regarding the Court's entry of the proposed modified final judgment. Although the United States does not believe that this modified final judgment is subject to the Antitrust Procedures and Penalties Act, 15 U.S.C. §§ 16(b)-(h), it intends to follow procedures similar to those set out in this Act in order to allow for interested parties to submit comments to the Court prior to the Court's determination of whether the entry of the modified judgment is in the public interest.

1. Today, the United States has filed a modified final judgment, a Stipulation pursuant to which the parties have consented to entry of the modified final judgment and a Memorandum In Support Of Modification explaining the proposed modifications and the reasons therefor.

2. The United States intends to publish the proposed modified final judgment and its Memorandum In Support Of Modification in the **Federal Register** and in certain newspapers at least 60 days prior to the time that the United States files a motion for the entry of the proposed modified final judgment. The notice will inform members of the public that they may submit comments concerning the modified final judgment to the United States Department of Justice, Antitrust Division.

3. During the sixty-day period, the United States will consider, and at the close of that period respond to, any comments received.

4. After the expiration of the sixty-day period, the United States will file with the Court the comments, the United States' response and a Motion for Entry of the Modified Final Judgment (unless the United States has decided to withdraw its consent to entry of the Modified Final Judgment, as permitted by Paragraph 2 of the Stipulation).

5. At that time, or any time thereafter, the Court may enter the modified final judgment without a hearing, if it finds that the modified final judgment is in the public interest.

Dated: July 7, 1997.

Respectfully submitted,

Yvette Benguerel,

D.C. Bar #442452.

U.S. Department of Justice, Antitrust Division, Telecommunications Task Force, 555 4th Street, N.W., Washington, D.C. 20001, (202) 514–5808.

[FR Doc. 97–18289 Filed 7–11–97; 8:45 am]

BILLING CODE 4410–11–M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

Agency Information Collection Activities: Proposed Collection; Comment Request

ACTION: Ninety-day emergency extension request to a currently approved emergency extension for a revision of a currently approved collection; Application for Asylum and Withholding of Removal.

The Department of Justice, Immigration and Naturalization Service has submitted the following information collection request (ICR) utilizing emergency review procedures, to the Office of Management and Budget (OMB) for review and clearance/approval in accordance with the Paperwork Reduction Act of 1995. Additionally, this notice will serve as the 60-day public notification for comments as required by the Paperwork Reduction Act of 1995. The new streamlined information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until September 12, 1997.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this Information Collection

(1) *Type of Information Collection: Revision of a currently approved collection.*

(2) *Title of the Form/Collection:* Application for Asylum and Withholding of Removal.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form I–589. Office of International Affairs, Asylum Division, Immigration and Naturalization Service.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals or Households. The information collected is used by the INS and EOIR to access eligibility of persons applying for asylum and withholding of deportation.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 80,000 responses at three and one half (3.16) hours per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 252,800 annual burden hours.

Comments and questions about the emergency extension of this information collection should be forwarded to OMB, Office of Information and Regulatory Affairs, Attention: Ms. Debra Bond, 202–395–7316, Department of Justice Desk Officer, Room 10235, Washington, DC 20503.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact Richard A. Sloan 202–616–7600, Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, U.S. Department of Justice, Room 5307, 425 I Street, NW., Washington, DC 20536. Additionally, comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Suite 850, Washington Center, 1001 G Street, NW., Washington, DC 20530.

Dated: July 9, 1997.

Robert B. Briggs,

Department Clearance Officer, United States Department of Justice.

Amendments to Form I–589 Application for Asylum and for Withholding of Removal

In an effort to streamline the Form I–589, Application for Asylum and for Withholding of Removal (OMB No. 1115–0086), the Immigration and Naturalization Service, Office of International Affairs established a Working Group. The Working Group consisted of input from members from the following programs: Executive Office for Immigration Review (EOIR); Office of International Affairs; Office of General Counsel; Benefits Division; Field Manual Project and the Policy Directives and Instructions Branch. Outlined below are the findings as a result of the I–589 Working Group. The Form I–589 has been revised accordingly.

Part E—Background Information About You

Former Part E of the I–589 application was not deleted as previously requested by OMB. Part E was included in Part A because it was felt this information was necessary to adjudicate this application. The more information asked on the form, the more information the applicant will provide and the easier it is for the asylum officer to conduct a fair appraisal of the claim. The intent of a non-confrontational interview is to obtain a complete, clear view of the manner in which the applicant has lived and functioned in his home country. Many applicants are intimidated by being questioned and they may react in a manner which is not conducive to a non-confrontational interview. Having the applicant provide the majority of the information relieves the officer of the need to ask these questions. This puts the officer in a less confrontational position in the applicant's eyes.

An additional section was added which requests the applicant to list ALL children regardless of age or civil status or whether they are in the United States or not. Providing this information will prompt the applicant to think of every member within his family at one time, rather than one by one as is done formerly in Part B of the form, and will help him or her to include every child eligible to be included in the application. This information will also assist the Service in future requests the applicant may make for benefit at a future date.

The form also asks the applicant to provide information about his or her parents, past residences and employments and education. The Service believes it is necessary to ask the applicant to provide this information on the application form for several important reasons.

Having the applicant provide specific details to these questions helps the applicant to articulate more thoroughly different forms of persecutory treatment. Additionally, by engaging in the process of answering the questions, the applicant is prompted to remember and cite facts which he or she might otherwise not recall during an oral recounting of circumstances and occurrences in their home country regarding the claim to asylum. Likewise, for the asylum officer, seeing the information, at a glance, patterns of mistreatment would be revealed. This would enable the officer to quickly determine whether certain areas need to be developed further or could suggest other lines of questioning which would provide additional, essential information.

For example: the information the applicant provides about his or her education indicates to the asylum officer whether the applicant was denied benefits in his or her home country. This point is necessary in developing a pattern of persecutor treatment. If a person is denied education, this opens for the asylum officer additional possibilities for developing the applicant's claim. Education is an important element of persecution in communist societies.

Repeated changes in residence and employment during the previous five years provide the officer with a clearer view of the life pattern of the applicant and assist the asylum officer in developing the reasons for those changes. The asylum officer can identify any necessity for identifying additional areas of persecution which could influence positively the outcome of the applicant's claim. For example; why did they move, were they forced by the government to move, did they feel the necessity to move in order to get out from under the control of certain government or military authorities, or did they have to receive permission to move, and whether they were forced into menial labor by the authorities.

By asking the applicant for information about his or her parents, the applicant is provided a means of giving evidence he or she might not otherwise consider pertinent to their situation in their home country. The status afforded to and the location of the residence of the applicant's parents can easily reflect a pattern of persecution if it shows the asylum officer, for example that, if the parents are outside the country of nationality, where they are and what status they have.

Photographs

The Service has changed the photograph requirement from ADIT-type photos to passport-style photos. The Service believes that there are more photographers who take passport-style photographs than do ADIT photographs. This will make it easier for the applicant to comply with the photograph requirement. Also, the requirement of two photographs has been changed to one photograph.

Organization of the Form

The form has been reorganized to have all information about the applicant in Part A rather than scattered throughout the application. The Service believes that this should make it easier for the applicant to complete the form and thus may cut down on the time required to answer all the questions.

BILLING CODE 4410–18–M

U.S. Department of Justice
Immigration and Naturalization Service

OMB NO. 1115-0086

Instructions for Form I-589
Application for Asylum and for Withholding of Removal

Purpose of This Form

This form is used to apply for asylum in the United States (U.S.), and for withholding of removal (formerly called "withholding of deportation"). You may file for asylum if you are physically in the United States and you are not a United States citizen.

You may include in your application your spouse and your unmarried children who are under 21 years of age and physically present in the United States. Married children and children 21 years of age or older must file a separate Form I-589 application. If your spouse and/or unmarried children under the age of 21 are outside the United States, you may file a petition for them to gain similar benefits, if you are granted asylum.

This instruction pamphlet is divided into two (2) sections. The first section has filing instructions. It discusses eligibility and will guide you through filling out and filing the application. The second section describes how your application will be processed. This section also describes potential interim benefits while your application is pending. However, you will not be authorized to work based on filing this application.

Please read these instructions carefully. The instructions will help you complete your application and understand how it will be processed.

WARNING: **Applicants who are in the United States illegally 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. Applicants determined to have knowingly made a frivolous application for asylum will be permanently ineligible for any benefits under the Immigration and Nationality Act.**

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1. FILING INSTRUCTIONS

Basis of Eligibility.

In order to qualify for asylum, you must establish that you are a refugee. A refugee is a person who is unable or unwilling to return to his or her country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group or political opinion. In your application, you should clearly describe any of your experiences, or those of family members, which may show that you are a refugee. If you are not granted asylum, the Immigration and Naturalization Service (INS) may use the information you provide in this application to establish that you are removable under 8 CFR part 237. Unless there are exceptional or extraordinary circumstances, you should file this application within one (1) year of arriving in the United States.

You may also include background material to support your application, such as newspaper articles, affidavits of witnesses or experts, periodicals, journals, books, photographs, official documents, other personal statements, or evidence regarding incidents that have occurred to others. However, you must establish how this background is material to your specific circumstances and why you have a well-founded fear of persecution.

Completing the Form.

Type or print all of your answers in ink on the Form I-589. Your answers must be completed in English. Forms completed in a language other than English will be returned to you.

Provide the specific information requested about you and your family. **Answer ALL of the questions asked.** If any question does not apply to you, answer "none" or "not applicable". Provide detailed information and answer the questions as completely as possible. If you need more space, attach an additional sheet(s) indicating the question number(s) you are answering. Sign and date each additional sheet.

You are strongly urged to attach additional written statements and documents that support your claim. Your written statements should include details of your experiences, events, and dates that relate to your claim for asylum.

If you need, or would like, help in completing this form and preparing your written statements, assistance from pro bono attorneys and/or voluntary agencies may be available. They may help you for a reduced fee. If you have not already received from INS a list of attorneys and accredited representatives, you may do so by calling 1-800-870-FORM.

Representatives of the United Nations High Commissioner for Refugees (UNHCR) may be able to assist you in identifying persons to help you complete the application. You may, if you wish, forward a copy of your application and other supporting documents to UNHCR. The current address of the UNHCR is:

United Nations High Commissioner for Refugees
1775 K Street, NW., Third Floor
Washington, DC 20006
Telephone: (202) 296-5191

Part A. Information about You.

This part asks for basic information about you. Alien Registration Number (A#) refers to your INS file number. In question 9, use the current name of the country. Do not use historical, ethnic, province, or other local names.

If you check block 17, you must complete the blocks 17a through 17g. The I-94# is the number on Form I-94, Departure Record, given to you when you entered the U.S. In Block 17g,enter the date

as it appears on the Form I-94. If you did not receive one, write "None". If you entered without being inspected by an immigration officer, write "EWI" in Block 17c.

Part B. Spouse and Children.

You should list your spouse and all your children in this application regardless of whether they are in the U.S. when you file your application.

You may ask to have your spouse, and/or any children who are under 21 and unmarried, included in this application **if they are in the U.S.** Children who are married and/or children who are 21 years of age or older must file separately for asylum by submitting their own asylum applications (Form I-589).

Submit an additional copy of your completed asylum application, the documentary evidence establishing your family relationship, and all other items mentioned when including a family member in your asylum application.

- If including your spouse in your application, submit copies of your marriage certificate.
- If you wish to include any children who are unmarried and under 21 in your application, submit copies of each child's birth certificate.

If you do not have, or are unable to obtain these documents, you may submit an affidavit from at least one (1) person for each event you are trying to prove. Affidavits may be provided by relatives. Persons providing affidavits need not be U.S. Citizens. Affidavits must:

- fully describe the circumstances or event in question and must fully explain how the person acquired knowledge of the event;
- be sworn to, or affirmed by, persons who were alive at the time and have personal knowledge of the event (date and place of birth, marriage, etc.) that you are trying to prove; and
- show the full name, address, date, and place of birth of each person giving the affidavit, and indicate any relationship between you and the person giving the affidavit.
- If you have more than two (2) children, attach additional pages and documentation providing the same information asked in the form.

Part C. Information about your Claim for Asylum.

This part asks specific questions relevant to eligibility for asylum and for withholding of removal. Follow the instructions on the application form. Your answers should be detailed. Use additional sheets for your answers. Put your name (exactly as it appears in Part A of the form) and A# (if any) at the top of each additional page. You must clearly indicate the number of the question you are answering.

Part D. Additional Information about your Application for Asylum.

Check yes or no in the box provided for all six (6) questions. If your answer is YES to any question, explain in detail on additional sheets as needed.

Part E. Your Signature.

You must sign your application in Part E and provide the information requested. Sign when completed.

Part F. Signature of Person Preparing Form if Other than Above.

Any person, other than an immediate family member, who helped prepare your application must sign the application and provide the information requested.

PENALTY FOR PERJURY. You and anyone, other than an immediate relative, 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, other than an immediate family member, assisting you in preparing this form must include his or her name and address and sign the application where indicated in Part G. Failure of the preparer to sign will result in the application being returned to you as an incomplete application. If the INS later learns that you received assistance from a person other than an immediate family member, and this person has failed to sign, this may result in an adverse ruling against you.

All statements contained in response to questions contained in this application are declared to be true and correct under penalty of perjury.

Title 18, United States Code, Section 1546, provides in part:

...Whoever knowingly makes under oath, or as permitted under penalty of perjury under Section 1746 of Title 28, United States Code, 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 five years, or both.

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 United States Code and to civil penalties under Section 274C of the Immigration and Nationality Act, 8 U.S.C. 1324c.

Part G. To be Completed at Interview.

Do not sign your application in Part G before filing this form. You will be asked to sign your application in this space at the conclusion of the interview regarding your claim.

NOTE: You must, however, sign Part E of the application.

Required Documents and Required Number of Copies that you must Submit with your Application:

- The **original** and two (2) copies of your completed asylum application, Form 1-589, and the original and two (2) copies of any additional sheets and supplementary statements. You must submit a total of three (3) copies of any other documentation such as supporting documentation. You should retain one (1) copy of the completed application for your own records. Although the INS will confirm in writing its receipt of your application, you may wish to send the completed forms by registered mail (return receipt requested). The INS suggests that you bring a copy of your Application for Asylum and for Withholding of Removal(Form I-589) with you when you have your interview;

- Three (3) copies of any documentary **evidence of relationship(s)**, such as birth records of your children, marriage certificate, or proof of termination of marriage;

- If these instructions state that a copy of a document may be filed with this application and you choose to send us the original, we may keep that original for our records.

Any foreign language document must be accompanied by an adequate English translation which the translator has certified as complete and correct, and by the translator's certification that he or she is competent to translate from the foreign language into English.

NOTE: If you do not have, and are unable to obtain, these forms of documentary evidence, you must submit an original and two (2) copies of an **affidavit** from a third person who knows of the relationship.

- An **additional two (2) copies of your Form I-589** complete with additional sheets and supplementary statements for each family member(s) listed in Part B who you want to have included in your application;

- **One (1) Fingerprint Card, FD-258,** for you and each family member listed in Part B, 14 years of age or older, who is included in your application. Your fingerprints must be taken by an INS approved Designated Fingerprinting Service (DFS), a law enforcement agency recognized by INS as a DFS, or a designated INS employee. A list of approved Designated Fingerprinting Services is available at the INS district office which services you. You may obtain INS forms by calling 1-800-870-FORM;

  You must complete the information on the top of the card and write your A# (if any) in the space marked "Your No. OCA" or "Miscellaneous No. MNU". Do not sign the card until you have been fingerprinted, or are told to sign by the person who takes your fingerprints. The person who takes your fingerprints must also sign the card, and write his or her title and the date you are fingerprinted in the space provided. **Do not bend, fold, or crease the fingerprint card.**

- One (1) **passport-style photograph** of you and each family member listed in Part B who is included in your application. **The photos must have been taken no more than 30 days before you file your application.** Print the person's comple name and A# (if any) on the back of his or her photos with a pencil; and

- A copy of the passport (cover to cover) and a copy of any U.S. Immigration documents, such as an I-94 Departure Record, for you and each family member who you want included in your application.

Additional Documents that you may Submit.

- A copy of your **birth certificate;**

- **Any supporting documents.** You may submit background material, such as newspaper articles, affidavits of witnesses or experts, periodicals, journals, books, photographs, official documents, or personal statements. The original, plus two complete sets of your supporting documents, should be sent to the INS along with an additional copy for each family member who is included in your application; and

- You should submit and bring with you to the interview any other **identification**, if available.

Fee.

There is no fee for filing this application.

Organizing your application.

Put your application together in the following order ***(if possible, secure with binder clips and rubber bands so that material may be easily separated):***

☐ Your original Form I-589, with all questions completed, and with the application signed by you and by any preparer; and

☐ One (1) photo stapled in Part E.

Behind your original Form I-589 attach, in the following order:

☐ One (1) Form G-28, if represented by an attorney or other representative, signed by you and the attorney/representative;

☐ The original of all additional sheets and supplementary statements submitted with your application;

☐ One (1) copy of the evidence of your relationship to your spouse and unmarried children under 21 that you want included in your application;

☐ One (1) completed Fingerprint Card (FD-258) if you are 14 years of age or older [do not bend, fold or crease this card]; and

☐ One (1) copy of the items in your original package, except photographs, behind the original package.

Behind these duplicate packages, attach one (1) additional package for each family member that you want included in your application. Arrange each family member's package as follows:

☐ One (1) copy of your completed, signed application form. In Part B, staple one (1) photo in the upper right hand corner;

☐ One (1) copy of the Form G-28, if any;

☐ One (1) copy of evidence of your relationship to this person;

☐ One (1) copy of all continuation sheets and supporting evidence submitted with the original application;

☐ One (1) completed Fingerprint Card (FD-258) if he or she is 14 years of age or older (do not bend, fold or crease this card);

☐ One (1) additional copy of your completed and signed application form and continuation sheets submitted with the original application.

For example, if you include your spouse and 2 children, you should submit your original package, plus 2 duplicates for you, plus 2 packages for your spouse, plus 2 for each child, or a total of 9. Be sure each has the appropriate documentation.

Incomplete Applications.

An application that is incomplete shall be returned to you by mail within thirty (30) days of receipt of the application by the INS.

The filing of an incomplete application shall not commence the 150-day period after which you may file an application for employment authorization in accordance with 8 CFR 208.7(a)(1). An application that has not been returned to you within thirty (30) days of having been received by the INS shall be deemed complete. An application for asylum and withholding of removal will be considered incomplete if: it does not include a response to each of the questions contained in the Form I-589, is unsigned, is unaccompanied by one (1) completed Form FD-258 (Fingerprint Card) for you and for every family member who is included in your application for asylum and is fourteen years of age or older, is sent without the appropriate number of copies for any supporting materials submitted, or if you indicated in Part G that the application was prepared by someone other than yourself and the preparer failed to complete Part G of the asylum application.

If you are filing this application more than one (1) year after your arrival in the United States, you must attach an explanation of why you did not file within the first year after your arrival. Describe any change(s) in circumstances since your arrival which resulted in your decision to apply for asylum at this time or any extraordinary circumstances which prevented you from applying earlier.

Where to File.

If you are in removal proceedings.

If you are currently in removal proceedings (that is, if you have been served with Form I-221, Order to Show Cause; Form I-122, Notice to Applicant for Admission Detained for Hearing; Form I-860, Notice and Order of Expedited Removal; or Form I-862, Notice to Appear), you are required to file your application, Form I-589, with the Office of the Immigration Judge having jurisdiction over your case.

If you are not in removal proceedings.

You are to mail your complete application for asylum, Form I-589, and any other additional information, to the INS Service Center as indicated below.

If you live in the District of Columbia, western Pennsylvania, Maryland, Virginia, West Virginia, North Carolina, Georgia, Alabama, South Carolina, Louisiana, Arkansas, Mississippi, Tennessee, Texas, Oklahoma, Utah, New Mexico, Colorado, Wyoming, Florida, the Commonwealth of Puerto Rico, or the United States Virgin Islands, mail your application to:

USINS Southern Service Center
P.O. Box 152122
Department A
Irving, TX 75015-2122

If you live in Illinois, Indiana, Michigan, Wisconsin, Minnesota, North Dakota, South Dakota, Kansas, Missouri, Ohio, Iowa, Nebraska, Montana, Idaho, Kentucky, northern California, northern Nevada, Oregon, Washington, Alaska, Hawaii, or the territory of Guam, mail your application to:

USINS Northern Service Center
P.O. Box 87589
Lincoln, NE 68501-7589

If you live in Arizona, southern California, or southern Nevada, mail your application to:

USINS Western Service Center
P.O. Box 10589
Laguna Niguel, CA 92607-0589

If you live in Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, eastern Pennsylvania, Rhode Island, or Vermont, mail your application to:

USINS Eastern Service Center
P.O. Box 9589
St. Albans, VT 05479-9589

2. OTHER INFORMATION

Your Address in the United States.

You must provide your street address in Part A of the asylum application. **You must notify the asylum office on Form AR-11 (Change of Address Form) or in writing of any changes of address that have occurred after the filing of your asylum application with the Service Center.** The address that you provide on the application, or the last Change of Address Form submitted, will be used by the INS for mailing. Any notices mailed to this address shall constitute adequate service of all notices. These notices include an interview notice, or other documents, except a Notice to Alien Detained for Hearing by an Immigration Judge (Form I-122), an Order to Show Cause (Form I-221) and a Notice and Order of Expedited Removal (Form I-860).

Withholding of Removal.

Your asylum application is also considered to be an application for withholding of removal under Section 241(b)(3) of the Immigration and Nationality Act, as amended. If asylum is not granted, you may be eligible for withholding of removal.

In order to qualify for withholding of removal, you must establish a clear probability of persecution if you return to your home country on account of race, religion, nationality, membership in a particular social group, or political opinion.

Interview.

You will be notified by the INS asylum office of the date, time, and place (address) of a scheduled interview. The interview procedure is as follows: an asylum officer will interview you under oath, make an assessment of your claim and make a determination concerning your claim.

If you are unable to proceed with the interview in English you must provide, at no expense to the INS, a competent interpreter fluent in both English and your native language. Your interpreter must be at least 18 years of age. The following persons cannot serve as your interpreter: your attorney or representative of record or, a witness testifying on your behalf at the interview. Quality interpretation may be crucial to your claim. Such assistance must be obtained, at your expense, prior to the interview. A list of agencies willing to assist you in finding qualified interpreters may be obtained from local INS offices.

Failure without good cause to have a competent interpreter at your interview may be considered a failure without good cause to appear for the interview. You will be prevented from receiving work authorization and your asylum application may be referred directly to the immigration judge.

If you have a **passport,** other travel or identification document, Form I-94, Departure Record, you must bring these documents with you to the interview. You must bring some form of identification to your interview. You may bring to the interview any additional available items documenting your claim.

If other **members of your family** are to be included on your application for asylum, they must also appear for the interview and bring any identity or travel documents which they have in their possession.

Status while your Claim is Pending.

While your case is pending, you will be permitted to remain in the United States. After your asylum interview, if you have not been granted asylum, and appear to be deportable under Section 237 of the INA, 8 U.S.C. 1251, or inadmissible under Section 212 of the INA, 8 U.S.C. 1182, your application will be filed with the Office of the Immigration Judge upon referral by the asylum office.

Travel Outside the United States.

You must apply for and be granted advance parole, before you leave the United States. An applicant who leaves the United States without first obtaining advance parole shall be presumed to have abandoned his or her application. An applicant who leaves the United States pursuant to advance parole and returns to the country of claimed persecution shall be presumed to have abandoned his or her application, unless the applicant is able to establish compelling reasons for such return.

Employment Authorization while your Application is Pending.

You will be granted permission to work if your asylum application is granted.

You may request permission to work if your asylum application is pending, and 150 days have lapsed since your application was accepted by the INS, but has not been denied within 180 days from the date of filing a complete application. If the 150-day period expires before a decision is made on your application, you may request permission to work by filing an Application for Employment Authorization, Form I-765. Follow the instructions on that application and submit it with a copy of evidence that you have a pending asylum application. Each family member you have asked to have included in your applicaton who also wants permission to work must submit a separate Form I-765.

You may ***not*** apply for employment authorization until your application for asylum or withholding of removal has been pending for at least 150 days since acceptance by the INS or the Office of the Immigration Judge. If you file an application for employment authorization before the 150 days has expired, that application will be denied. Any delay in the processing of your application that you request or cause shall not be counted as part of the 150-day time period.

Privacy Act Notice.

The authority to collect this information is contained in Title 8, United States Code. Furnishing the information on this form is voluntary; however, failure to provide all of the requested information may result in the delay of a final decision or denial of your request. The information collected will be used to make a determination on your application. It may also be provided to other government agencies (Federal, state, local and/or foreign). However, no information regarding this application will be provided to the Government or country from which you claimed a fear of persecution. All applicants are subject to a check of criminal information databases in order to determine eligibility.

Paperwork Reduction Act Notice.

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood and which impose the least possible burden on you to provide us with information. Often this is difficult because some immigration laws are very complex. The estimated average time to complete and file this application is as follows: (1) **30** minutes to learn about the form; (2) **55** minutes to complete the form; and (3) **105** minutes to assemble and file the application, including the average interview and travel time; for a total estimated average of 3 hours and 10 minutes per application. If you have comments regarding the accuracy of this estimate or suggestions for making this form simpler, you can write to both the Immigration and Naturalization Service, Policy Directives and Instructions Branch 425 I Street, NW., Room 5307, Washington, DC 20536, and the Office of Management and Budget, Paperwork Reduction Project, OMB No. 1115-0086, Washington, DC 20503. ***(Do not mail your completed application to this address.)***

U.S. Department of Justice
Immigration and Naturalization Service

OMB #1115-0086

Application for Asylum and for Withholding of Removal

Start here - Please Type or Print. Use Black ink. See the separate instruction pamphlet for information about eligibility and how to complete and file this application.

PART A. INFORMATION ABOUT YOU.

1. Alien Registration Number(s) (A#'s)

2. Complete Last Name	3. First Name	4. Middle Name
5. Mailing Address in the U.S. C/O	How long have you lived here?	Telephone Number
Street Number and Name		Apt. No.
City	State	ZIP Code

6. Sex ☐ Male ☐ Female	7. Marital Status: ☐ Single ☐ Married ☐ Divorced ☐ Widowed
8. Date of Birth *(Mo/Day/Yr)*	9. City and Country of Birth

10. Present Nationality *(Citizenship)*	11. Race/Ethnic or Tribal Group	12. Religion
13. Where did you enter the U.S.? *(Port of Entry)*	14. Date of Entry	15. Social Security Number

Immigration Status, if applicable. *(Check one and attach a copy of your INS status document.)*

16. ☐ I am now in exclusion or deportation proceedings.

17. ☐ I am *not* in removal proceedings. *(Complete 17a through 17g.)*

a. Where did you last enter the U.S.?	b. When did you enter? *(Mo/Day/Year)*
c. What was your status when you entered?	d. What type of visa did you have, *(if any)*?
e. What is the number of your I-94?	f. What is the expiration date of your authorized stay *(if any)*?

g. When did you first enter the U.S.? *(Mo/Day/Yr)*

18. I am not in exclusion or deportation proceedings.

19. What is your native language?

20. ☐ I am fluent in English.	21. ☐ I am not fluent in English, but am fluent in:

22. What was your nationality at birth?

23. Have you ever filed an application for refugee status, asylum, withholding of deportation, or withholding of removal?

☐ No.

☐ No. I was included in a pending application of my parent(s). However, I am now 21 years' old or married so I am filing my own application.

☐ Yes. *(What was the decision? Include the A#'s and the disposition or status of each application.)*

FOR INS USE ONLY

Returned	Receipt
Resubmitted	
Reloc Sent	
Reloc Rec'd	
Action: Interview Date:	

Asylum:
☐ Granted
☐ Denied
☐ Referred
☐ Recommended Approval
Date A.O. decision or referral issued _____

Total number of persons granted asylum _____

For EOIR Use Only

To Be Completed by Attorney or Representative, if any

☐ Check if G-28/EOIR-28 is attached showing you represent the applicant.

INS VOLAG or PIN #

ATTY State License # _____

Information About You - Continued.

24. What other names have you used? *(Include maiden name and all aliases.)*

25. What country issued your last passport?	26. Passport #	27. Expiration Date

28. Provide the following information about your most recent education.

Name of School	Type of School	Location	Attended From *(Mo/Yr)*	To *(Mo/Yr)*

29. Provide the following information about your residences during the last five years. List your present address first. *(Use additional sheets of paper if necessary.)*

Number and Street	City	Province or State	Country	Dates From *(Mo/Yr)*	To *(Mo/Y*

30. Provide the following information about your employment during the last five years. *(List your present employment first. Use additional sheets of paper if necessary.)*

Name and Address of Employer	Your Occupation	Dates From *(Mo/Yr)*	To *(Mo/Yr)*

31. Provide the following information about your parents.

Name	Country and City of Birth

32. List *ALL* your children, regardless of their age and civil status. *(Use additional sheets of paper if necessary.)*

Name	Date of Birth	Place of Birth

PART B. INFORMATION ABOUT YOUR SPOUSE AND CHILDREN.

Your Spouse. ☐ I am not married. *(Skip to Part B, Your Children.)*

1. Alien Registration Receipt Number (A#)

2. Complete Last Name	3. First Name	4. Middle Name	5. Date of Birth *(Mo/Day/Yr)*
6. Date of Marriage *(Mo/Day/Yr)*	7. Place of Marriage	8. City and Country of Birth	
9. Nationality *(Citizenship)*	10. Race, Ethnic or Tribal Group	11. Sex ☐ Male ☐ Female	

Immigration Status.

12. Is this person in the U.S.? ☐ Yes. *(Complete blocks 13 to 24.)* ☐ No.			13. Social Security #
14. Place of Entry in the U.S.?	15. Date of Entry in the U.S.? *(Mo/Day/Yr)*	16. I-94#	17. Status when Admitted *(Visa type, if any.)*
18. Expiration of Status *(Mo/Day/Yr)*	19. Mode of Transportation	20. Is your spouse in removal proceedings? ☐ Yes ☐ No	
21. If previously in the U.S., Date of Last Arrival	22. Place of Last Arrival	23. Status at Time of Last Arrival	

24. Is this person to be included in this application? *(Check the appropriate box.)*

☐ Yes. *(Attach one (1) photograph of your spouse in the upper right hand corner of Page 3 on the extra copy of the application submitted for this person.)*

☐ No, because spouse is/has:

☐ Filing separately. ☐ Separate application pending. ☐ Other reasons. *(Explain why on separate paper.)*

Your Children, Regardless of Age or Marital Status. *(Attach additional pages and documentation if you have more than two (2) children.)*

1. Alien Registration Receipt Number (A#):

2. Complete Last Name	3. First Name	4. Middle Name	5. Date of Birth *(Mo/Day/Yr)*
6. City and Country of Birth	7. Nationality *(Citizenship)*	8. Race, Ethnic or Tribal Group	9. Sex ☐ Male ☐ Female

Immigration Status.

10. Is this child in the U.S.? ☐ Yes. *(Complete blocks 11 to 22.)* ☐ No.			11. Social Security #
12. Place of Entry in the U.S.?	13. Date of Entry in the U.S.? *(Mo/Day/Yr)*	14. I-94#	15. Status when Admitted *(Visa type, if any.)*
16. Expiration of Status *(Mo/Day/Yr)*	17. Mode of Transportation	18. Is this child in removal proceedings? ☐ Yes ☐ No	
19. If previously in the U.S., Date of Last Arrival	20. Place of Last Arrival	21. Status at Time of Last Arrival	

22. Is this person to be included in this application? *(Check the appropriate box.)*

☐ Yes. *(Attach one (1) photograph of your spouse in the upper right hand corner of Page 3 on the extra copy of the application submitted for this person.)*

☐ No, because child is/has: ☐ Filing separately. ☐ Separate application pending. ☐ Over 21 years of age. ☐ Married.

☐ Other reasons. *(Explain why on separate paper.)*

Information about your Spouse and Children - Continued.

Your Children, Regardless of Age or Marital Status.

1. Alien Registration Receipt Number (A#):

2. Complete Last Name	3. First Name	4. Middle Name	5. Date of Birth *(Mo/Day/Yr)*
6. City and Country of Birth	7. Nationality *(Citizenship)*	8. Race, Ethnic or Tribal Group	9. Sex ☐ Male ☐ Female

Immigration Status.

10. Is this person in the U.S.? ☐ Yes. *(Complete blocks 11 to 22.)* ☐ No.			11. Social Security #
12. Place of Entry in the U.S.?	13. Date of Entry in the U.S.? *(Mo/Day/Yr)*	14. I-94#	15. Status when Admitted *(Visa type, if any.)*
16. Expiration of Status *(Mo/Day/Yr)*	17. Mode of Transportation	18. Is this child in removal proceedings? ☐ Yes ☐ No	
19. If previously in the U.S., Date of Last Arrival	20. Place of Last Arrival	21. Status at Time of Last Arrival	

22. Is this person to be included in this application? *(Check the appropriate box.)*

☐ Yes. *(Attach one (1) photograph of your spouse in the upper right hand corner of Page on the extra copy of the application submitted for this person.)*

☐ No, because spouse is/has: ☐ Filing separately. ☐ Separate application pending. ☐ Over 21 years of age. ☐ Married.

☐ Other reasons. *(Explain why on separate paper.)*

PART C. INFORMATION ABOUT YOUR CLAIM TO ASYLUM.

1. Why are you seeking asylum? Explain in detail what the basis is for your claim. *(Attach additional sheets of paper as needed.)*

2. What do you think would happen to you if you returned to the country from which you claim you would be subjected to persecution? Explain in detail and provide information or documentation to support your statement, if available. *(Attach additional sheets of paper as needed.)*

3. Have you or any member of your family ever belonged to or been associated with any organizations or groups in your home country, such as a political party, student group, union, religious organization, military or para-military group, civil patrol, guerrilla organization, ethnic group, human rights group, or the press?

☐ No. ☐ Yes. If yes, provide a detailed explanation of your involvement with the group(s) and include the name of the organization or group; the dates of your membership or affiliation; the purpose of the organization; your duties or your relatives' duties or responsibilities in the group or organization; and whether you or your relatives are still an active member. *(Attach additional sheets of paper as needed.)*

Information about your Claim to Asylum - Continued.

4. Have you or any member of your family ever been mistreated or threatened by the authorities of your home country or by a group or groups which are controlled by the government, or which the government of your home country is unable or unwilling to control?

☐ No. ☐ Yes. *(If YES, check any of the following boxes that apply.)*

☐ Race ☐ Religion ☐ Nationality ☐ Membership in a particular social group ☐ Political Opinion

On a separate sheet of paper, specify for each instance, what occurred and the circumstances; the relationship to you of the the person involved; the date; the exact location; who it was who took such action against you or your family member; his/her position in the government or group; the reason why the incident occurred; and the names and addresses of a few of the people who may have witnessed these actions and who could verify these statements. Attach documents referring to these incidents, if they are available. *(Attach additional sheets of paper as needed.)*

5. Have you or any member of your family ever been arrested, detained, interrogated, convicted and sentenced, or imprisoned in your country, any other country, or in the U.S.?

For each instance, specify what occurred and the circumstances; dates; location; the duration of the detention or imprisonment; the reason(s) for the detention or conviction; the treatment you received during the detention or imprisonment; any formal charges that were placed against you; the reason for your release; treatment of you after your release; and the names and addresses of a few of the people who could verify these statements. Attach documents referring to these incidents if they are available. *(Attach additional sheets of paper as needed.)*

6. Describe in detail your trip to the United States from your home country. After leaving the country from which you are claiming asylum, did you or your spouse or child(ren), who are now in the U.S., travel through or reside in any other country before entering the U.S.?

☐ No. ☐ Yes. (If YES, for each person, identify each country and indicate the length of stay; the person's status while there; the reasons for leaving; whether the person is entitled to return for residence purposes; and if the person did not apply for refugee status or for asylum while there; or why he or she did not do so. *(Use additional sheets of paper as needed.)*

7. Do you fear being subjected to torture in your home country if you return?

☐ No. ☐ Yes. If yes, please explain why. *(Use additional sheet of paper as needed.)*

PART D. ADDITIONAL INFORMATION ABOUT YOUR APPLICATION FOR ASYLUM.

1. Do you, your spouse, or your child(ren) now hold, or have you ever held, permanent residence, other permanent status, or citizenship, in any country other than the one from which you are now claiming asylum?

   ☐ No. ☐ Yes.

2. Have you, your spouse, your child(ren), your parents ever filed for, been processed for, or been granted or denied refugee status or asylum by the U.S. Government?

   ☐ No. ☐ Yes. If YES, please explain the decision and what happened to any status you received as a result of that decision. *(Attach additional sheets of paper as needed.)*

3. Have you, your spouse, your child(ren), or your parents ever filed for, been processed for, or been granted or denied refugee status or asylum by any other country?

   ☐ No. ☐ Yes. If YES, please explain the decision and what happened to any status you received as a result of that decision. *(Attach additional sheets of paper as needed.)*

4. Have you, your spouse, or child(ren) ever caused harm or suffering to any person because of his or her race, religion, nationality, membership in a particular social group or belief in a particular political opinion, or ever ordered, assisted, or otherwise participated in such acts?

   ☐ No. ☐ Yes. If YES, describe, in detail, the circumstance of your visit, for example, the date(s) of the trip(s), the purpose(s) or the trip(s), and the length of time you remained in that country for the visit(s). *(Attach additional sheets of paper as needed.)*

5. After you left your country of claimed persecution for the reasons you have described, did you return to that country?

   ☐ No. ☐ Yes. If YES, you must explain why you did not file within the first year after your arrival. In your explanation, describe any extraordinary circumstances or change(s) in your situation since your arrival which prevented you from applying earlier or any circumstances which resulted in your decision to apply at this time. Your failure to adequately explain such extraordinary circumstances or change in your circumstances may result in a finding that you are ineligible to apply for asylum. *(Attach additional sheets of paper as needed.)*

6. Are you filing the application more than one year after your last arrival in the United States?

   ☐ No. ☐ Yes. If YES, you must explain why you did not file within the first year after your arrival. In your explanation, describe any extraordinary circumstances or change(s) in your situation since your arrival which prevented you from applying earlier or any circumstances which resulted in your decision to apply at this time. Your failure to adequately explain such extraordinary circumstances or change in your circumstances may result in a finding that you are ineligible to apply for asylum. *(Attach additional sheets of paper as needed.)*

PART E. SIGNATURE.

After reading the information on penalties in the instructions, complete and sign below. If someone helped you prepare this application, he or she must complete Part F.

I certify, under penalty of perjury under the laws of the United States of America, that this application and the evidence submitted with it is all true and correct. Title 18, United States Code, Section 1546, provides in part: "Whoever knowingly makes under oath, or as permitted under penalty of perjury under Section 1746 of Title 28, United States Code, 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 or which fails to contain any reasonable basis in law or fact -- shall be fined in accordance with this title or imprisoned not more than five years, or both". I authorize the release of any information from my record which the Immigration and Naturalization Service needs to determine eligibility for the benefit I am seeking.

Staple your photograph here.

WARNING: Applicants who are in the United States illegally 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. Applicants determined to have knowingly made a frivolous application for asylum will be permanently ineligible for any benefits under the Immigration and Nationality Act.

Signature of Applicant *(The person named in Part A)*

[_____] _____

Sign your name so it all appears within the brackets. Date *(Mo/Day/Yr)*

Print Name	Write your name in your native alphabet

Did someone other than you or an immedate family member prepare the application? ☐ No ☐ Yes *(Complete Part F)*

Asylum applicants may be represented by counsel. Has INS provided you with a list of persons who may be available to assist you, at no cost, with your asylum claim? ☐ No ☐ Yes

PART F. SIGNATURE OF PERSON PREPARING FORM IF OTHER THAN ABOVE. *Sign below.*

I declare that I have prepared this application at the request of the person named in Part F, that the responses provided are based on all information of which I have knowledge, or which was provided to me by the applicant and that the completed application was read to the applicant in his or her native language for verification before he or she signed the application in my presence. I am aware that the knowing placement of false information of the Form I-589 may also subject me to civil penalties under 8 U.S.C. Section 1324(c).

Signature of Preparer	Print Name	Date *(Mo/Day/Yr)*

Daytime Telephone Number ( )	Address of Preparer: Street Number and Name

Apt. No.	City	State	ZIP Code

PART G. TO BE COMPLETED AT INTERVIEW.

You will be asked to complete this Part when you appear before an asylum officer of the Immigration and Naturalization Service (INS), or an Immigration Judge of the Executive Office for Immigration Review (EOIR) for examination.

I swear (affirm) that I know the contents of this application that I am signing, including the attached documents and supplements, that they are ☐ all true or ☐ not true to the best of my knowledge and that corrections numbered _____ to _____ were made by me or at my request.

Signed and sworn to before me by the above-name applicant on:

_____ _____

Signature of Applicant Date *(Mo/Day/Yr)*

_____ _____

Write your Name in your Native Alphabet Signature of Asylum Officer or Immigration Judge

[FR Doc. 97–18347 Filed 7–11–97; 8:45 am]

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