Office of Communications
U.S. Department of Homeland Security

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Press Release

USCIS Launches New Track For Processing Freedom of Information Act (FOIA) Requests
Will provide certain individuals accelerated access to A-files

WASHINGTON—USCIS today added a new and quicker path for certain individuals to access their immigration files when they submit a Freedom of Information Act (FOIA) request.

The 'Notice to Appear' track augments the agency's overall procedures for responding to FOIA requests and is set aside for individuals who are scheduled to appear before an immigration judge. This new track will allow for accelerated access to their Alien-File (A-File) when it is requested through the FOIA process.

"One of our pillars to building an immigration service for the 21st century is improving service delivery," said USCIS Director Emilio Gonzalez. "Part of that service delivery is improving our FOIA procedures. This new processing track will not only enhance our FOIA processing times, but also help us to reduce FOIA backlogs."

USCIS currently uses two tracks to process FOIA requests, including one for routine inquiries and another for more complex requests that require additional search and review. The new track allows for accelerated access of a large portion of requests the agency receives from individuals, or their representatives, who have been notified to appear before an immigration court.

Individuals, or their representatives, may submit a FOIA request to USCIS seeking access to their A-file using a FOIA/Privacy Act request form (G-639). While the form is not required, it provides step-by-step instructions. To be placed in the new track for accelerated access to the file, requesters must provide one of the following:

- 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 notice of continuation of a scheduled hearing before the immigration judge.

Cases in which an immigration judge has issued a final order or those in which an appeal of a decision has been filed with the Board of Immigration Appeals will not be included in the 'Notice to Appear' track. Individuals wishing to move their pending FOIA request to the new track must resubmit it based on the above guidelines.

The notice, published in today's *Federal Register*, is effective March 30, 2007. Visit USCIS' Web site at www.uscis.gov for more information on the FOIA program.

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On March 1, 2003, U.S Citizenship and Immigration Services became one of three legacy INS components to join the U.S. Department of Homeland Security. USCIS is charged with fundamentally transforming and improving the delivery of immigration and citizenship services, while enhancing the integrity of our nation's security.