

FOIA Frequently Asked Questions

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: 816-350-5785

E-mail: USCIS.FOIA@DHS.GOV

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

- a. All requests must be in writing. While no specific form is required, a downloadable [Form G-639](#) is available on this website under Related Links. The G-639 outlines all of the required information needed to fulfill your FOIA request.
- b. The request must be signed. Signatures must either be notarized or executed under penalty of perjury. If using Form G-639, see blocks 7 & 8.
- c. Include as much identifying information as possible to allow us to properly identify the record sought. Include A-number, Country of Birth, Date of birth, and at least 1 parent's name. If you do not know any of this information, indicate N/A on your request.
- d. 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.

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

You may check the status of your request on the USCIS website. The left hand side of the page has a link to 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. Alternatively, status requests may be submitted 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. These are considered simple requests because they require minimal documents be researched and reviewed.
- **Track 2** requests ask for a copy of the entire record. These are considered complex requests because they require research and review of more documents
- **Track 3** requests involve individuals served with a charging document and are scheduled for an immigration hearing.

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.

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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 will need to 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 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.

All submissions may be submitted via one of the following:

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

Requests for expedited treatment must be submitted in writing. A requester who seeks expedited processing must submit a statement, certified to be true and correct to the best of that person's knowledge and belief, explaining in detail the basis for requesting expedited processing. Certification can be accomplished either by having your statement notarized by a notary public or by self-certifying. In order to self certify the requester 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 their knowledge and belief. The request must be signed under penalty of perjury.

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

Fees may be waived 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

Fax: 816-350-5785

E-mail: USCIS.FOIA@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: 816-350-5785

E-mail: USCIS.FOIA@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.

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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. The additional information is needed to assist us in quickly and accurately locating your records.

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?

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:

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

Fax: 816-350-5785

E-mail: USCIS.FOIA@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 scheduled hearing before the immigration judge.

The document submitted 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.

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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: 816-350-5785

E-mail: USCIS.FOIA@DHS.GOV

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

For information related to voluntary removal, incidents at the border, or other border related information, please submit a FOIA request to U.S. Customs and Border Protection (CBP) at the following address:

U.S. Customs and Border Protection
Attn: FOIA Division
799 9th Street NW, Mint Annex
Washington, DC 20229-1177