

May 4, 2026

Ms. Justine Fuga  
Associate General Counsel  
Office of the General Counsel  
Executive Office for Immigration Review  
5107 Leesburg Pike, Suite 2600  
Falls Church, VA 22041

RE: Joint Comment in Response to Agency Information Collection Activities, Change of Address/Contact Information Form, OMB Number 1125-0022,  
*Submitted via email to [EOIR.PRA.Comments@usdoj.gov](mailto:EOIR.PRA.Comments@usdoj.gov).*

Dear Ms. Fuga:

We the undersigned 31 organizations assist, uplift, and advocate on behalf of asylum seekers and immigrant survivors of domestic violence, sexual assault, human trafficking, and other abuses. Given the focus of our work, **we write to express our serious concerns about the revisions to the Form EOIR-33. We oppose the revisions and call for them to be withdrawn.**

These revisions jeopardize the safety of vulnerable populations that Congress has aimed to protect under various laws for the past several decades. While the proposed changes are framed as an effort to prevent fraud and improve administrative efficiency, they would instead expose individuals to heightened risk of harm by limiting safe options for receiving critical legal correspondence.

### **I. Emergency Authorization of Form EOIR 33 Denies Opportunity for Meaningful Review**

The Form EOIR-33 revisions received emergency authorization from OMB and did not follow the typical Paperwork Reduction Act (PRA) process.<sup>1</sup> The Department of Justice (DOJ) has not provided any justification for this emergency authorization nor has it justified its publication online prior to the publication of the Agency Information Collection, as the revisions to Form EOIR-33 are dated February 2026.<sup>2</sup> Generally, new information collections are subject to a 60-day public comment period and then, following OMB review, receive a second 30-day notice.<sup>3</sup> In this case, DOJ has circumvented the PRA and caused confusion both for the public providing comment and for Respondents and legal professionals using

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<sup>1</sup> 91 FR 10829.

<sup>2</sup> See, e.g., <https://www.justice.gov/eoir/media/1341856/dl?inline> (noting revision date of February 2026).

<sup>3</sup> Administrative Conference of the United States "Information Interchange Bulletin No. 025 Paperwork Reduction Act Basics" (August 2022) available at <https://www.acus.gov/sites/default/files/documents/25%20PRA%20Basics.pdf>

the form. In obfuscating the standard process of the PRA, **DOJ has taken away an opportunity for the public to meaningfully review the Form EOIR-33 before its implementation.**

## **II. The Revisions Create Foreseeable Safety Risks and Are Not Necessary for EOIR's Core Functions**

In the updated EOIR Form-33, DOJ removed two collection fields for "'in care of' other persons (if any)."<sup>4</sup> This language has been on the EOIR Form-33 for well over two decades, and its inclusion has not inhibited the core functions of EOIR.<sup>5</sup> These fields permit individuals to designate a third party to receive mail on their behalf. DOJ asserts that these third-party designations create opportunities for misuse, and "afford greater opportunities for nefarious third parties to commit fraud and obstruct justice in immigration proceedings."<sup>6</sup> These assertions are purely speculative, wholly unsupported by data, and do not solve any demonstrable problem.

For many people—particularly asylum seekers and survivors of domestic violence, sexual assault, trafficking and other forms of exploitation—third-party addresses function as an essential safety accommodation. Leaving an abusive relationship can be the most dangerous time for survivors.<sup>7</sup> As one survivor notes, "I recall one day in September, 2007, I told him that I was leaving, but he pulled out a sharp small knife and he broke my suitcases and he punched my left muscle. He told me some very bad things such as he was [going] to kill me if I left..."<sup>8</sup> This is why many domestic violence shelters maintain confidential locations, and most states have laws establishing address confidentiality programs to assist eligible survivors in keeping their location confidential.<sup>9</sup>

For example, victims of domestic violence, dating violence, sexual assault, stalking or human trafficking, may be entitled to enroll in State address confidentiality programs, whose addresses are entitled to be suppressed under State or Federal law or suppressed by a court order. This is also why it may be very difficult for a survivor to safely comply with Form EOIR-33's stringent address change requirements.

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<sup>4</sup> 91 FR 10829 (March 5, 2026)

<sup>5</sup> See e.g. <https://www.ilw.com/forms/eoir33bia.pdf> (Revision date December 2005)

<sup>6</sup> See Emergency Review Supporting Statement, OMB No. 1125-0022, available at [https://www.reginfo.gov/public/do/PRAViewDocument?ref\\_nbr=202602-1125-003](https://www.reginfo.gov/public/do/PRAViewDocument?ref_nbr=202602-1125-003)

<sup>7</sup> See Women Against Abuse, "Why It's So Difficult to Leave" available at <https://www.womenagainstabuse.org/education-resources/why-its-so-difficult-to-leave>

<sup>8</sup> Monica Scott, Shannon Weaver and Akiko Kamimura. "Experiences of Immigrant Women who Applied for Violence Against Women Act (VAWA) self-petitions in the United States: Analysis of Legal Affidavits." *Diversity and Equality in Health and Care* (2018) 15(4): 145-150, available at <https://www.primescholars.com/articles/experiences-of-immigrant-women-who-applied-for-violence-against-women-act-vawa-self-petition-in-the-united-states-analysis-of-legal-affidavits.pdf>

<sup>9</sup> See Safety Net Project "Address Confidentiality Programs" available at <https://www.techsafety.org/address-confidentiality-programs>

Congress recognized the critical need for our country's immigration system to protect the privacy and safety of people at risk of domestic violence, sexual assault, trafficking and other forms of abuse when it enacted 8 U.S.C. 1367, limiting the government's authority to disclose sensitive information.<sup>10</sup> DOJ and the Department of Homeland Security (DHS) have similarly recognized this need with respect to asylum seekers and have promulgated confidentiality regulations at 8 CFR 208.6 and 1208.6. Removing the "in care of" option from Form EOIR-33 undercuts the purpose of this statutory and regulatory framework.

Survivors are best positioned to make decisions about where their correspondence should be directed.<sup>11</sup> Requiring everyone in removal proceedings to list a residential address without the option to designate a trusted intermediary increases the risk that sensitive location information may be exposed through routine legal processes, recordkeeping, or data handling. For asylum seekers, survivors, and others who may be actively avoiding traffickers, abusers, or other harmful actors, this exposure can carry serious and immediate safety consequences.

The "in care of" option enables people to safely receive time-sensitive legal documents through attorneys, advocates, or community-based organizations without disclosing their physical location. Eliminating this option does not enhance service of process. Instead, it removes a critical safeguard that allows people to participate in proceedings without compromising their safety.

### **III. The Proposed Revisions Impose Disproportionate Risk on Vulnerable Populations**

EOIR's burden estimate focuses on the time required to complete the form, but does not account for the safety risks created by the proposed change.<sup>12</sup> For asylum seekers, survivors, and other high-risk individuals, the issue is not administrative burden—it is exposure. Without an option to provide a safe address, DOJ's revisions will:

- Increase vulnerability to retaliation, stalking, or re-exploitation;
- Undermine safety planning conducted with service providers;
- Create a chilling effect on engagement with immigration processes for individuals who reasonably fear the consequences of their information being shared or accessed.

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<sup>10</sup> See also Pub. Law. 109-162, § 827 (Jan. 5, 2006), 119 STAT. 3066. Congress further recognized the importance of address confidentiality in the VAWA Reauthorization of 2005, directing the Department of Homeland Security to develop regulations and guidance with regard to identification documents to "consider and address the needs of victims, including victims of battery, extreme cruelty, domestic violence, dating violence, sexual assault, stalking or trafficking, who are entitled to enroll in State address confidentiality programs, whose addresses are entitled to be suppressed under State or Federal law or suppressed by a court order, or who are protected from disclosure of information pursuant to section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367);

<sup>11</sup> See e.g. USCIS Policy Manual, Vol 1, Chapter 7 Privacy and Confidentiality <https://www.uscis.gov/policy-manual/volume-1-part-a-chapter-7>

<sup>12</sup> 91 FR 10829, 10830 (March 5, 2026)

These impacts are predictable and well-documented in survivor-serving contexts. A policy that conditions participation in immigration proceedings on disclosure of sensitive location information, without safeguards, effectively shifts risk onto those already facing the greatest harm.

#### IV. The Proposal Reduces the Practical Utility of the Information Collection

The regulations at 5 C.F.R. 1320.3(l) define “practical utility” to mean the **actual, not merely the theoretical or potential**, usefulness of information to or for an agency, taking into account its accuracy, validity, adequacy, and reliability, and the agency’s ability to process the information it collects in a useful and timely fashion.<sup>13</sup> The purpose of Form EOIR-33 is to facilitate reliable communication between EOIR and individuals in proceedings. That goal is best served when individuals can provide a stable, safe, and accessible point of contact for receiving legal correspondence.

Trusted third-party addresses—such as those of legal service providers or community-based organizations—often provide the most consistent and secure method of ensuring that people in removal proceedings receive and respond to notices. Removing this option will disrupt communication channels that are currently functioning effectively, particularly for individuals with unstable housing or safety concerns.

The EOIR Form-33 already has safeguards in place to verify the information contained in the form. Individuals must declare, under penalty of perjury, pursuant to 28 U.S.C. 1746 that the information contained in the form is true and correct to the best of their knowledge. Thus, the “in care of fields” are already verified and consented to by the Respondent. Further, the forms (both paper and online) are entitled Change of Address/**Contact Information Form** illustrating that the most critical information to collect on the form relates to how EOIR can best connect with the Respondent about their case.<sup>14</sup>

#### V. Conclusion

The removal of the “in care of” fields from Form EOIR-33 does not adequately account for the safety, privacy, and access implications for people in immigration proceedings—particularly asylum seekers and survivors of domestic violence, sexual assault, human trafficking and other forms of violence. By eliminating a key safety accommodation, the revisions place vulnerable people in harm’s way and undermine meaningful participation in legal processes.

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<sup>13</sup> 5 C.F.R. 1320.3(l) [Emphasis added].

<sup>14</sup> [Emphasis added]. See e.g. Form EOIR-33 Change of Address/Contact Information Form (IC), available at <https://www.justice.gov/eoir/media/1341856/dl?inline> ; Form EOIR-33 Change of Address/Contact Information form (BIA), available at <https://www.justice.gov/eoir/media/1341901/dl?inline>.

We urge EOIR to withdraw the revisions to ensure the confidentiality and safety of vulnerable people; to preserve safe and reliable methods of communication; to and reflect the realities faced by those navigating immigration proceedings under conditions of risk.

Thank you for the opportunity to comment.

Respectfully submitted,

### **National Organizations**

Asian Pacific Institute on Gender-Based Violence  
ASISTA Immigration Assistance  
Center for Gender and Refugee Studies  
Center for Human Rights and Constitutional Law  
Freedom Network USA  
Human Trafficking Legal Center  
Immigrant Defenders Law Center (ImmDef)  
Immigrant Legal Resource Center  
Just Solutions  
Kids in Need of Defense (KIND)  
Legal Momentum, the Women's Legal Defense & Education Fund  
National Immigration Law Center (NILC)  
National Immigration Project  
National Organization for Victim Advocacy (NOVA)  
NIWAP, Inc.  
Tahirih Justice Center  
The Advocates for Human Rights  
ValorUS  
YWCA USA

### **State and Local Organizations**

Beyond Survival, Washington  
Coalition to Abolish Slavery and Trafficking, California  
Her Justice, New York  
Justice at Last, California  
Law Office of Jillian N Kong-Sivert, Arizona  
Nevada Coalition to End Domestic and Sexual Violence, Nevada  
Northwest Immigrant Rights Project, Washington  
Oasis Legal Services, California  
Open Immigration Legal Services, California  
Sunita Jain Anti-Trafficking Initiative, Loyola Law School, California  
University of Maryland SAFE Center for Human Trafficking Survivors, Maryland  
Wisconsin Coalition Against Sexual Assault, Wisconsin