

# ASYLUM PROGRAM

April 2001

## Changes to Asylum Program:

- The mission of the Asylum Program has broadened in scope to encompass more than the asylum reform processing caseload of new receipts and the pre-reform backlog. On February 2, 1998, the Attorney General approved the INS proposal to integrate the adjudication of certain suspension of deportation or cancellation of removal requests under the Nicaraguan Adjustment and Central American Relief Act (NACARA) into the affirmative asylum process. Under this new program, asylum officers have been delegated the authority to grant suspension of deportation or cancellation of removal to certain beneficiaries of NACARA who are eligible for the benefit. In addition, the AOC conducts credible fear interviews for all persons placed in expedited removal who request asylum or express a fear of returning to their home countries as well as credible fear interviews for non-expedited detained asylum seekers. The final component of the AOC caseload is undertaking details to overseas locations to interview and process applicants for refugee status. These operations compose the current workload of the Asylum Program.

## Changes to Asylum Data in FY 1997:

- As of April 1, 1997, two procedural changes occurred which impact on asylum case completions.
  - a) The AOC cannot grant a case until identity and record checks have been finalized, per the 1996 Act. Applicants can be recommended for approval but the final decision cannot be issued until FBI fingerprint clearances have been received. Under previous procedures, these cases went directly to final approval, and were therefore included as case completions.
  - b) A second change occurred with the onset of *ABC* case processing-- *ABC* cases require processing under the 1990 asylum regulations, among other procedures stipulated in the agreement, necessitating writing preliminary decisions in addition to final decisions. Processing of these cases from interview to completion is very time consuming, unlike reform cases.As a result of these two procedural changes, case completions declined, while interviewed cases moved through the processing pipeline to final decision. Late in FY 1997, final approvals reached completion on a large scale, which continued into FY 1998.
- The workload report was modified to include data on preliminary decisions, both recommended approvals and denials. The report also includes a breakdown of completions by type of case -- pre-reform, reform and *ABC*. Where the cases are delineated in two categories (pre-reform and reform), *ABC* cases may be included in both categories, depending on the date of filing the asylum application (pre or post January 4, 1995). *ABC* cases included in the reform category are not subject to the 180-day work authorization clock period.
- A third change occurred with the June 1997 data, which showed a vast increase in the number of cases administratively closed. The Asylum Program undertook a project to identify active cases from the pre-reform non-*ABC* backlog. Mailers were sent to 90,000 applicants in the backlog to determine their continued interest in pursuing their asylum requests. Applicants no longer interested in pursuing an asylum claim could request withdrawal of the application; cases without good addresses were administratively closed; and the remaining caseload will be scheduled for interview as slots become available. The process of closing inactive cases under this program continued through FY 1997.

## Changes to Asylum Data in FY 1998:

- Effective January 28, the AOC suspended scheduling and processing of *ABC* cases. This action was implemented while the INS develops regulations and procedures for cancellation of removal processing for eligible beneficiaries under the Nicaraguan Adjustment and Central American Relief Act. This new process will be integrated into the affirmative asylum process so that the AOC will grant cancellation of removal to those eligible for the benefit and refer to an immigration judge applications for cancellation of removal that the AOC cannot grant.

- Increased receipts due to the one year filing deadline. Beginning the last week in March, and ending the last week in April, the Asylum Program experienced a marked increase in the number of new receipts. The Asylum Program received 5,000 more new receipts than the previous month during this timeframe. This surge was expected from asylum seekers who have been in the country for long periods of time filing prior to the implementation of the one-year filing deadline on April 1, a requirement of the 1996 Act. Asylum seekers must now apply for asylum within one year of entering the United States. The statute does provide for exceptions to this provision under extraordinary or changed circumstances.
- Beginning in March, the fingerprint process for asylum applicants was changed. Applicants no longer file fingerprints with their asylum applications. Applicants are scheduled for fingerprint appointments at an INS Application Support Center, as are applicants for all other benefits. As a result of this administrative change, there was a decline in final approvals while the new fingerprint process was fully implemented. By June, final approvals again reached completion on a large scale.
- Beginning in July, data on rejected applications are compiled in the workload and completions tables. These represent applications rejected under the one-year filing deadline, which became effective on April 16.

#### **Changes to Asylum Data in FY 1999:**

- Beginning March 1999, a new report was developed to track fingerprint responses of principal applicants and all dependents with recommended approvals. This report allows offices to process cases that are now cleared for a final grant of asylum. Due to this report, and the office's efforts to process these cases, the approval rate in March 1999, was significantly higher.

#### **Changes to Asylum Data in FY 2000:**

- On June 21, 1999, the INS began receiving a new benefit application, form I-881, Application for Suspension of Deportation or Special Rule Cancellation of Removal. Upon receipt of the new application, and completion of all identity and security checks by the FBI, applicants will be scheduled for NACARA interviews at asylum offices with jurisdiction. As of the end of April 2001, the INS had received 90,890 I-881 applications for suspension of deportation or special rule cancellation of removal. Interviews began in October 1999.
- Due to the high rate of asylum withdrawals by applicants granted NACARA benefits, the Asylum Program has experienced a corresponding increase in the rate of asylum cases that are Administratively Closed.

# ASYLUM OFFICE WORKLOAD

## April 2001

Asylum Workload	Month	Percent
<u>Applications filed</u>	5,147	
<u>Received</u>	4,701	91%
ABC cases	49	1%
Non-ABC cases	4,652	99%
Reopened	446	9%
<u>Interviews scheduled</u>	7,527	
Conducted	5,368	71%
No shows	635	8%
Cancelled by applicant	733	10%
Cancelled by INS	791	11%
<u>Interviews conducted</u>	5,368	
Pre-Reform cases	312	6%
Reform cases	5,056	94%
<u>Preliminary Decisions</u>	1,884	
Recommended approvals	1,653	88%
Denials	231	12%
<u>Cases adjudicated</u>	4,221	
<u>Approvals</u>	1,709	40%
Pre-Reform cases	41	2%
Reform cases	1,668	98%
<u>Denials</u>	169	4%
Pre-Reform cases	10	6%
Reform cases	159	94%
<u>Referrals (interviewed cases)</u>	1,241	29%
Pre-Reform cases	56	5%
Reform cases	1,185	95%
Rejected applications	1,102	26%
<u>Cases completed</u>	5,620	
Pre-Reform cases	540	10%
Reform cases	5,080	90%
<u>Adjudicated</u>	4,221	75%
Pre-Reform cases	107	3%
Reform cases	4,114	97%
<u>Referrals (uninterviewed cases)</u>	409	7%
Pre-Reform cases	na	
Reform cases	409	
<u>Administratively closed</u>	990	18%
Pre-Reform cases	433	44%
Reform cases	557	56%
<u>Charging documents served</u>	3,821	
Principals	2,832	74%
Dependents	989	26%
Pending end of month	327,612	

# ASYLUM APPLICATIONS FILED

## April 2001

Office	Applications Filed	Percent	Received	Reopened
<b>Total</b>	<b>5,147</b>		<b>4,701</b>	<b>446</b>
Arlington	324	6%	266	58
Chicago	261	5%	228	33
Houston	140	3%	129	11
Los Angeles	1,870	36%	1,770	100
Miami	1,032	20%	978	54
Newark	427	8%	334	93
New York	470	9%	394	76
San Francisco	623	12%	602	21

**Leading Nationalities for Asylum Applications  
Filed with INS  
April 2001**

<b>Rank</b>	<b>Nationality</b>	<b>Applications Filed</b>	<b>Percent</b>
	<b>Total</b>	<b>5,126</b>	
1	Mexico	1,132	22%
2	China	677	13%
3	Colombia	597	12%
4	Haiti	399	8%
5	Armenia	160	3%
6	Guatemala	141	3%
7	India	138	3%
8	Indonesia	138	3%
9	Somalia	120	2%
10	El Salvador	118	2%
	Top 10 nationalities	3,620	71%
	Other nationalities	1,506	29%

# ASYLUM INTERVIEWS CONDUCTED

## April 2001

Office	Interviews Scheduled	Interviews Conducted	%	No Shows	%	Rescheduled by Applicant	%	Rescheduled by INS	%
<b>Total</b>	<b>7,527</b>	<b>5,368</b>	<b>71%</b>	<b>635</b>	<b>8%</b>	<b>733</b>	<b>10%</b>	<b>791</b>	<b>11%</b>
Arlington	817	628	77%	20	2%	133	16%	36	4%
Chicago	269	191	71%	54	20%	19	7%	5	2%
Houston	380	275	72%	23	6%	36	9%	46	12%
Los Angeles	2,352	1,842	78%	277	12%	126	5%	107	5%
Miami	986	631	64%	41	4%	94	10%	220	22%
Newark	888	598	67%	77	9%	126	14%	87	10%
New York	973	606	62%	103	11%	147	15%	117	12%
San Francisco	862	597	69%	40	5%	52	6%	173	20%

05/02/2001

# ASYLUM CASES COMPLETED

## April 2001

Office	Cases Completed	Cases Approved	Cases Denied	Referred (Interviewed)	Rejected Applications	Referred (Uninterviewed)	Cases Closed
<b>Total</b>	<b>5,620</b>	<b>1,709</b>	<b>169</b>	<b>1,241</b>	<b>1,102</b>	<b>409</b>	<b>990</b>
Arlington	540	214	13	118	58	19	118
Chicago	264	48	15	80	12	40	69
Houston	308	71	11	126	18	8	74
Los Angeles	1,769	603	31	187	575	270	103
Miami	740	275	23	305	78	23	36
Newark	842	152	43	150	126	14	357
New York	610	138	17	162	96	30	167
San Francisco	547	208	16	113	139	5	66

05/02/2001

# ASYLUM APPLICATIONS PENDING

## April 2001

Office	Asylum Cases Pending	Local Office	Circuit Ride
<b>Total</b>	<b>327,612</b>	<b>282,032</b>	<b>45,580</b>
Arlington	38,572	32,340	6,232
Chicago	12,895	3,094	9,801
Houston	20,099	15,404	4,695
Los Angeles	137,394	134,560	2,834
Miami	41,313	40,245	1,068
Newark	24,116	11,134	12,982
New York	22,714	22,714	0
San Francisco	30,509	22,541	7,968



### Affirmative Asylum Applications by Gender

FY 1998	Cases Received	Cases Re-opened	Cases Granted	Cases Denied	Interviewed Referrals	Cases Rejected	Uninterviewed Referrals	Administratively Closed	Pending 09/30/1998	Approval Rate
Total	35,038	19,914	9,939	3,189	28,778	957	8,097	34,597	360,633	23%
Males	23,066	14,498	6,258	2,288	20,417	655	5,637	25,934	238,419	21%
Females	11,972	5,416	3,681	901	8,361	302	2,460	8,663	122,214	28%
% female	34%	27%	37%	28%	29%	32%	30%	25%	34%	

FY 1999	Cases Received	Cases Re-opened	Cases Granted	Cases Denied	Interviewed Referrals	Cases Rejected	Uninterviewed Referrals	Administratively Closed	Pending 09/30/1999	Approval Rate
Total	31,781	8,981	13,279	1,760	15,724	3,893	2,740	17,304	344,867	38%
Males	19,577	6,400	8,033	1,149	11,081	2,572	1,843	12,609	225,969	35%
Females	12,204	2,581	5,246	611	4,643	1,321	897	4,695	118,898	44%
% female	38%	29%	40%	35%	30%	34%	33%	27%	34%	

FY 2000	Cases Received	Cases Re-opened	Cases Granted	Cases Denied	Interviewed Referrals	Cases Rejected	Uninterviewed Referrals	Administratively Closed	Pending 09/30/2000	Approval Rate
Total	40,691	7,317	16,687	1,876	13,640	6,048	6,810	14,658	329,471	44%
Males	25,600	5,096	9,764	1,089	8,931	3,960	3,886	9,367	217,008	41%
Females	15,091	2,221	6,923	787	4,709	2,088	2,924	5,291	112,463	48%
% female	37%	30%	41%	42%	35%	35%	43%	36%	34%	

Source: INS Asylum Division  
Data are preliminary.

**Asylum Applications Filed with the INS  
FY 2001 (through March)**

Nationality	Pending 10/01/2000	Cases Filed	Cases Re-opened	Cases Granted	Cases Denied	Interviewed Referred	Cases Rejected	Uninterviewed Referred	Cases Closed	Pending 03/31/2001
<b>TOTAL</b>	<b>328,900</b>	<b>27,827</b>	<b>2,598</b>	<b>9,488</b>	<b>827</b>	<b>6,425</b>	<b>3,959</b>	<b>1,846</b>	<b>8,744</b>	<b>328,259</b>
Afghanistan	152	131	8	107	0	14	8	6	8	148
Albania	251	704	20	161	24	268	78	7	22	415
Armenia	535	1,058	40	488	49	367	58	47	21	603
Azerbaijan	159	251	10	132	6	42	4	9	6	221
Bangladesh	256	53	53	27	3	23	5	4	15	285
Brazil	391	75	17	13	4	10	17	5	29	405
Bulgaria	370	70	6	32	5	17	2	3	10	377
Burma	342	1,058	6	217	9	63	18	11	12	1,076
Byelorussia	37	58	3	27	1	24	6	4	2	34
Cambodia	55	45	0	7	3	8	4	0	2	76
Cameroon	168	250	10	166	10	71	12	7	7	155
China	3,978	3,748	381	1,552	61	950	484	178	256	4,626
Colombia	1,234	3,329	52	1,311	61	556	207	56	29	2,395
Congo	109	237	6	93	3	52	16	11	8	169
Cuba	2,389	78	9	30	5	12	1	4	29	2,395
Dem Rep Congo	101	106	2	73	5	42	6	3	4	76
Egypt	202	270	13	160	13	108	6	4	8	186
El Salvador	172,609	821	448	51	82	204	132	116	5,700	167,593
Eritrea	72	112	4	71	5	24	10	2	3	73
Ethiopia	788	735	27	473	23	133	33	12	22	854
Fiji	680	304	7	91	31	109	8	4	11	737
Georgia	78	112	6	47	4	41	23	8	2	71
Guatemala	98,547	490	459	60	17	303	100	86	1,599	97,331
Guinea	156	209	7	45	8	60	27	13	7	212
Haiti	15,354	2,461	55	511	20	803	152	117	49	16,218
India	1,939	904	127	415	21	273	37	30	98	2,096
Indonesia	305	528	10	208	64	130	59	10	8	362
Iran	603	472	27	315	15	99	18	11	19	625
Iraq	199	204	6	153	6	40	4	1	5	200
Kenya	65	57	1	29	0	7	8	0	1	78
Liberia	861	644	41	274	73	121	14	9	26	1,029
Mauritania	584	469	10	39	4	141	47	22	15	795
Mexico	1,042	3,309	170	20	8	177	1,853	579	89	1,795
Pakistan	467	191	47	99	9	48	18	4	44	483
Peru	308	92	24	35	4	36	12	15	14	308
Philippines	787	65	29	1	12	13	9	33	29	784
Romania	1,030	73	1	30	2	22	5	1	22	1,022
Russia	876	391	27	186	24	115	36	14	44	875
Rwanda	37	45	3	23	0	16	1	1	0	45
Sierra Leone	252	480	13	119	10	104	94	35	16	367
Somalia	977	949	25	577	4	99	94	87	44	1,046
Sri Lanka	73	57	6	39	0	20	3	2	2	70
Stateless	105	59	8	41	5	26	13	5	7	75
Sudan	213	300	11	198	20	53	3	10	8	232
Togo	58	82	1	38	3	13	4	0	3	82
Turkey	52	47	3	24	0	5	3	1	8	61
Uganda	125	128	12	62	2	44	14	5	3	135
Ukraine	287	120	8	38	12	42	14	5	13	291
Unknown	41	50	3	1	0	23	37	0	1	32
Uzbekistan	61	98	4	39	0	43	3	2	0	76
Venezuela	21	43	1	20	1	10	11	0	1	22
Yemen	76	43	5	12	2	13	5	2	5	85
Yugoslavia	551	305	25	156	8	87	44	5	52	529
Other	17,892	859	301	331	66	302	79	40	306	17,928

**NACARA STATISTICS**  
**June 1999 - Present**  
**By Nationality**

NACARA STATUS	U.S.	Former Soviet Bloc	Other	Unknown	Total
Applications Filed	90,830	19,885	68,696	509	1,740
Applications Granted	19,031	3,397	15,165	229	240
Applications Referred	572	187	373	4	8
Applications Dismissed	482	109	366	3	4
Applications Pending	70,588	16,166	52,606	282	1,534

\* Former Soviet Bloc nationals

\*\*Includes non-NACARA nationalities, unknown and stateless

INS Asylum Program  
Preliminary Data  
as of 4/1/2001

**NACARA STATISTICS**  
**June 1999 - Present**  
**By Office**

Applications Filed	90,890	13,025	1,987	7,579	41,461	2,721	6,934	11,126	6,057
Applications Granted	19,037	2,099	306	1,765	8,192	254	2,630	3,018	773
Applications Referred	573	180	20	79	153	49	19	49	24
Applications Dismissed	484	102	9	78	132	20	68	71	4
Applications Pending	70,588	10,672	1,677	5,647	32,832	2,392	4,182	7,941	5,245

INS Asylum Program  
Preliminary Data  
as of 4/1/2001

# NACARA Statistics by Month FY 2001

Applications Entered Into RAPS	5,171	3,320	2,543	2,417	1,866	3,055	1,343						19,715
Applications Granted	2,019	1,885	1,401	1,455	1,171	994	866						9,791
Applications Referred	36	35	73	95	76	52	41						408
Applications Dismissed	50	49	40	71	53	37	33						333
Applications Pending	64,631	65,962	66,955	67,716	68,255	70,225	70,628						

INS Asylum Program  
Preliminary Data  
as of 05/02/01