

Office of General Counsel, FOIA/Privacy Act Requests
5107 Leesburg Pike, Suite 1903
Falls Church, Virginia 22041

(ii) Information required. — Requests should thoroughly describe the records sought and include as much identifying information as possible regarding names, dates, subject matter, and location of proceedings. For example, if a request pertains to an alien in removal proceedings, the request should contain the full name and alien registration number (“A number”) of that alien. The more precise and comprehensive the information provided in the FOIA request, the better and more expeditiously the request can be processed.

(iii) Fee. — There is no fee to file a FOIA request, but fees may be charged for the review, search, and reproduction of records. See 28 C.F.R. § 16.3(c).

(iv) Processing times. — Processing times for FOIA requests vary, depending on such factors as the nature of the request and the location of the record.

(c) When to file. —

(i) Timing. — A FOIA request should be filed as soon as possible, especially when a party is facing a filing deadline. Parties should not wait to receive a briefing schedule or other response from the Board before submitting a FOIA request.

(ii) Effect on filing deadlines. — Parties should not delay the filing of an appeal, motion, brief, or other document while awaiting a response to a FOIA request. Failure to receive FOIA materials prior to a filing deadline does not excuse the party from meeting a filing deadline.

(d) Limitations. —

(i) Statutory exemptions. — Certain information in agency records, such as classified material and information that would cause a clearly unwarranted invasion of personal privacy, is exempted from release under the Freedom of Information Act. 5 U.S.C. § 552(b)(1)-(9). Where appropriate, records are redacted (e.g., removed or cut out), and copies of the redacted material are