



DEPARTMENT OF JUSTICE | OFFICE OF THE INSPECTOR GENERAL

## MANAGEMENT ADVISORY MEMORANDUM

### 22-061

MARCH 2022

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Recommendations Regarding the Immigration  
Judge and Board of Immigration Appeals  
Member Hiring Process

OVERSIGHT AND REVIEW DIVISION



## DEPARTMENT OF JUSTICE | OFFICE OF THE INSPECTOR GENERAL

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March 30, 2022

### Management Advisory Memorandum

Memorandum For: Lisa O. Monaco  
Deputy Attorney General

David L. Neal  
Director  
Executive Office for Immigration Review

From: Michael E. Horowitz  
Inspector General

Subject: Recommendations Regarding the Immigration Judge and Board of Immigration Appeals Member Hiring Process

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The purpose of this memorandum is to provide recommendations that address concerns we identified in the Immigration Judge (IJ) and Board of Immigration Appeals Member (Board Member) hiring process.<sup>1</sup> In a May 2018 letter to the Inspector General, eight members of Congress asked the Office of the Inspector General (OIG) to investigate allegations that after January 2017, offers for IJ and Board Member positions were withdrawn or delayed for political or ideological reasons. IJ and Board Member positions are non-political, career positions subject to merit system principles. To determine whether to open a full investigation of these allegations, the OIG began an assessment of the IJ and Board Member hiring process and the reasons for the withdrawal or delay of appointments. While we were engaged in this work, we received a second set of allegations that other candidates may have been favored in the IJ hiring process because of their connections to the Trump administration, or perceived political affiliation or ideology. We expanded the scope of our assessment by conducting additional interviews and document review to address the second set of allegations. In assessing both sets of allegations, we interviewed key witnesses and reviewed more than 70,000 Department of Justice (Department) and the Executive Office for Immigration Review (EOIR) documents, including a large quantity of emails.

We did not find sufficient evidence to conclude that the Department or EOIR engaged in systemic favoring or disfavoring of IJ and Board Member candidates based on political affiliation in the hiring process to warrant opening a full investigation. During the course of our assessment, however, we identified concerns about the IJ and Board Member hiring process, and in this memorandum the OIG makes three

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<sup>1</sup> In September 2018, EOIR re-designated the Board Member position as “Appellate Immigration Judge.” For the purpose of this Management Advisory Memorandum, we use the term Board Member.

recommendations to address these concerns. We believe these changes will clarify existing hiring procedures, improve record keeping, and increase the transparency of the process.

## Relevant Authorities

The Civil Service Reform Act (CSRA) requires federal agencies to employ merit system principles in personnel decisions and prohibits federal agencies from hiring discrimination based on, among other things, political affiliation in career civil service positions. See e.g., 5 U.S.C. §§ 2301(b)(2), 2302(b)(1)(E). The positions of IJ and Board Member are career attorney positions subject to the CSRA.<sup>2</sup> As detailed in our 2008 report that found Department officials politicized the hiring of certain career attorney positions, including IJ positions, the CSRA contains various provisions applicable to the hiring of attorneys in career positions.<sup>3</sup>

The Department's hiring policy also prohibits discrimination based on political affiliation. It states, in part:

All supervisors, managers or employees engaged in the career hiring process will adhere to merit systems principles (see 5 U.S.C. § 2301(b)) throughout the selection process. Furthermore, such hiring officials will refrain from prohibited personnel practices applicable to the hiring of career employees (see 5 U.S.C. 2302(b)). Hiring officials may not discriminate based on color, race, religion, national origin, politics, marital status, disability, age, sex, sexual orientation, status as a parent, or personal favoritism. As a matter of policy, hiring officials should not seek out information that falls within the categories listed above. To the extent that such information is presented in application materials or is readily identifiable, hiring officials must exercise great care not to use such information as selection criteria. In particular, political affiliation may not be used as a criterion in evaluating candidates, and ideological affiliation or other factors cannot be used as proxies to discriminate on the basis of political affiliation. Illegal discrimination on the basis of political affiliation violates the merit-based principles governing federal employment for career employees, and undermines public confidence in the Department's mission.

As noted by the Office of the Inspector General and the Office of Professional Responsibility, membership in organizations that are perceived as liberal or conservative can easily be used as a screening device to discriminate on the basis of political affiliation. See *An Investigation of Allegations of Politicized Hiring in the Department of Justice Honors Program and Summer Law Intern Program*, Special Report by the Office of the Inspector General and Office of Professional Responsibility; page 101, June 24, 2008.

Human Resources Order DOJ 1200.1: Foreword (July 7, 2008) § 4; see also 28 C.F.R. § 42.1(a).

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<sup>2</sup> As noted in footnote 1, in September 2018, EOIR re-designated the Board Member position as "Appellate Immigration Judge." However, the position remains a career attorney position.

<sup>3</sup> U.S. Department of Justice (DOJ) Office of Professional Responsibility (OPR) and Office of the Inspector General (OIG), *An Investigation of Allegations of Politicized Hiring by Monica Goodling and Other Staff in the Office of the Attorney General*, (July 2008), 11-15; 70-71.

Neither the CSRA nor Department policy defines the term “political affiliation.” Basing hiring decisions on an applicant’s membership in or affiliation with a political party is an obvious form of prohibited discrimination.<sup>4</sup>

## Concerns We Identified

As a result of civil litigation over the unsuccessful candidacy of an IJ applicant who alleged discrimination and politicized hiring, in April 2007, Attorney General Alberto Gonzales approved a new process for hiring IJs that removed most of the responsibility for the selection process from the Office of the Attorney General and placed it in EOIR. In April 2017, Attorney General Jeff Sessions approved changes to the hiring process that sought to “generally streamline and shorten” several steps in EOIR’s multi-step process for selecting and appointing IJs.<sup>5</sup> Dana J. Boente, Acting Deputy Attorney General, U.S. Department of Justice, memorandum for the Attorney General, Immigration Judge Hiring Process, April 4, 2017. Thereafter, Sessions twice in March 2018, and subsequently Attorney General William Barr in March 2019, approved additional changes to the IJ hiring process, including in March 2019 addressing both IJs and Board Members in the same memorandum.<sup>6</sup>

In connection with our assessment of the allegations that Trump administration officials favored certain IJ and Board Member applicants in the hiring process for political or ideological reasons, we closely reviewed

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<sup>4</sup> Above we describe some of the authorities applicable to the hiring of IJs and Board Members. For a more comprehensive discussion, see *An Investigation of Allegations of Politicized Hiring*, 11-15; 70-71.

<sup>5</sup> For example, EOIR was given “a new one-month deadline to conduct [first-round] interviews” and it was directed to “run multiple interview panels at the same time” to help meet the target timeframe. The memorandum approved by Sessions also changed the way in which IJ vacancies were advertised. “Rather than requiring a separate announcement for each city in which an IJ position is available (and requiring applicants to submit multiple applications if they are willing to be considered for positions in multiple places), the new process [permitted] EOIR to advertise multiple vacancies at once and [permitted] an applicant to indicate interest in multiple positions” in a single application. The memorandum further provided that, at the step after the Attorney General selects a candidate, the Attorney General was permitted “to give a temporary appointment to an applicant who [had] not yet received a full background check.” That option was previously only available for current federal employees. Below we describe additional changes made to the IJ hiring process that are relevant to the concerns we identified.

<sup>6</sup> On March 5 and March 28, 2018, Sessions approved changes recommended by then-EOIR Director James McHenry and then-Senior Counsel to the Deputy Attorney General David Wetmore, respectively, intended to further expedite the IJ hiring process. For example, Supervisory IJs were given a 3-week deadline to conduct a paper review of applications in the first step of the process, and Supervisory IJs serving on first-round interview panels were given a 1-week deadline after interviews to submit recommendations. The April 2017 memorandum did not contain deadlines for these actions. Another change discontinued the practice of re-interviewing IJ applicants who had interviewed for an IJ position within the preceding 12 months and allowed their prior interviews to be considered for subsequent IJ applications. James R. McHenry III, Director, U.S. Department of Justice, memorandum for the Attorney General, Immigration Judge Hiring Process, February 2, 2018, and David Wetmore, Senior Counsel to the Deputy Attorney General, U.S. Department of Justice, memorandum for the Attorney General, Recommend [sic] Immigration Judge Hiring Process, March 15, 2018.

On March 8, 2019, Barr approved changes recommended by McHenry that further revised the IJ hiring process. For example, the 1-month deadline for Supervisory IJs to conduct first-round interviews was reduced to 3 weeks and the 1-week deadline for Supervisory IJs to submit recommendations after interviews was reduced to 3 days. The March 2019 hiring memorandum was the first to address both IJs and Board Members in the same memorandum, and it harmonized the separate hiring processes for these two positions into one general process. Prior to this time, the hiring process for Board Members was memorialized in a memorandum that had been approved by Gonzalez in September 2007. James R. McHenry III, Director, U.S. Department of Justice, memorandum for the Attorney General, Immigration Judge and Appellate Immigration Judge Hiring Process, February 19, 2019. Below we describe additional changes the March 2018 and March 2019 memoranda made to the IJ hiring process relevant to the concerns we identified.

the changes made to the hiring process, beginning with the April 2017 Sessions memorandum and continuing through the March 2019 Barr memorandum, as well as numerous applicant files and records. While we did not uncover sufficient evidence that political affiliation was a factor in the hiring process to warrant opening an investigation, we observed that an April 2017 change to the hiring process, which remained through subsequent changes to the process, decreased transparency in how EOIR selected applicants for a first-round interview. We address that concern in paragraph 1 below and in our first recommendation. In addition, we observed a lack of transparency in the process concerning the applicants whom the EOIR Director (Director) recommends for a second-round interview—referred to as the “Deputy Attorney General (DAG)-panel interview”—and whom the Director recommends to the Attorney General for appointment after the DAG-panel interview.<sup>7</sup> We address those concerns in paragraphs 2 and 3, respectively, below and in our second and third recommendations.

1. *“First tier” is no longer defined.* Since April 2007, the IJ hiring process, put in place by Attorney General Gonzales, has begun with Supervisory IJs conducting a paper review of the candidates’ application packages, and beginning in March 2019 the IJ hiring process specified that a paper review would be conducted by current Board Members for Board Member applicants.<sup>8</sup> The April 2007 hiring process memorandum required the Supervisory IJs to categorize the applications as Highly Recommend, Recommend, or Do Not Recommend for a first-round interview. The April 2007 memorandum also specified that the Office of the Chief Immigration Judge would separate the applications into three preliminary “tiers” with the “first tier” initially consisting of applicants whom at least half the Supervisory IJs categorized as Highly Recommend. The second tier consisted of applicants whom at least one Supervisory IJ categorized as Highly Recommend, and the third tier were applicants who received only Recommend or Do Not Recommend ratings. Thereafter, under the process established in the April 2007 memorandum, the Director (or his designee) and the Chief IJ would review the second- and third-tier candidates’ applications to determine whether any should also be added to the first tier. All first-tier candidates would then be offered first-round interviews, conducted by Supervisory IJs. The April 2017, March 2018, and March 2019 hiring process memoranda maintained the requirement that all “first-tier” candidates be offered a first-round interview. However, these later memoranda do not contain the definitions of the tiers set forth in the April 2007 memorandum, do not incorporate the definitions from the April 2007 memorandum by reference, and do not specify new definitions of the applicant tiers.<sup>9</sup> Based upon the information we obtained, we were unable to determine what criteria EOIR used after April 2017 to determine who was considered to be a “first-tier” candidate, i.e., those applicants assured of receiving a first-round interview. In addition, contrary to the process described in the April 2007 memorandum, we were told that EOIR followed a long-standing practice, since approximately April 2007 and continuing to the present, of not granting first-round interviews to anyone who received even one Do Not Recommend evaluation. Yet, we reviewed some applicant files in which candidates received a first-round interview despite having received at least one Do Not Recommend evaluation.
2. *Policy unclear regarding what qualifies a candidate for a DAG-panel interview and does not require maintaining records that support the selection of a candidate for a DAG-panel interview.* The IJ hiring

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<sup>7</sup> Since April 2017 and continuing through the period we reviewed, DAG-panel interviewers have generally included an employee designated by the Deputy Attorney General, the Assistant Attorney General for Administration (AAG/A) or a career-SES employee designated by the AAG/A, and since March 2018 the EOIR Director or another senior EOIR official designated by the Director. A DAG-panel interview is the final interview before the appointment.

<sup>8</sup> We use the term “Supervisory IJ” to encompass Assistant Chief Immigration Judges, Deputy Chief Immigration Judges, the Principal Deputy Chief Immigration Judge, and the Chief Immigration Judge.

<sup>9</sup> The April 2017 memorandum kept the categories of Highly Recommend, Recommend, and Do Not Recommend. The March 2019 memorandum changed the categories to Recommend and Do Not Recommend.

memoranda, from the April 2007 hiring process memorandum through the March 2019 memorandum, specify that Supervisory IJs who conduct first-round interviews must provide written interview summaries concerning each candidate, and the March 2019 memorandum specifies that current Board Members must provide written interview summaries concerning Board Member candidates. The hiring process memoranda do not, however, specify how the first-round interview evaluations from the Supervisory IJs or current Board Members are to be weighted by the Director in determining whether a candidate is selected for a DAG-panel interview. Since the April 2017 hiring process memorandum, the EOIR Director (or his designee) has been afforded broad discretion in selecting the candidates for a DAG-panel interview. Moreover, the March 2019 hiring process memorandum states that the EOIR Director (or his designee) will select “a sufficient and appropriate number” of candidates for a DAG-panel interview. In addition, none of the hiring memoranda we reviewed require EOIR to maintain any records concerning the basis for the Director’s selection of candidates for DAG-panel interviews, such as written justifications in cases where the Director recommends a candidate for a DAG-panel interview despite predominately negative Supervisory IJ or current Board Member evaluations.<sup>10</sup> In our review of applicant files, we saw candidates who were given very poor evaluations by the Supervisory IJs who conducted the first-round interviews, including where the Supervisory IJs believed the candidates would not be capable of neutral decision making, yet were recommended for and received DAG-panel interviews and were ultimately appointed as IJs. EOIR officials involved in the IJ hiring process whom we interviewed also expressed concerns about certain candidates who were recommended for and received DAG-panel interviews despite having predominately negative Supervisory IJ interview evaluations.

3. *Notes and records supporting DAG-panel recommendations are lacking, and policy does not specify how the DAG-panel recommendation is determined.* Since April 2007, the hiring process has included a second-round interview with a panel of high-level officials, the “DAG-panel interview.”<sup>11</sup> None of the hiring memoranda have specified how the recommendation of the DAG-panel (or its individual members) is to be determined, i.e., by vote or other method, or how that determination is to be communicated to the Director, nor have any of the hiring memoranda required the participants on the DAG-panel to prepare written summaries about the candidate interviews, as is required for the Supervisory IJs and current Board Members in the first-round interviews, or to take and maintain notes from the interviews. As a result, we found that EOIR and the Department lacked records that would enable an assessment of how

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<sup>10</sup> According to the Office of Personnel Management, agencies should develop and maintain records to support their selection processes.

<sup>11</sup> Under the April 2007 hiring process memorandum, the panel consisted of three members: the EOIR Director (or his designee) and two other members (a career and a non-career SES employee) designated by the Deputy Attorney General. Under the April 2017 hiring process memorandum, the panel consisted of two members—the Assistant Attorney General for Administration or a career-SES employee designated by him and a non-career SES employee designated by the Deputy Attorney General—who recommend to the Deputy Attorney General the candidates they believe the Deputy Attorney General should recommend for appointment by the Attorney General. The first March 2018 hiring process memorandum specified that the DAG-panel would consist of three members, the same two members referenced in the April 2017 hiring process memorandum and the EOIR Director or another senior EOIR official designated by the Director. The second March 2018 hiring process memorandum made one change to the composition of the DAG-panel, granting the Deputy Attorney General greater flexibility to designate any employee to be a member of the panel. This remains the current composition of the DAG-panel. The process was amended in the March 2019 hiring process memorandum, such that the DAG-panel makes its recommendations to the Director, who then consults with Office of the Deputy Attorney General and the Office of the Attorney General about whom to recommend to the Attorney General for appointment.

candidates were recommended for appointment following their DAG-panel interviews.<sup>12</sup> A DAG-panel member who served in that role for several months in 2018 told us that he was not aware of any formal process for the DAG-panel members to communicate their evaluations of candidates to the Director. The DAG-panel member indicated that he did not consistently report back to the Director his assessment of the candidates or the consensus of the DAG-panel, and he did not know how candidates were selected following the DAG-panels on which he served. According to former Director McHenry, with respect to the process implemented after March 2018, the DAG-panelists had informal discussions about the candidate's interview performance and overall candidacy and the EOIR official who participated in the DAG-panel interviews, after consulting with the other panelists, would orally brief the consensus of the DAG-panel to McHenry. McHenry said that in instances in which there appeared to be a question as to whether there was a consensus, he would consult further with the other panelists.<sup>13</sup>

## Conclusions

After conducting an assessment that comprehensively examined allegations of politicized hiring, we did not find sufficient evidence to establish that the Department or EOIR engaged in systemic discrimination sufficient to warrant opening an investigation. However, during our assessment we identified concerns in three general areas, which if addressed may assist in further clarifying the IJ and Board Member hiring procedures, improve record keeping, and increase the transparency of the selection process for these important career attorney positions. Given past findings of politicized hiring at EOIR, numerous recent allegations of politicized hiring of both IJs and Board Members, and the quasi-judicial role that IJs and Board Members serve, we believe that attention to these concerns about EOIR's hiring process is critical to improve the public's and EOIR litigants' confidence in the integrity and neutrality of EOIR IJs and Board Members, and therefore, EOIR proceedings.<sup>14</sup> To that end, we make three recommendations described below.

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<sup>12</sup> In response to a request for records regarding the DAG-panel interviews, EOIR provided us with handwritten notes that some panelists took. Of the candidates for whom notes existed, we were unable to identify the author of many of them because the DAG-panel member's name was not listed. Besides the limited notes, some, but not all, of the DAG-panel recommendations were informally memorialized in email conversations, but there was no other documentation or evidence of votes, discussions, or anything else from the DAG-panels themselves to support their recommendations.

<sup>13</sup> After reviewing a draft of this memorandum, EOIR officials told us that the DAG-panel process described by McHenry was consistent with the experiences of other EOIR officials who participated in DAG-panels.

<sup>14</sup> As referenced above, the allegations of politicized hiring that led to this memorandum were not the first allegations of politicized hiring at EOIR. Civil litigation over the unsuccessful candidacy of an IJ applicant who alleged discrimination and politicized hiring led to changes in the IJ hiring process in 2007. In addition, the OIG and OPR made findings of politicized hiring of IJs in a July 2008 report. See OPR and OIG, *An Investigation of Allegations of Politicized Hiring*. There also has been significant media reporting in recent years regarding both concerns about possible politicized hiring at EOIR and allegations of misconduct against IJs. On February 13, 2020, several Senators sent a letter to Attorney General Barr regarding "[r]ecent reports detail[ing] how the Trump administration circumvented regular hiring procedures to appoint a cadre of partisan judges to the Board of Immigration Appeals (BIA)." U.S. Senator Sheldon Whitehouse, et al., letter to Attorney General William Barr, February 13, 2020, [https://www.whitehouse.senate.gov/imo/media/doc/2020-02-13%20Ltr%20to%20AJ%20Barr%20re%20independence%20of%20immigration%20courts%20\(004\).pdf](https://www.whitehouse.senate.gov/imo/media/doc/2020-02-13%20Ltr%20to%20AJ%20Barr%20re%20independence%20of%20immigration%20courts%20(004).pdf) (accessed August 25, 2021). According to the letter, multiple new Board Member hires had been the subject of complaints from litigants when the new Board Member hires were IJs. In addition, in 2019 the OIG issued an investigative summary finding misconduct by a senior official at EOIR for improperly providing an IJ candidate with interview questions before the candidate's interview. DOJ OIG, *Investigative Summary: Finding of Misconduct by a Senior Official in the Executive Office for Immigration Review for Engaging in a Prohibited Personnel Practice* (December 2019).

## Recommendations

The OIG recommends that the Department and EOIR take the following actions to address the concerns identified in this memorandum.

1. The Department, consulting with EOIR as appropriate, should revise the IJ and Board Member hiring policy to clarify the meaning and use of the term “first-tier” candidate in the hiring process, the criteria for determining who is a “first-tier” candidate, and the criteria for determining which candidates qualify for a first-round interview.<sup>15</sup>
2. The Department, consulting with EOIR as appropriate, should revise the IJ and Board Member hiring policy to clarify how Supervisory IJ evaluations for IJ candidates and current Board Member evaluations for Board Member candidates are weighted in determining whether a candidate is selected for a DAG-panel interview. The IJ and Board Member hiring policy should specify the positive and negative factors that will be considered in addition to the Supervisory IJ or current Board Member evaluations in determining whether a candidate is selected for a DAG-panel interview. In addition, the Department, consulting with EOIR as appropriate, should revise the IJ and Board Member hiring policy to require the Director or designee to memorialize in writing the justification to support a candidate who received two or more negative Supervisory IJ or current Board Member evaluations, or other predominantly negative factors specified under the IJ and Board Member hiring policy, but was still given a DAG-panel interview.
3. The Department, consulting with EOIR as appropriate, should revise the IJ and Board Member hiring policy to provide guidelines on how the recommendation of the DAG-panel is determined (i.e., by vote or other method) and ensure that EOIR maintains records that memorialize the DAG-panel recommendation.

Thank you for the March 8, 2022 letter responding to the final draft Management Advisory Memorandum, which is attached as Appendix A. We will respond to the letter by separate cover. If you have any questions or would like to discuss the information in this memorandum, please contact me at (202) 514-3435 or M. Sean O’Neill, Assistant Inspector General for Oversight and Review at (202) 616-0645.

cc: Bradley Weinsheimer  
Associate Deputy Attorney General

Charles K. Adkins-Blanch  
Acting Deputy Director  
Executive Office for Immigration Review

Jill Anderson  
General Counsel  
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<sup>15</sup> The term “Board Member” in these recommendations encompasses both Board Member and Appellate Immigration Judge.

Louise Duhamel  
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# Appendix 1: EOIR's Response



**U.S. Department of Justice**

Executive Office for Immigration Review

*Office of the Director*

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*Director*

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March 8, 2022

Michael E. Horowitz  
Inspector General  
U.S. Department of Justice  
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950 Pennsylvania Avenue, NW  
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Dear Mr. Horowitz:

This is in response to the email our office received on February 16, 2022, providing a copy for review and comment of the final draft Management Advisory Memorandum (MAM) of “Recommendations Regarding the Immigration Judge and Board of Immigration Appeals Member Hiring Process.” Thank you for the opportunity to review the final draft of the MAM and provide our agency views prior to its issuance.

The Executive Office for Immigration Review (EOIR) appreciates the Office of the Inspector General’s (OIG) efforts throughout its assessment of the Immigration Judge and Board Member<sup>1</sup> hiring process and its offer of recommendations for improvements. EOIR agrees with each of the OIG’s recommendations in the draft MAM and provides the following responses specific to each recommendation:

***Recommendation 1*** — Revise the Immigration Judge and Board Member Hiring policy to clarify the meaning of the use of the term “first-tier” in the hiring process, the criteria for determining who is a “first-tier” candidate, and the criteria for determining which candidates qualify for a first-round interview.

***Response:*** EOIR in conjunction with the Office of the Deputy Attorney General (ODAG) is currently redesigning the process for hiring Immigration Judges and Board Members. Though it has not been finalized, EOIR believes that the new process will directly address the concerns raised in Recommendation 1. EOIR looks forward to sharing the details of the new process soon.

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<sup>1</sup> EOIR has changed the title of the Board Member position to “Appellate Immigration Judge.” However, for the sake of continuity, we will continue to use the term “Board Member” in our correspondence.

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**Recommendation 2** — Revise the Immigration Judge and Board Member Hiring policy to clarify how Supervisory Immigration Judge evaluations for Immigration Judge candidates and current Board Member evaluations for Board Member candidates are weighted in determining whether a candidate is selected for a Deputy Attorney General-panel interview. In addition, EOIR should revise the hiring process to require the Director or designee to memorialize in writing the justification to support a candidate who received two or more negative evaluations, or other predominantly negative factors specified under the hiring policy, but was still advanced to a Deputy Attorney General-panel interview.

Response: EOIR in conjunction with ODAG is currently redesigning the process for hiring Immigration Judges and Board Members. Though it has not been finalized, EOIR believes that the new process will also directly address the concerns raised in Recommendation 2. EOIR looks forward to sharing the details of the new process soon.

**Recommendation 3** — Revise the Immigration Judge and Board Member hiring policy to provide guidelines on how the recommendation of the Deputy Attorney General-panel is determined and ensure that EOIR maintains records that memorialize the panel's recommendation.

Response: EOIR in conjunction with ODAG is currently redesigning the process for hiring Immigration Judges and Board Members. Though it has not been finalized, EOIR believes that the new process will also directly address the concerns raised in Recommendation 3. EOIR looks forward to sharing the details of the new process soon.

Sincerely yours,



David L. Neal  
Director