


**SENSITIVE - NOT TO BE SHARED WITH PUBLIC** Outline

Actions ▾

**Effective Dates:** 06/17/2024 - Present ([View History](#))

## **RM 10211.211 Evidence of Asylee Status When an Order of the Immigration Judge is Submitted**

### **A. Policy on the Order of the Immigration Judge**

When the asylee does not submit documentation issued by the Department of Homeland Security (DHS), they must submit documentation issued by the Department of Justice, Executive Office for Immigration Review (EOIR). EOIR issues an Order of the Immigration Judge to applicants reflecting the decision as to whether the judge granted asylum. An Order itself is not necessarily evidence of asylee status. You must review the Order to ensure it reflects a grant of asylum and not a denial and meets the appeal criteria in [RM 10211.211C](#)  (in this section).

**NOTE:** An asylee **always** receives an uncertified copy of the Order instead of the original. Accept the copy and do not request an original or certified copy.

### **B. Description of the Order of the Immigration Judge**



Orders issued to an alien granted asylum vary by court but generally include the following:

- the heading "Immigration Court" and the location (city, State, Zip code) of the court;
- the applicant's name listed as the "Respondent";
- the applicant's alien registration number (A#) listed as the "Case No";
- a title of "Order of the Immigration Judge";

- a handwritten or typed date the decision was entered;
- **a statement that asylum was granted** ; and
- signature of the Immigration Judge.

**CAUTION:** Do not accept a letter from a DHS Asylum Office recommending asylum approval or granting asylum. In these cases, the alien must submit either the I-94 with the asylum granted stamp or an I-766 with Category "A5".

**See Also:**

- EOIR Immigration Courts by State - <http://www.justice.gov/eoir/sibpages/ICadr.htm>
- [RM 10211.207](#)  , I-94 with asylum granted stamp
- [RM 10211.209](#)  , I-766 with Category "A5"

### C. Reviewing appeal information shown on the Order

Review appeal information shown at the bottom of the Order to determine if the Immigration Judge granted asylum and whether DHS appealed the decision. The actual language may vary among immigration courts, but the Order will generally show:




- appeal rights were waived, or
- appeal rights were reserved with a handwritten or typed "Appeal Due By" date.

**NOTE:** In rare instances, the Order may show appeal rights were both waived and reserved, or the Order may be unclear.

#### 1. Determining if the Order is acceptable evidence of asylee status



Follow the chart below to determine whether the Order is acceptable evidence that the Immigration Judge granted asylum.

If the Order indicates the Immigration Judge:	Then:
waived appeal rights,	accept as evidence that the Immigration Judge granted asylum


If the Order indicates the Immigration Judge:	Then:
	status.
reserved appeal rights <b>and</b> reflects an <b>expired</b> "Appeal Due By" date,	accept as evidence that the Immigration Judge granted asylum status.
reserved appeal rights <b>and</b> reflects a <b>future</b> "Appeal Due By" date,	do <b>not</b> accept as evidence of a final grant of asylum. See <a href="#">RM 10211.211C.2</a>  (in this section).
reserved appeal rights but reflects no "Appeal Due By" date,	accept as evidence of a final grant of asylum <b>only</b> if more than 30 days have passed since EOIR issued the Order. If less than 30 days have passed, do <b>not</b> accept. See <a href="#">RM 10211.211C.2</a>  (in this section).
both waived and reserved appeal rights or if the Order is unclear,	accept as evidence of a final grant of asylum <b>only</b> if more than 30 days have passed since EOIR issued the Order. If less than 30 days have passed, do <b>not</b> accept. See <a href="#">RM 10211.211C.2</a>  (in this section).

## 2. Procedure when the Order is not acceptable evidence of asylee status

When the Order is not acceptable evidence as outlined above, the applicant may:

- submit other evidence of asylee status described in [RM 10211.205B](#)  ; or
- wait until the "Appeal Due By" date has expired or 30 days have elapsed since the Order was issued to re-apply; or
- submit other evidence of current lawful work authorization per [RM 10211.420](#)  .

## D. Verifying asylee status through the Systematic Alien Verification for Entitlements (SAVE) when an Order is submitted

When taking an SSN application, always verify asylee status by first requesting the SAVE Initial Verification (SAVE IV) through the Enumeration System per [RM 10214.110](#) .


### 1. SAVE IV response verifies asylee status

The SAVE IV response verifies asylee status (i.e., asylum granted) when the response is:

- "Asylee - Employment Authorized", and
- the class of admission (COA) field shows one of the following codes: AS1, AS2, AS3, AS6, AS7, AS8, ASP, or AY.

### 2. SAVE IV response does not verify asylee status

Normal SAVE procedures apply except when the SAVE IV response does not verify asylee status.

If the SAVE IV response does not verify asylee status or the system response field shows "Institute Additional Verification" or "Incomplete", **immediately** verify asylee status via the Department of Justice, Executive Office for Immigration Review (EOIR) case status line per [RM 10211.213](#) . **Do not** wait 10 days after the asylee's arrival to the U.S. before requesting verification through EOIR.

## Section History

▼ [Prior Versions of Section](#)



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