Lee's Summit, MO 64064-8010

Fax: 802-288-1793 or 816-350-5785

E-mail: USCIS.FOIA@USCIS.DHS.GOV

2. How do I submit a FOIA request or obtain a copy of my file?

- a. You must submit your request in writing. While no specific form is required, a downloadable [Form G-639](#) is available on this website. The G-639 outlines all of the required information needed to fulfill your FOIA request.
- b. If you are requesting a copy of your own file, you must provide your full name, a good mailing address, date of birth and place of birth. You must sign the request. Your signature must either be notarized or executed under penalty of perjury. If using Form G-639, please use block 4 (Verification of Identity).
- c. If you are requesting a copy of the file of a person you represent, you must provide a certificate of agreement from that person, allowing USCIS to release information to you, the requester. If using Form G-639, please use block 3 (Subject of Record Consent to Release Information).
- d. We treat your information confidentially. Please include as much identifying information as possible to allow us to properly identify the record you are seeking. You must provide at least your name, a good mailing address, date of birth and place of birth. In addition to that, providing your Alien Registration Number, Petition Number(s), other names you may have used, parents' names, other family members' names, port of entry and date of entry can help us correctly identify your file.

- e. Do not send any money with your original request. If fees are assessed, you will receive a separate letter with a specific fee amount identified and instructions for payment.

3. How long will it take to receive my records after submitting a FOIA request?

Average processing times are posted on the USCIS website at "[Check Status of Request.](#)"

4. How can I check on the status of my FOIA request?

You may check the status of your request through the [FOIA status check](#). You must have the NRC control number associated with the FOIA request. This number is located in the upper right hand portion on all correspondence received from the NRC. It is an alpha-numeric number and will begin with three letters (usually "NRC"). Alternatively, you may send a status request via one of the following:

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5. I received a letter from USCIS stating my request was put on the complex track. What does that mean?

USCIS uses a 3 track FOIA processing system.

- **Track 1** is a request for very specific information or documents. A request for a copy of a green card or your naturalization certificate is an example of a Track 1 request. We consider those to be simple requests because they normally require us to research and review only a few documents.
- **Track 2** requests ask for a copy of the entire record. We consider those to be complex requests because they normally require research and review of more documents
- **Track 3** requests involve individuals who have been served with a charging document and are scheduled for an immigration hearing. You may also refer to Track 3 as "the accelerated track" or "the notice-to-appear track."

6. How do I change the track of my case?

If you have requested an entire copy of your file, your request has been placed in Track 2, or the complex track. You may narrow the scope of your request from a copy of the entire record to a copy of specific documents. This will move your request to Track 1. Track 1 cases are typically processed in a shorter amount of time than track 2 cases because fewer documents are being reviewed for release.

If you have been served with a charging document and are currently scheduled for a hearing before an immigration judge, you may ask for Track 3 status. Track 3 cases receive accelerated processing. If you wish to obtain Track 3 status, you must submit the request in writing and include one of the following documents:

- Notice to Appear (Form I-862) documenting a future scheduled date of the subject's hearing before the immigration judge;
- Order to Show Cause (Form I-122) documenting a future scheduled date of the subject's hearing before the immigration judge;
- Notice of Referral to Immigration Judge (Form I-863); or
- A written notice of continuation of a future scheduled hearing before the immigration judge.

To narrow the scope of your request or change the track of your case, you may mail, e-mail or fax a request to modify your FOIA request to include only specific documents. Please include your NRC control number, the specific document(s) you are requesting, your current address, and your signature.

You may communicate with us about your FOIA request via one of the following:

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7. I need to have my FOIA request expedited. How do I do that?

We will expedite treatment if you demonstrate imminent danger to life or physical safety or, if you are a person whose primary occupation is disseminating information to the public, we will expedite treatment if you demonstrate an urgent need to inform the public. To request expedited processing, you must submit a written statement, certified to be true and correct to the best of your knowledge and belief, explaining in detail the basis for requesting expedited processing. You may certify the document either by having your statement notarized by a notary

public or by self-certifying. In order to self-certify, you must add a sentence at the end of the request for expedited treatment that the information contained in the request is true and correct to the best of your knowledge and belief, under penalty of perjury of the laws of the United States of America.

Expedited treatment is not the same thing as Track 3. If you have a scheduled hearing before an immigration judge, please refer to frequently asked question number 6.

8. I can't afford to pay fees for my FOIA case. Can I have those waived?

Fees may be waived only if the requester demonstrates that disclosure would contribute significantly to public understanding of government and the request is not primarily in the commercial interest of the requester. Inability to pay is not a qualifying basis for a fee waiver.

Requests for fee waivers must be submitted in writing. Submit your request, along with your NRC control number, via one of the following:

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National Records Center
PO BOX 648010
Lee's Summit, MO 64064-8010

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E-mail: USCIS.FOIA@USCIS.DHS.GOV

9. How do I change the mailing address on my existing FOIA request?

To change the address where your records will be mailed, you must submit notification including the old address, the new address, NRC control number and signature of the requester in writing via one of the following:

Address: Department of Homeland Security
National Records Center
PO BOX 648010
Lee's Summit, MO 64064-8010

Fax: 802-288-1793 or 816-350-5785

E-mail: USCIS.FOIA@USCIS.DHS.GOV

10. I received the documents I requested. Can I get better quality copies?

The copies you were provided in response to your FOIA request were the best copies available. Many of our documents are old and we provide the best available copy.

11. I filed a FOIA request and received a request for more information. Why do I need to provide additional information?

Many individuals have the same or similar names. It is important that we properly identify the correct record related to your request. We need the additional information to assist us in quickly and accurately locating your records. Because there is a possibility of identity theft and/or invasion of privacy, if we cannot identify you, we cannot release a record.

12. I received a request for more information and I need more time to get the documents. Can I please extend the time to return requested information?

Yes. If you need more time than was given in your acknowledgement letter to return additional information, you may request additional time. Please include your NRC control number and submit it via one of the following:

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Lee's Summit, MO 64064-8010

Fax: 802-288-1793 or 816-350-5785

E-mail: USCIS.FOIA@USCIS.DHS.GOV

13. I have a hearing before the Judge – why was my Track 3 request denied?

Most Track 3 cases are denied because the requester failed to provide the proper documentation. You must submit either a:

- Notice to Appear (Form I-862) documenting a future scheduled date of the subject's hearing before the immigration judge;
- Order to Show Cause (Form I-122) documenting a future scheduled date of the subject's hearing before the immigration judge;
- Notice of Referral to Immigration Judge (Form I-863); or
- A written notice of continuation of a future scheduled hearing before the immigration judge.

The document you submit must be properly signed and must contain a future, certain date. Court orders that contain a past court date, or a court date "*to be determined*" are not sufficient for Track 3 status. As soon as you receive one of the documents listed above with a future scheduled date, please send it to us

with your NRC case number and we will move your case to the accelerated track. We will send you a letter to let you know we have moved it.

14. The CD I received was broken, how do I get a replacement?

Please send a written request including your contact information and the NRC control number and we will mail a duplicate copy. Please send your request via one of the following:

Address: Department of Homeland Security
National Records Center
PO BOX 64801
Lee's Summit, MO 64064

Fax: 802-288-1793 or 816-350-5785

E-mail: USCIS.FOIA@USCIS.DHS.GOV

15. How do I file a FOIA request for a border incident, or for information regarding voluntary removal?

If you have an alien file, there is a strong possibility that the information is in your file. If that is the case, please send your request as we have outlined in frequently asked question number 1. If we discover that you do not have an alien number, we will forward your request to Customs and Border Protection. For information related to voluntary removal, incidents at the border, or other border related information, please visit [CBP's FOIA Page](#).

Last revised November 8, 2013