

Written Narrative of Proposed Changes to the **Form EOIR-29: Notice of Appeal to the Board of Immigration Appeals from a Decision of a DHS Officer.**

Title of Form

1. Change the name from "Notice of Appeal to the Board of Immigration Appeals from a Decision of a USCIS Officer" to "Notice of Appeal to the Board of Immigration Appeals from a Decision of a DHS Officer"

Top Box

1. Replace the text that immediately follows "Do not file this directly with the Board of Immigration Appeals as follows":
This notice of appeal must be filed with the Department of Homeland Security (DHS) within 30 calendar days after service of the decision of the DHS Officer. Please read the complete instructions on the back of this form.

Box currently titled "Fee Stamp (Official Use Only)"

1. The dimensions of the box should be at least 2 5/8 inch x 1 inch.

Box currently titled "In the Matter of (Name and "A" Number of the Beneficiary):"

1. Delete the border so that there is no box.
2. Delete "In the Matter of (Name and "A" Number of the Beneficiary):"
3. Add the following text:
 1. Choose one of the boxes:
 - I am filing an appeal from a decision of a USCIS Officer:
Name of Beneficiary:
A-Number, if any, of Beneficiary:
Petition Form Number:
 - I am filing a different type of appeal from a decision of a DHS Officer (e.g., carrier and fine decisions, INA 212(d)(3)(~~B~~) waiver decisions, permissible DHS bond decisions) **(A)**
Name:
A-Number, if any:
Carrier and fine number:
Any other relevant information:

Current Question #1

1. Change the number from 1 to 2
2. In the two parentheticals, replace "USCIS" with "DHS"
3. Add a new line in between the two current lines as follows (with font to match the current version):

2. I hereby appeal to the Board of Immigration Appeals from the decision of the _____, issued by _____,
(Title of DHS Officer) (Office Where DHS Decision was Issued)
dated _____, in the above entitled case.

(Date of DHS Decision)

Current Question #2

1. Change the number from 2 to 3

Current question #3

1. Change the number from 3 to 4

Current question #4

1. Change the number from 4 to 5
2. Add the following text as a second sentence: "Warning: If you mark "yes" you will be expected to file a written brief or statement. Please refer to the Instructions for further guidance."

Footnote on each page

1. Change the revision year from 2009 to 2012

Header on Instructions page

1. Change the title from "Instructions" to "General Instructions"
2. Add the following parenthetical: "(Please read carefully before completing and filing Form EOIR-29)"

Add a new Instruction #1 as follows:

1. **General Information.** You are the "appellant" if you are filing an appeal from a decision of a DHS officer. The Notice of Appeal (Form EOIR-29) asks for specific details about the underlying application you filed with DHS. Please refer to the decision of the DHS officer for specific appeal instructions and for the requested details about the underlying application you filed with DHS.

Current Instruction #1

1. Change the number from 1 to 2
2. In the final sentence of the second paragraph, add ", or a **self-petitioner**," in between "**petitioner**" and "is allowed"

Current Instruction #2

1. Change the number from 2 to 3
2. In the second paragraph, delete the extra space between "a" and "three-member"
3. Add "or," after the end of the sentence of the third hash-mark

Current Instruction #3

1. Change the number from 3 to 4
2. Replace the current text with the following text:
 3. **Fees.** A fee of one hundred and ten U.S. dollars (\$110.00) must be paid for filing this appeal. It cannot be refunded regardless of the action taken on the appeal. **All fees must be submitted in the exact amount. Do not mail cash.** Payment by bank drafts, cashier's checks, certified checks, personal checks, and money orders must be drawn on U.S. financial institutions and payable in U.S.

funds. If you live in the United States or its territories, make the check or money order payable to U.S. Department of Homeland Security (not "USDHS" or "DHS"). If you live outside the United States or its territories, and are filing your application or petition where you live, contact the nearest U.S. Embassy or consulate for instructions on the method of payment. When a check is drawn on the account of a person other than the appellant, the name of the appellant must be entered on the face of the check. Personal checks are accepted subject to collectibility. An uncollectible check will render the appeal invalid.

Current Instruction #4

1. Change the number from 4 to 5
2. In the second sentence add "or a self-petitioner" between "petitioner" and "may"

Current Instruction #5

1. Change the number from 5 to 6
2. Replace the current text with the following text:

5. Briefs. Briefs, if desired, are filed with DHS, at the same office as the Notice of Appeal (Form EOIR-29) and within the time frame specified by DHS in its decision. If the time to file a brief is not specified by DHS in its decision, a brief should be filed within 21 days.

Current Instruction #6

1. Change the number from 6 to 7
2. Replace the first sentence with the following sentence: "The Board will consider every case on the record submitted, whether or not oral arguments are presented."

Current Instruction #7

1. Change the number from 7 to 8
2. After (4), add "to cause" in between "as" and "unnecessary delay"

Following new #8

1. Delete "and *Questions and Answers*"
2. Change "are" to "is"
3. Amend the web address to: "www.justice.gov/eoir"

Add an instruction #9 that contains a Privacy Act Notice (with font and layout to match the other sections of the General Instructions) as follows:

9. Privacy Act Notice: The information requested on this form is authorized by 8 C.F.R. § 1003.3(a)(2) in order to appeal a decision of a USCIS officer. The information you provide is mandatory and required to file an appeal. Failure to provide the requested information may result in rejection of your appeal. EOIR may share this information with others in accordance with approved routine uses described in EOIR's system of records notice, EOIR-001, Records and Management Information System, 69 Fed. Reg. 26,179 (May 11, 2004), or its

successors and EOIR-003, Practitioner Complaint-Disciplinary Files, 64 Fed. Reg. 49237 (September 1999).