

Instructions for Form G-639, Freedom of Information/Privacy Act Request

Instructions

NOTE: Read all instructions carefully before completing this form. Applicants making false statements are subject to criminal penalties (Pub. L. 93-579,99 Stat. [5 U.S.C. 552a(i)(3)]).

Do Not Use This Form:

1. To determine the status of pending applications. For status inquires; write to the USCIS office where the application was filed or call our National Customer Service Center at **1-800-375-5283**.
2. For consular notification of a visa petition approval. Use instead Form I-824, Application for Action on an Approved Application or Petition.
3. For the return of original documents. Use Form G-884, Request for Return of Original Documents.
4. For records of naturalization prior to September 27, 1906. Write to the clerk of court where naturalization occurred.
5. For information on USCIS manifest arrivals prior to December 1982. Write to the National Archives.
6. To obtain proof of status (i.e., Social Security benefit, Selective Service requirement).

Where Should I Submit My FOIA/PA Request?

Depending on the type of record you are seeking, Freedom of Information Act (FOIA) or Privacy Act (PA) requests must be submitted by mail or fax to the following locations:

Alien Files, Procurement Information, and Other USCIS Records

**National Records Center (NRC)
FOIA/PA Office**
P.O. Box 648010
Lee's Summit, MO 64064-8010
Fax: (816)350-5785

Human Resources

**Customs and Border Protection
Burlington Human Resources Office**
70 Kimball Avenue
South Burlington, Vermont 05403-6813

The envelopes containing your request must be clearly marked "Freedom of Information" or "Privacy Act Request."

All FOIA or PA requests must be in writing whether Form G-639 is used for that purpose or not.

NOTE: Do not submit your FOIA/PA request to your local USCIS office or Service Center.

What Information Is Needed to Search for USCIS Records?

NOTE: Failure to provide complete and specific information as requested in **Number 5** of the form may result in a delay in processing or USCIS' inability to locate the record(s) or information requested. You may access www.uscis.gov for a description of **DHS/USCIS** systems of records.

Verification of Identity by Mail

Requesters wanting access to their records must identify themselves by name, current address, date and place of birth, and alien registration number.

A notarized signature of the requester or a sworn declaration under penalty of perjury must also be provided (Form G-639 or a U.S. Department of Justice Form 361, Certification of Identity, may also be used).

Verification of Identity of Parents, Guardians, Children, or Other Persons

Parents or legal guardians must establish their own identity as parents or legal guardians and the identity of the child or other person being represented.

Authorization or Consent

Other parties requesting non-public information about an individual under FOIA or PA must provide proof of the consent of that person on Form G-639 or by an authorizing letter, together with appropriate verification of identity of the record subject. A notarized or sworn declaration is required from a record subject who is a lawful permanent resident or U. S. citizen, and for access to certain legalization files.

Can Your Request Be Expedited?

To have your case processed ahead of other requests received previously, you must show a compelling need for your request to be expedited.

How Do You Show a Compelling Need?

A requester who seeks expedited processing must explain in detail the basis of the need and submit a separate statement that the facts stated are certified to be true and correct to the best of his or her knowledge and belief. The requester must establish that one of the following situations exists in order to receive expedited treatment of his or her FOIA/PA request:

1. Circumstances in which the lack of expedited processing could reasonably be expected to pose an imminent threat to the life or physical safety of an individual; or
2. An urgency to inform the public about an actual or alleged Federal Government activity, if made by a person primarily engaged in disseminating information.

Fees

No fees are required until you are notified by USCIS during the processing of your request.

Except for commercial requesters, the first 100 pages of reproduction and two hours of search time will be provided without charge. Thereafter, for requests processed under the Privacy Act, there may be a fee of 10 cents per page for photocopy duplication.

Other costs for searches and duplication will be charged at the actual direct cost.

Fees will only be charged if the aggregate amount of fees for searches, copy, and/or review is more than \$14. If the total anticipated fees amount to more than \$250, or the same requester has failed to pay fees in the past, an advance deposit may be requested.

NOTE: If fees for a prior request are outstanding, we will not honor future requests until all fees are paid.

Fee waivers or reductions may be sought for a request that clearly will benefit the public and is not primarily in the personal or commercial interest of the requester. Such requests must include a justification.

When Must You Submit the Fees?

Do not send money with this request. When USCIS instructs you to do so, submit the fees in the exact amount.

Payment may be in the form of a check or U.S. postal money order. If the form is submitted from outside the United States, remittance may be made on a bank international money order or foreign draft drawn on a financial institution based in the United States, made payable in U.S. currency to the "United States Treasury."

A requester residing in the U.S. Virgin Islands must make the remittance payable to the "Commissioner of Finance of the Virgin Islands" and, if residing in Guam, to the "Treasurer, Guam." **Do not send cash at any time.**

A charge of \$30 will be imposed if a check in payment of a fee is not honored by the bank on which it is drawn. Each remittance will be accepted subject to collection.

Routine Uses

Information will be used to comply with requests for information under **Title 5 U.S. Code 552 and 552a**. Information provided to other agencies may be for referrals, consultations, and/or to answer subsequent inquiries concerning specific requests.

Effect of Not Providing Requested Information

Providing the information requested on this form is voluntary. However, failure to furnish the information may result in our inability to comply with a request.

General Information

The Freedom of Information Act (5 U.S.C. 552) allows requesters to have access to Federal agency records, except those exempted by the Act.

Privacy Act Statement

Authority to collect this information is contained in **Title 5 U.S. Code 552 and 552a**. The purpose of the collection is to enable USCIS to locate applicable records and to respond to requests made under the Freedom of Information and Privacy Acts.

Privacy Act of 1974 (5 U.S.C. 552a)

With certain exceptions, the Privacy Act of 1974 permits persons (U.S. citizens or permanent resident aliens) to gain access to information pertaining to themselves in Federal agency records, to have a copy made of all or any part thereof, to correct or amend such records, and to permit individuals to make requests concerning what records pertaining to themselves are collected, maintained, used, or disseminated. The Act also prohibits disclosure of any person's records without his or her written consent, except under certain circumstances as prescribed by the Privacy Act.

USCIS Forms and Information

To order USCIS forms, call our toll-free number at **1-800-870-3676**. You can also get USCIS forms and information on immigration laws, regulations, and procedures by telephoning our National Customer Service Center at **1-800-375-5283** or visiting our Internet Web site at **www.uscis.gov**.

Use InfoPass for Appointments

As an alternative to waiting in line for assistance at your local USCIS office, you can now schedule an appointment through our Internet-based system, **InfoPass**. To access the system, visit our Internet Web site at **www.uscis.gov**. Use the **InfoPass** appointment scheduler and follow the screen prompts to set up your appointment. **InfoPass** generates an electronic appointment notice that appears on the screen. Print the notice and take it with you to your appointment. The notice gives the time and date of your appointment, along with the address of the USCIS office.

Paperwork Reduction Act

An agency may not conduct or sponsor an information collection and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The public reporting burden for this collection of information is estimated at 15 minutes per response, including the time for reviewing instructions and completing and submitting the form. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Management Division, 111 Massachusetts Avenue, N.W., 3rd Floor, Suite 3008, Washington, DC 20529-2210. OMB No. 1615-0009. **Do not mail your application to this address.**