



**U.S. Department of Justice**  
Executive Office for Immigration Review

# FY 2007 Statistical Year Book

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The Statistical Year Book is updated annually. The legend at the bottom of each page reflects the last revision date for that page. Yearly updates are available electronically through the EOIR Web Site at [www.usdoj.gov/eoir](http://www.usdoj.gov/eoir).

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## FY 2007 HIGHLIGHTS

- Immigration court receipts increased by 12 percent between FY 2003 (299,144) and FY 2007 (334,607). However, receipts in FY 2007 decreased by five percent from FY 2006. (Figure 1, Page B2)
- Immigration court completions increased by 11 percent between FY 2003 (296,066) and FY 2007 (328,425). Completions in FY 2007 decreased by 10 percent from FY 2006. (Figure 1, Page B2)
- Immigration Judge (IJ) decisions increased by 12 percent between FY 2003 (197,935) and FY 2007 (222,618). (Figure 4, Page D1)
- Mexico, El Salvador, Guatemala, Honduras, and China were the leading nationalities of immigration court completions during FY 2007, representing 65 percent of the total caseload. (Figure 6, page E1)
- Spanish was the most frequently spoken language for immigration court case completions during FY 2007. (Figure 8, page F1).
- Forty-two percent of aliens whose cases were completed in immigration courts during FY 2007 were represented. The representation rate for FY 2005 and FY 2006 would be 48 percent if failure to appear completions were removed from the data. (Figure 9, page G1)
- The overall failure to appear rate decreased to 19 percent in FY 2007 from the five-year high of 39 percent in FY 2006. (Figure 10, page H2)
- Asylum applications filed with the immigration courts decreased by 18 percent from FY 2003 to FY 2007. Affirmative receipts decreased by 16 percent while defensive receipts decreased by 24 percent. (Figure 13, page I1)
- In FY 2007, the Arlington, VA; Los Angeles, CA; Miami, FL; New York, NY; and San Francisco, CA immigration courts received 57 percent of the asylum applications filed with the courts. (Table 6, page I3)
- Five nationalities were among the top 10 nationalities granted asylum each year during the five-year period FY 2003-07: China, Colombia, Albania, India, and Haiti. (Table 7, page J2)
- The grant rate for asylum applications increased to 46 percent in FY 2007. The grant rate was 51 percent for affirmative applications and 39 percent for defensive applications. (Figures 16, 17, and 18, pages K2 and K3)

- In FY 2007, 30 percent of proceedings completed at the immigration courts had an application for relief. (Figure 22, page N1)
- Forty-two percent of FY 2007 immigration court completions involved detained aliens. (Figure 23, page O1)
- BIA had a 13 percent decrease in receipts between FY 2003 (42,038) and FY 2007 (36,438) and a 26 percent decrease in completions during the same period. (Table 17, page T2)
- Mexico, China, Haiti, Colombia, and El Salvador were the leading nationalities of BIA IJ decision appeals completed in FY 2007, representing 53 percent of the caseload. (Figure 29, page V1)
- Seventy-five percent of BIA appeals completed in FY 2007 were for represented aliens. (Figure 30, page W1)
- In FY 2007, 10 percent of IJ decisions were appealed to the BIA. The percent of IJ decisions appealed has decreased since FY 2003, when 17 percent of IJ decisions were appealed. (Figure 32, page Y1)

## **Immigration Courts: Total Matters Received and Completed**

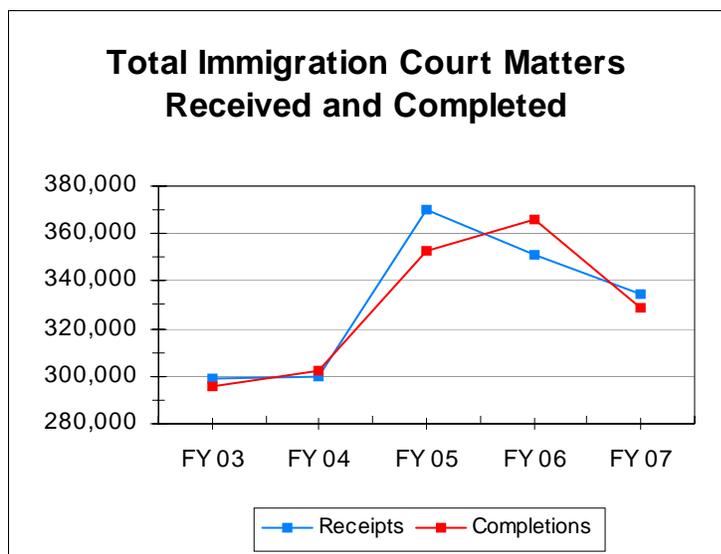
An alien charged by the Department of Homeland Security (DHS) with a violation of immigration law is issued a charging document. The most common charging documents are the Notice to Appear (NTA) and the Notice of Referral to immigration judge. When the charging document is filed by DHS with the immigration court, jurisdiction over the case transfers from DHS to the Executive Office for Immigration Review (EOIR), which has oversight over the 53 immigration courts located throughout the United States. Once an alien has been ordered removed by EOIR, DHS carries out the removal; EOIR does not maintain statistics on alien removals from the United States.

During court proceedings, aliens appear before an immigration judge and either contest or concede the charges against them. In some instances, the immigration judge adjourns the case and sets a continuance date; for example, the judge may allow the alien time to obtain representation or to file an application for relief. After hearing a case, the immigration judge renders a decision. The immigration judge may order the alien removed, or may grant relief such as cancellation of removal, asylum, adjustment of status, etc. If the immigration judge decides that removability has not been established by DHS, he or she may terminate the proceedings.

In addition to proceedings, immigration judges consider other matters such as bonds and motions.

- Bond redetermination hearings are held when an alien in custody seeks release on his or her own recognizance, or seeks a reduction in the amount of bond. In some cases, bond redetermination hearings are held before EOIR receives the charging document from DHS. During bond redetermination hearings, the judge may decide to lower, raise, maintain, or eliminate the bond amount set by DHS, or to change bond conditions.
- Additionally, either the alien or DHS may request by motion that a case previously heard by an immigration judge be reopened or reconsidered. Generally, aliens or DHS file motions to reopen or reconsider because of changed circumstances.

For the purposes of this Year Book, the term “immigration court matters” includes proceedings (deportation, exclusion, removal, credible fear, reasonable fear, claimed status, asylum only, rescission, continued detention review, Nicaraguan Adjustment and Central American Relief Act (NACARA), and withholding only), bond redeterminations, and motions. Receipts are defined as the total number of proceedings, bond redeterminations, and motions received by the immigration courts during the reporting period. Completions include immigration judge decisions on proceedings, bond redeterminations, motions, and other completions such as administrative closings and changes of venue.



	Receipts	Completions
FY 03	299,144	296,066
FY 04	299,744	302,022
FY 05	370,029	352,839
FY 06	351,301	366,027
FY 07	334,607	328,425

Figure 1

As shown in Figure 1 above, the number of immigration matters received by the immigration courts increased each year between FY 2003 and FY 2005. The increase in receipts from FY 2003 to FY 2005 was 24 percent. The decrease in receipts from FY 2005 to FY 2007 was 10 percent. Immigration court matters completed increased by 19 percent from FY 2003 to FY 2005 then there was a decrease of 7 percent from FY 2005 to FY 2007.

While some courts showed increases in receipts over FY 2006 levels, others showed decreases. In Table 1, courts with increases of 25 percent or more are highlighted in blue, and those with decreases of 25 percent or more are highlighted in red. The immigration court in Krome, FL, showed the largest percentage increase in receipts, up 112 percent (Cleveland is not considered because its increase is due to becoming a new court in FY 2007). This increase is due to Krome absorbing the Bradenton court in FY 2007. The immigration court in Harlingen, TX, showed the largest percentage decrease, down 53 percent (Bradenton is not considered because its decrease is due to it being absorbed by the Krome court during FY 2007). This decrease is likely related to DHS policies which caused a decrease in the number of individuals entering the United States illegally along the Texas/Mexico border. Table 1A identifies receipts for FY 2007 by type of matter.

Table 2 provides a comparison of FY 2006 and FY 2007 completions by immigration court. Courts with increases in completions of 25 percent or more are highlighted in blue, and those with decreases of 25 percent or more are highlighted in red. Six of the nine immigration courts showing a large percentage increase are detained locations. The immigration court in Krome, FL, showed the largest increase in completions, due to absorbing the Bradenton immigration court. The immigration court in Harlingen, TX, showed the largest decrease. As stated above this decrease is directly related to DHS policies. Table 2A identifies completions for FY 2007 by type of matter.

**Table 1 - Total Immigration Court Matters Received by Court for FY 2006 and FY 2007**

Immigration Court	FY 2006	FY 2007	Rate of Change
ARLINGTON, VIRGINIA	9,928	7,435	-25%
ATLANTA, GEORGIA	9,430	12,584	33%
BALTIMORE, MARYLAND	6,075	6,672	10%
BATAVIA SPC, NEW YORK	1,438	2,678	86%
BLOOMINGTON (ST. PAUL), MINNESOTA	3,018	4,045	34%
BOSTON, MASSACHUSETTS	7,827	7,719	-1%
BRADENTON, FLORIDA	1,524	41	-97%
BUFFALO, NEW YORK	2,905	2,443	-16%
CHICAGO, ILLINOIS	14,493	15,449	7%
CLEVELAND, OHIO	520	2,901	458%
DALLAS, TEXAS	7,926	7,046	-11%
DENVER, COLORADO	7,238	6,932	-4%
DETROIT, MICHIGAN	4,388	4,586	5%
EAST MESA, CALIFORNIA	7,465	4,688	-37%
EL CENTRO SPC, CALIFORNIA	4,118	3,379	-18%
EL PASO SPC, TEXAS	5,733	5,708	0%
EL PASO, TEXAS	3,752	3,850	3%
ELIZABETH SPC, NEW JERSEY	2,023	2,020	0%
ELOY, ARIZONA	15,192	13,803	-9%
FISHKILL - NEW YORK STATE DOC, NEW YORK	423	394	-7%
FLORENCE SPC, ARIZONA	5,455	5,181	-5%
GUAYNABO (SAN JUAN), PUERTO RICO	3,726	3,572	-4%
HARLINGEN, TEXAS	25,725	12,165	-53%
HARTFORD, CONNECTICUT	2,465	3,020	23%
HONOLULU, HAWAII	819	1,102	35%
HOUSTON SPC, TEXAS	4,322	6,048	40%
HOUSTON, TEXAS	11,454	6,445	-44%
IMPERIAL, CALIFORNIA	1,840	1,450	-21%
KROME NORTH SPC, FLORIDA	3,311	7,026	112%
LANCASTER, CALIFORNIA	8,880	8,578	-3%
LAS VEGAS, NEVADA	3,146	3,203	2%
LOS ANGELES, CALIFORNIA	19,612	27,243	39%
LOS FRESNOS (PORT ISABEL SPC), TEXAS	3,330	6,112	84%
MEMPHIS, TENNESSEE	3,125	2,738	-12%
MIAMI, FLORIDA	22,574	16,482	-27%
NEW ORLEANS, LOUISIANA	1,691	858	-49%
NEW YORK CITY, NEW YORK	21,022	20,770	-1%
NEWARK, NEW JERSEY	7,466	6,791	-9%
OAKDALE FEDERAL DETENTION CENTER, LOUISIANA	4,828	9,165	90%
ORLANDO, FLORIDA	6,590	5,528	-16%
PHILADELPHIA, PENNSYLVANIA	2,855	2,337	-18%
PHOENIX, ARIZONA	3,826	3,260	-15%
PORTLAND, OREGON	1,592	1,493	-6%
SALT LAKE CITY, UTAH	1,505	1,861	24%
SAN ANTONIO, TEXAS	24,779	14,505	-41%
SAN DIEGO, CALIFORNIA	5,266	5,555	5%
SAN FRANCISCO, CALIFORNIA	11,238	11,386	1%
SAN PEDRO SPC, CALIFORNIA	4,479	3,858	-14%
SEATTLE, WASHINGTON	10,136	11,100	10%
TUCSON, ARIZONA	2,127	2,062	-3%
ULSTER - NEW YORK STATE DOC, NEW YORK	790	785	-1%
VARICK SPC, NEW YORK	2,278	2,064	-9%
YORK, PENNSYLVANIA	3,633	6,491	79%
<b>TOTAL</b>	<b>351,301</b>	<b>334,607</b>	<b>-5%</b>

 Courts with decreases in receipts equal to or more than 25%

 Courts with increases in receipts equal to or more than 25%

**Table 1A - Total Immigration Court Receipts by Court and Type of Matter for FY 2007**

<b>Base City Name</b>	<b>Proceedings</b>	<b>Bonds</b>	<b>Motions</b>	<b>Total Matters</b>
ARLINGTON, VIRGINIA	6,700	313	422	7,435
ATLANTA, GEORGIA	11,249	779	556	12,584
BALTIMORE, MARYLAND	5,650	455	567	6,672
BATAVIA SPC, NEW YORK	1,592	1,080	6	2,678
BLOOMINGTON (ST. PAUL), MINNESOTA	3,408	539	98	4,045
BOSTON, MASSACHUSETTS	5,606	1,516	597	7,719
BRADENTON, FLORIDA	31	0	10	41
BUFFALO, NEW YORK	2,238	133	72	2,443
CHICAGO, ILLINOIS	12,576	2,355	518	15,449
CLEVELAND, OHIO	2,691	125	85	2,901
DALLAS, TEXAS	6,377	466	203	7,046
DENVER, COLORADO	5,123	1,608	201	6,932
DETROIT, MICHIGAN	3,565	746	275	4,586
EAST MESA, CALIFORNIA	3,633	1,036	19	4,688
EL CENTRO SPC, CALIFORNIA	2,710	646	23	3,379
EL PASO SPC, TEXAS	4,687	969	52	5,708
EL PASO, TEXAS	3,474	218	158	3,850
ELIZABETH SPC, NEW JERSEY	1,410	573	37	2,020
ELOY, ARIZONA	10,631	3,140	32	13,803
FISHKILL - NEW YORK STATE DOC, NEW YORK	384	0	10	394
FLORENCE SPC, ARIZONA	4,142	1,017	22	5,181
GUAYNABO (SAN JUAN), PUERTO RICO	2,894	489	189	3,572
HARLINGEN, TEXAS	9,059	2,770	336	12,165
HARTFORD, CONNECTICUT	2,080	813	127	3,020
HONOLULU, HAWAII	888	175	39	1,102
HOUSTON SPC, TEXAS	4,484	1,535	29	6,048
HOUSTON, TEXAS	6,018	10	417	6,445
IMPERIAL, CALIFORNIA	1,429	2	19	1,450
KROME NORTH SPC, FLORIDA	5,100	1,847	79	7,026
LANCASTER, CALIFORNIA	6,157	2,406	15	8,578
LAS VEGAS, NEVADA	3,003	100	100	3,203
LOS ANGELES, CALIFORNIA	25,530	1	1,712	27,243
LOS FRESNOS (PORT ISABEL SPC), TEXAS	3,929	2,136	47	6,112
MEMPHIS, TENNESSEE	2,503	137	98	2,738
MIAMI, FLORIDA	14,967	1	1,514	16,482
NEW ORLEANS, LOUISIANA	815	3	40	858
NEW YORK CITY, NEW YORK	18,901	0	1,869	20,770
NEWARK, NEW JERSEY	5,391	719	681	6,791
OAKDALE FEDERAL DETENTION CENTER, LOUISIANA	7,336	1,770	59	9,165
ORLANDO, FLORIDA	5,155	15	358	5,528
PHILADELPHIA, PENNSYLVANIA	2,146	0	191	2,337
PHOENIX, ARIZONA	3,079	6	175	3,260
PORTLAND, OREGON	1,396	37	60	1,493
SALT LAKE CITY, UTAH	1,728	97	36	1,861
SAN ANTONIO, TEXAS	10,308	3,785	412	14,505
SAN DIEGO, CALIFORNIA	5,335	31	189	5,555
SAN FRANCISCO, CALIFORNIA	10,047	884	455	11,386
SAN PEDRO SPC, CALIFORNIA	2,371	1,463	24	3,858
SEATTLE, WASHINGTON	9,637	1,262	201	11,100
TUCSON, ARIZONA	2,038	1	23	2,062
ULSTER - NEW YORK STATE DOC, NEW YORK	775	0	10	785
VARICK SPC, NEW YORK	1,243	769	52	2,064
YORK, PENNSYLVANIA	4,518	1,915	58	6,491
<b>TOTAL</b>	<b>278,137</b>	<b>42,893</b>	<b>13,577</b>	<b>334,607</b>

**Table 2 - Total Immigration Court Matters Completed by Court for FY 2006 and FY 2007**

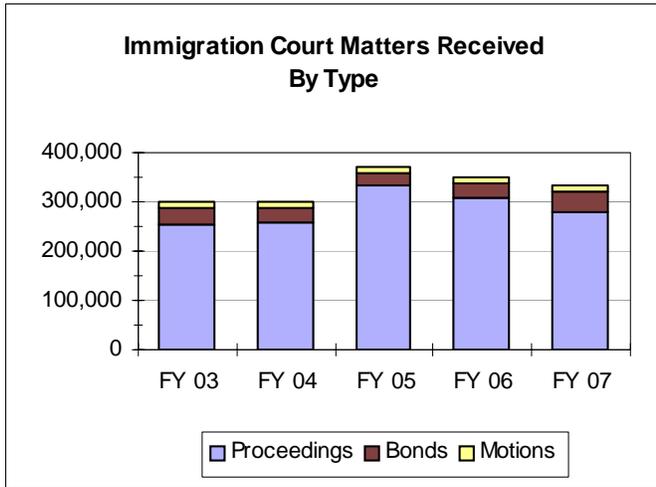
Immigration Court	FY 2006	FY 2007	Rate of Change
ARLINGTON, VIRGINIA	8,795	7,742	-12%
ATLANTA, GEORGIA	9,321	12,973	39%
BALTIMORE, MARYLAND	6,487	5,887	-9%
BATAVIA SPC, NEW YORK	1,386	2,578	86%
BLOOMINGTON (ST. PAUL), MINNESOTA	3,232	3,602	11%
BOSTON, MASSACHUSETTS	9,871	7,911	-20%
BRADENTON, FLORIDA	2,545	51	-98%
BUFFALO, NEW YORK	2,441	2,471	1%
CHICAGO, ILLINOIS	14,352	14,816	3%
CLEVELAND, OHIO	N/A	2,849	0%
DALLAS, TEXAS	7,512	7,206	-4%
DENVER, COLORADO	6,867	6,345	-8%
DETROIT, MICHIGAN	4,127	4,868	18%
EAST MESA, CALIFORNIA	7,456	4,749	-36%
EL CENTRO SPC, CALIFORNIA	4,054	3,453	-15%
EL PASO SPC, TEXAS	5,576	5,750	3%
EL PASO, TEXAS	5,006	3,816	-24%
ELIZABETH SPC, NEW JERSEY	1,968	2,024	3%
ELOY, ARIZONA	15,018	13,362	-11%
FISHKILL - NEW YORK STATE DOC, NEW YORK	530	433	-18%
FLORENCE SPC, ARIZONA	5,471	5,236	-4%
GUAYNABO (SAN JUAN), PUERTO RICO	2,901	3,931	36%
HARLINGEN, TEXAS	31,759	12,815	-60%
HARTFORD, CONNECTICUT	3,213	2,850	-11%
HONOLULU, HAWAII	752	854	14%
HOUSTON SPC, TEXAS	4,471	5,829	30%
HOUSTON, TEXAS	13,715	6,183	-55%
IMPERIAL, CALIFORNIA	1,871	1,436	-23%
KROME NORTH SPC, FLORIDA	3,253	6,827	110%
LANCASTER, CALIFORNIA	8,704	8,634	-1%
LAS VEGAS, NEVADA	3,015	3,062	2%
LOS ANGELES, CALIFORNIA	19,058	17,230	-10%
LOS FRESNOS (PORT ISABEL SPC), TEXAS	3,085	6,121	98%
MEMPHIS, TENNESSEE	3,267	2,295	-30%
MIAMI, FLORIDA	24,633	24,769	1%
NEW ORLEANS, LOUISIANA	1,399	1,377	-2%
NEW YORK CITY, NEW YORK	21,166	18,094	-15%
NEWARK, NEW JERSEY	7,586	6,814	-10%
OAKDALE FEDERAL DETENTION CENTER, LOUISIANA	4,758	9,244	94%
ORLANDO, FLORIDA	5,062	5,983	18%
PHILADELPHIA, PENNSYLVANIA	4,069	2,535	-38%
PHOENIX, ARIZONA	3,994	2,954	-26%
PORTLAND, OREGON	1,343	1,339	0%
SALT LAKE CITY, UTAH	1,321	1,832	39%
SAN ANTONIO, TEXAS	30,628	15,145	-51%
SAN DIEGO, CALIFORNIA	5,169	5,307	3%
SAN FRANCISCO, CALIFORNIA	11,714	11,593	-1%
SAN PEDRO SPC, CALIFORNIA	4,484	3,744	-17%
SEATTLE, WASHINGTON	9,131	10,964	20%
TUCSON, ARIZONA	1,905	2,062	8%
ULSTER - NEW YORK STATE DOC, NEW YORK	805	769	-4%
VARICK SPC, NEW YORK	2,249	1,724	-23%
YORK, PENNSYLVANIA	3,532	5,987	70%
TOTAL	366,027	328,425	-10%

■ Courts with decreases in completions equal to or more than 25%
 ■ Courts with increases in completions equal to or more than 25%

**Table 2A - Total Immigration Court Completions by Court and Type of Matter for FY 2007**

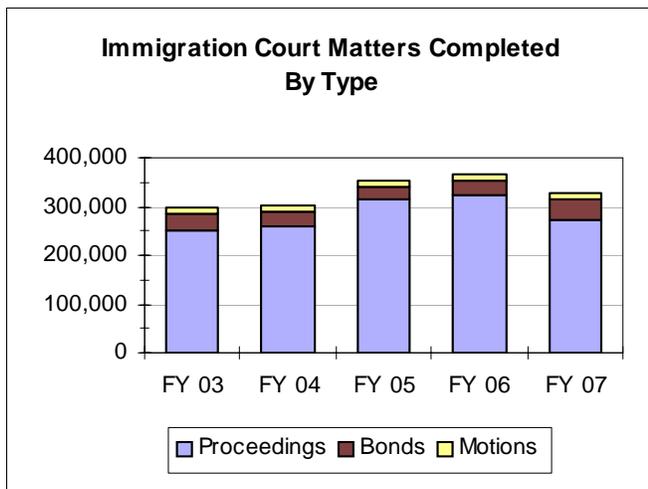
Base City Name	Proceedings	Bonds	Motions	Total Matters
ARLINGTON, VIRGINIA	7,028	290	424	7,742
ATLANTA, GEORGIA	11,754	732	487	12,973
BALTIMORE, MARYLAND	4,857	441	589	5,887
BATAVIA SPC, NEW YORK	1,525	1,048	5	2,578
BLOOMINGTON (ST. PAUL), MINNESOTA	2,986	525	91	3,602
BOSTON, MASSACHUSETTS	5,809	1,527	575	7,911
BRADENTON, FLORIDA	42	0	9	51
BUFFALO, NEW YORK	2,283	115	73	2,471
CHICAGO, ILLINOIS	12,005	2,279	532	14,816
CLEVELAND, OHIO	2,659	118	72	2,849
DALLAS, TEXAS	6,562	455	189	7,206
DENVER, COLORADO	4,532	1,615	198	6,345
DETROIT, MICHIGAN	3,834	744	290	4,868
EAST MESA, CALIFORNIA	3,720	1,012	17	4,749
EL CENTRO SPC, CALIFORNIA	2,789	644	20	3,453
EL PASO SPC, TEXAS	4,736	964	50	5,750
EL PASO, TEXAS	3,450	213	153	3,816
ELIZABETH SPC, NEW JERSEY	1,418	568	38	2,024
ELOY, ARIZONA	10,260	3,074	28	13,362
FISHKILL - NEW YORK STATE DOC, NEW YORK	422	0	11	433
FLORENCE SPC, ARIZONA	4,205	1,008	23	5,236
GUAYNABO (SAN JUAN), PUERTO RICO	3,249	491	191	3,931
HARLINGEN, TEXAS	9,670	2,802	343	12,815
HARTFORD, CONNECTICUT	1,948	780	122	2,850
HONOLULU, HAWAII	649	169	36	854
HOUSTON SPC, TEXAS	4,279	1,519	31	5,829
HOUSTON, TEXAS	5,768	10	405	6,183
IMPERIAL, CALIFORNIA	1,416	2	18	1,436
KROME NORTH SPC, FLORIDA	4,975	1,776	76	6,827
LANCASTER, CALIFORNIA	6,253	2,366	15	8,634
LAS VEGAS, NEVADA	2,865	99	98	3,062
LOS ANGELES, CALIFORNIA	15,563	1	1,666	17,230
LOS FRESNOS (PORT ISABEL SPC), TEXAS	3,931	2,145	45	6,121
MEMPHIS, TENNESSEE	2,064	136	95	2,295
MIAMI, FLORIDA	23,220	1	1,548	24,769
NEW ORLEANS, LOUISIANA	1,339	3	35	1,377
NEW YORK CITY, NEW YORK	16,233	0	1,861	18,094
NEWARK, NEW JERSEY	5,435	699	680	6,814
OAKDALE FEDERAL DETENTION CENTER, LOUISIANA	7,462	1,723	59	9,244
ORLANDO, FLORIDA	5,604	14	365	5,983
PHILADELPHIA, PENNSYLVANIA	2,340	0	195	2,535
PHOENIX, ARIZONA	2,794	6	154	2,954
PORTLAND, OREGON	1,245	36	58	1,339
SALT LAKE CITY, UTAH	1,708	91	33	1,832
SAN ANTONIO, TEXAS	10,905	3,858	382	15,145
SAN DIEGO, CALIFORNIA	5,101	28	178	5,307
SAN FRANCISCO, CALIFORNIA	10,240	897	456	11,593
SAN PEDRO SPC, CALIFORNIA	2,278	1,446	20	3,744
SEATTLE, WASHINGTON	9,525	1,237	202	10,964
TUCSON, ARIZONA	2,040	1	21	2,062
ULSTER - NEW YORK STATE DOC, NEW YORK	760	0	9	769
VARICK SPC, NEW YORK	959	715	50	1,724
YORK, PENNSYLVANIA	4,185	1,748	54	5,987
<b>TOTAL</b>	<b>272,879</b>	<b>42,171</b>	<b>13,375</b>	<b>328,425</b>

Figures 2 and 3 below provide information on the types of matters received and completed by the immigration courts. Proceedings make up the bulk of the courts' work, but they also process significant numbers of bonds and motions. For both matters received and matters completed the number of bonds has significantly increased from FY 2006 to FY 2007. This increase is related to the increase in the number of aliens being detained (see Tab O).



Immigration Court Matters Received				
	Proceedings	Bonds	Motions	Total
FY 03	254,366	33,047	11,731	299,144
FY 04	257,939	29,764	12,041	299,744
FY 05	331,682	26,068	12,279	370,029
FY 06	308,644	30,294	12,363	351,301
FY 07	278,137	42,893	13,577	334,607

Figure 2



Immigration Court Matters Completed				
	Proceedings	Bonds	Motions	Total
FY 03	250,817	33,220	12,029	296,066
FY 04	259,911	29,885	12,226	302,022
FY 05	314,727	25,935	12,177	352,839
FY 06	324,049	29,735	12,243	366,027
FY 07	272,879	42,171	13,375	328,425

Figure 3

## **Immigration Courts: Proceedings Received and Completed by Type**

This section of the Statistical Year Book provides further details on proceedings by type. As noted previously in Tab B, proceedings, motions, and bond redeterminations make up the various types of matters considered by the immigration courts.

Until April 1, 1997, the two major types of proceedings conducted by immigration courts were exclusion proceedings and deportation proceedings. Individuals charged by the Immigration and Naturalization Service (INS) (now reorganized under DHS) as excludable were placed in exclusion proceedings. Exclusion cases generally involved a person who tried to enter the United States, but was stopped at the point of entry because INS found the person to be inadmissible. Deportation cases usually arose when INS alleged that an alien had entered the country illegally, or had entered legally, but then violated one or more conditions of his or her visa.

Rescission cases, a less common type of case, were also received by the immigration courts prior to April 1, 1997, and continue to be received today. In a rescission case, DHS issues a Notice of Intent to Rescind an individual's permanent resident status, and the individual has the right to contest the charge before an immigration judge.

Provisions of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), which became effective on April 1, 1997, established five new types of proceedings:

- Removal Proceedings. Under removal proceedings (which replaced exclusion and deportation proceedings), DHS must file a Notice to Appear (NTA) to initiate the proceedings.
- Credible Fear Review. Arriving aliens with no documents or fraudulent documents are subject to expedited removal by DHS. If an arriving alien who has been ordered removed under the expedited removal provisions expresses a "credible fear" of persecution, the alien is referred for an interview by an asylum officer. Aliens found by the asylum officer not to have a credible fear of persecution may request a review by an immigration judge. If the judge determines there is "credible fear," the judge will vacate the DHS order of expedited removal, and the alien will be placed in removal proceedings.
- Reasonable Fear Review. DHS has the authority to order the administrative removal of certain aggravated felons, and to reinstate orders of removal for aliens previously removed. If an alien who has been ordered administratively removed, or whose prior order of removal has

been reinstated expresses a fear of returning to the country of removal, a DHS asylum officer makes a “reasonable fear” determination. Aliens found by the asylum officer not to have a reasonable fear of persecution may request a review by an immigration judge. If the judge determines there is “reasonable fear,” the alien will be placed in withholding only proceedings.

- Claimed Status Review. If an alien in expedited removal proceedings before DHS claims to be a U.S. citizen, to have been lawfully admitted for permanent residence, to have been admitted as a refugee, or to have been granted asylum, and DHS determines that the alien has no such claim, he or she can obtain a review of that claim by an immigration judge.
- Asylum-Only. An asylum only case is initiated when an arriving crewman or stowaway is not eligible to apply for admission into the United States, but wants to request asylum. These proceedings also cover Visa Waiver Program beneficiaries and individuals ordered removed from the United States on security grounds.

Additional types of proceedings include:

- Continued Detention Review. In response to a United States Supreme Court decision in *Zadvydas v. Davis*, a new type of proceeding was established regarding the continued detention of aliens who are subject to final orders of removal. In these cases the alien has already been ordered removed, but DHS is unable to effect the removal (e.g., lack of a travel document, no diplomatic relations with the receiving country, etc.). The only issue for the immigration judge to decide in Continued Detention Review cases is whether or not the alien should remain in custody.
- NACARA. Certain aliens may apply for suspension of deportation or cancellation of removal under section 203 of the Nicaraguan Adjustment and Central American Relief Act (NACARA).
- Withholding Only. A previous removal/deportation/exclusion order has been reinstated by DHS or the alien has been ordered removed (administratively) by DHS (based upon a conviction for an aggravated felony) and the alien expresses a fear of persecution or torture and that claim is reviewed by an asylum officer. The asylum officer has concluded that the alien has a reasonable fear of persecution or torture or an immigration judge conducted a Reasonable Fear proceeding and found that “reasonable fear of persecution or torture” exists. The IJ’s Reasonable Fear findings automatically initiates a Withholding Only hearing.

Table 3 shows all types of proceedings received by the immigration courts between FY 2003 and FY 2007. Credible Fear claims have increased each year since FY 2004 and doubled from FY 2006 to FY 2007. Of the FY 2006 credible fear claims, 48 percent were from Central American countries and in FY 2007 that number increased to 57 percent. This increase could be in conjunction with DHS' increased detention capabilities.

**Table 3 - Immigration Court Proceedings Received by Case Type**

Type of Proceeding	FY2003	FY 2004	FY 2005	FY 2006	FY 2007
Deportation	5,939	4,547	4,219	3,647	4,032
Exclusion	752	502	414	386	455
Removal	244,905	249,846	325,034	302,876	271,527
Credible Fear	42	41	114	412	824
Reasonable Fear*	103	93	55	98	134
Claimed Status	91	50	77	69	78
Asylum Only	2,296	2,625	1,553	959	810
Rescission	23	28	24	30	33
Continued Detention Review	5	8	3	6	6
NACARA	91	36	5	28	41
Withholding Only	117	160	184	132	197
Unknown	2	3	0	1	0
<b>Total</b>	<b>254,366</b>	<b>257,939</b>	<b>331,682</b>	<b>308,644</b>	<b>278,137</b>

\*Prior to FY 2003 Reasonable Fear was reported under Credible Fear.

Table 4 shows all types of proceedings completed by the immigration courts for the period FY 2003 to FY 2007. Note that proceedings completed do not reflect only immigration judge decisions. These numbers include other completions such as transfers and changes of venue. As shown in Tab D, “other completions” accounted for 18 percent of the proceedings completed in FY 2007.

**Table 4 - Immigration Court Proceedings Completed by Case Type**

Type of Proceeding	FY2003	FY 2004	FY 2005	FY 2006	FY 2007
Deportation	8,959	6,268	4,697	4,142	4,073
Exclusion	1,234	837	581	462	427
Removal	238,066	249,969	306,892	317,237	266,140
Credible Fear	42	37	114	411	818
Reasonable Fear*	101	92	57	95	128
Claimed Status	88	54	75	64	82
Asylum Only	2,049	2,405	2,063	1,456	994
Rescission	47	27	27	29	24
Continued Detention Review	3	10	3	6	5
NACARA	99	70	29	18	31
Withholding Only	125	138	187	129	156
Unknown	4	4	2	0	1
<b>Total</b>	<b>250,817</b>	<b>259,911</b>	<b>314,727</b>	<b>324,049</b>	<b>272,879</b>

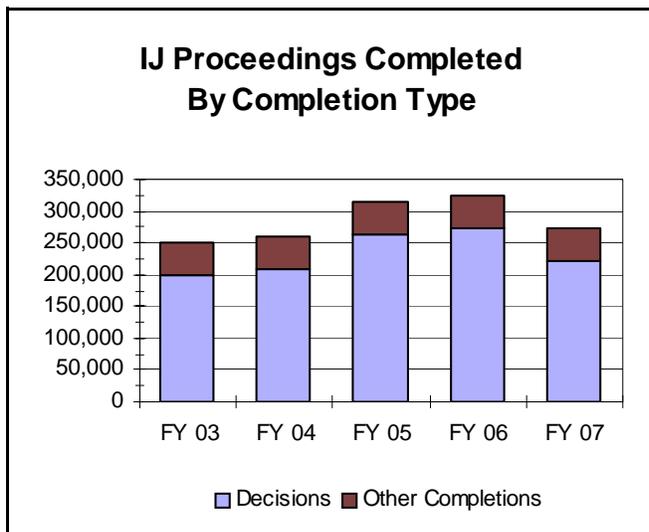
\*Prior to FY 2003 this was reported under Credible Fear.

## Immigration Courts: Proceedings Completed by Disposition

After a hearing, the immigration judge either renders an oral decision or reserves the decision and issues a decision at a later date. In rendering a decision, the immigration judge may order the alien removed from the United States, grant some form of relief, or terminate the proceedings if removability has not been established by DHS.

In addition to decisions, there are other possible proceeding outcomes which are reported here as “other” completions. Some cases are administratively closed and the immigration judge does not render a decision on the merits. Administrative closures are counted as “other” completions, as are cases transferred to a different hearing location or granted a change of venue.

Figure 4 provides a breakdown of proceedings from FY 2003 to FY 2007 by type of completion – either through an immigration judge decision or through an “other” completion, such as an administrative closure or change of venue. Other completions typically account for less than 25 percent of total completions.



	Decisions	Other Completions	Total
FY 03	197,935	52,882	250,817
FY 04	209,281	50,630	259,911
FY 05	264,753	49,974	314,727
FY 06	273,759	50,290	324,049
FY 07	222,618	50,261	272,879

Figure 4

Figure 5, on the following page, provides a breakout of decisions by disposition type. Immigration judges first decide whether or not the charges against an alien should be sustained. If the charges are not sustained or if the alien has established

eligibility for naturalization, the judge terminates the case<sup>1</sup>. If charges are sustained, the judge decides whether to order the alien removed from the United States or to grant relief. In some cases, the immigration judge may permit the alien to depart the United States voluntarily. Orders of voluntary departure are included as removals. There are also a few immigration judge decisions classified as “other” decisions. For example, an immigration judge may permit an alien in proceedings to withdraw his or her application for admission.

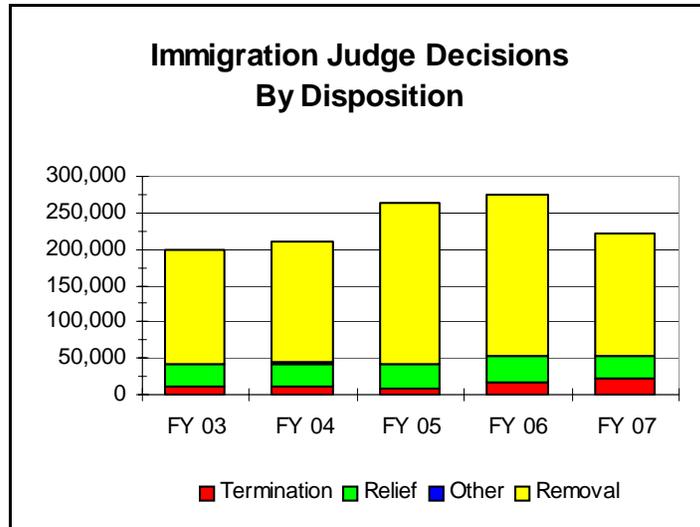


Figure 5

IJ Decisions by Disposition											
	Termination		Relief		Removal		Other		Total		
	Number	% of Total	Number	% of Total	Number	% of Total	Number	% of Total	Number	% of Total	
FY 03	9,961	5.0	31,286	15.8	155,140	78.4	1,548	0.8	197,935	100.0	
FY 04	9,947	4.8	33,443	16.0	164,449	78.6	1,442	0.7	209,281	100.0	
FY 05	9,383	3.5	31,687	12.0	222,332	84.0	1,351	0.5	264,753	100.0	
FY 06	15,986	5.8	36,397	13.3	220,204	80.4	1,172	0.4	273,759	100.0	
FY 07	21,144	9.5	32,048	14.4	167,999	75.5	1,427	0.6	222,618	100.0	

<sup>1</sup> Terminations have increased by 125% between FY 2005 and FY 2007. This increase may be due in part to recent regulatory and ICE policy changes with regard to 8 CFR §§ 245, 1001.1 and 1245 prescribing authority to USCIS to adjudicate applications for adjustment of status from arriving aliens and the use of prosecutorial discretion for individuals with viable forms of relief available to them through USCIS affirmative processing. See Interim Rule, *Eligibility of Arriving Aliens in Removal Proceedings To Apply for Adjustment of Status and Jurisdiction To Adjudicate Applications for Adjustment of Status* at 71 FR 27585, 27592 (Friday, May 12, 2006).

## Immigration Courts: Proceedings Completed by Nationality

Immigration court staff record in EOIR's data system the nationality of aliens who appear before immigration judges. Data in this section provide information on the predominant nationalities for completed proceedings.

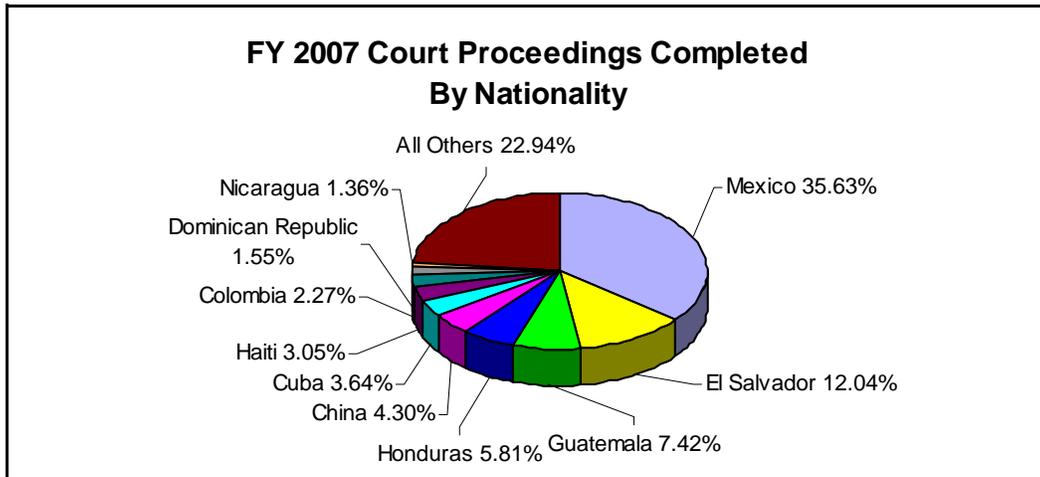


Figure 6

<b>FY 2007 Court Proceedings Completed by Nationality</b>		
Nationality	Cases	% of Total
Mexico	97,217	35.63%
El Salvador	32,853	12.04%
Guatemala	20,240	7.42%
Honduras	15,859	5.81%
China	11,728	4.30%
Cuba	9,925	3.64%
Haiti	8,321	3.05%
Colombia	6,196	2.27%
Dominican Republic	4,221	1.55%
Nicaragua	3,709	1.36%
All Others	62,610	22.94%
<b>Total</b>	<b>272,879</b>	<b>100.00%</b>

In FY 2007, the top 10 nationalities accounted for approximately 77 percent of all proceedings completed as shown in Figure 6. A total of 222 nationalities were represented in the FY 2007 immigration judge completions. Mexico and Central American countries are consistently among the predominant nationalities of immigration court completions. Table 5, on the following page, provides information on the top 25 nationalities each year for the period FY 2003 through FY 2007. For the five-year period, eight of the top 10 nationalities remained the same: Mexico, El Salvador, Guatemala, Honduras, China, Cuba, Haiti, and Colombia.

**Table 5 - Court Proceedings Completed by Nationality  
Top 25 Nationalities: FY 2003 - FY 2007**

Rank	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
1	Mexico	Mexico	Mexico	Mexico	Mexico
2	El Salvador	Honduras	El Salvador	El Salvador	El Salvador
3	Honduras	El Salvador	Honduras	Honduras	Guatemala
4	China	Guatemala	Brazil	Guatemala	Honduras
5	Guatemala	China	Guatemala	China	China
6	Colombia	Brazil	China	Brazil	Cuba
7	Brazil	Colombia	Colombia	Cuba	Haiti
8	Haiti	Haiti	Cuba	Haiti	Colombia
9	Dominican Republic	Cuba	Haiti	Colombia	Dominican Republic
10	Cuba	Dominican Republic	Dominican Republic	Nicaragua	Nicaragua
11	India	India	Nicaragua	Dominican Republic	Brazil
12	Pakistan	Indonesia	India	India	India
13	Albania	Pakistan	Indonesia	Indonesia	Jamaica
14	Indonesia	Jamaica	Pakistan	Pakistan	Ecuador
15	Jamaica	Albania	Ecuador	Jamaica	Pakistan
16	Philippines	Nicaragua	Jamaica	Ecuador	Indonesia
17	Nicaragua	Ecuador	Albania	Venezuela	Peru
18	Ecuador	Philippines	Philippines	Peru	Venezuela
19	Peru	Peru	Peru	Philippines	Philippines
20	Armenia	Russia	Venezuela	Albania	Nigeria
21	Russia	Egypt	Nigeria	Nigeria	Russia
22	Egypt	Armenia	Russia	Costa Rica	Canada
23	Nigeria	Nigeria	Canada	Russia	Albania
24	Iran	Iran	Armenia	Egypt	Egypt
25	Canada	Canada	Egypt	Canada	Ethiopia

## Immigration Courts: Proceedings Completed by Language

Figure 7 below shows a breakdown of FY 2003 immigration court proceedings completed by language. Of 213 languages spoken in court proceedings during FY 2003, 83 percent were in the following five languages: Spanish, English, Mandarin, Creole, and Portuguese.

Figure 8 below shows comparable data for FY 2007. Although four of the top five languages were the same, there was more diversity in languages in FY 2007. A total of 265 different languages were spoken in court proceedings in the immigration courts during FY 2007. The top five languages accounted for 89 percent of the proceedings completed in FY 2007.

FY 2007 highlights include:

- Spanish language cases were 67 percent of the total caseload, an increase of 7 percent since FY 2003.
- In the “Other” category, Foo Chow, Russian, and Portuguese represented the three most frequently spoken languages.
- The number of different languages used in court proceedings has increased by 24 percent over FY 2003.

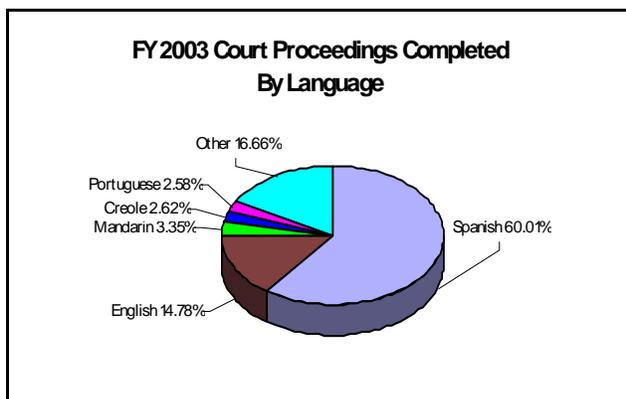


Figure 7

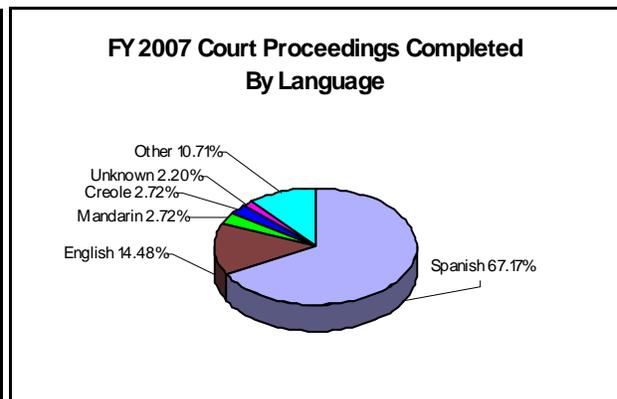


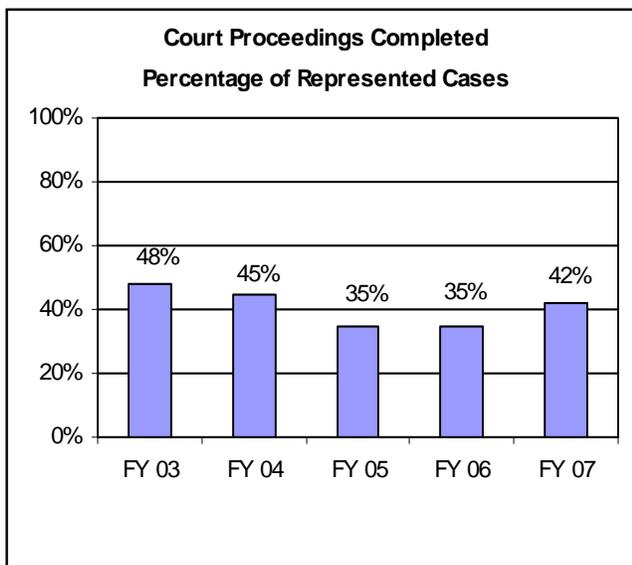
Figure 8

## Immigration Courts: Proceedings Completed by Representation Status

The Immigration and Nationality Act states that individuals in removal proceedings before an immigration judge may be represented by counsel, but at no expense to the government. Prior to representing an alien before the immigration court, representatives must file a Notice of Appearance with the court.

Many individuals in removal proceedings are indigent and cannot afford a private attorney. Some seek free or *pro bono* representation, while others proceed without counsel on their own, or *pro se*. Of great concern to EOIR is the large number of individuals appearing *pro se*. Immigration judges, in order to ensure that such individuals understand the nature of the proceedings, as well as their rights and responsibilities, must take extra care and spend additional time explaining this information. An individual may ask for a continuance of a proceeding to obtain counsel.

As shown in Figure 9, less than half of the aliens whose proceedings were completed during the period FY 2003 – FY 2007 were represented. The percentage of represented aliens for FY 2003 to FY 2007 ranged from 35 percent to 48 percent. However, the significant drop in representation rates in FY 2005 and FY 2006 is directly related to the increased failures to appear over this same period. This is due to the majority of failures to appear being unrepresented. The representation rate for FY 2005 and FY 2006 would be 48 percent if failure to appear completions were removed from the data.



	Represented	Unrepresented	Total
FY 03	120,170	130,647	250,817
FY 04	117,777	142,134	259,911
FY 05	110,282	204,445	314,727
FY 06	113,602	210,447	324,049
FY 07	115,900	156,979	272,879

Figure 9

## Immigration Courts: Failures to Appear

When an alien fails to appear for a hearing, the immigration judge may conduct an *in absentia* (in absence of) hearing and order the alien removed from the United States. Before the immigration judge orders the alien removed *in absentia*, the DHS Assistant Chief Counsel must establish by clear, unequivocal, and convincing evidence that the alien is removable. Further, the immigration judge must be satisfied that notice of time and place of the hearing were provided to the alien or the alien's representative. A failure to appear does not always result in an *in absentia* order. In some instances, the immigration judge may administratively close the case without ordering the alien removed *in absentia*. Since most administrative closures relate to failures to appear, we have included those figures in calculating the failure to appear rates below.

Figure 10, on the following page, compares immigration judge decisions and administrative closures with failures to appear. Of the immigration judge decisions rendered in FY 2007, 19 percent involved aliens who failed to appear. In FY 2005 the failure to appear rate nearly doubled from the previous year and remained at this level in FY 2006. The large increase in the failure to appear rate had a direct effect on the total completions for those two fiscal years.

In FY 2005, 106,793 aliens failed to appear compared to the previous high in FY 2004 of 54,267, representing a 97 percent increase. It should also be noted that 52 percent of the failure to appear completions in FY 2005 occurred in Harlingen and San Antonio, Texas, compared to 41 percent in FY 2006. From FY 2006 to FY 2007 the number of aliens who failed to appear decreased by 60 percent. FY 2007 has the lowest failure to appear rate of the five years that are represented.

The immigration court workload is dependent on actions taken by DHS. The long standing DHS policy known as "catch and release" was designed to release, on their own recognizance, non-Mexican aliens apprehended at entry. This policy resulted from DHS' insufficient capacity to detain all aliens apprehended at entry. In recent years the failure to appear rate increased dramatically at the immigration courts. This caused a subsequent increase in *in absentia* removal orders being issued by the immigration judges. As part of the Secure Border Initiative, DHS replaced the "catch and release" policy with the "catch and return" policy. In August 2006, DHS was detaining 100 percent of non-Mexican aliens apprehended along the border. As a result, EOIR experienced an increase in the number of detained cases and a decrease in the number of failures to appear.

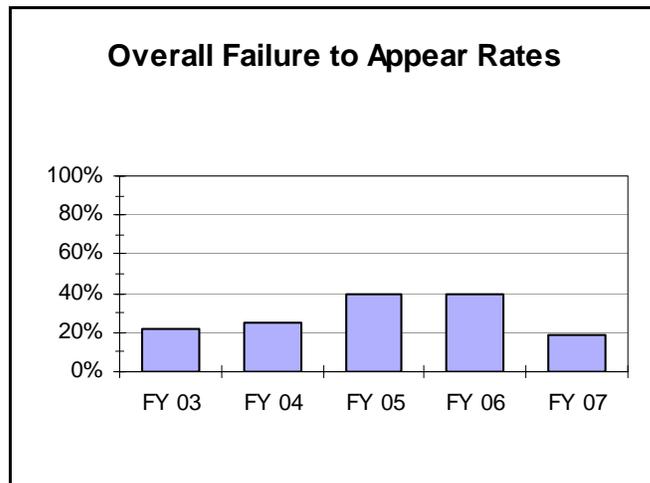


Figure 10

Overall Failure to Appear Rates					
	Failures to Appear			IJ Decisions & Admin Closures	Failure to Appear Rate
	In Absentia Orders	Administrative Closures	Total Failures to Appear		
FY 03	36,947	7,295	44,242	205,230	22%
FY 04	47,407	6,860	54,267	216,141	25%
FY 05	100,944	5,849	106,793	270,602	39%
FY 06	102,847	6,880	109,727	280,639	39%
FY 07	35,575	7,916	43,491	230,534	19%

The following figures show EOIR data on failures to appear by detention status: non-detained aliens and aliens released on bond or recognizance. Failures to appear for detained cases occur infrequently, generally only because of illness or transportation problems, and are not broken out in the following figures.

Figure 11 shows a comparison of the number of failures to appear with the number of immigration judge decisions for non-detained aliens. The non-detained category is made up of aliens who were never detained. The failure to appear rate for this population increased each year from FY 2003 to FY 2005. From FY 2005 to FY 2006 the rate stayed the same, then in FY 2007 the failure to appear rate decreased. This trend is consistent with the overall rate depicted in Figure 10.

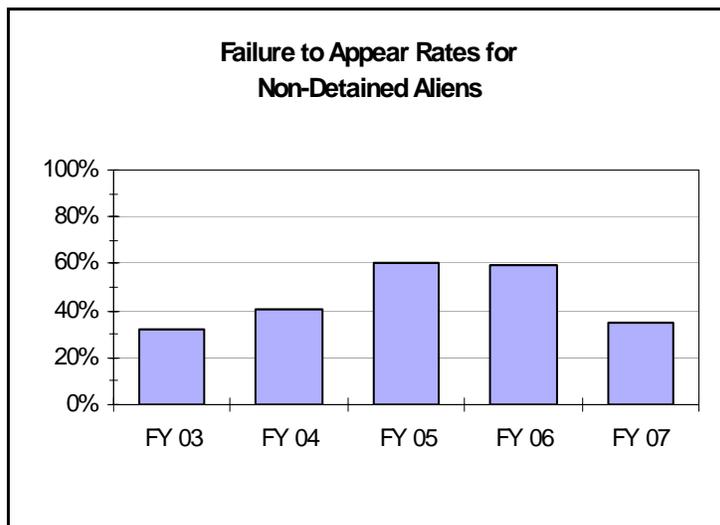


Figure 11

<b>Failure to Appear Rates for Non-Detained Aliens</b>			
	Failures to Appear		IJ Decisions & Admin Closures
	Number	% of Total	
FY 03	29,499	32%	91,387
FY 04	43,632	40%	108,619
FY 05	97,779	60%	162,052
FY 06	100,485	60%	168,125
FY 07	34,507	35%	99,972

Failures to appear for aliens released on bond or on their own recognizance are shown in Figure 12. From FY 2006 to FY 2007 the failure to appear rate decreased. Though not a substantial decrease, this decrease is consistent with the overall rate depicted in Figure 10 and the non-detained rate depicted in Figure 11.

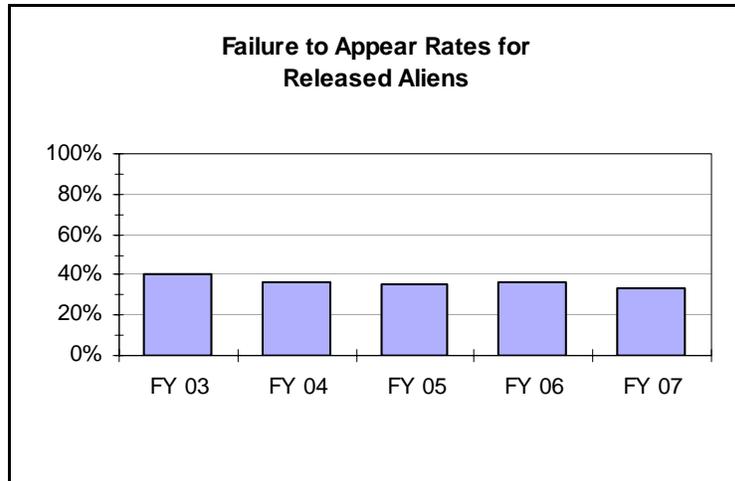


Figure 12

<b>Failure to Appear Rates for Released Aliens</b>			
	Failures to Appear		IJ Decisions & Admin Closures
	Number	% of Total	
FY 03	13,437	41%	33,110
FY 04	9,433	37%	25,828
FY 05	7,874	36%	22,040
FY 06	7,885	36%	21,984
FY 07	7,407	33%	22,422

## Immigration Courts: Asylum Cases Received and Completed

An important form of relief that aliens may request is asylum. Aliens request asylum if they fear harm if returned to their native country or if they have suffered harm in the past. To be granted asylum, an alien must demonstrate past persecution or a well-founded fear of persecution based on the alien’s race, religion, nationality, political beliefs, and/or membership in a particular social group.

There are two ways that aliens may request asylum: “affirmatively,” by completing an asylum application and filing it with a DHS Asylum Office; or “defensively,” by requesting asylum before an immigration judge. Aliens who file affirmatively with DHS, but whose requests for asylum are not granted, may be placed in removal proceedings and referred to the appropriate immigration court for further review of the case.

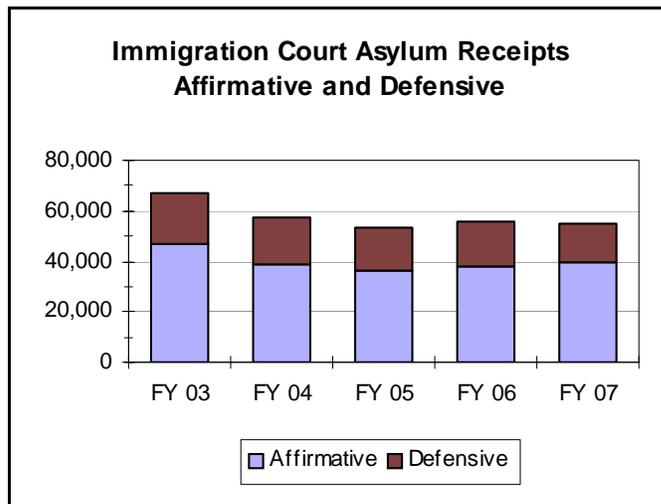


Figure 13

Immigration Court Asylum Receipts			
	Affirmative	Defensive	Total
FY 03	47,221	20,047	67,268
FY 04	39,120	18,552	57,672
FY 05	36,095	17,065	53,160
FY 06	37,747	17,907	55,654
FY 07	39,629	15,328	54,957

As shown in Figure 14 below, asylum receipts declined by 18 percent from FY 2003 to FY 2007. Asylum completions have decreased each year. From FY 2003 to FY 2007 completions have declined by 18 percent.

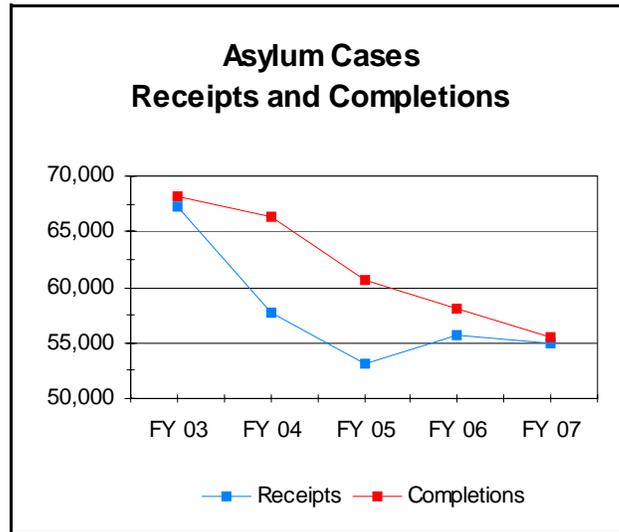


Figure 14

Asylum Receipts and Completions		
	Receipts	Completions
FY 03	67,268	68,120
FY 04	57,672	66,313
FY 05	53,160	60,658
FY 06	55,654	58,056
FY 07	54,957	55,573

Table 6, shown on page I3, provides information on FY 2007 asylum receipts and completions by immigration court. In FY 2007 the Arlington, VA; Los Angeles, CA; Miami, FL; New York, NY; and San Francisco, CA, immigration courts received 57 percent of asylum filings. In FY 2007, more than half of the immigration courts had more receipts than completions. Overall there were more asylum completions in FY 2007 than asylum filings.

**Table 6 - Asylum Receipts and Completions by Court for FY 2007**

Immigration Court	Receipts	Completions
ARLINGTON, VIRGINIA	2,910	1,764
ATLANTA, GEORGIA	1,342	1,640
BALTIMORE, MARYLAND	1,555	1,127
BATAVIA SPC, NEW YORK	47	45
BLOOMINGTON (ST. PAUL), MINNESOTA	476	465
BOSTON, MASSACHUSETTS	1,892	1,519
BRADENTON, FLORIDA	7	9
BUFFALO, NEW YORK	73	72
CHICAGO, ILLINOIS	1,850	1,852
CLEVELAND, OHIO	396	263
DALLAS, TEXAS	470	517
DENVER, COLORADO	528	442
DETROIT, MICHIGAN	393	498
EAST MESA, CALIFORNIA	56	74
EL CENTRO SPC, CALIFORNIA	122	119
EL PASO SPC, TEXAS	76	90
EL PASO, TEXAS	85	86
ELIZABETH SPC, NEW JERSEY	315	297
ELOY, ARIZONA	142	127
FISHKILL - NEW YORK STATE DOC, NEW YORK	4	13
FLORENCE SPC, ARIZONA	39	39
GUAYNABO (SAN JUAN), PUERTO RICO	839	1,314
HARLINGEN, TEXAS	219	199
HARTFORD, CONNECTICUT	206	236
HONOLULU, HAWAII	238	129
HOUSTON SPC, TEXAS	71	66
HOUSTON, TEXAS	1,079	1,160
IMPERIAL, CALIFORNIA	28	27
KROME NORTH SPC, FLORIDA	471	489
LANCASTER, CALIFORNIA	151	144
LAS VEGAS, NEVADA	859	519
LOS ANGELES, CALIFORNIA	10,469	6,194
LOS FRESNOS (PORT ISABEL SPC), TEXAS	101	102
MEMPHIS, TENNESSEE	763	663
MIAMI, FLORIDA	5,705	9,877
NEW ORLEANS, LOUISIANA	116	126
NEW YORK CITY, NEW YORK	9,017	10,077
NEWARK, NEW JERSEY	1,460	1,619
OAKDALE FEDERAL DETENTION CENTER, LOUISIANA	57	123
ORLANDO, FLORIDA	1,929	2,772
PHILADELPHIA, PENNSYLVANIA	700	984
PHOENIX, ARIZONA	439	376
PORTLAND, OREGON	418	261
SALT LAKE CITY, UTAH	160	111
SAN ANTONIO, TEXAS	814	742
SAN DIEGO, CALIFORNIA	594	521
SAN FRANCISCO, CALIFORNIA	3,301	3,979
SAN PEDRO SPC, CALIFORNIA	119	121
SEATTLE, WASHINGTON	1,376	1,142
TUCSON, ARIZONA	26	117
ULSTER - NEW YORK STATE DOC, NEW YORK	6	11
VARICK SPC, NEW YORK	293	170
YORK, PENNSYLVANIA	155	144
<b>TOTAL</b>	<b>54,957</b>	<b>55,573</b>

## Immigration Courts: Asylum Grants by Nationality

This section provides information on asylum grants by nationality. Figure 15 displays the top 10 nationalities granted asylum in FY 2007. In FY 2007, the top 10 nationalities accounted for 63 percent of all asylum grants. China accounted for 35 percent of all asylum grants. A total of 148 nationalities were represented among cases granted asylum in FY 2007. Table 7 provides information for comparative purposes on the top nationalities granted asylum for the period FY 2003 to FY 2007. Five nationalities were represented among the top 10 nationalities granted asylum each year during the five-year period: China, Colombia, Albania, India, and Haiti. For more complete information on asylum data by nationality see: <http://www.usdoj.gov/eoir/eoia/FY07AsyStats.pdf>.

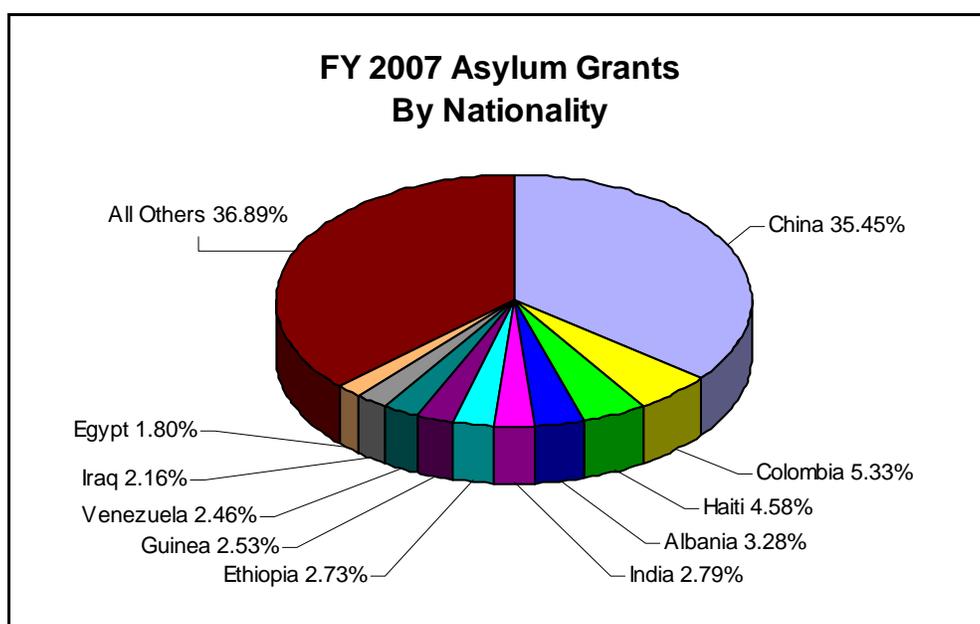


Figure 15

FY 2007 Asylum Grants by		
Nationality	Cases	% of Total
China	4,540	35.45%
Colombia	683	5.33%
Haiti	587	4.58%
Albania	420	3.28%
India	357	2.79%
Ethiopia	349	2.73%
Guinea	324	2.53%
Venezuela	315	2.46%
Iraq	276	2.16%
Egypt	231	1.80%
All Others	4,725	36.89%
<b>Total</b>	<b>12,807</b>	<b>100.00%</b>

**Table 7 - Asylum Grants by Nationality  
Top 25 Nationalities: FY 2003 - FY 2007**

Rank	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
1	China	China	China	China	China
2	Colombia	Colombia	Colombia	Colombia	Colombia
3	Albania	Albania	Haiti	Haiti	Haiti
4	India	Haiti	Albania	Albania	Albania
5	Haiti	India	Indonesia	India	India
6	Armenia	Indonesia	India	Cameroon	Ethiopia
7	Russia	Russia	Armenia	Guinea	Guinea
8	Indonesia	Armenia	Ethiopia	Ethiopia	Venezuela
9	Egypt	Cameroon	Cameroon	Indonesia	Iraq
10	Ethiopia	Egypt	Guinea	Armenia	Egypt
11	Pakistan	Ethiopia	Russia	Venezuela	Indonesia
12	Iran	Guinea	Egypt	Egypt	Russia
13	Iraq	Mauritania	Mauritania	Mauritania	Cameroon
14	Cameroon	Iran	Yugoslavia	Russia	Soviet Union
15	Mauritania	Yugoslavia	Soviet Union	Iraq	Armenia
16	Yugoslavia	Guatemala	Burma (Myanmar)	Soviet Union	Mauritania
17	Guatemala	Pakistan	Venezuela	Pakistan	Pakistan
18	Guinea	Bangladesh	Iran	Nepal	El Salvador
19	Somalia	Burma (Myanmar)	Pakistan	Burma (Myanmar)	Ivory Coast
20	Liberia	Congo	Guatemala	Guatemala	Guatemala
21	Congo	Sierra Leone	Bangladesh	Ivory Coast	Nepal
22	Peru	Iraq	Ivory Coast	Yugoslavia	Burma (Myanmar)
23	Burma (Myanmar)	Peru	Togo	Togo	Yugoslavia
24	Sierra Leone	Fiji	Uzbekistan	Iran	Eritrea
25	Bangladesh	Nepal	Iraq	Somalia	Somalia

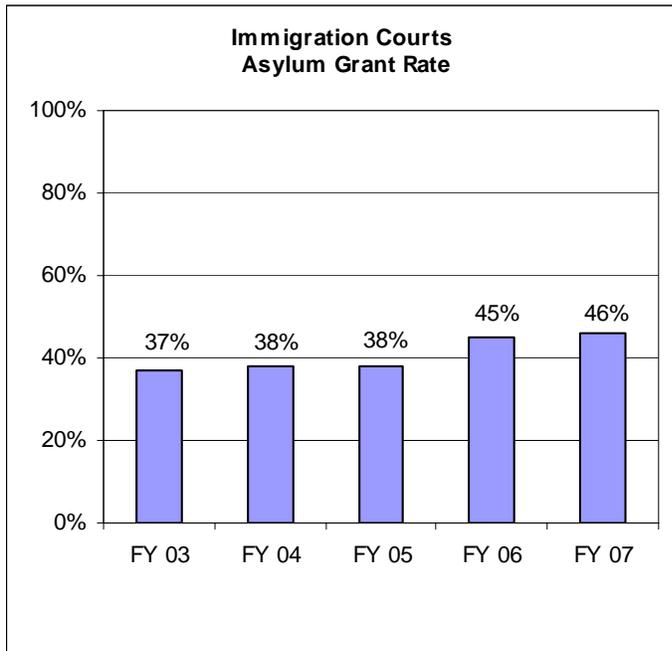
## **Immigration Courts: Disposition of Asylum Cases**

During removal proceedings an alien may request asylum as relief from removal. The immigration judge must then decide whether to deny or grant an alien's application for asylum. If the asylum applicant fails to appear for a scheduled court hearing, the application is considered abandoned. In other instances, the asylum applicant chooses to withdraw his or her application for asylum. EOIR tracks each of these possible outcomes as completed cases: grants, denials, withdrawals, and abandoned applications for asylum.

A substantial number of closed cases do not fall into one of the four categories listed above, and are counted as "other" asylum completions, e.g., change of venue to another court. Further, in some instances, an alien with a pending asylum claim may apply for and be granted some other type of relief besides asylum, and this is also recorded as an "other" completion.

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) provided that refugee status or asylum could be granted to as many as 1,000 applicants annually whose claims were based on coercive population control (CPC). IIRIRA amended the Immigration and Nationality Act to include opposition to coercive population control methods to be considered as a political opinion. Immigration judges began granting asylum based on CPC in FY 1997. An alien who was eligible for a grant of asylum based on coercive population control methods received a grant conditioned on an administrative determination by the Department of Homeland Security that a number was available. Effective May 11, 2005, under the Real ID Act, the annual cap was lifted on asylum grants based on coercive population control methods.

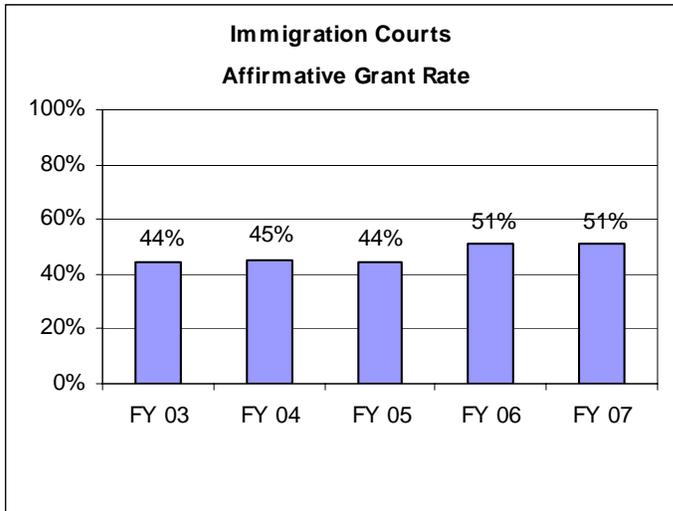
Figure 16 provides the asylum grant rate for the past five years. The grant rate is calculated as a percentage of asylum claims decided on the merits, i.e., grants (including conditional grants) and denials. The grant rate has significantly increased from FY 2003 (37%) to FY 2007 (46%). Although the grant rate has increased in the last five years, the overall completions on the merits have decreased by 23 percent.



Asylum Grant Rate			
	Grants	Denials	Grant Rate
FY 03	13,379	22,411	37%
FY 04	13,022	20,863	38%
FY 05	11,757	19,167	38%
FY 06	13,352	16,566	45%
FY 07	12,807	14,850	46%

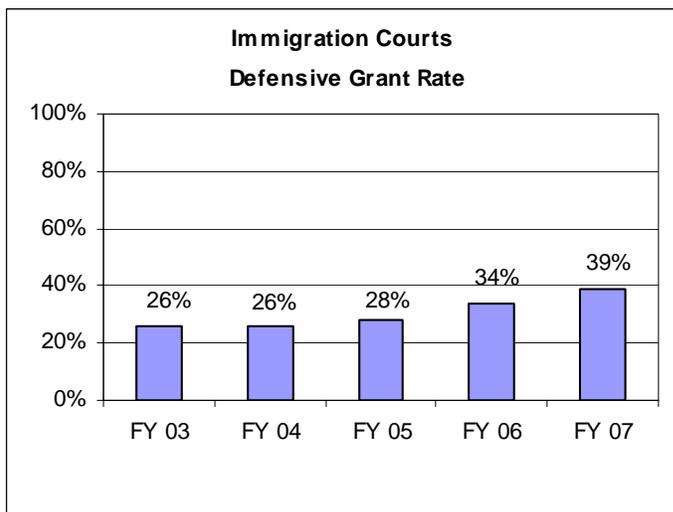
Figure 16

There is some difference in the grant rates depending on whether the asylum application was filed affirmatively or defensively. From FY 2003 to FY 2007, grant rates for affirmative asylum claims were higher than grant rates for defensive claims. Figures 17 and 18 show the grant rates for affirmative and defensive asylum claims. In a few instances, (198 grants and 168 denials) data was incomplete, and it was unclear whether the claim was affirmative or defensive.



	Grants	Denials	Grant Rate
FY 03	9,913	12,784	44%
FY 04	9,849	12,091	45%
FY 05	8,708	11,202	44%
FY 06	9,525	9,053	51%
FY 07	8,408	7,964	51%

Figure 17



	Grants	Denials	Grant Rate
FY 03	3,405	9,612	26%
FY 04	3,136	8,730	26%
FY 05	3,014	7,926	28%
FY 06	3,793	7,457	34%
FY 07	4,368	6,870	39%

Figure 18

Figure 19 illustrates graphically all asylum case completions broken out by disposition. The number of denials decreased significantly from FY 2003 to FY 2007 (34%). The number of asylum grants also decreased from FY 2003 to FY 2007 (4%). There has been a 42 percent decrease in the number of withdrawn decisions from FY 2003 to FY 2007.

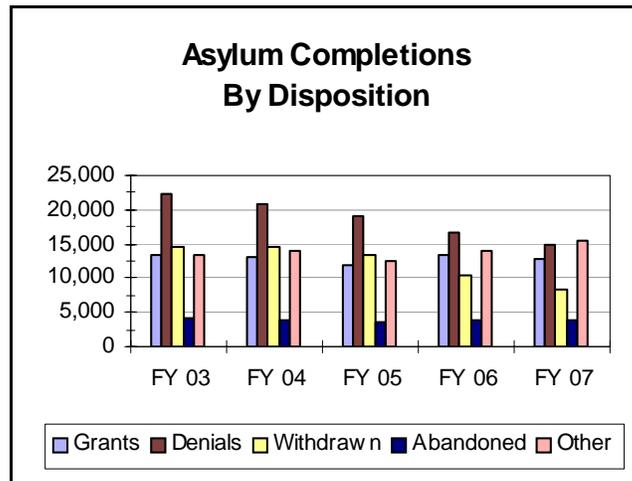


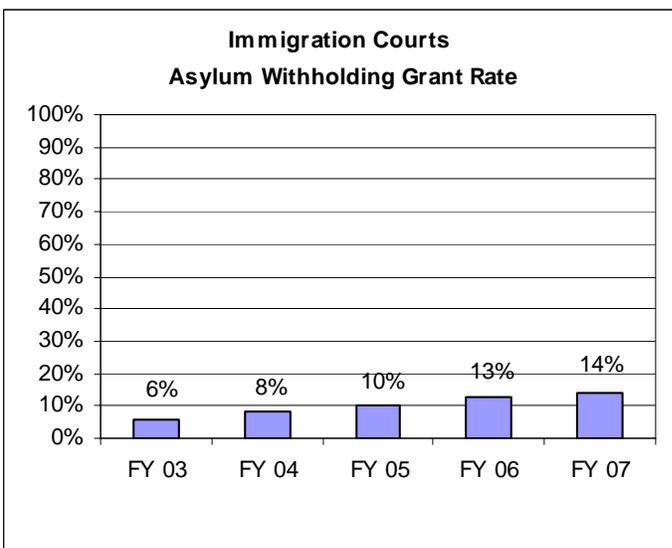
Figure 19

Asylum Completions by Disposition						
	Grants	Denials	Withdrawn	Abandoned	Other	Total
FY 03	13,379	22,411	14,484	4,308	13,538	68,120
FY 04	13,022	20,863	14,665	3,805	13,958	66,313
FY 05	11,757	19,167	13,436	3,650	12,648	60,658
FY 06	13,352	16,566	10,350	3,923	13,865	58,056
FY 07	12,807	14,850	8,333	3,971	15,612	55,573

An applicant for asylum also is an applicant for withholding of removal under section 241(b)(3) of the Immigration and Nationality Act. Whereas asylum is a discretionary form of relief, withholding of removal is a mandatory form of protection that the immigration judge must grant if the applicant is found to have a clear probability of persecution in his or her country of origin, based on race, religion, nationality, membership in a particular social group, or political opinion, provided no mandatory bars apply. This form of protection fulfills the United States' treaty obligations as signatory to the 1967 United Nations Protocol Relating to the Status of Refugees (1967 Protocol). The 1951 United Nations Convention Relating to the Status of Refugees (Refugee Convention) and the 1967 Protocol require contracting states to ensure that no refugee is returned to a country where his or her life would be threatened due to one of the five protected grounds for refugee status.

Asylum seekers can only apply for withholding of removal in an immigration court. A determination regarding this form of protection is made only if the applicant is denied asylum. Applicants granted this protection may not be returned to the country of feared persecution. However, they may be sent to a third country provided that country will allow their entry.

Figure 19-A below depicts the asylum withholding grant rate. Cases that had grants for both asylum and withholding were omitted from withholding because they have previously been counted as an asylum grant.



	Grants	Denials	Grant Rate
FY 03	1,357	22,935	6%
FY 04	1,769	21,311	8%
FY 05	2,109	19,501	10%
FY 06	2,565	16,804	13%
FY 07	2,468	15,320	14%

Figure 19-A

Table 8, on the following page, provides information on the FY 2007 asylum grant rate for each individual immigration court.

**Table 8 - FY 2007 Asylum Grant Rate by Immigration Court**

Immigration Court	Grants	Denials	Grant Rate
ARLINGTON, VIRGINIA	481	470	51%
ATLANTA, GEORGIA	37	293	11%
BALTIMORE, MARYLAND	353	498	41%
BATAVIA SPC, NEW YORK	0	35	0%
BLOOMINGTON (ST. PAUL), MINNESOTA	64	181	26%
BOSTON, MASSACHUSETTS	276	423	39%
BRADENTON COUNTY JAIL, FLORIDA	7	0	100%
BUFFALO, NEW YORK	10	32	24%
CHICAGO, ILLINOIS	404	402	50%
CLEVELAND, OHIO	40	79	34%
DALLAS, TEXAS	52	126	29%
DENVER, COLORADO	100	155	39%
DETROIT, MICHIGAN	96	236	29%
EAST MESA, CALIFORNIA	28	23	55%
EL CENTRO SPC, CALIFORNIA	48	38	56%
EL PASO SPC, TEXAS	13	38	25%
EL PASO, TEXAS	9	14	39%
ELIZABETH SPC, NEW JERSEY	57	115	33%
ELOY, ARIZONA	8	85	9%
FLORENCE SPC, ARIZONA	7	17	29%
GUAYNABO (SAN JUAN), PUERTO RICO	10	42	19%
HARLINGEN, TEXAS	59	29	67%
HARTFORD, CONNECTICUT	63	124	34%
HONOLULU, HAWAII	80	22	78%
HOUSTON SPC, TEXAS	7	35	17%
HOUSTON, TEXAS	68	462	13%
IMPERIAL, CALIFORNIA	4	15	21%
KROME NORTH SPC, FLORIDA	45	299	13%
LANCASTER, CALIFORNIA	6	83	7%
LAS VEGAS, NEVADA	59	69	46%
LOS ANGELES, CALIFORNIA	795	1,322	38%
LOS FRESNOS (PORT ISABEL SPC), TEXAS	11	41	21%
MEMPHIS, TENNESSEE	151	176	46%
MIAMI, FLORIDA	818	3,389	19%
NEW ORLEANS, LOUISIANA	12	70	15%
NEW YORK CITY, NEW YORK	5,620	1,737	76%
NEWARK, NEW JERSEY	279	478	37%
OAKDALE FEDERAL DETENTION CENTER, LOUISIANA	18	41	31%
ORLANDO, FLORIDA	738	797	48%
PHILADELPHIA, PENNSYLVANIA	184	244	43%
PHOENIX, ARIZONA	129	71	65%
PORTLAND, OREGON	25	64	28%
SALT LAKE CITY, UTAH	37	31	54%
SAN ANTONIO, TEXAS	100	213	32%
SAN DIEGO, CALIFORNIA	190	119	61%
SAN FRANCISCO, CALIFORNIA	835	970	46%
SAN PEDRO SPC, CALIFORNIA	38	49	44%
SEATTLE, WASHINGTON	238	421	36%
TUCSON, ARIZONA	46	21	69%
ULSTER - NEW YORK STATE DOC, NEW YORK	0	3	0%
VARICK SPC, NEW YORK	17	91	16%
YORK, PENNSYLVANIA	35	62	36%
<b>TOTAL</b>	<b>12,807</b>	<b>14,850</b>	<b>46%</b>

## Immigration Courts: Expedited Asylum Cases

There are two ways that aliens may request asylum: “affirmatively,” by completing an asylum application and filing it with a DHS Asylum Office; or “defensively,” by requesting asylum before an immigration judge. Aliens who file affirmatively with DHS, but whose requests for asylum are not granted, are placed in removal proceedings and referred to the appropriate immigration court for a hearing.

Asylum regulations implemented in 1995 called for asylum applications to be processed within 180 days after filing. The Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996 reiterated that time frame and calls for the administrative adjudication of an asylum application within 180 days of the application filing date, absent exceptional circumstances. This process is time sensitive because the asylum applicant may not apply for employment authorization until 150 days after filing, and DHS then has 30 days to grant or deny employment authorization. The applicant can only be granted employment authorization if the asylum application has not been decided within 180 days of filing, provided there are no delays caused by the alien. Consequently, expedited processing of asylum applications occurs when (1) an alien files “affirmatively” at a DHS Asylum Office and the application is referred to EOIR within 75 days of filing; or (2) an alien files an asylum application “defensively” with EOIR.

As shown in Figure 20 below, expedited asylum cases have decreased by 9 percent from FY 2005 to FY 2007. Total asylum receipts have increased by 4 percent from FY 2005 to FY 2007.

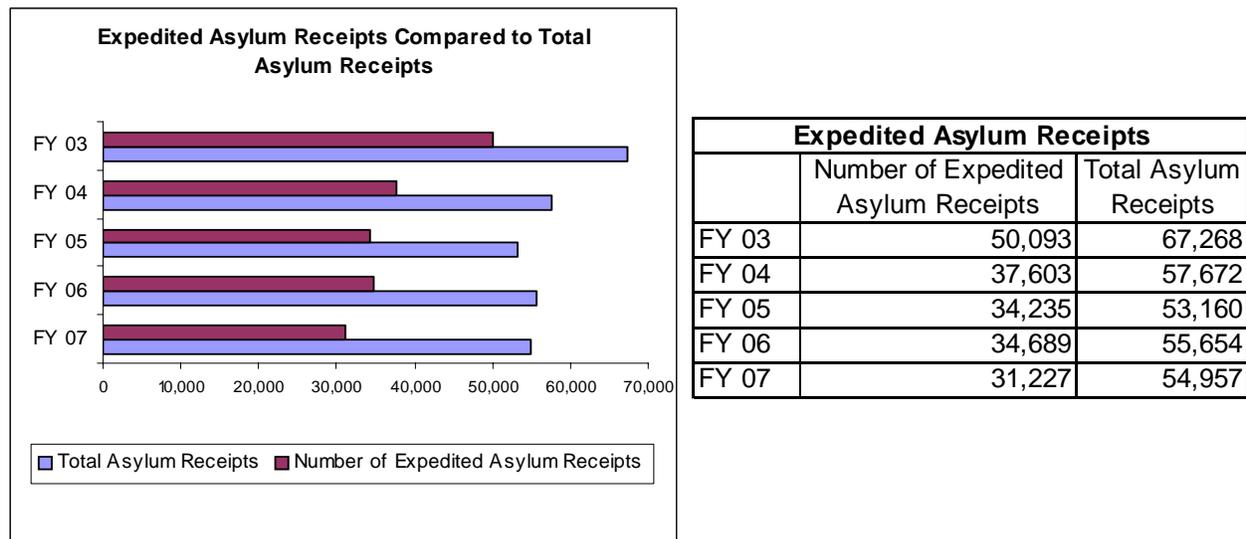


Figure 20

Depicted in Figure 21 below are the number of receipts and completions for expedited asylum cases between FY 2003 and FY 2007.

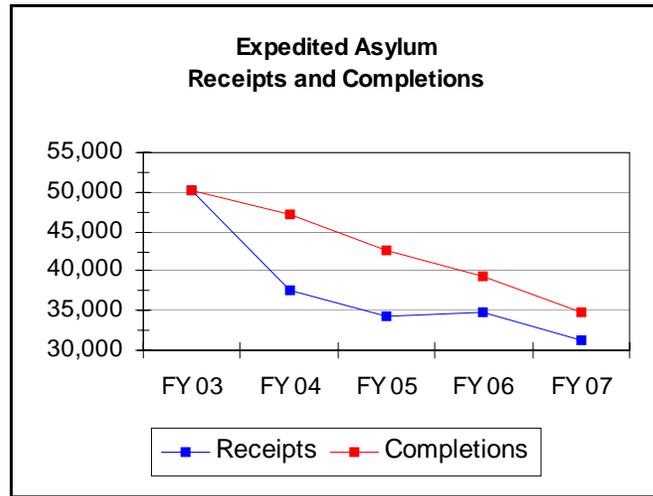


Figure 21

<b>Expedited Asylum Receipts and Completions FY 2003 - FY 2007</b>		
	Receipts	Completions
FY 03	50,093	50,297
FY 04	37,603	47,247
FY 05	34,235	42,586
FY 06	34,689	39,412
FY 07	31,227	34,733

## Immigration Courts: Convention Against Torture

In 1999, the Department of Justice implemented regulations regarding the United Nations Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Convention Against Torture or CAT). Under these regulations, aliens in removal, deportation, or exclusion proceedings may claim that they “more likely than not” will be tortured if removed from the United States. The regulation provides jurisdiction to the immigration courts to hear these claims, and provides jurisdiction to the BIA to hear appeals from the immigration courts’ decisions regarding CAT claims.

There are two forms of protection under the 1999 regulations:

- The regulation established a new form of withholding of removal which is granted to an alien who establishes that he or she would be tortured in the proposed country of removal.
- The second protection concerns aliens who would be tortured in the country of removal, but who are barred from withholding of removal. These aliens may be granted deferral of removal, a form of protection that is more easily and quickly terminated if it becomes possible to remove the alien.

As shown in Table 9 below, the immigration courts adjudicated 28,130 CAT applications during FY 2007. Of those, 541 CAT cases were granted, the majority of which were granted withholding. Less than 50 percent of CAT cases were denied in FY 2007.

**Table 9 - FY 2007 Convention Against Torture Cases by Disposition**

Granted			Denied	Other	Withdrawn	Abandoned	Total
Withholding	Deferral	Total					
449	92	541	13,874	7,086	5,873	756	28,130

Table 10 on the following page shows a breakdown of CAT completions by immigration courts. The Los Angeles, CA; Miami, FL; New York City, NY; Orlando, FL; and San Francisco, CA, immigration courts combined completed approximately 62 percent of the total FY 2007 CAT cases.

**Table 10 - FY 2007 Convention Against Torture Completions by Court**

Immigration Court	Completions
ARLINGTON, VIRGINIA	680
ATLANTA, GEORGIA	322
BALTIMORE, MARYLAND	581
BATAVIA SPC, NEW YORK	39
BLOOMINGTON (ST. PAUL), MINNESOTA	399
BOSTON, MASSACHUSETTS	605
BRADENTON COUNTY JAIL, FLORIDA	4
BUFFALO, NEW YORK	63
CHICAGO, ILLINOIS	506
CLEVELAND, OHIO	121
DALLAS, TEXAS	172
DENVER, COLORADO	212
DETROIT, MICHIGAN	553
EAST MESA, CALIFORNIA	63
EL CENTRO SPC, CALIFORNIA	74
EL PASO SPC, TEXAS	23
EL PASO, TEXAS	1
ELIZABETH SPC, NEW JERSEY	221
ELOY, ARIZONA	126
FISHKILL - NEW YORK STATE DOC, NEW YORK	43
FLORENCE SPC, ARIZONA	34
GUAYNABO (SAN JUAN), PUERTO RICO	330
HARLINGEN, TEXAS	61
HARTFORD, CONNECTICUT	120
HONOLULU, HAWAII	55
HOUSTON SPC, TEXAS	44
HOUSTON, TEXAS	234
IMPERIAL, CALIFORNIA	21
KROME NORTH SPC, FLORIDA	367
LANCASTER, CALIFORNIA	128
LAS VEGAS, NEVADA	141
LOS ANGELES, CALIFORNIA	3,039
LOS FRESNOS (PORT ISABEL SPC), TEXAS	75
MEMPHIS, TENNESSEE	331
MIAMI, FLORIDA	5,623
NEW ORLEANS, LOUISIANA	68
NEW YORK CITY, NEW YORK	5,225
NEWARK, NEW JERSEY	991
OAKDALE FEDERAL DETENTION CENTER, LOUISIANA	112
ORLANDO, FLORIDA	1,699
PHILADELPHIA, PENNSYLVANIA	530
PHOENIX, ARIZONA	71
PORTLAND, OREGON	87
SALT LAKE CITY, UTAH	23
SAN ANTONIO, TEXAS	259
SAN DIEGO, CALIFORNIA	228
SAN FRANCISCO, CALIFORNIA	1,920
SAN PEDRO SPC, CALIFORNIA	200
SEATTLE, WASHINGTON	961
TUCSON, ARIZONA	17
ULSTER - NEW YORK STATE DOC, NEW YORK	60
VARICK SPC, NEW YORK	157
YORK, PENNSYLVANIA	111
<b>TOTAL</b>	<b>28,130</b>

## Immigration Courts: Proceedings Completed with Applications for Relief

Some aliens who are found deportable may be eligible for relief from removal. Aliens apply for various forms of relief by completing the appropriate application. Specific types of relief for aliens in proceedings are discussed in other sections of this Year Book. Asylum is addressed in more detail in Tabs I, J, K, and L. Other applications for relief are addressed in Tab R. Tab M provides information about protection afforded certain aliens under the United Nations Convention Against Torture. For the purpose of this Year Book, voluntary departure (discussed in Tab Q) is not considered an application for relief.

Figure 22 provides information on the percent of cases where the alien filed an application for relief. Generally, cases with no applications for relief are processed faster and expend fewer court resources.

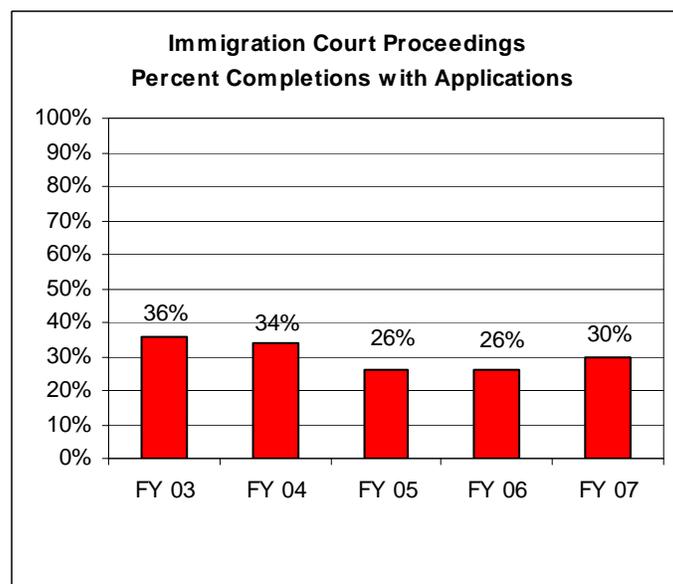


Figure 22

Court Completions (Proceedings) with Applications for Relief					
	With Applications	Percent with Applications	Without Applications	Percent Without Applications	Total
FY 03	89,589	36%	161,228	64%	250,817
FY 04	89,428	34%	170,483	66%	259,911
FY 05	83,275	26%	231,452	74%	314,727
FY 06	84,523	26%	239,526	74%	324,049
FY 07	82,612	30%	190,267	70%	272,879

Table 11 on page N2 shows the number and percentage of proceedings completed with applications for relief at each immigration court in FY 2007. Typically, courts along the United States border, courts co-located with DHS detention facilities, and courts which handle Institutional Hearing Program cases involving criminal aliens receive fewer applications for relief. Courts with a low percentage of applications for relief (10 percent or less) are shown in red. Courts where 50 percent or more of the completions involved applications for relief are shown in blue.

**Table 11 - FY 2007 Immigration Court Completions (Proceedings) With Applications for Relief**

Immigration Court	Total Completions	# of Completions With Applications	Percent With Applications
ARLINGTON, VIRGINIA	7,028	2,976	42%
ATLANTA, GEORGIA	11,754	1,856	16%
BALTIMORE, MARYLAND	4,857	2,160	44%
BATAVIA SPC, NEW YORK	1,525	84	6%
BLOOMINGTON (ST. PAUL), MINNESOTA	2,986	743	25%
BOSTON, MASSACHUSETTS	5,809	2,271	39%
BRADENTON COUNTY JAIL, FLORIDA	42	9	21%
BUFFALO, NEW YORK	2,283	303	13%
CHICAGO, ILLINOIS	12,005	2,746	23%
CLEVELAND, OHIO	2,659	331	12%
DALLAS, TEXAS	6,562	1,118	17%
DENVER, COLORADO	4,532	841	19%
DETROIT, MICHIGAN	3,834	922	24%
EAST MESA, CALIFORNIA	3,720	216	6%
EL CENTRO SPC, CALIFORNIA	2,789	325	12%
EL PASO SPC, TEXAS	4,736	231	5%
EL PASO, TEXAS	3,450	272	8%
ELIZABETH SPC, NEW JERSEY	1,418	348	25%
ELOY, ARIZONA	10,260	568	6%
FISHKILL - NEW YORK STATE DOC, NEW YORK	422	60	14%
FLORENCE SPC, ARIZONA	4,205	227	5%
GUAYNABO (SAN JUAN), PUERTO RICO	3,249	1,478	45%
HARLINGEN, TEXAS	9,670	537	6%
HARTFORD, CONNECTICUT	1,948	566	29%
HONOLULU, HAWAII	649	219	34%
HOUSTON SPC, TEXAS	4,279	260	6%
HOUSTON, TEXAS	5,768	2,148	37%
IMPERIAL, CALIFORNIA	1,416	221	16%
KROME NORTH SPC, FLORIDA	4,975	761	15%
LANCASTER, CALIFORNIA	6,253	486	8%
LAS VEGAS, NEVADA	2,865	1,062	37%
LOS ANGELES, CALIFORNIA	15,563	10,061	65%
LOS FRESNOS (PORT ISABEL SPC), TEXAS	3,931	289	7%
MEMPHIS, TENNESSEE	2,064	881	43%
MIAMI, FLORIDA	23,220	12,554	54%
NEW ORLEANS, LOUISIANA	1,339	212	16%
NEW YORK CITY, NEW YORK	16,233	11,561	71%
NEWARK, NEW JERSEY	5,435	2,332	43%
OAKDALE FEDERAL DETENTION CENTER, LOUISIANA	7,462	312	4%
ORLANDO, FLORIDA	5,604	3,103	55%
PHILADELPHIA, PENNSYLVANIA	2,340	1,336	57%
PHOENIX, ARIZONA	2,794	854	31%
PORTLAND, OREGON	1,245	458	37%
SALT LAKE CITY, UTAH	1,708	212	12%
SAN ANTONIO, TEXAS	10,905	1,255	12%
SAN DIEGO, CALIFORNIA	5,101	1,955	38%
SAN FRANCISCO, CALIFORNIA	10,240	5,467	53%
SAN PEDRO SPC, CALIFORNIA	2,278	460	20%
SEATTLE, WASHINGTON	9,525	1,911	20%
TUCSON, ARIZONA	2,040	188	9%
ULSTER - NEW YORK STATE DOC, NEW YORK	760	139	18%
VARICK SPC, NEW YORK	959	373	39%
YORK, PENNSYLVANIA	4,185	354	8%
<b>TOTAL</b>	<b>272,879</b>	<b>82,612</b>	<b>30%</b>

 Courts with a low percentage of applications for relief

 Courts with a high percentage of applications for relief

## Immigration Courts: Proceedings Completed for Detained Cases

Under the Immigration and Nationality Act, DHS has authority to detain an alien pending a decision on whether or not the alien is removable. Immigration courts conduct hearings for both detained and non-detained aliens, and EOIR maintains data on the custody status of aliens in proceedings.

Detention locations include DHS Service Processing Centers (SPCs), DHS contract detention facilities, state and local government jails, and Bureau of Prisons (BOP) institutions. For the purpose of this Year Book, Institutional Hearing Program (IHP) cases are considered detained cases (IHP is discussed further in Tab P). Figure 23 below provides a comparison of detained completions to total proceedings completed. Although the percent of individuals detained decreased from FY 2003 to FY 2006, the total number of proceedings completed of detained aliens increased. In FY 2007 the percent detained increased by 21 percent from FY 2006. This increase was due to total proceeding completions decreasing and the number of aliens being detained dramatically increasing.

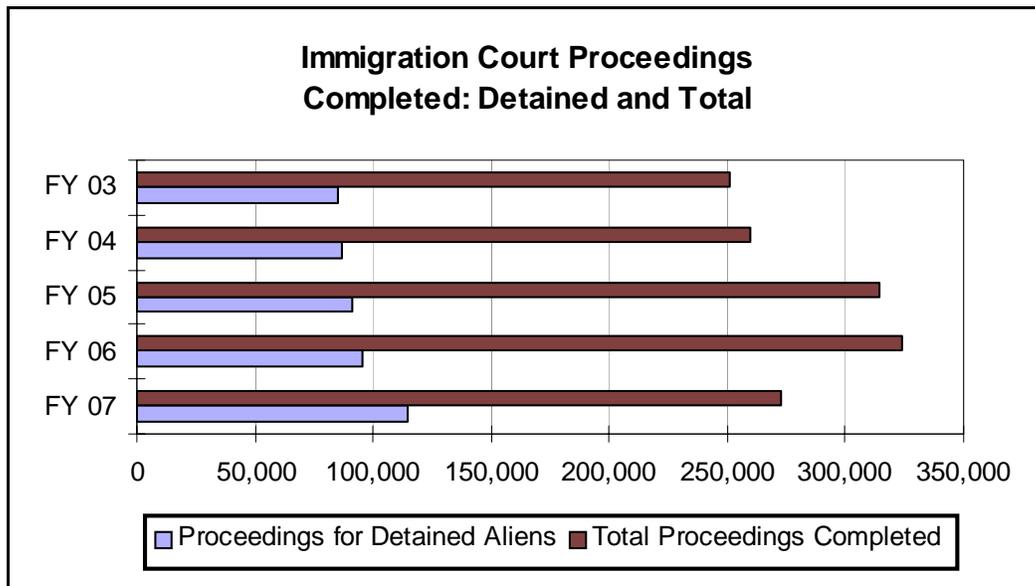


Figure 23

Immigration Court (Proceedings) Completions			
	Proceedings Completed for Detained Aliens (Including IHP)		
	Proceedings for Detained Aliens	Total Proceedings Completed	Percent Detained
FY 03	85,276	250,817	34%
FY 04	86,675	259,911	33%
FY 05	91,155	314,727	29%
FY 06	95,405	324,049	29%
FY 07	115,017	272,879	42%

Table 12 on the following page provides information, by immigration court, on FY 2007 detained completions. The immigration courts in Atlanta, GA; Chicago, IL; Eloy, AZ; Lancaster, CA; Oakdale, LA; and Seattle, WA, each completed more than 5,000 detained proceedings in FY 2007. Overall, immigration courts located in three border states – Texas, California, and Arizona – accounted for 53 percent of the detained completions in FY 2007. Courts in those three states are highlighted in blue in Table 12.

**Table 12 - FY 2007 Immigration Court Completions (Proceedings) for Detained Cases**

Immigration Court	Completions
ARLINGTON, VIRGINIA	996
ATLANTA, GEORGIA	5,633
BALTIMORE, MARYLAND	446
BATAVIA SPC, NEW YORK	1,124
BLOOMINGTON (ST. PAUL), MINNESOTA	1,690
BOSTON, MASSACHUSETTS	1,100
BRADENTON COUNTY JAIL, FLORIDA	15
BUFFALO, NEW YORK	146
CHICAGO, ILLINOIS	6,684
CLEVELAND, OHIO	1,225
DALLAS, TEXAS	3,618
DENVER, COLORADO	2,138
DETROIT, MICHIGAN	1,298
EAST MESA, CALIFORNIA	3,451
EL CENTRO SPC, CALIFORNIA	2,528
EL PASO SPC, TEXAS	4,392
EL PASO, TEXAS	1,805
ELIZABETH SPC, NEW JERSEY	999
ELOY, ARIZONA	9,352
FISHKILL - NEW YORK STATE DOC, NEW YORK	420
FLORENCE SPC, ARIZONA	3,488
GUAYNABO (SAN JUAN), PUERTO RICO	681
HARLINGEN, TEXAS	4,450
HARTFORD, CONNECTICUT	928
HONOLULU, HAWAII	253
HOUSTON SPC, TEXAS	3,585
HOUSTON, TEXAS	756
IMPERIAL, CALIFORNIA	988
KROME NORTH SPC, FLORIDA	4,478
LANCASTER, CALIFORNIA	5,658
LAS VEGAS, NEVADA	1,270
LOS ANGELES, CALIFORNIA	263
LOS FRESNOS (PORT ISABEL SPC), TEXAS	3,332
MEMPHIS, TENNESSEE	309
MIAMI, FLORIDA	1,168
NEW ORLEANS, LOUISIANA	90
NEW YORK CITY, NEW YORK	69
NEWARK, NEW JERSEY	1,019
OAKDALE FEDERAL DETENTION CENTER, LOUISIANA	6,709
ORLANDO, FLORIDA	97
PHILADELPHIA, PENNSYLVANIA	38
PHOENIX, ARIZONA	752
PORTLAND, OREGON	322
SALT LAKE CITY, UTAH	1,092
SAN ANTONIO, TEXAS	4,041
SAN DIEGO, CALIFORNIA	2,461
SAN FRANCISCO, CALIFORNIA	3,177
SAN PEDRO SPC, CALIFORNIA	1,660
SEATTLE, WASHINGTON	6,150
TUCSON, ARIZONA	1,580
ULSTER - NEW YORK STATE DOC, NEW YORK	756
VARICK SPC, NEW YORK	679
YORK, PENNSYLVANIA	3,658
<b>TOTAL</b>	<b>115,017</b>

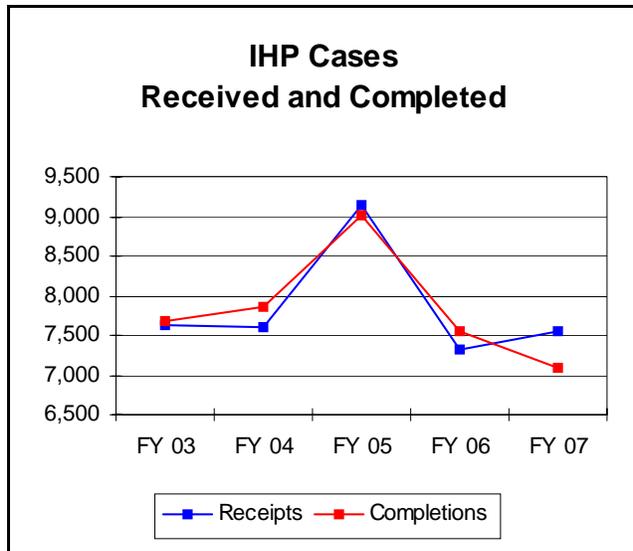
 Immigration Courts in U.S./Mexico Border States

## Immigration Courts: Institutional Hearing Program Case Processing

The Institutional Hearing Program (IHP) is a cooperative effort between EOIR; DHS; and various federal, state, and municipal corrections agencies. The goal of the IHP is to complete proceedings for incarcerated criminal aliens serving federal or state sentences prior to their release from prison or jail. This allows DHS to remove aliens with final removal orders expeditiously at the time of their release from incarceration.

In FY 2007, DHS filed charging documents with the immigration courts for incarcerated aliens in 83 different institutions. Immigration judges and court staff traveled to these institutions to conduct IHP hearings.

Figure 24 provides information on IHP receipts and completions for FY 2003 - FY 2007. Both receipts and completions peaked in FY 2005. IHP receipts declined by 17 percent from FY 2005 to FY 2007. IHP completions decreased by 21 percent from FY 2005 to FY 2007.



IHP Cases		
	Receipts	Completions
FY 03	7,634	7,688
FY 04	7,592	7,860
FY 05	9,144	9,011
FY 06	7,322	7,560
FY 07	7,545	7,102

Figure 24

Table 13 provides a breakdown of IHP completions by disposition – either through an immigration judge decision or through an “other” completion, such as an administrative closure or change of venue.

**Table 13**  
**IHP Completions by Disposition**

	FY 03	FY 04	FY 05	FY 06	FY 07
Total Decisions in IHP Cases	5,974	5,881	7,359	6,021	5,481
<i>Removal</i>	5,711	5,611	7,102	5,763	5,230
<i>Termination</i>	187	221	208	192	208
<i>Relief</i>	66	40	40	53	27
<i>Other</i>	10	9	9	13	16
Other Completions	1,714	1,979	1,652	1,539	1,621
Total Completions	7,688	7,860	9,011	7,560	7,102

## Immigration Courts: Immigration Judge Grants of Voluntary Departure

Under certain circumstances, an immigration judge may allow an alien to depart the United States voluntarily. An alien allowed to depart voluntarily concedes removability, but is not barred from future re-entry. Failure to depart within the time granted subjects the alien to a fine, and makes the alien ineligible for voluntary departure and several forms of relief for a ten-year period.

Prior to the completion of proceedings, aliens may request voluntary departure in lieu of removal. The immigration judge has discretion to grant up to 120 days for the alien to depart voluntarily if the alien is able to pay for his or her removal, and if he or she is not removable as an aggravated felon or a terrorist.

Immigration judges also have discretion in certain cases to grant voluntary departure in lieu of removal at the conclusion of proceedings. If the judge finds that the alien has been present in the United States for one year immediately preceding the issuance of the Notice to Appear, has been a person of good moral character for the past five years, is not removable under aggravated felony or terrorist grounds, and has the means to depart the United States and intends to do so, the immigration judge may grant up to 60 days for the alien to depart voluntarily. Aliens allowed to depart voluntarily are not barred from re-entry.

Voluntary departure is considered a form of removal, not a type of relief. Immigration judge decisions on proceedings (as discussed in Tab D) include grants of voluntary departure under removal. Table 14 shows the percentage of removal orders that are grants of voluntary departure.

**Table 14 - IJ Removal Decisions Compared to Voluntary Departure Decisions**

	Total Removal Decisions	Voluntary Departure Decisions	Percent Voluntary Departure Decisions
FY 03	155,140	28,247	18%
FY 04	164,449	27,415	17%
FY 05	222,332	24,824	11%
FY 06	220,204	22,221	10%
FY 07	167,999	23,951	14%

## **Immigration Courts: Applications for Relief other than Asylum**

Although asylum is the most common form of relief requested before an immigration judge, other forms of relief are also granted to eligible aliens. (See Tabs I-L for information on asylum, and Tab M for information on protection granted under the Convention Against Torture.)

This tab describes other forms of relief such as adjustment of status; suspension and cancellation; and Section 212(c) relief. The Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996 provided a new form of relief called cancellation of removal. Cancellation of removal was intended to replace the former Immigration and Nationality Act Section 212(c) waiver and suspension of deportation. Table 15 on page R3 provides information on relief granted under the following provisions:

- Adjustment of Status is a type of relief from deportation, removal, or exclusion, for an alien who is eligible for lawful permanent resident status based on a visa petition approved by DHS. Normally, the visa petition has been filed by a United States citizen spouse.
  
- Prior to the passage of IIRIRA, Section 212(c) of the Immigration and Nationality Act provided relief from deportation for long-term lawful permanent residents who had committed a crime. In order to be eligible to apply for 212(c) relief, an applicant had to show that he or she had been a lawful permanent resident for at least seven years, had served less than five years of a sentence if the underlying crime was classified as an aggravated felony, had been rehabilitated, and had no other criminal record. If an applicant in exclusion or deportation proceedings is able to establish these factors, the immigration judge has discretion to grant relief under 212(c).
  
- Suspension of Deportation is another pre-IIRIRA form of discretionary relief. Certain aliens in deportation proceedings who have maintained continuous physical presence in the United States for specific periods of time, and have met the other statutory requirements may be granted suspension of deportation and adjustment of status to that of lawful permanent resident. The total number of adjustments to lawful permanent resident status under suspension of deportation or cancellation of removal is limited to a 4,000 annual cap under IIRIRA. Applicants for suspension of deportation who applied for this relief prior to the implementation of IIRIRA, or who meet certain conditions of the Nicaraguan Adjustment and Central American Relief Act (NACARA) are not subject to the cap.

- As noted above, Cancellation of Removal is a form of relief provided by IIRIRA. There are two IIRIRA provisions addressing cancellation of removal:
  - Permanent Residents. Under the first provision, a lawful permanent resident facing removal on criminal grounds who has been lawfully admitted for permanent residence for at least five years, and who has resided continuously in the United States for seven years after a lawful admission may request cancellation, provided he or she has no aggravated felony convictions.
  - Nonpermanent Residents. Under the second provision, applicants physically present in the United States for a continuous period of 10 years who have not been convicted of a criminal offense may seek cancellation of removal and adjustment of status to permanent resident alien. The applicant must demonstrate exceptional and extremely unusual hardship to a citizen or lawful permanent resident alien spouse, parent, or child. IIRIRA limits to 4,000 annually the total number of adjustments to lawful permanent resident status under suspension of deportation or cancellation of removal. Applicants for cancellation of removal who meet certain conditions are not subject to the cap.

Table 15 reflects grants of relief under the various provisions described above during the period FY 2003 - FY 2007.

**Table 15**  
**Grants of Relief:**  
**Adjustment of Status; 212(c) Waivers; Suspension of Deportation; and Cancellation of Removal**

	Relief Granted to Lawful Permanent Residents		Relief Granted to Non-Lawful Permanent Residents				
	Relief Granted Under Section 212(c)	Cancellation of Removal	Not Subject to Annual Cap of 4,000 Grants			Subject to Annual Cap of 4,000 Grants	
			Adjustment of Status to LPR	Suspension of Deportation	Cancellation of Removal	Suspension of Deportation	Cancellation of Removal
FY 2003	663	2,139	8,325	346	438	566	2,345
FY 2004	392	2,307	9,417	231	527	257	3,579
FY 2005	237	2,536	9,422	157	435	182	3,095
FY 2006	233	2,978	11,392	140	528	119	3,145
FY 2007	585	3,201	7,258	116	561	63	2,917

## Board of Immigration Appeals: Total Cases Received and Completed

The Board of Immigration Appeals (BIA) has nationwide jurisdiction to hear appeals from certain decisions rendered by immigration judges or certain DHS officials. Published BIA decisions are binding on all DHS officers and immigration judges unless modified or overruled by the Attorney General or a federal court. Unpublished decisions of the BIA are binding on the immigration judge or DHS with regard to the individual case at issue unless overruled or modified by the Attorney General or a federal court.

The majority of cases reviewed by the BIA involve decisions made by immigration judges in removal, deportation, or exclusion proceedings, and for the purposes of this Statistical Year Book are referred to as immigration judge (IJ) appeals. These appeals are filed directly with the BIA in Falls Church, VA, and must be filed within 30 days of the IJ decision.

Other types of cases over which the BIA has jurisdiction include appeals of certain DHS decisions involving (1) family-based visa petitions adjudicated by DHS officials; (2) fines and penalties imposed upon carriers for violations of immigration laws; and (3) waivers of inadmissibility for non-immigrants under the §212(d)(3) of the Immigration and Nationality Act. For the purposes of this Statistical Year Book, appeals from these DHS decisions are referred to as DHS decision appeals.

As shown in Figure 25, BIA case receipts have decreased by 13 percent from FY 2003 to FY 2007. During this same period, case completions decreased by 26 percent. This decrease was the result of BIA's successful effort to reduce its pending caseload. From FY 2003 to FY 2007, the BIA reduced its pending caseload from over 44,000 cases to 28,000 cases, a decrease of 36 percent.

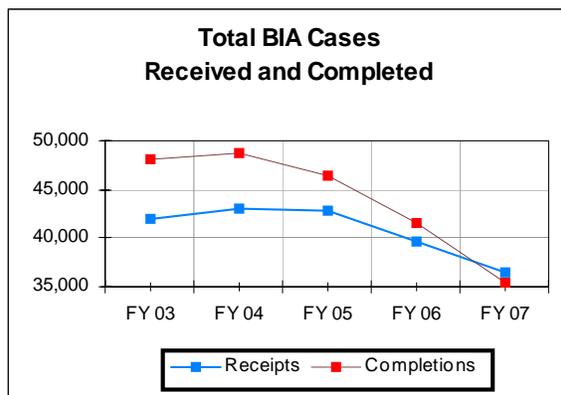


Figure 25

Total BIA Cases		
	Receipts	Completions
FY 03	42,038	48,042
FY 04	43,063	48,701
FY 05	42,723	46,339
FY 06	39,720	41,475
FY 07	36,438	35,393

As noted earlier, BIA handles two types of cases: those generated from an IJ decision, and those generated from a DHS decision. Figures 26 and 27 below provide information on the types of cases received and completed by the BIA. Appeals of IJ decisions make up the bulk of the BIA's work.

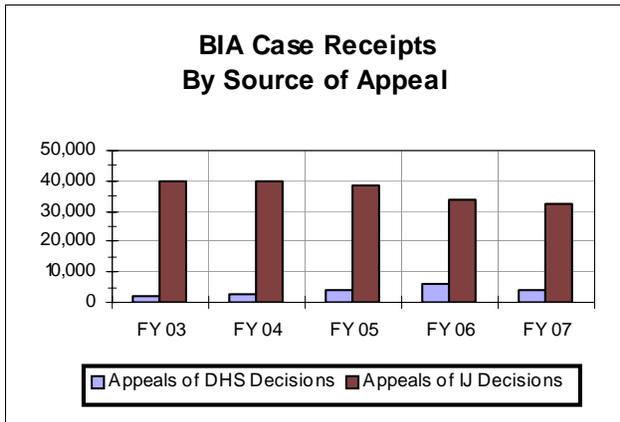


Figure 26

	Appeals of DHS Decisions	Appeals of IJ Decisions	Total
FY 03	1,894	40,144	42,038
FY 04	2,930	40,133	43,063
FY 05	4,044	38,679	42,723
FY 06	6,128	33,592	39,720
FY 07	4,150	32,288	36,438

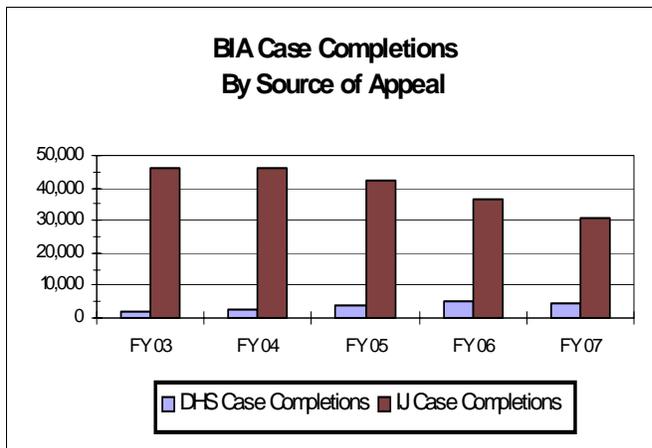


Figure 27

	DHS Case Completions	IJ Case Completions	Total
FY 03	1,943	46,099	48,042
FY 04	2,653	46,048	48,701
FY 05	4,155	42,184	46,339
FY 06	5,128	36,347	41,475
FY 07	4,643	30,750	35,393

## **Board of Immigration Appeals: Cases Received and Completed by Type**

The BIA has nationwide jurisdiction to hear appeals from certain decisions rendered by immigration judges or DHS officials. The BIA has jurisdiction over the following types of cases arising from immigration judge (IJ) decisions:

- Case appeals from the decisions of immigration judges in removal, deportation, and exclusion proceedings at the court level;
- Appeals filed from the decisions of immigration judges on motions to reopen proceedings;
- Motions to reopen cases already decided by the BIA;
- Appeals pertaining to bond, parole, or detention; and
- Interlocutory appeals relating to important jurisdictional questions regarding the administration of the immigration laws or recurring problems in the handling of cases by immigration judges.

The BIA also has jurisdiction to review appeals arising from certain decisions rendered by DHS officials. These types of appeals are listed below.

- Family-based visa petitions adjudicated by DHS district directors or regional service center directors;
- Waivers of inadmissibility for non-immigrants under §212(d)(3) of the Immigration and Nationality Act; and
- Fines and penalties imposed upon air carriers for violations of immigration laws.

As shown in Table 16, on the following page, appeals received from IJ decisions have declined each year from FY 2003 to FY 2007. Appeals received from DHS decisions have increased each year from FY 2003 to FY 2006 then declined in FY 2007. The data in Table 17 also shows a decrease in appeals completed from IJ decisions while there was an increase in appeals completed from DHS decisions for the same time period. The grand total for both receipts and completions have shown a decline each year from FY 2004 - FY 2007.

Table 16 provides a breakdown of the types of cases received by the BIA between FY 2003 and FY 2007.

**Table 16 - BIA Receipts by Type**

	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
<b>Total Appeals from IJ Decisions</b>	<b>40,144</b>	<b>40,133</b>	<b>38,679</b>	<b>33,592</b>	<b>32,288</b>
Case Appeal	27,433	27,314	24,331	20,279	18,322
Appeal of IJ Motion to Reopen	2,179	2,073	1,864	1,546	1,964
Motion to Reopen-BIA	9,034	9,639	10,333	9,263	8,965
Bond Appeal	1,369	971	715	613	722
Interlocutory Appeal	127	133	144	97	144
Circuit Court Remand*	0	0	1,291	1,791	2,170
Special Circumstance	2	3	1	3	1
<b>Total Appeals from DHS Decisions</b>	<b>1,894</b>	<b>2,930</b>	<b>4,044</b>	<b>6,128</b>	<b>4,150</b>
Decisions on Visa Petitions	1,764	2,854	3,955	5,917	3,974
212 Waiver Decisions	19	52	63	75	139
Decisions on Fines and Penalties	111	24	26	136	37
<b>Grand Total</b>	<b>42,038</b>	<b>43,063</b>	<b>42,723</b>	<b>39,720</b>	<b>36,438</b>

\*Circuit Court Remands were added as an appeal type in FY 2005.

Table 17 provides a breakdown of the types of cases completed by the BIA between FY 2003 and FY 2007.

**Table 17 - BIA Completions by Type**

	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
<b>Total Appeals from IJ Decisions</b>	<b>46,099</b>	<b>46,048</b>	<b>42,184</b>	<b>36,347</b>	<b>30,750</b>
Case Appeal	32,310	31,579	27,364	23,543	17,801
Appeal of IJ Motion to Reopen	2,195	2,828	2,099	1,964	1,084
Motion to Reopen-BIA	9,631	10,121	10,994	8,839	8,717
Bond Appeal	1,830	1,369	754	610	709
Interlocutory Appeal	133	148	134	104	129
Circuit Court Remand*	0	0	837	1,284	2,309
Special Circumstance	0	3	2	3	1
<b>Total Appeals from DHS</b>	<b>1,943</b>	<b>2,653</b>	<b>4,155</b>	<b>5,128</b>	<b>4,643</b>
Decisions on Visa Petitions	1,766	2,585	4,054	4,994	4,410
212 Waiver Decisions	23	37	72	68	131
Decisions on Fines and Penalties	154	31	29	66	102
<b>Grand Total</b>	<b>48,042</b>	<b>48,701</b>	<b>46,339</b>	<b>41,475</b>	<b>35,393</b>

\*Circuit Court Remands were added as an appeal type in FY 2005.

## Board of Immigration Appeals: Pending Caseload

Figure 28 below depicts the age of the BIA's pending caseload. The number of BIA pending cases has decreased from the end of FY 2006 to the end of FY 2007. At the end of FY 2006, there were 29,870 cases pending at the BIA. By the end of FY 2007, the number of pending cases had been reduced to 28,813 cases. The age of pending cases has also decreased. At the beginning of FY 2007, cases filed before FY 2006 accounted for 18 percent of the pending caseload. At the end of FY 2007 they accounted for two percent of the pending caseload. The cases filed in FY 2006 decreased from 78 percent of total pending at the beginning of FY 2007 to 27 percent of total pending at the end of FY 2007.

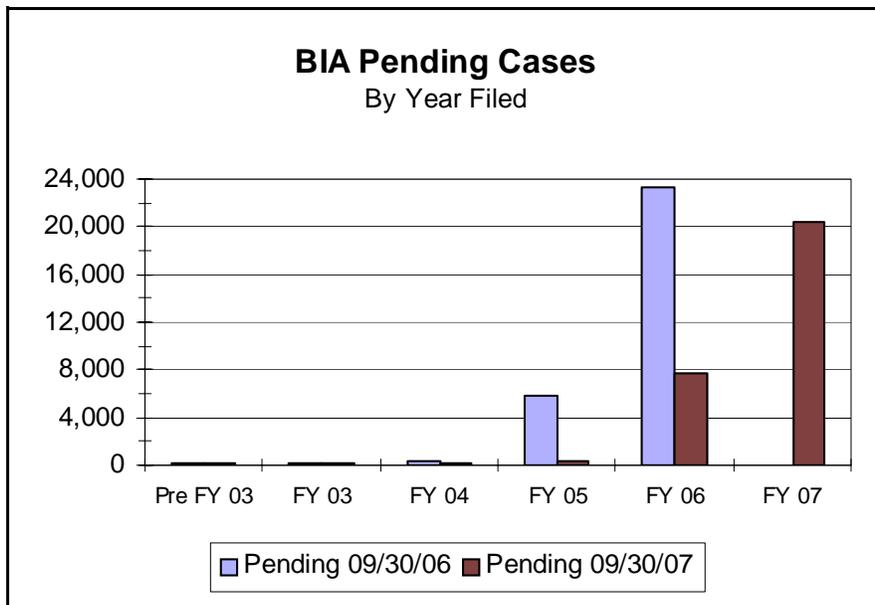


Figure 28

BIA Pending Cases		
Year Filed	Pending 09/30/06	Pending 09/30/07
Pre FY 03	141	91
FY 03	152	96
FY 04	348	138
FY 05	5,899	265
FY 06	23,330	7,796
FY 07	20,427	20,427
Total	29,870	28,813

## Board of Immigration Appeals: IJ Decision Appeals Completed by Nationality

This section provides information on appeal completions by nationality. Only completions of immigration judge (IJ) decision appeals are included in these data; appeals of DHS decisions are not included. In FY 2007, the top 10 nationalities accounted for 67 percent of all completions as shown in Figure 29. A total of 190 nationalities were represented in the FY 2007 completions. Data in Table 18 compares the predominant nationalities for completed immigration judge appeals in fiscal years 2003-2007. For the five-year period, seven nationalities ranked among the top 10 each year: Mexico, El Salvador, Guatemala, Haiti, Colombia, India, and China. FY 2003 was the only year where Mexico did not rank first in BIA IJ decision appeal completions; it was outranked by China.

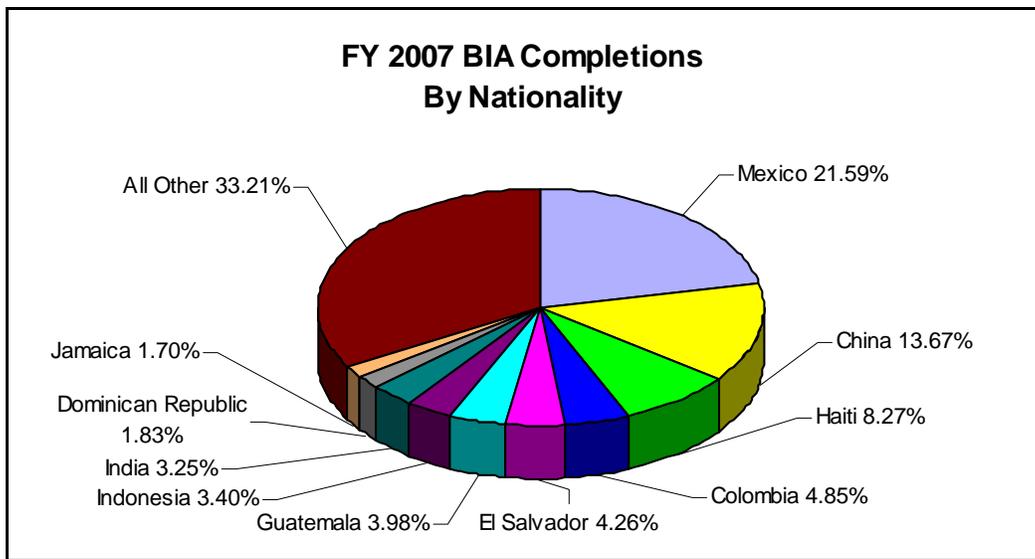


Figure 29

FY 2007 IJ Appeals Completed by Nationality		
Nationality	Cases	% of Total
Mexico	6,638	21.59%
China	4,203	13.67%
Haiti	2,544	8.27%
Colombia	1,490	4.85%
El Salvador	1,309	4.26%
Guatemala	1,225	3.98%
Indonesia	1,044	3.40%
India	998	3.25%
Dominican Republic	564	1.83%
Jamaica	524	1.70%
All Other	10,211	33.21%
<b>Total</b>	<b>30,750</b>	<b>100.00%</b>

**Table 18 - BIA - IJ Decision Appeals Completed by Nationality  
Top 25 Nationalities: FY 2003 - FY 2007**

Rank	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
1	China	Mexico	Mexico	Mexico	Mexico
2	Mexico	China	China	China	China
3	Haiti	Haiti	Haiti	Haiti	Haiti
4	India	Colombia	Colombia	Colombia	Colombia
5	Guatemala	India	India	Guatemala	El Salvador
6	Colombia	Guatemala	Guatemala	El Salvador	Guatemala
7	El Salvador	El Salvador	Indonesia	Indonesia	Indonesia
8	Albania	Albania	El Salvador	India	India
9	Dominican Republic	Dominican Republic	Pakistan	Pakistan	Dominican Republic
10	Jamaica	Indonesia	Dominican Republic	Albania	Jamaica
11	Nigeria	Jamaica	Albania	Dominican Republic	Albania
12	Ethiopia	Philippines	Jamaica	Jamaica	Pakistan
13	Peru	Pakistan	Philippines	Honduras	Honduras
14	Pakistan	Ethiopia	Nigeria	Nigeria	Venezuela
15	Philippines	Nigeria	Armenia	Philippines	Nigeria
16	Bangladesh	Honduras	Honduras	Armenia	Philippines
17	Somalia	Armenia	Peru	Venezuela	Armenia
18	Mauritania	Peru	Bangladesh	Cameroon	Ethiopia
19	Russia	Yugoslavia	Ethiopia	Peru	Peru
20	Honduras	Cameroon	Cameroon	Bangladesh	Guinea
21	Armenia	Mauritania	Iraq	Ethiopia	Cameroon
22	Yugoslavia	Iran	Russia	Russia	Bangladesh
23	Iran	Russia	Egypt	Guyana	Mauritania
24	Indonesia	Egypt	Guyana	Egypt	Russia
25	Ukraine	Guinea	Nicaragua	Mauritania	Iraq

## Board of Immigration Appeals: IJ Decision Appeals Completed by Representation Status

The Immigration and Nationality Act states that individuals who have appealed the decision in their removal proceedings may be represented by counsel, but at no expense to the government. Before representing an alien before the BIA, representatives must file a Notice of Appearance with the BIA.

Many individuals who file appeals with the BIA are indigent and cannot afford a private attorney. Some seek free or *pro bono* representation, while others proceed without counsel on their own, or *pro se*. The percentage of represented appellate cases completed is higher than the percentage of represented cases at the immigration court level.

As shown in Figure 30, the representation rate decreased from FY 2003 to FY 2006 then increased from FY 2006 to FY 2007. FY 2007 has the highest representation rate of the five years where 75 percent of appellate cases completed by the BIA involved a represented alien. Only appeals of IJ decisions are included in these data.

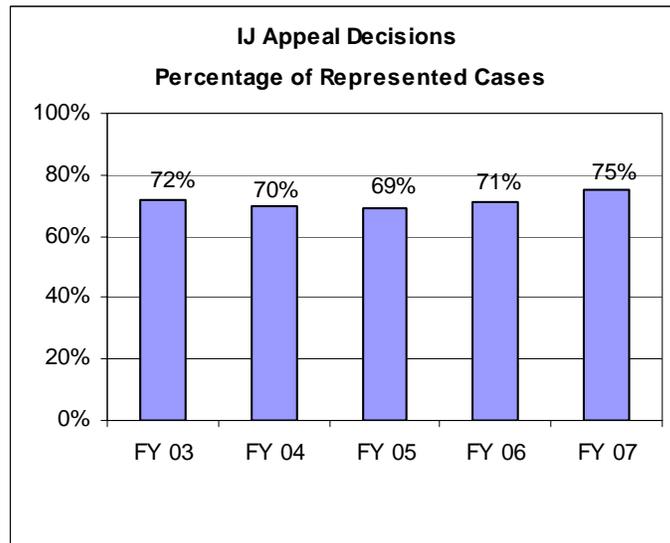


Figure 30

Represented Before the BIA			
	Represented	Unrepresented	Total
FY 03	33,032	13,067	46,099
FY 04	32,037	14,011	46,048
FY 05	28,979	13,205	42,184
FY 06	25,885	10,462	36,347
FY 07	23,151	7,599	30,750

## Board of Immigration Appeals: IJ Decision Appeals Completed for Detained Cases

Under the Immigration and Nationality Act, DHS has authority to detain an alien pending a decision on whether or not the alien is removable. EOIR maintains data on the custody status of aliens in proceedings. The BIA handles detained cases (including aliens in the Institutional Hearing Program) as priority cases.

Depicted in Figure 31 is the number of immigration judge case appeal decisions between FY 2003 and FY 2007 along with the number of immigration judge case appeal decisions that involved detainees. The figures for detained appeal decisions also include IHP cases.

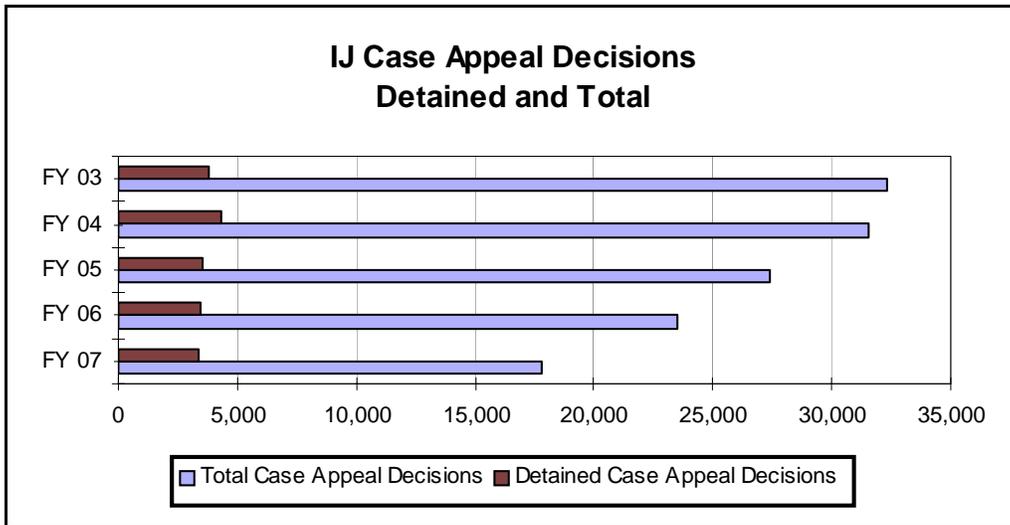


Figure 31

<b>Detained IJ Case Appeal Decisions (Including IHP)</b>			
	Detained Case Appeal Decisions (Including IHP)	Total IJ Case Appeal Decisions	Percent Detained
FY 03	3,845	32,310	12%
FY 04	4,317	31,579	14%
FY 05	3,571	27,364	13%
FY 06	3,434	23,543	15%
FY 07	3,387	17,801	19%

Table 19 shows a breakdown of total detained case appeals completed by the BIA, and of those, the number who were serving sentences at an IHP location. In FY 2007, 14 percent of detained BIA completions involved aliens whose removal orders had been issued prior to their release from a federal, state, or municipal corrections facility. From FY 2003 to FY 2007 the percentage of IHP completions has declined each year. This drop in the percentage of IHP completions is caused by a decrease in the number of IHP completions and the total detained completions staying fairly consistent.

**Table 19  
Breakdown of BIA Detained Completions**

	Total Detained Completions	IHP Completions	Percent IHP Completions
FY 2003	3,845	1,046	27%
FY 2004	4,317	822	19%
FY 2005	3,571	658	18%
FY 2006	3,434	602	18%
FY 2007	3,387	473	14%

## Immigration Courts and Board of Immigration Appeals: Immigration Judge Decisions (Proceedings) Appealed

The majority of cases reviewed by the BIA involve decisions made by immigration judges in removal, deportation, or exclusion proceedings. Either DHS or the alien may file an appeal. Appeals must be filed within 30 days of the immigration judge's decision. Only a relatively small percentage of immigration judge decisions are appealed to the BIA. Figure 32 below compares immigration judge decisions with the number of aliens who appealed their decisions to the BIA for fiscal years 2003 through 2007. All other figures and tables in Tabs S-X reflect cases (which can involve multiple aliens). In this instance, reporting on aliens who appealed is a more accurate representation of appeal rate.

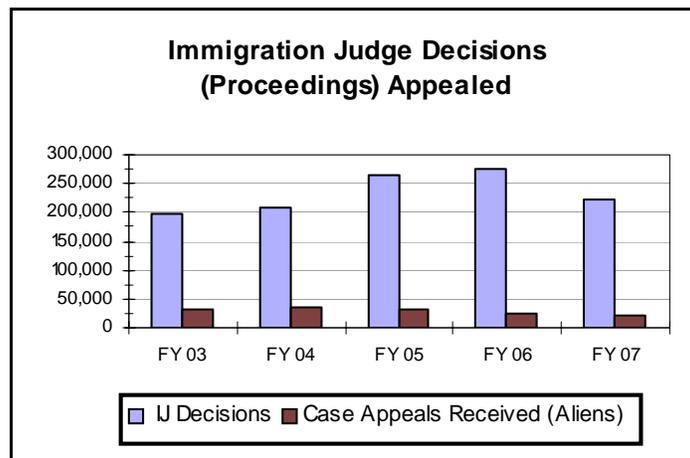


Figure 32

IJ Decisions (Proceedings) Appealed			
	IJ Decisions	Case Appeals Received (Aliens)	Percent Appealed
FY 03	197,935	32,937	17%
FY 04	209,281	34,162	16%
FY 05	264,753	30,473	12%
FY 06	273,759	24,582	9%
FY 07	222,618	21,847	10%

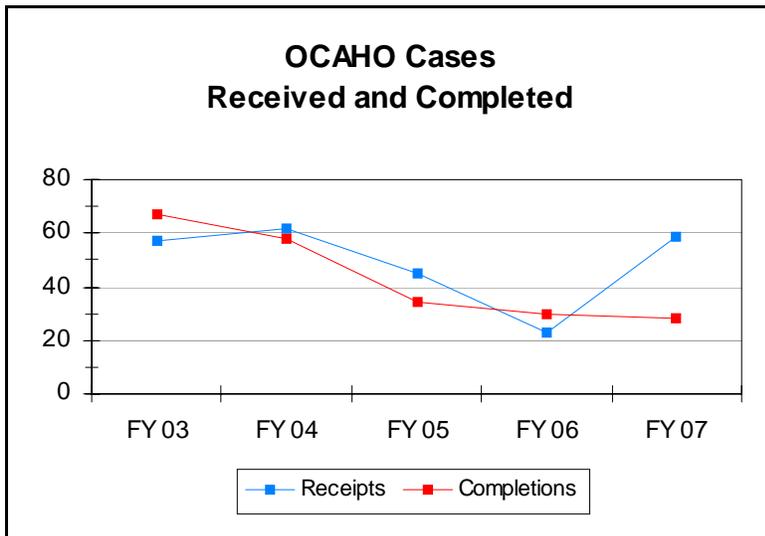
## Office of the Chief Administrative Hearing Officer: Total Cases Received and Completed

The Office of the Chief Administrative Hearing Officer (OCAHO) is headed by the chief administrative hearing officer, who is responsible for the general supervision of administrative law judges. OCAHO's administrative law judges hear cases and adjudicate issues arising under provisions of the Immigration and Nationality Act relating to:

- Unlawful hiring, recruiting, or referring for a fee, or continued employment of unauthorized aliens, and failure to comply with employment verification requirements;
- Immigration-related unfair employment practices; and
- Document fraud.

Complaints may be brought by DHS, the Department of Justice Office of Special Counsel for Immigration Related Unfair Employment Practices, or private litigants.

Figure 33 provides information on the number of cases received and completed by OCAHO between FY 2003 and FY 2007. Completions may include cases received in a prior fiscal year.



OCAHO Cases		
	Receipts	Completions
FY 03	57	67
FY 04	62	58
FY 05	45	34
FY 06	23	30
FY 07	59	28

# GLOSSARY OF TERMS

## Disclaimer

This Glossary has been compiled as an addendum to the FY 2007 Statistical Year Book of the Executive Office for Immigration Review (EOIR). Its intent is to define terms as they are used in the Year Book, and is strictly informational in nature. These terms may have further meaning in the context of other immigration matters. This Glossary is not intended, in any way, to be a substitute for a careful study of the pertinent laws and regulations. This Glossary does not carry the weight of law or regulation. This Glossary is not intended, nor should it be construed in any way, as legal advice, nor does it extend or limit the jurisdiction of EOIR as established by law and regulation.

## A

### **Abandoned**

If an applicant for relief fails to appear for a court hearing, or fails to provide any required information within the time frame allowed without good cause, the application is considered abandoned. In addition, if an applicant fails to timely file an application for relief, the immigration judge may deem that application waived.

### **Accredited Representative**

A non-attorney who is authorized to practice before the immigration courts, the Board of Immigration Appeals, and/or the Department of Homeland Security. In order to be an accredited representative, one must be affiliated with a “recognized” non-profit, religious, charitable, or social service organization, and meet other qualifying criteria. See *Recognized Organization*.

### **Adjustment of Status**

A type of relief from deportation, removal, or exclusion for an alien who is eligible for Lawful Permanent Resident status based on a visa petition approved by the Department of Homeland Security. The status of an alien may be adjusted by the Attorney General, in his discretion, to that of a lawful permanent resident if a visa petition on behalf of the alien has been approved, an immigrant visa is immediately available at the time of the alien’s application for adjustment of status, and the alien is not otherwise inadmissible to the United States.

### **Administrative Closure**

Administrative closure of a case is used to temporarily remove the case from an immigration judge’s calendar or from the Board of Immigration Appeals’ docket. Administrative closure of a case does not result in a final order. It is merely an administrative convenience which allows the removal of cases from the calendar in appropriate situations. A case may not be administratively closed if opposed by either of the parties.

### **Administrative Law Judges**

Administrative Law Judges (ALJs) in the Office of the Chief Administrative Hearing Officer (OCAHO) preside over hearings and adjudicate issues arising under provisions of the Immigration and Nationality Act of 1952, as amended, relating to (1) employer sanctions for the unlawful hiring or continued employment of unauthorized aliens, or the failure to comply with employment eligibility verification requirements, (2) immigration-related document fraud, and (3) immigration-related unfair employment practices based on certain national origin or citizenship status discrimination. OCAHO ALJs are required by statute to have special training in employment discrimination issues.

### **Affirmative Asylum Application**

An asylum application initially filed with the Department of Homeland Security, U.S. Citizenship and Immigration Services. *Contrast Defensive Asylum Application*.

### **Aggravated Felony**

As defined by section 101(a)(43) of the Immigration and Nationality Act, as amended, aggravated felony includes, but is not limited to, murder; rape or sexual abuse of a minor; drug trafficking; firearms or explosive materials trafficking; money laundering; crimes of violence for which the term of imprisonment, even if suspended, is at least one year or more; theft or burglary; demands for ransom; child pornography; gambling; tax fraud; prostitution; transportation for prostitution purposes; commercial bribery; counterfeiting; forgery; stolen vehicle trafficking; obstruction of justice; perjury; bribery of a witness; and failure to appear to answer for a criminal offense.

### **Appeal from Decision of an Immigration Judge**

In an appeal from a decision of an immigration judge, the appealing party, which could be an alien, the Department of Homeland Security, or both, states why he or she disagrees with the immigration judge's decision. By filing an appeal, the appealing party asks the Board of Immigration Appeals to review the immigration judge's decision.

### **Appeal from Decision of a Department of Homeland Security (DHS) District Director**

In an appeal from a decision of a DHS U.S. Citizenship and Immigration Services' District Director, the respondent states why he or she disagrees with a District Director's decision. By filing an appeal, the respondent asks the Board of Immigration Appeals to review the District Director's decision.

### **Application for Relief**

Aliens may request a number of forms of relief or protection from removal such as asylum, withholding of removal, protection under the Convention Against Torture, adjustment of status, or cancellation of removal. Many forms of relief require the alien to fill out an appropriate application.

### **Asylum**

An alien may be eligible for asylum if he or she can show that he or she is a "refugee." The INA defines a refugee as any person who is outside his or her country of nationality or, in the case of a person having no nationality, is outside any country in which such person last habitually resided, and who is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of that 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. Aliens generally must apply for asylum within one year of arrival in the United States. In the absence of exceptional circumstances, final administrative adjudication of the asylum application, not including administrative appeal, must be completed within 180 days after the date the application is filed.

### **Asylum Grants**

An asylum grant allows the alien to remain in the United States and provides certain benefits and derivative asylum status for any spouse or child. An asylee can apply to the

Department of Homeland Security for lawful permanent resident status under INA section 209(b) after he or she has been physically present in the United States for a period of one year after the date of the asylum grant.

### **Asylum-only Proceedings**

Certain aliens are not entitled to a removal hearing under section 240 of the Immigration and Nationality Act of 1952 (INA), as amended, yet these aliens are entitled to an asylum-only hearing before an immigration judge. If an alien who is not entitled to a removal hearing under section 240 of the INA requests asylum (and has not been granted asylum by the Department of Homeland Security (DHS), if eligible), DHS will file a Form I-863, Notice of Referral to an Immigration Judge, with the immigration court. The immigration judge may not consider forms of relief other than asylum, withholding of removal, and Convention Against Torture. Aliens eligible for asylum-only hearings include crewmen, stowaways, Visa Waiver Program beneficiaries, and those ordered removed from the United States on security grounds. Asylum-only cases will be heard, to the maximum extent practical, within the same time frame as asylum claims in removal cases, i.e, within 180 days. The Board of Immigration Appeals has jurisdiction over appeals from immigration judge decisions in asylum-only cases. See *Withholding-only Proceedings*.

## **B**

### **Board of Immigration Appeals**

The Board of Immigration Appeals (BIA) is the highest administrative body for interpreting and applying immigration laws. The BIA has been given nationwide jurisdiction to hear appeals from certain decisions rendered by immigration judges and by Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services' District Directors in a wide variety of proceedings in which the U.S. government is one party and the other party is either an alien, a citizen, or a business firm. In addition, the BIA is responsible for the recognition of organizations and accreditation of representatives requesting permission to practice before the BIA, the immigration courts, and/or DHS.

### **Bond**

The Department of Homeland Security (DHS) may detain a respondent who is in removal or deportation proceedings and may condition his or her release from custody upon the posting of a bond to ensure the respondent's appearance at the hearing. The amount of money set by DHS as a condition of release is known as a bond. A bond may be also set by an immigration judge as a condition for allowing a respondent to voluntarily leave the country.

### **Bond Redetermination Hearing**

When the Department of Homeland Security (DHS) has set a bond amount as a condition for release from custody, or has determined not to release the alien on bond, the respondent has the right to ask an immigration judge to redetermine the bond. In a bond

redetermination hearing, the judge can raise, lower, or maintain the amount of the bond, however, the INA provides that bond of at least \$1,500 is required before an alien may be released. In addition, the immigration judge can eliminate the bond; or change any of the conditions over which the immigration court has authority. The bond redetermination hearing is completely separate from the removal or deportation hearing. It is not recorded and has no bearing on the subsequent removal or deportation proceeding. The respondent and/or DHS may appeal the immigration judge's bond redetermination decision to the Board of Immigration Appeals.

## C

### **Cancellation of Removal**

There are two different forms of cancellation of removal:

(A) Cancellation of removal for certain lawful permanent residents who were admitted more than five years ago, have resided in the United States for seven or more years, and have not been convicted of an aggravated felony. See section 240A(a) of the Immigration and Nationality Act of 1952, as amended. Application for this form of discretionary relief is made during the course of a hearing before an immigration judge.

(B) Cancellation of removal and adjustment of status for certain nonpermanent resident aliens who have maintained continuous physical presence in the United States for 10 years and have met all the other statutory requirements for such relief. See section 240A(b) of the Immigration and Nationality Act of 1952, as amended. Application for this form of discretionary relief is made during the course of a hearing before an immigration judge. The status of an alien who is granted cancellation of removal for certain nonpermanent resident aliens is adjusted to that of an alien lawfully admitted for permanent residence.

### **Case**

In an immigration proceeding before an immigration judge, a "case" involves one alien.

In an appeal before the Board of Immigration Appeals, a "case" involves one lead alien and may also include other family members.

In a proceeding before an Administrative Law Judge in the Office of the Chief Administrative Hearing Officer, a "case" involves a complainant and a respondent. In cases brought under Immigration and Nationality Act (INA) section 274A and section 274C, the complainant is the Department of Homeland Security, and the respondent is an employer. In INA section 274B cases, the complainant is either the Office of Special Counsel for Immigration-Related Unfair Employment Practices or an individual employee, and the respondent is an employer. An employee is a U.S. citizen or an alien authorized to work in the United States.

### **Change of Venue**

Immigration judges, for good cause shown, may change venue (move the proceeding to another immigration court) only upon motion by one of the parties, after the charging document has been filed with the immigration court. The regulation provides that venue may be changed only after one of the parties has filed a motion to change venue and the other party has been given notice and an opportunity to respond.

### **Claimed Status Review**

If an alien in expedited removal proceedings claims under oath to be a U.S. citizen, to have been lawfully admitted for permanent residence, to have been admitted as a refugee, or to have been granted asylum, and the Department of Homeland Security determines that the alien has no such claim, he or she can obtain a review of that claim by an immigration judge.

### **Coercive Population Control**

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) provided that those who have a well-founded fear of persecution or have suffered persecution on account of Coercive Population Control (CPC) policies can now qualify as refugees. Previously, up to a total of 1,000 refugee admissions and asylum grants were made each fiscal year to applicants who raised claims based on CPC. If applicants for asylum met the criteria for a CPC grant, they were given conditional asylum and were given a final grant of asylum when a number became available. Effective May 11, 2005, under the REAL ID Act, the annual cap was lifted on asylum grants based on CPC. See *Conditional Asylum Grants*.

### **Completions**

Within the context of the Office of the Chief Immigration Judge, a matter is considered completed once an immigration judge renders a decision. Proceedings may also be completed for other reasons, such as administrative closures, changes of venue, and transfers.

For matters before the Board of Immigration Appeals, a case is considered completed once the Board renders a final decision.

For matters before the Office of the Chief Administrative Hearing Officer, a case is completed when the Administrative Law Judge issues a final decision disposing of all remaining issues and the time for appeal has ended.

### **Conditional Asylum Grants**

Section 207(a)(5) of the Immigration and Nationality Act, as amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, provided that for any fiscal year no more than 1,000 aliens could be admitted as refugees or granted asylum pursuant to a determination that the alien was or would be persecuted for resistance to coercive population control methods. An alien who was eligible for a grant of asylum based on coercive population control methods received a grant conditioned on an administrative

determination by the Department of Homeland Security that a number was available. Effective May 11, 2005, under the REAL ID Act, the annual cap was lifted on asylum grants based on coercive population control methods. See *Coercive Population Control*.

### **Continuance**

The adjournment of a proceeding to a subsequent day or time.

### **Continued Detention Review**

A proceeding established in response to the 2001 Supreme Court's decision in *Zadvydas v. Davis*, in which the immigration judge decides whether or not the alien should remain in custody.

### **Convention Against Torture**

On March 22, 1999, the Department of Justice implemented regulations regarding the United Nations' Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention Against Torture or CAT). Under this regulation, aliens in removal, deportation, or exclusion proceedings may claim that they "more likely than not" will be tortured if removed from the United States. Among other things, the regulation provides jurisdiction to the immigration courts and the Board of Immigration Appeals for reviewing these claims. See *Deferral of Removal and Withholding-only Proceedings*.

### **Credible Fear Review**

If an alien seeking to enter the United States has no documents or no valid documents to enter, but expresses a fear of persecution or torture, or an intention to apply for asylum, that alien will be referred to a Department of Homeland Security asylum officer for a credible fear determination. If the asylum officer determines that the alien has not established a credible fear of persecution or torture and a supervisory asylum officer concurs, the alien may request review of that determination by an immigration judge. That review must be concluded as expeditiously as possible, to the maximum extent practicable within 24 hours, but in no event later than seven days after the date of the determination by the supervisory asylum officer. No appeal to the Board of Immigration Appeals may be taken from the immigration judge's decision finding no credible fear of persecution or torture. If the immigration judge determines that the alien has a credible fear of persecution or torture, the alien will be placed in removal proceedings to apply for asylum.

### **Custody Status**

Whether an alien is in actual custody (detained) or is at liberty. This Year Book describes three custody categories: detained, non-detained (EOIR has no record of the alien having been detained), and released (detained, then released on bond, recognizance, or some other condition).

## D

### **Decision**

A determination and order arrived at after consideration of facts and law, by either an immigration judge, the Board of Immigration Appeals, or the Office of the Chief Administrative Hearing Officer.

### **Defensive Asylum Application**

An asylum application initially filed with the immigration court after the alien has been put into proceedings to remove him or her from the United States. *Contrast Affirmative Asylum Application.*

### **Deferral of Removal**

If an immigration judge concludes that it is more likely than not that a removable alien will be tortured in a country, but the alien is ineligible for withholding of removal under the Convention Against Torture (CAT), the alien's removal will be deferred. The alien's removal is deferred only to the country in which it has been determined that the alien is likely to be tortured. However, the alien may be removed at any time to another country where he or she is not likely to be tortured. In addition, deferral of removal is effective only until it is terminated. The major difference between deferral of removal and withholding of removal is that there is a streamlined termination process for deferral of removal.

### **Denials**

When an immigration judge denies an alien's application for relief from removal.

### **Department of Homeland Security (DHS)**

On March 1, 2003, DHS absorbed the functions of the former Immigration and Naturalization Service (INS), among other agencies. Three major components of DHS have functions which relate closely to the Executive Office for Immigration Review. U.S. Citizenship and Immigration Services (USCIS) processes all immigrant and non-immigrant benefits, incorporating the adjudication and naturalization functions of the former INS. U.S. Immigration and Customs Enforcement (ICE) is charged with the enforcement of federal immigration laws, and includes functions of the former investigations and detention and removal components of INS. U.S. Customs and Border Protection (CBP) absorbed the border patrol and inspections functions of the former INS. *See Immigration and Naturalization Service.*

### **Deportation Proceedings**

Prior to April 1, 1997, a deportation case usually arose when the Immigration and Naturalization Service (INS) (now Department of Homeland Security) alleged that a respondent entered the country illegally by crossing the border without being inspected by an immigration officer. Deportation cases also occurred when INS alleged that a

respondent entered the country legally with a visa but then violated one or more conditions of the visa. When INS became aware of a respondent believed to be deportable, they issued a charging document called an Order to Show Cause (OSC). An OSC is the charging document that was used prior to April 1, 1997. A deportation proceeding actually began when the OSC was filed with an immigration court. In such proceedings, the government, represented by INS, had to prove that a respondent was deportable for the reasons stated in the OSC. As of April 1, 1997, deportation and exclusion proceedings were replaced by removal proceedings. *Contrast Exclusion and Removal Proceedings.*

### **Detained**

The Executive Office for Immigration Review (EOIR) maintains data on the custody status of aliens in proceedings. Detained aliens are those in the custody of the Department of Homeland Security (DHS) or other entities. For the purpose of this Year Book, EOIR also includes in its statistical data on detained aliens, the number of incarcerated aliens in the Institutional Hearing Program. Immigration court hearings for detained aliens are conducted in DHS Service Processing Centers, contract detention facilities, state and local government jails, and Bureau of Prisons institutions. *See Custody Status.*

### **Detention of an Alien**

The confinement of an alien by the Department of Homeland Security or other entities.

### **Disposition**

In immigration proceedings, the latest ruling on an alien's removability.

### **District Director (DD)**

Under the former Immigration and Naturalization Service (INS), the District Director (DD) was the highest ranking immigration official in each of the INS's 30+ districts. The INS was transferred out of the Department of Justice to the Department of Homeland Security on March 1, 2003. The DDs are located organizationally under the U.S. Citizenship and Immigration Services. The DD has the delegated authority to grant or deny most applications and petitions, except those that are specifically delegated to asylum officers.

## **E**

### **Exclusion Proceedings**

Prior to April 1, 1997, an exclusion case involved a person who tried to enter the United States but was stopped at the port of entry because the Immigration and Naturalization Service (INS) (now Department of Homeland Security) found the person to be inadmissible. The INS District Director could either detain the applicant or "parole" the applicant into the country; i.e., release from detention and allow to remain free until completion of the hearing. In either case, the applicant technically had not entered the country as a matter of law. Beginning April 1, 1997, deportation and exclusion proceedings were replaced by removal proceedings. *Contrast Deportation and Removal Proceedings.*

## **Executive Office for Immigration Review (EOIR)**

The Executive Office for Immigration Review (EOIR) was created on January 9, 1983, through an internal Department of Justice (DOJ) reorganization which combined the Board of Immigration Appeals with the immigration judge function, which was previously performed by Special Inquiry Officers of the Immigration and Naturalization Service (INS) (now Department of Homeland Security). The Office of the Chief Administrative Hearing Officer (OCAHO) was added in 1987. EOIR is responsible for adjudicating immigration cases. Specifically, under delegated authority from the Attorney General, EOIR interprets and administers federal immigration laws by conducting immigration court proceedings, appellate reviews, and administrative hearings. EOIR consists of three components: the Office of the Chief Immigration Judge, which is responsible for managing the numerous immigration courts located throughout the United States where immigration judges adjudicate individual cases; the Board of Immigration Appeals, which primarily conducts appellate reviews of immigration judge decisions; and the Office of the Chief Administrative Hearing Officer, which adjudicates immigration-related employment cases. EOIR is committed to providing fair, expeditious, and uniform application of the nation's immigration laws in all cases.

## **Expedited Asylum**

Asylum regulations implemented in 1995 mandated that asylum applications be processed within 180 days after filing either at a Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services, Asylum Office or at an immigration court. The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) reiterated the 180-day rule. Consequently, expedited processing of asylum applications occurs when (1) an alien files "affirmatively" at an Asylum Office on or after January 4, 1995, and the application is referred to the Executive Office for Immigration Review (EOIR) by DHS within 75 days of the filing; or (2) an alien files an application "defensively" with EOIR on or after January 4, 1995.

## **F**

### **Failure to Appear**

A failure to appear is when either party to a proceeding does not arrive or make an appearance at a court proceeding. Failure to appear by the respondent may result in either an *in absentia* order of removal or an administrative closure. See *In Absentia*.

### **Filing**

A filing occurs with the actual receipt of a document by the appropriate immigration court, the Board of Immigration Appeals, or the Office of the Chief Administrative Hearing Officer.

### **Fines and Penalties**

Certain provisions of the Immigration and Nationality Act render individuals and carriers liable for transporting unauthorized aliens in the United States. Fines may be assessed by certain Department of Homeland Security officials. The respondent is notified in writing of

the decision and, if adverse, of the reasons for the decision. The respondent may appeal this decision to the Board of Immigration Appeals.

### **Fiscal Year**

A 12-month period for which an organization plans the use of its funds. In the U.S. government, the fiscal year runs from October 1 through September 30.

## **G**

### **Grant of Relief**

When an immigration judge or the Board of Immigration Appeals awards a form of relief for which the alien has applied.

### **Grant of Motion**

There are many types of motions in immigration proceedings. However, only two types are tracked in the Statistical Year Book: motions to reopen and motions to reconsider. A motion to reconsider is granted when an immigration judge or the Board of Immigration Appeals (BIA) allows a reconsideration of the decision based on a possible error in law or fact, or a change in the law. A motion to reopen is granted when an immigration judge or the BIA allows a proceeding to be reopened because of new facts or evidence in a case.

## **I**

### **Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA)**

Among other things, IIRIRA focused on enforcement of immigration laws by streamlining the procedures that were previously required to remove aliens from the United States. To date, IIRIRA made the most extensive and significant changes to the immigration laws of the United States since the 1952 enactment of the Immigration and Nationality Act.

### **Immigration and Nationality Act of 1952 (INA)**

The INA consolidated previous immigration laws into one coordinated statute. As amended, the INA provides the foundation for immigration law in effect today. The INA deals with the immigration, temporary admission, naturalization, and removal of aliens.

### **Immigration and Naturalization Service (INS)**

Until its transition to the Department of Homeland Security (DHS) on March 1, 2003, INS was the agency responsible for administering immigration and nationality laws relating to the temporary admission, immigration, naturalization, and removal of aliens. Specifically, INS inspected aliens to determine their admissibility into the United States, adjudicated requests of aliens for benefits under the law, guarded against illegal entry into the United States, removed aliens in this country who were in violation of the law, examined alien applicants seeking to become citizens, and enforced immigration-related employment verification and document fraud laws. *See Department of Homeland Security.*

## **Immigration Court**

Each immigration court is staffed with one or more immigration judges who conduct immigration hearings. An administrative control immigration court is one that creates and maintains Records of Proceedings for immigration courts within an assigned geographical area. Management functions of the immigration court are supervised by a Court Administrator.

## **Immigration Judge**

The term immigration judge means an attorney whom the Attorney General appoints as an administrative judge within the Executive Office for Immigration Review, qualified to conduct specified classes of proceedings, including exclusion, deportation, removal, asylum, bond redetermination, rescission, withholding, credible fear, reasonable fear, and claimed status review. Immigration judges act as independent decision-makers in deciding the matters before them. Immigration judge decisions are administratively final unless appealed or certified to the Board of Immigration Appeals, or if the period by which to file an appeal lapses.

## **Immigration Reform and Control Act of 1986 (IRCA)**

Among other things, IRCA addressed the problem of undocumented aliens by imposing sanctions on employers of illegal aliens, and legalizing the status of certain undocumented entrants who had arrived prior to January 1, 1982. The Immigration and Naturalization Service (now Department of Homeland Security) also was provided with significant new resources to enforce the immigration laws through IRCA. IRCA also created protections for workers against discrimination based on citizenship status and national origin.

## **In Absentia**

A Latin phrase meaning “in the absence of.” An *in absentia* hearing occurs when an alien fails to appear for a hearing and the immigration judge conducts the hearing without the alien present and orders the alien removed from the United States. An immigration judge shall order removed *in absentia* any alien who, after written notice of the time and place of proceedings and the consequences of failing to appear, fails to appear at his or her removal proceeding. The DHS must establish by clear, unequivocal, and convincing evidence that the written notice was provided and that the alien is removable. See *Failure to Appear*.

## **Inadmissible**

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) replaced the term “excludable” with the term “inadmissible.” Section 212 of the Immigration and Nationality Act defines classes of aliens ineligible to receive visas and ineligible for admission. Aliens who, at the time of entry, are within one of these classes of inadmissible aliens are removable.

## **Institutional Hearing Program (IHP)**

The Immigration Reform and Control Act of 1986 requires the Attorney General to expeditiously commence immigration proceedings for alien inmates convicted of crimes in the United States. To meet this requirement, the Department of Justice established the IHP

where removal hearings are held inside correctional institutions prior to the alien completing his or her criminal sentence. The IHP is a collaborative effort between the Executive Office for Immigration Review and the Department of Homeland Security and various federal, state, and local corrections agencies throughout the country.

### **Interlocutory Appeals**

An interlocutory appeal is an appeal taken to the Board of Immigration Appeals from a preliminary ruling of an immigration judge before the Judge renders a final decision in the case. Common examples include rulings on the admissibility of evidence or requests to change venue.

## **L**

### **Lawful Permanent Resident (LPR)**

An alien who has been conferred permanent resident status.

## **M**

### **Matters**

Matters before the immigration courts and the Board of Immigration Appeals include all proceedings, bond redeterminations, and motions to reopen or reconsider.

### **Motion**

A motion is a formal request from either party (the alien or the Department of Homeland Security) in proceedings before the immigration court, or the Board of Immigration Appeals, to carry out an action or make a decision. Motions include, for example, motions for change of venue, motions for continuance, motions to terminate proceedings, etc. Only motions to reopen or reconsider are currently tracked and reported in this Statistical Year Book.

## **N**

### **Nationality**

For purposes of the EOIR Statistical Yearbook, nationality indicates the country that the alien is from.

### **Nicaraguan Adjustment and Central American Relief Act of 1997 (NACARA)**

Under section 202 of NACARA, certain nationals of Nicaragua and Cuba in the United States were eligible to adjust their immigration status to become lawful permanent residents. In addition, section 203 of NACARA provides special rules regarding applications for suspension of deportation and cancellation of removal by certain Guatemalan, Salvadoran, and particular former Soviet bloc nationals.

**Non-detained**

The status of an alien who is not in the custody of the Department of Homeland Security or the Institutional Hearing Program. *See Released.*

**Notice to Appear (NTA)**

The document (Form I-862) used by the Department of Homeland Security (DHS) to charge an alien with being removable from the United States. Jurisdiction vests and proceedings commence when an NTA is filed with an immigration court by DHS. Prior to the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, the charging document was known as an Order to Show Cause.

**Notice of Intent To Rescind**

In a rescission case, the Department of Homeland Security issues a Notice of Intent to Rescind an individual's permanent resident status, and the individual has the right to contest the charge in rescission proceedings. *See Rescission Proceedings.*

**O****Office of the Chief Administrative Hearing Officer (OCAHO)**

OCAHO has jurisdiction over three types of cases arising under the Immigration and Nationality Act of 1952, as amended: (1) employer sanctions for the unlawful hiring or continued employment of unauthorized aliens; (2) immigration-related unfair employment practices; and, (3) immigration-related document fraud. OCAHO is headed by a Chief Administrative Hearing Officer who provides overall program direction, articulates policies and procedures, establishes priorities and administers the hearing process presided over by Administrative Law Judges (ALJs). OCAHO also conducts administrative review of ALJs' decisions in the areas of employer sanctions and document fraud, and may modify or vacate those ALJ decisions. Complaints are brought by the Department of Homeland Security, the Office of Special Counsel for Immigration-Related Unfair Employment Practices, or private individuals as prescribed by statute.

**Office of the Chief Immigration Judge (OCIJ)**

OCIJ provides overall program direction, articulates policies and procedures, and establishes priorities for immigration judges. The Chief Immigration Judge carries out these responsibilities with the assistance and support of a Deputy Chief Immigration Judge as well as numerous Assistant Chief Immigration Judges. In FY 2007, more than 200 immigration judges were located in 53 immigration courts throughout the nation. *See Immigration Judge.*

## P

### **Pro Bono**

A Latin phrase meaning “for the public good.” In a legal context, this phrase means legal representation done or performed free of charge. Because aliens in removal proceedings are not entitled to publicly-funded legal assistance, some attorneys offer their services on a *pro bono* basis.

### **Pro Se**

A Latin phrase meaning that the party represents him or herself in legal proceedings without an attorney or representative.

### **Proceeding**

The legal process conducted before the immigration court and Board of Immigration Appeals.

## R

### **Reasonable Fear Review**

Reasonable Fear Review proceedings are available to aliens who have been ordered removed by the Department of Homeland Security (DHS) under section 238 of the Immigration and Nationality Act (INA) (covering aliens who are not lawful permanent residents and have been convicted of an aggravated felony) and under section 241(a)(5) of the INA (covering aliens who are the subjects of previously issued final orders of removal). Under this process, an alien who has been ordered removed by DHS and expresses a fear of persecution or torture will have his or her claim screened by an asylum officer. If the asylum officer determines that the alien has not established a reasonable fear of persecution or torture, the alien may request a review of that determination by an immigration judge. No appeal to the Board of Immigration Appeals may be taken from the immigration judge’s finding that an alien does not have a reasonable fear of persecution or torture. If an immigration judge determines that the alien has a reasonable fear of persecution or torture, the alien will be placed in withholding-only proceedings.

### **Receipts**

The number of judicial filings received by the Executive Office for Immigration Review. For the immigration courts, receipts include bond redetermination hearings, proceedings, and motions. For the Board of Immigration Appeals, receipts include case, bond, motion, and interlocutory appeals, as well as certain appeals of Department of Homeland Security decisions. For the Office of the Chief Administrative Hearing Officer, receipts represent the number of new complaints filed.

**Recognized Organization**

A non-profit religious, charitable, social service, or similar organization formally recognized by the Board of Immigration Appeals as such under the provisions of 8 C.F.R. section 1292.2. See *Accredited Representative*.

**Reconsider, Motion to**

Aliens may request, by motion, the reconsideration of a case previously heard by an immigration judge or the Board of Immigration Appeals (BIA). A motion to reconsider either identifies an error in law or fact in a prior proceeding or identifies a change in law and asks the immigration judge or BIA to re-examine its ruling. A motion to reconsider is based on the existing record and does not seek to introduce new facts or evidence.

**Released**

A released alien is an individual who was detained at some point during proceedings and subsequently was released on bond or on their own recognizance.

**Relief from Removal**

In hearings before an immigration judge, an alien may be able to seek relief from removal. Various types of relief may be sought, including asylum, withholding of removal, protection under the Convention Against Torture, cancellation of removal, or adjustment of status. Many forms of relief require the alien to fill out an appropriate application.

**Removable**

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) replaced the terms “excludable” and “deportable” with the umbrella term “removable.” An alien may be found to be removable from the United States by an immigration judge or the Board of Immigration Appeals. Additionally, some aliens are determined to be removable by the Department of Homeland Security, e.g., in expedited removal or administrative removal proceedings. Only aliens found removable by the Executive Office for Immigration Review are reported in this Year Book.

**Removal Proceedings**

An immigration court proceeding begun on or after April 1, 1997, seeking to either stop certain aliens from being admitted to the United States or to remove them from the United States. A removal case usually arises when the Department of Homeland Security (DHS) alleges that a respondent is inadmissible to the United States, has entered the country illegally by crossing the border without being inspected by an immigration officer, or has violated the terms of his or her admission. The DHS issues a charging document called a Notice to Appear and files it with an immigration court to begin a removal proceeding.

**Reopen, Motion to**

Aliens may request, by motion, the reopening of a case previously heard by an immigration judge or the Board of Immigration Appeals (BIA). A motion to reopen asks an immigration judge or the BIA to consider new and previously unavailable facts or evidence in a case.

**Represented**

A represented individual has an attorney or accredited representative act as his agent in proceedings before the immigration courts or the Board of Immigration Appeals.

**Rescission Proceedings**

A less common type of proceeding is related to rescinding lawful permanent resident status. If, within five years of granting adjustment of status, the Department of Homeland Security (DHS) discovers that the respondent/applicant was not entitled to lawful permanent resident (LPR) status when it was granted, DHS issues a Notice of Intent to Rescind. If the respondent/applicant requests a hearing before an immigration court, DHS will file the Notice with the immigration court, and the proceeding to rescind the individual's LPR status commences. As with deportation cases, the government has the burden of proof to show that rescission is warranted. If an individual loses LPR status, he or she then is usually subject to removal proceedings. Although rescission proceedings still exist after April 1, 1997, DHS may also place an LPR into removal proceedings. An order of removal is sufficient to rescind the alien's status. *See Notice of Intent to Rescind.*

**Respondent**

A party to an immigration proceeding against whom charges have been lodged and findings may be made.

**S****Suspension of Deportation**

Suspension of Deportation was a discretionary form of relief for certain aliens in deportation proceedings who had maintained continuous physical presence in the United States for seven years and had met the other statutory requirements for such relief. *See* former section 244 of the Immigration and Nationality Act of 1952, as amended. Application for this relief was made during the course of a hearing before an immigration judge. The status of an alien who was granted this relief was adjusted to that of an alien lawfully admitted for permanent residence. In 1997, the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 replaced suspension of deportation with cancellation of removal. *See Cancellation of Removal, Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA).*

**T****Termination**

A termination is a type of completion in which a case is closed by an immigration judge or the Board of Immigration Appeals without a final order of removal or deportation. A case is terminated when the respondent is found not removable as DHS charged.

## U

### **Unrepresented**

An individual in proceedings may represent himself or herself before an immigration court or the Board of Immigration Appeals instead of being represented by an attorney or accredited representative. See *Pro Se*.

## V

### **Visa Petition**

A visa petition is the first step toward obtaining lawful permanent residence for a foreign-born individual or family. It is usually filed by a U.S. citizen, lawful permanent resident, or employer on behalf of an alien. Visa petitions filed by individuals present in the United States are adjudicated by the Department of Homeland Security (DHS) and, once approved, may be revoked or revalidated by DHS under certain circumstances. (Visa petitions filed by individuals outside the United States are adjudicated by the Department of State.) In some instances, if a visa petition that was filed with DHS is denied or revoked, or the revalidation of a visa petition is denied, an appeal may be taken to the Board of Immigration Appeals (BIA). For visa petition appeals within the BIA's jurisdiction, DHS is initially responsible for management of the appeal, including the briefing process. The BIA's role in the appeal process does not begin until the completed record is received from DHS.

### **Voluntary Departure**

Voluntary departure is the departure of an alien from the United States without an order of removal. The departure may or may not have been preceded by a hearing before an immigration judge. An alien allowed to voluntarily depart concedes removability but is not barred from seeking admission at a port of entry in the future. Failure to depart within the time granted results in a fine and a 10-year bar against the alien applying for several forms of relief from removal.

## W

### **Withdrawal of an Appeal**

An appealing party may, at any time prior to the entry of a decision by the Board of Immigration Appeals, voluntarily withdraw his or her appeal.

### **Withdrawal of an Application for Relief**

An alien in proceedings may, at any time prior to a decision in his or her case, voluntarily withdraw any application for relief filed on his or her behalf.

### **Withholding of Removal**

Pursuant to section 241(b)(3) of the Immigration and Nationality Act, an alien may not be removed to a particular country if the alien can establish that his or her life or freedom would be threatened in that country because of the alien's race, religion, nationality, membership in a particular social group, or political opinion. A request for asylum is deemed to include a request for withholding of removal under the applicable regulations.

### **Withholding-only Proceedings**

An alien in administrative removal proceedings under section 238 of the Immigration and Nationality Act (INA) (covering aliens who are not lawful permanent residents and have been convicted of an aggravated felony) and aliens subject to reinstatement of removal under section 241(a)(5) of the INA are now able to apply for withholding of removal under section 241(b)(3) of the INA, as well as under Article 3 of the Convention Against Torture, after a screening process by a Department of Homeland Security asylum officer. In a withholding-only proceeding, an immigration judge may only consider the alien's application for withholding of removal under section 241(b)(3) of the INA and the Convention Against Torture pursuant to 8 C.F.R. section 1208.16. The Board of Immigration Appeals has jurisdiction over appeals from immigration judge decisions in withholding-only cases. See *Asylum-only Proceedings*.

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AFGHANISTAN	57	22	0	13	8	10	18
ALBANIA	462	420	0	247	11	61	162
ALGERIA	28	6	0	9	3	5	11
ANDORRA	0	1	0	0	0	1	0
ANGOLA	28	7	0	7	1	4	4
ANTIGUA AND BARBUDA	2	0	0	0	0	0	1
ARGENTINA	103	15	0	52	20	33	24
ARMENIA	368	179	0	112	21	71	105
ARUBA	1	0	0	1	0	0	0
AUSTRALIA	7	0	0	1	0	1	0
AUSTRIA	2	0	0	0	0	0	1
AZERBAIJAN	36	23	0	11	1	4	14
BAHAMAS	8	1	0	5	1	4	3
BAHRAIN	4	0	0	6	0	0	3
BANGLADESH	212	100	0	95	12	58	81
BE REMOVED FROM THE UNITED STATES	0	0	0	0	0	0	1
BELARUS	66	32	0	23	5	9	19
BELGIUM	18	4	0	4	0	5	5
BELIZE	18	0	0	3	1	1	6
BENIN	10	2	0	3	0	0	3
BERMUDA	0	0	0	1	0	0	1
BHUTAN	6	0	0	1	0	0	2
BOLIVIA	43	3	0	12	0	5	5

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BOSNIA-HERZEGOVINA	44	18	0	14	0	6	12
BOTSWANA	0	1	0	1	0	0	0
BRAZIL	245	32	0	85	36	43	44
BRITISH INDIAN OCEAN TERRITORY	0	0	0	1	0	0	0
BUKINA FASO	93	20	0	20	0	6	11
BULGARIA	183	66	0	40	10	19	55
BURMA (MYANMAR)	172	129	0	40	8	8	25
BURUNDI	40	13	0	19	2	2	11
BYELORUSSIA (BELARUS)	82	44	0	13	8	12	22
CAMBODIA	51	13	0	33	4	17	23
CAMEROON	438	203	0	135	9	35	83
CANADA	33	9	0	6	2	4	12
CAPE VERDE	5	0	0	1	1	1	2
CAYMAN ISLANDS	0	1	0	0	0	0	0
CENTRAL AFRICAN REPUBLIC	23	12	0	10	2	1	6
CHAD	51	21	0	8	2	3	8
CHILE	26	1	0	1	6	3	4
CHINA	7,934	4,540	0	1,661	154	305	1,337
COLOMBIA	1,561	683	0	1,237	173	596	684
COMORO ISLANDS	5	0	0	2	0	0	0
CONGO	148	73	0	40	7	19	37
COSTA RICA	24	5	0	3	3	2	8
CROATIA	7	2	0	7	0	5	4

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CUBA	458	25	0	78	29	138	356
CZECH REPUBLIC	19	0	0	0	11	2	3
CZECHOSLOVAKIA	21	2	0	8	7	2	17
DEMOCRATIC REPUBLIC OF CONGO	36	23	0	13	5	9	6
DENMARK	4	0	0	0	0	1	0
DJIBOUTI	4	1	0	2	0	0	0
DOMINICA	5	0	0	2	0	0	1
DOMINICAN REPUBLIC	66	5	0	24	6	22	28
ECUADOR	121	10	0	39	12	32	37
EGYPT	381	231	0	67	14	50	91
EL SALVADOR	10,522	138	0	1,605	534	956	2,884
EQUATORIAL GUINEA	9	0	0	0	0	0	0
ERITREA	179	119	0	28	3	8	37
ESTONIA	24	13	0	18	5	7	15
ETHIOPIA	733	349	0	146	16	47	83
FIJI	77	24	0	23	3	33	33
FINLAND	16	2	0	0	2	3	1
FRANCE	21	3	0	8	0	3	2
GABON	3	4	0	5	1	0	0
GAMBIA	280	60	0	53	9	63	80
GAZA STRIP	0	0	0	1	0	0	0
GEORGIA	58	27	0	36	11	12	35
GERMANY	20	4	0	13	2	5	5

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GHANA	61	8	0	21	5	12	18
GREECE	13	12	0	4	1	1	0
GRENADA	3	0	0	0	0	1	0
GUADELOUPE	0	0	0	0	0	0	1
GUATEMALA	8,078	134	0	1,239	787	967	1,378
GUINEA	558	324	0	158	22	57	84
GUINEA BISSAU	7	3	0	1	0	0	5
GUYANA	96	15	0	39	2	12	29
HAITI	4,263	587	0	2,356	565	354	2,364
HONDURAS	1,212	84	0	462	88	160	250
HONG KONG	2	2	0	0	1	0	1
HUNGARY	19	0	0	1	1	4	13
INDIA	869	357	0	373	70	131	254
INDONESIA	1,034	210	0	570	52	170	198
IRAN	208	108	0	70	14	44	58
IRAQ	427	276	0	61	9	20	85
IRELAND	1	0	0	1	1	0	1
ISRAEL	79	17	0	17	6	9	18
ITALY	19	0	0	8	0	6	4
IVORY COAST (COTE D'IVOIRE)	344	135	0	99	17	59	64
JAMAICA	103	4	0	46	6	34	44
JAPAN	9	2	0	4	0	2	7
JORDAN	102	16	0	40	6	28	22

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KAMPUCHEA	0	0	0	0	0	3	1
KAZAKHSTAN	54	31	0	9	1	4	20
KENYA	223	50	0	82	10	45	72
KIRGHIZIA (KYRGYZSTAN)	22	7	0	1	1	8	12
KIRIBATI	0	0	0	0	0	1	0
KOSOVE	6	3	0	0	0	0	0
KUWAIT	16	3	0	7	1	2	2
LAOS	70	6	0	20	5	26	32
LATVIA	21	6	0	7	1	5	13
LEBANON	162	29	0	48	5	27	48
LESOTHO	2	0	0	2	0	0	1
LIBERIA	193	53	0	60	26	47	55
LIBYA	4	2	0	4	0	0	1
LITHUANIA	64	4	0	13	14	12	51
MACAU	5	0	0	0	0	0	0
MACEDONIA	37	27	0	17	3	8	10
MADAGASCAR	2	4	0	3	0	0	1
MALAWI	11	3	0	3	0	4	5
MALAYSIA	20	4	0	14	1	2	4
MALI	302	60	0	47	2	38	49
MALTA	1	0	0	0	0	0	2
MAURITANIA	236	173	0	154	67	27	99
MAURITIUS	2	0	0	1	1	0	0

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MEXICO	2,917	48	0	288	250	2,143	485
MOLDAVIA (MOLDOVA)	47	7	0	12	6	1	7
MONACO	13	1	0	0	0	0	2
MONGOLIA	114	48	0	49	1	4	17
MONTENEGRO	2	0	0	0	0	0	1
MOROCCO	55	4	0	5	2	11	10
MOZAMBIQUE	2	1	0	0	0	0	0
NAMIBIA	1	0	0	0	0	1	0
NEPAL	343	130	0	82	9	17	47
NETHERLANDS	6	2	0	4	0	0	2
NICARAGUA	848	22	0	164	348	66	1,102
NIGER	50	10	0	7	1	8	6
NIGERIA	181	39	0	63	7	34	67
NIUE	21	1	0	2	0	0	2
NO NATIONALITY	2	0	0	0	0	0	0
NORTH KOREA	9	2	0	0	0	1	2
NORWAY	2	0	0	0	0	1	0
OMAN	1	2	0	0	0	0	1
PAKISTAN	453	140	0	167	22	119	144
PALESTINIAN	17	3	0	7	0	0	1
PANAMA	12	1	0	6	3	2	4
PARAGUAY	4	0	0	3	0	5	2
PEOPLE'S REPUBLIC OF BENIN	1	0	0	0	0	0	0

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PERU	252	54	0	144	29	67	74
PHILIPPINES	154	9	0	63	2	58	59
PITCAIRN ISLANDS	0	1	0	0	0	0	0
POLAND	62	7	0	13	13	37	67
PORTUGAL	12	0	0	4	1	3	7
QATAR	1	1	0	5	0	0	0
ROMANIA	267	31	0	39	27	28	160
RUSSIA	551	208	0	132	47	77	206
RWANDA	46	22	0	7	6	6	6
SAUDI ARABIA	20	5	0	6	0	9	7
SENEGAL	111	30	0	38	3	16	21
SERBIA MONTENEGRO	68	27	0	19	3	4	5
SEYCHELLES	3	1	0	0	0	1	1
SIERRA LEONE	185	47	0	65	7	17	66
SINGAPORE	5	1	0	1	1	1	0
SLOVAK REPUBLIC	17	2	0	5	4	5	11
SLOVENIA	8	0	0	1	0	2	5
SOLOMON ISLANDS	3	0	0	1	0	0	1
SOMALIA	220	109	0	53	19	16	64
SOUTH AFRICA	36	8	0	15	3	0	10
SOUTH KOREA	30	1	0	5	3	3	7
SOVIET UNION	431	190	0	63	39	29	117
SPAIN	4	0	0	1	0	4	7

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SRI LANKA	204	89	0	50	5	14	39
ST. KITTS, WEST INDIES	2	0	0	1	0	0	1
ST. LUCIA	2	0	0	1	1	0	0
ST. VINCENT AND THE GRENADINES	0	0	0	1	0	0	0
STATELESS - ALIEN UNABLE TO NAME A CO	171	79	0	33	3	6	30
SUDAN	93	19	0	20	0	9	33
SURINAME	9	1	0	3	3	4	4
SWEDEN	13	0	0	7	1	0	5
SWITZERLAND	0	4	0	0	0	0	0
SYRIA	60	23	0	33	3	16	22
TAIWAN	7	1	0	0	0	0	0
TAJIKISTAN (TADZHIK)	10	5	0	2	2	1	4
TANZANIA	48	16	0	16	2	9	12
THAILAND	37	3	0	7	1	4	11
THE REPUBLIC OF PALAU	1	0	0	0	0	0	0
TOGO	103	81	0	49	4	21	37
TONGA	15	0	0	2	0	2	1
TRINIDAD AND TOBAGO	33	1	0	15	2	4	18
TUNISIA	13	1	0	10	1	7	3
TURKEY	58	22	0	15	0	5	15
TURKMENISTAN	16	12	0	16	1	5	4
UGANDA	67	50	0	23	7	8	20
UKRAINE	232	40	0	49	15	28	91

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UNITED ARAB EMIRATES	2	0	0	0	0	0	3
UNITED KINGDOM	30	3	0	4	1	7	6
UNKNOWN NATIONALITY	34	2	0	11	2	5	5
URUGUAY	29	0	0	13	7	5	13
UZEBEKISTAN	189	73	0	56	15	33	64
VENEZUELA	709	315	0	464	34	169	277
VIETNAM	100	10	0	32	1	23	38
WESTERN SAMOA	2	0	0	1	0	0	0
YEMEN	47	8	0	28	6	10	11
YUGOSLAVIA	197	125	0	58	11	33	51
ZAIRE	6	5	0	4	1	0	1
ZAMBIA	17	7	0	8	2	4	12
ZIMBABWE	153	97	0	65	12	23	31
<b>TOTAL</b>	<b>54,957</b>	<b>12,807</b>	<b>0</b>	<b>14,850</b>	<b>3,971</b>	<b>8,333</b>	<b>15,612</b>

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AFGHANISTAN	53	25	0	10	2	10	14
ALBANIA	817	506	0	394	27	90	193
ALGERIA	26	13	0	22	3	7	11
ANDORRA	1	2	0	0	0	0	0
ANGOLA	22	16	0	19	0	1	6
ANGUILLA	1	0	0	0	0	0	1
ANTIGUA AND BARBUDA	0	0	0	0	0	0	1
ARGENTINA	130	10	0	149	7	57	56
ARMENIA	516	289	0	161	55	79	154
ARUBA	1	0	0	0	0	0	0
AUSTRALIA	2	0	0	0	0	1	1
AUSTRIA	12	0	0	0	1	1	1
AZERBAIJAN	28	27	0	15	3	2	17
BAHAMAS	8	0	0	4	0	1	4
BAHRAIN	10	0	0	8	1	4	0
BANGLADESH	316	114	0	84	23	71	99
BARBADOS	3	1	0	2	1	1	1
BE REMOVED FROM THE UNITED STATES	1	0	0	0	0	0	0
BELARUS	98	54	0	27	8	11	35
BELGIUM	30	5	0	2	0	4	10
BELIZE	12	1	0	3	3	6	7
BENIN	7	1	0	3	0	0	4
BERMUDA	0	0	0	0	0	0	1

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<b>NATIONALITY</b>	<b>RECEIVED</b>	<b>GRANTED</b>	<b>CONDITIONAL</b>	<b>DENIED</b>	<b>ABANDONED</b>	<b>WITHDRAWN</b>	<b>OTHER</b>
BHUTAN	0	1	0	0	0	0	0
BOLIVIA	20	2	0	3	3	6	6
BOSNIA-HERZEGOVINA	45	7	0	17	1	6	13
BOTSWANA	1	0	0	0	0	0	0
BRAZIL	245	33	0	94	27	46	54
BRITISH INDIAN OCEAN TERRITORY	2	0	0	3	0	0	0
BRITISH VIRGIN ISLANDS	1	0	0	0	0	0	2
BUKINA FASO	54	13	0	8	1	9	15
BULGARIA	165	72	0	40	10	14	43
BURMA (MYANMAR)	235	163	0	45	7	15	47
BURUNDI	31	13	0	10	2	0	8
BYELORUSSIA (BELARUS)	93	52	0	21	4	8	30
CAMBODIA	48	9	0	49	3	10	14
CAMEROON	457	359	0	168	15	31	139
CANADA	36	9	0	3	1	3	7
CAPE VERDE	4	0	0	1	0	3	3
CAYMAN ISLANDS	1	0	0	0	0	0	0
CENTRAL AFRICAN REPUBLIC	34	10	0	21	1	5	11
CHAD	58	16	0	7	1	4	7
CHILE	16	2	0	6	2	1	7
CHINA	9,317	4,061	0	2,120	229	287	1,567
COLOMBIA	2,074	779	0	1,649	288	687	955
CONGO	144	90	0	46	6	16	56

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COSTA RICA	15	1	0	3	0	3	11
CROATIA	8	1	0	3	0	2	4
CUBA	621	26	0	80	47	203	287
CYPRUS	1	1	0	0	0	0	0
CZECH REPUBLIC	18	2	0	4	1	1	8
CZECHOSLOVAKIA	32	2	0	5	3	7	18
DEMOCRATIC REPUBLIC OF CONGO	57	24	0	27	7	10	16
DJIBOUTI	11	6	0	1	0	1	0
DOMINICA	2	0	0	2	1	1	0
DOMINICAN REPUBLIC	85	1	0	19	0	27	26
EAST GERMANY	1	0	0	0	0	0	1
ECUADOR	112	11	0	29	9	31	29
EGYPT	441	240	0	63	16	58	75
EL SALVADOR	7,170	95	0	1,006	464	609	1,858
EQUATORIAL GUINEA	0	1	0	0	0	0	0
ERITREA	211	96	0	29	2	6	78
ESTONIA	46	3	0	5	5	8	8
ETHIOPIA	715	344	0	169	6	53	100
FEDERATED STATES OF MICRONESA	0	0	0	1	0	0	0
FIJI	99	45	0	51	6	45	46
FINLAND	1	1	0	0	0	1	0
FRANCE	17	2	0	9	0	12	3
GABON	11	5	0	1	0	0	4

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GAMBIA	270	46	0	34	3	66	74
GAZA STRIP	1	0	0	0	0	1	0
GEORGIA	103	59	0	46	6	21	28
GERMANY	34	9	0	3	2	3	1
GHANA	68	6	0	23	4	7	18
GIBRALTAR	1	1	0	1	0	0	0
GREECE	8	3	0	1	1	1	1
GRENADA	2	0	0	0	0	2	1
GUATEMALA	5,060	160	0	886	556	615	1,015
GUINEA	542	358	0	203	33	54	75
GUINEA BISSAU	6	2	0	4	0	2	3
GUYANA	138	16	0	77	11	38	37
HAITI	6,073	570	0	2,523	576	356	1,330
HONDURAS	1,119	66	0	423	68	133	194
HONG KONG	1	0	0	2	0	0	1
HUNGARY	12	2	0	3	0	1	7
INDIA	1,050	450	0	459	60	156	278
INDONESIA	912	314	0	1,090	78	333	295
IRAN	353	118	0	86	17	63	97
IRAQ	344	191	0	126	6	24	62
IRELAND	2	0	0	0	0	0	0
ISRAEL	61	25	0	22	2	14	31
ITALY	14	3	0	10	0	7	1

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IVORY COAST (COTE D'IVOIRE)	323	160	0	82	8	34	57
JAMAICA	146	3	0	45	5	34	48
JAPAN	7	3	0	5	0	8	8
JORDAN	97	27	0	45	1	30	37
KAMPUCHEA	6	11	0	9	1	7	7
KAZAKHSTAN	63	25	0	14	3	10	12
KENYA	258	60	0	120	15	36	78
KIRGHIZIA (KYRGYZSTAN)	29	20	0	9	2	2	9
KIRIBATI	1	0	0	0	0	0	1
KOSOVE	8	4	0	2	0	1	1
KUWAIT	19	4	0	7	0	5	5
LAOS	83	11	0	37	0	29	27
LATVIA	31	12	0	8	3	8	9
LEBANON	122	26	0	48	4	49	58
LESOTHO	1	0	0	0	1	2	0
LIBERIA	210	59	0	65	14	33	97
LIBYA	5	1	0	4	1	0	0
LITHUANIA	96	18	0	19	10	10	34
MACAU	2	0	0	2	0	0	0
MACEDONIA	36	20	0	22	1	8	15
MADAGASCAR	9	1	0	1	0	2	3
MALAWI	14	0	0	0	0	0	3
MALAYSIA	20	4	0	8	0	7	2

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MALI	245	62	0	37	6	32	39
MALTA	3	1	0	0	0	0	1
MARTINIQUE	1	0	0	0	0	0	0
MAURITANIA	451	218	0	194	49	34	188
MAURITIUS	0	0	0	1	0	0	2
MEXICO	2,641	48	0	296	156	4,159	619
MOLDAVIA (MOLDOVA)	39	2	0	8	0	7	16
MONACO	2	0	0	0	0	0	0
MONGOLIA	129	39	0	31	4	4	18
MOROCCO	37	8	0	23	3	7	10
MOZAMBIQUE	1	0	0	0	0	1	0
NAMIBIA	0	0	0	2	0	0	0
NEPAL	315	165	0	70	8	19	46
NETHERLANDS	3	0	0	0	0	2	1
NEW CALEDONIA	0	0	0	0	1	0	1
NEW ZEALAND	1	0	0	0	0	1	0
NICARAGUA	2,012	15	0	120	361	57	622
NIGER	29	10	0	24	3	8	15
NIGERIA	214	30	0	90	3	43	58
NIUE	5	0	0	2	0	0	1
NORTH KOREA	15	6	0	0	0	0	0
OMAN	8	0	0	0	0	1	0
PAKISTAN	574	178	0	250	17	168	184

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PALESTINIAN	3	0	0	7	4	1	2
PANAMA	13	7	0	4	1	3	4
PAPUA NEW GUINEA	0	0	0	0	1	0	0
PARAGUAY	19	2	0	5	1	0	5
PERU	317	90	0	141	21	78	99
PHILIPPINES	180	17	0	68	8	102	60
PITCAIRN ISLANDS	1	0	0	0	0	0	0
POLAND	244	4	0	23	68	44	122
PORTUGAL	14	5	0	3	5	10	13
QATAR	1	0	0	2	0	1	1
ROMANIA	251	43	0	35	13	30	45
RUSSIA	578	203	0	133	46	84	184
RWANDA	47	23	0	9	1	2	4
SAN MARINO	2	0	0	2	0	0	0
SAUDI ARABIA	31	13	0	3	0	2	8
SENEGAL	91	15	0	43	9	10	16
SERBIA MONTENEGRO	58	23	0	15	4	4	12
SEYCHELLES	7	1	0	6	0	0	4
SIERRA LEONE	242	79	0	108	17	27	103
SINGAPORE	4	2	0	3	0	0	4
SLOVAK REPUBLIC	40	1	0	2	3	2	17
SLOVENIA	2	1	0	3	0	1	1
SOMALIA	319	115	0	63	54	18	102

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SOUTH AFRICA	31	20	0	15	5	15	17
SOUTH KOREA	37	1	0	5	1	7	8
SOVIET UNION	468	189	0	70	41	37	113
SPAIN	6	0	0	8	0	2	2
SRI LANKA	215	85	0	47	15	35	32
ST. CHRISTOPHER-NEVIS	0	1	0	0	0	0	0
ST. KITTS, WEST INDIES	1	0	0	1	0	0	0
ST. LUCIA	1	0	0	1	0	1	0
ST. VINCENT AND THE GRENADINES	3	0	0	0	0	1	1
STATELESS - ALIEN UNABLE TO NAME A CO	117	86	0	26	8	9	33
SUDAN	97	45	0	28	3	15	37
SURINAME	13	2	0	1	0	2	4
SWAZILAND	0	0	0	1	0	0	1
SWEDEN	11	0	0	0	0	1	2
SWITZERLAND	4	0	0	0	0	1	0
SYRIA	81	20	0	33	3	16	15
TAIWAN	11	2	0	2	0	1	1
TAJIKISTAN (TADZHIK)	6	4	0	2	0	1	1
TANZANIA	33	17	0	15	2	6	11
THAILAND	24	0	0	6	1	15	3
TOGO	201	147	0	77	12	25	73
TONGA	8	0	0	1	1	2	1
TRINIDAD AND TOBAGO	58	3	0	8	3	11	19

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TUNISIA	21	0	0	8	1	8	8
TURKEY	69	34	0	26	3	24	20
TURKMENISTAN	48	23	0	9	2	3	11
TURKS AND CAICOS ISLANDS	0	0	0	1	0	0	0
UGANDA	70	36	0	32	1	11	33
UKRAINE	290	44	0	101	29	35	73
UNITED ARAB EMIRATES	4	6	0	0	1	1	0
UNITED KINGDOM	17	2	0	8	0	7	17
UNKNOWN NATIONALITY	9	1	0	1	0	0	0
URUGUAY	17	0	0	16	2	2	10
UZBEKISTAN	254	95	0	62	17	28	50
VENEZUELA	999	279	0	590	68	158	222
VIETNAM	121	10	0	45	3	28	28
WESTERN SAMOA	1	0	0	0	0	0	0
YEMEN	59	10	0	29	3	23	27
YUGOSLAVIA	199	159	0	85	11	29	64
ZAIRE	14	5	0	11	1	3	4
ZAMBIA	27	8	0	4	6	3	16
ZIMBABWE	211	62	0	70	19	35	49
<b>TOTAL</b>	<b>55,654</b>	<b>13,352</b>	<b>0</b>	<b>16,566</b>	<b>3,923</b>	<b>10,350</b>	<b>13,865</b>

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AFGHANISTAN	65	33	0	30	4	19	16
ALBANIA	915	610	0	512	43	80	316
ALGERIA	38	23	0	37	4	10	12
ANDORRA	2	1	0	0	0	1	1
ANGOLA	44	6	0	22	1	5	22
ANTIGUA AND BARBUDA	1	0	0	0	0	0	0
ARGENTINA	178	10	0	229	15	119	50
ARMENIA	698	268	0	323	53	95	182
AUSTRALIA	1	0	0	1	0	1	1
AUSTRIA	3	4	0	0	0	2	0
AZERBAIJAN	69	30	0	25	5	7	26
BAHAMAS	18	5	0	11	0	1	4
BAHRAIN	4	0	0	6	0	0	0
BANGLADESH	313	120	0	119	20	75	103
BARBADOS	4	0	0	0	0	2	1
BE REMOVED FROM THE UNITED STATES	2	0	0	1	0	0	0
BELARUS	143	44	0	20	11	6	30
BELGIUM	25	5	0	1	1	1	9
BELIZE	11	0	0	4	0	5	2
BENIN	13	2	0	7	0	3	1
BERMUDA	1	0	0	1	0	0	0
BHUTAN	1	1	0	1	1	0	0
BOLIVIA	19	4	0	15	2	9	4

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BOSNIA-HERZEGOVINA	37	8	0	12	3	5	13
BOTSWANA	2	1	0	0	0	0	0
BRAZIL	239	24	0	74	317	50	163
BRITISH INDIAN OCEAN TERRITORY	0	0	0	1	0	0	0
BRITISH VIRGIN ISLANDS	1	0	0	0	0	0	0
BUKINA FASO	51	5	0	14	2	1	5
BULGARIA	189	77	0	40	16	17	51
BURMA (MYANMAR)	247	166	0	47	10	15	41
BURUNDI	31	11	0	16	6	3	5
BYELORUSSIA (BELARUS)	113	45	0	12	10	8	28
CAMBODIA	134	10	0	47	6	11	21
CAMEROON	636	263	0	245	23	40	196
CANADA	33	4	0	6	0	7	7
CAPE VERDE	6	0	0	1	0	1	0
CAYMAN ISLANDS	1	0	0	0	0	1	1
CENTRAL AFRICAN REPUBLIC	42	18	0	14	3	6	10
CHAD	41	10	0	2	1	1	6
CHILE	22	3	0	17	0	13	4
CHINA	8,012	2,751	263	2,575	195	294	1,284
COLOMBIA	4,045	1,151	0	2,294	500	730	1,238
COMORO ISLANDS	1	1	0	1	0	0	0
CONGO	208	76	0	76	15	10	60
COSTA RICA	17	1	0	4	1	2	4

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CROATIA	14	2	0	9	1	3	3
CUBA	719	21	0	98	17	192	229
CYPRUS	0	0	0	1	0	0	0
CZECH REPUBLIC	13	0	0	2	2	3	4
CZECHOSLOVAKIA	30	3	0	7	4	3	12
DEMOCRATIC REPUBLIC OF CONGO	103	34	0	43	8	11	18
DENMARK	2	0	0	1	0	1	0
DJIBOUTI	2	0	0	0	0	0	1
DOMINICA	3	0	0	0	0	0	0
DOMINICAN REPUBLIC	81	1	0	37	4	24	22
ECUADOR	101	11	0	34	5	36	27
EGYPT	437	194	0	101	10	73	84
EL SALVADOR	3,708	65	0	696	200	417	1,013
EQUATORIAL GUINEA	1	1	0	0	0	0	0
ERITREA	158	68	0	35	4	8	34
ESTONIA	54	6	0	9	4	3	22
ETHIOPIA	585	266	0	188	13	51	114
FEDERATED STATES OF MICRONESA	1	0	0	2	0	1	0
FIJI	103	35	0	93	9	61	47
FINLAND	5	0	0	0	0	4	0
FRANCE	26	4	0	8	0	10	12
FRENCH POLYNESIA	5	0	0	0	0	0	5
GABON	21	0	0	7	0	0	6

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GAMBIA	275	30	0	46	8	34	55
GAZA STRIP	0	0	0	1	0	0	0
GEORGIA	151	64	0	69	8	22	47
GERMANY	32	5	0	18	0	9	4
GHANA	61	4	0	24	3	15	14
GIBRALTAR	0	0	0	1	0	1	0
GREECE	16	8	0	4	0	0	2
GRENADA	4	0	0	2	0	0	0
GUADELOUPE	2	1	0	0	0	1	1
GUATEMALA	3,448	140	0	817	520	605	732
GUINEA	736	257	0	215	41	22	106
GUINEA BISSAU	12	4	0	7	0	0	1
GUYANA	143	30	0	104	13	29	40
HAITI	4,799	653	0	2,779	350	320	681
HONDURAS	863	67	0	329	49	139	164
HONG KONG	4	0	0	3	0	1	0
HUNGARY	13	0	0	4	0	3	1
ICELAND	0	1	0	0	0	0	1
INDIA	1,810	311	0	508	106	161	353
INDONESIA	1,224	375	0	1,275	75	280	427
IRAN	332	143	0	133	21	71	89
IRAQ	314	94	0	121	7	29	59
IRELAND	1	0	0	0	0	1	2

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ISRAEL	81	17	0	36	0	29	17
ITALY	15	1	0	7	0	8	1
IVORY COAST (COTE D'IVOIRE)	396	111	0	82	21	16	53
JAMAICA	139	2	0	51	7	47	41
JAPAN	20	2	0	13	2	6	11
JORDAN	142	21	0	63	10	38	47
KAMPUCHEA	13	19	0	19	3	9	4
KAZAKHSTAN	47	13	0	11	0	3	9
KENYA	352	54	0	85	23	34	100
KIRGHIZIA (KYRGYZSTAN)	33	12	0	5	1	3	13
KOSOVE	9	3	0	8	0	2	1
KUWAIT	13	3	0	7	1	3	1
LAOS	118	19	0	43	3	25	54
LATVIA	31	4	0	9	5	10	10
LEBANON	165	23	0	66	11	43	39
LESOTHO	2	0	0	0	0	0	0
LIBERIA	320	70	0	68	20	32	142
LIBYA	11	0	0	1	0	0	0
LITHUANIA	67	5	0	22	5	9	22
MACAU	1	0	0	1	0	0	0
MACEDONIA	73	21	0	44	0	15	17
MADAGASCAR	6	1	0	2	0	0	2
MALAWI	5	0	0	6	1	0	0

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MALAYSIA	17	5	0	8	2	6	5
MALDIVES	0	2	0	0	0	0	0
MALI	173	17	1	19	0	10	24
MALTA	0	1	0	0	1	0	0
MAURITANIA	691	193	0	306	81	43	299
MAURITIUS	4	0	0	0	0	0	1
MEXICO	2,792	34	0	356	156	7,479	668
MOLDAVIA (MOLDOVA)	37	6	0	10	3	4	9
MONACO	0	0	0	0	0	0	1
MONGOLIA	171	25	0	41	11	6	16
MOROCCO	65	4	0	17	1	6	19
NAMIBIA	1	0	0	0	0	1	0
NEPAL	284	85	0	60	10	18	49
NETHERLANDS	5	2	0	3	0	1	1
NETHERLANDS ANTILLES	2	0	0	4	0	1	0
NEW CALEDONIA	2	0	0	0	0	0	0
NEW ZEALAND	1	0	0	0	0	1	0
NICARAGUA	892	16	0	77	27	39	258
NIGER	47	3	0	13	3	12	13
NIGERIA	285	33	0	138	5	59	67
NIUE	3	1	0	1	0	0	0
NO NATIONALITY	1	1	0	0	1	0	0
NORTH KOREA	7	0	0	3	0	0	1

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NORWAY	0	0	0	1	0	0	0
OMAN	2	0	0	0	1	0	2
PAKISTAN	739	140	0	328	17	162	174
PALESTINIAN	14	0	0	5	0	4	3
PANAMA	21	3	0	6	1	9	4
PARAGUAY	11	0	0	3	0	6	3
PERU	393	59	0	178	18	83	111
PHILIPPINES	190	26	0	62	4	116	96
POLAND	193	6	0	30	23	22	39
PORTUGAL	37	1	0	3	1	4	17
QATAR	8	0	0	0	0	0	1
ROMANIA	132	18	0	45	6	15	46
RUSSIA	673	251	0	193	59	73	254
RWANDA	59	19	0	18	0	4	9
SAUDI ARABIA	23	6	0	6	1	3	13
SENEGAL	122	26	0	40	4	9	32
SERBIA MONTENEGRO	88	38	0	28	1	8	4
SEYCHELLES	7	4	0	1	0	0	0
SIERRA LEONE	305	82	0	146	51	24	124
SINGAPORE	13	1	0	3	0	0	2
SLOVAK REPUBLIC	15	5	0	7	0	1	8
SLOVENIA	7	1	0	2	0	2	0
SOMALIA	407	88	0	70	76	21	181

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SOUTH AFRICA	52	5	0	13	5	8	15
SOUTH KOREA	23	1	0	13	2	8	7
SOVIET UNION	600	169	0	97	43	24	144
SPAIN	24	2	0	8	1	8	4
SRI LANKA	307	74	0	66	22	27	86
ST. CHRISTOPHER-NEVIS	1	0	0	1	0	0	0
ST. HELENA	1	0	0	0	0	0	0
ST. KITTS, WEST INDIES	3	0	0	2	0	1	0
ST. LUCIA	3	0	0	1	0	0	0
ST. VINCENT AND THE GRENADINES	0	0	0	1	0	0	0
STATELESS - ALIEN UNABLE TO NAME A CO	173	72	0	28	1	9	38
SUDAN	99	55	0	36	11	13	48
SURINAME	8	1	0	7	0	0	2
SWAZILAND	1	0	0	0	0	0	1
SWEDEN	3	0	0	1	0	2	3
SYRIA	75	11	0	42	5	15	32
TAIWAN	5	2	0	5	0	3	1
TAJIKISTAN (TADZHIK)	13	9	0	2	1	3	3
TANZANIA	65	7	0	14	3	8	15
THAILAND	25	1	0	9	1	11	6
THE REPUBLIC OF PALAU	1	0	0	1	0	0	1
TOGO	358	102	0	77	10	15	82
TONGA	7	1	0	1	0	5	2

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TRINIDAD AND TOBAGO	49	3	0	9	6	10	14
TUNISIA	18	3	0	14	1	8	9
TURKEY	122	12	0	43	10	15	35
TURKMENISTAN	46	13	0	4	2	2	7
TURKS AND CAICOS ISLANDS	2	1	0	2	0	0	0
UGANDA	95	53	0	27	7	13	26
UKRAINE	234	69	0	102	7	41	63
UNITED ARAB EMIRATES	7	1	0	1	0	0	0
UNITED KINGDOM	46	7	0	17	1	6	7
UNKNOWN NATIONALITY	5	1	0	17	0	0	0
URUGUAY	31	2	0	14	0	7	9
UZEBEKISTAN	269	95	0	55	3	22	69
VENEZUELA	1,457	153	0	503	37	136	226
VIETNAM	134	8	0	56	4	34	46
WESTERN SAMOA	4	0	0	0	0	2	4
YEMEN	63	10	0	41	5	8	9
YUGOSLAVIA	317	187	0	162	9	42	84
ZAIRE	19	4	0	6	1	6	2
ZAMBIA	27	9	0	10	1	4	4
ZIMBABWE	282	58	0	85	24	36	57
<b>TOTAL</b>	<b>53,160</b>	<b>11,493</b>	<b>264</b>	<b>19,167</b>	<b>3,650</b>	<b>13,436</b>	<b>12,648</b>

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AFGHANISTAN	121	58	0	35	4	13	58
ALBANIA	1,322	724	0	624	31	87	330
ALGERIA	86	13	0	36	3	23	16
ANDORRA	2	0	0	1	0	0	0
ANGOLA	67	9	0	18	4	6	6
ANTIGUA AND BARBUDA	0	0	0	1	0	1	0
ARGENTINA	612	18	0	299	23	112	78
ARMENIA	838	305	0	392	81	112	258
AUSTRALIA	5	0	0	4	0	1	0
AUSTRIA	8	0	0	8	1	3	0
AZERBAIJAN	100	31	0	21	22	4	47
BAHAMAS	18	0	0	4	0	0	9
BAHRAIN	18	2	0	2	0	1	0
BANGLADESH	469	149	0	162	30	76	92
BARBADOS	3	0	0	1	0	0	0
BE REMOVED FROM THE UNITED STATES	2	0	0	0	0	0	0
BELARUS	162	10	0	6	7	5	33
BELGIUM	20	0	0	2	3	1	2
BELIZE	16	3	0	5	0	6	1
BENIN	11	4	0	5	0	0	0
BERMUDA	4	2	0	0	0	0	1
BHUTAN	2	2	0	2	0	0	3
BOLIVIA	38	7	0	20	0	5	9

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BOSNIA-HERZEGOVINA	44	6	0	18	0	7	11
BOTSWANA	4	0	0	1	0	0	2
BRAZIL	830	33	0	80	78	36	199
BRITISH INDIAN OCEAN TERRITORY	3	0	0	0	0	0	0
BUKINA FASO	20	3	0	12	1	3	6
BULGARIA	186	43	0	51	9	16	63
BURMA (MYANMAR)	279	138	0	69	16	5	52
BURUNDI	60	12	0	19	5	1	14
BYELORUSSIA (BELARUS)	108	46	0	16	1	7	34
CAMBODIA	178	5	0	37	3	13	38
CAMEROON	1,056	273	0	298	20	40	169
CANADA	14	5	0	2	1	0	1
CAPE VERDE	5	0	0	0	0	2	1
CAYMAN ISLANDS	1	0	0	0	0	0	0
CENTRAL AFRICAN REPUBLIC	56	2	0	21	3	0	12
CHAD	28	5	0	9	1	2	3
CHILE	22	6	0	11	1	11	7
CHINA	6,619	2,750	669	3,057	311	306	1,428
COLOMBIA	5,281	1,473	0	3,067	344	620	1,103
COMORO ISLANDS	2	1	0	0	0	0	0
CONGO	272	129	0	122	21	18	74
COSTA RICA	12	6	0	11	0	3	2
CROATIA	15	4	0	3	0	2	1

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CUBA	469	33	0	105	8	178	235
CYPRUS	2	0	0	1	0	0	0
CZECH REPUBLIC	13	3	0	8	1	1	4
CZECHOSLOVAKIA	23	3	0	8	2	3	9
DEMOCRATIC REPUBLIC OF CONGO	122	17	0	22	8	4	28
DENMARK	2	0	0	4	0	0	1
DJIBOUTI	0	1	0	0	0	0	0
DOMINICA	1	0	0	1	0	2	1
DOMINICAN REPUBLIC	89	3	0	24	1	26	29
ECUADOR	144	4	0	35	6	38	37
EGYPT	483	268	0	166	9	42	107
EL SALVADOR	2,578	42	0	609	140	397	1,062
EQUATORIAL GUINEA	2	0	0	0	0	0	1
ERITREA	144	61	0	35	2	11	25
ESTONIA	50	8	0	4	4	5	14
ETHIOPIA	815	260	0	232	27	51	179
FEDERATED STATES OF MICRONESA	2	0	0	0	0	2	1
FIJI	214	95	0	136	36	61	230
FINLAND	0	0	0	1	0	0	0
FRANCE	38	4	0	4	0	14	17
FRENCH POLYNESIA	0	0	0	0	0	1	0
GABON	4	5	0	2	2	0	0
GAMBIA	148	16	0	36	6	13	21

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GAZA STRIP	2	0	0	0	0	0	0
GEORGIA	260	66	0	80	19	24	63
GERMANY	24	4	0	9	0	4	5
GHANA	75	5	0	32	4	13	13
GIBRALTAR	2	0	0	0	1	0	0
GREECE	10	3	0	7	0	1	3
GRENADA	2	0	0	2	0	1	1
GUADELOUPE	2	0	0	0	0	0	0
GUATEMALA	3,464	177	0	865	779	654	701
GUINEA	724	258	0	222	39	25	79
GUINEA BISSAU	17	4	0	3	1	1	5
GUYANA	182	32	0	152	11	33	42
HAITI	5,165	535	0	2,375	260	248	648
HONDURAS	722	46	0	237	55	100	190
HONG KONG	5	1	0	2	0	1	3
HUNGARY	16	3	0	5	1	3	10
ICELAND	4	1	0	1	0	0	2
INDIA	1,390	452	0	616	169	194	637
INDONESIA	2,602	427	0	1,230	91	218	422
IRAN	539	203	0	162	38	99	209
IRAQ	239	115	0	206	14	39	46
IRELAND	1	0	0	1	0	1	0
ISRAEL	102	9	0	41	9	9	13

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ITALY	16	1	0	9	1	2	2
IVORY COAST (COTE D'IVOIRE)	409	77	0	96	16	12	46
JAMAICA	182	3	0	46	7	26	30
JAPAN	56	1	0	10	2	5	5
JORDAN	202	28	0	48	16	19	56
KAMPUCHEA	23	26	0	23	6	7	8
KAZAKHSTAN	66	28	0	27	2	7	18
KENYA	349	62	0	86	16	26	79
KIRGHIZIA (KYRGYZSTAN)	32	16	0	8	0	4	7
KIRIBATI	2	0	0	0	0	0	0
KOSOVE	9	4	0	9	0	1	2
KUWAIT	25	8	0	9	2	4	14
LAOS	282	5	0	44	30	40	224
LATVIA	46	17	0	12	2	2	16
LEBANON	228	42	0	85	8	24	76
LESOTHO	2	0	0	0	0	0	2
LIBERIA	422	91	0	103	29	43	253
LIBYA	10	1	0	0	0	1	2
LITHUANIA	80	9	0	17	4	7	26
MACEDONIA	78	14	0	52	4	8	31
MADAGASCAR	2	0	0	0	1	2	3
MALAWI	8	8	0	1	0	2	0
MALAYSIA	33	4	0	9	2	5	7

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MALDIVES	1	0	0	0	0	1	0
MALI	58	10	0	16	3	10	9
MALTA	2	0	0	1	1	2	2
MAURITANIA	903	219	1	211	119	26	327
MAURITIUS	2	0	0	0	0	0	0
MEXICO	3,505	68	0	593	235	9,066	950
MOLDAVIA (MOLDOVA)	36	13	0	18	4	4	13
MONACO	2	0	0	1	0	0	1
MONGOLIA	81	13	0	28	5	0	8
MONTSERRAT	1	0	0	1	0	0	0
MOROCCO	64	2	0	18	0	10	8
NAMIBIA	1	0	0	0	0	0	0
NEPAL	237	93	0	48	7	8	26
NETHERLANDS	10	1	0	8	0	0	2
NEW ZEALAND	5	0	0	0	0	5	2
NICARAGUA	187	7	0	93	15	31	45
NIGER	73	6	0	20	3	6	13
NIGERIA	330	50	0	132	3	48	90
NIUE	3	0	0	0	0	1	1
NO NATIONALITY	1	0	0	0	0	0	0
NORTH KOREA	5	1	0	0	4	1	0
NORWAY	4	0	0	1	0	0	1
OMAN	1	1	0	0	0	0	0

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PAKISTAN	1,065	164	0	366	39	190	221
PALESTINIAN	14	1	0	9	0	1	1
PANAMA	28	8	0	8	2	3	6
PARAGUAY	4	1	0	3	0	1	3
PERU	467	111	0	213	23	133	126
PHILIPPINES	290	29	0	117	15	162	170
POLAND	122	5	0	18	7	11	25
PORTUGAL	18	0	0	2	2	4	6
QATAR	0	1	0	0	0	0	3
ROMANIA	169	61	0	69	6	25	54
RUSSIA	822	320	0	210	54	85	294
RWANDA	41	28	0	9	2	1	14
SAN MARINO	1	0	0	2	0	0	0
SAUDI ARABIA	16	5	0	7	1	1	3
SENEGAL	100	17	0	34	8	6	16
SERBIA MONTENEGRO	45	5	0	10	1	1	7
SEYCHELLES	7	6	0	6	0	1	1
SIERRA LEONE	378	122	0	170	37	30	118
SINGAPORE	13	4	0	6	1	1	3
SLOVAK REPUBLIC	22	0	0	8	0	0	5
SLOVENIA	8	0	0	4	0	0	2
SOMALIA	355	89	0	61	62	14	145
SOUTH AFRICA	61	5	0	23	3	6	14

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SOUTH KOREA	22	4	0	5	0	3	5
SOVIET UNION	652	86	0	56	74	8	148
SPAIN	17	1	0	6	1	4	5
SRI LANKA	255	63	0	65	15	38	63
ST. HELENA	0	0	0	0	1	0	0
ST. KITTS, WEST INDIES	1	0	0	1	0	0	0
ST. LUCIA	3	0	0	1	0	0	1
ST. VINCENT AND THE GRENADINES	1	0	0	0	0	0	0
STATELESS - ALIEN UNABLE TO NAME A CO	169	59	0	38	4	8	39
SUDAN	142	68	0	57	9	11	36
SURINAME	9	0	0	0	2	2	6
SWAZILAND	0	1	0	0	0	0	0
SWEDEN	8	0	0	1	0	1	1
SWITZERLAND	1	0	0	2	0	0	0
SYRIA	110	10	0	50	3	19	26
TAIWAN	6	0	0	2	0	3	1
TAJIKISTAN (TADZHIK)	13	6	0	1	0	1	2
TANZANIA	60	3	0	18	1	6	6
THAILAND	41	0	0	12	1	9	25
TOGO	398	66	0	129	7	6	73
TONGA	10	0	0	4	1	3	1
TRINIDAD AND TOBAGO	32	1	0	8	2	9	13
TUNISIA	39	2	0	13	1	3	9

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TURKEY	81	27	0	40	7	12	21
TURKMENISTAN	43	16	0	1	2	1	8
UGANDA	128	50	0	49	4	5	30
UKRAINE	289	90	0	101	14	41	92
UNITED ARAB EMIRATES	15	6	0	6	0	0	3
UNITED KINGDOM	40	7	0	14	0	8	15
UNKNOWN NATIONALITY	6	0	0	12	0	0	1
URUGUAY	47	4	0	20	1	16	11
UZEBEKISTAN	255	76	0	43	22	19	64
VENEZUELA	1,642	59	0	248	27	68	134
VIETNAM	189	5	0	95	2	51	57
WESTERN SAMOA	3	0	0	0	0	1	2
YEMEN	87	9	0	43	3	16	24
YUGOSLAVIA	411	198	0	184	21	45	91
ZAIRE	15	7	0	5	1	6	1
ZAMBIA	54	5	0	14	2	5	5
ZIMBABWE	347	71	0	48	0	30	41
<b>TOTAL</b>	<b>57,672</b>	<b>12,352</b>	<b>670</b>	<b>20,863</b>	<b>3,805</b>	<b>14,665</b>	<b>13,958</b>

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AFGHANISTAN	139	70	0	50	13	16	32
ALBANIA	2,000	716	0	787	58	89	396
ALGERIA	114	15	0	34	2	4	16
ANDORRA	2	2	0	0	0	0	0
ANGOLA	44	3	0	23	1	4	8
ANTIGUA AND BARBUDA	0	0	0	0	0	1	0
ARGENTINA	448	10	0	55	15	42	38
ARMENIA	1,172	412	0	578	125	114	323
AUSTRALIA	3	0	0	7	0	1	2
AUSTRIA	9	0	0	1	0	2	2
AZERBAIJAN	132	46	0	24	49	6	47
BAHAMAS	6	0	0	3	0	1	4
BAHRAIN	9	3	0	2	0	0	2
BANGLADESH	484	107	0	92	29	50	130
BARBADOS	1	0	0	0	0	0	2
BE REMOVED FROM THE UNITED STATES	0	0	0	1	0	0	0
BELARUS	37	13	0	3	0	1	7
BELGIUM	5	3	0	14	0	3	0
BELIZE	10	1	0	6	1	2	6
BENIN	8	0	0	2	0	1	2
BERMUDA	2	0	0	0	0	0	0
BHUTAN	6	2	0	0	1	0	0
BOLIVIA	42	6	0	10	5	20	11

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<b>NATIONALITY</b>	<b>RECEIVED</b>	<b>GRANTED</b>	<b>CONDITIONAL</b>	<b>DENIED</b>	<b>ABANDONED</b>	<b>WITHDRAWN</b>	<b>OTHER</b>
BOSNIA-HERZEGOVINA	50	8	0	14	1	6	8
BRAZIL	286	19	0	61	16	49	111
BRITISH INDIAN OCEAN TERRITORY	1	0	0	0	0	0	0
BRITISH WEST INDIES	1	0	0	1	0	0	0
BUKINA FASO	30	4	0	11	0	1	3
BULGARIA	182	47	0	53	8	12	68
BURMA (MYANMAR)	306	118	0	70	26	13	54
BURUNDI	45	19	0	16	2	4	4
BYELORUSSIA (BELARUS)	133	34	0	20	11	14	36
CAMBODIA	87	5	0	41	5	14	17
CAMEROON	962	186	0	260	22	27	138
CANADA	16	4	0	7	0	2	3
CAPE VERDE	1	0	0	1	0	1	2
CAYMAN ISLANDS	1	0	0	0	0	1	0
CENTRAL AFRICAN REPUBLIC	69	9	0	14	5	2	7
CHAD	31	2	0	12	0	0	2
CHILE	26	3	0	10	1	17	6
CHINA	9,720	3,138	467	4,593	631	490	1,769
COLOMBIA	6,948	1,590	0	3,062	357	424	1,007
CONGO	434	125	0	157	37	18	64
COSTA RICA	10	0	0	3	0	0	4
CROATIA	10	1	0	4	1	5	7
CUBA	659	37	0	167	14	188	260

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CYPRUS	1	0	0	0	0	1	0
CZECH REPUBLIC	27	1	0	8	3	2	4
CZECHOSLOVAKIA	37	5	0	4	3	7	9
DEMOCRATIC REPUBLIC OF CONGO	75	18	0	52	4	4	8
DENMARK	2	0	0	1	0	2	0
DJIBOUTI	2	0	0	1	0	0	2
DOMINICA	5	0	0	0	1	0	3
DOMINICAN REPUBLIC	95	2	0	45	1	16	23
ECUADOR	143	13	0	53	5	46	48
EGYPT	621	277	0	162	20	45	111
EL SALVADOR	2,250	30	0	485	168	439	1,019
ERITREA	127	66	0	64	4	5	27
ESTONIA	47	8	0	12	4	4	7
ETHIOPIA	604	239	0	269	11	41	135
FIJI	488	97	0	151	33	60	98
FINLAND	4	0	0	1	0	2	1
FRANCE	47	4	0	11	0	10	11
FRENCH POLYNESIA	1	0	0	0	0	0	0
GABON	17	0	0	1	0	0	6
GAMBIA	115	30	0	33	2	8	27
GAZA STRIP	1	1	0	0	0	0	0
GEORGIA	288	58	0	84	21	24	58
GERMANY	15	6	0	6	0	9	0

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GHANA	72	10	0	36	4	14	25
GIBRALTAR	0	0	0	2	0	0	0
GREECE	10	1	0	2	0	0	3
GRENADA	2	1	0	0	0	0	0
GUADELOUPE	0	0	0	0	0	0	1
GUATEMALA	2,413	162	0	762	320	411	582
GUINEA	728	155	0	234	65	23	67
GUINEA BISSAU	7	5	0	3	1	0	1
GUYANA	396	6	0	118	10	26	55
HAITI	4,593	566	0	2,439	252	191	681
HONDURAS	678	34	0	202	34	123	181
HONG KONG	5	1	0	2	0	3	1
HUNGARY	17	0	0	12	1	2	11
ICELAND	2	0	0	0	0	0	0
INDIA	1,741	595	0	952	273	181	517
INDONESIA	3,874	366	0	809	59	111	303
IRAN	744	212	0	186	67	87	161
IRAQ	580	197	0	208	8	42	74
IRELAND	6	0	0	1	0	1	1
ISRAEL	123	11	0	32	2	20	22
ITALY	10	2	0	9	0	3	2
IVORY COAST (COTE D'IVOIRE)	314	38	0	56	10	5	25
JAMAICA	119	4	0	51	2	31	30

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JAPAN	20	1	0	4	0	8	3
JORDAN	204	33	0	74	9	34	57
KAMPUCHEA	121	23	0	46	7	13	17
KAZAKHSTAN	67	39	0	13	2	2	12
KENYA	312	47	0	95	15	13	42
KIRGHIZIA (KYRGYZSTAN)	30	13	0	4	1	2	6
KOSOVE	13	0	0	7	0	1	0
KUWAIT	29	1	0	7	0	2	10
LAOS	288	10	0	46	27	39	140
LATVIA	64	12	0	14	3	5	18
LEBANON	252	38	0	55	3	24	57
LESOTHO	2	0	0	4	0	0	0
LIBERIA	422	146	0	98	26	42	274
LIBYA	11	0	0	3	1	2	5
LITHUANIA	66	11	0	21	9	7	19
MACAU	0	0	0	6	0	0	0
MACEDONIA	118	22	0	51	1	10	31
MADAGASCAR	8	0	0	0	0	0	0
MALAWI	15	1	0	2	0	0	0
MALAYSIA	25	11	0	8	1	2	11
MALDIVES	2	0	0	0	0	0	1
MALI	56	3	0	10	3	11	13
MALTA	8	0	0	0	0	0	0

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MAURITANIA	1,199	181	0	237	143	11	136
MAURITIUS	2	0	0	0	0	0	1
MEXICO	7,808	64	0	612	628	9,522	1,539
MOLDAVIA (MOLDOVA)	40	14	0	19	1	3	15
MONACO	2	0	0	0	0	0	1
MONGOLIA	45	7	0	0	0	1	11
MOROCCO	38	10	0	14	1	4	7
NAMIBIA	2	0	0	1	0	0	0
NEPAL	241	57	0	34	8	7	31
NETHERLANDS	4	1	0	1	0	0	0
NETHERLANDS ANTILLES	3	0	0	0	0	1	0
NEW ZEALAND	0	0	0	2	0	0	0
NICARAGUA	227	7	0	104	9	31	46
NIGER	56	13	0	15	1	7	6
NIGERIA	299	50	0	172	14	59	78
NIUE	6	0	0	3	0	0	0
NO NATIONALITY	0	0	0	3	0	0	0
NORTH KOREA	7	3	0	0	0	0	0
NORWAY	2	0	0	0	0	2	0
OMAN	1	0	0	0	0	0	1
PAKISTAN	1,119	227	0	269	56	101	229
PALESTINIAN	9	0	0	5	0	0	3
PANAMA	9	0	0	9	1	6	5

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PAPUA NEW GUINEA	2	0	0	1	0	0	0
PARAGUAY	13	1	0	9	1	0	0
PEOPLE'S REPUBLIC OF BENIN	1	0	0	2	0	1	0
PERU	490	117	1	222	13	119	114
PHILIPPINES	508	26	0	128	26	137	182
POLAND	81	10	0	23	5	18	25
PORTUGAL	19	0	0	10	0	2	5
QATAR	7	1	0	2	0	0	3
ROMANIA	203	79	0	71	20	34	68
RUSSIA	1,020	382	0	238	95	97	282
RWANDA	60	23	0	13	1	2	9
SAN MARINO	2	0	0	0	0	0	0
SAUDI ARABIA	38	2	0	7	0	5	5
SENEGAL	115	13	0	36	11	5	12
SERBIA MONTENEGRO	33	11	0	15	2	3	6
SEYCHELLES	8	1	0	3	0	2	0
SIERRA LEONE	360	117	0	189	57	25	74
SINGAPORE	13	2	0	2	0	1	0
SLOVAK REPUBLIC	10	0	0	6	0	4	1
SLOVENIA	11	4	0	9	0	0	1
SOMALIA	431	148	0	165	102	19	155
SOUTH AFRICA	104	7	0	32	8	17	8
SOUTH KOREA	24	0	0	11	3	3	9

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SOVIET UNION	266	20	0	8	21	1	43
SPAIN	13	0	0	1	1	3	1
SRI LANKA	217	55	0	131	6	37	70
ST. CHRISTOPHER-NEVIS	0	0	0	1	0	0	0
ST. HELENA	1	0	0	0	0	0	0
ST. KITTS, WEST INDIES	1	0	0	1	0	0	0
ST. LUCIA	4	2	0	0	0	2	1
STATELESS - ALIEN UNABLE TO NAME A CO	168	30	0	25	11	9	34
SUDAN	205	96	0	114	10	13	46
SURINAME	6	0	0	4	2	6	2
SWAZILAND	3	0	0	0	0	0	0
SWEDEN	15	3	0	4	0	6	0
SYRIA	157	25	0	29	7	16	32
TAIWAN	7	1	0	5	0	2	3
TAJIKISTAN (TADZHIK)	20	7	0	1	0	0	5
TANZANIA	52	6	0	24	1	5	10
THAILAND	45	1	0	11	3	6	16
THE REPUBLIC OF THE MARSHALL ISLANDS	0	0	0	0	0	0	1
TOGO	313	62	0	58	4	3	36
TONGA	1	0	0	2	0	2	1
TRINIDAD AND TOBAGO	19	3	0	7	0	4	16
TUNISIA	59	5	0	15	1	4	10
TURKEY	117	36	0	61	5	14	22

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TURKMENISTAN	21	7	0	1	0	0	9
TURKS AND CAICOS ISLANDS	2	0	0	1	1	0	1
UGANDA	149	53	0	48	3	6	36
UKRAINE	335	106	0	109	32	33	89
UNITED ARAB EMIRATES	9	1	0	0	1	1	5
UNITED KINGDOM	49	10	0	14	1	12	12
UNKNOWN NATIONALITY	22	1	0	19	0	0	0
URUGUAY	32	1	0	1	0	7	4
UZEBEKISTAN	291	91	0	42	12	13	44
VENEZUELA	675	35	0	67	12	22	35
VIETNAM	187	10	0	82	5	66	53
WESTERN SAMOA	3	0	0	1	0	0	0
YEMEN	118	26	0	41	4	16	21
YUGOSLAVIA	458	170	0	294	23	44	123
ZAIRE	34	20	0	14	1	3	5
ZAMBIA	35	6	0	13	0	3	6
ZIMBABWE	227	54	0	72	3	15	24
<b>TOTAL</b>	<b>67,268</b>	<b>12,911</b>	<b>468</b>	<b>22,411</b>	<b>4,308</b>	<b>14,484</b>	<b>13,538</b>