

**AILA / CHICAGO ASYLUM OFFICE LIAISON PHONE CALL
JANUARY 26, 2017**

TVPRA

1. How many TVPRA asylum applicants have you interviewed since October 1, 2016?

Please see attached statistics.

2. How many TVPRA asylum cases have you adjudicated since October 1, 2016?

Please see attached statistics.

3. How many TVPRA asylum cases are currently pending awaiting a decision?

Please see attached statistics.

4. Chapter members report officers questioning children on the basis of statements they allegedly made to Customs and Border Protection officers at the border. Documents prepared at the border, like the I-213, have been previously found by circuit courts to be unreliable. What is the AO's position with regard to the reliability of these documents? How much weight does the Asylum Office give documents prepared at the border?

The AO reviews all of the materials in the applicant's file and consider the totality of the evidence.

5. What is the average wait time unaccompanied children still in the care of the ORR should wait before being scheduled for the initial asylum interview? How many chapter members best flag that the unaccompanied child is still in the care and custody of ORR?

The AO has no flag in the system for those in or out of ORR custody. Please contact the AO about those cases in writing addressed as follows:

*USCIS
Chicago Asylum Office
ATTN: Scheduling Supervisor
181 W. Madison, Suite 3000
Chicago, Illinois 60602*

Please remember to include a copy of your G-28.

The AO will try and expedite these cases if requested.

REASONABLE/CREDIBLE FEAR

1. How many credible fear interviews have you conducted since October 1, 2016?

Please see attached statistics.

2. How many reasonable fear interviews have you conducted since October 1, 2016?

Please see attached statistics.

3. How many individuals are currently waiting to receive a credible/reasonable fear interview?

Please see attached statistics.

4. How many individuals are currently waiting to receive a credible/reasonable fear decision?

Please see attached statistics.

ASYLUM

1. How many asylum cases have you adjudicated since October 1, 2016?

Please see attached statistics.

2. How many grants/denials/referrals?

Please see attached statistics.

3. Any new trends in asylum cases? Has the asylum office seen an influx of cases from any particular region of the world?

No notable trends.

4. AILA members continue to report that the Asylum Office has continued to close cases without providing notice to the applicant or attorney on record. AILA members are only finding out about these closures after receiving a denial to renew the clients' employment authorization document. In these cases AILA members reported that the Asylum Office closed the case contending that the asylum applicant was in removal proceedings. However, when AILA members called the EOIR system it indicated that no NTA had

been filed with an immigration court. What steps can AILA members take to ensure they receive notice of these closures so they may rectify them as soon as possible? Would it be possible for the Asylum Office to check the EOIR system before *sua sponte* closing these cases considering the notices in the A File have proven unreliable?

The AO requests case examples from chapter members to establish whether this is a continued issue.

The AO liaison committee requests chapter members provide case examples where the AO administratively closed the affirmative asylum application file for lack of jurisdiction due to a Notice to Appear having been issued where:

- *The NTA **was not** filed with the immigration court;*
- *Notice was not sent to Applicant nor counsel*

Please note: *Chapter members report learning of the administrative closure by the AO upon receiving a denial of an I-765 renewal application.*

Submit case examples with A#, G-28, and a short summary of the procedural history to:

kiki@kikislaw.com and dtafur@heartlandalliance.org

5. AILA members continued to experience issues with the NSC receipting Form I-589s including not receipting application filed and not back dating the receipts to when the Form I-589 was mailed. In attempts to comply with one-year filing deadlines, AILA members are providing courtesy copies to the Chicago Asylum Office but report receiving push back from the Asylum Office window because an A file has not yet been created. What steps should AILA members take to ensure they are properly filing the Form I-589?

Submit case examples with A#, G-28, and a short summary of the procedural history to:

kiki@kikislaw.com and dtafur@heartlandalliance.org

6. AILA members continue to express their gratitude related to the Affirmative Asylum Scheduling Bulletin. AILA members, however, expressed some confusion regarding circuit ride interviews and if the scheduling of these were also reflected in the Affirmative Asylum Scheduling Bulletin. Does the Affirmative Asylum Scheduling Bulletin apply to circuit ride interviews?

The Affirmative Asylum Scheduling Bulletin notes that it does not include circuit rides. Head Quarters is currently considering an alternative format for the bulletin and the AO will update the chapter should any changes be made.

7. The USCIS Asylum Division is currently transitioning to a new biometrics scheduling process in which they will no longer provide scheduling “windows” for asylum biometrics. AILA members report often receiving biometrics notices late and are

concerned they will receive these notices after the scheduled date. If the asylum applicant receives the notice after the scheduled date but presents themselves to the biometrics office as soon as possible, will the Asylum Office consider these efforts as compliance with biometrics and not deem their asylum application abandoned?

We do not anticipate any issues with late notices under the new biometrics scheduling process, which has been improved to better account for the time needed to process and mail the appointment notices.

To the extent possible, individuals should avoid appearing at an ASC without an appointment notice and should instead contact the asylum office with jurisdiction over their case to request a new ASC appointment. This is to ensure that the applicant does not experience undue inconvenience waiting at an ASC without an appointment notice. Individuals can also request to reschedule ASC appointments through the Biometrics Processing Unit (BPU) in Alexandria, Virginia by following the instructions on the ASC appointment notice. All current ASC appointment notices and those that will be issued after the transition contain these instructions. Individuals who have not yet received an ASC notice may also contact the Asylum Office for assistance.

NACARA

1. How many NACARA applications are currently pending with the Chicago Asylum Office?

Please see attached statistics.

2. How many grants/denials?

Please see attached statistics.

MISCELLANEOUS

1. Can you provide an update on any new staff and supervisory positions?

Seven (7) new asylum officers entered-on-duty since the October 2016 liaison meeting. The Chicago AO is currently staffed at 46 officers.

The next AILA Asylum Office Liaison Meeting will be held on Thursday February 23, 2017 at 10:00 a.m. at the Chicago Asylum Office. The meeting is open to all Chicago Chapter AILA members, but all questions must be submitted to Diana Tafur at dtafur@heartlandalliance.org by Friday, February 17, 2017.