

**EMERGENCY REVIEW  
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**

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**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 Case and Appeal 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.** Under 5 C.F.R. § 1320.13, EOIR requests emergency

clearance for 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 has identified two fields on the Form EOIR-33 that present significant sources of public harm. Currently, the Form EOIR-33 displays two collection fields for “in care of” other person (if any).” These fields permit 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 allows 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, as soon as possible, EOIR requests emergency clearance to revise Form EOIR-33 to remove the "in care of" form fields.

Such public harms are reasonably likely to continue if normal clearance procedures are followed. *See* 5 C.F.R. § 1320.13(a)(2)(i). Under normal clearance procedures, the "in care of" fields will remain 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

must cease collecting such information more quickly than the time to complete the normal clearance process would allow. *See* 5 C.F.R. § 1320.13(a)(1)(i).

EOIR has taken all practical steps to minimize the burden of the information collection. *See* 5 C.F.R. § 1320.13(c). EOIR has 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 proposed revision will eliminate two form fields total, thereby reducing the quantity of information that the individual must provide and that the agency must process. EOIR anticipates such changes will reduce the costs and burdens on the individual to complete the form and on the agency to process the form.

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 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 will provide the most efficient means for collecting and processing the required data. The Form EOIR-33 will be 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, an applicant 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 mailing 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 address and contact information changes only 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 Paperwork Reduction Act of 1995 (Pub. L. 104-13) and Office of Management and Budget (OMB) regulations at 5 C.F.R. § 1320.13, EOIR will publish a notice in the Federal Register announcing the agency's intention to request an expedited OMB review of this information collection activity. This notice will alert the public to a request for emergency approval for six months of information collection and provide a sixty-day comment period related to the full request that will be submitted to continue information collection beyond six months. A full request under the normal clearance procedures will document any comments received and how the agency has considered the comments.

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 - Estimates used to calculate burden are based on the average annual number of responses received across Fiscal Years 2022, 2023, and 2024.

a. Number of Respondents	321,457
b. Number of Responses per Respondent	1 each
c. Total Annual Responses	321,457
d. Hours per Response	5 minutes (0.083 hours)
e. Total Annual Hourly Reporting Burden	26,681 hours

321,457 respondents x 1 response per respondent x 5 minutes per response = 26,681 burden hours.

13. Estimate of Cost Burden – Estimates used to calculate costs are based on the average annual number of responses received across Fiscal Years 2022, 2023, and 2024, and median hourly wage data from 2024. There are no capital or start-up costs associated with this information collection. The estimated public cost is zero. Respondents may incur a cost if they hire an attorney to assist them with completing the Form EOIR-33. The Bureau of Labor Statistics reported that the national average hourly wage for lawyers was \$78.74. For those respondents who proceed without an attorney, there is an estimated cost of \$10 per hour for completing the form (the individuals' time and supplies) in lieu of the practitioner cost. There are also no fees associated with filing the Form EOIR-33. Finally, there are no required printing costs associated with the filing of the Form EOIR-33. Respondents may file and serve the form in electronic formats. Respondents that choose to print the form for filing and service on the opposing party would incur printing costs of approximately \$.10 per page.

14. Estimated Cost to the Federal Government – Estimates used to calculate costs are based on the average annual number of responses received across Fiscal Years 2022, 2023, and 2024, and median hourly wage data from 2024. It is estimated that the total annual government cost for distributing, stocking, processing, and maintaining the Form EOIR-33 will be \$1,199,997. The total estimated cost to the federal government includes the estimated printing cost of \$158,776, which is derived by multiplying the 2 pages of the Form EOIR-33 by an estimated \$.10 per copy by the 793,879 pending immigration

cases with paper ROPs. The total estimated annual cost to the federal government also includes maintenance costs of \$1,041,221, which is derived by calculating the personnel and overhead costs to EOIR for processing the form.

15. Reason for Program Changes or Adjustments – There are no program changes or adjustments reported on the burden worksheet.

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.

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