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### (a) EOIR Composition

EOIR is an office of the DOJ operating under the authority and supervision of the Attorney General. EOIR is headed by a Director who is responsible for the supervision of the Deputy Director, the Chief Appellate Immigration Judge of the BIA (CAIJ), the Chief Immigration Judge (CIJ), the Chief Administrative Hearing Officer (CAHO), and all agency personnel in the execution of their duties in accordance with 8 CFR Part [1003](#). The CIJ supervises OCIJ, the CAIJ supervises the BIA, and the CAHO supervises OCAHO. EOIR's other components include the Office of Administration, the Office of the General Counsel, the Office of Information Technology, and the Office of Policy. See [Appendix B](#) (Organizational Chart).

### (b) The Office of the Chief Immigration Judge (OCIJ)

OCIJ oversees the administration of the immigration courts nationwide and exercises administrative supervision over Immigration Judges. Immigration Judges are responsible for conducting immigration court proceedings and act independently in deciding matters before them. Under the immigration laws, Immigration Judges are tasked with resolving cases in a manner that is timely, impartial, and consistent with the federal statutes and regulations and precedent decisions of the Attorney General, the BIA and federal courts. See 8 C.F.R. § [1003.10\(b\)](#). Additional information regarding OCIJ is available at [Part II](#): OCIJ Practice Manual, and on the [OCIJ website](#).

### (c) The Board of Immigration Appeals (BIA)

The BIA is the highest administrative body for interpreting and applying immigration laws. It is responsible for applying the immigration and nationality laws uniformly throughout the United States. Accordingly, the BIA has nationwide jurisdiction to review the orders of Immigration Judges and certain decisions made by the Department of Homeland Security (DHS), and to provide guidance to the Immigration Judges, DHS, and others, through published decisions. The BIA is tasked with resolving the questions before it in a manner that is timely, impartial, and consistent with federal statutes, regulations, and precedent decisions. In addition, the BIA is responsible for providing clear and uniform guidance regarding the proper interpretation and administration of the Immigration and Nationality Act (INA) and its implementing regulations. 8 C.F.R. § [1003.1\(d\)\(1\)](#).

In addition to the BIA's appellate authority over issues related to immigration laws, it also has review authority of other issues: (1) disciplinary decisions related to recognized organizations and representatives appearing before the immigration courts, DHS, and the BIA; (2) certain visa petitions before DHS; and (3) DHS-imposed carrier fines. Additional information regarding the BIA is available at [Part III](#): BIA Practice Manual, and on the [BIA website](#).

Though its official title by regulation is the Board of Immigration Appeals, the BIA is frequently referred to as the Court of Immigration Appeals in line with the senior leaders' titles contained in 8 C.F.R. § [1003.1\(a\)](#).

### (d) The Office of the Chief Administrative Hearing Officer

OCAHO is responsible for adjudicating cases involving illegal hiring and employment eligibility verification violations ("employer sanctions"), anti-discrimination provisions, and document fraud under the INA. See INA §§ [274A](#), [274B](#), and [274C](#), 28 C.F.R. [part 68](#). OCAHO's administrative law judges (ALJ) are supervised by the CAHO, who reviews the ALJs' employer sanctions and related document fraud decisions. All ALJ decisions may be reviewed by the various circuit courts of appeal. Additional information regarding OCAHO is available at [Part IV](#): The Office of the Chief Administrative Hearing Officer and on the [OCAHO website](#). See also [Appendix B](#) (Organizational Chart).

### (e) The Office of Administration

The Office of Administration provides administrative and managerial support in several areas concerning financial management or special emphasis and compliance programs. Specifically, the Office of Administration supports the following areas: appropriations, budget and financial management, contracts and procurement, human resources, security, space and facilities management, and logistics.

### (f) The Office of the General Counsel

The Office of the General Counsel (OGC) provides legal advice to all of EOIR on certain matters, including ethics, records management, release of information pursuant to the Freedom of Information Act, employee performance and discipline (except in matters related to the discipline of adjudicators for decisions made in the adjudication of cases under the Act), practitioner discipline, and other related areas not inconsistent with the law. OGC is also responsible for receiving complaints about attorneys and accredited representatives and initiates disciplinary proceedings when appropriate. See Part I, [Chapter 6](#) (Attorney Discipline).

OGC is also responsible for administering EOIR's Fraud and Abuse Prevention Program, which operates to protect the integrity of immigration proceedings by working to reduce immigration fraud and abuse.

Individuals wishing to report immigration fraud or abuse, or other irregular activity, should contact the EOIR Fraud and Abuse Prevention Program. For contact information, see [Appendix A](#) (EOIR Directory). Where appropriate, the EOIR Fraud and Abuse Prevention Program refers cases to other authorities for further investigation. See Part I, [Chapter 5](#).

### **(g) The Office of Information Technology**

The Office of Information Technology (OIT) oversees EOIR's information technology (IT) infrastructure, working to supply the IT solutions and services required to meet the agency's technology needs. OIT is comprised of four directorates tailored to efficiently and effectively execute IT strategy, hardware and software optimization, and application development:

- (1) Enterprise Solutions
- (2) Operations
- (3) Governance, Planning, and Support
- (4) Software Development

### **(h) The Office of Policy**

The Office of Policy is responsible for all agency policy and regulatory review and development; internal and external communications; legal education, research, and certifications; and training and legal access programs. The Office strives to maintain open communication among components through the efforts of the staff of the following divisions: Communications and Legislative Affairs Division (CLAD); Immigration Law Division (ILD); Legal Education and Research Services (LERS); and the Office of Legal Access Programs (OLAP).

CLAD maintains a Law Library and Immigration Research Center (LLIRC). The library is open to the public. See Part II, [Chapter 1.5\(b\)](#), (Library and Online Resources). The library also maintains a Virtual Law Library (VLL) that is accessible on EOIR's [website](#). See Part II, [Chapter 1.5\(b\)](#), (Library and Online Resources). The VLL serves as a comprehensive repository of immigration-related law and information for use by attorneys and the public and is where the published BIA, DHS, and OCAHO decisions are made available to the public. The site serves as a complement to the LLIRC located within the EOIR headquarters complex.

### **(i) The Office of the Director**

The Office of the Director also supervises three offices and programs whose functions cut across each of EOIR's components: the Office of Equal Employment Opportunity (EEO); the Office of the Ombuds; and, the Planning, Analysis, and Statistics Division (PASD).

EEO runs EOIR's EEO complaints process. Through the complaint process, EOIR employees, applicants for federal employment with EOIR, or individuals benefitting from an EOIR-administered employment program may institute a complaint if the employee or applicant believes that the employee or applicant has been discriminated against, including harassment, on the basis of one or more of the following factors: race, color, religion, sex, age, national origin, disability (physical or mental), genetic information, sexual orientation, gender identity, reprisal, and parental status.

The Office of the Ombuds provides the EOIR workforce with a confidential, neutral, independent, and informal option to address workplace issues. The Ombuds serves to assist EOIR employees and managers at all levels of the organization to informally address individual and organizational matters. The Ombuds is a complementary resource to current EOIR resources and works to recognize, prevent, or resolve workplace disputes.

PASD develops statistical reports, analyses, and evaluations to inform EOIR strategic management efforts and support the communication of pertinent agency information to both internal and external EOIR stakeholders. PASD delivers reports and responds to ad hoc requests for data and other EOIR information. More information on EOIR's statistics and publications is available on the [EOIR website](#).

### **(j) EOIR's Relationship to Other Government Offices**

**(1) Relationship to the Department of Homeland Security** - DHS was established in March 2003 and assumed most of the functions of the now defunct Immigration and Naturalization Service (INS). DHS enforces immigration laws and administers immigration and naturalization benefits. Three components within DHS, U.S. Citizenship and Immigration Services (USCIS), U.S. Customs and Border Protection (CBP), and U.S. Immigration and Customs Enforcement (ICE) are authorized to initiate proceedings in EOIR's immigration courts. An attorney from ICE represents DHS in those proceedings. ICE is authorized to initiate cases before OCAHO pursuant to INA §§ [274A](#) and [274C](#), and an ICE attorney represents DHS in those proceedings.

**(2) Relationship to the former Immigration and Naturalization Service** - Prior to the creation of DHS, INS was a component of the DOJ that enforced the immigration laws and administered immigration benefits. The INS no longer exists, and DHS now performs the enforcement and benefits-granting roles of the former INS.

**(3) Relationship to the Administrative Appeals Office** - The Administrative Appeals Office (AAO) is a component of USCIS within DHS. The AAO adjudicates appeals from DHS denials of certain kinds of applications and petitions, including employment-based immigrant petitions and most nonimmigrant visa petitions. See 8 C.F.R. §§ [103.2](#), [103.3](#). The AAO is not a component of the DOJ and should not be confused with EOIR, OCIJ, OCAHO, or the BIA. See [Appendix B](#) (Organizational Chart).

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**(4) Relationship to the DOJ Civil Rights Division, Immigrant and Employee Rights Section** - The Immigrant and Employee Rights Section (IER) of the DOJ's Civil Rights Division enforces the provisions of INA § 274B and is authorized to initiate proceedings before OCAHO alleging violations of that section. Attorneys from IER represent the DOJ in those proceedings. Individuals who believe they have been a victim of discrimination in violation of INA § 274B should first file a charge with IER. If IER does not act on the charge within a specified period of time, then the individual may file a complaint with OCAHO. In such cases the individual is responsible for his or her own legal representation.

**(5) Relationship to Other Components of the Department of Justice** - The Civil Division of a U.S. Attorney's Office or, within the DOJ's Civil Division, the Office of Immigration Litigation (OIL), the Federal Programs Branch, or the Appellate Staff generally represent the U.S. Government, including EOIR, in immigration-related civil litigation in federal court.

**(6) Relationship to the Department of Health and Human Services** - The Department of Health and Human Services (HHS) is responsible for the "care and custody" of unaccompanied alien children (UAC), including UAC in immigration proceedings. 8 U.S.C. § 1232(b)(1).

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