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NEWS RELEASE

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New Rule Published Affecting Countries To Which Aliens May Be Removed

FALLS CHURCH, VA – The Attorney General published on January 5 a Final Rule in the *Federal Register* that involves changes in procedures for designation of a country of removal by aliens and Immigration Judges. Immigration Judges, who conduct removal proceedings under immigration laws, are part of the Executive Office for Immigration Review (EOIR), an agency of the Department of Justice (DOJ).

The changes are contained in a Final Rule published jointly by the Department of Homeland Security (DHS) and DOJ. In the rule, DHS amends its regulations interpreting section 241(b) of the Immigration and Nationality Act (INA) pertaining to countries to which aliens may be removed. DOJ also is amending the EOIR procedures in order to:

- Clarify the procedures for an alien to designate the country to which he or she would prefer to be removed,
- Clarify that acceptance by a country is not a factor to be considered by the Immigration Judge in identifying a country (or alternate countries) of removal in the administrative order of removal, and
- Provide that Immigration Judges will inform any alien designating a country to which he or she would prefer to be removed that DHS may, at its discretion, designate a different country because of foreign policy considerations under section 241(b) of the INA.

Provisions of the Final Rule will become effective February 4, 2005. The rule is available on the Internet at <http://a257.g.akamaitech.net/7/257/2422/01jan20051800/edocket.access.gpo.gov/2005/pdf/05-125.pdf>.

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