

Written Narrative of Proposed Changes to the **Form EOIR-26: Notice of Appeal from a Decision of an Immigration Judge**

Footer on pages 1-6

1. Change the revision date from "Oct. 2008" to "Oct. 2011" in the bottom right-hand corner.

Page 1 of "General Instructions"

1. Add the sentence "You are also the "Appellant" if you are filing an appeal of a decision by an Immigration Judge" at the end of the first bullet-point under "C. How to Appeal."

Page 2 of "General Instructions"

1. Add a parenthetical to the sentence following the final hash-mark of the second bullet-point as follows: "The need to reverse the decision of an Immigration Judge other than a reversal under 8 C.F.R. § 1003.1(e)(5), (i.e., permitting a single Board member to reverse a decision that has been affected by changes in statutes, regulations or case law).

Page 3 of "General Instructions"

1. Change the text of the bullet-point at Section "J Further Information:" to the following sentence: "For further guidance please see the Board of Immigration Appeals *Practice Manual*, which is available on the EOIR website at www.justice.gov/eoir.
2. Add a Section L that contains a Privacy Act Notice (with font and layout to match the other sections of the General Instructions) as follows:

L. Privacy Act Notice:

- The information on this form is authorized by 8 C.F.R. §§ 1003.3, 1003.38 in order to appeal a decision of an Immigration Judge to the Board of Immigration Appeals. The information you provide is required to appeal the decision and failure to provide the requested information may result in denial of your request. EOIR may share this information with others in accordance with approved routine uses described in EOIR systems of records notices.

Page 1 of the E-26 Form

1. In section 5 "What decision are you appealing" add the phrase "Immigration Judge" to the second full sentence as follows: "If you want to appeal more than one *Immigration Judge* decision, you must use more than one Notice of Appeal (Form EOIR-26)."

Page 2 of the E-26 form

1. Add two sentences to the second grey “warning” box to the beginning of the text:
“If you mark “Yes” in item #7, you should also state include in your statement above why you believe your case warrants review by a three-member panel. The Board ordinarily will not grant a request for oral argument unless you also file a brief.”

Page 3 of the E-26 Form

1. Change the wording of the two sentences in the first grey “note” box as follows:
“You must notify the Board within five (5) working days if you move to a new address or change your telephone number. You must use the Change of Address Form/Board of Immigration Appeals (Form EOIR-33/BIA).”