



U.S. Citizenship
and Immigration
Services

February 28, 2007

Fact Sheet

Freedom of Information Act

The [Freedom of Information Act \(FOIA\)](#) provides the general public an avenue to request access to a variety of public information from federal agencies. Like all federal agencies, U.S. Citizenship and Immigration Services (USCIS) is required under the FOIA to disclose such records and information upon receiving a written request.

USCIS receives approximately 110,000 requests annually for access to immigration records. Such information is normally releasable with the exception of records exempted by the Act (e.g., classified national security, business proprietary, personal privacy, investigative, etc.). Until February 2007, the agency used a two-track system to process all requests.

- **Track One:** Routine requests; and
- **Track Two:** Complex inquiries that normally necessitate additional search and review time, and more time to prepare a final disclosure.

USCIS announced the establishment of a new path that certain individuals can use to access their immigration files. The **Notice to Appear** track, effective on March 30, 2007, was established for individuals scheduled to appear before an immigration judge. The new track allows for accelerated access to their Alien-file (A-file) if they request it through the FOIA process. To be placed in this new track, requesters (either the individual or the individual's representatives) must include one of the following with their FOIA request:

- **Notice to Appear (Form I-862);**
- **Order to Show Cause (Form I-122);**
- **Notice of Referral to Immigration Judge (Form I-863); or**
- **A written request of continuation of a scheduled hearing before the immigration judge.**

Individuals wishing to move their pending FOIA request to the new track must resubmit the request based on the above guidelines.

All FOIA requests must be submitted in writing. A FOIA/Privacy Act form ([G-639](#)) may be used; however, it is not required. A letter requesting access to existing records is all that's needed. Each request must include a daytime phone number. Mail or fax requests to:

U.S. Citizenship and Immigration Services
National Records Center (FOIA/PA Office)
P.O. Box 648010
Lee's Summit, MO 64064-8010
(816) 350-5785 (fax)

More detailed criteria on submission of FOIA requests is available on USCIS' Web site at www.uscis.gov (click on the "Freedom of Information Act" link at the bottom of the page).