

TABLE OF CHANGES – INSTRUCTIONS
Instructions for Form I-589
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- Black font = Current text
- **Red font** = Changes

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Current Page Number and Section	Current Text	Proposed Text
Page 1, What Is the Purpose of This Form?	<p>[Page 1]</p> <p>Instructions</p> <p>What Is the Purpose of This Form?</p> <p>This form is used to apply for asylum in the United States and for withholding of removal (formerly called "withholding of deportation"). This application may also be used to apply for protection under the Convention Against Torture. You may file this application if you are physically present in the United States, and you are not a U.S. citizen.</p> <p>NOTE: You must submit an application for asylum within 1 year of arriving in the United States, unless there are changed circumstances that materially affect your eligibility for asylum or extraordinary circumstances directly related to your failure to file within 1 year. (See Part C, Additional Information about Your Application, in Section V on Part 1 of the instructions for further explanation.)</p> <p>...</p>	<p>[Page 1]</p> <p>Instructions</p> <p>What Is the Purpose of This Form?</p> <p>This form is used to apply for asylum in the United States and for withholding of removal (formerly called "withholding of deportation"). This application may also be used to apply for protection under the Convention Against Torture. You may file this application if you are physically present in the United States, and you are not a U.S. citizen.</p> <p>NOTE: You must submit an application for asylum within 1 year of arriving in the United States, unless you can establish that there are changed circumstances that materially affect your eligibility for asylum or extraordinary circumstances directly related to your failure to file within 1 year. (See Part C, Additional Information about Your Application, in Section V on Part 1 of the instructions for further explanation.)</p> <p>...</p>
Page 1, Instruction Sections: Filing Information and How	<p>...</p>	<p>...</p> <p>WARNING – IMPORTANT NOTICE</p>

<p>Your Application Will Be Processed</p>	<p>WARNING: Applicants in the United States unlawfully are subject to removal if their asylum or withholding claims are not granted by an asylum officer or an immigration judge. Any information provided in completing this application may be used as a basis for the institution of, or as evidence in, removal proceedings, even if the application is later withdrawn.</p> <p>Applicants determined to have knowingly made a frivolous application for asylum will be permanently ineligible for any benefits under the Immigration and Nationality Act (INA). You may not avoid a frivolous finding simply because someone advised you to provide false information in your asylum application.</p> <p>If filing with U.S. Citizenship and Immigration Services (USCIS), unexcused failure to appear for an appointment or to provide biometrics (such as fingerprints) and other biographical information within the time allowed may delay eligibility for employment authorization and result in an asylum officer dismissing your asylum application or referring it to an immigration judge. Applicants and eligible dependents in removal proceedings who fail without good cause to provide USCIS with their biometrics or their biographical information as required within the time allowed may have their applications found abandoned by the immigration judge. See sections 208(d)(5)(A) and 208(d)(6) of the INA and 8 Code of Federal Regulations (CFR) sections 208.10, 1208.10, 208.20, 1003.47(d), and 1208.20.</p>	<ul style="list-style-type: none"> • Applicants in the United States unlawfully are subject to removal if their asylum or withholding claims are not granted by an asylum officer or an immigration judge. Any information provided in completing this application may be used as a basis for the initiation of, or as evidence in, removal proceedings, even if the application is later withdrawn. • Applicants determined to have knowingly made a frivolous application for asylum will be permanently ineligible for any benefits under the Immigration and Nationality Act (INA). You may not avoid a frivolous finding simply because someone advised you to provide false information in your asylum application. See section 208(d)(6) of the INA and 8 Code of Federal Regulations (CFR) sections 208.20 and 1208.20. • If filing with U.S. Citizenship and Immigration Services (USCIS), unexcused failure to appear for an appointment or to provide biometrics (such as fingerprints) and other biographical information within the time allowed may delay eligibility for employment authorization and result in an asylum officer dismissing your asylum application or referring it to an immigration judge. • Applicants and eligible dependents in removal proceedings who fail without good cause to provide USCIS with their biometrics or their biographical information as required within the time allowed may have their applications found abandoned by the immigration judge. See sections 208(d)(5)(A) of the INA and 8 CFR sections 208.10, 1208.10, and 1003.47(d).
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	<p>VII. Additional Evidence That You Should Submit.....8</p> <p>...</p> <p>V. Employment Authorization While Your Application Is Pending...13</p>	<p>VII. Additional Evidence That You Must Submit.....8</p> <p>...</p> <p>V. Employment Authorization While Your Asylum Application Is Pending...13</p> <p>VI. Employment Authorization When Your Asylum Application Is Approved...13</p> <p>[no changes]</p>
<p>Page 2, I. Who May Apply and Filing Deadlines</p>	<p>[page 2]</p> <p>...</p> <p>You MUST file this application within 1 year after you arrived in the United States, unless you can show that there are changed circumstances that affect your eligibility for asylum or extraordinary circumstances that prevented you from filing within 1 year. (See Section IV, Right to Counsel, in Part I of these instructions.)</p> <p>...</p> <p>Pursuant to 48 U.S.C. 1806(A)(7), if you are physically present in, or arriving in the Commonwealth of the Northern Mariana Islands, you may not apply for asylum until January 1, 2020; however, you may use Form I-589, Application for Asylum and for Withholding of Removal, to apply for withholding of removal and for protection from removal under the Convention Against Torture in Immigration Court proceedings.</p>	<p>[page 2]</p> <p>...</p> <p>You MUST file this application within 1 year after you arrived in the United States, unless you can show that there are changed circumstances that affect your eligibility for asylum or extraordinary circumstances that prevented you from filing within 1 year. (See Section IV, Right to Counsel, in Part I of these instructions.) Failure to file the Form I-589 within 1 year of your last arrival in the United States may delay your eligibility for employment authorization or result in the denial of your application for employment authorization.</p> <p>...</p> <p>Pursuant to 48 U.S.C. 1806(a)(7), if you are physically present in, or arriving in the Commonwealth of the Northern Mariana Islands, you may not apply for asylum until January 1, 2020; however, you may use Form I-589, Application for Asylum and for Withholding of Removal, to apply for withholding of removal and for protection from removal under the Convention Against Torture in Immigration Court proceedings.</p>
<p>Pages 2-4, II. Basis of Eligibility</p>	<p>[Page 3]</p> <p>...</p> <p>B. Withholding of Removal</p>	<p>[Page 3]</p> <p>...</p> <p>B. Withholding of Removal</p>

	<p>Your asylum application is also considered to be an application for withholding of removal under section 241(b)(3) of the INA, as amended. It may also be considered an application for withholding of removal under the Convention Against Torture if you checked the box at the top of Page 1 of the form, or if the evidence you present indicates that you may be tortured in the country of removal. (See 8 CFR sections 208.13(c)(1) and 1208.13(c)(1)). If asylum is not granted, you may still be eligible for withholding of removal.</p> <p>Regardless of the basis for the withholding application, you will not be eligible for withholding if you:</p> <ol style="list-style-type: none"> 1. Assisted in Nazi persecution or engaged in genocide; 2. Have persecuted another person; 3. Have been convicted by a final judgment of a particularly serious crime and therefore represent a danger to the community of the United States; 4. Are considered for serious reasons to have committed a serious non-political crime outside the United States; or 5. Represent a danger to the security of the United States. (See section 241(b)(3) of the INA; 8 CFR sections 208.16 and 1208.16.) <p>Withholding of Removal Under Section 241(b)(3) of the INA</p> <p>To qualify for withholding of removal under section 241(b)(3) of the INA, you must establish that it is more likely than not that your life or freedom would be threatened on account of race, religion, nationality, membership in a particular social group, or political opinion in the proposed country of removal.</p> <p>If you obtain an order withholding your removal, you cannot be removed to the country where your life or freedom would be threatened. This means that you may be removed to a third country where your life or freedom would not be threatened.</p>	<p>Your asylum application is also considered to be an application for withholding of removal under section 241(b)(3) of the INA, as amended. It may also be considered an application for withholding of removal under the Convention Against Torture if you checked the box at the top of Page 1 of the form, or if the evidence you present indicates that you may be tortured in the country of removal. (See 8 CFR sections 208.13(c)(1) and 1208.13(c)(1)). If asylum is not granted, you may still be eligible for withholding of removal.</p> <p>Regardless of the basis for the withholding application, you will not be eligible for withholding if you:</p> <ol style="list-style-type: none"> 1. Assisted in Nazi persecution or engaged in genocide; 2. Have persecuted another person; 3. Have been convicted by a final judgment of a particularly serious crime, which includes convictions for aggravated felonies, and therefore represent a danger to the community of the United States; 4. Are considered for serious reasons to have committed a serious non-political crime outside the United States; or 5. Represent a danger to the security of the United States. (See section 241(b)(3) of the INA; 8 CFR sections 208.16 and 1208.16.) <p>Withholding of Removal Under Section 241(b)(3) of the INA</p> <p>To qualify for withholding of removal under section 241(b)(3) of the INA, you must establish that it is more likely than not that your life or freedom would be threatened on account of race, religion, nationality, membership in a particular social group, or political opinion in the proposed country of removal.</p> <p>If you obtain an order withholding your removal, you cannot be removed to the country where your life or freedom would be threatened. However, you may be removed to a third country where your life or freedom <u>would not</u> be threatened.</p>
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	<p>Withholding of removal does not adhere derivatively to any spouse or child included in the application; they would have to apply for such protection on their own.</p> <p>...</p> <p>[Page 4]</p> <p>As implemented in U.S. law, Article 3 of the Convention against Torture prohibits the United States from removing you to a country in which it is more likely than not that you would be subject to torture. The Convention Against Torture does not prohibit the United States from returning you to any other country where you would not be tortured. This means that you may be removed to a third country where you would not be tortured. Withholding of removal under the Convention Against Torture does not allow you to adjust to lawful permanent resident status or to petition to bring family members to come to, or remain in, the United States.</p> <p>...</p> <p>4. Title 8 of the CFR parts 208 and 1208, et seq.;</p> <p>...</p>	<p>Withholding of removal does not adhere derivatively to any spouse or child included in the application; they would have to apply for such protection on their own.</p> <p>...</p> <p>[Page 4]</p> <p>As implemented in U.S. law, Article 3 of the Convention against Torture prohibits the United States from removing you to a country in which it is more likely than not that you would be subject to torture. However, the Convention Against Torture does not prohibit the United States from returning you to any other country where you would not be tortured. This means that you may be removed to a third country where you would not be tortured. Withholding of removal under the Convention Against Torture does not allow you to adjust to lawful permanent resident status or to petition to bring family members to come to, or remain in, the United States.</p> <p>...</p> <p>4. Title 8 of the CFR sections 103.2, 208 and 1208, et seq.;</p> <p>...</p>
<p>Page 4, IV. Right to Counsel</p>	<p>[Page 4]</p> <p>Immigration law concerning asylum and withholding of removal or deferral or removal is complex. You have a right to provide your own legal representation at an asylum interview and during immigration proceedings before the Immigration Court at no cost to the U.S. Government.</p> <p>...</p>	<p>[Page 4]</p> <p>Immigration law concerning asylum and withholding of removal or deferral or removal is complex. You have a right to obtain and provide your own legal representation at an asylum interview and during immigration proceedings before the Immigration Court at no cost to the U.S. Government.</p> <p>...</p>
<p>Page 5, V. Obtaining and Completing the Form</p>	<p>[page 5]</p> <p>...</p> <p>You can amend or supplement your application at the time of your asylum interview with an asylum officer and at your hearing in Immigration Court by</p>	<p>[page 5]</p> <p>...</p> <p>You may amend or supplement your application before or at the time of your asylum interview with an asylum officer and at your hearing in Immigration Court</p>

	<p>providing additional information and explanations about your asylum claim.</p>	<p>by providing additional information and explanations about your asylum claim. For asylum applications filed with USCIS, you must submit any documentary evidence no fewer than 14 calendar days before your interview with an asylum officer. Extensions to submit additional evidence may be granted by USCIS on a discretionary basis. Any such extension will be treated as an applicant-caused delay in the adjudication of your asylum application. Any applicant-caused delay may result in denial of your application for employment authorization if the delay remains unresolved when USCIS adjudicates the application for employment authorization. See 8 CFR section 208.7.</p>
<p>Page 5, Part A.I. Information About You</p>	<p>[page 5]</p> <p>...</p> <p>You must provide your residential street address (the address where you physically live) in the United States in Part A.I., Question 8, of the asylum application. You may also provide a mailing address, if different from the address where you reside, in Question 9. If someone else is collecting your mail for you at your mailing address, you may enter that person's name in the "In Care Of" field in your response to Question 9. If your mailing address is a post office box, include that address in Question 9 and include a residential address where you physically live in Question 8.</p> <p>...</p>	<p>[page 5]</p> <p>...</p> <p>You must provide your residential street address (the address where you physically live) in the United States in Part A.I., Question 8, of the asylum application. You must provide a mailing address, if different from the address where you reside, in Question 9. If someone else is collecting your mail for you at your mailing address, you may enter that person's name in the "In Care Of" field in your response to Question 9. If your mailing address is a post office box, include that address in Question 9 and include a residential address where you physically live in Question 8.</p> <p>...</p>
<p>Page 6, Part A.III. Information About Your Background</p>	<p>[page 6]</p> <p>...</p> <p>If you answer "Yes" to Question 5, you must explain why you did not apply for asylum within the first year after you arrived in the United States. The Government will accept as an explanation certain changes in the conditions in your country, certain changes in your own circumstances, and certain other events that may have prevented you from applying earlier.</p>	<p>[page 6]</p> <p>...</p> <p>If you answer "Yes" to Question 5, you must explain why you did not apply for asylum within the first year after you arrived in the United States. The Government may accept as an explanation certain changes in the conditions in your country, certain changes in your own circumstances, and certain other events that may have prevented you from applying earlier.</p>

	<p>For example, some of the events the Government might consider as valid explanations include but are not limited to the following:</p> <ol style="list-style-type: none"> 1. You have learned that human rights conditions in your country have worsened since you left; 2. Because of your health, you were not able to submit this application within 1 year after you arrived; 3. You previously submitted an application, but it was returned to you because it was not complete, and you submitted a complete application within a reasonable amount of time. <p>Federal regulations specify some of the other types of events that may also qualify as valid explanations for why you filed late. These regulations are found at 8 CFR sections 208.4 and 1208.4. The list in the regulations is not all-inclusive, and the Government recognizes that there are many other circumstances that might be acceptable reasons for filing more than 1 year after arrival.</p> <p>If you are unable to explain why you did not apply for asylum within the first year after you arrived in the United States or your explanation is not accepted by the Government, you may not be eligible to apply for asylum, but you could still be eligible for withholding of removal under INA section 241(b)(3), or for protection from removal under the Convention Against Torture.</p>	<p>For example, some of the events the Government might consider as valid explanations include but are not limited to the following:</p> <ol style="list-style-type: none"> 1. You have learned that human rights conditions in your country have worsened since you left; 2. Because of your health, you were not able to submit this application within 1 year after you arrived; <p>[Page 7]</p> <ol style="list-style-type: none"> 3. You previously submitted an application, but it was returned to you because it was not complete, and you submitted a complete application within a reasonable amount of time. <p>Federal regulations specify some of the other types of events that may also qualify as valid explanations for why you filed late. These regulations are found at 8 CFR sections 208.4 and 1208.4. The list in the regulations is not all-inclusive, and the Government recognizes that there are many other circumstances that might be acceptable reasons for filing more than 1 year after arrival.</p> <p>If you are unable to explain why you did not apply for asylum within the first year after you arrived in the United States or your explanation is not accepted by the Government, you may not be eligible to apply for asylum, but you may still be considered for withholding of removal under INA section 241(b)(3), or for protection from removal under the Convention Against Torture.</p>
<p>Page 7, Part D. Your Signature</p>	<p>[Page 7]</p> <p>Part D. Your Signature</p> <p>You must sign your application in Part D and respond to the questions concerning any assistance you received to complete your application, providing the information requested. Sign after you have completed and reviewed the application.</p> <p>If it is determined that you have</p>	<p>[Page 7]</p> <p>Part D. Your Signature</p> <p>You must sign your application in Part D and respond to the questions concerning any assistance you received to complete your application, providing the information requested. Sign after you have completed and reviewed the application.</p> <p>If it is determined that you have</p>

	<p>knowingly made a frivolous application for asylum, you can be permanently ineligible for any benefits under the INA. (See section 208(d)(6) of the INA.)</p> <p>According to regulations at 8 CFR sections 208.20 and 1208.20, an application is frivolous if any of its material elements is deliberately fabricated. (See Section IV, Right to Counsel, in Part 1 of these instructions if you have any questions.) You may not avoid a frivolous finding simply because someone advised or told you to provide false information on your asylum application.</p> <p>Part E. Signature of Person Preparing Form, If Other Than You</p> <p>Any person, other than an immediate family member (your spouse, parent(s) or children), who helped prepare your application must sign the application in Part E and provide the information requested.</p> <p>Penalty for Perjury</p> <p>All statements in response to questions contained in this application are declared to be true and correct under penalty of perjury. You and anyone, other than an immediate family member, who assists you in preparing the application must sign the application under penalty of perjury. Your signature is evidence that you are aware of the contents of this application. Any person assisting you in preparing this form, other than an immediate family member, must include his or her name, address, and telephone number and sign the application where indicated in Part E.</p> <p>Failure of the preparer to sign will result in the application being returned to you as an incomplete application.</p> <p>If USCIS or EOIR later learns that you received assistance from someone other than an immediate family member and the person who assisted you willfully failed to sign the application, this may result in an adverse ruling against you.</p> <p>Title 18, United States Code (U.S.C.),</p>	<p>knowingly made a frivolous application for asylum, you will be permanently ineligible for any benefits under the INA. (See section 208(d)(6) of the INA.)</p> <p>According to regulations at 8 CFR sections 208.20 and 1208.20, an application is frivolous if any of its material elements is deliberately fabricated. (See Section IV, Right to Counsel, in Part 1 of these instructions if you have any questions.) You may not avoid a frivolous finding simply because someone advised or told you to provide false information on your asylum application.</p> <p>Part E. Signature of Person Preparing Form, If Other Than You</p> <p>Any person, other than an immediate family member (your spouse, parent(s) or children), who helped prepare your application must sign the application in Part E and provide the information requested.</p> <p>Penalty for Perjury</p> <p>All statements in response to questions contained in this application are declared to be true and correct under penalty of perjury. You and anyone, other than an immediate family member, who assists you in preparing the application must sign the application under penalty of perjury. Your signature is evidence that you are aware of the contents of this application. Any person assisting you in preparing this form, other than an immediate family member, must include his or her name, address, and telephone number and sign the application where indicated in Part E.</p> <p>Failure of the preparer to sign will result in the application being returned to you as an incomplete application.</p> <p>If USCIS or EOIR later learns that you received assistance from someone other than an immediate family member and the person who assisted you willfully failed to sign the application, this may result in an adverse ruling against you.</p> <p>Title 18, United States Code (U.S.C.),</p>
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	<p>section 1546(a), provides in part:</p> <p>Whoever knowingly makes under oath, or as permitted under penalty of perjury under section 1746 of title 28, knowingly subscribes as true, any false statement with respect to a material fact in any application, affidavit, or other document required by the immigration laws or regulations prescribed thereunder, or knowingly presents any such application, affidavit, or other document containing any such false statement shall be fined in accordance with this title or imprisoned not more than 10 years, or both.</p> <p>If aggravating factors exist, the maximum term of imprisonment could reach 25 years.</p> <p>If you knowingly provide false information on this application, you or the preparer of this application may be subject to criminal penalties under title 18 of the U.S.C. and to civil penalties under section 274C of the INA, 8 U.S.C. 1324c (see 8 CFR parts 270 and 1270).</p>	<p>section 1546(a), provides in part:</p> <p>Whoever knowingly makes under oath, or as permitted under penalty of perjury under section 1746 of title 28, knowingly subscribes as true, any false statement with respect to a material fact in any application, affidavit, or other document required by the immigration laws or regulations prescribed thereunder, or knowingly presents any such application, affidavit, or other document containing any such false statement shall be fined in accordance with this title or imprisoned not more than 10 years, or both.</p> <p>If aggravating factors exist, the maximum term of imprisonment could reach 25 years.</p> <p>If you knowingly provide false information on this application, you or the preparer of this application may be subject to criminal penalties under title 18 of the U.S.C. and to civil penalties under section 274C of the INA, 8 U.S.C. 1324c (see 8 CFR sections 270 and 1270).</p>
<p>Page 8, IX. Biometrics, Including Fingerprints and Photographs</p>	<p>[page 8]</p> <p>IX. Biometrics, Including Fingerprints and Photographs</p> <p>Applicants for asylum are subject to a biometrics check of all appropriate records and other information databases maintained by the Department of Homeland Security, the Department of Justice, and the Department of State.</p> <p>You and your eligible spouse or children, regardless of age, listed on your asylum application must provide biometrics to initiate the required background investigations or for identity verification.</p> <p>You and your spouse and children will be</p>	<p>[page 8]</p> <p>IX. Biometrics, Including Fingerprints and Photographs</p> <p>1. Biometric Services Appointment. Applicants for asylum are subject to a biometrics check of all appropriate records and other information databases maintained by the Department of Homeland Security, the Department of Justice, and the Department of State. You will be required to appear for a biometric services appointment to submit biometrics (fingerprints, photograph, and/or signature), so that USCIS can verify your identity, and conduct background and security checks, including a check of criminal history records maintained by the Federal Bureau of Investigation (FBI), before making a decision on your application.</p> <p>[Deleted]</p> <p>You and your spouse and children will be</p>

	<p>given instructions on how to complete this requirement. You will be notified in writing of the time and location of the Application Support Center (ASC) where you must go to be fingerprinted and photographed.</p> <p>If filing with USCIS, unexcused failure to appear for a scheduled appointment or to provide your required biometrics, including fingerprints and photograph, or to provide other biographical information within the time allowed, may delay employment authorization and/or result in an asylum officer dismissing your asylum application or referring it to an immigration judge. For applicants before an immigration judge, such failure without good cause may constitute an abandonment of your asylum application and result in the denial of employment authorization. (See 8 CFR section 1003.47(d)).</p> <p>At the time you file your Form I-589, you must submit photographs as specified in Section VI, Required Documents and Required Number of Copies That You Must Submit With Your Application, in Part 1 of these instructions.</p>	<p>given instructions on how to complete this requirement. You will be notified in writing of the time and location of the Application Support Center (ASC) where you must go to be fingerprinted and photographed.</p> <p>[Page 9]</p> <p>2. Arrests and Convictions. Aliens who have been convicted of a particularly serious crime in the United States are not eligible for asylum. If you have been arrested and convicted in the United States for any crime, you must submit a certified copy of all arrest reports, court dispositions, sentencing documents, and any other relevant documents. You do not need to include documents for minor traffic violations unless you were arrested for the traffic offense and the offenses were alcohol- or drug-related.</p> <p>3. Failure to Appear for Scheduled Appointment. An unexcused failure to appear for a scheduled appointment or to provide your required biometrics, including fingerprints and photograph, or to provide other biographical information within the time allowed, may delay or result in denial of employment authorization and/or result in an asylum officer dismissing your asylum application or referring it to an immigration judge. For applicants before an immigration judge, such failure without good cause may constitute an abandonment of your asylum application and result in the denial of employment authorization. (See 8 CFR section 1003.47(d)).</p> <p>At the time you file your Form I-589, you must submit photographs as specified in Section VI, Required Documents and Required Number of Copies That You Must Submit With Your Application, in Part 1 of these instructions.</p>
<p>Page 9, XI. Incomplete Asylum Applications</p>	<p>[page 9]</p> <p>XI. Incomplete Asylum Applications</p> <p>An asylum application that is incomplete will be returned to you by mail within 30 days of receipt of the application by USCIS. An application that has not been</p>	<p>[page 9]</p> <p>XI. Incomplete Asylum Applications</p> <p>[Deleted]</p>

	<p>returned to you within 30 days of having been received by USCIS will be considered complete, and you will receive written acknowledgement of receipt from USCIS.</p> <p>[New]</p> <p>The filing of a complete application starts the 150-day period you must wait before you may apply for employment authorization. If your application is not complete and is returned to you, the 150-day period will not begin until you resubmit a complete application. (See Section V, Employment Authorization While Your Application Is Pending, Part 2 of these instructions for further information regarding eligibility for employment authorization.)</p> <p>An application will be considered incomplete in each of the following cases:</p> <ol style="list-style-type: none"> 1. The application does not include a response to each of the questions contained in Form I-589; 2. The application is unsigned; 3. The application is submitted without the required photograph; 4. The application is sent without the appropriate number of copies for any supporting materials submitted; or 5. You indicated in Part D that someone prepared the application other than yourself or an immediate family member and the preparer failed to complete Part E of the asylum application. 	<p>USCIS will issue a receipt notice for an asylum application properly filed under 8 CFR section 103. If USCIS rejects your application, we will return the application with a rejection notice explaining the reasons for rejection. You may correct the deficiencies and refile your application. If you filed your asylum application with USCIS, you can check the status of your application on the USCIS website.</p> <p>The filing of a complete application starts the 365 calendar-day period you must wait before you may apply for employment authorization. If your application is not complete and is returned to you, the 365 calendar-day period will not begin until you resubmit a properly filed application. (See Section V, Employment Authorization While Your Application Is Pending, Part 2 of these instructions for further information regarding eligibility for employment authorization.)</p> <p>[Deleted]</p>
<p>Page 9, XXII. Where to File?</p>	<p>[Page 9]</p> <p>...</p> <p>In addition to filing your Form I-589 with</p>	<p>[Page 10]</p> <p>...</p> <p>In addition to filing your Form I-589 with</p>

	<p>the Immigration Court and serving a copy on the appropriate U.S. Immigration and Customs Enforcement (ICE) Office of the Chief Counsel, you must also complete the following requirements before the immigration judge can grant relief or protection in your case.</p> <p>...</p> <ol style="list-style-type: none"> 1. After completion of exclusion, deportation, or removal proceedings, and in conjunction with a motion to reopen under 8 CFR part 1003, with the Immigration Court having jurisdiction over the prior proceeding, any such motion must reasonably explain the failure to request asylum prior to the completion of the proceedings; or 2. In proceedings under 8 CFR 208.2(c) and 1208.2(c) and after Form I-863, Notice of Referral to Immigration Judge, has been served on you and filed with the Immigration Court, an immigration judge will have exclusive jurisdiction over your case. <p><i>Special Filing Instructions for an Unaccompanied Alien Child (UAC)</i></p> <p>If you are a child in removal proceedings and filing as a UAC, your completed application package should be sent to:</p> <p>USCIS Nebraska Service Center UAC I-589 P.O. Box 87589 Lincoln, NE 68501-7589</p> <p>If you received an instruction sheet from Counsel for DHS when you attended a hearing in Immigration Court, or if you have a copy of documentation provided by the Department of Health and Human Services, Office of Refugee Resettlement (ORR) showing that you are, or that you were in ORR custody as a UAC, such as the UAC <i>Initial Placement Referral Form</i> or the <i>ORR Verification of Release Form</i>, please submit those documents with your application package as well.</p> <p>If you are a UAC but you are not in removal proceedings, please submit your</p>	<p>the Immigration Court and serving a copy on the appropriate U.S. Immigration and Customs Enforcement (ICE) Office of the Principal Legal Advisor, you must also complete the following requirements before the immigration judge can grant relief or protection in your case.</p> <p>...</p> <ol style="list-style-type: none"> 1. After completion of exclusion, deportation, or removal proceedings, and in conjunction with a motion to reopen under 8 CFR section 1003, with the Immigration Court having jurisdiction over the prior proceeding, any such motion must reasonably explain the failure to request asylum prior to the completion of the proceedings; or 2. In proceedings under 8 CFR sections 208.2(c) and 1208.2(c) and after Form I-863, Notice of Referral to Immigration Judge, has been served on you and filed with the Immigration Court, an immigration judge will have exclusive jurisdiction over your case. <p><i>Special Filing Instructions for an Unaccompanied Alien Child (UAC)</i></p> <p>If you are a child in removal proceedings and filing as a UAC, your completed application package should be sent to:</p> <p>USCIS Nebraska Service Center UAC I-589 P.O. Box 87589 Lincoln, NE 68501-7589</p> <p>If you received an instruction sheet from counsel for DHS when you attended a hearing in Immigration Court, or if you have a copy of documentation provided by the Department of Health and Human Services, Office of Refugee Resettlement (ORR) showing that you are, or that you were in ORR custody as a UAC, such as the UAC <i>Initial Placement Referral Form</i> or the <i>ORR Verification of Release Form</i>, please submit those documents with your application package as well.</p> <p>If you are a UAC but you are not in removal proceedings, please submit your</p>
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	<p>Form I-589 application package as directed below in the discussion entitled, “<i>If you are not in proceedings in Immigration Court or before the Board of Immigration Appeals.</i>”</p> <p>[Page 11]</p> <p><i>If you are in proceedings before the Board of Immigration Appeals:</i></p> <p>You may file your Form I-589 with the Board of Immigration Appeals in conjunction with a motion to remand or reopen under 8 CFR 1003.2 and 1003.8. You may file an initial Form I-589 with the Board of Immigration Appeals only if the Board of Immigration Appeals has jurisdiction over your case. Any such motion must reasonably explain the failure to request asylum and/or withholding of removal prior to the completion of the proceedings.</p>	<p>Form I-589 application package as directed below in the discussion entitled, “<i>If you are not in proceedings in Immigration Court or before the Board of Immigration Appeals.</i>”</p> <p>[Page 11]</p> <p><i>If you are in proceedings before the Board of Immigration Appeals:</i></p> <p>You may file your Form I-589 with the Board of Immigration Appeals in conjunction with a motion to remand or reopen under 8 CFR sections 1003.2 and 1003.8. You may file an initial Form I-589 with the Board of Immigration Appeals only if the Board of Immigration Appeals has jurisdiction over your case. Any such motion must reasonably explain the failure to request asylum and/or withholding of removal prior to the completion of the proceedings.</p>
<p>Page 13, V. Employment Authorization While Your Application Is Pending</p>	<p>[page 13]</p> <p>V. Employment Authorization While Your Application Is Pending</p> <p>You will be granted permission to work if your asylum application is granted.</p> <p>Simply filing an application for asylum does not entitle you to employment authorization. You may request permission to work if your asylum application is pending and 150 days have lapsed since your application was accepted by USCIS or the</p> <p>Immigration Court. (See 8 CFR sections 208.7(a)(1) and 1208.7(a)(1).) Any delay in the processing of your asylum application that you request or cause will not be counted as part of the 150-day period.</p> <p>If your asylum application has not been denied within 180 days from the date of filing a complete asylum application, you may be granted permission to work by filing Form I-765, Application for Employment Authorization, with USCIS. Follow the instructions on that application</p>	<p>[page 13]</p> <p>V. Employment Authorization While Your Asylum Application Is Pending</p> <p>[Deleted]</p> <p>Simply filing an application for asylum does not entitle you to employment authorization. If 365 calendar days have elapsed since your asylum application was accepted by USCIS or the Immigration Court, and the application remains pending, you may request employment authorization by filing Form I-765, Application for Employment Authorization. (See 8 CFR section 208.7(a).)</p> <p>[Deleted]</p> <p>If your asylum application was denied by the Immigration Court but you have a timely filed pending appeal before the Board of Immigration Appeals (BIA), you may be granted employment authorization, if you are otherwise eligible. Employment authorization is not permitted during any</p>

	<p>and submit it with a copy of evidence as specified in the instructions that you have a pending asylum application.</p> <p>Each family member whom you have asked to be included in your application and who also wants permission to work must submit a separate Form I-765.</p> <p>You may obtain copies of Form I-765 by calling the USCIS Contact Center at 1-800-375-5283 or from the USCIS website at www.uscis.gov.</p> <p>...</p>	<p>period of judicial review of the asylum application, but may be requested if a federal court remands the case to the BIA. Submit Form I-765 with a copy of evidence that you have a pending asylum application or a pending appeal before the BIA, as specified in the Form I-765 instructions.</p> <p>If you cause a delay in the processing of your asylum application that is unresolved when your application for employment authorization is adjudicated, USCIS will deny your application for employment authorization.</p> <p>Each family member whom you have asked to be included in your asylum application who also wants employment authorization must submit his or her own Form I-765.</p> <p>You may obtain copies of Form I-765 by calling the USCIS Contact Center at 1-800-375-5283 or from the USCIS website at www.uscis.gov.</p> <p>...</p>
<p>New</p>	<p>[new]</p>	<p>[page 13]</p> <p>VI. Employment Authorization When Your Asylum Application Is Approved</p> <p>Aliens granted asylum (asylees) are not required to apply for an employment authorization document; however you may request an EAD under 8 CFR section 274a.12(a)(5) if you want to have evidence of your employment authorization.</p>
<p>Page 13, USCIS Privacy Act Statement</p>	<p>[Page 13]</p> <p>USCIS Privacy Act Statement</p> <p>AUTHORITIES: The information requested on this application, and the associated evidence, is collected pursuant to sections 208 and 241(b)(3) of the Immigration and Nationality Act, as amended, and 8 CFR parts 208 and 1208.</p> <p>PURPOSE: The primary purpose for providing the requested information on this form is to determine eligibility for asylum in the United States, and for withholding of</p>	<p>[Page 13]</p> <p>DHS Privacy Notice</p> <p>AUTHORITIES: The information requested on this application, and the associated evidence, is collected pursuant to sections 208 and 241(b)(3) of the Immigration and Nationality Act, as amended, and 8 CFR sections 208 and 1208.</p> <p>PURPOSE: The primary purpose for providing the requested information on this form is to determine eligibility for asylum in the United States, and for withholding of</p>

	<p>removal. The information may also be used to apply for deferral of removal under the Convention Against Torture.</p> <p>DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information, and any requested evidence, may delay a final decision or result in the denial of your benefit request.</p> <p>ROUTINE USES: DHS may share the information you provide on this benefit application with other federal, state, local, and foreign government agencies and authorized organizations. DHS follows approved routine uses described in the associated published system of records notices [DHS- USCIS-001 - Alien File, Index, and National File Tracking and DHS-USCIS-010 - Asylum Information and Pre- Screening] which you can find at www.dhs.gov/privacy and EOIR-001, Records Management Information System, 69 Fed. Reg 26, 179 (May 11, 2004) or its successors. DHS may also share the information, as appropriate, for law enforcement purposes or in the interest of national security.</p>	<p>removal. The information may also be used to apply for deferral of removal under the Convention Against Torture.</p> <p>DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information, and any requested evidence, may delay a final decision or result in the denial of your benefit request.</p> <p>ROUTINE USES: DHS may share the information you provide on this benefit application with other federal, state, local, and foreign government agencies and authorized organizations. DHS follows approved routine uses described in the associated published system of records notices [DHS- USCIS-001 - Alien File, Index, and National File Tracking and DHS-USCIS-010 - Asylum Information and Pre- Screening] which you can find at www.dhs.gov/privacy and EOIR-001, Records Management Information System, 69 Fed. Reg 26, 179 (May 11, 2004) or its successors. DHS may also share the information, as appropriate, for law enforcement purposes or in the interest of national security.</p>
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