

Recommendation #24
Asylum Status

On March 20, 2006, the Ombudsman recommended to USCIS to limit its adjudication of I-589 applications for asylum and withholding of removal to those submitted from individuals who are in valid non-immigrant status in the United States.

The Ombudsman's recommendation represents the biggest change to asylum policy and process since the U.S. asylum process was successfully reformed over a decade ago. It also would significantly impact the credible fear process, by removing USCIS asylum officers from the process and turning over this protection screening to an enforcement agency. The recommendation requires very careful consideration, research and discussion with the communities that would be affected. As such, USCIS is soliciting input from stakeholders that would be significantly impacted if the recommendation were to be adopted, including the Executive Office for Immigration Review, Immigration and Customs Enforcement Office of the Principal Legal Counsel, non-governmental organizations and the advocacy community. In addition, USCIS is soliciting input from the United Nations High Commissioner for Refugees and the U.S. Commission on International Religious Freedom. Given that this recommendation was given to USCIS on March 20, 2006, USCIS expects to provide a response to the recommendation within the 90-day period generally provided for response to Ombudsman's recommendations.