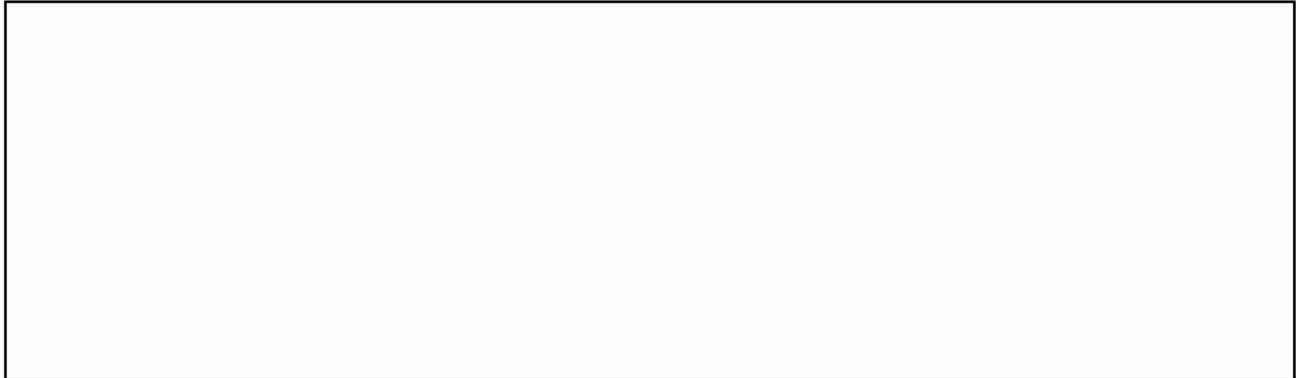


Analysis of Affirmative Asylum Scheduling in FY21¹

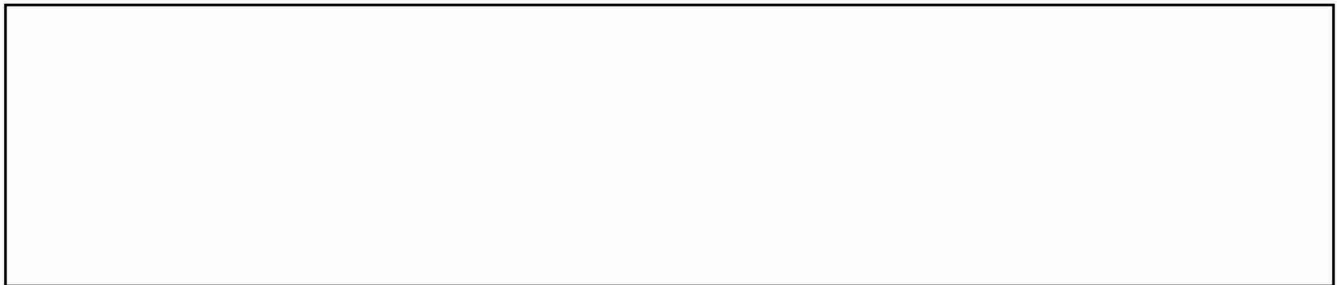
January 13, 2021

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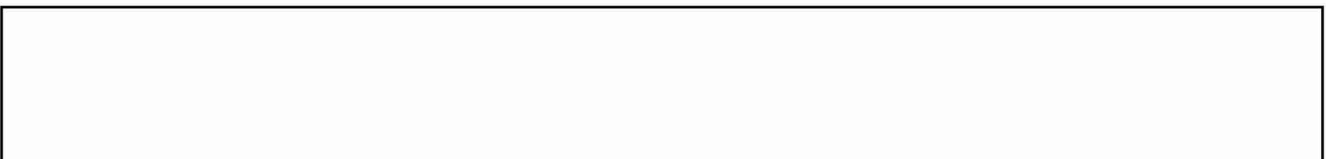


The January 30th memorandum established four priority categories that would determine the method affirmative asylum interviews would be scheduled in RAPS and later continued in Global. The interview scheduling priority categories are as follows:

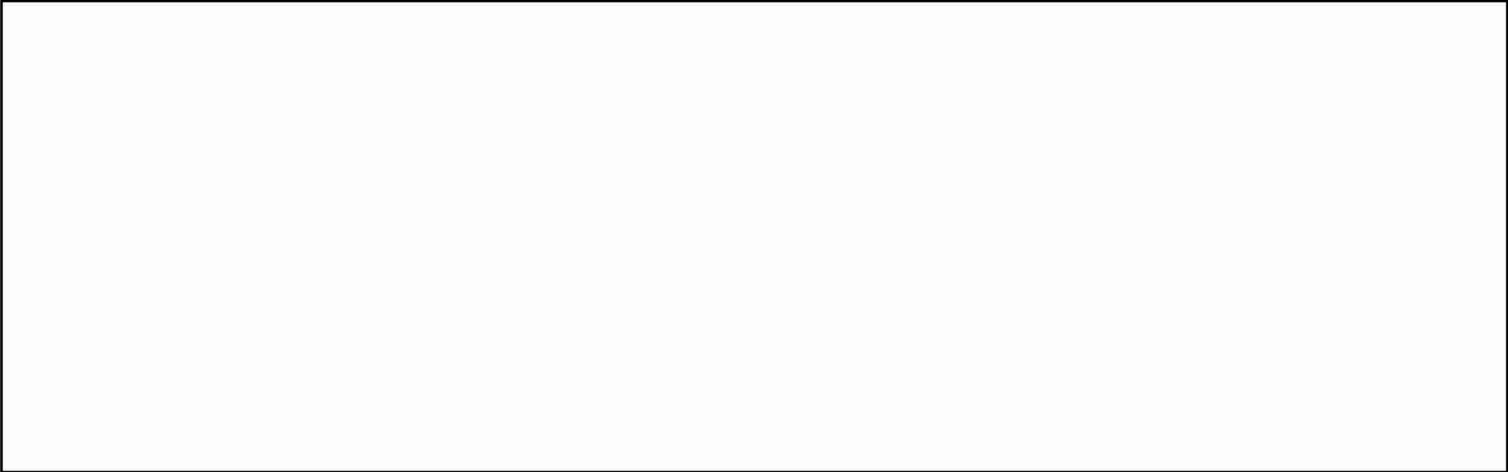
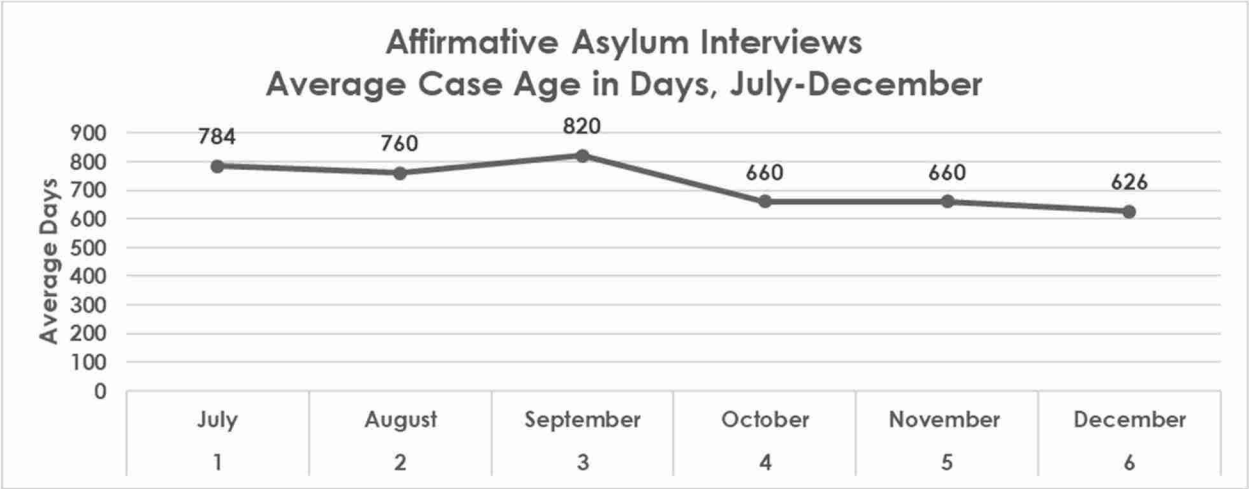
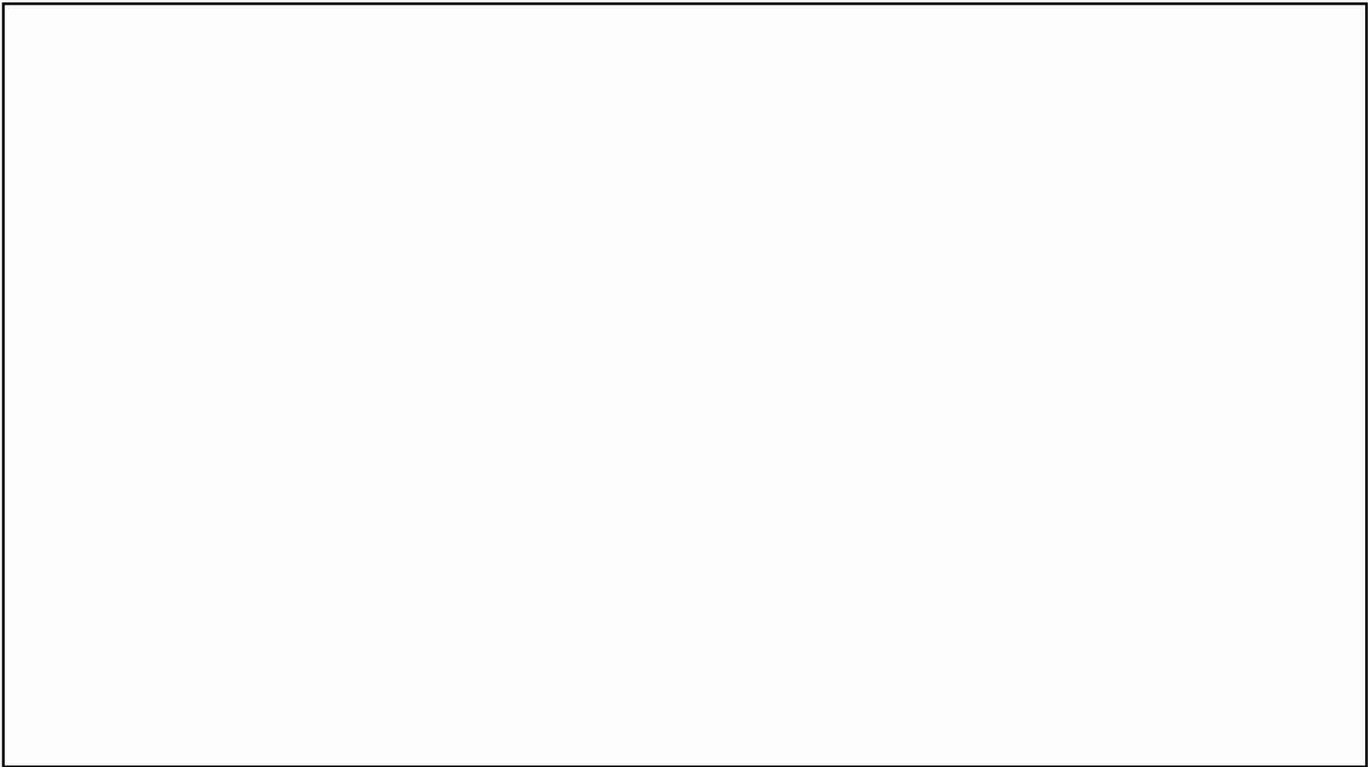
1. Rescheduled interviews, from newest filing to oldest
2. Cases beginning with those aged 21 days since filing date and working towards the newer cases
3. Cases between 22 and 100 days from the filing date, from newest to oldest
4. Cases over 100 days from the filing date, from newest to oldest



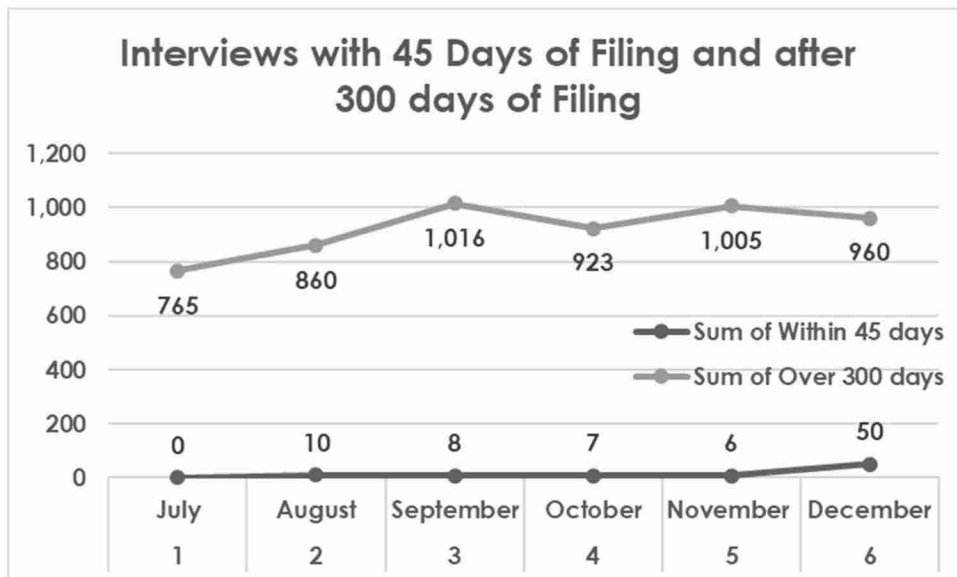
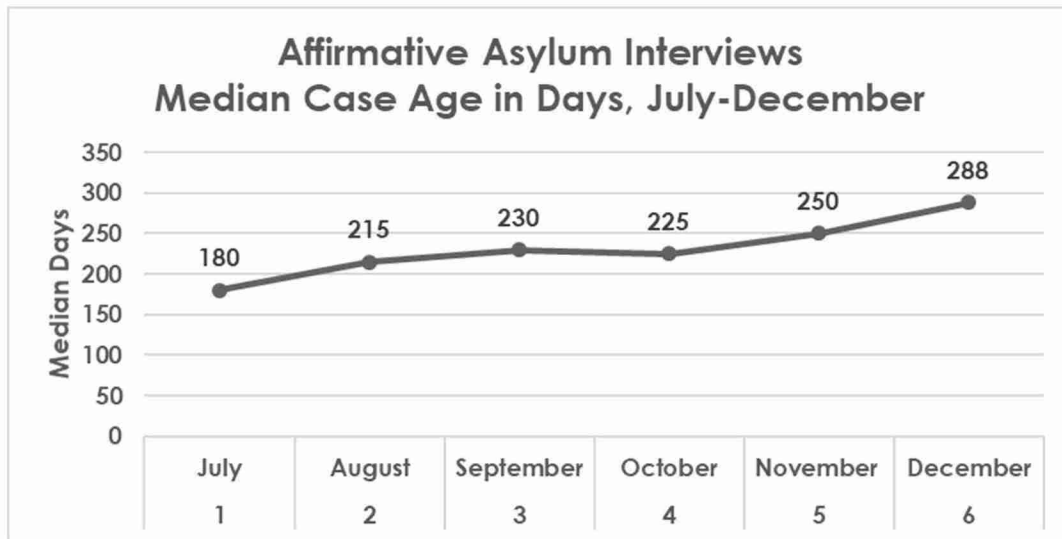
The timely interview and adjudication of new affirmative asylum claims is a key component of the asylum process. The asylum determination process was established to be resolved within 180 days of the initial filing. Asylum applicants who must wait longer than this period are allowed to work, through the issuance of a work authorization document, in order to avoid becoming dependent on public benefits.³ In 2020 Q4, the waiting period for work authorization was changed from 180-days to 365-days. In relation to this EAD eligibility period, the timely processing of new affirmative asylum cases prevents non-successful asylum claimants from becoming eligible for an EAD document. Failure to maintain the timely processing of new cases typically results in the increase in applications filed by individuals primarily seeking work authorization in the United States.

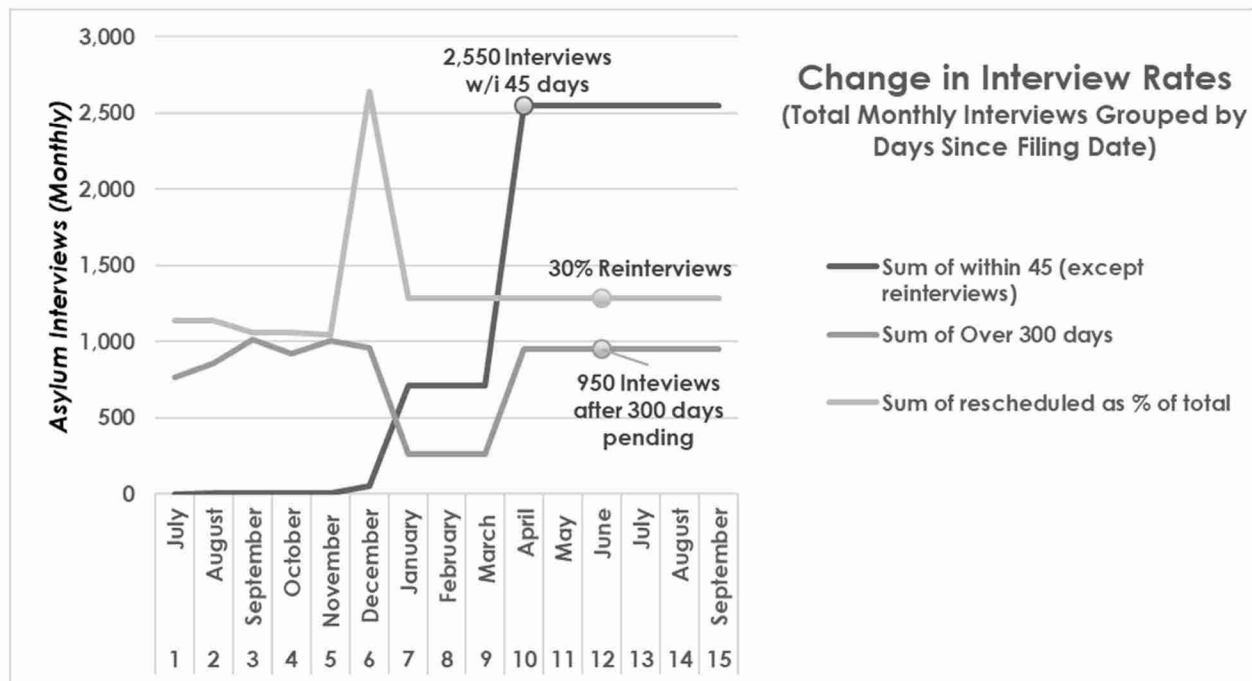


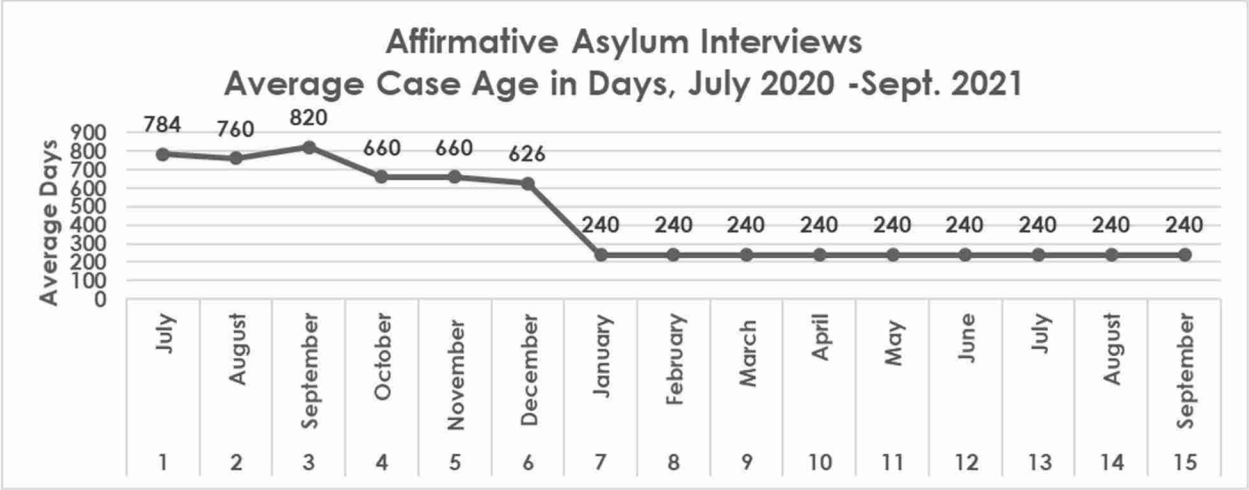
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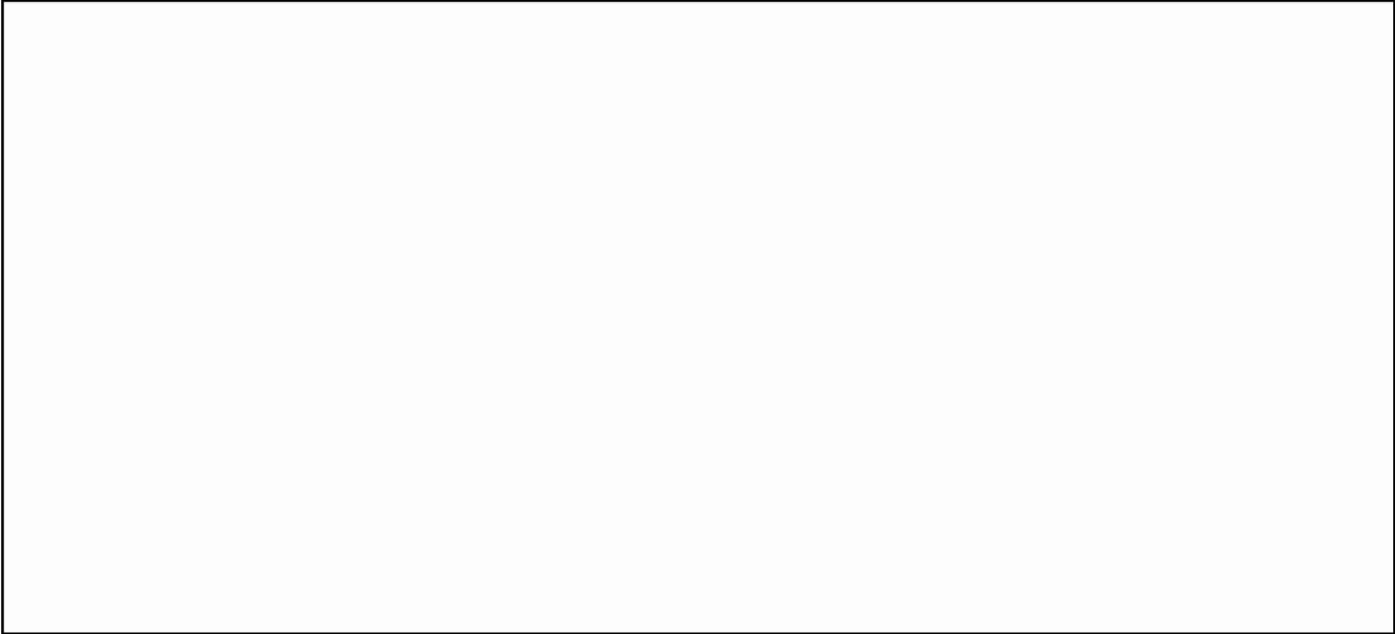
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Memorandum

TO: All Asylum Division Staff

FROM: Andrew Davidson
Chief, Asylum Division

SUBJECT: **Changes to Affirmative Asylum Scheduling**

The affirmative asylum backlog reached 395,000 cases in January 2021. The overwhelming majority of the pending caseload consists of cases filed between FY2017 and FY2020. However, there is a small but significant number of cases that have been pending for more than six years. At present, these oldest caseloads total to 2,349 applications.

Pending Affirmative Asylum Cases Filed Prior to FY 2015

Pending Asylum	ZAR	ZBO	ZCH	ZHN	ZLA	ZMI	ZNK	ZNY	ZOL	ZSF	Total
Total Pending (2014 or earlier)	333	213	391	11	361	522	106	84	50	278	2,349
FY 2014 Applications	204	127	305	3	64	423	55	81	27	89	1,378
Pre-FY2014	129	86	86	8	297	99	51	3	23	189	971

Principles of program integrity and customer service support the allocation of resources to prioritize these cases for immediate processing. Given the age of these cases, it is possible that a proportion may be processed without an interview. During the remainder of FY21, asylum offices should prioritize the review and processing of these oldest pending cases with the end goal of reducing or eliminating the entire backlog of cases that were filed prior to FY15.

In addition, all offices must monitor their interview schedules and make any necessary manual adjustments to more regularly schedule both the most recent filings and the oldest pending cases in accordance with the guidelines that follow. The Asylum Division is considering possible updates to automated scheduling priorities that may increase the proportion of interviews scheduled for these two caseloads.

Background: