



DEPARTMENT OF JUSTICE

[OMB Number 1125-0022]

Agency Information Collection Activities; Proposed Collection eComments Requested;

Change of Address/Contact Information Form

Title – Change of Address/Contact Information Form

AGENCY: Executive Office for Immigration Review, Department of Justice.

ACTION: 30-day notice.

SUMMARY: In accordance with the Paperwork Reduction of 1995 (“PRA”), the Executive Office for Immigration Review (“EOIR”), Department of Justice (“DOJ”), requested the Office of Management and Budget (“OMB”) conduct an emergency review and approval of a revision to a currently approved collection of information. EOIR requested and OMB granted emergency approval on March 2, 2026, authorizing the revised collection through July 31, 2026. EOIR is seeking PRA authorization for three years. The information collection was previously published in the *Federal Register* on March 5, 2026, allowing a 60-day comment period. This notice responds to several comments received by EOIR during the 60-day comment period.

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

FOR FURTHER INFORMATION CONTACT: The information collection was previously published in the Federal Register on March 5, 2026, allowing a 60-day comment period. This notice responds to several comments received by EOIR during the 60-day comment period. If you have 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: Justine Fuga, Associate General Counsel, Office of the General Counsel, Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2600, Falls Church, VA 22041, telephone: (703) 305- 0265, eoir.pra.comments@usdoj.gov.

SUPPLEMENTARY INFORMATION:

I. Public Participation

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.

Written comments and recommendations for this information collection should be submitted within 30 days of the publication of this notice on the following website www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function and entering either the title of the information collection or the OMB Control Number 1125-0022. This information collection request ("ICR") may be viewed at www.reginfo.gov. Follow the instructions to view Department of Justice information collections currently under review by OMB.

II. Overview of This Information Collection

DOJ seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOJ notes that ICRs submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Overview of this information collection:

1. Type of Information Collection: Revision and extension of a previously approved collection.
2. Title of the Form/Collection: Change of Address/Contact Information Form.
3. Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection: The agency form numbers are EOIR-33/IC and EOIR-33/BIA, and EOIR is the Department component sponsoring the collection.
4. Affected public who will be asked or required to respond, as well as a brief abstract:

Affected Public: Individuals and households.

Abstract: Subjects of immigration proceedings before the Immigration Courts and Board of Immigration Appeals (Board) must report in writing any change of address or contact information. *See* 8 U.S.C. 1229(a)(1)(F)(ii); 8 CFR 1003.15(d)(2). To implement and enforce this legal requirement, subjects report such changes using the Form EOIR-33, *Change of Address/Contact Information*. 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 CFR 1003.32. Subjects receive, at the address listed on the latest submitted Form EOIR-33, all service copies of immigration case documents in the official EOIR Record of Proceeding (ROP), including case filings, hearing notices, and final orders by immigration judges ordering the subject's removal from the United States.

EOIR proposes to revise the Form EOIR-33 to remove two address form fields collecting ““in care of” other person (if any).” These fields permit the subject to

designate, without verification, a third party to receive mail addressed from EOIR to the subject. Such designation presents potentially nefarious third parties with opportunities to: intercept the subject's mail and fail to complete delivery of immigration court records to the subject; and/or acquire the subject's personally identifiable information (PII) contained within the subject's immigration court records. Third parties may use the subject's records and PII for fraudulent and criminal purposes, such as harassment, identity theft, or document forgery. Additionally, the form fields allow 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 mailed filings, notices, and orders. Immigration proceedings are obstructed and compromised by such conduct, and the subject cannot or does not participate in the proceedings as needed for EOIR to expeditiously resolve the immigration case. Moreover, the information collected by the 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, properly address immigration court records, and enforce final orders of removal. The proposed changes will help address such public harms and reduce the quantity of information that the individual must provide and that the agency must process.

5. Obligation to Respond: Mandatory.
6. Total Estimated Number of Respondents: It is estimated that an average of 719,634 respondents will complete the form annually.
7. Estimated Time per Respondent: The estimated time per respondent is 5 minutes per response.
8. Frequency: Once per year.

9. Total Estimated Annual Time Burden: EOIR estimates an average of 59,730 hours total annual time burden for form respondents.

Activity	Average Number of Respondents Per Fiscal Year	Frequency	Total Annual Responses	Time Per Response	Total Annual Burden (Hours)
Form EOIR-33/BIA	10,782	1/annually	10,782	0.083 hours	895 hours
Form EOIR-33/IC	708,852	1/annually	708,852	0.083 hours	58,835 hours
Total	719,634	1/annually	719,634	0.083 hours	59,730 hours

10. Total Estimated Annual Other Costs Burden: The minimum estimated public cost is zero and the maximum estimated public cost is \$62,145,241. There are no filing fees, capital, or start-up costs associated with the Form EOIR-33. Respondents may file 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 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.

III. Public Comments and Responses

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 CFR 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 CFR 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 CFR 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 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 CFR 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

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,

address as their contact address to protect their safety and confidentiality.

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 CFR 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 CFR. 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

a regular or safe mailing address, or some other address in the United States at which the UAC may be reached by EOIR.

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 CFR 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 CFR 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 CFR 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.

If additional information is required, contact: Darwin Arceo, Department Clearance Officer, Enterprise Portfolio Management, Office of the Chief Information Officer, Justice Management Division, United States Department of Justice, Two Constitution Square, 145 N Street NE, 4W-218 Washington, DC 20530.

Dated: June 18, 2026.

Darwin Arceo,

Department Clearance Officer for PRA,

U.S. Department of Justice.