

DEPARTMENT OF JUSTICE

[OMB Number 1125-0002]

Agency Information Collection Activities;

Proposed Collection; comments requested;

Notice of Appeal from a Decision of an Immigration Judge

AGENCY: Executive Office for Immigration Review, Department of Justice

ACTION: 60-day Notice.

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SUMMARY: The Department of Justice (DOJ), Executive Office for Immigration Review, will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

FOR FURTHER INFORMATION CONTACT:

If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument

with instructions or additional information, please contact Lauren Alder Reid, Assistant Director, Office of Policy, Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2500, Falls Church, VA 22041, telephone: (703) 305-0289.

SUPPLEMENTARY INFORMATION:

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and/or
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other

technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

- 1 *Type of Information Collection:* Revision of a currently approved collection.
- 2 *The Title of the Form/Collection:* Notice of Appeal from a Decision of an Immigration Judge.
- 3 *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* The form number is **EOIR-26**, Executive Office for Immigration Review, United States Department of Justice.
- 4 *Affected public who will be asked or required to respond, as well as a brief abstract:*
Primary: Individual aliens determined to be removable from the United States and the Department of Homeland Security, Immigration and Customs Enforcement (ICE). Other: None. Abstract: A party (either the alien or ICE) affected by a decision of an Immigration Judge may appeal that decision to the Board, provided that the Board has jurisdiction pursuant to 8 C.F.R. 1003.1(b). An appeal from an Immigration Judge's decision is taken by completing the Form EOIR-26 and submitting it to the Board.

- 5 *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that 26,536 respondents will complete the form annually with an average of 30 minutes per response.
- 6 *An estimate of the total public burden (in hours) associated with the collection:* The estimated public burden associated with this collection is 13,268 hours.

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 3E.405B, Washington, DC 20530.

Dated: _____.

Melody D. Braswell,
Department Clearance Officer for PRA,
U.S. Department of Justice.