



U.S. Department of Justice

Executive Office for Immigration Review

Office of the General Counsel

5107 Leesburg Pike, Suite 2400
Falls Church, Virginia 22041

August 21, 2014

MEMORANDUM TO: Lynn Murray
Department Clearance Officer
Department of Justice

FROM: Christina Baptista
Associate General Counsel
Executive Office for Immigration Review

SUBJECT: Extension of a Currently Approved Form for Approval by the
Office of Management and Budget: Form EOIR-29 (Notice of
Appeal to the Board of Immigration Appeals from a Decision of a
DHS Officer)

Attached is the information collection request (ICR) for the Notice of Appeal to the Board of Immigration Appeals from a Decision of a DHS Officer, Form EOIR-29, OMB #1125-0010, as required for certification and submission to the Office of Management and Budget. The purpose of this application form is to allow a party affected by a decision of a DHS Officer the opportunity to appeal to the Board of Immigration Appeals (BIA), provided the BIA has jurisdiction pursuant to 8 C.F.R. § 1003.1(b).

The following documents are contained in this ICR package:

1. OMB form 83-I Paperwork Reduction Act Submission
2. Supporting Statement for Paperwork Reduction Act Submission with burden statement
3. Certification Statement
4. Forms used to collect the information
5. Written narrative of changes to the form
6. Law or authority mandating the information collection
7. 60-day ICR notice that will be published in the Federal Register
8. 30-day ICR notice that will be published in the Federal Register

If you have any questions concerning this ICR, please contact Dina Finkel at 703-305-0992 or at Christina.Baptista@usdoj.gov. Thank you very much for all of your assistance.

Attachments

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the Supporting Statement, and any additional documentation to: **Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.**

1. Agency/Subagency originating request U.S. Department of Justice, Executive Office for Immigration Review	2. OMB control number b. <input type="checkbox"/> None a. <u>1125</u> - <u>0010</u>
3. Type of information collection (check one) a. <input type="checkbox"/> New collection b. <input checked="" type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension, without change, of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number	4. Type of review requested (check one) a. <input checked="" type="checkbox"/> Regular b. <input type="checkbox"/> Emergency - Approval requested by: ___/___/___ c. <input type="checkbox"/> Delegated
3a. Public Comments Has the agency received public comments on this information collection? <div style="text-align: center;"> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </div>	5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
6. Requested expiration date a. <input checked="" type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: ___/___/___	
7. Title Notice of Appeal to the Board of Immigration Appeals from a Decision of a DHS Officer	
8. Agency form number(s) (if applicable) EOIR-29	
9. Keywords Appeal; Immigration; Alien	
10. Abstract A party affected by the decision of a DHS officer may appeal to the Board of Immigration Appeals, provided the Board has jurisdiction under 8 C.F.R. 1003.1(b)	
11. Affected public (Mark primary with "P" and all others that apply with "X") a. <u>P</u> Individuals or households d. ___ Farms b. ___ Business or other for-profit e. ___ Federal Government c. ___ Not-for-profit institutions f. ___ State, Local or Tribal Government	12. Obligation to respond (Mark primary with "P" and all others that apply with "X") a. <input checked="" type="checkbox"/> Voluntary b. <input checked="" type="checkbox"/> Required to obtain or retain benefits c. <input checked="" type="checkbox"/> Mandatory
13. Annual reporting and recordkeeping hour burden a. Number of respondents <u>6,569</u> b. Total annual responses <u>6,569</u> 1. Percentage of these responses collected electronically <u>0</u> % c. Total annual hours requested <u>3,284.50</u> d. Current OMB inventory <u>3,607.5</u> e. Difference <u>-232</u> f. Explanation of difference 1. Program change _____ 2. Adjustment <u>decrease in receipts</u>	14. Annual reporting and recordkeeping cost burden (in thousands of dollars) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection (Mark primary with "P" and all others that apply with "X") a. <u>P</u> Application for benefits e. ___ Program planning or management b. ___ Program evaluation f. ___ Research c. ___ General purpose statistics g. ___ Regulatory or compliance d. ___ Audit	16. Frequency of recordkeeping or reporting (check all that apply) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input checked="" type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input checked="" type="checkbox"/> Other (describe) <u>as needed</u>
17. Statistical methods Does this information collection employ statistical methods? <div style="text-align: center;"> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </div>	18. Agency contact (person who can best answer questions regarding the content of this submission) Name: <u>Christina Baptista</u> Phone: <u>703-305-0992</u>

Reset

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9.

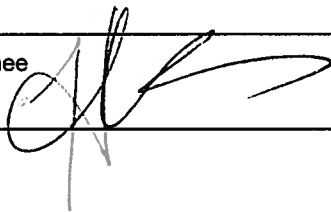
Note: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It uses plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, or mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of the instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of these provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee



Date

8/21/14