



U. S. Department of Justice

Executive Office for Immigration Review

Office of the Chief Immigration Judge

Chief Immigration Judge

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Falls Church, Virginia 22041

September 21, 2010

MEMORANDUM TO: All Immigration Judges
All Court Administrators
All Immigration Court Staff

FROM: Brian M. O'Leary *by mem*
Chief Immigration Judge

SUBJECT: EOIR's 1-800 number and privacy enhancements

This memorandum is to inform you of an important recent decision by the Executive Office for Immigration Review (EOIR) regarding privacy enhancements and the public use of the Alien-Number (A-Number), and to inform you of operational changes that will be required to conform to this decision.

As you may know, EOIR announced on August 19, 2010 that in view of privacy concerns, persons calling the 1-800 number would be required to enter the relevant charging document date as well as the A-Number in order to access case-related information. This change was to take place October 4, 2010. However, recently, the Office of General Counsel concluded that this additional step need not be required. Instead, users may access information from the 1-800 telephony system as in the past, and the new requirement of a charging document date need not be implemented – *provided that EOIR takes steps to enhance privacy by minimizing public disclosure of the alien numbers*. A new public announcement concerning this topic will be posted soon by EOIR's Office of Legislative and Public Affairs.

Accordingly, I am directing that our courts implement two operational safeguards to help ensure that to the maximum extent possible, we enhance the privacy of individuals in our courts and avoid public disclosure of the A-Number whenever practicable:

- First, in any location in our courts where we post calendar information for public view, there will be a calendar report that shows only the last three digits of the A-Number. A public version of the court calendar will be forthcoming along with specific guidance on its use. Please note carefully: this affects only the publicly posted calendar report. This does not affect any other calendar reports used for the court's own administrative purposes outside the public view. All reports currently in use for internal purposes by the courts outside the public view may continue to be used.

- Second, to the maximum extent possible, enhance the privacy of individuals in our courts by avoiding public disclosure of the A-Number whenever practicable. This means that we should minimize public use of the full A-Number in court. To that end, during any hearings open to the public, cases should generally be called out by last three digits of the alien number and the name, rather than by the full A-Number. Please note carefully: This does not mean that it will always be possible to avoid the use of the full A-Number. For example, an immigration judge identifies proceedings on the record for the transcriber using the A-Number. At present, this cannot be avoided. Court staff should rather be mindful at all times that public disclosure of full A-Numbers should be curtailed and minimized as much as practicable.

If you have any questions about this policy please contact your Assistant Chief Immigration Judge.