

.10 Indefinite Detainee

Indefinite Detention status pertains to noncitizens who have served their time for a criminal conviction and have been given formal orders to leave the U.S. Subsequently, Indefinite Detainee status is met when the noncitizen is allowed to indefinitely remain in the U.S. because neither their home country nor any other country will accept them.

An Indefinite Detainee applicant can be identified by an Order of Supervision (I-220B) USCIS form that should include the applicant's alien registration number and a notation regarding U.S. exclusion, deportation, or removal. Indefinite Detainee applicants may also have an Employment Authorization Document ([I-688B](#)) USCIS form showing 274a.12(c)18.

Some Indefinite Detainees may be eligible for benefits, but due to their previous detention status, the [VIS process](#) no longer includes documentation of their original noncitizen status. The following process has been established to replace the VIS query for Indefinite Detainees:

- Obtain as much of the following information as possible from the applicant:
 - Name and Date of birth
 - [Alien registration number](#)
 - Social Security number
 - Home country
 - I-94 card number
 - Parent's names
 - Driver's license number
 - Copies of ANY immigration documents (I-220B, I-688B, etc.)
- Call the [Office of Refugee Resettlement](#) (ORR) to request an Indefinite Detainee eligibility determination and inform ORR that the collected information will be FAXed.
- FAX the information collected from the applicant to ORR. The FAX must include the name, telephone number, and FAX number of the EI requesting the information.
- Document all actions taken and the dates made.

- Do not approve or disqualify the noncitizen during this period. Hold the application pending detainee status confirmation from ORR.
- ORR submits the FAXed information to USCIS and notifies the EI of the applicant's status and eligibility by FAX.