Notice of the institution of the Commission's investigations and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of January 18, 2001 (66 FR 4860). The conference was held in Washington, DC, on January 31, 2001, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in these investigations to the Secretary of Commerce on February 26, 2001. The views of the Commission are contained in USITC Publication 3400 (March 2001), entitled Certain Welded Large Diameter Line Pipe from Japan and Mexico: Investigations Nos. 731-TA–919–920 (Preliminary).

By order of the Commission.
Issued: February 26, 2001

Donna R. Koehnke,

Secretary.

[FR Doc. 01–5304 Filed 3–5–01; 8:45 am]

BILLING CODE 7020–02–U

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

Agency Information Collection Activities: Proposed Collection; Comment Request

ACTION: Notice of Information Collection under Review: Application for Asylum and for Withholding of Removal.

The Department of Justice, Immigration and Naturalization Service (INS) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995.

The INS published a **Federal Register** notice on August 7, 2000 at 65 FR 48252 to solicit public comments for a 60-day period regarding the proposed revision of Form I–589 (Application for Asylum and for Withholding of Removal). The proposed revisions included both the Instructions to completing the Form I–589 and the application form itself. At the close of the public comment period on October 6, 2000, the INS had received three responses regarding the proposed revisions. The public comments received have been addressed in the accompanying Supporting Statement.

The purpose of this notice is to allow an additional 30 days for public comments. The proposed draft of the revised information collection published with this notice is for public review and comment only and may not be used to obtain immigration benefits. Comments are encouraged and will be accepted until April 5, 2001. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and/or suggestions regarding the items contained in this notice, especially regarding the estimated public burden and associated response time, should be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, 725 17th Street, NW., Room 10235, Washington, DC 20530; Attention: Lauren Wittenberg, Department of Justice Desk Officer; 202–395–4318.

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 agency's 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 currently approved collection.

(2) *Title of the Form/Collection:* Application for Asylum and for 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 on this form will be used to determine whether an alien applying for asylum and/or withholding of removal in the United States is classifiable as a refugee, or eligible for protection under the Convention Against Torture, and is eligible to remain in the United States.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 53,000 responses at 12 hours per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 636,000 annual burden hours.

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 202–514–3291, Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, U.S. Department of Justice, Room 4034, 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, 1331 Pennsylvania Avenue, NW., Suite 1220, Washington, DC 20530.

Dated: February 27, 2001.

Richard A. Sloan,

Department Clearance Officer, United States Department of Justice, Immigration and Naturalization Service.

BILLING CODE 4410–10–M

DRAFT COPY DRAFT COPY DRAFT COPY DRAFT COPY

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"). This application may also be used to apply for protection under the Convention Against Torture. You may file this application if you are physically present in the United States and you are not a United States citizen.

NOTE: You **must** submit an application for asylum within one (1) year of arriving in the United States, unless there are changed circumstances that materially affect your eligibility for asylum or extraordinary circumstances relating to a delay in filing for asylum. (See Instructions, Part 1: Filing Instructions, Section V, "Completing the Form," Part C, for further explanation.)

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 Form I-730, Refugee and Asylee Relative Petition, OMB No. 1115-0121, 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 basic eligibility criteria 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.

Please read these instructions carefully. The instructions will help you complete your application and understand how it will be processed. If you have questions about your eligibility, completing the form, or the asylum process, you may wish to consult an attorney or other qualified person to assist you. (See Instructions, Part I, Filing Instructions, Section IV, "Right to Counsel.")

Additional information concerning asylum and withholding of removal is available on the following websites: Immigration and Naturalization Service: http://www.ins.usdoj.gov and Executive Office for Immigration Review: http://www.usdoj.gov/eoir/.

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, even if the application is later withdrawn. Applicants determined to have knowingly made a frivolous application for asylum will be permanently ineligible for any benefits under the Immigration and Nationality Act (Act). See Section 208(d)(6) of the Act and 8 CFR 208.20.**

THIS IS A DRAFT COPY OF THIS FORM. IT IS FOR DISPLAY IN THE FEDERAL REGISTER ONLY, NOT FOR PUBLIC USE.

DRAFT COPY DRAFT COPY DRAFT COPY DRAFT COPY

TABLE OF CONTENTS

INSTRUCTIONS FOR FORM I-589 1

PART 1: FILING INSTRUCTIONS 2

I. WHO MAY APPLY AND FILING DEADLINES 2
II. BASIS OF ELIGIBILITY 2
A. ASYLUM 2
B. WITHHOLDING OF REMOVAL 3
C. DEFERRAL OF REMOVAL UNDER THE CONVENTION AGAINST TORTURE..... 4
D. LEGAL SOURCES RELATING TO ELIGIBILITY 4
III. CONFIDENTIALITY 4
IV. RIGHT TO COUNSEL 4
V. COMPLETING THE FORM 5
PART A. I. INFORMATION ABOUT YOU 5
PART A. II. SPOUSE AND CHILDREN 6
PART A. III. INFORMATION ABOUT YOUR BACKGROUND 6
PART B. INFORMATION ABOUT YOUR APPLICATION 6
PART C. ADDITIONAL INFORMATION ABOUT YOUR APPLICATION..... 7
PART D. YOUR SIGNATURE 7
PART E. SIGNATURE OF PERSON PREPARING FORM IF OTHER THAN YOU..... 7
PART F. TO BE COMPLETED AT INTERVIEW. 8
VI. REQUIRED DOCUMENTS AND REQUIRED NUMBER OF COPIES THAT YOU MUST SUBMIT WITH YOUR APPLICATION..... 8
VII. ADDITIONAL DOCUMENTS THAT YOU SHOULD SUBMIT 9
VIII. FEE 9
IX. FINGERPRINTS 9
X. ORGANIZING YOUR APPLICATION 9
XI. INCOMPLETE ASYLUM APPLICATIONS .. 10
XII. WHERE TO FILE 10

PART 2: INFORMATION REGARDING POST-FILING REQUIREMENTS..... 11

I. NOTIFICATION REQUIREMENTS WHEN YOUR ADDRESS CHANGES..... 11
II. ASYLUM INTERVIEW PROCESS 11
III. STATUS WHILE YOUR CLAIM IS PENDING 12
IV. TRAVEL OUTSIDE THE UNITED STATES .. 12
V. EMPLOYMENT AUTHORIZATION WHILE YOUR APPLICATION IS PENDING 12
VI. PRIVACY ACT NOTICE 12
VII. PAPERWORK REDUCTION ACT NOTICE . 12

SUPPLEMENTS TO THE FORM I-589 13

PART 1: FILING INSTRUCTIONS

I. Who May Apply and Filing Deadlines

You may apply for asylum irrespective of your immigration status, and even if you are in the United States unlawfully.

You MUST file this application within one (1) year after you arrived in the United States, unless you can show that there are changed circumstances that affect your eligibility for asylum or extraordinary circumstances that prevented you from filing within one (1) year. (See Instructions, Part 1: Filing Instructions, Section V, "Completing the Form," Part C, for further explanations of this requirement.)

If you have previously been denied asylum by an Immigration Judge or the Board of Immigration Appeals, you must show that there are changed circumstances that affect your eligibility for asylum.

The determination of whether you are permitted to apply for asylum will be made once you have had an asylum interview with an Asylum Officer or a hearing before an Immigration Judge. Even if you are not eligible to apply for asylum for the reasons stated above, you may still be eligible to apply for withholding of removal under section 241 (b) (3) of the Immigration and Nationality Act (Act) or the Convention Against Torture before the Immigration Court.

II. Basis of Eligibility

A. Asylum

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 of nationality, or last habitual residence in the case of a person having no nationality, 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.

If you are granted asylum, you and any eligible dependents included in your application will be permitted to remain and work in the United States and may eventually adjust to lawful permanent resident status. **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 from the United States.**

THIS IS A DRAFT COPY OF THIS FORM. IT IS FOR DISPLAY IN THE FEDERAL REGISTER ONLY, NOT FOR PUBLIC USE.

DRAFT COPY DRAFT COPY DRAFT COPY DRAFT COPY

B. Withholding of Removal

Your asylum application is also considered to be an application for withholding of removal under section 241(b)(3) of the Act, as amended. It may also be considered an application for withholding of removal under the Convention Against Torture if you checked the box on page 1 of this application . If asylum is not granted, you may still be eligible for withholding of removal. Regardless of the basis for the withholding application, you will not be eligible for withholding if you 1) assisted in Nazi persecution or engaged in genocide, 2) have persecuted another person, 3) have been convicted by a final judgment of a particularly serious crime and therefore represent a danger to the community of the United States, 4) are considered for serious reasons to have committed a serious non-political crime outside the United States, or 5) represent a danger to the security of the United States. (See section 241 (b)(3) of the Act; 8 CFR 208.16.)

i. Withholding of Removal under Section 241 (b)(3) of the Act

In order to qualify for withholding of removal under section 241(b)(3) of the Act, you must establish that it is more likely than not that your life or freedom would be threatened on account of race, religion, nationality, membership in a particular social group, or political opinion, in the proposed country of removal.

If you obtain an order withholding your removal, you cannot be returned to the country in which your life or freedom would be threatened. This means that you may be removed to a third country in which your life or freedom would not be threatened. Withholding of removal does not apply to any spouse or child included in the application. They would have to apply for such protection on their own. If you are granted withholding of removal, this would not give you the right to bring dependents to the United States. It also would not give you the right to become a lawful permanent resident of the United States.

ii. Withholding of Removal under the Convention Against Torture

The Convention Against Torture refers to the United Nations Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

To be granted withholding of removal to a country under the Convention Against Torture, you must show that it is more likely than not that you would be tortured in that country.

"Torture" is defined in Article 1 of the Convention Against Torture and at 8 CFR 208.18(a). For an act to be considered torture, it must be an extreme form of cruel and inhuman treatment; it must cause severe physical or mental pain and suffering; and it must be intended to cause severe pain and suffering. Torture is an act inflicted for such purposes as obtaining from the victim or a third person information or a confession, punishing the victim for an act he or she or a third person has committed or is suspected of having committed, or intimidating or coercing the victim or a third person, or for any reason based on discrimination of any kind. Torture must be inflicted by or at the instigation of a public official or someone acting in an official capacity, or it must be inflicted with the consent or acquiescence of a public official or person acting in an official capacity. The victim must be in the custody or physical control of the torturer. Torture does not include pain or suffering that arises from or is incidental to lawful sanctions.

Form I-589, Application for Asylum and for Withholding of Removal, will be considered an application for withholding of removal under the Convention Against Torture if you tell the Immigration Judge that you would like to be considered for withholding of removal under the Convention Against Torture or if it is determined that the evidence you present indicates you may be tortured in the country of removal. To apply for withholding of removal under the Convention Against Torture, you must check the box at the top of page one (1) of the application and fully complete the Form I-589. You should include a detailed explanation of why you fear torture in response to Question 4, Part B of the application. In your response you should write about any mistreatment you experienced or any threats made against you by a government or somebody connected to a government.

Only Immigration Judges and the Board of Immigration Appeals may grant withholding of removal or deferral of removal under the Convention Against Torture. If you have applied for asylum, the Immigration Judge will first determine whether you are eligible for asylum

THIS IS A DRAFT COPY OF THIS FORM. IT IS FOR DISPLAY IN THE FEDERAL REGISTER ONLY, NOT FOR PUBLIC USE.

DRAFT COPY DRAFT COPY DRAFT COPY DRAFT COPY

under section 208 of the Act and for withholding of removal under section 241(b)(3) of the Act. If you are not eligible for either asylum or withholding of removal under section 241(b)(3) of the Act, the Immigration Judge will determine whether the Convention Against Torture prohibits your removal to a country in which you fear torture.

Article 3 of the Convention Against Torture prohibits the United States from removing you to a country in which it is more likely than not that you would be subject to torture. The Convention Against Torture does not prohibit the United States from returning you to any other country where you would not be tortured. This means that you may be removed to a third country, in which you would not be tortured. Withholding of removal does not allow you to adjust to lawful permanent resident status or to petition to bring family members to come to, or remain in, the United States.

C. Deferral of Removal under the Convention Against Torture.

If it is more likely than not that you will be tortured in a country but you are ineligible for withholding of removal, your removal will be deferred under 8 CFR 208.17(a). Deferral of removal does not confer any lawful or permanent immigration status in the United States and does not necessarily result in release from detention. Deferral of removal is effective only until it is terminated. Deferral of removal is subject to review and termination if it is determined that it is no longer more likely than not that you would be tortured in the country to which your removal is deferred or if you request that your deferral be terminated.

D. Legal Sources Relating to Eligibility

The documents listed below are some of the legal sources relating to asylum, withholding of removal under section 241(b)(3) of the Act, and withholding of removal or deferral of removal under the Convention Against Torture. These sources are provided for reference only. You do not need to refer to them in order to complete your application.

- Section 101(a)(42) of the Act, 8 U.S.C. 1101(a)(42) (defining "refugee");
- Section 208 of the Act, 8 U.S.C. 1158 (regarding eligibility for asylum);
- Section 241(b)(3) of the Act, 8 U.S.C. 1251 (b)(3) (regarding eligibility for withholding of removal);
- Title 8 of the Code of Federal Regulations, section 208, et. seq.;
- Article 3 of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment as ratified by Sec. 2242(b) of the Foreign Affairs Reform and Restructuring Act of 1998 and 8 CFR as amended by the Regulations Concerning the Convention Against Torture: Interim Rule, 64 FR 8478-8492 (February 19, 1999) (effective March 22, 1999); 64 FR 13881 (March 23, 1999);
- The 1967 United Nations Protocol Relating to the Status of Refugees;
- The 1951 Convention Relating to the Status of Refugees; and
- Office of the United Nations High Commissioner for Refugees, Handbook on Procedures and Criteria for Determining Refugee Status (Geneva, 1992).

III. Confidentiality

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) for purposes of investigation or legal action on criminal and/or civil matters and for issues arising from the adjudication of benefits. However, no information indicating that you have applied for asylum will be provided to any government or country from which you claim a fear of persecution. Regulations at 8 CFR 208.6 protect the confidentiality of asylum claims.

IV. Right to Counsel

Immigration law concerning asylum and withholding of removal or deferral of removal is complex. You have a right to provide your own legal representation at an asylum interview and

THIS IS A DRAFT COPY OF THIS FORM. IT IS FOR DISPLAY IN THE FEDERAL REGISTER ONLY, NOT FOR PUBLIC USE.

DRAFT COPY DRAFT COPY DRAFT COPY DRAFT COPY

during immigration proceedings before the Immigration Court, at no cost to the United States Government. If you need, or would like, help in completing this form and preparing your written statements, assistance from pro bono (free) attorneys and/or voluntary agencies may be available. Voluntary agencies may help you for no fee or for a reduced fee and attorneys on the list may take your case for no fee. If you have not already received from INS or the Immigration Court a list of attorneys and accredited representatives, you may obtain a list by calling 1-800-870-FORM (3676) or visiting the United States Department of Justice, Executive Office for Immigration Review (EOIR) website at: http://www.usdoj.gov/eoir/probono/states.htm.

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. The UNHCR website provides useful country conditions information and also has links to other reliable sources. You may also, if you wish, forward a copy of your application and other supporting documents to the UNHCR. (For instructions on where to file the original, please see Instructions, Part 1: Filing Instructions, Section XII. "Where to File." The current address of the UNHCR is:

United Nations High Commissioner for Refugees
1775 K Street, NW, Suite 300
Washington, DC 20006
Telephone: (202) 296-5191
Website: http://www.unhcr.ch

Calls from Detention Centers and Jails: Between the hours of 2:00 and 5:00 p.m. (Eastern Standard Time), Monday through Friday, asylum-seekers in detention centers and jails may call UNHCR collect at (202) 296-5191 or may call UNHCR's toll-free number at (888) 272-1913.

V. Completing the Form

Type or print all of your answers in black 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 or you do not know the information requested by the question, answer "none," "not applicable," or "unknown." Provide detailed information and answer the questions as completely as possible. If you need more space, attach the Supplement A or B Forms (included in the application package) and/or an additional sheet(s) indicating the question number(s) you are answering. You are strongly urged to attach additional written statements and documents that support your claim. Your written statements should include events, dates, and details of your experiences that relate to your claim for asylum.

NOTE: Please put your Alien Registration Number (A#), (if any), name (exactly as it appears in Part A.I. of the form), signature, and date on each supplemental sheet and on the cover page of any supporting documents.

You will be permitted to amend or supplement your application at the time of your asylum interview before an Asylum Officer and at your hearing in Immigration Court by providing additional information and explanations about your asylum claim.

Part A. I. Information about You

This part asks for basic information about you. Alien Registration Number (A#) refers to your INS file number. If you do not already have an A#, the INS will assign one to you. You must provide your residential street address in the United States in Part A. I., Question 7, of the asylum application. You may also provide a mailing address, if different from the address where you reside, in Question 8. In Question 12, use the current name of the country. Do not use historical, ethnic, provincial, or other local names.

If you entered the country with inspection, the I-94#, referred to in Question 18b, is the number on Form I-94, Arrival-Departure Record, OMB No. 1115-0077, given to you when you entered the United States. In Question 18c, enter the date and status as it appears on the Form I-94. If you did not receive a Form I-94, write "None". If you entered without being inspected by an immigration officer, write "No Inspection" in Question 18c in the status section.

THIS IS A DRAFT COPY OF THIS FORM. IT IS FOR DISPLAY IN THE FEDERAL REGISTER ONLY, NOT FOR PUBLIC USE.

DRAFT COPY DRAFT COPY DRAFT COPY DRAFT COPY

Part A. II. Spouse and Children

You should list your spouse and all your children in this application regardless of their age, marital status, or whether they are in the United States when you file your asylum application.

You may ask to have included in your asylum application your spouse and/or any children who are under the age of 21 and unmarried, if they are in the United States. 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 application, (Form I-589).

If you apply for asylum while in proceedings before the Immigration Court, the Immigration Judge may not have authority to grant asylum to any spouse or child included in your application who is not also in proceedings.

When including family members in your asylum application, you MUST submit one additional copy of your completed asylum application and primary documentary evidence establishing your family relationship, for each family member, as described below.

If you are including your spouse in your application, submit three (3) copies of your marriage certificate, and three (3) copies of proof of termination of any prior marriages.

If you are including any unmarried children under 21 years of age in your application, submit three (3) copies of each child's birth certificate.

If you do not have and are unable to obtain these documents, you may submit secondary evidence. Secondary evidence includes, but is not limited to, medical records, religious records, and school records. You may also submit an affidavit from at least one (1) person for each event you are trying to prove. Affidavits may be provided by relatives or others. Persons providing affidavits need not be United States citizens or lawful permanent residents. **Affidavits must:**

- fully describe the circumstances or event(s) in question and fully explain how the person acquired knowledge of the event(s);
- be sworn to, or affirmed by, persons who were alive at the time of the event(s) and have personal knowledge of the event(s) (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 submit secondary evidence or affidavits, you must explain why primary evidence (e.g., birth or marriage certificate) is unavailable. You may explain the reasons primary evidence is unavailable using the Supplement B Form or additional sheets of paper. Attach this explanation to your secondary evidence or affidavits.

If you have more than four (4) children, complete the Supplement A Form for each additional child, or attach additional pages and documentation providing the same information asked in Part A. II. of the Form I-589.

Part A. III. Information about Your Background

Please answer questions 1 through 5, providing details as requested for each question. Your responses to the questions concerning the places you have lived, your education, and employment histories should be in reverse chronological order starting with your current residence, education, and employment, working back in time.

Part B. Information about Your Application

This part asks specific questions relevant to eligibility for asylum, for withholding of removal under section 241(b)(3) of the Act, or for withholding of removal under the Convention Against Torture. At question 1, please check the box(es) next to the reason(s) that you are completing this application. For all other questions, please check "Yes"or "No" in the box provided. If you answer "Yes" to any question, explain in detail using the Supplement B Form or additional sheets of paper as needed. You should clearly describe any of your experiences, or those of family members or others who have had similar experiences, that may show that you are a refugee.

THIS IS A DRAFT COPY OF THIS FORM. IT IS FOR DISPLAY IN THE FEDERAL REGISTER ONLY, NOT FOR PUBLIC USE.

DRAFT COPY DRAFT COPY DRAFT COPY DRAFT COPY

If you have experienced harm that is difficult for you to write down and express, you should be aware that these experiences may be very important to the decision-making process regarding your request to remain in the United States. At your interview with an Asylum Officer or hearing with an Immigration Judge, you will need to be prepared to discuss the harm you have suffered. If you are having trouble remembering or talking about past events, it is suggested that you talk to a lawyer, an accredited representative, or a health professional who may be able to help you explain your experiences and current situation.

Part C. Additional Information about Your Application

Check "Yes" or "No" in the box provided for each question. If you answer "Yes" to any question, explain in detail using the Supplement B Form or additional sheets of paper as needed.

If you answer "Yes" to question 5, you must explain why you did not apply for asylum within the first year after you arrived in the United States. The government will accept as an explanation certain changes in the conditions in your country, certain changes in your own circumstances, and certain other events that may have prevented you from applying earlier. For example, some of the events the government might consider as valid explanations include, but are not limited to, the following:

- You have learned that human rights conditions in your country have worsened since you left;
- Because of your health, you were not able to submit this application within a year after you arrived;
- You previously submitted an application, but it was returned to you because it was not complete, and you submitted a complete application within a reasonable amount of time.

Federal regulations specify some of the other types of events that may also qualify as valid explanations for why you filed late. These regulations are found at 8 CFR 208.4. The list in the regulations is not all-inclusive, and the government recognizes that there are many other circumstances that might be acceptable reasons for filing more than one year after arrival.

If you are unable to explain why you did not apply for asylum within the first year after you arrived in the United States, or your explanation is not accepted by the government, you may not be eligible to apply for asylum, but you could still be eligible for withholding of removal.

Part D. Your Signature

You must sign your application in Part D and respond to the questions concerning any assistance you received to complete your application, providing the information requested. Sign after you have completed and reviewed the application.

If it is determined that you have knowingly made a frivolous application for asylum you can be permanently ineligible for any benefits under the Immigration and Nationality Act. According to regulations at 8 CFR 208.20, an application is frivolous if any of its material elements is deliberately fabricated. (See Instructions, Part 1: Filing Instructions, Section IV, "Right to Counsel," in the event that you have any questions.)

Part E. Signature of Person Preparing Form If Other than You

Any person, other than an immediate family member (your spouse, parent(s), or children) who helped prepare your application must sign the application and provide the information requested.

Penalty for Perjury. All statements in response to questions contained in this application are declared to be true and correct under penalty of perjury. You and anyone, other than an immediate family member, who assists you in preparing the application must sign the application under penalty of perjury. Your signature is evidence that you are aware of the contents of this application. Any person assisting you in preparing this form, other than an immediate family member, must include his or her name, address, telephone number, and sign the application where indicated in Part E. 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 someone other than an immediate family member and the person who assisted you **willfully** failed to sign the application, this may result in an adverse ruling against you.

THIS IS A DRAFT COPY OF THIS FORM. IT IS FOR DISPLAY IN THE FEDERAL REGISTER ONLY, NOT FOR PUBLIC USE.

DRAFT COPY DRAFT COPY DRAFT COPY DRAFT COPY

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 F. To Be Completed at Interview

Do not sign your application in Part F 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 D of the application.

VI. Required Documents and Required Number of Copies that You Must Submit with Your Application

You must submit the following documents to apply for asylum and withholding of removal:

- **The completed, signed original and two (2) copies of your completed application,** Form I-589, and the original and two (2) copies of any supplementary sheets and supplementary statements. If you choose to submit additional supporting material (See Instructions, Part 1: Filing Instructions, Section VII, "Additional Documents that You Should Submit," page 9), you MUST include three (3) copies of each document. You should make and keep one (1) additional copy of the completed application for your own records.
- **An additional copy of your completed application,** Form I-589, with supplementary sheets and supplementary statements, for each family member listed in Part A. II. who you want to have included in your application.
- **Three (3) copies of primary or secondary evidence** of relationship, such as birth or school records of your children, marriage certificate, or proof of termination of marriage, for each family member listed in Part A. II. who you want to have included in your application.

  NOTE: If you submit an affidavit, you must submit the original and two (2) copies. (For affidavit requirements, see Instructions, Part 1: Filing Instructions, Section V, "Completing the Form," Part A. II., page 6.)
- **One (1) passport-style photograph** of you and of each family member listed in Part A. II. 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 complete name and A# (if any) on the back of his or her photo with a pencil.
- **Three (3) copies of all passports or other travel documents** (cover to cover) in your possession, and three (3) copies of any U.S. Immigration documents, such as an I-94 Arrival-Departure Record, for you and each family member who you want included in your application, if you have such documents.
- If you have **other identification documents** (for example, birth certificate, military or national identification card, driver's license, etc.), it is recommended that you submit three (3) copies with your application and bring the original(s) with you to the interview.

It is recommended that any documents filed with this application be photocopies but, please be advised, if you choose to send an original document, the INS or Immigration Court may keep that original document for its records.

Translation of documents not in English is required. Any document in a language other than English must be accompanied by an adequate English translation that the translator

THIS IS A DRAFT COPY OF THIS FORM. IT IS FOR DISPLAY IN THE FEDERAL REGISTER ONLY, NOT FOR PUBLIC USE.

DRAFT COPY DRAFT COPY DRAFT COPY DRAFT COPY

has certified as complete and correct, and by the translator's certification that he or she is competent to translate into English the language used in the document.

VII. Additional Documents that You Should Submit

If they are available to you, you should submit documents evidencing (1) the general conditions in the country from which you are seeking asylum, and (2) the specific facts on which you are relying to support your claim. If documents supporting your claim are not available or you are not providing them at this time, you must explain why using the Supplement B Form or additional sheets of paper. Supporting documents may include, but are not limited to newspapers articles, affidavits of witnesses or experts, medical and/or psychological records, doctors' statements, periodicals, journals, books, photographs, official documents, or personal statements.

If you have difficulty discussing harm you have suffered in the past, you may wish to submit a health professional's report explaining this difficulty.

VIII. Fee

There is no fee for filing this application.

IX. Fingerprints

Applicants for asylum are subject to a check of all appropriate records and other information databases maintained by the Attorney General and by the Secretary of State. You and all of your dependents over the age of fourteen (14) listed on your asylum application must be fingerprinted and photographed. You and your dependents will be given instructions on how to complete this requirement. You will be notified in writing of the time and location of the Application Support Center or the designated Law Enforcement Agency where you must go to be fingerprinted and photographed. Failure to appear for a scheduled fingerprinting may delay eligibility for work authorization and/or result in an Asylum Officer dismissing your asylum application or referring it to an Immigration Judge. For applicants before an Immigration Judge, such failure will make the applicant ineligible for asylum and may delay eligibility for work authorization.

You are required to submit photographs as specified in Instructions, Part 1: Filing Instructions, Section VI, "Required Documents and Required Number of Copies" of the Form I-589 instructions at the time you file your Form I-589 Application for Asylum and for Withholding of Removal.

X. Organizing Your Application

Put your application together in the following order, forming one (1) complete package (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 the application signed by you in Part D, and signed by any preparer, in Part E; and
- One (1) passport-style photo of you stapled to the form at Part D.

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

- One (1) Form G-28 Notice of Entry of Appearance as Attorney or Representative, signed by you and the attorney/representative if you are represented by an attorney or other representative;
- The original of all supplemental 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 years of age who you want included in your application, if any;
- Two (2) copies of the items listed above in your original package, except for your photograph.

If you are including family members in your application, attach one (1) additional package for each family member. Arrange each family member's package as follows:

- One (1) copy of your completed, signed Form I-589 and supplemental sheets submitted with the original application. In Part A. II, staple in the upper right corner
  one (1) passport-style photo of the family member to be included; and

THIS IS A DRAFT COPY OF THIS FORM. IT IS FOR DISPLAY IN THE FEDERAL REGISTER ONLY, NOT FOR PUBLIC USE.

DRAFT COPY DRAFT COPY DRAFT COPY DRAFT COPY

- One (1) copy of Form G-28, if any.

For example, if you include your spouse and two (2) children, you should submit your original package, plus two (2) duplicates for you, plus one (1) package for your spouse, plus one (1) package for each child, for a total of six (6) packages. Be sure each has the appropriate documentation.

NOTE: Any additional pages submitted should include the applicant's printed name (exactly as it appears in Part A.I. of the form), A# (if any), signature and date.

XI. Incomplete Asylum Applications

An asylum application that is incomplete will be returned to you by mail within thirty (30) days of receipt of the application by the INS. An application that has not been returned to you within thirty (30) days of having been received by the INS will be considered complete and you will receive written acknowledgement of receipt from the Service.

The filing of a complete application starts the 150-day period you must wait before you may apply for employment authorization. If your application is not complete and is returned to you, the 150-day period will not begin until you resubmit a complete application. (See Instructions, Part 2: Information Regarding Post-Filing Requirements, Section V, "Employment Authorization," for further information regarding eligibility for employment authorization.)

An application will be considered incomplete in each of the following cases:

- The application does not include a response to each of the questions contained in the Form I-589;
- The application is unsigned;
- The application is submitted without the required photograph;
- The application is sent without the appropriate number of copies for any supporting materials submitted; or
- You indicated in Part D that someone prepared the application other than yourself or an immediate family member and the preparer failed to complete Part E of the asylum application.

XII. Where to File

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) for your own records.

If you are in proceedings in Immigration Court:

If you are currently in proceedings in Immigration Court (that is, if you have been served with Form I-221, Order to Show Cause and Notice of Hearing; Form I-122, Notice to Applicant for Admission Detained for Hearing Before an Immigration Judge; Form I-862, Notice to Appear; or Form I-863, Notice of Referral to Immigration Judge), you are required to file your Form I-589, Application for Asylum and for Withholding of Removal with the Immigration Court having jurisdiction over your case.

If you are NOT in proceedings in Immigration Court:

You are to mail your completed application for Asylum and for Withholding of Removal, Form I-589, and any other additional information, to the INS Service Center as indicated below.

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

USINS Texas Service Center
Attn: Asylum
P.O. Box 851892
Mesquite, TX 75185-1892

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

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

THIS IS A DRAFT COPY OF THIS FORM. IT IS FOR DISPLAY IN THE FEDERAL REGISTER ONLY, NOT FOR PUBLIC USE.

DRAFT COPY DRAFT COPY DRAFT COPY DRAFT COPY

If you live in Arizona, southern California, Hawaii, southern Nevada in the jurisdiction of the Las Vegas Suboffice, or the Territory of Guam, mail your application to:

USINS California 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 excluding the jurisdiction of the Pittsburgh Suboffice, Rhode Island, or Vermont, mail your application to:

USINS Vermont Service Center
Attn: Asylum
75 Lower Welden Street
St. Albans, VT 05479-0589

For applicants in the states of California, Nevada and Pennsylvania who may be unsure of which Service Center to use for mailing applications, you may call the National Customer Service Center or your local asylum office for more specific information. The National Customer Service Center and the asylum offices serving those states are listed below with their public information numbers:

The National Customer Service Center:

Toll Free Number	800-375-5283
TDD Hearing Impaired	800-767-1833

For California or Nevada:

Los Angeles Asylum Office	714-808-8199
San Francisco Asylum Office	415-744-8419

For Pennsylvania:

Newark Asylum Office	201-531-0555
Arlington Asylum Office	703-525-8141

Information concerning asylum offices and where to file asylum applications is also available on the INS website at: http://www.ins.usdoj.gov.

PART 2: INFORMATION REGARDING POST-FILING REQUIREMENTS

I. Notification Requirements when Your Address Changes

If you change your address you must inform the INS in writing within ten (10) days of moving.

While your asylum application is pending before the asylum office, you MUST notify the asylum office on Form AR-11 (Change of Address Form) or by a signed and dated letter of any changes of address within ten (10) days after you change your address. The address that you provide on the application, or the last change of address notification you submitted, will be used by the INS for mailing. Any notices mailed to that address will constitute adequate service, except that personal service may be required for the following: Notice to Alien Detained for Hearing by an Immigration Judge (Form I-122), Notice to Appear (Form I-862), Notice of Referral to Immigration Judge (Form I-863), and a Notice and Order of Expedited Removal (Form I-860).

If you are already in proceedings in Immigration Court, you MUST notify the Immigration Court on Form EOIR 33 (Change of Address Form) or by a signed and dated letter of any changes of address within five (5) days of the change in address. You must send the notification to the Immigration Court having jurisdiction over your case.

II. Asylum Interview Process

If you are not in proceedings in Immigration Court, you will be notified by the INS asylum office of the date, time and place (address) of a scheduled interview. The INS suggests that you bring a copy of your Form I-589, asylum application, with you when you have your asylum interview. An Asylum Officer will interview you under oath and make a determination concerning your claim. In most cases, you will not be notified of the decision in your case until a date after your interview. You have the right to legal representation at your interview, at no cost to the United States Government. (See Instructions, Part 1: Filing Instructions, Section IV, "Right to Counsel.") You also may bring witnesses with you to the interview to testify on your behalf.

If you are unable to proceed with the asylum interview in fluent English, you must provide at no expense to the INS, a competent interpreter fluent in both English and a language that you speak fluently. Your interpreter must be at least 18 years of age. The following persons cannot serve as your interpreter: your attorney or representative of record; a witness testifying on

THIS IS A DRAFT COPY OF THIS FORM. IT IS FOR DISPLAY IN THE FEDERAL REGISTER ONLY, NOT FOR PUBLIC USE.

DRAFT COPY DRAFT COPY DRAFT COPY DRAFT COPY

your behalf at the interview; or a representative or employee of your country. Quality interpretation may be crucial to your claim. Such assistance must be obtained, at your expense, prior to the interview.

Failure without good cause to bring a competent interpreter to your interview may be considered an unexcused failure to appear for the interview. Any unexcused failure to appear for an interview may prevent you from receiving work authorization, and your asylum application may be dismissed or referred directly to the Immigration Court.

If available, you must bring some form of identification to your interview, including any passport(s), other travel or identification documents, or Form I-94 Arrival-Departure Record. You may bring to the interview any additional available items documenting your claim that you have not already submitted with your application.

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

III. 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 Act, 8 U.S.C. 1227, or inadmissible under Section 212 of the Act, 8 U.S.C. 1182, your application will be filed with the Immigration Court upon referral by the asylum office.

IV. Travel Outside the United States

If you leave the United States without first obtaining advance parole from the INS using Form I-131, Application for a Travel Document, OMB No. 1115-0005, it will be presumed that you have abandoned your application. If you obtain advance parole and return to the country of claimed persecution, it will be presumed that you abandoned your application, unless you can show that there were compelling reasons for your return.

NOTE: The application process for advance parole varies depending on your personal circumstances. Check with your local INS District Office for application instructions.

V. Employment Authorization while Your Application is Pending

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

Simply filing an application for asylum does not entitle you to work authorization. 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 or the Immigration Court. See 8 CFR 208.7(a)(1). Any delay in the processing of your asylum application that you request or cause shall not be counted as part of the 150-day period. If your asylum application has not been denied within 180 days from the date of filing a complete asylum application, you may be granted permission to work by filing an Application for Employment Authorization, Form I-765, (OMB No. 1115-0163) with the Service. Follow the instructions on that application and submit it with a copy of evidence as specified in the instructions that you have a pending asylum application. Each family member you have asked to have included in your application who also wants permission to work must submit a separate Form I-765. You may obtain a Form I-765 by calling 1- 800-870-FORM (3676), or from the INS website at http://www.ins.usdoj.gov.

VI. Privacy Act Notice

The authority to collect this information is contained in Title 8 of the 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.

VII. Paperwork Reduction Act Notice

Under the Paperwork Reduction Act an agency may not conduct or sponsor an information collection and 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) 2 hours to learn about the form;

THIS IS A DRAFT COPY OF THIS FORM. IT IS FOR DISPLAY IN THE FEDERAL REGISTER ONLY, NOT FOR PUBLIC USE.

DRAFT COPY DRAFT COPY DRAFT COPY DRAFT COPY

(2) 5 hours to complete the form; and (3) 5 hours to assemble and file the application; for the total estimated average burden hours of 12 hours per application. The estimated time to complete the form will vary depending on the complexity of your individual circumstances. If you have comments regarding the accuracy of this estimate or suggestions for making this form simpler, you can write to the Immigration and Naturalization Service, Policy Directives and Instructions Branch, 425 I Street, N.W., Room 4034, Washington, DC 20536, OMB No. 1115-0086. **DO NOT MAIL YOUR COMPLETED APPLICATION TO THIS ADDRESS.**

SUPPLEMENTS TO THE FORM I-589

Form I-589, Supplement A - for use in completing Part A. H.

Form I-589, Supplement B - for use in completing Parts B, C, and to provide additional information for any other part of the application.

THIS IS A DRAFT COPY OF THIS FORM. IT IS FOR DISPLAY IN THE FEDERAL REGISTER ONLY, NOT FOR PUBLIC USE.

DRAFT COPY DRAFT COPY DRAFT COPY DRAFT COPY

OMB No. 1115-0086

U.S. Department of Justice
Immigration and Naturalization Service

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.** (Note: There is NO filing fee for this application.)

Please check the box if you also want to apply for withholding of removal under the Convention Against Torture. ☐

PART A. I. INFORMATION ABOUT YOU

1. Alien Registration Number(s)(A#'s)*(If any)*			2. Social Security No. *(If any)*
3. Complete Last Name	4. First Name		5. Middle Name
6. What other names have you used? *(Include maiden name and aliases.)*			
7. Residence in the U.S. C/O			Telephone Number
Street Number and Name			Apt. No.
City	State		ZIP Code
8. Mailing Address in the U.S., if other than above			Telephone Number
Street Number and Name			Apt. No.
City	State		ZIP Code
9. Sex ☐ Male ☐ Female	10. Marital Status: ☐ Single ☐ Married ☐ Divorced ☐ Widowed		
11. Date of Birth *(Mo/Day/Yr)*	12. City and Country of Birth		
13. Present Nationality *(Citizenship)*	14. Nationality at Birth	15. Race, Ethnic or Tribal Group	16. Religion

17. *Check the box, a through c that applies:* a. ☐ I have never been in immigration court proceedings.

b. ☐ I am now in immigration court proceedings. c. ☐ I am **not** now in immigration court proceedings, but I have been in the past.

18. *Complete 18 a through c.*

a. When did you last leave your country? *(Mo/Day/Yr)*

b. What is your current I-94 Number, if any?

c. Please list each entry to the U.S. beginning with your most recent entry.
List date (Mo/Day/Yr), place, and your status for each entry. (Attach additional sheets as needed.)

Date _____ Place _____ Status _____ Current Status _____
Date _____ Place _____ Status _____ Date Status Expires _____
Date _____ Place _____ Status _____
Date _____ Place _____ Status _____
Date _____ Place _____ Status _____

19. What country issued your last passport or travel document?	20. Passport # Travel Document #	21. Expiration Date *(Mo/Day/Yr)*
22. What is your native language?	23. Are you fluent in English? ☐ Yes ☐ No	24. What other languages do you speak fluently?

FOR EOIR USE ONLY

FOR INS USE ONLY

Action:
Interview Date: _____
Decision:
__ Approval Date: _____
__ Denial Date: _____
__ Referral Date: _____
Asylum Officer ID# _____

Form I-589 (Rev. 02/21/01)N

THIS IS A DRAFT COPY OF THIS FORM. IT IS FOR DISPLAY IN THE FEDERAL REGISTER ONLY, NOT FOR PUBLIC USE.

DRAFT COPY DRAFT COPY DRAFT COPY DRAFT COPY

OMB No. 1115-0086

PART A. II. INFORMATION ABOUT YOUR SPOUSE AND CHILDREN

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

1. Alien Registration Number (A#) *(If any)*	2. Passport/ID Card No. *(If any)*	3. Date of Birth *(Mo/Day/Yr)*	4. Social Security No. *(If any)*
5. Complete Last Name	6. First Name	7. Middle Name	8. Maiden Name
9. Date of Marriage *(Mo/Day/Yr)*	10. Place of Marriage	11. City and Country of Birth	
12. Nationality *(Citizenship)*	13. Race, Ethnic or Tribal Group	14. Sex ☐ Male ☐ Female	
15. Is this person in the U.S.? ☐ Yes *(Complete blocks 16 to 24.)* ☐ No *(Specify location)*			
16. Place of last entry in the U.S. ?	17. Date of last entry in the U.S. *(Mo/Day/Yr)*	18. I-94 No. *(If any)*	19. Status when last admitted *(Visa type, if any)*
20. What is your spouse's current status?	21. What is the expiration date of his/her authorized stay, if any? *(Mo/Day/Yr)*	22. Is your spouse in immigration court proceedings? ☐ Yes ☐ No	23. If previously in the U.S., date of previous arrival *(Mo/Day/Yr)*
24. If in the U.S. , is your spouse 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 9 on the extra copy of the application submitted for this person.)* ☐ No			

Your Children. Please list **ALL** of your children, regardless of age, location, or martial status.

☐ I do not have any children. *(Skip to Part A. III., **Information about You.**)*
☐ I do have children. Total number of children _____

(Use "Supplement A Form I-589" or attach additional pages and documentation if you have more than four (4) children.)

1. Alien Registration Number (A#) *(If any)*	2. Passport/ID Card No. *(If any)*	3. Marital Status (*Married, Single, Divorced, Widowed)*	4. Social Security No. *(If any)*
5. Complete Last Name	6. First Name	7. Middle Name	8. Date of Birth *(Mo/Day/Yr)*
9. City and Country of Birth	10. Nationality *(Citizenship)*	11. Race, Ethnic or Tribal Group	12. Sex ☐ Male ☐ Female
13. Is this child in the U.S.? ☐ Yes *(Complete blocks 14 to 21.)* ☐ No *(Specify Location)*			
14. Place of last entry in the U.S.?	15. Date of last entry in the U.S.? *(Mo/Day/Yr)*	16. I-94 No. *(If any)*	17. Status when last admitted *(Visa type, if any)*
18. What is your child's current status?	19. What is the expiration date his/her authorized stay, if any?*(Mo/Day/Yr)*	20. Is your child in immigration court proceedings? ☐ Yes ☐ No	
21. If in the U.S., is this child to be included in this application? *(Check the appropriate box.)* ☐ Yes *(Attach one (1) photograph of your child in the upper right hand corner of page 9 on the extra copy of the application submitted for this person.)* ☐ No			

THIS IS A DRAFT COPY OF THIS FORM. IT IS FOR DISPLAY IN THE FEDERAL REGISTER ONLY, NOT FOR PUBLIC USE.

DRAFT COPY DRAFT COPY DRAFT COPY DRAFT COPY

OMB No. 1115-0086

PART A. II. INFORMATION ABOUT YOUR SPOUSE AND CHILDREN Continued

1. Alien Registration Number (A#) *(If any)*	2. Passport/IDCard No. *(If any)*	3. Marital Status *(Married, Single, Divorced, Widowed)*	4. Social Security No. *(If any)*
5. Complete Last Name	6. First Name	7. Middle Name	8. Date of Birth *(Mo/Day/Yr)*
9. City and Country of Birth	10. Nationality *(Citizenship)*	11. Race, Ethnic or Tribal Group	12. Sex ☐ Male ☐ Female

13. Is this child in the U.S.? ☐ Yes *(Complete blocks 14 to 21.)* ☐ No *(Specify Location)*

14. Place of last entry in the U.S.?	15. Date of last entry in the U.S. ? *(Mo/Day/Yr)*	16. I-94 No. *(If any)*	17. Status when last admitted *(Visa type, if any)*
18. What is your child's current status?	19. What is the expiration date of his/her authorized stay, *(if any)? (Mo/Day/Yr)*	20. Is your child in immigration court proceedings? ☐ Yes ☐ No	

21. If in the U.S., is this person to be included in this application? *(Check the appropriate box.)*
☐ Yes *(Attach one (1) photograph of your child in the upper right hand corner of page 9 on the extra copy of the application submitted for this person.*
☐ No

1. Alien Registration Number *(A#) (If any)*	2. Passport/ID Card No. *(If any)*	3. Marital Status *(Married, Single, Divorced, Widowed)*	4. Social Security No. *(If any)*
5. Complete Last Name	6. First Name	7. Middle Name	8. Date of Birth *(Mo/Day/Yr)*
9. City and Country of Birth	10. Nationality *(Citizenship)*	11. Race, Ethnic or Tribal Group	12. Sex ☐ Male ☐ Female

13. Is this child in the U.S. ? ☐ Yes *(Complete blocks 14 to 21.)* ☐ No *(Specify Location)*

14. Place of last entry in the U.S.?	15. Date of last entry in the U.S.? *(Mo/Day/Yr)*	16. I-94 No. *(If any)*	17. Status when last admitted *(Visa type, if any)*
18. What is your child's current status?	19. What is the expiration date of his/her authorized stay, if any? *(Mo/Day/Yr)*	20. Is your child in immigration court proceedings? ☐ Yes ☐ No	

21. If in the U.S., is this person to be included in this application? *(Check the appropriate box.)*
☐ Yes *(Attach one (1) photograph of your child in the upper right hand corner of page 9 on the extra copy of the application submitted for this person.*
☐ No

1. Alien Registration Number (A#) *(If any)*	2. Passport/ID Card No. *(If any)*	3. Marital Status *(Married, Single, Divorced, Widowed)*	4. Social Security No. *(If any)*
5. Complete Last Name	6. First Name	7. Middle Name	8. Date of Birth *(Mo/Day/Yr)*
9. City and Country of Birth	10. Nationality *(Citizenship)*	11. Race, Ethnic or Tribal Group	12. Sex ☐ Male ☐ Female

13. Is this child in the U.S.? ☐ Yes *(Complete blocks 14 to 21.)* ☐ No *(Specify Location)*

14. Place of last entry in the U.S.?	15. Date of last entry in the U.S.? *(Mo/Day/Yr)*	16. I-94 No. (If *any)*	17. Status when last admitted *(Visa type, if any)*
18. What is your child's current status?	19. What is the expiration date of his/her authorized stay, if any? *(Mo/Day/Yr)*	20. Is your child in immigration court proceedings? ☐ Yes ☐ No	

21. If in the U.S., is this person to be included in this application? *(Check the appropriate box.)*
☐ Yes *(Attach one (1) photograph of your child in the upper right hand corner of page 9 on the extra copy of the application submitted for this person.*
☐ No

THIS IS A DRAFT COPY OF THIS FORM. IT IS FOR DISPLAY IN THE FEDERAL REGISTER ONLY, NOT FOR PUBLIC USE.

DRAFT COPY DRAFT COPY DRAFT COPY DRAFT COPY

OMB No. 1115-0086

PART A. III. INFORMATION ABOUT YOUR BACKGROUND

1. Please list your last address where you lived before coming to the U.S. If this is not the country where you fear persecution, also list the last address in the country where you fear persecution. *(List Address, City/Town, Department, Province, or State, and Country.) (Use Supplement Form B or additional sheets of paper if necessary.)*

Number and Street *(Provide if available)*	City/Town	Department, Province or State	Country	Dates From *(Mo/Yr)*	Dates To *(Mo/Yr)*

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

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

3. Provide the following information about your education, beginning with the most recent. *(Use Supplement Form B or additional sheets of paper if necessary.)*

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

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

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

5. Provide the following information about your parents and siblings (brother and sisters). Check box if the person is deceased. *(Use Supplement Form B or additional sheets of paper if necessary.)*

Name	City/Town and Country of Birth	Current Location
Mother		☐ Deceased
Father		☐ Deceased
Siblings		☐ Deceased
		☐ Deceased

THIS IS A DRAFT COPY OF THIS FORM. IT IS FOR DISPLAY IN THE FEDERAL REGISTER ONLY, NOT FOR PUBLIC USE.

DRAFT COPY DRAFT COPY DRAFT COPY DRAFT COPY

OMB No. 1115-0086

PART B. INFORMATION ABOUT YOUR APPLICATION

(Use "Supplement B Form" or attach additional sheets of paper as needed to complete your responses to the questions contained in PART B.)

When answering the following questions about your asylum or other protection claim (withholding of removal under 241(b)(3) of the Act or withholding of removal under the Convention Against Torture) you should provide a detailed and specific account of the basis of your claim to asylum or other protection. To the best of your ability, provide specific dates, places, and descriptions about each event or action described. You should attach documents evidencing the general conditions in the country from which you are seeking asylum or other protection, and the specific facts on which you are relying to support your claim. If this documentation is unavailable or you are not providing this documentation with your application, please explain why in your responses to the following questions. Refer to Instructions, Part 1: Filing Instructions, Section II, "Basis of Eligibility," Parts A - D and Section V, "Completing the Form," Part B, for more information on completing this section of the form.

1. Why are you applying for asylum or withholding of removal under section 241(b)(3) of the Act, or for withholding of removal under the Convention Against Torture? Check the appropriate line(s) in the space(s) below and then provide detailed answers to questions A and B below:

I am seeking asylum or withholding of removal based on

- ☐ Race
- ☐ Religion
- ☐ Nationality
- ☐ Political opinion
- ☐ Membership in a particular social group
- ☐ Torture Convention

A. Have you, your family, or close friends or colleagues ever experienced harm or mistreatment or threats in the past by anyone?

☐ No ☐ Yes If your answer is "Yes," explain in detail:

1) What happened;
2) When the harm or mistreatment or threats occurred;
3) Who caused the harm or mistreatment or threats; and
4) Why you believe the harm or mistreatment or threats occurred.

B. Do you fear harm or mistreatment if you return to your home country?

☐ No ☐ Yes If your answer is "Yes," explain in detail:

1) What harm or mistreatment you fear;
2) Who you believe would harm or mistreat you; and
3) Why you believe you would or could be harmed or mistreated.

THIS IS A DRAFT COPY OF THIS FORM. IT IS FOR DISPLAY IN THE FEDERAL REGISTER ONLY, NOT FOR PUBLIC USE.

DRAFT COPY DRAFT COPY DRAFT COPY DRAFT COPY

OMB No. 1115-0086

PART B. INFORMATION ABOUT YOUR APPLICATION Continued

2. Have you or your family members ever been accused, charged, arrested, detained, interrogated, convicted and sentenced, or imprisoned in any country other than the United States?

☐ No ☐ Yes If "Yes," explain the circumstances and reasons for the action.

3. Have you or your family members ever belonged to or been associated with any organizations or groups in your home country, such as, but not limited to, a political party, student group, labor union, religious organization, military or paramilitary group, civil patrol, guerrilla organization, ethnic group, human rights group, or the press or media?

☐ No ☐ Yes If "Yes," describe the level of participation, any leadership or other positions held, and the length of time you or your family members were involved in each organization or activity.

Do you or your family members continue to participate in any way in these organizations or groups?

☐ No ☐ Yes If "Yes," describe the level of participation, any leadership or other positions held, and the length of time you or your family members were involved in each organization or group.

4. Are you afraid of being subjected to torture in your home country or any other country to which you may be returned?

☐ No ☐ Yes If "Yes," explain why you are afraid and describe the nature of the torture you fear, by whom, and why it would be inflicted.

THIS IS A DRAFT COPY OF THIS FORM. IT IS FOR DISPLAY IN THE FEDERAL REGISTER ONLY, NOT FOR PUBLIC USE.

DRAFT COPY DRAFT COPY DRAFT COPY DRAFT COPY

OMB No. 1115-0086

PART C. ADDITIONAL INFORMATION ABOUT YOUR APPLICATION

(Use "Supplement B Form" or attach additional sheets of paper as needed to complete your responses to the questions contained in Part C.)

1. Have you, your spouse, your child(ren), your parents, or your siblings ever applied to the United States Government for refugee status, asylum, or withholding of removal?

☐ No ☐ Yes If "Yes," explain the decision and what happened to any status you received as a result of that decision. Please indicate whether or not you were included in a parent or spouse's application. If so, please include your parent or spouse's A-number in your response. If you have been denied asylum by an Immigration Judge or the Board of Immigration Appeals, please describe any change(s) in conditions in your country or your own personal circumstances since the date of the denial that may affect your eligibility for asylum.

2. A. After leaving the country from which you are claiming asylum, did you or your spouse or child(ren), who are now in the United States, travel through or reside in any other country before entering the United States? ☐ No ☐ Yes

B. Also, have you, your spouse, your child(ren), or other family members such as your parents or siblings ever applied for or received any lawful status in any country other than the one from which you are now claiming asylum? ☐ No ☐ Yes

If "Yes" to either or both questions, (2A and/or 2B) provide for each person the following: the name of each country and 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 whether the person applied for refugee status or for asylum while there, and, if not, why he or she did not do so.

3. Have you, your spouse, or child(ren) ever ordered, incited, assisted, or otherwise participated in causing 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?

☐ No ☐ Yes If "Yes," describe in detail each such incident and your own or your spouse's or child(ren)'s involvement.

THIS IS A DRAFT COPY OF THIS FORM. IT IS FOR DISPLAY IN THE FEDERAL REGISTER ONLY, NOT FOR PUBLIC USE.

DRAFT COPY DRAFT COPY DRAFT COPY DRAFT COPY

OMB No. 1115-0086

PART C. ADDITIONAL INFORMATION ABOUT YOUR APPLICATION Continued

4. After you left the country where you were harmed or fear harm, did you return to that country?

☐ No ☐ Yes If "Yes," describe in detail the circumstances of your visit (for example, the date(s) of the trip(s), the purpose(s) of the trip(s), and the length of time you remained in that country for the visit(s)).

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

☐ No ☐ Yes If "Yes," explain why you did not file within the first year after you arrived. You should be prepared to explain at your interview or hearing why you did not file your asylum application within the first year after you arrived. For guidance in answering this question, see Instructions, Part 1: Filing Instructions, Section V. "Completing the Form," Part C.

6. Have you or any member of your family included in the application ever committed any crime and/or been arrested, charged, and sentenced for any crimes in the United States?

☐ No ☐ Yes If "Yes," for each instance, specify in your response what occurred and the circumstances; dates; length of sentence received; location; the duration of the detention or imprisonment; the reason(s) for the detention or conviction; any formal charges that were lodged against you or your relatives included in your application; the reason(s) for release. Attach documents referring to these incidents, if they are available, or an explanation of why documents are not available.

THIS IS A DRAFT COPY OF THIS FORM. IT IS FOR DISPLAY IN THE FEDERAL REGISTER ONLY, NOT FOR PUBLIC USE.

DRAFT COPY DRAFT COPY DRAFT COPY DRAFT COPY

OMB No. 1115-0086

PART D. YOUR SIGNATURE

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

I certify, under penalty of perjury under the laws of the United States of America, that this application and the evidence submitted with it are 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 knowingly presents any such 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 even if the application is later withdrawn. Applicants determined to have knowingly made a frivolous application for asylum will be permanently ineligible for any benefits under the Immigration and Nationality Act. See 208(d)(6) of the Act and 8 CFR 208.20.**

Print Complete Name	Write your name in your native alphabet

Did your spouse, parent, or child(ren) assist you in completing this application? ☐ No ☐ Yes *(If "Yes," list the name and relationship.)*

_____ *(Name)* _____ *(Relationship)* _____ *(Name)* _____ *(Relationship)*

Did someone other than your spouse, parent, or child(ren) prepare this application? ☐ No ☐ Yes *(If "Yes," complete Part E)*

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

Signature of Applicant *(The person in Part A. 1.)*

[_____] _____

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

PART E. DECLARATION OF PERSON PREPARING FORM IF OTHER THAN APPLICANT, SPOUSE, OR CHILD

I declare that I have prepared this application at the request of the person named in Part D, 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 or a language he or she understands for verification before he or she signed the application in my presence. I am aware that the knowing placement of false information on the Form I-589 may also subject me to civil penalties under 8 U.S.C. 1324(c).

Signature of Preparer		Print Complete Name	
Daytime Telephone Number ( )		Address of Preparer: Street Number and Name	
Apt. No.	City	State	ZIP Code

PART F. TO BE COMPLETED AT INTERVIEW OR HEARING

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 all true to the best of my knowledge and that correction(s) numbered _____ to _____ were made by me or at my request.

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

_____ Signature of Applicant

_____ Date *(Mo/Day/Yr)*

_____ Write Your Name in Your Native Alphabet

_____ Signature of Asylum Officer or Immigration Judge

THIS IS A DRAFT COPY OF THIS FORM. IT IS FOR DISPLAY IN THE FEDERAL REGISTER ONLY, NOT FOR PUBLIC USE.

DRAFT COPY DRAFT COPY DRAFT COPY DRAFT COPY

SUPPLEMENT A FORM I-589

A # *(If available)*	Date
Applicant's Name	Applicant's Signature

LIST ALL OF YOUR CHILDREN, REGARDLESS OF AGE OR MARITAL STATUS.
(Use this form and attach additional pages and documentation as needed to your application if you have more than four (4) children.)

1. Alien Registration Number (A#)*(If any)*	2. Passport/ID Card No. *(If any)*	3. Marital Status *(Married, Single, Divorced, Widowed)*	4. Social Security No. *(If any)*
5. Complete Last Name	6. First Name	7. Middle Name	8. Date of Birth *(Mo/Day/Yr)*
9. City and Country of Birth	10. Nationality *(Citizenship)*	11. Race, Ethnic or Tribal Group	12. Sex ☐ Male ☐ Female
13. Is this child in the U.S.? ☐ Yes *(Complete blocks 14 to 21.)* ☐ No *(Specify Location)*			
14. Place of last entry in the U.S.?	15. Date of last entry in the U.S.? *(Mo/Day/Yr)*	16. I-94 No. *(If any)*	17. Status when last admitted *(Visa*
18. What is your child's current status?	19. What is the expiration date of his/her authorized stay, if any? *(Mo/Day/Yr)*	20. Is your child in immigration court proceedings? ☐ Yes ☐ No	
21. If in the U.S., is this child to be included in this application? *(Check the appropriate box.)* ☐ Yes *(Attach one (1) photograph of your child in the upper right hand corner of page 9 on the extra copy of the application submitted for this person.* ☐ No			

1. Alien Registration Number (A#)*(If any)*	2. Passport/ID Card No. *(If any)*	3. Marital Status *(Married, Single, Divorced, Widowed)*	4. Social Security No. *(If any)*
5. Complete Last Name	6. First Name	7. Middle Name	8. Date of Birth *(Mo/Day/Yr)*
9. City and Country of Birth	10. Nationality *(Citizenship)*	11. Race, Ethnic or Tribal Group	12. Sex ☐ Male ☐ Female
13. Is this child in the U.S.? ☐ Yes *(Complete blocks 14 to 21.)* ☐ No *(Specify Location)*			
14. Place of last entry in the U.S.?	15. Date of last entry in the U.S.? *(Mo/Day/Yr)*	16. I-94 No. *(If any)*	17. Status when last admitted *(Visa type, if any)*
18. What is your child's current status?	19. What is the expiration date of his/her authorized stay, if any? *(Mo/Day/Yr)*	20. Is your child in inunigration court proceedings? ☐ Yes ☐ No	
21. If in the U.S., is this child to be included in this application? *(Check the appropriate box.)* ☐ Yes *(Attach one (1) photograph of your child in the upper right hand corner of page 9 on the extra copy of the application submitted for this person.* ☐ No			

THIS IS A DRAFT COPY OF THIS FORM. IT IS FOR DISPLAY IN THE FEDERAL REGISTER ONLY, NOT FOR PUBLIC USE.

DRAFT COPY DRAFT COPY DRAFT COPY DRAFT COPY

SUPPLEMENT B FORM I-589

ADDITIONAL INFORMATION ABOUT YOUR CLAIM TO ASYLUM.

A # *(If available)*	Date
Applicant's Name	Applicant's Signature

Use this as a continuation page for any information requested. Please copy and complete as needed.

PART _____

QUESTION _____

THIS IS A DRAFT COPY OF THIS FORM. IT IS FOR DISPLAY IN THE FEDERAL REGISTER ONLY, NOT FOR PUBLIC USE.

[FR Doc. 01–5296 Filed 3–5–01; 8:45 am]
BILLING CODE 4410–10–C