



120/12.6

April 17, 2012

Memorandum

TO: All Asylum Office Staff

FROM: Ted Kim, Acting Chief /s/

SUBJECT: Implementation of Reasonable Fear Processing Timelines and APSS Guidance

This memorandum implements the reasonable fear processing timelines and reporting mechanisms introduced in the September 28, 2011 Joseph Langlois memorandum, "Proposed Reasonable Fear Performance Goals."¹ It also revises and replaces three sections of the 2003 Draft Reasonable Fear Procedures Manual (RFPM) and provides important updates to the 2005 "User's Guide to Entering Information in the Asylum Pre-Screening System (APSS)."

I. Reasonable Fear Procedures Manual Updates

The sections listed below revise and replace sections III.B.1 and 3 and section III.H.1 of the 2003 Draft RFPM in its entirety.

- III.B.1. Initiation of the Claim
- III.B.3 Expedited Adjudication (re-named "Processing Timelines")
- III.H.1 Mandatory Review by HQ Asylum

II. Memorandum Template: Reasonable Fear Case Pending Over 150 Days Since Clock In

The September 28, 2011 Joseph Langlois memorandum, "Proposed Reasonable Fear Performance Goals," requires that Asylum Offices submit to Headquarters a written justification on any reasonable fear case pending for more than 150 days.² Offices must provide updates every 30 days regarding the progress on the cases.

At the beginning of each week, the Reasonable Fear Aging Summary and Detail Report is posted to the RAIOVL. This report shows the number of days each reasonable fear case has been

¹ See Langlois, Joseph E., Memorandum to Steve Bucher, "Proposed Reasonable Fear Performance Goals," (Washington, D.C., 28 September 2011.) 2 p.

² See id.

pending since clock in. On the first of the month, the asylum office must use the current week's report to determine which cases (if any) have been pending for more than 150 days since clock in. The asylum office must submit a "Memorandum: Reasonable Fear Case Pending Over 150 Days Since Clock In" to the Chief of the Asylum Division on the appropriate ECN website by the end of the month. The memorandum must be updated and resubmitted every 30 days while the case remains pending, until the determination is served on the alien. The memorandum must include reasons why the case was delayed.

See attachment 3, "Memorandum Template: Reasonable Fear Case Pending Over 150 Days Since Clock In," and attachment 4, "Memorandum Example: Reasonable Fear Case Pending Over 150 Days Since Clock In."

III. APSS User's Guide

Attachment 5, "User's Guide to Entering Information in the Asylum Pre-Screening System (APSS)," dated April 16, 2012, has been amended to include a column explaining reasonable fear APSS procedures where those procedures differ from credible fear procedures. The amendments also eliminate obsolete field and screen references.

IV. Questions

Contact the Asylum Operations Branch with questions regarding RFPM updates, the memorandum template and reporting; and the APSS User's Guide. Contact TRAQ with questions regarding HQ review.

Attachments: (5)