

Question#:	1
Topic:	Domestic Violence Asylum I
Hearing:	Oversight of Immigration Enforcement and Family Reunification Efforts
Primary:	The Honorable Amy Klobuchar
Committee:	JUDICIARY (SENATE)

Question: In his opinion in the Matter of A-B- case, Attorney General Sessions stated: "Generally, claims by aliens pertaining to domestic violence ... perpetrated by non-governmental actors will not qualify for asylum." When I asked you whether the Attorney General's decision to overturn these protections would make it harder for victims of domestic violence to seek asylum in the United States, you said that "it is difficult to say."

Do you maintain that it will not be more difficult for immigrants making claims pertaining to domestic violence to secure asylum following the Attorney General's decision in the Matter of A-B-?

How many asylum claims for immigrant women fleeing domestic violence have been rejected since the Attorney General's decision in this case?

Former immigration judges have characterized this decision as an "affront to the rule of law" and asserted that "our country will no longer offer legal protection to women seeking refuge from terrible forms of domestic violence ... from which their home countries are unable or unwilling to protect them." Have any USCIS officials engaged in discussions as to the expected impact of the Matter of A-B- decision on the number of asylum petitions granted? If so, please summarize those discussions.

Response: *Matter of A-B-* reaffirmed longstanding legal precedent and overruled the flawed 2014 decision in *Matter of A-R-C-G-*.

Asylum claims based on domestic violence have long raised difficult interpretive issues and *Matter of A-B-* is just the latest step in clarifying their analysis. The BIA first held that domestic abuse did not amount to persecution on account of the applicant's political opinion simply because the abusive husband of the applicant held a high political position in the Haitian government in 1975 in *Matter of Pierre*. It expanded on that position in *Matter of R-A-* in 1999, reasoning that domestic violence against the Guatemalan applicant in that case was not persecution on account of the applicant's political opinion or her membership in a particular social group. Attorney General Reno found some of the reasoning in that decision problematic. In 2001, she vacated *Matter of R-A-*, and proposed a rule to set out interpretive principles for asylum adjudications that were intended to assist in resolving difficult questions that arise in claims based on domestic violence. That rule was never finalized, however, and the BIA decided *Matter of A-R-C-G-* in 2014. Attorney General Sessions identified flaws in the reasoning of that decision and issued *Matter of A-B-* to overrule *Matter of A-R-C-G-*. The Attorney General's

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decision in *Matter of A-B-* was a clear reminder that the applicant has the burden of proving that he or she meets all the elements for asylum eligibility, and that there is no presumption that the applicant is eligible for asylum. It was also a reminder that an adjudicator must undertake a rigorous analysis in determining whether the applicant has met that burden, establishing each of the elements of asylum eligibility. USCIS is not at this time able to comment as these are central issues in active litigation. *Grace v. Sessions*, 18-cv-1853 (D.D.C.). Additionally, because USCIS was not the entity which issued the *Matter of A-B-* decision, we refer any questions on what the *Matter of A-B-* holds to the Department of Justice.

USCIS evaluates each claim on a case by case basis, applying all relevant laws, regulations, and precedent decisions to the facts and country conditions of the individual case. Each case presents unique facts. USCIS cannot speculate as to which cases or claims USCIS will receive and therefore, how, if at all, the *Matter of A-B-* decision will impact approval rates. There is some chance that the decision's effect on the positive credible fear determination rate may be limited because the credible fear process screens aliens with fear claims not only for possible eligibility for asylum, but also for protection under the Convention Against Torture (CAT), where appropriate. While the Attorney General's decision emphasized what asylum applicants must demonstrate in order to show that they were persecuted in the past or have a well-founded fear of future persecution because of their membership in a particular social group, especially in claims involving gang or domestic violence, a CAT claim does not require that the alien show that his or her fear of torture would be connected to one of the five statutorily-protected grounds used to define a "refugee" (i.e., race, religion, nationality, political opinion, or membership in a particular social group). In addition, some aliens whose fear claims might otherwise fail as a result of the *Matter of A-B-* decision may still be able to meet the "significant possibility" standard based on membership in another particular social group, or based on one of the other four protected grounds.

We do not capture data in our systems that would allow USCIS to track how many asylum claims from women fleeing domestic violence have been rejected since the Attorney General's decision in this case. However, we are making diligent efforts to improve our data collection capabilities in this regard.

USCIS adjudicates asylum claims on a case-by-case basis, applying all relevant laws, regulations, and precedent decisions to the facts and country conditions of the individual case. Any discussions of this or any other new precedent decision would be solely to ensure that our case-by-case decision-making is carried out in a lawful manner.

Question#:	2
Topic:	USCIS Guidance
Hearing:	Oversight of Immigration Enforcement and Family Reunification Efforts
Primary:	The Honorable Amy Klobuchar
Committee:	JUDICIARY (SENATE)

Question: Although you also stated that USCIS's credible fear screening process has not changed as a result of the Matter of A-B- case, USCIS issued a memorandum providing updated guidance for the processing of credible fear claims in light of that decision. The memo stated: "Claims based on membership in a putative particular social group defined by the members' vulnerability to harm of domestic violence ... committed by non-government actors will not establish the basis for asylum...or a credible or reasonable fear of persecution."

Why did USCIS issue this guidance following the decision in the Matter of A-B- case? Would you agree that the analysis involved in evaluating this type of asylum claim has changed as a result of the decision and USCIS' subsequent updated guidance?

Response: Individuals subject to expedited removal who express a fear of persecution or torture or an intention to apply for asylum are referred to specially-trained U.S. Citizenship and Immigration Services (USCIS) officers for a credible fear screening. An individual can seek review of a negative credible fear determination before an immigration judge. Those otherwise subject to expedited removal who establish a credible fear of persecution or torture are issued a Notice to Appear before an immigration judge where they can seek relief or protection from removal. The process for screening such individuals has not changed, and USCIS continues to apply all applicable statutory, regulatory, and precedent decisions in making such determinations on a case-by-case basis.

USCIS did provide, however, implementing and conforming guidance to officers in light of the Attorney General's decision in *Matter of A-B-* to ensure uniformity in applying this binding precedential decision. A policy memorandum (PM) is a lawful and appropriate way to provide such interpretive guidance to USCIS personnel.

Matter of A-B- overruled *Matter of A-R-C-G-*, a BIA case from August 26, 2014, which recognized "married women in Guatemala who are unable to leave their relationship" as a particular social group. It is certainly foreseeable that a decision by the Attorney General to overrule a previous precedent administrative decision in the area of asylum adjudications will affect the analysis of future cases involving similar issues as those included in the case that has been overruled. As clearly indicated throughout the PM, officers must make determinations based on the individual merits of each application.

Question#:	3
Topic:	Consultation with USCIS
Hearing:	Oversight of Immigration Enforcement and Family Reunification Efforts
Primary:	The Honorable Christopher Coons
Committee:	JUDICIARY (SENATE)

Question: Was U.S. Citizenship and Immigration Services consulted before the announcement of the zero-tolerance policy on April 6, 2018?

When was U.S. Citizenship and Immigration Services first consulted regarding the zero-tolerance policy?

Response: On April 6, 2018, the Attorney General (AG) released a memorandum directed to all federal prosecutors entitled “Zero-Tolerance for Offenses Under 8 U.S.C. §1325(a).” In the memorandum, the AG directed each U.S. Attorney’s Office – to the extent practicable, and in consultation with DHS – to adopt immediately a zero-tolerance policy for all offenses referred for prosecution under §1325(a). Following that direction, the USCIS Director and other senior DHS officials presented a recommendation to the DHS Secretary regarding the implementation of that direction.

Question#:	4
Topic:	Concerns About Policy
Hearing:	Oversight of Immigration Enforcement and Family Reunification Efforts
Primary:	The Honorable Christopher Coons
Committee:	JUDICIARY (SENATE)

Question: Have you, at any point, expressed any concerns about the policy or its implementation? Please describe the nature of any such concerns; how, when, and to whom they were communicated; and what, if any, response you received.

Were changes to the policy or its implementation made in response to any concerns you raised? If so, please describe them.

Response: We are unable to comment on internal, pre-decisional deliberative discussions.

Question#:	5
Topic:	Plan in Place
Hearing:	Oversight of Immigration Enforcement and Family Reunification Efforts
Primary:	The Honorable Christopher Coons
Committee:	JUDICIARY (SENATE)

Question: When the zero-tolerance policy was instituted, what plan was in place to facilitate reunification of families after the conclusion of criminal proceedings?

Response: USCIS does not have a role in facilitating the reunification of families. However, after USCIS began encountering parents in the credible fear screening process who had been separated from their children after entry into the United States, the Refugee, Asylum, and International and Operations Directorate's Asylum Division issued guidance directing officers to ask affirmatively whether a parent had their child separated from them after they entered the United States and if they needed assistance in being reunited. Our officers were instructed that if the parent indicated they had been separated from their child and needed assistance, the officer should gather all relevant information including the child's name and date of birth and to send the information to ICE so that they could be alerted to the issue.

Question#:	6
Topic:	Forms
Hearing:	Oversight of Immigration Enforcement and Family Reunification Efforts
Primary:	The Honorable Christopher Coons
Committee:	JUDICIARY (SENATE)

Question: Please provide a blank copy of all forms you are aware of that have been given to migrant parents separated from their children at any point since the announcement of the zero- tolerance policy, including but not limited to forms related to voluntary departure, adjudication or waiver of asylum claims, family reunification, available legal resources, and/or separated children. Please include all versions used from April 6, 2018 to present, including prior iterations, translated versions, etc.

Response: Please see the attached 16 forms provided by USCIS to individuals in the credible fear or reasonable fear processes, which may include parents separated from their children.

Question#:	7
Topic:	Remaining Linked
Hearing:	Oversight of Immigration Enforcement and Family Reunification Efforts
Primary:	The Honorable Christopher Coons
Committee:	JUDICIARY (SENATE)

Question: Please describe, in detail, all steps that U.S. Citizenship and Immigration Services takes to ensure that parents and children remain linked throughout the immigration process, including all protections in place to ensure that a parent does not get deported without his or her children absent a waiver of reunification made with informed consent.

Response: USCIS does not have a role in facilitating the reunification of families. However, after USCIS began encountering parents in the credible fear screening process who had been separated from their children after entry into the United States, the Refugee, Asylum, and International Operations Directorate's Asylum Division issued guidance directing officers to ask affirmatively whether a parent had their child separated from them after they entered the United States and if they needed assistance in being reunited. Our officers were instructed that if the parent indicated they had been separated from their child and needed assistance, the officer should gather all relevant information including the child's name and date of birth and to send the information to ICE so that they could be alerted to the issue.

Question#:	8
Topic:	USCIS Designee
Hearing:	Oversight of Immigration Enforcement and Family Reunification Efforts
Primary:	The Honorable Christopher Coons
Committee:	JUDICIARY (SENATE)

Question: In a recent telephonic hearing on the status of reunifications, U.S. District Judge Dana Sabraw observed that "[f]or every parent that is not located, there will be a permanently orphaned child and that is a hundred percent the result of the administration. . . . The reality is there are close to 500 parents that have not been located. Many have been removed from the country without their child. All of this is the result of the government's separation and failure to track and reunite." Judge Sabraw concluded that it was "absolutely essential" for the government to select a single individual or team to guide reunification across the federal agencies involved and report back to the court in a week.

Who is the U.S. Citizenship and Immigration Services designee to lead the agency's family reunification efforts?

Response: USCIS does not have a role in facilitating the reunification of families.

Question#:	9
Topic:	Lankford-Coons Letter
Hearing:	Oversight of Immigration Enforcement and Family Reunification Efforts
Primary:	The Honorable Christopher Coons
Committee:	JUDICIARY (SENATE)

Question: At the hearing, I noted that Senator Lankford and I have sent questions to administration officials requesting basic information and regular updates on family separations and reunifications. You committed to getting us a timely response to this broad and bipartisan request for information. I am including a copy of our letter. Please respond to the questions contained therein as soon as possible. If you do not have information that is responsive to these questions, please identify the officials that would have the requested information.

Response: A response to your letter with Senator Lankford was sent on August 24, 2018.

Question#:	10
Topic:	Domestic Violence Asylum II
Hearing:	Oversight of Immigration Enforcement and Family Reunification Efforts
Primary:	The Honorable Christopher Coons
Committee:	JUDICIARY (SENATE)

Question: Please describe the legal implications of the Attorney General overruling the Board of Immigration Appeals decision in *Matter of A-B*.

Will the change in precedent make it more difficult for those fleeing domestic abuse to seek asylum?

How will asylum seekers' assertions of credible fear related to domestic abuse and gang-related crimes be evaluated going forward?

Will U.S. Citizenship and Immigration Services issue guidance regarding the asylum claims of the children currently in detention whose parents have been removed from the United States?

Response: *Matter of A-B*- reaffirmed longstanding legal precedent and overruled the flawed 2014 decision in *Matter of A-R-C-G*-

The BIA first held that domestic abuse did not amount to persecution on account of a protected ground in 1975 in *Matter of Pierre*. It expanded on that position in *Matter of R-A*- in 1999. Attorney General Reno vacated *Matter of R-A*- in 2001 and proposed a rule to set out interpretive principles for asylum adjudications that were intended to assist in resolving the difficult questions that arise based on domestic violence. The rule was never finalized, however, and the BIA decided *Matter of A-R-C-G*- in 2014. *Matter of A-B*- then overruled *Matter of A-R-C-G*-. The legal implications of *Matter of A-B*- in matters within the jurisdiction of USCIS are set forth in USCIS's policy memorandum on the subject dated July 11, 2018.

Other than overruling *Matter of A-R-C-G*-, *Matter of A-B*- does not present a change in the law. In general, the Attorney General's decision *Matter of A-B*- was a clear reminder that the applicant has the burden of proving that he or she meets all the elements for asylum eligibility, and that there is no presumption that the applicant is eligible for asylum. It was also a reminder that an asylum officer must undertake a rigorous analysis in determining whether the applicant has met that burden, establishing each of the elements of asylum eligibility. USCIS is not, at this time, able to comment as these are central issues in active litigation. *See Grace v. Sessions*, 18-cv-1853 (D.D.C.). Additionally, because USCIS was not the entity which decided the case, we refer any questions on what the *Matter of A-B*- holds to the Department of Justice.

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Topic:	Domestic Violence Asylum II
Hearing:	Oversight of Immigration Enforcement and Family Reunification Efforts
Primary:	The Honorable Christopher Coons
Committee:	JUDICIARY (SENATE)

USCIS evaluates each claim on a case by case basis, applying all relevant laws, regulations, and precedent decisions to the facts and country conditions of the individual case. Each case presents unique facts. USCIS cannot speculate as to which cases or claims USCIS will receive and therefore, how, if at all, the Matter of A-B- decision will impact approval rates. Additionally, the credible fear process screens aliens with fear claims not only for possible eligibility for asylum, but also for protection under the Convention Against Torture (CAT), where appropriate. The Matter of A-B- decision, however, does not impact CAT claims. A CAT claim does not require that the alien show that his or her fear of torture would be connected to one of the five statutorily protected grounds (i.e., race, religion, nationality, political opinion, or membership in a particular social group).

USCIS has not issued additional guidance as of this date on the issue of any asylum claims that may be made by the children currently in detention whose parents have been removed from the United States. Any asylum or fear claims submitted to and properly before USCIS will be processed consistent with all relevant statutes, regulations, procedures, and precedent decisions.

Question#:	11
Topic:	Immigration Principles and Policies Memo
Hearing:	Oversight of Immigration Enforcement and Family Reunification Efforts
Primary:	The Honorable Christopher Coons
Committee:	JUDICIARY (SENATE)

Question: On October 8, 2017, the White House released the administration's "Immigration Principles & Policies" (hereinafter the "Immigration Principles & Policies memo").

Was U.S. Citizenship and Immigration Services consulted prior to the release of the Immigration Principles & Policies memo?

Have you, at any point, expressed any concerns about the provisions contained in the Immigration Principles & Policies memo? Please describe the nature of any such concerns; how, when, and to whom they were communicated; and what, if any, response you received.

Response: Yes, USCIS was consulted for technical expertise and data. We are unable to comment on internal, pre-decisional deliberative discussions.

Question#:	12
Topic:	Meritorious Claim
Hearing:	Oversight of Immigration Enforcement and Family Reunification Efforts
Primary:	The Honorable Christopher Coons
Committee:	JUDICIARY (SENATE)

Question: The "Expedited Removal" section of the Immigration Principles & Policies memo calls for expedited removal for all aliens except those with "meritorious valid claims of persecution."

What criteria would the administration consider in determining whether a claim is a meritorious valid claim of persecution?

Response: Individuals subject to expedited removal who express a fear of persecution or torture, a fear of return, or an intention to apply for asylum are referred to U.S. Citizenship and Immigration Services (USCIS) officers for a credible fear determination. Those otherwise subject to expedited removal who establish a credible fear of persecution or torture are issued a Notice to Appear before an immigration judge where they can seek relief or protection from removal. USCIS applies all applicable laws, regulations, and precedent decisions in making credible fear determinations.

Question#:	13
Topic:	Expedited Removal Proceedings
Hearing:	Oversight of Immigration Enforcement and Family Reunification Efforts
Primary:	The Honorable Christopher Coons
Committee:	JUDICIARY (SENATE)

Question: How would the administration ensure that sufficient time is afforded for investigation and adjudication of legal claims during expedited removal proceedings?

It is settled law that undocumented immigrants physically in the United States have due process rights. See *Zadvydas v. Davis*, 533 U.S. 678 (2001). How would a widespread expansion of expedited removal ensure due process protections for immigrants in the United States?

Response: Individuals subject to expedited removal who express a fear of persecution or torture, a fear of return, or an intention to apply for asylum are referred to specially trained U.S. Citizenship and Immigration Services (USCIS) officers for a credible fear determination. Those otherwise subject to expedited removal who establish a credible fear of persecution or torture are issued a Notice to Appear before an immigration judge where they can seek relief or protection from removal. Those who are not found to have established a credible fear may request prompt review by an immigration judge of the determination. USCIS applies all applicable statutory, regulatory, and precedent decisions in making credible fear determinations.

Question#:	14
Topic:	DACA Restart
Hearing:	Oversight of Immigration Enforcement and Family Reunification Efforts
Primary:	The Honorable Christopher Coons
Committee:	JUDICIARY (SENATE)

Question: On August 3, 2018, U.S. District Court Judge John Bates ordered the federal government to restart the Deferred Action for Childhood Arrivals program in full. The order will go into effect on August 23, requiring the government to accept new applications from individuals who meet DACA's eligibility requirements. Please provide a copy of all guidance that U.S. Citizenship and Immigration Services has promulgated in conjunction with restarting the program.

Response: On August 17, Judge Bates granted a stay pending appeal of his April 24, 2018, order vacating the rescission of the Deferred Action for Childhood Arrivals (“DACA”) policy and his August 3, 2018, order denying reconsideration of the April 24, 2018, order to the extent that the orders require USCIS to begin accepting initial DACA requests from individuals who have never before had DACA and applications for DACA-based advance parole. As a result, USCIS did not promulgate guidance for restarting the program.

Following the stay of the order, requests for renewal of grants of deferred action under DACA continue to be processed under the guidance previously provided in response to the January 2018 preliminary injunction (<https://www.uscis.gov/humanitarian/deferred-action-childhood-arrivals-response-january-2018-preliminary-injunction>).

Question#:	15
Topic:	Domestic or Gang Violence
Hearing:	Oversight of Immigration Enforcement and Family Reunification Efforts
Primary:	The Honorable Mazie Hirono
Committee:	JUDICIARY (SENATE)

Question: At the hearing, you testified that "it is very difficult to predict" the impact of the Attorney General's decision in Matter of A-B-, which sought to narrow the ability of victims of domestic violence or gang violence to obtain asylum relief. The Transactional Records Access Clearinghouse (TRAC) at Syracuse University analyzed immigration court outcomes and found that outcomes of credible fear reviews have "plummet[ed]" and that there were widely disparate outcomes by location and judge. For example, in June 2018, the rate of immigration court decisions finding credible fear dropped to half the level it had been in the last six months of 2017.

How many victims of domestic or gang violence sought asylum in 2017 and 2018? Please provide data broken out by month.

How many victims of domestic or gang violence seeking asylum were found to not have credible fear in their credible fear reviews in 2017 and 2018? Please provide data broken out by month.

How many victims of domestic or gang violence seeking asylum were separated from their children under the "zero-tolerance" policy?

Response: USCIS did not capture data that would allow us to be responsive to these questions. However, we are making diligent efforts to improve our data collection capabilities going forward on this subject.

Question#:	16
Topic:	Zero-Tolerance Policy Guidance
Hearing:	Oversight of Immigration Enforcement and Family Reunification Efforts
Primary:	The Honorable Mazie Hirono
Committee:	JUDICIARY (SENATE)

Question: What guidance, if any, regarding the "zero-tolerance" policy did United States Citizenship and Immigration Services (USCIS) receive?

Response: On April 6, 2018, the Attorney General (AG) released a memorandum directed to all Federal prosecutors entitled "Zero-Tolerance for Offenses Under 8 U.S.C. §1325(a). In the memorandum, the AG directed each U.S. Attorney's Office – to the extent practicable, and in consultation with DHS – to adopt immediately a zero-tolerance policy for all offenses referred for prosecution under §1325(a). Following that direction, USCIS, ICE and CBP component heads presented a recommendation to the DHS Secretary regarding the implementation of that direction.

After the policy went into effect, on May 31, the Refugee, Asylum, and International Operations Directorate's Asylum Division issued guidance to officers to ask affirmatively whether a parent had their child separated from them after they entered the United States and if they needed assistance in being reunited. Our officers were instructed that if the parent indicated they had been separated from their child and needed assistance, the officer should gather all relevant information including the child's name and date of birth and to send the information to ICE so that they could be alerted to the issue.

Question#:	17
Topic:	Humanitarian Parole
Hearing:	Oversight of Immigration Enforcement and Family Reunification Efforts
Primary:	The Honorable Kamala D. Harris
Committee:	JUDICIARY (SENATE)

Question: DHS officials, including Secretary Nielsen, have maintained that separated parents who were removed from the country gave consent to leave their children behind. It was recently reported that as many as 350 parents - or three-quarters of parents removed - were not in fact given a choice to be reunited with their children prior to their removal.

Will DHS commit to use humanitarian parole and make arrangements for these parents to return to the United States to be able to reunite with their children?

Response: USCIS is unable to respond to this specific question at this time, as it is a matter in litigation.

However, generally speaking, the Immigration and Nationality Act (INA) allows the Secretary of Homeland Security to use her discretion on a case by case basis to parole foreign nationals applying for admission into the United States temporarily for urgent humanitarian *reasons or significant public benefit*. (See INA § 212(d)(5)); *Executive Order 13767, Border Security and Immigration Enforcement Improvements* (Jan. 25, 2017)). U.S. Citizenship and Immigration Services (USCIS) shares the DHS Secretary's parole authority with Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE). While CBP has final authority at ports of entry for all individuals requesting parole, and can consider applications for parole made at ports of entry, USCIS and ICE share authority for certain applications for parole made by or on behalf of individuals outside the United States who are requesting parole to the United States.

ICE generally has jurisdiction over parole requests for individuals previously removed from the United States. Individuals who apply for parole through USCIS may find more complete information on humanitarian parole on the USCIS website: <https://www.uscis.gov/humanitarian/humanitarian-or-significant-public-benefit-parole-individuals-outside-united-states>

Question#:	18
Topic:	Ports of Entry Closed
Hearing:	Oversight of Immigration Enforcement and Family Reunification Efforts
Primary:	The Honorable Kamala D. Harris
Committee:	JUDICIARY (SENATE)

Question: When the administration rolled out the zero tolerance policy and family separation began to increase, Secretary Nielsen stated on multiple occasions that families should go to ports of entry to apply for asylum rather than enter between ports. On May 8, before the Senate Appropriations Committee, she declared, "in terms of separating, I would just make one more plea to everyone who can help me message: if you are fleeing and you need to come to the United States, please come to ports of entry...we will process your claim there."

However, this administration has consistently undercut protections for asylum seekers. We have heard of cases of asylum seekers being turned away at ports of entry and made to wait for days in dangerous conditions along the Southwest border to access the ports because of a declared lack of capacity. DHS further recently issued guidance making it virtually impossible for those fleeing domestic violence or gang violence to seek asylum.

Have any ports of entry along the Southwest border been closed for any period of time to asylum seekers since the zero tolerance policy went into effect?

Response: No port of entry along the Southwest border has been closed for any period of time to asylum seekers since the zero tolerance policy went into effect.

Question: Have DHS employees told asylum seekers at any port of entry to return to make their claims at a later time since the zero tolerance policy went into effect? If so, at which ports, covering which time periods, and how asylum seekers were affected?

Response: CBP's Office of Field Operations processes all persons who apply for admission at POEs and does not turn away anyone who is seeking asylum. Any alien who arrives in the United States may seek asylum or other protections either before USCIS or an immigration judge. At times, due to operational capacity or as necessary to facilitate orderly processing and maintain the security and safety of the traveling public, individuals may need to wait in Mexico before being permitted to enter the POE. Upon reaching the U.S. side of the border, all individuals are processed.

Question#:	19
Topic:	Credible Fear Interviews
Hearing:	Oversight of Immigration Enforcement and Family Reunification Efforts
Primary:	The Honorable Kamala D. Harris
Committee:	JUDICIARY (SENATE)

Question: Please provide complete monthly data on rates of positive and negative determinations for credible fear interviews for individuals being screened along the Southwest border for asylum-related protections since January 2017.

Response: Please see the following table, Credible Fear Workload Report Summary.

**Credible Fear Workload Report Summary
Total Caseload**

	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17
Case Receipts	9,919	6,148	6,141	2,509	3,900	4,179	4,811	6,229	6,461	7,296	7,307	7,462
Interviews Conducted	7,961	7,426	4,809	2,993	3,412	3,864	3,881	4,953	5,300	5,339	6,365	6,265
All Decisions	8,849	8,264	5,876	3,698	4,262	4,880	4,752	5,996	6,205	6,359	7,494	7,164
Fear Established (Y)	7,144	6,451	4,207	2,710	3,022	3,321	3,477	4,481	4,725	4,797	5,781	5,606
Fear Not Established (N)	833	980	599	278	414	540	417	467	535	531	591	669
Closings	872	833	1,070	710	826	1,019	858	1,048	945	1,031	1,122	889

	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18
Case Receipts	8,121	6,621	8,266	8,500	9,968	9,742	6,565					
Interviews Conducted	6,926	5,699	7,280	7,142	8,877	8,941	6,065					
All Decisions	8,108	6,880	8,640	7,869	10,067	10,080	7,155					
Fear Established (Y)	6,171	5,134	6,347	6,175	8,079	7,472	5,246					
Fear Not Established (N)	715	676	767	719	821	1,314	945					
Closings	1,222	1,070	1,526	975	1,167	1,294	964					

Source: USCIS Asylum Division, Monthly Workload Reports, Global and Asylum Pre-Screening System (APSS).