



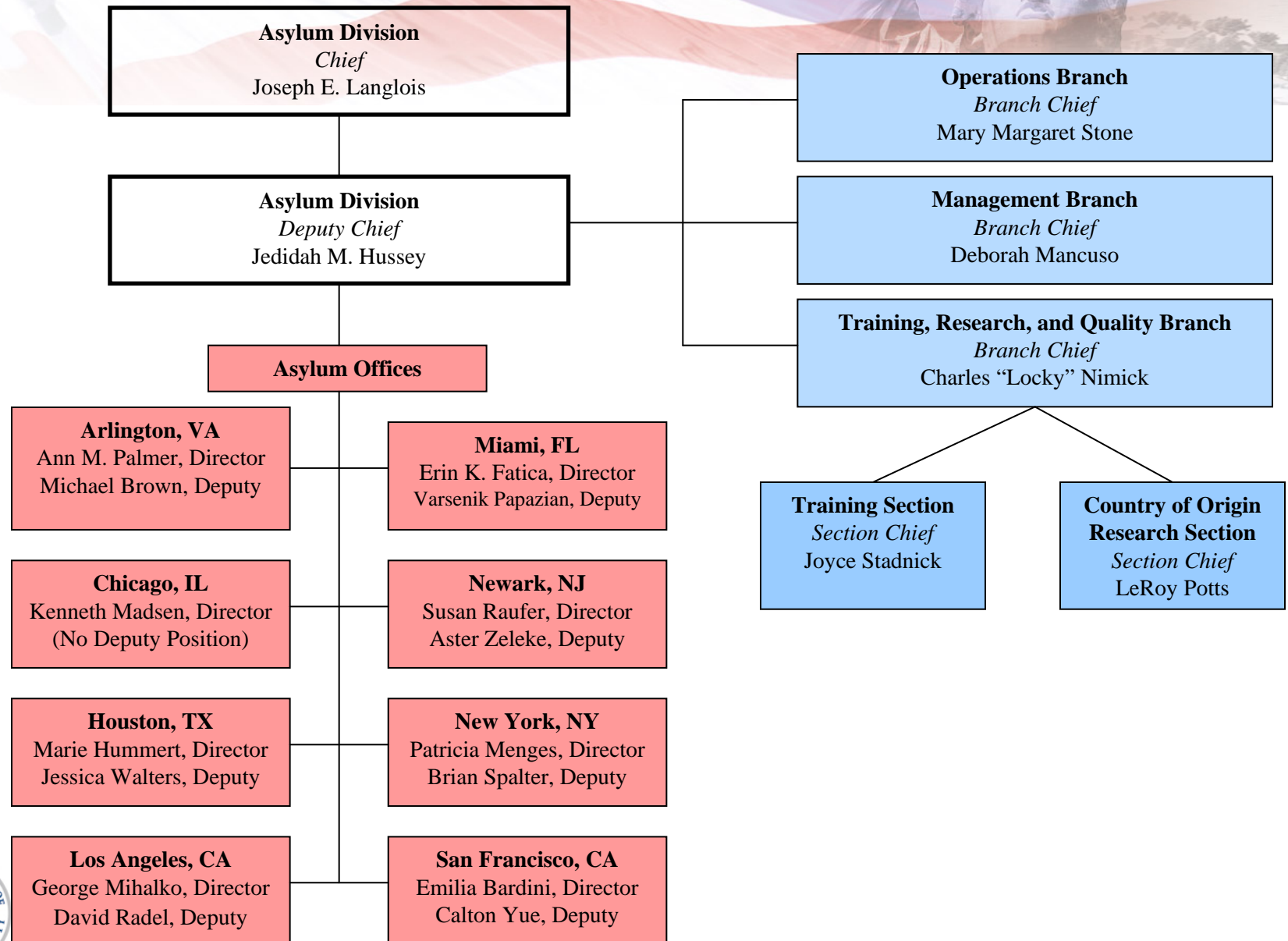
U.S. Citizenship and Immigration Services



ASYLUM DIVISION

May 19, 2010

USCIS Asylum Division



KEY FUNCTIONS

ASYLUM

The mission of the Asylum Program encompasses the management of four main programs:

- Affirmative asylum applications
- Suspension of deportation or cancellation of removal under the Nicaraguan Adjustment and Central American Relief Act (NACARA 203)
- Credible fear screenings for individuals in expedited removal
- Reasonable fear screenings for certain individuals subject to administrative removal (e.g., aggravated felons and reinstatements.)

Asylum Officers also travel overseas to interview and process refugee applications.



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ASYLUM OFFICES

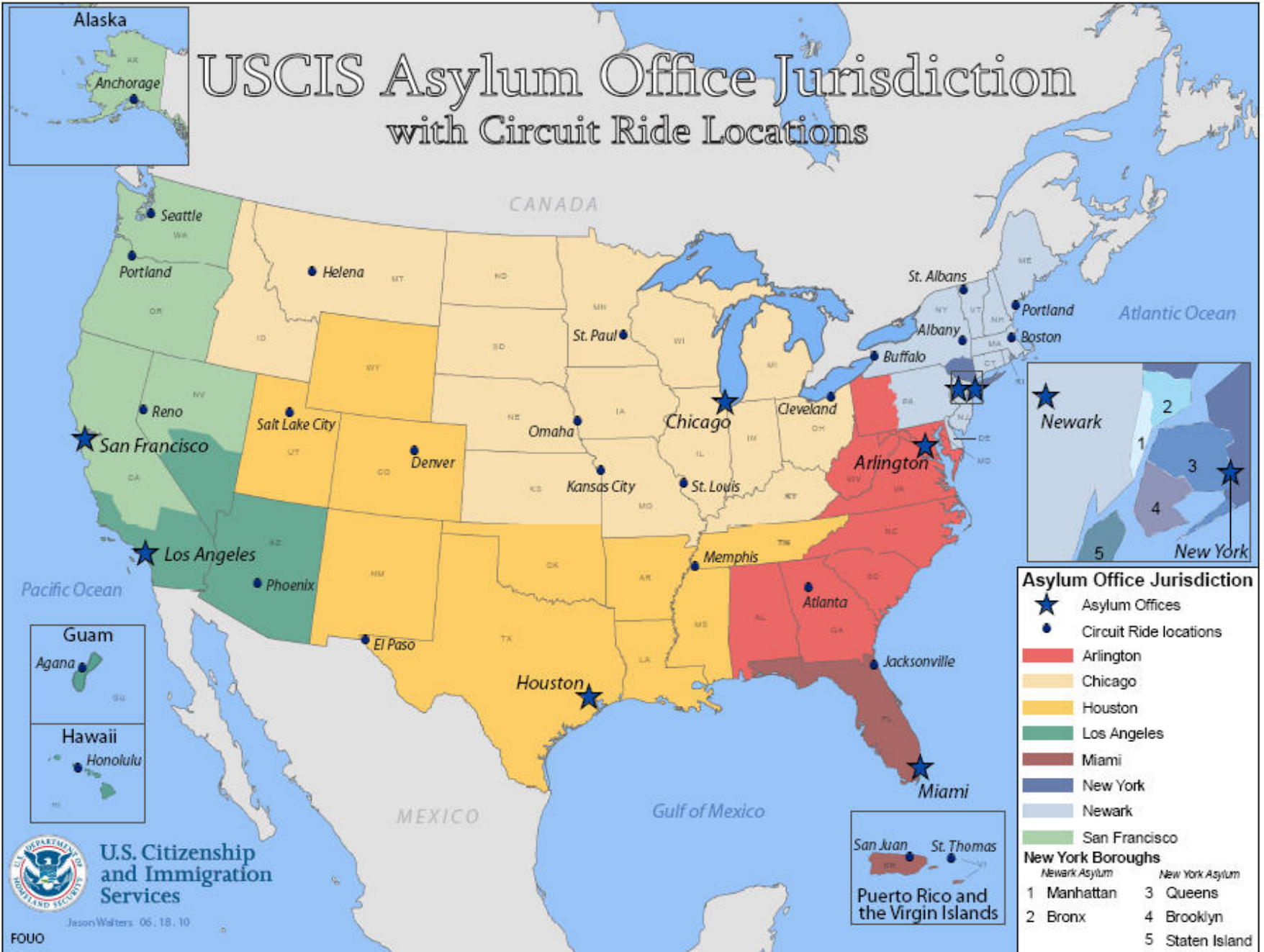
Asylum has eight Field Offices located at the following locations (corresponding circuit ride locations are listed in parentheses):

- Arlington, VA (Atlanta, GA)
- Chicago, IL (Cleveland, OH; Helena, MT; Kansas City, MO; Omaha, NE; St. Paul, MN; St. Louis, MO)
- Houston, TX (Denver, CO; El Paso, TX; Memphis, TN; Salt Lake City, UT;
- Los Angeles (Anaheim), CA (Agana, GU; Honolulu, HI; Phoenix, AZ)
- Miami, FL (Jacksonville, FL; San Juan, PR; St. Thomas, VI)
- Newark, NJ (Boston, MA; Buffalo, NY; Portland, ME; St. Albans, VT)
- New York City (Rosedale), NY
- San Francisco, CA (Portland; OR; Reno; NV; Seattle, WA)



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USCIS Asylum Office Jurisdiction with Circuit Ride Locations



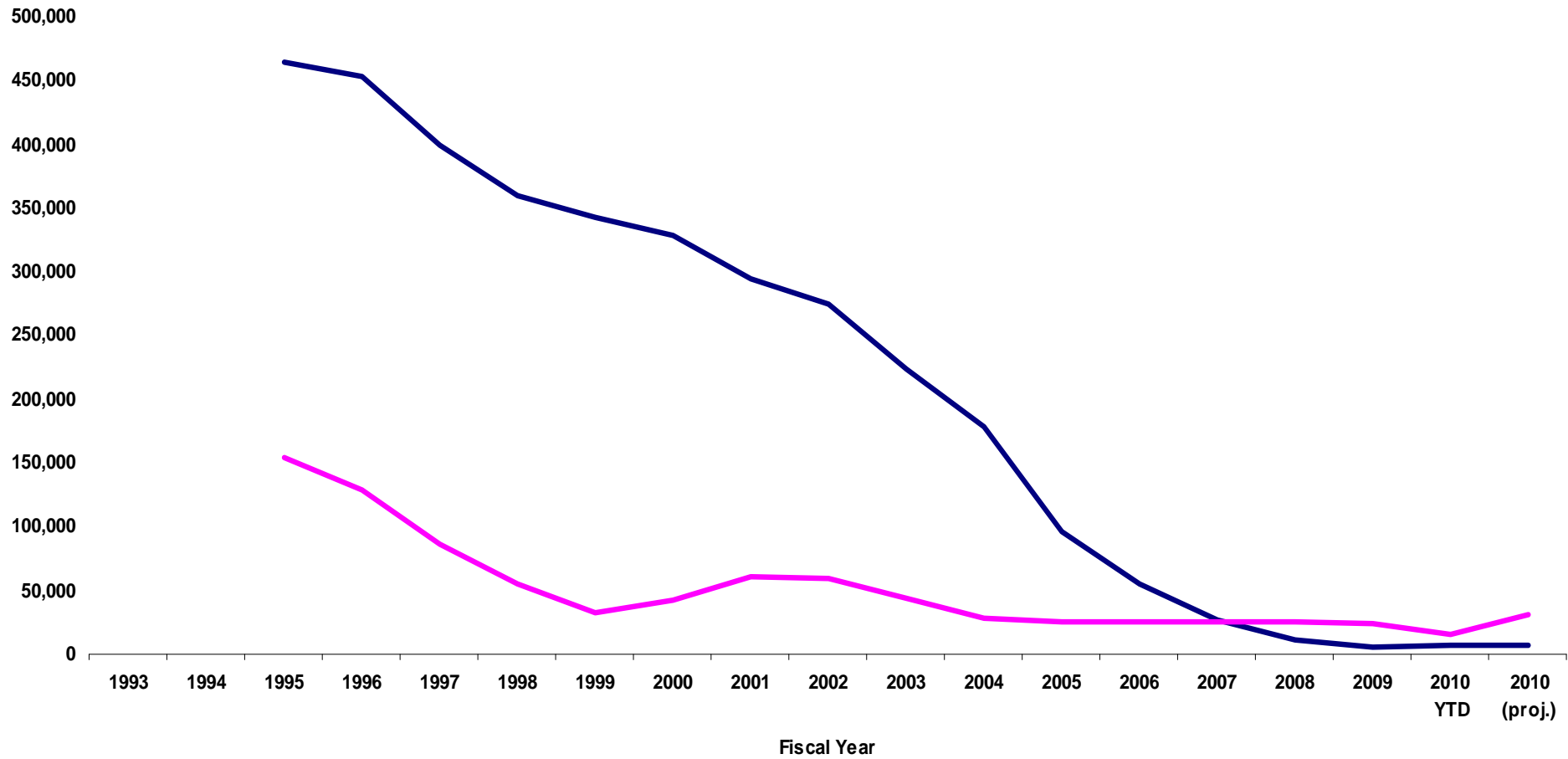
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Jason Walters: 06.18.10

FOUO



Historical Receipts of New Asylum Filings and Pending Asylum Workload - All Offices

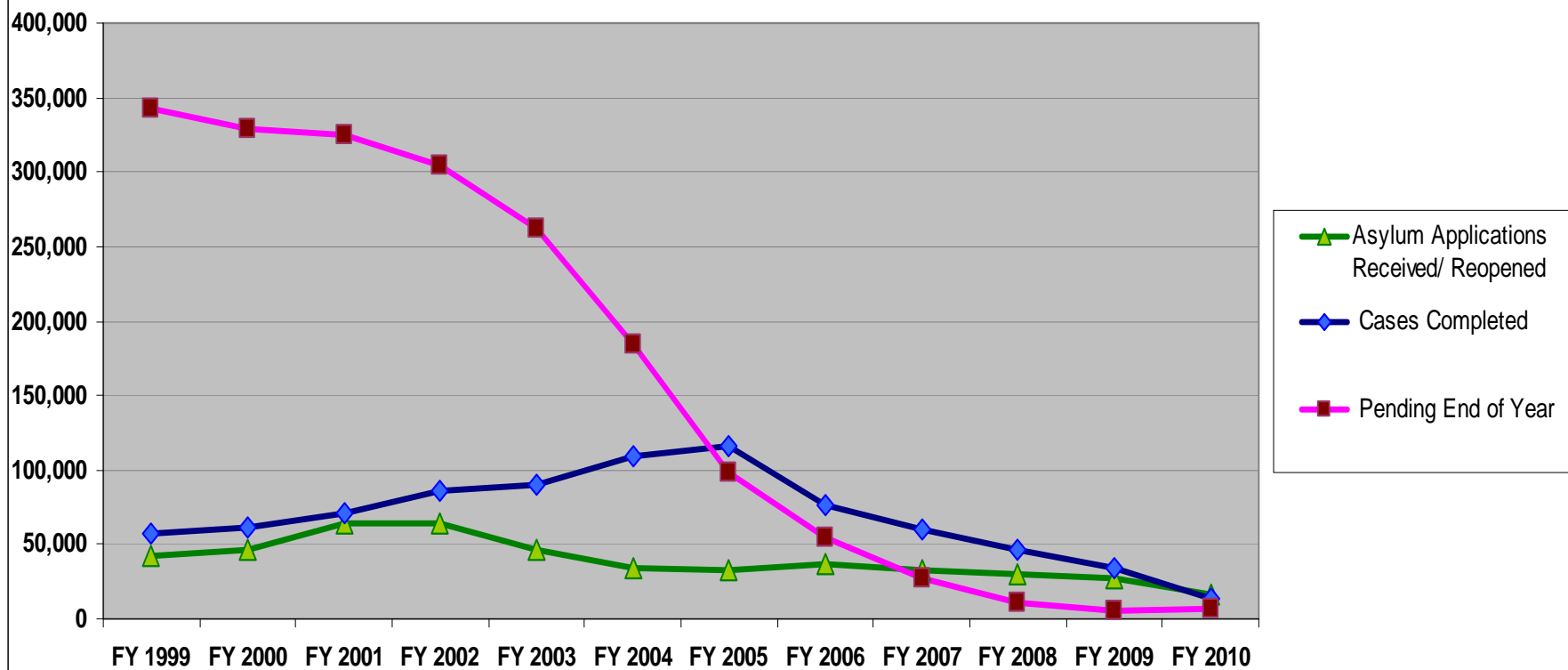


— Pending — New Receipts



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Asylum Operations FY1999 - FY2010



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TWO PATHS TO ASYLUM

DEFENSIVE

IJ with EOIR/ DOJ

- Applicant is in removal proceedings via
 - affirmative asylum process,
 - credible fear process, or
 - DHS enforcement action
- Proceedings are adversarial
- Interpreter provided

AFFIRMATIVE

Asylum Officer with USCIS

- Applicant is not in removal proceedings
- Non-adversarial interview
- No interpreter provided
- Telephonic interpreter monitor is provided



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THE AFFIRMATIVE PROCESS

- Mails application to USCIS Service Center.
- Notice to go to ASC for biometric collection – 14-day window.
- Notice to appear for interview – generally w/in 43 days of filing, unless at circuit ride location.
- Dependents included in the application must appear for the interview.
- Applicant may bring attorney or accredited representative.
- Applicant must bring qualified interpreter if not fluent in English. Interpretation will be monitored.
- Interview is “non-adversarial” – Asylum Officer has affirmative duty to elicit all relevant facts.



DECISION

- Most applicants required to return to Asylum Office 2-weeks after interview to pick-up decision in person.
- Types of Decisions:
 - Asylum granted
 - Notice of Intent to Deny with opportunity to rebut, if in valid status. If rebuttal fails to overcome reasons for denial, application denied; No appeal
 - Referral to Immigration Judge for *de novo* determination



BENEFITS OF ASYLUM

- Can't be removed unless asylum status terminated
- Authorized to work incident to status
- Can request derivative asylum status for spouse and child
- May apply for unrestricted social security card
- Assistance Services through HHS, Office of Refugee Resettlement
- Employment Assistance
- Can apply for adjustment of status after 1-year



EXPEDITED REMOVAL

- In general, applies to those who:
 - Attempt entry at port of entry by fraud or misrepresentation or without proper documents.
 - Apprehended within 100 air miles of the border and within 14 days following an illegal entry.
 - Arrive by sea without proper documents.
- Expedited removal: May be ordered removed without seeing an immigration judge, unless asks for asylum or expresses a fear.



CREDIBLE FEAR SCREENING

- If asylum seeker subject to expedited removal asks for asylum or expresses fear of return, referred to USCIS asylum officer for credible fear screening.
- Asylum Officer will interview asylum seeker in detention center.
- Those who establish a significant possibility of being found eligible for asylum, withholding of removal, or protection under the Convention Against Torture (“credible fear”) are placed in removal proceedings before IJ.
- In FY09, the Asylum Division completed over 93 percent of credible fear screenings within 14 days of referral.



FY 2010 GOALS

ASYLUM

- Develop a national training agenda based on feedback from adjudicators and supervisors regarding educational needs.
- Adjust Asylum Division staffing based on receipts and changes in Asylum Officer staffing levels.
- Support Transformation and RAIO re-design efforts.
- Establish and implement a country of origin information research and field engagement strategy.
- Implement strategies to progress toward systematic information sharing with Canada.



FY 2010 GOALS (cont'd)

ASYLUM

- Implement new quality assurance framework to ensure that asylum officers' decisions are reviewed for quality and consistency.
- Contribute to DHS and USCIS efforts to resolve TRIG issues in order to adjudicate remaining caseloads.
- Implementation of study of asylum processing times.
- Achievement of a 6-month real time processing for asylum applications.

