



U.S. Citizenship  
and Immigration  
Services

# Questions and Answers

## USCIS Asylum Division Quarterly Stakeholder Meeting

January 26, 2012

20 Massachusetts Avenue, NW

Washington, D.C. 20529

2:00pm to 4:00pm ET

### 1. Asylum Division Updates.

**New Hires:** We are pleased to announce one new hire at Asylum HQ. Kelsey Bundy will join our Training and Quality Assurance (TRAQ) branch. She will assist with HQ review of cases for legal sufficiency.

**LGBTI Training Module:** HQ Asylum presented the new LGBTI training module on January 23<sup>rd</sup>. The new lesson plan will be posted on our website at a later date.

**RAIO Combined Basic Training:** Last year we announced the RAIO combined training initiative. We expect to launch the new eight-week training this year, as early as March. The first five weeks will cover common subject areas, which will be followed by Division-specific training.

**UAC/Asylum Clock Stakeholder Suggestions:** At the previous quarterly meeting, we asked for stakeholder suggestions concerning Unaccompanied Children and the Asylum Clock. One individual has since communicated with Asylum HQ and expressed an interest to discuss suggestions. We are open to discuss the issue at this meeting. Otherwise we continue to welcome suggestions forwarded to Asylum HQ, Attention: Kimberly Sicard.

**Revised Approval Letter:** Stakeholder concerns were raised at the last meeting about incorrect I-485 instructions on the asylum approval letter. We received approval for an interim OIT change and now anticipate a quicker correction than originally expected.

**E-Verify Brochure with Asylum Approval Letters:** We are adding language to the approval letter that will flag information for Asylees concerning their rights as employees. An E-Verify brochure in English, Spanish, Chinese, and/or Russian will be provided with the approval letter.

**EAD Clock Update:** Asylum HQ has taken steps to make the Employment Authorization Document Clock procedures more transparent and to remedy certain situations. The steps include examining the clock language in our notices and extending the period of time to contact an Asylum office after an applicant fails to appear for an interview. We also posted our response to the Ombudsman's clock recommendations online.

**Administrative Conference of the United States Report:** The Administrative Conference released a report titled, “Taking Steps to Enhance Quality and Timeliness in Immigration Removal Adjudication,” by Lenni Benson and Russell Wheeler ([http://www.acus.gov/wp-content/uploads/downloads/2012/01/ACUS-Immigration-Removal-Adjudication-Draft-Report-1\\_12\\_12.pdf](http://www.acus.gov/wp-content/uploads/downloads/2012/01/ACUS-Immigration-Removal-Adjudication-Draft-Report-1_12_12.pdf)). The authors studied the backlog in Immigration Courts and have proposed over 60 recommendations to alleviate the backlog. The proposals include a number of items that would affect USCIS and the Asylum Division including the transfer of asylum adjudications and parole determinations in the credible fear process to USCIS and allowing USCIS to grant Convention against Torture and Withholding of Removal cases. We encourage you to review the recommendations included in the report.

2. **EAD Addendum:** Is there an EAD addendum with the asylum approval letter?

**Response:** Yes, the EAD addendum should be included with the letter. However, it is currently a manual insertion. We hope to add the attachment automatically with a forms OIT update.

3. **Pick Up Notice Policy:** Is there Agency-wide discretion for requiring pick up notices especially for applicants traveling long distances, *i.e.* from North Carolina to the Arlington Asylum Office?

**Response:** The national policy requires an in-person pick up of the decision unless the interview takes place during a circuit ride. The purpose of the requirement is to ensure personal service with the referral and the Notice to Appear which dates back to procedures established during asylum reform. However, the Asylum Field Office Director always has the discretion to mail the decision to the applicant. The Arlington Asylum Office Director is currently studying the North Carolina situation specifically.

4. **HQ Review:** Please explain the delays for cases requiring HQ review.

**Response:** Certain categories of cases require HQ review and a delay in the adjudication of these cases may be due to factors out of our control including third agency review. We have increased our staffing at HQ to assist with the review of cases. Any new person joining HQ is assigned to TRAQ and we are now almost fully staffed. The most effective interface to inquire about a pending case is the local office. If the local office is not responsive, please contact Asylum HQ.

5. **Statistics.** Please provide statistics from November to December 2011 on Affirmative Asylum workload; NACARA workload; Credible and Reasonable Fear workload; Iraq, Afghanistan and Libya receipts; and Unaccompanied Alien Children (UAC).

**Response:** The requested statistics are attached. Affirmative asylum receipts continue to increase. The first quarter of FY 2012 confirms the anticipated rise in applications and we are on track to reach the FY 2012 total projected receipts of over 41,000. The increasing workload and receipts for affirmative asylum as well as credible and reasonable fear is affecting our staffing in the Asylum offices. For the first time we have asked for more resources and have posted Asylum Officer positions for several Asylum offices.

**The next meeting is scheduled for Tuesday, April 24.**