



U.S. Citizenship and Immigration Services

The Affirmative Asylum Process

The following steps explain how you apply for asylum in the United States through the affirmative asylum process. The information in this section will not apply to you if you are seeking asylum through the defensive asylum process, meaning you are in removal proceedings before an immigration judge.

For information about the defensive asylum process, see the [Obtaining Asylum in the United States](#) Web page on USCIS.gov.

STEP ONE: Arrive in the U.S.

To apply for asylum in the U.S., you must be physically present in the U.S. or seeking entry into the U.S. at a port of entry.

STEP TWO: Apply for Asylum

To apply for asylum, you should file [Form I-589, Application for Asylum and for Withholding of Removal](#), with USCIS within one year of your last arrival in the United States (unless you qualify for an exception to the one-year filing deadline).

Do not submit a completed fingerprint card (FD-258) or fingerprint fee with your application. Your application will be accepted without the fingerprint card attached.

More information about how to file your application can be found in the [instructions for Form I-589 \(PDF, 295 KB\)](#).

For information on asylum eligibility, see the [Asylum Eligibility and Applications](#) Web page on USCIS.gov.

Bars to Applying for Asylum

You may not be eligible to apply for asylum if you:

- Did not follow the one-year filing deadline for [Form I-589, Application for Asylum and for Withholding of Removal](#). The one-year deadline is calculated from the date of your last arrival in the U.S. or April 1, 1997, whichever is later;
- Had a previous asylum application denied by an immigration judge or the Board of Immigration Appeals; or
- Can be removed to a safe third country under a two-party or multi-party agreement between the United States and other countries.

There are exceptions to these bars for “changed circumstances” or “extraordinary circumstances.”

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Both are defined in 8 CFR 208.4. For more information on the bars and the exceptions, see our [Asylum Bars](#) Web page.

Once USCIS has received the completed application, you will receive two notices:

1. Acknowledgment of receipt of your application, and
2. Notice to visit your nearest application support center (ASC) for fingerprinting.

For more information on locating an ASC, see our [USCIS Service and Office Locator](#) Web page.

STEP THREE: Fingerprinting and Background/Security Checks

You should read the ASC Appointment Notice and take it with you to your fingerprinting appointment at the ASC. You do not need to pay a fingerprinting fee as an asylum applicant.

If you are also requesting asylum status for your spouse and children and they are with you in the U.S., they will need to go with you to your ASC appointment.

More information is available on our [Preparing for Your Biometric Services Appointment](#) Web page.

STEP FOUR: Receive and Interview Notice

Depending on where you live, we will schedule you for an interview with an asylum officer either at one of the eight asylum offices or at a USCIS field office. For more information about USCIS field and asylum offices visit our [Find A USCIS Office](#) Web page. Your interview notice will tell you the date, location, and time of your asylum interview.

Please Note: Delay in Scheduling Your Asylum Interview

We are committed to processing and adjudicating every application we receive in a timely manner; however, because of the diversion of an increasing number of asylum officers to conduct protection screening interviews for persons arriving at the border, there could be a delay in scheduling your interview.

On December 26th, 2014, the USCIS Asylum Division began prioritizing asylum applications for interview scheduling as follows:

- First, applications that were scheduled for an interview, but the applicant requested a new interview date;
- Second, applications filed by children; and
- Third, all other pending affirmative asylum applications will be scheduled for interviews in the order they were received, with oldest cases scheduled first.

If your asylum application is currently pending interview scheduling, we are unable to predict how long the process will take at this time. Please see [USCIS Processing of Asylum Cases](#) for more information.

Asylum Office Directors have the discretion to consider applicants' requests for urgent interview scheduling outside of the above prioritization categories on a case-by-case basis. Please submit any urgent interview scheduling requests in writing to the asylum office with jurisdiction over your case. Go to the [USCIS Service and Office Locator](#) page for contact information.

STEP FIVE: Interview

You may bring an attorney or accredited representative to the interview. You must also bring your spouse and any children seeking derivative asylum benefits to the interview.

If you cannot proceed with the interview in English you must bring an interpreter.

The interview will generally last about an hour, although the time may vary depending on the case. You may also bring witnesses to testify on your behalf.

For more information about your asylum interview, see our Web page on [Preparing for Your Asylum Interview](#).

STEP SIX: Asylum Officer Makes Determination on Eligibility and Supervisory Asylum Officer Reviews the Decision

You must meet the definition of a refugee in order to be eligible for asylum.

The asylum officer will determine whether you:

- Are eligible to apply for asylum,
- Meet the definition of a refugee in section 101(a)(42)(A) of the INA, and
- Are barred from being granted asylum under section 208(b)(2) of the INA.

A supervisory asylum officer reviews the asylum officer's decision to ensure it is consistent with the law. Depending on the case, the supervisory asylum officer may refer the decision to asylum division staff at USCIS headquarters for additional review.

STEP SEVEN: Receive Decision

In most cases, you will return to the asylum office to pick up the decision two weeks after the asylum officer interviewed you.

Longer processing times may be required if you:

- Are currently in valid immigration status,
- Were interviewed at a USCIS field office,
- Have pending security checks, or
- Have a case that is being reviewed by asylum division staff at USCIS headquarters.

We will normally mail your decision to you in these situations.

For more information on the types of asylum decisions issued by USCIS, see our Web page on [Types of Asylum Decisions](#).

Additional information on the affirmative asylum process is available on our [Resources for Asylum Applicants](#) Web page.

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