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Submitted via email to [EOIR.PRA.Comments@usdoj.gov](mailto:EOIR.PRA.Comments@usdoj.gov)

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**Re: OMB Number 1125-0022 (91 FR 10829), Agency Information Collection Activities; Proposed Collection eComments Requested; Extension of a Previously Approved Collection; Title-Change of Address/Contact Information Form**

The Catholic Legal Immigration Network, Inc. (CLINIC), submits these comments in response to the Department of Justice's Notice, "Agency Information Collection Activities; Proposed Collection eComments Requested; Extension of a Previously Approved Collection; Title-Change of Address/Contact Information Form," published in the Federal Register on March 5, 2026, at 91 Fed. Reg. 10829. This notice solicits comments on a change to Form EOIR-33, which is the Executive Office for Immigration Review's (EOIR) change of address/contact information form. CLINIC recommends that the Department of Justice (DOJ) revert to a version of the form that allows respondents to designate an "in care of" recipient for mail related to their immigration proceedings, and to revise the form to allow respondents flexibility to designate separate mailing and physical addresses as needed. These changes would support DOJ's goals of effectuating service of process considering practical barriers to postal delivery faced by some respondents. It would also permit respondents who may be victims of interpersonal violence to comply with address change requirements *and* protect their confidentiality and safety throughout the duration of proceedings.

Embracing the Gospel value of welcoming the stranger and consistent with our faith-based mission, CLINIC has promoted the dignity and protected the rights of immigrants in partnership with a dedicated network of Catholic and community-based legal immigration programs since its founding in 1988. CLINIC's network, originally comprised of 17 programs, currently consists of 380 Catholic and community-based programs in 48 states and the District of Columbia. CLINIC is the largest nationwide network of nonprofit immigration programs. Through direct representation, technical assistance, litigation support, and policy advocacy, CLINIC and its Affiliates promote the dignity and protect the rights of immigrants consistent with Catholic social teaching and the Gospel call to welcome the stranger.

As the largest nonprofit immigration legal network in the country, CLINIC and its Affiliates regularly represent individuals in removal proceedings before immigration judges (IJs) and on appeal before the Board of Immigration Appeals (BIA). CLINIC and its Affiliates also regularly represent applicants for victim-based immigration relief such as relief under the Violence Against Women Act (VAWA), and protections based on U visa, T visa, and Special Immigrant Juvenile (SIJ) pathways.

## I. INTRODUCTION

As of March 2, 2026, the Office of Management and Budget (OMB) granted EOIR’s emergency review and approval of Form EOIR-33, eliminating the “in care of other person (if any)” field. This field had allowed respondents to designate a third party recipient for mail from EOIR. With this emergency revision, EOIR purports to protect respondents from “potentially nefarious” third parties who might intercept mail and fail to share it, and/or obtain their personally identifiable information for fraudulent purposes. EOIR also suggests that the omitted fields allowed respondents to “obscure their true address” from EOIR, counter to the intent of the form and the goal of effective service of process. Unfortunately, the change may be counterproductive for many respondents. DOJ now solicits comments in advance of the July 31, 2026, expiration date of the emergency revision. CLINIC’s comments will address the following requested points of feedback:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility, *by providing context on practical realities for respondents that impact effective service of process by mail;*
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced, *by highlighting barriers to reliable mail service for respondents who may be transient, have low English proficiency or low literacy, be a minor child or have a disability, or be a victim of power-based interpersonal violence, such as intimate partner violence (domestic violence); and by suggesting EOIR allow respondents greater flexibility in the form to problem-solve around their own barriers to receiving effective service of process; and*
- Minimize the burden of the collection of information on those who are to respond, *by highlighting safety and confidentiality issues unique to victims of power-based interpersonal violence.*

## II. ELIMINATING THE "CARE OF" FIELD IS UNNECESSARY AND MAY RESULT IN MIS-DELIVERY OF NOTICES TO CERTAIN RESPONDENTS

EOIR’s goal of effectuating service of process is best served by allowing respondents more agency in choosing how to receive notice, rather than by restricting the tools and flexibility available to respondents. EOIR’s concern that an ‘in care of’ field exposes respondents’ mail to interference by “potentially nefarious” third parties is misguided. Individual respondents completing Form EOIR-33 to update their address are invested in receiving information about their immigration cases, and are in the best position to know how they most promptly and effectively receive mail and whom they deem trustworthy to support them as they navigate complex immigration processes.

Respondents served by CLINIC Affiliates have used the “in care of” field on Form EOIR-33 for various reasons. Often, the field is populated with the name of a parent or adult caregiver of a respondent who is a minor child. Minor and adult respondents living with family or under sublet

arrangements, or who are otherwise residing in a less-formal situation where their name would not appear on a lease or mailbox, may use the “in care of” field to list a formal tenant precisely to avoid delays in service of process. This is particularly useful in areas where postal workers might discretionarily decline to deliver where the respondents’ name is not posted and they do not recognize it, especially in apartment contexts where the number on a cluster mailbox does not correspond directly to the residential address.<sup>1</sup>

By eliminating the “in care of” field option on Form EOIR-33, the agency reduces the utility of the form and undermines its goals of collecting accurate information to effectuate service of process. CLINIC recommends that EOIR consider the practical realities and lived experiences respondents, and design forms not only for clarity and security, but to provide respondents with the flexibility to problem solve around barriers they may face in receiving effective service of process.

### **III. PERMITTING RESPONDENTS TO PROVIDE A SEPARATE MAILING ADDRESS WOULD MORE RELIABLY EFFECTUATE SERVICE OF PROCESS AND IMPROVE SAFETY OF RESPONDENTS WHO ARE VICTIMS OF VIOLENCE**

EOIR requires respondents to update the court with their address and contact information using form EOIR-33 within five working days of any change. The agency uses this address for service of process for unrepresented respondents. However, the form is limited and potentially confusing in that it requires and accepts only the applicant’s “current” address, which may not be the best *contact* address for service of process. Previously, the inclusion of an “in care of” field allowed for some degree of problem solving around mail delivery issues, but did not provide enough flexibility for respondents facing common barriers to receiving effective service.

#### **a. PRACTICAL REALITIES OF U.S. POSTAL SERVICE DELIVERY PRACTICES AND RESPONDENTS’ BARRIERS NECESSITATE “CARE OF” AND MAILING ADDRESS OPTIONS**

Respondents may experience frequent mail delivery disruptions or reside under informal living arrangements as noted above, or may travel frequently, or have barriers to understanding mail based on language skills, literacy level, or disability. These sorts of barriers may be more likely to affect respondents with low income, who in turn are more likely to be unrepresented in removal proceedings.

To improve the practical utility of the EOIR-33, it would behoove EOIR to allow respondents the flexibility to designate a separate contact address for service of process, with an optional “in care of” field, in addition to their current address. Respondents should be able to designate delivery to a location based on more reliable or secure delivery, or to a trusted third-party who can assist with

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<sup>1</sup> U.S. Postal Serv., *What Is a Cluster Box?* <https://faq.usps.com/s/article/What-is-a-Cluster-Box> (last visited Apr. 1, 2026) (“Numbers on the boxes may not necessarily correlate with a mail recipient’s address.”). See also, *How Is Undeliverable and Misdelayed Mail Handled?*, U.S. Postal Serv., <https://faq.usps.com/s/article/How-is-Undeliverable-and-Misdelayed-Mail-Handled> (last visited Mar. 31, 2026). While mail *should* be delivered if any one of the listed elements is present, stakeholders have reported non-delivery in some areas where their name is not specifically listed on an exterior mailbox, particularly where mail delivery is centralized or cluster mailbox. Delivery policies and rules may vary by local rules and policy, as well as carrier discretion. Tenants, especially those in informal arrangements, may not have the authorization to correct certain issues preventing mail delivery.

monitoring, understanding, and timely communicating needs across language, literacy, or disability barriers.

**b. RESPONDENTS WHO ARE VICTIMS OF VIOLENCE NEED AND DESERVE A MAILING ADDRESS OPTION TO PROTECT THEIR CONFIDENTIALITY AND SAFETY**

For some respondents, the ability to designate a separate mailing address with optional “in care of” recipient is not only a matter of effectuating service of process, but of personal safety and confidentiality. CLINIC Affiliates routinely provide representation for victims of crime pursuing affirmative relief under VAWA, U visa, T visa, or SIJ provisions, who may be unrepresented in removal proceedings. Other respondents who may not be actively pursuing victim-based protections may nevertheless reside in unsafe or exploitative homes, which may render service of process to their residence ineffective or outright dangerous.

For those who still reside with an abuser, in particular, service of process to a home address may involve danger of interference with EOIR communications or even mental and physical violence. Interpersonal violence like partner violence is power-based, with abusers utilizing any tool available to exert control over their victim.<sup>2</sup> Immigration status is frequently weaponized as a means to exploit or control vulnerable individuals.<sup>3</sup> This might take the form of explicit threats or violence based on immigration status or protections sought, or of withholding information, assistance, or notice to prevent a victim from pursuing protections.<sup>4</sup> It is *critical* that respondents who are victims are able to control how and where they receive service of process, as they are best positioned to understand how to keep themselves relatively safe in an unsafe home. Those who have left an abusive home situation may find it unsafe to include their name on publicly visible mailbox<sup>5</sup> or to receive mail with their name on it at their residence due to risks related to stalking and ongoing threats by an abuser.

The vulnerability of these respondents has been recognized in immigration law with the availability of protections for victims and survivors, and their safety needs have been considered in the options to provide a “safe mailing address” on other relevant immigration forms.<sup>6</sup> As written, the Form EOIR-33 is confusing and unnecessarily rigid, and forces some victims to risk exposure

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<sup>2</sup> U.S. Dep’t of Just., Off. on Violence Against Women, Domestic Violence, <https://www.justice.gov/ovw/domestic-violence> (last visited Apr. 1, 2026). See also Nat’l Domestic Violence Hotline, Power and Control, <https://www.thehotline.org/identify-abuse/power-and-control/> (last visited Apr. 1, 2026).

<sup>3</sup> Nat’l Network to End Domestic Violence, Immigration Policy, <https://nnedv.org/content/immigration-policy/> (last visited Apr. 1, 2026) (“Abusers often exploit a victim’s immigration status as a way to maintain power and control and to keep victims reluctant to seek help from the authorities or services.”). See also U.S. Citizenship & Immigr. Servs., Abused Spouses, Children, and Parents, <https://www.uscis.gov/humanitarian/abused-spouses-children-and-parents> (last visited Apr. 1, 2026) (“Some petitioners may misuse the immigration process to further abuse their alien family members by threatening to withhold or withdraw the petition in order to control, coerce, and intimidate them.”).

<sup>4</sup> See *supra* notes 2-3.

<sup>5</sup> Listing a recipients’ name on a publicly visible mailbox, connecting an individual to their residence, presents safety issues for victims and survivors of power-based violence, as well as for child respondents. Not listing a resident’s name can present delivery issues, as noted above.

<sup>6</sup> See U.S. Citizenship & Immigr. Servs., Form I-918, Petition for U Nonimmigrant Status, <https://www.uscis.gov/sites/default/files/document/forms/i-918.pdf> (last visited Apr. 1, 2026); U.S. Citizenship & Immigr. Servs., Form I-360, Petition for Amerasian, Widow(er), or Special Immigrant, <https://www.uscis.gov/sites/default/files/document/forms/i-360.pdf> (last visited Apr. 1, 2026); U.S. Citizenship & Immigr. Servs., Form I-914, Application for T Nonimmigrant Status, <https://www.uscis.gov/sites/default/files/document/forms/i-914.pdf> (last visited Apr. 1, 2026).

to escalated abuse. CLINIC urges the agency to consider this additional undue burden on the most vulnerable respondents in developing forms.

#### IV. CONCLUSION

CLINIC's embrace of the Gospel value of welcoming the stranger requires that we consider the agency and safety of immigrants as they pursue relief and due process. Overly rigid processes and information collection instruments that do not comport with the lived realities of users not only create harms for those users, but also fail to serve the purposes of the government. Overly rigid and incomplete instruments do not support effective service of process or efficiency in our immigration system. CLINIC respectfully submits these comments to assist the agency in improving quality, utility, and clarity of Form EOIR-33, while minimizing the burden it imposes on vulnerable respondents.

Thank you for your consideration of these comments. Please do not hesitate to contact Karen Sullivan, Director of Advocacy, at [ksullivan@cliniclegal.org](mailto:ksullivan@cliniclegal.org), with any questions or concerns about our recommendations.

Sincerely,

A handwritten signature in cursive script that reads "Anna Gallagher".

Anna Gallagher

Executive Director