

U.S. Department of Homeland Security
National Records Center
P.O. Box 648010
Lee's Summit, MO 64064-8010



**U.S. Citizenship
and Immigration
Services**

August 28, 2020

**COW2019501574 and
COW2019501598**

Austin Evers
American Oversight
1030 15th St NW, Suite B255
Washington D.C. 20005

Dear Austin Evers:

This is a response to your Freedom of Information Act/Privacy Act (FOIA/PA) request received in this office relating to the following:

Any final policies, procedures, protocols, instructions or guidance regarding the transfer of responsibility for credible fear interview from asylum officers within USCIS to law enforcement agents within CBP.

Enclosed is the first production of responsive records, which consists of 505 pages of records. We have reviewed and have determined to release all information except those portions that are exempt pursuant to 5 U.S.C. § 552 (b)(5), (b)(6) and (b)(7)(C) of the FOIA.

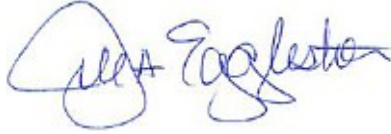
Exemption (b)(5) provides protection for inter-agency or intra-agency memoranda or letters, which would not be available by law to a party other than an agency in litigation with the agency. The types of documents and/or information we have withheld under this exemption may consist of documents containing pre-decisional information, documents or other memoranda prepared in contemplation of litigation, or confidential communications between attorney and client.

Exemption (b)(6) permits the government to withhold all information about individuals in personnel, medical and similar files where the disclosure of such information would constitute a clearly unwarranted invasion of personal privacy. The types of documents and/or information we have withheld may consist of birth certificates, naturalization certificates, drivers' licenses, social security numbers, home addresses, dates of birth, or various other documents and/or information belonging to a third party that are considered personal.

Exemption (b)(7)(C) provides protection for personal information in law enforcement records, which could reasonably be expected to constitute an unwarranted invasion of personal privacy. We have withheld information relating to third-party individuals. The types of documents and/or information we have withheld could consist of names, addresses, identification numbers, telephone numbers, fax numbers, or various other documents that are considered personal.

Additionally, during our review we located 89 pages that originated with another government agency. We have referred those referred pages to Customs and Border Protection for its direct response to you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jill A. Eggleston". The signature is fluid and cursive, with the first name "Jill" and last name "Eggleston" clearly distinguishable.

Jill A. Eggleston
Director, FOIA Operations

Credible Fear Process– Application of Bar - Worksheet



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- Conduct interview to determine if bar applies and whether there is an exception
- Complete Third-Country Transit Bar Worksheet
- If no exception applies, complete Orientation Memo to File and proceed with RF interview
- Complete applicable CF Checklist

FOUO

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Credible Fear Process – CF Checklist



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- If bar does not apply because the alien is eligible for exception
 - → use *Credible Fear Checklist 1 (dated 5.6.19)*
- If bar does apply because no exception is available
 - → use *Credible Fear Checklist 3 (Where a determination is made that the bar applies, limits screening to solely determine eligibility for withholding of removal and protection under the Convention Against Torture using the "reasonable possibility" standard)*
- Note: Credible Fear Checklist 2 relates to 8 CFR 208.13(c)(3) (EWI proclamation)

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Screening Interview and Evidence



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- As always, will need to determine if applicant is credible as to both bar determination and screening determination
- If bar applies → reasonable possibility standard
- If bar does not apply or bar applies and there is an exception → significant possibility standard

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Case Processing



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- Orientation Memo to File: When the AO determines that the bar applies, the adjudicator must explain to the alien that he or she will be screened according to the reasonable possibility standard and complete and memo to file.
- Note: Orientation Memo to File is not required if the alien is not subject to the bar or if the individual establishes an exception to the bar.

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Case Processing



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■ Forms:

- Use I-870 dated 7.16.19 for all cases
- On p. 5, only keep the paragraph under "additional information / continuation" when the individual is barred and no exceptions apply. Delete it for all other situations.
- Orientation Memo to File for individuals who are subject to the bar
- When the bar applies, use I-869A instead of I-869 to document negative determinations
- NTA for all positive determinations, regardless of whether bar applies

■ Global:

- If individual is barred: select special group code **BAR - 13(c)(4)**
- If individual establishes an exception to the bar: select special group code:
 - **NO BAR – Protection Denied**
 - **NO BAR - Trafficking**
- NOTE: if individual is not subject to the bar do not select either special group code

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Post-Interview and Service



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- Include in File
 - *Third-Country Transit Bar Worksheet should be placed in the file*
 - *Orientation Memo to File should be placed in the file*
- No change to service of determination otherwise
- Additional guidance
 - *Check box 1 on I-863*

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Guidance on electronically signing PDFs is available here:

<https://helpx.adobe.com/acrobat/11/using/signing-pdfs.html>.

Provide Assessment Worksheet and Assessment Notice to CBP.



NOT SUBJECT TO 208.13(c)(4) Bar	SUBJECT TO 208.13(c)(4) Bar
M-444	M-444 + Memo to File
I-870 dated 7.16.19	I-870 dated 7.16.19
Global: If individual is subject to the bar but establishes an exception, select special group code "no bar - 3(c)(4)"	Global: Select special group code "bar - 13(c)(4)"
Credible Fear Standard	Reasonable Fear Standard (no Chen/OSH)
Screen for asylum, withholding, CAT	Screen for withholding and CAT
Checklist 1	Checklist 3
Positive Determination: I-862 (NTA)	Positive Determination: I-862 (NTA)
Negative Determination: I-869 + I-863	Negative Determination: I-869A + I-863
Flag other possible mandatory bars	Flag other possible mandatory bars

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Additional Resources



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- Trafficking Lesson Plan
- RAIO Research Unit ECN country pages
- Other Asylum and RAIO Lesson Plans

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Andre, Lisa S

From: Andre, Lisa S
Sent: Wednesday, August 21, 2019 4:32 PM
To: SESSION, SHONE D; Perez, Ubaldo; RIVERA4, LUIS; LEMUS, MIGUEL A; LEDEZMA, ARMANDO
Subject: FW: Telephone User Guide
Attachments: J169 Telephone User Guide.pdf

From: Brown, Barry N <barry.n.brown@uscis.dhs.gov>
Sent: Tuesday, August 20, 2019 6:17 PM
To: #ZLA ALL OFFICE <#ZLAALLOFFICE@uscis.dhs.gov>
Cc: Walker, Jeffrey A (Jeff) <jeffrey.a.walker@uscis.dhs.gov>
Subject: Telephone User Guide

Team,

Welcome to the new facility! I hope you are all settling into the new surroundings and getting acclimated to the building. If you are still experiencing IT issues, please submit a ticket and someone will get to you as quickly as possible. The Deployment Services Team departed today, so it is just three individuals to respond to your tickets, and one of them has a bum hand! We ask for your patience and understanding as we work to resolve the remaining IT requests.

Attached is the user guide for the new telephones to help you navigate setting up your phone. If you have any questions, or require assistance with the phones, please open a ticket, and Billy Le will respond as quickly as possible. Currently, he working on completing the installation of the new fax machines and telecommunications equipment.

Again, welcome to the new LA Asylum office and we look forward to working with you!

Regards,

Barry Brown

Information Technology Specialist – Customer Support Liaison
Office of Information Technology Field Support
U.S. Citizenship and Immigration Services

(b)(6)  (Anaheim Office)
(Mobile)
barry.n.brown@uscis.dhs.gov

AVAYA IP Office J169 Telephone Quick Reference Guide

Making Calls

If you are not already on a call, just dial the number. The first available appearance button is used for the call. Alternatively, press another appearance button in order to hold your current call and to make a separate call.

Set a Callback

If your call to an internal user is not answered, or if the status of the user is set to **Do Not Disturb** , you can press **CallBack** and end the call attempt. When the user ends their current or next call, or disables their DND status, the system calls you. When you answer, the system automatically makes another call attempt to the internal user.

Calling a Person from the Contacts List

You can use any directory contact to make a call. You can also use the directory in any function where **Dir** is displayed.

1. Press the  **CONTACTS** key. The directory menu is displayed.
2. Use the left/right cursor keys to select the type of directory entries you want to display; **All**, **Personal** (your own personal directory contacts), **External**, **Users**, and **Groups**.
3. Use the up/down cursor keys to scroll through the list. Alternatively, you can use the number keypad to enter the name for which you want to display matching entries. If you dial a name, press **Clear** to return to the full list.
4. To view more details of the highlighted name, press **Details**. To return to the directory, press **List**.
5. When the required entry is highlighted, press the **Call** button.

Calling from Your Call Log

You can use your call history to make calls:

1. Press the  **CALL LOG** button. Use the left/right cursor keys to select which calls are shown: **All**, **Outgoing**, **Incoming** or **Missed**.
2. Use the up/down cursor keys to scroll through the records.
3. Press **Call** to call the number displayed in the call record.

Redialling a Previous Number

1. Press **Redial**. Use the up/down cursor keys to scroll through your most recent outgoing calls.
2. Press **Call** to call the number displayed in the call record.

Answering Calls

A slow flashing appearance button indicates an alerting call. This may also be accompanied by ringing and by the message lamp flashing. If you are currently not on a call:

- To quiet the ringing, press **Ignore**. The call will continue alerting visually.
- To redirect the call to your mailbox, press **To VM** if shown.
- To answer the call using the handset, lift the handset.
- To answer the call handsfree, press the  **SPEAKER** key.
- To answer the call on a headset, press the  **HEADSET** key.

Once you have answered the call, you can switch between different talk modes:

- To switch to using the handset, simply lift the handset.
- To switch to handsfree, press the  **SPEAKER** key. If you were using the handset you can now replace it.
- To switch to headset mode, press the  **HEADSET** key. If you were using the handset you can now replace it.
- Pressing the call's appearance key or any other appearance key will put the call on hold.

Answering Another Call

If you are already on a call, answering a new call automatically puts the existing call on hold.

- To answer the call, press the appearance button.
- Alternatively, using the up/down cursor keys, scroll the display to highlight the waiting call and select the action you want to apply; **Answer**, **To VM**, **Ignore** or **Drop**.

Diverting a Call to Voicemail

You can transfer directly to your voicemail mailbox any call targeted at you.

1. If the call is not the currently highlighted call on the display, use the up/down cursor keys to highlight it.
2. Press **To VM** to redirect the call to your mailbox.

Call Handling

Adjusting the Call Volume

You can adjust the volume of the incoming audio while you are on the call:

1. With the call connected, press the **+/− VOLUME** key.
2. Use the **+** plus and **−** minus keys to adjust the volume.

Note: The volume for the device currently in use (handset, headset, or speaker) is adjusted separately.

Holding a Call

1. To put your current call on hold, press the **Hold** soft key or the call's appearance button.
2. The held call will be indicated by its call appearance button with a fast-flashing green lamp. On phones with only a single call appearance button (or icon), the phone displays "On-Hold" before the call information on the call's application line.
3. While held, the caller will hear music on hold. If your system does not have music on hold available, the caller will hear double beep tones every few seconds.
4. You can scroll the display using the up and down cursor keys.

Muting a Call

Muting a call stops the far end from hearing you although you can still hear the far end.

1. To activate mute, press the  **MUTE** key. The button will be lit while mute is active.
2. To switch mute off, press the  **MUTE** key again.

Ending a Call

- The **Drop** button can be used to end the currently highlighted call.
- If the call is on the phone's speaker, the  **SPEAKER** key is lit. Pressing the key again will end the call.
- If the call is on the phone's headset, the  **HEADSET** key is lit. Pressing the key again will end the call.
- If the call is on the phone's handset, replacing the handset will end the call.

Conferencing

Starting a Conference

If you have a connected call and have held alternate calls, pressing **Conf** will start a conference with those held calls and the connected call.

Otherwise, to start a conference or to add another party to a conference:

1. Press **Conf**. Your current call is put on hold.
2. Dial the party that you want to add to the conference.
3. If they answer and want to join the call, press **Conf** again.
4. If they do not want to join or do not answer, press **Drop** and then press the appearance key of the held call.

Dropping/Muting Parties

While in a conference, press the **Details** key. Scroll through the list of callers in the conference and:

- To drop a caller from the conference, highlight them and press **Drop**.
- To mute a caller, highlight them and press **Mute**. Repeat this to unmute them.
- To return to the call display, press **Back**.

Transferring Calls

Transferring Calls

You can transfer calls even if no call appearance buttons are available.

1. Press **Transfer**. The current call is put on hold.
2. Dial the number for the transfer. Alternatively, press **Dir** to select a destination from the directory, or press **Redial** if applicable.
 - To complete a supervised transfer, press **Complete** after the call has been answered.
 - To complete an unsupervised transfer, press **Complete** while the call is still ringing.
 - If the transfer destination does not answer or does not want to accept the call, press **Cancel**.

Transferring Calls to Voicemail

You can use the **Message** key to transfer a call to another user's or group's voicemail mailbox.

1. With a call connected, press the **Message** key. You can continue talking.
2. Dial the extension number of the user or group and press **Select**.

Redirecting Calls

Do Not Disturb

When you select 'Do Not Disturb', your calls are redirected to voicemail if available or otherwise hear busy tone. Calls to any group of which you are a member are not presented to you. You can still use the phone to make outgoing calls. When you go off-hook you will hear broken dial tone.

1. Press **Features**. Use the up/down cursor keys to highlight **Call Settings**. Press **Select**.
2. Select **Do Not Disturb**.
3. Press **Change** to change the setting.
4. Press **Save** to save the setting.

Forward Unconditional

You can change your forward unconditional settings using the Features menu.

1. Press **Features**. Use the up/down cursor keys to highlight **Forward**. Press **Select**.
2. Use the up/down cursor keys to highlight **Forward Unconditional**. Press **Select**.
 - **To switch on/off:** Highlight **Fwd Unconditional**. Press **On** or **Off**. If no destination is currently set, the display jumps to the destination field.
 - **To select which calls:** Highlight **Call Type**. Press **Change** and when the required option is displayed press **Save**. Options are **External Only**, **External and Group**, **Non Group Calls** and **All Calls**.
 - **To set the destination:** Highlight **Destination**. Press **Edit** and enter the number required or press **To VM** to forward to voicemail.

Follow Me

You can redirect your calls temporarily to another extension.

1. Press **Features**. Use the up/down cursor keys to highlight **Forward**. Press **Select**.
2. Use the up/down cursor keys to highlight **Follow Me To**. Press **Select**.
3. Dial the number of another user or press **Dir** to select from the directory. Press **Save**.

Contacts

Adding a New Contact

You can add up to 100 personal directory contacts. This number is limited by the capacity of the telephone system directory. If capacity is met, you will not be able to add new contacts.

1. Press the **CONTACTS** key. Use the left/right cursor keys to select your **Personal** directory.
2. To add a contact, press **New**. To edit a contact, highlight it and press **Edit**.
 - Use the up/down cursor keys to switch between number and name entry.
 - When the name and number have been entered as required, press **Save**.

Add a Contact from Your Call History

You can add a name and number shown in your call history to your personal contacts.

1. Press the **CALL LOG** button. Use the left/right cursor keys to select which calls are shown: **All**, **Outgoing**, **Incoming** or **Missed**.
2. Use the up/down cursor keys to scroll through the records.
4. Press **More** and then press **+Contact**.
5. Use the up/down cursor keys to switch between the name and number details for the new contact.
6. When the name and number are set as required, press **Save**.

Voicemail

Checking Messages

1. Press the **MESSAGE** button. Enter your voicemail password if requested and press **Done**.
2. The numbers shown next to **Listen** indicate the number of new, old and saved messages.
3. Highlight **Listen** and press **Select**.
4. Use the up/down cursor keys to highlight which messages (**New**, **Old** or **Saved**) that you want to listen to and press **Select**. The details of the first message of that type are displayed.
5. You can use the up/down cursor keys to scroll through the messages.
6. Use the soft keys to control the playback actions for the current message.

By default, messages are automatically deleted a set time after being played. The delay depends on the particular voicemail server (24 hours for embedded voicemail, 30 days for Voicemail Pro).

Voicemail On/Off

You can control whether voicemail is used for your unanswered calls. This does not switch off your mailbox; you can still play existing messages and use other functions.

1. Press the **MESSAGE** button. Enter your voicemail password if requested and press **Done**.
2. Use the up/down cursor keys to highlight **Voicemail**.
3. Press **Change** to switch between **On** or **Off**.
4. Press **Save** to save the change.

More Information

Go to www.avaya.com/support for the latest support information, including user guides, installation and maintenance guides, interactive documents and software downloads.

From: Andre, Lisa S
Sent: Wednesday, August 21, 2019 6:48 PM
To: Perez, Ubaldo; LEMUS, MIGUEL A; RIVERA4, LUIS; SESSION, SHONE D; LEDEZMA, ARMANDO
Subject: Sample Questions for Indian Cases
Attachments: Sample India - Checklist.docx

Hi all – Below is a sample relocation Q&A for Indian cases. I have also attached a sample checklist for your reference. Let me know if you have questions!

Q: Can you move to another area where those people cannot find you?

A: I cannot move anywhere else. I am not safe in India.

Q: How would these people find you?

A: What happens is that wherever I go in India if I get a job I have to give my Aadhaar card and my registration will go to the village and my village head is from the Congress Party.

Q: Information available shows that you cannot be tracked using this card. Can you please explain how they can find you?

A: The picture is on my Aadhaar card.

Q: I have a report that says that the government authority that created the Aadhaar card says it is “technically impossible” to track people using the Aadhaar card. You are saying you can be tracked using the Aadhaar card. Can you explain the difference between what you are saying and what is written in this report?

A: The Aadhaar card and the voter card. If I go somewhere, they will ask for police clearance and it will go to my police station.

Q: Sir, I am a little confused. Why are you mentioning your voter card?

A: I previously mentioned the Aadhaar card and the voter card. I would give them the card.

Q: What card would you give them?

A: The voter card. If I go back, they will kill me.

Q: Sir, I'm confused. Why would you give your voter card to obtain employment.

A: Wherever I go, I will find a job and give my voter card.

Q: Sir, I am still confused. Why would you give a voter card to obtain employment?

A: I would have to give my card wherever I go.

Q: Sir, I have asked you this question several times. Is there a reason why you cannot answer my question as to why you would give the voter card to obtain employment?

A: Wherever I go to find employment I just use the Aadhaar card or voter card and both have picture.

Q: How would this allow anyone to track you if the information I have says it cannot be used for this purpose?

A: Wherever I go, if I give them the cards, they have my pictures. And they will go back for post clearance.

Q: Sir, can you please describe what post clearance is?

A: The post clearance is a clearance from the police station, and it will go back to the police stations. And that person is from the Congress party.

Q: I have information about your country that says there are no checks on persons arriving from another part of India completed by authorities as local police do not have the resources or language abilities to do

DHS-19-1398-B, 19-1400-A-000014

background checks on individuals. So why are you saying that the police will run a clearance on you if you move?

A: If I go somewhere there will be police clearance.

Q: Sir, the information that I have does not show this happens. So why do you think this will happen to you?

A: The village head council is Congress Party so I have danger to my life. I left my children with their maternal grandparents.

(b)(6)

CREDIBLE FEAR DETERMINATION CHECKLIST AND WRITTEN ANALYSIS

(b)(6)

A	COUNTRY:	APSO:	DATE: 6/28/2019
- If there is a significant possibility of establishing eligibility for asylum or withholding under 241(b)(3), complete A., B., and C only. - If there is a significant possibility of establishing eligibility for protection under the Convention Against Torture, complete A., B., and D only. - If there is not a significant possibility of establishing eligibility for asylum or withholding of removal under 241(b)(3) or for withholding or deferral of removal under the CAT pursuant to 8 CFR 208.16(c) or 208.17, complete Sections A., B., C., and D. unless the claim fails in Section A (Harm) or Section B. (Credibility), in which case, stop and complete Form I-870.			
A. Harm (If yes to A.1. and/or A.2., move to Part B. If no to A.1. and A.2., STOP, and complete Form I-870.)			
1. Has the applicant testified that he or she has experienced <u>past</u> harm in his or her country? If yes, identify any past harm or mistreatment suffered, and identify all relevant entit(ies). Harm: attacked, beaten, death threats Entit(ies): Congress Party			Yes ☒ No ☐
2. Has the applicant testified that he or she fears <u>future</u> harm if returned to his or her country? If yes, identify any harm or mistreatment feared, and identify all relevant entit(ies). Harm: Death Entit(ies): Congress			Yes ☒ No ☐
B. Credibility (Select the appropriate box. If testimony was credible and the overall determination is positive, check box B.1. and briefly explain what evidence supports this determination including addressing any credibility concerns and why in the totality of circumstances the applicant's testimony is credible despite these concerns. If testimony was credible but the overall determination is negative, check box B.1. and proceed to section C. If testimony was not credible, (1) check box B.2., (2) identify the credibility concern(s), (3) provide the applicant's explanation(s), and (4) address if the explanation is reasonable for each concern. After analyzing all relevant credibility factors, consider them in the totality of the circumstances.)			
1. Applicant's testimony was credible: Considering the totality of the circumstances and all relevant factors, the applicant's testimony was consistent, detailed, and plausible. Therefore, it is found credible. (Check box, explain only if overall decision is positive, and move to Section C. and/or D.)			☒
2. Applicant's testimony was not credible: Considering the identified credibility concern(s), the absence of reasonable explanations for those concerns, and taking into consideration the applicant's individual circumstances, the applicant's testimony is found not credible under the totality of the circumstances and all relevant factors. (Check box, explain, STOP, and complete Form I-870.)			☐
C. Persecution (If yes to C.1. or C.2., complete C.3. If no to C.1. and C.2., complete C.3.)			
1. a. <u>Past Persecution:</u> There is a significant possibility the applicant can establish in a full hearing that: - The harm experienced was sufficiently serious to amount to persecution; - The entity that harmed the applicant was motivated to harm the applicant on account of his or her race, religion, nationality, membership in a particular social group, or political opinion; and - The entity that harmed the applicant was an agent of the government or an entity that the government was unable or unwilling to control. AND			Yes ☐ No ☒
1. b. There is no evidence so substantial that the presumption of well-founded fear can be rebutted. or If the presumption of well-founded fear has been rebutted, there is a significant possibility that asylum could be granted based on: (1) the severity of the past persecution; or (2) a reasonable possibility of other serious harm.			
2. <u>Future Persecution:</u> There is a significant possibility that the applicant can establish in a full hearing that: The applicant fears harm that is sufficiently serious to amount to persecution;			

CREDIBLE FEAR DETERMINATION CHECKLIST AND WRITTEN ANALYSIS

- The applicant 1) possesses a protected characteristic, 2) of which the feared entity is or could become <u>aware</u> or the feared entity believes that the applicant possess a protected characteristic, 3) the feared entity has the <u>capability</u> to persecute the applicant, 4) the feared entity has the <u>inclination</u> to persecute the applicant, OR there is a pattern or practice of persecution of a group of persons similarly situated to the applicant on account of a protected ground; - The entity would be motivated to harm the applicant on account of his or her race, religion, nationality, membership in a particular social group, or political opinion; - The entity that would harm the applicant would be an agent of the government or an entity that the government would be unable or unwilling to control; <i>and</i> - Under all the circumstances, it would not be reasonable for the applicant to relocate within the applicant's country to avoid future persecution.	Yes ☐ No ☒
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3. Written Analysis:

Race ☐ Religion ☐ Nationality ☐ Membership in a Particular Social Group ☐ Political Opinion ☒

If credible fear of persecution established, identify the protected ground and specify:

As needed, provide a brief reasoned analysis. Focus on determinative factors, applying the eligibility elements to the facts. (b)(6)

CREDIBLE FEAR DETERMINATION CHECKLIST AND WRITTEN ANALYSIS

The applicant was otherwise unable to provide evidence that Congress Party members would harm him in another part of India, and country conditions evidence “do not suggest that there exists a general risk in India of ill-treatment for members of the [Mann] party.” [See Library of Congress, India: Feasibility of Relocation of Sikhs and Members of the Shiromani Akali Dal (Mann) Party, June 2018, available at <https://www.justice.gov/file/1068936/download>.]

Relocation is Reasonable:

The record also establishes that, under all the circumstances, it would be reasonable for the applicant to relocate within India. When asked, the applicant indicated that he only fears the Congress Party members. He provided no other reasons for why he could not relocate to another part of India. Given the applicant’s health and age, relocation would be reasonable.

Other Serious Harm / Severity of Past Harm:

The applicant only fears that he would be harmed on account of his political opinion. He has not established a significant possibility that he could be granted asylum based on a reasonable possibility of suffering other serious harm.

There is also no significant possibility that asylum could be granted based on the severity of the past persecution. The applicant testified that he was harmed as an adult, and he was beaten two times. The applicant also testified that he does not currently have any medical or health concerns. This is insufficient to establish a significant possibility that the harm he suffered was severe enough to warrant a grant of asylum in the absence of a well-founded fear. [See Matter of Chen, 20 I&N Dec. 16 (BIA 1989).]

It is noted that the applicant also testified that he was harmed based on his religion, Sikh. However, the evidence does not support this. The applicant testified he only believes this because his party is a Sikh party. Nonetheless, his attackers never mentioned his religion and wanted him to join their political party. Similarly, the applicant testified that his future harm would be because he was assisting the Mann Party.

D. Torture *(Make a selection in D.1. and, as needed, complete D.2.)*

D.1. There is a **significant possibility** the applicant can establish in a full hearing that:

- The feared harm would be specifically intended to inflict severe pain or suffering on the applicant;
- The feared harm would constitute severe physical or mental pain or suffering;
- The feared harm would be inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity;
- The applicant would be in the offender’s custody or physical control; **and**
- The harm would not arise only from or be inherent in or incidental to lawful sanctions.

In making this determination, the following evidence must be considered:

- Evidence of past torture inflicted upon the applicant;
- Evidence that the applicant could relocate to a part of the country of removal where he or she is not likely to be tortured;
- Evidence of gross, flagrant or mass violations of human rights within the country of removal; and other relevant information regarding conditions in the country of removal.

If the applicant has demonstrated that there is a **significant possibility** of establishing past torture AND there are no changes in circumstances so substantial such that the applicant does not have a credible fear of torture, the applicant will be found to have established a credible fear of torture.

Yes ☐

No ☒

D.2. Written Analysis: *As needed, provide a brief reasoned analysis. Focus on determinative factors, applying the eligibility elements to the facts.*

CREDIBLE FEAR DETERMINATION CHECKLIST AND WRITTEN ANALYSIS

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(b)(6)

Garrett, Natalie M

From: Garrett, Natalie M
Sent: Wednesday, August 21, 2019 7:03 PM
To: Chumpitazi, Lazarita D
Subject: FW: Tomorrow's Interviews: BTC 08/22/2019
Importance: High

Hi, Lazarita.

As you can see, we have received an IFR case. (Actually, we sent one to Krome on Monday.) Robert is expected to learn the IFR procedures, as well, so I want you to get trained first. Because Robert was not involved in our initial IFR training, I am having him review some training materials independently.

Please take some time in the morning to re-review the IFR materials before beginning your interview, as the related procedures apply to not only the paperwork but to the interview itself. I will be sending you two emails with the most up-to-date information.

After you review the materials, please let me know if you have any questions.

Thanks!

From: Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>
Sent: Wednesday, August 21, 2019 7:55 PM
To: Chumpitazi, Lazarita D <Lazarita.D.Chumpitazi@uscis.dhs.gov>; Mediavilla, Lissette <lissette.mediavilla@uscis.dhs.gov>; Biagi, Andrew J <andrew.j.biagi@uscis.dhs.gov>; Vazquez, Robert M <robert.m.vazquez@uscis.dhs.gov>; Reese, Rebekah G <rebekah.g.reese@uscis.dhs.gov>; Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>
Cc: Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; Miami Asylum SAPSO <Miami-Asylum-SAPSO@uscis.dhs.gov>; McPherson, Yaniece A <Yaniece.A.McPherson@uscis.dhs.gov>
Subject: Tomorrow's Interviews: BTC 08/22/2019

Hello, all.

Here is the schedule for tomorrow, Thursday (08/22/2019):

Interview Call-Up List for 08/22/2019									
A#	Nationality	Sex	CF/RF	Int. Loc.	Time	Atty.	APSO	COMMENTS	CLK-In Date

Please let me know if you have any questions.

(b)(6)

Thank you,

Natalie M. Garrett
Acting Supervisory Asylum Pre-Screening Officer
Broward Transitional Center
Miami Asylum Office

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AMERICAN
OVERSIGHT

DHS-19-1398-B, 19-1400-A-000020

From: Garrett, Natalie M
Sent: Wednesday, August 21, 2019 7:15 PM
To: Vazquez, Robert M
Subject: FW: Interim Final Rule and CF for USBP
Attachments: Orientation memo to file July 16 2019.docx; Form I-869A July 16 2019.docx; CF Checklist 3 (effective 7.16.19).docx; 208.13(c)(4) Mandatory Bar Worksheet 7.16.19 Updated.docx; I-870 Annotated 7.16.19.doc; Reasonable Fear Standard of Proof and Eligibility Overview Slides August 2019.pptx; Third Country Asylum Bar Training 2019-07-16 updated.pptx; FW: Amended Guidance on the Interim Final Rule and the 9th Circuit Injunction .msg
Importance: High

Hi, Robert.

I have some new training materials to share with you. Today (Thursday), please review the information below and attached. Lazarita is also re-reviewing the materials today and doing our first IFR interview, so she will be familiar and will be able to assist you with learning the related procedures. In addition, sometime in the morning, I would like to meet with you briefly to discuss how your integration is going and to answer any questions that you may have. I have a status meeting in the afternoon to discuss the BP TDYs, so if you have any issues or need assistance with anything, I can bring that up during my meeting.

See you soon!

From: Alexander, Shannon <shannon.alexander@uscis.dhs.gov>
Sent: Tuesday, August 20, 2019 6:25 PM
To: RAIO - Asylum Field Office Managers <RAIO-AsylumFieldOfficeManagers@uscis.dhs.gov>; RAIO - Asylum HQ Leadership <RAIO-AsylumHQLeadership@uscis.dhs.gov>
Cc: Beighley, Tracy L <tracy.l.beighley@uscis.dhs.gov>
Subject: Interim Final Rule and CF for USBP

~~FOR INTERNAL USE ONLY~~

Good Evening Everyone,

Following up on the recent Ninth Circuit decision *East Bay v. Barr*, No. [19-16487](#) (9th Cir. Aug. 16, 2019) (*East Bay II*), we wanted to provide you with resources to assist any CBP Agents who may be screening non-Ninth Circuit cases where the IFR is implicated as CBP officers have not received formal training in RF.

This includes the following:

- Asylum Division Deputy Chief Ashley Caudill-Mirillo's 20 August 2019 email regarding IFR
- Asylum Division Chief John Lafferty's 15 July 2019 email regarding the IFR (pasted below)
- Orientation Memo to File
- Form I-869A
- CF Checklist 3

- 208.13(c)(4) Mandatory Bar Worksheet
- I-870 Annotated
- Third Country Asylum Bar Training PowerPoint
- Reasonable Fear Standard of Proof and Eligibility Overview Slides (Note: This PowerPoint contains the most relevant slides to your adjudication, which have been excerpted from the most recent RF training conducted for asylum officers)

Additionally, the following Lesson Plans may be helpful:

- *Reasonable Fear* (except sections III – Jurisdiction, and VII Prior Determination on the Merits):
<https://ecn.uscis.dhs.gov/team/raio/PerMgt/Training/Lesson%20Plans/Forms/ASYview.aspx>
- *Trafficking*:
<https://ecn.uscis.dhs.gov/team/raio/PerMgt/Training/Lesson%20Plans/Forms/RAIOonly.aspx>

At a minimum, please forward these materials to any CBP officers who are assigned to your office, make sure they have time to review these materials, and ask them to send any questions to their assigned Supervisory Asylum Officer and/or the local Training Officer.

Offices have flexibility on the manner of delivery and communication of this guidance and should take into account any localized needs and limitations.

Best,

Shannon Alexander

Asylum Officer – *Acting Training Branch Chief*

Asylum Training Division

DHS/USCIS/RAIO

Cube:

Cell: (b)(6)

From: Lafferty, John L <John.L.Lafferty@uscis.dhs.gov>

Sent: Monday, July 15, 2019 8:38 PM

To: RAIO - Asylum Field Office Managers <RAIO-AsylumFieldOfficeManagers@uscis.dhs.gov>; RAIO - Asylum HQ <RAIO-Asylum@uscis.dhs.gov>; RAIO - Asylum Field Office Staff <RAIO-Test@uscis.dhs.gov>

Cc: RAIO - Executive Leadership <RAIO-ExecutiveLeadership@uscis.dhs.gov>

Subject: Interim Final Rule - Asylum Eligibility and Procedural Modifications

Asylum Division colleagues,

Earlier today, a joint Department of Justice and Department of Homeland Security Interim Final Rule (IFR) titled, *Asylum Eligibility and Procedural Modifications*, was posted by the Federal Register for public inspection. The new rule is scheduled to be officially published in the Federal Register and go into effect tomorrow, July 16, 2019. Below is a summary of what the regulation says and how it will impact our work going forward:

Aliens covered by the IFR

Under the new 8 CFR § 208.13(c)(4), any alien who enters, attempts to enter, or arrives in the US across the southern land border on or after **July 16, 2019**, is ineligible for asylum, unless the alien

- Demonstrates that he or she applied for protection from persecution or torture in at least one country outside his or her country of nationality or last habitual residence through which he or she transited in route to the US, and the alien received a final judgement denying the alien protection in such country,

- Demonstrates that he or she satisfies the definition of victim of a severe form of trafficking in persons provided in 8 CFR 214.11 (everyone should have received training on this during your initial officer training; please refer to your *Detecting Possible Victims of Trafficking* RAO Combined Training Course training module for guidance), or
- The only countries through which the alien transited in route to the US, at the time of transit, were not parties to the 1951 United Nations Convention relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees, or the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (at present, those countries would be Bhutan, Grenada, Kiribati, Malaysia, Micronesia, Myanmar, North Korea, Oman, Singapore, and Tonga)

Nothing in the IFR limits an alien from being considered for withholding of removal or protection under CAT, or limits the processes applied to UACs pursuant to TVPRA.

Revised CF screening for aliens subject to the new asylum bar

In addition, under the newly amended regulation at 8 CFR § 208.30(e)(5)(iii), any alien placed into expedited removal who is referred to us for a credible fear screening and who is determined to be ineligible for asylum under the new 8 CFR § 208.13(c)(4) shall

- Receive a negative credible finding as to any asylum claim under INA Section 208; and
- Have any claim to eligibility for withholding of removal or protection under the Convention Against Torture considered under the “reasonable possibility” reasonable fear screening standard **instead of** the “significant possibility” credible fear screening standard.

Besides this changed screening standard for withholding and CAT, all the other usual CF screening procedures and rules apply to these cases, including issuing someone who receives a positive fear finding a Notice to Appear (NTA) to place the person into INA Section 240 removal proceedings.

Below you will find some more detailed “nuts and bolts” instructions for how to handle CF cases impacted by these changes. Further instructions for how we will process affirmative asylum claims impacted by these changes will be forthcoming.

Finally, let me give you a few key takeaways:

- No changes are being made at this time to our processing and screening of Reasonable Fear referrals under 8 CFR § 208.31;
- No changes are being made at this time to our processing and screening of Credible Fear referrals for those aliens who are not impacted by the new asylum bar;
- We have been doing Reasonable Fear screenings for years; conducting RF screenings for aliens impacted by the new asylum bar should be no different;
- The new bar to asylum will apply to affirmative asylum applications, but only for individuals who entered, attempted to enter, or arrived in the US across the southern land border on or after July 16, 2019. It will likely be several weeks or months before we interview and adjudicate any affirmative asylum cases that are impacted by this bar.

We are once again being asked to adapt, and to do so with very little time to train and prepare. If I didn’t know that we have some of the most dedicated, most adaptable, and most talented public servants presently serving in the federal government, I would be concerned about being able to implement these changes on such short notice. Fortunately, each of you are all of those things and much, much more.

I fully expect there to be many questions as this is implemented in the coming days and weeks. Please bring those questions forward to your office leadership so that we can attempt to respond as quickly as possible, and share those responses with the other offices.

Thanks!

John

SUBJECT: Updated Procedures for Implementing the Interim Final Rule

Effective beginning July 16, 2019, and pursuant to 8 CFR 208.13(c)(4), this message provides updated procedures for the processing of Credible Fear cases. In particular, this guidance modifies the Credible Fear of Persecution and Torture Determinations Lesson Plan ("Credible Fear Lesson Plan"), the Credible Fear Procedures Manual, and all other prior guidance documentations and memorandums that are inconsistent with the Interim Final Rule published on July 16, 2019.

Instructions on the impact of this IFR on affirmative asylum processing will be forthcoming. To be subject to the bar the alien must enter, attempt to enter, or arrive in the US across the southern land border on or after July 16, 2019.

These updated procedures are effective immediately and apply to any APSO screening determination issued after July 15, 2019. All asylum offices are responsible for conducting field training for staff on these updated procedures as soon as practicable, no later than one week from today. A PowerPoint training is attached.

Officers **must be trained on reasonable fear** to adjudicate cases subject to the IFR.

Aliens placed in the expedited removal process under INA §235(b)(1) must be referred to USCIS for a credible fear screening if they express a fear of returning to their country. These new procedures only apply to aliens who enter, attempt to enter, or arrive in the US across the southern land border. Cases where aliens enter or attempt to enter or arrive in other locations should follow current Asylum Division Credible Fear Procedures.

Jurisdiction

The Interim Final Rule does not alter the referral process. The Asylum Office must receive all the jurisdictional documents listed at III.B. of the Credible Fear Procedures Manual prior to adjudicating the case. The AO and SAO must confirm that the asylum division has proper jurisdiction in each case.

Interview

Prior to interviewing a case, the asylum officer should review jurisdictional documents (such as the I-213, I-860, I-867A and B) to ascertain the alien's date and manner of entry into the United States.

Jurisdictional documents alone are not enough to establish the application of the bar. An asylum officer must also elicit information regarding potential exceptions and complete the Third-Country Transit Bar Worksheet.

If the officer establishes that the bar applies and that no exceptions to the bar are applicable, the officer should inform the alien that the reasonable possibility standard will apply to the claim. This explanation should be documented in an orientation memo to file (see attached memo).

Once the officer establishes that the bar applies, the officer will make a negative credible fear finding as to asylum and interview the alien to determine if he or she meets the reasonable possibility standard for persecution and the Convention Against Torture. Please see the Reasonable Fear of Persecution and Torture Determinations Lesson Plan for more information on this standard.

Case Processing

1. **Third-Country Transit Bar Worksheet:** Must be completed for all individuals who entered, attempted to enter, or arrived in the US across the southern land border on or after **July 16, 2019**.

2. **Orientation Memo to File:** When the AO determines that the bar applies, the adjudicator must explain to the alien that he or she will be screened according to the reasonable possibility standard and complete a memo to file. The memo is not required if the alien is not subject to the bar or if he or she establishes that the bar does not apply.
3. **I-870:** Use I-870 dated 7/11/19 for all cases.
4. **CF Checklist:** For applicants barred for asylum, please use the “Credible Fear Determination Checklist and Written Analysis for Applicants in Expedited Removal Found Barred from Asylum Pursuant to 208.13(c)(4).” (Checklist 3). Checklist 3 contains instructions regarding the applicable legal standard.
5. **I-869A:** Use I-869A instead of I-869 to document negative determinations for applicants who are barred and are screened using the reasonable fear standard.
6. **Global:** Only for cases subject to IFR, offices select special group code “**bar - 13(c)(4)**.” If the individual establishes an exception to the bar, offices select special group code “**no bar - 13(c)(4)**.” Officers, SAOs and all involved in case processing are reminded to make sure that one of these special group codes **must be selected** whenever the individual interviewed is comes within the scope of this new IFR bar.

If you have any questions concerning the procedures contained in this memorandum, please contact the headquarters APSO point or points of contact. We will be updating the Credible Fear Lesson Plan and Credible Fear Procedures Manual in the future.

Attachments: Third-Country Transit Bar Worksheet
Orientation memo to file
I-870, dated 7/11/19
CF Checklist 3
I-869A
PPT

Third-Country Transit Bar Worksheet (8 CFR 208.13(c)(4))

A#:	Alien Name:	AO Name/Number:	Date:
A. Arrival Date <i>(If checking “no”, bar does not apply and this form does not need to be completed.)</i>			
Did the alien enter, attempt to enter, or arrive in the United States <i>across the southern land border</i> on or after July 16, 2019?			Yes ☐
Explanation:			No ☐
B. 8 CFR 208.13(c)(4) Mandatory Bar Analysis <i>(If checking “no” in box B.1, do not complete boxes B.2, B.3 and B.4 as an exception applies. If checking “yes” in boxes B.1 and B.2, B.3 or B.4, then an exception applies. If checking “yes” in boxes B.1 and “no” in boxes B.2, B.3 and B.4, then bar applies and there is no exception available.)</i>			
1. Transit: Did the alien transit through any country apart from his or her country of nationality (or last habitual residence) en route to the United States?			Yes ☐
List all applicable countries:			No ☐
2. Protection Sought: Did the alien demonstrate that s/he applied for protection in at least one country and received a final judgment denying protection?			Yes ☐
Evidence or Explanation:			No ☐
3. Severe Trafficking Victim: Did the alien demonstrate that s/he meets the definition of “victim of a severe form of trafficking in persons”, as defined in 8 CFR § 214.11?			Yes ☐
A severe form of trafficking in persons is defined as either: a) Sex trafficking in which a commercial sex act is induced by: ☐ Force, fraud, or coercion, or ☐ Person induced is under the age of 18; or, b) Recruiting, harboring, transporting, provisioning, or obtaining a person for labor or services through the use of force, fraud, or coercion for subjection to: ☐ Involuntary servitude; peonage; debt bondage; or slavery			No ☐
Explanation:			
4. Protection Unavailable in Countries Transited:			Yes ☐
The only countries through which the alien transited en route to the United States, were, at the time of the transit, not parties to the 1951 United Nations Convention relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees, or the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.			No ☐

Third-Country Transit Bar Worksheet (8 CFR 208.13(c)(4))

C. Decision <i>If the alien established that the bar does not apply, or if an exception applies, continue processing as a credible fear or affirmative case.</i> <i>If the alien failed to establish that s/he is not barred:</i> • <i>If the alien is in expedited removal, continue screening for withholding and CAT using the reasonable fear standard.</i> • <i>If the alien filed affirmatively, complete interview and address the mandatory bar in the referral/denial.</i>	
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CREDIBLE FEAR DETERMINATION CHECKLIST AND WRITTEN ANALYSIS
FOR APPLICANTS IN EXPEDITED REMOVAL FOUND BARRED FROM ASYLUM PURSUANT TO 208.13(c)(4)
[JULY 16, 2019] [CHECKLIST 3]

A#:	COUNTRY:	APSO Name:	DATE:
<i>By using this checklist, the adjudicator has determined that the applicant is barred for asylum pursuant to 8 C.F.R. 208.13(c)(4).</i> <i>If there is a reasonable possibility of persecution, complete Sections A., B., and C. If there is a reasonable possibility of torture, complete Sections A., B., and D. If there is not a reasonable possibility of persecution or torture, complete Sections A., B., C., and D. unless the claim fails in Section A.2. (Future Harm) or Section B. (Credibility), in which case, stop and complete Form I-870.</i>			
A. Harm (If yes to A.2., proceed with the analysis. If no to A.2., STOP and complete Form I-870.)			
1. Has the applicant testified that he or she has experienced <u>past</u> harm in his or her country? <i>If yes, identify any past harm or mistreatment suffered, and identify the relevant entity.</i>			Yes ☐ No ☐
2. Has the applicant testified that he or she fears <u>future</u> harm if returned to his or her country? <i>If yes, identify any harm or mistreatment feared, and identify the relevant entity. If no, explain and complete Form I-870.</i>			Yes ☐ No ☐
B. Credibility (Select the appropriate box and analyze whether the applicant's testimony was credible or not credible.)			
Applicant's testimony was credible: Considering the totality of the circumstances and all relevant factors, the applicant's testimony was consistent, detailed, and plausible. Therefore, it is found credible. (Check box, explain only if overall decision is positive, and move to Section C. or D.)			☐
Applicant's testimony was not credible: Considering the identified credibility concern(s), the absence of reasonable explanations for those concerns, and taking into consideration the applicant's individual circumstances, the applicant's testimony is found not credible under the totality of the circumstances and all relevant factors. (Check box, explain, STOP and complete Form I-870.)			☐
C. Persecution (Select as needed. If yes to C.1. or C.2., complete C.3. If no to C.1 and C.2., complete C.3.)			
1. a. <u>Past Persecution:</u> The applicant established that: • The harm experienced was sufficiently serious to amount to persecution; • The entity that harmed the applicant was motivated to harm the applicant on account of his or her race, religion, nationality, membership in a particular social group, or political opinion, applying the one central reason standard; and • The entity that harmed the applicant was an agent of the government or an entity that the government was unable or unwilling to control. AND 1. b. The presumption of well-founded fear has not been rebutted by a preponderance of the evidence that 1) there has been a fundamental change in circumstances such that the applicant no longer has a well-founded fear, or 2) it would be reasonable, under all the circumstances, for the applicant to relocate within the applicant's country to avoid future persecution.			Yes ☐ No ☐
2. <u>Future Persecution:</u> The applicant established a reasonable possibility of persecution on account of a protected ground: • The harm feared is sufficiently serious to amount to persecution; • The applicant 1) either <u>possesses</u> a protected characteristic of which the feared entity is or could become <u>aware</u> or the feared entity believes that the applicant possesses a protected characteristic, and 2) the feared entity has the <u>capability</u> and <u>inclination</u> to persecute the applicant, OR there is a <u>pattern or practice</u> of persecution of a group of persons similarly situated to the applicant on account of a protected ground; and • Under all the circumstances, it would not be reasonable for the applicant to relocate within the applicant's country to avoid future persecution.			Yes ☐ No ☐
C.3. <u>Written Analysis:</u>			

Race ☐ Religion ☐ Nationality ☐ Membership in a Particular Social Group ☐ Political Opinion ☐

If reasonable possibility of persecution established, identify the protected ground and specify:

As needed, provide a brief reasoned analysis. Focus on determinative factors, applying the eligibility elements to the facts.

D. Torture (Select D.1. as needed and complete D.2.)

D.1. There is a **reasonable possibility** that:

- The feared harm would be specifically intended to inflict severe pain or suffering on the applicant;
- The feared harm would constitute severe physical or mental pain or suffering;
- The feared harm would be inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity;
- The applicant would be in the offender's custody or physical control; **and**
- The harm would not arise only from or be inherent in or incidental to lawful sanctions.

In making this determination, the following evidence must be considered:

- Evidence of past torture inflicted upon the applicant;
- Evidence that the applicant could relocate to a part of the country of removal where he or she is not likely to be tortured;
- Evidence of gross, flagrant or mass violations of human rights within the country of removal; and other relevant information regarding conditions in the country of removal.

If the applicant has established past torture **AND** there are no changes in circumstances so substantial such that the applicant does not have a reasonable fear of torture, the applicant will be found to have established a reasonable fear of torture.

Yes ☐

No ☐

D.2. Written Analysis: *As needed, provide a brief reasoned analysis. Focus on determinative factors, applying the eligibility elements to the facts.*

**Record of Negative Credible/Reasonable Fear Finding and
Request For Review by Immigration Judge for Aliens Barred
From Asylum Pursuant to 8 CFR 208.13(c)(4)**

Alien File Number: _____

1. To be explained to the alien by the asylum officer:

A. U.S. Citizenship and Immigration Services (USCIS) has determined that you are an alien described in 8 CFR 208.13(c)(4) and therefore, you have not established a credible fear because you cannot show a significant possibility of establishing eligibility for asylum.

B. You have not established a reasonable fear with respect to your application for withholding of removal under INA 241(b)(3) or withholding or deferral of removal under the Convention Against Torture pursuant to 8 CFR 208.16 for the following reason(s):

- ☐ You have not established a reasonable fear of persecution in a country to which you have been ordered removed because:
- ☐ You have not indicated that you were harmed in the past and you have not expressed fear of future harm.
 - ☐ There is no reasonable possibility that the harm you experienced and/or the harm you fear is on account of your race, religion, nationality, political opinion, or membership in a particular social group.
 - ☐ You have not indicated that you were harmed in the past, or there is no reasonable possibility that the past harm or the harm you fear in the future constitutes persecution.
 - ☐ There is no reasonable possibility that you would suffer the harm you fear.
 - ☐ You could reasonably avoid persecution by relocating within your country.

AND

- ☐ You have not established a reasonable fear of torture in a country to which you may be removed because you have not established that there is a reasonable possibility that:
- ☐ You would suffer severe physical or mental pain or suffering.
 - ☐ The harm you fear would be specifically intended to inflict severe physical or mental pain or suffering.
 - ☐ The harm you fear would be inflicted by or at the instigation of, or with the consent or acquiescence of, a public official or other person acting in an official capacity.
 - ☐ The harm you fear would be inflicted while you are in the custody or physical control of the offender.
 - ☐ The harm you fear would not arise only from, would not be inherent in, and would not be incidental to, lawful sanctions.

C. ☐ Considering the totality of the circumstances and all relevant factors, you have not established that your testimony is credible.

Therefore, you are ordered removed from the United States. You may request that an Immigration Judge review this decision.

If you request that an Immigration Judge review this decision, you will remain in detention until an Immigration Judge reviews your case. That review could occur as long as 7 days after you receive this decision.

If you indicate below that do not request that an Immigration Judge review the decision, you may be removed from the United States immediately.

2. To be completed by the alien:

- ☐ **Yes, I request Immigration Judge review** of the decisions that I do not have a credible fear of persecution or torture and that I do not have a reasonable fear of persecution or torture.
- ☐ **No, I do not request Immigration Judge review** of the decisions that I do not have a credible fear of persecution or torture and that I do not have a reasonable fear of persecution or torture.

Applicant's Last Name/ Family Name (Print)

Applicant's First Name (Print)

Applicant's Signature

Asylum Officer's Last Name (Print)

Asylum Officer's First Name, (Print)

Date

The contents of this form were read and explained to the applicant in the _____ language

Interpreter used:

By telephone (list interpreter service /ID number used _____).

In person (I, _____, certify that I am fluent in both the _____ and English languages. I interpreted the above information completely and accurately to the alien.)

Interpreter's Signature

Date

**Record of Negative Credible/Reasonable Fear Finding and
Request For Review by Immigration Judge for Aliens Barred
From Asylum Pursuant to 8 CFR 208.13(c)(4)**

Caudill-Mirillo, Ashley B

From: Caudill-Mirillo, Ashley B
Sent: Tuesday, August 20, 2019 12:44 PM
To: RAIO - Asylum HQ
Subject: FW: Amended Guidance on the Interim Final Rule and the 9th Circuit Injunction
Attachments: 9 East Bay Covenant (Aug 16 2019).pdf
Importance: High

FOR INTERNAL USE ONLY

Good afternoon HQ,

My apologies. I missed including our distribution list in my haste to get the guidance to the field.

Thanks!

From: Caudill-Mirillo, Ashley B <Ashley.Caudill-Mirillo@uscis.dhs.gov>
Sent: Tuesday, August 20, 2019 9:30 AM
To: RAIO - Asylum HQ Leadership <RAIO-AsylumHQLeadership@uscis.dhs.gov>; RAIO - Asylum Field Office Managers <RAIO-AsylumFieldOfficeManagers@uscis.dhs.gov>; RAIO - Asylum Field Office Staff <RAIO-Test@uscis.dhs.gov>; RAIO - Executive Leadership <RAIO-ExecutiveLeadership@uscis.dhs.gov>; RefugeeAffairsTDY <refugeeaffairstdy@uscis.dhs.gov>
Subject: Amended Guidance on the Interim Final Rule and the 9th Circuit Injunction
Importance: High

FOR INTERNAL USE ONLY

Asylum Division Staff,

As you know, the Ninth Circuit issued the attached decision in *East Bay v. Barr*, No. [19-16487](#) (9th Cir. Aug. 16, 2019) (*East Bay II*) partially granting and partially denying the Government's motion to stay the district court's preliminary injunction of the DOJ/DHS joint interim final rule, "Asylum Eligibility and Procedural Modifications," 84 Fed. Reg. 33,829 (July 16, 2019), i.e., the third country transit asylum bar IFR. The Ninth Circuit denied the motion for a stay pending appeal insofar as the injunction applies within the Ninth Circuit, but granted the motion for a stay pending appeal insofar as the injunction applies outside the Ninth Circuit. The initial guidance disseminated on August 17, 2019, is withdrawn and replaced by this guidance. Additional updates will be provided as necessary.

The third country transit asylum bar IFR remains preliminarily enjoined in the Ninth Circuit and therefore USCIS personnel still cannot rely on the third country transit asylum bar IFR when conducting credible fear screening interviews for cases arising in the Ninth Circuit, or when adjudicating asylum applications within the Ninth Circuit. USCIS personnel should continue to follow the processes in place prior to implementation of the IFR for credible fear screenings and asylum adjudications in the Ninth Circuit. However, because the court granted a stay of the preliminary injunction outside of the Ninth Circuit, the third country transit asylum rule is effective as to:

- (1) All credible fear screenings that are conducted or remain pending after August 16, 2019, for cases arising outside the Ninth Circuit, and
- (2) All asylum applications filed on or after July 16, 2019, that remain pending after August 16, 2019, outside of the Ninth Circuit. **As a reminder, for asylum applications that are pending after August 16, 2019 outside of the Ninth Circuit, the IFR would apply, but the bar at 8 CFR 208.13(c)(4) only applies to

DHS-19-1398-B, 19-1400-A-000032

an alien who enters, attempts to enter, or arrives in the United States across the southern land border on or after July 16, 2019, after transiting through at least one country outside the alien's country of last citizenship, nationality, or last habitual residence en route to the United States, unless an exception applies. For purposes of determining whether the injunction applies, the IFR should not apply to any CF determination or asylum adjudication in which: (1) the alien was apprehended in the jurisdiction of the Ninth Circuit (California, Arizona, Nevada, Oregon, Washington, Idaho, Montana, Alaska, Hawaii, Guam, Northern Mariana Islands) or (2) the alien is in the jurisdiction of the Ninth Circuit when the credible fear screening is conducted or the claim is adjudicated.

Should you have any questions or concerns, please direct through your chain of command. It is also recommended you consult the guidance attached to the e-mail from Asylum Division Chief John Lafferty on July 15, 2019 entitled *Interim Final Rule – Asylum Eligibility and Procedural Modifications*.

Thanks,

Ashley

Ashley Caudill-Mirillo

Deputy Chief

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Refugee, Asylum, and International Operations

FOR PUBLICATION

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UNITED STATES COURT OF APPEALS

AUG 16 2019

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

EAST BAY SANCTUARY COVENANT;
AL OTRO LADO; INNOVATION LAW
LAB; CENTRAL AMERICAN
RESOURCE CENTER,

Plaintiffs-Appellees,

v.

WILLIAM P. BARR, Attorney General;
UNITED STATES DEPARTMENT OF
JUSTICE; JAMES MCHENRY, Director of
the Executive Office for Immigration
Review, in his official capacity;
EXECUTIVE OFFICE FOR
IMMIGRATION REVIEW; KEVIN K.
MCALEENAN, Acting Secretary of
Homeland Security, in his official capacity;
U.S. DEPARTMENT OF HOMELAND
SECURITY; KENNETH T. CUCCINELLI,
Acting Director of the U.S. Citizenship and
Immigration Services, in his official
capacity; JOHN P. SANDERS, Acting
Commissioner of U.S. Customs and Border
Protection, in his official capacity; UNITED
STATES CITIZENSHIP AND
IMMIGRATION SERVICES; U.S.
CUSTOMS AND BORDER
PROTECTION; MATTHEW ALBENCE,
Acting Director of Immigration and
Customs Enforcement, in his official
capacity; IMMIGRATION AND
CUSTOMS ENFORCEMENT,

No. 19-16487

D.C. No. 3:19-cv-04073-JST
Northern District of California,
San Francisco

ORDER

Defendants-Appellants.

Before: TASHIMA, M. SMITH, and BENNETT, Circuit Judges.

Appellants seek a stay pending appeal of the district court’s July 24, 2019 order preliminarily enjoining the Department of Justice and Department of Homeland Security’s joint interim final rule, “Asylum Eligibility and Procedural Modifications” (the “Rule”), 84 Fed. Reg. 33,829 (July 16, 2019).¹

The district court found that the Rule likely did not comply with the Administrative Procedure Act’s (APA) notice-and-comment and 30-day grace period requirements because Appellants did not adequately support invocation of the “good cause” and “foreign affairs” exemptions under the APA. *See* 5 U.S.C. § 553(a)(1), (b)(1)(B), (d)(3); *Buschmann v. Schweiker*, 676 F.2d 352, 357 (9th Cir. 1982) (good cause exemption “should be interpreted narrowly so that the exception will not swallow the rule” (internal citations omitted)); *Yassini v. Crosland*, 618 F.2d 1356, 1360 n.4 (9th Cir. 1980) (foreign affairs exemption “would become distended” if applied to immigration rules generally and requires showing that ordinary public noticing would “provoke definitely undesirable

¹ The State of Arizona’s amicus brief in support of Appellants’ motion has been filed. The Professors of Immigration Law’s motion for leave to file an amicus brief in opposition to Appellants’ motion (Docket Entry No. 28) is granted, and the brief is filed.

international consequences”). We conclude that Appellants have not made the required “strong showing” that they are likely to succeed on the merits on this issue. *Hilton v. Braunskill*, 481 U.S. 770, 776 (1987).²

Consequently, we deny the motion for stay pending appeal (Docket Entry No. 3) insofar as the injunction applies within the Ninth Circuit.³

We grant the motion for stay pending appeal insofar as the injunction applies outside the Ninth Circuit, because the nationwide scope of the injunction is not

² Our finding that Appellants have not made a “strong showing” does not bind the merits panel in reviewing this aspect of the merits, as that is not the standard the merits panel will apply. *See Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008).

³ We do not assess Appellants’ remaining arguments as to likelihood of success on the merits and do not reach the remaining *Hilton* factors. *See Nken v. Holder*, 556 U.S. 418, 435 (2009) (stating that the likelihood of success on the merits factor is one of the “most critical” and must be established before considering the last two stay factors); *cf. California v. Azar*, 911 F.3d 558, 575 (9th Cir. 2018) (“Likelihood of success on the merits is the most important factor; if a movant fails to meet this threshold inquiry, we need not consider the other factors.” (internal quotation marks omitted) (quoting *Disney Enters., Inc. v. VidAngel, Inc.*, 869 F.3d 848, 856 (9th Cir. 2017))).

supported by the record as it stands.⁴ *Cf. City and County of San Francisco v. Trump*, 897 F.3d 1225, 1243–45 (9th Cir. 2018).⁵

An injunction must be “narrowly tailored to remedy the specific harm shown.” *Id.* at 1244 (quoting *Bresgal v. Brock*, 843 F.2d 1163, 1170 (9th Cir. 1987)). We have upheld nationwide injunctions where such breadth was necessary to remedy a plaintiff’s harm. *See, e.g., id.; California v. Azar*, 911 F.3d 558, 582 (9th Cir. 2018) (“Although there is no bar against nationwide relief in federal district court . . . such broad relief must be *necessary* to give prevailing parties the

⁴ The dissent, without citing any authority, argues that “it is [not] within a motions panel’s province to parse the record for error at this stage” and accuses us of “[going] beyond the recognized authority of a motions panel” by granting the motion for a stay pending appeal insofar as the injunction applies outside the Ninth Circuit. We have two responses.

First, we did not have to “parse” the record for error. Appellants’ stay motion specifically argues that the district court erred in imposing a nationwide injunction. Moreover, the three sentences that the district court provided to support the imposition of a nationwide injunction—none of which explains why it believed a nationwide injunction was necessary in this case—make clear that it failed to undertake the analysis necessary before granting such broad relief.

Second, other motions panels of our court have reviewed the scope of injunctive relief granted by district courts. *See, e.g., E. Bay Sanctuary Covenant v. Trump*, No. 18-17274, 2018 WL 8807133, at *24 (9th Cir. Dec. 7, 2018); *Hawaii v. Trump*, No. 17-17168, 2017 WL 5343014, at *1 (9th Cir. Nov. 13, 2017). We think these decisions illustrate that it is indeed within our province—our duty, even—to review whether the district court abused its discretion in granting a nationwide injunction.

⁵ The dissent criticizes our reliance on *Trump*, 897 F.3d 1225, because the procedural posture in this case is different. We recognize this difference as we cite *Trump* as an analogous case supporting our decision because, notwithstanding the different procedural posture, the issue in that case—whether the scope of the injunction was appropriate—is the same issue before us. *See id.* at 1244–45.

relief to which they are entitled.” (internal quotation marks and alterations omitted) (quoting *Bresgal*, 843 F.2d at 1170–71)). These are, however, “exceptional cases.” *Trump*, 897 F.3d at 1244. To permit such broad injunctions as a general rule, without an articulated connection to a plaintiff’s particular harm, would unnecessarily “stymie novel legal challenges and robust debate” arising in different judicial districts. *Id.*; see also *Azar*, 911 F.3d at 583 (“The Supreme Court has repeatedly emphasized that nationwide injunctions have detrimental consequences to the development of law and deprive appellate courts of a wider range of perspectives.”).

Here, the district court failed to discuss whether a nationwide injunction is necessary to remedy Plaintiffs’ alleged harm. Instead, in conclusory fashion, the district court stated that nationwide relief is warranted simply because district courts have the authority to impose such relief in some cases and because such relief has been applied in the immigration context. The district court clearly erred by failing to consider whether nationwide relief is necessary to remedy Plaintiffs’ alleged harms. And, based on the limited record before us, we do not believe a nationwide injunction is justified.

Our dissenting colleague believes that a nationwide injunction is appropriate simply because this case presents a rule that applies nationwide. That view, however, ignores our well-established rule that injunctive relief “must be tailored

to remedy the specific harm alleged.” *Lamb-Weston, Inc. v. McCain Foods, Ltd.*, 941 F.2d 970, 974 (9th Cir. 1991) (citations omitted). Indeed, were we to adopt the dissent’s view, a nationwide injunction would result any time an enjoined action has potential nationwide effects. Such an approach would turn broad injunctions into the rule rather than the exception. Under our case law, however, all injunctions—even ones involving national policies—must be “narrowly tailored to remedy the specific harm shown.” *Trump*, 897 F.3d at 1244 (quoting *Bresgal*, 843 F.2d at 1170).

We agree with our dissenting colleague that “time does not permit a full exploration of the merits of the ‘nationwide’ issue.” But whereas he believes that such a factor supports the granting of a nationwide injunction until a merits panel can address the case, we reach precisely the opposite conclusion. “National injunctions interfere with good decisionmaking by the federal judiciary.” Samuel L. Bray, *Multiple Chancellors: Reforming the National Injunction*, 131 Harv. L. Rev. 417, 461 (2017). They “deprive” other parties of “the right to litigate in other forums.” *Azar*, 911 F.3d at 583. Based on the briefing and limited record before us, and absent an explanation by the district court as to why a nationwide injunction is necessary to remedy Plaintiffs’ alleged harm in this case, we must grant the motion for stay pending appeal insofar as the injunction applies outside the Ninth Circuit.

Our dissenting colleague also argues that it is “perplexing” that the government’s failure to demonstrate a strong showing of likelihood of success on the merits “does not . . . require that a stay of the nationwide aspect of the injunction [] be denied.” That contention misses the mark, however, by conflating the merits of the government’s position with district court’s authority to issue a nationwide injunction. Whether Appellants have made a strong showing of likelihood of success on the merits entitling them to a stay of the preliminary injunction is a separate question from whether the scope of the injunction is appropriate. In *Azar*, for example, we affirmed the preliminary injunction because, among other things, we found that the plaintiffs were likely to succeed on their claim that the rules were invalid. 911 F.3d at 575–81. Despite our conclusion that the rules were likely invalid, however, we also determined that the injunction’s nationwide scope was not supported by the record. *Id.* at 584–85. *Azar* illustrates that, beyond examining the merits of a party’s arguments, a district court must separately analyze whether nationwide relief is “*necessary* to give prevailing parties the relief to which they are entitled” before issuing such an injunction. *Id.* at 582 (quoting *Bresgal*, 843 F.2d at 1170–71).

Our approach—granting a more limited injunction—allows other litigants wishing to challenge the Rule to do so. Indeed, several already have.⁶ Litigation over the Rule’s lawfulness will promote “the development of the law and the percolation of legal issues in the lower courts” and allow the Supreme Court, if it chooses to address the Rule, to do so “[with] the benefit of additional viewpoints from other lower federal courts and [with] a fully developed factual record.”

Amanda Frost, *In Defense of Nationwide Injunctions*, 93 N.Y.U. L. REV. 1065, 1107–08 (2018).⁷

In sum, our decision to partially grant the stay simply upholds the law of our circuit by ensuring that injunctive relief is properly tailored to the alleged harm.⁸

While this appeal proceeds, the district court retains jurisdiction to further develop the record in support of a preliminary injunction extending beyond the

⁶ As Appellants point out, hours before the district court ruled here, a District of Columbia district court, presented with the same Rule, denied materially identical relief to organizations similar to the Plaintiffs here. *See CAIR v. Trump*, No. 1:19-CV-02117-TJK, 2019 WL 3436501 (D.D.C. July 24, 2019).

⁷ *Accord United States v. Mendoza*, 464 U.S. 154, 160 (1984) (“[O]nly one final adjudication would deprive this Court of the benefit it receives from permitting several courts of appeals to explore a difficult question.”).

⁸ Contrary to the dissent’s position, the fact that injunctive relief may temporarily cause the Rule to be administered inconsistently in different locations is not a sound reason for imposing relief that is broader than necessary. As we explain above, our law requires that injunctive relief be narrowly tailored to remedy the plaintiffs’ alleged harm, and it may only be broadened “if such breadth is necessary to give prevailing parties the relief to which *they* are entitled.” *Bresgal*, 843 F.2d at 1170–71 (emphasis added).

Ninth Circuit. *Cf. Trump*, 897 F.3d at 1245 (“Because the record is insufficiently developed as to the question of the national scope of the injunction, we vacate the injunction to the extent that it applies outside California and remand to the district court for a more searching inquiry into whether this case justifies the breadth of the injunction imposed.”).

The opening brief is due September 3, 2019; the answering brief is due October 1, 2019; and the optional reply is due within 21 days after service of the answering brief. This case will be placed on a December 2019 argument calendar.

FILED

East Bay Sanctuary Covenant v. Barr, No. 19-16487

AUG 16 2019

TASHIMA, Circuit Judge, concurring in part and dissenting in part:

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

I concur in the portion of the order denying the motion for stay pending appeal [Dkt. 3] insofar as the injunction applies within the Ninth Circuit, but dissent from the balance of the order.

Acting as a motions panel, all we have before us is the government’s motion for a stay. I do not believe that it is within a motions panel’s province to parse the record for error at this stage, which is what the majority does in concluding that “the nationwide scope of the injunction is not supported by the record as it stands.” (Citation omitted.) But the majority then goes beyond the recognized authority of a motions panel by concluding that “[t]he district court clearly erred by failing to consider whether nationwide relief is necessary to remedy Plaintiffs’ alleged harms,” and, on that basis “grant[s] the motion for stay pending appeal insofar as the injunction applies outside the Ninth Circuit.” It then, in the penultimate paragraph of the Order, in effect, remands the case to the district court for a partial do-over:

While this appeal proceeds, the district court retains jurisdiction to further develop the record in support of a preliminary injunction extending beyond the Ninth Circuit.¹

¹ The majority relies on *City & County of San Francisco v. Trump*, 897 F.3d 1225, 1245 (9th Cir. 2018), but the citation is completely inapposite. That
(continued...)

But vacating and remanding it to the district court for a more searching inquiry into whether this case justifies the breadth of the injunction is indubitably an action within the province of a merits panel—not a motions panel.²

At the same time, the order places the merits briefing (of this appeal) on an expedited schedule for placement “on a December 2019 argument calendar.” What issues are the parties expected to brief, assuming that parallel proceedings in the district court are still ongoing? And if the district court completes its second-look remand proceedings within the next few weeks or months and issues a modified injunction, or issues the same nationwide injunction, but one which is supported by supplemental findings of fact, should the parties seek to file supplemental briefs on the newly-raised and newly-decided issues in this appeal to the merits panel assigned to this appeal, or should a new notice of appeal be filed, giving rise to a

¹(...continued)

was an opinion by a merits panel charged with deciding the appeal, not a motions panel charged with deciding a stay motion, and the merits panel did exactly what it was charged with, *i.e.*, it decided the appeal; it “AFFIRMED in part; VACATED in pari; and REMANDED.” *Id.* We, as a motions panel, have no equivalent charge.

² Because the issue has been decided, applying the clear error standard of review, the injunction vacated and remanded to the district court, the merits panel, presumably has been deprived of deciding this issue. The majority’s assertion, in footnote 2, that its action “does not bind the merits panel,” is an empty promise. Deciding the case on the merits, vacating and remanding the injunction is not in accord with the dictates of *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008).

new appeal? These are some of the new and difficult questions raised by the majority's split-decision.

While time does not permit a full exploration of the merits of the “nationwide” issue, some problems posed by the majority's Ninth Circuit-only injunction are apparent. Perhaps, the district court did not make detailed findings in support of a nationwide injunction because the need for one in the circumstances of this case is obvious. For starters, the joint interim final rule, “Asylum Eligibility and Procedural Modifications,” will affect asylum applications across the breadth of the southern border. Should asylum law be administered differently in Texas than in California? These issues and problems illustrate why tinkering with the merits on a limited stay motion record can be risky. And it is why such issues are reserved for the more deliberate examination that a merits panel can give them.

There is also a glaring inconsistency—a contradiction—in the majority's split-the-baby approach. If, as the majority and I agree, the government's failure to meet the first *Hilton v. Braunskill*, 481 U.S. 770, 776 (1987), factor—likelihood of success on the merits, because of its failure to comply with the APA—means that its stay motion with respect to the preliminary injunction's application within the Ninth Circuit fails, it is perplexing to me why that failure does not infect the balance of its stay motion and require that a stay of the nationwide aspect of the

injunction also be denied.³ The majority, in its rush to address the merits of the nationwide aspect of the injunction, simply elides this contradiction.

Because I would not peel off part of the preliminary injunction and remand that portion to the district court, “[b]ecause the record is insufficiently developed as to the question of the national scope of the injunction” (quoting *San Francisco v. Trump*, 897 F.3d at 1245), while retaining jurisdiction over the remainder, I dissent from the remand⁴ of the nationwide scope of the preliminary injunction to the district court.

I would simply deny the stay motion.

³ The majority’s answer to this point is to state that “Whether Appellants have made a strong showing of likelihood of success on the merits entitling them to a stay of the preliminary injunction is a separate question from whether the scope of the injunction is appropriate.” But that doesn’t answer (or even try to answer) my question of why the government’s failure to meet the likelihood-of-success factor doesn’t doom its motion to stay the nationwide portion of the injunction, as well as the California portion.

⁴ The Order does not use the word “remand,” but the majority does not quarrel with the obvious inference from its statement that “the district court retains jurisdiction to further develop the record in support of a preliminary injunction extending beyond the Ninth Circuit,” is, in substance, a remand.

_____	_____	_____	_____
District Office Code	Asylum Office Code	Alien's File Number	Alien's Last/ Family Name
_____	_____	_____	_____
Asylum Officer's Last Name	Asylum Officer's First Name	Alien's Nationality	_____

All statements in italics must be read to the applicant

SECTION I:

INTERVIEW PREPARATION

- 1.1 _____ / _____ / _____ 1.2 _____
Date of arrival [MM/DD/YY] Port of arrival
- 1.3 _____ / _____ / _____ 1.4 _____
Date of detention [MM/DD/YY] Place of detention
- 1.5 _____ / _____ / _____ 1.6 _____
Date of AO orientation [MM/DD/YY] If orientation more than one week from date of detention, explain delay
- 1.7 _____ / _____ / _____ 1.8 _____
Date of interview [MM/DD/YY] Interview site
- 1.9 ☐ Applicant received and signed **Form M-444** and relevant *pro bono* list on _____
Date signed [MM/DD/YY]
- 1.10 Does applicant have consultant(s)? ☐ Yes ☐ No
- 1.11 If yes, consultant(s) name, address, telephone number and relationship to applicant

- 1.12 Persons present at the interview (check which apply)
- 1.13 ☐ Consultant(s)
- 1.14 ☐ Other(s), list: _____
- 1.15 ☐ No one other than applicant and asylum officer
- 1.16 Language used by applicant in interview:
- 1.17 _____ ☐ Yes ☐ No
Interpreter Service, Interpreter ID Number. Interpreter Has Forms Time Started Time Ended
- 1.18 _____ ☐ Yes ☐ No
Interpreter Service, Interpreter ID Number. Interpreter Has Forms Time Started Time Ended
- 1.19 _____ ☐ Yes ☐ No
Interpreter Service, Interpreter ID Number. Interpreter Has Forms Time Started Time Ended
- 1.20 ☐ Interpreter **was not changed** during the interview
- 1.21 ☐ Interpreter **was changed** during the interview for the following reason(s):
- 1.22 ☐ Applicant requested a female interpreter replace a male interpreter, or *vice versa*
- 1.23 ☐ Applicant found interpreter was not competent 1.24 ☐ Applicant found interpreter was not neutral
- 1.25 ☐ Officer found interpreter was not competent 1.26 ☐ Officer found interpreter was not neutral
- 1.27 ☐ Bad telephone connection
- 1.28 ☐ Asylum officer read the following paragraph to the applicant at the beginning of the interview:

The purpose of this interview is to determine whether you may be eligible for asylum or protection from removal to a country where you fear persecution or torture. I am going to ask you questions about why you fear returning to your country or any other country you may be removed to. It is very important that you tell the truth during the interview and that you respond to all of my questions. This may be your only opportunity to give such information. Please feel comfortable telling me why you fear harm. U.S. law has strict rules to prevent the disclosure of what you tell me today about the reasons why you fear harm. The information you tell me about the reasons for your fear will not be disclosed to your government, except in exceptional circumstances. The statements you make today may be used in deciding your claim and in any future immigration proceedings. It is important that we understand each other. If at any time I make a statement you do not understand, please stop me and tell me you do not understand so that I can explain it to you. If at any time you tell me something I do not understand, I will ask you to explain.

Alien's File Number:

SECTION II:

BIOGRAPHIC INFORMATION

2.1

Last Name/ Family Name [ALL CAPS]

2.2

First Name

2.3

Middle Name

2.4

____/____/____

2.5

Gender ☐ Male ☐ Female

Date of birth [MM/DD/YY]

2.6

Other names and dates of birth used

2.7

Country of birth

2.8

Country (countries) of citizenship (list all)

2.9

Address prior to coming to the U.S. (List Address, City/Town, Province, State, Department and Country).

2.10

2.11

2.12

Applicant's race or ethnicity

Applicant's religion

All languages spoken by applicant

2.13 Marital status: ☐ Single ☐ Married ☐ Legally separated ☐ Divorced ☐ Widowed

2.14 Did spouse arrive with applicant? ☐ Yes ☐ No

2.15 Is spouse included in applicant's claim? ☐ Yes ☐ No

2.16 If currently married (including common law marriage) list spouse's name, citizenship, and present location (if with applicant, provide A-Number):

2.17 Children: ☐ Yes ☐ No

2.18 List any children (Use the continuation section to list any additional children):

Date of birth (MM/DD/YY)	Name	Citizenship	Present location (if w/PA, list A-Numbers)	Did child arrive with PA? ☐ Yes ☐ No	Is child included in PA's claim? ☐ Yes ☐ No
_____	_____	_____	_____	☐ Yes ☐ No	☐ Yes ☐ No
_____	_____	_____	_____	☐ Yes ☐ No	☐ Yes ☐ No
_____	_____	_____	_____	☐ Yes ☐ No	☐ Yes ☐ No
_____	_____	_____	_____	☐ Yes ☐ No	☐ Yes ☐ No
_____	_____	_____	_____	☐ Yes ☐ No	☐ Yes ☐ No
_____	_____	_____	_____	☐ Yes ☐ No	☐ Yes ☐ No

Alien's File Number:

2.19 Does applicant claim to have a medical condition (physical or mental), or has the officer observed any indication(s) that a medical condition exists? If YES, answer questions 2.20 and 2.21 and explain below. ☐ Yes ☐ No

2.20 Has applicant notified the facility of medical condition? ☐ Yes ☐ No

2.21 Does applicant claim that the medical condition relates to torture? ☐ Yes ☐ No

2.22 Does the applicant have a relative, sponsor or other community ties, including spouse or child already listed above? ☐ Yes ☐ No

2.23 If YES, provide information on relative or sponsor (use continuation section, if necessary):

Name

Relationship

Address

Telephone Number

☐ Citizen ☐ Legal Permanent Resident ☐ Other

SECTION III:

CREDIBLE FEAR INTERVIEW

The following notes are not a verbatim transcript of this interview.

These notes are recorded to assist the individual officer in making a credible fear determination and the supervisory asylum officer in reviewing the determination.

There may be areas of the individual's claim that were not explored or documented for purposes of this threshold screening.

The asylum officer must elicit sufficient information related to both credible fear of persecution and credible fear of torture to determine whether the applicant meets the threshold screening. Even if the asylum officer determines in the course of the interview that the applicant has a credible fear of persecution, the asylum officer must still elicit any additional information relevant to a fear of torture. Asylum officers are to ask the following questions and may use the continuation sheet if additional space is required. If the applicant replies YES to any question, the asylum officer must ask follow-up questions to elicit sufficient details about the claim in order to make a credible fear determination.

3.1 a. *Have you or any member of your family ever been mistreated or threatened by anyone in any country to which you may be returned?* ☐ Yes ☐ No

b. *Do you have any reason to fear harm from anyone in any country to which you may be returned?*

☐ Yes ☐ No

c. If YES to questions *a* and/or *b*, was it or is it because of any of the following reasons? (Check each of the following boxes that apply).

☐ Race ☐ Religion ☐ Nationality ☐ Membership in a particular social group ☐ Political Opinion

Alien's File Number:

- 3.2 ☐ At the conclusion of the interview, the asylum officer must read the following to applicant:

*If the Department of Homeland Security determines you have a credible fear of persecution or torture, or, where applicable, a reasonable fear of persecution or torture, your case will be referred to an immigration court, where you will be allowed to seek asylum or withholding of removal based on fear of persecution or withholding of removal under the Convention Against Torture. The Field Office Director in charge of this detention facility will also consider whether you may be released from detention while you are preparing for your hearing. If the asylum officer determines that you do not have a credible fear of persecution or torture, and, where applicable, you do not have a reasonable fear of persecution or torture, you may ask an Immigration Judge to review the decision. If you are found not to have a credible fear of persecution or torture and, where applicable, you do not have a reasonable fear of persecution or torture, you do not request review, you **may be removed** from the United States as soon as travel arrangements can be made. Do you have any questions?*

- 3.3 ☐ At the conclusion of the interview, the asylum officer must read a summary of the claim, consisting of the responses to Questions 3.1 a-c and information recorded in the Additional Information/Continuation section, to applicant.

****Typed Question and Answer (Q&A) interview notes and a summary and analysis of the claim must be attached to this form for all negative credible fear decisions. These Q&A notes must reflect that the applicant was asked to explain any inconsistencies or lack of detail on material issues and that the applicant was given every opportunity to establish a credible fear.

SECTION IV:

CREDIBLE FEAR FINDINGS

A. Credible Fear Determination (and reasonable fear determination, where applicable):

Credibility

- 4.1 ☐ Applicant found credible.
4.2 ☐ Applicant found **not** credible.

Nexus

- 4.3 ☐ Race 4.4 ☐ Religion 4.5 ☐ Nationality 4.6 ☐ Membership in a Particular Social Group

(Define the social group): _____

- 4.7 ☐ Political Opinion 4.8 ☐ Coercive Family Planning [CFP] 4.9 ☐ No Nexus

Credible Fear Finding

- 4.10 ☐ Credible fear (or in the case of an alien determined to have no credible fear of persecution because he or she is barred from asylum pursuant to 8 CFR 208.13(c)(4), reasonable fear) of **persecution** established.

OR

- 4.11 ☐ Credible fear (or in the case of an alien determined to have no credible fear of persecution because he or she is barred from asylum pursuant to 8 CFR 208.13(c)(4), reasonable fear) of **torture** established.

OR

- 4.12 ☐ No fear of persecution or torture established.

B. Possible Bars:

- 4.13 ☐ Applicant could be subject to a bar(s) to asylum or withholding of removal (check the box(es) that applies and explain on the continuation sheet):

- 4.14 ☐ Particularly Serious Crime 4.15 ☐ Security Risk 4.16 ☐ Aggravated Felon
4.17 ☐ Persecutor 4.18 ☐ Terrorist 4.19 ☐ Firmly Resettled
4.20 ☐ Serious Non-Political Crime Outside the United States
4.21 ☐ Applicant does **not** appear to be subject to a bar(s) to asylum or withholding of removal.

Alien's File Number:

C. Identity:

- 4.22 ☐ Applicant's identity was determined with a reasonable degree of certainty (check the box(es) that applies):
- 4.23 ☐ Applicant's own credible statements. (If testimony is credible overall, this will suffice to establish the applicant's identity with a reasonable degree of certainty).
- 4.24 ☐ Passport which appears to be authentic.
- 4.25 ☐ Other evidence presented by applicant or in applicant's file (List): _____
- 4.26 ☐ Applicant's identity was **not** determined with a reasonable degree of certainty. (Explain on the continuation sheet.)

SECTION V: ASYLUM OFFICER / SUPERVISOR NAMES AND SIGNATURES

5.1 _____ Asylum officer name and ID CODE (print)	5.2 _____ Asylum officer's signature	5.3 ____/____/____ Decision date
5.4 _____ Supervisory asylum officer name	5.5 _____ Supervisor's signature	5.6 ____/____/____ Date supervisor approved decision

ADDITIONAL INFORMATION/CONTINUATION

Alien is barred from asylum pursuant to 8 CFR 208.13(c)(4) and therefore the alien has not established a significant possibility of establishing eligibility for asylum and has received a negative credible fear of persecution determination. Alien was then screened for potential entitlement to withholding under INA 241 or CAT protection under a "reasonable possibility of persecution" and "reasonable possibility of torture" standard.

Memo to File

For Alien

Barred From Asylum Pursuant to 8 CFR 208.13(c)(4)

From: **[Asylum Office Name]**

RE: **[Alien name, A#]**

[Dependent name, A#]

At the interview:

- The Asylum Officer informed the individual that the officer had determined, based upon the individual's testimony and the other evidence in the record, that the individual is barred from asylum under 8 CFR § 208.13(c)(4), and therefore unable to establish a credible fear with respect to his or her application for asylum.
- As a result of the above determination, the Asylum Officer read the following paragraph to the individual:

The purpose of the remainder of the interview is to determine if you have a reasonable fear of persecution or torture. If it is determined that you have a reasonable possibility of being persecuted or tortured in the country to which you will be ordered removed, you will receive a Notice to Appear for a hearing in immigration court for consideration of your claim for withholding of removal under section 241(b)(3) of the Act, or for withholding or deferral of removal under the Convention Against Torture. If it is determined that you do not have a reasonable possibility of being persecuted or tortured, then you may ask to have an immigration judge review that decision. During that immigration judge review, you may also request review of the determination that you do not have a credible fear of persecution because you are barred from asylum under 8 CFR § 208.13(c)(4).



U.S. Citizenship and Immigration Services

Reasonable Fear



U.S. Citizenship
and Immigration
Services

Last Updated: August 2019

Unclassified//~~FOUO~~

1

What is Reasonable Fear (“RF”)?

Applicant must establish a **reasonable fear** of

PERSECUTION

or

TORTURE

STANDARD OF PROOF

Reasonable Possibility



U.S. Citizenship
and Immigration
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2

Standard of Proof: Reasonable Possibility

- The “**reasonable possibility**” standard is the same standard required to establish eligibility for asylum (the “**well-founded fear**” standard)
- The “reasonable possibility” standard is lower than the “more likely than not standard” required to establish eligibility for withholding of removal or deferral of removal (under CAT).
- It is higher than the standard of proof required to establish a “credible fear” of persecution.



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3

RF: Past Persecution Refresher

- Elements:
 - Harm
 - Nexus (“on account of”)
 - Race, Religion, Nationality, Membership in a Particular Social Group, Political Opinion
 - State Action (Government Unable or Unwilling to Control)
- Presumption → Reasonable Fear of Future Persecution
 - Fundamental Change in Circumstances
 - Internal Relocation (safe and reasonable)
- NO humanitarian/discretionary factors:
 - No Other Serious Harm
 - No Severity of Past Harm (*Chen*)



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4

RF: Future Persecution Refresher

- Elements:
 - Harm
 - Possession
 - Awareness
 - Capability
 - State Action (Government Unable or Unwilling to Control)
 - Inclination
 - (Nexus – “on account of”)
 - Internal Relocation (safe and reasonable)



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5

RF: Past Torture Refresher

- Elements:
 - Specific Intent
 - Harm (Severe Physical or Mental Pain or Suffering)
 - State Action (Public Official or Other Person Acting in an Official Capacity – Infliction, Instigation, Consent, or Acquiescence)
 - Custody or Physical Control
 - Not Pursuant to Lawful Sanctions
- No Presumption



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6

RF: Future Torture Refresher

- Elements:
 - Specific Intent
 - Harm (Severe Physical or Mental Pain or Suffering)
 - State Action (Public Official or Other Person Acting in an Official Capacity – Infliction, Instigation, Consent, or Acquiescence)
 - Custody or Control
 - Not Pursuant to Lawful Sanctions
- Evidence to Consider
 - Past Torture
 - Internal Relocation (safe and reasonable)
 - Gross, Flagrant, Mass Human Rights Violations
 - Other Relevant Information



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7



U.S. Citizenship
and Immigration
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Third-Country Transit bar



**Guidance for Asylum Officers and
Asylum Office Staff**

07/16/2019

Roadmap



U.S. Citizenship
and Immigration
Services

- Background/Legal Framework
- Overview of Third-Country Transit Bar
- Exceptions to Bar
- Revised Credible Fear Process
- Mandatory Bar Determination
- Screening Interview and Evidence
- Case Processing
- Post-Decision and Service

FOUO

2

Background/Legal Framework



U.S. Citizenship
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Services

- INA §§ 208(b)(2)(C), (d)(5)(B) – Delegation of authority to Attorney General and Secretary of Homeland Security ("Secretary") to promulgate regulations establishing additional bars to asylum
- 8 CFR § 208.13(c)(4) – "Notwithstanding the provisions of 8 CFR 208.15, any alien who enters, attempts to enter, or arrives in the United States across the southern land border on or **after July 16, 2019**, shall be found ineligible for asylum
- 8 CFR § 208.30(e)(5) – "If the alien is found to be an alien described as ineligible for asylum in 8 CFR 208.13(c)(4), then the asylum officer shall enter a negative credible-fear determination with respect to the alien's application for asylum. The Department shall nonetheless place the alien in proceedings under section 240 of the Act for consideration of the alien's claim for withholding of removal under section 241(b)(3) of the Act, or for withholding or deferral of removal under the Convention Against Torture, if the alien establishes, respectively, a reasonable fear of persecution or torture. "

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3

Overview of Bar



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- With limited exceptions, aliens who enter or attempt to enter the United States across the southern border after failing to apply for protection in a country through which they transited en route to the United States are ineligible for asylum.
- Applies to affirmative asylum applications and credible fear screenings
- Does not modify withholding or deferral of removal proceedings
- Applies only prospectively to aliens who enter or arrive in the United States on or after effective date of this rule.
- Exceptions may apply

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4

Exceptions to Bar



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Services

- A) Applied for protection in at least one country en route to the United States and received final judgment denying protection in such country
- B) Found to be a "victim of a severe form of trafficking in persons" (8 CFR § 214.11)
- C) En route to the United States only transited through countries were, at the time of transit, not a party to the Refugee Convention/Protocol, or the Convention Against Torture (CAT)

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5

Exception A: Application for Protection



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Services

- The alien demonstrates that:
 - He or she applied for protection from persecution or torture in at least one country outside of the alien's country of nationality or last habitual residence through which the alien transited en route to the U.S., *and*
 - The alien received a final judgment denying the alien protection in such country.

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6

Exception B: Trafficking



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Services

- The alien demonstrates that:
 - He or she satisfies the definition of “victim of a severe form of trafficking in persons” provided by 8 CFR 214.11

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7

Exception C: Non-Party Transit Countries



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and Immigration
Services

- The alien demonstrates that:
 - The only transit countries through which the alien transited en route to the U.S., at the time of transit, were not parties to the
 - 1951 UN Convention Relating to the Status of Refugees;
 - 1967 Protocol Relating to the Status of Refugees; or
 - UN Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.
- Note: Mexico is a party to the Conventions and Protocol

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8

Revised CF Screening for Aliens Subject to the New Asylum Bar



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Services

- Under amended 8 CFR 208.30(e)(5), any alien placed into expedited removal who is referred for a CF screening and who is determined to be ineligible for asylum under the new 8 CFR 208.13(c)(4) shall
 - Receive a negative credible fear determination with respect to the alien's intention to apply for asylum; and
 - Have any claim to eligibility for withholding of removal or protection under CAT considered under the reasonable possibility reasonable fear standard **instead of** the significant possibility credible fear standard

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9

Credible Fear Process – Jurisdiction and Family Cases



U.S. Citizenship
and Immigration
Services

- Jurisdiction: no change
 - Interim Final Rule does not alter the referral process
 - Asylum Office must receive all jurisdictional documents listed at CFPM III.B. prior to adjudicating the case
 - AO and SAO must confirm that the Asylum Division has proper jurisdiction in each case

- Family Cases: no change

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10

Credible Fear Process—Application of Bar



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Services

- Determine if bar applies by completing Third-Country Transit Bar Worksheet
 - *Note: If alien did not enter or attempt to enter the United States across the southern border on or after implementation date, then bar does not apply. Do not fill out a Third-Country Transit Bar Worksheet.*
- If entered by land from Mexico, bar applies unless exception found
- Ensure record supports determination alien entered, attempted to enter, or arrived in the United States *across the southern land border*
- Will need to elicit testimony to determine if bar applies and if there is exception
- Elicit enough testimony to make a determination whether the applicant is a trafficking victim if bar applies and no other exception available to alien

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11

Credible Fear Process – Application of Bar - Worksheet



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- Did alien enter or attempt to enter the United States across the southern border on or after implementation date?
 - *I-213, I-867A/B, other documents*
 - *Interview*
- Did the individual transit through any country apart from his or her country of nationality (or last habitual residence) en route to the United States?
 - *I-213, I-867A/B, other documents*
 - *Interview*

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12

Credible Fear Process– Application of Bar - Worksheet



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Services

- If alien transited through at least one country en route that is a party to the Refugee Convention/Protocol or CAT, did alien apply for and was s/he denied protection in at least one such country?
 - *If yes → Exception A found*
- Did the alien establish that s/he meets the definition of "victim of a severe form of trafficking in persons"?
 - *If yes → Exception B found*
- The only countries through which the alien transited en route to the United States, at the time of the transit, were not parties a party to the Refugee Convention/Protocol or CAT?
 - *If yes → Exception C found*

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13

Credible Fear Process– Application of Bar - Worksheet



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- Conduct interview to determine if bar applies and whether there is an exception
- Complete Third-Country Transit Bar Worksheet
- If no exception applies, complete Orientation Memo to File and proceed with RF interview
- Complete applicable CF Checklist

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Credible Fear Process – CF Checklist



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Services

- If bar does not apply because the alien is eligible for exception
 - → use Credible Fear Checklist 1 (dated 5.6.19)
- If bar does apply because no exception is available
 - → use Credible Fear Checklist 3 (Where a determination is made that the bar applies, limits screening to solely determine eligibility for withholding of removal and protection under the Convention Against Torture using the "reasonable possibility" standard)
- Note: Credible Fear Checklist 2 relates to 8 CFR 208.13(c)(3) (EWI proclamation)

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15

Screening Interview and Evidence



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- As always, will need to determine if applicant is credible as to both bar determination and screening determination
- If bar applies → reasonable possibility standard
- If bar does not apply or bar applies and there is an exception → significant possibility standard

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16

Case Processing



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- Orientation Memo to File: When the AO determines that the bar applies, the adjudicator must explain to the alien that he or she will be screened according to the reasonable possibility standard and complete and memo to file.
- Note: Orientation Memo to File is not required if the alien is not subject to the bar or if the individual establishes an exception to the bar.

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17

Case Processing



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■ Forms:

- Use I-870 dated 7.16.19 for all cases
- On p. 5, only keep the paragraph under "additional information / continuation" when the individual is barred and no exceptions apply. Delete it for all other situations.
- Orientation Memo to File for individuals who are subject to the bar
- When the bar applies, use I-869A instead of I-869 to document negative determinations
- NTA for all positive determinations, regardless of whether bar applies

■ Global:

- If individual is barred: select special group code **BAR - 13(c)(4)**
- If individual establishes an exception to the bar: select special group code:
 - **NO BAR – Protection Denied**
 - **NO BAR - Trafficking**
- NOTE: if individual is not subject to the bar do not select either special group code

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18

Post-Interview and Service



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- Include in File
 - *Third-Country Transit Bar Worksheet should be placed in the file*
 - *Orientation Memo to File should be placed in the file*
- No change to service of determination otherwise
- Additional guidance
 - *Check box 1 on I-863*

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19

Guidance on electronically signing PDFs is available here:

<https://helpx.adobe.com/acrobat/11/using/signing-pdfs.html>.

Provide Assessment Worksheet and Assessment Notice to CBP.



NOT SUBJECT TO 208.13(c)(4) Bar	SUBJECT TO 208.13(c)(4) Bar
M-444	M-444 + Memo to File
I-870 dated 7.16.19	I-870 dated 7.16.19
Global: If individual is subject to the bar but establishes an exception, select special group code "no bar - 3(c)(4)"	Global: Select special group code "bar - 13(c)(4)"
Credible Fear Standard	Reasonable Fear Standard (no Chen/OSH)
Screen for asylum, withholding, CAT	Screen for withholding and CAT
Checklist 1	Checklist 3
Positive Determination: I-862 (NTA)	Positive Determination: I-862 (NTA)
Negative Determination: I-869 + I-863	Negative Determination: I-869A + I-863
Flag other possible mandatory bars	Flag other possible mandatory bars

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Additional Resources



U.S. Citizenship
and Immigration
Services

- Trafficking Lesson Plan
- RAIO Research Unit ECN country pages
- Other Asylum and RAIO Lesson Plans

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21

Garrett, Natalie M

From: Garrett, Natalie M
Sent: Thursday, August 22, 2019 10:22 AM
To: Klayman, Amy S
Subject: BP Update: BTC

Hi, Amy.

In anticipation of today's call, here are the notes that I shared with Kim yesterday:

This U.S. Government System is subject to monitoring. Not authorized for Classified Information. Video recording restricted to authorized users. Not to be used to formally transact agency business or to document the activities of the Organization.

[8/21/2019 11:19 AM] Aguilar, Kimberly M:

hi natalie, good morning

[8/21/2019 11:19 AM] Garrett, Natalie M:

Good morning, Kim!

[8/21/2019 11:20 AM] Aguilar, Kimberly M:

Hope all is well.

there is a meeting tomorrow with HQ on our Border Patrol agents.

I wanted to check with you to see how he is doing?

(b)(6)

[8/21/2019 11:25 AM] Garrett, Natalie M:

[REDACTED]

And all is well. Thank you! I hope the same for you.

(b)(6)

[8/21/2019 11:31 AM] Aguilar, Kimberly M:

Thank you. I'm glad to hear this.

[REDACTED]

Thanks again for the update.

Please let me know if you have any questions.

Thank you,

Natalie M. Garrett

Acting Supervisory Asylum Pre-Screening Officer

Broward Transitional Center

Miami Asylum Office

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Alexander, Shannon

From: Alexander, Shannon
Sent: Friday, August 23, 2019 11:26 AM
To: Lafferty, John L; Caudill-Mirillo, Ashley B; Kirkland, Brooke A; Mura, Elizabeth E; Rellis, Jennifer L; Roberts, Rhonda J; O'Malley, Robert L; Powless, Crystal Y; Hunt, Margo M; Osuji, Kizito; Bardini, Emilia M; Boss, Juliet M; Cleary, Heather M; Mireles, Charity J; Brodrecht, Anna M; Andre, Lisa S; Minnick, Frank R; Kim, Alejandra; Lynn, Mallory L; Stefanova, Desislava I; Lewis, Victoria E; Baj, Ewa; McPherson, Yaniece A; Garrett, Natalie M; Talamantes, Eudelia A; Klayman, Amy S; Aguilar, Kimberly M; Hemming, Bryan D; Douglas, Audrey M; Carter, Lovely L; Fairbank, Christina
Cc: Kelly, Brooke A; Zeleke, Aster N; Kerr, Alex X; Scott, Elizabeth M; Gossett, Christopher R; Joseph, Ebbed; Saunier, Jon-Paul; Basseas, Marina M
Subject: CF for USBP Biweekly Conference Call
Attachments: Interim Final Rule and CF for USBP.msg; Schedules and Other Details for CF for USBP .msg; CF for USBP Biweekly Calls 8.22.19.docx; CF for USBP Feedback Form FINAL.docx

Hello Everyone,

Thank you very much for a productive meeting yesterday! Attached are the meeting notes as well as the promised evaluation form for providing agents and USBP with feedback.

I am also attaching the email with information regarding IFR and agents' schedules etc in case you did not receive them.

We will follow up soon with more details on tracking agents' hours.

Our next call will be **Thursday, September 5th**.

As always, please reach out to me, Rhonda and Bob if you have any questions, issues or concerns.

Best,

Shannon Alexander

Asylum Officer

Asylum Training Division

DHS/USCIS/RAIO

Cube: [REDACTED]

Cell: [REDACTED] (b)(6)

Date: 8/22/2019

I. Attendance:

- A. ZAR – Jeddy Hussy, Kizito Osuji
- B. ZNK - Victoria Lewis, Brooke Kelly
- C. ZMI - Natalie Garrett, Eudelia Talamantes, Amy Klayman, Kim Aguilar
- D. ZCH - Heather Cleary, Lovely Carter, Christina Fairbank
- E. ZOL - Anna Brodrecht
- F. ZHN - Charity Mireles, Bryan Hemming, Audrey Douglas
- G. ZLA - Lisa Andre, Alejandra Kim, Mallory Lynn
- H. ZSF - Emilia Bardini, Juliet Boss
- I. HQ - Jennifer Rellis, Rhonda Roberts, Bob O'Malley, Shannon Alexander, Chris Gossett, Alex Kerr, Marina Basseas

II. Ramp Up Updates/Case Issues

- A. ZAR – 3 cases this week. Plan next week 4, 3, 4, 3, 3.
-

(b)(6)

- B. ZNK – still have one agent in office. Just started getting facilities back and will get ZHN cases this week so this week.
-

- C. ZMI – Agent at Broward started this week up to 1 per day under observation.
-

(b)(6)

[REDACTED]

(b)(6)

- D. ZCH – three agents still in office for two more weeks to work on eliciting testimony and legal sufficiency. One agent only staying an additional week.

[REDACTED]

- E. ZOL – Re-did his CF training, did observations, 3 hrs CAT alone, observed 4 last week, 1 per day then 2 per day and then 2 per day on Friday unobserved. [REDACTED]

[REDACTED]

- F. ZHN – 15 agents. 11 up and ready in home stations, 1 at ZHN, 1 at home station and not ready to proceed and 1 needs to be trained. Monday first day back at locations. Monday and Tuesday to work out logistics. So far, 7 have begun interviewing from home stations, 1 experiencing problems with computer, other had scheduled leave. [REDACTED]

[REDACTED]

- G. ZLA – moved offices and had to send agents back. Logistics seem to be fine in their offices. Some took leave. All still doing one a day. One ramped up to 2. Rest will be doing 2 starting next week. [REDACTED]

[REDACTED]

(b)(6)

- H. ZSF – pleasure to have them in the office, working hard and want to do well. One also offered to go to TX. Implemented the ramp plan sent BY HQ. Started off first week with observations and feedback and second week, started doing observed interviews, everything positive, follow instructions, take feedback well, paperback strong, legally sufficient interviews. Moved to two unobserved, the other has a typing issues. One interview unobserved and can probably can do two. Moving next week to Tacoma with an AO on site to get them up to speed. One currently doing two cases and one doing one.

I. Questions/Issues

Q: agents working 8 instead of 10 hrs okay?

A: No, they need to stick to whatever they have agreed upon with BP. (see attached email)

Q: Jeddy – how should we track hours? Can they send us an email stating time they worked?

A: Rhonda - Asked James to let us know particular requirements but for this week that sounds like a great way to go and to replicate for the past weeks. Will touch based with James again. Start this week having some mechanism for them working including comp time they may be warning.

ZNK was having people sign in and out.

Q: Can they do overtime?

A: No, need to reach out to BP. Overtime distinct from Comp time. Keep in mind how they are doing in terms of efficiency in processing cases. (see attached email)

III. Tech issues and concerns

- A. ZAR – At least one person getting the call rolling transiting from cohort 2 to cohort 3 computer/profile set up.

Bob: Please keep us informed of that process.

- B. ZNK – none

- C. ZMI – EARM issue. Broward person cannot access EARM because he has it through BP. Wifi limited depending on where they are in facility so will look at that.

Chris: Try running EARM via PCQS Enforce.

AMI to let HQ know if he can get info through PCQS, if not will let us know.

- D. ZCH – none

- E. ZOL – Talk to type? Can we explore that in light of the typing issue?

A: That technology in reasonable accommodation mode is very different and specific ground for getting additional equipment. The agents would not go through the reasonable accommodation process for that. Otherwise there has been some preliminary discrimination for various types of

software but no approval for that. Our officers might love to have that but more of an agency type initiative. Very much a wishlist item especially with the language issues. Do not want to get ahead of the discussion and mix it in with a complicated pilot. Do not recommend reaching out about it at this point.

- F. ZHN – one person’s computer not working. Del Rio interviewing from Comstock TX, did a run through and thought everything was great but local OIT says phones cannot do 3 way calls so they are requesting help. Will touch base with Bob and can reach out to BP HQ.
 - G. ZLA – none
 - H. ZSF – none
 - I. HQ – Think we’ve ironed it out but thanks for patience on tech. Will touch base with anyone on tech issues. Please reach out to make us aware of any tech issues they have. Have not heard anything from BP tech side of house so they are still kind of involved so we can reach out to their counterparts as well if we need to.
- IV. Misc issues and/or concerns
- A. ZMI – one agent does not want to detail past October. Wants to do telephonic from sector but do not have capability to do telephonics from Miami. Can discuss offline. Possible swap with Folkston or assigned work remotely with other office. CBP has assigned people in this role and are supposed to be in role until 12/20 so anything earlier than that – a complete stoppage – we’d have to raise through BP. They have reporting requirements as well. May be some alternative arrangements there. ZMI and ZAR will discuss.
 - B. ZOL – time sheet in general?
 - A: Yes, keep track of time regardless of overtime/comp time requests.
 - Q: Meals?
 - A: No requirement for unpaid meals.
 - Q: PALMS/TECS etc training?
 - A: Yes, please honor.
 - C. HQ – Feedback on agent performance. Will send standardized form for collecting feedback a la the MOA. Similar to form used for RAD, derived for that and will get it out to field this week. For later on in the detail.

ASYLUM DIVISION

CF FOR USBP FEEDBACK FORM

PURPOSE

United States Border Patrol (USBP) agents are expected to perform work that meets the performance standards reflected in Asylum Officers' Performance Plan and Appraisal (PPA).

This form is designed to provide feedback to USBP agents on their performance while working on and following their completion of the CF Taskforce for the Asylum Division. The feedback form should encourage ongoing communication between the assigned supervisor and the USBP agent. It also provides a mechanism to inform the agent of areas in which he or she has failed to meet the established performance standard. The bullet points under each of the Performance Goals reflect the standards included in the PPA. The DHS Core Competencies are also included in the PPA and are included in this feedback form.

STEPS FOR PROVIDING FEEDBACK

If at any point during the assignment, the USBP Agent does not meet the established performance standards, the assigned supervisor will provide feedback to that agent and will recommend a plan for improvement. A record of the feedback will be recorded on the last page of the form and should be signed by the agent to acknowledge receipt of the feedback.

At the end of the assignment, a USBP Agent Feedback Form will be completed for each USBP Agent. Feedback provided during participation in the task force, including recommendations for an agent's improvement, should be noted on the last page of the feedback form under "Written Feedback." The "End of Assignment Feedback" section should be completed for each agent. This section will serve as a brief, but inclusive, summary of the agent's overall performance while on assignment with the Asylum Division.

The Asylum Division will provide a copy of this form to USBP for each agent. Upon request, Asylum will provide a copy of the form to the agent.

ASYLUM DIVISION

USBP AGENT FEEDBACK

Name:

Location:

Dates of Assignment:

PERFORMANCE GOALS

1)

The USBP Agent accurately applies the appropriate rules, regulations, precedent decisions, policies, and procedures associated with the Immigration and Nationality Act (INA) in the timely completion of work assignments.

2)

The USBP Agent maintains the integrity and security of the immigration system through detection and deterrence of immigration-related fraud. Accurately applies national security and public safety laws, regulations, and policies through interviews, security checks, document reviews, and other actions in accordance with established guidelines.

3) TIMELINESS

The USBP Agent completes cases in timely manner to further the Asylum Division's compliance with deadlines imposed by statute, regulation, policy, and procedure for all matters under its jurisdiction.

CORE COMPETENCIES

1)

Actively listens and attends to nonverbal cues when responding to questions, ideas, and concerns of others. Communicates in an influential or persuasive manner, as appropriate. Writes in a clear and concise manner. Orally communicates in a clear and concise manner. Tailors communication (e.g., language, tone, level of specificity) to the audience's level of understanding and to the communication medium.

2)

Communicates with customers to understand their needs. Works with customers to set expectations and keeps them informed of issues or problems. Provides timely, flexible, and responsive services to customers.

3)

Represents the agency and its interests in interactions with external parties. Ensures that interactions with and information provided to outside parties reflect positively on the agency. Enhances trust and credibility in the agency and its mission through effective professional interactions with others outside the organization. Deals professionally and tactfully with external parties in difficult, tense, or emergency situations.

4)

Makes positive contributions to achieving team goals. Develops and maintains collaborative working relationships with others. Builds effective partnerships that facilitate working across boundaries, groups, or organizations. Respects and values individual differences and diversity by treating everyone fairly and professionally. Works constructively with others to reach mutually acceptable agreements to resolve conflicts.

5)

Demonstrates and applies relevant knowledge and skills to perform work in accordance with applicable guidelines. Uses appropriate and available technology or tools to perform work activities. Acquires, develops, and maintains relevant and appropriate job skills through training or other opportunities for learning and development. Stays up to date on developments related to own work. Demonstrates an understanding of the organization's mission, functions, and systems. Collects relevant information that is needed to identify and address problems or issues. Analyzes and integrates information to identify issues and draw sound conclusions. Identifies and evaluates alternative solutions to problems. Makes sound, well-informed, and timely decisions or recommendations. Identifies and utilizes innovative or creative methods and solutions to accomplish work, as appropriate. Maintains an awareness of available resources and the process for acquiring resources. Identifies and advocates for resources required to accomplish work activities or projects. Makes effective and efficient use of available resources. Safeguards available resources to prevent fraud, waste, and abuse.

Assignment Supervisor:

Date:

WRITTEN FEEDBACK

Was written feedback about the agent's performance provided during the assignment?

Y ☐ N ☐

(If no, go to End of Assignment Feedback below)

- Provide a brief record of the issues discussed with the agent:

- Note the recommendations for improvement given to the agent:

Agent's Signature

Date:

- Summary of the agent's performance while on this Assignment. Include commendable and exemplary conduct as well as any areas requiring improvement.

Assignment Supervisor:

Date:

From: Alexander, Shannon
Sent: Tuesday, August 20, 2019 5:25 PM
To: RAIO - Asylum Field Office Managers; RAIO - Asylum HQ Leadership
Cc: Beighley, Tracy L
Subject: Interim Final Rule and CF for USBP
Attachments: Orientation memo to file July 16 2019.docx; Form I-869A July 16 2019.docx; CF Checklist 3 (effective 7.16.19).docx; 208.13(c)(4) Mandatory Bar Worksheet 7.16.19 Updated.docx; I-870 Annotated 7.16.19.doc; Reasonable Fear Standard of Proof and Eligibility Overview Slides August 2019.pptx; Third Country Asylum Bar Training 2019-07-16 updated.pptx; FW: Amended Guidance on the Interim Final Rule and the 9th Circuit Injunction .msg

~~FOR INTERNAL USE ONLY~~

Good Evening Everyone,

Following up on the recent Ninth Circuit decision *East Bay v. Barr*, No. [19-16487](#) (9th Cir. Aug. 16, 2019) (*East Bay II*), we wanted to provide you with resources to assist any CBP Agents who may be screening non-Ninth Circuit cases where the IFR is implicated as CBP officers have not received formal training in RF.

This includes the following:

- Asylum Division Deputy Chief Ashley Caudill-Mirillo's 20 August 2019 email regarding IFR
- Asylum Division Chief John Lafferty's 15 July 2019 email regarding the IFR (pasted below)
- Orientation Memo to File
- Form I-869A
- CF Checklist 3
- 208.13(c)(4) Mandatory Bar Worksheet
- I-870 Annotated
- Third Country Asylum Bar Training PowerPoint
- Reasonable Fear Standard of Proof and Eligibility Overview Slides (Note: This PowerPoint contains the most relevant slides to your adjudication, which have been excerpted from the most recent RF training conducted for asylum officers)

Additionally, the following Lesson Plans may be helpful:

- *Reasonable Fear* (except sections III – Jurisdiction, and VII Prior Determination on the Merits):
<https://ecn.uscis.dhs.gov/team/raio/PerMgt/Training/Lesson%20Plans/Forms/ASYview.aspx>
- *Trafficking*:
<https://ecn.uscis.dhs.gov/team/raio/PerMgt/Training/Lesson%20Plans/Forms/RAIOonly.aspx>

At a minimum, please forward these materials to any CBP officers who are assigned to your office, make sure they have time to review these materials, and ask them to send any questions to their assigned Supervisory Asylum Officer and/or the local Training Officer.

Offices have flexibility on the manner of delivery and communication of this guidance and should take into account any localized needs and limitations.

Best,

Shannon Alexander

Asylum Officer – *Acting Training Branch Chief*

Asylum Training Division

DHS/USCIS/RAIO

Cube: (202) 272-8077

Cell: (202) 531-7270

From: Lafferty, John L <John.L.Lafferty@uscis.dhs.gov>

Sent: Monday, July 15, 2019 8:38 PM

To: RAIO - Asylum Field Office Managers <RAIO-AsylumFieldOfficeManagers@uscis.dhs.gov>; RAIO - Asylum HQ <RAIO-Asylum@uscis.dhs.gov>; RAIO - Asylum Field Office Staff <RAIO-Test@uscis.dhs.gov>

Cc: RAIO - Executive Leadership <RAIO-ExecutiveLeadership@uscis.dhs.gov>

Subject: Interim Final Rule - Asylum Eligibility and Procedural Modifications

Asylum Division colleagues,

Earlier today, a joint Department of Justice and Department of Homeland Security Interim Final Rule (IFR) titled, *Asylum Eligibility and Procedural Modifications*, was posted by the Federal Register for public inspection. The new rule is scheduled to be officially published in the Federal Register and go into effect tomorrow, July 16, 2019. Below is a summary of what the regulation says and how it will impact our work going forward:

Aliens covered by the IFR

Under the new 8 CFR § 208.13(c)(4), any alien who enters, attempts to enter, or arrives in the US across the southern land border on or after **July 16, 2019**, is ineligible for asylum, unless the alien

- Demonstrates that he or she applied for protection from persecution or torture in at least one country outside his or her country of nationality or last habitual residence through which he or she transited in route to the US, and the alien received a final judgement denying the alien protection in such country,
- Demonstrates that he or she satisfies the definition of victim of a severe form of trafficking in persons provided in 8 CFR 214.11 (everyone should have received training on this during your initial officer training; please refer to your *Detecting Possible Victims of Trafficking* RAIO Combined Training Course training module for guidance), or
- The only countries through which the alien transited in route to the US, at the time of transit, were not parties to the 1951 United Nations Convention relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees, or the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (at present, those countries would be Bhutan, Grenada, Kiribati, Malaysia, Micronesia, Myanmar, North Korea, Oman, Singapore, and Tonga)

Nothing in the IFR limits an alien from being considered for withholding of removal or protection under CAT, or limits the processes applied to UACs pursuant to TVPRA.

Revised CF screening for aliens subject to the new asylum bar

In addition, under the newly amended regulation at 8 CFR § 208.30(e)(5)(iii), any alien placed into expedited removal who is referred to us for a credible fear screening and who is determined to be ineligible for asylum under the new 8 CFR § 208.13(c)(4) shall

- Receive a negative credible finding as to any asylum claim under INA Section 208; and
- Have any claim to eligibility for withholding of removal or protection under the Convention Against Torture

DHS-19-1398-B, 19-1400-A-000092

considered under the “reasonable possibility” reasonable fear screening standard **instead of** the “significant possibility” credible fear screening standard.

Besides this changed screening standard for withholding and CAT, all the other usual CF screening procedures and rules apply to these cases, including issuing someone who receives a positive fear finding a Notice to Appear (NTA) to place the person into INA Section 240 removal proceedings.

Below you will find some more detailed “nuts and bolts” instructions for how to handle CF cases impacted by these changes. Further instructions for how we will process affirmative asylum claims impacted by these changes will be forthcoming.

Finally, let me give you a few key takeaways:

- No changes are being made at this time to our processing and screening of Reasonable Fear referrals under 8 CFR § 208.31;
- No changes are being made at this time to our processing and screening of Credible Fear referrals for those aliens who are not impacted by the new asylum bar;
- We have been doing Reasonable Fear screenings for years; conducting RF screenings for aliens impacted by the new asylum bar should be no different;
- The new bar to asylum will apply to affirmative asylum applications, but only for individuals who entered, attempted to enter, or arrived in the US across the southern land border on or after July 16, 2019. It will likely be several weeks or months before we interview and adjudicate any affirmative asylum cases that are impacted by this bar.

We are once again being asked to adapt, and to do so with very little time to train and prepare. If I didn’t know that we have some of the most dedicated, most adaptable, and most talented public servants presently serving in the federal government, I would be concerned about being able to implement these changes on such short notice. Fortunately, each of you are all of those things and much, much more.

I fully expect there to be many questions as this is implemented in the coming days and weeks. Please bring those questions forward to your office leadership so that we can attempt to respond as quickly as possible, and share those responses with the other offices.

Thanks!

John

SUBJECT: Updated Procedures for Implementing the Interim Final Rule

Effective beginning July 16, 2019, and pursuant to 8 CFR 208.13(c)(4) , this message provides updated procedures for the processing of Credible Fear cases. In particular, this guidance modifies the Credible Fear of Persecution and Torture Determinations Lesson Plan (“Credible Fear Lesson Plan”), the Credible Fear Procedures Manual, and all other prior guidance documentations and memorandums that are inconsistent with the Interim Final Rule published on July 16, 2019.

Instructions on the impact of this IFR on affirmative asylum processing will be forthcoming. To be subject to the bar the alien must enter, attempt to enter, or arrive in the US across the southern land border on or after July 16, 2019.

These updated procedures are effective immediately and apply to any APSO screening determination issued after July 15, 2019. All asylum offices are responsible for conducting field training for staff on these updated procedures as soon as practicable, no later than one week from today. A PowerPoint training is attached.

Officers **must be trained on reasonable fear** to adjudicate cases subject to the IFR.

DHS-19-1398-B, 19-1400-A-000093

Aliens placed in the expedited removal process under INA §235(b)(1) must be referred to USCIS for a credible fear screening if they express a fear of returning to their country. These new procedures only apply to aliens who enter, attempt to enter, or arrive in the US across the southern land border. Cases where aliens enter or attempt to enter or arrive in other locations should follow current Asylum Division Credible Fear Procedures.

Jurisdiction

The Interim Final Rule does not alter the referral process. The Asylum Office must receive all the jurisdictional documents listed at III.B. of the Credible Fear Procedures Manual prior to adjudicating the case. The AO and SAO must confirm that the asylum division has proper jurisdiction in each case.

Interview

Prior to interviewing a case, the asylum officer should review jurisdictional documents (such as the I-213, I-860, I-867A and B) to ascertain the alien's date and manner of entry into the United States.

Jurisdictional documents alone are not enough to establish the application of the bar. An asylum officer must also elicit information regarding potential exceptions and complete the Third-Country Transit Bar Worksheet.

If the officer establishes that the bar applies and that no exceptions to the bar are applicable, the officer should inform the alien that the reasonable possibility standard will apply to the claim. This explanation should be documented in an orientation memo to file (see attached memo).

Once the officer establishes that the bar applies, the officer will make a negative credible fear finding as to asylum and interview the alien to determine if he or she meets the reasonable possibility standard for persecution and the Convention Against Torture. Please see the Reasonable Fear of Persecution and Torture Determinations Lesson Plan for more information on this standard.

Case Processing

1. **Third-Country Transit Bar Worksheet:** Must be completed for all individuals who entered, attempted to enter, or arrived in the US across the southern land border on or after **July 16, 2019**.
2. **Orientation Memo to File:** When the AO determines that the bar applies, the adjudicator must explain to the alien that he or she will be screened according to the reasonable possibility standard and complete a memo to file. The memo is not required if the alien is not subject to the bar or if he or she establishes that the bar does not apply.
3. **I-870:** Use I-870 dated 7/11/19 for all cases.
4. **CF Checklist:** For applicants barred for asylum, please use the "Credible Fear Determination Checklist and Written Analysis for Applicants in Expedited Removal Found Barred from Asylum Pursuant to 208.13(c)(4)." (Checklist 3). Checklist 3 contains instructions regarding the applicable legal standard.
5. **I-869A:** Use I-869A instead of I-869 to document negative determinations for applicants who are barred and are screened using the reasonable fear standard.
6. **Global:** Only for cases subject to IFR, offices select special group code "**bar - 13(c)(4)**." If the individual establishes an exception to the bar, offices select special group code "**no bar - 13(c)(4)**." Officers, SAOs and all involved in case processing are reminded to make sure that one of these special group codes **must be selected** whenever the individual interviewed is comes within the scope of this new IFR bar.

If you have any questions concerning the procedures contained in this memorandum, please contact the headquarters APSO point or points of contact. We will be updating the Credible Fear Lesson Plan and Credible Fear Procedures Manual in the future.

Attachments: Third-Country Transit Bar Worksheet
Orientation memo to file
I-870, dated 7/11/19
CF Checklist 3
I-869A
PPT

Third-Country Transit Bar Worksheet (8 CFR 208.13(c)(4))

A#:	Alien Name:	AO Name/Number:	Date:
A. Arrival Date <i>(If checking “no”, bar does not apply and this form does not need to be completed.)</i>			
Did the alien enter, attempt to enter, or arrive in the United States <i>across the southern land border</i> on or after July 16, 2019?			Yes ☐
Explanation:			No ☐
B. 8 CFR 208.13(c)(4) Mandatory Bar Analysis <i>(If checking “no” in box B.1, do not complete boxes B.2, B.3 and B.4 as an exception applies. If checking “yes” in boxes B.1 and B.2, B.3 or B.4, then an exception applies. If checking “yes” in boxes B.1 and “no” in boxes B.2, B.3 and B.4, then bar applies and there is no exception available.)</i>			
1. Transit: Did the alien transit through any country apart from his or her country of nationality (or last habitual residence) en route to the United States?			Yes ☐
List all applicable countries:			No ☐
2. Protection Sought: Did the alien demonstrate that s/he applied for protection in at least one country and received a final judgment denying protection?			Yes ☐
Evidence or Explanation:			No ☐
3. Severe Trafficking Victim: Did the alien demonstrate that s/he meets the definition of “victim of a severe form of trafficking in persons”, as defined in 8 CFR § 214.11?			Yes ☐
A severe form of trafficking in persons is defined as either: a) Sex trafficking in which a commercial sex act is induced by: ☐ Force, fraud, or coercion, or ☐ Person induced is under the age of 18; or, b) Recruiting, harboring, transporting, provisioning, or obtaining a person for labor or services through the use of force, fraud, or coercion for subjection to: ☐ Involuntary servitude; peonage; debt bondage; or slavery			No ☐
Explanation:			
4. Protection Unavailable in Countries Transited:			Yes ☐
The only countries through which the alien transited en route to the United States, were, at the time of the transit, not parties to the 1951 United Nations Convention relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees, or the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.			No ☐

Third-Country Transit Bar Worksheet (8 CFR 208.13(c)(4))

C. Decision <i>If the alien established that the bar does not apply, or if an exception applies, continue processing as a credible fear or affirmative case.</i> <i>If the alien failed to establish that s/he is not barred:</i> • <i>If the alien is in expedited removal, continue screening for withholding and CAT using the reasonable fear standard.</i> • <i>If the alien filed affirmatively, complete interview and address the mandatory bar in the referral/denial.</i>	
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CREDIBLE FEAR DETERMINATION CHECKLIST AND WRITTEN ANALYSIS
FOR APPLICANTS IN EXPEDITED REMOVAL FOUND BARRED FROM ASYLUM PURSUANT TO 208.13(c)(4)
[JULY 16, 2019] [CHECKLIST 3]

A#:	COUNTRY:	APSO Name:	DATE:
<i>By using this checklist, the adjudicator has determined that the applicant is barred for asylum pursuant to 8 C.F.R. 208.13(c)(4).</i> <i>If there is a reasonable possibility of persecution, complete Sections A., B., and C. If there is a reasonable possibility of torture, complete Sections A., B., and D. If there is not a reasonable possibility of persecution or torture, complete Sections A., B., C., and D. unless the claim fails in Section A.2. (Future Harm) or Section B. (Credibility), in which case, stop and complete Form I-870.</i>			
A. Harm <i>(If yes to A.2., proceed with the analysis. If no to A.2., STOP and complete Form I-870.)</i>			
1. Has the applicant testified that he or she has experienced <u>past</u> harm in his or her country? <i>If yes, identify any past harm or mistreatment suffered, and identify the relevant entity.</i>			Yes ☐ No ☐
2. Has the applicant testified that he or she fears <u>future</u> harm if returned to his or her country? <i>If yes, identify any harm or mistreatment feared, and identify the relevant entity. If no, explain and complete Form I-870.</i>			Yes ☐ No ☐
B. Credibility <i>(Select the appropriate box and analyze whether the applicant's testimony was credible or not credible.)</i>			
Applicant's testimony was credible: Considering the totality of the circumstances and all relevant factors, the applicant's testimony was consistent, detailed, and plausible. Therefore, it is found credible. <i>(Check box, explain only if overall decision is positive, and move to Section C. or D.)</i>			☐
Applicant's testimony was not credible: Considering the identified credibility concern(s), the absence of reasonable explanations for those concerns, and taking into consideration the applicant's individual circumstances, the applicant's testimony is found not credible under the totality of the circumstances and all relevant factors. <i>(Check box, explain, STOP and complete Form I-870.)</i>			☐
C. Persecution <i>(Select as needed. If yes to C.1. or C.2., complete C.3. If no to C.1 and C.2., complete C.3.)</i>			
1. a. <u>Past Persecution:</u> The applicant established that: • The harm experienced was sufficiently serious to amount to persecution; • The entity that harmed the applicant was motivated to harm the applicant on account of his or her race, religion, nationality, membership in a particular social group, or political opinion, applying the one central reason standard; and • The entity that harmed the applicant was an agent of the government or an entity that the government was unable or unwilling to control. AND 1. b. The presumption of well-founded fear has not been rebutted by a preponderance of the evidence that 1) there has been a fundamental change in circumstances such that the applicant no longer has a well-founded fear, or 2) it would be reasonable, under all the circumstances, for the applicant to relocate within the applicant's country to avoid future persecution.			Yes ☐ No ☐
2. <u>Future Persecution:</u> The applicant established a reasonable possibility of persecution on account of a protected ground: • The harm feared is sufficiently serious to amount to persecution; • The applicant 1) either <u>possesses</u> a protected characteristic of which the feared entity is or could become <u>aware</u> or the feared entity believes that the applicant possesses a protected characteristic, and 2) the feared entity has the <u>capability</u> and <u>inclination</u> to persecute the applicant, OR there is a <u>pattern or practice</u> of persecution of a group of persons similarly situated to the applicant on account of a protected ground; and • Under all the circumstances, it would not be reasonable for the applicant to relocate within the applicant's country to avoid future persecution.			Yes ☐ No ☐
C.3. <u>Written Analysis:</u>			

Race ☐ Religion ☐ Nationality ☐ Membership in a Particular Social Group ☐ Political Opinion ☐

If reasonable possibility of persecution established, identify the protected ground and specify:

As needed, provide a brief reasoned analysis. Focus on determinative factors, applying the eligibility elements to the facts.

D. Torture (Select D.1. as needed and complete D.2.)

D.1. There is a **reasonable possibility** that:

- The feared harm would be specifically intended to inflict severe pain or suffering on the applicant;
- The feared harm would constitute severe physical or mental pain or suffering;
- The feared harm would be inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity;
- The applicant would be in the offender's custody or physical control; **and**
- The harm would not arise only from or be inherent in or incidental to lawful sanctions.

In making this determination, the following evidence must be considered:

- Evidence of past torture inflicted upon the applicant;
- Evidence that the applicant could relocate to a part of the country of removal where he or she is not likely to be tortured;
- Evidence of gross, flagrant or mass violations of human rights within the country of removal; and other relevant information regarding conditions in the country of removal.

If the applicant has established past torture **AND** there are no changes in circumstances so substantial such that the applicant does not have a reasonable fear of torture, the applicant will be found to have established a reasonable fear of torture.

Yes ☐

No ☐

D.2. Written Analysis: *As needed, provide a brief reasoned analysis. Focus on determinative factors, applying the eligibility elements to the facts.*

**Record of Negative Credible/Reasonable Fear Finding and
Request For Review by Immigration Judge for Aliens Barred
From Asylum Pursuant to 8 CFR 208.13(c)(4)**

Alien File Number: _____

1. To be explained to the alien by the asylum officer:

A. U.S. Citizenship and Immigration Services (USCIS) has determined that you are an alien described in 8 CFR 208.13(c)(4) and therefore, you have not established a credible fear because you cannot show a significant possibility of establishing eligibility for asylum.

B. You have not established a reasonable fear with respect to your application for withholding of removal under INA 241(b)(3) or withholding or deferral of removal under the Convention Against Torture pursuant to 8 CFR 208.16 for the following reason(s):

- ☐ You have not established a reasonable fear of persecution in a country to which you have been ordered removed because:
- ☐ You have not indicated that you were harmed in the past and you have not expressed fear of future harm.
 - ☐ There is no reasonable possibility that the harm you experienced and/or the harm you fear is on account of your race, religion, nationality, political opinion, or membership in a particular social group.
 - ☐ You have not indicated that you were harmed in the past, or there is no reasonable possibility that the past harm or the harm you fear in the future constitutes persecution.
 - ☐ There is no reasonable possibility that you would suffer the harm you fear.
 - ☐ You could reasonably avoid persecution by relocating within your country.

AND

- ☐ You have not established a reasonable fear of torture in a country to which you may be removed because you have not established that there is a reasonable possibility that:
- ☐ You would suffer severe physical or mental pain or suffering.
 - ☐ The harm you fear would be specifically intended to inflict severe physical or mental pain or suffering.
 - ☐ The harm you fear would be inflicted by or at the instigation of, or with the consent or acquiescence of, a public official or other person acting in an official capacity.
 - ☐ The harm you fear would be inflicted while you are in the custody or physical control of the offender.
 - ☐ The harm you fear would not arise only from, would not be inherent in, and would not be incidental to, lawful sanctions.

C. ☐ Considering the totality of the circumstances and all relevant factors, you have not established that your testimony is credible.

Therefore, you are ordered removed from the United States. You may request that an Immigration Judge review this decision.

If you request that an Immigration Judge review this decision, you will remain in detention until an Immigration Judge reviews your case. That review could occur as long as 7 days after you receive this decision.

If you indicate below that do not request that an Immigration Judge review the decision, you may be removed from the United States immediately.

2. To be completed by the alien:

- ☐ **Yes, I request Immigration Judge review** of the decisions that I do not have a credible fear of persecution or torture and that I do not have a reasonable fear of persecution or torture.
- ☐ **No, I do not request Immigration Judge review** of the decisions that I do not have a credible fear of persecution or torture and that I do not have a reasonable fear of persecution or torture.

Applicant's Last Name/ Family Name (Print)

Applicant's First Name (Print)

Applicant's Signature

Asylum Officer's Last Name (Print)

Asylum Officer's First Name, (Print)

Date

The contents of this form were read and explained to the applicant in the _____ language

Interpreter used:

By telephone (list interpreter service /ID number used _____).

In person (I, _____, certify that I am fluent in both the _____ and English languages. I interpreted the above information completely and accurately to the alien.)

Interpreter's Signature

Date

**Record of Negative Credible/Reasonable Fear Finding and
Request For Review by Immigration Judge for Aliens Barred
From Asylum Pursuant to 8 CFR 208.13(c)(4)**

Caudill-Mirillo, Ashley B

From: Caudill-Mirillo, Ashley B
Sent: Tuesday, August 20, 2019 12:44 PM
To: RAIO - Asylum HQ
Subject: FW: Amended Guidance on the Interim Final Rule and the 9th Circuit Injunction
Attachments: 9 East Bay Covenant (Aug 16 2019).pdf
Importance: High

FOR INTERNAL USE ONLY

Good afternoon HQ,

My apologies. I missed including our distribution list in my haste to get the guidance to the field.

Thanks!

From: Caudill-Mirillo, Ashley B <Ashley.Caudill-Mirillo@uscis.dhs.gov>
Sent: Tuesday, August 20, 2019 9:30 AM
To: RAIO - Asylum HQ Leadership <RAIO-AsylumHQLeadership@uscis.dhs.gov>; RAIO - Asylum Field Office Managers <RAIO-AsylumFieldOfficeManagers@uscis.dhs.gov>; RAIO - Asylum Field Office Staff <RAIO-Test@uscis.dhs.gov>; RAIO - Executive Leadership <RAIO-ExecutiveLeadership@uscis.dhs.gov>; RefugeeAffairsTDY <refugeeaffairstdy@uscis.dhs.gov>
Subject: Amended Guidance on the Interim Final Rule and the 9th Circuit Injunction
Importance: High

FOR INTERNAL USE ONLY

Asylum Division Staff,

As you know, the Ninth Circuit issued the attached decision in *East Bay v. Barr*, No. [19-16487](#) (9th Cir. Aug. 16, 2019) (*East Bay II*) partially granting and partially denying the Government's motion to stay the district court's preliminary injunction of the DOJ/DHS joint interim final rule, "Asylum Eligibility and Procedural Modifications," 84 Fed. Reg. 33,829 (July 16, 2019), i.e., the third country transit asylum bar IFR. The Ninth Circuit denied the motion for a stay pending appeal insofar as the injunction applies within the Ninth Circuit, but granted the motion for a stay pending appeal insofar as the injunction applies outside the Ninth Circuit. The initial guidance disseminated on August 17, 2019, is withdrawn and replaced by this guidance. Additional updates will be provided as necessary.

The third country transit asylum bar IFR remains preliminarily enjoined in the Ninth Circuit and therefore USCIS personnel still cannot rely on the third country transit asylum bar IFR when conducting credible fear screening interviews for cases arising in the Ninth Circuit, or when adjudicating asylum applications within the Ninth Circuit. USCIS personnel should continue to follow the processes in place prior to implementation of the IFR for credible fear screenings and asylum adjudications in the Ninth Circuit. However, because the court granted a stay of the preliminary injunction outside of the Ninth Circuit, the third country transit asylum rule is effective as to:

- (1) All credible fear screenings that are conducted or remain pending after August 16, 2019, for cases arising outside the Ninth Circuit, and
- (2) All asylum applications filed on or after July 16, 2019, that remain pending after August 16, 2019, outside of the Ninth Circuit. **As a reminder, for asylum applications that are pending after August 16, 2019 outside of the Ninth Circuit, the IFR would apply, but the bar at 8 CFR 208.13(c)(4) only applies to

DHS-19-1398-B, 19-1400-A-000102

an alien who enters, attempts to enter, or arrives in the United States across the southern land border on or after July 16, 2019, after transiting through at least one country outside the alien's country of last citizenship, nationality, or last habitual residence en route to the United States, unless an exception applies. For purposes of determining whether the injunction applies, the IFR should not apply to any CF determination or asylum adjudication in which: (1) the alien was apprehended in the jurisdiction of the Ninth Circuit (California, Arizona, Nevada, Oregon, Washington, Idaho, Montana, Alaska, Hawaii, Guam, Northern Mariana Islands) or (2) the alien is in the jurisdiction of the Ninth Circuit when the credible fear screening is conducted or the claim is adjudicated.

Should you have any questions or concerns, please direct through your chain of command. It is also recommended you consult the guidance attached to the e-mail from Asylum Division Chief John Lafferty on July 15, 2019 entitled *Interim Final Rule – Asylum Eligibility and Procedural Modifications*.

Thanks,

Ashley

Ashley Caudill-Mirillo

Deputy Chief

Asylum Division

Refugee, Asylum, and International Operations

FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 16 2019

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

EAST BAY SANCTUARY COVENANT;
AL OTRO LADO; INNOVATION LAW
LAB; CENTRAL AMERICAN
RESOURCE CENTER,

Plaintiffs-Appellees,

v.

WILLIAM P. BARR, Attorney General;
UNITED STATES DEPARTMENT OF
JUSTICE; JAMES MCHENRY, Director of
the Executive Office for Immigration
Review, in his official capacity;
EXECUTIVE OFFICE FOR
IMMIGRATION REVIEW; KEVIN K.
MCALEENAN, Acting Secretary of
Homeland Security, in his official capacity;
U.S. DEPARTMENT OF HOMELAND
SECURITY; KENNETH T. CUCCINELLI,
Acting Director of the U.S. Citizenship and
Immigration Services, in his official
capacity; JOHN P. SANDERS, Acting
Commissioner of U.S. Customs and Border
Protection, in his official capacity; UNITED
STATES CITIZENSHIP AND
IMMIGRATION SERVICES; U.S.
CUSTOMS AND BORDER
PROTECTION; MATTHEW ALBENCE,
Acting Director of Immigration and
Customs Enforcement, in his official
capacity; IMMIGRATION AND
CUSTOMS ENFORCEMENT,

No. 19-16487

D.C. No. 3:19-cv-04073-JST
Northern District of California,
San Francisco

ORDER

Defendants-Appellants.

Before: TASHIMA, M. SMITH, and BENNETT, Circuit Judges.

Appellants seek a stay pending appeal of the district court’s July 24, 2019 order preliminarily enjoining the Department of Justice and Department of Homeland Security’s joint interim final rule, “Asylum Eligibility and Procedural Modifications” (the “Rule”), 84 Fed. Reg. 33,829 (July 16, 2019).¹

The district court found that the Rule likely did not comply with the Administrative Procedure Act’s (APA) notice-and-comment and 30-day grace period requirements because Appellants did not adequately support invocation of the “good cause” and “foreign affairs” exemptions under the APA. *See* 5 U.S.C. § 553(a)(1), (b)(1)(B), (d)(3); *Buschmann v. Schweiker*, 676 F.2d 352, 357 (9th Cir. 1982) (good cause exemption “should be interpreted narrowly so that the exception will not swallow the rule” (internal citations omitted)); *Yassini v. Crosland*, 618 F.2d 1356, 1360 n.4 (9th Cir. 1980) (foreign affairs exemption “would become distended” if applied to immigration rules generally and requires showing that ordinary public noticing would “provoke definitely undesirable

¹ The State of Arizona’s amicus brief in support of Appellants’ motion has been filed. The Professors of Immigration Law’s motion for leave to file an amicus brief in opposition to Appellants’ motion (Docket Entry No. 28) is granted, and the brief is filed.

international consequences”). We conclude that Appellants have not made the required “strong showing” that they are likely to succeed on the merits on this issue. *Hilton v. Braunskill*, 481 U.S. 770, 776 (1987).²

Consequently, we deny the motion for stay pending appeal (Docket Entry No. 3) insofar as the injunction applies within the Ninth Circuit.³

We grant the motion for stay pending appeal insofar as the injunction applies outside the Ninth Circuit, because the nationwide scope of the injunction is not

² Our finding that Appellants have not made a “strong showing” does not bind the merits panel in reviewing this aspect of the merits, as that is not the standard the merits panel will apply. *See Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008).

³ We do not assess Appellants’ remaining arguments as to likelihood of success on the merits and do not reach the remaining *Hilton* factors. *See Nken v. Holder*, 556 U.S. 418, 435 (2009) (stating that the likelihood of success on the merits factor is one of the “most critical” and must be established before considering the last two stay factors); *cf. California v. Azar*, 911 F.3d 558, 575 (9th Cir. 2018) (“Likelihood of success on the merits is the most important factor; if a movant fails to meet this threshold inquiry, we need not consider the other factors.” (internal quotation marks omitted) (quoting *Disney Enters., Inc. v. VidAngel, Inc.*, 869 F.3d 848, 856 (9th Cir. 2017))).

supported by the record as it stands.⁴ *Cf. City and County of San Francisco v. Trump*, 897 F.3d 1225, 1243–45 (9th Cir. 2018).⁵

An injunction must be “narrowly tailored to remedy the specific harm shown.” *Id.* at 1244 (quoting *Bresgal v. Brock*, 843 F.2d 1163, 1170 (9th Cir. 1987)). We have upheld nationwide injunctions where such breadth was necessary to remedy a plaintiff’s harm. *See, e.g., id.; California v. Azar*, 911 F.3d 558, 582 (9th Cir. 2018) (“Although there is no bar against nationwide relief in federal district court . . . such broad relief must be *necessary* to give prevailing parties the

⁴ The dissent, without citing any authority, argues that “it is [not] within a motions panel’s province to parse the record for error at this stage” and accuses us of “[going] beyond the recognized authority of a motions panel” by granting the motion for a stay pending appeal insofar as the injunction applies outside the Ninth Circuit. We have two responses.

First, we did not have to “parse” the record for error. Appellants’ stay motion specifically argues that the district court erred in imposing a nationwide injunction. Moreover, the three sentences that the district court provided to support the imposition of a nationwide injunction—none of which explains why it believed a nationwide injunction was necessary in this case—make clear that it failed to undertake the analysis necessary before granting such broad relief.

Second, other motions panels of our court have reviewed the scope of injunctive relief granted by district courts. *See, e.g., E. Bay Sanctuary Covenant v. Trump*, No. 18-17274, 2018 WL 8807133, at *24 (9th Cir. Dec. 7, 2018); *Hawaii v. Trump*, No. 17-17168, 2017 WL 5343014, at *1 (9th Cir. Nov. 13, 2017). We think these decisions illustrate that it is indeed within our province—our duty, even—to review whether the district court abused its discretion in granting a nationwide injunction.

⁵ The dissent criticizes our reliance on *Trump*, 897 F.3d 1225, because the procedural posture in this case is different. We recognize this difference as we cite *Trump* as an analogous case supporting our decision because, notwithstanding the different procedural posture, the issue in that case—whether the scope of the injunction was appropriate—is the same issue before us. *See id.* at 1244–45.

relief to which they are entitled.” (internal quotation marks and alterations omitted) (quoting *Bresgal*, 843 F.2d at 1170–71)). These are, however, “exceptional cases.” *Trump*, 897 F.3d at 1244. To permit such broad injunctions as a general rule, without an articulated connection to a plaintiff’s particular harm, would unnecessarily “stymie novel legal challenges and robust debate” arising in different judicial districts. *Id.*; see also *Azar*, 911 F.3d at 583 (“The Supreme Court has repeatedly emphasized that nationwide injunctions have detrimental consequences to the development of law and deprive appellate courts of a wider range of perspectives.”).

Here, the district court failed to discuss whether a nationwide injunction is necessary to remedy Plaintiffs’ alleged harm. Instead, in conclusory fashion, the district court stated that nationwide relief is warranted simply because district courts have the authority to impose such relief in some cases and because such relief has been applied in the immigration context. The district court clearly erred by failing to consider whether nationwide relief is necessary to remedy Plaintiffs’ alleged harms. And, based on the limited record before us, we do not believe a nationwide injunction is justified.

Our dissenting colleague believes that a nationwide injunction is appropriate simply because this case presents a rule that applies nationwide. That view, however, ignores our well-established rule that injunctive relief “must be tailored

to remedy the specific harm alleged.” *Lamb-Weston, Inc. v. McCain Foods, Ltd.*, 941 F.2d 970, 974 (9th Cir. 1991) (citations omitted). Indeed, were we to adopt the dissent’s view, a nationwide injunction would result any time an enjoined action has potential nationwide effects. Such an approach would turn broad injunctions into the rule rather than the exception. Under our case law, however, all injunctions—even ones involving national policies—must be “narrowly tailored to remedy the specific harm shown.” *Trump*, 897 F.3d at 1244 (quoting *Bresgal*, 843 F.2d at 1170).

We agree with our dissenting colleague that “time does not permit a full exploration of the merits of the ‘nationwide’ issue.” But whereas he believes that such a factor supports the granting of a nationwide injunction until a merits panel can address the case, we reach precisely the opposite conclusion. “National injunctions interfere with good decisionmaking by the federal judiciary.” Samuel L. Bray, *Multiple Chancellors: Reforming the National Injunction*, 131 Harv. L. Rev. 417, 461 (2017). They “deprive” other parties of “the right to litigate in other forums.” *Azar*, 911 F.3d at 583. Based on the briefing and limited record before us, and absent an explanation by the district court as to why a nationwide injunction is necessary to remedy Plaintiffs’ alleged harm in this case, we must grant the motion for stay pending appeal insofar as the injunction applies outside the Ninth Circuit.

Our dissenting colleague also argues that it is “perplexing” that the government’s failure to demonstrate a strong showing of likelihood of success on the merits “does not . . . require that a stay of the nationwide aspect of the injunction [] be denied.” That contention misses the mark, however, by conflating the merits of the government’s position with district court’s authority to issue a nationwide injunction. Whether Appellants have made a strong showing of likelihood of success on the merits entitling them to a stay of the preliminary injunction is a separate question from whether the scope of the injunction is appropriate. In *Azar*, for example, we affirmed the preliminary injunction because, among other things, we found that the plaintiffs were likely to succeed on their claim that the rules were invalid. 911 F.3d at 575–81. Despite our conclusion that the rules were likely invalid, however, we also determined that the injunction’s nationwide scope was not supported by the record. *Id.* at 584–85. *Azar* illustrates that, beyond examining the merits of a party’s arguments, a district court must separately analyze whether nationwide relief is “*necessary* to give prevailing parties the relief to which they are entitled” before issuing such an injunction. *Id.* at 582 (quoting *Bresgal*, 843 F.2d at 1170–71).

Our approach—granting a more limited injunction—allows other litigants wishing to challenge the Rule to do so. Indeed, several already have.⁶ Litigation over the Rule’s lawfulness will promote “the development of the law and the percolation of legal issues in the lower courts” and allow the Supreme Court, if it chooses to address the Rule, to do so “[with] the benefit of additional viewpoints from other lower federal courts and [with] a fully developed factual record.”

Amanda Frost, *In Defense of Nationwide Injunctions*, 93 N.Y.U. L. REV. 1065, 1107–08 (2018).⁷

In sum, our decision to partially grant the stay simply upholds the law of our circuit by ensuring that injunctive relief is properly tailored to the alleged harm.⁸

While this appeal proceeds, the district court retains jurisdiction to further develop the record in support of a preliminary injunction extending beyond the

⁶ As Appellants point out, hours before the district court ruled here, a District of Columbia district court, presented with the same Rule, denied materially identical relief to organizations similar to the Plaintiffs here. *See CAIR v. Trump*, No. 1:19-CV-02117-TJK, 2019 WL 3436501 (D.D.C. July 24, 2019).

⁷ *Accord United States v. Mendoza*, 464 U.S. 154, 160 (1984) (“[O]nly one final adjudication would deprive this Court of the benefit it receives from permitting several courts of appeals to explore a difficult question.”).

⁸ Contrary to the dissent’s position, the fact that injunctive relief may temporarily cause the Rule to be administered inconsistently in different locations is not a sound reason for imposing relief that is broader than necessary. As we explain above, our law requires that injunctive relief be narrowly tailored to remedy the plaintiffs’ alleged harm, and it may only be broadened “if such breadth is necessary to give prevailing parties the relief to which *they* are entitled.” *Bresgal*, 843 F.2d at 1170–71 (emphasis added).

Ninth Circuit. *Cf. Trump*, 897 F.3d at 1245 (“Because the record is insufficiently developed as to the question of the national scope of the injunction, we vacate the injunction to the extent that it applies outside California and remand to the district court for a more searching inquiry into whether this case justifies the breadth of the injunction imposed.”).

The opening brief is due September 3, 2019; the answering brief is due October 1, 2019; and the optional reply is due within 21 days after service of the answering brief. This case will be placed on a December 2019 argument calendar.

FILED

East Bay Sanctuary Covenant v. Barr, No. 19-16487

AUG 16 2019

TASHIMA, Circuit Judge, concurring in part and dissenting in part:

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

I concur in the portion of the order denying the motion for stay pending appeal [Dkt. 3] insofar as the injunction applies within the Ninth Circuit, but dissent from the balance of the order.

Acting as a motions panel, all we have before us is the government’s motion for a stay. I do not believe that it is within a motions panel’s province to parse the record for error at this stage, which is what the majority does in concluding that “the nationwide scope of the injunction is not supported by the record as it stands.” (Citation omitted.) But the majority then goes beyond the recognized authority of a motions panel by concluding that “[t]he district court clearly erred by failing to consider whether nationwide relief is necessary to remedy Plaintiffs’ alleged harms,” and, on that basis “grant[s] the motion for stay pending appeal insofar as the injunction applies outside the Ninth Circuit.” It then, in the penultimate paragraph of the Order, in effect, remands the case to the district court for a partial do-over:

While this appeal proceeds, the district court retains jurisdiction to further develop the record in support of a preliminary injunction extending beyond the Ninth Circuit.¹

¹ The majority relies on *City & County of San Francisco v. Trump*, 897 F.3d 1225, 1245 (9th Cir. 2018), but the citation is completely inapposite. That
(continued...)

But vacating and remanding it to the district court for a more searching inquiry into whether this case justifies the breadth of the injunction is indubitably an action within the province of a merits panel—not a motions panel.²

At the same time, the order places the merits briefing (of this appeal) on an expedited schedule for placement “on a December 2019 argument calendar.” What issues are the parties expected to brief, assuming that parallel proceedings in the district court are still ongoing? And if the district court completes its second-look remand proceedings within the next few weeks or months and issues a modified injunction, or issues the same nationwide injunction, but one which is supported by supplemental findings of fact, should the parties seek to file supplemental briefs on the newly-raised and newly-decided issues in this appeal to the merits panel assigned to this appeal, or should a new notice of appeal be filed, giving rise to a

¹(...continued)

was an opinion by a merits panel charged with deciding the appeal, not a motions panel charged with deciding a stay motion, and the merits panel did exactly what it was charged with, *i.e.*, it decided the appeal; it “AFFIRMED in part; VACATED in pari; and REMANDED.” *Id.* We, as a motions panel, have no equivalent charge.

² Because the issue has been decided, applying the clear error standard of review, the injunction vacated and remanded to the district court, the merits panel, presumably has been deprived of deciding this issue. The majority’s assertion, in footnote 2, that its action “does not bind the merits panel,” is an empty promise. Deciding the case on the merits, vacating and remanding the injunction is not in accord with the dictates of *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008).

new appeal? These are some of the new and difficult questions raised by the majority's split-decision.

While time does not permit a full exploration of the merits of the “nationwide” issue, some problems posed by the majority's Ninth Circuit-only injunction are apparent. Perhaps, the district court did not make detailed findings in support of a nationwide injunction because the need for one in the circumstances of this case is obvious. For starters, the joint interim final rule, “Asylum Eligibility and Procedural Modifications,” will affect asylum applications across the breadth of the southern border. Should asylum law be administered differently in Texas than in California? These issues and problems illustrate why tinkering with the merits on a limited stay motion record can be risky. And it is why such issues are reserved for the more deliberate examination that a merits panel can give them.

There is also a glaring inconsistency—a contradiction—in the majority's split-the-baby approach. If, as the majority and I agree, the government's failure to meet the first *Hilton v. Braunskill*, 481 U.S. 770, 776 (1987), factor—likelihood of success on the merits, because of its failure to comply with the APA—means that its stay motion with respect to the preliminary injunction's application within the Ninth Circuit fails, it is perplexing to me why that failure does not infect the balance of its stay motion and require that a stay of the nationwide aspect of the

injunction also be denied.³ The majority, in its rush to address the merits of the nationwide aspect of the injunction, simply elides this contradiction.

Because I would not peel off part of the preliminary injunction and remand that portion to the district court, “[b]ecause the record is insufficiently developed as to the question of the national scope of the injunction” (quoting *San Francisco v. Trump*, 897 F.3d at 1245), while retaining jurisdiction over the remainder, I dissent from the remand⁴ of the nationwide scope of the preliminary injunction to the district court.

I would simply deny the stay motion.

³ The majority’s answer to this point is to state that “Whether Appellants have made a strong showing of likelihood of success on the merits entitling them to a stay of the preliminary injunction is a separate question from whether the scope of the injunction is appropriate.” But that doesn’t answer (or even try to answer) my question of why the government’s failure to meet the likelihood-of-success factor doesn’t doom its motion to stay the nationwide portion of the injunction, as well as the California portion.

⁴ The Order does not use the word “remand,” but the majority does not quarrel with the obvious inference from its statement that “the district court retains jurisdiction to further develop the record in support of a preliminary injunction extending beyond the Ninth Circuit,” is, in substance, a remand.

_____	_____	_____	_____
District Office Code	Asylum Office Code	Alien's File Number	Alien's Last/ Family Name
_____	_____	_____	_____
Asylum Officer's Last Name	Asylum Officer's First Name	Alien's Nationality	_____

All statements in italics must be read to the applicant

SECTION I:

INTERVIEW PREPARATION

- 1.1 _____ / _____ / _____ 1.2 _____
Date of arrival [MM/DD/YY] Port of arrival
- 1.3 _____ / _____ / _____ 1.4 _____
Date of detention [MM/DD/YY] Place of detention
- 1.5 _____ / _____ / _____ 1.6 _____
Date of AO orientation [MM/DD/YY] If orientation more than one week from date of detention, explain delay
- 1.7 _____ / _____ / _____ 1.8 _____
Date of interview [MM/DD/YY] Interview site
- 1.9 ☐ Applicant received and signed **Form M-444** and relevant *pro bono* list on _____
Date signed [MM/DD/YY]
- 1.10 Does applicant have consultant(s)? ☐ Yes ☐ No
- 1.11 If yes, consultant(s) name, address, telephone number and relationship to applicant

- 1.12 Persons present at the interview (check which apply)
- 1.13 ☐ Consultant(s)
- 1.14 ☐ Other(s), list: _____
- 1.15 ☐ No one other than applicant and asylum officer
- 1.16 Language used by applicant in interview:
- 1.17 _____ ☐ Yes ☐ No
Interpreter Service, Interpreter ID Number. Interpreter Has Forms Time Started Time Ended
- 1.18 _____ ☐ Yes ☐ No
Interpreter Service, Interpreter ID Number. Interpreter Has Forms Time Started Time Ended
- 1.19 _____ ☐ Yes ☐ No
Interpreter Service, Interpreter ID Number. Interpreter Has Forms Time Started Time Ended
- 1.20 ☐ Interpreter **was not changed** during the interview
- 1.21 ☐ Interpreter **was changed** during the interview for the following reason(s):
- 1.22 ☐ Applicant requested a female interpreter replace a male interpreter, or *vice versa*
- 1.23 ☐ Applicant found interpreter was not competent 1.24 ☐ Applicant found interpreter was not neutral
- 1.25 ☐ Officer found interpreter was not competent 1.26 ☐ Officer found interpreter was not neutral
- 1.27 ☐ Bad telephone connection
- 1.28 ☐ Asylum officer read the following paragraph to the applicant at the beginning of the interview:

The purpose of this interview is to determine whether you may be eligible for asylum or protection from removal to a country where you fear persecution or torture. I am going to ask you questions about why you fear returning to your country or any other country you may be removed to. It is very important that you tell the truth during the interview and that you respond to all of my questions. This may be your only opportunity to give such information. Please feel comfortable telling me why you fear harm. U.S. law has strict rules to prevent the disclosure of what you tell me today about the reasons why you fear harm. The information you tell me about the reasons for your fear will not be disclosed to your government, except in exceptional circumstances. The statements you make today may be used in deciding your claim and in any future immigration proceedings. It is important that we understand each other. If at any time I make a statement you do not understand, please stop me and tell me you do not understand so that I can explain it to you. If at any time you tell me something I do not understand, I will ask you to explain.

Alien's File Number:

SECTION II:

BIOGRAPHIC INFORMATION

2.1 _____
Last Name/ Family Name [ALL CAPS]

2.2 _____ 2.3 _____
First Name Middle Name

2.4 ____/____/____ 2.5 Gender ☐ Male ☐ Female
Date of birth [MM/DD/YY]

2.6 _____
Other names and dates of birth used

2.7 _____ 2.8 _____
Country of birth Country (countries) of citizenship (list all)

2.9 _____
Address prior to coming to the U.S. (List Address, City/Town, Province, State, Department and Country).

2.10 _____ 2.11 _____ 2.12 _____
Applicant's race or ethnicity Applicant's religion All languages spoken by applicant

2.13 Marital status: ☐ Single ☐ Married ☐ Legally separated ☐ Divorced ☐ Widowed

2.14 Did spouse arrive with applicant? ☐ Yes ☐ No

2.15 Is spouse included in applicant's claim? ☐ Yes ☐ No

2.16 If currently married (including common law marriage) list spouse's name, citizenship, and present location (if with applicant, provide A-Number):

2.17 Children: ☐ Yes ☐ No

2.18 List any children (Use the continuation section to list any additional children):

Date of birth (MM/DD/YY)	Name	Citizenship	Present location (if w/PA, list A-Numbers)	Did child arrive with PA? ☐ Yes ☐ No	Is child included in PA's claim? ☐ Yes ☐ No
_____	_____	_____	_____	☐ Yes ☐ No	☐ Yes ☐ No
_____	_____	_____	_____	☐ Yes ☐ No	☐ Yes ☐ No
_____	_____	_____	_____	☐ Yes ☐ No	☐ Yes ☐ No
_____	_____	_____	_____	☐ Yes ☐ No	☐ Yes ☐ No
_____	_____	_____	_____	☐ Yes ☐ No	☐ Yes ☐ No
_____	_____	_____	_____	☐ Yes ☐ No	☐ Yes ☐ No

Alien's File Number:

2.19 Does applicant claim to have a medical condition (physical or mental), or has the officer observed any indication(s) that a medical condition exists? If YES, answer questions 2.20 and 2.21 and explain below. ☐ Yes ☐ No

2.20 Has applicant notified the facility of medical condition? ☐ Yes ☐ No

2.21 Does applicant claim that the medical condition relates to torture? ☐ Yes ☐ No

2.22 Does the applicant have a relative, sponsor or other community ties, including spouse or child already listed above? ☐ Yes ☐ No

2.23 If YES, provide information on relative or sponsor (use continuation section, if necessary):

Name

Relationship

Address

Telephone Number

☐ Citizen ☐ Legal Permanent Resident ☐ Other

SECTION III:

CREDIBLE FEAR INTERVIEW

The following notes are not a verbatim transcript of this interview.

These notes are recorded to assist the individual officer in making a credible fear determination and the supervisory asylum officer in reviewing the determination.

There may be areas of the individual's claim that were not explored or documented for purposes of this threshold screening.

The asylum officer must elicit sufficient information related to both credible fear of persecution and credible fear of torture to determine whether the applicant meets the threshold screening. Even if the asylum officer determines in the course of the interview that the applicant has a credible fear of persecution, the asylum officer must still elicit any additional information relevant to a fear of torture. Asylum officers are to ask the following questions and may use the continuation sheet if additional space is required. If the applicant replies YES to any question, the asylum officer must ask follow-up questions to elicit sufficient details about the claim in order to make a credible fear determination.

3.1 a. Have you or any member of your family ever been mistreated or threatened by anyone in any country to which you may be returned? ☐ Yes ☐ No

b. Do you have any reason to fear harm from anyone in any country to which you may be returned?

☐ Yes ☐ No

c. If YES to questions a and/or b, was it or is it because of any of the following reasons? (Check each of the following boxes that apply).

☐ Race ☐ Religion ☐ Nationality ☐ Membership in a particular social group ☐ Political Opinion

Alien's File Number:

- 3.2 ☐ At the conclusion of the interview, the asylum officer must read the following to applicant:

*If the Department of Homeland Security determines you have a credible fear of persecution or torture, or, where applicable, a reasonable fear of persecution or torture, your case will be referred to an immigration court, where you will be allowed to seek asylum or withholding of removal based on fear of persecution or withholding of removal under the Convention Against Torture. The Field Office Director in charge of this detention facility will also consider whether you may be released from detention while you are preparing for your hearing. If the asylum officer determines that you do not have a credible fear of persecution or torture, and, where applicable, you do not have a reasonable fear of persecution or torture, you may ask an Immigration Judge to review the decision. If you are found not to have a credible fear of persecution or torture and, where applicable, you do not have a reasonable fear of persecution or torture, you do not request review, you **may be removed** from the United States as soon as travel arrangements can be made. Do you have any questions?*

- 3.3 ☐ At the conclusion of the interview, the asylum officer must read a summary of the claim, consisting of the responses to Questions 3.1 a-c and information recorded in the Additional Information/Continuation section, to applicant.

****Typed Question and Answer (Q&A) interview notes and a summary and analysis of the claim must be attached to this form for all negative credible fear decisions. These Q&A notes must reflect that the applicant was asked to explain any inconsistencies or lack of detail on material issues and that the applicant was given every opportunity to establish a credible fear.

SECTION IV:

CREDIBLE FEAR FINDINGS

A. Credible Fear Determination (and reasonable fear determination, where applicable):

Credibility

- 4.1 ☐ Applicant found credible.
4.2 ☐ Applicant found **not** credible.

Nexus

- 4.3 ☐ Race 4.4 ☐ Religion 4.5 ☐ Nationality 4.6 ☐ Membership in a Particular Social Group

(Define the social group): _____

- 4.7 ☐ Political Opinion 4.8 ☐ Coercive Family Planning [CFP] 4.9 ☐ No Nexus

Credible Fear Finding

- 4.10 ☐ Credible fear (or in the case of an alien determined to have no credible fear of persecution because he or she is barred from asylum pursuant to 8 CFR 208.13(c)(4), reasonable fear) of **persecution** established.

OR

- 4.11 ☐ Credible fear (or in the case of an alien determined to have no credible fear of persecution because he or she is barred from asylum pursuant to 8 CFR 208.13(c)(4), reasonable fear) of **torture** established.

OR

- 4.12 ☐ No fear of persecution or torture established.

B. Possible Bars:

- 4.13 ☐ Applicant could be subject to a bar(s) to asylum or withholding of removal (check the box(es) that applies and explain on the continuation sheet):

- 4.14 ☐ Particularly Serious Crime 4.15 ☐ Security Risk 4.16 ☐ Aggravated Felon
4.17 ☐ Persecutor 4.18 ☐ Terrorist 4.19 ☐ Firmly Resettled
4.20 ☐ Serious Non-Political Crime Outside the United States
4.21 ☐ Applicant does **not** appear to be subject to a bar(s) to asylum or withholding of removal.

Alien's File Number:

C. Identity:

- 4.22 ☐ Applicant's identity was determined with a reasonable degree of certainty (check the box(es) that applies):
- 4.23 ☐ Applicant's own credible statements. (If testimony is credible overall, this will suffice to establish the applicant's identity with a reasonable degree of certainty).
- 4.24 ☐ Passport which appears to be authentic.
- 4.25 ☐ Other evidence presented by applicant or in applicant's file (List): _____
- 4.26 ☐ Applicant's identity was **not** determined with a reasonable degree of certainty. (Explain on the continuation sheet.)

SECTION V: ASYLUM OFFICER / SUPERVISOR NAMES AND SIGNATURES

5.1 _____ Asylum officer name and ID CODE (print)	5.2 _____ Asylum officer's signature	5.3 ____/____/____ Decision date
5.4 _____ Supervisory asylum officer name	5.5 _____ Supervisor's signature	5.6 ____/____/____ Date supervisor approved decision

ADDITIONAL INFORMATION/CONTINUATION

Alien is barred from asylum pursuant to 8 CFR 208.13(c)(4) and therefore the alien has not established a significant possibility of establishing eligibility for asylum and has received a negative credible fear of persecution determination. Alien was then screened for potential entitlement to withholding under INA 241 or CAT protection under a "reasonable possibility of persecution" and "reasonable possibility of torture" standard.

Memo to File

For Alien

Barred From Asylum Pursuant to 8 CFR 208.13(c)(4)

From: **[Asylum Office Name]**

RE: **[Alien name, A#]**

[Dependent name, A#]

At the interview:

- The Asylum Officer informed the individual that the officer had determined, based upon the individual's testimony and the other evidence in the record, that the individual is barred from asylum under 8 CFR § 208.13(c)(4), and therefore unable to establish a credible fear with respect to his or her application for asylum.
- As a result of the above determination, the Asylum Officer read the following paragraph to the individual:

The purpose of the remainder of the interview is to determine if you have a reasonable fear of persecution or torture. If it is determined that you have a reasonable possibility of being persecuted or tortured in the country to which you will be ordered removed, you will receive a Notice to Appear for a hearing in immigration court for consideration of your claim for withholding of removal under section 241(b)(3) of the Act, or for withholding or deferral of removal under the Convention Against Torture. If it is determined that you do not have a reasonable possibility of being persecuted or tortured, then you may ask to have an immigration judge review that decision. During that immigration judge review, you may also request review of the determination that you do not have a credible fear of persecution because you are barred from asylum under 8 CFR § 208.13(c)(4).



U.S. Citizenship and Immigration Services

Reasonable Fear



U.S. Citizenship
and Immigration
Services

Last Updated: August 2019

Unclassified//**FOUO**

1

What is Reasonable Fear (“RF”)?

Applicant must establish a **reasonable fear** of

PERSECUTION

or

TORTURE

STANDARD OF PROOF

Reasonable Possibility



U.S. Citizenship
and Immigration
Services

Unclassified//**FOUO**

2

Standard of Proof: Reasonable Possibility

- The “**reasonable possibility**” standard is the same standard required to establish eligibility for asylum (the “**well-founded fear**” standard)
- The “reasonable possibility” standard is lower than the “more likely than not standard” required to establish eligibility for withholding of removal or deferral of removal (under CAT).
- It is higher than the standard of proof required to establish a “credible fear” of persecution.



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3

RF: Past Persecution Refresher

- Elements:
 - Harm
 - Nexus (“on account of”)
 - Race, Religion, Nationality, Membership in a Particular Social Group, Political Opinion
 - State Action (Government Unable or Unwilling to Control)
- Presumption → Reasonable Fear of Future Persecution
 - Fundamental Change in Circumstances
 - Internal Relocation (safe and reasonable)
- NO humanitarian/discretionary factors:
 - No Other Serious Harm
 - No Severity of Past Harm (*Chen*)



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4

RF: Future Persecution Refresher

- Elements:
 - Harm
 - Possession
 - Awareness
 - Capability
 - State Action (Government Unable or Unwilling to Control)
 - Inclination
 - (Nexus – “on account of”)
 - Internal Relocation (safe and reasonable)



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5

RF: Past Torture Refresher

- Elements:
 - Specific Intent
 - Harm (Severe Physical or Mental Pain or Suffering)
 - State Action (Public Official or Other Person Acting in an Official Capacity – Infliction, Instigation, Consent, or Acquiescence)
 - Custody or Physical Control
 - Not Pursuant to Lawful Sanctions
- No Presumption



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6

RF: Future Torture Refresher

- Elements:
 - Specific Intent
 - Harm (Severe Physical or Mental Pain or Suffering)
 - State Action (Public Official or Other Person Acting in an Official Capacity – Infliction, Instigation, Consent, or Acquiescence)
 - Custody or Control
 - Not Pursuant to Lawful Sanctions
- Evidence to Consider
 - Past Torture
 - Internal Relocation (safe and reasonable)
 - Gross, Flagrant, Mass Human Rights Violations
 - Other Relevant Information



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7



U.S. Citizenship
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Third-Country Transit bar



Guidance for Asylum Officers and Asylum Office Staff

07/16/2019

Roadmap



U.S. Citizenship
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- Background/Legal Framework
- Overview of Third-Country Transit Bar
- Exceptions to Bar
- Revised Credible Fear Process
- Mandatory Bar Determination
- Screening Interview and Evidence
- Case Processing
- Post-Decision and Service

FOUO

2

Background/Legal Framework



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- INA §§ 208(b)(2)(C), (d)(5)(B) – Delegation of authority to Attorney General and Secretary of Homeland Security ("Secretary") to promulgate regulations establishing additional bars to asylum
- 8 CFR § 208.13(c)(4) – "Notwithstanding the provisions of 8 CFR 208.15, any alien who enters, attempts to enter, or arrives in the United States across the southern land border on or **after July 16, 2019**, shall be found ineligible for asylum
- 8 CFR § 208.30(e)(5) – "If the alien is found to be an alien described as ineligible for asylum in 8 CFR 208.13(c)(4), then the asylum officer shall enter a negative credible-fear determination with respect to the alien's application for asylum. The Department shall nonetheless place the alien in proceedings under section 240 of the Act for consideration of the alien's claim for withholding of removal under section 241(b)(3) of the Act, or for withholding or deferral of removal under the Convention Against Torture, if the alien establishes, respectively, a reasonable fear of persecution or torture. "

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3

Overview of Bar



U.S. Citizenship
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Services

- With limited exceptions, aliens who enter or attempt to enter the United States across the southern border after failing to apply for protection in a country through which they transited en route to the United States are ineligible for asylum.
- Applies to affirmative asylum applications and credible fear screenings
- Does not modify withholding or deferral of removal proceedings
- Applies only prospectively to aliens who enter or arrive in the United States on or after effective date of this rule.
- Exceptions may apply

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4

Exceptions to Bar



U.S. Citizenship
and Immigration
Services

- A) Applied for protection in at least one country en route to the United States and received final judgment denying protection in such country
- B) Found to be a "victim of a severe form of trafficking in persons" (8 CFR § 214.11)
- C) En route to the United States only transited through countries were, at the time of transit, not a party to the Refugee Convention/Protocol, or the Convention Against Torture (CAT)

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5

Exception A: Application for Protection



U.S. Citizenship
and Immigration
Services

- The alien demonstrates that:
 - He or she applied for protection from persecution or torture in at least one country outside of the alien's country of nationality or last habitual residence through which the alien transited en route to the U.S., *and*
 - The alien received a final judgment denying the alien protection in such country.

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6

Exception B: Trafficking



U.S. Citizenship
and Immigration
Services

- The alien demonstrates that:
 - He or she satisfies the definition of “victim of a severe form of trafficking in persons” provided by 8 CFR 214.11

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7

Exception C: Non-Party Transit Countries



U.S. Citizenship
and Immigration
Services

- The alien demonstrates that:
 - The only transit countries through which the alien transited en route to the U.S., at the time of transit, were not parties to the
 - 1951 UN Convention Relating to the Status of Refugees;
 - 1967 Protocol Relating to the Status of Refugees; or
 - UN Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.
- Note: Mexico is a party to the Conventions and Protocol

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8

Revised CF Screening for Aliens Subject to the New Asylum Bar



U.S. Citizenship
and Immigration
Services

- Under amended 8 CFR 208.30(e)(5), any alien placed into expedited removal who is referred for a CF screening and who is determined to be ineligible for asylum under the new 8 CFR 208.13(c)(4) shall
 - Receive a negative credible fear determination with respect to the alien's intention to apply for asylum; and
 - Have any claim to eligibility for withholding of removal or protection under CAT considered under the reasonable possibility reasonable fear standard **instead of** the significant possibility credible fear standard

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9

Credible Fear Process – Jurisdiction and Family Cases



U.S. Citizenship
and Immigration
Services

- Jurisdiction: no change
 - Interim Final Rule does not alter the referral process
 - Asylum Office must receive all jurisdictional documents listed at CFPM III.B. prior to adjudicating the case
 - AO and SAO must confirm that the Asylum Division has proper jurisdiction in each case

- Family Cases: no change

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10

Credible Fear Process—Application of Bar



U.S. Citizenship
and Immigration
Services

- Determine if bar applies by completing Third-Country Transit Bar Worksheet
 - *Note: If alien did not enter or attempt to enter the United States across the southern border on or after implementation date, then bar does not apply. Do not fill out a Third-Country Transit Bar Worksheet.*
- If entered by land from Mexico, bar applies unless exception found
- Ensure record supports determination alien entered, attempted to enter, or arrived in the United States *across the southern land border*
- Will need to elicit testimony to determine if bar applies and if there is exception
- Elicit enough testimony to make a determination whether the applicant is a trafficking victim if bar applies and no other exception available to alien

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11

Credible Fear Process – Application of Bar - Worksheet



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Services

- Did alien enter or attempt to enter the United States across the southern border on or after implementation date?
 - *I-213, I-867A/B, other documents*
 - *Interview*
- Did the individual transit through any country apart from his or her country of nationality (or last habitual residence) en route to the United States?
 - *I-213, I-867A/B, other documents*
 - *Interview*

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12

Credible Fear Process– Application of Bar - Worksheet



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and Immigration
Services

- If alien transited through at least one country en route that is a party to the Refugee Convention/Protocol or CAT, did alien apply for and was s/he denied protection in at least one such country?
 - *If yes → Exception A found*
- Did the alien establish that s/he meets the definition of "victim of a severe form of trafficking in persons"?
 - *If yes → Exception B found*
- The only countries through which the alien transited en route to the United States, at the time of the transit, were not parties a party to the Refugee Convention/Protocol or CAT?
 - *If yes → Exception C found*

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13

Credible Fear Process– Application of Bar - Worksheet



U.S. Citizenship
and Immigration
Services

- Conduct interview to determine if bar applies and whether there is an exception
- Complete Third-Country Transit Bar Worksheet
- If no exception applies, complete Orientation Memo to File and proceed with RF interview
- Complete applicable CF Checklist

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14

Credible Fear Process – CF Checklist



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and Immigration
Services

- If bar does not apply because the alien is eligible for exception
 - → use Credible Fear Checklist 1 (dated 5.6.19)
- If bar does apply because no exception is available
 - → use Credible Fear Checklist 3 (Where a determination is made that the bar applies, limits screening to solely determine eligibility for withholding of removal and protection under the Convention Against Torture using the "reasonable possibility" standard)
- Note: Credible Fear Checklist 2 relates to 8 CFR 208.13(c)(3) (EWI proclamation)

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15

Screening Interview and Evidence



U.S. Citizenship
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Services

- As always, will need to determine if applicant is credible as to both bar determination and screening determination
- If bar applies → reasonable possibility standard
- If bar does not apply or bar applies and there is an exception → significant possibility standard

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16

Case Processing



U.S. Citizenship
and Immigration
Services

- Orientation Memo to File: When the AO determines that the bar applies, the adjudicator must explain to the alien that he or she will be screened according to the reasonable possibility standard and complete and memo to file.
- Note: Orientation Memo to File is not required if the alien is not subject to the bar or if the individual establishes an exception to the bar.

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17

Case Processing



U.S. Citizenship
and Immigration
Services

■ Forms:

- Use I-870 dated 7.16.19 for all cases
- On p. 5, only keep the paragraph under “additional information / continuation” when the individual is barred and no exceptions apply. Delete it for all other situations.
- Orientation Memo to File for individuals who are subject to the bar
- When the bar applies, use I-869A instead of I-869 to document negative determinations
- NTA for all positive determinations, regardless of whether bar applies

■ Global:

- If individual is barred: select special group code **BAR - 13(c)(4)**
- If individual establishes an exception to the bar: select special group code:
 - **NO BAR – Protection Denied**
 - **NO BAR - Trafficking**
- NOTE: if individual is not subject to the bar do not select either special group code

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18

Post-Interview and Service



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- Include in File
 - *Third-Country Transit Bar Worksheet should be placed in the file*
 - *Orientation Memo to File should be placed in the file*
- No change to service of determination otherwise
- Additional guidance
 - *Check box 1 on I-863*

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19

Guidance on electronically signing PDFs is available here:

<https://helpx.adobe.com/acrobat/11/using/signing-pdfs.html>.

Provide Assessment Worksheet and Assessment Notice to CBP.



NOT SUBJECT TO 208.13(c)(4) Bar	SUBJECT TO 208.13(c)(4) Bar
M-444	M-444 + Memo to File
I-870 dated 7.16.19	I-870 dated 7.16.19
Global: If individual is subject to the bar but establishes an exception, select special group code "no bar - 3(c)(4)"	Global: Select special group code "bar - 13(c)(4)"
Credible Fear Standard	Reasonable Fear Standard (no Chen/OSH)
Screen for asylum, withholding, CAT	Screen for withholding and CAT
Checklist 1	Checklist 3
Positive Determination: I-862 (NTA)	Positive Determination: I-862 (NTA)
Negative Determination: I-869 + I-863	Negative Determination: I-869A + I-863
Flag other possible mandatory bars	Flag other possible mandatory bars

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Additional Resources



U.S. Citizenship
and Immigration
Services

- Trafficking Lesson Plan
- RAIO Research Unit ECN country pages
- Other Asylum and RAIO Lesson Plans

FOUO

21

From: Alexander, Shannon
Sent: Friday, August 9, 2019 10:19 AM
To: Roberts, Rhonda J; Hussey, Jedidah M; Lafferty, John L; O'Malley, Robert L; Caudill-Mirillo, Ashley B; Haertling, Peter G; Daum, Robert L; Heinrich, Lorie R; Gulati, Sonia; Lehman, Danielle E; Zeleke, Aster N; Papazian, Varsenik L; Klayman, Amy S; Tyrell, Jody A; Radel, David M; Pueschel, Tracy W; Raufer, Susan; Boyle, Meghann W; Dhanjal, Manpreet S; Mikesell, Hannah K; Bondy, Timothy; Aguilar, Kimberly M; Gadson, Irvin C; Isaacson, Mollie; Hong, Marianne X; Madsen, Kenneth S; Rellis, Jennifer L; Flanagan, Lisa M; Kruszka, Robert F; Bardini, Emilia M; Hemming, Bryan D; Douglas, Audrey M; Motolenich Torres, Catherine; Timothee, Fritz G; Brodrecht, Anna M; Carter, Lovely L; Sellung, Ashlee; Fairbank, Christina; Berger, Jack S III; Robinson, Joi L; Jackson, Yolanda; Powless, Crystal Y
Subject: Schedules and Other Details for CF for USBP
Attachments: HB 5300-13A CBP Travel Handbook.pdf; Management Guidance for Implementing the Physical Fitness Program.pdf

Happy Friday Everyone,

We hope all is going well this week. We have received some great feedback and really appreciate everyone's excellent efforts.

Below please find more information about the rules governing agents' schedules, physical fitness requirement, meals, overtime and comp time, leave and commuting.

USBP provided two documents that you may find helpful: CBP's Travel Handbook and Management Guidance for Implementing the Physical Fitness Program. They are attached.

We anticipate that there may be questions on the information below. Please send them to me, Bob and Rhonda.

Thank you.

Pilot End Date

- USBP agents in cohorts 2 and 3 will complete their details on Friday, December 20th.

Daily Schedule

- BPAs will follow their existing pay reform election regarding the hours worked per day. Once a year, all agents select either an 8, 9 or 10 hours per work day (5 days a week). The hourly rate they are paid overtime is scalable based on the amount of OT they work. The majority of the agents should be on a 10 hour day.
- Agents must not change their schedule.
- Asylum field offices can schedule BPAs to work weekends, nights and holidays. This would be part of their 5 day work week with two days off in the middle of the week.
- If Saturday and/or Sunday are the 6th and/or 7th scheduled work day(s) of the week then this would all be considered 45 ACT OVERTIME (please see the overtime section below).

Meals

- According to the Border Patrol Agent Pay Reform Act, BPAs working 10 hours per day, 5 days a week, may have an unpaid off-duty meal break (if requested with no description of the length of timer).
- Under the BPAPRA, agents' says may be "interrupted" by an unpaid meal break with supervisor's approval. While the supervisor has the discretion to approve or deny a request for an unpaid meal break, agents are not required to take an unpaid meal break if they have not requested such a break.
- BPAs are allowed to have a meal within their 10 hour day but the USBP does not schedule unpaid meal breaks.
- In order to avoid complicating agents' scheduling or pay, Asylum will accommodate this practice. **Accordingly, 10 hours is 10 hours regardless of whether an agent takes a lunch.** If an agent on a 10 hour day schedule begins work at 7:00 AM, he or she will finish at 5:00 PM.

Overtime and Comp Time

- If a BPA works more than his or her selected level, this work is converted to comp time. If the BPA is on a 10 hour schedule, any hours in excess of 100 hours per two week pay period will be comp time.
 - For example, if Agent Friday is scheduled 10 hours per day and ends up working 11 hours, she has earned 1 hour of comp time. She is then allowed to use it like any other type of leave unless she is on leave restriction. Agents must coordinate with their SAO for scheduling.
- BPAs cannot earn more than 10 hours of comp time per pay period without USBP supervisor approval.
- BPAs are allowed to earn up to 240 hours (not 260) of comp time per year and they must use that leave within 26 pay periods of earning that leave or they will forfeit it. Therefore, we will probably encounter BPAs that already have use or lose comp time.
 - Barring exigent circumstances and leave restriction, agents are permitted to take this leave. BPAs with use or lose comp time should schedule and coordinate with their SAO and USBP supervisor. This use or lose may be very minimal - sometimes as short as 15 minutes.
- ***Scheduled OT is true OT and not Comp time. Unscheduled OT is Comp Time. For example, if a BPA is working on something that carries beyond the end of their regularly scheduled 10 hour work day, it is comp time.***
- Any hours scheduled over an agents' 10 hours per day, or 6th or 7th worked day per week, is overtime under the Federal Employees Pay Act of 1945, This must be approved and funded by the USBP and reimbursed by USCIS.
- Please do not schedule agents for more than 10 hours per day or more than five days per week without consulting and coordinating with HQ. The default should be to schedule the BPAs 10 hours per day, 5 days a week.

Physical Fitness Program

- BPAs can work out up to 3 hours per week on the clock. This can be completed incrementally across the week.
- Workout time does not need to be scheduled. However, as a courtesy it should be coordinated with the SAO. It must be approved by the SAO.
- Donning and doffing workout gear, showering and travel to and from the closest "approved" workout facility is not counted as time against the 3 hour per week limitation.
- "Approved" location is dependent upon the SAO.

- BPAs may use the gym at their hotel while on duty with SAO approval if use of this gym is reasonable. The BPAs would still be held to 3 hours per week. They may work out at any gym closer to the office at their own cost.
- Ultimately, there will be some differences in what is available. A workout does not necessarily require a gym. BPAs can perform calisthenics anywhere. In all cases, consideration must be given to securing gear.

Quarterly Qualifiers (and other trainings required to maintain LEO status)

- Certain training to maintain their LEO status and current position (i.e. Quarterly Quals, SLCP, SLT, etc.) is allowable but needs to be scheduled with their SAO in coordination with the USBP. These trainings should be of short duration.
- Any questions about what would qualify can be directed to HQ for discussion and resolution with USBP.

Leave

- USBP approved master leave will be applicable while working for Asylum. BPAs must coordinate and schedule this with their SAO.
- Additionally, any other type of leave (EAL, SL, SS, TC, etc.) will be coordinated directly with the SAO on case by case basis.
- Some of this leave is already noted in the spreadsheets.

Commuting

- According to BPAPRA:
 - (e) Travel Time.--Travel time to and from home and duty station by a BPA shall not be considered hours of work under any provision of law.
- However, commuting distance is a possible factor of reimbursement. According to the CBP handbook, any commute greater than their normal commuting can be reimbursed.
 - If the travel is more than 50 miles (one way), please reach out to HQ to discuss providing a travel authorization or an alternative location.
 - If the travel is less than 50 miles (one way) per day, Chapter 4 of the Handbook (attached for reference) defines local travel and how a difference in travel from their Permanent Duty Station (PDS) to a Temporary Duty Station (TDS) is to be reimbursed if the excess amount of travel is greater to the TDS. It does not include work hours and is to be entered in USBP's travel system under Local Expense Report.

Best,

Shannon Alexander

Asylum Officer

Asylum Training Division

DHS/USCIS/RAIO

Cube:

Cell: (b)(6)

Referred to U.S. Customs and Border Protection

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Klayman, Amy S

From: Klayman, Amy S
Sent: Monday, August 26, 2019 7:31 AM
To: McPherson, Yaniece A; Garrett, Natalie M
Cc: Aguilar, Kimberly M
Subject: FW: Case assignment request for USBP
Importance: High

Good Morning,

Please see Beth's email below and do not assign Cuban cases to our BP agents. Robert and Jonathan should be interviewing Northern Triangle cases, if they are available. Please provide guidance to any members of your team who do case scheduling.

Thanks, and please let me know if you have questions.

Amy

From: Mura, Elizabeth E <Elizabeth.E.Mura@uscis.dhs.gov>
Sent: Saturday, August 24, 2019 1:56 PM
To: Alexander, Shannon <shannon.alexander@uscis.dhs.gov>; Lafferty, John L <John.L.Lafferty@uscis.dhs.gov>; Caudill-Mirillo, Ashley B <Ashley.Caudill-Mirillo@uscis.dhs.gov>; Kirkland, Brooke A <Brooke.A.Kirkland@uscis.dhs.gov>; Rellis, Jennifer L <Jennifer.L.Rellis@uscis.dhs.gov>; Roberts, Rhonda J <Rhonda.J.Roberts@uscis.dhs.gov>; O'Malley, Robert L <robert.l.omalley@uscis.dhs.gov>; Powless, Crystal Y <Crystal.Y.Powless@uscis.dhs.gov>; Hunt, Margo M <Margo.M.Hunt@uscis.dhs.gov>; Osuji, Kizito <Kizito.Osuji@uscis.dhs.gov>; Bardini, Emilia M <Emilia.M.Bardini@uscis.dhs.gov>; Boss, Juliet M <juliet.m.boss@uscis.dhs.gov>; Cleary, Heather M <heather.m.cleary@uscis.dhs.gov>; Mireles, Charity J <charity.j.mireles@uscis.dhs.gov>; Brodrecht, Anna M <anna.m.brodrecht@uscis.dhs.gov>; Andre, Lisa S <Lisa.S.Andre@uscis.dhs.gov>; Minnick, Frank R <Frank.R.Minnick@uscis.dhs.gov>; Kim, Alejandra <Alejandra.Kim@uscis.dhs.gov>; Lynn, Mallory L <Mallory.L.Lynn@uscis.dhs.gov>; Stefanova, Desislava I <desislava.i.stefanova@uscis.dhs.gov>; Lewis, Victoria E <Victoria.E.Lewis@uscis.dhs.gov>; Baj, Ewa <Ewa.Baj@uscis.dhs.gov>; McPherson, Yaniece A <Yaniece.A.McPherson@uscis.dhs.gov>; Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>; Talamantes, Eudelia A <Eudelia.A.Talamantes@uscis.dhs.gov>; Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>; Hemming, Bryan D <Bryan.D.Hemming@uscis.dhs.gov>; Douglas, Audrey M <Audrey.M.Douglas@uscis.dhs.gov>; Carter, Lovely L <lovely.l.carter@uscis.dhs.gov>; Fairbank, Christina <Christina.Fairbank@uscis.dhs.gov>
Cc: Kelly, Brooke A <Brooke.Kelly@uscis.dhs.gov>; Zeleke, Aster N <Aster.Zeleke@uscis.dhs.gov>; Kerr, Alex X <Alex.X.Kerr@uscis.dhs.gov>; Scott, Elizabeth M <Elizabeth.M.Scott@uscis.dhs.gov>; Gossett, Christopher R <Christopher.R.Gossett@uscis.dhs.gov>; Joseph, Ebbed <Ebbed.Joseph@uscis.dhs.gov>; Saunier, Jon-Paul <Jon-Paul.Saunier@uscis.dhs.gov>; Basseas, Marina M <marina.m.basseas@uscis.dhs.gov>; Alexander, Shannon <shannon.alexander@uscis.dhs.gov>
Subject: Case assignment request for USBP
Importance: High

Good afternoon,

Late Friday, we received a request from Leadership to start assigning Northern Triangle CF cases to USBP Agents as soon as possible. They should no longer be interviewing Cuban cases. Please let us know if you have any questions

or need anything else.

Thanks,
Beth

Elizabeth E. Mura
Operations Branch Chief - Asylum Division
Refugee, Asylum and International Operations Directorate
Dept. of Homeland Security/U.S. Citizenship & Immigration Services
Elizabeth.E.Mura@uscis.dhs.gov

Desk: [REDACTED]
Mobile: [REDACTED] (b)(6)

Andre, Lisa S

From: Andre, Lisa S
Sent: Monday, August 26, 2019 3:03 PM
To: Perez, Ubaldo; SESSION, SHONE D; LEDEZMA, ARMANDO; LEMUS, MIGUEL A; RIVERA4, LUIS
Cc: Haverkamp, Emily R
Subject: Order of Adjudication Documents

Hi all –

In order to make things a little more streamlined, I would like you all to name your forms the following (please included the numbers):

1. I870 (*don't forget to sign it first!*)
2. Checklist
3. Interview Notes
4. NTA or 4. I863 and 4. I869 (*both forms should start with 4.*)
5. BISC
6. Global Checks
7. CPMS
8. ROIT/Hit Memo (*if applicable*)
9. TECS (*if applicable*)
10. Adverse Memo (*if applicable*)

I would also like you all to request Adobe Pro from your IT division. As soon as Adobe Pro is installed, please take all these forms and combine them into one PDF file (in the order above) prior to submission. Those of you with USCIS accounts should be able to do this starting today. 😊

Please also add your decision to Global prior to submitting the files.

Thanks!
Lisa

Andre, Lisa S

From: Andre, Lisa S
Sent: Tuesday, August 27, 2019 11:45 AM
To: Perez, Ubaldo; RIVERA4, LUIS; LEMUS, MIGUEL A; SESSION, SHONE D; LEDEZMA, ARMANDO
Subject: ZHN IFR Processing / Dilley

Hi all –

I confirmed with the ZHN SAO and you were all correct that they are using the new I-870 for everything for efficiency. This is not what we are doing at ZLA but for the sake of consistency, you can start using the new I-870 for all your ZHN interviews starting tomorrow. **You MUST delete that last paragraph for cases in which the IFR does not apply.**

For ZLA cases, you will continue to use the old form. However, none of you are scheduled to complete ZLA cases for a while.

I'm going to mention that you all are interested in going to the FRCs to the deputy again since you all mentioned ZHN offered to let you go to Dilley. The issue is that you all have to be trained on family processing and we don't have the resources for that, *but* ZHN might so I will bring it up again.

Thanks,
Lisa

Aguilar, Kimberly M

From: Aguilar, Kimberly M
Sent: Wednesday, August 28, 2019 3:40 PM
To: Hopkins, Sherona A
Cc: Roberts, Rhonda J; Alexander, Shannon; Papazian, Varsenik L; Pueschel, Tracy W; Klayman, Amy S
Subject: RE: CBP Officer's Detail Extended through Dec 20

Good afternoon Sherona—

Please see the response from ZMI below.

Regards,

Kimberly Aguilar

Deputy Director, Miami Asylum Office

Citizenship and Immigration Services

Phone: (b)(6)

This communication is intended for the sole use of the individual to whom it is addressed and may contain Limited Official Use Only Information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). If the reader of this communication is not the intended recipient or the employee or agent for delivering the communication to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you received this communication in error, please notify the sender immediately by telephone and destroy this transmission according to applicable DHS Policy and Instruction.

From: Hopkins, Sherona A <sherona.a.hopkins@uscis.dhs.gov>
Sent: Wednesday, August 28, 2019 2:58 PM
To: Hussey, Jedidah M <Jedidah.M.Hussey@uscis.dhs.gov>; Cleary, Heather M <heather.m.cleary@uscis.dhs.gov>; Bardini, Emilia M <Emilia.M.Bardini@uscis.dhs.gov>; Beighley, Tracy L <tracy.l.beighley@uscis.dhs.gov>; Ross, Rebecca R <Rebecca.R.Ross@uscis.dhs.gov>; Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>; Kelly, Brooke A <Brooke.Kelly@uscis.dhs.gov>; Miolan, Keisha A

<Keisha.Miolan@uscis.dhs.gov>; Zeleke, Aster N <Aster.Zeleke@uscis.dhs.gov>; Raufer, Susan <Susan.Raufer@uscis.dhs.gov>; Reilly, Catherine E (Kate) <catherine.e.reilly@uscis.dhs.gov>; Dang, Monica H <Monica.H.Dang@uscis.dhs.gov>; Mikesell, Hannah K <hannah.k.mikesell@uscis.dhs.gov>; Radel, David M <David.M.Radel@uscis.dhs.gov>; Bondy, Timothy <Timothy.Bondy@uscis.dhs.gov>
Cc: Roberts, Rhonda J <Rhonda.J.Roberts@uscis.dhs.gov>; Alexander, Shannon <shannon.alexander@uscis.dhs.gov>
Subject: CBP Officer's Detail Extended through Dec 20

Good Afternoon,

The officers listed below were from the last group detailed to the field offices 8/4-8/31. It is to our understanding that officers details are being extended through December 20. We want to ensure that we have an accurate account of each officer whose detail is being extended. Please indicated on the list below the officer(s) whose detail will be extended from September 2 through December 20, if "Yes" enter the dates of travel and location. If there is any other pertinent travel details (such as use of rental car, travel to other locations/detention centers) we need to be aware of please let us know. Please provide the information to by C.O.B 8/29/2019.

Traveler

Asylum Field Office

Detail Extended (Yes/No)

If "Yes" enter Travel Dates

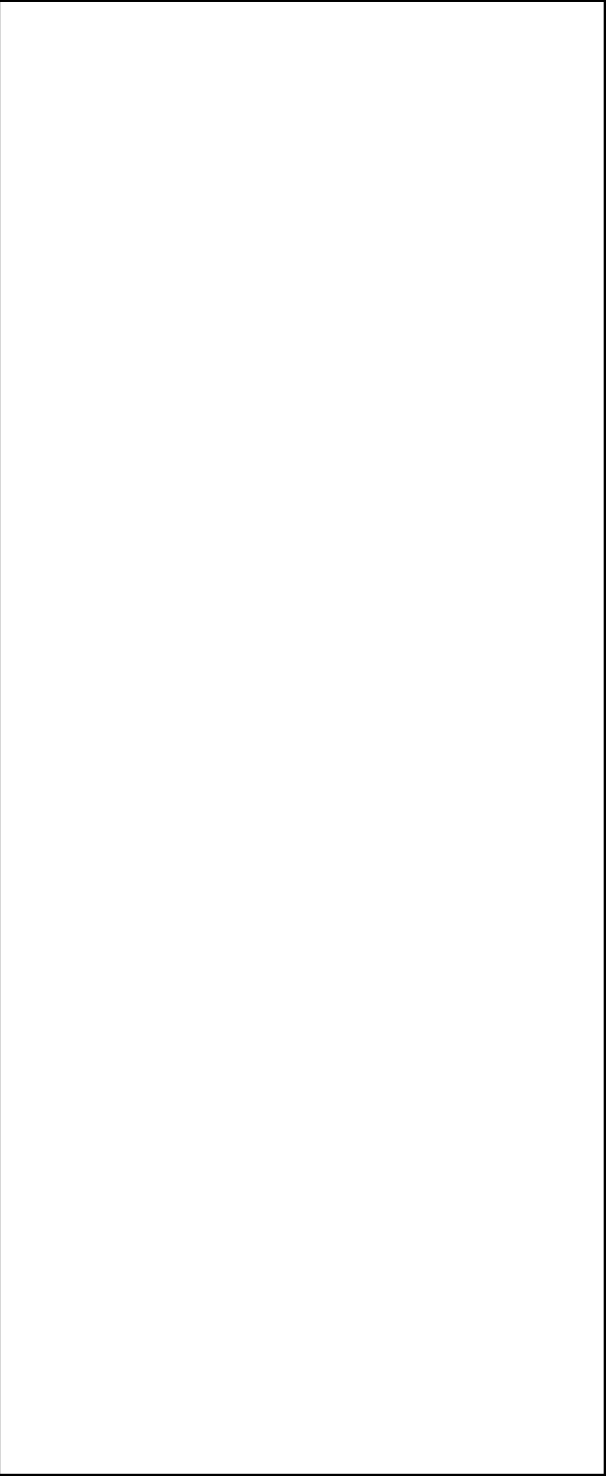
Travel Location While on Detail

(b)(7)(c)

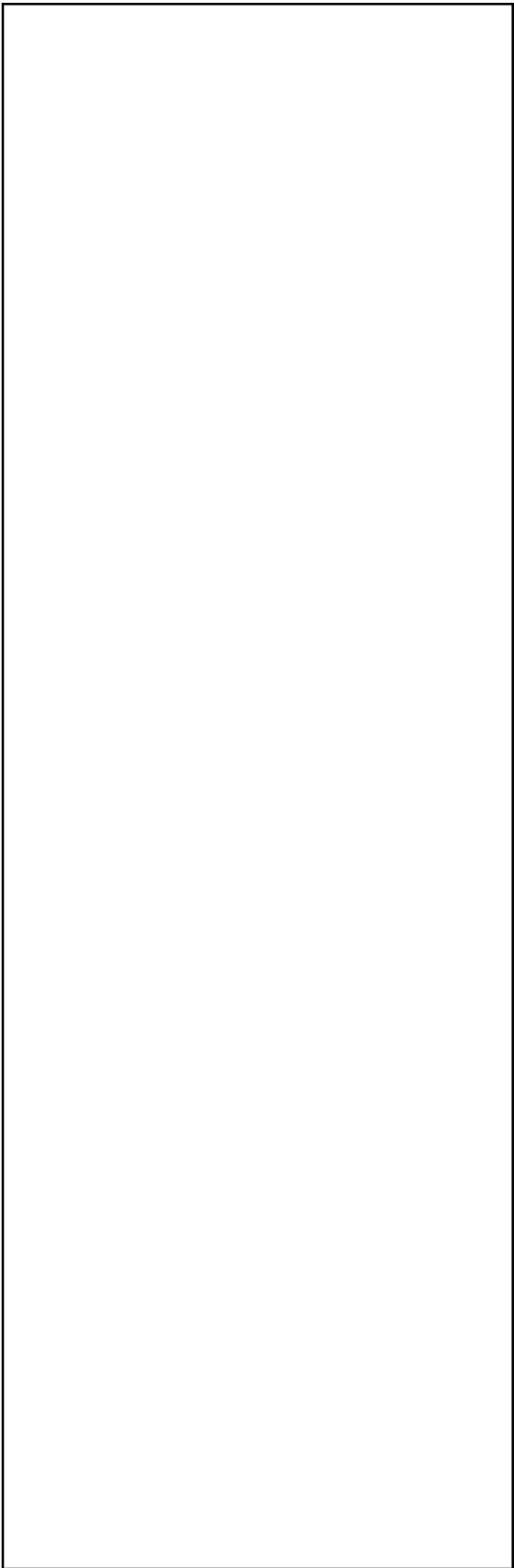


(b)(7)(c)

(b)(7)(c)

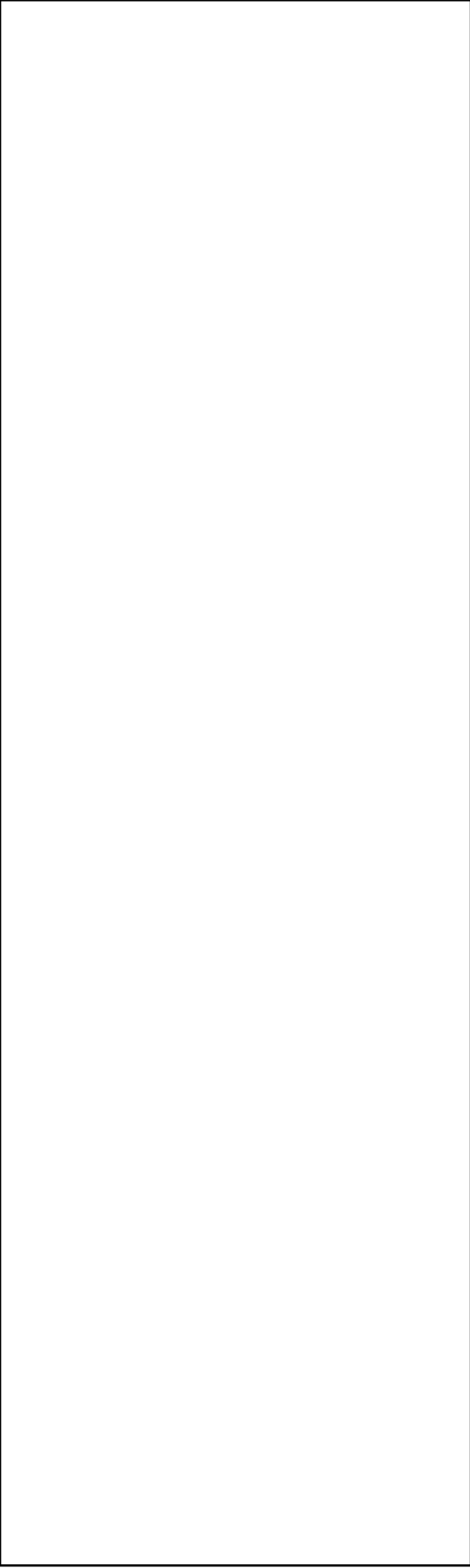


(b)(7)(c)

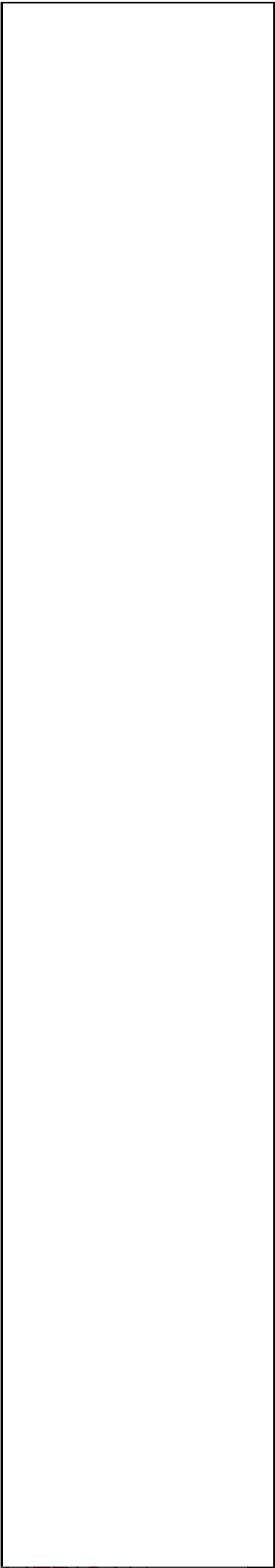


(b)(7)(c)

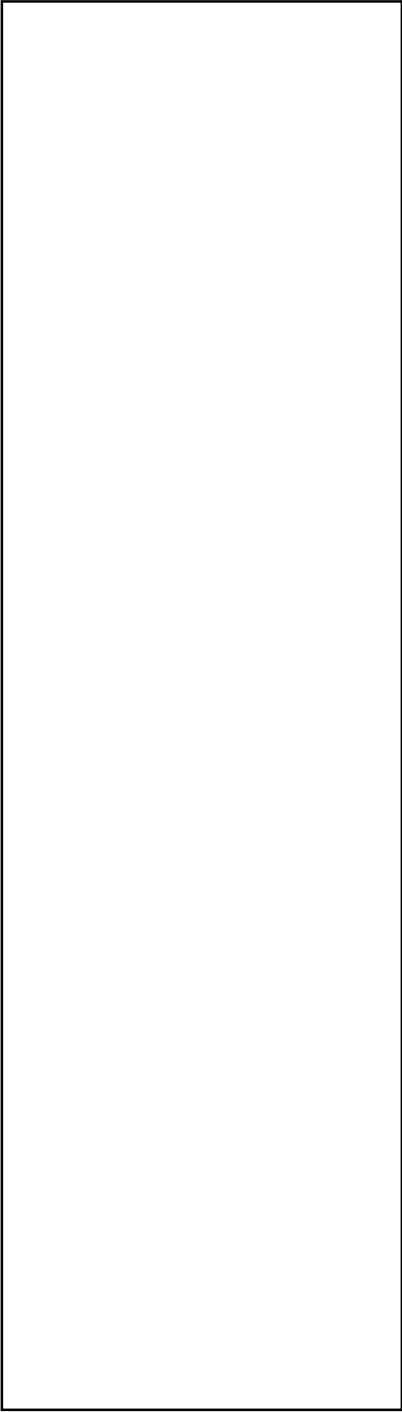
(b)(7)(c)



(b)(7)(c)



(b)(7)(c)



(b)(7)(c)

(b)(7)(c)

(b)(7)(c)

(b)(7)(c)



(b)(7)(c)

Best Regards,

Sherona A. Hopkins

RAIO Travel Branch Chief

U.S. Department of Homeland Security

U.S. Citizenship and Immigration Services

Refugee, Asylum, and International Operations

Travel Office:  (b)(6) | Main RAIO Travel Office:  | Sherona.A.Hopkins@uscis.dhs.gov
<mailto:Sherona.A.Hopkins@uscis.dhs.gov>

(b)(6)

Learn more about RAIO Travel

RAIO Travel ECN <http://ecn.uscis.dhs.gov/team/raio/Chief_of_Staff/Resource_Management/Travel/default

t.aspx> | Concur User Guide <<http://connect.uscis.dhs.gov/org/MGMT/OCFO/FMD/Documents/Concur-Travel-System-User-Guide.pdf>>

Aguilar, Kimberly M

From: Aguilar, Kimberly M
Sent: Monday, September 2, 2019 9:07 PM
To: McPherson, Yaniece A; Hanson, Greta E; Garrett, Natalie M
Cc: Papazian, Varsenik L; Pueschel, Tracy W; Klayman, Amy S; Raise-Heyward, Sabrina; Timothee, Fritz G; Miami Asylum SAPSO
Subject: FW: Request for day off

Good evening All—

Please see the message below regarding travel comp and work weeks for Border Patrol Agents.

Please let me know if you have any questions, comments or concerns and I'll run them up to HQ.

Regards,

Kimberly Aguilar
Deputy Director, Miami Asylum Office
Citizenship and Immigration Services
Phone: [REDACTED] (b)(6)

This communication is intended for the sole use of the individual to whom it is addressed and may contain Limited Official Use Only Information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). If the reader of this communication is not the intended recipient or the employee or agent for delivering the communication to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you received this communication in error, please notify the sender immediately by telephone and destroy this transmission according to applicable DHS Policy and Instruction.

From: Alexander, Shannon <shannon.alexander@uscis.dhs.gov>
Sent: Friday, August 30, 2019 4:47 PM
To: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>; Roberts, Rhonda J <Rhonda.J.Roberts@uscis.dhs.gov>; O'Malley, Robert L <robert.l.omalley@uscis.dhs.gov>
Cc: Papazian, Varsenik L <Varsenik.L.Papazian@uscis.dhs.gov>; Pueschel, Tracy W <Tracy.L.Pueschel@uscis.dhs.gov>; Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>
Subject: RE: Request for day off

Good Afternoon,

We have a few answers from BP on two of your questions below.

First, thank you for bringing the travel issue to our attention. BP provided clarification that is going to be helpful for the entire pilot.

As BP agents have the potential to work 365 days a week or Sunday through Saturday, their travel days can be duty days or count for travel comp time. USBP HQ plans to message the field that BPAs are expected to work M-F unless specifically told and prior coordination has already been established. After that communication is sent any USCIS funded travel that occurs on the weekends should generally be calculated as travel comp so the BPA can then work the remainder of the week (M-F).

Regarding Hurricane Dorian and other emergencies, the BPAs that live in the affected area will coordinate and follow local USBP policy regarding any special instructions (i.e. Admin Leave). Depending

on the storm's severity and resulting damage, USBP HQ will help coordinate communication between the agents, their sectors and their USCIS counterparts.

Please let us know if you need any more information. Thanks again for bringing these issues to our attention.

We hope that everyone is safe during the storm.

Best,

Shannon

From: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>

Sent: Thursday, August 29, 2019 2:12 PM

To: Roberts, Rhonda J <Rhonda.J.Roberts@uscis.dhs.gov>; O'Malley, Robert L <robert.l.omalley@uscis.dhs.gov>; Alexander, Shannon <shannon.alexander@uscis.dhs.gov>

Cc: Papazian, Varsenik L <Varsenik.L.Papazian@uscis.dhs.gov>; Pueschel, Tracy W <Tracy.L.Pueschel@uscis.dhs.gov>; Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>

Subject: FW: Request for day off

Good afternoon CBP Training Team—

The CBP officer who returned back to his duty station after his two-week ramp up period because his initial travel orders were not amended as requested subsequently traveled back to Miami on Sunday, August 25. He advised us that for him, travel days are considered work days. As such, he will not be in the office tomorrow, Friday, because he has already worked 5 days this week: Sunday through Thursday.

Can you clarify with the Border Patrol if this is the case: that his travel day is counted as a work day? The agent chose to return to ZMI on Sunday, August 25, when arranging to return to his detail location with RAO Travel. If we had known that such was the case, we would have advised him to travel on Monday so that he could be available to provide coverage on Friday.

Also, is it possible for us to communicate directly with his USBP supervisor? I suspect that it may be easier to coordinate requested days off and the like if his Asylum supervisor were able to communicate directly with his USBP supervisor.

Finally, can we get additional information about the rules regarding USBP travel and work schedules? Knowing in advance what his expectations are for his work will greatly assist us with planning work.

On a different note, you should be aware that ZMI is preparing for the arrival of Hurricane Dorian. If there is any information you can get for us about expectations for reporting and the like in emergency situations from USBP we would greatly appreciate it. We have their information for accountability purposes, but want to be sure we know what their expectations are for reporting to their details in the wake of the storm.

Currently, Agent Baez intends to return to Jacksonville. While it is still not clear where and when the storm will make landfall, the consensus is that it will make landfall somewhere along the east coast of Florida such that his travel back to Miami after the storm may be impacted.

Thank you in advance for your assistance.

Kimberly Aguilar
Deputy Director, Miami Asylum Office
Citizenship and Immigration Services

Phone: (b)(6)

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From: McPherson, Yaniece A <Yaniece.A.McPherson@uscis.dhs.gov>

Sent: Thursday, August 29, 2019 1:25 PM

To: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>; Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>

Subject: FW: Request for day off

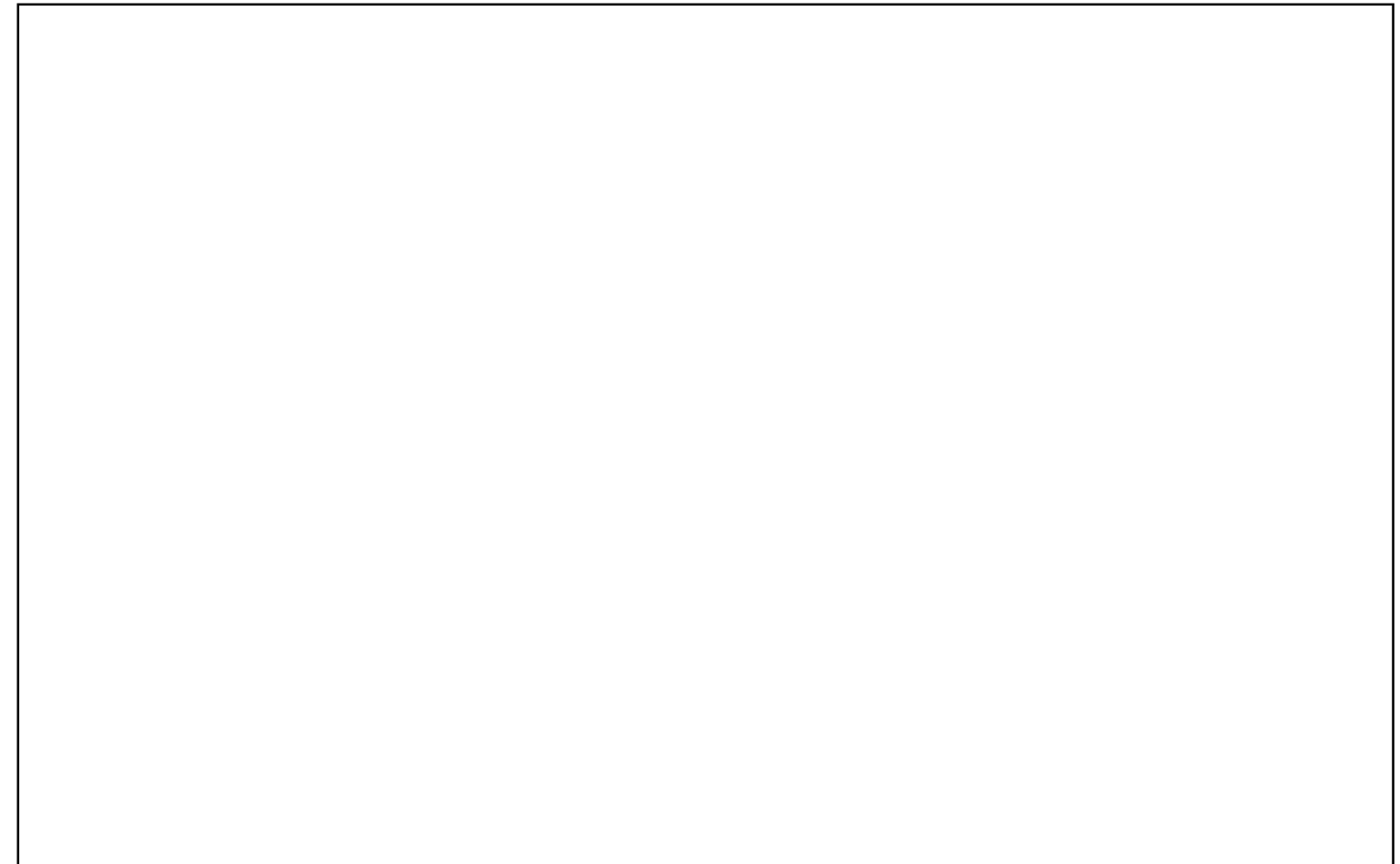
Good Afternoon Upper Management,

Please find agent's Baez's request before for Friday, August 30th off.

Thanks

Yaniece McPherson
SAPSO BTC/KROME

Referred to U.S. Customs and Border Protection



Alexander, Shannon

From: Alexander, Shannon
Sent: Tuesday, September 3, 2019 4:05 PM
To: Powless, Crystal Y; Hunt, Margo M; Osuji, Kizito; Bardini, Emilia M; Boss, Juliet M; Cleary, Heather M; Mireles, Charity J; Brodrecht, Anna M; Andre, Lisa S; Minnick, Frank R; Kim, Alejandra; Lynn, Mallory L; Stefanova, Desislava I; Lewis, Victoria E; Baj, Ewa; McPherson, Yaniece A; Garrett, Natalie M; Talamantes, Eudelia A; Klayman, Amy S; Aguilar, Kimberly M; Kelly, Brooke A; Zeleke, Aster N; Kerr, Alex X; Scott, Elizabeth M; Gossett, Christopher R; Joseph, Ebbed; Saunier, Jon-Paul; Hemming, Bryan D; Douglas, Audrey M; Carter, Lovely L; Fairbank, Christina; Basseas, Marina M; Haverkamp, Emily R
Cc: Roberts, Rhonda J; O'Malley, Robert L
Subject: FW: Family Processing Training Tomorrow
Importance: High

Good Evening POCs,

Please see below. Apologies if you are receiving this more than once.

Best,

Shannon

From: Alexander, Shannon

Sent: Tuesday, September 03, 2019 4:46 PM

To: Quinones, Eugenio Jr <eugenio.quinones@uscis.dhs.gov>; [REDACTED]

(b)(7)(c)

[REDACTED]; Sanchez, Eric A <eric.a.sanchez@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Hernandez, Ruth N <ruth.n.hernandez@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Espinoza, Salvador H <salvador.h.espinoza@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Gutierrez, Ervey <ervey.gutierrez@uscis.dhs.gov>;
[REDACTED]; Valdez, Luis S <luis.s.valdez@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Saiz, Jose A <jose.a.saiz@uscis.dhs.gov>; [REDACTED]
Goldston, Sterling W <sterling.w.goldston@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Natividad, Frank <frank.natividad@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Carrillo, Efrain <efrain.carrillo@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Dorame, Brian A <brian.a.dorame@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Tipton, Dax R <dax.r.tipton@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Rutkowski, Thomas M <thomas.m.rutkowski@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Genoves, Gabriel <gabriel.genoves@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Perez, Ubaldo <ubaldo.perez@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Jiron, Marvin P <marvin.p.jiron@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Torrick, Jason J <jason.j.torrick@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Etling, John E <john.e.etling@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Mceachen, John W <john.w.mceachen@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Vazquez, Robert M <robert.m.vazquez@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Baez, Jonathan <jonathan.baez@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Gali, Orlando <orlando.gali@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Roberts, Robin J <robin.j.roberts@uscis.dhs.gov>; [REDACTED]

(b)(7)(c)

DHS-19-1398-B, 19-1400-A-000264

(b)(7)(c)

[redacted]; Brennan, Ciaran P <ciar.p.brennan@uscis.dhs.gov>; [redacted]
[redacted]; Balen, Paul W II <paul.w.balen@uscis.dhs.gov>; BALEN, PAUL W
<PAUL.W.BALEN@cbp.dhs.gov>; Cigarroa, Geovanny (Geo) <geovanny.cigarroa@uscis.dhs.gov>; CIGARROA,
GEOVANNY <GEOVANNY.CIGARROA@cbp.dhs.gov>; Cruz, Lisandro <lisandro.cruz@uscis.dhs.gov>; [redacted]
LISANDRO <LISANDRO.CRUIZ@CBP.DHS.GOV>; Dickey, Johnathan E <johnathan.e.dickey@uscis.dhs.gov>; [redacted]
[redacted]; Garcia, Bryant <bryant.garcia@uscis.dhs.gov>; [redacted]
[redacted] Guz, Michael <michael.guz@uscis.dhs.gov>; [redacted]
[redacted]; Martin, Jose A <jose.a.martin@uscis.dhs.gov>; [redacted]
[redacted]; Perry, Navarre J <navarre.j.perry@uscis.dhs.gov>; [redacted]
[redacted]; Vargas, Israel <israel.vargas@uscis.dhs.gov>; [redacted]
[redacted]; Villanueva, Abraham <abraham.villanueva@uscis.dhs.gov>; [redacted]
[redacted];
[redacted]

Cc: Joseph, Matthew <Matthew.Joseph@uscis.dhs.gov>; Roberts, Rhonda J <Rhonda.J.Roberts@uscis.dhs.gov>;
O'Malley, Robert L <robert.l.omalley@uscis.dhs.gov>

(b)(7)(c)

Subject: Family Processing Training Tomorrow

Importance: High

Good Afternoon,

Thank you to everyone who volunteered to screen Credible Fear cases from our Family Processing Center in Dilley, Texas. We appreciate your interest and willingness to assist. It has been determined that all USBP agents should be prepared to screen family unit cases from Dilley and that the screenings will not necessarily take place in person. Starting this week, USBP agents will begin to screen family unit cases **telephonically**.

Family processing differs in some ways from the screenings you have already conducted. We will hold live webinars tomorrow to discuss those differences and to give you an opportunity to ask questions. These webinars will train you in the background, policies and procedures you will need to know in order to successfully screen family unit credible fear cases.

The schedule is as follows:

Interim Final Rule 11:00 am – 12:00 pm EST

Family Processing 12:15 pm – 1:45 pm EST

Child-sensitive Interview Techniques 2:00 pm – 2:40 pm EST

Working with Consultants 2:40 pm – 3:00 pm EST

Some of you may attended training on one or more aspects listed above in the asylum office to which you are assigned or during your original training. For purposes of updates and uniformity, we ask that you attend the training in its entirety tomorrow (unless you are already on pre-approved leave). Tomorrow, you will be able to access the materials for this training on the [CF for USBP ECN page](#).

The asylum offices to which you have been assigned have already been informed that you must be made available for this training. Please look for calendar invitations from Matthew Joseph (copied above). The calendar invitations will be sent out before the close of business today. If you have not received a calendar invite by tomorrow morning, please email Matt to request one.

Again, while there may be shared issues and concerns, please refrain from using reply all. Instead, send your questions and comments to me, Bob and Rhonda.

Thank you for your flexibility and consideration of this matter, especially on such short notice.

Best,

Shannon Alexander

Asylum Officer

Asylum Training Division

DHS/USCIS/RAIO

Cube:

Cell: (b)(6)

Klayman, Amy S

From: Klayman, Amy S
Sent: Wednesday, September 4, 2019 9:03 AM
To: Garrett, Natalie M; Hanson, Greta E
Cc: McPherson, Yaniece A
Subject: RE: Dorian Accountability: TEAM HANSON - [REDACTED] (b)(6)

If you have time to participate, that would be great. I would like to do so, but I don't think I can make it happen. When you get a chance, please let Kim know (on either the email chain related to Jonathan's absence or her email about the training) that Jonathan did not take his laptop with him and that he may or may not be able to participate in the training.

Thanks,

Amy

From: Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>
Sent: Wednesday, September 4, 2019 9:22 AM
To: Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; Hanson, Greta E <greta.e.hanson@uscis.dhs.gov>
Cc: McPherson, Yaniece A <Yaniece.A.McPherson@uscis.dhs.gov>
Subject: RE: Dorian Accountability: TEAM HANSON - [REDACTED] (b)(6)

Hi, Amy.

Would you like me to participate in the training, as well, so I am aware of the related procedures, etc.?

Robert plans to participate. Jonathan will be unable to participate, as he does not have his laptop with him. The trainers are aware of his situation, and the ball is rolling in regard to making alternate arrangements.

From: Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>
Sent: Wednesday, September 04, 2019 9:08 AM
To: Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>; Hanson, Greta E <greta.e.hanson@uscis.dhs.gov>
Cc: McPherson, Yaniece A <Yaniece.A.McPherson@uscis.dhs.gov>
Subject: FW: Dorian Accountability: TEAM HANSON - [REDACTED] (b)(6)

Hi, Natalie,

Can you please make sure that Vazquez attends today's Webinar training on FRCs? Baez should do the same out of Jacksonville, if he's able.

Thanks,

Amy

From: Hanson, Greta E <greta.e.hanson@uscis.dhs.gov>
Sent: Wednesday, September 4, 2019 8:30 AM
To: Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; Raise-Heyward, Sabrina <Sabrina.Raise-Heyward@uscis.dhs.gov>
Cc: Pueschel, Tracy W <Tracy.L.Pueschel@uscis.dhs.gov>; Papazian, Varsenik L <Varsenik.L.Papazian@uscis.dhs.gov>; Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>; Trujillo, Hilda <Hilda.Trujillo@uscis.dhs.gov>
Subject: Dorian Accountability: TEAM HANSON - [REDACTED]

(b)(6)

Supervisor: HANSON		Date: 09/04/19								
Last name, First Name	Contact method (text/phone/email)	Contact made?	Are you Safe?	Was your House Damaged?	Do you have Potable Water?	Do you have electricity?	Did you Evacuate?	Returned?	Return home date?	Went to Shelter?

Vazquez is working out of the CBP office in WPB.

(b)(6)

Thanks,

Greta

(b)(6)

Supervisor: HANSON		Date: 09/04/19								
Last name, First Name	Contact method (text/phone/email)	Contact made?	Are you Safe?	Was your House Damaged?	Do you have Potable Water?	Do you have electricity?	Did you Evacuate?	Returned?	Return home date?	Went to Shelter?

Klayman, Amy S

From: Klayman, Amy S
Sent: Wednesday, September 4, 2019 9:04 AM
To: Hanson, Greta E; Garrett, Natalie M
Cc: McPherson, Yaniece A
Subject: RE: Dorian Accountability: TEAM HANSON - [REDACTED] (b)(6)

It sounds as though Natalie is doing that. Please coordinate with her.

From: Hanson, Greta E <greta.e.hanson@uscis.dhs.gov>
Sent: Wednesday, September 4, 2019 9:10 AM
To: Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>
Cc: McPherson, Yaniece A <Yaniece.A.McPherson@uscis.dhs.gov>
Subject: RE: Dorian Accountability: TEAM HANSON - [REDACTED] (b)(6)

Amy,

Do you want me to reach out to Baez?

Thanks,

Greta

From: Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>
Sent: Wednesday, September 4, 2019 9:08 AM
To: Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>; Hanson, Greta E <greta.e.hanson@uscis.dhs.gov>
Cc: McPherson, Yaniece A <Yaniece.A.McPherson@uscis.dhs.gov>
Subject: FW: Dorian Accountability: TEAM HANSON - [REDACTED] (b)(6)

Hi, Natalie,

Can you please make sure that Vazquez attends today's Webinar training on FRCs? Baez should do the same out of Jacksonville, if he's able.

Thanks,

Amy

From: Hanson, Greta E <greta.e.hanson@uscis.dhs.gov>
Sent: Wednesday, September 4, 2019 8:30 AM
To: Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; Raise-Heyward, Sabrina <Sabrina.Raise-Heyward@uscis.dhs.gov>
Cc: Pueschel, Tracy W <Tracy.L.Pueschel@uscis.dhs.gov>; Papazian, Varsenik L <Varsenik.L.Papazian@uscis.dhs.gov>; Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>; Trujillo, Hilda <Hilda.Trujillo@uscis.dhs.gov>
Subject: Dorian Accountability: TEAM HANSON - [REDACTED] (b)(6)

Supervisor: HANSON		Date: 09/04/19								
(b)(6)	Contact method (text/phone/email)	Contact made?	Are you Safe?	Was your House Damaged?	Do you have Potable Water?	Do you have electricity?	Did you Evacuate?	Returned?	Return home date?	Went to Shelter?
Last name, First Name										

Thanks,

Greta

Supervisor: HANSON		Date: 09/04/19								
(b)(6) Last name, First Name	Contact method (text/phone/email)	Contact made?	Are you Safe?	Was your House Damaged?	Do you have Potable Water?	Do you have electricity?	Did you Evacuate?	Returned?	Return home date?	Went to Shelter?

Garrett, Natalie M

From: Garrett, Natalie M
Sent: Wednesday, September 4, 2019 11:36 AM
To: Aguilar, Kimberly M
Cc: Klayman, Amy S
Subject: RE: BP Agent Inquiry re: Wednesday Reporting Location

Okay, thank you, Kim.

I think that it would be beneficial for Robert to spend some time reviewing and preparing the IFR-related forms and his interview template for IFR and family processing. No other BTC APSO tasks come to mind. He and I can discuss after the forma BP training.

From: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>
Sent: Wednesday, September 04, 2019 11:30 AM
To: Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>
Cc: Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>
Subject: RE: BP Agent Inquiry re: Wednesday Reporting Location

Hi Natalie—

Amy let me know that he was participating in today's training from his sector. Are there other duties that he can be assigned to today?

Kimberly Aguilar
Deputy Director, Miami Asylum Office
Citizenship and Immigration Services
Phone: [REDACTED] (b)(6)

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From: Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>
Sent: Tuesday, September 03, 2019 9:20 PM
To: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>
Cc: Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>
Subject: RE: BP Agent Inquiry re: Wednesday Reporting Location

Hi, Kim.

I apologize if I overlooked a response, but was a decision made in regard to this matter?

From: Garrett, Natalie M
Sent: Tuesday, September 03, 2019 9:07 AM
To: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>
Cc: Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>
Subject: BP Agent Inquiry re: Wednesday Reporting Location

Good morning, Kim.

As you are aware, there will likely be no APSO work on Wednesday at Broward Transitional Center, such that ZMI staff will be reporting to ZMI. Due to the distance from his home to ZMI, Robert Vazquez, the BP Agent assigned to this sector, is asking if he may report to his office in Riviera Beach instead of ZMI, for the time during which APSO operations are halted at his sector. From Riviera Beach, Robert could work remotely on any assignments.

Please let me know if you would like additional information from Robert, and I can follow up with him.

Thank you,

Natalie M. Garrett
Senior Asylum Officer
Miami Asylum Office
Room 97

(b)(6)

This communication is intended for the sole use of the individual to whom it is addressed and may contain Limited Official Use Only Information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). If the reader of this communication is not the intended recipient or the employee or agent for delivering the communication to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you received this communication in error, please notify the sender immediately by telephone and destroy this transmission according to applicable DHS Policy and Instruction.

Roberts, Rhonda J

From: Roberts, Rhonda J
Sent: Wednesday, September 4, 2019 11:58 AM
To: Aguilar, Kimberly M; Alexander, Shannon; Beighley, Tracy L
Cc: Garrett, Natalie M; Hanson, Greta E; Klayman, Amy S; McPherson, Yaniece A; O'Malley, Robert L
Subject: RE: Heads Up, September 4 FRC training for trained USBP agents

Thanks very much for the update. Safety is first concern and we completely understand. Adding HQ team to ensure he gets the info needed.

From: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>
Sent: Wednesday, September 04, 2019 11:57 AM
To: Roberts, Rhonda J <Rhonda.J.Roberts@uscis.dhs.gov>
Cc: Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>; Hanson, Greta E <greta.e.hanson@uscis.dhs.gov>; Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; McPherson, Yaniece A <Yaniece.A.McPherson@uscis.dhs.gov>
Subject: FW: Heads Up, September 4 FRC training for trained USBP agents

Good morning All—

(b)(6)

He may be unable to participate in the training. We can provide time for him to review the recording once he returns to the office.

Regards,

Kimberly Aguilar
Deputy Director, Miami Asylum Office
Citizenship and Immigration Services
Phone: [REDACTED] (b)(6)

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From: Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>
Sent: Wednesday, September 04, 2019 10:19 AM
To: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>; Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; McPherson, Yaniece A <Yaniece.A.McPherson@uscis.dhs.gov>; Hanson, Greta E <greta.e.hanson@uscis.dhs.gov>
Cc: Papazian, Varsenik L <Varsenik.L.Papazian@uscis.dhs.gov>; Pueschel, Tracy W <Tracy.L.Pueschel@uscis.dhs.gov>; Miami Asylum SAPSO <Miami-Asylum-SAPSO@uscis.dhs.gov>
Subject: RE: Heads Up, September 4 FRC training for trained USBP agents

Thank you, Kim.

Jonathan may or may not be able to participate because he did not take his laptop home with him. He is already in

touch with the trainers about his situation. Robert and I plan to participate.

Best,

Natalie

From: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>

Sent: Tuesday, September 03, 2019 11:02 AM

To: Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; McPherson, Yaniece A

<Yaniece.A.McPherson@uscis.dhs.gov>; Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>; Hanson, Greta E <greta.e.hanson@uscis.dhs.gov>

Cc: Papazian, Varsenik L <Varsenik.L.Papazian@uscis.dhs.gov>; Pueschel, Tracy W <Tracy.L.Pueschel@uscis.dhs.gov>;

Miami Asylum SAPSO <Miami-Asylum-SAPSO@uscis.dhs.gov>

Subject: RE: Heads Up, September 4 FRC training for trained USBP agents

Adding all SAPSOs.

Kimberly Aguilar
Deputy Director, Miami Asylum Office
Citizenship and Immigration Services
Phone: [REDACTED] (b)(6)

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From: Aguilar, Kimberly M

Sent: Tuesday, September 03, 2019 9:14 AM

To: Klayman, Amy S (Amy.S.Klayman@uscis.dhs.gov) <Amy.S.Klayman@uscis.dhs.gov>; McPherson, Yaniece A <Yaniece.A.McPherson@uscis.dhs.gov>; Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>; Hanson, Greta E <greta.e.hanson@uscis.dhs.gov>

Cc: Papazian, Varsenik L (Varsenik.L.Papazian@uscis.dhs.gov) <Varsenik.L.Papazian@uscis.dhs.gov>; Pueschel, Tracy W (Tracy.L.Pueschel@uscis.dhs.gov) <Tracy.L.Pueschel@uscis.dhs.gov>

Subject: FW: Heads Up, September 4 FRC training for trained USBP agents

Importance: High

Good morning All—

Please read the message below for developments regarding detailing Border Patrol Agents to FRCs. HQ asks that in anticipation of this, all Agents participate in a webex training tomorrow. Additional details are forthcoming.

Kimberly Aguilar
Deputy Director, Miami Asylum Office
Citizenship and Immigration Services
Phone: [REDACTED] (b)(6)

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From: Roberts, Rhonda J <Rhonda.J.Roberts@uscis.dhs.gov>

Sent: Tuesday, September 03, 2019 7:51 AM

To: RAIO - Asylum Field Office Managers <RAIO-AsylumFieldOfficeManagers@uscis.dhs.gov>

Cc: Lafferty, John L <John.L.Lafferty@uscis.dhs.gov>; Caudill-Mirillo, Ashley B <Ashley.Caudill-Mirillo@uscis.dhs.gov>; Mura, Elizabeth E <Elizabeth.E.Mura@uscis.dhs.gov>; Kirkland, Brooke A <Brooke.A.Kirkland@uscis.dhs.gov>; Cappelloni, Corey <Corey.Cappelloni@uscis.dhs.gov>; Basseas, Marina M <marina.m.basseas@uscis.dhs.gov>; Scott, Elizabeth M <Elizabeth.M.Scott@uscis.dhs.gov>; Evans, Bryan B <Bryan.B.Evans3@uscis.dhs.gov>; Beighley, Tracy L <tracy.l.beighley@uscis.dhs.gov>; Alexander, Shannon <shannon.alexander@uscis.dhs.gov>

Subject: Heads Up, September 4 FRC training for trained USBP agents

Importance: High

Dear Directors and Deputies,

We have been directed to provide USBP coverage at FRCs, beginning with a telephonic pilot to commence as early as this week, followed by detailing agents to the FRCs.

We have requested volunteers from among the trained USBP agents assigned to your offices. We expect CBP HQ will follow up as well with agents to help meet the goal of in-person detailees. We will provide more information on the details and who may be participating telephonically and in-person.

In the interim, to have maximum readiness to meet the directive, we ask that all USBP agents trained and working in conjunction with your offices, who are not on leave that day, be prepared to attend training via WebEx tomorrow, Wednesday, September 4, 2019. Topics will include FRCs, IFR, working with an attorney, child sensitive interviewing techniques. The precise schedule will be provided later today, but we wanted to give you a heads up that their interview schedules could be affected tomorrow, and it is possible they may need to be off calendar to attend the trainings.

Please share with POCs in your office who may need to make adjustments or assist agents tomorrow.

Apologies for the short notice.

More detail to follow.

Thanks,
Rhonda

Klayman, Amy S

From: Klayman, Amy S
Sent: Thursday, September 5, 2019 12:29 PM
To: Aguilar, Kimberly M; Papazian, Varsenik L; Pueschel, Tracy W; Raise-Heyward, Sabrina; Timothee, Fritz G
Subject: RE: Potential CBP Assignment to Dilley - [REDACTED] (b)(6)
(b)(6)

From: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>
Sent: Thursday, September 5, 2019 1:18 PM
To: Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; Papazian, Varsenik L <Varsenik.L.Papazian@uscis.dhs.gov>; Pueschel, Tracy W <Tracy.L.Pueschel@uscis.dhs.gov>; Raise-Heyward, Sabrina <Sabrina.Raise-Heyward@uscis.dhs.gov>; Timothee, Fritz G <Fritz.G.Timothee@uscis.dhs.gov>
Subject: RE: Potential CBP Assignment to Dilley - [REDACTED]

Thank you Amy— (b)(6)

Kimberly Aguilar
Deputy Director, Miami Asylum Office
Citizenship and Immigration Services
Phone: [REDACTED] (b)(6)

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From: Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>
Sent: Thursday, September 05, 2019 12:54 PM
To: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>; Papazian, Varsenik L <Varsenik.L.Papazian@uscis.dhs.gov>; Pueschel, Tracy W <Tracy.L.Pueschel@uscis.dhs.gov>; Raise-Heyward, Sabrina <Sabrina.Raise-Heyward@uscis.dhs.gov>; Timothee, Fritz G <Fritz.G.Timothee@uscis.dhs.gov>
Subject: RE: Potential CBP Assignment to Dilley - [REDACTED] (b)(6)

From: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>

Sent: Thursday, September 5, 2019 12:49 PM

To: Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; Papazian, Varsenik L <Varsenik.L.Papazian@uscis.dhs.gov>; Pueschel, Tracy W <Tracy.L.Pueschel@uscis.dhs.gov>; Raise-Heyward, Sabrina <Sabrina.Raise-Heyward@uscis.dhs.gov>; Timothee, Fritz G <Fritz.G.Timothee@uscis.dhs.gov>

Subject: FW: Potential CBP Assignment to Dilley - [REDACTED]

Importance: High

(b)(6)

Hi All—

Kimberly Aguilar
Deputy Director, Miami Asylum Office
Citizenship and Immigration Services
Phone: [REDACTED] (b)(6)

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From: Alexander, Shannon <shannon.alexander@uscis.dhs.gov>

Sent: Thursday, September 05, 2019 12:47 PM

To: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>

Cc: Roberts, Rhonda J <Rhonda.J.Roberts@uscis.dhs.gov>; O'Malley, Robert L <robert.l.omalley@uscis.dhs.gov>; Douglas, Audrey M <Audrey.M.Douglas@uscis.dhs.gov>

Subject: Potential CBP Assignment to Dilley - [REDACTED]

Importance: High

(b)(6)

Good Afternoon Kim,

Please let us know ASAP as we are finalizing the list of agents who will be conducting these interviews.

Best,

Shannon Alexander

Asylum Officer

Asylum Training Division

DHS/USCIS/RAIO

Cube: [REDACTED] (b)(6)

Cell: [REDACTED]

AMERICAN
OVERSIGHT

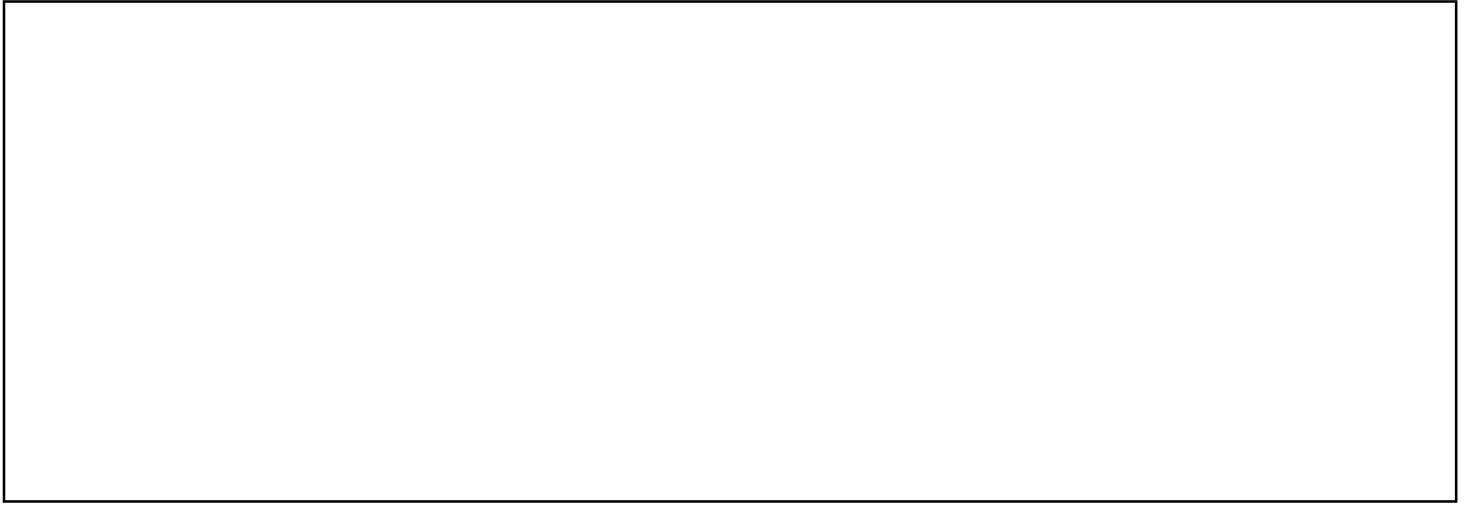
DHS-19-1398-B, 19-1400-A-000279

Klayman, Amy S

From: Klayman, Amy S
Sent: Thursday, September 5, 2019 3:25 PM
To: Aguilar, Kimberly M
Cc: Papazian, Varsenik L; Pueschel, Tracy W
Subject: FW: Potential CBP Assignment to Dilley -

(b)(6)

Hi, Kim,



Amy

From: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>
Sent: Thursday, September 5, 2019 2:54 PM
To: Roberts, Rhonda J <Rhonda.J.Roberts@uscis.dhs.gov>; Alexander, Shannon <shannon.alexander@uscis.dhs.gov>; Papazian, Varsenik L <Varsenik.L.Papazian@uscis.dhs.gov>; Pueschel, Tracy W <Tracy.L.Pueschel@uscis.dhs.gov>
Cc: O'Malley, Robert L <robert.l.omalley@uscis.dhs.gov>; Douglas, Audrey M <Audrey.M.Douglas@uscis.dhs.gov>; Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>
Subject: RE: Potential CBP Assignment to Dilley -

Hi Rhonda— (b)(6)



Please let me know if you have any questions.

Regards,

Kimberly Aguilar
Deputy Director, Miami Asylum Office
Citizenship and Immigration Services
Phone: [REDACTED]

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From: Roberts, Rhonda J <Rhonda.J.Roberts@uscis.dhs.gov>
Sent: Thursday, September 05, 2019 2:38 PM
To: Alexander, Shannon <shannon.alexander@uscis.dhs.gov>; Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>; Papazian, Varsenik L <Varsenik.L.Papazian@uscis.dhs.gov>; Pueschel, Tracy W <Tracy.L.Pueschel@uscis.dhs.gov>
Cc: O'Malley, Robert L <robert.l.omalley@uscis.dhs.gov>; Douglas, Audrey M <Audrey.M.Douglas@uscis.dhs.gov>
Subject: RE: Potential CBP Assignment to Dilley - [REDACTED] (b)(6)

Adding Varny and Tracy. We need to make assignments today. Please advise/

From: Alexander, Shannon <shannon.alexander@uscis.dhs.gov>
Sent: Thursday, September 05, 2019 12:47 PM
To: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>
Cc: Roberts, Rhonda J <Rhonda.J.Roberts@uscis.dhs.gov>; O'Malley, Robert L <robert.l.omalley@uscis.dhs.gov>; Douglas, Audrey M <Audrey.M.Douglas@uscis.dhs.gov>
Subject: Potential CBP Assignment to Dilley - [REDACTED]
Importance: High

(b)(6)

Good Afternoon Kim,

Please let us know ASAP as we are finalizing the list of agents who will be conducting these interviews.

Best,

Shannon Alexander
Asylum Officer
Asylum Training Division
DHS/USCIS/RAIO
Cube: [REDACTED]
Cell: [REDACTED]

(b)(6)

Roberts, Rhonda J

From: Roberts, Rhonda J
Sent: Thursday, September 5, 2019 3:32 PM
To: Aguilar, Kimberly M; Alexander, Shannon; Papazian, Varsenik L; Pueschel, Tracy W
Cc: O'Malley, Robert L; Douglas, Audrey M; Klayman, Amy S
Subject: RE: Potential CBP Assignment to Dilley - [REDACTED]

(b)(6)

Hi Kim,

Thanks for your message. [REDACTED]

[REDACTED]

Thanks again,
Rhonda

From: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>
Sent: Thursday, September 05, 2019 2:54 PM
To: Roberts, Rhonda J <Rhonda.J.Roberts@uscis.dhs.gov>; Alexander, Shannon <shannon.alexander@uscis.dhs.gov>; Papazian, Varsenik L <Varsenik.L.Papazian@uscis.dhs.gov>; Pueschel, Tracy W <Tracy.L.Pueschel@uscis.dhs.gov>
Cc: O'Malley, Robert L <robert.l.omalley@uscis.dhs.gov>; Douglas, Audrey M <Audrey.M.Douglas@uscis.dhs.gov>; Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>
Subject: RE: Potential CBP Assignment to Dilley - [REDACTED]

Hi Rhonda—

(b)(6)

[REDACTED]

Please let me know if you have any questions.

Regards,

Kimberly Aguilar
Deputy Director, Miami Asylum Office
Citizenship and Immigration Services
Phone: [REDACTED] (b)(6)

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this transmission according to applicable DHS Policy and Instruction.

From: Roberts, Rhonda J <Rhonda.J.Roberts@uscis.dhs.gov>
Sent: Thursday, September 05, 2019 2:38 PM
To: Alexander, Shannon <shannon.alexander@uscis.dhs.gov>; Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>; Papazian, Varsenik L <Varsenik.L.Papazian@uscis.dhs.gov>; Pueschel, Tracy W <Tracy.L.Pueschel@uscis.dhs.gov>
Cc: O'Malley, Robert L <robert.l.omalley@uscis.dhs.gov>; Douglas, Audrey M <Audrey.M.Douglas@uscis.dhs.gov>
Subject: RE: Potential CBP Assignment to Dilley [REDACTED]

Adding Varny and Tracy. We need to make assignments today. Please advise/

From: Alexander, Shannon <shannon.alexander@uscis.dhs.gov>
Sent: Thursday, September 05, 2019 12:47 PM
To: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>
Cc: Roberts, Rhonda J <Rhonda.J.Roberts@uscis.dhs.gov>; O'Malley, Robert L <robert.l.omalley@uscis.dhs.gov>; Douglas, Audrey M <Audrey.M.Douglas@uscis.dhs.gov>
Subject: Potential CBP Assignment to Dilley [REDACTED]
Importance: High

(b)(6)

Good Afternoon Kim,

Please let us know ASAP as we are finalizing the list of agents who will be conducting these interviews.

Best,

Shannon Alexander

Asylum Officer

Asylum Training Division

DHS/USCIS/RAIO

Cube: [REDACTED]

Cell: [REDACTED]

(b)(6)

Aguilar, Kimberly M

From: Aguilar, Kimberly M
Sent: Friday, September 6, 2019 8:19 AM
To: Klayman, Amy S; Garrett, Natalie M; Hanson, Greta E; McPherson, Yaniece A
Cc: Papazian, Varsenik L; Pueschel, Tracy W; Miami Asylum SAPSO
Subject: FW: BP Work Assignment Guidance
Importance: High

Good morning All—

See below for guidance on case assignments for Border Patrol agents.

Please raise any questions or concerns up through Amy.

Kimberly Aguilar
Deputy Director, Miami Asylum Office
Citizenship and Immigration Services
Phone: (b)(6)

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From: Caudill-Mirillo, Ashley B <Ashley.Caudill-Mirillo@uscis.dhs.gov>
Sent: Thursday, September 05, 2019 11:12 PM
To: RAIO - Asylum Field Office Managers <RAIO-AsylumFieldOfficeManagers@uscis.dhs.gov>
Cc: RAIO - Asylum HQ Leadership <RAIO-AsylumHQLeadership@uscis.dhs.gov>; Davidson, Andrew J <Andrew.J.Davidson@uscis.dhs.gov>
Subject: BP Work Assignment Guidance
Importance: High

FOR INTERNAL USE ONLY

Dear Field Leadership,

I believe this communication has gone out in other capacities but I want to be sure each of you receives the same guidance. Under no circumstances should Border Patrol Agents be assigned to interview credible fear claims asserted by Cuban nationals. Instead, your office should prioritize assigning them to credible fear claims asserted by nationals of the Northern Triangle countries. There are no exceptions to this rule. Even if, for example, they are assigned to work a location where only Cuban national cases are available, you should seek to place your own staff on those cases and redirect the Border Patrol agent resources toward claims asserted by Northern Triangle countries. I realize this may result in some logistical challenges. As you identify them, please do your best to troubleshoot them and flag them for us so that we can communicate these challenges to others as needed.

We will monitor whether Border Patrol Agents are assigned to Cuban cases and may follow up with you if it is found these assignments occurred in the event we are asked to explain.

Best,
Ashley

Ashley Caudill-Mirillo
Deputy Chief
Asylum Division
Refugee, Asylum, and International Operations

Klayman, Amy S

From: Klayman, Amy S
Sent: Friday, September 6, 2019 10:13 AM
To: Alexander, Shannon; Roberts, Rhonda J
Cc: Aguilar, Kimberly M; Garrett, Natalie M; McPherson, Yaniece A; Talamantes, Eudelia A
Subject: RE: CF for USBP Biweekly Conference Call

Hi, Shannon,

(b)(6)

Thanks, and please let us know if you need additional information.

Regards—

Amy

From: Alexander, Shannon <shannon.alexander@uscis.dhs.gov>
Sent: Friday, September 6, 2019 10:48 AM
To: Lafferty, John L <John.L.Lafferty@uscis.dhs.gov>; Caudill-Mirillo, Ashley B <Ashley.Caudill-Mirillo@uscis.dhs.gov>; Kirkland, Brooke A <Brooke.A.Kirkland@uscis.dhs.gov>; Mura, Elizabeth E <Elizabeth.E.Mura@uscis.dhs.gov>; Rellis, Jennifer L <Jennifer.L.Rellis@uscis.dhs.gov>; Roberts, Rhonda J <Rhonda.J.Roberts@uscis.dhs.gov>; O'Malley, Robert L <robert.l.omalley@uscis.dhs.gov>; Powless, Crystal Y <Crystal.Y.Powless@uscis.dhs.gov>; Hunt, Margo M <Margo.M.Hunt@uscis.dhs.gov>; Osuji, Kizito <Kizito.Osuji@uscis.dhs.gov>; Bardini, Emilia M <Emilia.M.Bardini@uscis.dhs.gov>; Boss, Juliet M <juliet.m.boss@uscis.dhs.gov>; Cleary, Heather M <heather.m.cleary@uscis.dhs.gov>; Mireles, Charity J <charity.j.mireles@uscis.dhs.gov>; Brodrecht, Anna M <anna.m.brodrecht@uscis.dhs.gov>; Andre, Lisa S <Lisa.S.Andre@uscis.dhs.gov>; Minnick, Frank R <Frank.R.Minnick@uscis.dhs.gov>; Kim, Alejandra <Alejandra.Kim@uscis.dhs.gov>; Lynn, Mallory L <Mallory.L.Lynn@uscis.dhs.gov>; Stefanova, Desislava I <desislava.i.stefanova@uscis.dhs.gov>; Lewis, Victoria E <Victoria.E.Lewis@uscis.dhs.gov>; Baj, Ewa <Ewa.Baj@uscis.dhs.gov>; McPherson, Yaniece A <Yaniece.A.McPherson@uscis.dhs.gov>; Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>; Talamantes, Eudelia A <Eudelia.A.Talamantes@uscis.dhs.gov>; Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>; Hemming, Bryan D <Bryan.D.Hemming@uscis.dhs.gov>; Douglas, Audrey M <Audrey.M.Douglas@uscis.dhs.gov>; Carter, Lovely L <lovely.l.carter@uscis.dhs.gov>; Fairbank, Christina <Christina.Fairbank@uscis.dhs.gov>; Haverkamp, Emily R <Emily.R.Haverkamp@uscis.dhs.gov>
Cc: Kelly, Brooke A <Brooke.Kelly@uscis.dhs.gov>; Zeleke, Aster N <Aster.Zeleke@uscis.dhs.gov>; Kerr, Alex X <Alex.X.Kerr@uscis.dhs.gov>; Scott, Elizabeth M <Elizabeth.M.Scott@uscis.dhs.gov>; Gossett, Christopher R <Christopher.R.Gossett@uscis.dhs.gov>; Joseph, Ebbed <Ebbed.Joseph@uscis.dhs.gov>; Saunier, Jon-Paul <Jon-Paul.Saunier@uscis.dhs.gov>; Basseas, Marina M <marina.m.basseas@uscis.dhs.gov>; Sisco-Izak, Marta A <marta.a.sisco-izak@uscis.dhs.gov>
Subject: RE: CF for USBP Biweekly Conference Call

Good Morning Everyone!

Please find the attached notes from yesterday's meetings. If you have any additions or edits, please let me know.

ZAR, I think we would all be very grateful if you send us any information that you find on typing tutorials. Thank you in advance.

Please send Rhonda and me the list of agents who did not complete the FRC training on Wednesday as soon as you can - preferably before COB today. As these agents complete the webinar, please let us know.

Here is the information for accessing the recorded webinar:

_____ (3 hr 20 min)

Recording password: (b)(6)

If anyone receives an error message, try closing the window and trying again. It worked for me this morning in Chrome.

Thank you all very much for all of the time, energy and care you've put into training the agents. We really appreciate it.

Best,

Shannon

-----Original Appointment-----

From: Alexander, Shannon

Sent: Thursday, August 15, 2019 6:18 PM

To: Alexander, Shannon; Lafferty, John L; Caudill-Mirillo, Ashley B; Kirkland, Brooke A; Mura, Elizabeth E; Rellis, Jennifer L; Roberts, Rhonda J; O'Malley, Robert L; Powless, Crystal Y; Hunt, Margo M; Osuji, Kizito; Bardini, Emilia M; Boss, Juliet M; Cleary, Heather M; Mireles, Charity J; Brodrecht, Anna M; Andre, Lisa S; Minnick, Frank R; Kim, Alejandra; Lynn, Mallory L; Stefanova, Desislava I; Lewis, Victoria E; Baj, Ewa; McPherson, Yaniece A; Garrett, Natalie M; Talamantes, Eudelia A; Klayman, Amy S; Aguilar, Kimberly M; Hemming, Bryan D; Douglas, Audrey M; Carter, Lovely L; Fairbank, Christina; Haverkamp, Emily R

Cc: Kelly, Brooke A; Zeleke, Aster N; Kerr, Alex X; Scott, Elizabeth M; Gossett, Christopher R; Joseph, Ebbel; Saunier, Jon-Paul; Basseas, Marina M; Sisco-Izak, Marta A

Subject: CF for USBP Biweekly Conference Call

When: Thursday, September 05, 2019 2:30 PM-3:30 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Virtual ; Code

(b)(6)

Standard Agenda

Please be prepared to discuss the following on behalf of your offices:

- ★ Ramp Up Updates
- ★ Case Updates including procedural and substantive issues
- ★ Tech issues and concerns
- ★ Tracking of agents' hours including comp time
- ★ Any other issues or concerns

or

(b)(6)

Participant:

(b)(6)

Maloney, Kathleen M

From: Maloney, Kathleen M
Sent: Monday, September 16, 2019 3:25 PM
To: Mayer, Rachel S; Hollemans, Sarah M; Sermen, Heidi M; Roberts, Rhonda J; Alexander, Shannon; Hernandez, Ruth N; Espinoza, Salvador H; Gutierrez, Ervey; Quinones, Eugenio Jr; Sanchez, Eric A; VALDEZ, JACOB B; DOUGHERTY, STEPHEN E; CLARK, STEVEN C; LARACUENTE, HABACUC; LOPEZ, ANDRES; STEPHANY, ERIK R; TOVAR, RAFAEL; Valdez, Luis S; RODRIGUEZ, BENJAMIN; Etling, John E; Natividad, Frank; Perez, Ubaldo; LEDEZMA, ARMANDO; RIVERA4, LUIS; LEMUS, MIGUEL A; SESSION, SHONE D; Roberts, Robin J; Dickey, Johnathan E; DUTTON, JULIE L; Mayer, Rachel S; Matos, Kastherine C; Hollemans, Sarah M; Sermen, Heidi M
Cc: Villena, Daniel A; Andre, Lisa S; Miller, Rebecca E; Douglas, Audrey M
Subject: FW: Internal Relocation
Attachments: Message from the Acting Director - Internal Relocation.msg

All,

Please see the internal relocation guidance below and attached. If you have any questions, please contact your supervisor. Thanks

Kathleen

From: Davidson, Andrew J <Andrew.J.Davidson@uscis.dhs.gov>
Sent: Thursday, September 12, 2019 1:09 PM
To: RAIO - Asylum Field Office Managers <RAIO-AsylumFieldOfficeManagers@uscis.dhs.gov>
Cc: RAIO - Asylum HQ Leadership <RAIO-AsylumHQLeadership@uscis.dhs.gov>
Subject: FW: Internal Relocation

~~FOR INTERNAL USE ONLY~~

Dear Field Office Leadership,

As a reminder, asylum officers and supervisory asylum officers must follow the guidance provided in the Acting Director's July 26, 2019 communication regarding internal relocation. That guidance is attached for ease of reference. It instructs officers to elicit testimony regarding internal relocation, addressing both ability to relocate to avoid future harm and reasonableness, as well as relevant country of origin information (COI). It further instructs officers to analyze internal relocation in the checklist/assessment, specifically where internal relocation is found not reasonable. Officers should address COI during the interview and in their decision analysis.

Based on HQ Asylum review and feedback we have received from some offices, it appears some cases are still being submitted without a thorough analysis of the potential for internal relocation. I would like to reiterate the importance of addressing internal relocation to ensure that cases fully analyze the factors identified in the Acting Director's guidance. We will continue to conduct internal quality assurance reviews to identify credible fear cases with inadequate record development and analysis and raise such cases to your attention to ensure compliance with the Acting Director's communication.

As always, we are here to answer your questions and provide support in any way possible. Please send any internal relocation related questions to the Asylum QA Credible Fear mailbox: asylum-qa-credible-fear.uscis.dhs.gov.

DHS-19-1398-B, 19-1400-A-000289

Thank you,

Andrew Davidson
Acting Chief
Asylum Division
Refugee, Asylum, and International Operations

From: USCIS Director
Sent: Friday, July 26, 2019 2:05 PM
Subject: Message from the Acting Director - Internal Relocation



U.S. Citizenship
and Immigration
Services



Dear Colleagues,

The crisis at our Southern border continues to be severe. Every day, USCIS faces an unprecedented number of aliens overwhelming our asylum system, many of whom are ineligible for asylum and are attempting to enter and remain in the country in violation of our laws. This [guidance](#) further clarifies current regulations and policies that are already in place regarding **internal relocation** of an alien in their home country, eliciting testimony for credible fear screenings, and documenting outcomes. As detailed in the [Department of State country conditions reports](#) for these countries, private violence is not pervasive across the entirety of each Northern Triangle country. I am writing to provide a reminder of the importance of assessing a person's ability to safely relocate to another part of his or her home country. This is an important regulatory factor in the consideration of credible fear screenings and determinations.

When confronted with evidence of private violence, you must consider whether internal relocation is possible. 8 CFR 208.13(b)(3) provides that factors adjudicators should consider include but are not limited to "whether the applicant would face other serious harm in the place of relocation; ongoing civil strife in the country; administrative, economic or judicial infrastructure; geographic limitations; and social and cultural constraints such as age, gender, health and social and family ties."

Many of the cases arising at the Southern border are cases of individuals that are willing to engage in costly and dangerous international travel – neither of which would be necessary if they sought refuge within their home country, particularly given the fact that there are areas that are generally very safe within each of the countries that currently make up the bulk of our credible fear cases. Asylum officers should be eliciting testimony to determine if the alien attempted to internally relocate to any safe areas prior to the alien's travel to the United States.

The Asylum Division work is very important, and your dedication to the mission has not gone unnoticed. If you have any questions concerning the procedures contained in the memorandum, please contact Asylum Headquarters. Thank you for your continued commitment to our mission and to safeguarding the integrity of the U.S. immigration system.

Sincerely,

Ken Cuccinelli
Acting Director

FOR INTERNAL USE ONLY

Andre, Lisa S

From: Andre, Lisa S
Sent: Monday, September 16, 2019 5:48 PM
To: Frederick, Douglas D
Subject: FW: USBP

This is the schedule we ended up using except that the observation on the first day didn't happen. They all ended up having lots of computer issues and I gave them some time to review old materials. I think Marvin did his training in June so he's going to be super rusty. I'd have him do observations and training the entire first week. I'd also ask the TOs to help.

In addition to IFR training, he needs something about adding dependents – they don't get this at the HQ training.

Hope this helps!

From: Andre, Lisa S
Sent: Friday, August 02, 2019 2:43 PM
To: #ZLA ALL SECTION CHIEFS <#ZLAALLSECTIONCHIEFS@uscis.dhs.gov>; Frederick, Douglas D <douglas.d.frederick@uscis.dhs.gov>
Cc: #ZLA TOs <#ZLATOs@uscis.dhs.gov>
Subject: RE: USBP

Hi all –

Here is the updated schedule for the BP officers for the next two weeks. They will all be returning after we move, but I am going to hold off on planning the last few days of their training until this first part is complete. Trevor is going to help with the form filler session on Tuesday and with an observation on Wednesday afternoon. I should be able to do two observations on Wednesday, but Mallory can be on standby in case the first one ends up running long for some reason. Doug is also DO on Wednesday, but it would be great if he can observe the agent that he will be supervising so I'm hoping someone can take over the DO phone for a couple of hours (it'll be during Wednesday training so I'm hoping it'll be easy to get a volunteer).

I will work with each of them on their first day to come up with a schedule, but I'll keep 8-5 as the training schedule and let them come in earlier or leave later based on when they want to do their physical training.

Kim, since they'll be observing AOs assigned to ZHN APSO, can you confirm that the 10:00 AM interview time for Jenny and Avery on Monday and Tuesday, and 9:00 AM for Jenny on Wednesday will work for ZHN? I think we can wait until Monday to see if we also need to pull interviews for the officers to interview themselves on Wednesday.

THANKS!

Lisa

Monday 8/5 – Lemus, Rivera, Session, Ledezma (all cohort #3)
8:00: Check-in with Monica/Betty for PIV access
8:30: Meet with Lisa in Office 21 for intro meeting and office tour
9:00: IT set-up in offices, including systems access verification
10:00: Observe ZHN CF case (Indian) with ZLA AOs (Jenny Blaes/Avery Dobbs)
Lunch after observation completed

Afternoon spent writing up observation case and troubleshooting IT issues

Tuesday 8/6 – Perez (cohort #2)

8:00: Perez checks-in with Monica/Betty for PIV access and then meets Lisa for office tour and IT set-up (including systems checks verification); others receive/review feedback from observation case

10:00: Observe ZHN CF case with ZLA AO (Jenny Blaes/Avery Dobbs)

Work on checklist after observation and then take lunch

1:00: Form filler with Fran/Trevor and then complete forms for observation case

3:00: Meeting with Lisa to discuss local procedures, review security checks and global.

Remainder of afternoon available for any pending IT issues.

Wednesday 8/7

Lemus (Lisa) and Session (Doug) set-up for CF interview (observed) scheduled to start at 9:00 AM. Officers will receive feedback after interview and use remainder of day to review feedback from Tuesday's observation write-up and then complete the write-up for today's interview. Any additional time will be used as self-study. Lunch can be taken at the agent's discretion.

Rivera (Lisa) and Ledezma (Trevor) will use the morning to review feedback from Tuesday's observation and review file for afternoon CF interview. Any additional time can be used as self-study. Lunch can be taken at the agent's discretion. **CF interview (observed) scheduled to start at 1:00 PM.** Officers will receive feedback after interview and use remainder of day to write-up case.

Perez will review file for observation of ZHN CF case with ZLA AO Jenny Blaes scheduled for 9:00 AM. Remainder of day to be used to review feedback from Tuesday's observation write-up and write-up today's observation interview. Any additional time will be used as self-study. Lunch can be taken at the agent's discretion.

Thursday 8/8

Perez (Lisa) sets-up for CF interview scheduled to start at 9:00 AM. Officer will receive feedback after interview and use remainder of day to review feedback from yesterday's observation write-up and then complete the write-up for today's interview. Any additional time will be used as self-study. Lunch can be taken at the agent's discretion.

Remaining 4 officers will complete one CF interview scheduled for 9:00 AM. Remainder of day used to write-up case and review feedback. Any additional time will be used as self-study. Lunch can be taken at the agent's discretion. (Doug on standby to assist with technical issues)

Friday 8/9

Perez, Lemus, Session and Rivera will complete one CF interview scheduled for 9:00 AM. Remainder of day used to write-up case and review feedback. Any additional time will be used as self-study. Lunch can be taken at the agent's discretion. (Lisa on standby to assist with technical issues)

Ledezma will use the morning to complete any corrections. Will have check-in meeting with Lisa in the afternoon and use remainder of time as self-study. (Then travel backs home)

Monday 8/12 and Tuesday 8/13

Officers complete one CF interview scheduled for 9:00 AM. Remainder of day used to write-up case and review feedback. Any additional time will be used as self-study. Lunch can be taken at the agent's discretion. (Lisa on standby to assist with technical issues)

Wednesday 8/14

Officers will use the morning to complete any corrections and have check-in meeting with Lisa/Doug (Then travel back home at noon).

From: Andre, Lisa S
Sent: Wednesday, July 31, 2019 11:05 AM
To: #ZLA ALL SECTION CHIEFS <#ZLAALLSECTIONCHIEFS@uscis.dhs.gov>; Frederick, Douglas D <douglas.d.frederick@uscis.dhs.gov>; Lawless, Amber S <amber.s.lawless@uscis.dhs.gov>
Cc: #ZLA TOs <#ZLATOs@uscis.dhs.gov>
Subject: RE: USBP

Hi all –

Here is the schedule that I came up with for the BP officers for their first two days in the office based on the training that they received at ZAR (each cohort was different). The schedule is flexible, but I wanted to give them some sort of structure. Francesca is really busy but mentioned that Trevor can likely help with the form filler session (we can also pull another AO to do it if someone is available).

Let me know if you see any issues with this, particularly with getting cases for observations from ZHN.

Monday – Lemus, Rivera, Session, Ledezma (all cohort #3)
8:00: Check-in with Monica/Betty for PIV access
8:30: Meet with Lisa in Office 21 for intro meeting and office tour
9:00: IT set-up in offices
10:00: Observe ZHN CF case (Indian) with ZLA AOs (Jenny Blaes/Avery Dobbs)
Lunch after observation completed
Afternoon spent writing up observation case and troubleshooting IT issues

Tuesday – Perez (cohort #2)
8:00: Perez checks-in with Monica/Betty and sets-up office; others receive feedback and work on corrections from observation case
9:00: Observe ZHN CF case with ZLA AO (Jenny Blaes/Avery Dobbs)
Work on checklist after observation and then take lunch
1:00: Form filler with Fran/Trevor and then complete forms for observation case
3:00: Meeting with Lisa to discuss local procedures
Remainder of afternoon for any pending IT issues and feedback on write-up

Wednesday – start ramp up

Thanks!
Lisa

From: Lynn, Mallory L <Mallory.L.Lynn@uscis.dhs.gov>
Sent: Tuesday, July 30, 2019 10:34 AM
To: #ZLA ALL SECTION CHIEFS <#ZLAALLSECTIONCHIEFS@uscis.dhs.gov>; Andre, Lisa S <Lisa.S.Andre@uscis.dhs.gov>; Frederick, Douglas D <douglas.d.frederick@uscis.dhs.gov>; Lawless, Amber S <amber.s.lawless@uscis.dhs.gov>
Cc: #ZLA TOs <#ZLATOs@uscis.dhs.gov>
Subject: USBP

Good morning all,

Lisa and I discussed the BP officers' needs and plans for them. On Monday (Doug will be on leave that day), Lisa will work with them to get set up, ZLA FormFiller, etc. Four of them have CBP imaged laptops, so tech issues are very possible. Most of them have worked only on Cuban and Northern Triangle cases, so on Tuesday we will try to arrange for them to observe an Indian case. We'll need to touch base with ZHN about scheduling, but we thought it would be good to split them between Jenny and Avery for that. We can have them practice writing that case up and deal with any additional tech issues that may arise. We will plan to start ramp up on Wednesday.

Does this sound okay to everyone? Let us know if you have suggestions or feedback. We can also consider having them observe an MPP case, which might be beneficial to them if we are able to assign them that workload.

Kim will wait until later the week to reach out to ZHN if needed.

Lisa, thank you for being such a rock star. We really, really appreciate all of your hard work and your can-do attitude. Doug, some good news – Shone is a law student 😊

TOs, just looping you in – we should be covered with this.

Also, note that BP officers have been permitted to carry their weapons so long as they are concealed.

Mallory Lynn

Section Chief

Los Angeles Asylum Office

U.S. Department of Homeland Security

(b)(6)

Douglas, Audrey M

From: Douglas, Audrey M
Sent: Tuesday, September 17, 2019 8:54 AM
To: Hernandez, Ruth N; Espinoza, Salvador H; Gutierrez, Ervey; Quinones, Eugenio Jr; Sanchez, Eric A; VALDEZ, JACOB B; DOUGHERTY, STEPHEN E; CLARK, STEVEN C; LARACUENTE, HABACUC; LOPEZ, ANDRES; STEPHANY, ERIK R; TOVAR, RAFAEL; Valdez, Luis S; RODRIGUEZ, BENJAMIN; Etling, John E; Natividad, Frank; Perez, Ubaldo; LEDEZMA, ARMANDO; RIVERA4, LUIS; LEMUS, MIGUEL A; SESSION, SHONE D; Roberts, Robin J; Dickey, Johnathan E; DUTTON, JULIE L
Cc: Andre, Lisa S; Villena, Daniel A; Maloney, Kathleen M; Grady Madera, Adrienne M; Miller, Rebecca E; Maalona, John L
Subject: CARA reschedule requests
Attachments: CARA paper.pdf

Good morning,

Some of you have expressed concern that an interview should not proceed when you receive this paperwork from the applicant at Dilley.

There was a division wide policy change on 7/8/19 about reschedule requests. I will forward the email from the Chief in a separate chain. Please take time to read it today.

"The USCIS Acting Director has decided to set the minimum timeframe that an alien will have for consultation to one full calendar day after the time of arrival at all detention facilities, including the Family Residential Centers (FRCs). In practice, given USCIS business hours for conducting CF interviews, individuals will have longer than 24 hours to consult, depending on when they arrive at the facility. [...] If USCIS has already provided the alien a full calendar day, as outlined above, to consult, USCIS will normally deny requests for extensions, as unreasonably delaying the process, except in the most extraordinary circumstances."

If you believe an extraordinary circumstance exists, please reach out to your SAO and me, and I will be the deciding official.

Thank you,

Audrey M. Douglas

Section Chief, Houston Asylum
(cell) [REDACTED] (b)(6)

Estimado oficial de asilo:

No estoy lista para continuar con mi entrevista de temor creíble hoy. Le pido a la Oficina de Asilo que pospone me entrevista para tener mas tiempo para prepararme.

No he tenido tiempo de hablar con los asistentes legales en el Proyecto Dilley Por Bono sobre todos los detalles de mi caso. Tampoco he tenido tiempo de hablar con miembros de mi familia que tienen información importante sobre mi caso. Yo entiendo que tengo el derecho a hablar con cualquier persona que necesite antes de mi entrevista debajo de 8 C.F.R. § 208.30(d)(4). Me gustaría una breve extensión hasta mañana para poder consultar con la persona de mi elección.

Gracias.

Dear Asylum Officer:

I am not ready to proceed with my credible fear interview today. I am asking the Asylum Office to reschedule my interview so that I have more time to prepare.

I have not had time to speak with the legal assistants at the Dilley Pro Bono Project about all the details of my case. I also have not had time to speak with my family members who have important information about my case. I understand that I have the right to speak to anybody I need to before my interview under 8 C.F.R. § 208.30(d)(4). I would like a short delay until tomorrow so that I can consult with the person of my choosing.

Thank you.

Douglas, Audrey M

From: Douglas, Audrey M
Sent: Tuesday, September 17, 2019 8:55 AM
To: Hernandez, Ruth N; Espinoza, Salvador H; Gutierrez, Ervey; Quinones, Eugenio Jr; Sanchez, Eric A; VALDEZ, JACOB B; DOUGHERTY, STEPHEN E; CLARK, STEVEN C; LARACUENTE, HABACUC; LOPEZ, ANDRES; STEPHANY, ERIK R; TOVAR, RAFAEL; Valdez, Luis S; RODRIGUEZ, BENJAMIN; Etling, John E; Natividad, Frank; Perez, Ubaldo; LEDEZMA, ARMANDO; RIVERA4, LUIS; LEMUS, MIGUEL A; SESSION, SHONE D; Roberts, Robin J; Dickey, Johnathan E; DUTTON, JULIE L
Cc: Villena, Daniel A; Grady Madera, Adrienne M; Miller, Rebecca E; Maloney, Kathleen M; Andre, Lisa S; Maalona, John L
Subject: FW: Immediate implementation - Timing of the CF interview after arrival at a detention facility + Handling of requests to reschedule CF interviews
Attachments: Waiver of the Consultation Period (Rev. 7-8-19).docx; Updated CFPM Sections (Consultation) 7.8.19 .docx

FYI – see below and attached.

From: Lafferty, John L <John.L.Lafferty@uscis.dhs.gov>
Sent: Monday, July 8, 2019 5:37 PM
To: RAIO - Asylum Field Office Managers <RAIO-AsylumFieldOfficeManagers@uscis.dhs.gov>; RAIO - Asylum HQ <RAIO-Asylum@uscis.dhs.gov>; RAIO - Asylum Field Office Staff <RAIO-Test@uscis.dhs.gov>
Cc: Kim, Ted H <Ted.H.Kim@uscis.dhs.gov>; Higgins, Jennifer B <Jennifer.B.Higgins@uscis.dhs.gov>
Subject: Immediate implementation - Timing of the CF interview after arrival at a detention facility + Handling of requests to reschedule CF interviews

Asylum colleagues,

Effective immediately, the Asylum Division will implement consistent approaches to 1) the minimum amount of time USCIS will wait after an alien's arrival at a detention facility before conducting the credible fear (CF) interview, and 2) the consideration of requests to reschedule a CF interview. These changes are outlined in revisions to Sections III.D. and III.E. of the Credible Fear Procedures Manual, which are included in the attachment.

The USCIS Acting Director has decided to set the minimum timeframe that an alien will have for consultation to one full calendar day after the time of arrival at all detention facilities, including the Family Residential Centers (FRCs). In practice, given USCIS business hours for conducting CF interviews, individuals will have longer than 24 hours to consult, depending on when they arrive at the facility. For instance, if an alien arrives at a facility at 11 AM on a Tuesday, USCIS would not conduct the CF interview on the Tuesday or Wednesday (the full calendar day), but USCIS could proceed to scheduling the alien for a CF interview as early as any available interview time on that Thursday. If the interview was scheduled to take place before 11 AM, the alien would be interviewed in just under 48 hours after arrival at the facility. If the interview is at 11 AM or later, the alien would be interviewed 48 hours or more after arrival.

The updated Form M-444, Information About Credible Fear Interview, continues to correctly inform the alien that his or her credible fear interview "will usually occur at least 48 hours after [the aliens] arrive at the detention facility." Presently, at nearly all facilities where USCIS is asked to interview

DHS-19-1398-B, 19-1400-A-000298

aliens being detained while awaiting CF processing, the alien's CF interview is taking place well after the passage of 48 hours from the alien's arrival at the facility. When USCIS is able to proceed to an interview with an alien a bit more quickly than 48 hours after the alien's arrival, and the alien has had a full calendar day at the facility to seek to exercise his or her statutory right to consult with a person of his or her choosing, USCIS may proceed with scheduling and conducting the interview under this new guidance.

Also, please remember that an alien referred to USCIS for a credible fear interview can request to be interviewed even earlier if the alien is prepared to discuss his or her case immediately with us. A new Appendix F to the CFPM, Waiver of the Consultation Period, is attached for use.

Requests to Reschedule CF Interviews

- In conjunction with the decision on the timing of the CF interview, USCIS is also establishing a new policy that requires that an alien who is requesting to reschedule a set day and time for the CF interview must show extraordinary circumstances warranting approval of such a request so that USCIS can ensure, consistent with the statute, that the consultation period provided does not unreasonably delay the overall CF process. If USCIS has already provided the alien a full calendar day, as outlined above, to consult, USCIS will normally deny requests for extensions, as unreasonably delaying the process, except in the most extraordinary circumstances.

Asylum HQ is informing our ICE and CBP HQ contacts of these changes. Each office is asked to similarly notify your local government partners and other impacted entities.

Please submit any questions about these changes to the Asylum HQ Operations team.

John

Updated Credible Fear Procedures Manual Sections

III.D. ASYLUM OFFICE SCHEDULES INTERVIEW

1. Consultation Period (previously titled “48 Hour Hiatus”)

It is a policy of the Asylum Program to allow a minimum of one full calendar day to transpire between the arrival of an alien at a detention site or receipt of initial M-444 (whichever is later) and any credible fear interview. This consultation period provides an alien an opportunity to contact a relative, representative, attorney, or friend whom the alien may want to act as a consultant during the credible fear interview. If USCIS is prepared to proceed with the interview after the consultation period has passed, asylum offices normally will deny requests for extensions of the consultation period, as unreasonably delaying the process, except in extraordinary circumstances. Extraordinary circumstances may include, but are not limited to, serious illness or mental or physical disability of the alien, a member of the alien’s immediate family, or the alien’s consultant, and facility issues that prevent the alien from contacting a consultant.

If DHS transfers an alien to a new detention site, the consultation period begins anew from the alien’s arrival at the new detention location.

a. Waiver of Consultation Period (previously titled “Waiver of 48-Hour Period”)

Although an asylum office must wait at least one full calendar day from the alien’s arrival at a detention site or receipt of initial M-444 (whichever is later) before interviewing the alien, an alien may, at his or her request, waive the consultation period before a credible fear interview. The asylum office should make every effort to interview the alien as soon as possible after receiving such a request.

If the interview takes place within the consultation period, the APSO asks the alien to sign a *Waiver of the Consultation Period*. Appendix F: Waiver of the Consultation Period.

III.E. APSO CONDUCTS A CREDIBLE FEAR INTERVIEW.

4. Consultants

b. Failure of Consultant to Attend Interview

If the SAPSO made previous arrangements with a consultant to appear at the interview, and the consultant does not appear, the APSO may continue with the credible fear interview, with the alien’s consent. The APSO records the alien’s consent to proceed with the interview in the interview notes, and puts a “4” in box 1.15 on Form I-870, indicating that no one other than the alien and the APSO were present at the interview.

All requests by an alien to not proceed with an interview without a consultant must be handled on a case-by-case basis. USCIS normally will deny reschedule requests, as unreasonably delaying the process, except in extraordinary circumstances. Extraordinary circumstances may include, but are not limited to, serious illness or mental or physical disability of the alien, a member of the alien’s immediate family, or the alien’s consultant, and facility issues that prevent the alien from contacting a consultant.

A SAPSO may deny a request to reschedule an interview if the asylum office has documented chronic problems with a particular consultant who consistently submits rescheduling requests or fails to attend credible fear interviews.

July 8, 2019

Waiver of the Consultation Period

A-number: _____

Name: _____

- - DECLARATION OF ALIEN - -

- I was placed into the credible fear process upon seeking admission to the United States because I expressed a fear of harm upon return my country, or because I was unable to communicate with the inspecting officer at the time I applied for admission.
 - I understand that I will be interviewed by a specially-trained asylum officer to determine if I have a “credible fear of persecution” or a “credible fear of torture.” I also understand that I may have one full calendar day to consult with family members, friends or other representatives before this interview takes place.
 - I request to waive the consultation period, and have an interview with an asylum officer at the earliest possible time.
-

Alien's Last Name/Family Name (Print)

Alien's First Name (Print)

Alien's Signature

Asylum Officer's Last Name (Print)

Asylum Officer's First Name (Print)

____/____/____
Date

The contents of this form were read and explained to the alien in the _____ language.

Interpreter Used (if any):

☐ By telephone: (list interpreter service/ID number of interpreter) _____

☐ In person: I, _____, certify that I am fluent in both the _____ and English languages. I interpreted the above information completely and accurately to the alien.

Interpreter's Signature

____/____/____
Date

Garrett, Natalie M

From: Garrett, Natalie M
Sent: Tuesday, September 17, 2019 9:09 AM
To: McPherson, Yaniece A
Subject: FW: BP Work Assignment Guidance
Importance: High

If I recall correctly, this is not the original communication on the matter of Cuban nationals, but it reiterates the rule: "under no circumstances should Border Patrol Agents be assigned to interview credible fear claims asserted by Cuban nationals."

From: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>
Sent: Friday, September 6, 2019 9:19 AM
To: Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>; Hanson, Greta E <greta.e.hanson@uscis.dhs.gov>; McPherson, Yaniece A <Yaniece.A.McPherson@uscis.dhs.gov>
Cc: Papazian, Varsenik L <Varsenik.L.Papazian@uscis.dhs.gov>; Pueschel, Tracy W <Tracy.L.Pueschel@uscis.dhs.gov>; Miami Asylum SAPSO <Miami-Asylum-SAPSO@uscis.dhs.gov>
Subject: FW: BP Work Assignment Guidance
Importance: High

Good morning All—

See below for guidance on case assignments for Border Patrol agents.

Please raise any questions or concerns up through Amy.

Kimberly Aguilar
Deputy Director, Miami Asylum Office
Citizenship and Immigration Services
Phone: (b)(6)

This communication is intended for the sole use of the individual to whom it is addressed and may contain Limited Official Use Only Information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). If the reader of this communication is not the intended recipient or the employee or agent for delivering the communication to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you received this communication in error, please notify the sender immediately by telephone and destroy this transmission according to applicable DHS Policy and Instruction.

From: Caudill-Mirillo, Ashley B <Ashley.Caudill-Mirillo@uscis.dhs.gov>
Sent: Thursday, September 05, 2019 11:12 PM
To: RAIO - Asylum Field Office Managers <RAIO-AsylumFieldOfficeManagers@uscis.dhs.gov>
Cc: RAIO - Asylum HQ Leadership <RAIO-AsylumHQLeadership@uscis.dhs.gov>; Davidson, Andrew J <Andrew.J.Davidson@uscis.dhs.gov>
Subject: BP Work Assignment Guidance
Importance: High

FOR INTERNAL USE ONLY

Dear Field Leadership,

I believe this communication has gone out in other capacities but I want to be sure each of you receives the same guidance. Under no circumstances should Border Patrol Agents be assigned to interview credible fear claims asserted by Cuban nationals. Instead, your office should prioritize assigning them to credible fear claims asserted by nationals of the Northern Triangle countries. There are no exceptions to this rule. Even if, for example, they are assigned to work a location where only Cuban national cases are available, you should seek to place your own staff on those cases and redirect the Border Patrol agent resources toward claims asserted by Northern Triangle countries. I realize this may result in some logistical challenges. As you identify them, please do your best to troubleshoot them and flag them for us so that we can communicate these challenges to others as needed.

We will monitor whether Border Patrol Agents are assigned to Cuban cases and may follow up with you if it is found these assignments occurred in the event we are asked to explain.

Best,
Ashley

Ashley Caudill-Mirillo
Deputy Chief
Asylum Division
Refugee, Asylum, and International Operations

Aguilar, Kimberly M

From: Aguilar, Kimberly M
Sent: Tuesday, September 17, 2019 1:38 PM
To: Klayman, Amy S; Timothee, Fritz G; Patterson, Sean A (Andy); McPherson, Yaniece A; Garrett, Natalie M; Miami Asylum SAPSO
Cc: Papazian, Varsenik L; Pueschel, Tracy W
Subject: FW: Typing Practice Resources

Hi All—

In case you were not included in the email from HQ to our Border Patrol detailees, they sent this out to provide resources to them to assist with taking contemporaneous notes.

Kimberly Aguilar
Deputy Director, Miami Asylum Office
Citizenship and Immigration Services
Phone: [REDACTED] (b)(6)

This communication is intended for the sole use of the individual to whom it is addressed and may contain Limited Official Use Only Information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). If the reader of this communication is not the intended recipient or the employee or agent for delivering the communication to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you received this communication in error, please notify the sender immediately by telephone and destroy this transmission according to applicable DHS Policy and Instruction.

From: Alexander, Shannon <shannon.alexander@uscis.dhs.gov>

Sent: Tuesday, September 17, 2019 2:33 PM (b)(7)(c)

To: Quinones, Eugenio Jr <eugenio.quinones@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Sanchez, Eric A <eric.a.sanchez@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Hernandez, Ruth N <ruth.n.hernandez@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Espinoza, Salvador H <salvador.h.espinoza@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Gutierrez, Ervey <ervey.gutierrez@uscis.dhs.gov>;
[REDACTED]; Valdez, Luis S <luis.s.valdez@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Saiz, Jose A <jose.a.saiz@uscis.dhs.gov>; [REDACTED]
Goldston, Sterling W <sterling.w.goldston@uscis.dhs.gov>; [REDACTED]
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[REDACTED]; Rutkowski, Thomas M <thomas.m.rutkowski@uscis.dhs.gov>; [REDACTED]
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[REDACTED]; Perez, Ubaldo <ubaldo.perez@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Jiron, Marvin P <marvin.p.jiron@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Torrick, Jason J <jason.j.torrick@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Etling, John E <john.e.etling@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Mceachen, John W <john.w.mceachen@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Vazquez, Robert M <robert.m.vazquez@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Baez, Jonathan <jonathan.baez@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Gali, Orlando <orlando.gali@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Roberts, Robin J <robin.j.roberts@uscis.dhs.gov>; [REDACTED]

(b)(7)(c)

[REDACTED]; Brennan, Ciaran P <ciar.p.brennan@uscis.dhs.gov>; [REDACTED]
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[REDACTED]; Cruz, Lisandro <lisandro.cruz@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Dickey, Johnathan E <johnathan.e.dickey@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Garcia, Bryant <bryant.garcia@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Guz, Michael <michael.guz@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Martin, Jose A <jose.a.martin@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Perry, Navarre J <navarre.j.perry@uscis.dhs.gov>; [REDACTED]
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[REDACTED]; [REDACTED]
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Cc: Powless, Crystal Y <Crystal.Y.Powless@uscis.dhs.gov>; Hunt, Margo M <Margo.M.Hunt@uscis.dhs.gov>; Osuji, Kizito <Kizito.Osuji@uscis.dhs.gov>; Bardini, Emilia M <Emilia.M.Bardini@uscis.dhs.gov>; Boss, Juliet M <juliet.m.boss@uscis.dhs.gov>; Cleary, Heather M <heather.m.cleary@uscis.dhs.gov>; Mireles, Charity J <charity.j.mireles@uscis.dhs.gov>; Brodrecht, Anna M <anna.m.brodrecht@uscis.dhs.gov>; Andre, Lisa S <Lisa.S.Andre@uscis.dhs.gov>; Minnick, Frank R <Frank.R.Minnick@uscis.dhs.gov>; Kim, Alejandra <Alejandra.Kim@uscis.dhs.gov>; Lynn, Mallory L <Mallory.L.Lynn@uscis.dhs.gov>; Stefanova, Desislava I <desislava.i.stefanova@uscis.dhs.gov>; Lewis, Victoria E <Victoria.E.Lewis@uscis.dhs.gov>; Baj, Ewa <Ewa.Baj@uscis.dhs.gov>; McPherson, Yaniece A <Yaniece.A.McPherson@uscis.dhs.gov>; Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>; Talamantes, Eudelia A <Eudelia.A.Talamantes@uscis.dhs.gov>; Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>; Kelly, Brooke A <Brooke.Kelly@uscis.dhs.gov>; Zeleke, Aster N <Aster.Zeleke@uscis.dhs.gov>; Kerr, Alex X <Alex.X.Kerr@uscis.dhs.gov>; Scott, Elizabeth M <Elizabeth.M.Scott@uscis.dhs.gov>; Gossett, Christopher R <Christopher.R.Gossett@uscis.dhs.gov>; Joseph, Ebbed <Ebbed.Joseph@uscis.dhs.gov>; Saunier, Jon-Paul <Jon-Paul.Saunier@uscis.dhs.gov>; Hemming, Bryan D <Bryan.D.Hemming@uscis.dhs.gov>; Douglas, Audrey M <Audrey.M.Douglas@uscis.dhs.gov>; Carter, Lovely L <lovely.l.carter@uscis.dhs.gov>; Fairbank, Christina <Christina.Fairbank@uscis.dhs.gov>; Basseas, Marina M <marina.m.basseas@uscis.dhs.gov>; Haverkamp, Emily R <Emily.R.Haverkamp@uscis.dhs.gov>; Roberts, Rhonda J <Rhonda.J.Roberts@uscis.dhs.gov>; O'Malley, Robert L <robert.l.omalley@uscis.dhs.gov>

Subject: Typing Practice Resources

Good Afternoon Everyone,

We hope your week is off to a good start.

Taking contemporaneous notes is challenging and several of you have given us feedback on this issue. Therefore, we are providing you with a few options for typing practice. Thank you to our colleagues at ZAR for locating the following:

- ★ [Typingtest.com](#) - offers an initial test of your typing skills and then practice courses to improve your hand placement and speed

★ Typing.com - offers lesson on specific keys and a video accompaniment, along with practical exercises

★ Typingclub.com - offers lessons starting with specific keys and shows accuracy percentages

These courses are not offered via one of our platforms but we hope they are helpful nonetheless.

If you are interested in using one of these typing tutorials during duty time, please reach out to your SAO to discuss potential practice time. Please note that it may not be possible to accommodate you immediately depending on your office's caseload and resources.

If you have any questions or concerns, please limit your reply to me and Rhonda.

Have a good week!

Best,

Shannon Alexander

Asylum Officer

Asylum Training Division

DHS/USCIS/RAIO

Cube:

Cell:

(b)(6)

Villena, Daniel A

From: Villena, Daniel A
Sent: Wednesday, September 18, 2019 11:47 AM
To: Hernandez, Ruth N; Espinoza, Salvador H; Gutierrez, Ervey; Quinones, Eugenio Jr; Sanchez, Eric A; VALDEZ, JACOB B; DOUGHERTY, STEPHEN E; CLARK, STEVEN C; LARACUENTE, HABACUC; LOPEZ, ANDRES; STEPHANY, ERIK R; TOVAR, RAFAEL; Valdez, Luis S; RODRIGUEZ, BENJAMIN; Etling, John E; Natividad, Frank; Perez, Ubaldo; LEDEZMA, ARMANDO; LEMUS, MIGUEL A; SESSION, SHONE D; Roberts, Robin J; Dickey, Johnathan E; RIVERA4, LUIS; DUTTON, JULIE L; Hollemans, Sarah M; Sermenno, Heidi M; Mayer, Rachel S
Cc: Miller, Rebecca E; Andre, Lisa S; Maloney, Kathleen M
Subject: Sep. 2019 paper from RAIO Research Unit regarding Honduran Security Forces

Hi all, I think this will be helpful for background reading to inform your questioning:

[Honduras: Infiltration of Law Enforcement by Gangs & Criminal Organizations; Failure of Police to Take Actions on Behalf of Crime Victims](#)

From: Villena, Daniel A
Sent: Wednesday, September 18, 2019 12:52 PM
To: Hernandez, Ruth N; Espinoza, Salvador H; Gutierrez, Ervey; Quinones, Eugenio Jr; Sanchez, Eric A; VALDEZ, JACOB B; DOUGHERTY, STEPHEN E; CLARK, STEVEN C; LARACUENTE, HABACUC; LOPEZ, ANDRES; STEPHANY, ERIK R; TOVAR, RAFAEL; Valdez, Luis S; RODRIGUEZ, BENJAMIN; Etling, John E; Natividad, Frank; Perez, Ubaldo; LEDEZMA, ARMANDO; LEMUS, MIGUEL A; SESSION, SHONE D; Roberts, Robin J; Dickey, Johnathan E; RIVERA4, LUIS; DUTTON, JULIE L; Hollemans, Sarah M; Sermeno, Heidi M; Mayer, Rachel S
Cc: Miller, Rebecca E; Andre, Lisa S; Maloney, Kathleen M
Subject: Sep. 2019 paper from RAIO Research Unit regarding El Salvador and Guatemala Security Forces

The Research Unit has similar papers for El Salvador and Guatemala.

El Salvador: Infiltration of Law Enforcement by Gangs & Criminal Organizations; Failure of Police to Take Actions on Behalf of Crime Victims

Guatemala: Infiltration of Law Enforcement by Gangs & Criminal Organizations; Failure of Police to Take Actions on Behalf of Crime Victims

Garrett, Natalie M

From: Garrett, Natalie M
Sent: Wednesday, September 18, 2019 4:22 PM
To: Vazquez, Robert M
Subject: FW: Interim Final Rule - Outline of Procedures
Attachments: I-870 Annotated 7.16.19.docx; Orientation memo to file July 16 2019.docx; Form I-869A July 16 2019.docx; Form I-869A July 16 2019.docx; 208.13(c)(4) Mandatory Bar Worksheet 7.16.19.docx; CF Checklist 3 (effective 7.16.19).docx; Interim Final Rule - Asylum Eligibility and Procedural Modifications.msg

Hi, Robert.

To follow up, because you have not been trained on reasonable fear cases, we will make sure that you have the opportunity to observe some of these interviews before you have to conduct them.

From: Garrett, Natalie M
Sent: Wednesday, September 18, 2019 5:20 PM
To: Mediavilla, Lissette <lissette.mediavilla@uscis.dhs.gov>; Chumpitazi, Lazarita D <Lazarita.D.Chumpitazi@uscis.dhs.gov>; Vazquez, Robert M <robert.m.vazquez@uscis.dhs.gov>; Edouard, Ingrid L <Ingrid.L.Edouard@uscis.dhs.gov>; Biagi, Andrew J <andrew.j.biagi@uscis.dhs.gov>
Subject: FW: Interim Final Rule - Outline of Procedures
Importance: High

Hello, all.

See below and attached. While we have some down time (Thursday), please be sure to review the procedures below. When these cases hit, likely next week, you should be ready to apply these instructions. Most importantly, when the bar applies, you need to inform the applicant during the interview, as explained below, and the same must be reflected in your Q&A interview notes.

After reviewing this email, including the attachments, please let me know if you have any questions.

Thanks!

From: Hanson, Greta E
Sent: Wednesday, August 21, 2019 8:40 AM
To: Caro Garzon, Octavio A <octavio.a.carogarzon@uscis.dhs.gov>; Camargo, Nicholas <nicholas.camargo@uscis.dhs.gov>; Gonzalez, Antonio <Antonio.Gonzalez@uscis.dhs.gov>; Levy, Quatwanya D (Tanya) <quatwanya.d.levy@uscis.dhs.gov>; Obregon, Jair S <jair.s.obregon@uscis.dhs.gov>; Rastogi, Vikram K <vikram.k.rastogi@uscis.dhs.gov>; Schwartz, Allen E <Allen.E.Schwartz@uscis.dhs.gov>; Sutherland, Christopher L <christopher.l.sutherland@uscis.dhs.gov>
Cc: Rodriguez, Maria V (Vicky) <maria.v.rodriguez@uscis.dhs.gov>; Walker, Jonathan S <jonathan.s.walker@uscis.dhs.gov>
Subject: Interim Final Rule - Outline of Procedures

Good morning all,

I know this is a lengthy email but it lays out the most current procedures for handling those cases subject to the

Interim Final Rule (IFR).

Before interviewing your CF cases, please look at the **date of entry** and **location of entry**.

- If the applicant entered 7/15/2019 or earlier, they are not subject to IFR.
- If the applicant entered in the 9th circuit (Arizona and California), they are not subject to IFR.
- Keep in mind that citizens of Mexico are not subject to IFR and should be processed under non-IFR standards.
- If the applicant entered on 7/16/19 or later, and did not enter in AZ or CA, they **ARE** subject to IFR.

Please review IFR documents that will be used to process these cases (see attached). **Regardless of whether or not they are IFR, everyone gets the new I-870, dated 7/16/19.**

Please ensure you explore the two IFR exceptions at the beginning of the interview:

- Please remember to ask the applicants if they have applied for asylum or protection, and the outcome of that case, in any of the countries they transited on their way to the United States.
- Please also explore human trafficking.

Updated Procedures for Implementing the Interim Final Rule

Officers **must be trained on reasonable fear** to adjudicate cases subject to the IFR.

Interview

Prior to interviewing a case, the asylum officer should review jurisdictional documents (such as the I-213, I-860, I-867A and B) to ascertain the alien's date and manner of entry into the United States.

Jurisdictional documents alone are not enough to establish the application of the bar. An asylum officer must also elicit information regarding potential exceptions and complete the Third-Country Transit Bar Worksheet.

If the officer establishes that the bar applies and that no exceptions to the bar are applicable, the officer should inform the alien that the reasonable possibility standard will apply to the claim. This explanation should be documented in an **orientation memo** to file (see attached memo).

Once the officer establishes that the bar applies, the officer will make a negative credible fear finding as to asylum and interview the alien to determine if he or she meets the reasonable possibility standard for persecution and the Convention Against Torture. Please see the Reasonable Fear of Persecution and Torture Determinations Lesson Plan for more information on this standard.

Case Processing

1. **Third-Country Transit Bar Worksheet:** Must be completed for all individuals who entered, attempted to enter, or arrived in the US across the southern land border on or after **July 16, 2019**.
2. **Orientation Memo to File:** When the AO determines that the bar applies, the adjudicator must explain to the alien that he or she will be screened according to the reasonable possibility standard and complete a memo to file. The memo is not required if the alien is not subject to the bar or if he or she establishes that the bar does

not apply.

3. **I-870:** Use I-870 dated 7/11/19 for all cases.
4. **CF Checklist:** For applicants barred for asylum, please use the "Credible Fear Determination Checklist and Written Analysis for Applicants in Expedited Removal Found Barred from Asylum Pursuant to 208.13(c)(4)." (Checklist 3). Checklist 3 contains instructions regarding the applicable legal standard.
5. **I-869A:** Use I-869A instead of I-869 to document negative determinations for applicants who are barred and are screened using the reasonable fear standard.
6. **Global:** Only for cases subject to IFR, offices select special group code "**bar - 13(c)(4)**." If the individual establishes an exception to the bar, offices select special group code "**no bar - 13(c)(4)**." Officers, SAOs and all involved in case processing are reminded to make sure that one of these special group codes **must be selected** whenever the individual interviewed is comes within the scope of this new IFR bar.

Thank you!

Greta Hanson
Supervisory Asylum Officer
Miami Asylum Office
Citizenship and Immigration Services
1501 Biscayne Blvd., Suite 300
Miami, FL 33132

 (c)

(b)(6)

Third-Country Transit Bar Worksheet (8 CFR 208.13(c)(4))

A#:	Alien Name:	AO Name/Number:	Date:
A. Arrival Date <i>(If checking “no”, bar does not apply and this form does not need to be completed.)</i>			
Did the alien enter, attempt to enter, or arrive in the United States <i>across the southern land border</i> on or after [INSERT DATE]?			Yes ☐
Explanation:			No ☐
B. 8 CFR 208.13(c)(4) Mandatory Bar Analysis <i>(If checking “no” in box B.1, do not complete boxes B.2, B.3 and B.4 as an exception applies. If checking “yes” in boxes B.1 and B.2, B.3 or B.4, then an exception applies. If checking “yes” in boxes B.1 and “no” in boxes B.2, B.3 and B.4, then bar applies and there is no exception available.)</i>			
1. Transit: Did the alien transit through any country apart from his or her country of nationality (or last habitual residence) en route to the United States?			Yes ☐
List all applicable countries:			No ☐
2. Protection Sought: Did the alien demonstrate that s/he applied for protection in at least one country and received a final judgment denying protection?			Yes ☐
Evidence or Explanation:			No ☐
3. Severe Trafficking Victim: Did the alien demonstrate that s/he meets the definition of “victim of a severe form of trafficking in persons”, as defined in 8 CFR § 214.11?			Yes ☐
A severe form of trafficking in persons is defined as either:			No ☐
a) Sex trafficking in which a commercial sex act is induced by:			
○ Force, fraud, or coercion, or			
○ Person induced is under the age of 18; or,			
b) Recruiting, harboring, transporting, provisioning, or obtaining a person for labor or services through the use of force, fraud, or coercion for subjection to:			
○ Involuntary servitude; peonage; debt bondage; or slavery			
Explanation:			
4. Protection Unavailable in Countries Transited:			Yes ☐
The only countries through which the alien transited en route to the United States, were, at the time of the transit, not parties to the 1951 United Nations Convention relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees, or the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.			No ☐

Third-Country Transit Bar Worksheet (8 CFR 208.13(c)(4))

C. Decision <i>If the alien established that the bar does not apply, or if an exception applies, continue processing as a credible fear or affirmative case.</i> <i>If the alien failed to establish that s/he is not barred:</i> • <i>If the alien is in expedited removal, continue screening for withholding and CAT using the reasonable fear standard.</i> • <i>If the alien filed affirmatively, complete interview and address the mandatory bar in the referral/denial.</i>	
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CREDIBLE FEAR DETERMINATION CHECKLIST AND WRITTEN ANALYSIS
FOR APPLICANTS IN EXPEDITED REMOVAL FOUND BARRED FROM ASYLUM PURSUANT TO 208.13(c)(4)
[JULY 16, 2019] [CHECKLIST 3]

A#:	COUNTRY:	APSO Name:	DATE:
<i>By using this checklist, the adjudicator has determined that the applicant is barred for asylum pursuant to 8 C.F.R. 208.13(c)(4).</i> <i>If there is a reasonable possibility of persecution, complete Sections A., B., and C. If there is a reasonable possibility of torture, complete Sections A., B., and D. If there is not a reasonable possibility of persecution or torture, complete Sections A., B., C., and D. unless the claim fails in Section A.2. (Future Harm) or Section B. (Credibility), in which case, stop and complete Form I-870.</i>			
A. Harm <i>(If yes to A.2., proceed with the analysis. If no to A.2., STOP and complete Form I-870.)</i>			
1. Has the applicant testified that he or she has experienced <u>past</u> harm in his or her country? <i>If yes, identify any past harm or mistreatment suffered, and identify the relevant entity.</i>			Yes ☐ No ☐
2. Has the applicant testified that he or she fears <u>future</u> harm if returned to his or her country? <i>If yes, identify any harm or mistreatment feared, and identify the relevant entity. If no, explain and complete Form I-870.</i>			Yes ☐ No ☐
B. Credibility <i>(Select the appropriate box and analyze whether the applicant's testimony was credible or not credible.)</i>			
Applicant's testimony was credible: Considering the totality of the circumstances and all relevant factors, the applicant's testimony was consistent, detailed, and plausible. Therefore, it is found credible. <i>(Check box, explain only if overall decision is positive, and move to Section C. or D.)</i>			☐
Applicant's testimony was not credible: Considering the identified credibility concern(s), the absence of reasonable explanations for those concerns, and taking into consideration the applicant's individual circumstances, the applicant's testimony is found not credible under the totality of the circumstances and all relevant factors. <i>(Check box, explain, STOP and complete Form I-870.)</i>			☐
C. Persecution <i>(Select as needed. If yes to C.1. or C.2., complete C.3. If no to C.1 and C.2., complete C.3.)</i>			
1. a. <u>Past Persecution:</u> The applicant established that: • The harm experienced was sufficiently serious to amount to persecution; • The entity that harmed the applicant was motivated to harm the applicant on account of his or her race, religion, nationality, membership in a particular social group, or political opinion, applying the one central reason standard; and • The entity that harmed the applicant was an agent of the government or an entity that the government was unable or unwilling to control. AND 1. b. The presumption of well-founded fear has not been rebutted by a preponderance of the evidence that 1) there has been a fundamental change in circumstances such that the applicant no longer has a well-founded fear, or 2) it would be reasonable, under all the circumstances, for the applicant to relocate within the applicant's country to avoid future persecution.			Yes ☐ No ☐
2. <u>Future Persecution:</u> The applicant established a reasonable possibility of persecution on account of a protected ground: • The harm feared is sufficiently serious to amount to persecution; • The applicant 1) either <u>possesses</u> a protected characteristic of which the feared entity is or could become <u>aware</u> or the feared entity believes that the applicant possesses a protected characteristic, and 2) the feared entity has the <u>capability</u> and <u>inclination</u> to persecute the applicant, OR there is a <u>pattern or practice</u> of persecution of a group of persons similarly situated to the applicant on account of a protected ground; and • Under all the circumstances, it would not be reasonable for the applicant to relocate within the applicant's country to avoid future persecution.			Yes ☐ No ☐
C.3. <u>Written Analysis:</u>			

Race ☐ Religion ☐ Nationality ☐ Membership in a Particular Social Group ☐ Political Opinion ☐

If reasonable possibility of persecution established, identify the protected ground and specify:

As needed, provide a brief reasoned analysis. Focus on determinative factors, applying the eligibility elements to the facts.

D. Torture (Select D.1. as needed and complete D.2.)

D.1. There is a **reasonable possibility** that:

- The feared harm would be specifically intended to inflict severe pain or suffering on the applicant;
- The feared harm would constitute severe physical or mental pain or suffering;
- The feared harm would be inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity;
- The applicant would be in the offender's custody or physical control; **and**
- The harm would not arise only from or be inherent in or incidental to lawful sanctions.

In making this determination, the following evidence must be considered:

- Evidence of past torture inflicted upon the applicant;
- Evidence that the applicant could relocate to a part of the country of removal where he or she is not likely to be tortured;
- Evidence of gross, flagrant or mass violations of human rights within the country of removal; and other relevant information regarding conditions in the country of removal.

If the applicant has established past torture **AND** there are no changes in circumstances so substantial such that the applicant does not have a reasonable fear of torture, the applicant will be found to have established a reasonable fear of torture.

Yes ☐

No ☐

D.2. Written Analysis: *As needed, provide a brief reasoned analysis. Focus on determinative factors, applying the eligibility elements to the facts.*

**Record of Negative Credible/Reasonable Fear Finding and
Request For Review by Immigration Judge for Aliens Barred
From Asylum Pursuant to 8 CFR 208.13(c)(4)**

Alien File Number: _____

1. To be explained to the alien by the asylum officer:

A. U.S. Citizenship and Immigration Services (USCIS) has determined that you are an alien described in 8 CFR 208.13(c)(4) and therefore, you have not established a credible fear because you cannot show a significant possibility of establishing eligibility for asylum.

B. You have not established a reasonable fear with respect to your application for withholding of removal under INA 241(b)(3) or withholding or deferral of removal under the Convention Against Torture pursuant to 8 CFR 208.16 for the following reason(s):

- ☐ You have not established a reasonable fear of persecution in a country to which you have been ordered removed because:
- ☐ You have not indicated that you were harmed in the past and you have not expressed fear of future harm.
 - ☐ There is no reasonable possibility that the harm you experienced and/or the harm you fear is on account of your race, religion, nationality, political opinion, or membership in a particular social group.
 - ☐ You have not indicated that you were harmed in the past, or there is no reasonable possibility that the past harm or the harm you fear in the future constitutes persecution.
 - ☐ There is no reasonable possibility that you would suffer the harm you fear.
 - ☐ You could reasonably avoid persecution by relocating within your country.

AND

- ☐ You have not established a reasonable fear of torture in a country to which you may be removed because you have not established that there is a reasonable possibility that:
- ☐ You would suffer severe physical or mental pain or suffering.
 - ☐ The harm you fear would be specifically intended to inflict severe physical or mental pain or suffering.
 - ☐ The harm you fear would be inflicted by or at the instigation of, or with the consent or acquiescence of, a public official or other person acting in an official capacity.
 - ☐ The harm you fear would be inflicted while you are in the custody or physical control of the offender.
 - ☐ The harm you fear would not arise only from, would not be inherent in, and would not be incidental to, lawful sanctions.

C. ☐ Considering the totality of the circumstances and all relevant factors, you have not established that your testimony is credible.

Therefore, you are ordered removed from the United States. You may request that an Immigration Judge review this decision.

If you request that an Immigration Judge review this decision, you will remain in detention until an Immigration Judge reviews your case. That review could occur as long as 7 days after you receive this decision.

If you indicate below that do not request that an Immigration Judge review the decision, you may be removed from the United States immediately.

2. To be completed by the alien:

- ☐ **Yes, I request Immigration Judge review** of the decisions that I do not have a credible fear of persecution or torture and that I do not have a reasonable fear of persecution or torture.
- ☐ **No, I do not request Immigration Judge review** of the decisions that I do not have a credible fear of persecution or torture and that I do not have a reasonable fear of persecution or torture.

Applicant's Last Name/ Family Name (Print)

Applicant's First Name (Print)

Applicant's Signature

Asylum Officer's Last Name (Print)

Asylum Officer's First Name, (Print)

Date

The contents of this form were read and explained to the applicant in the _____ language

Interpreter used:

By telephone (list interpreter service /ID number used _____).

In person (I, _____, certify that I am fluent in both the _____ and English languages. I interpreted the above information completely and accurately to the alien.)

Interpreter's Signature

Date

**Record of Negative Credible/Reasonable Fear Finding and
Request For Review by Immigration Judge for Aliens Barred
From Asylum Pursuant to 8 CFR 208.13(c)(4)**

**Record of Negative Credible/Reasonable Fear Finding and
Request For Review by Immigration Judge for Aliens Barred
From Asylum Pursuant to 8 CFR 208.13(c)(4)**

Alien File Number: _____

1. To be explained to the alien by the asylum officer:

A. U.S. Citizenship and Immigration Services (USCIS) has determined that you are an alien described in 8 CFR 208.13(c)(4) and therefore, you have not established a credible fear because you cannot show a significant possibility of establishing eligibility for asylum.

B. You have not established a reasonable fear with respect to your application for withholding of removal under INA 241(b)(3) or withholding or deferral of removal under the Convention Against Torture pursuant to 8 CFR 208.16 for the following reason(s):

- ☐ You have not established a reasonable fear of persecution in a country to which you have been ordered removed because:
- ☐ You have not indicated that you were harmed in the past and you have not expressed fear of future harm.
 - ☐ There is no reasonable possibility that the harm you experienced and/or the harm you fear is on account of your race, religion, nationality, political opinion, or membership in a particular social group.
 - ☐ You have not indicated that you were harmed in the past, or there is no reasonable possibility that the past harm or the harm you fear in the future constitutes persecution.
 - ☐ There is no reasonable possibility that you would suffer the harm you fear.
 - ☐ You could reasonably avoid persecution by relocating within your country.

AND

- ☐ You have not established a reasonable fear of torture in a country to which you may be removed because you have not established that there is a reasonable possibility that:
- ☐ You would suffer severe physical or mental pain or suffering.
 - ☐ The harm you fear would be specifically intended to inflict severe physical or mental pain or suffering.
 - ☐ The harm you fear would be inflicted by or at the instigation of, or with the consent or acquiescence of, a public official or other person acting in an official capacity.
 - ☐ The harm you fear would be inflicted while you are in the custody or physical control of the offender.
 - ☐ The harm you fear would not arise only from, would not be inherent in, and would not be incidental to, lawful sanctions.

C. ☐ Considering the totality of the circumstances and all relevant factors, you have not established that your testimony is credible.

Therefore, you are ordered removed from the United States. You may request that an Immigration Judge review this decision.

If you request that an Immigration Judge review this decision, you will remain in detention until an Immigration Judge reviews your case. That review could occur as long as 7 days after you receive this decision.

If you indicate below that do not request that an Immigration Judge review the decision, you may be removed from the United States immediately.

2. To be completed by the alien:

- ☐ **Yes, I request Immigration Judge review** of the decisions that I do not have a credible fear of persecution or torture and that I do not have a reasonable fear of persecution or torture.
- ☐ **No, I do not request Immigration Judge review** of the decisions that I do not have a credible fear of persecution or torture and that I do not have a reasonable fear of persecution or torture.

Applicant's Last Name/ Family Name (Print)

Applicant's First Name (Print)

Applicant's Signature

Asylum Officer's Last Name (Print)

Asylum Officer's First Name, (Print)

Date

The contents of this form were read and explained to the applicant in the _____ language

Interpreter used:

By telephone (list interpreter service /ID number used _____).

In person (I, _____, certify that I am fluent in both the _____ and English languages. I interpreted the above information completely and accurately to the alien.)

Interpreter's Signature

Date

**Record of Negative Credible/Reasonable Fear Finding and
Request For Review by Immigration Judge for Aliens Barred
From Asylum Pursuant to 8 CFR 208.13(c)(4)**

_____	_____	_____	_____
District Office Code	Asylum Office Code	Alien's File Number	Alien's Last/ Family Name
_____	_____	_____	_____
Asylum Officer's Last Name	Asylum Officer's First Name	Alien's Nationality	_____

All statements in italics must be read to the applicant

SECTION I:

INTERVIEW PREPARATION

- 1.1 _____ / _____ / _____ 1.2 _____
Date of arrival [MM/DD/YY] Port of arrival
- 1.3 _____ / _____ / _____ 1.4 _____
Date of detention [MM/DD/YY] Place of detention
- 1.5 _____ / _____ / _____ 1.6 _____
Date of AO orientation [MM/DD/YY] If orientation more than one week from date of detention, explain delay
- 1.7 _____ / _____ / _____ 1.8 _____
Date of interview [MM/DD/YY] Interview site
- 1.9 ☐ Applicant received and signed **Form M-444** and relevant *pro bono* list on _____
Date signed [MM/DD/YY]
- 1.10 Does applicant have consultant(s)? ☐ Yes ☐ No
- 1.11 If yes, consultant(s) name, address, telephone number and relationship to applicant

- 1.12 Persons present at the interview (check which apply)
- 1.13 ☐ Consultant(s)
- 1.14 ☐ Other(s), list: _____
- 1.15 ☐ No one other than applicant and asylum officer
- 1.16 Language used by applicant in interview:
- 1.17 _____ ☐ Yes ☐ No
Interpreter Service, Interpreter ID Number. Interpreter Has Forms Time Started Time Ended
- 1.18 _____ ☐ Yes ☐ No
Interpreter Service, Interpreter ID Number. Interpreter Has Forms Time Started Time Ended
- 1.19 _____ ☐ Yes ☐ No
Interpreter Service, Interpreter ID Number. Interpreter Has Forms Time Started Time Ended
- 1.20 ☐ Interpreter **was not changed** during the interview
- 1.21 ☐ Interpreter **was changed** during the interview for the following reason(s):
- 1.22 ☐ Applicant requested a female interpreter replace a male interpreter, or *vice versa*
- 1.23 ☐ Applicant found interpreter was not competent 1.24 ☐ Applicant found interpreter was not neutral
- 1.25 ☐ Officer found interpreter was not competent 1.26 ☐ Officer found interpreter was not neutral
- 1.27 ☐ Bad telephone connection
- 1.28 ☐ Asylum officer read the following paragraph to the applicant at the beginning of the interview:

The purpose of this interview is to determine whether you may be eligible for asylum or protection from removal to a country where you fear persecution or torture. I am going to ask you questions about why you fear returning to your country or any other country you may be removed to. It is very important that you tell the truth during the interview and that you respond to all of my questions. This may be your only opportunity to give such information. Please feel comfortable telling me why you fear harm. U.S. law has strict rules to prevent the disclosure of what you tell me today about the reasons why you fear harm. The information you tell me about the reasons for your fear will not be disclosed to your government, except in exceptional circumstances. The statements you make today may be used in deciding your claim and in any future immigration proceedings. It is important that we understand each other. If at any time I make a statement you do not understand, please stop me and tell me you do not understand so that I can explain it to you. If at any time you tell me something I do not understand, I will ask you to explain.

Alien's File Number:

SECTION II:

BIOGRAPHIC INFORMATION

2.1

Last Name/ Family Name [ALL CAPS]

2.2

First Name

2.3

Middle Name

2.4

____/____/____

2.5

Gender ☐ Male ☐ Female

Date of birth [MM/DD/YY]

2.6

Other names and dates of birth used

2.7

Country of birth

2.8

Country (countries) of citizenship (list all)

2.9

Address prior to coming to the U.S. (List Address, City/Town, Province, State, Department and Country).

2.10

2.11

2.12

Applicant's race or ethnicity

Applicant's religion

All languages spoken by applicant

2.13 Marital status: ☐ Single ☐ Married ☐ Legally separated ☐ Divorced ☐ Widowed

2.14 Did spouse arrive with applicant? ☐ Yes ☐ No

2.15 Is spouse included in applicant's claim? ☐ Yes ☐ No

2.16 If currently married (including common law marriage) list spouse's name, citizenship, and present location (if with applicant, provide A-Number):

2.17 Children: ☐ Yes ☐ No

2.18 List any children (Use the continuation section to list any additional children):

Date of birth (MM/DD/YY)	Name	Citizenship	Present location (if w/PA, list A-Numbers)	Did child arrive with PA? ☐ Yes ☐ No	Is child included in PA's claim? ☐ Yes ☐ No
_____	_____	_____	_____	☐ Yes ☐ No	☐ Yes ☐ No
_____	_____	_____	_____	☐ Yes ☐ No	☐ Yes ☐ No
_____	_____	_____	_____	☐ Yes ☐ No	☐ Yes ☐ No
_____	_____	_____	_____	☐ Yes ☐ No	☐ Yes ☐ No
_____	_____	_____	_____	☐ Yes ☐ No	☐ Yes ☐ No
_____	_____	_____	_____	☐ Yes ☐ No	☐ Yes ☐ No

Alien's File Number:

2.19 Does applicant claim to have a medical condition (physical or mental), or has the officer observed any indication(s) that a medical condition exists? If YES, answer questions 2.20 and 2.21 and explain below. ☐ Yes ☐ No

2.20 Has applicant notified the facility of medical condition? ☐ Yes ☐ No

2.21 Does applicant claim that the medical condition relates to torture? ☐ Yes ☐ No

2.22 Does the applicant have a relative, sponsor or other community ties, including spouse or child already listed above? ☐ Yes ☐ No

2.23 If YES, provide information on relative or sponsor (use continuation section, if necessary):

Name

Relationship

Address

Telephone Number

☐ Citizen ☐ Legal Permanent Resident ☐ Other

SECTION III:

CREDIBLE FEAR INTERVIEW

The following notes are not a verbatim transcript of this interview.

These notes are recorded to assist the individual officer in making a credible fear determination and the supervisory asylum officer in reviewing the determination.

There may be areas of the individual's claim that were not explored or documented for purposes of this threshold screening.

The asylum officer must elicit sufficient information related to both credible fear of persecution and credible fear of torture to determine whether the applicant meets the threshold screening. Even if the asylum officer determines in the course of the interview that the applicant has a credible fear of persecution, the asylum officer must still elicit any additional information relevant to a fear of torture. Asylum officers are to ask the following questions and may use the continuation sheet if additional space is required. If the applicant replies YES to any question, the asylum officer must ask follow-up questions to elicit sufficient details about the claim in order to make a credible fear determination.

3.1 a. *Have you or any member of your family ever been mistreated or threatened by anyone in any country to which you may be returned?* ☐ Yes ☐ No

b. *Do you have any reason to fear harm from anyone in any country to which you may be returned?*

☐ Yes ☐ No

c. If YES to questions *a* and/or *b*, was it or is it because of any of the following reasons? (Check each of the following boxes that apply).

☐ Race ☐ Religion ☐ Nationality ☐ Membership in a particular social group ☐ Political Opinion

Alien's File Number:

- 3.2 ☐ At the conclusion of the interview, the asylum officer must read the following to applicant:

*If the Department of Homeland Security determines you have a credible fear of persecution or torture, or, where applicable, a reasonable fear of persecution or torture, your case will be referred to an immigration court, where you will be allowed to seek asylum or withholding of removal based on fear of persecution or withholding of removal under the Convention Against Torture. The Field Office Director in charge of this detention facility will also consider whether you may be released from detention while you are preparing for your hearing. If the asylum officer determines that you do not have a credible fear of persecution or torture, and, where applicable, you do not have a reasonable fear of persecution or torture, you may ask an Immigration Judge to review the decision. If you are found not to have a credible fear of persecution or torture and, where applicable, you do not have a reasonable fear of persecution or torture, you do not request review, you **may be removed** from the United States as soon as travel arrangements can be made. Do you have any questions?*

- 3.3 ☐ At the conclusion of the interview, the asylum officer must read a summary of the claim, consisting of the responses to Questions 3.1 a-c and information recorded in the Additional Information/Continuation section, to applicant.

****Typed Question and Answer (Q&A) interview notes and a summary and analysis of the claim must be attached to this form for all negative credible fear decisions. These Q&A notes must reflect that the applicant was asked to explain any inconsistencies or lack of detail on material issues and that the applicant was given every opportunity to establish a credible fear.

SECTION IV:

CREDIBLE FEAR FINDINGS

A. Credible Fear Determination (and reasonable fear determination, where applicable):

Credibility

- 4.1 ☐ Applicant found credible.
4.2 ☐ Applicant found **not** credible.

Nexus

- 4.3 ☐ Race 4.4 ☐ Religion 4.5 ☐ Nationality 4.6 ☐ Membership in a Particular Social Group

(Define the social group): _____

- 4.7 ☐ Political Opinion 4.8 ☐ Coercive Family Planning [CFP] 4.9 ☐ No Nexus

Credible Fear Finding

- 4.10 ☐ Credible fear (or in the case of an alien determined to have no credible fear of persecution because he or she is barred from asylum pursuant to 8 CFR 208.13(c)(4), reasonable fear) of **persecution** established.

OR

- 4.11 ☐ Credible fear (or in the case of an alien determined to have no credible fear of persecution because he or she is barred from asylum pursuant to 8 CFR 208.13(c)(4), reasonable fear) of **torture** established.

OR

- 4.12 ☐ No fear of persecution or torture established.

B. Possible Bars:

- 4.13 ☐ Applicant could be subject to a bar(s) to asylum or withholding of removal (check the box(es) that applies and explain on the continuation sheet):

- 4.14 ☐ Particularly Serious Crime 4.15 ☐ Security Risk 4.16 ☐ Aggravated Felon
4.17 ☐ Persecutor 4.18 ☐ Terrorist 4.19 ☐ Firmly Resettled
4.20 ☐ Serious Non-Political Crime Outside the United States
4.21 ☐ Applicant does **not** appear to be subject to a bar(s) to asylum or withholding of removal.

Alien's File Number:

C. Identity:

- 4.22 ☐ Applicant's identity was determined with a reasonable degree of certainty (check the box(es) that applies):
- 4.23 ☐ Applicant's own credible statements. (If testimony is credible overall, this will suffice to establish the applicant's identity with a reasonable degree of certainty).
- 4.24 ☐ Passport which appears to be authentic.
- 4.25 ☐ Other evidence presented by applicant or in applicant's file (List): _____
- 4.26 ☐ Applicant's identity was **not** determined with a reasonable degree of certainty. (Explain on the continuation sheet.)

SECTION V: ASYLUM OFFICER / SUPERVISOR NAMES AND SIGNATURES

5.1 _____ Asylum officer name and ID CODE (print)	5.2 _____ Asylum officer's signature	5.3 ____/____/____ Decision date
5.4 _____ Supervisory asylum officer name	5.5 _____ Supervisor's signature	5.6 ____/____/____ Date supervisor approved decision

ADDITIONAL INFORMATION/CONTINUATION

Alien is barred from asylum pursuant to 8 CFR 208.13(c)(4) and therefore the alien has not established a significant possibility of establishing eligibility for asylum and has received a negative credible fear of persecution determination. Alien was then screened for potential entitlement to withholding under INA 241 or CAT protection under a "reasonable possibility of persecution" and "reasonable possibility of torture" standard.

From: Lafferty, John L
Sent: Monday, July 15, 2019 7:38 PM
To: RAIO - Asylum Field Office Managers; RAIO - Asylum HQ; RAIO - Asylum Field Office Staff
Cc: RAIO - Executive Leadership
Subject: Interim Final Rule - Asylum Eligibility and Procedural Modifications
Attachments: Third Country Asylum Bar Training 2019-07-16.pptx; Orientation memo to file July 16 2019.docx; I-870 Annotated 7.16.19.doc; Form I-869A July 16 2019.docx; 208.13(c)(4) Mandatory Bar Worksheet 7.16.19.docx; CF Checklist 3 (effective 7.16.19).docx

Asylum Division colleagues,

Earlier today, a joint Department of Justice and Department of Homeland Security Interim Final Rule (IFR) titled, *Asylum Eligibility and Procedural Modifications*, was posted by the Federal Register for public inspection. The new rule is scheduled to be officially published in the Federal Register and go into effect tomorrow, July 16, 2019. Below is a summary of what the regulation says and how it will impact our work going forward:

-
Aliens covered by the IFR

Under the new 8 CFR § 208.13(c)(4), any alien who enters, attempts to enter, or arrives in the US across the southern land border on or after **July 16, 2019**, is ineligible for asylum, unless the alien

- Demonstrates that he or she applied for protection from persecution or torture in at least one country outside his or her country of nationality or last habitual residence through which he or she transited in route to the US, and the alien received a final judgement denying the alien protection in such country,
- Demonstrates that he or she satisfies the definition of victim of a severe form of trafficking in persons provided in 8 CFR 214.11 (everyone should have received training on this during your initial officer training; please refer to your *Detecting Possible Victims of Trafficking* RAIO Combined Training Course training module for guidance), or
- The only countries through which the alien transited in route to the US, at the time of transit, were not parties to the 1951 United Nations Convention relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees, or the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (at present, those countries would be Bhutan, Grenada, Kiribati, Malaysia, Micronesia, Myanmar, North Korea, Oman, Singapore, and Tonga)

Nothing in the IFR limits an alien from being considered for withholding of removal or protection under CAT, or limits the processes applied to UACs pursuant to TVPRA.

Revised CF screening for aliens subject to the new asylum bar

In addition, under the newly amended regulation at 8 CFR § 208.30(e)(5)(iii), any alien placed into expedited removal who is referred to us for a credible fear screening and who is determined to be ineligible for asylum under the new 8 CFR § 208.13(c)(4) shall

- Receive a negative credible finding as to any asylum claim under INA Section 208; and
- Have any claim to eligibility for withholding of removal or protection under the Convention Against Torture considered under the “reasonable possibility” reasonable fear screening standard **instead of** the “significant possibility” credible fear screening standard.

Besides this changed screening standard for withholding and CAT, all the other usual CF screening procedures and rules apply to these cases, including issuing someone who receives a positive fear finding a Notice to Appear (NTA) to

place the person into INA Section 240 removal proceedings.

Below you will find some more detailed “nuts and bolts” instructions for how to handle CF cases impacted by these changes. Further instructions for how we will process affirmative asylum claims impacted by these changes will be forthcoming.

Finally, let me give you a few key takeaways:

- No changes are being made at this time to our processing and screening of Reasonable Fear referrals under 8 CFR § 208.31;
- No changes are being made at this time to our processing and screening of Credible Fear referrals for those aliens who are not impacted by the new asylum bar;
- We have been doing Reasonable Fear screenings for years; conducting RF screenings for aliens impacted by the new asylum bar should be no different;
- The new bar to asylum will apply to affirmative asylum applications, but only for individuals who entered, attempted to enter, or arrived in the US across the southern land border on or after July 16, 2019. It will likely be several weeks or months before we interview and adjudicate any affirmative asylum cases that are impacted by this bar.

We are once again being asked to adapt, and to do so with very little time to train and prepare. If I didn’t know that we have some of the most dedicated, most adaptable, and most talented public servants presently serving in the federal government, I would be concerned about being able to implement these changes on such short notice. Fortunately, each of you are all of those things and much, much more.

I fully expect there to be many questions as this is implemented in the coming days and weeks. Please bring those questions forward to your office leadership so that we can attempt to respond as quickly as possible, and share those responses with the other offices.

Thanks!

John

SUBJECT: Updated Procedures for Implementing the Interim Final Rule

Effective beginning July 16, 2019, and pursuant to 8 CFR 208.13(c)(4), this message provides updated procedures for the processing of Credible Fear cases. In particular, this guidance modifies the Credible Fear of Persecution and Torture Determinations Lesson Plan (“Credible Fear Lesson Plan”), the Credible Fear Procedures Manual, and all other prior guidance documentations and memorandums that are inconsistent with the Interim Final Rule published on July 16, 2019.

Instructions on the impact of this IFR on affirmative asylum processing will be forthcoming. To be subject to the bar the alien must enter, attempt to enter, or arrive in the US across the southern land border on or after July 16, 2019.

These updated procedures are effective immediately and apply to any APSO screening determination issued after July 15, 2019. All asylum offices are responsible for conducting field training for staff on these updated procedures as soon as practicable, no later than one week from today. A PowerPoint training is attached.

Officers **must be trained on reasonable fear** to adjudicate cases subject to the IFR.

Aliens placed in the expedited removal process under INA §235(b)(1) must be referred to USCIS for a credible fear screening if they express a fear of returning to their country. These new procedures only apply to aliens who enter, attempt to enter, or arrive in the US across the southern land border. Cases where aliens enter or attempt to enter or arrive in other locations should follow current Asylum Division Credible Fear Procedures.

Jurisdiction

The Interim Final Rule does not alter the referral process. The Asylum Office must receive all the jurisdictional documents listed at III.B. of the Credible Fear Procedures Manual prior to adjudicating the case. The AO and SAO must confirm that the asylum division has proper jurisdiction in each case.

Interview

Prior to interviewing a case, the asylum officer should review jurisdictional documents (such as the I-213, I-860, I-867A and B) to ascertain the alien's date and manner of entry into the United States.

Jurisdictional documents alone are not enough to establish the application of the bar. An asylum officer must also elicit information regarding potential exceptions and complete the Third-Country Transit Bar Worksheet.

If the officer establishes that the bar applies and that no exceptions to the bar are applicable, the officer should inform the alien that the reasonable possibility standard will apply to the claim. This explanation should be documented in an orientation memo to file (see attached memo).

Once the officer establishes that the bar applies, the officer will make a negative credible fear finding as to asylum and interview the alien to determine if he or she meets the reasonable possibility standard for persecution and the Convention Against Torture. Please see the Reasonable Fear of Persecution and Torture Determinations Lesson Plan for more information on this standard.

Case Processing

1. **Third-Country Transit Bar Worksheet:** Must be completed for all individuals who entered, attempted to enter, or arrived in the US across the southern land border on or after **July 16, 2019**.
2. **Orientation Memo to File:** When the AO determines that the bar applies, the adjudicator must explain to the alien that he or she will be screened according to the reasonable possibility standard and complete a memo to file. The memo is not required if the alien is not subject to the bar or if he or she establishes that the bar does not apply.
3. **I-870:** Use I-870 dated 7/11/19 for all cases.
4. **CF Checklist:** For applicants barred for asylum, please use the "Credible Fear Determination Checklist and Written Analysis for Applicants in Expedited Removal Found Barred from Asylum Pursuant to 208.13(c)(4)." (Checklist 3). Checklist 3 contains instructions regarding the applicable legal standard.
5. **I-869A:** Use I-869A instead of I-869 to document negative determinations for applicants who are barred and are screened using the reasonable fear standard.
6. **Global:** Only for cases subject to IFR, offices select special group code "**bar - 13(c)(4)**." If the individual establishes an exception to the bar, offices select special group code "**no bar - 13(c)(4)**." Officers, SAOs and all involved in case processing are reminded to make sure that one of these special group codes **must be selected** whenever the individual interviewed is comes within the scope of this new IFR bar.

If you have any questions concerning the procedures contained in this memorandum, please contact the headquarters APSO point or points of contact. We will be updating the Credible Fear Lesson Plan and Credible Fear Procedures Manual in the future.

Attachments: Third-Country Transit Bar Worksheet
Orientation memo to file
I-870, dated 7/11/19
CF Checklist 3
I-869A
PPT

Third-Country Transit Bar Worksheet (8 CFR 208.13(c)(4))

A#:	Alien Name:	AO Name/Number:	Date:
A. Arrival Date <i>(If checking “no”, bar does not apply and this form does not need to be completed.)</i>			
Did the alien enter, attempt to enter, or arrive in the United States <i>across the southern land border</i> on or after [INSERT DATE]?			Yes ☐
Explanation:			No ☐
B. 8 CFR 208.13(c)(4) Mandatory Bar Analysis <i>(If checking “no” in box B.1, do not complete boxes B.2, B.3 and B.4 as an exception applies. If checking “yes” in boxes B.1 and B.2, B.3 or B.4, then an exception applies. If checking “yes” in boxes B.1 and “no” in boxes B.2, B.3 and B.4, then bar applies and there is no exception available.)</i>			
1. Transit: Did the alien transit through any country apart from his or her country of nationality (or last habitual residence) en route to the United States?			Yes ☐
List all applicable countries:			No ☐
2. Protection Sought: Did the alien demonstrate that s/he applied for protection in at least one country and received a final judgment denying protection?			Yes ☐
Evidence or Explanation:			No ☐
3. Severe Trafficking Victim: Did the alien demonstrate that s/he meets the definition of “victim of a severe form of trafficking in persons”, as defined in 8 CFR § 214.11?			Yes ☐
A severe form of trafficking in persons is defined as either: a) Sex trafficking in which a commercial sex act is induced by: ☐ Force, fraud, or coercion, or ☐ Person induced is under the age of 18; or, b) Recruiting, harboring, transporting, provisioning, or obtaining a person for labor or services through the use of force, fraud, or coercion for subjection to: ☐ Involuntary servitude; peonage; debt bondage; or slavery			No ☐
Explanation:			
4. Protection Unavailable in Countries Transited:			Yes ☐
The only countries through which the alien transited en route to the United States, were, at the time of the transit, not parties to the 1951 United Nations Convention relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees, or the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.			No ☐

Third-Country Transit Bar Worksheet (8 CFR 208.13(c)(4))

C. Decision <i>If the alien established that the bar does not apply, or if an exception applies, continue processing as a credible fear or affirmative case.</i> <i>If the alien failed to establish that s/he is not barred:</i> • <i>If the alien is in expedited removal, continue screening for withholding and CAT using the reasonable fear standard.</i> • <i>If the alien filed affirmatively, complete interview and address the mandatory bar in the referral/denial.</i>	
--	--

CREDIBLE FEAR DETERMINATION CHECKLIST AND WRITTEN ANALYSIS
FOR APPLICANTS IN EXPEDITED REMOVAL FOUND BARRED FROM ASYLUM PURSUANT TO 208.13(c)(4)
[JULY 16, 2019] [CHECKLIST 3]

A#:	COUNTRY:	APSO Name:	DATE:
<i>By using this checklist, the adjudicator has determined that the applicant is barred for asylum pursuant to 8 C.F.R. 208.13(c)(4).</i> <i>If there is a reasonable possibility of persecution, complete Sections A., B., and C. If there is a reasonable possibility of torture, complete Sections A., B., and D. If there is not a reasonable possibility of persecution or torture, complete Sections A., B., C., and D. unless the claim fails in Section A.2. (Future Harm) or Section B. (Credibility), in which case, stop and complete Form I-870.</i>			
A. Harm <i>(If yes to A.2., proceed with the analysis. If no to A.2., STOP and complete Form I-870.)</i>			
1. Has the applicant testified that he or she has experienced <u>past</u> harm in his or her country? <i>If yes, identify any past harm or mistreatment suffered, and identify the relevant entity.</i>			Yes ☐ No ☐
2. Has the applicant testified that he or she fears <u>future</u> harm if returned to his or her country? <i>If yes, identify any harm or mistreatment feared, and identify the relevant entity. If no, explain and complete Form I-870.</i>			Yes ☐ No ☐
B. Credibility <i>(Select the appropriate box and analyze whether the applicant's testimony was credible or not credible.)</i>			
Applicant's testimony was credible: Considering the totality of the circumstances and all relevant factors, the applicant's testimony was consistent, detailed, and plausible. Therefore, it is found credible. <i>(Check box, explain only if overall decision is positive, and move to Section C. or D.)</i>			☐
Applicant's testimony was not credible: Considering the identified credibility concern(s), the absence of reasonable explanations for those concerns, and taking into consideration the applicant's individual circumstances, the applicant's testimony is found not credible under the totality of the circumstances and all relevant factors. <i>(Check box, explain, STOP and complete Form I-870.)</i>			☐
C. Persecution <i>(Select as needed. If yes to C.1. or C.2., complete C.3. If no to C.1 and C.2., complete C.3.)</i>			
1. a. <u>Past Persecution:</u> The applicant established that: • The harm experienced was sufficiently serious to amount to persecution; • The entity that harmed the applicant was motivated to harm the applicant on account of his or her race, religion, nationality, membership in a particular social group, or political opinion, applying the one central reason standard; and • The entity that harmed the applicant was an agent of the government or an entity that the government was unable or unwilling to control. AND 1. b. The presumption of well-founded fear has not been rebutted by a preponderance of the evidence that 1) there has been a fundamental change in circumstances such that the applicant no longer has a well-founded fear, or 2) it would be reasonable, under all the circumstances, for the applicant to relocate within the applicant's country to avoid future persecution.			Yes ☐ No ☐
2. <u>Future Persecution:</u> The applicant established a reasonable possibility of persecution on account of a protected ground: • The harm feared is sufficiently serious to amount to persecution; • The applicant 1) either <u>possesses</u> a protected characteristic of which the feared entity is or could become <u>aware</u> or the feared entity believes that the applicant possesses a protected characteristic, and 2) the feared entity has the <u>capability</u> and <u>inclination</u> to persecute the applicant, OR there is a <u>pattern or practice</u> of persecution of a group of persons similarly situated to the applicant on account of a protected ground; and • Under all the circumstances, it would not be reasonable for the applicant to relocate within the applicant's country to avoid future persecution.			Yes ☐ No ☐
C.3. <u>Written Analysis:</u>			

Race ☐ Religion ☐ Nationality ☐ Membership in a Particular Social Group ☐ Political Opinion ☐

If reasonable possibility of persecution established, identify the protected ground and specify:

As needed, provide a brief reasoned analysis. Focus on determinative factors, applying the eligibility elements to the facts.

D. Torture (Select D.1. as needed and complete D.2.)

D.1. There is a **reasonable possibility** that:

- The feared harm would be specifically intended to inflict severe pain or suffering on the applicant;
- The feared harm would constitute severe physical or mental pain or suffering;
- The feared harm would be inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity;
- The applicant would be in the offender's custody or physical control; **and**
- The harm would not arise only from or be inherent in or incidental to lawful sanctions.

In making this determination, the following evidence must be considered:

- Evidence of past torture inflicted upon the applicant;
- Evidence that the applicant could relocate to a part of the country of removal where he or she is not likely to be tortured;
- Evidence of gross, flagrant or mass violations of human rights within the country of removal; and other relevant information regarding conditions in the country of removal.

If the applicant has established past torture **AND** there are no changes in circumstances so substantial such that the applicant does not have a reasonable fear of torture, the applicant will be found to have established a reasonable fear of torture.

Yes ☐

No ☐

D.2. Written Analysis: *As needed, provide a brief reasoned analysis. Focus on determinative factors, applying the eligibility elements to the facts.*

**Record of Negative Credible/Reasonable Fear Finding and
Request For Review by Immigration Judge for Aliens Barred
From Asylum Pursuant to 8 CFR 208.13(c)(4)**

Alien File Number: _____

1. To be explained to the alien by the asylum officer:

A. U.S. Citizenship and Immigration Services (USCIS) has determined that you are an alien described in 8 CFR 208.13(c)(4) and therefore, you have not established a credible fear because you cannot show a significant possibility of establishing eligibility for asylum.

B. You have not established a reasonable fear with respect to your application for withholding of removal under INA 241(b)(3) or withholding or deferral of removal under the Convention Against Torture pursuant to 8 CFR 208.16 for the following reason(s):

- ☐ You have not established a reasonable fear of persecution in a country to which you have been ordered removed because:
- ☐ You have not indicated that you were harmed in the past and you have not expressed fear of future harm.
 - ☐ There is no reasonable possibility that the harm you experienced and/or the harm you fear is on account of your race, religion, nationality, political opinion, or membership in a particular social group.
 - ☐ You have not indicated that you were harmed in the past, or there is no reasonable possibility that the past harm or the harm you fear in the future constitutes persecution.
 - ☐ There is no reasonable possibility that you would suffer the harm you fear.
 - ☐ You could reasonably avoid persecution by relocating within your country.

AND

- ☐ You have not established a reasonable fear of torture in a country to which you may be removed because you have not established that there is a reasonable possibility that:
- ☐ You would suffer severe physical or mental pain or suffering.
 - ☐ The harm you fear would be specifically intended to inflict severe physical or mental pain or suffering.
 - ☐ The harm you fear would be inflicted by or at the instigation of, or with the consent or acquiescence of, a public official or other person acting in an official capacity.
 - ☐ The harm you fear would be inflicted while you are in the custody or physical control of the offender.
 - ☐ The harm you fear would not arise only from, would not be inherent in, and would not be incidental to, lawful sanctions.

C. ☐ Considering the totality of the circumstances and all relevant factors, you have not established that your testimony is credible.

Therefore, you are ordered removed from the United States. You may request that an Immigration Judge review this decision.

If you request that an Immigration Judge review this decision, you will remain in detention until an Immigration Judge reviews your case. That review could occur as long as 7 days after you receive this decision.

If you indicate below that do not request that an Immigration Judge review the decision, you may be removed from the United States immediately.

2. To be completed by the alien:

- ☐ **Yes, I request Immigration Judge review** of the decisions that I do not have a credible fear of persecution or torture and that I do not have a reasonable fear of persecution or torture.
- ☐ **No, I do not request Immigration Judge review** of the decisions that I do not have a credible fear of persecution or torture and that I do not have a reasonable fear of persecution or torture.

Applicant's Last Name/ Family Name (Print)

Applicant's First Name (Print)

Applicant's Signature

Asylum Officer's Last Name (Print)

Asylum Officer's First Name, (Print)

Date

The contents of this form were read and explained to the applicant in the _____ language

Interpreter used:

By telephone (list interpreter service /ID number used _____).

In person (I, _____, certify that I am fluent in both the _____ and English languages. I interpreted the above information completely and accurately to the alien.)

Interpreter's Signature

Date

**Record of Negative Credible/Reasonable Fear Finding and
Request For Review by Immigration Judge for Aliens Barred
From Asylum Pursuant to 8 CFR 208.13(c)(4)**

_____	_____	_____	_____
District Office Code	Asylum Office Code	Alien's File Number	Alien's Last/ Family Name
_____	_____	_____	_____
Asylum Officer's Last Name	Asylum Officer's First Name	Alien's Nationality	_____

All statements in italics must be read to the applicant

SECTION I:

INTERVIEW PREPARATION

- 1.1 _____ / _____ / _____ 1.2 _____
Date of arrival [MM/DD/YY] Port of arrival
- 1.3 _____ / _____ / _____ 1.4 _____
Date of detention [MM/DD/YY] Place of detention
- 1.5 _____ / _____ / _____ 1.6 _____
Date of AO orientation [MM/DD/YY] If orientation more than one week from date of detention, explain delay
- 1.7 _____ / _____ / _____ 1.8 _____
Date of interview [MM/DD/YY] Interview site
- 1.9 ☐ Applicant received and signed **Form M-444** and relevant *pro bono* list on _____
Date signed [MM/DD/YY]
- 1.10 Does applicant have consultant(s)? ☐ Yes ☐ No
- 1.11 If yes, consultant(s) name, address, telephone number and relationship to applicant

- 1.12 Persons present at the interview (check which apply)
- 1.13 ☐ Consultant(s)
- 1.14 ☐ Other(s), list: _____
- 1.15 ☐ No one other than applicant and asylum officer
- 1.16 Language used by applicant in interview:
- 1.17 _____ ☐ Yes ☐ No
Interpreter Service, Interpreter ID Number. Interpreter Has Forms Time Started Time Ended
- 1.18 _____ ☐ Yes ☐ No
Interpreter Service, Interpreter ID Number. Interpreter Has Forms Time Started Time Ended
- 1.19 _____ ☐ Yes ☐ No
Interpreter Service, Interpreter ID Number. Interpreter Has Forms Time Started Time Ended
- 1.20 ☐ Interpreter **was not changed** during the interview
- 1.21 ☐ Interpreter **was changed** during the interview for the following reason(s):
- 1.22 ☐ Applicant requested a female interpreter replace a male interpreter, or *vice versa*
- 1.23 ☐ Applicant found interpreter was not competent 1.24 ☐ Applicant found interpreter was not neutral
- 1.25 ☐ Officer found interpreter was not competent 1.26 ☐ Officer found interpreter was not neutral
- 1.27 ☐ Bad telephone connection
- 1.28 ☐ Asylum officer read the following paragraph to the applicant at the beginning of the interview:

The purpose of this interview is to determine whether you may be eligible for asylum or protection from removal to a country where you fear persecution or torture. I am going to ask you questions about why you fear returning to your country or any other country you may be removed to. It is very important that you tell the truth during the interview and that you respond to all of my questions. This may be your only opportunity to give such information. Please feel comfortable telling me why you fear harm. U.S. law has strict rules to prevent the disclosure of what you tell me today about the reasons why you fear harm. The information you tell me about the reasons for your fear will not be disclosed to your government, except in exceptional circumstances. The statements you make today may be used in deciding your claim and in any future immigration proceedings. It is important that we understand each other. If at any time I make a statement you do not understand, please stop me and tell me you do not understand so that I can explain it to you. If at any time you tell me something I do not understand, I will ask you to explain.

Alien's File Number:

SECTION II:

BIOGRAPHIC INFORMATION

2.1 _____
Last Name/ Family Name [ALL CAPS]

2.2 _____ 2.3 _____
First Name Middle Name

2.4 ____/____/____ 2.5 Gender ☐ Male ☐ Female
Date of birth [MM/DD/YY]

2.6 _____
Other names and dates of birth used

2.7 _____ 2.8 _____
Country of birth Country (countries) of citizenship (list all)

2.9 _____
Address prior to coming to the U.S. (List Address, City/Town, Province, State, Department and Country).

2.10 _____ 2.11 _____ 2.12 _____
Applicant's race or ethnicity Applicant's religion All languages spoken by applicant

2.13 Marital status: ☐ Single ☐ Married ☐ Legally separated ☐ Divorced ☐ Widowed

2.14 Did spouse arrive with applicant? ☐ Yes ☐ No

2.15 Is spouse included in applicant's claim? ☐ Yes ☐ No

2.16 If currently married (including common law marriage) list spouse's name, citizenship, and present location (if with applicant, provide A-Number):

2.17 Children: ☐ Yes ☐ No

2.18 List any children (Use the continuation section to list any additional children):

Date of birth (MM/DD/YY)	Name	Citizenship	Present location (if w/PA, list A-Numbers)	Did child arrive with PA? ☐ Yes ☐ No	Is child included in PA's claim? ☐ Yes ☐ No
_____	_____	_____	_____	☐ Yes ☐ No	☐ Yes ☐ No
_____	_____	_____	_____	☐ Yes ☐ No	☐ Yes ☐ No
_____	_____	_____	_____	☐ Yes ☐ No	☐ Yes ☐ No
_____	_____	_____	_____	☐ Yes ☐ No	☐ Yes ☐ No
_____	_____	_____	_____	☐ Yes ☐ No	☐ Yes ☐ No
_____	_____	_____	_____	☐ Yes ☐ No	☐ Yes ☐ No

Alien's File Number:

2.19 Does applicant claim to have a medical condition (physical or mental), or has the officer observed any indication(s) that a medical condition exists? If YES, answer questions 2.20 and 2.21 and explain below. ☐ Yes ☐ No

2.20 Has applicant notified the facility of medical condition? ☐ Yes ☐ No

2.21 Does applicant claim that the medical condition relates to torture? ☐ Yes ☐ No

2.22 Does the applicant have a relative, sponsor or other community ties, including spouse or child already listed above? ☐ Yes ☐ No

2.23 If YES, provide information on relative or sponsor (use continuation section, if necessary):

Name

Relationship

Address

Telephone Number

☐ Citizen ☐ Legal Permanent Resident ☐ Other

SECTION III:

CREDIBLE FEAR INTERVIEW

The following notes are not a verbatim transcript of this interview.

These notes are recorded to assist the individual officer in making a credible fear determination and the supervisory asylum officer in reviewing the determination.

There may be areas of the individual's claim that were not explored or documented for purposes of this threshold screening.

The asylum officer must elicit sufficient information related to both credible fear of persecution and credible fear of torture to determine whether the applicant meets the threshold screening. Even if the asylum officer determines in the course of the interview that the applicant has a credible fear of persecution, the asylum officer must still elicit any additional information relevant to a fear of torture. Asylum officers are to ask the following questions and may use the continuation sheet if additional space is required. If the applicant replies YES to any question, the asylum officer must ask follow-up questions to elicit sufficient details about the claim in order to make a credible fear determination.

3.1 a. Have you or any member of your family ever been mistreated or threatened by anyone in any country to which you may be returned? ☐ Yes ☐ No

b. Do you have any reason to fear harm from anyone in any country to which you may be returned?

☐ Yes ☐ No

c. If YES to questions a and/or b, was it or is it because of any of the following reasons? (Check each of the following boxes that apply).

☐ Race ☐ Religion ☐ Nationality ☐ Membership in a particular social group ☐ Political Opinion

Alien's File Number:

- 3.2 ☐ At the conclusion of the interview, the asylum officer must read the following to applicant:

*If the Department of Homeland Security determines you have a credible fear of persecution or torture, or, where applicable, a reasonable fear of persecution or torture, your case will be referred to an immigration court, where you will be allowed to seek asylum or withholding of removal based on fear of persecution or withholding of removal under the Convention Against Torture. The Field Office Director in charge of this detention facility will also consider whether you may be released from detention while you are preparing for your hearing. If the asylum officer determines that you do not have a credible fear of persecution or torture, and, where applicable, you do not have a reasonable fear of persecution or torture, you may ask an Immigration Judge to review the decision. If you are found not to have a credible fear of persecution or torture and, where applicable, you do not have a reasonable fear of persecution or torture, you do not request review, you **may be removed** from the United States as soon as travel arrangements can be made. Do you have any questions?*

- 3.3 ☐ At the conclusion of the interview, the asylum officer must read a summary of the claim, consisting of the responses to Questions 3.1 a-c and information recorded in the Additional Information/Continuation section, to applicant.

****Typed Question and Answer (Q&A) interview notes and a summary and analysis of the claim must be attached to this form for all negative credible fear decisions. These Q&A notes must reflect that the applicant was asked to explain any inconsistencies or lack of detail on material issues and that the applicant was given every opportunity to establish a credible fear.

SECTION IV:

CREDIBLE FEAR FINDINGS

A. Credible Fear Determination (and reasonable fear determination, where applicable):

Credibility

- 4.1 ☐ Applicant found credible.
4.2 ☐ Applicant found **not** credible.

Nexus

- 4.3 ☐ Race 4.4 ☐ Religion 4.5 ☐ Nationality 4.6 ☐ Membership in a Particular Social Group

(Define the social group): _____

- 4.7 ☐ Political Opinion 4.8 ☐ Coercive Family Planning [CFP] 4.9 ☐ No Nexus

Credible Fear Finding

- 4.10 ☐ Credible fear (or in the case of an alien determined to have no credible fear of persecution because he or she is barred from asylum pursuant to 8 CFR 208.13(c)(4), reasonable fear) of **persecution** established.

OR

- 4.11 ☐ Credible fear (or in the case of an alien determined to have no credible fear of persecution because he or she is barred from asylum pursuant to 8 CFR 208.13(c)(4), reasonable fear) of **torture** established.

OR

- 4.12 ☐ No fear of persecution or torture established.

B. Possible Bars:

- 4.13 ☐ Applicant could be subject to a bar(s) to asylum or withholding of removal (check the box(es) that applies and explain on the continuation sheet):

- 4.14 ☐ Particularly Serious Crime 4.15 ☐ Security Risk 4.16 ☐ Aggravated Felon
4.17 ☐ Persecutor 4.18 ☐ Terrorist 4.19 ☐ Firmly Resettled
4.20 ☐ Serious Non-Political Crime Outside the United States
4.21 ☐ Applicant does **not** appear to be subject to a bar(s) to asylum or withholding of removal.

Alien's File Number:

C. Identity:

- 4.22 ☐ Applicant's identity was determined with a reasonable degree of certainty (check the box(es) that applies):
- 4.23 ☐ Applicant's own credible statements. (If testimony is credible overall, this will suffice to establish the applicant's identity with a reasonable degree of certainty).
- 4.24 ☐ Passport which appears to be authentic.
- 4.25 ☐ Other evidence presented by applicant or in applicant's file (List): _____
- 4.26 ☐ Applicant's identity was **not** determined with a reasonable degree of certainty. (Explain on the continuation sheet.)

SECTION V: ASYLUM OFFICER / SUPERVISOR NAMES AND SIGNATURES

5.1 _____ Asylum officer name and ID CODE (print)	5.2 _____ Asylum officer's signature	5.3 ____/____/____ Decision date
5.4 _____ Supervisory asylum officer name	5.5 _____ Supervisor's signature	5.6 ____/____/____ Date supervisor approved decision

ADDITIONAL INFORMATION/CONTINUATION

Alien is barred from asylum pursuant to 8 CFR 208.13(c)(4) and therefore the alien has not established a significant possibility of establishing eligibility for asylum and has received a negative credible fear of persecution determination. Alien was then screened for potential entitlement to withholding under INA 241 or CAT protection under a "reasonable possibility of persecution" and "reasonable possibility of torture" standard.

Memo to File

For Alien

Barred From Asylum Pursuant to 8 CFR 208.13(c)(4)

From: **[Asylum Office Name]**

RE: **[Alien name, A#]**

[Dependent name, A#]

At the interview:

- The Asylum Officer informed the individual that the officer had determined, based upon the individual's testimony and the other evidence in the record, that the individual is barred from asylum under 8 CFR § 208.13(c)(4), and therefore unable to establish a credible fear with respect to his or her application for asylum.
- As a result of the above determination, the Asylum Officer read the following paragraph to the individual:

The purpose of the remainder of the interview is to determine if you have a reasonable fear of persecution or torture. If it is determined that you have a reasonable possibility of being persecuted or tortured in the country to which you will be ordered removed, you will receive a Notice to Appear for a hearing in immigration court for consideration of your claim for withholding of removal under section 241(b)(3) of the Act, or for withholding or deferral of removal under the Convention Against Torture. If it is determined that you do not have a reasonable possibility of being persecuted or tortured, then you may ask to have an immigration judge review that decision. During that immigration judge review, you may also request review of the determination that you do not have a credible fear of persecution because you are barred from asylum under 8 CFR § 208.13(c)(4).



U.S. Citizenship
and Immigration
Services

Third-Country Transit bar



**Guidance for Asylum Officers and
Asylum Office Staff**

07/16/2019

Roadmap



U.S. Citizenship
and Immigration
Services

- Background/Legal Framework
- Overview of Third-Country Transit Bar
- Exceptions to Bar
- Revised Credible Fear Process
- Mandatory Bar Determination
- Screening Interview and Evidence
- Case Processing
- Post-Decision and Service

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Background/Legal Framework



U.S. Citizenship
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- INA §§ 208(b)(2)(C), (d)(5)(B) – Delegation of authority to Attorney General and Secretary of Homeland Security ("Secretary") to promulgate regulations establishing additional bars to asylum
- 8 CFR § 208.13(c)(4) – "Notwithstanding the provisions of 8 CFR 208.15, any alien who enters, attempts to enter, or arrives in the United States across the southern land border on or **after July 16, 2019**, shall be found ineligible for asylum
- 8 CFR § 208.30(e)(5) – "If the alien is found to be an alien described as ineligible for asylum in 8 CFR 208.13(c)(4), then the asylum officer shall enter a negative credible-fear determination with respect to the alien's application for asylum. The Department shall nonetheless place the alien in proceedings under section 240 of the Act for consideration of the alien's claim for withholding of removal under section 241(b)(3) of the Act, or for withholding or deferral of removal under the Convention Against Torture, if the alien establishes, respectively, a reasonable fear of persecution or torture. "

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Overview of Bar



U.S. Citizenship
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- With limited exceptions, aliens who enter or attempt to enter the United States across the southern border after failing to apply for protection in a country through which they transited en route to the United States are ineligible for asylum.
- Applies to affirmative asylum applications and credible fear screenings
- Does not modify withholding or deferral of removal proceedings
- Applies only prospectively to aliens who enter or arrive in the United States on or after effective date of this rule.
- Exceptions may apply

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Exceptions to Bar



U.S. Citizenship
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Services

- A) Applied for protection in at least one country en route to the United States and received final judgment denying protection in such country
- B) Found to be a "victim of a severe form of trafficking in persons" (8 CFR § 214.11)
- C) En route to the United States only transited through countries were, at the time of transit, not a party to the Refugee Convention/Protocol, or the Convention Against Torture (CAT)

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Exception A: Application for Protection



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- The alien demonstrates that:
 - He or she applied for protection from persecution or torture in at least one country outside of the alien's country of nationality or last habitual residence through which the alien transited en route to the U.S., *and*
 - The alien received a final judgment denying the alien protection in such country, *and*

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Exception B: Trafficking



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and Immigration
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- The alien demonstrates that:
 - He or she satisfies the definition of “victim of a severe form of trafficking in persons” provided by 8 CFR 214.11

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Exception C: Non-Party Transit Countries



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and Immigration
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- The alien demonstrates that:
 - The only transit countries through which the alien transited en route to the U.S., at the time of transit, were not parties to the
 - 1951 UN Convention Relating to the Status of Refugees;
 - 1967 Protocol Relating to the Status of Refugees; or
 - UN Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.
- Note: Mexico is a party to the Conventions and Protocol

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Revised CF Screening for Aliens Subject to the New Asylum Bar



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- Under amended 8 CFR 208.30(e)(5), any alien placed into expedited removal who is referred for a CF screening and who is determined to be ineligible for asylum under the new 8 CFR 208.13(c)(4) shall
 - Receive a negative credible fear determination with respect to the alien's intention to apply for asylum; and
 - Have any claim to eligibility for withholding of removal or protection under CAT considered under the reasonable possibility reasonable fear standard **instead of** the significant possibility credible fear standard

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Credible Fear Process – Jurisdiction and Family Cases



U.S. Citizenship
and Immigration
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- Jurisdiction: no change
 - Interim Final Rule does not alter the referral process
 - Asylum Office must receive all jurisdictional documents listed at CFPM III.B. prior to adjudicating the case
 - AO and SAO must confirm that the Asylum Division has proper jurisdiction in each case

- Family Cases: no change

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Credible Fear Process—Application of Bar



U.S. Citizenship
and Immigration
Services

- Determine if bar applies by completing Third-Country Transit Bar Worksheet
 - *Note: If alien did not enter or attempt to enter the United States across the southern border on or after implementation date, then bar does not apply. Do not fill out a Third-Country Transit Bar Worksheet*
- If entered by land from Mexico, bar applies unless exception found
- Ensure record supports determination alien entered, attempted to enter, or arrived in the United States *across the southern land border*
- Will need to elicit testimony to determine if bar applies and if there is exception
- Elicit enough testimony to make a determination whether the applicant is a trafficking victim if bar applies and no other exception available to alien

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Credible Fear Process – Application of Bar - Worksheet



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and Immigration
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- Did alien enter or attempt to enter the United States across the southern border on or after implementation date?
 - *I-213, I-867A/B, other documents*
 - *Interview*
- Did the individual transit through any country apart from his or her country of nationality (or last habitual residence) en route to the United States?
 - *I-213, I-867A/B, other documents*
 - *Interview*

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Credible Fear Process– Application of Bar - Worksheet



U.S. Citizenship
and Immigration
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- If alien transited through at least one country en route that is a party to the Refugee Convention/Protocol or CAT, did alien apply for and was s/he denied protection in at least one such country?
 - *If yes → Exception A found*
- Did the alien establish that s/he meets the definition of "victim of a severe form of trafficking in persons"?
 - *If yes → Exception B found*
- The only countries through which the alien transited en route to the United States, at the time of the transit, were not parties a party to the Refugee Convention/Protocol or CAT?
 - *If yes → Exception C found*

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Credible Fear Process– Application of Bar - Worksheet



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- Conduct interview to determine if bar applies and whether there is an exception
- Complete Third-Country Transit Bar Worksheet
- If no exception applies, complete Orientation Memo to File and proceed with RF interview
- Complete applicable CF Checklist

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Credible Fear Process – CF Checklist



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- If bar does not apply because the alien is eligible for exception
 - → use *Credible Fear Checklist 1 (dated 5.6.19)*
- If bar does apply because no exception is available
 - → use *Credible Fear Checklist 3 (Where a determination is made that the bar applies, limits screening to solely determine eligibility for withholding of removal and protection under the Convention Against Torture using the "reasonable possibility" standard)*
- Note: Credible Fear Checklist 2 relates to 8 CFR 208.13(c)(3) (EWI proclamation)

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Screening Interview and Evidence



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- As always, will need to determine if applicant is credible as to both bar determination and screening determination
- If bar applies → reasonable possibility standard
- If bar does not apply or bar applies and there is an exception → significant possibility standard

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Case Processing



U.S. Citizenship
and Immigration
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- Orientation Memo to File: When the AO determines that the bar applies, the adjudicator must explain to the alien that he or she will be screened according to the reasonable possibility standard and complete and memo to file.
- Note: Orientation Memo to File is not required if the alien is not subject to the bar or if the individual establishes an exception to the bar.

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Case Processing



U.S. Citizenship
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■ Forms:

- Use I-870 dated 7.16.19 for all cases
- Orientation memo to file for individuals who subject to the bar
- When the bar applies, use I-869A instead of I-869 to document negative determinations
- NTA for all positive determinations, regardless of whether bar applies

■ Global:

- If individual is barred: select special group code "bar - 13(c)(4)"
- If individual establishes an exception to the bar: select special group code "no bar - 13(c)(4)"
- NOTE: if individual is not subject to the bar do not select either special group code

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Post-Interview and Service



U.S. Citizenship
and Immigration
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- Include in File
 - *Third-Country Transit Bar Worksheet should be placed in the file*
 - *Orientation Memo to File should be placed in the file*
- No change to service of determination otherwise
- Additional guidance
 - *Check box 1 on I-863*

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Guidance on electronically signing PDFs is available here:

<https://helpx.adobe.com/acrobat/11/using/signing-pdfs.html>.

Provide Assessment Worksheet and Assessment Notice to CBP.



NOT SUBJECT TO 208.13(c)(4) Bar	SUBJECT TO 208.13(c)(4) Bar
M-444	M-444 + Memo to File
I-870 dated 7.11.19	I-870 dated 7.11.19
Global: If individual is subject to the bar but establishes an exception, select special group code "no bar - 3(c)(4)"	Global: Select special group code "bar - 13(c)(4)"
Credible Fear Standard	Reasonable Fear Standard (no Chen/OSH)
Screen for asylum, withholding, CAT	Screen for withholding and CAT
Checklist 1	Checklist 3
Positive Determination: I-862 (NTA)	Positive Determination: I-862 (NTA)
Negative Determination: I-869 + I-863	Negative Determination: I-869A + I-863
Flag other possible mandatory bars	Flag other possible mandatory bars

FOUO

20

Additional Resources



U.S. Citizenship
and Immigration
Services

- Trafficking Lesson Plan
- RAIO Research Unit ECN country pages
- Other Asylum and RAIO Lesson Plans

FOUO

21

Memo to File

For Alien

Barred From Asylum Pursuant to 8 CFR 208.13(c)(4)

From: **[Asylum Office Name]**

RE: **[Alien name, A#]**

[Dependent name, A#]

At the interview:

- The Asylum Officer informed the individual that the officer had determined, based upon the individual's testimony and the other evidence in the record, that the individual is barred from asylum under 8 CFR § 208.13(c)(4), and therefore unable to establish a credible fear with respect to his or her application for asylum.
- As a result of the above determination, the Asylum Officer read the following paragraph to the individual:

The purpose of the remainder of the interview is to determine if you have a reasonable fear of persecution or torture. If it is determined that you have a reasonable possibility of being persecuted or tortured in the country to which you will be ordered removed, you will receive a Notice to Appear for a hearing in immigration court for consideration of your claim for withholding of removal under section 241(b)(3) of the Act, or for withholding or deferral of removal under the Convention Against Torture. If it is determined that you do not have a reasonable possibility of being persecuted or tortured, then you may ask to have an immigration judge review that decision. During that immigration judge review, you may also request review of the determination that you do not have a credible fear of persecution because you are barred from asylum under 8 CFR § 208.13(c)(4).

Miller, Rebecca E

From: Miller, Rebecca E
Sent: Thursday, September 19, 2019 10:23 AM
To: Andre, Lisa S; Hernandez, Ruth N; Espinoza, Salvador H; Gutierrez, Ervey; Quinones, Eugenio Jr; Sanchez, Eric A; VALDEZ, JACOB B; DOUGHERTY, STEPHEN E; CLARK, STEVEN C; LARACUENTE, HABACUC; LOPEZ, ANDRES; STEPHANY, ERIK R; TOVAR, RAFAEL; Valdez, Luis S; RODRIGUEZ, BENJAMIN; Etling, John E; Natividad, Frank; Perez, Ubaldo; LEDEZMA, ARMANDO; LEMUS, MIGUEL A; SESSION, SHONE D; Roberts, Robin J; Dickey, Johnathan E; RIVERA4, LUIS; DUTTON, JULIE L; Sermenon, Heidi M; Mayer, Rachel S; Hollemans, Sarah M; Maloney, Kathleen M; Sassine, Sadiya; Lanca, John P
Cc: Villena, Daniel A
Subject: Common NTA errors
Attachments: Detention and Court Addresses and Codes.pdf

Hello all,

I'm noticing some recurring issues on the 862s and 863s, so I was hoping to clarify some confusion.
On the NTA, the Detention Facility Address is "South Texas Family Residential Center 300 El Rancho Way Dilley, TX 78017."
The Court Address is "Otero Immigration Court 26 McGregor Range Road, Door #1 Chaparral, NM 88081"
The NTAs are serviced in Dilley, TX, not Houston, TX

I have attached the Detention and Court Addresses Document in case anyone is missing it.

As always, thank you for your hard work and please let A/SAPSO or I know if you have any questions!

All the best,
Rebecca

Detention and Court Addresses and Codes
Houston Asylum Office

Nickname File Code (on S drive)	Detention Facility Address	Court Address	District Office Code	Interview Location (Global)
Brooks County BRO	Brooks County Detention Center 901 County Road 201 Falfurrias, TX, 78355	Port Isabel Service Processing Center 27991 Buena Vista Boulevard Los Fresnos, TX 78566	SNA	FLF
Cache County CCJ	Cache County Sheriff's Office 1225 West Valley View (200 North) Logan, UT 84321	Salt Lake City EOIR 2975 S Decker Lake Drive, Suite 200 West Valley, UT 84119	SLC	SLC
Cibola CCC	Otero County Processing Center 26 McGregor Range Road Chaparral, NM 88081	Otero Immigration Court 26 McGregor Range Road, Door #1 Chaparral, NM 88081	OOP	CIB
Cibola [transgender applicants] CCC	Cibola County Correctional Center 2000 Cibola Loop Milan, NM 87021	Denver EOIR 1961 Stout Street, Suite 3101 Denver, CO 80294	ELP	CIB
Coastal Bend [▲] CBD	Coastal Bend Detention Center 4909 FM 2826 Robstown, TX 78380	If file is labeled HOU-CBD: EOIR – Immigration Court 806 Hilbig Road, Suite 2-300 Conroe, TX 77301 If file is labeled PIC-CBD: Port Isabel Service Processing Center 27991 Buena Vista Boulevard Los Fresnos, TX 78566	HOU	CRP
Dallas JCJ	Johnson County Jail 1800 Ridgemark Drive Cleburne, TX 76031	Dallas EOIR 1100 Commerce Street, Suite 1060 Dallas, TX 75242	DAL	DAL
Denver DEN	Denver Contract Detention Facility 3130 North Oakland Street Aurora, CO 80010	Denver Service Processing Center 3130 North Oakland Street Aurora, CO 80010	DEN	DEN

[▲] As of 05/14/19, EOIR hearings for Coastal Bend will be at either **EOIR Houston in Conroe** or **Port Isabel Service Processing Center in Los Fresnos**. Please review the file label or the Docket in EARM (PIC or HOU) to see what address should be on the court documents.

Detention and Court Addresses and Codes
Houston Asylum Office

Nickname File Code (on S drive)	Detention Facility Address	Court Address	District Office Code	Interview Location (Global)
Dilley	South Texas Family Residential Center 300 El Rancho Way Dilley, TX 78017	Otero Immigration Court 26 McGregor Range Road, Door #1 Chaparral, NM 88081	ELP	TRC
East Hidalgo EHD	East Hidalgo Detention Center 1300 E Highway 107 La Villa, TX 78562	Port Isabel Service Processing Center 27991 Buena Vista Boulevard Los Fresnos, TX 78566	SNA	PIC
Eden	Eden Detention Center 702 E Broadway Street Eden, TX, 76837	Dallas EOIR 1100 Commerce Street, Suite 1060 Dallas, TX 75242	DAL	EDN
El Paso ELP	El Paso Detention Center 8915 Montana Avenue El Paso, TX 79925	El Paso Service Processing Center 8915 Montana Avenue, Suite 100 El Paso, TX 79925	ELP	EPD
El Valle ELV ELValle-FEAR@ice.dhs.gov	El Valle Detention Center 1800 Industrial Drive Raymondville, TX 78580	Port Isabel Service Processing Center 27991 Buena Vista Boulevard Los Fresnos, TX 78566	SNA	PIC
Grady County GRA	Grady County Jail 215 N 3rd Street Chickasha, OK 73018	Dallas EOIR 1100 Commerce Street, Suite 1060 Dallas, TX 75242	DAL	OKC
Greens Road HDF	Houston Contract Detention Facility 15850 Export Plaza Drive Houston, TX 77032	EOIR – Immigration Court 806 Hilbig Road, Suite 2-300 Conroe, TX 77301	HOU	HPC
Haskell HSK	Rolling Plains Correctional Facility 118 County Road 206 Haskell, TX 79521	Dallas EOIR 1100 Commerce Street, Suite 1060 Dallas, TX 75242	DAL	DAL
Houston airport case (Hobby)	Hobby Airport, Houston, TX	Consult EOIR venue maps to determine jurisdiction over the applicant's home address, then look up the non-detained court on DOJ's site.	HOU	HBV

Detention and Court Addresses and Codes
Houston Asylum Office

Nickname File Code (on S drive)	Detention Facility Address	Court Address	District Office Code	Interview Location (Global)
Houston airport case (IAH)	Bush Intercontinental Airport, Houston, TX	Consult EOIR venue maps to determine jurisdiction over the applicant's home address, then look up the non-detained court on DOJ's site.	HOU	ZHO
Hutto DHD	T. Don Hutto Residential Center 1001 Welch Street Taylor, TX 76574	San Antonio EOIR 800 Dolorosa Street, Suite 300 San Antonio, TX 78207	SNA	DHD
Jena – LaSalle	LaSalle ICE Processing Center 830 Pine Hill Road Jena, LA 71342	LaSalle Service Processing Center 830 Pinehill Road Jena, LA 71342	OAK	JNA
Joe Corley (Montgomery) JCD	Joe Corley Detention Facility 500 Hilbig Road Conroe, TX 77301	EOIR – Immigration Court 806 Hilbig Road, Suite 2-300 Conroe, TX 77301	HOU	CRE
Karnes KCD	Karnes County Residential Center 409 FM 1144 Karnes City, TX 78118	San Antonio EOIR 800 Dolorosa Street, Suite 300 San Antonio, TX 78207	SNA	KCD
Kay KAY	Kay County Detention Center 1101 W Dry Road Newkirk, OK 74647	El Paso Service Processing Center 8915 Montana Avenue, Suite 100 El Paso, TX 79925	ELP	TLS
La Salle County (TX) STC - LAS	South Texas Detention Complex 566 Veterans Drive Pearsall, TX 78061	Pearsall EOIR 566 Veterans Drive Pearsall, TX 78061	SNA	HLG
Laredo LRD	Laredo Detention Center 4702 E Saunders Street Laredo, TX 78041	San Antonio EOIR 800 Dolorosa Street, Suite 300 San Antonio, TX 78207	SNA	LRD
Limestone WCT	Limestone County Detention Center 910 N Tyus Street Groesbeck, TX 76642	San Antonio EOIR 800 Dolorosa Street, Suite 300 San Antonio, TX 78207	SNA	WCT
Montgomery MTG	Montgomery Processing Center 806 Hilbig Road Conroe, TX 77301	EOIR – Immigration Court 806 Hilbig Road, Suite 2-300 Conroe, TX 77301	HOU	CRE

Detention and Court Addresses and Codes
Houston Asylum Office

Nickname File Code (on S drive)	Detention Facility Address	Court Address	District Office Code	Interview Location (Global)
Non-detained	Dallas non-detained Denver non-detained El Paso non-detained Houston non-detained San Antonio non-detained	Consult EOIR venue maps to determine jurisdiction over the applicant's home address, then look up the non-detained court on DOJ's site.	DAL DEN ELP HOU SNA	DAL DEN EPD ZHN SNA
Oakdale	Oakdale FDC 2105 E Whatley Road Oakdale, LA 71463	Oakdale EOIR 1900 E Whatley Road Oakdale, LA 71463	OAK	OAK
Okmulgee OCJ	Patrick C. Moore Detention Center 111 S Alabama Avenue Okmulgee, OK 74447	Dallas EOIR 1100 Commerce Street, Suite 1060 Dallas, TX 75242	DAL	TLS
Otero OCP (OOP)	Otero County Processing Center 26 McGregor Range Road Chaparral, NM 88081	Otero Immigration Court 26 McGregor Range Road, Door #1 Chaparral, NM 88081	ELP	EPD
Pearsall STC - LAS	South Texas Detention Complex 566 Veterans Drive Pearsall, TX 78061	Pearsall EOIR 566 Veterans Drive Pearsall, TX 78061	SNA	STC
Pine Prairie	Pine Prairie Correctional Center 1133 Hampton Dupre Road Pine Prairie, LA 70576	Oakdale EOIR 1900 E Whatley Road Oakdale, LA 71463	OAK	OAK
Polk LIV	IAH Secure Adult Detention Facility 3400 FM 350 S Livingston, TX 77351	EOIR – Immigration Court 806 Hilbig Road, Suite 2-300 Conroe, TX 77301	HOU	HDF
Port Isabel PIC PIDC-FEAR@ice.dhs.gov	Port Isabel Detention Center 27991 Buena Vista Boulevard Los Fresnos, TX 78566	Port Isabel Service Processing Center 27991 Buena Vista Boulevard Los Fresnos, TX 78566	SNA	PIC
Prairieland PRL DALDetainedDocketUnit@ice.dhs.gov	Prairieland Detention Center 1209 Sunflower Lane Alvarado, TX 76009	Dallas EOIR 1100 Commerce Street, Suite 1060 Dallas, TX 75242	DAL	PRL

Detention and Court Addresses and Codes
Houston Asylum Office

Nickname File Code (on S drive)	Detention Facility Address	Court Address	District Office Code	Interview Location (Global)
Rio Grande RGD	Rio Grande Detention Center 1001 San Rio Boulevard Laredo, TX 78046	San Antonio EOIR 800 Dolorosa Street, Suite 300 San Antonio, TX 78207	SNA	LRD
Tallahatchie TAL	Tallahatchie County Correctional Facility 415 U.S. Highway 49 N Tutwiler, MS 38963	LaSalle Service Processing Center 830 Pinehill Road Jena, LA 71342	OAK	JNA
Tensas TEN	Tensas Parish Detention Center 8606 Hwy 65 S Waterproof, LA 71375	Oakdale EOIR 1900 E Whatley Road Oakdale, LA 71463	OAK	OAK
Torrance/Estancia TCD ALQasylum2@ice.dhs.gov	Torrance County Detention Facility 209 County Road A049 Estancia, NM 87016	El Paso Service Processing Center 8915 Montana Avenue, Suite 100 El Paso, TX 79925	ELP	ABQ
Tulsa TLS	David L. Moss Criminal Justice Center 300 N Denver Avenue Tulsa, OK 74103	Dallas EOIR 1100 Commerce Street, Suite 1060 Dallas, TX 75242	DAL	TLS
Utah SLC	Utah County Jail 3075 N Main Street Spanish Fork, UT 84660	Salt Lake City EOIR 2975 S Decker Lake Drive, Suite 200 West Valley, UT 84119	SLC	SLC
Webb County WEB	Webb County Detention Facility 9998 S Highway 83 Laredo, TX 78041	San Antonio EOIR 800 Dolorosa Street, Suite 300 San Antonio, TX 78207	SNA	LRD
West Tennessee WTN	West Tennessee Detention Facility 6299 Finde Naifeh Jr Drive Mason, TN 38049	Memphis EOIR Brinkley Plaza 80 Monroe Avenue, Suite 501 Memphis, TN 38103	MEM	MEM
West Texas WTX	West Texas Detention Facility 401 S Vaquero Street Sierra Blanca, TX 79851	El Paso Service Processing Center 8915 Montana Avenue, Suite 100 El Paso, TX 79925	ELP	EPD

Detention and Court Addresses and Codes
Houston Asylum Office

Update history:

09-11-19	Kay New court: El Paso Service Processing Center (Dallas EOIR)	New district code: ELP (DAL)	
09-04-19	Added non-detained codes for Dallas and San Antonio		
	Torrance/Estancia Corrected file code: TCD (ABQ)	Otero & Cibola New court: Otero Immigration Court (EOIR)	Karnes Added file code: KCD
	Dilley New court: Otero Immigration Court (Pearsall EOIR)	New district code: ELP (SNA)	
08-15-19	Added Eden Detention Center		
	Removed Karnes County Correctional Center to avoid confusion		
	Consolidated three non-detained entries into one with instructions for determining proper court jurisdiction		
	Renamed third column to "Court Address" and fifth column to "Interview Location (Global)"		
07-12-19	Limestone Corrected file code and interview-location code to WCT		
07-11-19	Added Kay County Detention Center		
06-26-19	Added Limestone County Detention Center		
06-14-19	Correction: Pearsall was never PRL. The editor apologizes for this regrettable error. Charging docs for both Pearsall and La Salle County can be found in the STC - LAS folder on the share drive.		
05-14-19	Coastal Bend Added new info for CBD/HOU and CBD/PIC cases	Pearsall New file code: STC - LAS (STC)	La Salle County New file code: STC - LAS (LAS)

Update history

Check the ECN to ensure you're using the latest version of this document.

Last updated 09-11-19

Detention and Court Addresses and Codes
Houston Asylum Office

03-20-19	Added Cache County Jail		
01-23-19	La Salle County Changed file code to LAS		
01-09-19	Otero New court: EOIR (<i>El Paso Service Processing Center</i>)		
	Cibola New address: Otero County Processing Center (<i>El Paso Detention Center</i>)	New court: EOIR (<i>El Paso Service Processing Center</i>)	New district code: OOP (<i>ELP</i>)
11-19-18	Coastal Bend Changed font and color to help people follow instructions. I-870? Robstown address. I-862/I-863? Livingston address.		
10-24-18	Coastal Bend New court: EOIR – Immigration Court (<i>Houston Service Processing Center</i>)		
10-18-18	Added Montgomery Processing Center		
10-11-18	IAH Secure Adult Detention Facility New court: EOIR – Immigration Court (<i>Houston Service Processing Center</i>)	Joe Corley New court: EOIR – Immigration Court (<i>Houston Service Processing Center</i>)	
	Houston Contract Detention Facility New court: EOIR – Immigration Court (<i>Houston Service Processing Center</i>)		
09-25-18	El Valle Added ICE’s facility email address		
09-05-18	Corrected name of court located in Pearsall, TX		
08-22-18	Updated several court names and added column titles to each page		

Update history

Check the ECN to ensure you're using the latest version of this document.

Last updated 09-11-19

Detention and Court Addresses and Codes
Houston Asylum Office

Willacy

New name: El Valle Detention Center
(Willacy County Regional Detention Facility)

08-07-18	Tallahatchie New court: Jena EOIR (Oakdale EOIR)	New interview location code: JNA (MEM)
07-30-18	Added Tallahatchie County Correctional Facility	
06-26-18	Added Grady County Jail	
	Coastal Bend Added footnote instruction that charging documents (I-863 and NTA) should list the detention address as IAH	
06-18-18	Port Isabel Updated facility name: Port Isabel Detention Center (Port Isabel Service Processing Center)	
05-18-18	Okmulgee New address: Patrick C. Moore Detention Center, 111 S Alabama Avenue, Okmulgee, OK 74447 (Okmulgee County Jail, 315 W 8th Street, Okmulgee, OK 74447)	
05-09-18	Brooks County New court: Port Isabel Service Processing Center (San Antonio EOIR)	New interview location code: FLF (CRP)
05-01-18	Coastal Bend New district office code: HOU (SNA)	Greens Road New address: 15850 Export Plaza Drive (15850 Export Plaza Center)
04-30-18	Major technical revisions: alphabetized list by nickname, corrected detention facility names and addresses, standardized address abbreviations, renamed third column to "Court Name and Address," renamed final column to "Interview Location Code," and uploaded to ECN	
	Coastal Bend New court: Houston Service Processing Center (Port Isabel Service Processing Center)	La Salle County (TX) New address: South Texas Detention Complex, 566 Veterans Drive, Pearsall, TX 78061 (LaSalle County Regional Detention Facility, 832 E Texas Hwy 44, Encinal, TX 78019)

Update history

Check the ECN to ensure you're using the latest version of this document.

Last updated 09-11-19

Andre, Lisa S

From: Andre, Lisa S
Sent: Thursday, September 19, 2019 10:21 PM
To: Hernandez, Ruth N; Espinoza, Salvador H; Gutierrez, Ervey; Quinones, Eugenio Jr; Sanchez, Eric A; VALDEZ, JACOB B; DOUGHERTY, STEPHEN E; CLARK, STEVEN C; LARACUENTE, HABACUC; LOPEZ, ANDRES; STEPHANY, ERIK R; TOVAR, RAFAEL; Valdez, Luis S; RODRIGUEZ, BENJAMIN; Etling, John E; Natividad, Frank; Perez, Ubaldo; LEDEZMA, ARMANDO; LEMUS, MIGUEL A; SESSION, SHONE D; Roberts, Robin J; Dickey, Johnathan E; RIVERA4, LUIS; DUTTON, JULIE L; Sermenon, Heidi M; Mayer, Rachel S; Hollemans, Sarah M; Maloney, Kathleen M; Sassine, Sadiya
Cc: Villena, Daniel A; Miller, Rebecca E; Karim, Fariyah Q
Subject: RE: Follow-up Interview Procedures

All –

One important thing about re-interviews. You MUST read a summary of the applicant's testimony at the end of the re-interview. You only need to summarize what the applicant testified to at the re-interview, but this is a requirement for all credible fear interviews.

Thank you!

Lisa

From: Andre, Lisa S
Sent: Thursday, September 19, 2019 6:42 PM
To: Hernandez, Ruth N <ruth.n.hernandez@uscis.dhs.gov>; Espinoza, Salvador H <salvador.h.espinoza@uscis.dhs.gov>; Gutierrez, Ervey <ervey.gutierrez@uscis.dhs.gov>; Quinones, Eugenio Jr <eugenio.quinones@uscis.dhs.gov>; Sanchez, Eric A <eric.a.sanchez@uscis.dhs.gov>; [REDACTED] (b)(7)(c)
[REDACTED]
[REDACTED]; Valdez, Luis S <luis.s.valdez@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Etling, John E <john.e.etling@uscis.dhs.gov>; Natividad, Frank <frank.natividad@uscis.dhs.gov>; Perez, Ubaldo <ubaldo.perez@uscis.dhs.gov>; [REDACTED]
[REDACTED]
[REDACTED]; Roberts, Robin J <robin.j.roberts@uscis.dhs.gov>; Dickey, Johnathan E <johnathan.e.dickey@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Sermenon, Heidi M <heidi.m.sermenon@uscis.dhs.gov>; Mayer, Rachel S <rachel.s.mayer@uscis.dhs.gov>; Hollemans, Sarah M <Sarah.M.Hollemans@uscis.dhs.gov>; Maloney, Kathleen M <kathleen.m.maloney@uscis.dhs.gov>; Sassine, Sadiya <sadiya.sassine@uscis.dhs.gov>
Cc: Villena, Daniel A <daniel.a.villena@uscis.dhs.gov>; Miller, Rebecca E <rebecca.e.miller@uscis.dhs.gov>; Karim, Fariyah Q <fariyah.q.karim@uscis.dhs.gov>
Subject: Follow-up Interview Procedures

Hi all –

We have been getting a lot questions about what needs to be done when you complete a follow-up interview. I want to start by mentioning that we are trying, to the extent possible, to return substantive follow-up interviews to the original interviewing officer. To some extent, we are also trying to do the same with the FDNS follow-up interviews

but given their volume that is a bit more challenging.

When you do a follow-up interview for any reason, you need to re-do some of the forms as well as Global. If you let your SAO know, they can remove the decision so you can add the new interview date and your new decision. The following needs to be done to the forms:

- The I870 needs to have the new interview date and interpreter added, and consultant if they have a different one. You will then sign the last page of I870 and date it for today. You do not have to change anything else on this form unless you are changing the decisions.
- The checklist has to be updated if there are new facts during the re-interview that are relevant to the decision analysis.
- A new NTA needs to be submitted *only if* the one in the file was dated. If you change the decision to a negative, you will have to create those service documents instead of the NTA.

You should all be uploading you files to Global which means that you should be able to grab all the original documents from there and easily edit them.

I hope you all find this useful. Let us know if you have any questions.

Thanks!

Lisa

Andre, Lisa S

From: Andre, Lisa S
Sent: Friday, September 20, 2019 2:49 PM
To: Hernandez, Ruth N; Espinoza, Salvador H; Gutierrez, Ervey; Quinones, Eugenio Jr; Sanchez, Eric A; VALDEZ, JACOB B; DOUGHERTY, STEPHEN E; CLARK, STEVEN C; LARACUENTE, HABACUC; LOPEZ, ANDRES; STEPHANY, ERIK R; TOVAR, RAFAEL; Valdez, Luis S; RODRIGUEZ, BENJAMIN; Etling, John E; Natividad, Frank; Perez, Ubaldo; LEDEZMA, ARMANDO; LEMUS, MIGUEL A; SESSION, SHONE D; Roberts, Robin J; Dickey, Johnathan E; RIVERA4, LUIS
Cc: Miller, Rebecca E; Karim, Farihah Q; Villena, Daniel A; Maloney, Kathleen M
Subject: Trafficking Exception to the IFR

Hi all –

You've all doing a good job covering the exception to the IFR, but the trafficking exception may be a little broader than you realize so please be sure to ask questions about their home country as well as their journey to the U.S. Examples of questions that can be asked to cover this exception include:

- Did you pay any money to come to the U.S? How did you get that money? Did you have to do anything in exchange for the money? Do you still owe money for your journey? If so, is there anything specific you have to do to pay it back?
- Do you owe money to anyone for any other reason? If so, do you have to do anything specific to pay it back?
- Have you ever been forced to work or to do anything against your will? (either on the journey or in their home country)

Remember to follow-up on any affirmative responses and to get enough details to determine if the exception applies. If you are not sure if you have asked enough, please reach out to one of the supervisors.

Thanks,
Lisa

Alexander, Shannon

From: Alexander, Shannon
Sent: Friday, September 20, 2019 3:08 PM
To: McPherson, Yaniece A; Aguilar, Kimberly M
Cc: Roberts, Rhonda J; Klayman, Amy S; Papazian, Varsenik L; Pueschel, Tracy W; Timothee, Fritz G; Patterson, Sean A (Andy)
Subject: RE: Reassignment to Dilley

(b)(6)
Wednesday it is. I will let them know.

Thank you!

Best,

Shannon

From: McPherson, Yaniece A <Yaniece.A.McPherson@uscis.dhs.gov>
Sent: Friday, September 20, 2019 3:47 PM
To: Alexander, Shannon <shannon.alexander@uscis.dhs.gov>; Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>
Cc: Roberts, Rhonda J <Rhonda.J.Roberts@uscis.dhs.gov>; Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; Papazian, Varsenik L <Varsenik.L.Papazian@uscis.dhs.gov>; Pueschel, Tracy W <Tracy.L.Pueschel@uscis.dhs.gov>; Timothee, Fritz G <Fritz.G.Timothee@uscis.dhs.gov>; Patterson, Sean A (Andy) <Sean.A.Patterson@uscis.dhs.gov>
Subject: RE: Reassignment to Dilley

Hi Shannon, (b)(6)

Thanks,

Yaniece McPherson
SAPSO

From: Alexander, Shannon <shannon.alexander@uscis.dhs.gov>
Sent: Friday, September 20, 2019 1:53 PM
To: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>; McPherson, Yaniece A <Yaniece.A.McPherson@uscis.dhs.gov>
Cc: Roberts, Rhonda J <Rhonda.J.Roberts@uscis.dhs.gov>; Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; Papazian, Varsenik L <Varsenik.L.Papazian@uscis.dhs.gov>; Pueschel, Tracy W <Tracy.L.Pueschel@uscis.dhs.gov>; Timothee, Fritz G <Fritz.G.Timothee@uscis.dhs.gov>; Patterson, Sean A (Andy) <Sean.A.Patterson@uscis.dhs.gov>
Subject: RE: Baez Reassignment to Dilley

Kim,

Best,

(b)(6)

Shannon

From: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>

Sent: Friday, September 20, 2019 1:04 PM

To: Alexander, Shannon <shannon.alexander@uscis.dhs.gov>; McPherson, Yaniece A <Yaniece.A.McPherson@uscis.dhs.gov>

Cc: Roberts, Rhonda J <Rhonda.J.Roberts@uscis.dhs.gov>; Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; Papazian, Varsenik L <Varsenik.L.Papazian@uscis.dhs.gov>; Pueschel, Tracy W <Tracy.L.Pueschel@uscis.dhs.gov>; Timothee, Fritz G <Fritz.G.Timothee@uscis.dhs.gov>; Patterson, Sean A (Andy) <Sean.A.Patterson@uscis.dhs.gov>

Subject: RE: [REDACTED] Reassignment to Dilley

Thank you Shannon— (b)(6)

Kimberly Aguilar
Deputy Director, Miami Asylum Office
Citizenship and Immigration Services
Phone: [REDACTED] (b)(6)

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From: Alexander, Shannon <shannon.alexander@uscis.dhs.gov>

Sent: Friday, September 20, 2019 1:02 PM

To: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>; McPherson, Yaniece A <Yaniece.A.McPherson@uscis.dhs.gov>

Cc: Roberts, Rhonda J <Rhonda.J.Roberts@uscis.dhs.gov>; Hussey, Jedidah M <Jedidah.M.Hussey@uscis.dhs.gov>; Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>

Subject: RE: [REDACTED] Reassignment to Dilley

Hi Kim, (b)(6)

Best,

Shannon

From: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>

Sent: Friday, September 20, 2019 1:01 PM

To: Alexander, Shannon <shannon.alexander@uscis.dhs.gov>; McPherson, Yaniece A <Yaniece.A.McPherson@uscis.dhs.gov>

Cc: Roberts, Rhonda J <Rhonda.J.Roberts@uscis.dhs.gov>; Hussey, Jedidah M <Jedidah.M.Hussey@uscis.dhs.gov>; Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>

Subject: RE: [REDACTED] Reassignment to Dilley

Hi Shannon— (b)(6)

Kimberly Aguilar
Deputy Director, Miami Asylum Office
Citizenship and Immigration Services
Phone: [REDACTED] (b)(6)

This communication is intended for the sole use of the individual to whom it is addressed and may contain Limited Official Use Only Information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). If the reader of this communication is not the intended recipient or the employee or agent for delivering the communication to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you received this communication in error, please notify the sender immediately by telephone and destroy this transmission according to applicable DHS Policy and Instruction.

From: Alexander, Shannon <shannon.alexander@uscis.dhs.gov>

Sent: Friday, September 20, 2019 12:59 PM

To: Hussey, Jedidah M <Jedidah.M.Hussey@uscis.dhs.gov>; Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>; Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>

Cc: Roberts, Rhonda J <Rhonda.J.Roberts@uscis.dhs.gov>

Subject: [REDACTED] Reassignment to Dilley

Importance: High

(b)(6)
Dear Teams ZAR and ZMI,

Thank you both for all of your work with the BPAs.

Thank you!

Best,

Shannon Alexander
Asylum Officer
Asylum Training Division
DHS/USCIS/RAIO

Cube: [REDACTED]
Cell: [REDACTED] (b)(6)

Maloney, Kathleen M

From: Maloney, Kathleen M
Sent: Tuesday, September 24, 2019 8:53 AM
To: Hernandez, Ruth N; Espinoza, Salvador H; Gutierrez, Ervey; Quinones, Eugenio Jr; Sanchez, Eric A; VALDEZ, JACOB B; DOUGHERTY, STEPHEN E; CLARK, STEVEN C; LARACUENTE, HABACUC; LOPEZ, ANDRES; STEPHANY, ERIK R; TOVAR, RAFAEL; Valdez, Luis S; RODRIGUEZ, BENJAMIN; Etling, John E; Natividad, Frank; Perez, Ubaldo; LEDEZMA, ARMANDO; RIVERA4, LUIS; LEMUS, MIGUEL A; SESSION, SHONE D; Roberts, Robin J; Dickey, Johnathan E; DUTTON, JULIE L; Baez, Jonathan; GARAYUA, EDGARDO; Hollemans, Sarah M; Hendrickson, Laura D; Vagle, Ruhee V
Cc: Douglas, Audrey M; Andre, Lisa S; Karim, Fariyah Q; Grady Madera, Adrianne M; Sassine, Sadiya
Subject: Training Schedule - 25 Sept - CAT Refresher
Attachments: CAT Training - Case 3 v.3.pdf; CAT Training - Case 1.pdf; CAT Training - Case 2.pdf

Invite from Melodee Baines to follow. You will not have interviews schedule during this time to allow you to watch the CAT Refresher training. Let me know if you have any questions.

Best,
Kathleen

From: Baines, Melodee M <melodee.m.baines@uscis.dhs.gov> **On Behalf Of** TrainingOfficers.ZHN
Sent: Tuesday, September 24, 2019 8:25 AM
To: #ZHN-SAOandAO <#ZHN-SAOandAO@uscis.dhs.gov>; #ZHNFDNSOfficers <#ZHNFDNSOfficers@uscis.dhs.gov>
Cc: Schantz, Kerri L <Kerri.L.Schantz@uscis.dhs.gov>; Smith, Montgomery E (Monty) <Montgomery.Smith@uscis.dhs.gov>; Redwan, Samti <samti.redwan@uscis.dhs.gov>; Wiseman-Ford, Amy S <Amy.S.Wiseman-Ford@uscis.dhs.gov>; Willis, Shaun D <shaun.willis@uscis.dhs.gov>; Shaffer, Elizabeth H <elizabeth.h.shaffer@uscis.dhs.gov>; Nelson, Penelope E <penelope.e.nelson@uscis.dhs.gov>; Abdul-Mumuni, Sidik <sidik.abdul-mumuni@uscis.dhs.gov>; TrainingOfficers.ZHN <trainingofficers.zhn@uscis.dhs.gov>; Maksutov, Ruslan <ruslan.maksutov@uscis.dhs.gov>; Morgan, Jillian D <jillian.d.morgan@uscis.dhs.gov>; Sanchez, Eric A <eric.a.sanchez@uscis.dhs.gov>
Subject: Training Schedule - 25 Sept - CAT Refresher

Hello,

Below is the schedule for tomorrow, **25 September, 2019**, listed in Central Daylight Time. **THIS TRAINING IS REQUIRED. IF YOU ARE NOT ABLE TO ATTEND, PLEASE CONTACT THE TRAINING OFFICERS ABOUT A MAKE-UP SESSION.**

Per Rhonda J. Roberts, Asylum Division Training Branch Chief:

This training is required for asylum officers, senior asylum officers, training officers, supervisory asylum officers, section chiefs, and others who may need this training to aid in carrying out their duties.

Time	Topic	Location, Comments
1:00–1:30 p.m.	CAT recorded webinar	Own workstation via

DHS-19-1398-B, 19-1400-A-000378

		<u>Webex</u>
1:30–3:30 p.m.	CAT Practical Exercises	Own workstation via <u>Webex</u> & feel free to work in small groups with neighbors
Any remaining time	Mandatory PALMS Training • <u>USCIS Privacy Awareness Training</u> (there is no Test-Out) • <u>Security Awareness Training</u> / <u>Security Awareness Training Test-Out</u> • <u>DHS MANDATORY: No Fear Act Training</u> / <u>DHS MANDATORY: No Fear Act Training Test-Out</u> • <u>VAWA: Confidentiality and Immigration Remedies</u> (there is no Test-Out)	Own workstation via PALMS

Downtown, telework, and TDY officers:

Downtown and telework officers will attend the training virtually using **Webex**. Asylum officers on temporary detail may complete the training if their schedules allow.

The importance of training:

Recognizing the need to keep abreast of country conditions and changes in asylum law and procedure, the Asylum Division requires each Asylum Office to set aside 10 percent of the workweek (4 hours per week) for training purposes. The substantial amount of time allocated by the Asylum Program to training is unique within USCIS and reflects the Asylum Division's commitment to achieving quality.

When it's time, join your Webex meeting here.

Meeting number (access code)

Meeting password: (b)(6)

Join

Join by phone

Tap to call in from a mobile device (attendees only)

(b)(6) US Toll
 US Toll

Global call-in numbers

Join from a video system or application

Dial (b)(6)

Join using Microsoft Lync or Microsoft Skype for Business

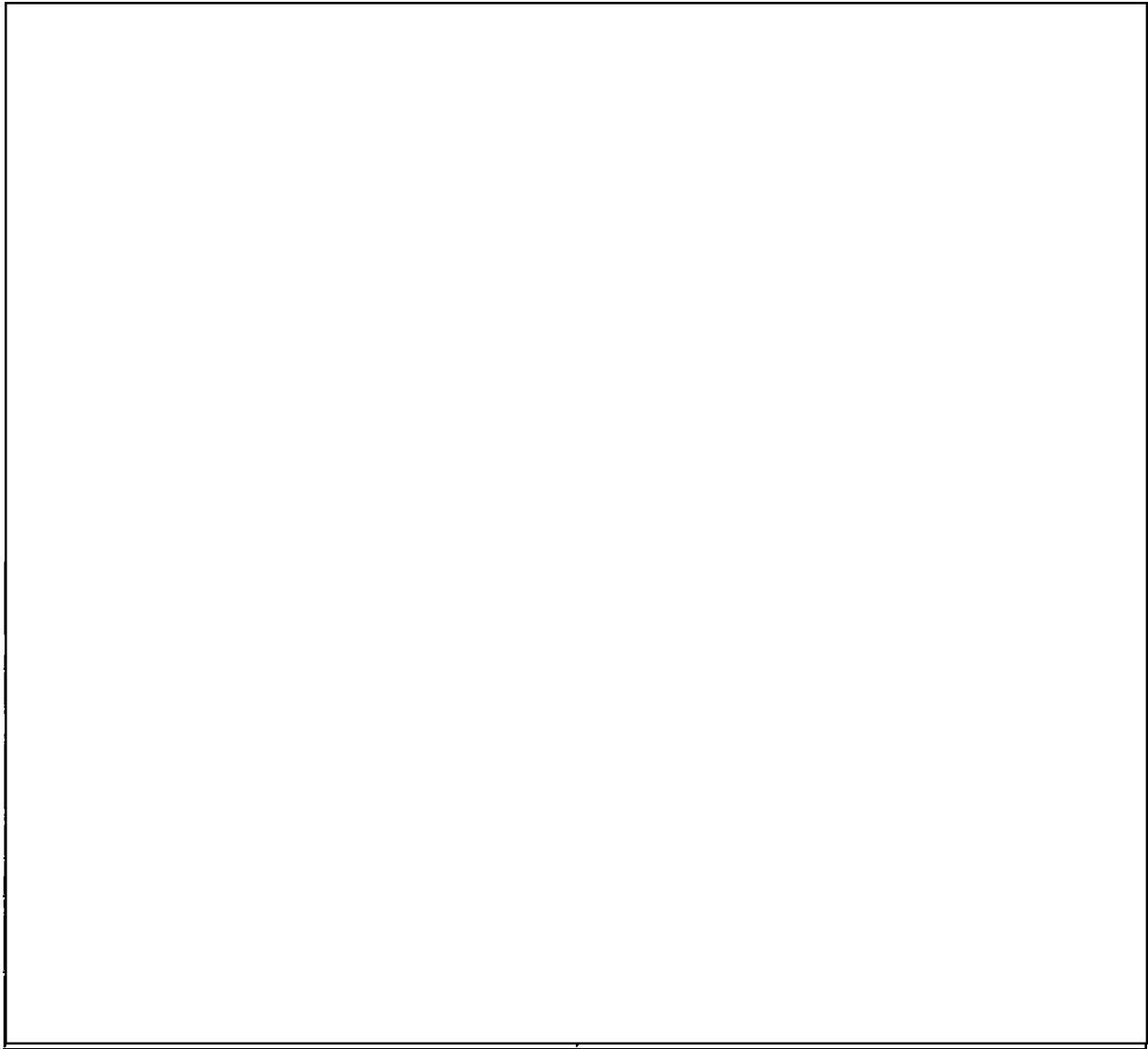
Dia (b)(6)

Need help? Go to <http://help.webex.com>

Training Officer Team | Houston Asylum Office | trainingofficers.zhn@uscis.dhs.gov

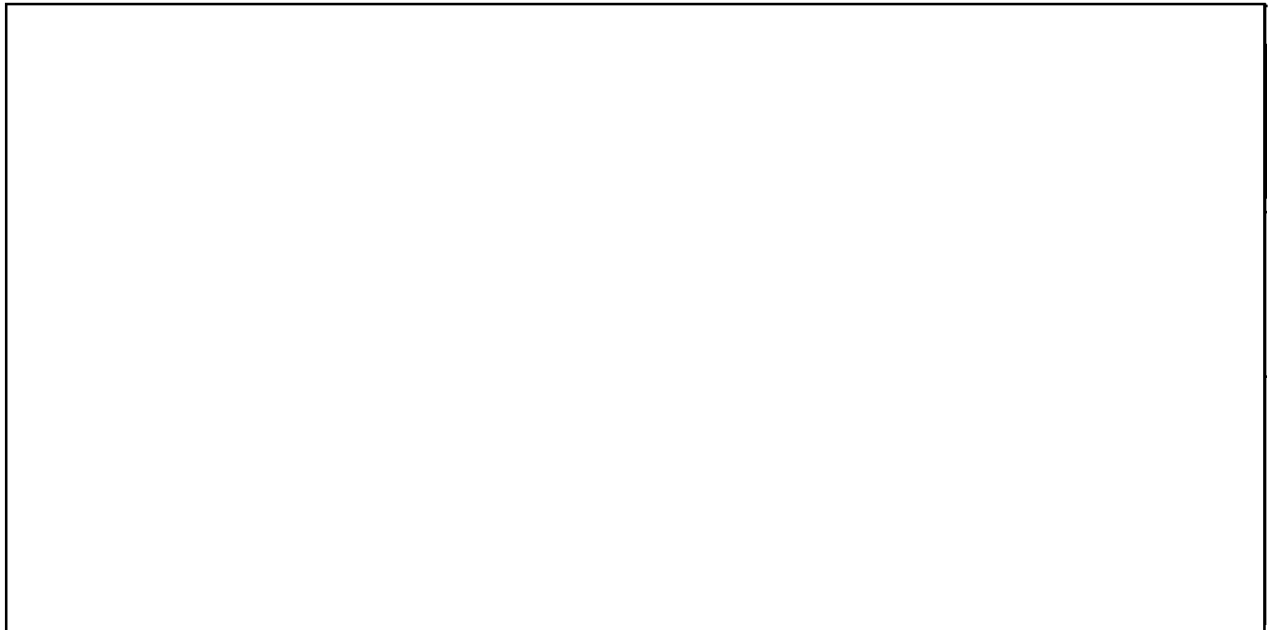


(b)(6)



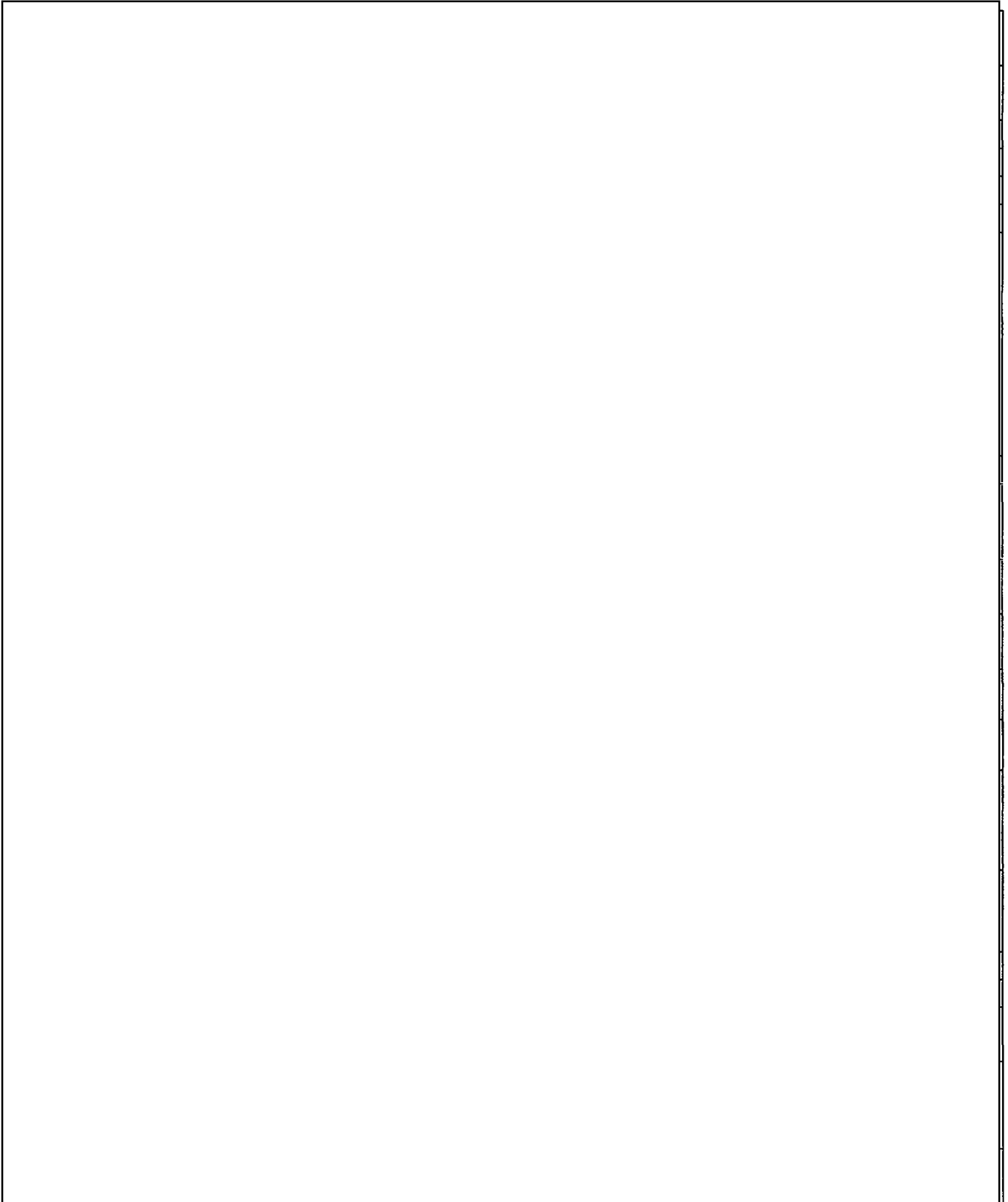
Well-Founded Fear

(b)(6)



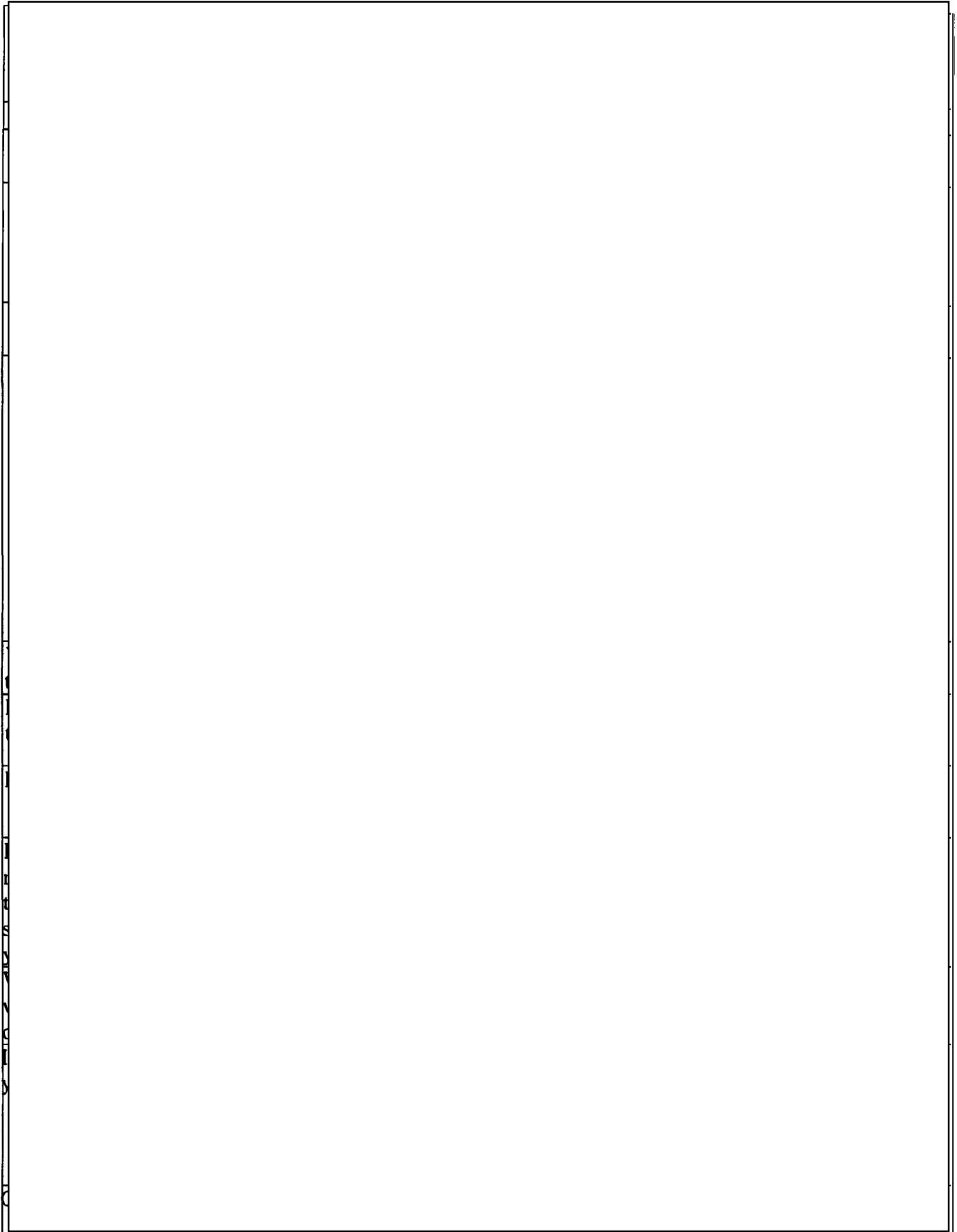
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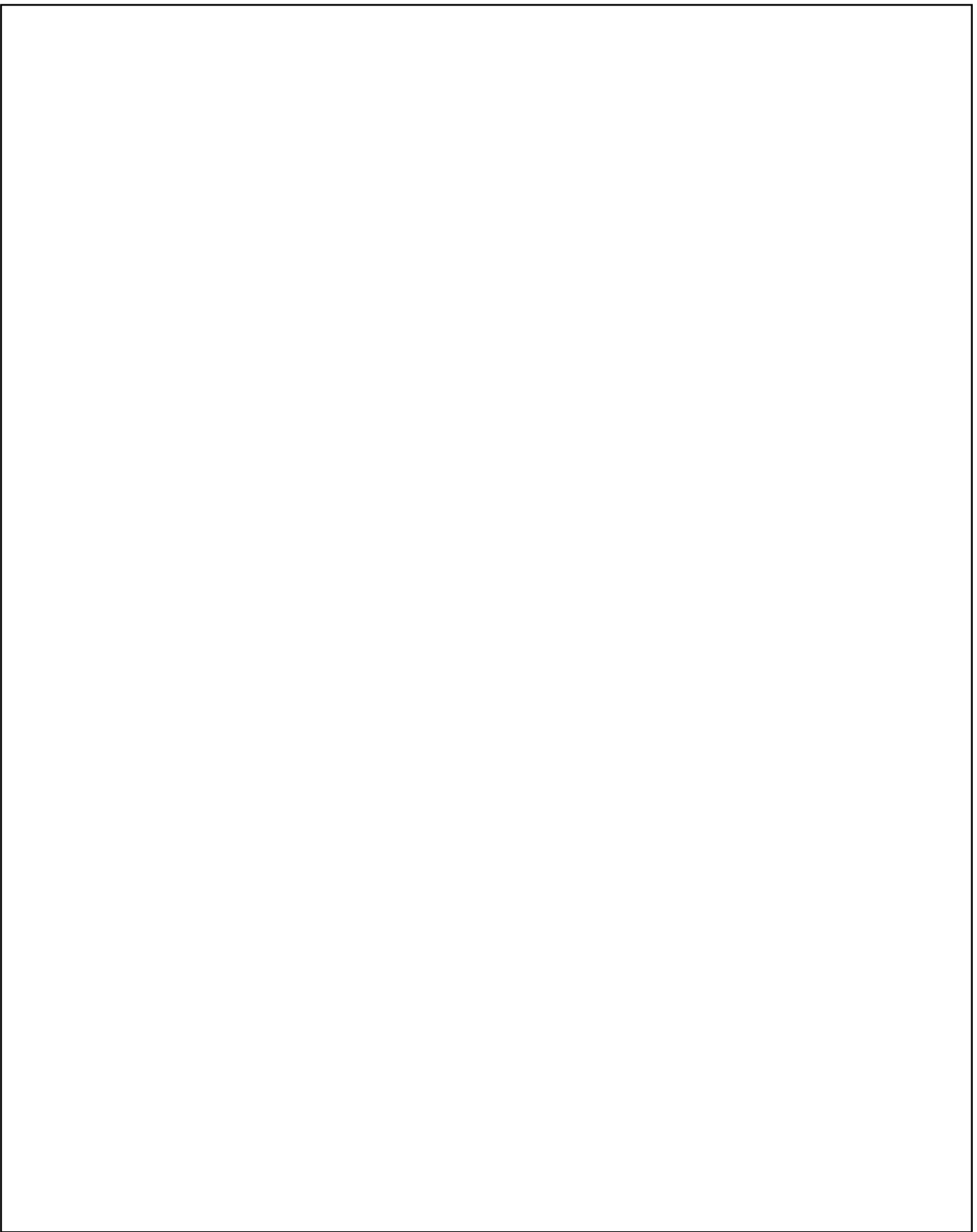
(b)(6)

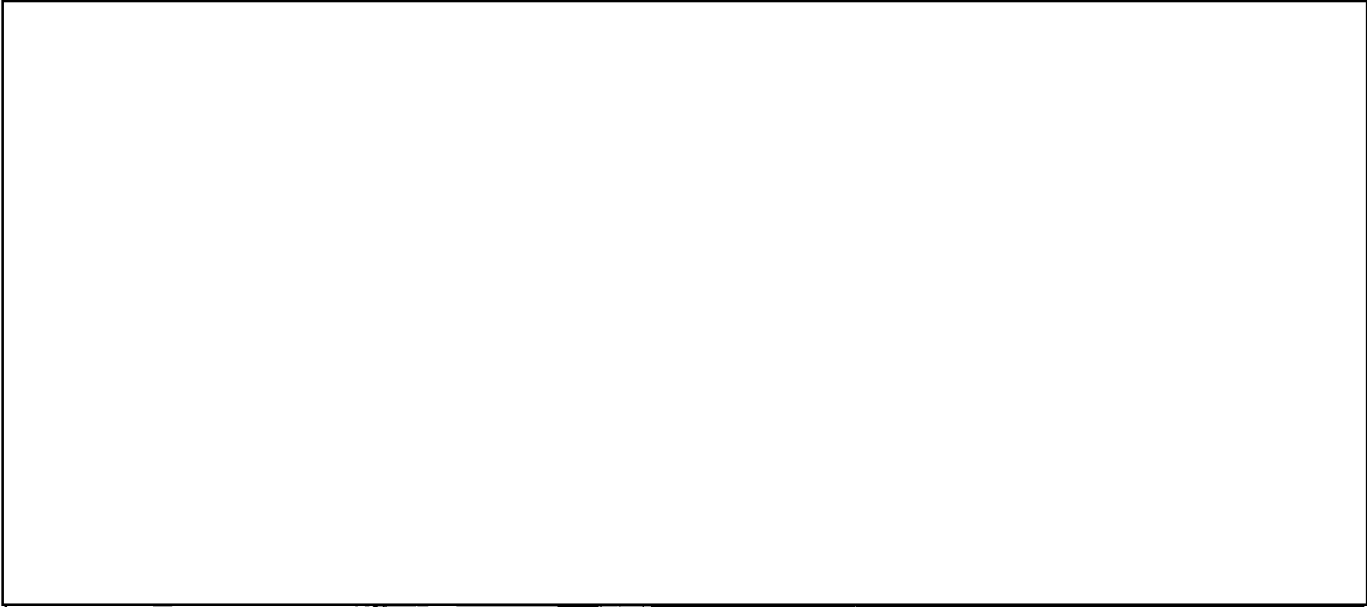


N

D
A
Office: ZHN

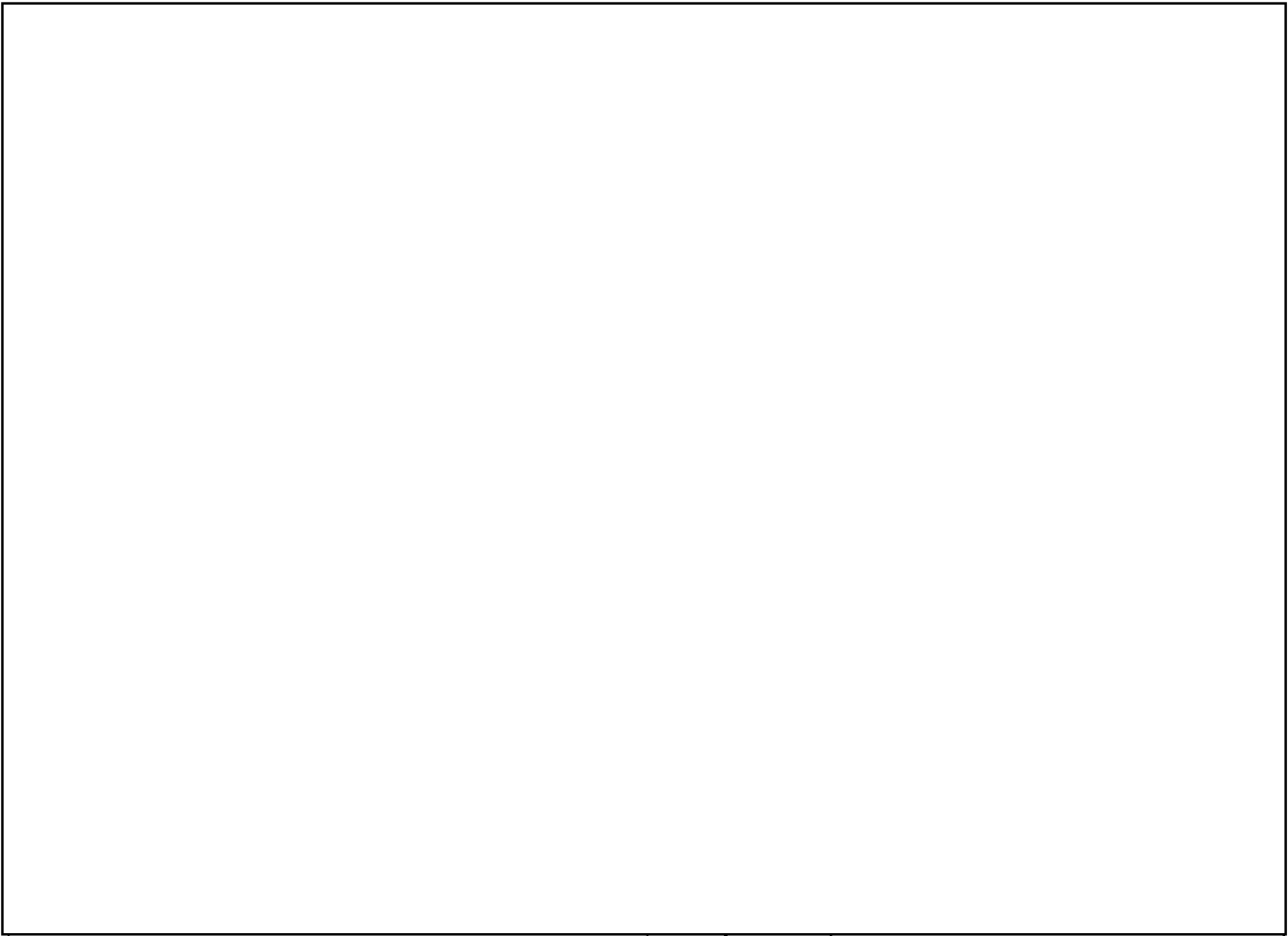






(b)(6)

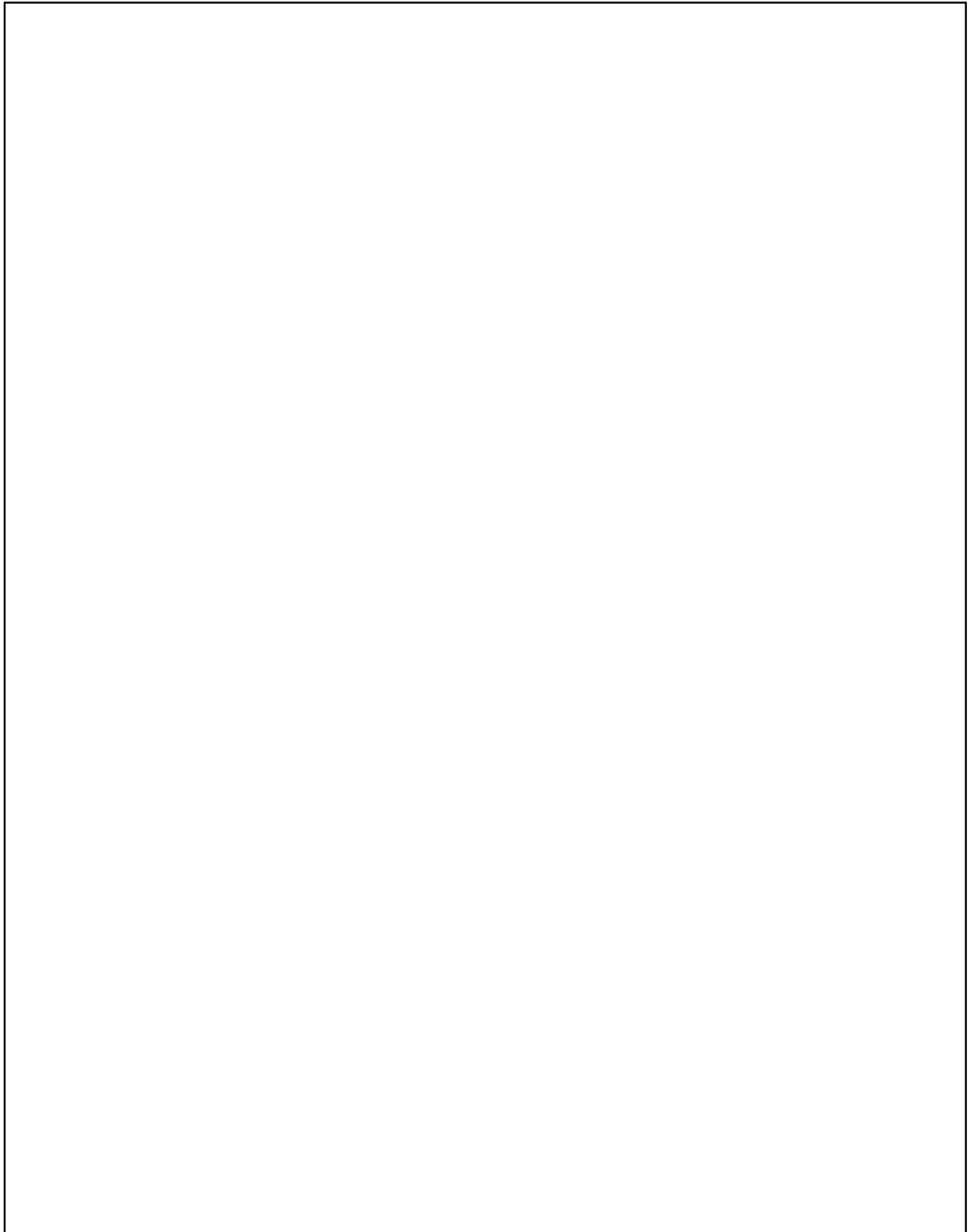
Future Harm



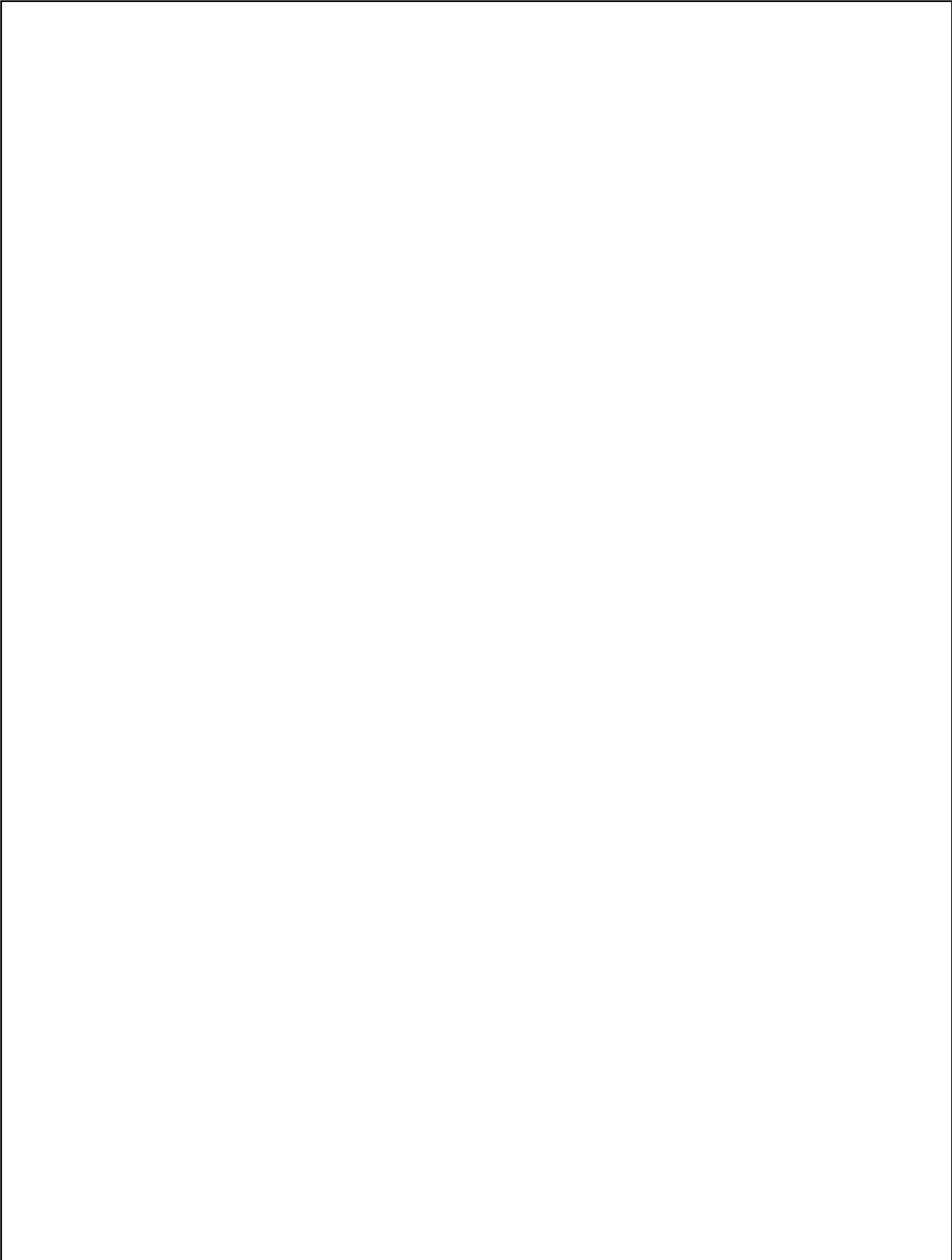
Nexus Questions

(b)(6)

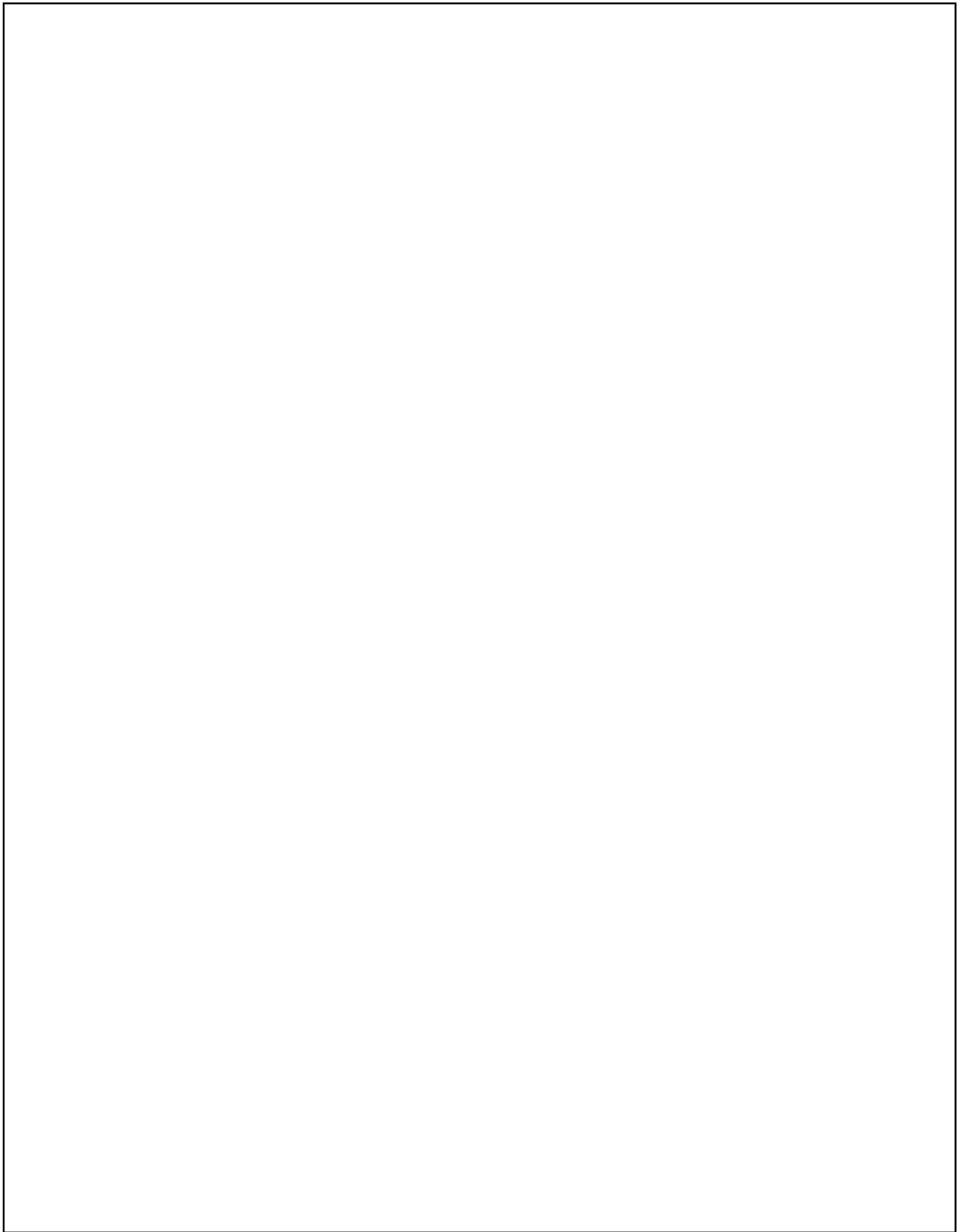
CAT



(b)(6)



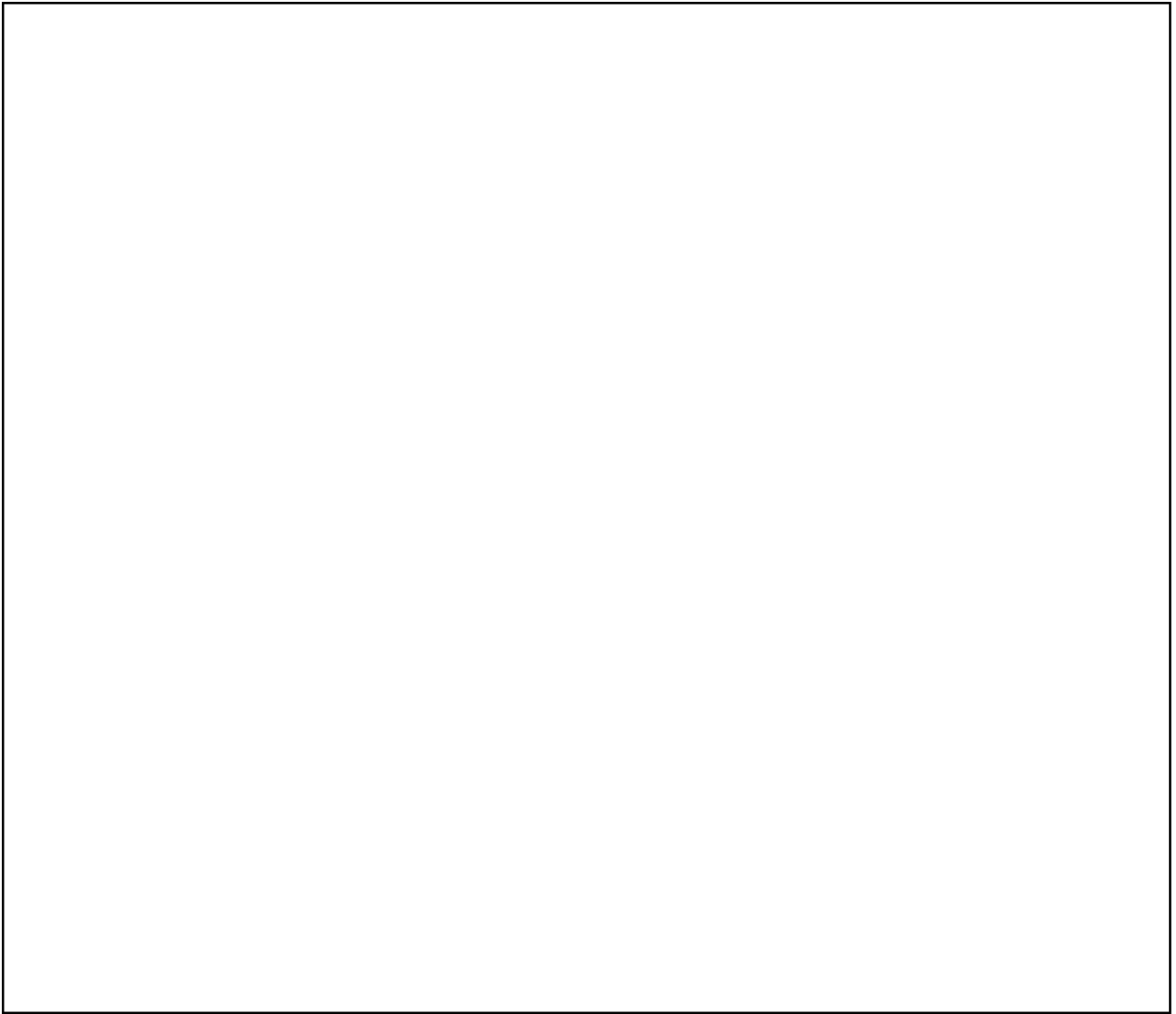
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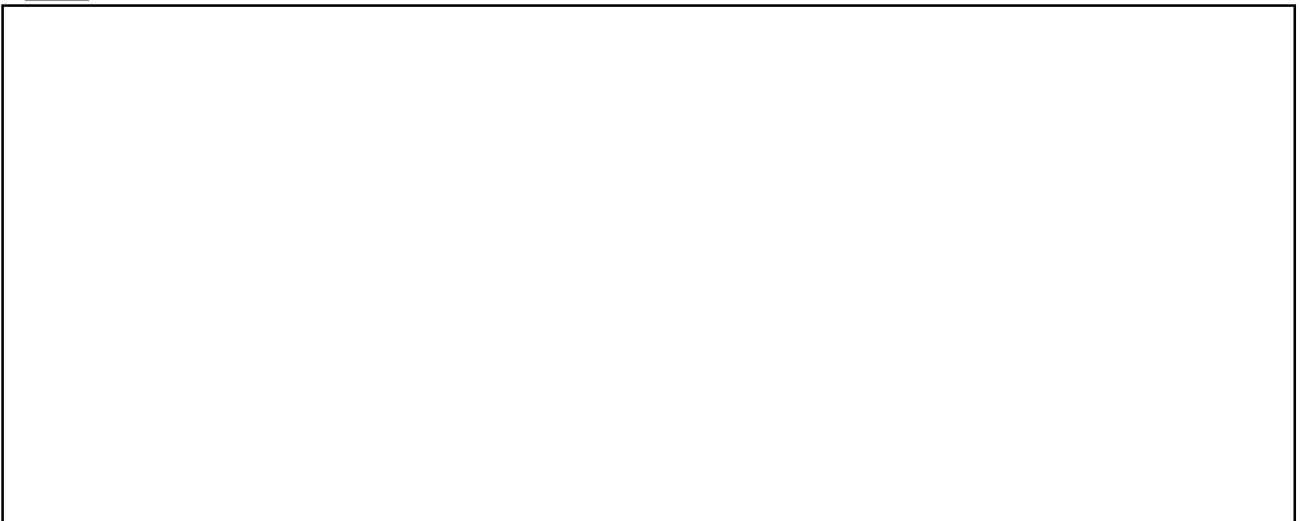


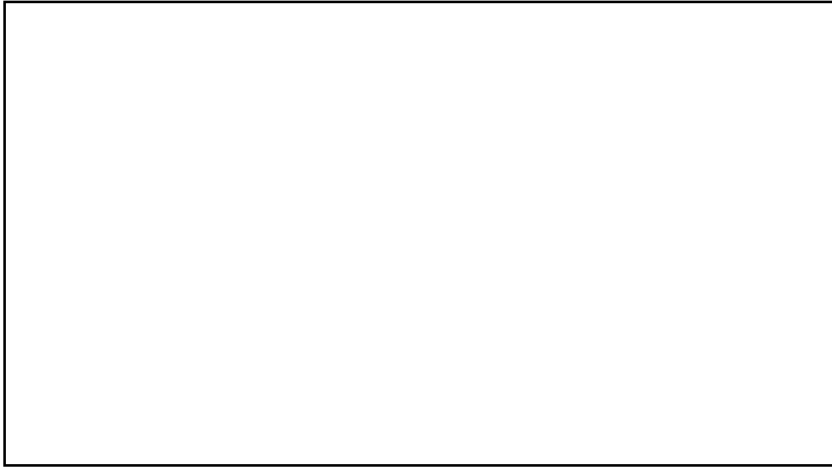
(b)(6)



(b)(6)

CAT





(b)(6)

Andre, Lisa S

From: Andre, Lisa S
Sent: Tuesday, September 24, 2019 2:03 PM
To: Hernandez, Ruth N; Espinoza, Salvador H; Gutierrez, Ervey; Quinones, Eugenio Jr; Sanchez, Eric A; VALDEZ, JACOB B; DOUGHERTY, STEPHEN E; CLARK, STEVEN C; LARACUENTE, HABACUC; LOPEZ, ANDRES; STEPHANY, ERIK R; TOVAR, RAFAEL; Valdez, Luis S; RODRIGUEZ, BENJAMIN; Etling, John E; Natividad, Frank; Perez, Ubaldo; LEDEZMA, ARMANDO; LEMUS, MIGUEL A; SESSION, SHONE D; Roberts, Robin J; Dickey, Johnathan E; RIVERA4, LUIS; DUTTON, JULIE L; Sermenon, Heidi M; Mayer, Rachel S; Hollemans, Sarah M; Maloney, Kathleen M; Sassine, Sadiya
Cc: Miller, Rebecca E; Karim, Fariyah Q
Subject: Reminder re Inconsistency with BP documents

Hi all –

Just a little reminder that you are required to ask the applicants about any inconsistencies between their testimony and the answers found on the CBP documents (I-213, I-867). Many of you are forgetting to ask about this and it is causing additional follow-up interviews. If you're not sure if there is an inconsistency, please just ask for clarification anyways.

Thanks,
Lisa

Maloney, Kathleen M

From: Maloney, Kathleen M
Sent: Tuesday, September 24, 2019 10:26 PM
To: Roberts, Rhonda J; Alexander, Shannon; Hernandez, Ruth N; Espinoza, Salvador H; Gutierrez, Ervey; Quinones, Eugenio Jr; Sanchez, Eric A; VALDEZ, JACOB B; DOUGHERTY, STEPHEN E; CLARK, STEVEN C; LARACUENTE, HABACUC; LOPEZ, ANDRES; STEPHANY, ERIK R; TOVAR, RAFAEL; Valdez, Luis S; RODRIGUEZ, BENJAMIN; Etling, John E; Natividad, Frank; Perez, Ubaldo; LEDEZMA, ARMANDO; RIVERA4, LUIS; LEMUS, MIGUEL A; SESSION, SHONE D; Roberts, Robin J; Dickey, Johnathan E; DUTTON, JULIE L; GARAYUA, EDGARDO; Baez, Jonathan; Hollemans, Sarah M; Vagle, Ruhee V; Hendrickson, Laura D; Casey, Neil J
Cc: Douglas, Audrey M; Andre, Lisa S; Miller, Rebecca E; Karim, Farihah Q; TrainingOfficers.ZHN; Maalona, John L; Maloney, Kathleen M
Subject: Useful information while at Dilley and additional instructions re: the training tomorrow
Attachments: Joinder Job Aid.msg; Detention and Court Addresses and Codes.pdf; Credibility sample language-HQ.docx; CARA reschedule requests.msg; Acting FDNS Officer - 9/16 - 9/26/2019.msg; G-28 from CARA.jpg; Template for child interviews.docx; IFR_SHELL_.docx; AVAYA phone info.docx; CAT Suggested Questions for police acquiescence.tif; Instructions.tif; BISC.dotm; In-Person Procedures for USBP at Dilley 9.25.19.docx; Telephonic Procedures for USBP at Dilley 9.25.19.docx; Checklist Writing.docx

Good evening,

We hope you have been enjoying your time at Dilley! This e-mail contains resources for your adjudications. There is one main document that I would like you to review called Procedures for USBP at Dilley. (It is separated out based on if you are doing in-person or telephonic interviews.) Also, I think you will find the checklist writing document useful.

I will need to record that each of you has completed tomorrow's training. If you are at Dilley, I will ask you to sign a sign-in sheet located in my office. If you are watching the training at another location, please e-mail me when you finished watching the training. If you are on-leave tomorrow, you will not be allowed to move forward with interviews until you complete the training.

If you have any questions, please reach out to me anytime. My office is in asilo, but I'm usually back and forth between the two buildings.

Best,
Kathleen

Avaya Phones – Merging Calls & Dropping Calls

If you are on a telephonic interview and you intend to speak to anyone beside the applicant, interpreter and lawyer/consultant you must put the telephone on mute. That is the button in the bottom right showing a telephone and a line through it.

You're on a call (e.g. detention facility) and want to add another party to the call (interpreter – attorney):

1. Hit Conference button
2. Call additional party



Conference button

Wait until you have an interpreter on the line. If the service does not have an interpreter, hit the Drop and repeat instructions above.



Drop button

To add an attorney, repeat the instructions above.

Dropping the call you just merged:

For example you merge lines with the applicant when calling the attorney and it goes to voicemail; now want to drop the attorney off the merged call:

1. **Press the transfer** on the phone - this will separate the merged call
2. Then press the **button next to the line** you want to drop

Credible Fear/Reasonable Fear Background Identity and Security Checklist

Name (LN1, LN2, Fn, Mn):			
Aliases or Alternate DOBs (If any):			
A-Number(s):		Date of Birth:	
Memo of Adverse Information Completed:		Results Pending at Time of Decision:	
☐ NO ☐ YES		☐ FBI Name Check ☐ FBI Fingerprint Check	
Mandatory Bar Flagged in Adjudication Tab		☐ NO ☐ YES Reason:	
BIOGRAPHIC CHECKS			
TECS: Must be completed for individuals age 14 and over on the primary name and DOB only			
Date/Initials	☐ Under age 14 (no TECS required) ☐ TECS check complete (Required) Documentation: ☐ CBP or ICE TECS results attached Date: _____ ☐ Manual CBP/ICE Person Query printouts ☐ I-213 ☐ Other evidence: _____ ☐ Checks tab print-out with TECS results attached (For "No Hit" results only; manual query required for "Hit" results) ☐ Manual Person Query printouts attached ☐ ROIT attached (required for all manual queries)		
9/20/2019	☐ No Hit Found ☐ DNR (Record Found Does Not Relate to Applicant) ☐ Hit (Record Found that Relates to Applicant) ☐ Hit Resolution Memorandum attached		
FBI Name Check: Must be initiated for individuals age 14-79 on the primary name and DOB only			
Date/Initials	☐ Under age 14 (no name check required) ☐ Over age 79 (no name check required) ☐ FBI Name Check Initiated (Required) Documentation: ☐ Checks tab print-out attached		
9/20/2019	☐ No Record ☐ Result not yet returned ☐ Positive Response ☐ LHM/FBI response attached (if available) ☐ LHM/FBI response not yet received ☐ Classified LHM/FBI response received (not attached)		
BIOMETRIC CHECKS			
FBI Fingerprint Check: Must be initiated for all individuals age 14 and over			
Date/Initials	☐ Under age 14 (No FBI Fingerprint check required) ☐ No evidence of fingerprint check; Arranged for ICE to initiate fingerprint check (Required prior to serving I-862 or I-863 when no evidence of FBI FP check can be found) ☐ Fingerprint Check Initiated Date: _____ Documentation: ☐ Fingerprint Card ☐ I-213 ☐ Other evidence: _____		
9/20/2019	☐ NEGATIVE/NONIDENT ☐ POSITIVE/IDENT ☐ If available, criminal history records attached (RAP sheet/IdHS, court dispositions, etc.)		
DHS-IDENT Encounter Search (access through CPMS-IVT): FIN or A# search must be completed for all individuals age 14 and over			
Date/Initials	☐ Under age 14 (search not required) ☐ FIN or A# search completed (printouts attached) ☐ No encounters found ☐ Contacted ICE to Enroll Applicant in DHS-IDENT (Required only when DHS-IDENT record cannot be found) ☐ One or more encounters found		
9/20/2019	Mark All Applicable Encounter Result Types: ☐ Watchlist ☐ Recidivist ☐ DHS Apprehension Encounters ☐ Other Applications (USCIS benefits or DOS visas) ☐ Other _____		
Identity Verification (Required For All Non-Detained Applicants Interviewed in person at a USCIS Office)			
Date/Initials	☐ CPMS-IVT Biometric Verification Completed ☐ Visual Verification Completed (Under age 14 ONLY) ☐ Identity Mismatch (screen(s) attached) – cannot be interviewed without resolution. Explain steps taken to resolve below:		
☐ CHECK HERE IF THERE IS CLASSIFIED INFORMATION ON THIS CASE.			
BACKGROUND IDENTITY AND SECURITY CHECK CLEARED FOR ADJUDICATION:			
AO: _____		DATE: <u>9/20/2019</u> SAO CONCURRENCE _____ DATE: _____	

From:

Subject: CARA reschedule requests

Attachments: CARA request for more time to speak to a lawyer.pdf; FW: Immediate implementation - Timing of the CF interview after arrival at a detention facility + Handling of requests to reschedule CF interviews .msg

Please see below and attached from Audrey.

Best,
Kathleen

Good morning,

Corecivic and ICE brought this to my attention today:

At the STFRC, the BP AOs are asking the residents if they are represented by counsel at the beginning of the interview. If the resident says yes, they are instructing the resident to leave and come back with their attorney. It is resulting in residents not returning for their scheduled interview.

It is appropriate for you to ask about counsel at the beginning of the interview. CARA prepares all the applicants onsite for their CFIs; that does not necessarily mean they are representing them, or that CARA has the bandwidth to provide in person rep to each applicant family group. A good example of how this exchange should go between you and the applicant is:

Q: Do you have counsel?

A: Yes, CARA helped me with my case.

Q: Are you comfortable continuing without counsel present today?

A: Yes.

If the applicant refuses to go forward without CARA, please get with your SAO and they will coordinate with Corecivic and ICE to get someone from CARA to come over for the interview. Please DO NOT affirmatively send the applicants away, or release, and delay the interview.

Thanks,
Audrey

From: Douglas, Audrey M

Sent: Tuesday, September 17, 2019 8:54 AM

To: Hernandez, Ruth N <ruth.n.hernandez@uscis.dhs.gov>; Espinoza, Salvador H <salvador.h.espinoza@uscis.dhs.gov>; Gutierrez, Ervey <ervey.gutierrez@uscis.dhs.gov>; Quinones, Eugenio Jr <eugenio.quinones@uscis.dhs.gov>; Sanchez, Eric A <eric.a.sanchez@uscis.dhs.gov>; [REDACTED] (b)(7)(c)

[REDACTED]

[REDACTED] Valdez, Luis S <luis.s.valdez@uscis.dhs.gov>; [REDACTED]
[REDACTED]; Etling, John E <john.e.etling@uscis.dhs.gov>; Natividad, Frank

<frank.natividad@uscis.dhs.gov>; Perez, Ubaldo <ubaldo.perez@uscis.dhs.gov>; [REDACTED] (b)(7)(c)

(b)(7)(c)

[redacted]; Roberts, Robin J
<robin.j.roberts@uscis.dhs.gov>; Dickey, Johnathan E <johnathan.e.dickey@uscis.dhs.gov>; [redacted]
[redacted]

(b)(7)(c)

Cc: Andre, Lisa S <Lisa.S.Andre@uscis.dhs.gov>; Villena, Daniel A <daniel.a.villena@uscis.dhs.gov>; Maloney, Kathleen M <kathleen.m.maloney@uscis.dhs.gov>; Grady Madera, Adrienne M <adrienne.m.grady-madera@uscis.dhs.gov>; Miller, Rebecca E <rebecca.e.miller@uscis.dhs.gov>; Maalona, John L <John.L.Maalona@uscis.dhs.gov>

Subject: CARA reschedule requests

Good morning,

Some of you have expressed concern that an interview should not proceed when you receive this paperwork from the applicant at Dilley.

There was a division wide policy change on 7/8/19 about reschedule requests. I will forward the email from the Chief in a separate chain. Please take time to read it today.

“The USCIS Acting Director has decided to set the minimum timeframe that an alien will have for consultation to one full calendar day after the time of arrival at all detention facilities, including the Family Residential Centers (FRCs). In practice, given USCIS business hours for conducting CF interviews, individuals will have longer than 24 hours to consult, depending on when they arrive at the facility. [...] If USCIS has already provided the alien a full calendar day, as outlined above, to consult, USCIS will normally deny requests for extensions, as unreasonably delaying the process, except in the most extraordinary circumstances.”

If you believe an extraordinary circumstance exists, please reach out to your SAO and me, and I will be the deciding official.

Thank you,

Audrey M. Douglas
Section Chief, Houston Asylum
(cell) [redacted]

(b)(6)

Estimado oficial de asilo:

No estoy lista para continuar con mi entrevista de temor creíble hoy. Le pido a la Oficina de Asilo que pospone me entrevista para tener mas tiempo para prepararme.

No he tenido tiempo de hablar con los asistentes legales en el Proyecto Dilley Por Bono sobre todos los detalles de mi caso. Tampoco he tenido tiempo de hablar con miembros de mi familia que tienen información importante sobre mi caso. Yo entiendo que tengo el derecho a hablar con cualquier persona que necesite antes de mi entrevista debajo de 8 C.F.R. § 208.30(d)(4). Me gustaría una breve extensión hasta mañana para poder consultar con la persona de mi elección.

Gracias.

Dear Asylum Officer:

I am not ready to proceed with my credible fear interview today. I am asking the Asylum Office to reschedule my interview so that I have more time to prepare.

I have not had time to speak with the legal assistants at the Dilley Pro Bono Project about all the details of my case. I also have not had time to speak with my family members who have important information about my case. I understand that I have the right to speak to anybody I need to before my interview under 8 C.F.R. § 208.30(d)(4). I would like a short delay until tomorrow so that I can consult with the person of my choosing.

Thank you.

Douglas, Audrey M

From: Douglas, Audrey M
Sent: Tuesday, September 17, 2019 8:55 AM
To: Hernandez, Ruth N; Espinoza, Salvador H; Gutierrez, Ervey; Quinones, Eugenio Jr; Sanchez, Eric A; VALDEZ, JACOB B; DOUGHERTY, STEPHEN E; CLARK, STEVEN C; LARACUENTE, HABACUC; LOPEZ, ANDRES; STEPHANY, ERIK R; TOVAR, RAFAEL; Valdez, Luis S; RODRIGUEZ, BENJAMIN; Etling, John E; Natividad, Frank; Perez, Ubaldo; LEDEZMA, ARMANDO; RIVERA4, LUIS; LEMUS, MIGUEL A; SESSION, SHONE D; Roberts, Robin J; Dickey, Johnathan E; DUTTON, JULIE L
Cc: Villena, Daniel A; Grady Madera, Adrienne M; Miller, Rebecca E; Maloney, Kathleen M; Andre, Lisa S; Maalona, John L
Subject: FW: Immediate implementation - Timing of the CF interview after arrival at a detention facility + Handling of requests to reschedule CF interviews
Attachments: Waiver of the Consultation Period (Rev. 7-8-19).docx; Updated CFPM Sections (Consultation) 7.8.19 .docx

FYI – see below and attached.

From: Lafferty, John L <John.L.Lafferty@uscis.dhs.gov>
Sent: Monday, July 8, 2019 5:37 PM
To: RAIO - Asylum Field Office Managers <RAIO-AsylumFieldOfficeManagers@uscis.dhs.gov>; RAIO - Asylum HQ <RAIO-Asylum@uscis.dhs.gov>; RAIO - Asylum Field Office Staff <RAIO-Test@uscis.dhs.gov>
Cc: Kim, Ted H <Ted.H.Kim@uscis.dhs.gov>; Higgins, Jennifer B <Jennifer.B.Higgins@uscis.dhs.gov>
Subject: Immediate implementation - Timing of the CF interview after arrival at a detention facility + Handling of requests to reschedule CF interviews

Asylum colleagues,

Effective immediately, the Asylum Division will implement consistent approaches to 1) the minimum amount of time USCIS will wait after an alien's arrival at a detention facility before conducting the credible fear (CF) interview, and 2) the consideration of requests to reschedule a CF interview. These changes are outlined in revisions to Sections III.D. and III.E. of the Credible Fear Procedures Manual, which are included in the attachment.

The USCIS Acting Director has decided to set the minimum timeframe that an alien will have for consultation to one full calendar day after the time of arrival at all detention facilities, including the Family Residential Centers (FRCs). In practice, given USCIS business hours for conducting CF interviews, individuals will have longer than 24 hours to consult, depending on when they arrive at the facility. For instance, if an alien arrives at a facility at 11 AM on a Tuesday, USCIS would not conduct the CF interview on the Tuesday or Wednesday (the full calendar day), but USCIS could proceed to scheduling the alien for a CF interview as early as any available interview time on that Thursday. If the interview was scheduled to take place before 11 AM, the alien would be interviewed in just under 48 hours after arrival at the facility. If the interview is at 11 AM or later, the alien would be interviewed 48 hours or more after arrival.

The updated Form M-444, Information About Credible Fear Interview, continues to correctly inform the alien that his or her credible fear interview "will usually occur at least 48 hours after [the aliens] arrive at the detention facility." Presently, at nearly all facilities where USCIS is asked to interview

DHS-19-1398-B, 19-1400-A-000403

aliens being detained while awaiting CF processing, the alien's CF interview is taking place well after the passage of 48 hours from the alien's arrival at the facility. When USCIS is able to proceed to an interview with an alien a bit more quickly than 48 hours after the alien's arrival, and the alien has had a full calendar day at the facility to seek to exercise his or her statutory right to consult with a person of his or her choosing, USCIS may proceed with scheduling and conducting the interview under this new guidance.

Also, please remember that an alien referred to USCIS for a credible fear interview can request to be interviewed even earlier if the alien is prepared to discuss his or her case immediately with us. A new Appendix F to the CFPM, Waiver of the Consultation Period, is attached for use.

Requests to Reschedule CF Interviews

- In conjunction with the decision on the timing of the CF interview, USCIS is also establishing a new policy that requires that an alien who is requesting to reschedule a set day and time for the CF interview must show extraordinary circumstances warranting approval of such a request so that USCIS can ensure, consistent with the statute, that the consultation period provided does not unreasonably delay the overall CF process. If USCIS has already provided the alien a full calendar day, as outlined above, to consult, USCIS will normally deny requests for extensions, as unreasonably delaying the process, except in the most extraordinary circumstances.

Asylum HQ is informing our ICE and CBP HQ contacts of these changes. Each office is asked to similarly notify your local government partners and other impacted entities.

Please submit any questions about these changes to the Asylum HQ Operations team.

John

Updated Credible Fear Procedures Manual Sections

III.D. ASYLUM OFFICE SCHEDULES INTERVIEW

1. Consultation Period (previously titled “48 Hour Hiatus”)

It is a policy of the Asylum Program to allow a minimum of one full calendar day to transpire between the arrival of an alien at a detention site or receipt of initial M-444 (whichever is later) and any credible fear interview. This consultation period provides an alien an opportunity to contact a relative, representative, attorney, or friend whom the alien may want to act as a consultant during the credible fear interview. If USCIS is prepared to proceed with the interview after the consultation period has passed, asylum offices normally will deny requests for extensions of the consultation period, as unreasonably delaying the process, except in extraordinary circumstances. Extraordinary circumstances may include, but are not limited to, serious illness or mental or physical disability of the alien, a member of the alien’s immediate family, or the alien’s consultant, and facility issues that prevent the alien from contacting a consultant.

If DHS transfers an alien to a new detention site, the consultation period begins anew from the alien’s arrival at the new detention location.

a. Waiver of Consultation Period (previously titled “Waiver of 48-Hour Period”)

Although an asylum office must wait at least one full calendar day from the alien’s arrival at a detention site or receipt of initial M-444 (whichever is later) before interviewing the alien, an alien may, at his or her request, waive the consultation period before a credible fear interview. The asylum office should make every effort to interview the alien as soon as possible after receiving such a request.

If the interview takes place within the consultation period, the APSO asks the alien to sign a *Waiver of the Consultation Period*. Appendix F: Waiver of the Consultation Period.

III.E. APSO CONDUCTS A CREDIBLE FEAR INTERVIEW.

4. Consultants

b. Failure of Consultant to Attend Interview

If the SAPSO made previous arrangements with a consultant to appear at the interview, and the consultant does not appear, the APSO may continue with the credible fear interview, with the alien’s consent. The APSO records the alien’s consent to proceed with the interview in the interview notes, and puts a “4” in box 1.15 on Form I-870, indicating that no one other than the alien and the APSO were present at the interview.

All requests by an alien to not proceed with an interview without a consultant must be handled on a case-by-case basis. USCIS normally will deny reschedule requests, as unreasonably delaying the process, except in extraordinary circumstances. Extraordinary circumstances may include, but are not limited to, serious illness or mental or physical disability of the alien, a member of the alien’s immediate family, or the alien’s consultant, and facility issues that prevent the alien from contacting a consultant.

A SAPSO may deny a request to reschedule an interview if the asylum office has documented chronic problems with a particular consultant who consistently submits rescheduling requests or fails to attend credible fear interviews.

July 8, 2019

Waiver of the Consultation Period

A-number: _____

Name: _____

- - DECLARATION OF ALIEN - -

- I was placed into the credible fear process upon seeking admission to the United States because I expressed a fear of harm upon return my country, or because I was unable to communicate with the inspecting officer at the time I applied for admission.
 - I understand that I will be interviewed by a specially-trained asylum officer to determine if I have a “credible fear of persecution” or a “credible fear of torture.” I also understand that I may have one full calendar day to consult with family members, friends or other representatives before this interview takes place.
 - I request to waive the consultation period, and have an interview with an asylum officer at the earliest possible time.
-

Alien's Last Name/Family Name (Print)

Alien's First Name (Print)

Alien's Signature

Asylum Officer's Last Name (Print)

Asylum Officer's First Name (Print)

____/____/____
Date

The contents of this form were read and explained to the alien in the _____ language.

Interpreter Used (if any):

☐ By telephone: (list interpreter service/ID number of interpreter) _____

☐ In person: I, _____, certify that I am fluent in both the _____ and English languages. I interpreted the above information completely and accurately to the alien.

Interpreter's Signature

____/____/____
Date

Acquiescence

Suggested Questions

- Did you report/go to authorities for help?
 - what did you tell them
 - what did they say they would do
 - what did they do
 - how do you know
 - Why did authorities not help?
- Have other people who were [harm] by [group] gone to authorities for help?
 - what did authorities tell them?
 - what did authorities do for them?
 - how do you know
 - why did authorities not help?
 - where did this happen
 - when did this happen
- Have you seen or heard about officials working with or being involved with [group]?
- Have you seen or heard about officials seeing [group] [harm] people and not helping them?
- Have you seen or heard about officials helping or assisting [group] in any way?
- Have you seen or heard about officials refusing to help someone who came to them for help against [group]?
- Have you seen or heard about officials refusing to help someone who they knew was being [harm] by [group]?
 - what specifically have you seen/heard?
 - where did you see/hear this?
 - if from someone else] how do they know?
 - why did authorities act this way?
 - where did this happen?
 - when did this happen?

Follow-up: Get details/how do they know

- Applicants often testify in generalizations: "everyone knows that police are corrupt" "police get bought off."
- Without more, these generalizations are assertions of an opinion, as opposed to supportive facts.
- We need to try to elicit testimony to determine if there are any supportive facts behind the generalizations, and in many cases there are. Applicants often have these opinions because of something they have observed, read, or heard.
- Example: Applicant states "everyone knows that the police are corrupt."
- We should follow-up:
 - How does everyone know the police are corrupt?
 - How did you find out that the police are corrupt?
 - What is it specifically that makes you believe that the police are corrupt?
 - Has anyone ever told you that the police are corrupt?
 - Who told you that the police are corrupt?
 - Can you tell me specifically what that person said?
 - How did that person know that?
 - Have you ever personally observed anything that makes you believe the police are corrupt?
 - What specifically did you observe?
 - How many times did you observe this happening?
 - Have you ever seen, read, or heard anything in the news that makes you believe that the police are corrupt?
 - Where did you see, hear, or read that specifically?
 - Can you tell me specifically what the newspaper article said?
- It is always best to start with more open, general questions. If the answers the applicant provides are generalizations, it is ok to ask more direct, more leading questions. Just make sure that when leading questions are asked, there is follow-up concerning the answer provided.



More Details!

- In general, we should ask follow-up to elicit sufficient details to allow us to provide appropriate weight to each assertion.
- Applicant testified: I read about corruption in the news.
 - Where did you read this specifically?
 - Can you tell me specifically what the news article states?
 - Was this news article referring to your community or somewhere else in your country?
 - How many times have you read news articles like this one?
 - Have you read any similar news articles about your community?
- Applicant testified: I was told that the police are corrupt.
 - Can you tell me specifically who told you that?
 - Was it only one person who told you that?
 - Can you tell me specifically what that person told you?
 - How did that person know that?
- Applicant testified: The police are bought off.
 - How do you know that the police are bought off?
 - Who are the police bought off by?
 - What do you mean specifically when you say that the police are bought off?
 - Have you ever personally observed anything that leads you to believe that the police are bought off?
 - Has anyone ever told you that the police are bought off?
 - Who was it specifically that told you this?
 - Can you tell me specifically what that person said?
 - Have you ever read, seen, or heard in the news that the police are bought off?
 - Can you tell me specifically where you read, saw, or heard this?
 - Can you tell me specifically what the news article stated?
 - Other than what you have already told me, is there anything else that leads you to believe that the police are bought off?

Checklist Writing

CF Positive Past Persecution– Sexual Minorities [HQ Sample A]

Credibility: The applicant's testimony was internally consistent and externally consistent with CBP records. The applicant provided consistent and detailed testimony about the multiple incidents of harm he suffered on account of his sexual orientation. The applicant's testimony was responsive. Given the totality of the circumstances, including the applicant's sophistication, education, and personal circumstances, and evaluating the record as a whole, the applicant is found to be credible.

Nexus: The applicant has identified as gay since he was 14 years old. On one occasion, unknown individuals from the applicant's city raped him. During the attack the unknown individuals told the applicant that because he "wanted to be a girl" they would "treat [him] like one." On multiple occasions, MS-13 gang members threatened to kill the applicant unless he changed his sexual orientation.

Internal Relocation: The applicant has LGBTI friends who were subjected to physical violence and verbal threats in various Departments of El Salvador on account of their sexual orientations. Applicant testified that the MS-13 is present throughout El Salvador and that prejudice against LGBTI individuals is worse in rural areas. DOS reports that gangs limited individuals' ability to move within and between gang-controlled territories, and that law enforcement and the Attorney General's Office harassed gay individuals who reported incidents of violence, including my conducting strip searches. USDOS – US Department of State: Country Report on Human Rights Practices 2018 - El Salvador, 13 March 2019 <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/el-salvador/> (accessed on 9 August 2019).

CF Positive Future Torture– Cartels & Corrupt Police [HQ Sample B]

Credibility: The applicant's testimony was internally consistent and externally consistent with CBP records that he feared being killed if returned to Mexico. The applicant provided details about threats from both the cartel and his neighbor, as well as what he had heard and seen about the police in his city. The applicant's testimony was responsive. Given the totality of the circumstances, including the applicant's sophistication, education, and personal circumstances, and evaluating the record as a whole, the applicant is found to be credible.

Consent/ Acquiescence: The applicant has seen the police patrol cars drive past New Generation cartel members who are beating men. The applicant's friend attempted to report his daughter's kidnapping, and while the police officer began to take a report, he stopped after the applicant's friend stated he thought New Generation was responsible. The applicant has heard from members of his community that the police turn people over to the New Generation cartel, and has seen people be arrested by the police and end up dead in the field the New Generation uses for its murders.

Internal Relocation: New Generation cartel members threatened the applicant in person after he moved to a different state where the cartel supposedly did not have a presence. The applicant testified about news reports indicating that the New Generation cartel has committed acts of violence in various parts of Mexico. COI indicates that the New Generation cartel operates in at least 22 states and that the group is

growing rapidly. In Sight Crime, Jalisco Cartel New Generation (CJNG), 21 May 2019, available at: <https://www.insightcrime.org/mexico-organized-crime-news/jaliscocartel-new-generation/> [accessed 9 August 2019]. DOS reports that organized criminal groups committed numerous killings, acting with impunity and at times in cooperation with corrupt government and security officials. USDOS – US Department of State: Country Report on Human Rights Practices 2018 - Mexico, 13 March 2019, <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/mexico/> (accessed on 9 August 2019).

CF Negative Multiple Claims– Gang Recruitment; Economic Harm [HQ Sample C]

[C.3 – Persecution]

(1) Nexus: Past: The MS told the applicant they wanted him to join because he was “old enough now” and he could sell drugs for them outside his house, which was near a school. The applicant testified that most boys in his colonia are recruited to help the gang when they are around his age, or younger. This indicates that the MS targeted him because they wanted to grow their ranks, not because of any protected ground. Future: The applicant fears the MS in the future because he will refuse to join and because he reported the gang members to the police. Even after the applicant reported them, however, the threats focused on what they would do if the applicant did not join them, rather than on the report. This indicates that the ongoing motive of the MS is to force the applicant to join the gang. This supports that the MS will target him to join their ranks or to punish him for his refusal to join, and not on account of any protected ground.

(2) Seriousness of Harm: Past: The applicant was called an “indio” by his classmates in mocking tones. Even considered cumulatively, and accounting for the applicant’s age at the time, this mistreatment is insufficient to establish serious harm. Future: The applicant fears he will be unable to find a job in a factory/in the city because he is indigenous. However, he was able to work in the fields and support himself. This is insufficient to show severe economic deprivation.

[D.2 – Torture]

(1) State Action: The applicant has not been harmed or threatened by a public official and does not fear any public official. He believes the police will allow the MS to kill him because they did not arrest anyone after he reported. However, he further testified that the police asked for more information about the identity of the MS members and he was unable to identify them. The inability of public officials to bring the perpetrators to justice, without more, is insufficient to show consent or acquiescence. He also believes that the police are corrupt because he has heard of friends paying bribes to get out of traffic tickets. Although this may indicate some corruption, it is insufficient to establish consent or acquiescence to severe pain or suffering. When asked, the applicant was unable to provide any further specific and persuasive facts to support his belief that the police will consent or acquiesce to his severe pain or suffering by the MS.

(2) Severe Pain or Suffering: The applicant only fears economic harm from society. This would not constitute severe pain or suffering.

CF Negative Credibility– Lack of Detail; Inconsistencies [HQ Sample D]

The applicant's testimony was not credible under the totality of the circumstances.

The applicant's testimony lacked detail. He testified that he became a worker for the Mann party in 2015 and worked for the party every weekend after becoming a worker. When asked what activities he participated in as a worker, he said he helped with camps and hung posters. When asked what he would do at the camps, he indicated that he "just helped." When asked what the purpose of the camps was, he did not provide any information other than that they helped poor people. When asked for more information about the camps, the way they helped poor people, and his role, he said the camps "did good things." When asked whether he could provide any additional information about the camps or his work there, the applicant indicated "that was it." When asked why he could not provide any more detail, he said he was not a member of the party, only a worker. When asked what the difference between a member and a worker was, the applicant said he did not know. This is not a reasonable explanation because it does not explain why, as a worker at these camps, he could not provide details about the camps, his role, or the difference between members or workers. Considering that the applicant claims to have been a worker for the party for more than 1.5 years, and to have participated extensively during this time period, and was asked numerous, specific questions in order to elicit detail, he was not able to reasonably explain his lack of detail.

The applicant's testimony was inconsistent with his sworn statement with CBP as to the identity of his attackers. The applicant testified before the APSO that he had been harmed by masked men who demanded he join their party. When asked how he knew what party they wanted him to join, the applicant testified the Badal party because they demanded he join the Badal party and he saw the party logo on their motorbike. When asked by CBP who the masked men were, the applicant said he did not know. When presented with this inconsistency as to whether or not he knew the identity of his attackers at the time he was asked to join, the applicant testified he had not told CBP he didn't know who the men were, only that they wore masks. When presented with the sworn statement indicating he was asked what group these men belonged to, to which the applicant responded he did not know, the applicant then explained he had been nervous at his CBP interview. While nervousness may explain some minor inconsistencies (such as the fact the applicant told CBP the men beat him with hockey sticks, and testified before the APSO the men beat him with batons), the applicant's testimony before CBP is otherwise detailed, and he indicated that his purpose in coming to the United States was to seek asylum because of his fear of these men. In addition, the applicant was previously asked whether CBP asked him questions about his claim prior to the credible fear interview and he confirmed that he responded truthfully to those questions and his responses were read back to him in his native language. The identity of these men is relevant to their motivation to harm him, his explanation of why he could not relocate within India and why he could not report to the police. Therefore, nervousness is not a reasonable explanation for such a significant inconsistency.

The applicant only fears harm from the Badal Party members and the police, which is related to his fear of harm by the Badal party. Given the totality of the circumstances, including the applicant's sophistication, the extent and nature of the inconsistencies, and lack of detail in comparison with the record as a whole, the applicant's testimony about his claim is not credible because he did not provide reasonable explanations to address the inconsistencies and lack of detail.

CF Negative – Recruitment; Speculative Testimony About Consent/Acquiescence [HQ Sample E]

[C.3 – Persecution]

Nexus:

Past: Applicant's cousin told the applicant that he wanted her to sell drugs on behalf of the MS. The applicant said her cousin targeted her because he said since she was going to school the police would not suspect her. This indicates that the cousin targeted the applicant to grow the gang's ranks, and not on account of a protected ground.

Future: Applicant fears that her cousin or other members of the MS will kill her because she refused to sell drugs or join the gang. The cousin told the applicant's father that he would kill her if she returns because of her refusal to help the gang. This indicates that the cousin and/or MS would be motivated to harm the applicant for her refusal to join or help the gang, and not on account of a protected ground.

[D.2 – Torture]

State Action:

The applicant was not harmed in the past by a public official, nor does she fear future harm from a public official. The applicant was unable to provide specific facts in support of her belief that a public official would consent or acquiesce to severe pain or suffering inflicted by her cousin or the MS. The applicant testified that the police and gangs "are one," and that they work together. However, when asked about the basis for this belief the applicant merely testified that "everybody knows" that the police and gangs work together. Additionally, the applicant testified that on multiple occasions gang members had beaten up people in her colony, the police were called, but the police came too late and the gang members were able to run away when the police arrived. This testimony does not suggest that the police breached a legal duty to intervene, as the police appear to have responded to various calls. The applicant also testified she heard unknown people talking about the police not showing up, but she wasn't able to provide any specific information about why this happened.

CF Positive Future Torture – Gang Threats [HQ Sample F]

Credibility: The applicant's testimony was internally consistent and externally consistent with CBP documentation indicating that she feared returning to El Salvador because of death threats she received from the 18 gang. In addition, the applicant provided detailed testimony about the perpetrators of the murder she witnessed, specifically that one of the men had a large "18" tattoo on his face. She also provided detailed testimony about the reaction of the police when she informed them of the death threats. The testimony that applicant provided was also responsive to the questions asked. Given the totality of the circumstances, including the applicant's sophistication, education, and personal circumstances, and evaluating the record as a whole, the applicant is found to be credible.

Consent/Acquiescence: 18 gang members threatened to kill the applicant if she did not leave El Salvador after the applicant saw the gang members killing a man in the applicant's neighborhood. The applicant reported the death threats to police station, bringing the notes with her. The police laughed in the applicant's face, and said that if she was so scared she should just leave the country.

Internal Relocation: After the initial threats, the applicant moved to a different Department to live with her sister. 18 gang members threatened to kill the applicant after she moved, telling her that they could find her anywhere. Additionally, when asked whether she could live in areas not controlled by the 18 gang, the applicant credibly testified that as a young, unmarried mother her ability to internally relocate and live apart from family members would be limited by social and cultural constraints. Given the applicant's testimony, and taking into consideration DOS reports and other COI, the applicant as established a significant possibility that she could not internally relocate.

CF Negative – Internal Relocation [HQ Sample G]

[C.3 – Persecution]

Although the applicant established a significant possibility of past persecution on account of his political opinion, there is substantial evidence that the applicant could internally relocate and that it would be reasonable for him to do so.

Ability to relocate: The applicant believes that Congress Party supporters would continue to target him even if he relocated to another part of India. However, he did not know any other Mann Party worker who had been harmed anywhere in India, relocated after being harmed, or who was harmed after relocating. In addition, country conditions do not indicate that he would be harmed in other states in India. See e.g., Library of Congress, India: Feasibility of Relocation of Sikhs and Members of the Shiromani Akali Dal (Mann) Party, available at: <https://www.justice.gov/file/1068936/download> (accessed on 9 April 2019) ("Moreover, country reports do not suggest that there exists a general risk in India of ill-treatment for members of the Shiromani Akali Dal (Amritsar/Mann) party. The party operates openly... even where sources state that Shiromani Akali Dal (Amritsar/Mann) members or leaders were subject to such treatment [harassment or arrest], they do not indicate that it would occur outside of the State of Punjab.") The applicant was unable to provide specific facts to support his belief that Congress Party supporters could find him using his Aadhaar ID. The Congress Party supporters did not know his name, his address in Punjab, or his ID number. The applicant stated that police would assist the Congress Party supporters in tracking the applicant, but was unable to provide specific facts to support this statement of belief. The applicant also speculated that the Congress Party supporters could find his biometric information "online," but was unable to explain what that meant or provide any specific facts to support this statement of belief. Furthermore, country conditions indicate that there are significant restrictions on the use and disclosure of information associated with the Aadhaar ID and it would be technically difficult to use the Aadhaar ID for tracking purposes. See IRB – Immigration and Refugee Board of Canada: India: Requirements and procedures to obtain the Aadhaar number; use of the Aadhaar, including in accessing housing, employment and private and public services; whether authorities use Aadhaar registration to track individuals across the country (2017-April 2018), available at: <https://www.ecoi.net/en/document/1435931.html> (accessed on 9 April 2019).

Reasonableness of relocation: The applicant indicated that, aside from his fear of Congress Party supporters, there were no other reasons for why he could not internally relocate. The applicant is a young man and in good health. He testified that he worked in construction, a profession not limited to Punjab.

Other serious harm: There is no significant possibility that he could be granted asylum based on suffering other serious harm. The applicant only fears Congress Party supporters.

Chen-type harm: There is also no significant possibility that asylum could be granted based on the severity of the past persecution. The applicant testified that Congress Party supporters beat him with hockey sticks. He testified that the only injuries he had were bruises, for which he received an injection from the local village doctor. The applicant's testimony indicates that he does not suffer any continuing health or psychological problems from the harm inflicted.

[D.2 – Torture]

In light of the reasons identified in C.3. above, the record does not establish a significant possibility that it is more likely than not the applicant will be subjected to severe pain or suffering in another state of India. Although Congress party supporters harmed the applicant in Punjab, this harm did not constitute torture and he was unable to provide specific facts in support of his belief that Congress Party supporters could find him in another state and harm him. The Congress Party supporters he fears do not appear to know his name or where he lived in Punjab. Additionally, country conditions do not indicate that he would be targeted in other states in India, as noted in C.3. above, and it is reasonable for the applicant to relocate within India to avoid future torture.

RF Positive Past Persecution– Sexual Minorities [HQ Sample A]

Credibility:

Applicant's testimony was internally consistent and externally consistent with CBP records. Applicant provided a detailed and plausible account of his past harm and of country conditions in Honduras. Given the totality of the circumstances, including the applicant's sophistication, education, and personal circumstances, and evaluating the record as a whole, the applicant is found credible.

Past harm:

Applicant identifies as a transvestite, and frequently wears make-up and women's clothing. Applicant has established his membership in the particular social group comprised of "sexual minorities in Honduras." Applicant was sexually assaulted at the age of 14 by two men who used derogatory terms to describe sexual minorities when they attacked him, and said they were "giving him what he wants" when they raped him. Applicant's father regularly beat him because he disapproved of the applicant's sexuality, and tried to force applicant to have sex with women to "stop being a fag and become a real man." The applicant reported his harm to police, but they said there was nothing they could do, and suggested he "stop drawing attention to himself" to avoid further assaults. The applicant's past harm is serious enough to constitute persecution, and was inflicted on account of his membership in the PSG comprised of "sexual minorities in Honduras."

Future harm:

The presumption of well-founded fear has not been rebutted. The applicant testified that when he was deported to Honduras in 2015, he met a teenager who was later hanged for being a transvestite. Country conditions reports corroborate the applicant's claim that Honduran society rejects and targets people like him. The Department of State reports that NGOs have reported assaults and homicides of LGBTI persons. See U.S. Department of State, *2017 Country Reports on Human Rights Practices – Honduras*, 20 April 2018, available at: <https://state.gov/documents/organization/277585.pdf> [accessed August 15, 2019]. Freedom House reports that "violence and discrimination against LGBT people persist" and "rights groups reported more than 200 murders of LGBT people since 2009." See *Freedom House*,

Freedom in the World 2018 - Honduras, 1 August 2018, available at: <https://www.refworld.org/docid/5b7bcc7da.html> [accessed 15 August 2019]. Amnesty International has reported 264 deaths of LGBTI people between 2009 and July 2017, with the majority of the victims being men. See Amnesty International, *'No Safe Place': Salvadorans, Guatemalans and Hondurans Seeking Asylum in Mexico Based on Their Sexual Orientation and/or Gender Identity*, 27 November 2017, available at: <https://www.refworld.org/docid/5a1c28f54.html> [accessed 15 August 2019]

International relocation is not reasonable as country reports demonstrate that the harm is widespread throughout the country, including in major cities (see above). The applicant testified that he is not aware of any part of Honduras that is safe for transvestites, and he would be particularly vulnerable in an area where he had no family or job, especially in a rural area where jobs are scarce and people tend to be more conservative.

RF Negative – Gang Recruitment; Perceived Wealth PSG; Insuff Evid of Police Corruption [HQ Sample B]

[C.3 – Persecution]

Past Persecution: The harm the applicant received in the past (a single verbal death threat) does not rise to the level of persecution. The threat was made over the phone by an unknown caller and there is no suggestion that the threat was imminent. The applicant was not physically harmed in El Salvador, nor did he indicate he experienced ongoing mental harm as a result of this incident.

Future Persecution: The harm the applicant fears is not on account of a protected characteristic. The applicant stated that MS-13 will kill him because he refused to join their gang. However, a particular social group of “young Salvadorans who refuse to be recruited by gangs” fails because the group lacks social distinction, as indicated by country conditions information. U.S. Department of State, Country Reports on Human Rights Practice for 2013 – El Salvador. February 27, 2014 (noting that El Salvador is an exceptionally violent country with all segments of the population being subject to widespread violence and threats from criminal gangs). Additionally, the applicant believes he would be extorted and possibly killed by corrupt police officers who would target him because of his perceived wealth as a prior resident of the United States. A particular social group based on wealth in El Salvador would lack social distinction where country reports fail to show that the wealthy or those perceived as wealthy are at a greater risk of criminality, but report a general high crime rate, including extortion targeting various segments of the population. See *id.*

[D.3 – Torture]

Past Torture: The limited harm experienced by the applicant (a single verbal death threat via the telephone) does not rise to the level of severe physical or mental pain required to constitute torture. This incident did not cause the applicant any physical harm and there is no indication that he experienced any prolonged mental suffering from the experience. Future Torture: The applicant failed to provide specific and persuasive facts that a public official such as a corrupt police officer would specifically intend to inflict on him severe harm. The applicant was never targeted for such harm in 2013, when he was initially deported from the U.S. and lived in El Salvador for fourteen months. The applicant also failed to provide specific and persuasive evidence to establish a reasonable possibility that a public official would consent or acquiesce to his future harm by MS-13. Although he stated that police officers are corrupt and tied to the gangs, he stated he heard this on the news and from friends and was unable to provide more persuasive evidence to support his belief.

RF Positive Past Torture – Police Detention [HQ Sample C]

Credibility:

Applicant's testimony was internally consistent and externally consistent with CBP records. Applicant provided a detailed and plausible account of his past harm and of country conditions in Mexico. Given the totality of the circumstances, including the applicant's sophistication, education, and personal circumstances, and evaluating the record as a whole, the applicant is found credible.

Past Torture: The police specifically intended to harm the applicant, as they told him they had been following him for a month since he returned to Michoacan from the U.S. The harm experienced by the applicant, including being kidnapped, beaten, and threatened with death, caused severe physical and mental pain and suffering and rises to the level of torture. The applicant's testimony establishes that he was harmed by public officials acting in official capacity. Specifically, he was beaten by four uniformed and armed Mexican federal police officers who transported him in their patrol truck. The police officers had the applicant in their control and physical custody when they kidnapped him. The harm experienced by the applicant was not pursuant to lawful sanctions, as the officials were harming the applicant in order to extort him. Future Torture: The applicant has established past torture. As there is no evidence to the contrary, the applicant has a reasonable possibility of establishing future torture.

RF Positive Future Torture – Gang Discovery of Police Report [HQ Sample D]

Credibility:

Applicant's testimony was internally consistent and externally consistent with CBP records. Applicant provided a detailed and plausible account of his past harm and of country conditions in El Salvador. Given the totality of the circumstances, including the applicant's sophistication, education, and personal circumstances, and evaluating the record as a whole, the applicant is found credible.

Past Torture: The minor harm experienced by the applicant in the past does not rise to the level of severe physical or mental pain required to constitute torture. The applicant testified that gang members threatened to kill him during a robbery. They did not physically harm him and there was no imminence to the death threat. The applicant did not indicate that the robbery and death threat resulted in ongoing mental distress.

Future Torture: Members of the MS-13 gang specifically intend to inflict severe suffering on the applicant due to his refusal to provide them with weekly rent payments. The harm feared by the applicant (death) would constitute severe physical or mental suffering. While the applicant does not fear a public official or person acting in an official capacity, he provided specific and persuasive evidence that the police would consent or acquiesce to his future torture by gang members. Although he reported the robbery to police officers privately, the leader of the local gang approached him the day after the report and told him that he had contacts within the police department. The leader said he had learned of the police report despite the gang's insistence that the applicant not approach the police. The applicant also testified that in his town he has seen MS-13 members coordinating bus robberies using police radios, which are not available to the general public. The applicant's testimony also established that he would be in the control and custody of the gang, as they previously were able to harm him. The harm feared by the applicant is not pursuant to lawful sanctions as it would be carried out by private actors.

Positive credibility:

The applicant's testimony was internally consistent and externally consistent with CBP records that s/he was afraid to return to _____. The applicant provided details about the threats, the harm, and testified to _____ that corroborate her/his fear of _____.

Given the totality of the circumstances, including the applicant's sophistication, education, and personal circumstances, and evaluating the record as a whole, the applicant is found to be credible.

Negative credibility:

The applicant's testimony was not credible under the totality of the circumstances.

The applicant testified _____. When asked [for detail about that testimony], s/he said _____. When asked [for detail], he could not provide any details. When asked [for detail], s/he did not provide any information other than _____. When asked for more information about _____, s/he said _____. When asked why he could not provide any more detail, s/he said _____. When asked what the difference between _____, the applicant said s/he did not know. This is not a reasonable explanation because it does not explain why, as a [professed identity/membership], s/he could not provide details about _____. Considering that the applicant [claims to be a member/have the identity] for more than [timeframe], and was asked numerous, specific questions in order to elicit detail, he was not able to explain his lack of detail.

The applicant's testimony was inconsistent with his sworn statement with CBP. The applicant testified before the APSO that he had been harmed by _____. When asked how he knew _____, the applicant testified _____. When asked by CBP who _____ were, the applicant said he didn't know but guessed they were _____. When presented with this inconsistency, the applicant testified he had not told CBP he didn't know who the _____ were, only that they _____. When presented with the sworn statement indicating he was asked _____, to which the applicant responded he did not know, the applicant then explained he had been nervous at his CBP interview. While nervousness may explain some minor inconsistencies (such as the fact the applicant told CBP _____, and testified before the APSO _____), the applicant's testimony before CBP is otherwise detailed, and he indicated that his purpose in coming to the United States was to seek asylum because of his fear of _____. The identity of _____, that they were _____, is relevant to their motivation to harm him, his explanation of why he could not relocate within _____ and why he could not report to the police. Therefore, nervousness is not a reasonable explanation to such a significant inconsistency.

The applicant only fears harm from the _____ and the police, which is related to his fear of harm by _____. Given the totality of the circumstances, including the applicant's sophistication, the extent and nature of the inconsistencies and lack of detail in comparison with the record as a whole, the applicant's testimony about his claim is not credible because he did not provide reasonable explanations to address the inconsistencies and lack of detail.

Detention and Court Addresses and Codes
Houston Asylum Office

Nickname Triggering Docs Code (on S drive)	Detention Facility Address	Court Address	District Office Code	Interview Location (Global)
Brooks County BRO	Brooks County Detention Center 901 County Road 201 Falfurrias, TX, 78355	Port Isabel Service Processing Center 27991 Buena Vista Boulevard Los Fresnos, TX 78566	SNA	FLF
Cache County CCJ	Cache County Sheriff's Office 1225 West Valley View (200 North) Logan, UT 84321	Salt Lake City EOIR 2975 S Decker Lake Drive, Suite 200 West Valley, UT 84119	SLC	SLC
Cibola CCC	Otero County Processing Center 26 McGregor Range Road Chaparral, NM 88081	Otero Immigration Court 26 McGregor Range Road, Door #1 Chaparral, NM 88081	OOP	CIB
Cibola [transgender applicants] CCC	Cibola County Correctional Center 2000 Cibola Loop Milan, NM 87021	Denver EOIR 1961 Stout Street, Suite 3101 Denver, CO 80294	ELP	CIB
Coastal Bend [▲] CBD	Coastal Bend Detention Center 4909 FM 2826 Robstown, TX 78380	If file is labeled CBD/HOU: EOIR – Immigration Court 806 Hilbig Road, Suite 2-300 Conroe, TX 77301 If file is labeled CBD/PIC: Port Isabel Service Processing Center 27991 Buena Vista Boulevard Los Fresnos, TX 78566	HOU	CRP
Dallas JCJ	Johnson County Jail 1800 Ridgemark Drive Cleburne, TX 76031	Dallas EOIR 1100 Commerce Street, Suite 1060 Dallas, TX 75242	DAL	DAL
Denver DEN	Denver Contract Detention Facility 3130 North Oakland Street Aurora, CO 80010	Denver Service Processing Center 3130 North Oakland Street Aurora, CO 80010	DEN	DEN

[▲] As of 05/14/19, Coastal Bend applicants are physically located in Robstown. Their EOIR hearings, however, will be at either **EOIR Houston in Conroe** or **Port Isabel Service Processing Center in Los Fresnos**. Please review the file label to see what address should be on the court documents.

Detention and Court Addresses and Codes
Houston Asylum Office

Nickname Triggering Docs Code (on S drive)	Detention Facility Address	Court Address	District Office Code	Interview Location (Global)
Dilley	South Texas Family Residential Center 300 El Rancho Way Dilley, TX 78017	Otero Immigration Court 26 McGregor Range Road, Door #1 Chaparral, NM 88081	ELP	TRC
East Hidalgo EHD	East Hidalgo Detention Center 1300 E Highway 107 La Villa, TX 78562	Port Isabel Service Processing Center 27991 Buena Vista Boulevard Los Fresnos, TX 78566	SNA	PIC
Eden	Eden Detention Center 702 E Broadway Street Eden, TX, 76837	Dallas EOIR 1100 Commerce Street, Suite 1060 Dallas, TX 75242	DAL	EDN
El Paso ELP	El Paso Detention Center 8915 Montana Avenue El Paso, TX 79925	El Paso Service Processing Center 8915 Montana Avenue, Suite 100 El Paso, TX 79925	ELP	EPD
El Valle ELV ELValle-FEAR@ice.dhs.gov	El Valle Detention Center 1800 Industrial Drive Raymondville, TX 78580	Port Isabel Service Processing Center 27991 Buena Vista Boulevard Los Fresnos, TX 78566	SNA	PIC
Grady County GRA	Grady County Jail 215 N 3rd Street Chickasha, OK 73018	Dallas EOIR 1100 Commerce Street, Suite 1060 Dallas, TX 75242	DAL	OKC
Greens Road HDF	Houston Contract Detention Facility 15850 Export Plaza Drive Houston, TX 77032	EOIR – Immigration Court 806 Hilbig Road, Suite 2-300 Conroe, TX 77301	HOU	HPC
Haskell HSK	Rolling Plains Correctional Facility 118 County Road 206 Haskell, TX 79521	Dallas EOIR 1100 Commerce Street, Suite 1060 Dallas, TX 75242	DAL	DAL
Houston airport case (Hobby)	Hobby Airport, Houston, TX	Consult EOIR venue maps to determine jurisdiction over the applicant's home address, then look up the non-detained court on DOJ's site.	HOU	HBV

Detention and Court Addresses and Codes
Houston Asylum Office

Nickname Triggering Docs Code (on S drive)	Detention Facility Address	Court Address	District Office Code	Interview Location (Global)
Houston airport case (IAH)	Bush Intercontinental Airport, Houston, TX	Consult EOIR venue maps to determine jurisdiction over the applicant's home address, then look up the non-detained court on DOJ's site.	HOU	ZHO
Hutto DHD	T. Don Hutto Residential Center 1001 Welch Street Taylor, TX 76574	San Antonio EOIR 800 Dolorosa Street, Suite 300 San Antonio, TX 78207	SNA	DHD
Jena – LaSalle	LaSalle ICE Processing Center 830 Pine Hill Road Jena, LA 71342	LaSalle Service Processing Center 830 Pinehill Road Jena, LA 71342	OAK	JNA
Joe Corley (Montgomery) JCD	Joe Corley Detention Facility 500 Hilbig Road Conroe, TX 77301	EOIR – Immigration Court 806 Hilbig Road, Suite 2-300 Conroe, TX 77301	HOU	CRE
Karnes KCD	Karnes County Residential Center 409 FM 1144 Karnes City, TX 78118	San Antonio EOIR 800 Dolorosa Street, Suite 300 San Antonio, TX 78207	SNA	KCD
Kay KAY	Kay County Detention Center 1101 W Dry Road Newkirk, OK 74647	Dallas EOIR 1100 Commerce Street, Suite 1060 Dallas, TX 75242	DAL	TLS
La Salle County (TX) STC - LAS	South Texas Detention Complex 566 Veterans Drive Pearsall, TX 78061	Pearsall EOIR 566 Veterans Drive Pearsall, TX 78061	SNA	HLG
Laredo LRD	Laredo Detention Center 4702 E Saunders Street Laredo, TX 78041	San Antonio EOIR 800 Dolorosa Street, Suite 300 San Antonio, TX 78207	SNA	LRD
Limestone WCT	Limestone County Detention Center 910 N Tyus Street Groesbeck, TX 76642	San Antonio EOIR 800 Dolorosa Street, Suite 300 San Antonio, TX 78207	SNA	WCT
Montgomery MTG	Montgomery Processing Center 806 Hilbig Road Conroe, TX 77301	EOIR – Immigration Court 806 Hilbig Road, Suite 2-300 Conroe, TX 77301	HOU	CRE

Detention and Court Addresses and Codes
Houston Asylum Office

Nickname Triggering Docs Code (on S drive)	Detention Facility Address	Court Address	District Office Code	Interview Location (Global)
Non-detained	Dallas non-detained Denver non-detained El Paso non-detained Houston non-detained San Antonio non-detained	Consult EOIR venue maps to determine jurisdiction over the applicant's home address, then look up the non-detained court on DOJ's site.	DAL DEN ELP HOU SNA	DAL DEN EPD ZHN SNA
Oakdale	Oakdale FDC 2105 E Whatley Road Oakdale, LA 71463	Oakdale EOIR 1900 E Whatley Road Oakdale, LA 71463	OAK	OAK
Okmulgee OCJ	Patrick C. Moore Detention Center 111 S Alabama Avenue Okmulgee, OK 74447	Dallas EOIR 1100 Commerce Street, Suite 1060 Dallas, TX 75242	DAL	TLS
Otero OCP (OOP)	Otero County Processing Center 26 McGregor Range Road Chaparral, NM 88081	Otero Immigration Court 26 McGregor Range Road, Door #1 Chaparral, NM 88081	ELP	EPD
Pearsall STC - LAS	South Texas Detention Complex 566 Veterans Drive Pearsall, TX 78061	Pearsall EOIR 566 Veterans Drive Pearsall, TX 78061	SNA	STC
Pine Prairie	Pine Prairie Correctional Center 1133 Hampton Dupre Road Pine Prairie, LA 70576	Oakdale EOIR 1900 E Whatley Road Oakdale, LA 71463	OAK	OAK
Polk LIV	IAH Secure Adult Detention Facility 3400 FM 350 S Livingston, TX 77351	EOIR – Immigration Court 806 Hilbig Road, Suite 2-300 Conroe, TX 77301	HOU	HDF
Port Isabel PIC PIDC-FEAR@ice.dhs.gov	Port Isabel Detention Center 27991 Buena Vista Boulevard Los Fresnos, TX 78566	Port Isabel Service Processing Center 27991 Buena Vista Boulevard Los Fresnos, TX 78566	SNA	PIC
Prairieland PRL DALDetainedDocketUnit@ice.dhs.gov	Prairieland Detention Center 1209 Sunflower Lane Alvarado, TX 76009	Dallas EOIR 1100 Commerce Street, Suite 1060 Dallas, TX 75242	DAL	PRL

Detention and Court Addresses and Codes
Houston Asylum Office

Nickname Triggering Docs Code (on S drive)	Detention Facility Address	Court Address	District Office Code	Interview Location (Global)
Rio Grande RGD	Rio Grande Detention Center 1001 San Rio Boulevard Laredo, TX 78046	San Antonio EOIR 800 Dolorosa Street, Suite 300 San Antonio, TX 78207	SNA	LRD
Tallahatchie TAL	Tallahatchie County Correctional Facility 415 U.S. Highway 49 N Tutwiler, MS 38963	LaSalle Service Processing Center 830 Pinehill Road Jena, LA 71342	OAK	JNA
Tensas TEN	Tensas Parish Detention Center 8606 Hwy 65 S Waterproof, LA 71375	Oakdale EOIR 1900 E Whatley Road Oakdale, LA 71463	OAK	OAK
Torrance/Estancia TCD ALQasylum2@ice.dhs.gov	Torrance County Detention Facility 209 County Road A049 Estancia, NM 87016	El Paso Service Processing Center 8915 Montana Avenue, Suite 100 El Paso, TX 79925	ELP	ABQ
Tulsa TLS	David L. Moss Criminal Justice Center 300 N Denver Avenue Tulsa, OK 74103	Dallas EOIR 1100 Commerce Street, Suite 1060 Dallas, TX 75242	DAL	TLS
Utah SLC	Utah County Jail 3075 N Main Street Spanish Fork, UT 84660	Salt Lake City EOIR 2975 S Decker Lake Drive, Suite 200 West Valley, UT 84119	SLC	SLC
Webb County WEB	Webb County Detention Facility 9998 S Highway 83 Laredo, TX 78041	San Antonio EOIR 800 Dolorosa Street, Suite 300 San Antonio, TX 78207	SNA	LRD
West Tennessee WTN	West Tennessee Detention Facility 6299 Finde Naifeh Jr Drive Mason, TN 38049	Memphis EOIR Brinkley Plaza 80 Monroe Avenue, Suite 501 Memphis, TN 38103	MEM	MEM
West Texas WTX	West Texas Detention Facility 401 S Vaquero Street Sierra Blanca, TX 79851	El Paso Service Processing Center 8915 Montana Avenue, Suite 100 El Paso, TX 79925	ELP	EPD

Detention and Court Addresses and Codes
Houston Asylum Office

Update history:

09-04-19	Added non-detained codes for Dallas and San Antonio		
	Torrance/Estancia Corrected triggering-docs code: TCD <i>(ABQ)</i>	Otero & Cibola New court: Otero Immigration Court <i>(EOIR)</i>	Karnes Added triggering-docs code: KCD
	Dilley New court: Otero Immigration Court <i>(Pearsall EOIR)</i>	New district code: ELP <i>(SNA)</i>	
08-15-19	Added Eden Detention Center Removed Karnes County Correctional Center to avoid confusion Consolidated three non-detained entries into one with instructions for determining proper court jurisdiction Renamed third column to "Court Address" and fifth column to "Interview Location (Global)"		
07-12-19	Limestone Corrected triggering-docs code and interview-location code to WCT		
07-11-19	Added Kay County Detention Center		
06-26-19	Added Limestone County Detention Center		
06-14-19	Correction: Pearsall was never PRL. The editor apologizes for this regrettable error. Charging docs for both Pearsall and La Salle County can be found in the STC - LAS folder on the share drive.		
05-14-19	Renamed first column to "Triggering Docs Code"		
	Coastal Bend Added new info for CBD/HOU and CBD/PIC cases	Pearsall New triggering-docs code: STC - LAS <i>(STC)</i>	La Salle County New triggering-docs code: STC - LAS <i>(LAS)</i>
03-20-19	Added Cache County Jail		

Update history

Check the ECN to ensure you're using the latest version of this document.

Last updated 09-04-19

Detention and Court Addresses and Codes
Houston Asylum Office

01-23-19	La Salle County Changed file code to LAS		
01-09-19	Otero New court: EOIR (<i>El Paso Service Processing Center</i>)		
	Cibola New address: Otero County Processing Center (<i>El Paso Detention Center</i>)	New court: EOIR (<i>El Paso Service Processing Center</i>)	New district code: OOP (<i>ELP</i>)
11-19-18	Coastal Bend Changed font and color to help people follow instructions. I-870? Robstown address. I-862/I-863? Livingston address.		
10-24-18	Coastal Bend New court: EOIR – Immigration Court (<i>Houston Service Processing Center</i>)		
10-18-18	Added Montgomery Processing Center		
10-11-18	IAH Secure Adult Detention Facility New court: EOIR – Immigration Court (<i>Houston Service Processing Center</i>)	Joe Corley New court: EOIR – Immigration Court (<i>Houston Service Processing Center</i>)	
	Houston Contract Detention Facility New court: EOIR – Immigration Court (<i>Houston Service Processing Center</i>)		
09-25-18	El Valle Added ICE’s facility email address		
09-05-18	Corrected name of court located in Pearsall, TX		
08-22-18	Updated several court names and added column titles to each page		
	Willacy		

Update history

Check the ECN to ensure you’re using the latest version of this document.

Last updated 09-04-19

Detention and Court Addresses and Codes
Houston Asylum Office

New name: El Valle Detention Center
(Willacy County Regional Detention Facility)

08-07-18	Tallahatchie New court: Jena EOIR <i>(Oakdale EOIR)</i>	New interview location code: JNA <i>(MEM)</i>
07-30-18	Added Tallahatchie County Correctional Facility	
06-26-18	Added Grady County Jail	
	Coastal Bend Added footnote instruction that charging documents (I-863 and NTA) should list the detention address as IAH	
06-18-18	Port Isabel Updated facility name: Port Isabel Detention Center <i>(Port Isabel Service Processing Center)</i>	
05-18-18	Okmulgee New address: Patrick C. Moore Detention Center, 111 S Alabama Avenue, Okmulgee, OK 74447 <i>(Okmulgee County Jail, 315 W 8th Street, Okmulgee, OK 74447)</i>	
05-09-18	Brooks County New court: Port Isabel Service Processing Center <i>(San Antonio EOIR)</i>	New interview location code: FLF <i>(CRP)</i>
05-01-18	Coastal Bend New district office code: HOU <i>(SNA)</i>	Greens Road New address: 15850 Export Plaza Drive <i>(15850 Export Plaza Center)</i>
04-30-18	Major technical revisions: alphabetized list by nickname, corrected detention facility names and addresses, standardized address abbreviations, renamed third column to "Court Name and Address," renamed final column to "Interview Location Code," and uploaded to ECN	
	Coastal Bend New court: Houston Service Processing Center <i>(Port Isabel Service Processing Center)</i>	La Salle County (TX) New address: South Texas Detention Complex, 566 Veterans Drive, Pearsall, TX 78061 <i>(LaSalle County Regional Detention Facility, 832 E Texas Hwy 44, Encinal, TX 78019)</i>

Update history

Check the ECN to ensure you're using the latest version of this document.

Last updated 09-04-19

Hough, Leslie D

From: Hough, Leslie D
Sent: Monday, September 16, 2019 9:46 AM
To: Villena, Daniel A; Maalona, John L; Miller, Rebecca E
Cc: Maloney, Kathleen M; ZHN, FDNS Duty IO South Texas
Subject: Acting FDNS Officer - 9/16 - 9/26/2019
Attachments: CF Adverse Memo.docx; RF Adverse Memo.docx; Memo to FDNS.doc

Hi SAPSOs, I was hoping you could pass this along to the Officers interviewing at Dilley this week and next. And of course please feel free to reach out with any FDNS concerns yourselves! Leslie

--

Good morning, Officers interviewing at Dilley,

I will be the Acting FDNS IO at the FRCs over the next 2 weeks while Travis Wessler is away at a training course.

Please feel free to **reach out to me directly if you encounter any National Security, Public Safety, Fraud or Trafficking concerns**. I'm also happy to do additional research on cases if you need COI or one of the applicant's sponsors, family members or associates investigated.

I'm attaching the templates for the CF and RF "**Adverse Memo to ICE**" (for all security risks and all possible mandatory bars except firm resettlement) and the "**Memo to FDNS**" (for all the rest, i.e. indicators of fraud, trafficking, or attorney/preparer misconduct) so you have them on hand.

Also a reminder that as per HQ, **all Cameroonian cases need to be forwarded to FDNS at the moment** – no need to attach a memo, please just forward the notes when you've completed the interview with the following info addressed:

- Timeline of travel to the United States
- Method of travel at each stage of their trip from Cameroon to the United States border
- What countries were passed through on the way to the United States
- Who arranged their travel both in Cameroon and during their travel through other countries
- How they learned about making this trip and who helped them prepare for it
- Who paid for their travel at each stage of their trip
- Who was paid for their travel at each stage of their trip
- Whether they left Cameroon with a certain amount of money
- Who they traveled with to the United States at each stage of their trip
- What documents were used for travel at each stage of the trip
- Was anyone in the United States assisting with this trip; if so, who and how were they assisting

And please **cc: the FDNS Duty Officer mailbox** at zhnfdnsdutyiosouthtexas@uscis.dhs.gov on any emails.

Thanks!
Leslie

--

Leslie Hough
Immigration Officer | USCIS | Fraud Detection & National Security (FDNS)
Newark Asylum Office | on detail to South Texas Detention Complex; Pearsall, Texas

1200 Wall Street West| 4th Floor | Lyndhurst, NJ 07071
Leslie.D.Hough@uscis.dhs.gov

Security Issue/Potential Asylum BAR

Place this on TOP of the Adverse Information Memo for any Credible Fear case that has Section IV. B of Form I-870 marked—this MUST be prominently included in the A-File and any packets going to Chief Counsel

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APPENDIX W – Credible Fear Applicant- Memo of Adverse Information

(Rev. 04/2015)

Subject: A	Date: 9/16/2019
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To

Field Office Director and Chief Counsel

From

Asylum Office Director

We have interviewed the case noted below and determined that the alien possibly could be barred from asylum or withholding of removal under the Convention Against Torture because one or more of the bars listed may apply.

Last Name:

Alien Number:

First Name:

Detention Facility: South Texas Family
Residential Center, 300 El
Rancho Way, Dilley, TX
78017

Mandatory Bars to Asylum or Withholding of Removal under the Convention Against Torture that May Apply (check as many as are applicable):

- ☐ Engaged in Nazi Activities, Genocide or Committed Acts of Torture or Extrajudicial Killings (this is a bar to withholding but not asylum)
- ☐ Persecutor
- ☐ Convicted of Particularly Serious Crime
- ☐ Commission of Serious Non-political Crime outside the U.S. (includes human rights abuser)
- ☐ Security Risk (including terrorism-related inadmissibility grounds)
- ☐ Terrorist Related Inadmissibility Ground

Explanation for believing that this alien may be subject to a bar:

MEMO TO FDNS
(Place on right side of file with security checks)



DATE: 9/16/2019

FROM: Name, Officer Number

TO: FDNS

RE: Applicant's Name and A number

Summary of Facts Raising Concerns

(Note: This is not a summary of the interview. Only include facts that raise concerns which prompted the submission)

Type of Concern:

(i.e. Fraud, Trafficking, Attorney/Preparer Misconduct or anything OTHER THAN National Security, Public Safety and Mandatory Bars (which instead go in an Adverse Memo))

Facts from case causing concern:

(Explain the concern briefly, feel free to include excerpts from Interview Notes)

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For information regarding the contents of this memo please contact STDC-FDNS at

zhnfdnsdutyiosouthtexas@uscis.dhs.gov

Security Issue/Potential Withholding-of- Removal BAR

Place this on TOP of the Adverse Information Memo for any Reasonable Fear case in which the APSO, in conjunction with the SAPSO, has reasonable grounds to believe that a mandatory bar may apply to the alien—this MUST be prominently included in the A-File and any packets going to Chief Counsel.

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APPENDIX R – Reasonable Fear Applicant- Memo of Adverse Information

(Rev. 04/2015)

Subject: BRIEF REASON FOR MEMO A number	Date: 9/16/2019
--	---------------------------

To

Field Office Director and Chief Counsel

From

Asylum Office Director

We have interviewed the case noted below and determined that the applicant possibly could be barred from withholding of removal because one or more of the bars listed may apply.

Last Name:

Alien Number: A

First Name:

Detention Facility: South Texas Family
Residential Center, 300 El
Rancho Way, Dilley, TX
78017

Mandatory Bars to Withholding of Removal that May Apply (check all that apply):

- ☐ Engaged in Nazi Activities, Genocide or Committed Acts of Torture or Extrajudicial Killings
- ☐ Persecutor
- ☐ Convicted of Particularly Serious Crime
- ☐ Commission of Serious Non-political Crime outside the U.S. (includes human rights abuser)
- ☐ Security Risk (including terrorism-related inadmissibility grounds)

Explanation for believing that this alien may be subject to a bar:



Notice of Entry of Appearance
as Attorney or Accredited Representative
Department of Homeland Security

DHS
Form G-28
OMB No. 1615-0105
Expires 05/31/2021

Part 1: Information About Attorney or Accredited Representative

1. USCIS Online Account Number (if any)

Name of Attorney or Accredited Representative

2.a. Family Name (Last Name)

Barro

2.b. Given Name (First Name)

Allison

2.c. Middle Name

S

Address of Attorney or Accredited Representative

3.a. Street Number and Name

PO Box 18070

3.b. ☐ Apt. ☐ Ste. ☐ Flr.

3.c. City or Town

Dallas

3.d. State

TX

3.e. ZIP Code

78017

3.f. Province

3.g. Postal Code

3.h. Country

USA

Contact Information of Attorney or Accredited Representative

4. Daytime Telephone Number

5138070369

5. Mobile Telephone Number (if any)

5138070369

6. Email Address (if any)

otg@caraprobono.org

7. Fax Number (if any)

3302991438

Part 2: Eligibility Information for Attorney or Accredited Representative

Select all applicable items.

1.a. ☒ I am an attorney eligible to practice law in, and a member in good standing of, the bar of the highest courts of the following states, possessions, territories, commonwealths, or the District of Columbia. If you need extra space to complete this section, use the space provided in Part 6, Additional Information.

Licensing Authority

Supreme Court of Ohio

1.b. Bar Number (if applicable)

0091557

1.c. I (select only one box) ☒ am not ☐ am subject to any order suspending, enjoining, restraining, disbaring, or otherwise restricting me in the practice of law. If you are subject to any orders, use the space provided in Part 6, Additional Information to provide an explanation.

1.d. Name of Law Firm or Organization (if applicable)

Diley Pro Bono Project

2.a. ☐ I am an accredited representative of the following qualified nonprofit religious, charitable, social service, or similar organization established in the United States and recognized by the Department of Justice in accordance with 8 CFR part 1292.

2.b. Name of Recognized Organization

2.c. Date of Accreditation (mm/dd/yyyy)

3. ☐ I am associated with

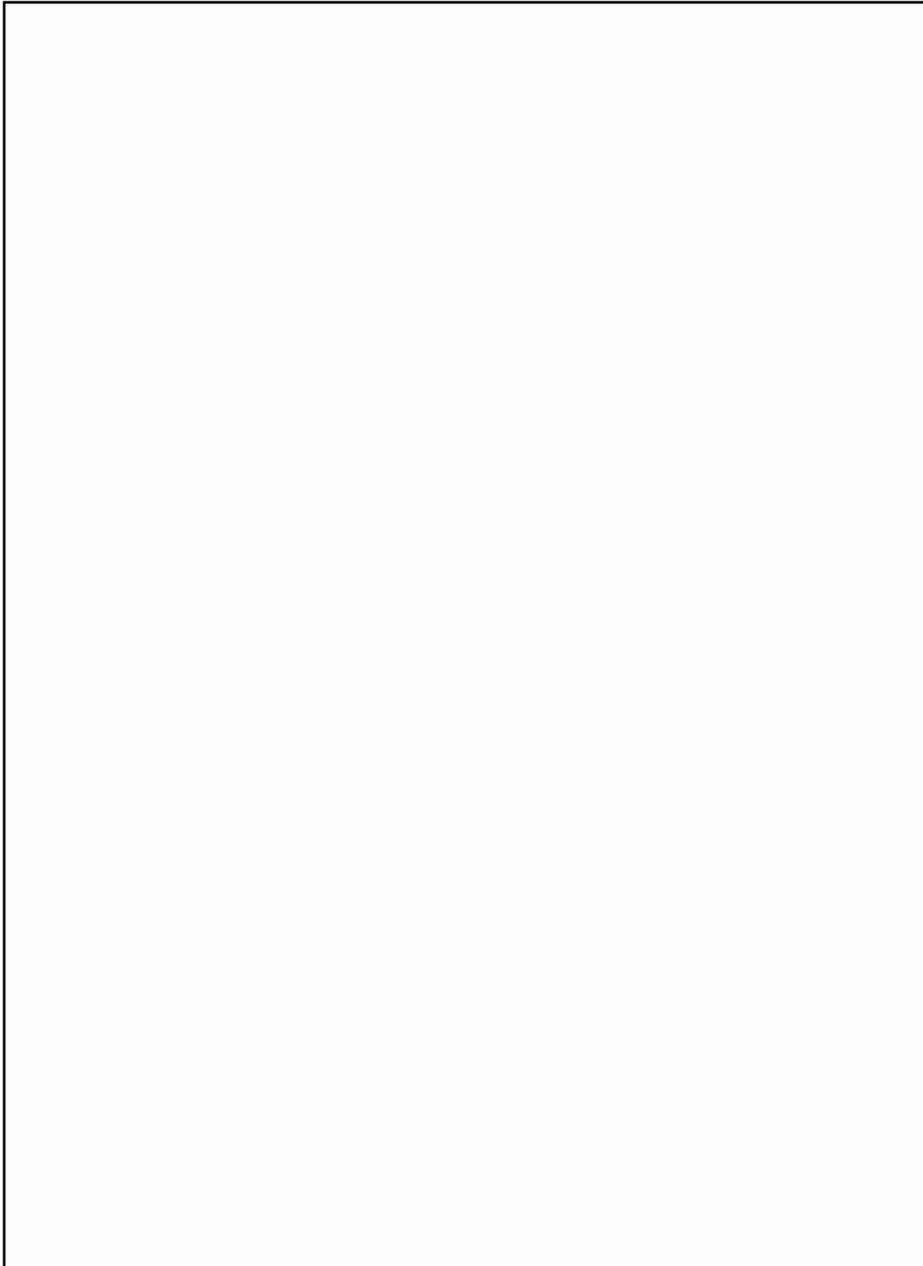
the attorney or accredited representative of record who previously filed Form G-28 in this case, and my appearance as an attorney or accredited representative for a limited purpose is at his or her request.

4.a. ☐ I am a law student or law graduate working under the direct supervision of the attorney or accredited representative of record on this form in accordance with the requirements in 8 CFR 292.1(a)(2).

4.b. Name of Law Student or Law Graduate

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In-Person Procedures for USBP at Dilley



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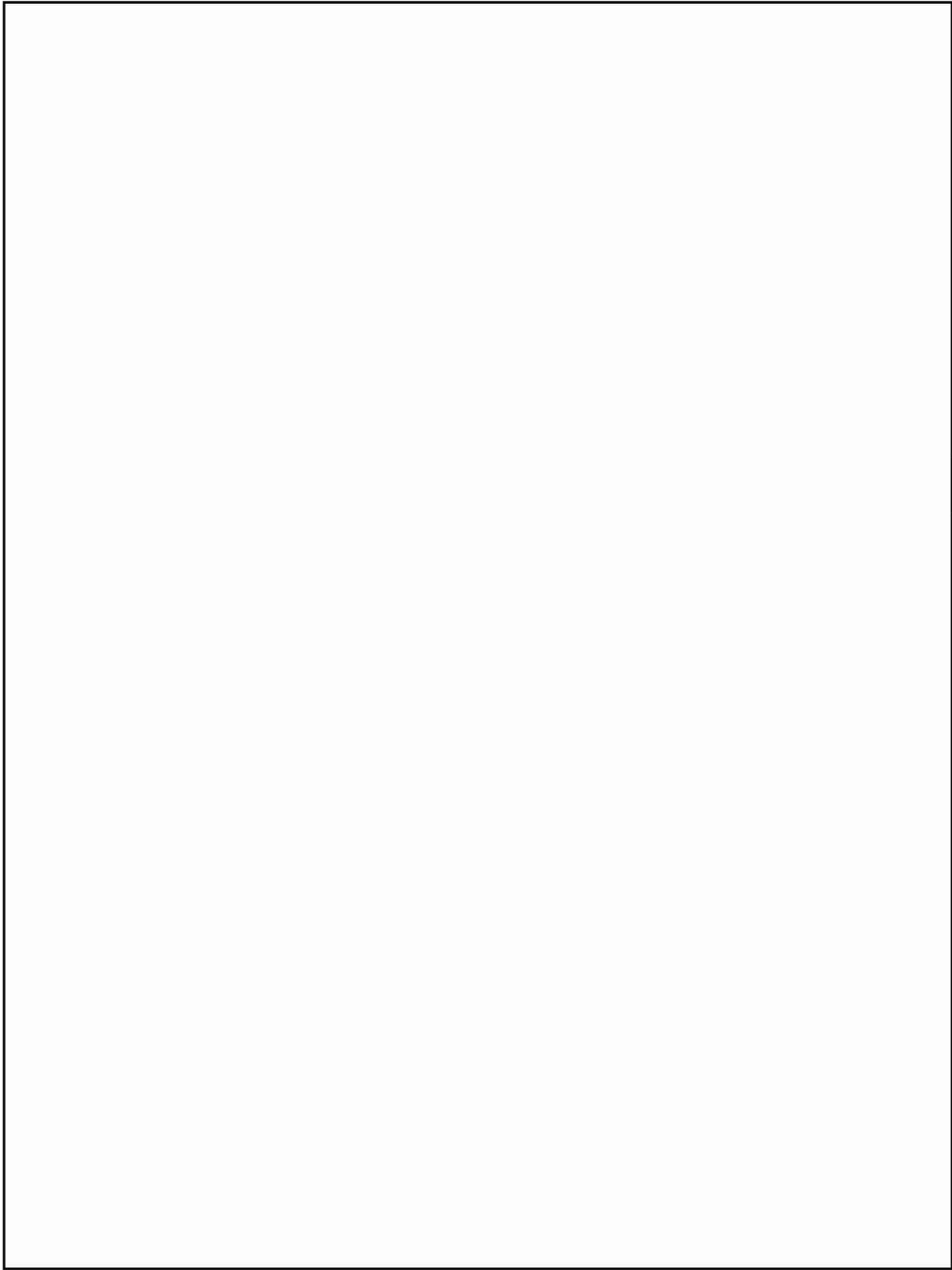
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- First verify that the applicant in question entered concurrently and the validity of their relationship (e.g. spouse or child under the age of 21).
- Determine type of case (Type A vs. Type B)
 - Type A
 - Your applicant has a spouse or parent that was already issued a positive decision.
 - Ask support (POC) and your SAO to get you the determination docs.
 - Proceed with asking your applicant the mandatory bar questions and if he/she would like to be joined onto his/her spouse's/parent's claim.
 - Ask questions to ensure this is not a domestic violence situation.
 - For example, "Have you ever been beaten or harmed by your spouse/parent?"
 - Issue a joinder memo/NTA.
 - Type B
 - Your applicant is going to be interviewed first and a positive decision does not yet exist for your applicant's spouse/child.
 - Record the spouse's/child's information on the I-870 and their desire to have their cases joined.
 - E-mail mission support (Adrienne Grady Madera and your SAO) the spouse's/child's information (name, A number, detention facility), only for family members not detained at Dilley.
 - If positive, support will scan the determination docs to the Asylum Office having juris over the joinder.
- **Work flow expectation**
 - Once you complete the ramp up period, everyone will generally be assigned 3 CF FAMU cases.
 - There should be no need for OT, unless approved by your supervisor or Section Chief Audrey Douglas.
 - You may be asked to conduct a follow-up interview instead of an initial interview. Because the follow-up interviews are less involved, you may be assigned more than three.
- **Case processing**
 - On the day you interview a case, you will need to complete all paperwork and turn it in to your supervisor by COB. Below is a list of documents you will be submitting.

Negative IFR Decisions (forms in record order)	Positive IFR Decisions (forms in record order)
Third-Country-Transit Bar Worksheet	Third-Country-Transit Bar Worksheet
I-870 – (dated 7.16.19) <i>sign/date last page</i> (flag any possible bars)	I-870 – (dated 7.16.19) <i>sign/date last page</i> (flag any possible bars)

Credible Fear Determination Checklist (Effective as of May 6, 2019)	Credible Fear Determination Checklist (Effective as of July 16, 2019)
Interview notes	Interview notes
I-863	I-862 (NTA - Notice to Appear)
I-869A	Orientation memo to file (if barred by IFR)
Orientation memo to file (if barred by IFR)	Adverse memo (if applicable)

- **Checklist**

- I-870 should match the CF checklist. If the checklist says torture, then the I-870 cannot say persecution.
- Please refer to the 7 page WORD document called Checklist writing.

- **Global**

- Chrome works best. If you run into any problems, switch to Chrome.
- For IFR cases
 - If the applicant is subject to the bar, select special group code “bar-13(c)(4)”
 - If the applicant is subject to the bar, but establishes an exception, select special group code “no bar-13(c)(4)”
- When you are entering in the adjudication information for Global, please be sure you are updating the religion and language for ALL applicants (mothers and children) on the “Entry” page. You will also need to update the adjudication tab for all applicants.
 - Move to the adjudication tab to add your interview and decision details.
- When updating Global for a PSG, you are describing a group, not the individual. For example:
 - “Family of John Doe”
 - “Women who are viewed as property by virtue of their position within a domestic relationship”
 - “Salvadoran sexual minorities”

ENTRY CHECKS ADJUDICATION CASE LOG

- Please update these 3 items:

Religion	Language(s)	Interpreter Required
CHRISTIAN	SPANISH	☒ Yes ☐ No

- After Global is updated turn the packets in on the file review shelf located between the two supervisor’s offices, by COB.

- **FDNS**

- For cases with FDNS issues, please ensure that you follow the steps listed in the e-mail from FDNS. (It is attached as Acting FDNS Officer-9/16 – 9/26/2019.)
- Comply with FDNS procedures before turning in your paperwork. If you sent FDNS a memo or an adverse memo place a copy in the file. If you communicated with FDNS, but did not send any memos, please leave a copy of the communication in the file so the supervisor can see this too.

(b)(5)

~~FOUO~~ – DRAFT – INTERNAL USE ONLY

Language Line Dialing Instructions:

- Call Phone #:
- Enter 6 digit client ID# (b)(6)
 - ZAR/ZAC
 - ZHQ
 - ZCH:
 - ZHN
 - ZLA:
 - ZMI:
 - ZNY:
 - ZNK:
 - ZSF:
- Select Language
- Enter 4 digit pin#
- Enter 2 digit interview code
 - 11 – Affirmative Asylum
 - 22 – Credible Fear
 - 33 – Reasonable Fear
 - 44 – Safe Third Country
 - 55 – I-730 Petition
 - 66 – Other
 - 77 – Termination

Lionbridge Dialing Instructions

➤ Call Toll Free #:

➤ Site Pin #: (b)(6)

- ☐ ZAR -
- ☐ ZCH -
- ☐ ZHQ -
- ☐ ZHN -
- ☐ ZLA -
- ☐ ZMI -
- ☐ ZOL -
- ☐ ZNY -
- ☐ ZNK -
- ☐ ZSF -

➤ Enter Pin #

➤ Select Interview Type

➤ Select Language

- ☐ Press 1 for Spanish
- ☐ Press 2 for Mandarin
- ☐ Press 3 for Arabic
- ☐ Press 4 for Punjabi
- ☐ Press 5 for Gujarati
- ☐ Press 6 for Russian
- ☐ Press 7 for Amharic
- ☐ Press 8 for Nepalese
- ☐ Press 9 for French
- ☐ For any other language needs or concerns, press 0 for operator assistance

Transperfect Dialing Instructions

➤ Call the phone number associated with the office:

- ZAR:
- ZBO:
- ZCH:
- ZHQ:
- ZHN:
- ZLA:
- ZMI:
- ZOL:
- ZNY:
- ZNK:
- ZSF:

(b)(6)

➤ Enter the four digit pin number

➤ Service Type:

- 1 = On Demand
- 2 = Scheduled

➤ Call Type:

- 1 = Credible Fear
- 2 = Reasonable Fear
- 3 = Safe 3rd Country
- 4 = Affirmative Asylum

➤ Need to add third party:

- 1 = Yes
- 2 = No

➤ Select language:

- Spanish = 772
- Mandarin = 626
- Russian = 787
- Punjabi = 786
- Arabic = 272
- Gujarati = 485
- Haitian Creole = 424
- Hindi = 446
- Portuguese = 767

USCIS All Phone Numbers

USCIS Account	Telephone Number	Account Number		
USCIS Arlington	844-830-8033			
USCIS Boston	844-884-4453			
USCIS Chicago	844-830-8036			
USCIS Headquarters	844-789-1960			
USCIS Houston	844-842-1196			
USCIS Los Angeles	844-877-2705			
USCIS Miami	844-884-4409			
USCIS New Orleans	844-884-4452			
USCIS New York	844-899-2298			
USCIS Newark	844-877-2696			
USCIS San Francisco	844-884-4405			

(b)(6)

Clements, Cory S

From: Clements, Cory S
Sent: Friday, August 16, 2019 12:01 PM
To: #ZHN-SAOandAO; #ZHN TDY Officers
Cc: TrainingOfficers.ZHN
Subject: Joinder Job Aid
Attachments: Joinder_Job_Aid.pdf

Dear Officers,

We are pleased to bring you the attached job aid for joinder cases. You may also find this resource [on the ECN](#). Many of you have been requesting this for a long time, and we sincerely appreciate your patience.

Please let us know if you have any questions.

Best wishes,
Cory

Training Officers | Houston Asylum Office



**U.S. Citizenship
and Immigration
Services**

joinder

n. (17c) The uniting of parties or claims in a single lawsuit. Cf. [CONSOLIDATION \(3\)](#).
— **join**, *vb.*

A spouse or child of an alien may be included in that alien's credible fear evaluation and determination, if such spouse or child:

- (1) Arrived in the United States concurrently with the principal alien; and
- (2) Desires to be included in the principal alien's determination. However, any alien may have his or her credible fear evaluation and determination made separately, if he or she expresses such a desire.

Sources:

- [8 C.F.R. § 208.30\(b\)](#)
- [Credible Fear Procedures Manual, III.E.2. Family Members Arriving Concurrently with the Applicant](#)

Joinder overview:

- You must ask every applicant: Did you enter the U.S. with your spouse, child, or parent?
 - If no, continue with the interview as normal.
 - If yes, follow the joinder procedures below.
- Joinder is for CF positives only. We exercise our discretion and do not include dependents in CF negatives.
- Two joinder scenarios:
 - **"Principal joinder."** Your applicant is the first family member to be interviewed. You must determine whether any family member is eligible to be included as a dependent in the applicant's CF positive.
 - **"Dependent joinder."** A family member has already received a CF positive. After confirming the familial relationship, concurrent entry, and the applicant's desire to be included as a dependent, you need only ask the bar questions.

Principal joinder (your applicant is receiving the first CF interview):

- Verify the relationship (only the applicant's spouse and unmarried children under 21 may be dependents)
- Confirm concurrent entry into the United States (entry on the same date, time, and place)
- Ask whether the applicant desires to include each family member as a dependent
- Check Global to ensure we have not already interviewed any family members
- Conduct a full CF interview
- Determine whether there are any domestic violence (DV) issues (We do not want to include as a dependent someone who physically abused the principal applicant.)
- Email your SAO and [#ZHN-MPA](#) each family member's name and A# so they can schedule a joinder interview
- Update Global Entry tab (scroll down to link cases and add each dependent if possible)
- Update Global Adjudications tab

- Enter interview details using the date you interviewed your applicant
- Enter decision using the date you interviewed your applicant
 - In decision notes, enter joinder to {Relationship} and A#
 - In decision notes, enter any DV issues

Dependent joinder (a family member already received a CF positive):

- Verify the relationship (the applicant may be included in the CF positive of a spouse or, if unmarried and under 21, a parent)
- Confirm concurrent entry into the United States (entry on the same date, time, and place)
- Ask whether the applicant desires to be included in the principal's CF positive
- Ensure there are no DV issues noted in Global (We do not want to include as a dependent someone who physically abused the principal applicant.)
- Check with your SAO for approval to ask just the bar questions
- Ask just the bar questions
- Obtain a copy of the principal's CF determination service packet (Ask your SAO or support-staff supervisors for help as these are sometimes at other asylum offices.)
- Ensure your applicant is listed on the principal's I-870
- Complete paperwork for your applicant
 - NTA
 - Dependent memo (see page 4 below)
 - Security checks
 - Principal applicant's service packet (the one who has the CF positive)
 - Q&A from your applicant
- Update Global Entry tab (scroll down to link cases and add the principal applicant)
- Update Global Adjudication tab
 - Enter interview details using the date you interviewed your applicant
 - Make note in interview notes of joinder interview
 - Enter decision using date you interviewed your applicant BUT the basis of claim from the principal's CF positive
 - In decision notes, enter joinder to {Relationship} and A#

How to verify the relationship:

- Name, DOB, POE, and DOE of each family member
- For spouse/partner:
 - Were you legally married or were you living together?
 - When did you begin living together?
 - Were you living together when you left your country?
 - Were you still in a relationship when you left your country?
- For child:
 - Is your child married? (The INA defines "child" as "an unmarried person under twenty-one years of age.")

How to confirm concurrent entry into the United States:

- Use EARM to search by Event Number
 - Search for your applicant's A#
 - Go to the Encounters tab and copy the Event Number
 - Go to the search function, paste the Event Number, and change the drop down box next to it from A-Number to Event ID
 - This will bring up all aliens apprehended at the same time (for inland cases only)
 - Scroll through the list and find each family member's name and A#
 - Please Note: This does not always work for POE cases as they sometimes have individual Event Numbers
 - Same Event Number confirms concurrent entry
 - If different Event Numbers, review the information on each EARM record for the date, time, and place each person entered
- Use CIS2 () to search for name and DOB of each family member
 - CIS2 is kinder with spelling as it uses a sounds-like search; PCQS-CIS needs the exact spelling as ICE entered it into EARM
 - Use DOB range rather than exact DOB
- Occasionally, the name and A# of each family member is listed in your applicant's I-213 narrative
- Sometimes A#s are sequential; try searching one number higher and lower in EARM to find each family member (ex: your applicant's A# is 000-000-004; you should search 000-000-003 and 000-000-005)

“Joinder only” interview (must cover the following):

- Your applicant's name and DOB
- Testimony regarding relationship and concurrent entry with principal applicant
- Your applicant's desire to be included in the principal's CF determination
- Mandatory bar questions

No joinder in these circumstances:

- Your applicant's spouse/child did not enter the U.S. concurrently with the applicant
- Your applicant's spouse/child was issued an I-862 by ICE or CBP and is not in ER/CF
- Your applicant entered with a sibling, cousin, aunt, etc. (spouse/child are the only eligible relationships)
- Your applicant's spouse/child is in RF (a person subject to reinstatement (RF) cannot be a dependent in a CF claim)
- Your applicant is in RF (RF cases cannot have dependents)
- Your applicant's spouse/child was issued a rare-language NTA

Discretionary NTAs (aka family-unity NTAs):

- At the family residential centers (FRC), sometimes a parent who does not establish a CF positive can still receive an NTA based on the CF positive of his or her minor child (under 18 years old).
- USCIS can exercise discretion to issue an NTA in the interest of family unity.
- Before proceeding with a joinder-only interview, you must determine whether your applicant's spouse or parent received a discretionary NTA at an FRC as a result of a minor child's CF positive.
- If your applicant's parent received a discretionary NTA:
 - You must conduct a full interview.
 - You cannot issue a discretionary NTA to an 18-or-older child if the parent received a discretionary NTA. That is, you cannot include an 18-or-older applicant in a minor sibling's CF positive.
 - Note: You also cannot issue a discretionary NTA to a parent or a sibling based on the CF positive of an 18-or-older applicant.
- If your applicant's spouse received a discretionary NTA:
 - You must conduct a full interview.
 - If the full interview results in a negative for your applicant, ONLY THEN can you issue a discretionary NTA to your applicant (based on the minor child's CF positive).
 - Complete paperwork for your applicant
 - NTA (box indicating the applicant established a credible fear is NOT checked)
 - Family-unity memo (see below)
 - Q&A from your applicant
 - Security checks
 - Minor child's service packet (the one who has the CF positive)

Dependent memo:

"The applicant claimed fear. Government records indicate that the applicant's spouse (AXXX XXX XXX, Last-Name, First Middle) already received a credible fear determination at (facility) and that they entered the country together on XX/XX/XX. The applicant desires to be included in the spouse's determination. Therefore, the applicant is being added as a dependent to the spouse's case."

Family-unity memo:

"The applicant is being issued an NTA because records indicate that the applicant's child (AXXX XXX XXX, Last-Name, First Middle) received a positive CF determination. The applicant did not establish a credible fear of persecution or torture and there is not a significant possibility that the applicant could establish eligibility for withholding of removal or deferral of removal under the Convention Against Torture. Therefore, we are exercising discretion to issue an NTA and place the applicant into 240 proceedings in the interest of family unity."

Telephonic Procedures for USBP at Dilley

- **Pre-interview process**

- You will have a daily schedule of the applicants you will interview. (You will receive this via e-mail the day before a scheduled interview.)
 - You will not be scheduled any families from Cuba, or Reasonable Fear case. If you receive a case from Cuba, or an RF, this is an error and you should immediately alert your supervisor.
- You will be able to view and print the triggering documents via Global. (Use Chrome.)
 1. Click on the Adjudication tab of the relevant case in Global
 2. Scroll down to the “Document Upload” card
 3. Click “Okay” because now you being walked through the process

4. After you click okay, it will take you to the screen below. Look in the Uploaded CF Documents box and click on your triggering documents.
5. The name of the document will appear in the bottom left side of your computer screen. Click once to open and print the documents.

- Review the documents — specifically the I-860, I-867A, I-867B, M-444, legal service providers list and I-213.
 - Make sure the applicant signed and dated the M-444.
 - If not, follow procedures to orient the applicant and add the newly signed and dated M-444 to the file. Send all forms for signature to the Supervisory Asylum Officers (“SAOs”)

- The I-867A/I-867B may show that the applicant did not express fear at the time of apprehension, or may contain additional information about any claimed fear. Plan to elicit testimony regarding the info you find.
- Look for potential bars or national-security issues (these may require an adverse memo depending on a memo to FDNS on the testimony).
- Firm resettlement is the only bar that doesn't require an adverse memo. You simply check boxes 4.13 and 4.19 of the I-870, annotate the BISC, and flag the potential bar in the Global Adjudications tab. Review the Detention and Court Addresses and Codes to ensure you are using the most up-to date information. This [ECN Link](#) lists the different detention facilities and their corresponding addresses and EOIR locations.
- **Security checks**
 - Must be completed for each applicant.
 - If the child is under 14 years old, you will not need to run security checks for the child, but you will need to complete the BISC.
 - TECS works better in Internet Explorer.
 - On the BISC, please ensure that any printouts are SINGLE-SIDED and stamped FOUO. If you don't have an FOUO stamp, please handwrite it OR set up a watermark on your printer.
 - In each applicable box, you will need to check at least two separate boxes and you will need to write-in some information, so pay careful attention to the requirements.
 - Make sure you sign the BISC at the bottom.
- **Interviews**
 - At the time of your scheduled interview please sit at your desk so CoreCivic can call you when the applicant arrives.
 - If the applicant has not arrived fifteen minutes after the scheduled interview start, alert your SAOs and they will assist. Remain at your desk because when the applicant is located, you will be called.
 - Once connected, ask CoreCivic for the interview room telephone number in case the call is disconnected. (During the introduction of your interview, instruct the applicant to answer the telephone if it rings.) Also, ask CoreCivic to inform you who is in the room.
 - If you are looking for a word or phrase in your notes, touch "Control" and "F" at the same time. In the left a Navigation box will pop up and you can use the up and down arrows to find what you are looking for.
- **Telephones**
 - Once connected to the applicant, call the interpreter by touching the conference button. Dial 9 + 1 + area code and telephone number.
 - Keep your interpreter pins and dialing instructions close by (Interpreter priority—must call them in this order: (1) Language Line, (2) Lionbridge, & (3) Transperfect. Be sure to maintain your interpreter log.
 - Once the interpreter is on the line, touch the button under join to merge the applicant and interpreter.
 - Be sure to maintain your [Interpreter Log](#). On this site you can find your interpreter pins and dialing instructions. (Also see Instructions, attached.)

- To call another person in Dilley, dial 6 + the last four digits of the telephone number.
- **Start/end of Interview**
 - At the start of an interview, the applicant may hand you a paper stating they need additional time to consult with their lawyer or they may tell you they need more time to see a lawyer. (See attached CARA Reschedule requests.)
 - Audrey Douglas sent e-mail specifically addressing the request to delay an interview for counsel (see above), but here is an excerpt from the e-mail dated 9/18/2019.
 - It is appropriate for you to ask about counsel at the beginning of the interview. CARA prepares all the applicants onsite for their CFIs; that does not necessarily mean they are representing them, or that CARA has the bandwidth to provide in person rep to each applicant family group. A good example of how this exchange should go between you and the applicant is:
 - Q: Do you have counsel?
 - A: Yes, CARA helped me with my case.
 - Q: Are you comfortable continuing without counsel present today?
 - A: Yes.
 - If the applicant refuses to go forward without CARA, please speak to your SAO and they will coordinate with CoreCivic and ICE to get someone from CARA to come over for the interview. Please DO NOT affirmatively send the applicants away, or release, and delay the interview.
 - When the interview is complete, ask the applicant to open the door and stand in the doorway, so CoreCivic knows that the applicant has completed her interview and can be escorted out of the building.
- **Times to be aware of**
 - Applicant must eat lunch by 1:00 PM CT, so if you have not finished your interview by 12:30 PM CT, take a break and instruct the applicant to bring her child to lunch and then return to the interview after bringing the child back to daycare. Also, dinner ends at 6:00 PM CT, so you must break by 5:30 PM CT.
 - Daycare closes at 6:00 PM CT, so if the mother indicated she could not speak freely in front of her child, the interview must conclude by 5:30 PM CT. If you have not completed your interview by 5:30 PM CT, then ask the applicant to return the next morning and begin your day by completing this interview.
- **Children**
 - If the child/children are in the room with the applicant, ask the applicant if it is OK for her to speak about her past with her children in the room.
 - If it is not OK, instruct the applicant to bring the child/children to daycare and return to the interviewing room by standing in the doorway and waiting for CoreCivic to escort them out.

- If the child is brought into the interview room because he/she is sick, ask the applicant if she is able to continue or if she needs to bring her child to the doctor immediately. Please speak with your Supervisory Asylum Officer (“SAO”) if you need to reschedule due to the child or applicant being too sick to continue.
 - Check-in with the mother to see if she can still speak freely.
 - Please remember that you can use the mom’s testimony in lieu of calling in the child/teen, if the outcome is positive, and it doesn’t appear that a bar applies to the child.
 - **Make sure the notes indicate that you asked the mom if she wants to answer the questions on behalf of the minor (17 and under).** (Please see separate document titled Interviews with children for sample questions to ask children.)
 - Indicate when you switched to asking questions about the child so the reviewer knows.
 - For example: “do you mind answering questions about your child’s experiences and fear of return?”
 - This applies to the bar questions as well, so make sure the notes indicate that the mom and child are included in the bar questions that you are asking to mom.
 - For example: “have you *or your child* ever committed a crime.”
 - If during the interview you suspect the kid may have a bar issue (i.e. helped the gang sell drugs, watch for police) then call in the minor after you’ve finished the mother’s claim.
 - When you need to speak to a child, instruct the applicant to open the door and stand in the doorway, so CoreCivic knows that the applicant needs to return to the interview room with her child. Ask her to alert CoreCivic when she returns with her child, so she can be escorted back to the interview room.
 - Regardless of child’s age, ask the child if he/she wants the mother in the room or if he/she would like to speak to you alone. Every family member has the right to their own CFI and there may be instances of harm that the child would like to discuss without the mother present.
 - If this occurs, let your supervisor know.
 - If the case is negative (applicant and child), you must interview the child, even if the child is one week old.
 - Ask questions of the child and if there is no response, document this in your notes. If the *child* might get a negative, you must at least attempt to communicate with the child, regardless of age.
 - Sometimes a child is able to answer, regardless of age.
- **NTAs and I-863s**
 - Below is the information for Dilley found on the [ECN Link](#)

Nickname File Code (on S drive)	Detention Facility Address	Court Address	District Office Code	Interview Location (Global)
Dilley	South Texas Family Residential Center 300 El Rancho Way Dilley, TX 78017	Otero Immigration Court 26 McGregor Range Road, Door #1 Chaparral, NM 88081	ELP	TRC

- When filling out the NTAs and I-863, they must be accurate because your supervisor can not modify these documents and they will be returned to you.
- NTA name should match I-860.
 - For an arriving alien, fill out the port of entry and the date of arrival.
 - For EWI, use “unknown location” & “on or about” the date listed in the I-213. (As displayed below. (For step-by-step instructions on filling out these documents go the [IFR Shell](#) page 1 and 10.)

2) You are a native of Honduras and a citizen of Honduras.
3) You entered the United States at an unknown location on or about 09/07/2019;

I-863

Place and Manner of Arrival ARR, PUT Santa Teresa, NM, afoot INL, PUT Unknown	Date of Arrival 2/15/2018
--	------------------------------

- For all negative cases, you need a complete set of all the documents for the applicant and each of the children.
- Additionally, please remember that if the bottom portion of the Expedited Removal Order has been executed/signed, then the following boxes need to be checked off on the NTA:

☒ This notice is being issued after an asylum officer has found that the respondent has demonstrated a persecution or torture.

☒ Section 235(b)(1) order was vacated ☒ 8CFR 208.30 ☐ 8CFR 235.3(b)(5)(iv)

- If the bottom portion of the Expedited Removal Order has not been signed, then only the following box needs to be checked off on the NTA:

☒ This notice is being issued after an asylum officer has found that the respondent has demonstrated a persecution or torture.

☐ Section 235(b)(1) order was vacated ☐ 8CFR 208.30 ☐ 8CFR 235.3(b)(5)(iv)

• Family Unity Cases

- If the child has CF, but the mother does not, then you must revise your paperwork to make the child the principal applicant.
- The mother will receive an NTA, but it needs to be modified.
 - Please make sure you are checking the marked box when printing the NTAs for all family members.

☒ This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.

- **Dissolution Processing**

- Dissolution docs are revised by the asylum officer, signed by the SAO and then signed by the applicant. (For the dissolution documents go the [IFR Shell](#) press control and F to find "Dissolution".)
- When you complete asking the questions and sign the dissolution, e-mail your SAOs. A SAO will review the document and take it to the applicant for signature. The SAO will also place the dissolution in the physical file at Dilley.
 - You must speak to the child for a dissolution regardless of age. Initially, you will be asking all of the dissolution questions to the applicant. Once all of the questions have been asked, you can have the applicant sign her dissolution.
 - You will then bring in the child (siblings interviewed separately). You will ask them the first few questions as used in the child interview. (See Interviews with children for sample questions to ask children).
 - You will explain to the child that the applicant is requesting to be returned home and requesting that the child goes home with them.
 - If the child cannot answer the above referenced questions, document this and proceed to the applicant signing on behalf of the child.
 - If the child can answer the questions, you will ask them if they are in agreement.
 - If the child is age 14-17, they should sign their own dissolution. If the child is 13 or under, the mother should sign for the child.
- Remember to complete Global and upload all additional documents.

- **Reschedules**

- If the applicant or her child are sick, ask your supervisor if you can reschedule. If approved, reach out to Adrienne Grady Madera to let her know you have rescheduled with supervisor approval.
 - Also let all supervisors know you are available to assist others.

- **Rare Languages**

- Interviews are conducted in the language the applicant requests.
- If you cannot get an interpreter for a rare language (after contacting all 3 service providers), ask your supervisor if you will be issuing a rare language NTA. If so, issue an NTA and rare language memo that same day. (For the memo go the [IFR Shell](#) press control and F to find "Rare Language".)
 - AOs update the language in Global.
 - SAOs close the case in Global as rare language.
- If not, schedule an interpreter and complete the interview on the scheduled date.
 - Alert your SAO and Adrienne Grady Madera of the new interview date, so they do not schedule a full caseload for the re-interview date

- **Joinder Cases**

- First verify that the applicant in question entered concurrently and the validity of their relationship (e.g. spouse or child under the age of 21).
- Determine type of case (Type A vs. Type B)
 - Type A
 - Your applicant has a spouse or parent that was already issued a positive decision.
 - Ask support (POC) and your SAO to get you the determination docs.
 - Proceed with asking your applicant the mandatory bar questions and if he/she would like to be joined onto his/her spouse's/parent's claim.
 - Ask questions to ensure this is not a domestic violence situation.
 - For example, "Have you ever been beaten or harmed by your spouse/parent?"
 - Issue a joinder memo/NTA.
 - Type B
 - Your applicant is going to be interviewed first and a positive decision does not yet exist for your applicant's spouse/child.
 - Record the spouse's/child's information on the I-870 and their desire to have their cases joined.
 - E-mail mission support (Adrienne Grady Madera and your SAO) the spouse's/child's information (name, A number, detention facility), only for family members not detained at Dilley.
 - If positive, support will scan the determination docs to the Asylum Office having juris over the joinder.
- **Work flow expectation**
 - Once you complete the ramp up period, everyone will generally be assigned 3 CF FAMU cases.
 - There should be no need for OT, unless approved by your supervisor or Section Chief Audrey Douglas.
 - You may be asked to conduct a follow-up interview instead of an initial interview. Because the follow-up interviews are less involved, you may be assigned more than three.
- **Case processing**
 - On the day you interview a case, you will need to complete all paperwork and turn it in to your supervisor by COB. Below is a list of documents you will be submitting.

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Credible Fear Determination Checklist	Credible Fear Determination Checklist

(Effective as of May 6, 2019)	(Effective as of July 16, 2019)
Interview notes	Interview notes
I-863	I-862 (NTA - Notice to Appear)
I-869A	Orientation memo to file (if barred by IFR)
Orientation memo to file (if barred by IFR)	Adverse memo (if applicable)

- **Checklist**

- I-870 should match the CF checklist. If the checklist says torture, then the I-870 cannot say persecution.
- Please refer to the 7 page WORD document called Checklist writing.

- **Global**

- Chrome works best. If you run into any problems, switch to Chrome.
- For IFR cases
 - If the applicant is subject to the bar, select special group code “bar-13(c)(4)”
 - If the applicant is subject to the bar, but establishes an exception, select special group code “no bar-13(c)(4)”
- When you are entering in the adjudication information for Global, please be sure you are updating the religion and language for ALL applicants (mothers and children) on the “Entry” page. You will also need to update the adjudication tab for all applicants.
- When updating Global for a PSG, you are describing a group, not the individual. For example:
 - “Family of John Doe”
 - “Women who are viewed as property by virtue of their position within a domestic relationship”
 - “Salvadoran sexual minorities”



- Please update these 3 items:

Religion CHRISTIAN	Language(s) SPANISH	Interpreter Required ☒ Yes ☐ No
------------------------------	-------------------------------	---

- Move to the adjudication tab to add your interview, decision details and upload documents.
 - To upload to Global, drag and drop your PDF packet into the “drop files here” field.

- Click the “UPLOAD” button

- You’re done with the Upload.
 - Please email your completed cases to Dilley.intake@uscis.dhs.gov and copy your SAOs by the COB on the day of the interview.
- **FDNS**
 - For cases with FDNS issues, please ensure that you follow the steps listed in the e-mail from FDNS. (It is attached as Acting FDNS Officer-9/16 – 9/26/2019.)
 - Comply with FDNS procedures before turning in your paperwork. If you sent FDNS a memo or an adverse memo place a copy in the file. If you communicated with FDNS,

but did not send any memos, please leave a copy of the communication in the file so the supervisor can see this too.

- You may have a follow-up interview based on additional questions from FDNS.

- **Re-interview**

- When applicant arrives confirm her name. Explain you need to conduct a re-interview because you have some additional questions about her credible fear claim. If she had a lawyer before, ask if the lawyer is coming into the re-interview. (If the applicant requests that CARA accompany them for the re-interview, speak with your SAO and they will coordinate with CoreCivic and ICE to get someone from CARA to come over for the re-interview.) If the lawyer is not coming to the re-interview or they were unrepresented previously, ask the applicant if she is comfortable answering your questions without a lawyer.
- Ask if the applicant is comfortable speaking to a male/female officer and a male/female interpreter. Confirm that she will continue to answer questions on behalf of her child/children.
- Swear in applicant and begin asking the additional questions that you were asked to cover.
 - Do not cover any information covered in a prior interview, unless directed by a SAO. Please do not go over the I-870, the M-444 or ask the mandatory bar questions for a second time.
- You **MUST** read a summary of the applicant's testimony at the end of the re-interview because this is a requirement for all credible fear interviews.
 - You only need to summarize what the applicant testified to at the re-interview.
- You will always need to update Global in the adjudication tab.
 - If you do not change the decision, in the interview section, type your identifying information, re-interview and the date. (I would type-ZHN866-Reinterviewed applicant on 9/23/2019.
 - If you change the decision, let your supervisor know and they will remove the decision, so you can add the new interview date and your new decision.
- You will also need to modify the forms as follows:
 - I-870
 - New interview date;
 - Interpreter added and times added;
 - If the applicant had a new or different consultant/lawyer add this and update the information in Global;
 - Sign the last page of I-870 and date it for today; and
 - If you change the decision, you will need to modify the relevant sections.
 - Checklist
 - Update if there are new facts during the re-interview that are relevant to the decision analysis.
 - NTA and referral documents
 - Needs to be submitted **only** if the NTA in the file was dated.

- If you change the decision to a negative, you will have to create those service documents instead of the NTA.

(If necessary) **Child Testimony**

Vary questions according to age.

A baby a week will not be able to answer any questions, but the child must be interviewed if you are going negative. Ask a few questions and document no response and you can continue with the interview.

If *telephonic*, confirm with the adult that the child could hear your questions before moving on.

Officer to child	Child
Hi <i>Brad</i> , how are you?	
I will ask you questions today about why you left your country. Your mother has already given me some information about you.	
Do you want to have your interview with your parent, or do you want to have the interview separately with just me?	
If there's ever something private you want to tell me without your parent in the room, let me know, ok?	
Do you promise to tell the truth today?	
What is your full name?	Brad William LAST.
How are you feeling today?	
How old are you?	
I will be asking you several questions. Are you willing to answer them?	
Are you attending school?	
Do you like it?	
What's your favorite subject?	
If there's ever anything you want to tell me in private without your parent here, just let me know, OK?	
Do you know what it means to tell the truth?	
Do you promise to tell the truth, the whole truth, and nothing but the truth?	
Did anyone ever do something bad to you in your country?	
Do you know why they wanted to hurt you?	
Did anyone ever say anything to you that made you afraid?	
What are you afraid will happen to you if you go back to Korea?	

Possible Bars

Officer	Applicant
These are questions I ask everyone I speak to. I'd like you to respond for both you and your child. Has any country in the world, other than your native country, ever offered you citizenship, permanent residence, asylum or refugee status?	

Vazquez, Robert M

From: Vazquez, Robert M
Sent: Wednesday, September 25, 2019 2:36 PM
To: Jamette-Lara, Farahnaz (Farah); Chumpitazi, Lazarita D; Biagi, Andrew J; Edouard, Ingrid L
Cc: Klayman, Amy S; Garrett, Natalie M; McPherson, Yaniece A; Reese, Rebekah G
Subject: RE: Tomorrow's Interviews: BTC 09/26/2019

Good afternoon, hope all is well

Please be aware that I will not be at BTC tomorrow due to mandatory Use of Force training at CBP.

I will be back on Friday.

I apologize for the inconvenience.

Respectfully,

Robert

From: Jamette-Lara, Farahnaz (Farah) <farahnaz.jamette-lara@uscis.dhs.gov>
Sent: Wednesday, September 25, 2019 3:21 PM
To: Chumpitazi, Lazarita D <Lazarita.D.Chumpitazi@uscis.dhs.gov>; Biagi, Andrew J <andrew.j.biagi@uscis.dhs.gov>; Edouard, Ingrid L <Ingrid.L.Edouard@uscis.dhs.gov>; Vazquez, Robert M <robert.m.vazquez@uscis.dhs.gov>
Cc: Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>; McPherson, Yaniece A <Yaniece.A.McPherson@uscis.dhs.gov>; Reese, Rebekah G <rebekah.g.reese@uscis.dhs.gov>
Subject: Tomorrow's Interviews: BTC 09/26/2019

Hello, all.

Here is the schedule for tomorrow (09/26/2019):

Interview Call-Up List for 09/17/2019									
A#	Nationality	Sex	CF/RF	Int. Loc.	Time	Atty.	APSO	COMMENTS	CLK-In Date

Please let me know if you have any questions.

(b)(6)

Thank you,

Yaniece McPherson

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communication to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you received this communication in error, please notify the sender immediately by telephone and destroy this transmission according to applicable DHS Policy and Instruction.

Andre, Lisa S

From: Andre, Lisa S
Sent: Thursday, September 26, 2019 12:32 PM
To: Hernandez, Ruth N; Espinoza, Salvador H; Gutierrez, Ervey; Quinones, Eugenio Jr; Sanchez, Eric A; VALDEZ, JACOB B; DOUGHERTY, STEPHEN E; CLARK, STEVEN C; LARACUENTE, HABACUC; LOPEZ, ANDRES; STEPHANY, ERIK R; TOVAR, RAFAEL; Valdez, Luis S; RODRIGUEZ, BENJAMIN; Etling, John E; Natividad, Frank; Perez, Ubaldo; LEDEZMA, ARMANDO; LEMUS, MIGUEL A; SESSION, SHONE D; Roberts, Robin J; Dickey, Johnathan E; RIVERA4, LUIS; DUTTON, JULIE L
Cc: Miller, Rebecca E; Karim, Farihah Q; Maloney, Kathleen M
Subject: COI for Chinese Cases
Attachments: China Exit Restrictions, Resident ID, and Social Credit Score.pdf; Chinese Christians stopped from travelling in Shanghai, Beijing, and Guangzhou.pdf

Hi all –

I have noticed that we've started getting cases from China, so I wanted to pass along some relevant COI. Applicants may tell you that they are under an order of supervision/required to report weekly but were able to leave the country without issue. Remember to set a foundation, but you can use the COI to confront the applicant on the fact that research shows that every person leaving through an international airport in China is required to go through immigration and that anyone with pending criminal cases or under punishment are not permitted to leave the country. There are also other key facts that may be applicable to your cases so please review the RAIO research paper.

Thanks,
Lisa

Information on Exit Restrictions in China: Are They Applied to Individuals Who Have Been Detained or Monitored by the Police?

November 16, 2018

What forms of detention are used in China, particularly on those engaging in religious or political activities? In what circumstances are persons who were detained required to report periodically to the police following their release? In what circumstances are persons who have been detained and/or required to report to the police, for their political or religious activities, restricted in their international travel? Are new surveillance and identification technologies increasing the effectiveness of enforcement of restrictions on international travel that may be placed on such persons?

Chinese nationals suspected of having committed certain crimes are routinely detained before being charged with and tried for the crime.¹ Examples of crimes of which people may be accused for religious and political activities include “inciting subversion of state power,” “picking quarrels and provoking trouble,” and “gathering a crowd to disturb order in a public place.”² Prominent house-church leaders have also been charged with illegally leaving China and obtaining a passport under false pretenses.³ In other cases, the administrative detention system is used to punish or restrict the activities of persons who the government does not intend to charge with a crime.⁴ In addition, authorities also use several other forms of unofficial detention, including, in some cases, at locations called “black jails,” which “operate outside of China’s judicial and administrative detention systems.”⁵ These facilities are likewise used “to suppress individuals such as petitioners, rights advocates, and religious practitioners.”⁶

Asylum-seekers who claim that they have been administratively or unofficially detained without charge due to their religious or political activities, often report having been required to report periodically (even as frequently as once per week) to their local Public Security Bureau following their release. Such a condition, according to a Department of State Official, is believed to have been imposed in some cases, but it is more common that such an activist, once

¹ See, e.g., *China Holds Two Christian Preachers in Unknown Locations on Spying Charges*, Radio Free Asia, Sep. 25, 2015.

² *Country Reports on Human Rights Practices for 2017 – China*, U.S. Department of State, Apr. 20, 2018 (hereinafter ‘Country Reports – 2017’); *Annual Report – 2017*, Congressional-Executive Commission on China, Oct. 15, 2017 (hereinafter ‘CECC 2017’); *International Religious Freedom Report for 2017 – China*, U.S. Department of State, May 29, 2018 (hereinafter ‘IRF – 2017’).

³ *Chinese minister of unofficial church sentenced to more than 7 years in prison*, Associated Press, July 6, 2006.

⁴ See, e.g., *For some Chinese dissidents, party congress means a paid ‘vacation’*, Reuters, Oct. 21, 2017.

⁵ *Country Reports – 2017; CECC 2017*, p.26.

⁶ *Id.*

released from detention, would occasionally be contacted by the police and requested to appear.⁷ Another similar phenomenon sometimes occurs when the authorities wish to prevent an activist from causing a disturbance on a sensitive occasion; the activist may be contacted and told to leave town (or return to their home town, etc.) for a certain period of time.⁸

Requirements to report to the police following a detention also occur in the context of criminal investigations and sentencing. People *who police are investigating for a crime*, if released from detention, may be required to report to the Public Security Bureau if they intend to leave their local area.⁹ In addition, if a court chooses to show leniency toward someone convicted of a crime, they may suspend a sentence, conditional (among other things) on the person's reporting to the police. For example, one instance was found in which a "high-profile Chinese Internet essayist [...], who was convicted of 'subverting state power,' [and who then] received a suspended sentence from a Chinese court" was required to report to the local public security bureau periodically as a condition of his sentence's suspension.¹⁰

Lastly, there have been instances in which Tibetans, who were thought to have attended past ceremonies convened by the Dalai Lama in India, were required to report regularly to the police, in order to assure that they were prevented from doing so in the future.¹¹

When traveling internationally from an airport in China, individuals, including Chinese nationals, have to pass through immigration inspection, where their identities (if they are Chinese nationals) are checked against a "blacklist" of people prohibited from traveling internationally.¹²

Legally, exit restrictions for Chinese citizens are primarily governed by Chapter II of the Exit and Entry Administration Law of the People's Republic of China, which provides in relevant part:

Article 12 Under any of the following circumstances, Chinese citizens are not allowed to exit China:

- (1) Hold no valid exit/entry documents, or refuse or evade border inspection;
- (2) Are sentenced to criminal punishments, the execution of which have not been completed, or are suspects or defendants in criminal cases;
- (3) Are involved in unsettled civil cases and not allowed to exit China upon decision of the people's courts;

⁷ *Conversation with a DOS Official*, July 31, 2018.

⁸ *Id.*

⁹ *Human Rights Defender Li Jinfang Summoned by Police, Home Raided and Property Confiscated*, Chinese Human Rights Defenders (reported by Amnesty International), July 1, 2010

¹⁰ *Chinese Web Activist Gets Suspended Sentence*, Los Angeles Times, June 12, 2004.

¹¹ *Country Reports on International Religious Freedom – 2014*, U.S. Department of State, Oct. 14, 2015. These individuals may or may not have been previously detained in conjunction with these activities.

¹² *Annual Report – 2013*, Congressional-Executive Commission on China, Oct. 10, 2013 (mentioning a report according to which some 14 million persons were believed to be on the list).

(4) Are subject to criminal punishment for impairing border administration, or are repatriated by other countries or regions due to illegal exit from China, illegal residence or illegal employment, and the No-Exit-from-China period has not expired;

(5) May endanger national security or interests, and are not allowed to exit China upon decision by competent departments under the State Council; or

(6) Other circumstances in which exit from China is not allowed in accordance with laws or administrative regulations.¹³

The Department of State reported that, “[c]riminal punishments included ‘deprivation of political rights’ for a fixed period after release from prison, during which an individual could be denied rights of free speech, association, and publication. Former prisoners reported that their ability to find employment, travel, *obtain residence permits and passports*, rent residences, and access social services was severely restricted.”¹⁴

Exit restrictions have also been placed on individual Chinese nationals who have been detained and/or monitored due to the religious or political activities, as well as (for a variety of reasons) those who have not. As the Department of State writes, China “restricts movement (for travel within the country *and overseas*)” of “journalists, lawyers, writers, bloggers, dissidents, petitioners, and others as well as their family members.”¹⁵

However, it does not appear that *all* of those who have been detained or monitored due to their religious or political activities are therefore, necessarily, subject to exit restrictions. Instances have occurred in which persons known to have been detained were subsequently allowed to acquire a passport and/or to travel internationally.¹⁶ A Department of State Official described it as difficult to predict/explain which of those persons who have been punished for religious and/or political activities would later face restrictions on their international travel.¹⁷ It is, generally, *unlikely* that a person who had been detained for political or religious activities would be permitted to travel abroad.¹⁸ But the process by which persons are placed on the “blacklist” is opaque and appears to depend, in part, on practices that vary between different bureaucracies in different localities.¹⁹

With regard to exit restrictions relating to religious or political activities, in practice, it appears that the government of China most typically attempts to prevent travel outside of China by those that it views as intending to engage in activities seen as contrary to the government’s interest. The Department of State explains that:

¹³ State Council of the People’s Republic of China, Entry and Exit Administration Law of the People’s Republic of China, The State Council of the People’s Republic of China, http://english.gov.cn/archive/laws_regulations/2014/09/22/content_281474988553532.htm (last accessed July 23, 2018).

¹⁴ *Country Reports – 2017* (emphasis added).

¹⁵ *Country Reports – 2017* (emphasis added).

¹⁶ See, e.g., *A Summer Vacation in China’s Muslim Gulag*, Foreign Policy, Feb. 28, 2018.

¹⁷ *Conversation with a DOS Official*, July 31, 2018.

¹⁸ *Id.*

¹⁹ *Id.*

Most citizens could obtain passports, although individuals the government deemed potential political threats, including religious leaders, political dissidents, petitioners, and ethnic minorities, routinely reported being refused passports or otherwise prevented from traveling overseas. [...]

Authorities [...], in some cases, refused to issue passports to citizens selected for international exchange programs who were considered “politically unreliable,” singling out Tibetans, Uighurs, and individuals from other minority nationality areas. A number of other foreign government-sponsored exchange selectees who already had passports, including some academics, encountered difficulties gaining approval to travel to participate in their programs. Academics reported having to request permission to travel overseas and, in some cases, said they were limited in the number of foreign trips they could take per year.²⁰

For example, in October 2017, a house-church member was prevented from flying to Hong Kong to attend an event put on by a theological seminary.²¹ Additionally, in anticipation of an important religious speech by the Dalai Lama in January 2017, the Chinese government confiscated the passports of Tibetans.²² In March 2017, Chinese authorities denied a passport and travel permit to a long-time petitioner, due allegedly to his activities connected to the July 2015 crackdown on human rights lawyers and legal advocates and for speaking with foreign reporters.²³ Certain family members of human rights lawyers arrested in connection with a 2015 crackdown on such lawyers continued, in 2017, to be restricted in their international travel.²⁴

In addition to exit restrictions on specific individuals, China has, since 2002, discriminated in the issuance of passports against persons from areas populated by certain ethnic and religious minorities, particularly Tibetans and Muslims.²⁵

Since late 2016, and especially since April 2017, additional and heavy restrictions have also been placed on Muslims, especially but not limited to Uyghurs, seeking to travel internationally. Department of State reported that:

Uighurs, particularly those residing in the XUAR, reported great difficulty in getting passport applications approved at the local level. They were frequently denied passports to travel abroad, particularly to Saudi Arabia for the Haj, to other Muslim countries, or to Western countries for academic purposes. Since 2016 authorities ordered residents of the XUAR to turn in their passports or told residents no new passports were available. The passport recall, however, was not limited to Uighur areas. Family members of Uighur activists living overseas were also denied visas to enter the country. During the year the government also made a concerted effort

²⁰ *Country Reports – 2017*.

²¹ *China in Nationwide Crackdown on Christian Churches During Party Congress*, Radio Free Asia, Oct. 20, 2017.

²² *CECC 2017*, p. 9. DOS reports, more generally, that: “[i]n the [Tibetan Autonomous Region] and Tibetan areas of Qinghai, Gansu, Yunnan, and Sichuan Provinces, Tibetans, especially Buddhist monks and nuns, experienced great difficulty acquiring passports. The unwillingness of government authorities in Tibetan areas to issue or renew passports for Tibetans created, in effect, a ban on foreign travel for a large segment of the Tibetan population. Han Chinese residents of Tibetan areas did not experience the same difficulties.” *Country Reports – 2017*.

²³ *CECC 2017*, p. 72.

²⁴ *CECC 2017*, p. 54.

²⁵ *One Passport, Two Systems: China’s Restrictions on Foreign Travel by Tibetans and others*, Human Rights Watch, July 13, 2015.

to compel Uyghurs studying abroad to return to China. Upon return, some of them were detained or disappeared.²⁶

A Department of State Official believed that, in the last year (since roughly August 2017) any Uyghurs who traveled internationally on their own passport probably received individual permission to do so.²⁷

The Congressional-Executive Commission on China reported that:

Beginning in October 2016, authorities in locations throughout the [Xinjiang Uyghur Autonomous Region] reportedly ordered residents to turn their passports in to police, with varying deadlines of up to four months. Authorities subsequently required residents to seek approval from police for international travel in order to retrieve their passports.²⁸

With regard to Kazakhs:

Radio Free Asia reported in November [2017] that authorities in some parts of Xinjiang had recently issued orders for ethnic Kazakh Chinese nationals to hand in their passports and Kazakh residence permits. Reportedly, authorities detained hundreds of ethnic Kazakhs returning from overseas study or family visits to Kazakhstan and sent them for indefinite terms to “re-education” facilities. One ethnic Kazakh in Tekes County said authorities placed him on a “wanted” list, along with some 60 other ethnic Kazakhs, for “returning to China after a long absence.”²⁹

a. Facial and voice recognition technologies

Facial recognition technology is currently in use in many public spaces in China, including at airports. According to an article by a GWU professor, the identification system, “compares the faces that are scanned to those found in a database that includes the pictures of many millions of Chinese citizens — whether or not they committed a crime, or were merely arrested.”³⁰ Such centralized identity databases in China have made the improving technology particularly useful in such areas as public security, financial services, transport, and retail.³¹ Installation of facial-recognition technologies has also begun to be required in Three-Self Patriotic Movement churches in Zhejiang Province and elsewhere.³²

²⁶ *Country Reports – 2017*.

²⁷ *Conversation with a DOS Official*, July 31, 2018.

²⁸ *CECC 2017*, p. 55.

²⁹ *IRF – 2017*.

³⁰ *China and the Lessons of Modern Surveillance Technology*, *The Diplomat*, July 19, 2018. See also, *China to build giant facial recognition database to identify any citizen within seconds*, *South China Morning Post*, Oct. 12, 2017.

³¹ *Chinese facial recognition start-up Megvii makes push into Southeast Asia*, *South China Morning Post*, June 25, 2018.

³² *Paranoid China attacks religion*, *Business Standard*, May 14, 2018.

Police use of facial recognition technology to identify and apprehend criminal suspects has been reported in Chinese as well as in international media.³³ According to official media, the four state-supported tech startup companies that provide most of the services are reported to have concluded “cooperation deals with nearly 30 provincial public security departments and has served more than 150 public security departments at prefecture level cities. Its technologies have also been applied in border inspection and defense.”³⁴ Police use of technologies -- including facial recognition technology as well as “drones, smart glasses, [and] DNA database software” has, according to one Hong Kong newspaper, “stoked concerns from rights groups about a national surveillance system to quell dissent.”³⁵

It is not clear whether facial recognition technologies would result in more effective implementation on international travel restrictions applied because of political or religious activities. A Department of State Official said that facial recognition technologies would likely make it more difficult to travel on a fake passport and that they would likely make human smuggling more difficult.³⁶ But he did not think that the facial recognition technologies would have a direct effect on which people were “blacklisted” from international travel.³⁷

In addition to facial recognition technologies, voice recognition and monitoring systems have also been developed that may be used in implementing exit controls. As the Department of State explains (quoting Human Rights Watch):

According to Human Rights Watch, the Ministry of State Security partnered with information technology firms to create a “mass automated voice recognition and monitoring system,” similar to ones already in use in Xinjiang and Anhui [provinces], to help with solving criminal cases. According to the company making it, the system was programmed to understand Mandarin Chinese and certain minority languages, including Tibetan and Uighur. In many cases other biometric data such as fingerprints and DNA profiles were being stored as well. This database included information obtained not just from criminals and criminal suspects but also from entire populations of migrant workers and *all Uighurs applying for passports*.³⁸

b. Resident Identity Cards

Last year, a pilot program was introduced in Guangzhou Province that allowed users of a cell phone app called WeChat to use the app’s facial recognition technology “to create a digital version of their government-issued ID card. They could then use the digital ID for hotel check-ins and airport security checks, among other things.”³⁹

³³ *Facial recognition tech nets fugitives*, China Daily, June 14, 2018; *Facial Recognition Cameras in China Snag May Who Allegedly Stole \$17,000 Worth of Potatoes*, Washington Post, May 22, 2018.

³⁴ *Facial recognition tech nets fugitives*, China Daily, June 14, 2018.

³⁵ *Chinese firms in surveillance race*, The Standard (Hong Kong), June 8, 2018. See also, *China’s Tech Giants Have a Second Job: Helping Beijing Spy on Its People*, Wall Street Journal, Nov. 20, 2017.

³⁶ *Conversation with a DOS Official*, July 31, 2018.

³⁷ *Id.*

³⁸ *Country Reports – 2017* (emphasis added).

³⁹ *After faces, China is moving quickly to identify people by their voices*, Quartz, Mar. 20, 2018. See also, *A look at China’s push for digital national ID cards*, South China Morning Post, Jan. 23, 2018.

The standard, non-digital Resident Identity Card (RIC), possession of which is mandatory for Chinese nationals sixteen years of age and older, is still currently the main form of identification document used in China and is issued by the Public Security Bureau:

The current ID card is the second-generation version that features an embedded chip and digital encryption. The card contains personal information including the individual's full name in Chinese characters, gender, ethnicity, date of birth, domicile, identification number, and a colour photo. The ID card is used for purposes including the obtaining of residence permits and driving licenses, opening of bank accounts, checking into hotels, purchasing high-speed railway tickets and boarding domestic flights.⁴⁰

The current "second generation" of the RIC first became available in 2004. As of January 1, 2013, the use of the previous "first generation" card became prohibited. In late 2012, official media estimated that "[m]ore than 1.1 billion people, or 80 percent of China's population, already [had] second-generation ID cards."⁴¹

c. Social Credit Score

Travel restrictions may also be a consequence of having a low "social credit score," indicating low trustworthiness, according to a rating system that the government is implementing.⁴² However, the details about how the social credit score is being implemented, specifically with regard to penalties for engaging in political/religious activities and how these might relate to travel restrictions. It also appears that the social credit system may still be in development and/or not fully rolled out. Therefore, at the present time, it is not possible to provide detailed information on this topic.

This response was prepared after researching publicly accessible information currently available to the RAIO Research Unit within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

⁴⁰ *A look at China's push for digital national ID cards*, South China Morning Post, Jan. 23, 2018.

⁴¹ *Old Chinese Id cards to expire*, China Daily, Dec. 28, 2012.

⁴² *China's Global Surveillance-Industrial Complex*, Al Bawaba News (Jordan), June 21, 2018.

3/21/2019

China Stops More Than 100 Christians From Boarding Planes For Overseas Event



China Stops More Than 100 Christians From Boarding Planes For Overseas Event

2018-10-30



Chinese state security agents stop house-church Christians from boarding a plane in Shanghai to attend a training session in South Korea, Oct. 25, 2018. Photo provided by an activist

Authorities in China have slapped a travel ban on more than 100 Protestant Christians en route to a religious training event in South Korea, RFA has learned.

State security police at airports in Shanghai, Beijing, and Guangzhou issued the travel bans on the grounds that the would-be participants in a conference run by a U.S.-based Baptist church on Jeju Island were "likely to damage national security."

Conference organizers the Institute of Leadership Research had invited more than 100 delegates from Protestant "house churches" not officially recognized by the ruling Chinese Communist Party.

A Chinese Protestant pastor who was to have run the training program, but who declined to be identified, said the Chinese church members were turned back at the airport and refused permission to board their flights, including from Hong Kong.

They were then told to go home to receive a full explanation, he said.

"This training was sponsored by me, it was intended to train some underground church members," the pastor said.

"But on Oct. 25, almost all the people who had signed up for the training were detained by state security agents in Beijing, Shanghai, Guangzhou, and Hong Kong."

"The reason given at the airports is that they may endanger national security," he said. "As far as I know, the largest group of people were those stranded in Shanghai, and heavy economic losses were sustained."

Ever-widening crackdown

The ruling Chinese Communist Party is pushing ahead with an ever-widening crackdown on religious activity, in particular among government employees, including schoolteachers and medical personnel.

The administration of President Xi Jinping has launched an ever-widening nationwide operation targeting unofficial "house churches" across China for closure and demolition, church followers say.

Schools in Zhejiang, Jiangxi, and Henan have asked students to register any religious beliefs, hospital employees have been forced to sign pledges that they have no religious affiliation, while the authorities are carrying out a census of churches, their sources of funding, and possible links to overseas organizations.

"We hope that the international community can support us because the government's actions are really harsh," the anonymous pastor said.

"It's even worse than during the Cultural Revolution," he said in a reference to the open political violence and kangaroo courts under late supreme leader Mao Zedong, from 1966-1967.

Strengthened controls

Guo said the travel bans are likely the result of the atheist Chinese Communist Party's new religious management regulations introduced last year, which call on the authorities to strengthen controls on underground churches, particularly those sending their members overseas to participate in religious gatherings and training.

"This incident shows that the Chinese government has further intensified its persecution of Christianity," Guo told RFA. "The regulations on religious affairs issued by China last year specifically talked about intensifying controls on believers participating in meetings or training abroad."

<https://www.rfa.org/english/news/china/christians-10302018120540.html>

1/2

3/21/2019

China Stops More Than 100 Christians From Boarding Planes For Overseas Event

He said Protestant "house church" members had previously been allowed to go abroad to participate in such events.

"However, since Xi Jinping called for the Sinicization of religion, the party's control and suppression of religious figures including Christians in the underground Christian church have been stepped up further," he said.

The new rules, which came into effect in February, require strict controls on the financial affairs, publications, online publicity, and overseas links of Chinese house churches.

Reported by Xi Wang for RFA's Mandarin Service. Translated and edited by Luisetta Mudie.

<https://www.rfa.org/english/news/china/christians-10302018120540.html>

2/2

Klayman, Amy S

From: Klayman, Amy S
Sent: Friday, September 27, 2019 7:16 AM
To: Garrett, Natalie M; McPherson, Yaniece A
Subject: RE: Please respond by noon tomorrow if you have CBP Agents assigned to you

Thanks, Natalie, for getting this done so quickly.

Going forward, there are very specific rules applying to the Agents working Comp Time, and in no case should it be done without prior approval from a USCIS Supervisor and, I believe, his BP Supervisor. It somehow affects their pay, I believe. Please make sure that Robert knows the proper procedures to be followed, which I believe are explained in more detail in the various emails from Shannon Wheeler, and I know that the issue had been discussed on some of the conference calls. We can delve into this in more detail next week, but at this point, given the amount of work that he is producing and the already lengthy hours he is working, I don't see a need for him to be accruing Comp Time.

Hope you're feeling better—

Amy

From: Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>
Sent: Thursday, September 26, 2019 9:40 PM
To: Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; McPherson, Yaniece A <Yaniece.A.McPherson@uscis.dhs.gov>
Subject: RE: Please respond by noon tomorrow if you have CBP Agents assigned to you

Hi, Amy.

I just updated the PDT spreadsheet with Robert's information. Below is also a breakdown of the information. (It should match the PDT.) In addition, Robert informed me that he worked **1-hour of comp time on 9/9**. I do not recall discussing this with him in advance, but he did indeed sign out later than usual on that day. I sent him an email, requesting additional information, so we have it for our records.

8/5 – 8/6: ZMI TRN
8/7: CF TRN (integration at BTC)
8/8 – 8/9: LV
8/12 – 8/16: CF TRN (integration at BTC)
8/19: CF
8/20: SBP
8/21 – 8/28: CF
8/29: SBP
8/30: CF
9/2: Labor Day
9/3: Dorian Admin Day
9/4: CF TRN
9/5 – 9/11: CF
9/12: LV
9/13 - 9/25: CF
9/26: SBP

From: Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>
Sent: Thursday, September 26, 2019 5:37 PM
To: McPherson, Yaniece A <Yaniece.A.McPherson@uscis.dhs.gov>; Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>
Subject: FW: Please respond by noon tomorrow if you have CBP Agents assigned to you
Importance: High

Hi, Ladies,

This tasker, due at 12 on Friday, is on my plate, as Kim is out. I think the easiest way to handle it is to populate the PDT Spreadsheet for each day since the agents' arrival in Miami. In each cell, please use codes to indicate if the Agent was working CF (CF), was in CF Training (CF TRN), was on Leave (LV), was doing a CBP-related training or task (SBP), or anything else that caused him not to be working on CF, such as hurricane admin days or the like (use a suitable code). If necessary, abbreviate the name so as to allow space for the codes.

I can authorize Comp Time if you want to work on this from home. I'm available at any time if there are any questions, and I would be happy to collaborate with you on putting this together. As noted, I need to have all the information gathered and sent up to HQ by 12.

Thanks for your help,

Amy

From: Rellis, Jennifer L <Jennifer.L.Rellis@uscis.dhs.gov>
Sent: Thursday, September 26, 2019 4:30 PM
To: Powless, Crystal Y <Crystal.Y.Powless@uscis.dhs.gov>; Hunt, Margo M <Margo.M.Hunt@uscis.dhs.gov>; Osuji, Kizito <Kizito.Osuji@uscis.dhs.gov>; Bardini, Emilia M <Emilia.M.Bardini@uscis.dhs.gov>; Boss, Juliet M <juliet.m.boss@uscis.dhs.gov>; Cleary, Heather M <heather.m.cleary@uscis.dhs.gov>; Mireles, Charity J <charity.j.mireles@uscis.dhs.gov>; Brodrecht, Anna M <anna.m.brodrecht@uscis.dhs.gov>; Andre, Lisa S <Lisa.S.Andre@uscis.dhs.gov>; Minnick, Frank R <Frank.R.Minnick@uscis.dhs.gov>; Kim, Alejandra <Alejandra.Kim@uscis.dhs.gov>; Lynn, Mallory L <Mallory.L.Lynn@uscis.dhs.gov>; Stefanova, Desislava I <desislava.i.stefanova@uscis.dhs.gov>; Lewis, Victoria E <Victoria.E.Lewis@uscis.dhs.gov>; Baj, Ewa <Ewa.Baj@uscis.dhs.gov>; McPherson, Yaniece A <Yaniece.A.McPherson@uscis.dhs.gov>; Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>; Talamantes, Eudelia A <Eudelia.A.Talamantes@uscis.dhs.gov>; Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>; Kelly, Brooke A <Brooke.Kelly@uscis.dhs.gov>; Zeleke, Aster N <Aster.Zeleke@uscis.dhs.gov>; Hemming, Bryan D <Bryan.D.Hemming@uscis.dhs.gov>; Douglas, Audrey M <Audrey.M.Douglas@uscis.dhs.gov>; Carter, Lovely L <lovely.l.carter@uscis.dhs.gov>; Fairbank, Christina <Christina.Fairbank@uscis.dhs.gov>; Frederick, Douglas D <douglas.d.frederick@uscis.dhs.gov>
Cc: Caudill-Mirillo, Ashley B <Ashley.Caudill-Mirillo@uscis.dhs.gov>; Davidson, Andrew J <Andrew.J.Davidson@uscis.dhs.gov>; Roberts, Rhonda J <Rhonda.J.Roberts@uscis.dhs.gov>; Alexander, Shannon <shannon.alexander@uscis.dhs.gov>; RAIO - Asylum Field Office Managers <RAIO-AsylumFieldOfficeManagers@uscis.dhs.gov>; Liberto, James <James.Liberto@uscis.dhs.gov>
Subject: Please respond by noon tomorrow if you have CBP Agents assigned to you
Importance: High

Field POCs for CBP Agents and Field Leadership,

Thanks in advance for your assistance with this task if you currently have CBP agents assisting you. If you do not, feel free to disregard this message.

We are gathering information in order to effectuate USCIS responsibilities under the MOA. We are working very quickly on this so it is quite possible that I may need additional information at a later point as well. If so, I apologize in advance for the piecemeal request.

We need to gather information as to actual days worked on credible fear interviews and work related to those interview for each CBP agent assigned to your office. In order to do so, I'm requesting that you fill out the sheet labeled "ASY TDY Dates" in the attached spreadsheet. For each officer assigned to you, please calculate the number of days the agent has worked for you. If you can make notes regarding leave, CBP training, and/or any other time period that the CBP agent was on detail to you but was unavailable to perform CBP work that would be fantastic. To the extent that you have it, please note if any comp time or OT was worked as well.

Thanks for your prompt assistance in this matter.

Jennifer

Jennifer Rellis

USCIS/RAIO/Asylum Headquarters

Management Branch Chief

Office: [REDACTED]

Cell: [REDACTED] (b)(6)

Jennifer.L.Rellis@uscis.dhs.gov

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Klayman, Amy S

From: Klayman, Amy S
Sent: Friday, September 27, 2019 10:11 AM
To: Rellis, Jennifer L; Papazian, Varsenik L; Aguilar, Kimberly M; Pueschel, Tracy W; McPherson, Yaniece A; Garrett, Natalie M; Talamantes, Eudelia A; Hemming, Bryan D; Douglas, Audrey M
Cc: Caudill-Mirillo, Ashley B; Davidson, Andrew J; Roberts, Rhonda J; Alexander, Shannon; Liberto, James
Subject: RE: Please respond by noon tomorrow if you have CBP Agents assigned to you
Attachments: FY 2019 CBP MOU Sal-OT Estimate.ZMI.xlsx

Good Morning,

Attached please find the information for the CBP Agents assigned to ZMI. The breakdown of days is included in the "Notes" field. Please let me know if you need clarification or additional information.

Thanks,

Amy

Amy S. Klayman
Section Chief
DHS/USCIS/Miami Asylum Office
Desk:
Cell: (b)(6)

From: Rellis, Jennifer L <Jennifer.L.Rellis@uscis.dhs.gov>
Sent: Thursday, September 26, 2019 4:30 PM
To: Powless, Crystal Y <Crystal.Y.Powless@uscis.dhs.gov>; Hunt, Margo M <Margo.M.Hunt@uscis.dhs.gov>; Osuji, Kizito <Kizito.Osuji@uscis.dhs.gov>; Bardini, Emilia M <Emilia.M.Bardini@uscis.dhs.gov>; Boss, Juliet M <juliet.m.boss@uscis.dhs.gov>; Cleary, Heather M <heather.m.cleary@uscis.dhs.gov>; Mireles, Charity J <charity.j.mireles@uscis.dhs.gov>; Brodrecht, Anna M <anna.m.brodrecht@uscis.dhs.gov>; Andre, Lisa S <Lisa.S.Andre@uscis.dhs.gov>; Minnick, Frank R <Frank.R.Minnick@uscis.dhs.gov>; Kim, Alejandra <Alejandra.Kim@uscis.dhs.gov>; Lynn, Mallory L <Mallory.L.Lynn@uscis.dhs.gov>; Stefanova, Desislava I <desislava.i.stefanova@uscis.dhs.gov>; Lewis, Victoria E <Victoria.E.Lewis@uscis.dhs.gov>; Baj, Ewa <Ewa.Baj@uscis.dhs.gov>; McPherson, Yaniece A <Yaniece.A.McPherson@uscis.dhs.gov>; Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>; Talamantes, Eudelia A <Eudelia.A.Talamantes@uscis.dhs.gov>; Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>; Kelly, Brooke A <Brooke.Kelly@uscis.dhs.gov>; Zeleke, Aster N <Aster.Zeleke@uscis.dhs.gov>; Hemming, Bryan D <Bryan.D.Hemming@uscis.dhs.gov>; Douglas, Audrey M <Audrey.M.Douglas@uscis.dhs.gov>; Carter, Lovely L <lovely.l.carter@uscis.dhs.gov>; Fairbank, Christina <Christina.Fairbank@uscis.dhs.gov>; Frederick, Douglas D <douglas.d.frederick@uscis.dhs.gov>
Cc: Caudill-Mirillo, Ashley B <Ashley.Caudill-Mirillo@uscis.dhs.gov>; Davidson, Andrew J <Andrew.J.Davidson@uscis.dhs.gov>; Roberts, Rhonda J <Rhonda.J.Roberts@uscis.dhs.gov>; Alexander, Shannon <shannon.alexander@uscis.dhs.gov>; RAIO - Asylum Field Office Managers <RAIO-AsylumFieldOfficeManagers@uscis.dhs.gov>; Liberto, James <James.Liberto@uscis.dhs.gov>
Subject: Please respond by noon tomorrow if you have CBP Agents assigned to you
Importance: High

Field POCs for CBP Agents and Field Leadership,

Thanks in advance for your assistance with this task if you currently have CBP agents assisting you. If you do not, feel free to disregard this message.

We are gathering information in order to effectuate USCIS responsibilities under the MOA. We are working very quickly on this so it is quite possible that I may need additional information at a later point as well. If so, I apologize in advance for the piecemeal request.

We need to gather information as to actual days worked on credible fear interviews and work related to those interview for each CBP agent assigned to your office. In order to do so, I'm requesting that you fill out the sheet labeled "ASY TDY Dates" in the attached spreadsheet. For each officer assigned to you, please calculate the number of days the agent has worked for you. If you can make notes regarding leave, CBP training, and/or any other time period that the CBP agent was on detail to you but was unavailable to perform CBP work that would be fantastic. To the extent that you have it, please note if any comp time or OT was worked as well.

Thanks for your prompt assistance in this matter.

Jennifer

Jennifer Rellis

USCIS/RAIO/Asylum Headquarters

Management Branch Chief

Office: [REDACTED] (b)(6)

Cell: [REDACTED]

Jennifer.L.Rellis@uscis.dhs.gov

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Garrett, Natalie M

From: Garrett, Natalie M
Sent: Thursday, October 17, 2019 11:46 AM
To: Hanson, Greta E; Jamette-Lara, Farahnaz (Farah); Aguilar, Kimberly M
Cc: Klayman, Amy S; Miami Asylum SAPSO
Subject: RE: BPA TECS checks

Hello again, all.

To follow up, Robert confirmed that he is using his BP account. He does not have a USCIS TECS account.

From: Hanson, Greta E <greta.e.hanson@uscis.dhs.gov>
Sent: Thursday, October 17, 2019 10:45 AM
To: Jamette-Lara, Farahnaz (Farah) <farahnaz.jamette-lara@uscis.dhs.gov>; Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>; Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>
Cc: Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; Miami Asylum SAPSO <Miami-Asylum-SAPSO@uscis.dhs.gov>
Subject: RE: BPA TECS checks

Good morning,

Agent Baez was not yet conducting interviews when I was first at Krome with him – he had only begun observing interviews. I am unaware of how he later conducted security checks.

Thanks,

Greta

From: Jamette-Lara, Farahnaz (Farah) <farahnaz.jamette-lara@uscis.dhs.gov>
Sent: Thursday, October 17, 2019 10:09 AM
To: Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>; Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>; Hanson, Greta E <greta.e.hanson@uscis.dhs.gov>
Cc: Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; Miami Asylum SAPSO <Miami-Asylum-SAPSO@uscis.dhs.gov>
Subject: RE: BPA TECS checks

Hi Kim,

I do not have any knowledge of how things were done with Agent Baez as he left shortly after I arrived, I believe the next day.

Best,

Farah

From: Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>
Sent: Thursday, October 17, 2019 9:50 AM
To: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>; Jamette-Lara, Farahnaz (Farah) <farahnaz.jamette-

DHS-19-1398-B, 19-1400-A-000481

lara@uscis.dhs.gov>; Hanson, Greta E <greta.e.hanson@uscis.dhs.gov>

Cc: Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; Miami Asylum SAPSO <Miami-Asylum-SAPSO@uscis.dhs.gov>

Subject: RE: BPA TECS checks

Good morning, all.

Robert Vazquez has been running his own TECS checks. I am unsure of whether he has a USCIS account or whether he has been using his BP account. I can check with him when he arrives. (He is out of the office and hopes to arrive later today; otherwise, I expect him to return tomorrow.)

From: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>

Sent: Thursday, October 17, 2019 9:39 AM

To: Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>; Jamette-Lara, Farahnaz (Farah) <farahnaz.jamette-lara@uscis.dhs.gov>; Hanson, Greta E <greta.e.hanson@uscis.dhs.gov>

Cc: Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; Miami Asylum SAPSO <Miami-Asylum-SAPSO@uscis.dhs.gov>

Subject: FW: BPA TECS checks

Good morning All—

We received this question from HQ regarding the Border Patrol Agents. Can you respond to the questions below, please? Natalie would likely have the most information having consistently supervised Agent Vasquez. Farah and Greta, if you have any knowledge of how things were done with Agent Baez, please chime in.

Thank you,

Kimberly Aguilar
Deputy Director, Miami Asylum Office
Citizenship and Immigration Services
Phone: 786-456-2739

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From: Alexander, Shannon <shannon.alexander@uscis.dhs.gov>

Sent: Thursday, October 17, 2019 9:28 AM

To: Hogan, Heather J <Heather.J.Hogan@uscis.dhs.gov>; Osuji, Kizito <Kizito.Osuji@uscis.dhs.gov>; Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>; Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; Douglas, Audrey M <Audrey.M.Douglas@uscis.dhs.gov>

Cc: Caudill-Mirillo, Ashley B <Ashley.Caudill-Mirillo@uscis.dhs.gov>

Subject: BPA TECS checks

Good Morning Everyone,

How you have been handling TECS checks for BPAs? Have they been using their CBP laptops? Has your staff been assisting them and running their TECS checks? Another method?

Thank you.

Best,

Shannon Alexander

Asylum Officer

Asylum Training Division

DHS/USCIS/RAIO

Cube:

Cell: (b)(6)

Aguilar, Kimberly M

From: Aguilar, Kimberly M
Sent: Thursday, October 17, 2019 1:12 PM
To: Garrett, Natalie M
Cc: Klayman, Amy S; Jamette-Lara, Farahnaz (Farah); Miami Asylum SAPSO; Patterson, Sean A (Andy); Pueschel, Tracy W; Papazian, Varsenik L
Subject: FW: Training for BPAs on Thursday, October 24th

Hi Natalie—

Heads up on some additional training for BPA Vasquez.

Kimberly Aguilar
Deputy Director, Miami Asylum Office
Citizenship and Immigration Services
Phone: (b)(6)

This communication is intended for the sole use of the individual to whom it is addressed and may contain Limited Official Use Only Information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). If the reader of this communication is not the intended recipient or the employee or agent for delivering the communication to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you received this communication in error, please notify the sender immediately by telephone and destroy this transmission according to applicable DHS Policy and Instruction.

From: Alexander, Shannon <shannon.alexander@uscis.dhs.gov>
Sent: Thursday, October 17, 2019 1:16 PM
To: Hussey, Jedidah M <Jedidah.M.Hussey@uscis.dhs.gov>; Hogan, Heather J <Heather.J.Hogan@uscis.dhs.gov>; Powless, Crystal Y <Crystal.Y.Powless@uscis.dhs.gov>; Varghese, Mathew C <Mathew.C.Varghese@uscis.dhs.gov>; Daum, Robert L <Robert.L.Daum@uscis.dhs.gov>; Gadson, Irvin C <Irvin.C.Gadson@uscis.dhs.gov>; Douglas, Audrey M <Audrey.M.Douglas@uscis.dhs.gov>; Papazian, Varsenik L <Varsenik.L.Papazian@uscis.dhs.gov>; Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>; Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>
Cc: Davidson, Andrew J <Andrew.J.Davidson@uscis.dhs.gov>; Caudill-Mirillo, Ashley B <Ashley.Caudill-Mirillo@uscis.dhs.gov>; Roberts, Rhonda J <Rhonda.J.Roberts@uscis.dhs.gov>
Subject: Training for BPAs on Thursday, October 24th

Good Afternoon Everyone,

In response to requests from BPAs for additional training on interviewing children, we will be holding a 4 hour training on Thursday, October 24th.

The tentative schedule is as follows:

11:00 AM EST – 12:45 PM EST Recorded Webinar: Children's Claims
12:45 PM EST – 1:15 PM EST Practical Exercise: Interviewing Children Question Analysis
1:15 PM EST to 1:30 PM EST Break
1:30 PM EST – 2:15 PM EST Live Q&A with Asylum SMEs and Lynne Wilson-Bruchet, Victim Assistance Specialist with HSI in Newark
2:15 PM EST – 3:00 PM EST Live Check in with Asylum HQ

The BPAs will receive two invites: one for the pre-recorded webinar and another for the live Q&A and

check in session.

Please ensure that the BPAs working with your office are available for this training.

I will be sending out an email and calendar invites to the BPAs by COB tomorrow.

Thank you all for your flexibility and your work with the agents.

Best,

Shannon Alexander

Asylum Officer

Asylum Training Division

DHS/USCIS/RAIO

Cube:

Cell:

(b)(6)

Aguilar, Kimberly M

From: Aguilar, Kimberly M
Sent: Thursday, October 17, 2019 1:24 PM
To: Alexander, Shannon
Cc: Caudill-Mirillo, Ashley B; Hogan, Heather J; Osuji, Kizito; Klayman, Amy S; Douglas, Audrey M
Subject: RE: BPA TECS checks

Hi All—

Agent Vazquez is working at one of our local detention centers. He runs his own TECS checks and uses the USCIS computer we provide.

Please let me know if you have any questions.

Kimberly Aguilar
Deputy Director, Miami Asylum Office
Citizenship and Immigration Services
Phone: [REDACTED] (b)(6)

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From: Alexander, Shannon <shannon.alexander@uscis.dhs.gov>
Sent: Thursday, October 17, 2019 9:28 AM
To: Hogan, Heather J <Heather.J.Hogan@uscis.dhs.gov>; Osuji, Kizito <Kizito.Osuji@uscis.dhs.gov>; Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>; Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; Douglas, Audrey M <Audrey.M.Douglas@uscis.dhs.gov>
Cc: Caudill-Mirillo, Ashley B <Ashley.Caudill-Mirillo@uscis.dhs.gov>
Subject: BPA TECS checks

Good Morning Everyone,

How you have been handling TECS checks for BPAs? Have they been using their CBP laptops? Has your staff been assisting them and running their TECS checks? Another method?

Thank you.

Best,

Shannon Alexander
Asylum Officer
Asylum Training Division
DHS/USCIS/RAIO
Cube: [REDACTED]
Cell: [REDACTED] (b)(6)

AMERICAN
OVERSIGHT

DHS-19-1398-B, 19-1400-A-000486

Aguilar, Kimberly M

From: Aguilar, Kimberly M
Sent: Monday, October 21, 2019 2:06 PM
To: Garrett, Natalie M
Cc: Jamette-Lara, Farahnaz (Farah); Klayman, Amy S; Patterson, Sean A (Andy); Pueschel, Tracy W; Papazian, Varsenik L; Miami Asylum SAPSO
Subject: RE: Interviewing Children Training 10/24

Great! Please express our sincere appreciation for his flexibility.

Thank you for letting me know.

Kimberly Aguilar
Deputy Director, Miami Asylum Office
Citizenship and Immigration Services
Phone: (b)(6)

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From: Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>
Sent: Monday, October 21, 2019 2:58 PM
To: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>
Cc: Jamette-Lara, Farahnaz (Farah) <farahnaz.jamette-lara@uscis.dhs.gov>; Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; Patterson, Sean A (Andy) <Sean.A.Patterson@uscis.dhs.gov>; Pueschel, Tracy W <Tracy.L.Pueschel@uscis.dhs.gov>; Papazian, Varsenik L <Varsenik.L.Papazian@uscis.dhs.gov>; Miami Asylum SAPSO <Miami-Asylum-SAPSO@uscis.dhs.gov>
Subject: RE: Interviewing Children Training 10/24

Thank you, Kim.

Robert was able to reschedule his firearms qualifications, such that he can attend.

From: Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>
Sent: Friday, October 18, 2019 12:12 PM
To: Garrett, Natalie M <natalie.m.garrett@uscis.dhs.gov>
Cc: Jamette-Lara, Farahnaz (Farah) <farahnaz.jamette-lara@uscis.dhs.gov>; Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; Patterson, Sean A (Andy) <Sean.A.Patterson@uscis.dhs.gov>; Pueschel, Tracy W <Tracy.L.Pueschel@uscis.dhs.gov>; Papazian, Varsenik L <Varsenik.L.Papazian@uscis.dhs.gov>; Miami Asylum SAPSO <Miami-Asylum-SAPSO@uscis.dhs.gov>
Subject: FW: Interviewing Children Training 10/24

Hi Natalie—

Here is additional information on the BPA APSO training.

Regards,

Kimberly Aguilar
Deputy Director, Miami Asylum Office
Citizenship and Immigration Services
Phone: [REDACTED] (b)(6)

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From: Alexander, Shannon <shannon.alexander@uscis.dhs.gov>

Sent: Friday, October 18, 2019 12:10 PM

To: Quinones, Eugenio Jr <eugenio.quinones@uscis.dhs.gov>; Sanchez, Eric A <eric.a.sanchez@uscis.dhs.gov>; Hernandez, Ruth N <ruth.n.hernandez@uscis.dhs.gov>; Espinoza, Salvador H <salvador.h.espinoza@uscis.dhs.gov>; Gutierrez, Ervey <ervey.gutierrez@uscis.dhs.gov>; Valdez, Luis S <luis.s.valdez@uscis.dhs.gov>; Saiz, Jose A <jose.a.saiz@uscis.dhs.gov>; Goldston, Sterling W <sterling.w.goldston@uscis.dhs.gov>; Natividad, Frank <frank.natividad@uscis.dhs.gov>; Dorame, Brian A <brian.a.dorame@uscis.dhs.gov>; Tipton, Dax R <dax.r.tipton@uscis.dhs.gov>; Rutkowski, Thomas M <thomas.m.rutkowski@uscis.dhs.gov>; Genoves, Gabriel <gabriel.genoves@uscis.dhs.gov>; Perez, Ubaldo <ubaldo.perez@uscis.dhs.gov>; Jiron, Marvin P <marvin.p.jiron@uscis.dhs.gov>; Torrick, Jason J <jason.j.torrick@uscis.dhs.gov>; Etling, John E <john.e.etling@uscis.dhs.gov>; Mceachen, John W <john.w.mceachen@uscis.dhs.gov>; MCEACHEN, JOHN W <JOHN.W.MCEACHEN@CBP.DHS.GOV>; Vazquez, Robert M <robert.m.vazquez@uscis.dhs.gov>; Baez, Jonathan <jonathan.baez@uscis.dhs.gov>; Gali, Orlando <orlando.gali@uscis.dhs.gov>; Roberts, Robin J <robin.j.roberts@uscis.dhs.gov>; Brennan, Ciaran P <ciaran.p.brennan@uscis.dhs.gov>; Balen, Paul W II <paul.w.balen@uscis.dhs.gov>; Cigarroa, Geovanny (Geo) <geovanny.cigarroa@uscis.dhs.gov>; Dickey, Johnathan E <johnathan.e.dickey@uscis.dhs.gov>; Garcia, Bryant <bryant.garcia@uscis.dhs.gov>; Guz, Michael <michael.guz@uscis.dhs.gov>; Martin, Jose A <jose.a.martin@uscis.dhs.gov>; Perry, Navarre J <navarre.j.perry@uscis.dhs.gov>; Vargas, Israel <israel.vargas@uscis.dhs.gov>; Villanueva, Abraham <abraham.villanueva@uscis.dhs.gov>; [REDACTED] (b)(7)(c)

Cc: Davidson, Andrew J <Andrew.J.Davidson@uscis.dhs.gov>; Caudill-Mirillo, Ashley B <Ashley.Caudill-Mirillo@uscis.dhs.gov>; Kirkland, Brooke A <Brooke.A.Kirkland@uscis.dhs.gov>; Mura, Elizabeth E <Elizabeth.E.Mura@uscis.dhs.gov>; Rellis, Jennifer L <Jennifer.L.Rellis@uscis.dhs.gov>; Hussey, Jedidah M <Jedidah.M.Hussey@uscis.dhs.gov>; Hogan, Heather J <Heather.J.Hogan@uscis.dhs.gov>; Powless, Crystal Y <Crystal.Y.Powless@uscis.dhs.gov>; Varghese, Mathew C <Mathew.C.Varghese@uscis.dhs.gov>; Daum, Robert L <Robert.L.Daum@uscis.dhs.gov>; Gadson, Irvin C <Irvin.C.Gadson@uscis.dhs.gov>; Douglas, Audrey M <Audrey.M.Douglas@uscis.dhs.gov>; Papazian, Varsenik L <Varsenik.L.Papazian@uscis.dhs.gov>; Aguilar, Kimberly M <Kimberly.M.Aguilar@uscis.dhs.gov>; Klayman, Amy S <Amy.S.Klayman@uscis.dhs.gov>; [REDACTED] (b)(7)(c); [REDACTED]; Maloney, Kathleen M <kathleen.m.maloney@uscis.dhs.gov>; Mongkolpumirat, Voranan <voranan.mongkolpumirat@uscis.dhs.gov>; Bissell, Catherine E (Kate) <Catherine.E.Bissell@uscis.dhs.gov>; Andre, Lisa S <Lisa.S.Andre@uscis.dhs.gov>

Subject: Interviewing Children Training 10/24

Good Afternoon Everyone,

We will be holding a 4 hour training on **Thursday, October 24th from 10:30 AM EST until 3:00 PM EST**. The training will focus on Interviewing Children but will also touch on Credibility. In addition to several asylum SMEs who have substantial experience on this topic, we are extremely lucky to have Lynne Wilson-Bruchet joining us. Lynne works with HSI as a Victim Assistance Specialist and is an expert on the forensics of interviewing.

The schedule is as follows:

10:30 AM EST – 12:15 PM EST *Recorded Webinar: Children's Claims*

12:15 PM EST – 12:45 PM EST *Lunch*

12:45 PM EST – 1:15 PM EST *Practical Exercise: Interviewing Children Question Analysis*

1:15 PM EST to 1:30 PM EST *Break*

1:30 PM EST – 2:15 PM EST *Live Q&A on Interviewing Children with Lynne Wilson-Bruchet (Victim Assistance Specialist, HSI Newark), Kathleen Maloney (Training Officer STFRC), Lisa Andre (Supervisory Asylum Officer ZLA), Voranan Mongkolpumirat (Supervisory Asylum Officer ZNK) and Kate Bissell (Asylum HQ)*

2:15 PM EST – 3:00 PM EST *Live Check in with Asylum HQ*

I will send two calendar invites: one for the webinar and one for the Q&A and Check in. The webinar invite will include the practical exercise.

Unless you have preapproved leave, your attendance is expected.

If there are technical issues with your computer on the day of the training, you will be able to access the training by using the call in number provided by the WebEx invite.

If you have any questions, general case issues etc that you would like our panel to address during the live portion of the training, please feel free to reply directly to me with those questions and details.

Thank you! Looking forward to hearing from you next week. Have a great weekend.

Best,

Shannon Alexander

Asylum Officer

Asylum Training Division

DHS/USCIS/RAIO

Cube:

Cell: (b)(6)

From: Maalona, John L
Sent: Monday, November 25, 2019 10:55 AM
To: ESPINOSA, JORGE; ORTIZ, JORGE X; MORALES, EFRAIN; LOPEZ, RICARDO G; NUNEZ, HECTOR I; GONZALEZ, MARCOS A; PARTIDA, JESUS M; MILLER, TIMOTHY L; JOHN, TYSON I; SILVA1, MANUEL; AGUNDEZ, MARIO I (NGL); BAKER, BRENT A; POOLEY, LEROY A; COREA, GERMAN E; FLORES, ERNESTO; MAZUR, MATTHEW T; BROWN, SCOTT B; VENTO, JUAN A.; SCHROLL, JEREMY; RIOS, OSCAR; LOPEZ-ARAGON, JOSEFINA; HAMBURGER, DANIEL; SUBOH, SUBOH A; Hedde, Lydia M; Villena, Daniel A; Smith, Stephanie E; Occhiogrosso, Rachel; Hollemans, Sarah M; Miller, Rebecca E; Sermenio, Heidi M; Jiron, Marvin P; Torrick, Jason J; Tipton, Dax R; PACHECO, HUGO M; FACCIN, ALESSIO F; SESSION, SHONE D; MCEACHEN, JOHN W; PETERS, ERIC S; RAMIREZ, EBED M; Brennan, Ciaran P; Gutierrez, Ervey; GUTIERREZ, ERVEY; Quinones, Eugenio Jr; DUTTON, JULIE L; Hernandez, Ruth N; Espinoza, Salvador H; Gali, Orlando; Sanchez, Eric A; VALDEZ, JACOB B; CLARK, STEVEN C; LOPEZ, ANDRES; TOVAR, RAFAEL; Valdez, Luis S; Etling, John E; Natividad, Frank; Perez, Ubaldo; LEDEZMA, ARMANDO; RIVERA4, LUIS; LEMUS, MIGUEL A; GARAYUA, EDGARDO; Roberts, Robin J; RODRIGUEZ, BENJAMIN; STEPHANY, ERIK R; LARACUENTE, HABACUC; DOUGHERTY, STEPHEN E; Morales, Oscar C
Cc: Maloney, Kathleen M; Maalona, John L; Andre, Lisa S; Smith, Stephanie E; Villena, Daniel A; Occhiogrosso, Rachel; Hedde, Lydia M; Grady Madera, Adrienne M; Ekoubegzi, Mahlet F
Subject: ***very important- new policy starting now!
Attachments: USCIS Metering Questions 11.22.19.docx; Al Otro Lado Guidance 11.24.19.pdf
Importance: High

Hello everyone,

As Kathleen previously emailed, there was a court decision (*AL OTRO LADO*) that will impact the way we do our IFR cases for *non-Mexican* applicants.

It shouldn't be too difficult for us to implement but we need to **start today!!!**

It deals with the *metering* policy where people were made to wait in line in Mexico in order to come in and start their CF/Asylum process.

The case is regarding people who could have gotten here in time to apply under the pre-IFR lower CF standard, but they had to wait in line in Mexico so they ended up affected by the IFR.

We have to ask the applicant the attached questions in the beginning of the interview (maybe when asking trafficking IFR questions) to see if they could be an "*AL OTRO LADO* class member." The standard is the "more likely than not" standard.

If you have any questions, please don't hesitate to reach out to your supervisor.

Thanks!

***Al Otro Lado (AOL) v. Wolf* Processing Guidance**

November 24, 2019

~~FOR INTERNAL USE ONLY~~

For new CF cases that have not received a CF determination as of the date of this guidance:

- 1) Follow existing Global instructions if the individual appears to be subject to the Third Country Transit Asylum Bar IFR based on date and location of entry. On the Entry card, select special group code **BAR – 13(c)(4)** as soon as possible after referral.
- 2) At the beginning of the CF interview, ask the *Al Otro Lado* metering questions.
- 3) If, after answering the metering questions, an applicant DOES NOT establish that it is more likely than not that he or she meets the provisional class definition, then USCIS will apply the Third Country Transit Asylum Bar IFR. The burden is on the applicant to establish that they meet the provisional class definition.
 - a. Continue processing the case under existing guidance and determine whether an exception to the Third Country Transit Asylum Bar IFR applies.
 - b. Check “Yes” in box A, Arrival Date, of the *Third-Country Transit Bar Worksheet* (8 CFR 208.13(c)(4)). Include as the explanation, “Alien did not established that it is more likely than not that he or she meets the provisional class definition in *Al Otro Lado v. Wolf*.”
 - c. Update last page of the *I-870, Record of Determination/Credible Fear Worksheet*, ADDITIONAL INFORMATION/CONTINUATION with the following language: “Alien did not establish that it is more likely than not that he or she meets the provisional class definition in *Al Otro Lado v. Wolf*.”
 - d. When completing the Decision card, enter in the Decision Notes, NOT METERED.
- 4) If, after answering the questions, an applicant ESTABLISHES that it is more likely than not that he or she meets the provisional class definition, then USCIS will not apply the Third Country Transit Asylum Bar IFR. The burden is on the applicant to establish that they meet the provisional class definition.
 - a. Continue CF processing and screening under the significant possibility standard, consistent with pre-Third Country Transit Asylum Bar IFR procedures.
 - b. Check “No” in box A, Arrival Date, of the *Third-Country Transit Bar Worksheet* (8 CFR 208.13(c)(4)). Include as the explanation, “Alien established that it is more likely than not that he or she meets the provisional class definition in *Al Otro Lado v. Wolf*. Therefore, 8 CFR 208.13(c)(4) does not apply.”
 - c. Update the *I-870, Record of Determination/Credible Fear Worksheet*, ADDITIONAL INFORMATION/CONTINUATION with the following language: “Alien established that it is more likely than not that he or she meets the provisional class definition in *Al Otro Lado v. Wolf*. Therefore, 8 CFR 208.13(c)(4) does not apply.”
 - d. As soon as possible after interview, edit the Entry card with the new special group code **NO BAR – AOL**.

Supervisory review of the credible fear determination should include review of the class membership determination

AL OTRO LADO: USCIS Metering Questions

~~FOR INTERNAL USE ONLY~~

[Below questions only need to be asked of non-Mexicans consistent to the class definition]

1. What day did you cross the border from Mexico into the US? *[applies to either entrance at POE or EWI; ask appropriate follow-up questions as necessary]*
2. Did you ever seek to enter the United States before that time *[insert date of entry from 1 above]*?
 - a. When? *[if all attempts were after 7/16/19, no need for additional questions]*
 - b. Where? *[if no attempts to enter before 7/16/19 were at a POE, skip to questions 3-5]*
 - c. Which POE?
 - d. What happened when you sought to enter at the POE?
 - i. Did anyone tell you that the POE was full? If yes, who? *[ask appropriate follow-up questions for details]*
 - ii. Did anyone tell you that you needed to wait in Mexico or go to a shelter before returning to the POE? If yes, who? *[ask appropriate follow-up questions for details]*
 - iii. Where did you go? *[What city and where specifically, e.g., shelter, the streets].*
 - iv. How long did you spend there?
 - v. Do you have any documentation that shows where you stayed and how long you spent in *[city and where specifically the individual states he or she stayed]*? If yes, are you able to provide that documentation or other information? *[note that providing documentation is not a prerequisite to showing class membership at this time]*
3. While you were in *[name of city in Mexico]* were you told to put your name on any sort of list to get into a POE? If yes, who told you that? *[ask appropriate follow-up questions for details]*
4. While you were in *[name of city in Mexico]* were you ever told that you could return to a POE to be processed? If yes, who told you that? *[ask appropriate follow-up questions for details]*
 - a. If yes, did you then return to that POE? *[ask appropriate follow-up questions for details]*
 - b. If no, did you at any point return to that POE or another POE anyway? *[ask appropriate follow-up questions for details]*
3. Did you ever put your name on any sort of list in Mexico that you believed would get you a place in line to get into the United States?
 - a. When did you put your name on that list? *[if only after 7/16/16, no need for additional questions]*
 - b. Where?
 - c. Why?
 - i. Did anyone tell you that the POE was full? If yes, who? *[ask appropriate follow-up questions for details]*
 - ii. Did anyone tell you that you needed to wait in Mexico or go to a shelter before going to the POE? If yes, who? *[ask appropriate follow-up questions for details]*
 - d. While you were in *[name of city in Mexico]* were you ever told that you could go to a POE to be processed? If yes, who told you that? *[ask appropriate follow-up questions for details]*

AL OTRO LADO: USCIS Metering Questions

~~FOR INTERNAL USE ONLY~~

- i. If yes, did you then go to that POE? [*ask appropriate follow-up questions for details*]
 - ii. If no, did you at any point go to a POE anyway? [*ask appropriate follow-up questions for details*]
- 4. Did you ever try to put your name on a list in Mexico to get into the United States but were unable to put your name on the list?
 - a. What happened?
- 5. Were you ever asked to put your name on a list but decided not to do so?
 - a. Why not?

From: Villena, Daniel A
Sent: Tuesday, November 26, 2019 8:16 AM
To: Maalona, John L; ESPINOSA, JORGE; ORTIZ, JORGE X; MORALES, EFRAIN; LOPEZ, RICARDO G; NUNEZ, HECTOR I; GONZALEZ, MARCOS A; PARTIDA, JESUS M; MILLER, TIMOTHY L; JOHN, TYSON I; SILVA1, MANUEL; AGUNDEZ, MARIO I (NGL); BAKER, BRENT A; POOLEY, LEROY A; COREA, GERMAN E; FLORES, ERNESTO; MAZUR, MATTHEW T; BROWN, SCOTT B; VENTO, JUAN A.; SCHROLL, JEREMY; RIOS, OSCAR; LOPEZ-ARAGON, JOSEFINA; HAMBURGER, DANIEL; SUBOH, SUBOH A; Hedde, Lydia M; Smith, Stephanie E; Occhiogrosso, Rachel; Hollemans, Sarah M; Miller, Rebecca E; Sermenon, Heidi M; Jiron, Marvin P; Torrick, Jason J; Tipton, Dax R; PACHECO, HUGO M; FACCIN, ALESSIO F; SESSION, SHONE D; MCEACHEN, JOHN W; PETERS, ERIC S; RAMIREZ, EBED M; Brennan, Ciaran P; Gutierrez, Ervey; GUTIERREZ, ERVEY; Quinones, Eugenio Jr; DUTTON, JULIE L; Hernandez, Ruth N; Espinoza, Salvador H; Gali, Orlando; Sanchez, Eric A; VALDEZ, JACOB B; CLARK, STEVEN C; LOPEZ, ANDRES; TOVAR, RAFAEL; Valdez, Luis S; Etling, John E; Natividad, Frank; Perez, Ubaldo; LEDEZMA, ARMANDO; RIVERA4, LUIS; LEMUS, MIGUEL A; GARAYUA, EDGARDO; Roberts, Robin J; RODRIGUEZ, BENJAMIN; STEPHANY, ERIK R; LARACUENTE, HABACUC; DOUGHERTY, STEPHEN E; Morales, Oscar C
Cc: Maloney, Kathleen M; Andre, Lisa S; Smith, Stephanie E; Occhiogrosso, Rachel; Hedde, Lydia M; Grady Madera, Adrienne M; Ekoubegzi, Mahlet F
Subject: COI on Infiltration of and/or Collaboration between Police and the Jalisco Cartel New Generation

Good morning all, this is a recent product from the Research Unit that is useful for background:

Infiltration of and/or Collaboration between Police and the Jalisco Cartel New Generation (*Cartel Jalisco Nueva Generación* – CJNG) in Michoacán, Mexico, RAIO Research Unit, Nov. 20, 2019.

From: Villena, Daniel A
Sent: Tuesday, November 26, 2019 9:08 AM
To: Maalona, John L; ESPINOSA, JORGE; ORTIZ, JORGE X; MORALES, EFRAIN; LOPEZ, RICARDO G; NUNEZ, HECTOR I; GONZALEZ, MARCOS A; PARTIDA, JESUS M; MILLER, TIMOTHY L; JOHN, TYSON I; SILVA1, MANUEL; AGUNDEZ, MARIO I (NGL); BAKER, BRENT A; POOLEY, LEROY A; COREA, GERMAN E; FLORES, ERNESTO; MAZUR, MATTHEW T; BROWN, SCOTT B; VENTO, JUAN A.; SCHROLL, JEREMY; RIOS, OSCAR; LOPEZ-ARAGON, JOSEFINA; HAMBURGER, DANIEL; SUBOH, SUBOH A; Hedde, Lydia M; Smith, Stephanie E; Occhiogrosso, Rachel; Hollemans, Sarah M; Miller, Rebecca E; Sermenon, Heidi M; Jiron, Marvin P; Torrick, Jason J; Tipton, Dax R; PACHECO, HUGO M; FACCIN, ALESSIO F; SESSION, SHONE D; MCEACHEN, JOHN W; PETERS, ERIC S; RAMIREZ, EBED M; Brennan, Ciaran P; Gutierrez, Ervey; GUTIERREZ, ERVEY; Quinones, Eugenio Jr; DUTTON, JULIE L; Hernandez, Ruth N; Espinoza, Salvador H; Gali, Orlando; Sanchez, Eric A; VALDEZ, JACOB B; CLARK, STEVEN C; LOPEZ, ANDRES; TOVAR, RAFAEL; Valdez, Luis S; Etling, John E; Natividad, Frank; Perez, Ubaldo; LEDEZMA, ARMANDO; RIVERA4, LUIS; LEMUS, MIGUEL A; GARAYUA, EDGARDO; Roberts, Robin J; RODRIGUEZ, BENJAMIN; STEPHANY, ERIK R; LARACUENTE, HABACUC; DOUGHERTY, STEPHEN E; Morales, Oscar C
Cc: Maloney, Kathleen M; Andre, Lisa S; Smith, Stephanie E; Occhiogrosso, Rachel; Hedde, Lydia M; Grady Madera, Adrienne M; Ekoubegzi, Mahlet F
Subject: COI on internal security issues in Guatemala - U.S. Department of State

Hi all, just in case these are new to you – in addition to the Human Rights Report, the U.S. Department of State publishes other reports that deal with issues of concern involving state actors responsible for internal security – the International Narcotics Control Strategy and the Crime and Safety report. They are useful for background:

- “Guatemala’s porous borders and overburdened law enforcement agencies allow criminal organizations to traffic illicit drugs, cultivate cannabis and opium poppy, and smuggle precursor chemicals. The virtual absence of a permanent law enforcement presence in many areas of the country allow other forms of transnational crime to flourish, including migrant smuggling and trafficking in persons, weapons, counterfeit goods, and other contraband.” U.S. State Department’s 2018 International Narcotics Control Strategy (Drug and Chemical Control) Report, <https://www.state.gov/2018-international-narcotics-control-strategy-report/>
- “A particularly serious concern is incidents of vigilantism, including stoning, lynching, and immolation, especially in isolated rural areas. The lack of police response to serious crimes can result in villages taking justice into their own hands, resulting brutal attacks and deaths. Police in remote areas are often understaffed and ill-equipped and will not typically interfere in deterring vigilantism. Guatemala has many different and firmly-held local beliefs and customs. Particularly in small villages, residents are often wary and suspicious of outsiders and, therefore, take justice into their own hands.” 2018 Department of State Bureau of Diplomatic Security Crime & Safety Report for Guatemala
<https://www.osac.gov/Country/Guatemala/Content/Detail/Report/618d66c1-c733-433f-96c0-15f4ae699d92>
- “The Policia Nacional Civil (PNC) lacks personnel and training to accomplish their mission. In addition, the PNC suffers from a lack of supplies with little improvement from year-to-year. More often than not, a police investigation fails to result in an arrest, much less a conviction. Apart from impunity, a principal reason that the government is unable to respond to the needs of crime victims, or to prevent them from becoming victims in the first place, is that the PNC is significantly under-trained and under-funded. The average PNC

officer often has much less than a high school degree; is often equipped with as little as six months of police training before being sent out on the streets; and receives only \$535/month in salary. Moreover, the PNC's annual budget is inadequate to support its personnel, vehicles, training, and other infrastructure needs. PNC has made progress in the reduction of crimes but has also experienced a turnover in leadership." 2018 Department of State Bureau of Diplomatic Security Crime & Safety Report for Guatemala <https://www.osac.gov/Country/Guatemala/Content/Detail/Report/618d66c1-c733-433f-96c0-15f4ae699d92>

- "A particularly serious concern in less-developed regions of the country is vigilantism, including stoning, lynching, and immolation. The lack of police presence in rural communities, as well as the enduring influence of the traditional indigenous justice system, can result in villages taking justice into their own hands, resulting in brutal attacks and deaths. Local populations often block roads leading into and out of their towns after an incident in an attempt to catch the perpetrators to subject them to vigilante justice." 2019 Department of State Bureau of Diplomatic Security Crime & Safety Report for Guatemala, <https://www.osac.gov/Country/Guatemala/Content/Detail/Report/5f31517e-62bb-4f2c-8956-15f4aeaab930>
- "Over the past year, the police have been debilitated by multiple waves of mass firings depleting the upper levels of experienced officers. In that time, the PNC has had three different directors general, four different deputies, five different investigations chiefs, four operations chiefs, and four logistics chiefs. The uncertainty caused by the recurring dismissals also hurt morale and thrust lower level, less experienced officers into senior positions ahead of schedule. Amid this weakening of the institution from within, there have been spikes in violent crime in Guatemala's red zones even as the nationwide murder totals have decreased. The police lack sufficient personnel and training to accomplish their mission. They suffer from a lack of supplies (e.g. vehicles, fuel, and ammunition) with little improvement from year to year. More often than not, a police investigation fails to result in an arrest, much less a conviction. Apart from impunity, a principal reason that the government is unable to respond to the needs of crime victims, or to prevent crime in the first place, is that the police force is significantly under-trained and under-funded. The average officer should have at least a high school degree, but often has much less, is equipped with as little as six months of police training before being sent out on the streets, and receives only \$535 per month as salary. Moreover, the annual police budget is inadequate to support its personnel, vehicles, training, and other infrastructure needs. Although some units are well-equipped and well-trained, they do not have the capacity to handle multiple taskings or cases at the same time. 2019 Department of State Bureau of Diplomatic Security Crime & Safety Report for Guatemala, <https://www.osac.gov/Country/Guatemala/Content/Detail/Report/5f31517e-62bb-4f2c-8956-15f4aeaab930>

Senior Asylum Officer
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1200 Wall Street West, 4th Floor | Lyndhurst, NJ 07071
P: [REDACTED] (b)(6)

Asylum TRAINING-COORDINATORS

From: Asylum TRAINING-COORDINATORS
Sent: Thursday, December 5, 2019 4:51 PM
To: DOMON, PATRICK A; MCCOY, TIMOTHY H; REJEWSKI, JEREMY R; SIMOY, PHILLIP A; MEDRANO, RAMON; ASUNCION, ARMANDO O; MEJIA, STEPHANIE; SETTLE, MICHAEL; WEST, MICHAEL A; LEBRON, YARA; GOMEZ, CYNTHIA; BLADH, ESPERANZA; KIM, RAMONA L; FIGUEROA, DAVID E.; YSASSI, CECILIA C; LEVIN, ANNA A; MATHAI, MICHAEL; JOHANSON, DANA M; WHITE, SUSANA
Cc: Alexander, Shannon; Roberts, Rhonda J; Davidson, Andrew J; Caudill-Mirillo, Ashley B; Kirkland, Brooke A; Mura, Elizabeth E; Rellis, Jennifer L; MEJIA, LUIS A; COLGAN, LAUREN; BUCKLEY, DANIEL J
Subject: Welcome to Credible Fear for U.S. Customs and Border Protection!
Attachments: CF for CBP DT Attestation December 2019.pdf; CF for CBP Workbook December 2019.pdf; DT Exercises.zip

Good Evening!

Welcome to Credible Fear for U.S. Customs and Border Protection or CF for CBP! Next week, you will begin the training required to conduct APSO screenings, specifically credible fear interviews. This message will provide details about Distance Training and other preliminary information.

Distance Training

During Distance Training, you will read Lesson Plans, complete exercises and view webinars. You are not required to read all of the cases and supplemental materials linked in the Lesson Plans. Many are available on our ECN, but you will not have access to our network before you arrive.

Webinars work best in Chrome and on a wired connection. There may be complications with some of the webinars if you are using a hotspot or a VPN. If you are having any issues viewing the webinars, please let us know as soon as possible.

Distance Training requires roughly 80 hours to complete. You must finish all webinars and the exercises before your arrival at the Face to Face Training.

As has been messaged by CBP leadership, you should complete the Distance Training requirements - and refrain from performing other duties - once you are in training status for CF for CBP.

Workbook and Attestations

The Distance Training Workbook, Syllabus with Attestation and Exercises are attached. Please use the Workbook to complete exercises associated with the reading. The Attestation tracks your progress and is used to certify that you have completed all of the assigned readings and tasks.

You will notice on your Attestation that there are time estimates assigned to each task. If you begin on Monday, you will have plenty of time to finish the approximately 80 hour Distance Training.

Attestations must be initialed and signed by the student and then signed by a supervisor who is NOT participating in the CF for CBP class. Please make sure you initial and date all of the appropriate spaces

DHS-19-1398-B, 19-1400-A-000497

on the Attestation.

The deadline to submit Attestations is **COB, Friday, December 20th**. Please submit them to this Asylum Training Coordinators address. If you require additional time, please let us know as soon as you can.

Lesson Plans

The Lesson Plans will be sent, via zipfile, in a separate email.

As mentioned above, you do not have to read the supplemental materials in the Lesson Plans. Of course, please feel free to do so if you have time. In particular, please do not worry about the materials that link to the Asylum ECN. We will be giving you all necessary ECN access when you arrive for face to face training. Until then, if a link requires permissions to our ECN, please bypass and continue with your Distance Training.

If you have time to read the cases and do not have access to Westlaw, you can search for case law in Google Scholar (select case law) or on the BIA webpage (if it is a BIA case).

The current link for Administrative Office of the U.S. Courts, Understanding the Federal Courts (Washington, D.C. 2003) is <https://www.uscourts.gov/sites/default/files/understanding-federal-courts.pdf>

Please note that Mass Atrocities and Genocide Awareness is not an Lesson Plan but a Presidential Directive. The link to the directive is in the Workbook.

Live Sessions

There will be two live sessions during Distance Training:

- ★ Check in with the Asylum Division including Director Andrew Davidson - Monday, December 16th at 11:00 AM EST
- ★ Discussion and Q&A with BPAs currently conducting CF Interviews – Wednesday, December 18th at 11:00 AM EST

We will send calendar invites for these sessions.

Evaluations

During your training, you will be evaluated based on: a multiple choice exam, a practical exercise and observed APSO interviews.

Training Dates

The initial Face to Face Training (F2F) will take place in Washington, DC. It is scheduled from Monday, January 6th through Thursday, January 16th 2019. Your On the Job Training (OJT) will also take place in the Washington DC area. It will begin on Friday, January 17th and will finish no later than Friday, February 7th. These dates may change so we appreciate your flexibility.

You will attend F2F training with USBP Agents. OFO and USBP will then complete separate OJTs.

We will send a follow up email with additional travel and reporting information. For now,

please do not make any travel arrangements.

Dress Code

You may wear your uniform or business casual attire during the F2F portion of training in Washington, DC. You may also carry concealed.

Questions/Concerns

If you have any questions or concerns, please reply to this email address ccing Shannon Alexander and Rhonda Roberts (copied first above). We are looking forward to working with you!

Best,

The Asylum Team

Credible Fear (CF) for CBP Distance Training Syllabus and Completion Attestation Instructions for Students

Introduction

The CF for CBP training includes a 2-week reading component that must be completed prior to the Face-to-Face Classroom component. This document contains information you will need to complete the reading.

Procedures for Completing the Distance Training

The syllabus for the CF for CBP Distance Training is on the following pages. Please follow these instructions to complete the DT:

- Complete each unit and any corresponding assignments within the proscribed timeframes. The units are not currently listed in any preferred order.
- When you have completed a unit, initial and date the corresponding box.
- Once you have completed all of the Distance Training units, you and a Manager from your office must sign and date the Completion Attestation form to verify proper completion of all units.
- Scan and email a copy of all pages of the CF for CBP Distance Training Syllabus and Completion Attestation to Asylumtraining-coordinators@uscis.dhs.gov. **Title your email attachment as follows: Last Name, First Name - CF for CBP DT – Completion and Attestation.** Please CC your CBP and Asylum POCs.
- The CF for CBP Distance Training schedule totals approximately 80 hours (around 8 to 10 business days, depending upon work schedules). *To be used in conjunction with the CF for CBP Distance Training Component Workbook.*

Topic	Time Allocated	Initial & Date Upon Completion (MM/DD/YY)
Sources of Authority:	<i>1.25 hours</i>	
Reading and Using Case Law: +	<i>2.75 hours</i>	
International Human Rights Law:	<i>1.5 hours</i>	
UNHCR Overview:	<i>1.5 hours</i>	
Refugee Definition:	<i>2 hours</i>	
Persecution:	<i>2.25 hours</i>	
Refugee Definition; Persecution: <i>Webinar</i> (PW: RAIOTPDt19!)	<i>1.5 hours</i>	
Interviewing – Intro to the Non- Adversarial Interview: +	<i>2.5 hours</i>	
Nexus and the Protected Grounds (minus PSG): +	<i>3.5 hours</i>	
Nexus – PSG:	<i>4 hours</i>	
Well-Founded Fear:	<i>2.5 hours</i>	
Interviewing – Survivors of Torture:	<i>1 hour</i>	
Interviewing – Note Taking:	<i>1 hour</i>	

Interviewing – Eliciting Testimony: +	<i>2 hours</i>	
Interviewing – Working with an Interpreter:	<i>2 hours</i>	
Detecting Possible Victims of Trafficking:	<i>1.5 hours</i>	
Cross-Cultural Communication:	<i>.75 hours</i>	
Evidence:	<i>2 hours</i>	
Evidence: <u>Webinar</u> (PW: RAIORemote123!)	<i>1 hour</i>	
Fraud and FDNS Overview:	<i>2.5 hours</i>	
International Religious Freedom Act (IRFA):	<i>2 hours</i>	
Persecutor Bar:	<i>2 hours</i>	
Mass Atrocities and Genocide Awareness:	<i>.5 hours</i>	
LGBTI Claims:	<i>2 hours</i>	
Gender-Related Claims:	<i>1.75 hours</i>	
Children’s Claims:	<i>3.5 hours</i>	

Children's Claims: <u>Webinar</u> (PW: RAIORemote123!)	1.5 hours	
National Security, Part 1:	1.25 hours	
National Security, Part 2 (TRIG):	3.25 hours	
Researching and Using Country of Origin Information (COI) in RAIO Adjudications: +	1.5 hours	
Firm Resettlement:	1.25 hours	
Discretion:	.5 hour	
Decision-Making:	1.5 hours	
Office of Security & Integrity (OSI) and Significant Incident Reporting: <u>webinar</u> (PW: RAIOTPDt1!)	1 hour	
Past Persecution - Rebuttable Presumption: <u>Presentation</u> (PW: ADOTPDt1!)	2 hours	
LP Asylum Process and Procedures:	.75 hour	
Asylum Process and Procedures Manual and Introduction to the AAPM Wiki: <u>Presentation</u> (PW: ADOTPDt1!)	.5 hour	
LP Mandatory Bars Overview and Criminal Bars:	1.25 hours	
LP Credibility:	2 hours	

LP Credible Fear:	<i>1.25 hours</i>	
LP ABC/NACARA: • Pages 2-16	<i>.5 hour</i>	
LP – Reasonable Fear:	<i>1.5 hours</i>	
India COI, Eliciting Testimony, and Fraud <u>Webinar</u> (PW: India2019!)	<i>3 hours</i>	

COMPLETION ATTESTATION

I hereby attest by my signature below that all of the CF for CBP Distance Training units, initialed and dated in the preceding pages, have been duly completed by me according to the requirements of the CF for CBP Distance Training guidelines.

Printed Name of Training Participant

Signature of Training Participant

Date

I hereby attest by my signature below that the above-named officer has been allotted the required time for completion of all of the CF for CBP Distance Training lesson units and hereby verify that the officer has completed all such required lesson units according to the requirements of the CF for CBP Distance Training guidelines.

Training Officer or Local Office Management – Printed Name and Title

Training Officer or Local Office Management– Signature

Date

From: Nasir, Syed A
Sent: Thursday, May 18, 2017 10:20 AM
To: Moulton, Shayla S; Higgins, Jennifer B; RAIO Clearance; Baker, Katherine H; Ruppel, Joanna; Strack, Barbara L; Lafferty, John L; Dhabalia, Dimple D; USCIS MGT Tasks; Schwartz, Mark A; Wittman, Gregory J; Blair, David A; Hoefer, Michael D; Mueller, Rhonda D; Porto, Victoria; Meckley, Tammy M; Mayhew, Michael X; Lotspeich, Katherine J; Emrich, Matthew D; Davidson, Andrew J; Zellen, Lorie A; FDNSExecSec; Matthews, Tara A
Cc: Liberto, James; Stover, Myles B; Chinni, Ellen; Fredericks, Christopher; White, Jacquelyn D; Moore, Joseph D; Kerns, Kevin J; Borgen, Michael R; Alfonso, Angelica M; Atkinson, Ronald A; Powell, Paul
Subject: RE: USCIS - FY 2018 HAC/SAC Budget Briefings

FDNS – Thank you!

Azmat Nasir
Chief, Budget Formulation
DHS/USCIS/OCFO

[REDACTED] (b)(6)

From: Moulton, Shayla S
Sent: Thursday, May 18, 2017 11:19 AM
To: Nasir, Syed A; Higgins, Jennifer B; RAIO Clearance; Baker, Katherine H; Ruppel, Joanna; Strack, Barbara L; Lafferty, John L; Dhabalia, Dimple D; USCIS MGT Tasks; Schwartz, Mark A; Wittman, Gregory J; Blair, David A; Hoefer, Michael D; Mueller, Rhonda D; Porto, Victoria; Meckley, Tammy M; Mayhew, Michael X; Lotspeich, Katherine J; Emrich, Matthew D; Davidson, Andrew J; Zellen, Lorie A; FDNSExecSec; Matthews, Tara A
Cc: Liberto, James; Stover, Myles B; Chinni, Ellen; Fredericks, Christopher; White, Jacquelyn D; Moore, Joseph D; Kerns, Kevin J; Borgen, Michael R; Alfonso, Angelica M; Atkinson, Ronald A; Powell, Paul
Subject: RE: USCIS - FY 2018 HAC/SAC Budget Briefings

Good Morning OCFO—

Please see the attached slides from FDNS.

Please let us know if any additional information is needed.

Thank you

Shayla Moulton
Special Assistant, HQFDNS Front Office
United States Citizenship and Immigration Services
Office: [REDACTED]
Cell: [REDACTED] (b)(6)

From: Nasir, Syed A

Sent: Tuesday, May 16, 2017 1:15 PM

To: Higgins, Jennifer B; RAIO Clearance; Baker, Katherine H; Ruppel, Joanna; Strack, Barbara L; Lafferty, John L; Dhabalia, Dimple D; USCIS MGT Tasks; Schwartz, Mark A; Wittman, Gregory J; Blair, David A; Hoefer, Michael D; Mueller, Rhonda D; Porto, Victoria; Meckley, Tammy M; Mayhew, Michael X; Lotspeich, Katherine J; Emrich, Matthew D; Davidson, Andrew J; Zellen, Lorie A; FDNSExecSec; Moulton, Shayla S; Matthews, Tara A

Cc: Liberto, James; Stover, Myles B; Chinni, Ellen; Fredericks, Christopher; White, Jacquelyn D; Moore, Joseph D; Kerns, Kevin J; Borgen, Michael R; Alfonso, Angelica M; Atkinson, Ronald A; Powell, Paul

Subject: RE: USCIS - FY 2018 HAC/SAC Budget Briefings

The FY 2018 Congressional Appropriations Committee briefings have been scheduled. The Senate Appropriations Committee-Homeland Security (SAC-HS) is scheduled on May 30, 3:30 – 5:00 pm and the House Appropriations Committee-Homeland Security (HAC-HS) on May 31, 3:00 – 5:00 pm. A meeting invitation will be sent to all attendees. A separate meeting invite for internal USCIS pre-brief will be scheduled on Thursday, May 25 in the OCFO conference room (20 Mass.).

In preparation for the budget briefing, we ask that you update the attached briefing slide deck from FY 2017. Kindly update your respective pages as outlined below. The due date for your updates is **COB Thursday, May 18**. In advance, apologies for the short turnaround, but due to Presidential Transition and compressed FY 2018 and FY 2019 Budget Schedule, DHS Components don't have a lot of lead time as we've had in the past. We also have to factor in ample time to get the final deck reviewed/cleared by USCIS senior leadership and run it by DHS HQ.

If you have any questions or need clarification, please contact Myles Stover (Myles.B.Stover@uscis.dhs.gov) in OCFO Budget Formulation.

Directorate/Program Office	Slide Page (s) to Update	Comments
CFO/Formulation	1-4, 11-13, & 34	
IRIS	5-8, 30-32	The pie chart and table should tie to the FY 2018 President's budget.
MGT/OIT	14 & 15	
FDNS	18 & 19	In addition to your regular update, please add a section (or insert a slide) in the PPT on EO – portion pertaining to FDNS.
RAIO	16 & 17	In addition to your regular update, please add a section (or insert a slide) in the PPT on EO – portion pertaining to RAIO.
CFO/Budget Execution	22-24	
CFO Formulation & MGT/OPQ		OCFO already coordinating with OPQ on the Backlog slides
CFO/Revenue and Cost Analysis	20 & 21, 25-28, & 33	

Regards,

Azmat Nasir
Chief, Budget Formulation
DHS/USCIS/OCFO

[REDACTED] (b)(6)

From: Nasir, Syed A

Sent: Tuesday, May 16, 2017 10:19 AM

To: Higgins, Jennifer B; Bradley, Amal; Ruppel, Joanna; RAIO Clearance; Alfonso, Angelica M; Atkinson, Ronald A; Powell, Paul; Hoefer, Michael D; Schwartz, Mark A; Blair, David A; Emrich, Matthew D; Davidson, Andrew J; Zellen, Lorie A; Meckley, Tammy M; Mayhew, Michael X; Mueller, Rhonda D; Wittman, Gregory J; Baker, Katherine H

Cc: Chinni, Ellen; Stover, Myles B; Fredericks, Christopher; White, Jacquelyn D; Eadie, Gwendolyn S

Subject: RE: USCIS - FY 2018 HAC/SAC Budget Briefings

Jennifer – Sure, no problem. For HAC/SAC, we haven't in the past since we have had the same group of people briefing. However, since we have couple of new people briefing this time, that's a good idea. Also, this pre-brief will be good opportunity to discuss EOs as that will one of the topics in the CIS briefing decks.

Our OCFO FO staff will send a meeting invite shortly.

Azmat Nasir
Chief, Budget Formulation
DHS/USCIS/OCFO

[REDACTED] (b)(6)

From: Higgins, Jennifer B

Sent: Tuesday, May 16, 2017 9:26 AM

To: Nasir, Syed A; Bradley, Amal; Ruppel, Joanna; RAIO Clearance; Alfonso, Angelica M; Atkinson, Ronald A; Powell, Paul; Hoefer, Michael D; Schwartz, Mark A; Blair, David A; Emrich, Matthew D; Davidson, Andrew J; Zellen, Lorie A; Meckley, Tammy M; Mayhew, Michael X; Mueller, Rhonda D; Wittman, Gregory J; Baker, Katherine H

Cc: Chinni, Ellen; Stover, Myles B; Fredericks, Christopher; White, Jacquelyn D; Eadie, Gwendolyn S

Subject: RE: USCIS - FY 2018 HAC/SAC Budget Briefings

Will there be a prebrief to get the briefers together to make sure we're well coordinated? I know I would appreciate having one.

From: Nasir, Syed A

Sent: Tuesday, May 16, 2017 9:22 AM

To: Higgins, Jennifer B; Bradley, Amal; Ruppel, Joanna; RAIO Clearance; Alfonso, Angelica M; Atkinson, Ronald A; Powell, Paul; Hoefer, Michael D; Schwartz, Mark A; Blair, David A; Emrich, Matthew D; Davidson, Andrew J; Zellen, Lorie A; Meckley, Tammy M; Mayhew, Michael X; Mueller, Rhonda D;

Wittman, Gregory J; Baker, Katherine H

Cc: Chinni, Ellen; Stover, Myles B; Fredericks, Christopher; White, Jacquelyn D; Eadie, Gwendolyn S

Subject: RE: USCIS - FY 2018 HAC/SAC Budget Briefings

Update:

- USCIS OCFO will arrange for transportation to both the HAC and SAC briefings
- An Outlook calendar hold will be sent out by OCFO Front Office staff for both HAC and SAC briefings

Azmat Nasir

Chief, Budget Formulation

DHS/USCIS/OCFO

[REDACTED] (b)(6)

From: Nasir, Syed A

Sent: Monday, May 15, 2017 10:45 AM

To: Higgins, Jennifer B; Ruppel, Joanna; Alfonso, Angelica M; 'Atkinson, Ronald A'; Powell, Paul; Hoefer, Michael D; Schwartz, Mark A; Blair, David A; Emrich, Matthew D; Davidson, Andrew J; Meckley, Tammy M; Lotspeich, Katherine J

Cc: Kerns, Kevin J; Borgen, Michael R; USCIS MGT Tasks; Moore, Joseph D; Reilly, Richard M; Fredericks, Christopher; White, Jacquelyn D; Chinni, Ellen; Stover, Myles B; Porto, Victoria; Mueller, Rhonda D; Wittman, Gregory J; Zellen, Lorie A; Mayhew, Michael X; Henry, Laura R; Baker, Katherine H

Subject: USCIS - FY 2018 HAC/SAC Budget Briefings

Importance: High

Good morning, Directorates Principals –

Background:

The President's FY 2018 Budget is scheduled to be released on May 22, 2017. Following release of the budget, DHS Components will provide a series of hearings and briefings for appropriations and authorizing committees. DHS OCFO is coordinating with both the HAC-HS and SAC-HS and DHS Component OCFOs to schedule the briefings.

Below is the proposed schedule for USCIS to brief the HAC and the SAC:

FY 2018 Congressional Budget Briefing Schedule

DHS Component	Committee	SAC Briefing Date	SAC Time	SAC Location	Comm
USCIS	SAC	May 30th	3:30-5:00	SD-138	HA

Given the limitation of participants by DHS to no more than seven (7) participants from each Component, we are requesting one (1) name from each office below:

IRIS/E-Verify: Tammy Meckley or Kathy Lotspeich or whoever IRIS designates

Refugee, Asylum/EO: Jennifer Higgins or Joanna Ruppel or John Lafferty or whoever RAIO designates
FDNS/Vetting/EO: Matt Emrich or Andrew Davidson or whoever FDNS designates
OIT – Transformation: Mark Schwartz or David Blair or whoever OIT designates
OPQ – Backlogs: Mike Hoefer (and Joe Moore)
OLA: Alan Atkinson or Paul Powell or whoever OLA designates
OCFO: Joe Moore and Chris Fredericks

Action: By **1:00 p.m. today**, please provide me with a name as to who can speak to the topics mentioned above. In addition, if you feel there are any extraordinary scheduling conflicts/circumstances, please let me know ASAP.

Guidelines from DHS OCFO for Appropriations Committee Briefings:

- All Components shall provide in-depth briefings separately to HAC-HS and SAC-HS staff.
- Consistent with prior years, CFOs/Budget Directors for each Component should attend and lead the briefings. All participants **should have substantive knowledge** – should attend the briefing. The HAC-HS briefing room (B307 Rayburn HOB) is extremely small so we need to plan accordingly.
- Same individuals who brief the Senate will also brief the House.
- Once the final USCIS list is finalized, names of attendees will be provided to DHS OCFO by USCIS OCFO.

Briefing Materials – Appropriations Committee Briefings:

- USCIS OCFO will be sending a draft briefing deck to Directorates later this week for input.
- Reminder from DHS - It is strongly advised that USCIS Directorates Principals review Questions For the Record (QFRs) and budget briefing Getbacks from the last two years to identify areas of interest to the Committees, and to be prepared for those issues to be revisited and discussed.
- If USCIS Directorates feel additional materials or level of detail may be required, USCIS OCFO will need to coordinate that with DHS OCFO well in advance

Authorization Committee Briefings:

Components will also be asked to provide briefings before several House and Senate authorizing committees. A tentative schedule is being prepared by DHS Office of Legislative Affairs (OLA) for the Senate Homeland Security and Governmental Affairs Committee (HSGAC) and the House Committee on Homeland Security (CHS) and, this will be provided in the near future along with additional guidance. Additional guidance will come from USCIS OLA.

Please remember the following guidelines:

- OLA will coordinate attendance for all authorizing committee briefings with Components OLAs.
- Per DHS OLA, Component briefings should be led by a Senior Component Official (e.g. Chief of Staff, Deputy, etc.), and it is expected that they will be supported by the CFO or Budget Director, and 1-2 additional staff who can speak to legislative proposals and/or key programs of congressional interest.
- Component briefing materials should be consistent materials provided to the Appropriators. Any presentation materials still need to be cleared by OCFO and must be consistent with Administration and Departmental budget materials (Congressional Justifications, the Budget-In-Brief, Briefing Materials for the Appropriations Committees, etc.).

If you have any questions, please give me a call.

Regards,

Azmat Nasir

Chief, Budget Formulation

Office of Chief Financial Officer

U.S. Citizenship and Immigration Services

Department of Homeland Security

Office [REDACTED] (b)(6)

Azmat.Nasir1@uscis.dhs.gov

From: Ruppel, Joanna
Sent: Thursday, May 18, 2017 11:59 AM
To: Lafferty, John L; Hoefer, Michael D; Nicholson, Maura J
Cc: Higgins, Jennifer B; Kim, Ted H; Strack, Barbara L; Stone, Mary M
Subject: RE: Reporting Requirement - Integrity of the Admissions Program

Thanks, John. I thought this related to some of the reporting requirements in the EOs, which raise some similar issues, but now recall this also relates to some new statutory reporting requirements.

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services
Joanna.Ruppel@uscis.dhs.gov

(b)(6)

From: Lafferty, John L
Sent: Thursday, May 18, 2017 9:55:43 AM
To: Hoefer, Michael D; Ruppel, Joanna; Nicholson, Maura J
Cc: Higgins, Jennifer B; Kim, Ted H; Strack, Barbara L; Stone, Mary M
Subject: RE: Reporting Requirement - Integrity of the Admissions Program

A similar request to this came previously from the offices of certain House/Senate members. I do not know if the Department responded to those letters. Then requests were put forward through staffers of the SAC which were even broader than these requests. Asylum and RAD met with Joe Moore and his team to outline the very significant challenges in attempting to comply with the request. I'm out of the office until tomorrow, but I will dig up my e-mails from the earlier discussion. A follow-up meeting was supposed to be sought with Department CFO and congressional offices to discuss the challenges to meet the ask, but that meeting did not occur before the transition to the new administration.

Asylum will be happy to sit down and go over the significant challenges that will need to be considered in deciding if and how this reporting can be accomplished.

From: Hoefer, Michael D
Sent: Thursday, May 18, 2017 12:37:26 PM
To: Ruppel, Joanna; Nicholson, Maura J
Cc: Higgins, Jennifer B; Lafferty, John L; Kim, Ted H; Strack, Barbara L; Stone, Mary M
Subject: RE: Reporting Requirement - Integrity of the Admissions Program

Joanna,

I will speak to FDNS but I want to understand what we may have tried to do last Fall and the roadblocks we faced. For example, did with speak with PRM about getting data on Refugee Arrival data? I am certain you are correct that the information is not in our systems. I need to explain that all to Kevin after I've spoken with everyone.

Did we stop trying to address the reporting issue last Fall? Did you have a POC on it?

Thanks, Mike

Michael Hoefer
Chief, Office of Performance and Quality
U.S. Citizenship and Immigration Services

[REDACTED] (b)(6)

Michael.D.Hoefer@uscis.dhs.gov

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From: Ruppel, Joanna
Sent: Thursday, May 18, 2017 12:24 PM
To: Hoefer, Michael D; Nicholson, Maura J
Cc: Higgins, Jennifer B; Lafferty, John L; Kim, Ted H; Strack, Barbara L; Stone, Mary M
Subject: RE: Reporting Requirement - Integrity of the Admissions Program

Mike,

RAIO would not have that information and I am not sure that USCIS would be able to pull it from their systems, so I am not sure we can assist. Looping in here Jennifer, as well as RAD and Asylum leadership, in case they have any prior responses to this type of request, as I know the Hill has asked DHS for this type of info for some time and we have not been able to pull it from existing systems. I think it also important to reach out to FDNS to get their thinking on how to respond to this.

Joanna

Joanna Ruppel
Chief, International Operations Division
USCIS Refugee, Asylum and International Operations Directorate
Joanna.Ruppel@uscis.dhs.gov

[REDACTED] (b)(6)

From: Hoefer, Michael D
Sent: Thursday, May 18, 2017 12:04 PM
To: Ruppel, Joanna; Nicholson, Maura J
Subject: Reporting Requirement - Integrity of the Admissions Program

Joanna,

Kevin Kerns has asked me to provide him the reasons this reporting requirement can't be achieved. I remember that I was involved a bit on the early discussions and our LPR data were not good enough because it excluded those refugees who decide not to adjust. Is there someone on your staff I can talk to today?

Mike

Ensuring the integrity of the refugee and asylum admissions programs is critical, particularly as the volume of applications for both benefits continues to rise. The Committee directs USCIS to, within 120 days of the date of enactment of this act, submit a report that identifies:

- (1) the total number of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who were subsequently identified as having an affiliation with terrorism in any manner;
- (2) the total number of children of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who were subsequently identified as having an affiliation with terrorism in any manner;
- (3) the total number of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who were subsequently arrested or convicted for any criminal offense in the United States;
- (4) the total number of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who subsequently adjusted to lawful permanent resident status with a waiver granted under section 209(c) of the Immigration and Nationality Act (8 U.S.C. 1109(c)); and
- (5) the total number of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who were subsequently removed from the United States for any reason.

Michael Hoefer
Chief, Office of Performance and Quality
U.S. Citizenship and Immigration Services

(b)(6)

Michael.D.Hoefer@uscis.dhs.gov

This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you.

From: Gipson, Angela E
Sent: Thursday, May 18, 2017 3:05 PM
To: Higgins, Jennifer B
Subject: FW: Meeting on Vetting re: Immediate Actions

Hi Jennifer,

(b)(5)

Best,
Angie

From: Ruppel, Joanna
Sent: Wednesday, March 29, 2017 4:34 PM
To: Benedict, Deborah L; Strack, Barbara L; Stone, Mary M; Nicholson, Maura J; Gipson, Angela E
Subject: FW: Meeting on Vetting re: Immediate Actions

FYI on conversation going on at the moment. The info below is attorney-client privilege.

From: Davidson, Andrew J
Sent: Wednesday, March 29, 2017 4:29 PM
To: Quinn, Kevin T; Zengotitabengoa, Colleen R; Groom, Molly M
Cc: Emrich, Matthew D; Ruppel, Joanna
Subject: RE: Meeting on Vetting re: Immediate Actions (b)(5)

Andrew Davidson
Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
andrew.j.davidson@uscis.dhs.gov

(o) (c)

(b)(6)

From: Quinn, Kevin T
Sent: Wednesday, March 29, 2017 4:15 PM
To: Zengotitabengoa, Colleen R; Groom, Molly M
Cc: Davidson, Andrew J
Subject: RE: Meeting on Vetting re: Immediate Actions (b)(5)

[Redacted]

K

Kevin T. Quinn
USCIS - Fraud Detection and National Security
Chief – Social Media Division
Work: [Redacted]
Mobile: [Redacted]
Email: [Redacted] (b)(6)
HSDN: [Redacted]
JWICS: [Redacted]

From: Zengotitabengoa, Colleen R
Sent: Wednesday, March 29, 2017 4:02 PM
To: Quinn, Kevin T; Groom, Molly M
Cc: Davidson, Andrew J
Subject: RE: Meeting on Vetting re: Immediate Actions (b)(5)

[Redacted]

From: Quinn, Kevin T
Sent: Wednesday, March 29, 2017 3:58 PM
To: Groom, Molly M; Zengotitabengoa, Colleen R
Cc: Davidson, Andrew J
Subject: RE: Meeting on Vetting re: Immediate Actions (b)(5)

[Redacted]

K

Kevin T. Quinn
USCIS - Fraud Detection and National Security
Chief – Social Media Division
Work: [Redacted] (b)(6)
Mobile: [Redacted]
Email: [Redacted]

(b)(6)

HSDN: [REDACTED]
JWICS: [REDACTED]

From: Groom, Molly M
Sent: Wednesday, March 29, 2017 3:56 PM
To: Quinn, Kevin T; Zengotitabengoa, Colleen R
Cc: Davidson, Andrew J
Subject: RE: Meeting on Vetting re: Immediate Actions

What is being done now?

From: Quinn, Kevin T
Sent: Wednesday, March 29, 2017 3:36:25 PM
To: Groom, Molly M; Zengotitabengoa, Colleen R
Cc: Davidson, Andrew J
Subject: RE: Meeting on Vetting re: Immediate Actions

(b)(5)

[REDACTED]

K

Kevin T. Quinn
USCIS - Fraud Detection and National Security
Chief – Social Media Division
Work: [REDACTED]
Mobile: [REDACTED] (b)(6)
Email: [REDACTED]
HSDN: [REDACTED]
JWICS: [REDACTED]

From: Groom, Molly M
Sent: Wednesday, March 29, 2017 3:30 PM
To: Quinn, Kevin T; Zengotitabengoa, Colleen R
Cc: Davidson, Andrew J
Subject: RE: Meeting on Vetting re: Immediate Actions

(b)(5)

[REDACTED]

From: Quinn, Kevin T
Sent: Wednesday, March 29, 2017 2:02 PM
To: Groom, Molly M; Zengotitabengoa, Colleen R

Cc: Davidson, Andrew J
Subject: RE: Meeting on Vetting re: Immediate Actions

Molly,

(b)(5)

[Redacted]

K

Kevin T. Quinn
USCIS - Fraud Detection and National Security
Chief – Social Media Division
Work: [Redacted]
Mobile: [Redacted]
Email: [Redacted] (b)(6)
HSDN [Redacted]
JWICS [Redacted]

From: Groom, Molly M
Sent: Wednesday, March 29, 2017 1:59 PM
To: Quinn, Kevin T; Zengotitabengoa, Colleen R
Subject: FW: Meeting on Vetting re: Immediate Actions

(b)(5)

Kevin-

Thanks, Molly

From: Farnam, Julie E
Sent: Sunday, March 26, 2017 7:32:19 PM
To: Latta, John; Renaud, Tracy L; Lester-Saura, Victoria
Cc: Emrich, Matthew D; Davidson, Andrew J; Groom, Molly M; Risch, Carl C; McCament, James W
Subject: RE: Meeting on Vetting re: Immediate Actions

Victoria/Neal—

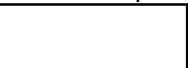
(b)(5)

[Redacted]



Julie Farnam
Senior Advisor
Field Operations Directorate
U.S. Citizenship and Immigration Services

(b)(5)

(d) 
(c)  (b)(6)

This communication, along with any attachments, may contain confidential information and is covered by federal laws governing electronic communications. Electronic communications may also be monitored by the Department of Homeland Security, U.S. Citizenship and Immigration Services. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use, or copying of this message is strictly prohibited. If you have received this in error, please delete this message and all attachments and immediately notify the sender.

From: Latta, John
Sent: Sunday, March 26, 2017 6:58 PM
To: Renaud, Tracy L; Lester-Saura, Victoria
Cc: Emrich, Matthew D; Davidson, Andrew J; Groom, Molly M; Risch, Carl C; Farnam, Julie E; McCament, James W
Subject: RE: Meeting on Vetting re: Immediate Actions

Tracey

Any update? We are trying to wrap it up tonight.

Thanks
Neal

From: Renaud, Tracy L
Sent: Sunday, March 26, 2017 1:43:25 PM
To: Lester-Saura, Victoria
Cc: Emrich, Matthew D; Davidson, Andrew J; Groom, Molly M; Risch, Carl C; Farnam, Julie E; McCament, James W; Latta, John
Subject: RE: Meeting on Vetting re: Immediate Actions

We will get working on this, Victoria.

Referred to Department of Homeland Security



Referred to Department of Homeland Security

From: Renaud, Tracy L

Sent: Sunday, March 26, 2017 10:07 AM

(b)(6)

To: Lester-Saura, Victoria <[REDACTED]>; Higgins, Jennifer

[REDACTED]; Fulghum, Chip <[REDACTED]>; Hamilton, Gene
[REDACTED]; Scialabba, Lori L <Lori.Scialabba@uscis.dhs.gov>; Shah, Dimple

Cc: Emrich, Matthew D <Matthew.D.Emrich@uscis.dhs.gov>; Davidson, Andrew J
<Andrew.J.Davidson@uscis.dhs.gov>; Groom, Molly M <Molly.M.Groom@uscis.dhs.gov>; Risch, Carl C
<Carl.C.Risch@uscis.dhs.gov>; Farnam, Julie E <Julie.E.Farnam@uscis.dhs.gov>; McCament, James W
<James.W.McCament@uscis.dhs.gov>

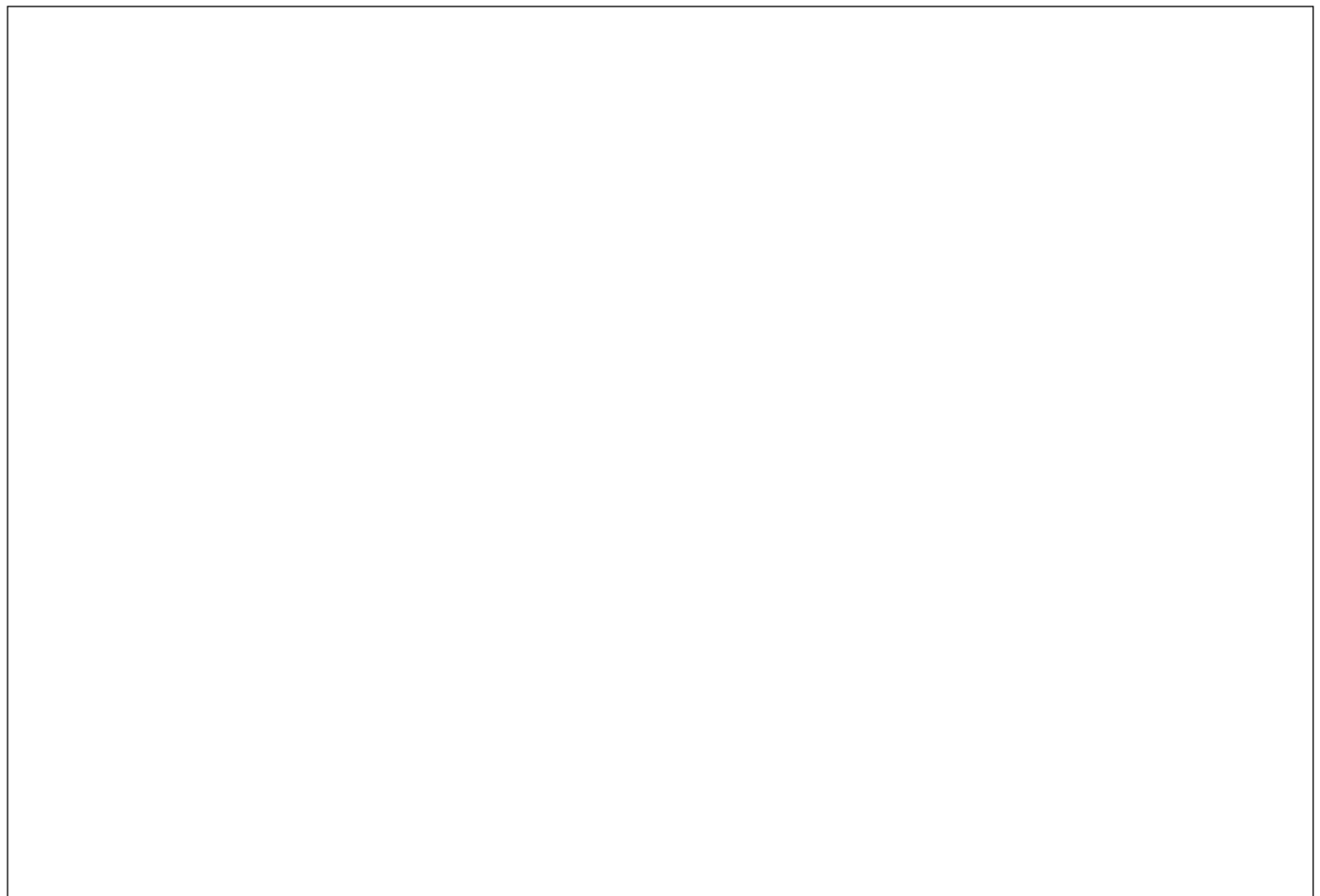
Subject: RE: Meeting on Vetting re: Immediate Actions

Victoria - Here is the document from USCIS. I've copied additional USCIS staff here so we can be as responsive as possible if you have any questions or need further information.

Tracy

Referred to Department of Homeland Security

Referred to Department of Homeland Security



From: Higgins, Jennifer

Sent: Saturday, March 25, 2017 10:09:17 AM

To: MCALEENAN, KEVIN K; Downey, Teresa; Fulghum, Chip; Grannis, David; Hamilton, Gene; Kruger, Mary; Lester-Saura, Victoria; Ragsdale, Daniel H; Scialabba, Lori L; Shah, Dimple; Sobel, Ted; Cogswell, Patricia; Albence, Matthew; Renaud, Tracy L; Davidson, Andrew J; FLANAGAN, PATRICK S; Taylor, Miles

Subject: RE: Meeting on Vetting re: Immediate Actions



(b)(5)

Referred to U.S. Customs and Border Protection



Referred to U.S. Customs and Border Protection



From: Higgins, Jennifer

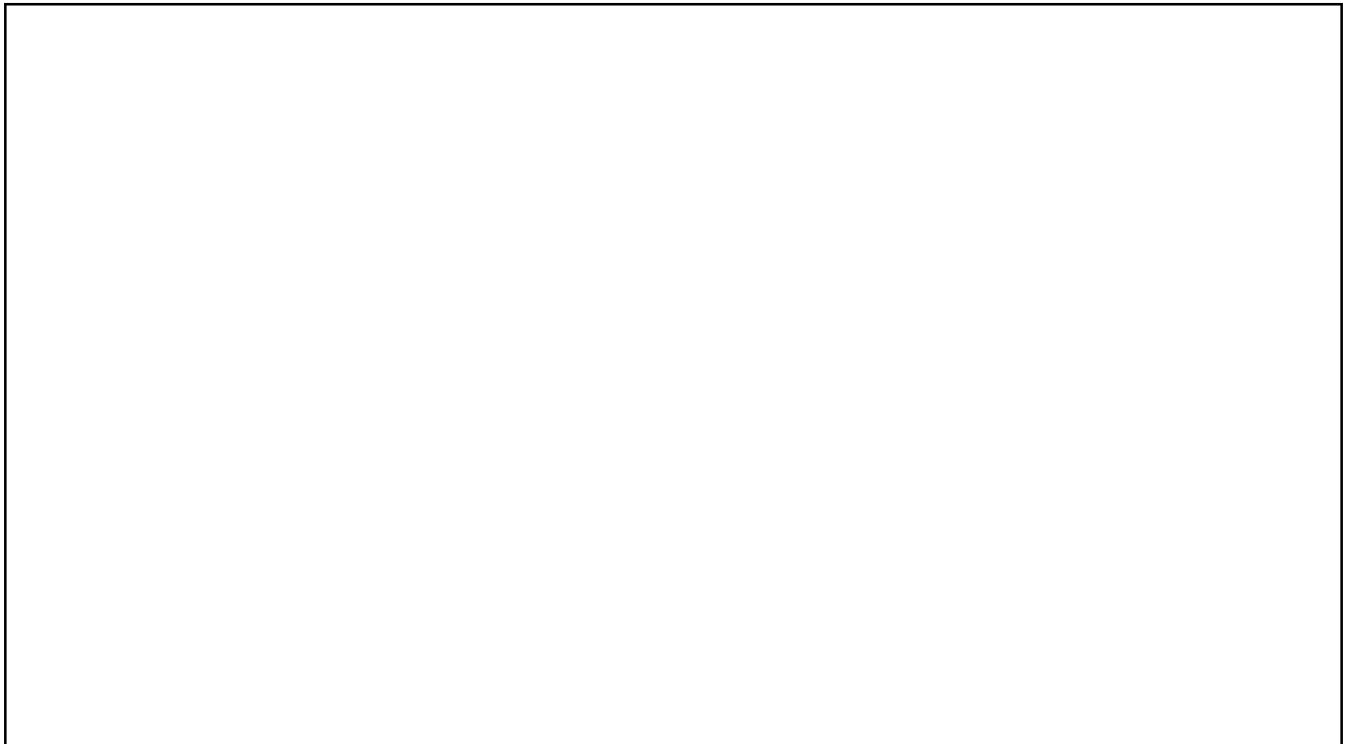
Sent: Saturday, March 25, 2017 8:49:59 AM

To: Downey, Teresa; Fulghum, Chip; Grannis, David; Hamilton, Gene; Kruger, Mary; Lester-Saura, Victoria; MCALEENAN, KEVIN K; Ragsdale, Daniel H; Scialabba, Lori L; Shah, Dimple; Sobel, Ted; Cogswell, Patricia; Albence, Matthew; Renaud, Tracy L; Davidson, Andrew J; FLANAGAN, PATRICK S

Subject: RE: Meeting on Vetting re: Immediate Actions

All,

(b)(5)



Let me know if you have any questions or if there's anything I can do to assist.

From: Fulghum, Chip

Sent: Friday, March 24, 2017 6:46:46 PM

To: Fulghum, Chip; S2 Internal; Hamilton, Gene; Lester-Saura, Victoria; Shah, Dimple; Cuevas, Lequann; Sobel, Ted; Downey, Teresa; Kruger, Mary; Grannis, David; Cathey-Blomquist, Trishia; MCALEENAN, KEVIN K; Ragsdale, Daniel H; Gouhari, Celesia C; Scialabba, Lori L; Prater, Jocelyn S; MCDOWELL, DANYELLE

Subject: Meeting on Vetting re: Immediate Actions

When: Monday, March 27, 2017 8:00 AM-9:00 AM.

Where: NAC 5, 5107

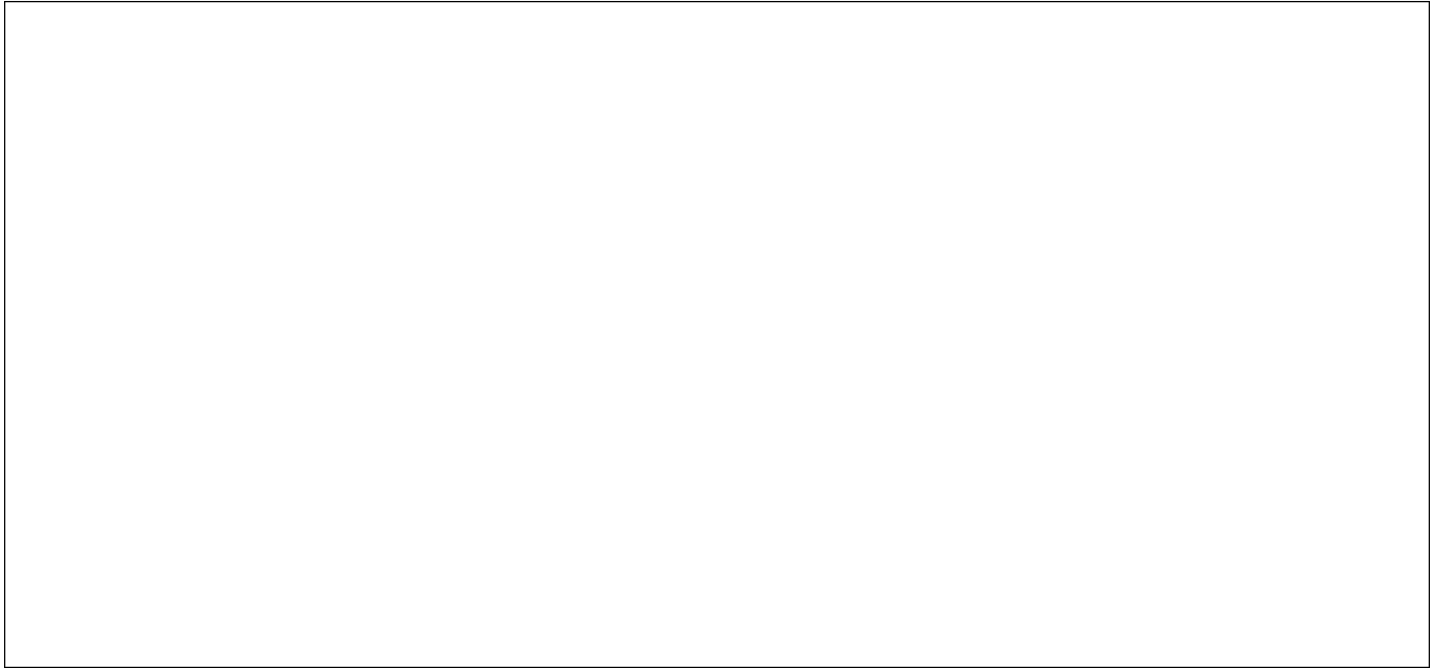
Attendees: AS2 Fulghum
Jennifer Higgins
Gene Hamilton
Victoria Lester-Saura
Dimple Shah
Ted Sobel
Terry Downey
Mary Kruger
David Grannis
Kevin McAleenan +1
Daniel Ragsdale +1
Lori Scialabba +1

Re: Meeting on Vetting re: Immediate Actions

BM: No

POC:
Jennifer Higgins

Referred to U.S. Department of State



From: Higgins, Jennifer B [mailto:Jennifer.B.Higgins@uscis.dhs.gov]
Sent: Friday, May 12, 2017 9:51 AM
To: Jackson, Nancy I
Subject: RE: UNHCR proposed high-level roundtable on W. Hemisphere

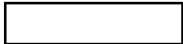
Hi, Nancy. Thank you so much for reaching out. Kelly definitely steered you in the right direction. I am familiar with the prior discussions and believe DHS/USCIS will want to be included. I will need to touch base with a few folks here quickly to be sure we have the right participation but will get back to you early next week with a definitive answer.

Looking forward to working with you on this!

Best, Jennifer

Jennifer B. Higgins
Associate Director
Refugee, Asylum and International Operations Directorate
U.S. Citizenship and Immigration Services

(b)(5)



(b)(6)

With honor and integrity, we will safeguard the American people, our homeland, and our values.



Referred to U.S. Department of State

Referred to U.S. Department of State

Referred to U.S. Department of State

Referred to U.S. Department of State

Referred to U.S. Department of State

Referred to U.S. Department of State

From: Dhabalia, Dimple D
Sent: Thursday, May 18, 2017 4:24 PM
To: Nasir, Syed A
Cc: RAIO Clearance; Grammer, Alexandra C (Alex); Gill, Lori R; Palmer, Ann M; Lafferty, John L; Kim, Ted H; Strack, Barbara L; Stone, Mary M; Ruppel, Joanna; Higgins, Jennifer B
Subject: RE: USCIS - FY 2018 HAC/SAC Budget Briefings
Attachments: USCIS FY 2018 Budget Briefing - Appropriations_RAIO updates.pptx

Hi Azmat,

Please find attached RAIO's slides for the presentation. Please note that for the EOs we weren't sure entirely what you were looking for, so we created one slide that notes EOs that are enjoined and a second slide of the EOs that are not enjoined. Both explain the impact of the EOs- but please let us know if you were looking for something different. Please let us know if you have any questions or if we can provide any additional information.

Regards,
Dimple

(b)(6)

DIMPLE DHABALIA | SPECIAL ASSISTANT | USCIS REFUGEE, ASYLUM AND INTERNATIONAL OPERATIONS DIRECTORATE

Office: Mobile (DC): ✉ dimple.d.dhabalia@uscis.dhs.gov

From: Nasir, Syed A
Sent: Tuesday, May 16, 2017 1:15 PM
To: Higgins, Jennifer B; RAIO Clearance; Baker, Katherine H; Ruppel, Joanna; Strack, Barbara L; Lafferty, John L; Dhabalia, Dimple D; USCIS MGT Tasks; Schwartz, Mark A; Wittman, Gregory J; Blair, David A; Hoefer, Michael D; Mueller, Rhonda D; Porto, Victoria; Meckley, Tammy M; Mayhew, Michael X; Lotspeich, Katherine J; Emrich, Matthew D; Davidson, Andrew J; Zellen, Lorie A; FDNSESec; Moulton, Shayla S; Matthews, Tara A
Cc: Liberto, James; Stover, Myles B; Chinni, Ellen; Fredericks, Christopher; White, Jacquelyn D; Moore, Joseph D; Kerns, Kevin J; Borgen, Michael R; Alfonso, Angelica M; Atkinson, Ronald A; Powell, Paul
Subject: RE: USCIS - FY 2018 HAC/SAC Budget Briefings

The FY 2018 Congressional Appropriations Committee briefings have been scheduled. The Senate Appropriations Committee-Homeland Security (SAC-HS) is scheduled on May 30, 3:30 – 5:00 pm and the House Appropriations Committee-Homeland Security (HAC-HS) on May 31, 3:00 – 5:00 pm. A meeting invitation will be sent to all attendees. A separate meeting invite for internal USCIS pre-brief will be scheduled on Thursday, May 25 in the OCFO conference room (20 Mass.).

In preparation for the budget briefing, we ask that you update the attached briefing slide deck from FY 2017. Kindly update your respective pages as outlined below. The due date for your updates is **COB Thursday, May 18**. In advance, apologies for the short turnaround, but due to Presidential Transition and compressed FY 2018 and FY 2019 Budget Schedule, DHS Components don't have a lot of lead time as we've had in the past. We also have to factor in ample time to get the final deck reviewed/cleared by USCIS senior leadership and run it by DHS HQ.

If you have any questions or need clarification, please contact Myles Stover
(Myles.B.Stover@uscis.dhs.gov) in OCFO Budget Formulation.

Directorate/Program Office	Slide Page (s) to Update	Comments
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RAIO	16 & 17	In addition to your regular update, please add a section (or insert a slide) in the PPT on EO – portion pertaining to RAIO.
CFO/Budget Execution	22-24	
CFO Formulation & MGT/OPQ		OCFO already coordinating with OPQ on the Backlog slides
CFO/Revenue and Cost Analysis	20 & 21, 25-28, & 33	

Regards,

Azmat Nasir
Chief, Budget Formulation
DHS/USCIS/OCFO

[REDACTED] (b)(6)

From: Nasir, Syed A

Sent: Tuesday, May 16, 2017 10:19 AM

To: Higgins, Jennifer B; Bradley, Amal; Ruppel, Joanna; RAIO Clearance; Alfonso, Angelica M; Atkinson, Ronald A; Powell, Paul; Hoefer, Michael D; Schwartz, Mark A; Blair, David A; Emrich, Matthew D; Davidson, Andrew J; Zellen, Lorie A; Meckley, Tammy M; Mayhew, Michael X; Mueller, Rhonda D; Wittman, Gregory J; Baker, Katherine H

Cc: Chinni, Ellen; Stover, Myles B; Fredericks, Christopher; White, Jacquelyn D; Eadie, Gwendolyn S

Subject: RE: USCIS - FY 2018 HAC/SAC Budget Briefings

Jennifer – Sure, no problem. For HAC/SAC, we haven't in the past since we have had the same group of people briefing. However, since we have couple of new people briefing this time, that's a good idea. Also, this pre-brief will be good opportunity to discuss EOs as that will one of the topics in the CIS briefing decks.

Our OCFO FO staff will send a meeting invite shortly.

Azmat Nasir
Chief, Budget Formulation
DHS/USCIS/OCFO

[REDACTED]

(b)(6)

From: Higgins, Jennifer B
Sent: Tuesday, May 16, 2017 9:26 AM
To: Nasir, Syed A; Bradley, Amal; Ruppel, Joanna; RAIO Clearance; Alfonso, Angelica M; Atkinson, Ronald A; Powell, Paul; Hoefer, Michael D; Schwartz, Mark A; Blair, David A; Emrich, Matthew D; Davidson, Andrew J; Zellen, Lorie A; Meckley, Tammy M; Mayhew, Michael X; Mueller, Rhonda D; Wittman, Gregory J; Baker, Katherine H
Cc: Chinni, Ellen; Stover, Myles B; Fredericks, Christopher; White, Jacquelyn D; Eadie, Gwendolyn S
Subject: RE: USCIS - FY 2018 HAC/SAC Budget Briefings

Will there be a prebrief to get the briefers together to make sure we're well coordinated? I know I would appreciate having one.

From: Nasir, Syed A
Sent: Tuesday, May 16, 2017 9:22 AM
To: Higgins, Jennifer B; Bradley, Amal; Ruppel, Joanna; RAIO Clearance; Alfonso, Angelica M; Atkinson, Ronald A; Powell, Paul; Hoefer, Michael D; Schwartz, Mark A; Blair, David A; Emrich, Matthew D; Davidson, Andrew J; Zellen, Lorie A; Meckley, Tammy M; Mayhew, Michael X; Mueller, Rhonda D; Wittman, Gregory J; Baker, Katherine H
Cc: Chinni, Ellen; Stover, Myles B; Fredericks, Christopher; White, Jacquelyn D; Eadie, Gwendolyn S
Subject: RE: USCIS - FY 2018 HAC/SAC Budget Briefings

Update:

- USCIS OCFO will arrange for transportation to both the HAC and SAC briefings
- An Outlook calendar hold will be sent out by OCFO Front Office staff for both HAC and SAC briefings

Azmat Nasir
Chief, Budget Formulation
DHS/USCIS/OCFO

[REDACTED]

(b)(6)

From: Nasir, Syed A
Sent: Monday, May 15, 2017 10:45 AM
To: Higgins, Jennifer B; Ruppel, Joanna; Alfonso, Angelica M; 'Atkinson, Ronald A'; Powell, Paul; Hoefer, Michael D; Schwartz, Mark A; Blair, David A; Emrich, Matthew D; Davidson, Andrew J; Meckley, Tammy M; Lotspeich, Katherine J
Cc: Kerns, Kevin J; Borgen, Michael R; USCIS MGT Tasks; Moore, Joseph D; Reilly, Richard M; Fredericks, Christopher; White, Jacquelyn D; Chinni, Ellen; Stover, Myles B; Porto, Victoria; Mueller, Rhonda D; Wittman, Gregory J; Zellen, Lorie A; Mayhew, Michael X; Henry, Laura R; Baker, Katherine H

Subject: USCIS - FY 2018 HAC/SAC Budget Briefings
Importance: High

Good morning, Directorates Principals –

Background:

The President's FY 2018 Budget is scheduled to be released on May 22, 2017. Following release of the budget, DHS Components will provide a series of hearings and briefings for appropriations and authorizing committees. DHS OCFO is coordinating with both the HAC-HS and SAC-HS and DHS Component OCFOs to schedule the briefings.

Below is the proposed schedule for USCIS to brief the HAC and the SAC:

FY 2018 Congressional Budget Briefing Schedule

DHS Component	Committee	SAC Briefing Date	SAC Time	SAC Location	Comm
USCIS	SAC	May 30th	3:30-5:00	SD-138	HA

Given the limitation of participants by DHS to no more than seven (7) participants from each Component, we are requesting one (1) name from each office below:

IRIS/E-Verify: Tammy Meckley or Kathy Lotspeich or whoever IRIS designates
Refugee, Asylum/EO: Jennifer Higgins or Joanna Ruppel or John Lafferty or whoever RAIO designates
FDNS/Vetting/EO: Matt Emrich or Andrew Davidson or whoever FDNS designates
OIT – Transformation: Mark Schwartz or David Blair or whoever OIT designates
OPQ – Backlogs: Mike Hoefer (and Joe Moore)
OLA: Alan Atkinson or Paul Powell or whoever OLA designates
OCFO: Joe Moore and Chris Fredericks

Action: By **1:00 p.m. today**, please provide me with a name as to who can speak to the topics mentioned above. In addition, if you feel there are any extraordinary scheduling conflicts/circumstances, please let me know ASAP.

Guidelines from DHS OCFO for Appropriations Committee Briefings:

- All Components shall provide in-depth briefings separately to HAC-HS and SAC-HS staff.
- Consistent with prior years, CFOs/Budget Directors for each Component should attend and lead the briefings. All participants **should have substantive knowledge** – should attend the briefing. The HAC-HS briefing room (B307 Rayburn HOB) is extremely small so we need to plan accordingly.
- Same individuals who brief the Senate will also brief the House.
- Once the final USCIS list is finalized, names of attendees will be provided to DHS OCFO by USCIS OCFO.

Briefing Materials – Appropriations Committee Briefings:

- USCIS OCFO will be sending a draft briefing deck to Directorates later this week for input.

- Reminder from DHS - It is strongly advised that USCIS Directorates Principals review Questions For the Record (QFRs) and budget briefing Getbacks from the last two years to identify areas of interest to the Committees, and to be prepared for those issues to be revisited and discussed.
- If USCIS Directorates feel additional materials or level of detail may be required, USCIS OCFO will need to coordinate that with DHS OCFO well in advance

Authorization Committee Briefings:

Components will also be asked to provide briefings before several House and Senate authorizing committees. A tentative schedule is being prepared by DHS Office of Legislative Affairs (OLA) for the Senate Homeland Security and Governmental Affairs Committee (HSGAC) and the House Committee on Homeland Security (CHS) and, this will be provided in the near future along with additional guidance. Additional guidance will come from USCIS OLA.

Please remember the following guidelines:

- OLA will coordinate attendance for all authorizing committee briefings with Components OLAs.
- Per DHS OLA, Component briefings should be led by a Senior Component Official (e.g. Chief of Staff, Deputy, etc.), and it is expected that they will be supported by the CFO or Budget Director, and 1-2 additional staff who can speak to legislative proposals and/or key programs of congressional interest.
- Component briefing materials should be consistent materials provided to the Appropriators. Any presentation materials still need to be cleared by OCFO and must be consistent with Administration and Departmental budget materials (Congressional Justifications, the Budget-In-Brief, Briefing Materials for the Appropriations Committees, etc.).

If you have any questions, please give me a call.

Regards,

Azmat Nasir

Chief, Budget Formulation
Office of Chief Financial Officer
U.S. Citizenship and Immigration Services
Department of Homeland Security
Office: (b)(6)
Azmat.Nasir1@uscis.dhs.gov

From: Kim, Ted H
Sent: Thursday, May 18, 2017 4:32 PM
To: Higgins, Jennifer B
Cc: Lafferty, John L
Subject: RE: Asylum vetting/ screening
Attachments: CLEAN DRAFT ISCPM XIV - Enhanced Vetting - 2017-05-11.docx

OK, we'll hold off until we hear from OCC. (b)(5)

[Redacted]

From: Higgins, Jennifer B
Sent: Thursday, May 18, 2017 5:21 PM
To: Kim, Ted H; Lafferty, John L
Subject: RE: Asylum vetting/ screening

[Redacted]

From: Kim, Ted H
Sent: Thursday, May 18, 2017 4:52 PM
To: Higgins, Jennifer B; Lafferty, John L
Subject: RE: Asylum vetting/ screening

[Redacted]

From: Higgins, Jennifer B
Sent: Thursday, May 18, 2017 4:43 PM
To: Kim, Ted H; Lafferty, John L
Subject: RE: Asylum vetting/ screening

Removing Angie. [Redacted]

[Redacted]

From: Kim, Ted H
Sent: Thursday, May 18, 2017 9:40:28 PM

(b)(5)

(b)(5)

To: Lafferty, John L; Higgins, Jennifer B; Gipson, Angela E
Subject: RE: Asylum vetting/ screening

From: Lafferty, John L
Sent: Thursday, May 18, 2017 4:38 PM
To: Higgins, Jennifer B; Kim, Ted H; Gipson, Angela E
Subject: RE: Asylum vetting/ screening

Jennifer,

From: Higgins, Jennifer B
Sent: Thursday, May 18, 2017 4:11:51 PM
To: Kim, Ted H; Lafferty, John L; Gipson, Angela E
Subject: FW: Asylum vetting/ screening

Guys,

From: Groom, Molly M
Sent: Thursday, May 18, 2017 7:39:51 PM
To: Davidson, Andrew J; Emrich, Matthew D; Higgins, Jennifer B
Cc: Symons, Craig M
Subject: RE: Asylum vetting/ screening

(b)(5)

[REDACTED]
[REDACTED]. Thanks.

(b)(5)

From: Davidson, Andrew J
Sent: Thursday, May 18, 2017 2:26:20 PM
To: Emrich, Matthew D; Groom, Molly M; Higgins, Jennifer B
Cc: Symons, Craig M
Subject: RE: Asylum vetting/ screening

(b)(5)

[REDACTED]

checks.

Andrew Davidson
Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
andrew.j.davidson@uscis.dhs.gov

[REDACTED] (o) [REDACTED] (c)

(b)(6)

From: Emrich, Matthew D
Sent: Thursday, May 18, 2017 2:16 PM
To: Groom, Molly M; Davidson, Andrew J; Higgins, Jennifer B
Cc: Symons, Craig M
Subject: RE: Asylum vetting/ screening

Molly,

Thanks. While OCC is conducting their review [REDACTED]
[REDACTED]

Matt

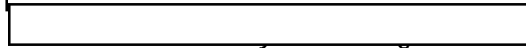
From: Groom, Molly M
Sent: Thursday, May 18, 2017 2:08 PM
To: Emrich, Matthew D; Davidson, Andrew J; Higgins, Jennifer B
Cc: Symons, Craig M
Subject: Asylum vetting/ screening

Matt/ Andrew/ Jennifer--

(b)(5)

[REDACTED]

(b)(5)



Thanks for your help as we work through these
issues. Molly

From: Dhabalia, Dimple D
Sent: Thursday, May 18, 2017 4:34 PM
To: Higgins, Jennifer B
Subject: RE: USCIS - FY 2018 HAC/SAC Budget Briefings

Sorry-I knew you'd want to review but we needed to get it over because of the deadline. But I was just about to hit send to let him know we will likely have some changes tomorrow. Sorry ☹️

Dimple Dhabalia |Special Assistant | USCIS Refugee, Asylum and International Operations Directorate
Office: Mobile: | *: dimple.d.dhabalia@uscis.dhs.gov
(b)(6)

From: Higgins, Jennifer B
Sent: Friday, May 19, 2017 2:59:04 AM
To: Dhabalia, Dimple D
Subject: RE: USCIS - FY 2018 HAC/SAC Budget Briefings

Hi, I would have liked to review before submitting. The EO slides need revision -- the entire EO, for example isn't enjoined. It's just sections of it. I also might make some tweaks on the others. Could write back to let him know that in the interest of time we sent the slides, but that we will have a few tweaks tomorrow morning?

Thanks!

From: Dhabalia, Dimple D
Sent: Thursday, May 18, 2017 10:24:29 PM
To: Nasir, Syed A
Cc: RAIO Clearance; Grammer, Alexandra C (Alex); Gill, Lori R; Palmer, Ann M; Lafferty, John L; Kim, Ted H; Strack, Barbara L; Stone, Mary M; Ruppel, Joanna; Higgins, Jennifer B
Subject: RE: USCIS - FY 2018 HAC/SAC Budget Briefings

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Regards,
Dimple

DIMPLE DHABALIA |SPECIAL ASSISTANT |USCIS REFUGEE, ASYLUM AND INTERNATIONAL OPERATIONS DIRECTORATE

(b)(6)

Office [REDACTED] Mobile (DC) [REDACTED] | ✉ dimple.d.dhabalia@uscis.dhs.gov

From: Nasir, Syed A

Sent: Tuesday, May 16, 2017 1:15 PM

To: Higgins, Jennifer B; RAIO Clearance; Baker, Katherine H; Ruppel, Joanna; Strack, Barbara L; Lafferty, John L; Dhabalia, Dimple D; USCIS MGT Tasks; Schwartz, Mark A; Wittman, Gregory J; Blair, David A; Hoefer, Michael D; Mueller, Rhonda D; Porto, Victoria; Meckley, Tammy M; Mayhew, Michael X; Lotspeich, Katherine J; Emrich, Matthew D; Davidson, Andrew J; Zellen, Lorie A; FDNSExecSec; Moulton, Shayla S; Matthews, Tara A

Cc: Liberto, James; Stover, Myles B; Chinni, Ellen; Fredericks, Christopher; White, Jacquelyn D; Moore, Joseph D; Kerns, Kevin J; Borgen, Michael R; Alfonso, Angelica M; Atkinson, Ronald A; Powell, Paul

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CFO Formulation & MGT/OPQ		OCFO already coordinating with OPQ on the Backlog slides
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Regards,

Azmat Nasir
Chief, Budget Formulation
DHS/USCIS/OCFO

[REDACTED]

(b)(6)

From: Nasir, Syed A

Sent: Tuesday, May 16, 2017 10:19 AM

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Cc: Chinni, Ellen; Stover, Myles B; Fredericks, Christopher; White, Jacquelyn D; Eadie, Gwendolyn S

Subject: RE: USCIS - FY 2018 HAC/SAC Budget Briefings

Jennifer – Sure, no problem. For HAC/SAC, we haven't in the past since we have had the same group of people briefing. However, since we have couple of new people briefing this time, that's a good idea. Also, this pre-brief will be good opportunity to discuss EOs as that will one of the topics in the CIS briefing decks.

Our OCFO FO staff will send a meeting invite shortly.

Azmat Nasir
Chief, Budget Formulation
DHS/USCIS/OCFO

[REDACTED]

(b)(6)

From: Higgins, Jennifer B

Sent: Tuesday, May 16, 2017 9:26 AM

To: Nasir, Syed A; Bradley, Amal; Ruppel, Joanna; RAIO Clearance; Alfonso, Angelica M; Atkinson, Ronald A; Powell, Paul; Hoefer, Michael D; Schwartz, Mark A; Blair, David A; Emrich, Matthew D; Davidson, Andrew J; Zellen, Lorie A; Meckley, Tammy M; Mayhew, Michael X; Mueller, Rhonda D; Wittman, Gregory J; Baker, Katherine H

Cc: Chinni, Ellen; Stover, Myles B; Fredericks, Christopher; White, Jacquelyn D; Eadie, Gwendolyn S

Subject: RE: USCIS - FY 2018 HAC/SAC Budget Briefings

Will there be a prebrief to get the briefers together to make sure we're well coordinated? I know I would appreciate having one.

From: Nasir, Syed A

Sent: Tuesday, May 16, 2017 9:22 AM

To: Higgins, Jennifer B; Bradley, Amal; Ruppel, Joanna; RAIO Clearance; Alfonso, Angelica M; Atkinson, Ronald A; Powell, Paul; Hoefer, Michael D; Schwartz, Mark A; Blair, David A; Emrich, Matthew D; Davidson, Andrew J; Zellen, Lorie A; Meckley, Tammy M; Mayhew, Michael X; Mueller, Rhonda D; Wittman, Gregory J; Baker, Katherine H

Cc: Chinni, Ellen; Stover, Myles B; Fredericks, Christopher; White, Jacquelyn D; Eadie, Gwendolyn S

Subject: RE: USCIS - FY 2018 HAC/SAC Budget Briefings

Update:

- USCIS OCFO will arrange for transportation to both the HAC and SAC briefings
- An Outlook calendar hold will be sent out by OCFO Front Office staff for both HAC and SAC briefings

Azmat Nasir
Chief, Budget Formulation
DHS/USCIS/OCFO

[REDACTED] (b)(6)

From: Nasir, Syed A

Sent: Monday, May 15, 2017 10:45 AM

To: Higgins, Jennifer B; Ruppel, Joanna; Alfonso, Angelica M; 'Atkinson, Ronald A'; Powell, Paul; Hoefer, Michael D; Schwartz, Mark A; Blair, David A; Emrich, Matthew D; Davidson, Andrew J; Meckley, Tammy M; Lotspeich, Katherine J

Cc: Kerns, Kevin J; Borgen, Michael R; USCIS MGT Tasks; Moore, Joseph D; Reilly, Richard M; Fredericks, Christopher; White, Jacquelyn D; Chinni, Ellen; Stover, Myles B; Porto, Victoria; Mueller, Rhonda D; Wittman, Gregory J; Zellen, Lorie A; Mayhew, Michael X; Henry, Laura R; Baker, Katherine H

Subject: USCIS - FY 2018 HAC/SAC Budget Briefings

Importance: High

Good morning, Directorates Principals –

Background:

The President's FY 2018 Budget is scheduled to be released on May 22, 2017. Following release of the budget, DHS Components will provide a series of hearings and briefings for appropriations and authorizing committees. DHS OCFO is coordinating with both the HAC-HS and SAC-HS and DHS Component OCFOs to schedule the briefings.

Below is the proposed schedule for USCIS to brief the HAC and the SAC:

FY 2018 Congressional Budget Briefing Schedule

DHS Component	Committee	SAC Briefing Date	SAC Time	SAC Location	Comm
USCIS	SAC	May 30th	3:30-5:00	SD-138	HA

Given the limitation of participants by DHS to no more than seven (7) participants from each Component, we are requesting one (1) name from each office below:

IRIS/E-Verify: Tammy Meckley or Kathy Lotspeich or whoever IRIS designates
Refugee, Asylum/EO: Jennifer Higgins or Joanna Ruppel or John Lafferty or whoever RAIO designates
FDNS/Vetting/EO: Matt Emrich or Andrew Davidson or whoever FDNS designates
OIT – Transformation: Mark Schwartz or David Blair or whoever OIT designates
OPQ – Backlogs: Mike Hoefer (and Joe Moore)
OLA: Alan Atkinson or Paul Powell or whoever OLA designates

OCFO: Joe Moore and Chris Fredericks

Action: By 1:00 p.m. today, please provide me with a name as to who can speak to the topics mentioned above. In addition, if you feel there are any extraordinary scheduling conflicts/circumstances, please let me know ASAP.

Guidelines from DHS OCFO for Appropriations Committee Briefings:

- All Components shall provide in-depth briefings separately to HAC-HS and SAC-HS staff.
- Consistent with prior years, CFOs/Budget Directors for each Component should attend and lead the briefings. All participants **should have substantive knowledge** – should attend the briefing. The HAC-HS briefing room (B307 Rayburn HOB) is extremely small so we need to plan accordingly.
- Same individuals who brief the Senate will also brief the House.
- Once the final USCIS list is finalized, names of attendees will be provided to DHS OCFO by USCIS OCFO.

Briefing Materials – Appropriations Committee Briefings:

- USCIS OCFO will be sending a draft briefing deck to Directorates later this week for input.
- Reminder from DHS - It is strongly advised that USCIS Directorates Principals review Questions For the Record (QFRs) and budget briefing Getbacks from the last two years to identify areas of interest to the Committees, and to be prepared for those issues to be revisited and discussed.
- If USCIS Directorates feel additional materials or level of detail may be required, USCIS OCFO will need to coordinate that with DHS OCFO well in advance

Authorization Committee Briefings:

Components will also be asked to provide briefings before several House and Senate authorizing committees. A tentative schedule is being prepared by DHS Office of Legislative Affairs (OLA) for the Senate Homeland Security and Governmental Affairs Committee (HSGAC) and the House Committee on Homeland Security (CHS) and, this will be provided in the near future along with additional guidance. Additional guidance will come from USCIS OLA.

Please remember the following guidelines:

- OLA will coordinate attendance for all authorizing committee briefings with Components OLAs.
- Per DHS OLA, Component briefings should be led by a Senior Component Official (e.g. Chief of Staff, Deputy, etc.), and it is expected that they will be supported by the CFO or Budget Director, and 1-2 additional staff who can speak to legislative proposals and/or key programs of congressional interest.
- Component briefing materials should be consistent materials provided to the Appropriators. Any presentation materials still need to be cleared by OCFO and must be consistent with Administration and Departmental budget materials (Congressional Justifications, the Budget-In-Brief, Briefing Materials for the Appropriations Committees, etc.).

If you have any questions, please give me a call.

Regards,

Azmat Nasir

Chief, Budget Formulation

Office of Chief Financial Officer

U.S. Citizenship and Immigration Services

Department of Homeland Security

Office: (b)(6)

Azmat.Nasir1@uscis.dhs.gov

From: Higgins, Jennifer B
Sent: Thursday, May 18, 2017 4:56 PM
To: Hoefer, Michael D; Lafferty, John L; Ruppel, Joanna; Nicholson, Maura J
Cc: Kim, Ted H; Strack, Barbara L; Stone, Mary M
Subject: RE: Reporting Requirement - Integrity of the Admissions Program

Yes on WRAPS -- they track arrivals (though ironically they get that from CBP, I believe.) DOJ would need to get us their asylum approvals -- we don't have those.

From: Hoefer, Michael D
Sent: Thursday, May 18, 2017 10:37:45 PM
To: Higgins, Jennifer B; Lafferty, John L; Ruppel, Joanna; Nicholson, Maura J
Cc: Kim, Ted H; Strack, Barbara L; Stone, Mary M
Subject: RE: Reporting Requirement - Integrity of the Admissions Program

I did talk to FDNS today about what may be possible and I'll write it up and have everyone review it. The missing piece for me is refugee arrival data from WRAPs and defensive asylees. Am I correct in assuming that State would provide us the arrival data to match against other systems? Do we already have defensive asylum approvals from EOIR?

Mike

Michael Hoefer
Chief, Office of Performance and Quality
U.S. Citizenship and Immigration Services

(b)(6)

Michael.D.Hoefer@uscis.dhs.gov

This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you.

From: Higgins, Jennifer B
Sent: Thursday, May 18, 2017 5:26 PM
To: Hoefer, Michael D; Lafferty, John L; Ruppel, Joanna; Nicholson, Maura J
Cc: Kim, Ted H; Strack, Barbara L; Stone, Mary M
Subject: RE: Reporting Requirement - Integrity of the Admissions Program

In addition to the challenges, I do think we need to explain what might be possible -- albeit resource intensive and/or partially responsive. Much of this hinges on whether we can ping our data against FBI databases, for example, so this isn't just a USCIS issue but one that will involve other offices/departments as well.

From: Hoefer, Michael D
Sent: Thursday, May 18, 2017 6:24:58 PM
To: Lafferty, John L; Ruppel, Joanna; Nicholson, Maura J
Cc: Higgins, Jennifer B; Kim, Ted H; Strack, Barbara L; Stone, Mary M
Subject: RE: Reporting Requirement - Integrity of the Admissions Program

John,

Thanks. I would like to get the material tomorrow and I will talk to FDNS separately. Sounds like much of the material I need to document our inability to respond to the reporting requirement is already available.

Mike

Michael Hoefer
Chief, Office of Performance and Quality
U.S. Citizenship and Immigration Services

(b)(6)

Michael.D.Hoefer@uscis.dhs.gov

This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you.

From: Lafferty, John L
Sent: Thursday, May 18, 2017 12:56 PM
To: Hoefer, Michael D; Ruppel, Joanna; Nicholson, Maura J
Cc: Higgins, Jennifer B; Kim, Ted H; Strack, Barbara L; Stone, Mary M
Subject: RE: Reporting Requirement - Integrity of the Admissions Program

A similar request to this came previously from the offices of certain House/Senate members. I do not know if the Department responded to those letters. Then requests were put forward through staffers of the SAC which were even broader than these requests. Asylum and RAD met with Joe Moore and his team to outline the very significant challenges in attempting to comply with the request. I'm out of the office until tomorrow, but I will dig up my e-mails from the earlier discussion. A follow-up meeting was supposed to be sought with Department CFO and congressional offices to discuss the challenges to meet the ask, but that meeting did not occur before the transition to the new administration.

Asylum will be happy to sit down and go over the significant challenges that will need to be considered in deciding if and how this reporting can be accomplished.

From: Hoefer, Michael D
Sent: Thursday, May 18, 2017 12:37:26 PM
To: Ruppel, Joanna; Nicholson, Maura J

Cc: Higgins, Jennifer B; Lafferty, John L; Kim, Ted H; Strack, Barbara L; Stone, Mary M
Subject: RE: Reporting Requirement - Integrity of the Admissions Program

Joanna,

I will speak to FDNS but I want to understand what we may have tried to do last Fall and the roadblocks we faced. For example, did with speak with PRM about getting data on Refugee Arrival data? I am certain you are correct that the information is not in our systems. I need to explain that all to Kevin after I've spoken with everyone.

Did we stop trying to address the reporting issue last Fall? Did you have a POC on it?

Thanks, Mike

Michael Hoefer
Chief, Office of Performance and Quality
U.S. Citizenship and Immigration Services

[REDACTED] (b)(6)

Michael.D.Hoefer@uscis.dhs.gov

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From: Ruppel, Joanna
Sent: Thursday, May 18, 2017 12:24 PM
To: Hoefer, Michael D; Nicholson, Maura J
Cc: Higgins, Jennifer B; Lafferty, John L; Kim, Ted H; Strack, Barbara L; Stone, Mary M
Subject: RE: Reporting Requirement - Integrity of the Admissions Program

Mike,

RAIO would not have that information and I am not sure that USCIS would be able to pull it from their systems, so I am not sure we can assist. Looping in here Jennifer, as well as RAD and Asylum leadership, in case they have any prior responses to this type of request, as I know the Hill has asked DHS for this type of info for some time and we have not been able to pull it from existing systems. I think it also important to reach out to FDNS to get their thinking on how to respond to this.

Joanna

Joanna Ruppel
Chief, International Operations Division
USCIS Refugee, Asylum and International Operations Directorate
Joanna.Ruppel@uscis.dhs.gov

[REDACTED]

(b)(6)

From: Hoefer, Michael D
Sent: Thursday, May 18, 2017 12:04 PM
To: Ruppel, Joanna; Nicholson, Maura J
Subject: Reporting Requirement - Integrity of the Admissions Program

Joanna,

Kevin Kerns has asked me to provide him the reasons this reporting requirement can't be achieved. I remember that I was involved a bit on the early discussions and our LPR data were not good enough because it excluded those refugees who decide not to adjust. Is there someone on your staff I can talk to today?

Mike

Ensuring the integrity of the refugee and asylum admissions programs is critical, particularly as the volume of applications for both benefits continues to rise. The Committee directs USCIS to, within 120 days of the date of enactment of this act, submit a report that identifies:

- (1) the total number of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who were subsequently identified as having an affiliation with terrorism in any manner;
- (2) the total number of children of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who were subsequently identified as having an affiliation with terrorism in any manner;
- (3) the total number of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who were subsequently arrested or convicted for any criminal offense in the United States;
- (4) the total number of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who subsequently adjusted to lawful permanent resident status with a waiver granted under section 209(c) of the Immigration and Nationality Act (8 U.S.C. 1109(c)); and
- (5) the total number of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who were subsequently removed from the United States for any reason.

Michael Hoefer
Chief, Office of Performance and Quality
U.S. Citizenship and Immigration Services

(b)(6)
Michael.D.Hoefer@uscis.dhs.gov

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From: RAIO Clearance
Sent: Thursday, May 18, 2017 5:05 PM
To: Sicard, Kimberly R; Saunier, Jon-Paul; Asylum Taskers; Medina, Jorge E; Burdine, Tonya L
Cc: Ruppel, Joanna; Stone, Mary M; Strack, Barbara L; Mura, Elizabeth E; Peralta Mihalko, Maria P (Pilar); Mancuso, Deborah T; Dhabalia, Dimple D; Grammer, Alexandra C (Alex); Higgins, Jennifer B; RAIO Clearance; Higgins, Jennifer B; Chiorazzi, Anne; RAIO-FDNS-IS; Lafferty, John L; Kim, Ted H; Mura, Elizabeth E; Tanner, Rebecca S; Defensor, Michael R
Subject: FW: Tasker: EO 13771 Additional Info due May 26
Attachments: Deregulatory Suggestions List from Program Offices & Directorates 5.18.17.xlsx; FW: Tasker: In Response to Executive Order 13711 due March 10; RE: Tasker: In Response to Executive Order 13711 due March 10

Hello,

This is for Asylum and IO. Please see below follow-up to an EO tasker we responded to in March (*FW: Tasker: In Response to Executive Order 13711 due March 10*).

Asylum and IO submitted responses (others had no comment), and DHS is asking for more information as per highlighted section below. Asylum and IO, can you please respond accordingly on attached excel doc (columns G & H for your submissions)? I'm attaching your previous submissions for reference.

Due: **COB Friday, May 26, 2017.**

Thanks,

RAIO Clearance
Alma Ortman

From: USCIS Regs
Sent: Thursday, May 18, 2017 5:30 PM
To: AAO-Clearance; Rosenberg, Ronald M (Ron); Nimick, Charles L (Locky); Dumas, Jessica L; Federwisch Webb, Victoria N; Titus, Deanne A; OCC-Clearance; Bell, Stephen P; Patching, Laura D; Stiefel, Nathaniel I; Eccleston, Hermene N; Badovinac, Daisy A (CTR); Policy-Clearance; Graziadio, Josie; Hawkins, Donald K; Baker, Tamara L; RAIO Clearance; USCIS MGT Tasks; Sawyer, Kristina S (Kristy); USCIS Privacy Inquiries; #USCIS - IRIS Tasking List; HQ Field Operations; Valverde, Michael; FDNSExecSec; Beason, Daniel J; Kerns, Kevin J; Borgen, Michael R; Compton, Dana C; Grammer, Alexandra C (Alex); SCOPS-Clearance; Arroyo, Susan K; Cox, Sophia; Padilla, April Y; Moran, Karla V; Weller, Angela V; Neufeld, Donald W; Parascandola, Ciro A; Dunn, Maureen A; Prelogar, Brandon B; Anderson, Kathryn E; Cummings, Kevin J; Silwany, Oscar Y; Hamilton, Cristina A; Phillips, Mark
Subject: Tasker: EO 13771 Additional Info due May 26

Good Afternoon,

(b)(5)

Thank you all for your cooperation in submitting

Please return the filled out spreadsheet with columns G and H to swati.a.patel@uscis.dhs.gov and USCISRegs@uscis.dhs.gov by COB May 26, 2017. Thank you for your assistance and please contact me with any questions or concerns.

Swati A. Patel

Chief, Economic Analysis

Office of Policy and Strategy

USCIS / DHS

(b)(5) (b)(6)

Office: (b)(6)

Mobile:

Pinkerton, Christopher M (Chris)

From: Medina, Jorge E
Sent: Thursday, March 09, 2017 11:25 AM
To: RAIO Clearance; Allen, Eugene A; Asylum Taskers; Chiorazzi, Anne; Gill, Lori R; Kline, Jennifer M; Liberto, James; Palmer, Ann M; Peralta Mihalko, Maria P (Pilar); Potts, LeRoy G; RAIO-FDNS-IS; Russo, Elisabeth Y; Saunier, Jon-Paul; Schaper, Michael C; Shafi, Amina H; Sicard, Kimberly R; Sohrakoff, Karen A; Villasenor, Eissa M; Khalsa, Mirian R
Cc: Baker, Katherine H; Defensor, Michael R; Dhabalia, Dimple D; Fritz, Debra A; Gipson, Angela E; Grammer, Alexandra C (Alex); Kim, Ted H; Lafferty, John L; Nicholson, Maura J; Ruppel, Joanna; Stone, Mary M; Strack, Barbara L; Mancuso, Deborah T; Benedict, Deborah L; Medina, Jorge E
Subject: FW: Tasker: In Response to Executive Order 13711 due March 10
Attachments: Retrospective Review ListRAIO - IO.xlsx

RAIO Clearance: (b)(5)

Thanks!

From: RAIO Clearance
Sent: Thursday, February 23, 2017 3:04 PM
To: Allen, Eugene A; Asylum Taskers; Chiorazzi, Anne; Gill, Lori R; Khalsa, Mirian R; Kline, Jennifer M; Liberto, James; Medina, Jorge E; Palmer, Ann M; Peralta Mihalko, Maria P (Pilar); Potts, LeRoy G; RAIO-FDNS-IS; Russo, Elisabeth Y; Saunier, Jon-Paul; Schaper, Michael C; Shafi, Amina H; Sicard, Kimberly R; Sohrakoff, Karen A; Villasenor, Eissa M
Cc: Baker, Katherine H; Defensor, Michael R; Dhabalia, Dimple D; Fritz, Debra A; Gipson, Angela E; Grammer, Alexandra C (Alex); Kim, Ted H; Lafferty, John L; Nicholson, Maura J; Ruppel, Joanna; Stone, Mary M; Strack, Barbara L
Subject: RE: Tasker: In Response to Executive Order 13711 due March 10

Update: Due date for RAIO: Thursday, March 9, 4pm

From: RAIO Clearance
Sent: Thursday, February 23, 2017 5:46 PM
To: Allen, Eugene A; Asylum Taskers; Chiorazzi, Anne; Gill, Lori R; Khalsa, Mirian R; Kline, Jennifer M; Liberto, James; Medina, Jorge E; Palmer, Ann M; Peralta Mihalko, Maria P (Pilar); Potts, LeRoy G; RAIO-FDNS-IS; Russo, Elisabeth Y; Saunier, Jon-Paul; Schaper, Michael C; Shafi, Amina H; Sicard, Kimberly R; Sohrakoff, Karen A; Villasenor, Eissa M
Cc: Baker, Katherine H; Defensor, Michael R; Dhabalia, Dimple D; Fritz, Debra A; Gipson, Angela E; Grammer, Alexandra C (Alex); Kim, Ted H; Lafferty, John L; Nicholson, Maura J; Ruppel, Joanna; Stone, Mary M; Strack, Barbara L
Subject: RE: Tasker: In Response to Executive Order 13711 due March 10

Please see email below from AAO.

From: Rosenberg, Ronald M (Ron)

Sent: Thursday, February 23, 2017 5:42 PM

To: USCIS Regs; AAO-Clearance; Nimick, Charles L (Locky); Dumas, Jessica L; Federwisch Webb, Victoria N; Titus, Deanne A; OCC-Clearance; Bell, Stephen P; Patching, Laura D; Stiefel, Nathaniel I; Eccleston, Hermene N; Badovinac, Daisy A (CTR); Policy-Clearance; Graziadio, Josie; Hawkins, Donald K; Baker, Tamara L; RAIO Clearance; USCIS MGT Tasks; Sawyer, Kristina S (Kristy); USCIS Privacy Inquiries; #USCIS - IRIS Tasking List; HQ Field Operations; Valverde, Michael; FDNSExecSec; Beason, Daniel J; Kerns, Kevin J; Borgen, Michael R; Compton, Dana C; Grammer, Alexandra C (Alex); SCOPS-Clearance; Arroyo, Susan K; Cox, Sophia; Padilla, April Y; Moran, Karla; Weller, Angela V; Neufeld, Donald W

Cc: Patel, Swati A

Subject: RE: Tasker: In Response to Executive Order 13711 due March 10

(b)(5)

[Redacted]

Thanks.

rr--

Ron Rosenberg | Chief | Administrative Appeals Office
U.S. Citizenship & Immigration Services (USCIS) | U.S. Department of Homeland Security (DHS)

(b)(6)

From: RAIO Clearance

Sent: Thursday, February 23, 2017 5:37 PM

To: Allen, Eugene A; Asylum Taskers; Chiorazzi, Anne; Gill, Lori R; Khalsa, Mirian R; Kline, Jennifer M; Liberto, James; Medina, Jorge E; Palmer, Ann M; Peralta Mihalko, Maria P (Pilar); Potts, LeRoy G; RAIO-FDNS-IS; Russo, Elisabeth Y; Saunier, Jon-Paul; Schaper, Michael C; Shafi, Amina H; Sicard, Kimberly R; Sohrakoff, Karen A; Villasenor, Eissa M

Cc: Baker, Katherine H; Defensor, Michael R; Dhabalia, Dimple D; Fritz, Debra A; Gipson, Angela E; Grammer, Alexandra C (Alex); Kim, Ted H; Lafferty, John L; Nicholson, Maura J; RAIO Clearance; Ruppel, Joanna; Stone, Mary M; Strack, Barbara L

Subject: FW: Tasker: In Response to Executive Order 13711 due March 10

Good Afternoon,

Ref: In Response to Executive Order 13711 on Reducing Regulation and Controlling Regulatory Costs.

Please use the attached spreadsheet to identify **at least 1 or 2 regulations** per office/directorate for repeal or revision by 4pm, Friday, March 10, 2017.

Once a list has been compiled, RCD will provide further guidance on moving forward.

Thanks,

Debra Fritz for RAIO Clearance Box

From: Benbow, Andrew **On Behalf Of** USCIS Regs

Sent: Thursday, February 23, 2017 5:27 PM

To: AAO-Clearance; Rosenberg, Ronald M (Ron); Nimick, Charles L (Locky); Dumas, Jessica L; Federwisch Webb, Victoria N; Titus, Deanne A; OCC-Clearance; Bell, Stephen P; Patching, Laura D; Stiefel, Nathaniel I; Eccleston, Hermene N; Badovinac, Daisy A (CTR); Policy-Clearance; Graziadio, Josie; Hawkins, Donald K; Baker, Tamara L; RAIO Clearance; USCIS MGT Tasks; Sawyer, Kristina S (Kristy); USCIS Privacy Inquiries; #USCIS - IRIS Tasking List; HQ Field Operations; Valverde, Michael; FDNSExecSec; Beason, Daniel J; Kerns, Kevin J; Borgen, Michael R; Compton, Dana C; Grammer, Alexandra C (Alex); SCOPS-Clearance; Arroyo, Susan K; Cox, Sophia; Padilla, April Y; Moran, Karla; Weller, Angela V; Neufeld, Donald W

Cc: Patel, Swati A

Subject: Tasker: In Response to Executive Order 13711 due March 10

Good Afternoon,

Presidential Executive Order 13711 on Reducing Regulation and Controlling Regulatory Costs was signed on January 30, 2017 and directs all agencies to repeal at least two existing regulations whenever the department or agency proposes a new regulation. USCIS is tasked with creating a list of regulations that will be considered for repeal or revision to reduce regulatory burden. While the Department may be able to avail itself of the ability to request a waiver from the OMB Director for national security, safety, or other reasons, such exemptions are considered by OMB on a case-by-case basis. Therefore, the Department's Office of the General Counsel has requested that every component identify regulations for repeal or revision that will offset the cost for any new regulations that USCIS wishes to promulgate. RCD is taking the lead on this tasking for USCIS.

To begin this process, please survey your teams for any regulations that may be repealed. This includes any regulations that may be outdated, do not achieve its intended outcome, or are no longer applicable. Please also survey your teams for regulations that may be revised to produce a cost savings to USCIS. While OMB has not granted a waiver for USCIS regulations, RCD continues to seek available exemptions. In the meantime, RCD is requesting each office to review regulations for any that maybe be repealed or revised.

Please use the attached spreadsheet to identify **at least 1 or 2 regulations** per office/directorate for repeal or revision by COB March 10, 2017. Please send the filled out spreadsheet to USCISRegs@uscis.dhs.gov and swati.a.patel@uscis.dhs.gov. Once a list has been compiled, RCD will provide further guidance on moving forward.

Thank you in advance for your cooperation and please contact Swati Patel and Al Danzy for any additional questions.

Swati A. Patel

Branch Chief / Economic Analysis Branch

Regulatory Coordination Division / Office of Policy and Strategy

USCIS / Department of Homeland Security

Office:

Mobile: (b)(6)

Pinkerton, Christopher M (Chris)

From: Medina, Jorge E
Sent: Thursday, March 09, 2017 11:25 AM
To: RAIO Clearance; Allen, Eugene A; Asylum Taskers; Chiorazzi, Anne; Gill, Lori R; Kline, Jennifer M; Liberto, James; Palmer, Ann M; Peralta Mihalko, Maria P (Pilar); Potts, LeRoy G; RAIO-FDNS-IS; Russo, Elisabeth Y; Saunier, Jon-Paul; Schaper, Michael C; Shafi, Amina H; Sicard, Kimberly R; Sohrakoff, Karen A; Villasenor, Eissa M; Khalsa, Mirian R
Cc: Baker, Katherine H; Defensor, Michael R; Dhabalia, Dimple D; Fritz, Debra A; Gipson, Angela E; Grammer, Alexandra C (Alex); Kim, Ted H; Lafferty, John L; Nicholson, Maura J; Ruppel, Joanna; Stone, Mary M; Strack, Barbara L; Mancuso, Deborah T; Benedict, Deborah L; Medina, Jorge E
Subject: FW: Tasker: In Response to Executive Order 13711 due March 10
Attachments: Retrospective Review ListRAIO - IO.xlsx

(b)(5)

RAIO Clearance:

Thanks!

From: RAIO Clearance
Sent: Thursday, February 23, 2017 3:04 PM
To: Allen, Eugene A; Asylum Taskers; Chiorazzi, Anne; Gill, Lori R; Khalsa, Mirian R; Kline, Jennifer M; Liberto, James; Medina, Jorge E; Palmer, Ann M; Peralta Mihalko, Maria P (Pilar); Potts, LeRoy G; RAIO-FDNS-IS; Russo, Elisabeth Y; Saunier, Jon-Paul; Schaper, Michael C; Shafi, Amina H; Sicard, Kimberly R; Sohrakoff, Karen A; Villasenor, Eissa M
Cc: Baker, Katherine H; Defensor, Michael R; Dhabalia, Dimple D; Fritz, Debra A; Gipson, Angela E; Grammer, Alexandra C (Alex); Kim, Ted H; Lafferty, John L; Nicholson, Maura J; Ruppel, Joanna; Stone, Mary M; Strack, Barbara L
Subject: RE: Tasker: In Response to Executive Order 13711 due March 10

Update: Due date for RAIO: Thursday, March 9, 4pm

From: RAIO Clearance
Sent: Thursday, February 23, 2017 5:46 PM
To: Allen, Eugene A; Asylum Taskers; Chiorazzi, Anne; Gill, Lori R; Khalsa, Mirian R; Kline, Jennifer M; Liberto, James; Medina, Jorge E; Palmer, Ann M; Peralta Mihalko, Maria P (Pilar); Potts, LeRoy G; RAIO-FDNS-IS; Russo, Elisabeth Y; Saunier, Jon-Paul; Schaper, Michael C; Shafi, Amina H; Sicard, Kimberly R; Sohrakoff, Karen A; Villasenor, Eissa M
Cc: Baker, Katherine H; Defensor, Michael R; Dhabalia, Dimple D; Fritz, Debra A; Gipson, Angela E; Grammer, Alexandra C (Alex); Kim, Ted H; Lafferty, John L; Nicholson, Maura J; Ruppel, Joanna; Stone, Mary M; Strack, Barbara L
Subject: RE: Tasker: In Response to Executive Order 13711 due March 10

Please see email below from AAO.

From: Rosenberg, Ronald M (Ron)

Sent: Thursday, February 23, 2017 5:42 PM

To: USCIS Regs; AAO-Clearance; Nimick, Charles L (Locky); Dumas, Jessica L; Federwisch Webb, Victoria N; Titus, Deanne A; OCC-Clearance; Bell, Stephen P; Patching, Laura D; Stiefel, Nathaniel I; Eccleston, Hermene N; Badovinac, Daisy A (CTR); Policy-Clearance; Graziadio, Josie; Hawkins, Donald K; Baker, Tamara L; RAIO Clearance; USCIS MGT Tasks; Sawyer, Kristina S (Kristy); USCIS Privacy Inquiries; #USCIS - IRIS Tasking List; HQ Field Operations; Valverde, Michael; FDNSExecSec; Beason, Daniel J; Kerns, Kevin J; Borgen, Michael R; Compton, Dana C; Grammer, Alexandra C (Alex); SCOPS-Clearance; Arroyo, Susan K; Cox, Sophia; Padilla, April Y; Moran, Karla; Weller, Angela V; Neufeld, Donald W

Cc: Patel, Swati A

Subject: RE: Tasker: In Response to Executive Order 13711 due March 10

[Redacted]

[Redacted]

Thanks.

(b)(5)

rr--

Ron Rosenberg | Chief | Administrative Appeals Office
U.S. Citizenship & Immigration Services (USCIS) | U.S. Department of Homeland Security (DHS)
[Redacted] | ron.rosenberg@dhs.gov

(b)(6)

From: RAIO Clearance

Sent: Thursday, February 23, 2017 5:37 PM

To: Allen, Eugene A; Asylum Taskers; Chiorazzi, Anne; Gill, Lori R; Khalsa, Mirian R; Kline, Jennifer M; Liberto, James; Medina, Jorge E; Palmer, Ann M; Peralta Mihalko, Maria P (Pilar); Potts, LeRoy G; RAIO-FDNS-IS; Russo, Elisabeth Y; Saunier, Jon-Paul; Schaper, Michael C; Shafi, Amina H; Sicard, Kimberly R; Sohrakoff, Karen A; Villasenor, Eissa M
Cc: Baker, Katherine H; Defensor, Michael R; Dhabalia, Dimple D; Fritz, Debra A; Gipson, Angela E; Grammer, Alexandra C (Alex); Kim, Ted H; Lafferty, John L; Nicholson, Maura J; RAIO Clearance; Ruppel, Joanna; Stone, Mary M; Strack, Barbara L

Subject: FW: Tasker: In Response to Executive Order 13711 due March 10

Good Afternoon,

Ref: In Response to Executive Order 13711 on Reducing Regulation and Controlling Regulatory Costs.

Please use the attached spreadsheet to identify **at least 1 or 2 regulations** per office/directorate for repeal or revision by 4pm, Friday, March 10, 2017.

Once a list has been compiled, RCD will provide further guidance on moving forward.

Thanks,

Debra Fritz for RAIO Clearance Box

From: Benbow, Andrew **On Behalf Of** USCIS Regs

Sent: Thursday, February 23, 2017 5:27 PM

To: AAO-Clearance; Rosenberg, Ronald M (Ron); Nimick, Charles L (Locky); Dumas, Jessica L; Federwisch Webb, Victoria N; Titus, Deanne A; OCC-Clearance; Bell, Stephen P; Patching, Laura D; Stiefel, Nathaniel I; Eccleston, Hermene N; Badovinac, Daisy A (CTR); Policy-Clearance; Graziadio, Josie; Hawkins, Donald K; Baker, Tamara L; RAIO Clearance; USCIS MGT Tasks; Sawyer, Kristina S (Kristy); USCIS Privacy Inquiries; #USCIS - IRIS Tasking List; HQ Field Operations; Valverde, Michael; FDNSExecSec; Beason, Daniel J; Kerns, Kevin J; Borgen, Michael R; Compton, Dana C; Grammer, Alexandra C (Alex); SCOPS-Clearance; Arroyo, Susan K; Cox, Sophia; Padilla, April Y; Moran, Karla; Weller, Angela V; Neufeld, Donald W

Cc: Patel, Swati A

Subject: Tasker: In Response to Executive Order 13711 due March 10

Good Afternoon,

Presidential Executive Order 13711 on Reducing Regulation and Controlling Regulatory Costs was signed on January 30, 2017 and directs all agencies to repeal at least two existing regulations whenever the department or agency proposes a new regulation. USCIS is tasked with creating a list of regulations that will be considered for repeal or revision to reduce regulatory burden. While the Department may be able to avail itself of the ability to request a waiver from the OMB Director for national security, safety, or other reasons, such exemptions are considered by OMB on a case-by-case basis. Therefore, the Department's Office of the General Counsel has requested that every component identify regulations for repeal or revision that will offset the cost for any new regulations that USCIS wishes to promulgate. RCD is taking the lead on this tasking for USCIS.

To begin this process, please survey your teams for any regulations that may be repealed. This includes any regulations that may be outdated, do not achieve its intended outcome, or are no longer applicable. Please also survey your teams for regulations that may be revised to produce a cost savings to USCIS. While OMB has not granted a waiver for USCIS regulations, RCD continues to seek available exemptions. In the meantime, RCD is requesting each office to review regulations for any that maybe be repealed or revised.

Please use the attached spreadsheet to identify **at least 1 or 2 regulations** per office/directorate for repeal or revision by COB March 10, 2017. Please send the filled out spreadsheet to USCISRegs@uscis.dhs.gov and swati.a.patel@uscis.dhs.gov. Once a list has been compiled, RCD will provide further guidance on moving forward.

Thank you in advance for your cooperation and please contact Swati Patel and Al Danzy for any additional questions.

Swati A. Patel

Branch Chief / Economic Analysis Branch

Regulatory Coordination Division / Office of Policy and Strategy

USCIS / Department of Homeland Security

Office: [REDACTED]

Mobile: [REDACTED] (b)(6)

Pinkerton, Christopher M (Chris)

From: Tanner, Rebecca S
Sent: Wednesday, March 15, 2017 6:01 AM
To: RAIO Clearance
Cc: Lafferty, John L; Kim, Ted H; Mura, Elizabeth E; Sicard, Kimberly R
Subject: RE: Tasker: In Response to Executive Order 13711 due March 10
Attachments: Retrospective Review List (ASM 031517).xlsx

Hi RAIO Clearance,

Our apologies for the delay in responding to this tasker. We have listed 2 regulations for revision

(b)(5)

Thanks,
Rebecca

Rebecca Tanner

(b)(6)

From: RAIO Clearance
Sent: Thursday, February 23, 2017 6:04 PM
To: Allen, Eugene A; Asylum Taskers; Chiorazzi, Anne; Gill, Lori R; Khalsa, Mirian R; Kline, Jennifer M; Liberto, James; Medina, Jorge E; Palmer, Ann M; Peralta Mihalko, Maria P (Pilar); Potts, LeRoy G; RAIO-FDNS-IS; Russo, Elisabeth Y; Saunier, Jon-Paul; Schaper, Michael C; Shafi, Amina H; Sicard, Kimberly R; Sohrakoff, Karen A; Villasenor, Eissa M
Cc: Baker, Katherine H; Defensor, Michael R; Dhabalia, Dimple D; Fritz, Debra A; Gipson, Angela E; Grammer, Alexandra C (Alex); Kim, Ted H; Lafferty, John L; Nicholson, Maura J; Ruppel, Joanna; Stone, Mary M; Strack, Barbara L
Subject: RE: Tasker: In Response to Executive Order 13711 due March 10

Update: Due date for RAIO: Thursday, March 9, 4pm

From: RAIO Clearance
Sent: Thursday, February 23, 2017 5:46 PM
To: Allen, Eugene A; Asylum Taskers; Chiorazzi, Anne; Gill, Lori R; Khalsa, Mirian R; Kline, Jennifer M; Liberto, James; Medina, Jorge E; Palmer, Ann M; Peralta Mihalko, Maria P (Pilar); Potts, LeRoy G; RAIO-FDNS-IS; Russo, Elisabeth Y; Saunier, Jon-Paul; Schaper, Michael C; Shafi, Amina H; Sicard, Kimberly R; Sohrakoff, Karen A; Villasenor, Eissa M
Cc: Baker, Katherine H; Defensor, Michael R; Dhabalia, Dimple D; Fritz, Debra A; Gipson, Angela E; Grammer, Alexandra C (Alex); Kim, Ted H; Lafferty, John L; Nicholson, Maura J; Ruppel, Joanna; Stone, Mary M; Strack, Barbara L
Subject: RE: Tasker: In Response to Executive Order 13711 due March 10

Please see email below from AAO.

From: Rosenberg, Ronald M (Ron)

Sent: Thursday, February 23, 2017 5:42 PM

To: USCIS Regs; AAO-Clearance; Nimick, Charles L (Locky); Dumas, Jessica L; Federwisch Webb, Victoria N; Titus, Deanne A; OCC-Clearance; Bell, Stephen P; Patching, Laura D; Stiefel, Nathaniel I; Eccleston, Hermene N; Badovinac, Daisy A (CTR); Policy-Clearance; Graziadio, Josie; Hawkins, Donald K; Baker, Tamara L; RAIO Clearance; USCIS MGT Tasks; Sawyer, Kristina S (Kristy); USCIS Privacy Inquiries; #USCIS - IRIS Tasking List; HQ Field Operations; Valverde, Michael; FDNSExecSec; Beason, Daniel J; Kerns, Kevin J; Borgen, Michael R; Compton, Dana C; Grammer, Alexandra C (Alex); SCOPS-Clearance; Arroyo, Susan K; Cox, Sophia; Padilla, April Y; Moran, Karla; Weller, Angela V; Neufeld, Donald W

Cc: Patel, Swati A

Subject: RE: Tasker: In Response to Executive Order 13711 due March 10

Thanks.

(b)(5)

Ron Rosenberg | Chief | Administrative Appeals Office
U.S. Citizenship & Immigration Services (USCIS) | U.S. Department of Homeland Security (DHS)
ron.rosenberg@dhs.gov

(b)(6)

From: RAIO Clearance

Sent: Thursday, February 23, 2017 5:37 PM

To: Allen, Eugene A; Asylum Taskers; Chiorazzi, Anne; Gill, Lori R; Khalsa, Mirian R; Kline, Jennifer M; Liberto, James; Medina, Jorge E; Palmer, Ann M; Peralta Mihalko, Maria P (Pilar); Potts, LeRoy G; RAIO-FDNS-IS; Russo, Elisabeth Y; Saunier, Jon-Paul; Schaper, Michael C; Shafi, Amina H; Sicard, Kimberly R; Sohrakoff, Karen A; Villasenor, Eissa M
Cc: Baker, Katherine H; Defensor, Michael R; Dhabalia, Dimple D; Fritz, Debra A; Gipson, Angela E; Grammer, Alexandra C (Alex); Kim, Ted H; Lafferty, John L; Nicholson, Maura J; RAIO Clearance; Ruppel, Joanna; Stone, Mary M; Strack, Barbara L

Subject: FW: Tasker: In Response to Executive Order 13711 due March 10

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Debra Fritz for RAIO Clearance Box

From: Benbow, Andrew **On Behalf Of** USCIS Regs

Sent: Thursday, February 23, 2017 5:27 PM

To: AAO-Clearance; Rosenberg, Ronald M (Ron); Nimick, Charles L (Locky); Dumas, Jessica L; Federwisch Webb, Victoria N; Titus, Deanne A; OCC-Clearance; Bell, Stephen P; Patching, Laura D; Stiefel, Nathaniel I; Eccleston, Hermene N; Badovinac, Daisy A (CTR); Policy-Clearance; Graziadio, Josie; Hawkins, Donald K; Baker, Tamara L; RAIO Clearance; USCIS MGT Tasks; Sawyer, Kristina S (Kristy); USCIS Privacy Inquiries; #USCIS - IRIS Tasking List; HQ Field Operations; Valverde, Michael; FDNSExecSec; Beason, Daniel J; Kerns, Kevin J; Borgen, Michael R; Compton, Dana C; Grammer, Alexandra C (Alex); SCOPS-Clearance; Arroyo, Susan K; Cox, Sophia; Padilla, April Y; Moran, Karla; Weller, Angela V; Neufeld, Donald W

Cc: Patel, Swati A

Subject: Tasker: In Response to Executive Order 13711 due March 10

Good Afternoon,

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Thank you in advance for your cooperation and please contact Swati Patel and Al Danzy for any additional questions.

Swati A. Patel

Branch Chief / Economic Analysis Branch

Regulatory Coordination Division / Office of Policy and Strategy

USCIS / Department of Homeland Security

Office:

Mobile: (b)(6)

From: Higgins, Jennifer B
Sent: Thursday, May 18, 2017 5:25 PM
To: Lafferty, John L; Kim, Ted H; Ruppel, Joanna; Strack, Barbara L; Stone, Mary M; Dhabalia, Dimple D
Subject: FW: Goodlatte - USCIS Reauthorization Bill

We had a good meeting with the FO on the Goodlatte bill and have a way forward that addresses nearly all of our concerns. [REDACTED]

[REDACTED]

I think that covers it. Let me know if you have any questions.

(b)(5)

Thanks!

From: Higgins, Jennifer B
Sent: Tuesday, May 16, 2017 1:50:20 PM
To: Rodriguez, Miguel E; Renaud, Tracy L; Meckley, Tammy M; Emrich, Matthew D
Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J; Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J; Button, Maria G (Gemma); Renaud, Daniel M; Colucci, Nicholas V; Kerns, Kevin J; Symons, Craig M; Rosenberg, Ronald M (Ron); Melero, Mariela; Moore, Joseph D; Neufeld, Donald W; Nuebel Kovarik, Kathy; Cox, Rachel M; Busch, Philip B; McCament, James W; Bowes, Lee F; Mayhew, Michael X; Sloan, Terry G; Roessler, John E
Subject: RE: Goodlatte - USCIS Reauthorization Bill

Mike,

RAIO's input below:

1. Technical Edits

(b)(5)

2. Concerns

3. OCC input needed

(b)(5)

4. Additional Legislative Proposals to Add to Bill

From: Rodriguez, Miguel E

Sent: Monday, May 15, 2017 3:32 PM

To: Renaud, Tracy L; Meckley, Tammy M; Emrich, Matthew D

Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J; Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J; Button, Maria G (Gemma); Renaud, Daniel M; Colucci, Nicholas V; Higgins, Jennifer B; Kerns, Kevin J; Symons, Craig M; Rosenberg, Ronald M (Ron); Melero, Mariela; Moore, Joseph D; Neufeld, Donald W; Nuebel Kovarik, Kathy; Cox, Rachel M; Busch, Philip B; McCament, James W; Bowes, Lee F; Mayhew, Michael X; Sloan, Terry G; Roessler, John E

Subject: RE: Goodlatte - USCIS Reauthorization Bill

Hi Tracy. No not yet. I will double back with Jocelyn and make sure it gets on his calendar and the meeting notice goes out to you all.

Mike

Mike Rodriguez

Office of Legislative Affairs

Phone [REDACTED] (b)(6)

Cell [REDACTED]

Miguel.e.rodriguez@uscis.dhs.gov

From: Renaud, Tracy L

Sent: Monday, May 15, 2017 3:13:11 PM

To: Rodriguez, Miguel E; Meckley, Tammy M; Emrich, Matthew D

Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J; Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J; Button, Maria G (Gemma); Renaud, Daniel M; Colucci, Nicholas V; Higgins, Jennifer B; Kerns, Kevin J; Symons, Craig M; Rosenberg, Ronald M (Ron); Melero, Mariela; Moore, Joseph D; Neufeld, Donald W; Nuebel Kovarik, Kathy; Cox, Rachel M; Busch, Philip B; McCament, James W; Bowes, Lee F; Mayhew, Michael X; Sloan, Terry G; Roessler, John E

Subject: RE: Goodlatte - USCIS Reauthorization Bill

Has that been scheduled, Mike? I don't see it on the calendar.

Tracy L. Renaud

Acting Deputy Director

US Citizenship & Immigration Services

Department of Homeland Security

[REDACTED] (desk)

(b)(6)

From: Rodriguez, Miguel E

Sent: Monday, May 15, 2017 3:10 PM

To: Meckley, Tammy M; Renaud, Tracy L; Emrich, Matthew D

Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J; Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J; Button, Maria G (Gemma); Renaud, Daniel M;

Colucci, Nicholas V; Higgins, Jennifer B; Kerns, Kevin J; Symons, Craig M; Rosenberg, Ronald M (Ron); Melero, Mariela; Moore, Joseph D; Neufeld, Donald W; Nuebel Kovarik, Kathy; Cox, Rachel M; Busch, Philip B; McCament, James W; Bowes, Lee F; Mayhew, Michael X; Sloan, Terry G; Roessler, John E
Subject: RE: Goodlatte - USCIS Reauthorization Bill

Thanks Tracy. Tammy and Nick. OLA will combine all of the comments/edits/technical assistance once all have come in, for further discussion with James on Weds.

Thanks again and in advance to those still working on comments.

Mike

Mike Rodriguez
Office of Legislative Affairs
USCIS-HQ
Tel. [REDACTED] (b)(6)
BB/Cell [REDACTED]
Fax - 202-272-1955
miguel.e.rodriguez@uscis.dhs.gov

Make sure to visit "The Resources Guide for Congress" on our [uscis.gov](http://www.uscis.gov) website at <http://www.uscis.gov/congressionalresources>

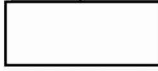
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From: Meckley, Tammy M
Sent: Monday, May 15, 2017 2:58 PM
To: Renaud, Tracy L; Emrich, Matthew D; Rodriguez, Miguel E
Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J; Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J; Button, Maria G (Gemma); Renaud, Daniel M; Colucci, Nicholas V; Higgins, Jennifer B; Kerns, Kevin J; Symons, Craig M; Rosenberg, Ronald M (Ron); Melero, Mariela; Moore, Joseph D; Neufeld, Donald W; Nuebel Kovarik, Kathy; Cox, Rachel M; Busch, Philip B; McCament, James W; Bowes, Lee F; Mayhew, Michael X; Sloan, Terry G; Roessler, John E
Subject: RE: Goodlatte - USCIS Reauthorization Bill (b)(5)

My comments were building on the draft outline, [REDACTED]
[REDACTED]

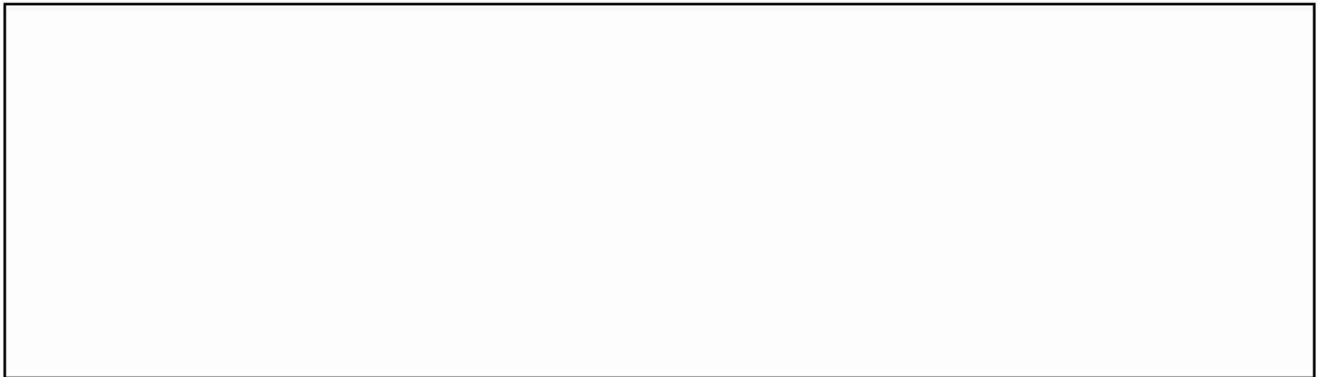
Tammy M. Meckley
Associate Director
Immigration Records and Identity Services Directorate

U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, NW
Washington, DC 20529
tammy.meckley@uscis.dhs.gov

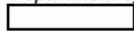
 (o) (b)(6)
(c)



From: Renaud, Tracy L
Sent: Monday, May 15, 2017 2:55 PM
To: Meckley, Tammy M; Emrich, Matthew D; Rodriguez, Miguel E
Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J; Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J; Button, Maria G (Gemma); Renaud, Daniel M; Colucci, Nicholas V; Higgins, Jennifer B; Kerns, Kevin J; Symons, Craig M; Rosenberg, Ronald M (Ron); Melero, Mariela; Moore, Joseph D; Neufeld, Donald W; Nuebel Kovarik, Kathy; Cox, Rachel M; Busch, Philip B; McCament, James W; Bowes, Lee F; Mayhew, Michael X; Sloan, Terry G; Roessler, John E
Subject: RE: Goodlatte - USCIS Reauthorization Bill (b)(5)



Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

 (desk) (b)(6)

From: Meckley, Tammy M
Sent: Monday, May 15, 2017 2:42 PM
To: Renaud, Tracy L; Emrich, Matthew D; Rodriguez, Miguel E
Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J; Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J; Button, Maria G (Gemma); Renaud, Daniel M; Colucci, Nicholas V; Higgins, Jennifer B; Kerns, Kevin J; Symons, Craig M; Rosenberg, Ronald M (Ron); Melero, Mariela; Moore, Joseph D; Neufeld, Donald W; Nuebel Kovarik, Kathy; Cox, Rachel M; Busch, Philip B; McCament, James W; Bowes, Lee F; Mayhew, Michael X; Sloan, Terry G; Roessler, John E
Subject: RE: Goodlatte - USCIS Reauthorization Bill

That's pretty much the entire bill, no?

Tammy M. Meckley
Associate Director
Immigration Records and Identity Services Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, NW
Washington, DC 20529
tammy.meckley@uscis.dhs.gov

[REDACTED] (o) (b)(6)
(c)



From: Renaud, Tracy L
Sent: Monday, May 15, 2017 2:42 PM
To: Emrich, Matthew D; Meckley, Tammy M; Rodriguez, Miguel E
Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J; Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J; Button, Maria G (Gemma); Renaud, Daniel M; Colucci, Nicholas V; Higgins, Jennifer B; Kerns, Kevin J; Symons, Craig M; Rosenberg, Ronald M (Ron); Melero, Mariela; Moore, Joseph D; Neufeld, Donald W; Nuebel Kovarik, Kathy; Cox, Rachel M; Busch, Philip B; McCament, James W; Bowes, Lee F; Mayhew, Michael X; Sloan, Terry G; Roessler, John E
Subject: RE: Goodlatte - USCIS Reauthorization Bill

I appreciate everyone's detailed review of this. [REDACTED]

[REDACTED]

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

[REDACTED] (desk)

(b)(6)

(b)(5)

From: Emrich, Matthew D
Sent: Monday, May 15, 2017 2:34 PM
To: Meckley, Tammy M; Rodriguez, Miguel E
Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J; Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J; Renaud, Tracy L; Button, Maria G (Gemma); Renaud, Daniel M; Colucci, Nicholas V; Higgins, Jennifer B; Kerns, Kevin J; Symons, Craig M; Rosenberg, Ronald M (Ron); Melero, Mariela; Moore, Joseph D; Neufeld, Donald W; Nuebel Kovarik, Kathy; Cox, Rachel M; Busch, Philip B; McCament, James W; Bowes, Lee F; Mayhew, Michael X; Sloan, Terry G; Roessler, John E
Subject: RE: Goodlatte - USCIS Reauthorization Bill

FDNS comments:

(b)(5)



Thanks,

Matt

From: Meckley, Tammy M

Sent: Monday, May 15, 2017 9:30 AM

To: Rodriguez, Miguel E

Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J; Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J; Renaud, Tracy L; Button, Maria G (Gemma); Renaud, Daniel M; Colucci, Nicholas V; Higgins, Jennifer B; Kerns, Kevin J; Emrich, Matthew D; Symons, Craig M; Rosenberg, Ronald M (Ron); Melero, Mariela; Moore, Joseph D; Neufeld, Donald W; Nuebel

Kovarik, Kathy; Cox, Rachel M; Busch, Philip B; McCament, James W; Bowes, Lee F; Mayhew, Michael X; Sloan, Terry G; Roessler, John E

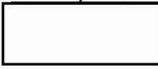
Subject: FW: Goodlatte - USCIS Reauthorization Bill



Best,
Tammy

(b)(5)

Tammy M. Meckley
Associate Director
Immigration Records and Identity Services Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, NW
Washington, DC 20529
tammy.meckley@uscis.dhs.gov

 (o) (b)(6)
(c)



From: Rodriguez, Miguel E

Sent: Thursday, May 11, 2017 11:45:17 PM

To: McCament, James W; Renaud, Tracy L; Busch, Philip B; Cox, Rachel M; Nuebel Kovarik, Kathy; Neufeld, Donald W; Moore, Joseph D; Meckley, Tammy M; Melero, Mariela; Rosenberg, Ronald M (Ron); Symons, Craig M; Emrich, Matthew D; Kerns, Kevin J; Higgins, Jennifer B; Button, Maria G (Gemma); Renaud, Daniel M; Colucci, Nicholas V

Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J;

Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J
Subject: RE: Goodlatte - USCIS Reauthorization Bill

Ok, ask and we receive...

We have now been officially asked to please provide technical assistance on this bill. Please provide your comments/edits by the end of next week, if at all possible.

Thanks in advance, as always.

Mike

Mike Rodriguez
Office of Legislative Affairs
Phone [REDACTED]
Cell [REDACTED] (b)(6)
Miguel.e.rodriguez@uscis.dhs.gov

From: McCament, James W
Sent: Thursday, May 11, 2017 5:48:14 PM
To: Rodriguez, Miguel E; Renaud, Tracy L; Busch, Philip B; Cox, Rachel M; Nuebel Kovarik, Kathy; Neufeld, Donald W; Moore, Joseph D; Meckley, Tammy M; Melero, Mariela; Rosenberg, Ronald M (Ron); Symons, Craig M; Emrich, Matthew D; Kerns, Kevin J; Higgins, Jennifer B; Button, Maria G (Gemma); Renaud, Daniel M; Colucci, Nicholas V
Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J; Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J
Subject: RE: Goodlatte - USCIS Reauthorization Bill

Thank you for letting us all know Mike. Please keep us posted on any requests for technical assistance as appropriate.

James W. McCament
Acting Director
Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Washington, DC 20529-2150
james.w.mccament@uscis.dhs.gov

This email (including any attachments) is intended solely for the use of the addressee(s) and may contain information that is sensitive or otherwise protected by applicable law. If you are not the intended recipient, your disclosure, copying, distribution or other use of (or reliance upon) the

information contained in this email is strictly prohibited. If you are not the intended recipient, please notify the sender immediately and delete or destroy all copies. Thank You.

From: Rodriguez, Miguel E

Sent: Thursday, May 11, 2017 5:03:01 PM

To: McCament, James W; Renaud, Tracy L; Busch, Philip B; Cox, Rachel M; Nuebel Kovarik, Kathy; Neufeld, Donald W; Moore, Joseph D; Meckley, Tammy M; Melero, Mariela; Rosenberg, Ronald M (Ron); Symons, Craig M; Emrich, Matthew D; Kerns, Kevin J; Higgins, Jennifer B; Button, Maria G (Gemma); Renaud, Daniel M; Colucci, Nicholas V

Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J; Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J

Subject: FW: Goodlatte - USCIS Reauthorization Bill

Good afternoon all:

This is just an FYI... please see the attached USCIS Reauthorization bill, that was just shared with us by Chairman Goodlatte's office. Please feel free to share with anyone that I left off of the distro above. This bill was just filed and still has to go through the committee process.

Mike

Mike Rodriguez

Office of Legislative Affairs

USCIS-HQ

Tel. - [REDACTED] (b)(6)

BB/Cell - [REDACTED]

Fax - 202-272-1955

miguel.e.rodriguez@uscis.dhs.gov

Make sure to visit "The Resources Guide for Congress" on our [uscis.gov](http://www.uscis.gov) website at <http://www.uscis.gov/congressionalresources>

This e-mail (including any attachments) is intended solely for the use of the addressee(s) and may contain information that is sensitive or otherwise protected by applicable law. If you are not the intended recipient, your disclosure, copying, distribution or other use of (or reliance upon) the information contained in this email is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. **For all casework inquiries, please attach a signed Privacy Act Release, signed by the person for whom the information is being sought.**

From: Ruppel, Joanna
Sent: Thursday, May 18, 2017 5:29 PM
To: RAIO Clearance; Allen, Eugene A; Asylum Taskers; Baker, Katherine H; Burdine, Tonya L; Chiorazzi, Anne; Gill, Lori R; Grammer, Alexandra C (Alex); Kline, Jennifer M; Liberto, James; Mancuso, Deborah T; Medina, Jorge E; Palmer, Ann M; Peralta Mihalko, Maria P (Pilar); Potts, LeRoy G; RAIO-FDNS-IS; Saunier, Jon-Paul; Schaper, Michael C; Sicard, Kimberly R; Sohrakoff, Karen A; Villasenor, Eissa M; Kwan, Stephanie M
Cc: Defensor, Michael R; Dhabalia, Dimple D; Fritz, Debra A; Gipson, Angela E; Kim, Ted H; Lafferty, John L; Stone, Mary M; Strack, Barbara L; Higgins, Jennifer B
Subject: RE: FOR REVIEW & COMMENT: Transformation Leadership Meeting 05112017 Notes & DRAFT CONOPS
Attachments: DRAFT Concept of Operations Version 2.0 050162017 IO.docx

Apologies for delay. I hope we got the requested extension of time. Attached are IO's comments.

Joanna

Joanna Ruppel
Chief, International Operations Division
USCIS Refugee, Asylum and International Operations Directorate
Joanna.Ruppel@uscis.dhs.gov

[REDACTED]

(b)(6)

From: RAIO Clearance
Sent: Tuesday, May 16, 2017 1:09 PM
To: Allen, Eugene A; Asylum Taskers; Baker, Katherine H; Burdine, Tonya L; Chiorazzi, Anne; Gill, Lori R; Grammer, Alexandra C (Alex); Kline, Jennifer M; Liberto, James; Mancuso, Deborah T; Medina, Jorge E; Palmer, Ann M; Peralta Mihalko, Maria P (Pilar); Potts, LeRoy G; RAIO-FDNS-IS; Saunier, Jon-Paul; Schaper, Michael C; Sicard, Kimberly R; Sohrakoff, Karen A; Villasenor, Eissa M
Cc: Defensor, Michael R; Dhabalia, Dimple D; Fritz, Debra A; Gipson, Angela E; Kim, Ted H; Lafferty, John L; RAIO Clearance; Ruppel, Joanna; Stone, Mary M; Strack, Barbara L; Higgins, Jennifer B
Subject: FW: FOR REVIEW & COMMENT: Transformation Leadership Meeting 05112017 Notes & DRAFT CONOPS

Good Afternoon,

Please see the attached and below for comments **NLT 11:00AM tomorrow, Wednesday, May 17.**

Thanks,
Debra Fritz
RAIO Clearance

From: Hall, Janis Y
Sent: Tuesday, May 16, 2017 3:19:39 PM
To: Denayer, Larry C; Schwartz, Mark A; McCament, James W; Meckley, Tammy M; Renaud, Daniel M; Kerns, Kevin J; Sapko, Jeffrey M; Groom, Molly M; Neufeld, Donald W; Hysen, Eric; Carter, Constance L;

Blair, David A; Renaud, Tracy L; Melero, Mariela; Young, Todd P; Swanson, Toni; Davidson, Andrew J; Valverde, Michael; Winship, Courtney A; Quinn, Kevin T; Abiose, Adijatu C; Higgins, Jennifer B; Pastrana-Lujan, Maria P; Smith, Timothy R; Norton, Glenn E; Rather, Michael B; Walters, Jessica S; Emrich, Matthew D; Symons, Craig M; Risch, Carl C; Nuebel Kovarik, Kathy; Neill, Stephanie J; Odar, Elizabeth
Cc: Clark, Levita S; Van Demark, Henry

Subject: FOR REVIEW & COMMENT: Transformation Leadership Meeting 05112017 Notes & DRAFT CONOPS

All,

Attached, please find the May 11th Transformation Leadership Meeting notes/action items and the **Draft CONOPS** for your review and comment.

Please provide your comments **to Larry Denayer by 12:00 Noon, Wednesday, May 17, 2017.**

Thank you.

VR

Janis Y. Hall

Transformation Management Branch
Resource Management Division (RMD)
Office of the Chief Information Officer (OCIO)
U.S. Citizenship & Immigration Services (USCIS)
Office:
Cell: (b)(6)

From: Denayer, Larry C

Sent: Wednesday, May 10, 2017 7:19 PM

To: Schwartz, Mark A; Hall, Janis Y; McCament, James W; Meckley, Tammy M; Renaud, Daniel M; Kerns, Kevin J; Sapko, Jeffrey M; Groom, Molly M; Neufeld, Donald W; Hysen, Eric; Carter, Constance L; Blair, David A; Renaud, Tracy L; Melero, Mariela; Young, Todd P; Swanson, Toni; Davidson, Andrew J; Valverde, Michael; Winship, Courtney A; Quinn, Kevin T; Abiose, Adijatu C; Higgins, Jennifer B; Pastrana-Lujan, Maria P; Smith, Timothy R; Norton, Glenn E; Rather, Michael B; Walters, Jessica S; Emrich, Matthew D; Symons, Craig M; Risch, Carl C; Nuebel Kovarik, Kathy; Neill, Stephanie J; Odar, Elizabeth

Cc: Clark, Levita S; Van Demark, Henry; Hall, Janis Y

Subject: RE: FOR REVIEW & COMMENT: Transformation Leadership Meeting 04272017 Notes & Documents

All,

Attached are the updated versions of the TLC Charter, ESC Charter, and Proposed Governance Structure for review and comment.

From: Schwartz, Mark A

Sent: Wednesday, May 03, 2017 1:48 PM

To: Hall, Janis Y; McCament, James W; Meckley, Tammy M; Renaud, Daniel M; Kerns, Kevin J; Sapko, Jeffrey M; Groom, Molly M; Neufeld, Donald W; Hysen, Eric; Carter, Constance L; Blair, David A; Renaud,

Tracy L; Melero, Mariela; Young, Todd P; Swanson, Toni; Davidson, Andrew J; Valverde, Michael; Winship, Courtney A; Denayer, Larry C; Quinn, Kevin T; Abiose, Adijatu C; Higgins, Jennifer B; Pastrana-Lujan, Maria P; Smith, Timothy R; Norton, Glenn E; Rather, Michael B; Walters, Jessica S; Emrich, Matthew D; Symons, Craig M; Risch, Carl C; Nuebel Kovarik, Kathy; Neill, Stephanie J; Odar, Elizabeth

Cc: Clark, Levita S; Van Demark, Henry; Jones, Michelle D (CTR)

Subject: RE: FOR REVIEW & COMMENT: Transformation Leadership Meeting 04272017 Notes & Documents

Importance: High

Sorry – please disregard. We'll need to send you some updated versions of these.

Thanks.

Mark

From: Hall, Janis Y

Sent: Tuesday, May 02, 2017 11:21 AM

To: McCament, James W; Meckley, Tammy M; Renaud, Daniel M; Kerns, Kevin J; Sapko, Jeffrey M; Groom, Molly M; Neufeld, Donald W; Hysen, Eric; Carter, Constance L; Blair, David A; Renaud, Tracy L; Melero, Mariela; Schwartz, Mark A; Young, Todd P; Swanson, Toni; Davidson, Andrew J; Valverde, Michael; Winship, Courtney A; Denayer, Larry C; Quinn, Kevin T; Abiose, Adijatu C; Higgins, Jennifer B; Pastrana-Lujan, Maria P; Smith, Timothy R; Norton, Glenn E; Rather, Michael B; Walters, Jessica S; Emrich, Matthew D; Symons, Craig M; Risch, Carl C; Nuebel Kovarik, Kathy; Neill, Stephanie J; Odar, Elizabeth

Cc: Clark, Levita S; Van Demark, Henry; Jones, Michelle D (CTR)

Subject: FOR REVIEW & COMMENT: Transformation Leadership Meeting 04272017 Notes & Documents

TLM Team Members,

Attached, please find the Transformation Leadership Meeting notes from the April 27th meeting and documents requested for review by the TLM, including:

- 1) Signed ADM
- 2) Updated Transformation Epics
- 3) USCIS Business Leadership Team Charter
- 4) ESC Charter Update
- 5) DRAFT CONOPS

The Governance Structure Document is still being worked and will be distributed under separate cover.

Please provide your review/comments by COB Thursday, May 4th.

Thank you.

VR

Janis Y. Hall

Transformation Management Branch
Resource Management Division (RMD)
Office of the Chief Information Officer (OCIO)
U.S. Citizenship & Immigration Services (USCIS)

Office: [REDACTED]
Cell: [REDACTED] (b)(6)

From: RAIO Clearance
Sent: Friday, May 19, 2017 6:17 AM
To: Higgins, Jennifer B
Cc: Dhabalia, Dimple D; RAIO Clearance
Subject: RE: FOR REVIEW & COMMENT: Transformation Leadership Meeting 05112017 Notes & DRAFT CONOPS
Attachments: DRAFT Concept of Operations Version 2.0 050162017 RAIO.docx

Good Morning,

Attached is the consolidated CONOPS doc from IO and Asylum.

RAD, PMP, POP, RAIO TRIG and COS had none

RAIO Clearance
Michael

From: Higgins, Jennifer B
Sent: Tuesday, May 16, 2017 1:39 PM
To: RAIO Clearance; Allen, Eugene A; Asylum Taskers; Baker, Katherine H; Burdine, Tonya L; Chiorazzi, Anne; Gill, Lori R; Grammer, Alexandra C (Alex); Kline, Jennifer M; Liberto, James; Mancuso, Deborah T; Medina, Jorge E; Palmer, Ann M; Peralta Mihalko, Maria P (Pilar); Potts, LeRoy G; RAIO-FDNS-IS; Saunier, Jon-Paul; Schaper, Michael C; Sicard, Kimberly R; Sohrakoff, Karen A; Villasenor, Eissa M
Cc: Defensor, Michael R; Dhabalia, Dimple D; Fritz, Debra A; Gipson, Angela E; Kim, Ted H; Lafferty, John L; RAIO Clearance; Ruppel, Joanna; Stone, Mary M; Strack, Barbara L
Subject: RE: FOR REVIEW & COMMENT: Transformation Leadership Meeting 05112017 Notes & DRAFT CONOPS

Please note we need your feedback on the CONOPS only -- not the meeting notes.

From: RAIO Clearance
Sent: Tuesday, May 16, 2017 6:09:23 PM
To: Allen, Eugene A; Asylum Taskers; Baker, Katherine H; Burdine, Tonya L; Chiorazzi, Anne; Gill, Lori R; Grammer, Alexandra C (Alex); Kline, Jennifer M; Liberto, James; Mancuso, Deborah T; Medina, Jorge E; Palmer, Ann M; Peralta Mihalko, Maria P (Pilar); Potts, LeRoy G; RAIO-FDNS-IS; Saunier, Jon-Paul; Schaper, Michael C; Sicard, Kimberly R; Sohrakoff, Karen A; Villasenor, Eissa M
Cc: Defensor, Michael R; Dhabalia, Dimple D; Fritz, Debra A; Gipson, Angela E; Kim, Ted H; Lafferty, John L; RAIO Clearance; Ruppel, Joanna; Stone, Mary M; Strack, Barbara L; Higgins, Jennifer B
Subject: FW: FOR REVIEW & COMMENT: Transformation Leadership Meeting 05112017 Notes & DRAFT CONOPS

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Debra Fritz

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From: Hall, Janis Y

Sent: Tuesday, May 16, 2017 3:19:39 PM

To: Denayer, Larry C; Schwartz, Mark A; McCament, James W; Meckley, Tammy M; Renaud, Daniel M; Kerns, Kevin J; Sapko, Jeffrey M; Groom, Molly M; Neufeld, Donald W; Hysen, Eric; Carter, Constance L; Blair, David A; Renaud, Tracy L; Melero, Mariela; Young, Todd P; Swanson, Toni; Davidson, Andrew J; Valverde, Michael; Winship, Courtney A; Quinn, Kevin T; Abiose, Adijatu C; Higgins, Jennifer B; Pastrana-Lujan, Maria P; Smith, Timothy R; Norton, Glenn E; Rather, Michael B; Walters, Jessica S; Emrich, Matthew D; Symons, Craig M; Risch, Carl C; Nuebel Kovarik, Kathy; Neill, Stephanie J; Odar, Elizabeth

Cc: Clark, Levita S; Van Demark, Henry

Subject: FOR REVIEW & COMMENT: Transformation Leadership Meeting 05112017 Notes & DRAFT CONOPS

All,

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Please provide your comments **to Larry Denayer by 12:00 Noon, Wednesday, May 17, 2017.**

Thank you.

VR

Janis Y. Hall

Transformation Management Branch
Resource Management Division (RMD)
Office of the Chief Information Officer (OCIO)
U.S. Citizenship & Immigration Services (USCIS)

Office:

Cell: (b)(6)

From: Denayer, Larry C

Sent: Wednesday, May 10, 2017 7:19 PM

To: Schwartz, Mark A; Hall, Janis Y; McCament, James W; Meckley, Tammy M; Renaud, Daniel M; Kerns, Kevin J; Sapko, Jeffrey M; Groom, Molly M; Neufeld, Donald W; Hysen, Eric; Carter, Constance L; Blair, David A; Renaud, Tracy L; Melero, Mariela; Young, Todd P; Swanson, Toni; Davidson, Andrew J; Valverde, Michael; Winship, Courtney A; Quinn, Kevin T; Abiose, Adijatu C; Higgins, Jennifer B; Pastrana-Lujan, Maria P; Smith, Timothy R; Norton, Glenn E; Rather, Michael B; Walters, Jessica S; Emrich, Matthew D; Symons, Craig M; Risch, Carl C; Nuebel Kovarik, Kathy; Neill, Stephanie J; Odar, Elizabeth

Cc: Clark, Levita S; Van Demark, Henry; Hall, Janis Y

Subject: RE: FOR REVIEW & COMMENT: Transformation Leadership Meeting 04272017 Notes & Documents

All,

Attached are the updated versions of the TLC Charter, ESC Charter, and Proposed Governance Structure for review and comment.

From: Schwartz, Mark A

Sent: Wednesday, May 03, 2017 1:48 PM

To: Hall, Janis Y; McCament, James W; Meckley, Tammy M; Renaud, Daniel M; Kerns, Kevin J; Sapko, Jeffrey M; Groom, Molly M; Neufeld, Donald W; Hysen, Eric; Carter, Constance L; Blair, David A; Renaud, Tracy L; Melero, Mariela; Young, Todd P; Swanson, Toni; Davidson, Andrew J; Valverde, Michael; Winship, Courtney A; Denayer, Larry C; Quinn, Kevin T; Abiose, Adijatu C; Higgins, Jennifer B; Pastrana-Lujan, Maria P; Smith, Timothy R; Norton, Glenn E; Rather, Michael B; Walters, Jessica S; Emrich, Matthew D; Symons, Craig M; Risch, Carl C; Nuebel Kovarik, Kathy; Neill, Stephanie J; Odar, Elizabeth

Cc: Clark, Levita S; Van Demark, Henry; Jones, Michelle D (CTR)

Subject: RE: FOR REVIEW & COMMENT: Transformation Leadership Meeting 04272017 Notes & Documents

Importance: High

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Thanks.

Mark

From: Hall, Janis Y

Sent: Tuesday, May 02, 2017 11:21 AM

To: McCament, James W; Meckley, Tammy M; Renaud, Daniel M; Kerns, Kevin J; Sapko, Jeffrey M; Groom, Molly M; Neufeld, Donald W; Hysen, Eric; Carter, Constance L; Blair, David A; Renaud, Tracy L; Melero, Mariela; Schwartz, Mark A; Young, Todd P; Swanson, Toni; Davidson, Andrew J; Valverde, Michael; Winship, Courtney A; Denayer, Larry C; Quinn, Kevin T; Abiose, Adijatu C; Higgins, Jennifer B; Pastrana-Lujan, Maria P; Smith, Timothy R; Norton, Glenn E; Rather, Michael B; Walters, Jessica S; Emrich, Matthew D; Symons, Craig M; Risch, Carl C; Nuebel Kovarik, Kathy; Neill, Stephanie J; Odar, Elizabeth

Cc: Clark, Levita S; Van Demark, Henry; Jones, Michelle D (CTR)

Subject: FOR REVIEW & COMMENT: Transformation Leadership Meeting 04272017 Notes & Documents

TLM Team Members,

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Please provide your review/comments by COB Thursday, May 4th.

Thank you.

VR

Janis Y. Hall

Transformation Management Branch
Resource Management Division (RMD)
Office of the Chief Information Officer (OCIO)
U.S. Citizenship & Immigration Services (USCIS)

Office: (b)(6)
Cell:

From: Higgins, Jennifer B
Sent: Friday, May 19, 2017 7:48 AM
To: Thompson, Kirt; Valverde, Michael; Hall, Janis Y; Denayer, Larry C; Schwartz, Mark A; McCament, James W; Meckley, Tammy M; Renaud, Daniel M; Kerns, Kevin J; Sapko, Jeffrey M; Groom, Molly M; Neufeld, Donald W; Hysen, Eric; Carter, Constance L; Blair, David A; Renaud, Tracy L; Melero, Mariela; Young, Todd P; Swanson, Toni; Davidson, Andrew J; Winship, Courtney A; Quinn, Kevin T; Abiose, Adijatu C; Pastrana-Lujan, Maria P; Smith, Timothy R; Norton, Glenn E; Rather, Michael B; Walters, Jessica S; Emrich, Matthew D; Symons, Craig M; Risch, Carl C; Nuebel Kovarik, Kathy; Neill, Stephanie J; Odar, Elizabeth
Cc: Clark, Levita S; Van Demark, Henry
Subject: RE: FOR REVIEW & COMMENT: Transformation Leadership Meeting 05112017 Notes & DRAFT CONOPS
Attachments: DRAFT Concept of Operations Version 2.0 050162017 RAI0.docx

Apologies for the delay. Here are RAI0's comments on the CONOPS. We appreciate the opportunity to review.

From: Thompson, Kirt
Sent: Friday, May 19, 2017 8:25 AM
To: Valverde, Michael; Hall, Janis Y; Denayer, Larry C; Schwartz, Mark A; McCament, James W; Meckley, Tammy M; Renaud, Daniel M; Kerns, Kevin J; Sapko, Jeffrey M; Groom, Molly M; Neufeld, Donald W; Hysen, Eric; Carter, Constance L; Blair, David A; Renaud, Tracy L; Melero, Mariela; Young, Todd P; Swanson, Toni; Davidson, Andrew J; Winship, Courtney A; Quinn, Kevin T; Abiose, Adijatu C; Higgins, Jennifer B; Pastrana-Lujan, Maria P; Smith, Timothy R; Norton, Glenn E; Rather, Michael B; Walters, Jessica S; Emrich, Matthew D; Symons, Craig M; Risch, Carl C; Nuebel Kovarik, Kathy; Neill, Stephanie J; Odar, Elizabeth
Cc: Clark, Levita S; Van Demark, Henry
Subject: RE: FOR REVIEW & COMMENT: Transformation Leadership Meeting 05112017 Notes & DRAFT CONOPS

All –

ELIS is becoming a system of systems. Thus, a few items missing in the revision summary are, CPMS, ECHO, NPWR/CYBIS.

Kirt

Kirt Thompson | Acting Deputy Associate Director | Service Center Operations | USCIS |

From: Valverde, Michael (b)(6)
Sent: Wednesday, May 17, 2017 11:57 AM
To: Hall, Janis Y; Denayer, Larry C; Schwartz, Mark A; McCament, James W; Meckley, Tammy M; Renaud, Daniel M; Kerns, Kevin J; Sapko, Jeffrey M; Groom, Molly M; Neufeld, Donald W; Hysen, Eric; Carter, Constance L; Blair, David A; Renaud, Tracy L; Melero, Mariela; Young, Todd P; Swanson, Toni; Davidson, Andrew J; Winship, Courtney A; Quinn, Kevin T; Abiose, Adijatu C; Higgins, Jennifer B; Pastrana-Lujan, Maria P; Smith, Timothy R; Norton, Glenn E; Rather, Michael B; Walters, Jessica S; Emrich, Matthew D; Symons, Craig M; Risch, Carl C; Nuebel Kovarik, Kathy; Neill, Stephanie J; Odar,

Elizabeth

Cc: Clark, Levita S; Van Demark, Henry

Subject: RE: FOR REVIEW & COMMENT: Transformation Leadership Meeting 05112017 Notes & DRAFT CONOPS

(b)(5)

All—

Here are my comments on the CONOPS.

From: Hall, Janis Y

Sent: Tuesday, May 16, 2017 10:20 AM

To: Denayer, Larry C; Schwartz, Mark A; McCament, James W; Meckley, Tammy M; Renaud, Daniel M; Kerns, Kevin J; Sapko, Jeffrey M; Groom, Molly M; Neufeld, Donald W; Hysen, Eric; Carter, Constance L; Blair, David A; Renaud, Tracy L; Melero, Mariela; Young, Todd P; Swanson, Toni; Davidson, Andrew J; Valverde, Michael; Winship, Courtney A; Quinn, Kevin T; Abiose, Adijatu C; Higgins, Jennifer B; Pastrana-Lujan, Maria P; Smith, Timothy R; Norton, Glenn E; Rather, Michael B; Walters, Jessica S; Emrich, Matthew D; Symons, Craig M; Risch, Carl C; Nuebel Kovarik, Kathy; Neill, Stephanie J; Odar, Elizabeth

Cc: Clark, Levita S; Van Demark, Henry

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All,

Attached, please find the May 11th Transformation Leadership Meeting notes/action items and the **Draft CONOPS** for your review and comment.

Please provide your comments **to Larry Denayer by 12:00 Noon, Wednesday, May 17, 2017.**

Thank you.

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Janis Y. Hall

Transformation Management Branch
Resource Management Division (RMD)
Office of the Chief Information Officer (OCIO)
U.S. Citizenship & Immigration Services (USCIS)
Office: (b)(6)

Cell: (b)(6)

From: Denayer, Larry C

Sent: Wednesday, May 10, 2017 7:19 PM

To: Schwartz, Mark A; Hall, Janis Y; McCament, James W; Meckley, Tammy M; Renaud, Daniel M; Kerns, Kevin J; Sapko, Jeffrey M; Groom, Molly M; Neufeld, Donald W; Hysen, Eric; Carter, Constance L; Blair, David A; Renaud, Tracy L; Melero, Mariela; Young, Todd P; Swanson, Toni; Davidson, Andrew J; Valverde, Michael; Winship, Courtney A; Quinn, Kevin T; Abiose, Adijatu C; Higgins, Jennifer B; Pastrana-Lujan, Maria P; Smith, Timothy R; Norton, Glenn E; Rather, Michael B; Walters, Jessica S; Emrich, Matthew D; Symons, Craig M; Risch, Carl C; Nuebel Kovarik, Kathy; Neill, Stephanie J; Odar, Elizabeth

Cc: Clark, Levita S; Van Demark, Henry; Hall, Janis Y

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Cc: Clark, Levita S; Van Demark, Henry; Jones, Michelle D (CTR)

Subject: RE: FOR REVIEW & COMMENT: Transformation Leadership Meeting 04272017 Notes & Documents

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Sent: Tuesday, May 02, 2017 11:21 AM

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- 1) Signed ADM
- 2) Updated Transformation Epics
- 3) USCIS Business Leadership Team Charter
- 4) ESC Charter Update
- 5) DRAFT CONOPS

The Governance Structure Document is still being worked and will be distributed under separate cover.

Please provide your review/comments by COB Thursday, May 4th.

Thank you.

VR

Janis Y. Hall

Transformation Management Branch
Resource Management Division (RMD)
Office of the Chief Information Officer (OCIO)
U.S. Citizenship & Immigration Services (USCIS)

Office:
Cell: (b)(6)

From: RAIO Clearance
Sent: Friday, May 19, 2017 7:56 AM
To: Higgins, Jennifer B; RAIO Clearance
Cc: Dhabalia, Dimple D
Subject: RE: FOR REVIEW & COMMENT: Transformation Leadership Meeting 05112017 Notes & DRAFT CONOPS

No worries

Michael R. Defensor
Communications and Operational Readiness Branch
Refugee, Asylum, and International Operations Directorate
20 Massachusetts Avenue, NW, Washington, DC 20529
Phone: [REDACTED] **Mobile:** [REDACTED] **Fax:** (202) 272-1548 (b)(6)

From: Higgins, Jennifer B
Sent: Friday, May 19, 2017 8:49 AM
To: RAIO Clearance
Cc: Dhabalia, Dimple D
Subject: RE: FOR REVIEW & COMMENT: Transformation Leadership Meeting 05112017 Notes & DRAFT CONOPS

Actually, never mind. I see that they only had one and it was changing the number of adjudications and is reflected in the attached. Thank you!

From: Higgins, Jennifer B
Sent: Friday, May 19, 2017 8:46 AM
To: RAIO Clearance
Cc: Dhabalia, Dimple D
Subject: RE: FOR REVIEW & COMMENT: Transformation Leadership Meeting 05112017 Notes & DRAFT CONOPS

I only see comments from IO. Were there others or did I miss them in the attached?

From: RAIO Clearance
Sent: Friday, May 19, 2017 7:17 AM
To: Higgins, Jennifer B
Cc: Dhabalia, Dimple D; RAIO Clearance
Subject: RE: FOR REVIEW & COMMENT: Transformation Leadership Meeting 05112017 Notes & DRAFT CONOPS

Good Morning,

Attached is the consolidated CONOPS doc from IO and Asylum.

RAD, PMP, POP, RAIO TRIG and COS had none

RAIO Clearance

Michael

From: Higgins, Jennifer B

Sent: Tuesday, May 16, 2017 1:39 PM

To: RAIO Clearance; Allen, Eugene A; Asylum Taskers; Baker, Katherine H; Burdine, Tonya L; Chiorazzi, Anne; Gill, Lori R; Grammer, Alexandra C (Alex); Kline, Jennifer M; Liberto, James; Mancuso, Deborah T; Medina, Jorge E; Palmer, Ann M; Peralta Mihalko, Maria P (Pilar); Potts, LeRoy G; RAIO-FDNS-IS; Saunier, Jon-Paul; Schaper, Michael C; Sicard, Kimberly R; Sohrakoff, Karen A; Villasenor, Eissa M

Cc: Defensor, Michael R; Dhabalia, Dimple D; Fritz, Debra A; Gipson, Angela E; Kim, Ted H; Lafferty, John L; RAIO Clearance; Ruppel, Joanna; Stone, Mary M; Strack, Barbara L

Subject: RE: FOR REVIEW & COMMENT: Transformation Leadership Meeting 05112017 Notes & DRAFT CONOPS

Please note we need your feedback on the CONOPS only -- not the meeting notes.

From: RAIO Clearance

Sent: Tuesday, May 16, 2017 6:09:23 PM

To: Allen, Eugene A; Asylum Taskers; Baker, Katherine H; Burdine, Tonya L; Chiorazzi, Anne; Gill, Lori R; Grammer, Alexandra C (Alex); Kline, Jennifer M; Liberto, James; Mancuso, Deborah T; Medina, Jorge E; Palmer, Ann M; Peralta Mihalko, Maria P (Pilar); Potts, LeRoy G; RAIO-FDNS-IS; Saunier, Jon-Paul; Schaper, Michael C; Sicard, Kimberly R; Sohrakoff, Karen A; Villasenor, Eissa M

Cc: Defensor, Michael R; Dhabalia, Dimple D; Fritz, Debra A; Gipson, Angela E; Kim, Ted H; Lafferty, John L; RAIO Clearance; Ruppel, Joanna; Stone, Mary M; Strack, Barbara L; Higgins, Jennifer B

Subject: FW: FOR REVIEW & COMMENT: Transformation Leadership Meeting 05112017 Notes & DRAFT CONOPS

Good Afternoon,

Please see the attached and below for comments **NLT 11:00AM tomorrow, Wednesday, May 17.**

Thanks,

Debra Fritz

RAIO Clearance

From: Hall, Janis Y

Sent: Tuesday, May 16, 2017 3:19:39 PM

To: Denayer, Larry C; Schwartz, Mark A; McCament, James W; Meckley, Tammy M; Renaud, Daniel M; Kerns, Kevin J; Sapko, Jeffrey M; Groom, Molly M; Neufeld, Donald W; Hysen, Eric; Carter, Constance L; Blair, David A; Renaud, Tracy L; Melero, Mariela; Young, Todd P; Swanson, Toni; Davidson, Andrew J; Valverde, Michael; Winship, Courtney A; Quinn, Kevin T; Abiose, Adijatu C; Higgins, Jennifer B; Pastrana-Lujan, Maria P; Smith, Timothy R; Norton, Glenn E; Rather, Michael B; Walters, Jessica S; Emrich, Matthew D; Symons, Craig M; Risch, Carl C; Nuebel Kovarik, Kathy; Neill, Stephanie J; Odar, Elizabeth

Cc: Clark, Levita S; Van Demark, Henry

Subject: FOR REVIEW & COMMENT: Transformation Leadership Meeting 05112017 Notes & DRAFT CONOPS

All,

Attached, please find the May 11th Transformation Leadership Meeting notes/action items and the **Draft CONOPS** for your review and comment.

Please provide your comments **to Larry Denayer by 12:00 Noon, Wednesday, May 17, 2017.**

Thank you.

VR

Janis Y. Hall

Transformation Management Branch
Resource Management Division (RMD)
Office of the Chief Information Officer (OCIO)
U.S. Citizenship & Immigration Services (USCIS)
Office:
Cell: (b)(6)

From: Denayer, Larry C

Sent: Wednesday, May 10, 2017 7:19 PM

To: Schwartz, Mark A; Hall, Janis Y; McCament, James W; Meckley, Tammy M; Renaud, Daniel M; Kerns, Kevin J; Sapko, Jeffrey M; Groom, Molly M; Neufeld, Donald W; Hysen, Eric; Carter, Constance L; Blair, David A; Renaud, Tracy L; Melero, Mariela; Young, Todd P; Swanson, Toni; Davidson, Andrew J; Valverde, Michael; Winship, Courtney A; Quinn, Kevin T; Abiose, Adijatu C; Higgins, Jennifer B; Pastrana-Lujan, Maria P; Smith, Timothy R; Norton, Glenn E; Rather, Michael B; Walters, Jessica S; Emrich, Matthew D; Symons, Craig M; Risch, Carl C; Nuebel Kovarik, Kathy; Neill, Stephanie J; Odar, Elizabeth

Cc: Clark, Levita S; Van Demark, Henry; Hall, Janis Y

Subject: RE: FOR REVIEW & COMMENT: Transformation Leadership Meeting 04272017 Notes & Documents

All,

Attached are the updated versions of the TLC Charter, ESC Charter, and Proposed Governance Structure for review and comment.

From: Schwartz, Mark A

Sent: Wednesday, May 03, 2017 1:48 PM

To: Hall, Janis Y; McCament, James W; Meckley, Tammy M; Renaud, Daniel M; Kerns, Kevin J; Sapko, Jeffrey M; Groom, Molly M; Neufeld, Donald W; Hysen, Eric; Carter, Constance L; Blair, David A; Renaud, Tracy L; Melero, Mariela; Young, Todd P; Swanson, Toni; Davidson, Andrew J; Valverde, Michael; Winship, Courtney A; Denayer, Larry C; Quinn, Kevin T; Abiose, Adijatu C; Higgins, Jennifer B; Pastrana-Lujan, Maria P; Smith, Timothy R; Norton, Glenn E; Rather, Michael B; Walters, Jessica S; Emrich, Matthew D; Symons, Craig M; Risch, Carl C; Nuebel Kovarik, Kathy; Neill, Stephanie J; Odar, Elizabeth

Cc: Clark, Levita S; Van Demark, Henry; Jones, Michelle D (CTR)

Subject: RE: FOR REVIEW & COMMENT: Transformation Leadership Meeting 04272017 Notes & Documents

Importance: High

Sorry – please disregard. We'll need to send you some updated versions of these.

Thanks.

Mark

From: Hall, Janis Y

Sent: Tuesday, May 02, 2017 11:21 AM

To: McCament, James W; Meckley, Tammy M; Renaud, Daniel M; Kerns, Kevin J; Sapko, Jeffrey M; Groom, Molly M; Neufeld, Donald W; Hysen, Eric; Carter, Constance L; Blair, David A; Renaud, Tracy L; Melero, Mariela; Schwartz, Mark A; Young, Todd P; Swanson, Toni; Davidson, Andrew J; Valverde, Michael; Winship, Courtney A; Denayer, Larry C; Quinn, Kevin T; Abiose, Adijatu C; Higgins, Jennifer B; Pastrana-Lujan, Maria P; Smith, Timothy R; Norton, Glenn E; Rather, Michael B; Walters, Jessica S; Emrich, Matthew D; Symons, Craig M; Risch, Carl C; Nuebel Kovarik, Kathy; Neill, Stephanie J; Odar, Elizabeth

Cc: Clark, Levita S; Van Demark, Henry; Jones, Michelle D (CTR)

Subject: FOR REVIEW & COMMENT: Transformation Leadership Meeting 04272017 Notes & Documents

TLM Team Members,

Attached, please find the Transformation Leadership Meeting notes from the April 27th meeting and documents requested for review by the TLM, including:

- 1) Signed ADM
- 2) Updated Transformation Epics
- 3) USCIS Business Leadership Team Charter
- 4) ESC Charter Update
- 5) DRAFT CONOPS

The Governance Structure Document is still being worked and will be distributed under separate cover.

Please provide your review/comments by COB Thursday, May 4th.

Thank you.

VR

Janis Y. Hall

Transformation Management Branch
Resource Management Division (RMD)
Office of the Chief Information Officer (OCIO)
U.S. Citizenship & Immigration Services (USCIS)

Office:

Cell: (b)(6)

From: Laurent DALMASSO <l.dalmasso@igc.ch>
Sent: Friday, May 19, 2017 8:12 AM
To: richard.johnson2@dfat.gov.au; Michel.Lastschenko@diplobel.fed.be; Ryhan.Mansour@cic.gc.ca; Tienne.Chenier@cic.gc.ca; Danijela.Susic@cic.gc.ca; Solideva.Diano@cbsa-asfc.gc.ca; Andre.Belzile@international.gc.ca; trigro@um.dk; mcr@uim.dk; 5-SB-RKM@auswaertiges-amt.de; jpo@mfa.no; kjetil.elsebutangen@mfa.no; ane-kristine.djupedal@jd.dep.no; Antonia.hultin@gov.se; daniel.hobbs@homeoffice.gsi.gov.uk; Lucas.fulling@homeoffice.gsi.gov.uk; cleverleyxm@state.gov; Dhabalia, Dimple D; yutacomjw@state.gov; Higgins, Jennifer B; Kelly RYAN; Laurent DALMASSO
Subject: Conference Call on GCM thematic Conference #2
Attachments: PGA letter 17May17 - second TS.PDF; Provisional List of IGC States.docx

Dear colleagues,

With reference to the message sent to you on Tuesday, please find attached the updated list of participants for the teleconference call this afternoon at 15.30 (Geneva time) as well as the updated programme for the thematic conference to be held in New York on Monday and Tuesday next week (attached also is the updated work programme).

The dial in number for the conference call is:

- In the US: 877-873-8017
- From Overseas: +1-636-651-3181

The Access Code is: (b)(6)

Following an introduction from the IGC Coordinator, Mr. John Petter Opdahl from Norway will chair the meeting and steer the discussion on the following points:

Brief update on recent national developments and activities related to the Global Compact on Migration

Short tour de table on the outcomes of the first thematic consultation (substantive and process/organisational points)

Main views and points of concern on the thematic conference on Addressing drivers of migration through protection and assistance, sustainable development, poverty eradication, conflict prevention and resolution, in particular the Commitments and Possible Actions to Address Drivers of Migration (pages 9 to 11) in the attached Interagency Issue Brief Number 2

Organisation of a side meeting in New York on 23 May 2017, insight on the composition of national delegations, participation of non-IGC like-minded states and the European Union.

Sincerely,

Laurent DALMASSO – Senior Programme Officer

Rue de Vermont 37-39, 1202 Geneva, Switzerland

l.dalmasso@igc.ch
www.igc.ch

From: Higgins, Jennifer B
Sent: Friday, May 19, 2017 8:35 AM
To: Jackson, Nancy I
Subject: RE: UNHCR proposed high-level roundtable on W. Hemisphere

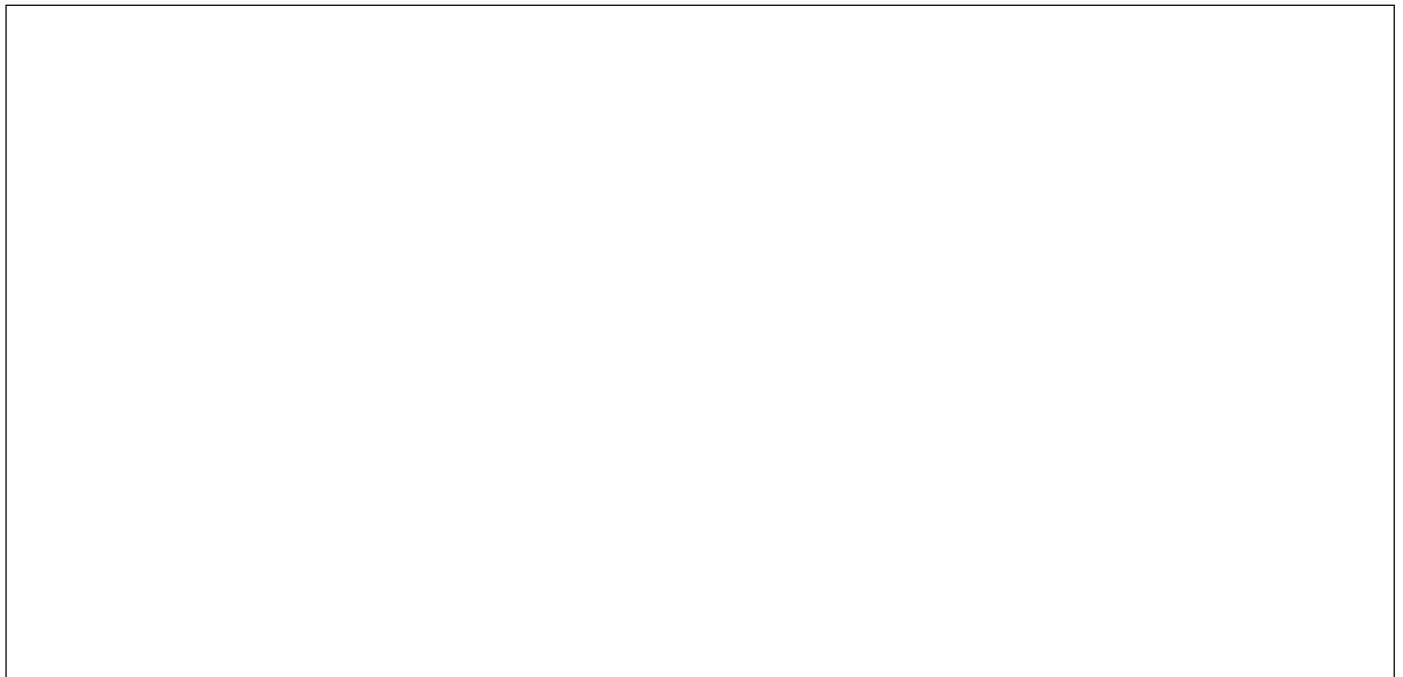
Hi, Nancy. We will definitely have DHS/USCIS participation but we are still trying to pin down the "who". I'll continue to push on my end, and I suspect by the time you get back from your trip, we'll have greater clarity. Looking forward to talking when you return. Safe journey!

Jennifer B. Higgins
Associate Director
Refugee, Asylum and International Operations Directorate
U.S. Citizenship and Immigration Services

 (b)(6)

With honor and integrity, we will safeguard the American people, our homeland, and our values.

Referred to U.S. Department of State



From: Higgins, Jennifer B [<mailto:Jennifer.B.Higgins@uscis.dhs.gov>]
Sent: Friday, May 12, 2017 9:51 AM
To: Jackson, Nancy I
Subject: RE: UNHCR proposed high-level roundtable on W. Hemisphere

Hi, Nancy. Thank you so much for reaching out. Kelly definitely steered you in the right direction. I am familiar with the prior discussions and believe DHS/USCIS will want to be included. I will need to touch

base with a few folks here quickly to be sure we have the right participation but will get back to you early next week with a definitive answer.

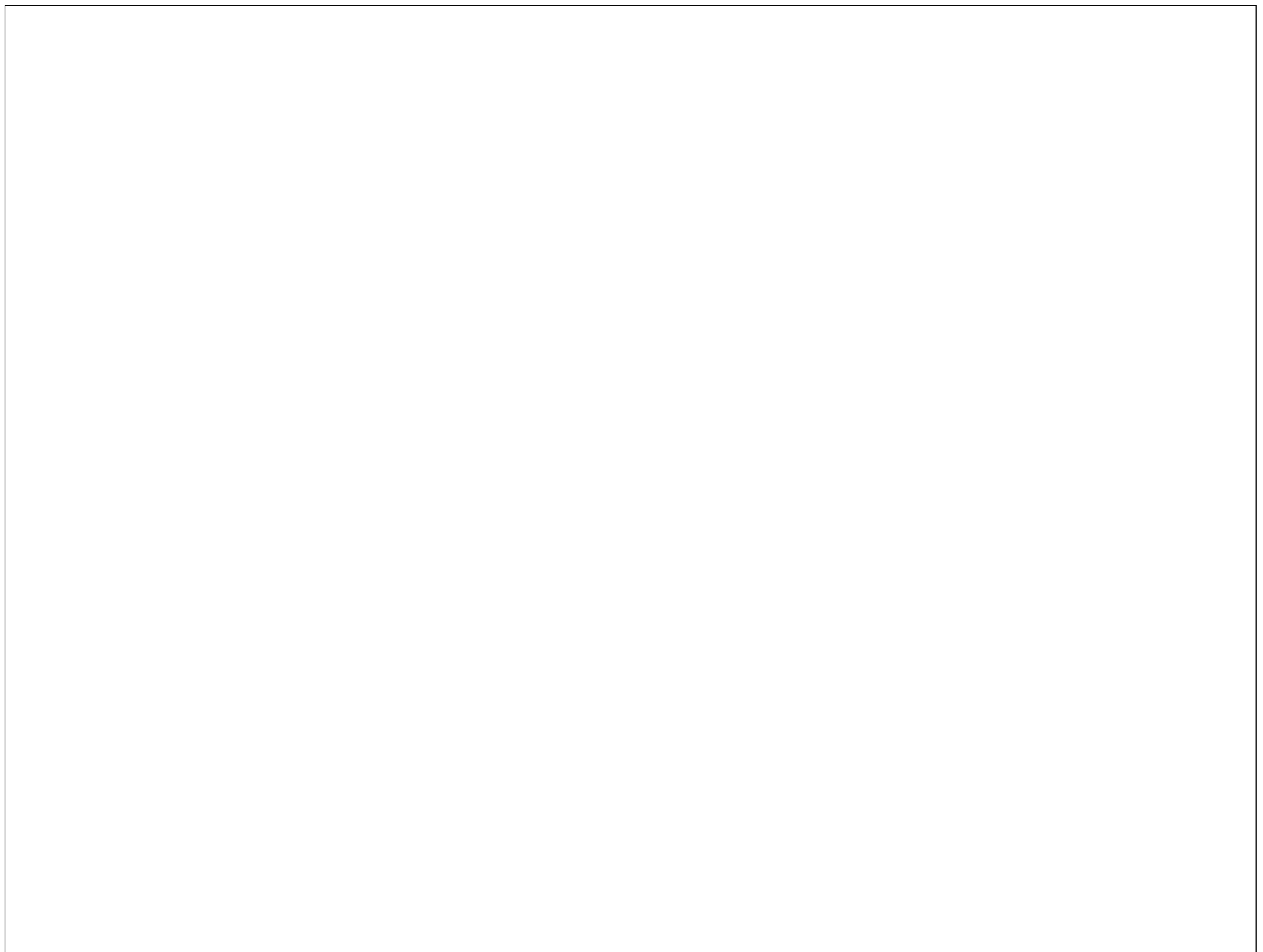
Looking forward to working with you on this!

Best, Jennifer

Jennifer B. Higgins
Associate Director
Refugee, Asylum and International Operations Directorate
U.S. Citizenship and Immigration Services

(b)(6)

With honor and integrity, we will safeguard the American people, our homeland, and our values.



Referred to U.S. Department of State

Referred to U.S. Department of State

Referred to U.S. Department of State

Referred to U.S. Department of State

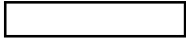
Referred to U.S. Department of State

From: Ruppel, Joanna
Sent: Friday, May 19, 2017 8:42 AM
To: Higgins, Jennifer B
Subject: RE: FY 2017 Appropriation Reporting Requirements (RAIO)
Attachments: RE: TIME SENSITIVE: : FY 2017 Appropriation Reporting Requirements (RAIO)

Please see attached.

Joanna

Joanna Ruppel
Chief, International Operations Division
USCIS Refugee, Asylum and International Operations Directorate
Joanna.Ruppel@uscis.dhs.gov



(b)(6)

From: Higgins, Jennifer B
Sent: Friday, May 19, 2017 9:29 AM
To: Ruppel, Joanna
Subject: RE: FY 2017 Appropriation Reporting Requirements (RAIO)

Thanks! Can I get a copy of the powerpoint that has the costs associated with administering the refugee and asylum programs?

From: Ruppel, Joanna
Sent: Thursday, May 18, 2017 5:58 PM
To: Higgins, Jennifer B
Subject: FW: FY 2017 Appropriation Reporting Requirements (RAIO)

Background. Apologies I confused the reporting requirement (at bottom of this chain) with the E.O. reporting requirements. I am forwarding so you can see the one-time reporting requirements that we got back in September and the plan of action we developed after meeting with Joe Moore.

Joanna

Joanna Ruppel
Chief, International Operations Division
USCIS Refugee, Asylum and International Operations Directorate
Joanna.Ruppel@uscis.dhs.gov

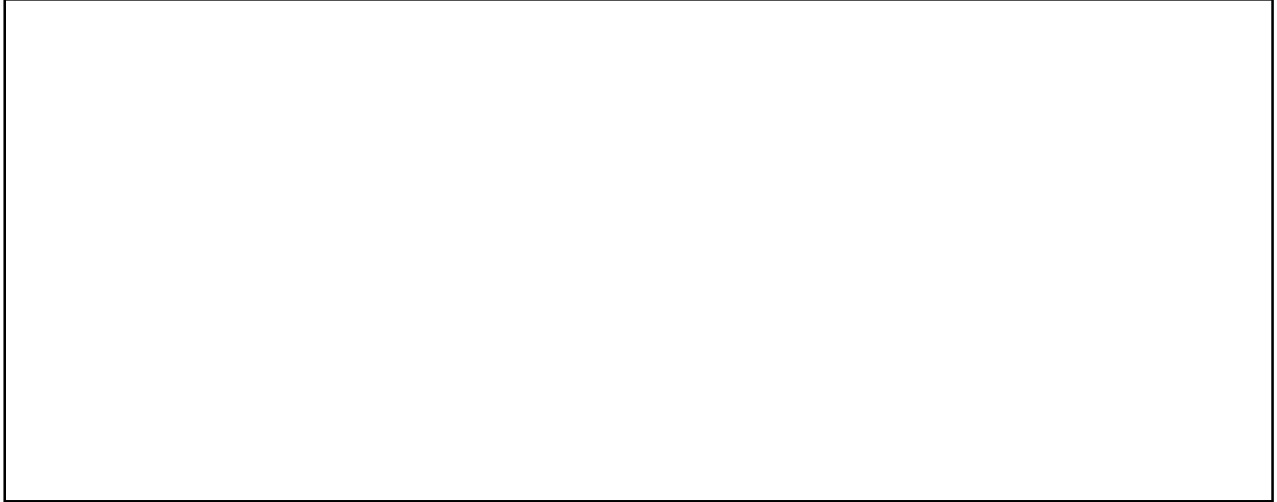


(b)(6)

From: Ruppel, Joanna
Sent: Wednesday, February 08, 2017 3:13 PM
To: Moore, Joseph D; Kim, Ted H; Lafferty, John L; Strack, Barbara L; Stone, Mary M; Liberto, James; Baker, Katherine H; Grammer, Alexandra C
Subject: RE: FY 2017 Appropriation Reporting Requirements (RAIO)

Joe,

Thanks for meeting on this today. Just want to be sure we are all on the same page moving forward, so here is what I have as our joint plan of action.



Looks like we should be able to complete #3 by end of next week at the latest. Other tasks will take more time. Joe indicated that we are not late and actually have until spring, so we are OK.

(b)(5)

Please jump in if I have missed or misstated anything.

Joanna

Joanna Ruppel
Acting Associate Director
USCIS Refugee, Asylum and International Operations Directorate
Joanna.Ruppel@uscis.dhs.gov



(b)(6)

From: Moore, Joseph D
Sent: Wednesday, January 25, 2017 8:34 AM
To: Ruppel, Joanna
Subject: FW: FY 2017 Appropriation Reporting Requirements (RAIO)

Hi Joanna –

Please see my responses below in red.

Joe

From: Ruppel, Joanna
Sent: Tuesday, January 24, 2017 12:51 PM
To: Moore, Joseph D

Cc: Lafferty, John L; Strack, Barbara L; Stone, Mary M; Kim, Ted H; Liberto, James; Cristiani, Juan L
Subject: FW: FY 2017 Appropriation Reporting Requirements (RAIO)

Joe,

I would like to apologize for RAIO's delay in getting a response to OCFO on this. We are close to having a draft Powerpoint for the requested briefing on the cost of refugee and asylum processing (relates to the third item below – Costs of Administering the Refugee and Asylee Admissions Program). Our aim is to have something to OCFO by early next week.

However, we do have some questions and it might be best to simply have a quick meeting between OCFO and RAIO to be sure we are on the same page.

At the bottom of the chain there are the following three requests:

(b)(5)

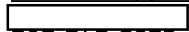


(b)(5)



Joanna

Joanna Ruppel
Acting Associate Director
USCIS Refugee, Asylum and International Operations Directorate
Joanna.Ruppel@uscis.dhs.gov



(b)(6)

From: Cristiani, Juan L
Sent: Thursday, December 22, 2016 2:20 PM
To: Lafferty, John L; Higgins, Jennifer B; Ruppel, Joanna; RAO Clearance; Strack, Barbara L; Kim, Ted H; Stone, Mary M; Baker, Katherine H; Liberto, James
Cc: Chinni, Ellen; Dohner, Vanessa L; Nasir, Syed A; Stover, Myles B
Subject: RE: FY 2017 Appropriation Reporting Requirements (RAIO)

John,

For any briefings that are requested through committee reports from the appropriations process, it is necessary to prepare a written document and submit it to OCFO (Typically in a PowerPoint) for review and clearance.

Once we have received it, we will use a process similar to that for a formal report. Once the briefing is fully cleared, DHS sends the briefing deck to the SAC and we contact them to see if they want to schedule an in-person briefing. Sometimes the deck is sufficient and they do not request one in person.

The clearance process is not as long as the one for a final report, once we have sent it to DHS.

Please let me know if you have further questions. Thank you.

Juan

Juan L. Cristiani, Budget Analyst
Budget and Planning Division
Office of the Chief Financial Officer
U.S. Citizenship and Immigration Services
Phone: [REDACTED]
Fax: 202-272-1723 (b)(6)
Juan.L.Cristiani@uscis.dhs.gov

From: Lafferty, John L
Sent: Thursday, December 22, 2016 1:09 PM
To: Cristiani, Juan L; Higgins, Jennifer B; Ruppel, Joanna; RAIO Clearance; Strack, Barbara L; Kim, Ted H; Stone, Mary M; Baker, Katherine H; Liberto, James
Cc: Chinni, Ellen; Dohner, Vanessa L; Nasir, Syed A; Stover, Myles B
Subject: RE: FY 2017 Appropriation Reporting Requirements (RAIO)

Juan,

I just want to make sure I understand the last item. Is a "briefing" request a request that we go up to the Hill and provide an oral briefing on the costs for USCIS associated with the work being done by RAD and the Asylum Division? Does a "briefing" entail the preparation of a written document? My normal understanding of a Hill briefing request is that it is a request that we go up and do an in person oral presentation. Perhaps the SAC has a different definition that I am unaware of. Thanks for any clarification that you can provide.

John

From: Cristiani, Juan L
Sent: Thursday, December 22, 2016 12:08:14 PM
To: Higgins, Jennifer B; Ruppel, Joanna; RAIO Clearance; Lafferty, John L; Strack, Barbara L; Kim, Ted H; Stone, Mary M; Baker, Katherine H; Liberto, James
Cc: Chinni, Ellen; Dohner, Vanessa L; Nasir, Syed A; Stover, Myles B
Subject: RE: FY 2017 Appropriation Reporting Requirements (RAIO)

Good Afternoon RAIO,

Can you please let me know when you expect to submit drafts for the following two FY 2017 appropriation reporting requirements?

These were due on December 19 and we need to get the review and clearance process started on them.

Reports/Briefings / Other Requirements				
Directorate/Office	Short Name	Requesting Organization	Source / Event	Page Other
RAIO	Cost Associated with U.S. Refugee Admissions Program (USRAP)	SAC	S. Rpt 114-264	125
RAIO	Costs of Administering the Refugee and Asylee Admissions Programs	SAC	S. Rpt 114-264	125

Please let me know if you have any questions.

Thank you.

Juan

Juan L. Cristiani, Budget Analyst
 Budget and Planning Division
 Office of the Chief Financial Officer
 U.S. Citizenship and Immigration Services
 Phone: [REDACTED] (b)(6)
 Fax: 202-272-1723
Juan.L.Cristiani@uscis.dhs.gov

From: Cristiani, Juan L
Sent: Friday, September 16, 2016 4:09 PM
To: Langlois, Joseph E; Lafferty, John L; Strack, Barbara L; Kim, Ted H; Stone, Mary M; RAIO Clearance; Baker, Katherine H; Liberto, James
Cc: Moore, Joseph D; Reilly, Richard M; Fredericks, Christopher; White, Jacquelyn D; Nasir, Syed A (azmat.nasir1@uscis.dhs.gov); Stover, Myles B; Button, Maria G (Gemma)
Subject: FY 2017 Appropriation Reporting Requirements (RAIO)

Good afternoon RAIO,

Attached is a summary of the current FY 2017 appropriations bill for both the House Appropriations Committee (HAC) and the Senate Appropriations Committee (SAC) that was distributed to USCIS leadership on August 17, 2016. The summary includes information on the USCIS requested Congressional reports, briefings and other requirements included in House Report (H.Rpt. 114-668) and Senate Report (S.Rpt. 114-264).

We anticipate that USCIS will operate under a Continuing Resolution (CR) until a final FY 2017 appropriations bill is passed. Since Congress, DHS, and Office of the Director have placed a greater emphasis on meeting the due dates for Congressional requirements, the Budget and Planning Division/Budget Formulation Branch would like to have the directorates/program offices start preparing the requirements that will likely be due after an FY 2017 appropriations bill is enacted.

Your office has the following requirements. A brief description of these requirements is also provided.

Reports/Briefings / Other Requirements				
Directorate/Office	Short Name	Requesting Organization	Source / Event	Page
RAIO	Cost Associated with U.S. Refugee Admissions Program (USRAP)	SAC	S. Rpt 114-264	125
RAIO	Integrity of Admissions Program	SAC	S. Rpt 114-264	124
RAIO	Costs of Administering the Refugee and Asylee Admissions Programs	SAC	S. Rpt 114-264	125

Reporting Requirements

Senate Appropriations Committee

- Cost Associated with U.S. Refugee Admissions Program (USRAP)** -- The U.S. Refugee Admissions Program [USRAP] is a partnership among USCIS, State's Bureau of Population, Refugees and Migration [PRM], and the Office of Refugee Resettlement [ORR] within of the Department of Health and Human Services and involves a number of supporting international and domestic agencies and organizations.

The Committee directs USCIS, in conjunction with PRM and ORR, to report to the Congress on the direct costs associated with USRAP broken down by agency and activity for each of fiscal years 2013, 2014, 2015, and 2016. Such report shall also include the corresponding data on refugee applicants in process during those years for context regarding the cost per refugee. Such report shall be submitted not later than 180 days after the date of enactment of this act.
- Integrity of Admissions Program** -- Ensuring the integrity of the refugee and asylum admissions programs is critical, particularly as the volume of applications for both benefits continues to rise. The Committee directs USCIS to, within 120 days of the date of enactment of this act, submit a report that identifies:

 - (1) the total number of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who were subsequently identified as having an affiliation with terrorism in any manner;
 - (2) the total number of children of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who were subsequently identified as having an affiliation with terrorism in any manner;
 - (3) the total number of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who were subsequently arrested or convicted for any criminal offense in the United States;
 - (4) the total number of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who subsequently adjusted to lawful permanent

resident status with a waiver granted under section 209(c) of the Immigration and Nationality Act (8 U.S.C. 1109(c)); and

(5) the total number of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who were subsequently removed from the United States for any reason.

- **Costs of Administering the Refugee and Asylee Admissions Programs** -- In addition, the Committee directs USCIS to brief the Committee within 120 days of the date of enactment of this act on the costs of administering the refugee and asylee admissions programs.

Action

1. For any data provided, please use information as of the end of FY 2016 (September 30, 2016).
2. Please submit your draft reports and briefings by the due dates provided in the “Due to OCFO” column in the above chart, so that materials can be cleared by OCFO, MGT, OCC, and USCIS Front Office.
3. For Congressional Reports, please follow the “DHS Style Guidelines for Congressional Reports” that is attached to this email.
4. Please let us know by COB Wednesday, September 21 to discuss any concerns if you feel this requirement is incorrectly assigned to your directorate or program office. Also, if there is coordination required with any other program office/directorate for data, statistics, etc. please indicate that as well.

Attachments:

- House Report 114-668
- Senate Report 114-264
- FY 2017 USCIS Appropriations Summary (distributed to USCIS leadership through Leadership Guidance on August 17, 2016)
- DHS Congressional Reports Style Guide_2015

We will be contacting you in the following weeks to schedule a meeting to go over preparation of responses to the requirements.

(b)(6)

Please send any questions to Azmat Nasir, Chief OCFO Budget Formulation at [REDACTED]
Azmat.Nasir1@uscis.dhs.gov, Juan Cristiani [REDACTED] Juan.L.Cristiani@uscis.dhs.gov, or
Myles Stover [REDACTED] Myles.B.Stover@uscis.dhs.gov.

Thank you.

Juan L. Cristiani, Budget Analyst
Budget and Planning Division
Office of the Chief Financial Officer
U.S. Citizenship and Immigration Services
Phone: [REDACTED] (b)(6)
Fax: 202-272-1723
Juan.L.Cristiani@uscis.dhs.gov

Pinkerton, Christopher M (Chris)

From: Dhabalia, Dimple D
Sent: Monday, March 06, 2017 1:37 PM
To: Moore, Joseph D
Cc: Ruppel, Joanna; Strack, Barbara L; Stone, Mary M; Lafferty, John L; Kim, Ted H; Liberto, James
Subject: RE: TIME SENSITIVE: : FY 2017 Appropriation Reporting Requirements (RAIO)
Attachments: Congressional Briefing - Costs of Administering Refugee and Asylee Admis...
FINAL.pptx

Joe,

Apologies for the delay in sending this over. Please find attached the power point with RAIO program costs. Please let us know if you have any questions or if we can provide any additional information.

Regards,
Dimple

DIMPLE DHABALIA | SPECIAL ASSISTANT | USCIS REFUGEE, ASYLUM AND INTERNATIONAL OPERATIONS DIRECTORATE

Office [REDACTED] | Mobile (DC): [REDACTED] | ✉ dimple.d.dhabalia@uscis.dhs.gov

(b)(6)

From: Moore, Joseph D
Sent: Wednesday, January 25, 2017 8:34 AM
To: Ruppel, Joanna
Subject: FW: FY 2017 Appropriation Reporting Requirements (RAIO)

Hi Joanna –

Please see my responses below in red.

Joe

From: Ruppel, Joanna
Sent: Tuesday, January 24, 2017 12:51 PM
To: Moore, Joseph D
Cc: Lafferty, John L; Strack, Barbara L; Stone, Mary M; Kim, Ted H; Liberto, James; Cristiani, Juan L
Subject: FW: FY 2017 Appropriation Reporting Requirements (RAIO)

Joe,

I would like to apologize for RAIO's delay in getting a response to OCFO on this. We are close to having a draft Powerpoint for the requested briefing on the cost of refugee and asylum processing (relates to the third item below – Costs of Administering the Refugee and Asylee Admissions Program). Our aim is to have something to OCFO by early next week.

However, we do have some questions and it might be best to simply have a quick meeting between OCFO and RAIO to be sure we are on the same page.

At the bottom of the chain there are the following three requests:

(b)(5)



Joanna

Joanna Ruppel

Acting Associate Director
USCIS Refugee, Asylum and International Operations Directorate
Joanna.Ruppel@uscis.dhs.gov
[REDACTED] (b)(6)

From: Cristiani, Juan L
Sent: Thursday, December 22, 2016 2:20 PM
To: Lafferty, John L; Higgins, Jennifer B; Ruppel, Joanna; RAIO Clearance; Strack, Barbara L; Kim, Ted H; Stone, Mary M; Baker, Katherine H; Liberto, James
Cc: Chinni, Ellen; Dohner, Vanessa L; Nasir, Syed A; Stover, Myles B
Subject: RE: FY 2017 Appropriation Reporting Requirements (RAIO)

John,

For any briefings that are requested through committee reports from the appropriations process, it is necessary to prepare a written document and submit it to OCFO (Typically in a PowerPoint) for review and clearance.

Once we have received it, we will use a process similar to that for a formal report. Once the briefing is fully cleared, DHS sends the briefing deck to the SAC and we contact them to see if they want to schedule an in-person briefing. Sometimes the deck is sufficient and they do not request one in person.

The clearance process is not as long as the one for a final report, once we have sent it to DHS.

Please let me know if you have further questions. Thank you.

Juan

Juan L. Cristiani, Budget Analyst
Budget and Planning Division
Office of the Chief Financial Officer
U.S. Citizenship and Immigration Services
Phone: [REDACTED] (b)(6)
Fax: 202-272-1723
Juan.L.Cristiani@uscis.dhs.gov

From: Lafferty, John L
Sent: Thursday, December 22, 2016 1:09 PM
To: Cristiani, Juan L; Higgins, Jennifer B; Ruppel, Joanna; RAIO Clearance; Strack, Barbara L; Kim, Ted H; Stone, Mary M; Baker, Katherine H; Liberto, James
Cc: Chinni, Ellen; Dohner, Vanessa L; Nasir, Syed A; Stover, Myles B
Subject: RE: FY 2017 Appropriation Reporting Requirements (RAIO)

Juan,

I just want to make sure I understand the last item. Is a "briefing" request a request that we go up to the Hill and provide an oral briefing on the costs for USCIS associated with the work being done by RAD and the Asylum Division? Does a "briefing" entail the preparation of a written document? My normal understanding of a Hill briefing request is that it is a request that we go up and do an in person oral presentation. Perhaps the SAC has a different definition that I am unaware of. Thanks for any clarification that you can provide.

John

From: Cristiani, Juan L

Sent: Thursday, December 22, 2016 12:08:14 PM

To: Higgins, Jennifer B; Ruppel, Joanna; RAIO Clearance; Lafferty, John L; Strack, Barbara L; Kim, Ted H; Stone, Mary M; Baker, Katherine H; Liberto, James

Cc: Chinni, Ellen; Dohner, Vanessa L; Nasir, Syed A; Stover, Myles B

Subject: RE: FY 2017 Appropriation Reporting Requirements (RAIO)

Good Afternoon RAIO,

Can you please let me know when you expect to submit drafts for the following two FY 2017 appropriation reporting requirements?

These were due on December 19 and we need to get the review and clearance process started on them.

Reports/Briefings / Other Requirements				
Directorate/Office	Short Name	Requesting Organization	Source / Event	Page Other
RAIO	Cost Associated with U.S. Refugee Admissions Program (USRAP)	SAC	S. Rpt 114-264	125
RAIO	Costs of Administering the Refugee and Asylee Admissions Programs	SAC	S. Rpt 114-264	125

Please let me know if you have any questions.

Thank you.

Juan

Juan L. Cristiani, Budget Analyst
Budget and Planning Division
Office of the Chief Financial Officer
U.S. Citizenship and Immigration Services
Phone: (b)(6)
Fax: 202-272-1723
Juan.L.Cristiani@uscis.dhs.gov

From: Cristiani, Juan L

Sent: Friday, September 16, 2016 4:09 PM

To: Langlois, Joseph E; Lafferty, John L; Strack, Barbara L; Kim, Ted H; Stone, Mary M; RAIO Clearance; Baker, Katherine H; Liberto, James

Cc: Moore, Joseph D; Reilly, Richard M; Fredericks, Christopher; White, Jacquelyn D; Nasir, Syed A (azmat.nasir1@uscis.dhs.gov); Stover, Myles B; Button, Maria G (Gemma)

Subject: FY 2017 Appropriation Reporting Requirements (RAIO)

Good afternoon RAIO,

Attached is a summary of the current FY 2017 appropriations bill for both the House Appropriations Committee (HAC) and the Senate Appropriations Committee (SAC) that was distributed to USCIS leadership on August 17, 2016. The summary includes information on the USCIS requested Congressional reports, briefings and other requirements included in House Report (H.Rpt. 114-668) and Senate Report (S.Rpt. 114-264).

We anticipate that USCIS will operate under a Continuing Resolution (CR) until a final FY 2017 appropriations bill is passed. Since Congress, DHS, and Office of the Director have placed a greater emphasis on meeting the due dates for Congressional requirements, the Budget and Planning Division/Budget Formulation Branch would like to have the directorates/program offices start preparing the requirements that will likely be due after an FY 2017 appropriations bill is enacted.

Your office has the following requirements. A brief description of these requirements is also provided.

Reports/Briefings / Other Requirements				
Directorate/Office	Short Name	Requesting Organization	Source / Event	Page Oth
RAIO	Cost Associated with U.S. Refugee Admissions Program (USRAP)	SAC	S. Rpt 114-264	125
RAIO	Integrity of Admissions Program	SAC	S. Rpt 114-264	124
RAIO	Costs of Administering the Refugee and Asylee Admissions Programs	SAC	S. Rpt 114-264	125

Reporting Requirements

Senate Appropriations Committee

- Cost Associated with U.S. Refugee Admissions Program (USRAP)** -- The U.S. Refugee Admissions Program [USRAP] is a partnership among USCIS, State's Bureau of Population, Refugees and Migration [PRM], and the Office of Refugee Resettlement [ORR] within of the Department of Health and Human Services and involves a number of supporting international and domestic agencies and organizations. The Committee directs USCIS, in conjunction with PRM and ORR, to report to the Congress on the direct costs associated with USRAP broken down by agency and activity for each of fiscal years 2013, 2014, 2015, and 2016. Such report shall also include the corresponding data on refugee applicants in process during those years for context regarding the cost per refugee. Such report shall be submitted not later than 180 days after the date of enactment of this act.
- Integrity of Admissions Program** -- Ensuring the integrity of the refugee and asylum admissions programs is critical, particularly as the volume of applications for both benefits continues to rise. The Committee directs USCIS to, within 120 days of the date of enactment of this act, submit a report that identifies:
 - (1) the total number of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who were subsequently identified as having an affiliation with terrorism in any manner;
 - (2) the total number of children of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who were subsequently identified as having an affiliation with terrorism in any manner;
 - (3) the total number of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who were subsequently arrested or convicted for any criminal offense in the United States;
 - (4) the total number of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who subsequently adjusted to lawful permanent resident status with a waiver granted under section 209(c) of the Immigration and Nationality Act (8 U.S.C. 1109(c)); and

(5) the total number of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who were subsequently removed from the United States for any reason.

- **Costs of Administering the Refugee and Asylee Admissions Programs** -- In addition, the Committee directs USCIS to brief the Committee within 120 days of the date of enactment of this act on the costs of administering the refugee and asylee admissions programs.

Action

1. For any data provided, please use information as of the end of FY 2016 (September 30, 2016).
2. Please submit your draft reports and briefings by the due dates provided in the "Due to OCFO" column in the above chart, so that materials can be cleared by OCFO, MGT, OCC, and USCIS Front Office.
3. For Congressional Reports, please follow the "DHS Style Guidelines for Congressional Reports" that is attached to this email.
4. **Please let us know by COB Wednesday, September 21 to discuss any concerns if you feel this requirement is incorrectly assigned to your directorate or program office. Also, if there is coordination required with any other program office/directorate for data, statistics, etc. please indicate that as well.**

Attachments:

- House Report 114-668
- Senate Report 114-264
- FY 2017 USCIS Appropriations Summary (distributed to USCIS leadership through Leadership Guidance on August 17, 2016)
- DHS Congressional Reports Style Guide_2015

We will be contacting you in the following weeks to schedule a meeting to go over preparation of responses to the requirements.

Please send any questions to Azmat Nasir, Chief OCFO Budget Formulation at [REDACTED], Azmat.Nasir1@uscis.dhs.gov, Juan Cristiani [REDACTED] Juan.L.Cristiani@uscis.dhs.gov, or Myles Stover [REDACTED], Myles.B.Stover@uscis.dhs.gov. (b)(6)

Thank you.

Juan L. Cristiani, Budget Analyst
Budget and Planning Division
Office of the Chief Financial Officer
U.S. Citizenship and Immigration Services
Phone: [REDACTED] (b)(6)
Fax: 202-272-1723
Juan.L.Cristiani@uscis.dhs.gov

From: Ruppel, Joanna
Sent: Friday, May 19, 2017 9:01 AM
To: Higgins, Jennifer B; Strack, Barbara L; Stone, Mary M; Lafferty, John L; Kim, Ted H
Cc: Gill, Lori R; Palmer, Ann M; Dhabalia, Dimple D; McAllum, Jessica L
Subject: Due today: Processing Times Decision Memo



Attached are IO's comments on the memo. I also had a side-bar exchange with Mike Hoeffler when I asked for more info about current thinking on how to calculate processing times. He provided the following info:



(b)(5)

Joanna

Joanna Ruppel
Chief, International Operations Division
USCIS Refugee, Asylum and International Operations Directorate
Joanna.Ruppel@uscis.dhs.gov



(b)(6)

From: Higgins, Jennifer B
Sent: Tuesday, May 16, 2017 9:19 AM
To: Ruppel, Joanna; Strack, Barbara L; Stone, Mary M; Lafferty, John L; Kim, Ted H

Cc: Gill, Lori R; Palmer, Ann M; Dhabalia, Dimple D
Subject: FW: Processing Times Decision Memo

Hi there. Do we know who represents RAIO on the WG? Have any of you heard of/seen the attached doc before?

From: Hoefer, Michael D

Sent: Monday, May 15, 2017 11:56 AM

To: Chang, Lin; Porto, Victoria; Altice-Manear, Vanessa L; Gray, Gary L; Kerns, Kevin J; Melero, Mariela; Borgen, Michael R; Renaud, Daniel M; Valverde, Michael; Rogers, Debra A; Herrmann, Mary K; Rosenberg, Ronald M (Ron); Lafferty, John L; Nimick, Charles L (Locky); Geary, Andrew C; Josephs-Conway, Corliss A; Blacksten, Deborah A; Dumas, Jessica L; Lane, Rosemary M; Higgins, Jennifer B; Evans, Janna M; Bacote, Robert R (Bob); Burden, Tammany M; Quimby, Christopher M (Chris); McConnell, James E; La Bella, Magteld H; Nettleton, Spencer C (CTR); Helfrich, John F (CTR); Arroyo, Susan K; Contreras, Graciela; Martin, Heather A; Donnalley, Gia F; Neufeld, Donald W; Patching, Laura D
Cc: Selby, Cara M (Carrie); Cooper, Cleveland E; Davenport, Tangelika M; Biggs, Michael C; Cronic, Michael A; Bedgood, Bernard II; Violett, Michael D

Subject: Processing Times Decision Memo

Good Morning,

On November 22, 2016, OPQ and Customer Service and Public Engagement kicked off the Processing Times project with representatives from the Administrative Appeals Office, Field Operations Directorate, Refugee, Asylum and International Operations, and Service Center Operations Directorate. This meeting resulted in the formation of the Processing Times Working Group (PTWG).

The PTWG has held a series of meetings since the project initiated to build a set of best practices in processing time computation. As the PTWG makes recommendations we will issue formal Processing Times Computation Best Practice Decision Memorandums for your review. Attached is the first set of decisions we are asking you to consider. These issues were discussed and recommended for your review at the most recent PTWG meeting on April 27, 2017

Please review and return to me with your signature by Friday, May 19.

Thanks,

<< File: Decision Memo_Processing Times Computation Best Practice 20170512.docx >>

Michael Hoefer
Chief, Office of Performance and Quality
U.S. Citizenship and Immigration Services

 (b)(6)

Michael.D.Hoefer@uscis.dhs.gov

This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you.

From: Dhabalia, Dimple D
Sent: Friday, May 19, 2017 9:29 AM
To: Higgins, Jennifer B
Subject: FW: Conference Call on GCM thematic Conference #2
Attachments: PGA letter 17May17 - second TS.PDF; Provisional List of IGC States.docx

Hi Jennifer,

Just a couple of key highlights from today's call and I've included my notes from the call under that for your reference. Thanks.

Key Highlights:

1. Overall most states felt the first consultations in Geneva went relatively well and there were more areas of convergence than originally anticipated. Several states noted that moving forward it will be important to get any areas of disagreement on the record.
2. Most states felt that the panels during the meeting were not balanced enough and that the statements were very political in nature. The group would like to see a more balanced approach moving forward, with a focus on the operational aspects and the use of practitioners on the panels and would like to see states make more concrete commitments moving forward.
3. All states agreed that there is great value in IGC states meeting in advance of the larger meetings in Geneva and New York to ensure a unified front to the greatest extent possible. States that have papers available will share though the IGC website where a new section has been created for this purpose. The states also agreed that there is value in meeting in person in New York next week. The group agreed to invite Italy and Japan to that meeting since they are also like-minded on these issues and to gain more traction overall.

NOTES:

1. Kelly – overview of outcomes from HoD.
 - a. Agreement to use IGC website to coordinate response for the Compact.
 - b. Develop a common document to use for preparation at the MFR.
 - c. Path of the 2 compacts is different – consultation process is open to all IGC states and designed to identify points of convergence.
2. Tour de Table About Outcomes/Views of the First Consultations in Geneva
 - a. Norway – John Petter Opdahl - Summary of how we saw the Geneva meeting – felt it was relatively positive. Prepared 3 briefs for next week which will be sent up for comments over IGC website later today. We have been preparing our positions for the meeting next week in New York. We have the same concerns, particularly the lack of balance in the panels. But most of the other issues are similar and that tells me that this exercise is worth doing. I would like to add the possibility that we have and should use to be interactive by providing feedback – but many of us need to have the statements cleared by higher level officials. The summary panels is an excellent opportunity for this. I thought the moderators did a good job of summing up each panel. On the issue briefs, I agree brief number 2 is of higher quality. We want to focus on the 2030 agenda and we will focus on responsibilities of the states that do have a lot of migration doing out of their countries.
 - b. Australia - Key message from last week was that it was not balanced or practical enough. We need to better coordinate our points as IGC states. We also learned that

where there are elements we don't agree with, it's important to be on the record. E.g. recommendations around detention, firewalls, etc., were areas where we thought it was important to express our disagreement on the record. Moving forward important for states to do that. If we don't get on the record during the consultations process, we'll have difficult walking those things back later.

- c. Belgium – we think the meeting in Geneva was positive. The reaffirmation of human rights was important. We don't need to create new instruments –there are enough in the arsenal of human rights documents to cover migration issues. There are many points of divergence, but also areas of disagreement. We thought the moderators were not effective- was a lot of reading of statements and not enough interaction. The meeting in NY, we would like to see an emphasis on the political drivers to convince people to stay in their countries.
- d. Canada – Will echo comments from Belgium and Australia. In terms of themes covered there was a great deal of convergence, especially in 2nd and 3rd panels, but as was just mentioned by colleagues, some convergence in the universality of human rights, but divergence in things like benefits in destination countries like access to work and health care, polarization of positions in developed vs. developing countries which sets an interesting table in front of the global compact. We thought when it came to the issue brief paper it was a bit too much on one side. We would like to have seen a little more balance in this area. On the floor there was useful interaction between IGC members to balance the interventions. We mentioned in last panel that we would like to see future consultations balanced with practitioners who have had to make and preserve national systems and legislation at home. Canada's position moving forward is the call on states to develop comprehensive planned migration systems to reduce incentives for irregular migration and allow transit and destination countries to benefit from advantages of migration. We would be happy to put our statements on the IGC website and like others we are moving through our internal review and look forward to engaging with partners in New York.
- e. Denmark – this is a really good opportunity to coordinate our interventions. At the Geneva meeting the recommendations on detention and firewall and decriminalization of movement- we'd like to pick up on. On the panelist interventions there was a balance issue and this was handled well between IGC countries which made us come across stronger and with a unified message. On the brief, it is a good thing that it acknowledges the gap between employment supply and employment needs.
- f. Germany – We have the humanitarian responsibility for refugees on one side and focus on legal and labor migration on the other.
- g. Sweden – Agree with most of what everyone has raised, but we see the consultative phase to test different ideas and search for common ground. We would like it to be more operational. Don't feel like we're quite there. Most of the contributions are general political comments and not operational. There wasn't much discussion on what the concrete commitments would be. For New York, we will highlight the importance of security and development, joint analysis and planning, and we will put forth the need for a high level representative to coordinate the process. Would like to have seen more specific recommendations on the data and how to follow up on specific areas.
- h. UK – Like others we support what has been said around maintaining the scope and balance and focus on the roles and responsibilities of all parties. There are areas where we cannot agree on like firewalls and we would like to see a greater balance between dialogue being member state led rather than run by the UN. The consensus between like-

mindful members states could be brought out more to have a greater impact to shape the discussions moving forward. We want to advocate a balanced approach. Roles including roles of migrants must be considered. Most of our focus in terms of the agenda have been around the three principles that our PM set out at the UNGA last September.

- i. USA – Our comments are in line with everyone else. One of the challenges is moving from theory to practice. Disappointed to not see a stronger IOM role in terms of operational aspects. We want to see member-led process, but right now UN led, which has a lot of strong moral overtones. Might be more important to be more explicit and aggressive on the points we want redlined and/or included during meeting or on the margins. We look forward to receiving the document and that it reflects what we discussed. We did have our US/UN colleagues talk to SRST Arbor and raise many of the concerns discussed today. She noted the panel was put together at the last minute and hopes moving forward it will be more balanced. We encourage people on the line to submit feedback in writing to the co-facilitators. Also want to point out in panels next week there will be a lot of academics and focus on southern countries, Africa and Asia, so we need to be prepared to talk about the practical side of getting at the drivers of migration and cooperation. Also, we agree with Canada about getting panels with more practitioners, so we may have to step up to the plate on some of these. On the US position, we are still under review on all steps in the process. We can't put up a position paper at this time, but appreciate other papers we can share with our leadership. We look forward to the development planning on looking at mechanisms to address pre and post crisis planning. We are also supportive of getting more data.
3. Side Meeting in New York?
 - a. Norway – we have been discussing the different topics with colleagues in the Ministry of Justice. We are happy to organize a meeting next week at 9am on Tuesday morning.
 - b. USA – we have found these types of gatherings to be useful and we are happy to assist in securing a space to meet.
 - c. Australia – we think a coordinated meeting will be of value. Useful to meet with IGC in the margins. Wanted to briefly mention some recommendations in next week's document. Australia is more comfortable with this one than the last but for recommendation 5 and 13, we will recommend it it's up to each state to identify the skills gap. For climate change discourse, we would want to discuss without turning it into a migration issue per se.
 - d. Belgium – we welcome the opportunity.
 - e. Canada - yes happy to participate. Agree that the themes under the second thematic are less contentious and should be easier to align our positions. But Canada will continue to promote well-managed migration programs. Also we will make reference to existing tools like the MICIC.
 - f. Denmark – we very much support meeting in New York.
 - g. Germany – happy to join you.
 - h. Sweden – we are happy to participate.
 - i. UK – we would find it useful to meet and get some consensus in how we're approaching this.
 4. Closing
 - a. Norway will host a luncheon with the theme being IDPs.
 - b. USA would like to propose that Italy and Japan be invited to the meeting next week as well as the EU.

- c. IGC – next steps. Before Monday will be bullet points about today and updated list of participants for NY meetings to facilitate cooperation on the ground. We have created a new section on the website for the compact. Please share any official papers with the Secretariat. We are also interested in receiving statements made in Geneva and New York. We will extend this to the countries not on this call.

DIMPLE DHABALIA | SPECIAL ASSISTANT | USCIS REFUGEE, ASYLUM AND INTERNATIONAL OPERATIONS DIRECTORATE

Office Mobile (DC) ✉ dimple.d.dhabalia@uscis.dhs.gov

(b)(6)

From: Laurent DALMASSO [mailto:l.dalmasso@igc.ch]

Sent: Friday, May 19, 2017 9:12 AM

To: richard.johnson2@dfat.gov.au; Michel.Lastschenko@diplobel.fed.be; Ryhan.Mansour@cic.gc.ca; Tienne.Chenier@cic.gc.ca; Danijela.Susic@cic.gc.ca; Solideva.Diano@cbsa-asfc.gc.ca; Andre.Belzile@international.gc.ca; trigro@um.dk; mcr@uim.dk; 5-SB-RKM@auswaertiges-amt.de; jpo@mfa.no; kjetil.elsebutangen@mfa.no; ane-kristine.djupedal@jd.dep.no; Antonia.hultin@gov.se; daniel.hobbs@homeoffice.gsi.gov.uk; Lucas.fulling@homeoffice.gsi.gov.uk; cleverleymx@state.gov; Dhabalia, Dimple D; yutacomjw@state.gov; Higgins, Jennifer B; Kelly RYAN; Laurent DALMASSO

Subject: Conference Call on GCM thematic Conference #2

Dear colleagues,

With reference to the message sent to you on Tuesday, please find attached the updated list of participants for the teleconference call this afternoon at 15.30 (Geneva time) as well as the updated programme for the thematic conference to be held in New York on Monday and Tuesday next week (attached also is the updated work programme).

The dial in number for the conference call is:

- In the US: 877-873-8017
- From Overseas: +1-636-651-3181

The Access Code is: (b)(6)

Following an introduction from the IGC Coordinator, Mr. John Petter Opdahl from Norway will chair the meeting and steer the discussion on the following points:

Brief update on recent national developments and activities related to the Global Compact on Migration

Short tour de table on the outcomes of the first thematic consultation (substantive and process/organisational points)

Main views and points of concern on the thematic conference on Addressing drivers of migration through protection and assistance, sustainable development, poverty eradication, conflict prevention and resolution, in particular the Commitments and Possible Actions to Address Drivers of Migration (pages 9 to 11) in the attached Interagency Issue Brief Number 2

Organisation of a side meeting in New York on 23 May 2017, insight on the composition of national delegations, participation of non-IGC like-minded states and the European Union.

Sincerely,

Laurent DALMASSO – Senior Programme Officer

Rue de Vermont 37-39, 1202 Geneva, Switzerland

l.dalmasso@igc.ch

www.igc.ch

From: RAIO Clearance
Sent: Friday, May 19, 2017 10:06 AM
To: Sicard, Kimberly R; Saunier, Jon-Paul; Asylum Taskers
Cc: Mura, Elizabeth E; Kim, Ted H; Lafferty, John L; Dhabalia, Dimple D; Grammer, Alexandra C (Alex); RAIO Clearance; Higgins, Jennifer B
Subject: FW: [RESPONSE REQUIRED] Detainees Not Seeking Asylum FY 2016 Report to Congress, WF 1134989, due May 22, 2017
Attachments: Detainees Not Seeking Asylum FY2016 (OCC ALD RALD).docx

Hi All,

Please see below and the attached.

DUE: COB on Monday, May 22, 2017

RAIO Clearance
Michael

From: Kelsey, Frederick T **On Behalf Of** USCIS Reports to Congress
Sent: Friday, May 19, 2017 10:52 AM
To: RAIO Clearance
Cc: Button, Maria G (Gemma); Carter, Constance L; Bacon, William H
Subject: [RESPONSE REQUIRED] Detainees Not Seeking Asylum FY 2016 Report to Congress, WF 1134989, due May 22, 2017

Good morning RAIO,

OCC requests RAIO to address a comment on page 3 on the Detainees Not Seeking Asylum FY 2016 Report to Congress, WF 1134989 report.

To view the report from OCC, please click [here](#) and find the file titled, "Detainees Not Seeking Asylum FY2016 (OCC ALD RALD)"

Your response is due by the COB on Monday, May 22, 2017. Provide comments or suggested edits via an uploaded track changes version.

To register your response, please click [here](#).

Thank you,

Frederick T. Kelsey
Management & Program Analyst
U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of the Executive Secretariat
20 Massachusetts Avenue NW
Washington, DC 20001

Office: [REDACTED] (b)(6)
USCIS-Exec-Sec@USCIS.dhs.gov (for official actions)

Good afternoon RAIO and OCC,

Please review the Detainees Not Seeking Asylum FY 2016 Report to Congress, WF 1134989 and provide your clearance by 4:00 p.m., Wednesday, May 17, 2017.

To review the report, please click [here](#). Provide comments or suggested edits via an uploaded track changes version.

To register your concurrence, please click [here](#).

Regards,

Frederick T. Kelsey
Management & Program Analyst
U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of the Executive Secretariat
20 Massachusetts Avenue NW
Washington, DC 20001
Office: [REDACTED] (b)(6)
USCIS-Exec-Sec@USCIS.dhs.gov (for official actions)

Referred to U.S. Department of State

From: Higgins, Jennifer B
Sent: Friday, May 19, 2017 8:35 AM
To: Jackson, Nancy I
Subject: RE: UNHCR proposed high-level roundtable on W. Hemisphere

Hi, Nancy. We will definitely have DHS/USCIS participation but we are still trying to pin down the "who". I'll continue to push on my end, and I suspect by the time you get back from your trip, we'll have greater clarity. Looking forward to talking when you return. Safe journey!

Jennifer B. Higgins
Associate Director
Refugee, Asylum and International Operations Directorate U.S. Citizenship and Immigration Services
 (b)(6)

With honor and integrity, we will safeguard the American people, our homeland, and our values.

Referred to U.S. Department of State

Referred to U.S. Department of State

From: Higgins, Jennifer B [mailto:Jennifer.B.Higgins@uscis.dhs.gov]
Sent: Friday, May 12, 2017 9:51 AM
To: Jackson, Nancy I
Subject: RE: UNHCR proposed high-level roundtable on W. Hemisphere

Hi, Nancy. Thank you so much for reaching out. Kelly definitely steered you in the right direction. I am familiar with the prior discussions and believe DHS/USCIS will want to be included. I will need to touch base with a few folks here quickly to be sure we have the right participation but will get back to you early next week with a definitive answer.

Looking forward to working with you on this!

Best, Jennifer

Jennifer B. Higgins
Associate Director
Refugee, Asylum and International Operations Directorate U.S. Citizenship and Immigration Services

[REDACTED] (b)(6)

With honor and integrity, we will safeguard the American people, our homeland, and our values.

Referred to U.S. Department of State

Referred to U.S. Department of State

Referred to U.S. Department of State

Referred to U.S. Department of State

Referred to U.S. Department of State

Referred to U.S. Department of State

From: Lisa Frydman <lfrydman@supportkind.org>
Sent: Friday, May 19, 2017 12:38 PM
To: Higgins, Jennifer B; jennifer.higgins@uscis.dhs.gov
Subject: Meeting with RAIO regarding study on sexual and gender based violence and child migration from Central America

Dear Jennifer,

I hope this email finds you well, and that one of the above emails I have for you is correct. The week of June 5, Kids in Need of Defense (KIND) and the Centro de Derechos Humanos Fray Matias de Cordova, a Mexican human rights organization, will be releasing a co-researched and co-authored study on sexual and gender based violence (SGBV) and child migration from Central America. The study looks at SGBV and access to justice and protection from violence for child victims in countries of origin, SGBV during migration (i.e. in transit and while living in Mexico) and access to international protection and justice in Mexico, U.S. funding to Central America to address root causes of migration including SGBV, and U.S. funding to Mexico to strengthen both its refugee system and enforcement capabilities. Staff from Fray Matias, as well as from ORMUSA - a Salvadoran women's rights organization with expertise in the justice system - will be in DC to participate in events with KIND.

We would appreciate the opportunity to meet with RAIO to share our findings regarding SGBV in the region and Mexico's asylum system, and to engage in dialogue about USCIS's efforts in Mexico to improve access to asylum. Currently we have the following dates and times available:

June 6 afternoon
June 7 afternoon
June 8 until 2:30pm
June 9 afternoon

**If the only options available for you all that week are the morning of June 6 or sometime June 5 we would still be interested in meeting, we just may not have the Salvadoran organization in DC yet.

Thank you very much, and hopefully there is a time that works!

Best regards,
Lisa

Lisa Frydman
Vice President, Regional Policy and Initiatives
Kids in Need of Defense (KIND)
200 Pine Street, Third Floor
San Francisco, CA 94104
Office: (415) 694-7381

Mobile: (510) 846-2265

lfrydman@supportkind.org

www.supportkind.org



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From: Henderson, Martazsh J
Sent: Friday, May 19, 2017 1:14 PM
To: Liberto, James; Bleakley, Shawn D
Cc: Baker, Katherine H; Higgins, Jennifer B; Logan, Sheila T; Hunter, Jamila M; McAllum, Jessica L; Ruppel, Joanna; Nicholson, Maura J
Subject: RE: FY 2018 USCIS Annual Operating Plan and RAI0's Budget Execution Plan Requests for the International Operations Division - Due Date May 11, 2017
Attachments: FY 2018 IO Overtime and OP.xlsx; IO FY 2018 AOP Preview 05.18.pptx; FY 2018 AOP Consolidated HQ Submission.xlsm; FY 2018 AOP Original Submission, LACC 5.5.17.xlsm; FY 2018 AOP Original Submission, EMEA 5.5.17.xlsm; FY 2018 AOP Original Submission, APAC 5.5.17.xlsm

Hi James,
I'm attaching the FY 2018 AOP templates for our IO districts. I am also attaching the OT and Other-than-Perm funding request. The OP request has the names deleted, since the encryption didn't work for all of the message recipients.

Even though we're budgeting for 5 new officer positions (Jo'burg, Nairobi, New Delhi, and 2 in Addis) and the opening of the Addis office, the IO Division's 2018 request is only \$149K higher than FY 2017. If CHEP, including our FY 2017 enhancement funding, is included, our FY 2018 request is \$7.7M less than FY 2017 approved funding. We will submit enhancement and efficiency templates, but I'm not sure how:

1. Our changes are regarded in light of whatever is happening in Refugee and Asylum (are we looking at cost increases from a Directorate perspective?).
2. If we should include our enhancement funding when calculating FY 2017 funding. Let me know.
3. We should treat Addis. I am weary of including Addis as an enhancement, especially since a lot of our decreases offset that increase, because funding to open the office won't be guaranteed and availability may be delayed. Look forward to mapping that out with you.

Additionally, I can fill out the budget increase justification, but I'm not sure if it is required. It depends on how you're looking at enhancements and if we're calculating the difference between 2018 and 2017 base or 2018 and 2017 base+enhancements. Let me know.

I've attached a copy of a briefing I put together that summarizes the AOP as an FYI. This, hopefully, will help you quickly understand where are major changes are. If you have any need for changes, it would be great if we could discuss those before submission to OCFO. If anything needs to be cut, we would like the opportunity to make those cuts ourselves.

My apologies for the delay! If you have any questions or concerns, or need anything else, let me know.

MARTAZSH HENDERSON | US CITIZENSHIP AND IMMIGRATION SERVICES | INTERNATIONAL OPERATIONS DIVISION |   MARTAZSH.HENDERSON@USCIS.DHS.GOV
*I TELEWORK ON TUESDAYS AND FRIDAYS
REGULAR DAY OFF - 2ND MONDAY OF THE PAY PERIOD*

(b)(6)

From: Liberto, James
Sent: Thursday, April 06, 2017 6:33 PM

To: Nicholson, Maura J; Ruppel, Joanna; McAllum, Jessica L; Henderson, Martazsh J; Kwan, Stephanie M; Kliska, Jennifer R; Peralta Mihalko, Maria P (Pilar); Rankin, Carrie A; Bird, John W (Wally); Benedict, Deborah L; Caldwell, Julia L

Cc: Baker, Katherine H; Higgins, Jennifer B; Logan, Sheila T; Bleakley, Shawn D; Hunter, Jamila M; Liberto, James

Subject: FY 2018 USCIS Annual Operating Plan and RAIO's Budget Execution Plan Requests for the International Operations Division - Due Date May 11, 2017

Greetings International Operations Division,

The USCIS OCFO has initiated the FY 2018 USCIS Annual Operating Plan (AOP) Process which will focus on reviewing RAIO FY 2017 base funding level, submitting Enhancements Requests(6/1/17) for mission critical needs, and SAM position requirements. The Resource Management Branch, Budget Section is providing for your review USCIS OCFO guidance outlining the AOP process for FY 2018 and the RAIO FY 2018 Budget Execution Plan (BEP) Template that will be used to collect Directorate resource requirements for the new fiscal year. Included are the following attachments:

1. Fiscal Year 2018 AOP Guidance Memo (OCFO)
2. Fiscal Year 2018 AOP Detailed Instructions (OCFO)
3. FY 2018 AOP Presentation (OCFO)
4. FY 2018 AOP Key Dates for Directorates and Program Offices (OCFO)
5. The FY 2018 Enhancement Template (OCFO) will be accessed via this ECN link
<http://ecn.uscis.dhs.gov/team/mgmt/Offices/cfo/budget/BEB/SitePages/Home.aspx>
The template is under review by OCFO Staff and will be loaded once approved.
6. FY 2018 RAIO Budget Execution Plan SOP (RAIO-RMB)
7. G1299 Form – (Justification for Increase to FY 2017 Funding Level) (RAIO-RMB)
8. As the International Operations Division has issued their own templates, the RMB will use these for the BEP submission. I have attached a template for OT and OP needs.

Please review the attached documents and let us know if your Branch/Division has with any issues/concerns or would like to meet by **COB May 5, 2017** or sooner. Completed BEP templates are due back to the Resource Management Branch by **COB May 11, 2017**. Questions or concerns can be directed to me or the contact list below:

RAIO Front Office, COS, PMP, Research – James Liberto; Sheila Logan;
Asylum Division and Field Offices – Sheila Logan
International Operations Division – James Liberto; Shawn Bleakley
Refugee Affairs Division – Shawn Bleakley

Thanks

James Liberto

Chief, Resource Management Branch

Refugee, Asylum, and International Operations Directorate

US Citizenship & Immigration Services

Department of Homeland Security

phone: [REDACTED]

cell: [REDACTED]

fax: (202) 272-1350

(b)(6)

James.Liberto@uscis.dhs.gov

From: Kerns, Kevin J
Sent: Friday, May 19, 2017 2:05 PM
To: Higgins, Jennifer B; McCament, James W; Renaud, Tracy L
Cc: Hoefer, Michael D; Moore, Joseph D
Subject: RE: Reporting Requirement - Integrity of the Admissions Program

Mike Hoefer is working on a vend diagram (fancy bubbles) along the lines Jennifer articulates below so we can make our case to DHS that they should do this at their level.

Kevin J. Kerns
Acting Associate Director
Management Directorate
US Citizenship and Immigration Services
(b)(6) Kevin.J.Kerns@uscis.dhs.gov

From: Higgins, Jennifer B
Sent: Friday, May 19, 2017 3:03 PM
To: Kerns, Kevin J; McCament, James W; Renaud, Tracy L
Cc: Hoefer, Michael D; Moore, Joseph D
Subject: RE: Reporting Requirement - Integrity of the Admissions Program (b)(5)

Just to clarify, as Kevin and I

Thanks!

From: Kerns, Kevin J
Sent: Friday, May 19, 2017 2:08 PM
To: McCament, James W; Renaud, Tracy L
Cc: Hoefer, Michael D; Moore, Joseph D; Higgins, Jennifer B
Subject: Reporting Requirement - Integrity of the Admissions Program (b)(5)

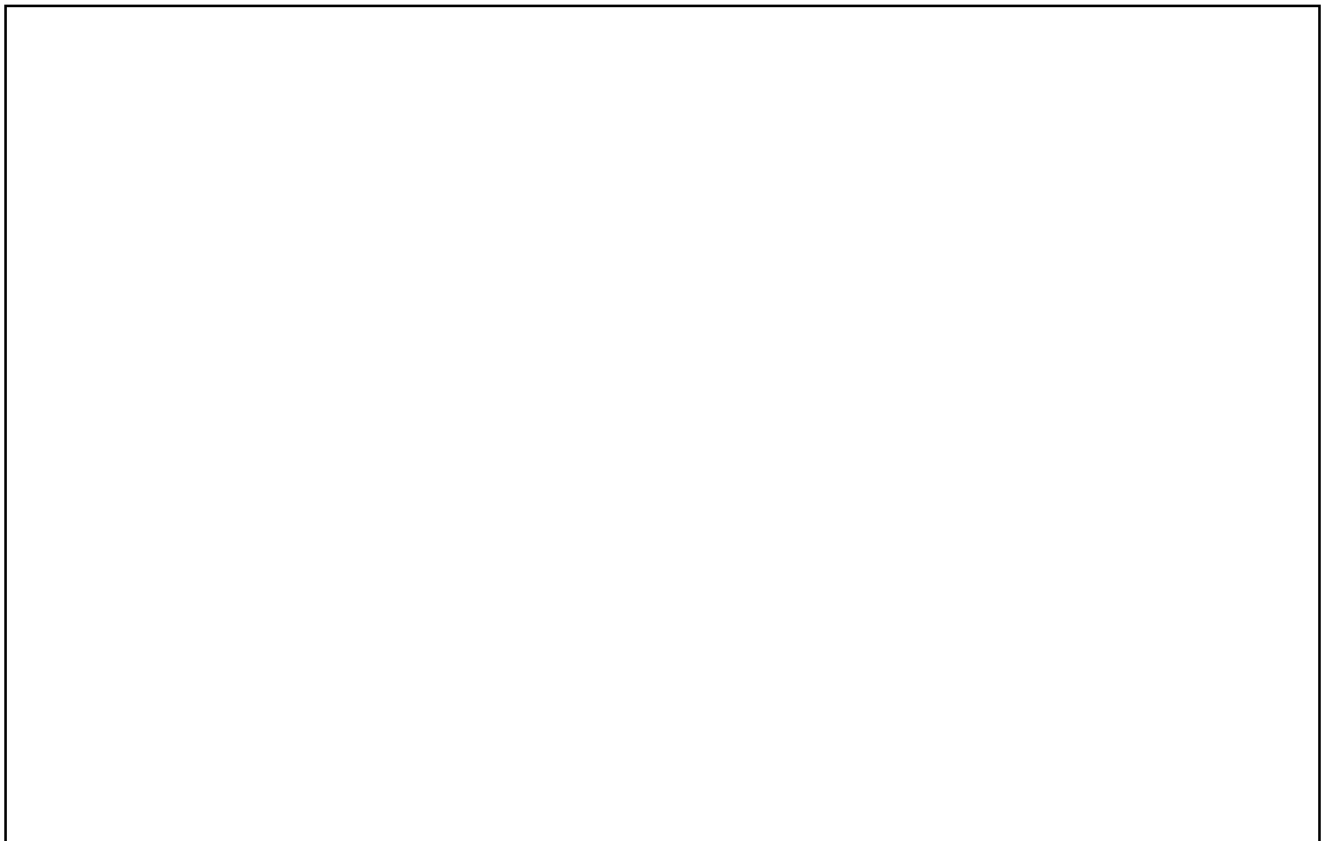
reporting requirement. Chris Fredericks, our budget officer, has tried to get the DHS Budget Office engaged to help us address this requirement, but we have not gotten any response. The report will be due mid-September, and we're already getting inquiries from Peter Babb of the SAC as to if we're going to do it (see some of the email string way below). Admittedly administrations changed between when they first started asking and now, but this is a huge, huge lift. Not sure if its worth raising at your level with DHS or not. Joe is working with Kathy in OPS, and Michael Hoefer is seeing what is in the realm of the possible. As well, I will approach OIS—this is really something they are trying to do. The SAC could have as easily asked the FBI of all the criminals and terrorists they arrested, how many were asylees or refugees. All told though, this could get painful soon enough.

For now, just making you aware of this, but depending on how those conversations turn out, we may need your help.

Details of the ask is below:

INTEGRITY OF ADMISSIONS PROGRAMS

(b)(5)



Kevin J. Kerns
Acting Associate Director
Management Directorate
US Citizenship and Immigration Services

(b)(6)

[redacted] Kevin.J.Kerns@uscis.dhs.gov

From: Babb, Peter (Appropriations) [mailto:[redacted]]
Sent: Friday, May 12, 2017 3:42 PM
To: Fredericks, Christopher; Nasir, Syed A (b)(6)
Cc: White, Jacquelyn D
Subject: RE: Reporting Requirement - Integrity of the Admissions Program

Good day,

Just checking to see if there's been any movement on this line of inquiry. Please let me know.
Many thanks,
Peter

From: Fredericks, Christopher [mailto:Chris.Fredericks@uscis.dhs.gov]
Sent: Friday, March 10, 2017 4:01 PM
To: Babb, Peter (Appropriations) [mailto:[redacted]]; Nasir, Syed A
<azmat.nasir1@uscis.dhs.gov>
Cc: White, Jacquelyn D <Jacquelyn.D.White@uscis.dhs.gov> (b)(6)
Subject: RE: Reporting Requirement - Integrity of the Admissions Program

Peter,

I am not sure if the new political leadership has expressed a position. Let me elevate this to DHS Budget.

Thanks,

Chris

Chris Fredericks
Chief, Budget and Planning Division
Office of the Chief Financial Officer
US Citizenship and Immigration Services

Phone: [redacted] (b)(6)
chris.fredericks@dhs.gov

From: Babb, Peter (Appropriations) [mailto:[redacted]]
Sent: Friday, March 10, 2017 3:03 PM
To: Fredericks, Christopher; Nasir, Syed A
Cc: White, Jacquelyn D
Subject: RE: Reporting Requirement - Integrity of the Admissions Program

Chris,

[redacted]
[redacted] Please let me know. (b)(5)

Thank you,
Peter

From: Fredericks, Christopher [mailto:Chris.Fredericks@uscis.dhs.gov]
Sent: Wednesday, December 21, 2016 3:24 PM
To: Babb, Peter (Appropriations) [redacted]; Nasir, Syed A
<azmat.nasir1@uscis.dhs.gov> (b)(6)
Cc: White, Jacquelyn D <Jacquelyn.D.White@uscis.dhs.gov>
Subject: RE: Reporting Requirement - Integrity of the Admissions Program

Peter,

At this juncture we are consulting with DHS HQ on how to approach the Integrity of Admissions Program requirement. Since DHS has received similar requests in letters from Members, we would like to make sure we understand the DHS HQ position on the topic.

I'm happy to discuss this a bit more by phone if you'd like. I'm here today and tomorrow morning, but will be out tomorrow afternoon and Friday. I'll be back in the office on Tuesday 12/27 through the end of the week between the holidays.

Thanks!

Chris

Chris Fredericks
Chief, Budget and Planning Division
Office of the Chief Financial Officer
US Citizenship and Immigration Services

Phone [redacted] (b)(6)
chris.fredericks@dhs.gov

From: Babb, Peter (Appropriations) [mailto:Peter [redacted]] (b)(6)
Sent: Wednesday, December 21, 2016 2:24 PM
To: Nasir, Syed A
Cc: Fredericks, Christopher; White, Jacquelyn D
Subject: RE: Reporting Requirement - Integrity of the Admissions Program

Good day,

I think when we last spoke about the subject reporting requirement, folks were going to do a mockup of sorts, demonstrating what USCIS could produce (vice descriptions of challenges and explanations of what can't be produced). Is something like this in-process?

Please let me know. This isn't urgent with holidays approaching, but I want to make sure we engage on this in the new year.

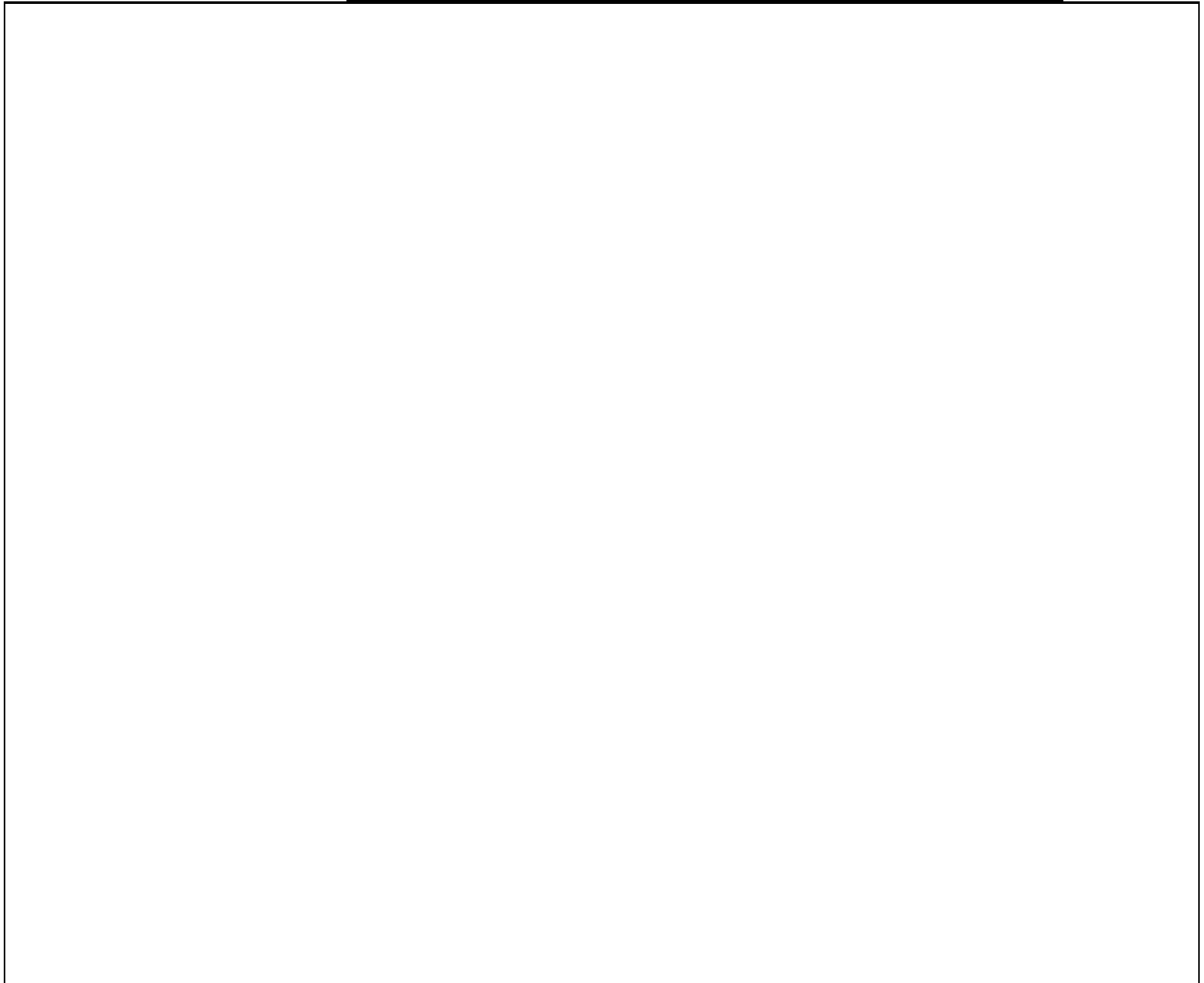
Many thanks,
Peter

From: Nasir, Syed A [<mailto:azmat.nasir1@uscis.dhs.gov>]
Sent: Monday, October 24, 2016 1:49 PM
To: Babb, Peter (Appropriations)
Cc: Fredericks, Christopher; White, Jacquelyn D
Subject: RE: Reporting Requirement - Integrity of the Admissions Program

Peter –

Please see background/additional info our 2:00 pm call.

We've reviewed the reporting requirement and have consulted with our SMEs in CIS as well as our colleagues in DHS OCFO, and (b)(5)



(b)(5)

Look forward to discussing this with you.

Regards,

Azmat Nasir

Chief, Budget Formulation

Office of Chief Financial Officer

U.S. Citizenship and Immigration Services

Department of Homeland Security

Office: [redacted] (b)(6)

Azmat.Nasir1@uscis.dhs.gov

From: Babb, Peter (Appropriations) [mailto:[redacted]] (b)(6)
Sent: Monday, October 24, 2016 10:42 AM
To: White, Jacquelyn D
Cc: Nasir, Syed A; Fredericks, Christopher
Subject: RE: Reporting Requirement - Integrity of the Admissions Program

Good morning,

2pm would be fine. Do you have any info/paper you can share in advance of the call so we don't hit this cold? If so, please forward.

Thanks,
Peter

From: White, Jacquelyn D [mailto:Jacquelyn.D.White@uscis.dhs.gov]
Sent: Monday, October 24, 2016 10:00 AM
To: Babb, Peter (Appropriations)

Cc: Nasir, Syed A; Fredericks, Christopher

Subject: Reporting Requirement - Integrity of the Admissions Program

Peter,

Chris Fredericks is out of the office today. In his absence, Azmat Nasir, Chief, Budget Formulation Branch, and I would like to have a quick call with you to discuss the "Integrity of the Admissions Process" reporting requirements. We want to share what USCIS can reasonably report within the timeframe and what is more challenging. Are you available anytime this afternoon to discuss, say 2 p.m.?

Integrity of Admissions Program -- Ensuring the integrity of the refugee and asylum admissions programs is critical, particularly as the volume of applications for both benefits continues to rise. The Committee directs USCIS to, within 120 days of the date of enactment of this act, submit a report that identifies:

- (1) the total number of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who were subsequently identified as having an affiliation with terrorism in any manner;
- (2) the total number of children of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who were subsequently identified as having an affiliation with terrorism in any manner;
- (3) the total number of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who were subsequently arrested or convicted for any criminal offense in the United States;
- (4) the total number of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who subsequently adjusted to lawful permanent resident status with a waiver granted under section 209(c) of the Immigration and Nationality Act (8 U.S.C. 1109(c)); and
- (5) the total number of individuals who were admitted to the United States as refugees, or who were granted asylee status, since 2001, who were subsequently removed from the United States for any reason.

Best Regards,

Jacquelyn D. White, Deputy Chief
Budget & Planning Division
Office of the Chief Financial Officer
US Citizenship and Immigration Services
Dept. of Homeland Security

(w)

(bb)

[REDACTED] (b)(6)

From: Lafferty, John L
Sent: Friday, May 19, 2017 3:12 PM
To: Higgins, Jennifer B; Kim, Ted H; Ruppel, Joanna; Strack, Barbara L; Stone, Mary M; Dhabalia, Dimple D
Cc: Tanner, Rebecca S
Subject: RE: Goodlatte - USCIS Reauthorization Bill

Immediately below is the proposed legislative language requested:

(b)(5)

1.

2.

From: Higgins, Jennifer B
Sent: Thursday, May 18, 2017 6:25 PM
To: Lafferty, John L; Kim, Ted H; Ruppel, Joanna; Strack, Barbara L; Stone, Mary M; Dhabalia, Dimple D
Subject: FW: Goodlatte - USCIS Reauthorization Bill

We had a good meeting with the FO on the Goodlatte bill and have a way forward that addresses nearly all of our concerns.

(b)(5)

[Redacted]

(b)(5)

I think that covers it. Let me know if you have any questions.

Thanks!

From: Higgins, Jennifer B

Sent: Tuesday, May 16, 2017 1:50:20 PM

To: Rodriguez, Miguel E; Renaud, Tracy L; Meckley, Tammy M; Emrich, Matthew D

Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J; Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J; Button, Maria G (Gemma); Renaud, Daniel M; Colucci, Nicholas V; Kerns, Kevin J; Symons, Craig M; Rosenberg, Ronald M (Ron); Melero, Mariela; Moore, Joseph D; Neufeld, Donald W; Nuebel Kovarik, Kathy; Cox, Rachel M; Busch, Philip B; McCament, James W; Bowes, Lee F; Mayhew, Michael X; Sloan, Terry G; Roessler, John E

Subject: RE: Goodlatte - USCIS Reauthorization Bill

Mike,

RAIO's input below:

1. Technical Edits

[Redacted]

2. Concerns

(b)(5)

[Redacted]

(b)(5)



3. OCC input needed

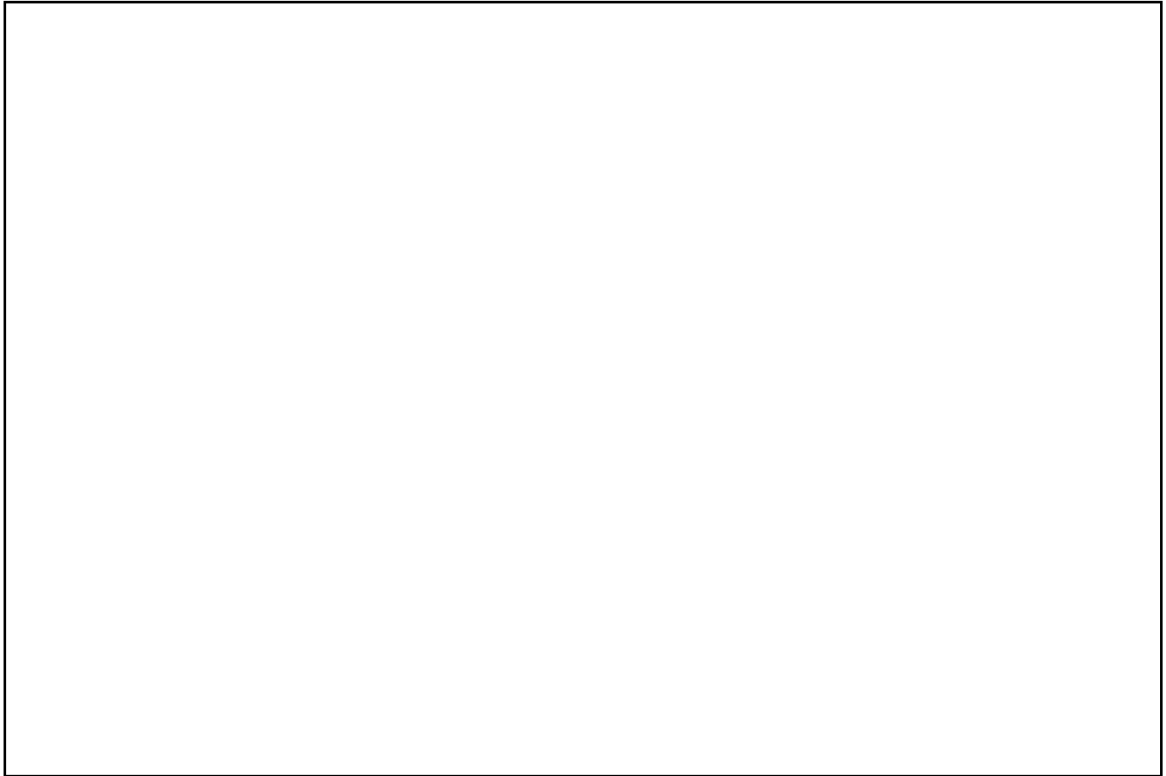


4. Additional Legislative Proposals to Add to Bill



(b)(5)

(b)(5)



From: Rodriguez, Miguel E

Sent: Monday, May 15, 2017 3:32 PM

To: Renaud, Tracy L; Meckley, Tammy M; Emrich, Matthew D

Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J; Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J; Button, Maria G (Gemma); Renaud, Daniel M; Colucci, Nicholas V; Higgins, Jennifer B; Kerns, Kevin J; Symons, Craig M; Rosenberg, Ronald M (Ron); Melero, Mariela; Moore, Joseph D; Neufeld, Donald W; Nuebel Kovarik, Kathy; Cox, Rachel M; Busch, Philip B; McCament, James W; Bowes, Lee F; Mayhew, Michael X; Sloan, Terry G; Roessler, John E

Subject: RE: Goodlatte - USCIS Reauthorization Bill

Hi Tracy. No not yet. I will double back with Jocelyn and make sure it gets on his calendar and the meeting notice goes out to you all.

Mike

Mike Rodriguez

Office of Legislative Affairs

Phone [REDACTED] (b)(6)

Cell [REDACTED]

Miguel.e.rodriguez@uscis.dhs.gov

From: Renaud, Tracy L

Sent: Monday, May 15, 2017 3:13:11 PM

To: Rodriguez, Miguel E; Meckley, Tammy M; Emrich, Matthew D

Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J; Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J; Button, Maria G (Gemma); Renaud, Daniel M; Colucci, Nicholas V; Higgins, Jennifer B; Kerns, Kevin J; Symons, Craig M; Rosenberg, Ronald M (Ron); Melero, Mariela; Moore, Joseph D; Neufeld, Donald W; Nuebel Kovarik, Kathy; Cox, Rachel M; Busch, Philip B; McCament, James W; Bowes, Lee F; Mayhew, Michael X; Sloan, Terry G; Roessler, John E

Subject: RE: Goodlatte - USCIS Reauthorization Bill

Has that been scheduled, Mike? I don't see it on the calendar.

Tracy L. Renaud

Acting Deputy Director

US Citizenship & Immigration Services

Department of Homeland Security

[redacted] (desk) (b)(6)

From: Rodriguez, Miguel E

Sent: Monday, May 15, 2017 3:10 PM

To: Meckley, Tammy M; Renaud, Tracy L; Emrich, Matthew D

Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J; Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J; Button, Maria G (Gemma); Renaud, Daniel M; Colucci, Nicholas V; Higgins, Jennifer B; Kerns, Kevin J; Symons, Craig M; Rosenberg, Ronald M (Ron); Melero, Mariela; Moore, Joseph D; Neufeld, Donald W; Nuebel Kovarik, Kathy; Cox, Rachel M; Busch, Philip B; McCament, James W; Bowes, Lee F; Mayhew, Michael X; Sloan, Terry G; Roessler, John E

Subject: RE: Goodlatte - USCIS Reauthorization Bill

Thanks Tracy. Tammy and Nick. OLA will combine all of the comments/edits/technical assistance once all have come in, for further discussion with James on Weds.

Thanks again and in advance to those still working on comments.

Mike

Mike Rodriguez

Office of Legislative Affairs

USCIS-HQ

Tel. - [redacted] (b)(6)

BB/Cell - [redacted]

Fax - 202-272-1955

miguel.e.rodriguez@uscis.dhs.gov

Make sure to visit "The Resources Guide for Congress" on our [uscis.gov](http://www.uscis.gov) website at <http://www.uscis.gov/congressionalresources>

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From: Meckley, Tammy M

Sent: Monday, May 15, 2017 2:58 PM

To: Renaud, Tracy L; Emrich, Matthew D; Rodriguez, Miguel E

Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J; Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J; Button, Maria G (Gemma); Renaud, Daniel M; Colucci, Nicholas V; Higgins, Jennifer B; Kerns, Kevin J; Symons, Craig M; Rosenberg, Ronald M (Ron); Melero, Mariela; Moore, Joseph D; Neufeld, Donald W; Nuebel Kovarik, Kathy; Cox, Rachel M; Busch, Philip B; McCament, James W; Bowes, Lee F; Mayhew, Michael X; Sloan, Terry G; Roessler, John E

Subject: RE: Goodlatte - USCIS Reauthorization Bill

My comments were building on the draft outline. [REDACTED]

Tammy M. Meckley
Associate Director
Immigration Records and Identity Services Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, NW
Washington, DC 20529
tammy.meckley@uscis.dhs.gov

(b)(5)

[REDACTED] (o) (b)(6)
(c)



From: Renaud, Tracy L

Sent: Monday, May 15, 2017 2:55 PM

To: Meckley, Tammy M; Emrich, Matthew D; Rodriguez, Miguel E

Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J; Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J; Button, Maria G (Gemma); Renaud, Daniel M; Colucci, Nicholas V; Higgins, Jennifer B; Kerns, Kevin J; Symons, Craig M; Rosenberg, Ronald M (Ron); Melero, Mariela; Moore, Joseph D; Neufeld, Donald W; Nuebel Kovarik, Kathy; Cox, Rachel M; Busch, Philip B; McCament, James W; Bowes, Lee F; Mayhew, Michael X; Sloan, Terry G; Roessler, John E

Subject: RE: Goodlatte - USCIS Reauthorization Bill

(b)(5)

[REDACTED]

(b)(5)

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

(b)(6)

From: Meckley, Tammy M
Sent: Monday, May 15, 2017 2:42 PM
To: Renaud, Tracy L; Emrich, Matthew D; Rodriguez, Miguel E
Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J; Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J; Button, Maria G (Gemma); Renaud, Daniel M; Colucci, Nicholas V; Higgins, Jennifer B; Kerns, Kevin J; Symons, Craig M; Rosenberg, Ronald M (Ron); Melero, Mariela; Moore, Joseph D; Neufeld, Donald W; Nuebel Kovarik, Kathy; Cox, Rachel M; Busch, Philip B; McCament, James W; Bowes, Lee F; Mayhew, Michael X; Sloan, Terry G; Roessler, John E
Subject: RE: Goodlatte - USCIS Reauthorization Bill

That's pretty much the entire bill, no?

Tammy M. Meckley
Associate Director
Immigration Records and Identity Services Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, NW
Washington, DC 20529
tammy.meckley@uscis.dhs.gov

(b)(6)



From: Renaud, Tracy L
Sent: Monday, May 15, 2017 2:42 PM
To: Emrich, Matthew D; Meckley, Tammy M; Rodriguez, Miguel E
Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J; Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J; Button, Maria G (Gemma); Renaud, Daniel M; Colucci, Nicholas V; Higgins, Jennifer B; Kerns, Kevin J; Symons, Craig M; Rosenberg, Ronald M (Ron); Melero, Mariela; Moore, Joseph D; Neufeld, Donald W; Nuebel Kovarik, Kathy; Cox, Rachel M; Busch,

Philip B; McCament, James W; Bowes, Lee F; Mayhew, Michael X; Sloan, Terry G; Roessler, John E
Subject: RE: Goodlatte - USCIS Reauthorization Bill

I appreciate everyone's detailed review of this. [REDACTED]

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

[REDACTED]

(desk)

(b)(6)

(b)(5)

From: Emrich, Matthew D

Sent: Monday, May 15, 2017 2:34 PM

To: Meckley, Tammy M; Rodriguez, Miguel E

Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J; Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J; Renaud, Tracy L; Button, Maria G (Gemma); Renaud, Daniel M; Colucci, Nicholas V; Higgins, Jennifer B; Kerns, Kevin J; Symons, Craig M; Rosenberg, Ronald M (Ron); Melero, Mariela; Moore, Joseph D; Neufeld, Donald W; Nuebel Kovarik, Kathy; Cox, Rachel M; Busch, Philip B; McCament, James W; Bowes, Lee F; Mayhew, Michael X; Sloan, Terry G; Roessler, John E

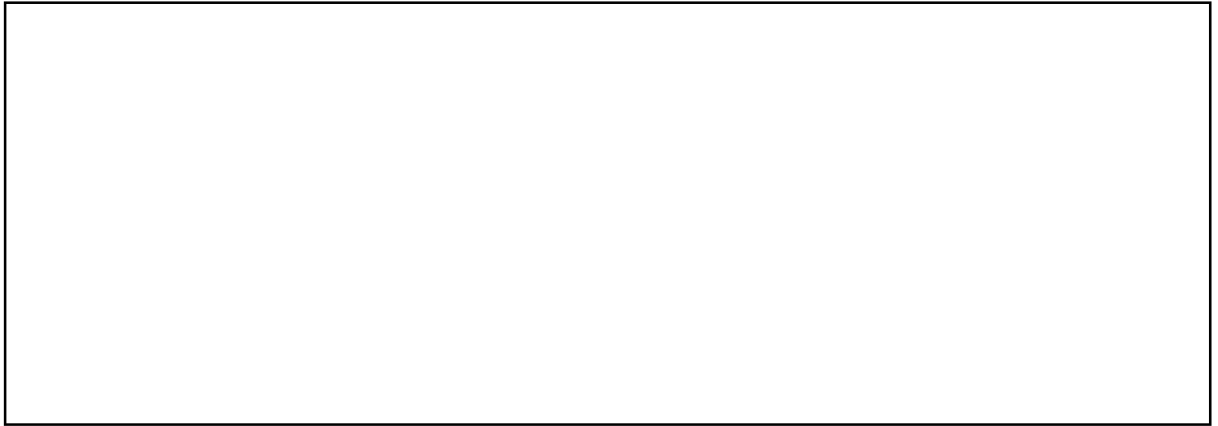
Subject: RE: Goodlatte - USCIS Reauthorization Bill

FDNS comments:

(b)(5)

[REDACTED]

(b)(5)



Thanks,

Matt

From: Meckley, Tammy M

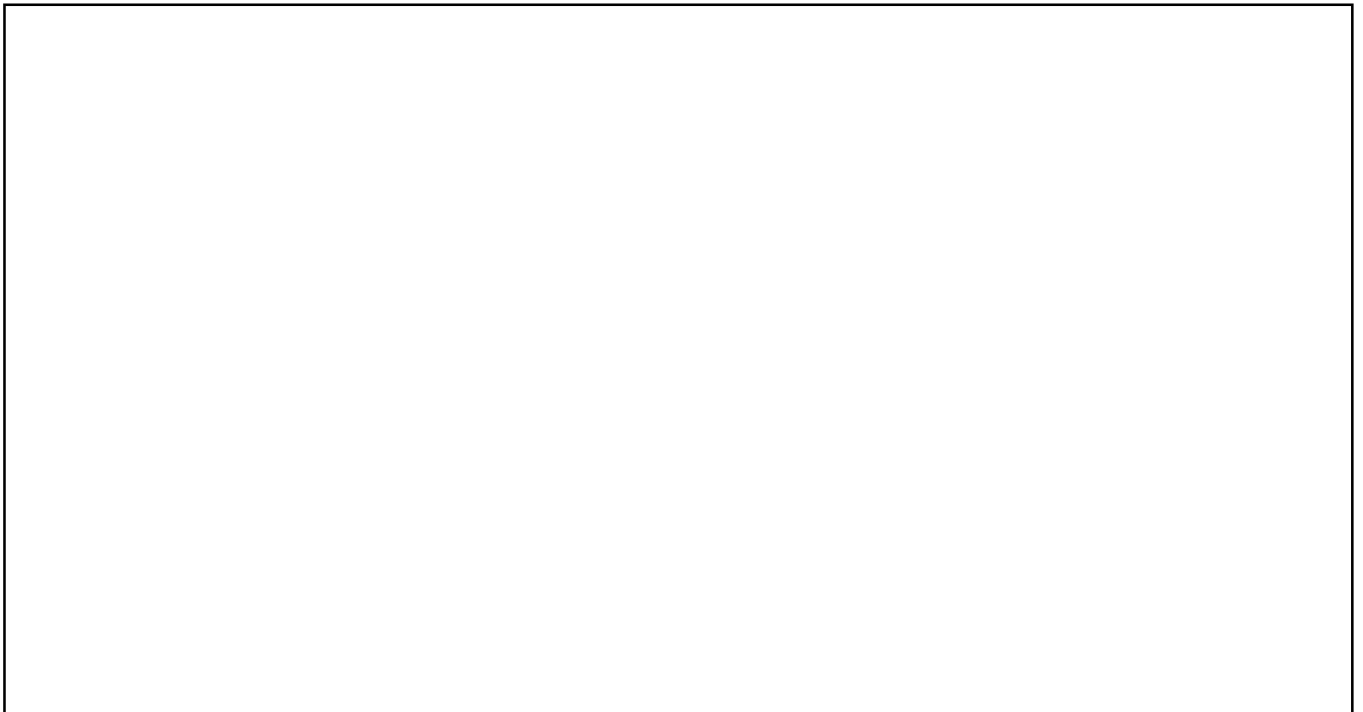
Sent: Monday, May 15, 2017 9:30 AM

To: Rodriguez, Miguel E

Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J; Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J; Renaud, Tracy L; Button, Maria G (Gemma); Renaud, Daniel M; Colucci, Nicholas V; Higgins, Jennifer B; Kerns, Kevin J; Emrich, Matthew D; Symons, Craig M; Rosenberg, Ronald M (Ron); Melero, Mariela; Moore, Joseph D; Neufeld, Donald W; Nuebel Kovarik, Kathy; Cox, Rachel M; Busch, Philip B; McCament, James W; Bowes, Lee F; Mayhew, Michael X; Sloan, Terry G; Roessler, John E

Subject: FW: Goodlatte - USCIS Reauthorization Bill

(b)(5)



Best,
Tammy

Tammy M. Meckley
Associate Director
Immigration Records and Identity Services Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, NW
Washington, DC 20529
tammy.meckley@uscis.dhs.gov



From: Rodriguez, Miguel E
Sent: Thursday, May 11, 2017 11:45:17 PM
To: McCament, James W; Renaud, Tracy L; Busch, Philip B; Cox, Rachel M; Nuebel Kovarik, Kathy; Neufeld, Donald W; Moore, Joseph D; Meckley, Tammy M; Melero, Mariela; Rosenberg, Ronald M (Ron); Symons, Craig M; Emrich, Matthew D; Kerns, Kevin J; Higgins, Jennifer B; Button, Maria G (Gemma); Renaud, Daniel M; Colucci, Nicholas V
Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J; Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J
Subject: RE: Goodlatte - USCIS Reauthorization Bill

Ok, ask and we receive...

We have now been officially asked to please provide technical assistance on this bill. Please provide your comments/edits by the end of next week, if at all possible.

Thanks in advance, as always.

Mike

Mike Rodriguez
Office of Legislative Affairs
Phone 
Cell  (b)(6)
Miguel.e.rodriguez@uscis.dhs.gov

From: McCament, James W
Sent: Thursday, May 11, 2017 5:48:14 PM
To: Rodriguez, Miguel E; Renaud, Tracy L; Busch, Philip B; Cox, Rachel M; Nuebel Kovarik, Kathy; Neufeld, Donald W; Moore, Joseph D; Meckley, Tammy M; Melero, Mariela; Rosenberg, Ronald M (Ron);

Symons, Craig M; Emrich, Matthew D; Kerns, Kevin J; Higgins, Jennifer B; Button, Maria G (Gemma); Renaud, Daniel M; Colucci, Nicholas V

Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J; Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J

Subject: RE: Goodlatte - USCIS Reauthorization Bill

Thank you for letting us all know Mike. Please keep us posted on any requests for technical assistance as appropriate.

James W. McCament
Acting Director
Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
Washington, DC 20529-2150
james.w.mccament@uscis.dhs.gov

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From: Rodriguez, Miguel E

Sent: Thursday, May 11, 2017 5:03:01 PM

To: McCament, James W; Renaud, Tracy L; Busch, Philip B; Cox, Rachel M; Nuebel Kovarik, Kathy; Neufeld, Donald W; Moore, Joseph D; Meckley, Tammy M; Melero, Mariela; Rosenberg, Ronald M (Ron); Symons, Craig M; Emrich, Matthew D; Kerns, Kevin J; Higgins, Jennifer B; Button, Maria G (Gemma); Renaud, Daniel M; Colucci, Nicholas V

Cc: Alfonso, Angelica M; Atkinson, Ronald A; Tintary, Ruth E; Beppu, Jennifer M; Arroyo, Susan K; Levine, Laurence D; Reilly, Richard M; Powell, Paul; Brown, Katherine H; Arditti, Avi; Alford, Uvanney J; Harrison, Julia L; Farnam, Julie E; Davidson, Andrew J

Subject: FW: Goodlatte - USCIS Reauthorization Bill

Good afternoon all:

This is just an FYI... please see the attached USCIS Reauthorization bill, that was just shared with us by Chairman Goodlatte's office. Please feel free to share with anyone that I left off of the distro above. This bill was just filed and still has to go through the committee process.

Mike

Mike Rodriguez
Office of Legislative Affairs
USCIS-HQ
Tel. (b)(6)

BB/Cell [REDACTED] (b)(6)
Fax - 202-272-1955
miguel.e.rodriguez@uscis.dhs.gov

Make sure to visit "The Resources Guide for Congress" on our [uscis.gov](http://www.uscis.gov) website at <http://www.uscis.gov/congressionalresources>

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From: Chinni, Ellen
Sent: Friday, May 19, 2017 3:27 PM
To: RAIO Clearance; Liberto, James; Baker, Katherine H; Higgins, Jennifer B; Ruppel, Joanna; Nicholson, Maura J; Dhabalia, Dimple D
Cc: Nasir, Syed A; Stover, Myles B
Subject: FY 2018 National Counterterrorism Budget (NCB) Data Collection Call Due Tuesday, May 23
Attachments: FY18Memo&Instructions.pdf; FY18 DHS NCB Data Collection Tool - U-FOUO.xlsx; FW: FY 2017 National Counterterrorism BDR - Due Monday, February 22

Importance: High

Good Afternoon RAIO -

The National Counterterrorism Center (NCTC) has requested updated data on actual counterterrorism spending in FY 2016 and estimated funding for FYs 2017 and 2018 to help meet the objectives of the U.S. National Strategy for Counterterrorism.

The following documents are attached:

- Attachment 1 - NCTC cover memo and instructions
- Attachment 2 – DHS NCB Data Collection Tool
- Attachment 3 – To help with this data call and for reference, we are **attaching** RAIO's last response from Feb/March 2016 to the OCFO/Budget Formulation Branch

The data call is similar to last year's data call. However, the Data Collection file is a bit more complex and has more drop down arrows on its columns.

Please provide your completed NCB Data Tool by **COB Tuesday, May 23** so that we can respond to DHS by May 31. We are factoring in ample time for review and clearance as well as the Memorial Day holiday.

If you have any questions please contact Azmat Nasir at Azmat.nasir1@uscis.dhs.gov Myles Stover at myles.b.stover@uscis.dhs.gov or myself at Ellen.chinni@uscis.dhs.gov

Thank you in advance for your assistance.

Ellen Chinni

Budget Analyst
Budget Formulation Branch
Budget and Planning Division
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue NW, Room 4010
Washington DC 20529

Ellen.chinni@uscis.dhs.gov

[REDACTED]

(b)(6)



Referred to Department of Homeland Security

Pinkerton, Christopher M (Chris)

From: RAIO Clearance
Sent: Monday, February 22, 2016 2:20 PM
To: Cristiani, Juan L
Cc: RAIO Clearance
Subject: FW: FY 2017 National Counterterrorism BDR - Due Monday, February 22
Attachments: Att. 3 - FY17 MASTER TEMPLATE - FOUO To Programs RAIO.xlsx; RAIO Budget Levels FY 14-15-16 with enhancements.xlsx

Good Afternoon,

Please find attached RA IO's updated FY2017 National Counterterrorism BDR spreadsheet and a copy of our Budget Activity.

Thanks,
Debra Fritz for RAIO Clearance Box

From: Liberto, James
Sent: Monday, February 22, 2016 2:38 PM
To: RAIO Clearance; Allen, Eugene A; Chiorazzi, Anne; Colic, Mirian E; Palmer, Ann M; Potts, LeRoy G; Russo, Elisabeth Y; Sicard, Kimberly R; Sohrakoff, Karen A; Tomlyanovich, William J (Bill)
Cc: Baker, Katherine H; Gill, Lori R; Gipson, Angela E; Grammer, Alexandra C; Higgins, Jennifer B; Kim, Ted H; Lafferty, John L; Langlois, Joseph E; Nicholson, Maura J; Roma, Joseph T; Ruppel, Joanna; Stone, Mary M; Strack, Barbara L; Bleakley, Shawn D
Subject: RE: FY 2017 National Counterterrorism BDR - Due Monday, February 22

Greeting RAIO Clearance,

Attached is the updated spreadsheet for the FY 2017 National Counterterrorism BDR for OCFO review. I have also attached a spreadsheet concerning RAIO Budget Activity for OCFO as well.

Thanks

James Liberto

Chief, Resource Management Branch

Refugee, Asylum, and International Operations Directorate

US Citizenship & Immigration Services

Department of Homeland Security

phone: [REDACTED]

cell: [REDACTED] (b)(6)

fax: (202) 272-1350

James.Liberto@uscis.dhs.gov

From: Cristiani, Juan L
Sent: Friday, February 12, 2016 2:05 PM
To: Langlois, Joseph E; Higgins, Jennifer B; RAIO Clearance
Cc: Baker, Katherine H; Liberto, James; Fredericks, Christopher; Nasir, Syed A; Van Hoesen, Shane T; White, Jacquelyn D
Subject: RE: FY 2017 National Counterterrorism BDR - Due Monday, February 22

Good Afternoon RAIO,

For this data call, please only update the description of each RAIO division in column I of the data call template.

We will insert budget data for FYs, 2015, 2016, and 2017.

I discussed this with James Liberto yesterday and told him that we would fill this in.

Please let me know if you have questions. Thank you.

Juan

Juan L. Cristiani, Budget Analyst
Budget and Planning Division
Office of the Chief Financial Officer
U.S. Citizenship and Immigration Services
Phone: (b)(6)
Fax: 202-272-1723
Juan.L.Cristiani@uscis.dhs.gov

From: Cristiani, Juan L
Sent: Wednesday, February 10, 2016 12:43 PM
To: Langlois, Joseph E; Higgins, Jennifer B; RAIO Clearance
Cc: Baker, Katherine H; Liberto, James; Fredericks, Christopher; Nasir, Syed A; Van Hoesen, Shane T; White, Jacquelyn D
Subject: FY 2017 National Counterterrorism BDR - Due Monday, February 22
Importance: High

Good Afternoon RAIO,

The National Counterterrorism Center (NCTC) has requested updated data on actual counterterrorism spending in FY 2015 and estimated funding for FYs 2016 and 2017 to help meet the objectives of the U.S. National Strategy for Counterterrorism.

The following documents are attached:

- Attachment 1 - Data submission guidelines
- Attachment 2 - NCTC cover memo
- Attachment 3 - Template pre-populated with the program narrative and funding information from last year for FY 2015 and FY 2016. I also put in actual grants information for FY 2015 and estimates for 2016 and 2017.
- Last year's final submission (dated 3-23-15)

The data call is similar to last year, but there are now two new parts: one in columns L and M and another in R and S. The first part is to say whether or not the activity supports countering Homegrown Violent Extremism or not in L and provide supporting information in M. The second new part is to say whether not the activity supports countering ISIL or not in R and provide supporting information in S.

Action Required

Please review the narrative for the RAIO activities in column I of lines 9 to 11 of the *FY16 Submission - U or U-FOUO* worksheet in Attachment 3 to determine if it needs to be modified.

Please also update the FY 2015 actuals in W to Y and estimates for FY 2016 and FY 2017 in columns AC to AE and AI to AK respectively (Please disregard the hidden columns. These are for cells that we have not filled out for the data call). Please ensure that the FY 2016 estimate only reflects approved AOP activity and enhancements. The data for FY 2015 and FY 2016 is from last year's submission.

Please provide your revisions by **COB Monday, February 22** so that we can respond to DHS by February 29.

Please let me know if you have any questions.

Thank you very much for your help.

Juan

Juan L. Cristiani, Budget Analyst
Budget and Planning Division
Office of the Chief Financial Officer
U.S. Citizenship and Immigration Services
Phone: (b)(6)
Fax: 202-272-1723
Juan.L.Cristiani@uscis.dhs.gov

From: Caudill-Mirillo, Ashley B
Sent: Friday, May 19, 2017 4:27 PM
To: Higgins, Jennifer B; Ruppel, Joanna; Strack, Barbara L; Lafferty, John L
Cc: Palmer, Ann M
Subject: Quality Goal Revision
Attachments: Agenda May 22 2017.docx; Follow Up: Timeliness Goal

Good afternoon,

Thank you for meeting with me today. I spoke with the MSC representatives from IRIS (Terry Sloan), FOD (Rob Cowan), and Keith Canney (SCOPS). I think we have many shared interests. Their organizations would like to keep the current quality goals (both Quality/Customer Service and Contribution to the USCIS Mission). I explained to them our feelings on the Contribution to the USCIS Mission goal and, while they understood, it sounds like their organizations may not be ready to dramatically revamp the current goals, instead preferring to focus their efforts on reintroducing metrics. I proposed that perhaps we pitch the option that we all adopt the current Quality/Customer Service goal with minor revisions and allow organizations to include the current Contribution to USCIS Mission goal into their library. That would allow organizations to keep both goals if they so choose but would not treat them as a package "Quality Goal" deal. The only mandate that has been put forward so far is that we all have at least one quality goal and there is clearly a strong preference by HCT and LER that it be universal so perhaps that is a compromise all parties could get behind.

The group seemed open to this possibility but they are not prepared to agree to this plan unless the Contribution to USCIS Mission goal is an option. Also, they prefer either no edits or very limited edits to the current Quality/Customer Service Goal. From their perspective, it has been workable for the last couple of years and they want to invite minimal bargaining (if any) on this issue. They prefer to focus their efforts on bargaining the use of metrics. We agreed that all parties would indicate their organization's preference on the call Monday but would work between now and the actual vote later next week to bridge any gaps we have in our approaches. They will review the revised goal we send over and socialize it with their POCs. I mentioned that our leadership may reach out to their respective leadership as well.

None of the individuals I spoke to today have received any insight as to the purpose of the pre-meeting Kathy Hochman called on Monday. As we understand it, the purpose of that meeting is to share James McCament's feedback. Under that meeting agenda item, there are some specific goals listed including (1) Universal Quality Goal; (2) Universal Timeliness/Efficiency goal (new); (3) Mandatory goal – National Security (for certain occupations); and (4) Up to 2 additional goals, for recommendation of up to 4 goals (maximum 5). It is unclear whether this is a new framework that is being proposed or these are simply topics to be discussed. I would note, however, this is the framework that Kathy Hochman recommended to the group via e-mail after our last call. I have attached the meeting invite and Kathy's email in case you are interested. Please note, Kathy seems to be under the impression that all parties had agreed to a universal timeliness goal but that conversation and agreement has not in fact occurred. She was not present at prior meeting so I believe there may have been some crossed wires on HCT's end.

Thanks,
Ashley

Ashley Caudill-Mirillo

Management Branch Chief
Asylum Division

Pinkerton, Christopher M (Chris)

From: Hochman, Kathleen T
Sent: Monday, May 15, 2017 6:01 PM
To: Hochman, Kathleen T; Griffith, Shane T; Heintz, Craig J; Theodule, Jonathan C; Gottlieb, Nicholas M; McLaughlin, Judy S; 'steven.klink@pdri.com'; Wadsworth, Lee Ann D (CTR); Compton, Dana C; Clark, Karen S; Cowan, Robert M; Riordan, Denis C; Canney, Keith J; Allen, John M; Palmer, Ann M; Caudill-Mirillo, Ashley B; Sloan, Terry G; Meckley, Tammy M; Rogers, Debra A; Garner, Angela L; Eskalis, Albert G; Nimick, Charles L (Locky); Dumas, Jessica L
Cc: Neal, Angelia G; Wadsworth, Lee Ann D (CTR); 'steven.klink@pdri.com'
Subject: Follow Up: Timeliness Goal

Steering Committee Members,

I've been thinking about our discussion today and the term "timeliness" for the goal and the framework designed by Rob and Keith which actually defines both timeliness and quantity of work produced. What are your thoughts about renaming the "Timeliness goal" to the "Efficiency goal"? This does not change anything but I think it more accurately captures what we are measuring. (Please refer to description provided by Keith and Rob). Also, we will be reporting up to DHS CHCO how we are holding employees, managers and supervisors accountable in their performance plans in accordance with the OMB directive on performance management. I think a PPA framework that shows component-wide goals for Quality and Efficiency along with measurable individualized goals would resonate very positively with OMB and the directives they set forth in the OMB memo. As such the basic construct of the Goal framework on our PPAs would be:

1. Some form of **Quality goal** (s) (based on the recommendations of the steering committee)
2. **Efficiency Goal** (previously referred to as the timeliness goal) – Open to other suggestions.
3. **National Security Goal** (applicable occupations)
4. **Individual measurable goals** specific to the employee or position (as needed or applicable)

I'm interested in hearing your thoughts about this.

Kathy

Kathleen T. Hochman | Chief, Office of Human Capital and Training, USCIS | (office) |
 (mobile) | Vtel 6602190

(b)(6)

From: Carter, Constance L
Sent: Friday, May 19, 2017 6:22 PM
To: Alfonso, Angelica M; Atkinson, Ronald A; Baran, Kathy A; Borgen, Michael R; Bowes, Lee F; Button, Maria G (Gemma); Carpenter, Dea D; Carter, Constance L; Davidson, Andrew J; DeStefano, Ernest; Dominguez, Kathleen P; Dumas, Jessica L; Emrich, Matthew D; Groom, Molly M; Hatchett, Dolline L; Hawkins, Donald K; Higgins, Jennifer B; Kerns, Kevin J; Levine, Laurence D; McCament, James W; McConnell, James E; Meckley, Tammy M; Melero, Mariela; Nelson, Jennifer A (Jen); Neufeld, Donald W; Nimick, Charles L (Locky); Nuebel Kovarik, Kathy; Patching, Laura D; Perryman, Janet J (JJ); Rather, Michael B; Renaud, Daniel M; Renaud, Tracy L; Risch, Carl C; Rogers, Debra A; Rosenberg, Ronald M (Ron); Ruppel, Joanna; Stanley, Kathleen M; Stiefel, Nathaniel I; Symons, Craig M; USCIS COS Distro List; Valverde, Michael; Velarde, Barbara Q; Wheeler Roberts, Shannon L; Wooden, Janeen R
Cc: Bush, Audra M; Carty-Pratt, Kristina E; Compton, Dana C; CSPE Tasking; Dalal, Ankur P (Andy); Dennis, Morgan C; Eskalis, Albert G; Farnam, Julie E; FDNSExecSec; Grammer, Alexandra C (Alex); Graziadio, Josie; Hannon, Ellen L; Irazabal, Luz F; Lassen, Brett H; Martin, Heather A; McGuire, Kathleen N; Nasir, Syed A; OCC-Clearance; Patrick, Shirley A (CTR); Prater, Jocelyn S; Rowe, Monterey; Ruhl, Rise C; Salas, Bryan F; Savina, Jennifer P (Jenni); Solano, Esther A; Songwe, Lawrence C; Spalter, Brian M; Swanson, Toni; Tintary, Ruth E; USCIS Exec Congr Corresp; USCIS Exec Sec; USCIS MGT Tasks; USCIS Reports to Congress; Walters, Jessica S; Weller, Angela V; Williams, Angela D; Young, Todd P
Subject: USCIS Leadership Bulletin May 19, 2017
Attachments: USCIS Leadership Bulletin May 19 2017.docx

Good Evening:

The Leadership Bulletin for May 19, 2017 is below and the Word doc is available at this link [USCIS Leadership Bulletin](#).

The status for the Executive Congressional Correspondence and Congressional Reports will continue to be updated daily. They can be found at these links:
[DHS Correspondence, Authorization and Appropriations Reports](#) and [USCIS Correspondence](#).

If you have any difficulty accessing the links, please let me know.

Should you need status on any of the taskings on the Leadership Bulletin prior to Friday's posting, please feel free to contact USCIS-Exec-Sec@uscis.dhs.gov.

Have a good weekend.

Constance L. Carter
Deputy Chief
Office of the Executive Secretariat



**U.S. Citizenship
and Immigration
Services**

From: Rodriguez, Miguel E
Sent: Saturday, May 20, 2017 5:48 AM
To: Higgins, Jennifer B; Busch, Philip B
Cc: Alfonso, Angelica M; Atkinson, Ronald A; Arditti, Avi
Subject: RE: Goodlatte - USCIS Reauthorization Bill

Adding Angie, Alan and Avi.

Thanks Jennifer.

Mike Rodriguez
Office of Legislative Affairs
Phone [REDACTED] (b)(6)
Cell [REDACTED]
Miguel.e.rodriguez@uscis.dhs.gov

From: Higgins, Jennifer B
Sent: Friday, May 19, 2017 5:50:20 PM
To: Rodriguez, Miguel E; Busch, Philip B
Subject: FW: Goodlatte - USCIS Reauthorization Bill

As discussed the other day, here is our proposed language. We are open to changes/recommendations from OCC, but you get the gist.

From: Lafferty, John L
Sent: Friday, May 19, 2017 4:12 PM
To: Higgins, Jennifer B; Kim, Ted H; Ruppel, Joanna; Strack, Barbara L; Stone, Mary M; Dhabalia, Dimple D
Cc: Tanner, Rebecca S
Subject: RE: Goodlatte - USCIS Reauthorization Bill (b)(5)

Immediately below is the proposed legislative language requested:



(b)(5)

From: Farnam, Julie E
Sent: Saturday, May 20, 2017 7:38 AM
To: Emrich, Matthew D; Gipson, Angela E; Moulton, Shayla S
Cc: Davidson, Andrew J; Higgins, Jennifer B; McCament, James W; Lafferty, John L; Kim, Ted H; Montezemolo, Markus K (Mark); Palmer, Ann M
Subject: RE: Information Copy from Portia Seals for ESEC Workflow # 1140943 (Contact 1140943) (Intranet Quorum IMA005763739)
Attachments: Five Methods for Measuring Unobserved Events.pdf; Wang - Corporate Fraud.pdf

And now with the attachments.

From: Farnam, Julie E
Sent: Saturday, May 20, 2017 6:49:43 AM
To: Emrich, Matthew D; Gipson, Angela E; Moulton, Shayla S
Cc: Davidson, Andrew J; Higgins, Jennifer B; McCament, James W; Lafferty, John L; Kim, Ted H; Montezemolo, Markus K (Mark); Palmer, Ann M
Subject: RE: Information Copy from Portia Seals for ESEC Workflow # 1140943 (Contact 1140943) (Intranet Quorum IMA005763739)

Thanks, Matt. Yes, I'll get a POC to discuss. Attached are the literature mentioned below. I provided it to Mark Montezemolo and Ann Palmer earlier this week. The DHS Metrics Working Group sent them out last week.

Julie

From: Emrich, Matthew D
Sent: Friday, May 19, 2017 9:02:18 PM
To: Farnam, Julie E; Gipson, Angela E; Moulton, Shayla S
Cc: Davidson, Andrew J; Higgins, Jennifer B; McCament, James W; Lafferty, John L; Kim, Ted H
Subject: RE: Information Copy from Portia Seals for ESEC Workflow # 1140943 (Contact 1140943) (Intranet Quorum IMA005763739)

Hi Julie,

Can the EO Taskforce provide us with a principal POC to discuss this? I would like to discuss before committing to a Tuesday deadline for an comprehensive implementation and resourcing plan.

Also, where is the academic literature cited below? Has this been provided to USCIS through the EO Taskforce? If so, who has it been provided to?

Thanks,
Matt

From: Farnam, Julie E
Sent: Friday, May 19, 2017 8:22:54 PM
To: Gipson, Angela E; Moulton, Shayla S
Cc: Emrich, Matthew D; Davidson, Andrew J; Higgins, Jennifer B
Subject: FW: Information Copy from Portia Seals for ESEC Workflow # 1140943 (Contact 1140943)
(Intranet Quorum IMA005763739)

Hi, ladies--

Please see the response below regarding the fraud vulnerabilities report. Can we add a section addressing the concerns noted below? If I could have something by COB Tuesday, that would be appreciated.

Thanks,
Julie

From: Bacon, William H on behalf of USCIS Exec Sec
Sent: Friday, May 19, 2017 4:54:32 PM
To: Farnam, Julie E
Cc: USCIS Exec Sec; Button, Maria G (Gemma); Carter, Constance L; Bacon, William H
Subject: FW: Information Copy from Portia Seals for ESEC Workflow # 1140943 (Contact 1140943)
(Intranet Quorum IMA005763739)

Julie,

Please see the below comments and note the suspense.

Thanks,
Bill

William H Bacon
Supervisor, Operational and Congressional Liaison
USCIS Office of the Executive Secretariat

 (O) (b)(6)
(M)

USCIS-Exec-Sec@uscis.dhs.gov (for official actions)

Referred to Department of Homeland Security

Referred to Department of Homeland Security

From: McCament, James W
Sent: Saturday, May 20, 2017 8:08 AM
To: Farnam, Julie E; Emrich, Matthew D; Gipson, Angela E; Moulton, Shayla S
Cc: Davidson, Andrew J; Higgins, Jennifer B; Lafferty, John L; Kim, Ted H; Montezemolo, Markus K (Mark); Palmer, Ann M
Subject: RE: Information Copy from Portia Seals for ESEC Workflow # 1140943 (Contact 1140943) (Intranet Quorum IMA005763739)

Thank you Julie.

James W. McCament
Director (Acting) | Deputy Director
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6) [REDACTED] (Deputy Director's Office)

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From: Farnam, Julie E
Sent: Saturday, May 20, 2017 8:38:20 AM
To: Emrich, Matthew D; Gipson, Angela E; Moulton, Shayla S
Cc: Davidson, Andrew J; Higgins, Jennifer B; McCament, James W; Lafferty, John L; Kim, Ted H; Montezemolo, Markus K (Mark); Palmer, Ann M
Subject: RE: Information Copy from Portia Seals for ESEC Workflow # 1140943 (Contact 1140943) (Intranet Quorum IMA005763739)

And now with the attachments.

From: Farnam, Julie E
Sent: Saturday, May 20, 2017 6:49:43 AM
To: Emrich, Matthew D; Gipson, Angela E; Moulton, Shayla S
Cc: Davidson, Andrew J; Higgins, Jennifer B; McCament, James W; Lafferty, John L; Kim, Ted H; Montezemolo, Markus K (Mark); Palmer, Ann M
Subject: RE: Information Copy from Portia Seals for ESEC Workflow # 1140943 (Contact 1140943) (Intranet Quorum IMA005763739)

Thanks, Matt. Yes, I'll get a POC to discuss. Attached are the literature mentioned below. I provided it to Mark Montezemolo and Ann Palmer earlier this week. The DHS Metrics Working Group sent them out last week.

Julie

From: Emrich, Matthew D
Sent: Friday, May 19, 2017 9:02:18 PM
To: Farnam, Julie E; Gipson, Angela E; Moulton, Shayla S
Cc: Davidson, Andrew J; Higgins, Jennifer B; McCament, James W; Lafferty, John L; Kim, Ted H
Subject: RE: Information Copy from Portia Seals for ESEC Workflow # 1140943 (Contact 1140943)
(Intranet Quorum IMA005763739)

Hi Julie,

Can the EO Taskforce provide us with a principal POC to discuss this? I would like to discuss before committing to a Tuesday deadline for an comprehensive implementation and resourcing plan.

Also, where is the academic literature cited below? Has this been provided to USCIS through the EO Taskforce? If so, who has it been provided to?

Thanks,
Matt

From: Farnam, Julie E
Sent: Friday, May 19, 2017 8:22:54 PM
To: Gipson, Angela E; Moulton, Shayla S
Cc: Emrich, Matthew D; Davidson, Andrew J; Higgins, Jennifer B
Subject: FW: Information Copy from Portia Seals for ESEC Workflow # 1140943 (Contact 1140943)
(Intranet Quorum IMA005763739)

Hi, ladies--

Please see the response below regarding the fraud vulnerabilities report. Can we add a section addressing the concerns noted below? If I could have something by COB Tuesday, that would be appreciated.

Thanks,
Julie

From: Bacon, William H on behalf of USCIS Exec Sec
Sent: Friday, May 19, 2017 4:54:32 PM
To: Farnam, Julie E

Cc: USCIS Exec Sec; Button, Maria G (Gemma); Carter, Constance L; Bacon, William H
Subject: FW: Information Copy from Portia Seals for ESEC Workflow # 1140943 (Contact 1140943)
(Intranet Quorum IMA005763739)

Julie,

Please see the below comments and note the suspense.

Thanks,
Bill

William H Bacon
Supervisor, Operational and Congressional Liaison
USCIS Office of the Executive Secretariat



(O) (b)(6)
(M)

USCIS-Exec-Sec@uscis.dhs.gov (for official actions)

Referred to Department of Homeland Security



From: Ruppel, Joanna
Sent: Saturday, May 20, 2017 5:22 PM
To: Strack, Barbara L; Stone, Mary M
Cc: Higgins, Jennifer B; Kwan, Stephanie M; Gipson, Angela E; Swanson, Trina M
Subject: FLAGGING FOR RAD: Iraqi Vetting Memo Meeting - follow-up
Attachments: Iraqi Vetting Memo Next Steps - 05.16.2017.docx; DRAFT RAIO Iraqi Vetting Memo 5-19-17.doc

Importance: High

Barbara and Mary Margaret,

I am also copying you on a message to a broader group of us who met recently to discuss the Iraqi vetting memo that RAIO had been working on and had gone through exec sec, to bring you in on the chain, but I also wanted to flag a few issues for you and also ensure you have the notes from that meeting. I have been meaning to discuss with you. [REDACTED]

Please let me know your thoughts.

(b)(5)

Happy to chat if you have questions. Sorry we did not have RAD at the initial meeting. That was when we did not think this guidance would be applying to refugees.

Joanna

Joanna Ruppel
Chief, International Operations
Refugee, Asylum and International Operations Directorate
Joanna.Ruppel@uscis.dhs.gov

[REDACTED] (b)(6)

From: Ruppel, Joanna
Sent: Tuesday, May 16, 2017 5:46 PM

To: Davidson, Andrew J; Emrich, Matthew D; Nuebel Kovarik, Kathy; Neufeld, Donald W; Renaud, Daniel M; Lafferty, John L; Higgins, Jennifer B; Kwan, Stephanie M
Cc: Hamilton, Cristina A; Colucci, Nicholas V; Gipson, Angela E
Subject: Iraqi Vetting Memo Meeting - follow-up

All,

Thanks to those of you who were able to attend the meeting, which I think was quite productive. Attached are the IO notes for follow-up actions. Please let us know if we missed or misunderstood anything.

Thanks,

Joanna

Joanna Ruppel
Chief, International Operations Division
USCIS Refugee, Asylum and International Operations Directorate
Joanna.Ruppel@uscis.dhs.gov

[Redacted]

(b)(6)

From: Ruppel, Joanna
Sent: Saturday, May 20, 2017 5:24 PM
To: Davidson, Andrew J; Emrich, Matthew D; Nuebel Kovarik, Kathy; Neufeld, Donald W; Renaud, Daniel M; Lafferty, John L; Higgins, Jennifer B; Kwan, Stephanie M; Strack, Barbara L; Stone, Mary M
Cc: Hamilton, Cristina A; Colucci, Nicholas V; Gipson, Angela E; Swanson, Trina M
Subject: RE: Iraqi Vetting Memo Meeting - follow-up
Attachments: DRAFT RAIO Iraqi Vetting Memo 5-19-17.doc

All,

Attached is a revised version of the draft memo based on our discussions. Before we send through the Exec Sec process again for clearance, I wanted to give you all a chance to review to ensure this captured what we discussed and for FDNS to provide some language where flagged.

I am checking with RAD on the refugee language and also whether we can provide FDNS data regarding potential volume for additional checks for refugees. IO will also provide FDNS data on the other benefit types.

Thanks all,

Joanna

Joanna Ruppel
Chief, International Operations
Refugee, Asylum and International Operations Directorate
Joanna.Ruppel@uscis.dhs.gov

(b)(6)

From: Ruppel, Joanna
Sent: Tuesday, May 16, 2017 5:46 PM
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Subject: Iraqi Vetting Memo Meeting - follow-up

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Thanks,

Joanna

Joanna Ruppel

Chief, International Operations Division
USCIS Refugee, Asylum and International Operations Directorate
Joanna.Ruppel@uscis.dhs.gov



(b)(6)

From: IGC Administration <admin@igc.ch>
Sent: Monday, May 22, 2017 3:13 AM
To: richard.johnson2@dfat.gov.au; Michel.Lastschenko@diplobel.fed.be; Ryhan.Mansour@cic.gc.ca; trigro@um.dk; 5-SB-RKM@auswaertiges-amt.de; jpo@mfa.no; Antonia.hultin@gov.se; daniel.hobbs@homeoffice.gsi.gov.uk; (b)(6) Lucas.fulling@homeoffice.gsi.gov.uk; [REDACTED] Dhabalia, Dimple D [REDACTED] Higgins, Jennifer B; Australia Australian Mission UN GENEVA; Australia Jessica Ranjit; Australia Jocelyn KIRKLAND; Australia Lauren MAYO; Australia Madeleine MCDONALD; Australia Migration And Humanitarian Organisations Section (MHO; Australia Shaun CHOON; Australia Un And International Organisations (UNIO; Belgium Erik DE MAEYER; Belgium Geert DE VULDER; Belgium Geert VERBAUWHEDE; Belgium International AFFAIRS; Belgium Sonja KEPPENS; Canada André BELZILE; Canada Charles Melchers; Canada Danijela SUSIC; Canada Gloria MORENO; Canada Jennifer CASTELLO; Canada Juliana DOBOS; Canada Karen MACKINNON; Canada Solideva DIANO; Canada Tienne CHENIER; Denmark Carsten STAUR; Denmark Charlotte GJETTING FOURNIER; Denmark Jeppe WINKEL PEDERSEN; Denmark Jesper EGEVANG; Denmark Marie Louise GAMMELGÅRD-LARSEN; Denmark Morten Chjeffer RASMUSSEN; Finland Eero KOSKENNIEMI; Finland Elina JOHANSSON; Finland Johanna RÄTY; Finland Katri NISKANEN; Finland Tuomo KURRI; Germany Andreas GÖTZE; Germany Axel Kuechle; Germany Franz Josef KREMP; Germany Hans Joachim STANGE; AS-GFMD-2@diplo.de; Germany M1 SUB DIRECTORATE; Germany Michael JANSEN; Germany Roland KUGLER; Germany Thomas JANITZ
Cc: ane-kristine.djupedal@jd.dep.no; Laurent DALMASSO; Kelly RYAN
Subject: Urgent - IGC Side Meeting on GCM Thematic Session #2, New York - 23 May 2017 (8.30 am)
Attachments: Summary_IC_GCM_19-05-2017.docx; Provisional List of IGC delegates.docx; GCM_TC_2.zip

Dear colleagues,

1. Following the conference call on Friday 19 May, please find attached the draft summary of the discussions and a provisional list of IGC States' attendees for the Second Thematic Conference. Norway and Germany have shared their positions and interventions for the conference in New York today and tomorrow and those are available at: https://secure.igc.ch/web/jcms/h_664617/global-compact-on-migration-thematic-consultation-2 and in attachment. Please note that the documents should be checked against delivery after the conference.
2. The Secretariat is also pleased to inform you that the summary of the First Thematic Conference (8-9 May) prepared by the co-facilitators is available on the IGC website https://secure.igc.ch/web/jcms/h_664534/gcm. For colleagues who do not have access to the IGC website yet, you can apply for an account at www.igc.ch and a password will be granted within 24 hours.
3. Concerning the **side meeting on Tuesday, May 23 at 8.30 am**, the US colleagues kindly offered to host

the group. The US colleagues need the **list of attendees** for the meeting, so please send the name of your delegate(s) who will attend the meeting to the Secretariat (admin@igc.ch) **no later than today 18.00 (Geneva time)**.

The location of the meeting is:

The United States Mission to the United Nations
799 UN Plaza between 44th and 45th Street
(right across from the UN delegates entrance)
22nd floor.

The meeting will start at **8:30** am and participants are required to arrive at **8:15** at the visitors entrance and show official identification. Escorts will take visitors to the 22nd floor. The acting head of the USUN ECOSOC Office, Stefanie Amadeo will welcome the IGC group to start the meeting.

Because the US have limited escort capacity and will need to move people through the building quickly, **preferably one representative per delegation** is invited to attend the meeting.

4. For those countries who have not done so yet, grateful if you could complete the attached list of IGC States' delegates to the Conference **and send the information prior to 6.00 pm (Geneva time)**.

If you have any question, please contact the Secretariat at admin@igc.ch, and L.dalmasso@igc.ch.

Thank you for your attention.

Sincerely,

IGC Secretariat

Rue de Vermont 37-39, 1202 Geneva, Switzerland

admin@igc.ch
www.igc.ch

From: Bradley, Amal
Sent: Monday, May 22, 2017 6:08 AM
To: Higgins, Jennifer B
Subject: RE: USCIS - FY 2018 HAC/SAC Budget Briefings

Ok will do.

Thank you,

From: Higgins, Jennifer B
Sent: Sunday, May 21, 2017 3:41 PM
To: Bradley, Amal
Subject: FW: USCIS - FY 2018 HAC/SAC Budget Briefings

Hi, these haven't been added to my calendar yet. Can you add them?

From: Higgins, Jennifer B
Sent: Monday, May 15, 2017 7:52:12 PM
To: Nasir, Syed A
Cc: Bradley, Amal
Subject: RE: USCIS - FY 2018 HAC/SAC Budget Briefings

I will be the participant. Thanks!

From: Nasir, Syed A
Sent: Monday, May 15, 2017 10:45 AM
To: Higgins, Jennifer B; Ruppel, Joanna; Alfonso, Angelica M; Atkinson, Ronald A; Powell, Paul; Hoefer, Michael D; Schwartz, Mark A; Blair, David A; Emrich, Matthew D; Davidson, Andrew J; Meckley, Tammy M; Lotspeich, Katherine J
Cc: Kerns, Kevin J; Borgen, Michael R; USCIS MGT Tasks; Moore, Joseph D; Reilly, Richard M; Fredericks, Christopher; White, Jacquelyn D; Chinni, Ellen; Stover, Myles B; Porto, Victoria; Mueller, Rhonda D; Wittman, Gregory J; Zellen, Lorie A; Mayhew, Michael X; Henry, Laura R; Baker, Katherine H
Subject: USCIS - FY 2018 HAC/SAC Budget Briefings
Importance: High

Good morning, Directorates Principals –

Background:

The President's FY 2018 Budget is scheduled to be released on May 22, 2017. Following release of the budget, DHS Components will provide a series of hearings and briefings for appropriations and authorizing committees. DHS OCFO is coordinating with both the HAC-HS and SAC-HS and DHS Component OCFOs to schedule the briefings.

Below is the proposed schedule for USCIS to brief the HAC and the SAC:

FY 2018 Congressional Budget Briefing Schedule

DHS Component	Committee	SAC Briefing Date	SAC Time	SAC Location	Comm
USCIS	SAC	May 30th	3:30-5:00	SD-138	HA

Given the limitation of participants by DHS to no more than seven (7) participants from each Component, we are requesting one (1) name from each office below:

IRIS/E-Verify: Tammy Meckley or Kathy Lotspeich or whoever IRIS designates
Refugee, Asylum/EO: Jennifer Higgins or Joanna Ruppel or John Lafferty or whoever RAIO designates
FDNS/Vetting/EO: Matt Emrich or Andrew Davidson or whoever FDNS designates
OIT – Transformation: Mark Schwartz or David Blair or whoever OIT designates
OPQ – Backlogs: Mike Hoefer (and Joe Moore)
OLA: Alan Atkinson or Paul Powell or whoever OLA designates
OCFO: Joe Moore and Chris Fredericks

Action: By 1:00 p.m. today, please provide me with a name as to who can speak to the topics mentioned above. In addition, if you feel there are any extraordinary scheduling conflicts/circumstances, please let me know ASAP.

Guidelines from DHS OCFO for Appropriations Committee Briefings:

- All Components shall provide in-depth briefings separately to HAC-HS and SAC-HS staff.
- Consistent with prior years, CFOs/Budget Directors for each Component should attend and lead the briefings. All participants **should have substantive knowledge** – should attend the briefing. The HAC-HS briefing room (B307 Rayburn HOB) is extremely small so we need to plan accordingly.
- Same individuals who brief the Senate will also brief the House.
- Once the final USCIS list is finalized, names of attendees will be provided to DHS OCFO by USCIS OCFO.

Briefing Materials – Appropriations Committee Briefings:

- USCIS OCFO will be sending a draft briefing deck to Directorates later this week for input.
- Reminder from DHS - It is strongly advised that USCIS Directorates Principals review Questions For the Record (QFRs) and budget briefing Getbacks from the last two years to identify areas of interest to the Committees, and to be prepared for those issues to be revisited and discussed.
- If USCIS Directorates feel additional materials or level of detail may be required, USCIS OCFO will need to coordinate that with DHS OCFO well in advance

Authorization Committee Briefings:

Components will also be asked to provide briefings before several House and Senate authorizing committees. A tentative schedule is being prepared by DHS Office of Legislative Affairs (OLA) for the Senate Homeland Security and Governmental Affairs Committee (HSGAC) and the House Committee on Homeland Security (CHS) and, this will be provided in the near future along with additional guidance. Additional guidance will come from USCIS OLA.

Please remember the following guidelines:

- OLA will coordinate attendance for all authorizing committee briefings with Components OLAs.
- Per DHS OLA, Component briefings should be led by a Senior Component Official (e.g. Chief of Staff, Deputy, etc.), and it is expected that they will be supported by the CFO or Budget Director, and 1-2 additional staff who can speak to legislative proposals and/or key programs of congressional interest.
- Component briefing materials should be consistent materials provided to the Appropriators. Any presentation materials still need to be cleared by OCFO and must be consistent with Administration and Departmental budget materials (Congressional Justifications, the Budget-In-Brief, Briefing Materials for the Appropriations Committees, etc.).

If you have any questions, please give me a call.

Regards,

Azmat Nasir

Chief, Budget Formulation

Office of Chief Financial Officer

U.S. Citizenship and Immigration Services

Department of Homeland Security

Office:

(b)(6)

Azmat.Nasir1@uscis.dhs.gov

From: Ruppel, Joanna
Sent: Monday, May 22, 2017 7:42 AM
To: Higgins, Jennifer B
Cc: Gill, Lori R; Grammer, Alexandra C (Alex)
Subject: FW: CAMINO not working overseas

Jennifer,

For your awareness, CAMINO has been down for out international offices since Friday. As you can imagine, is quite disruptive. We still do not know the reason. It works in the US.

Joanna

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services
Joanna.Ruppel@uscis.dhs.gov

[REDACTED] (b)(6)

From: Sliger, Clyde R (CTR)
Sent: Monday, May 22, 2017 4:55:46 AM
To: Zenteno, Alfredo (FSN); Otten, Henry D; McAllum, Jessica L; Lee, Joy L; Ruppel, Joanna
Cc: Grammer, Alexandra C (Alex); Baker, Roy L (CTR); Carter, Carl B (Brian) (CTR); Gardner, Todd E; Langlois, Joseph E; Johnson, Bobbie L; Fatica, Erin K; Lassen, Brett H; Spalter, Brian M; Monica, Donald J
Subject: RE: CAMINO not working overseas

CIRT call is going on now, no resolution at this time and no ETR.

Clyde R Sliger

Senior Network Engineer
OIT/EUS NATIONS
The Salient CRGT Team
OCONUS Deployment

(b)(6) [REDACTED] Main Number
Direct Number
Cell Number
202-272-1350 FAX Number

<https://dhsuscisprod.service-now.com/myIT>

From: Zenteno, Alfredo (FSN)
Sent: Monday, May 22, 2017 7:55 AM
To: Otten, Henry D; McAllum, Jessica L; Lee, Joy L; Ruppel, Joanna
Cc: Grammer, Alexandra C (Alex); Baker, Roy L (CTR); Sliger, Clyde R (CTR); Carter, Carl B (Brian) (CTR); Gardner, Todd E; Langlois, Joseph E; Johnson, Bobbie L; Fatica, Erin K; Lassen, Brett H; Spalter, Brian M; Monica, Donald J
Subject: RE: CAMINO not working overseas

Morning Everyone,

Confirming that CAMINO is not working here in MEX, and for what I can see for LACC as well.

Thanks!

(b)(6)

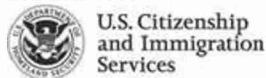
Alfredo Zenteno | LACC IT Specialist | U.S. Embassy Mexico City | DHS |
USCIS |   |  +52-55-5080-2326 |  alfredo.zenteno@uscis.dhs.gov

From: Otten, Henry D
Sent: Friday, May 19, 2017 2:51 PM
To: McAllum, Jessica L; Lee, Joy L; Ruppel, Joanna
Cc: Grammer, Alexandra C (Alex); Baker, Roy L (CTR); Sliger, Clyde R (CTR); Carter, Carl B (Brian) (CTR); Gardner, Todd E; Langlois, Joseph E; Johnson, Bobbie L; Fatica, Erin K; Lassen, Brett H; Spalter, Brian M; Monica, Donald J; Zenteno, Alfredo (FSN)
Subject: RE: CAMINO not working overseas

Update: Engineering teams at USCIS, DHS and Amazon Cloud have been troubleshooting all day Friday. No resolution.

Henry Otten

Refugee Affairs, Asylum and International Operations
202-272-1989



From: Otten, Henry D
Sent: Friday, May 19, 2017 7:13 AM
To: McAllum, Jessica L; Lee, Joy L; Ruppel, Joanna
Cc: Grammer, Alexandra C (Alex); Baker, Roy L (CTR); Sliger, Clyde R (CTR); Carter, Carl B (Brian) (CTR); Gardner, Todd E; Langlois, Joseph E; Johnson, Bobbie L; Fatica, Erin K; Lassen, Brett H; Spalter, Brian M; Monica, Donald J
Subject: CAMINO not working overseas

IO,

INC610767 – ticket is open

Other affected applications are NASS and MyIT.

IT is troubleshooting to determine if firewall or SLOPE is causing the problems.

Nuta initiated troubleshooting.

Henry

Henry Otten

Refugee Affairs, Asylum and International Operations

[REDACTED]



U.S. Citizenship
and Immigration
Services

(b)(6)

From: RAIO Clearance
Sent: Monday, May 22, 2017 8:19 AM
To: RAIO Clearance; Asylum Taskers; Baker, Katherine H; Barnes, William A II; Burdine, Tonya L; Chiorazzi, Anne; Defensor, Michael R; Dhabalia, Dimple D; Fritz, Debra A; Gipson, Angela E; Grammer, Alexandra C (Alex); Higgins, Jennifer B; Kim, Ted H; Lafferty, John L; Mancuso, Deborah T; Medina, Jorge E; Mura, Elizabeth E; Peralta Mihalko, Maria P (Pilar); RAIO-FDNS-IS; Ruppel, Joanna; Saunier, Jon-Paul; Sicard, Kimberly R; Stone, Mary M; Strack, Barbara L; Villasenor, Eissa M
Subject: Tasks Due This Week - May 22-26 (w/Pending FOIAs)

Tasks due the week of May 22-26:

1	[Urgent Draft Request] LA Asylum Office Visit - S2 Follow Up Questions	ASY; RAD	5/22/17	Need all ASAP (Jennifer Higgins to review before submitting)	N
2	[COMPONENT TASKER] DHS Engagement Papers 5-17-17	RAD; IO; FDNS	5/22/17	IO complete; waiting RAD, FDNS	N
3	[COMPONENT TASKER] VWP Enhancement Options	RAD; ASY; IO; FDNS	5/22/17	ASY no comment; need others	N
4	Annual SCI Revalidation	COS/Mission Support	5/23/17		N
5	[CLEARANCE REQUEST] FDNS Fraud SOP	RAD; ASY; IO; FDNS; TRIG; PMP; Research	5/23/17		N
6	[CLEARANCE REQUEST] DHS Engagement Papers (Israel, Jordan, Iraq, Lebanon, Palestinian Authority, Turkey)	RAD; ASY; IO; FDNS	5/23/17	ASY no comment; awaiting others	N
7	FY 2018 National Counterterrorism Budget (NCB) Data Collection Call Due Tuesday, May 23	RAD; ASY; IO; FDNS	5/23/17		N
8	[INFORMATION REQUEST] DHS Privacy Policy Regarding Collection, Use,	All	5/25/17	Due at 12pm 5/25 (RAIO	N

	Retention, and Dissemination of Personally Identifiable Information			Clearance needs to send consolidated answers to Dimple by COB)	
9	[DATA CALL]: FY18 LAP Data Call	All	5/26/17	IO & TRIG no comment; waiting others	N
10	Tasker: EO 13771 Additional Info due May 26	ASY; IO	5/26/17		Y

FOIAs due:

FOIA #	Track	Assigned	Due	Subject	Requester	Assigned To
COW2017000382	2	5/5/2017	5/25/2017	Un Accompanied Children	Law Ofc	ASY
COW2017000524	1	4/28/2017	5/12/2017	Visa Applications	Media	IO
COW2017000552	2	5/5/2017	5/25/2017	Combined Trn Plans	NGO	DIR
NRC2017066253		5/8/2017	5/22/2017	A-File Request	Attorney	RAD
NRC2017067750	2	5/11/2017	5/31/2017	New EAD Documentation	Media	ASY

524 waiting on clarification

552 waiting on Lori talking to OCC

Thanks,
Alma
RAIO Clearance

From: Gill, Lori R
Sent: Monday, May 22, 2017 8:22 AM
To: Ruppel, Joanna; Higgins, Jennifer B
Cc: Grammer, Alexandra C (Alex)
Subject: RE: CAMINO not working overseas

Good morning Jennifer and Joanna,

Todd is here with me now. OIT stood up a Critical Incident Response Team on Friday. At the present time, we do not have an information about the root cause. It does not appear to be a CAMINO issue, as CAMINO is working domestically. It appears to be an IT infrastructure issue. As we get more information, we will keep you updated. Since we think it is an infrastructure issue, the DIT(it)/CAMINO team cannot do much to resolve it except to continue to follow up and monitor OIT's efforts. Todd is actively monitoring the situation and we will reassess whether to elevate the issue in OIT around lunchtime. We don't think calling OIT first thing will help just yet.

We will keep you updated.

Lori

From: Ruppel, Joanna
Sent: Monday, May 22, 2017 8:42 AM
To: Higgins, Jennifer B
Cc: Gill, Lori R; Grammer, Alexandra C (Alex)
Subject: FW: CAMINO not working overseas

Jennifer,

For your awareness, CAMINO has been down for out international offices since Friday. As you can imagine, is quite disruptive. We still do not know the reason. It works in the US.

Joanna

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services
Joanna.Ruppel@uscis.dhs.gov



(b)(6)

From: Sliger, Clyde R (CTR)
Sent: Monday, May 22, 2017 4:55:46 AM
To: Zenteno, Alfredo (FSN); Otten, Henry D; McAllum, Jessica L; Lee, Joy L; Ruppel, Joanna
Cc: Grammer, Alexandra C (Alex); Baker, Roy L (CTR); Carter, Carl B (Brian) (CTR); Gardner, Todd E;

Langlois, Joseph E; Johnson, Bobbie L; Fatica, Erin K; Lassen, Brett H; Spalter, Brian M; Monica, Donald J
Subject: RE: CAMINO not working overseas

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Clyde R Sliger

Senior Network Engineer
OIT/EUS NATIONS
The Salient CRGT Team
OCONUS Deployment



Main Number (b)(6)
Direct Number
Cell Number
202-272-1350 FAX Number

<https://dhsuscisprod.service-now.com/myIT>

From: Zenteno, Alfredo (FSN)

Sent: Monday, May 22, 2017 7:55 AM

To: Otten, Henry D; McAllum, Jessica L; Lee, Joy L; Ruppel, Joanna

Cc: Grammer, Alexandra C (Alex); Baker, Roy L (CTR); Sliger, Clyde R (CTR); Carter, Carl B (Brian) (CTR); Gardner, Todd E; Langlois, Joseph E; Johnson, Bobbie L; Fatica, Erin K; Lassen, Brett H; Spalter, Brian M; Monica, Donald J

Subject: RE: CAMINO not working overseas

Morning Everyone,

Confirming that CAMINO is not working here in MEX, and for what I can see for LACC as well.

Thanks!

(b)(6)

Alfredo Zenteno



alfredo.zenteno@uscis.dhs.gov

From: Otten, Henry D

Sent: Friday, May 19, 2017 2:51 PM

To: McAllum, Jessica L; Lee, Joy L; Ruppel, Joanna

Cc: Grammer, Alexandra C (Alex); Baker, Roy L (CTR); Sliger, Clyde R (CTR); Carter, Carl B (Brian) (CTR); Gardner, Todd E; Langlois, Joseph E; Johnson, Bobbie L; Fatica, Erin K; Lassen, Brett H; Spalter, Brian M; Monica, Donald J; Zenteno, Alfredo (FSN)

Subject: RE: CAMINO not working overseas

Update: Engineering teams at USCIS, DHS and Amazon Cloud have been troubleshooting all day Friday. No resolution.

Henry Otten

Refugee Affairs, Asylum and International Operations

[REDACTED]

(b)(6)



U.S. Citizenship
and Immigration
Services

From: Otten, Henry D

Sent: Friday, May 19, 2017 7:13 AM

To: McAllum, Jessica L; Lee, Joy L; Ruppel, Joanna

Cc: Grammer, Alexandra C (Alex); Baker, Roy L (CTR); Sliger, Clyde R (CTR); Carter, Carl B (Brian) (CTR); Gardner, Todd E; Langlois, Joseph E; Johnson, Bobbie L; Fatica, Erin K; Lassen, Brett H; Spalter, Brian M; Monica, Donald J

Subject: CAMINO not working overseas

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Refugee Affairs, Asylum and International Operations

(b)(6)



U.S. Citizenship
and Immigration
Services

From: Ruppel, Joanna
Sent: Monday, May 22, 2017 8:37 AM
To: Gill, Lori R; Higgins, Jennifer B
Cc: Grammer, Alexandra C (Alex)
Subject: RE: CAMINO not working overseas

Thank you. Alex, do we know if any other systems are impacted?

Joanna

Joanna Ruppel
Chief, International Operations Division
USCIS Refugee, Asylum and International Operations Directorate
Joanna.Ruppel@uscis.dhs.gov

(b)(6)

From: Gill, Lori R
Sent: Monday, May 22, 2017 9:22 AM
To: Ruppel, Joanna; Higgins, Jennifer B
Cc: Grammer, Alexandra C (Alex)
Subject: RE: CAMINO not working overseas

Good morning Jennifer and Joanna,

Todd is here with me now. OIT stood up a Critical Incident Response Team on Friday. At the present time, we do not have an information about the root cause. It does not appear to be a CAMINO issue, as CAMINO is working domestically. It appears to be an IT infrastructure issue. As we get more information, we will keep you updated. Since we think it is an infrastructure issue, the DIT(it)/CAMINO team cannot do much to resolve it except to continue to follow up and monitor OIT's efforts. Todd is actively monitoring the situation and we will reassess whether to elevate the issue in OIT around lunchtime. We don't think calling OIT first thing will help just yet.

We will keep you updated.

Lori

From: Ruppel, Joanna
Sent: Monday, May 22, 2017 8:42 AM
To: Higgins, Jennifer B
Cc: Gill, Lori R; Grammer, Alexandra C (Alex)
Subject: FW: CAMINO not working overseas

Jennifer,

For your awareness, CAMINO has been down for out international offices since Friday. As you can imagine, is quite disruptive. We still do not know the reason. It works in the US.

Joanna

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services
Joanna.Ruppel@uscis.dhs.gov

(b)(6) [REDACTED]

From: Sliger, Clyde R (CTR)
Sent: Monday, May 22, 2017 4:55:46 AM
To: Zenteno, Alfredo (FSN); Otten, Henry D; McAllum, Jessica L; Lee, Joy L; Ruppel, Joanna
Cc: Grammer, Alexandra C (Alex); Baker, Roy L (CTR); Carter, Carl B (Brian) (CTR); Gardner, Todd E; Langlois, Joseph E; Johnson, Bobbie L; Fatica, Erin K; Lassen, Brett H; Spalter, Brian M; Monica, Donald J
Subject: RE: CAMINO not working overseas

CIRT call is going on now, no resolution at this time and no ETR.

Clyde R Sliger

Senior Network Engineer
OIT/EUS NATIONS
The Salient CRGT Team
OCONUS Deployment

(b)(6)

[REDACTED] Main Number
[REDACTED] Direct Number
[REDACTED] Cell Number
202-272-1350 FAX Number

<https://dhsuscisprod.service-now.com/myIT>

From: Zenteno, Alfredo (FSN)
Sent: Monday, May 22, 2017 7:55 AM
To: Otten, Henry D; McAllum, Jessica L; Lee, Joy L; Ruppel, Joanna
Cc: Grammer, Alexandra C (Alex); Baker, Roy L (CTR); Sliger, Clyde R (CTR); Carter, Carl B (Brian) (CTR); Gardner, Todd E; Langlois, Joseph E; Johnson, Bobbie L; Fatica, Erin K; Lassen, Brett H; Spalter, Brian M; Monica, Donald J
Subject: RE: CAMINO not working overseas

Morning Everyone,

Confirming that CAMINO is not working here in MEX, and for what I can see for LACC as well.

Thanks!

(b)(6)

Alfredo Zenteno | LACC IT Specialist | U.S. Embassy Mexico City | DHS |
USCIS |   |  +52-55-5080-2326 |  alfredo.zenteno@uscis.dhs.gov

From: Otten, Henry D

Sent: Friday, May 19, 2017 2:51 PM

To: McAllum, Jessica L; Lee, Joy L; Ruppel, Joanna

Cc: Grammer, Alexandra C (Alex); Baker, Roy L (CTR); Sliger, Clyde R (CTR); Carter, Carl B (Brian) (CTR); Gardner, Todd E; Langlois, Joseph E; Johnson, Bobbie L; Fatica, Erin K; Lassen, Brett H; Spalter, Brian M; Monica, Donald J; Zenteno, Alfredo (FSN)

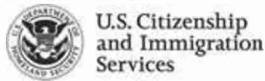
Subject: RE: CAMINO not working overseas

Update: Engineering teams at USCIS, DHS and Amazon Cloud have been troubleshooting all day Friday. No resolution.

Henry Otten

Refugee Affairs, Asylum and International Operations

(b)(6)



From: Otten, Henry D

Sent: Friday, May 19, 2017 7:13 AM

To: McAllum, Jessica L; Lee, Joy L; Ruppel, Joanna

Cc: Grammer, Alexandra C (Alex); Baker, Roy L (CTR); Sliger, Clyde R (CTR); Carter, Carl B (Brian) (CTR); Gardner, Todd E; Langlois, Joseph E; Johnson, Bobbie L; Fatica, Erin K; Lassen, Brett H; Spalter, Brian M; Monica, Donald J

Subject: CAMINO not working overseas

IO,

INC610767 – ticket is open

Other affected applications are NASS and MyIT.

IT is troubleshooting to determine if firewall or SLOPE is causing the problems.

Nuta initiated troubleshooting.

Henry

Henry Otten

Refugee Affairs, Asylum and International Operations

(b)(6)



From: Grammer, Alexandra C (Alex)
Sent: Monday, May 22, 2017 9:02 AM
To: Higgins, Jennifer B; Gill, Lori R; Ruppel, Joanna
Cc: Baker, Katherine H
Subject: FW: CAMINO not working overseas

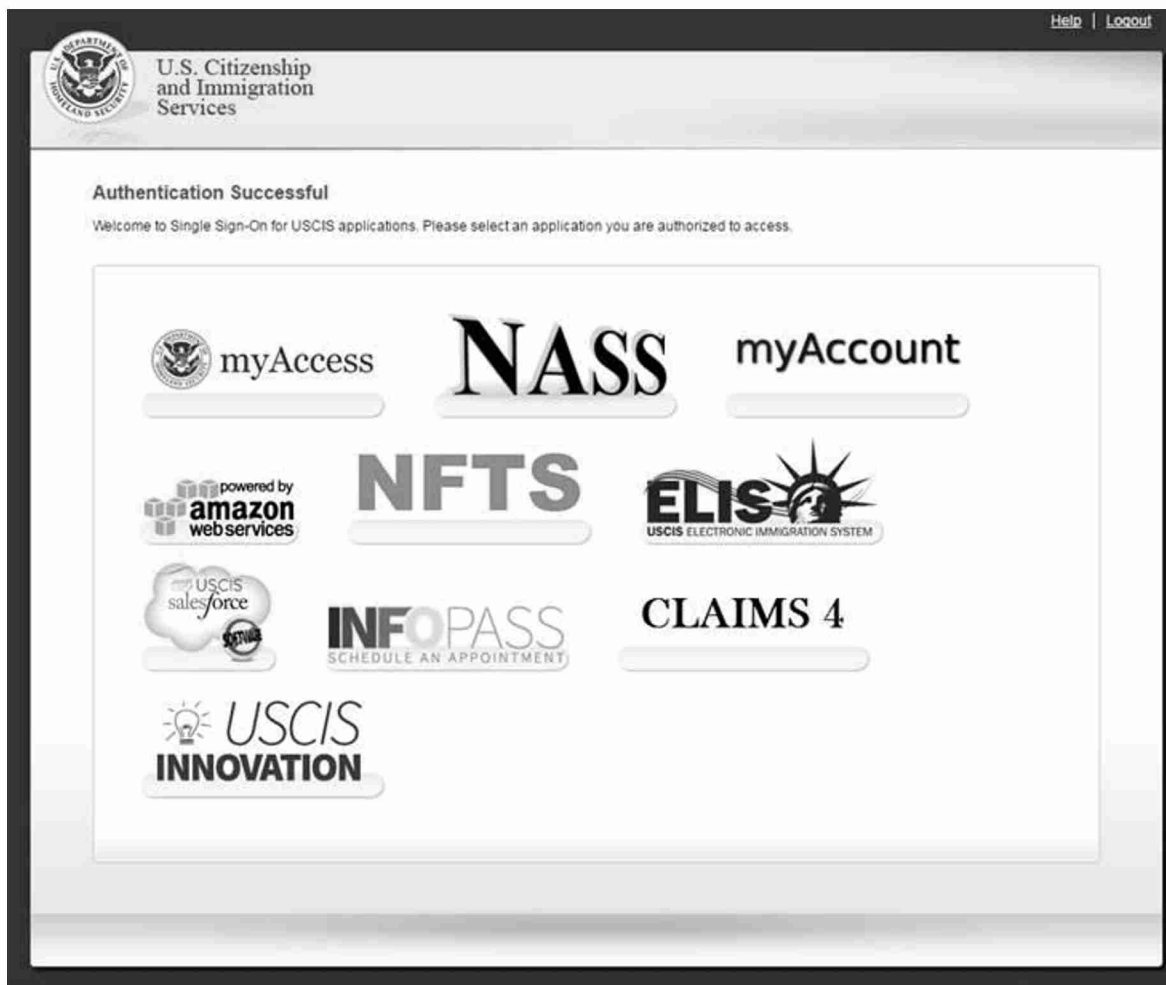
Some information on the other impacted systems, and who is currently working on resolving the issue.

From: Andrews, Chonlatit
Sent: Monday, May 22, 2017 9:57 AM
To: Grammer, Alexandra C (Alex)
Subject: RE: CAMINO not working overseas

Alex,

These systems that are hosted on [Amazon Web Services](#) are impacted in OCONUS network environment.

-Chonlatit



From: Sliger, Clyde R (CTR)
Sent: Monday, May 22, 2017 9:45 AM
To: Grammer, Alexandra C (Alex); Andrews, Chonlatit
Subject: RE: CAMINO not working overseas

The following groups are currently on the CIRT call.



All groups that should be on the call are on it and if anyone feels someone needs to be added, CIRT is reaching out to get them online.

Clyde R Sliger

Senior Network Engineer
OIT/EUS NATIONS
The Salient CRGT Team
OCONUS Deployment

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Thanks!

(b)(6)

Alfredo Zenteno



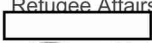
alfredo.zenteno@uscis.dhs.gov

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Subject: RE: CAMINO not working overseas

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Henry Otten

Refugee Affairs, Asylum and International Operations

(b)(6) 



U.S. Citizenship
and Immigration
Services

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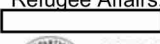
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Nuta initiated troubleshooting.

Henry

Henry Otten

Refugee Affairs, Asylum and International Operations

(b)(6) 



U.S. Citizenship
and Immigration
Services

(b)(6)

From: [REDACTED]
Sent: Monday, May 22, 2017 9:13 AM
To: Higgins, Jennifer B
Cc: Bradley, Amal
Subject: RE: Executive Leadership Program (ELP) Mentor
Attachments: [REDACTED] Resume.docx

Jennifer,

Thank you for the quick reply! Per your request, I have attached a copy of my resume. I look forward to hearing from Amal regarding scheduling a time to talk.

Thanks again,

[REDACTED]
From: Higgins, Jennifer B
Sent: Monday, May 22, 2017 8:59 AM
To: [REDACTED]
Cc: Bradley, Amal
Subject: RE: Executive Leadership Program (ELP) Mentor

Now really including Amal☺

From: Higgins, Jennifer B
Sent: Monday, May 22, 2017 8:59 AM
To: [REDACTED]
Subject: RE: Executive Leadership Program (ELP) Mentor

Hi, Kelly. I would love to chat with you about the ELP and the possibility of serving as your mentor. I'm including my scheduler to set something up for us – either by phone or in person. In the meantime, could you send me a copy of your resume?

Looking forward to connecting.

Best, Jennifer

Jennifer B. Higgins
Associate Director
Refugee, Asylum and International Operations Directorate
U.S. Citizenship and Immigration Services
[REDACTED]

With honor and integrity, we will safeguard the American people, our homeland, and our values.

(b)(6)

(b)(6)

From: [REDACTED]
Sent: Monday, May 22, 2017 8:49 AM
To: Higgins, Jennifer B
Subject: Executive Leadership Program (ELP) Mentor

Good morning,

[REDACTED]

Thank you,

[REDACTED]

(b)(6)

From: Dhabalia, Dimple D
Sent: Monday, May 22, 2017 10:03 AM
To: Higgins, Jennifer B
Subject: FW: RAIO Overview 5.22.17.pptx
Attachments: RAIO Overview 5.22.17.pptx

Hi Jennifer,

Here is a draft of the presentation for your review. I had a few questions for you:

1. If the focus is more on Asylum and Refugee, do you want the majority of the IO slides removed? Will you speak to IO's work?
2. What about the program slides? Would you prefer to just speak to the various programs rather than including slides about each one? If you'd like to keep the slides in, do you want them moved up so you cover all of that while you're speaking before turning it over to RAD and Asylum?
3. I think during our conversation you had mentioned two cross-cutting issues that you would speak to, but as you will see, the last slide notes cross-cutting challenges and lists 3 – would you like to keep that in or take it out.

I think the rest of it is in fairly good shape, but we're happy to make any changes as needed. I'll wait for your response. Thanks.

Regards,
Dimple

(b)(6)

DIMPLE DHABALIA | SPECIAL ASSISTANT | USCIS REFUGEE, ASYLUM AND INTERNATIONAL OPERATIONS DIRECTORATE

Office Mobile (DC): ✉ dimple.d.dhabalia@uscis.dhs.gov

From: Grammer, Alexandra C (Alex)
Sent: Monday, May 22, 2017 10:50 AM
To: Dhabalia, Dimple D; Defensor, Michael R
Subject: RAIO Overview 5.22.17.pptx

From: Davidson, Andrew J
Sent: Monday, May 22, 2017 10:04 AM
To: Meckley, Tammy M; Renaud, Daniel M; Neufeld, Donald W; Nuebel Kovarik, Kathy; Symons, Craig M; Higgins, Jennifer B; Kerns, Kevin J
Cc: Emrich, Matthew D; McCament, James W; Renaud, Tracy L
Subject: FW: vision statement
Attachments: Proposal_Consolidated Screening Center 051917.docx; NSVC Vision Stmtnt Outline.docx; CBP_NSVC Case slide deck v8 051817.pptx

Associate Directors,

Apologies for the short notice but I want to provide you visibility on the preliminary DHS framework and vision statement for a national vetting center. Keep in mind that another round of solicited input will be sent to DHS Operational Components this Wednesday via the DHS Shared Vetting Services Governance Board but I would ask that you provide me your preliminary input and comments by COB today so we can meet CBP's requested deadline. There are obviously more questions than answers but these documents should serve as the proposed roadmap.

Thanks,

Andrew Davidson
Deputy Associate Director
Fraud Detection and National Security Directorate
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
andrew.j.davidson@uscis.dhs.gov

(b)(6) [redacted] (o) [redacted] (c)

Referred to Department of Homeland Security

[redacted]

[redacted]

Referred to U.S. Customs and Border Protection

Referred to U.S. Customs and Border Protection



Referred to Department of Homeland Security