



OOD
PM 25-03
Effective: January 27, 2025

To: All of EOIR
From: Sirce Owen, Acting Director
Date: January 27, 2025

CANCELLATION OF DIRECTOR'S MEMORANDUM 22-02

PURPOSE:	Rescind and cancel Director's Memorandum 22-02
OWNER:	Office of the Director
AUTHORITY:	8 C.F.R. § 1003.0(b)
CANCELLATION:	Director's Memorandum 22-02

This Policy Memorandum (PM) rescinds and cancels Director's Memorandum (DM) 22-02, *Updated Guidance on EOIR's Response to the COVID-19 Outbreak*, issued November 8, 2021. The national public health emergency related to COVID-19 was terminated on April 10, 2023. *See* National Emergencies Act, Pub. L. 118-3 (2023). Accordingly, there is no longer a need for any particular EOIR COVID-19-related guidance at this time, including on its website.¹

The rescission of DM 22-02 does not reinstate PM 20-13. Operational status information about EOIR's adjudicatory components, including the immigration courts, will continue to be available on EOIR's website and distributed through social media.

This PM is not intended to, does not, and may not be relied upon to create, any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person. Nothing herein should be construed as mandating a particular outcome in any specific case. Nothing in this PM limits an adjudicator's independent judgment and discretion in adjudicating cases or an adjudicator's authority under applicable law.

Please contact your supervisor if you have any questions.

¹ Moreover, much of the guidance EOIR previously disseminated—*e.g.* the six-foot social distancing rule—turned out to be of questionable value or lacked a scientific basis. *See, e.g., Interview of Anthony S. Fauci (Day 2): Hearings Before the Select Subcomm. on the Coronavirus Pandemic of the House Comm. on Oversight and Accountability, 118th Cong. 184 (2024)* (noting that the six-foot social distancing measure “sort of just appeared” without any studies supporting it and describing it as “[j]ust an empiric decision that wasn’t based on data or even data that could be accomplished”).