

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Attn: FOIA/PA Appeals Office
P.O. Box 648010
Lee's Summit, MO 64064-8010



U.S. Citizenship
and Immigration
Services

Control Number: APP2023001402

August 28, 2023

Tess Hellgren
PO Box 40204
Portland, OR 97240

Dear Tess Hellgren:

Re: COW2023002806

You appealed the action of the National Records Center regarding your request for access to records. On the basis of information you provided, I have determined that expedited processing of your request is not warranted. Standards established by the Department of Homeland Security regarding expedited processing are very strict (6 C.F.R. § 5.5(d)) and permit expedited treatment only when the requester demonstrates:

- (i) 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;
- (ii) An urgency to inform the public about an actual or alleged federal government activity, if made by a person who is primarily engaged in disseminating information;
- (iii) The loss of substantial due process rights; or
- (iv) A matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity, which affect public confidence.

A requestor who seeks expedited processing must explain in detail the basis of the need and submit a separate statement that the facts are certified to be true and correct to the best of his or her knowledge and belief. The requestor must establish that one of the following situations exists in order to receive expedited treatment of his or her FOIA/PA request. If a requestor asks for expedited processing and fails to meet the criteria, we process the request in the appropriate track, under a "first in/first out" basis [See 6 C.F.R. § 5.5(a)].

If the requests for expedited processing that are based on paragraph (iv) of expedited treatment processing must be RD (Redirect) to the Senior Director of FOIA Operations, the Privacy Office, U.S. Department of Homeland Security, 245 Murray Lane SW STOP-0655, Washington, DC 20598-0655. A component that receives a misdirected request for expedited processing under the standard set forth in paragraph (iv) of this section shall forward it immediately to the DHS Senior Director of FOIA Operations, the Privacy Office, for determination.

Because you have not sufficiently demonstrated that your request involves either of these factors, your request does not warrant expedited treatment. Please be advised that information provided in my judgment is not sufficient reason to process your request out of turn.

Although you have styled your letter as "Freedom of Information Act Appeal," I note that what you seek is to upgrade your request to Track 3. This is not a proper FOIA/PA appeal. My function is limited to the review of records that have been denied pursuant to the Freedom of Information Act or the Privacy Act.

I am closing your appeal and will take no further action. If you wish to file a new FOIA request, you may

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do so by writing to U.S. Citizenship and Immigration Services, National Records Center, FOIA/PA Office, P.O. Box 648010, Lee's Summit, MO 64064-8010. The requirements of filing a FOIA or PA request are also available for your convenience on our website at www.uscis.gov/FOIA.

If you are dissatisfied with our action on your appeal, you may seek judicial review in accordance with 5 U.S.C. § 552(a)(4)(B).

The Office of Government Information Services (OGIS), the Federal FOIA Ombudsman's office, offers mediation services to help resolve disputes between FOIA requesters and Federal Agencies. The OGIS does not have the authority to handle requests made under the Privacy Act of 1974. The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road - OGIS
College Park, MD 20740-6001
Telephone: (202) 741-5770 or (877) 684-6448
Email: OGIS@nara.gov
Website: ogis.archives.gov

Sincerely,



Quan K. Luong, Office of Chief Counsel
U.S. Citizenship and Immigration Services