



OOD  
PM 21-02

Effective: November 6, 2020

To: All of EOIR  
From: James R. McHenry III, Director  
Date: November 6, 2020

**CANCELLATION OF CERTAIN  
OPERATING POLICIES AND PROCEDURES MEMORANDA**

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PURPOSE:	Rescinds and cancels outdated Operating Policies and Procedures Memoranda
OWNER:	Office of the Director
AUTHORITY:	8 C.F.R. § 1003.0(b)
CANCELLATION:	Operating Policies and Procedures Memoranda 13-03 and 16-01.

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As part of EOIR’s ongoing efforts to improve operations and review existing policy memoranda, the following Operating Policies and Procedures Memoranda (OPPM) issued by the Office of the Chief Immigration Judge are rescinded:

1. OPPM 13-03, *Guidelines for Implementation of the ABT Settlement Agreement*
2. OPPM 16-01, *Filing Applications for Asylum*

The settlement agreement in *B.H., et al. v. U.S. Citizenship and Immigration Services, et al.*, No. CV11-2108-RAJ (W.D. Wash.) (ABT Settlement Agreement) expired in 2019. Accordingly, the guidance in OPPM 13-03 is no longer necessary. Moreover, since 2016, EOIR has allowed the filing of asylum applications by mail or at the window, rather than at a master calendar hearing, obviating the need for the application “lodging” process required by the ABT Settlement Agreement and outlined in OPPM 13-03. Any references to the ABT Settlement Agreement or OPPM 13-03 in other OPPM or Policy Memoranda are also superseded.

Relatedly, EOIR now allows the filing of an asylum application by mail, at the window, in court, or, where available, electronically, through either the EOIR Courts & Appeals System (ECAS) or email, and it will continue to accept the filing of an asylum application through those methods until further notice. Consequently, the guidance in OPPM 16-01 is also no longer necessary.

All rescissions are effective as of the date of this memorandum. Please contact your supervisor if you have any questions.