

SUPPORTING STATEMENT

Change of Address/Contact Information Forms Form EOIR-33/IC (Immigration Court) Form EOIR-33/BIA (Board of Immigration Appeals)

OMB No. 1125-0022

Part A. Justification

1. Necessity of Information –

Background. The primary mission of the Executive Office for Immigration Review (EOIR) is to adjudicate immigration cases by fairly, expeditiously, and uniformly interpreting and administering the Nation's immigration laws. Under delegated authority from the Attorney General, EOIR conducts immigration court proceedings, appellate review, and administrative hearings.

Subjects of immigration proceedings are required by 8 U.S.C. § 1229(a)(1)(F)(ii) to report in writing any change of address or telephone number to the Attorney General. Pursuant to 8 C.F.R § 1003.15(d)(2), as the delegated representative of the Attorney General, EOIR requires subjects of immigration proceedings before the Immigration Courts and Board of Immigration Appeals (Board or BIA) to submit the EOIR-33, Change of Address/Contact Information Form to report changes to the subject's address and contact information. The information collected by the EOIR-33 is mandatory for a subject of immigration proceedings to fulfill statutory requirements of 8 U.S.C. § 1229(a)(1)(F)(ii) and further articulated in 8 C.F.R § 1003.15(d)(2). Pursuant to these authorities, the subject must provide the Immigration Court or Board with written notice of an address and telephone number at which the

subject can be contacted when: 1) the subject's address is not provided on an Order to Show Cause or Notice to Appear instituting immigration proceedings; 2) if an incorrect address is listed on the Order to Show Cause or Notice to Appear; or 3) within five days of any change of address. The subject must serve a completed copy of the Form EOIR-33 on the Department of Homeland Security (DHS), as the opposing party in EOIR immigration proceedings. 8 C.F.R. § 1003.32.

Information Collection. EOIR created two versions of the Form EOIR-33, one tailored for submission to the Immigration Courts (EOIR-33/IC) and one tailored for submission to the Board (EOIR-33/BIA). Both forms are available in seven languages: English, Spanish, Chinese, Haitian Creole, Portuguese, Punjabi, and Russian. The form prompts the subject to provide their full name, alien registration number (A-number), former contact information (address, phone number, and e-mail address), and current contact information (address, phone number, and e-mail address). The form requires a signature and informs the subject that they must serve a copy of the form to DHS, either electronically through the EOIR Courts and Appeals System (ECAS) or by mail or personal delivery to the appropriate DHS field office. Upon selection by the respondent, the electronic .pdf format of the EOIR-33 also automatically addresses the form to the appropriate Immigration Court location or Board office to assist the individual in preparing the form for submission to the agency.

Emergency Revisions. On March 2, 2026, in accordance with 5 C.F.R. § 1320.13, EOIR requested and the Office of Management and Budget (OMB) granted emergency clearance through July 31, 2026, authorizing revisions to the Form EOIR-

33. The EOIR-33 is essential to EOIR's mission. *See* 5 C.F.R. § 1320.13(a)(1)(ii). The form is required to implement and enforce statutory and regulatory requirements for subjects of EOIR immigration proceedings to report changes to their address and contact information. *See* 8 U.S.C. § 1229(a)(1)(F)(ii); 8 C.F.R. § 1003.15(d)(2). The information collected by Form EOIR-33 is necessary to provide subjects of immigration proceedings with administrative due process. EOIR and the opposing party use the address and contact information reported on the Form EOIR-33 to effectuate service of process in immigration proceedings. *See* 8 C.F.R. § 1003.32. Subjects receive, at the address listed on the latest submitted Form EOIR-33, service copies of all immigration case documents in the official EOIR Record of Proceeding (ROP), including case filings, hearing notices, and final orders by immigration judges ordering that the subject be removed from the United States. Case filings in the ROP often include sensitive information about the subject, including photocopies of government-issued identification, tax return forms (which include social security numbers), marriage licenses, and birth certificates.

EOIR identified two fields on the Form EOIR-33 that present significant sources of public harm. Prior to OMB's emergency approval, the Form EOIR-33 displayed two collection fields for "'in care of' other person (if any)." These fields permitted the subject of immigration proceedings to designate a third party to receive mail addressed from EOIR to the subject. Such designation assumes, without verification, that the third party is trustworthy. Rather, such designation presents potentially nefarious third parties with opportunities to: (1) intercept the subject's mail and fail to complete delivery of immigration records to the subject; and/or (2) acquire the

subject's personally identifiable information (PII) contained within the immigration records. Additionally, the field allowed certain aliens to obscure their true address from immigration officials (which is expressly contrary to the intent of the form) and to potentially obstruct the adjudicatory process by intentionally avoiding the mailed notice. Immigration proceedings are obstructed and compromised by such conduct.

Furthermore, if court documents are intercepted, the subject is not appropriately informed of the status of proceedings or how the subject must comply with immigration procedures and orders. The subject cannot participate in the proceedings as needed for EOIR to expeditiously resolve the immigration case. Moreover, third parties may use the subject's immigration records and PII for fraudulent and criminal purposes, such as harassment, identity theft, or document forgery.

To address these public harms as well as the others referenced above, EOIR requested and OMB granted emergency clearance to immediately revise Form EOIR-33 to remove the "in care of" form fields. OMB's emergency approval of the revisions signified that such public harms were reasonably likely to continue if normal clearance procedures were followed. *See* 5 C.F.R. § 1320.13(a)(2)(i). Under normal clearance procedures, the "in care of" fields would have remained on the Form EOIR-33 for several additional months, affording greater opportunities for nefarious third parties to commit fraud and obstruct justice in immigration proceedings. To immediately prevent further perpetration of such crimes with serious adverse consequences, EOIR sought emergency OMB approval to cease collecting such information more quickly than the time to complete the normal clearance process would have allowed. *See* 5 C.F.R. § 1320.13(a)(1)(i).

In the emergency clearance process, EOIR took all practical steps to minimize the burden of the information collection. *See* 5 C.F.R. § 1320.13(c). EOIR determined that the information collected by the “in care of” fields are unnecessary to fulfill the purposes of the Form EOIR-33. All necessary address information is already collected by the form and can be used to successfully fulfill service of process and properly address and enforce final orders of removal. The revision eliminated two form fields total, thereby reducing the quantity of information that the individual must provide and that the agency must process. EOIR anticipated such changes will reduce the costs and burdens on the individual to complete the form and on the agency to process the form.

Regular Clearance Procedure. Promptly after receiving emergency OMB approval to use the revised Form EOIR-33, EOIR initiated normal PRA clearance procedures to solicit public comment. In accordance with 5 C.F.R. §§ 1320.13(d) and 1320.5(a)(1)(iv), EOIR provided the public with notice and an opportunity to comment on the revised form; the notice was published in the Federal Register on March 5, 2026, allowing a 60-day comment period. *See* 91 Fed. Reg. 10829. EOIR received several comments, which are considered and discussed in Section 8 of this Supporting Statement. After considering the comments, EOIR maintains the revisions are needed for the same reasons as described in the emergency information collection request and as further articulated in response to the public comments received. EOIR now seeks regular three-year PRA authorization for the revised Form EOIR-33.

2. Needs and Uses – The EOIR-33 is required to implement and enforce statutory and

regulatory requirements for subjects of EOIR immigration proceedings to report changes to their address and contact information. *See* 8 U.S.C. § 1229(a)(1)(F)(ii); 8 C.F.R § 1003.15(d)(2). The information collected by Form EOIR-33 is necessary to provide subjects with administrative due process and ensure subjects of immigration proceedings receive official communications from EOIR and the opposing party about the proceedings.

3. Use of Technology - The use of this form is the most efficient means for collecting and processing the required data. The Form EOIR-33 is available as a fillable, fileable, and signable .pdf document on EOIR's website. Information can be typed into the online form and submitted digitally through the ECAS Respondent Access Portal or the form may be printed out for submission to EOIR either by electronic or physical mail, where appropriate. In addition, the respondent may print the form in its entirety for completion by typing or printing legibly.

4. Efforts to Identify Duplication – There is no other EOIR form for individuals who are subjects of immigration proceedings before the Immigration Courts and Board to change or update their address and contact information. Other existing EOIR forms ask respondents to provide contact information (address, phone number, and/or email) but do not permit respondents to only report changes in contact information; existing forms that collect such information do so as one part of a larger application for immigration relief. Therefore, there are no other similar information collections currently available that can be used for the specific purpose of reporting only address and contact information

changes in accordance with 8 U.S.C. § 1229(a)(1)(F)(ii) and 8 C.F.R § 1003.15(d)(2). To save the public and the government the time and cost burdens of submitting and processing entire applications for immigration relief with each change of address or contact information, EOIR developed the Form EOIR-33.

5. Impact on Small Businesses - This collection does not have an impact on small businesses or other small entities.

6. Consequences of Less Frequent Collection - Failure to collect changes to a subject's current contact information would deprive or hinder subjects receiving communications and notices from EOIR and the opposing party pertaining to the subject's immigration proceedings.

7. Special Circumstances Influencing Collection - None of the eight special circumstances identified in OMB instruction number 7 apply to this collection.

8. Federal Register Publication and Consultation – In accordance with the PRA and OMB regulations at 5 C.F.R. § 1320.13, EOIR published a notice in the Federal Register announcing the agency's intention to request an expedited OMB review of this information collection activity. *See* 91 Fed. Reg. 10829 (Mar. 5, 2026). This notice alerted the public that: (1) EOIR requested and OMB granted emergency approval on March 2, 2026; (2) EOIR would be seeking clearance to extend the emergency approval beyond the July 31, 2026, expiration date; and (3) provided a 60-day public comment

period on the collection. EOIR received six comments, considered and addressed below. A 30-day notice covering this collection was published in the Federal Register. *See* 91 Fed. Reg. 37424 (Jun. 23, 2026). If comments are received in response to the 30-day notice, they will be considered and incorporated where appropriate.

The 60-day comment period closed on May 4, 2026. EOIR received five comments during that time. EOIR received a sixth comment on May 5, 2026; although the comment was submitted after the comment period closed, EOIR nonetheless took the comment into consideration. Below, EOIR summarizes the comments and responds to the points raised by the comments.

A. Emergency Clearance

Comment: Several comments asserted that EOIR did not properly follow nor satisfy emergency clearance standards under the PRA and implementing regulations in requesting emergency OMB review and approval of the changes to Form EOIR-33, *Change of Address/Contact Information*. Specifically, commenters asserted that EOIR provided insufficient justification and that the public harm asserted by the agency is unsupported, speculative, or conclusory.

Response: EOIR disagrees with commenters' assertions regarding PRA procedures and EOIR's justifications for emergency PRA clearance.

First, in accordance with 44 U.S.C. § 3507(j) and 5 C.F.R. § 1320.13, agencies

may seek and OMB is authorized to provide emergency PRA processing and approval. EOIR properly followed the emergency PRA clearance procedures and standards prescribed by 44 U.S.C. § 3507(j) and 5 C.F.R. § 1320.13. According to these standards, OMB determined that EOIR could not reasonably comply with the normal PRA clearance procedures because public harm was reasonably likely to result if normal clearance procedures were followed. The complete ICR for emergency approval, including the full justification for seeking emergency approval, is publicly available at www.reginfo.gov and may be located by searching ICR Reference Number 202602-1125-002 or OMB Control Number 1125-0022. OMB's emergency approval is valid through July 31, 2026. EOIR is now completing the normal PRA clearance procedures for regular OMB approval beyond July 31, 2026.

Second, EOIR's justifications for seeking emergency PRA clearance fully satisfy the requisite standards. EOIR's primary mission includes the adjudication of cases involving allegations of immigration-related document fraud in violation of section 274C of the Immigration and Nationality Act (INA), 8 U.S.C. § 1324c. Additionally, EOIR is required to monitor immigration-related fraud and to coordinate with investigative and law enforcement authorities to identify and respond to reports of immigration-related fraud. 8 C.F.R. § 1003.0(f)(2). Thus, EOIR continuously monitors and reviews its procedures and operations to identify and mitigate fraud-related vulnerabilities where possible. Although this is an on-going duty of EOIR's Fraud and Abuse Prevention Program, EOIR is more closely scrutinizing potential fraud-related vulnerabilities in accordance with Presidential and agency-specific priorities. *See* Presidential Memorandum for the Attorney General and the Secretary of Homeland Security on

Preventing Abuses of the Legal System and the Federal Court (Mar. 22, 2025), <https://www.govinfo.gov/content/pkg/DCPD-202500387/pdf/DCPD-202500387.pdf> ; EOIR Policy Memorandum (PM) 25-19 (Amended), *EOIR's Anti-Fraud Program* (Feb. 5, 2025), <https://www.justice.gov/eoir/media/1388586/dl?inline>; EOIR PM 19-07, *Identifying and Reporting Fraud and Abuse* (Dec. 19, 2018), <https://www.justice.gov/eoir/reference-materials/OOD1907/dl>; EOIR PM 19-06, *Internal Reporting of Suspected Ineffective Assistance of Counsel and Professional Misconduct* (Dec. 18, 2018), <https://www.justice.gov/eoir/reference-materials/OOD1906/dl>.

DOJ also receives thousands of reports of immigration-related fraud. Between May and December 2025, EOIR's Fraud and Abuse Prevention Program processed 5,790 complaints of immigration fraud, with an additional 2,308 complaints pending processing in the complaint queue. Additionally, in Fiscal Year 2025, U.S. Attorneys' Offices across the country charged 25,856 defendants under 8 U.S.C. § 1325 (penalizing entry or attempted entry into United States by misrepresenting or concealing material facts as well as marriage and immigration-related business fraud). *See* DOJ, *Prosecuting Immigration Crimes Report (PICR)* Fiscal Year 2025, <https://www.justice.gov/usao/resources/PICReport> (combining totals from "8 USC 1325MG FY25 Monthly Def Filed" and "8 USC 1325DC FY25 Monthly Defs Filed" reports).

Taken together, these findings underscore the prevalence with which malicious actors perpetrate immigration-related fraud and the importance of EOIR's efforts to mitigate potential fraud-related vulnerabilities that the agency's forms may possess. As

such, EOIR has determined the benefits of revising the Form EOIR-33 to mitigate potential for fraud and abuse outweigh the minimal burdens such revisions may impose on those aliens completing the form.

B. Flexibility

Comment: Several commenters expressed concern that eliminating the “in care of” field removes flexibility for aliens to designate a main point of contact or trusted third party to receive mail for more reliable receipt of mail from the agency. Commenters stated that mail service may be unreliable where the alien resides for a variety of reasons: aliens may live in shared housing occupied by multiple individuals or families; aliens may live in places with cluster mailboxes; aliens may reside in places where their name would not appear on the mailbox; aliens may live in places where mailboxes are frequently vandalized; aliens experiencing housing instability may reside in a shelter or move between multiple houses of friends and relatives while searching for stable housing; and aliens may not receive mail if the postal carrier makes a discretionary decision to not deliver mail.

Response: Section 239(a)(1)(F) of the INA, 8 U.S.C. § 1229(a)(1)(F), specifically requires that the alien who is the subject of the EOIR proceedings must provide his or her own address and contact information, not the address or contact information of a main point of contact or third party. Designating a main point of contact or third party to receive and handle the alien’s mail creates opportunities for malicious actors to perpetrate

fraud and abuse, as mentioned above. *See infra* Section 8.A. Preventing such opportunities for fraud outweighs the concerns raised by commenters about the revisions potentially eliminating flexibility to designate a best contact address. Even with the revisions, subjects of proceedings may avoid having their mail lost or forwarded to the wrong address by promptly submitting the Form EOIR-33 in compliance with 8 U.S.C. § 1229(a)(1)(F)(ii) to ensure that EOIR has on file the most current information for contacting the alien about his or her proceedings. The proposed changes promote the alien's direct receipt of mail from the agency at the place that the alien identifies as the best place to contact him or her. The revisions to the Form EOIR-33 do not change the alien's ability to identify his or her own contact information and continue to uphold the purpose of section 239 of the INA, 8 U.S.C. § 1229(a)(1)(F). Aliens may continue to rely on the revised Form EOIR-33 to provide their current address and contact information to the agency.

C. Confidentiality

Comment: Several commenters opposed the revisions to the Form EOIR-33, asserting that removing the “in care of” field would eliminate aliens’ ability to maintain a confidential address, creating safety concerns for victims of abuse, crime, and violence. Commenters stated that third party addresses function as a safety accommodation for asylum seekers, survivors of domestic violence, sexual assault, trafficking, and other forms of exploitation. Commenters suggested revising the form to allow aliens to designate a safe mailing address.

Response: The Form EOIR-33 collects the address “at which the alien may be *contacted* respecting proceedings.” INA § 239(a)(1)(F), 8 U.S.C. § 1229(a)(1)(F)(i) (emphasis added); *accord* 8 C.F.R. § 1003.15(d)(1) (“ . . . the alien must provide to the Immigration Court . . . a written notice of an address and telephone number at which the alien can be *contacted*.”) (emphasis added); *see also Renault v. Lynch*, 791 F.3d 163, 168-69 (1st Cir. 2015) (“But, as we have explained, it is not at all clear that an alien fails to comply with the address requirement when he changes residence. And in any event, the statute still instructs the government to send notice to the alien’s last known address, whatever that address may be.”); *Peralta-Cabrera v. Gonzales*, 501 F.3d 837, 844-45 (7th Cir. 2007) (“ . . . an alien has a duty to provide the immigration authorities with *an address where he can be contacted* . . . [and] it is the government’s responsibility to ensure that mail is properly addressed so that it can be delivered *to the location the alien provided*.”) (emphasis added). Absent the “in care of” field, the form remains sufficiently flexible for aliens to notify EOIR of the address at which the alien may be currently contacted regarding their proceedings—whether it be a physical address, mailing address, including a safe mailing address for victims and survivors of abuse or violence, or another address in the United States at which the alien can be reached about their proceedings.¹ The revisions do not prevent aliens from listing a safe mailing address as their contact address to protect their safety and confidentiality.

¹ The obligation to provide a current contact address remains the same for an Unaccompanied Alien Child (UAC). Individually or through an authorized representative, the UAC must also provide an address at which the UAC may be contacted regarding his or her proceedings, whether that be the parent’s or guardian’s address, a physical address, a regular or safe mailing address, or some other address in the United States at which the UAC may be reached by EOIR.

Additionally, the contact information provided on the Form EOIR-33 is maintained in a Privacy Act system of records and handled in accordance with the confidentiality protections afforded by the Privacy Act, 8 U.S.C. § 1367, and 8 C.F.R. § 1208.6, where applicable for particularly vulnerable individuals. See JUSTICE/EOIR-001, *Adjudication and Appeal Records of the Office of the Chief Immigration Judge and Board of Immigration Appeals*, 90 FR 42265 (Aug. 29, 2025). EOIR will not divulge information from immigration case records, including the contact information provided on the Form EOIR-33, unless authorized by applicable law and in accordance with routine uses set forth in Privacy Act systems of records notices. EOIR protects the confidentiality of the contents of the Form EOIR-33 to the extent permitted by law.

Comment: One commenter specifically noted that aliens verify the trustworthiness of designated third-party recipients under the “in care of” field because respondents must sign the form under penalty of perjury, declaring that the information is true and correct to the best of their knowledge.

Response: The purpose of the Form EOIR-33 is for the alien who is the subject of the EOIR proceedings to provide his or her own address and contact information. The Form EOIR-33 is not meant to be used by the alien to consent to disclosures of his or her information. Rather, individuals that wish to authorize disclosures of their information to trusted third parties must use the Form EOIR-59, Certification and Release of Records (OMB Control No. 1125-0017, exp. 02/28/2027), or an equivalent form of written consent in accordance with 28 C.F.R. § 16.40(f).

D. Due Process

Comment: Commenters stated that they opposed the revisions to the Form EOIR-33 because removing the “in care of” field eliminates the mechanism on which aliens have historically relied to receive notice from the government and to effectuate due process. Some commenters requested that EOIR include a separate mailing address to more reliably effectuate service of process. Other commenters suggested revising the form to allow aliens to designate a physical address and a mailing address.

Response: The Form EOIR-33 collects the address “at which the alien may be *contacted* respecting proceedings.” INA § 239, 8 U.S.C. § 1229(a)(1)(F)(i) (emphasis added); *accord* 8 C.F.R. § 1003.15(d)(1) (“ . . . the alien must provide to the Immigration Court . . . a written notice of an address and telephone number at which the alien can be *contacted*.”) (emphasis added). Absent the “in care of” field, the form remains sufficiently flexible for respondents to notify EOIR of the best address at which they may be reached regarding their proceedings so that EOIR and the opposing party may effectuate service of process in accordance with applicable law. Requiring the alien to designate and differentiate several address types would increase the burden on aliens to provide more information than is necessary for EOIR to contact aliens regarding their proceedings.

E. Cost and Burden Considerations

Comment: One commenter asserted that EOIR underestimated the volume of aliens in EOIR removal proceedings due to increased enforcement efforts.

Response: Because EOIR sought emergency approval, EOIR relied on the cost and burden estimates from the previous PRA clearance process for the Form EOIR-33. The prior estimates relied upon data drawn from EOIR-33 forms received by the agency in Fiscal Years 2022 through 2024. EOIR has recalculated the cost and burden estimates to include recent data from Fiscal Year 2025 to more accurately estimate the volume of aliens in EOIR removal proceedings because of increased enforcement efforts and the impact this may have on the costs and burdens associated with the ICR.

Comment: One commenter asserted that the current address update processes for EOIR and the Department of Homeland Security (DHS), U.S. Citizenship and Immigration Service (USCIS) are cumbersome and difficult and suggested that consolidating the processes for both agencies would better reduce paperwork because only one address update would be required.

Response: EOIR and USCIS collect address and contact information under separate legal authorities requiring updates according to different deadlines and for distinct purposes. EOIR is authorized to collect address and contact information under section 239 of the INA, 8 U.S.C. § 1229(a)(1)(F), for purposes of adjudicating removal proceedings and requires that updates to such information be provided to EOIR within five days of any

change of address. 8 C.F.R. §1003.15(d)(2). The requirement to update address and contact information with EOIR only applies to individuals in proceedings before the Immigration Courts or the Board of Immigration Appeals. By contrast, section 265 of the INA, 8 U.S.C. § 1305, authorizes USCIS to collect address and contact information for purposes of processing immigration applications, petitions, or other benefits requests, and requires updates to such information be provided to USCIS within 10 days of any change of address. 8 C.F.R. § 265.1. The requirement to update address and contact information with USCIS applies to all aliens in the United States required to register under section 262 of the INA, 8 U.S.C. § 1302. EOIR maintains its own form to comply with the statute specifically governing EOIR's collection of address and contact information and will not be consolidating the Form EOIR-33 with any USCIS form at this time.

9. Payment or Gift to Claimants - EOIR does not provide any payment or gifts to parties to cases or immigration proceedings, attorneys, accredited representatives, qualified organizations, or other third parties.

10. Assurance of Confidentiality – EOIR maintains each Form EOIR-33 as part of the submitting subject's immigration case file, the Record of Proceeding (ROP), which is maintained in a Privacy Act system of records. See JUSTICE/EOIR-001, *Adjudication and Appeal Records of the Office of the Chief Immigration Judge and Board of Immigration Appeals*, 90 Fed. Reg. 42265 (Aug. 29, 2025). EOIR staff at the Immigration Courts and Board process the form and maintain the form in accordance with the Privacy Act as well as the confidentiality protections afforded by 8 U.S.C. §

1367 and 8 C.F.R. § 1208.6, where applicable, for particularly vulnerable individuals.

EOIR protects the confidentiality of the contents of the ROP, including the Form EOIR-33, to the extent permitted by law, including the Privacy Act and the FOIA.

11. Justification for Sensitive Questions - There are no questions of a sensitive nature.

12. Estimate of Hour Burden -

a. Number of Respondents	719,634
b. Number of Responses per Respondent	1 each
c. Total Annual Responses	719,634
d. Hours per Response	5 minutes (0.083 hours)
e. Total Annual Hourly Reporting Burden	59,730 hours

719,634 respondents x 1 response per respondent x 5 minutes per response = 59,730 burden hours.

13. Estimate of Cost Burden – The minimum estimated public cost is zero and the maximum estimated public cost is \$62,145,241. There are no fees associated with filing the Form EOIR-33. There are no capital or start-up costs associated with this information collection. Respondents may submit and serve the form electronically and need not incur printing or postage costs to mail the form. Therefore, the minimum printing and postage cost is zero. Respondents that choose to print and mail the form will incur \$0.10 per copy to print and \$0.78 postage, resulting in a cost of \$0.88 per form. Multiplying the printing

and postage costs per form by the 1,240,397 forms received by mail over the past three fiscal years totals \$1,091,549 for maximum printing and postage costs. Respondents may incur a cost if they hire an attorney to assist them with completing the Form EOIR-33. The Bureau of Labor Statistics most recently reported that the national average hourly wage for lawyers at \$84.84 per hour. Therefore, the maximum labor cost is \$61,053,692.

14. Estimated Cost to the Federal Government – It is estimated that the average total annual government cost for distributing, stocking, processing, and maintaining the Form EOIR-33 will be \$2,371,488. The total estimated cost to the federal government includes the estimated printing cost of \$32,334.70, which is derived by multiplying the estimated \$0.10 per copy by the 323,347 pending immigration cases with paper ROPs. The total estimated annual cost to the federal government also includes maintenance costs of \$2,339,154, which is derived by calculating the personnel and overhead costs to EOIR for processing the form.

15. Reason for Program Changes or Adjustments – There were increases in the estimated costs and annual hour burden due to a variety of factors. EOIR observed a general uptick in the average number of forms received by the agency in fiscal year 2025, which translates to an increase in the average annual number of respondents, the maximum public cost burden, and the maximum government cost burden. Additionally, the maximum estimated cost burden to the public increased because EOIR included estimated printing and postage costs for those respondents that wish to file the form by mail; such costs were inadvertently excluded in the previous PRA renewal cycle. The

maximum estimated cost burden to the public also increased due to a general increase in the estimated average hourly wage for an attorney or practitioner to assist an individual in completing the form.

16. Plans for Publication – The information collected by the Form EOIR-33 will not be published. The information from this collection will be used internally by EOIR and by the opposing party to EOIR immigration proceedings to communicate with subjects about their immigration proceedings.

17. Expiration Date – EOIR will display the expiration date for OMB approval of the information collection.

18. Exceptions to the Certification Statement - EOIR does not request an exception to the certification of this information collection.

Part B. Collection of Information Employing Statistical Methods

This collection does not employ statistical methods.

PAPERWORK CERTIFICATION

In submitting this request for Office of Management and Budget (OMB) approval, I certify that the requirements of the Privacy Act and OMB directives have been complied with, including paperwork regulations, any applicable statistical standards or directives, and any other information policy directives promulgated under 5 C.F.R. § 1320.

Justine Fuga
Associate General Counsel
Executive Office for Immigration Review
Department of Justice