

DC VOLUNTEER LAWYERS PROJECT

FOIA INSTRUCTIONS

Freedom of Information Act (FOIA) request can be used to ask the government for a copy of files related to your immigration case.

U.S. Citizenship and Immigration Services (USCIS):

You can FOIA USCIS to obtain a copy of your A-File. This file includes all the documents that USCIS has related to your immigration case. You can ask USCIS for a copy of specific applications you have filed like an asylum application.

STEP 1: Go to <https://www.uscis.gov/records/request-records-through-the-freedom-of-information-act-or-privacy-act>. Follow the prompts to request records from USCIS.

STEP 2: If you already have a USCIS account, log in. If you do not have a USCIS account, select create account from the log in page and create an account.

STEP 3: Once you have logged in, select FIRST to begin your FOIA request.

STEP 4: Select the option Request for Myself to request a copy of your own documents.

STEP 5: Follow the prompts and provide the requested information. The form will ask for information like your legal name, date of birth, and entry to the United States. The prompts will also ask you what you are requesting. Some examples of how you might describe your request are included below.

SAMPLE 1: Requesting Your Entire File

I would like to have a copy of my entire A-File, including any applications for relief I have submitted. I am submitting this request to have a copy of my file for my records.

SAMPLE 2: Requesting an Application you Filed

I would like to have a copy of any application for relief I have submitted. I am submitting this request to have a copy of my applications.

STEP 6: Review that all the information you entered is correct and submit the request.

STEP 7: You will receive an email from USCIS once your documents are ready. You can access them by logging back into your USCIS account.

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Customs and Border Protection (CBP):

You can submit a FOIA request to CBP to obtain documents related to your entry to the United States. If you did not interact with immigration when entering the United States, CBP is unlikely to have documents related to your case.

STEP 1: Go to <https://foiaonline.gov/foiaonline/action/public/request> to access the form to submit a FOIA request.

STEP 2: Follow the prompts and provide the requested information. The form will ask you to select an agency. Select CBP FOIA Division.

STEP 3: The form will ask for information such as your legal name, date of birth, and information about how you entered the United States. The form will also ask for a description of what you are requesting. Below are some examples of how you might describe what you are requesting.

SAMPLE 1: Requesting your Entire File

I would like a copy of all documents CBP has related to me. I am submitting this request to have a copy of my documents for my records.

SAMPLE 2: Requesting a Specific Document

I would like a copy of [DOCUMENT NAME]. I am submitting this request to have a copy of the document for my records.

STEP 6: Review that all the information you entered is correct and submit the request.

STEP 7: You can check the status of your request here: <https://foiaonline.gov/foiaonline/action/public/search>.
CBP will also contact you when your documents are available.

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Immigration and Customs Enforcement (ICE):

You can submit a FOIA request to ICE to obtain a copy of your file with ICE. If you were detained upon entering the United States or have submitted a Prosecutorial Discretion request, ICE may have documents related to your case.

STEP 1: Go to <https://www.ice.gov/webform/foia-request-form> to access the form to submit a FOIA request.

STEP 2: Follow the prompts and provide the requested information. The form will ask for information like your name and current address.

STEP 3: The form will ask for information like your legal name and current address. The form will also ask for a description of what you are requesting. Below are some examples of how you might describe the information you are requesting.

SAMPLE 1: Requesting your Entire File

I would like a copy of all documents ICE has related to me. I am submitting this request to have a copy of my documents for my records.

SAMPLE 2: Requesting a Specific Document

I would like a copy of [DOCUMENT NAME]. I am submitting this request to have a copy of the document for my records

STEP 6: Review that all the information you entered is correct and submit the request.

STEP 7: ICE will contact you when your documents are available