



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

FY 2010 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 website at www.justice.gov/eoir.

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FY 2010 HIGHLIGHTS

- Immigration court receipts increased by 12 percent between FY 2006 (351,051) and FY 2010 (392,888). (Figure 1, Page B2)
- Immigration court completions decreased by four percent between FY 2006 (366,080) and FY 2010 (353,247). However, completions in FY 2010 increased by seven percent from FY 2007. (Figure 1, Page B2)
- Mexico, Guatemala, El Salvador, Honduras, and China were the leading nationalities of immigration court completions during FY 2010, representing 67 percent of the total caseload. (Figure 6, page E1)
- Spanish was the most frequently spoken language for immigration court case completions during FY 2010 at over 66 percent. (Figure 8, page F1)
- Forty-three percent of aliens whose cases were completed in immigration courts during FY 2010 were represented. (Figure 9, page G1)
- Asylum applications filed with the immigration courts decreased by 42 percent from FY 2006 to FY 2010. Affirmative receipts decreased by 35 percent while defensive receipts decreased by 56 percent. (Figure 13, page I1)
- In FY 2010, the New York, NY; Los Angeles, CA; San Francisco, CA; Miami, FL; and Orlando, FL, immigration courts received 62 percent of the total asylum applications filed with the courts. (Table 6, page I3)
- Four nationalities were among the top 10 nationalities granted asylum each year during the five-year period FY 2006-10: China, Colombia, India, and Ethiopia. (Table 7, page J2)
- The grant rate for asylum applications was 51 percent in FY 2010. The grant rate was 61 percent for affirmative applications and 35 percent for defensive applications. (Figures 16, 17, and 18, pages K1 and K2)
- In FY 2010, the percentage of asylum cases in which either asylum or withholding of removal was granted was 60 percent. (Figure 19-B, page K5)
- In FY 2010, 25 percent of proceedings completed at the immigration courts had an application for relief. (Figure 22, page N1)
- Forty-four percent of FY 2010 immigration court completions involved detained aliens. (Figure 23, page O1)

- The number of appeals to the BIA from IJ Decisions is down for the fifth consecutive year. (Figure 26, page S2)
- Receipts of appeals of DHS decisions increased 99 percent from FY 2009 to FY 2010. Receipts of appeals from DHS decisions on visa petitions increased 115 percent for the same time period. (Figure 26, page S2; Table 16, page T2)
- BIA had a 10 percent decrease in receipts between FY 2006 (39,743) and FY 2010 (35,787). (Table 17, page T2)
- Mexico, China, El Salvador, Guatemala, and Haiti accounted for 56 percent of BIA immigration judge decision appeals completed in FY 2010. (Figure 28, page U1)
- Seventy-nine percent of BIA appeals completed in FY 2010 were for represented aliens. (Figure 29, page V1)
- In FY 2010, eight percent of immigration judge decisions were appealed to the BIA. (Figure 31, page X1)
- OCAHO case receipts increased from FY 2009 (31) to FY 2010 (91). (Figure 34, page Z1)
- OCAHO case completions increased from FY 2009 (25) to FY 2010 (53). (Figure 34, page Z1)

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 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.

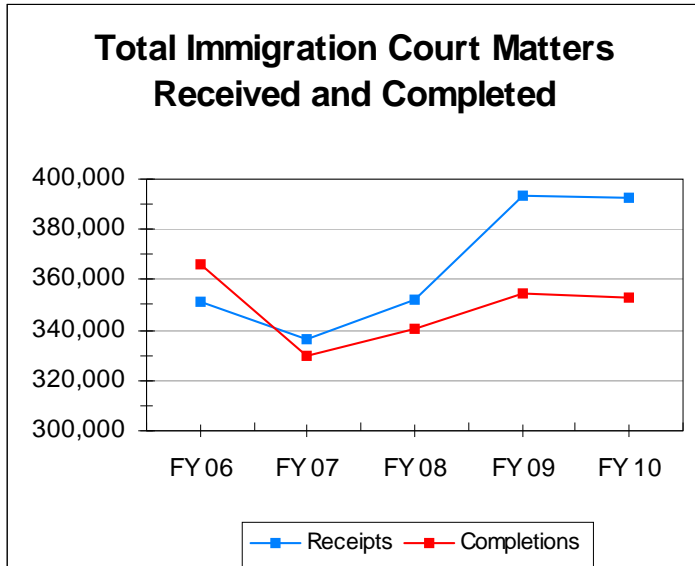
During court proceedings, aliens appear before an immigration judge and either contest or concede the charges against them. In some instances, the immigration judge adjourns the case and sets a continuance date; for example, the judge may allow the alien time to obtain representation or to file an application 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.
- 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 to reopen or reconsider. Receipts are defined as the total number of proceedings, bond redeterminations, and motions to reopen or reconsider 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.

Figure 1



	Receipts	Completions
FY 06	351,051	366,080
FY 07	335,961	329,643
FY 08	352,159	340,599
FY 09	393,185	354,145
FY 10	392,888	353,247

As shown in Figure 1 above, the number of matters received by the immigration courts decreased between FY 2006 and FY 2007 by four percent. The increase in receipts from FY 2007 to FY 2010 was 17 percent. Immigration court matters completed decreased by 10 percent from FY 2006 to FY 2007 followed by an increase of seven percent from FY 2007 to FY 2010.

While some courts showed increases in receipts over FY 2009 levels, others showed decreases. In Table 1, on the following page, courts with increases of 25 percent or more are highlighted in blue and courts with a decrease of 25 percent or more are highlighted in red. The immigration court in New Orleans, LA, showed the largest percentage increase in receipts at 38 percent. The immigration court in Guaynabo (San Juan), Puerto Rico, showed the largest percentage decrease, down 35 percent. Table 1A identifies receipts for FY 2010 by type of matter.

Table 2 provides a comparison of FY 2009 and FY 2010 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. New Orleans, LA, showed the largest percentage increase at 63 percent. East Mesa, CA, showed the largest percentage decrease at 32 percent. Receipts and completions showed virtually no change nationwide between FY 2009 and FY 2010. Table 2A identifies completions for FY 2010 by type of matter.

Table 1 - Total Immigration Court Matters Received by Court for FY 2009 and FY 2010

Immigration Court	FY 2009	FY 2010	Rate of Change
ARLINGTON, VIRGINIA	7,274	7,197	-1%
ATLANTA, GEORGIA	7,699	6,864	-11%
BALTIMORE, MARYLAND	5,276	5,160	-2%
BATAVIA SPC, NEW YORK	2,153	2,283	6%
BLOOMINGTON (ST. PAUL), MINNESOTA	5,262	5,390	2%
BOSTON, MASSACHUSETTS	8,544	9,092	6%
BUFFALO, NEW YORK	2,697	2,749	2%
CHARLOTTE, NORTH CAROLINA	5,272	4,658	-12%
CHICAGO, ILLINOIS	12,826	15,345	20%
CLEVELAND, OHIO	7,503	5,704	-24%
DALLAS, TEXAS	8,868	10,017	13%
DENVER, COLORADO	12,942	12,211	-6%
DETROIT, MICHIGAN	5,945	5,903	-1%
EAST MESA, CALIFORNIA	2,481	1,682	-32%
EL CENTRO SPC, CALIFORNIA	2,599	2,349	-10%
EL PASO SPC, TEXAS	6,239	5,095	-18%
EL PASO, TEXAS	7,697	8,947	16%
ELIZABETH SPC, NEW JERSEY	2,233	2,982	34%
ELOY, ARIZONA	13,071	9,968	-24%
FISHKILL - NEW YORK STATE DOC, NEW YORK	354	290	-18%
FLORENCE SPC, ARIZONA	8,351	6,440	-23%
GUAYNABO (SAN JUAN), PUERTO RICO	2,852	1,859	-35%
HARLINGEN, TEXAS	13,480	13,734	2%
HARTFORD, CONNECTICUT	2,493	1,995	-20%
HONOLULU, HAWAII	1,495	1,082	-28%
HOUSTON SPC, TEXAS	14,921	13,248	-11%
HOUSTON, TEXAS	6,082	6,916	14%
IMPERIAL, CALIFORNIA	1,297	1,303	0%
KANSAS CITY, MISSOURI	4,479	5,486	22%
KROME NORTH SPC, FLORIDA	12,437	12,291	-1%
LANCASTER, CALIFORNIA	8,625	7,627	-12%
LAS VEGAS, NEVADA	4,399	4,902	11%
LOS ANGELES, CALIFORNIA	20,495	21,645	6%
LOS FRESNOS (PORT ISABEL SPC), TEXAS	3,500	3,251	-7%
MEMPHIS, TENNESSEE	3,877	4,000	3%
MIAMI, FLORIDA	14,014	13,007	-7%
NEW ORLEANS, LOUISIANA	1,026	1,412	38%
NEW YORK CITY, NEW YORK	23,255	23,495	1%
NEWARK, NEW JERSEY	10,068	9,576	-5%
OAKDALE FEDERAL DETENTION CENTER, LOUISIANA	14,622	13,314	-9%
OMAHA, NEBRASKA	5,948	5,725	-4%
ORLANDO, FLORIDA	4,398	4,473	2%
PHILADELPHIA, PENNSYLVANIA	3,331	3,345	0%
PHOENIX, ARIZONA	4,902	6,106	25%
PORTLAND, OREGON	1,646	1,840	12%
SAIPAN, NORTHERN MARIANAS ISLANDS	0	120	New Court
SALT LAKE CITY, UTAH	3,430	3,216	-6%
SAN ANTONIO, TEXAS	17,158	19,267	12%
SAN DIEGO, CALIFORNIA	4,922	3,848	-22%
SAN FRANCISCO, CALIFORNIA	11,451	15,024	31%
SEATTLE, WASHINGTON	3,702	4,674	26%
STEWART DETENTION FACILITY, GEORGIA	7,113	9,036	27%
TACOMA, WASHINGTON	9,772	9,248	-5%
TUCSON, ARIZONA	5,468	5,654	3%
ULSTER - NEW YORK STATE DOC, NEW YORK	613	525	-14%
VARICK SPC, NEW YORK	3,017	2,532	-16%
YORK, PENNSYLVANIA	7,611	7,786	2%
TOTAL	393,185	392,888	0%

Table 1A - Total Immigration Court Receipts by Court and Type of Matter for FY 2010

Immigration Court	Proceedings	Bonds	Motions	Total Matters
ARLINGTON, VIRGINIA	6,506	283	408	7,197
ATLANTA, GEORGIA	5,431	842	591	6,864
BALTIMORE, MARYLAND	4,330	506	324	5,160
BATAVIA SPC, NEW YORK	1,331	946	6	2,283
BLOOMINGTON (ST. PAUL), MINNESOTA	4,211	1,079	100	5,390
BOSTON, MASSACHUSETTS	6,858	1,479	755	9,092
BUFFALO, NEW YORK	2,473	124	152	2,749
CHARLOTTE, NORTH CAROLINA	3,843	562	253	4,658
CHICAGO, ILLINOIS	13,860	1,090	395	15,345
CLEVELAND, OHIO	5,055	438	211	5,704
DALLAS, TEXAS	9,146	512	359	10,017
DENVER, COLORADO	8,872	3,112	227	12,211
DETROIT, MICHIGAN	4,245	1,478	180	5,903
EAST MESA, CALIFORNIA	982	692	8	1,682
EL CENTRO SPC, CALIFORNIA	1,648	684	17	2,349
EL PASO SPC, TEXAS	4,004	1,060	31	5,095
EL PASO, TEXAS	8,145	634	168	8,947
ELIZABETH SPC, NEW JERSEY	2,045	905	32	2,982
ELOY, ARIZONA	7,257	2,668	43	9,968
FISHKILL - NEW YORK STATE DOC, NEW YORK	280	0	10	290
FLORENCE SPC, ARIZONA	4,466	1,943	31	6,440
GUAYNABO (SAN JUAN), PUERTO RICO	1,477	202	180	1,859
HARLINGEN, TEXAS	11,082	2,171	481	13,734
HARTFORD, CONNECTICUT	1,857	23	115	1,995
HONOLULU, HAWAII	787	238	57	1,082
HOUSTON SPC, TEXAS	10,978	2,204	66	13,248
HOUSTON, TEXAS	6,542	9	365	6,916
IMPERIAL, CALIFORNIA	1,282	3	18	1,303
KANSAS CITY, MISSOURI	4,926	432	128	5,486
KROME NORTH SPC, FLORIDA	8,278	3,910	103	12,291
LANCASTER, CALIFORNIA	4,788	2,816	23	7,627
LAS VEGAS, NEVADA	4,503	262	137	4,902
LOS ANGELES, CALIFORNIA	19,144	436	2,065	21,645
LOS FRESNOS (PORT ISABEL SPC), TEXAS	2,276	938	37	3,251
MEMPHIS, TENNESSEE	3,809	41	150	4,000
MIAMI, FLORIDA	11,750	1	1,256	13,007
NEW ORLEANS, LOUISIANA	1,340	0	72	1,412
NEW YORK CITY, NEW YORK	21,757	1	1,737	23,495
NEWARK, NEW JERSEY	7,474	1,325	777	9,576
OKDALE FEDERAL DETENTION CENTER, LOUISIANA	9,487	3,764	63	13,314
OMAHA, NEBRASKA	4,500	1,073	152	5,725
ORLANDO, FLORIDA	4,061	1	411	4,473
PHILADELPHIA, PENNSYLVANIA	3,051	0	294	3,345
PHOENIX, ARIZONA	5,871	3	232	6,106
PORTLAND, OREGON	1,741	51	48	1,840
SAIPAN, NORTHERN MARIANAS ISLANDS	120	0	0	120
SALT LAKE CITY, UTAH	3,007	166	43	3,216
SAN ANTONIO, TEXAS	15,586	3,240	441	19,267
SAN DIEGO, CALIFORNIA	3,571	35	242	3,848
SAN FRANCISCO, CALIFORNIA	13,478	1,096	450	15,024
SEATTLE, WASHINGTON	4,446	0	228	4,674
STEWART DETENTION FACILITY, GEORGIA	8,029	980	27	9,036
TACOMA, WASHINGTON	6,387	2,832	29	9,248
TUCSON, ARIZONA	5,632	0	22	5,654
ULSTER - NEW YORK STATE DOC, NEW YORK	501	2	22	525
VARICK SPC, NEW YORK	1,487	986	59	2,532
YORK, PENNSYLVANIA	5,333	2,382	71	7,786
TOTAL	325,326	52,660	14,902	392,888

Table 2 - Total Immigration Court Matters Completed by Court for FY 2009 and FY 2010

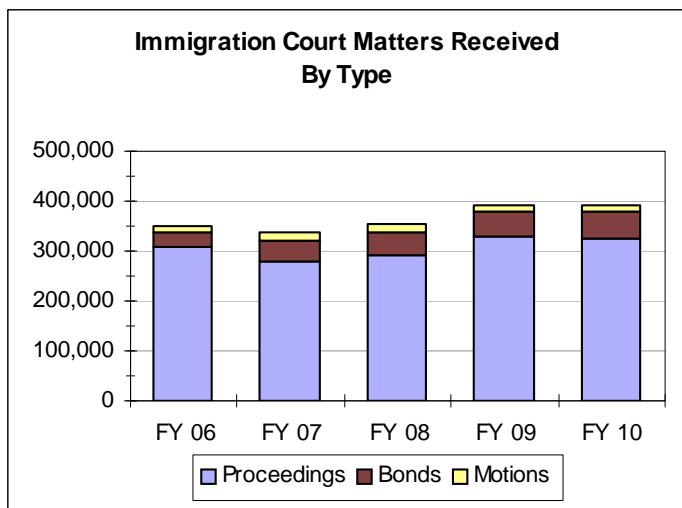
Immigration Court	FY 2009	FY 2010	Rate of Change
ARLINGTON, VIRGINIA	6,692	7,156	7%
ATLANTA, GEORGIA	6,731	6,681	-1%
BALTIMORE, MARYLAND	4,834	4,453	-8%
BATAVIA SPC, NEW YORK	2,132	2,204	3%
BLOOMINGTON (ST. PAUL), MINNESOTA	4,735	5,042	6%
BOSTON, MASSACHUSETTS	7,641	8,581	12%
BUFFALO, NEW YORK	2,615	2,737	5%
CHARLOTTE, NORTH CAROLINA	2,886	4,426	53%
CHICAGO, ILLINOIS	10,253	10,350	1%
CLEVELAND, OHIO	7,454	5,375	-28%
DALLAS, TEXAS	7,687	8,899	16%
DENVER, COLORADO	11,549	10,637	-8%
DETROIT, MICHIGAN	5,909	5,685	-4%
EAST MESA, CALIFORNIA	2,484	1,678	-32%
EL CENTRO SPC, CALIFORNIA	2,573	2,408	-6%
EL PASO SPC, TEXAS	6,093	4,786	-21%
EL PASO, TEXAS	6,612	7,528	14%
ELIZABETH SPC, NEW JERSEY	2,284	2,661	17%
ELOY, ARIZONA	12,947	9,784	-24%
FISHKILL - NEW YORK STATE DOC, NEW YORK	369	337	-9%
FLORENCE SPC, ARIZONA	7,859	6,684	-15%
GUAYNABO (SAN JUAN), PUERTO RICO	2,418	2,088	-14%
HARLINGEN, TEXAS	13,475	11,266	-16%
HARTFORD, CONNECTICUT	2,187	1,890	-14%
HONOLULU, HAWAII	1,383	1,143	-17%
HOUSTON SPC, TEXAS	14,427	13,211	-8%
HOUSTON, TEXAS	4,685	5,212	11%
IMPERIAL, CALIFORNIA	1,237	1,178	-5%
KANSAS CITY, MISSOURI	3,523	5,052	43%
KROME NORTH SPC, FLORIDA	12,046	12,220	1%
LANCASTER, CALIFORNIA	8,105	7,705	-5%
LAS VEGAS, NEVADA	4,284	3,944	-8%
LOS ANGELES, CALIFORNIA	17,374	21,174	22%
LOS FRESNOS (PORT ISABEL SPC), TEXAS	3,107	3,246	4%
MEMPHIS, TENNESSEE	2,620	3,127	19%
MIAMI, FLORIDA	12,980	14,532	12%
NEW ORLEANS, LOUISIANA	625	1,016	63%
NEW YORK CITY, NEW YORK	16,109	17,717	10%
NEWARK, NEW JERSEY	7,871	8,249	5%
OAKDALE FEDERAL DETENTION CENTER, LOUISIANA	14,356	12,655	-12%
OMAHA, NEBRASKA	5,356	4,981	-7%
ORLANDO, FLORIDA	6,299	5,591	-11%
PHILADELPHIA, PENNSYLVANIA	2,566	2,540	-1%
PHOENIX, ARIZONA	3,565	3,664	3%
PORTLAND, OREGON	1,036	1,089	5%
SAIPAN, NORTHERN MARIANAS ISLANDS	0	53	New Court
SALT LAKE CITY, UTAH	3,335	3,035	-9%
SAN ANTONIO, TEXAS	15,868	16,300	3%
SAN DIEGO, CALIFORNIA	4,739	3,384	-29%
SAN FRANCISCO, CALIFORNIA	9,325	10,772	16%
SEATTLE, WASHINGTON	3,327	3,452	4%
STEWART DETENTION FACILITY, GEORGIA	7,269	8,363	15%
TACOMA, WASHINGTON	9,812	9,139	-7%
TUCSON, ARIZONA	5,351	5,436	2%
ULSTER - NEW YORK STATE DOC, NEW YORK	669	528	-21%
VARICK SPC, NEW YORK	2,997	2,350	-22%
YORK, PENNSYLVANIA	7,480	7,853	5%
TOTAL	354,145	353,247	0%

Table 2A - Total Immigration Court Completions by Court and Type of Matter for FY 2010

Immigration Court	Proceedings	Bonds	Motions	Total Matters
ARLINGTON, VIRGINIA	6,484	255	417	7,156
ATLANTA, GEORGIA	5,257	828	596	6,681
BALTIMORE, MARYLAND	3,613	479	361	4,453
BATAVIA SPC, NEW YORK	1,278	920	6	2,204
BLOOMINGTON (ST. PAUL), MINNESOTA	3,913	1,032	97	5,042
BOSTON, MASSACHUSETTS	6,322	1,506	753	8,581
BUFFALO, NEW YORK	2,465	124	148	2,737
CHARLOTTE, NORTH CAROLINA	3,629	554	243	4,426
CHICAGO, ILLINOIS	8,913	1,052	385	10,350
CLEVELAND, OHIO	4,751	427	197	5,375
DALLAS, TEXAS	8,057	501	341	8,899
DENVER, COLORADO	7,326	3,092	219	10,637
DETROIT, MICHIGAN	4,082	1,419	184	5,685
EAST MESA, CALIFORNIA	986	683	9	1,678
EL CENTRO SPC, CALIFORNIA	1,707	683	18	2,408
EL PASO SPC, TEXAS	3,766	986	34	4,786
EL PASO, TEXAS	6,770	593	165	7,528
ELIZABETH SPC, NEW JERSEY	1,740	886	35	2,661
ELOY, ARIZONA	7,231	2,508	45	9,784
FISHKILL - NEW YORK STATE DOC, NEW YORK	328	0	9	337
FLORENCE SPC, ARIZONA	4,683	1,970	31	6,684
GUAYNABO (SAN JUAN), PUERTO RICO	1,705	205	178	2,088
HARLINGEN, TEXAS	8,768	2,023	475	11,266
HARTFORD, CONNECTICUT	1,751	27	112	1,890
HONOLULU, HAWAII	827	254	62	1,143
HOUSTON SPC, TEXAS	11,002	2,148	61	13,211
HOUSTON, TEXAS	4,818	11	383	5,212
IMPERIAL, CALIFORNIA	1,157	3	18	1,178
KANSAS CITY, MISSOURI	4,574	354	124	5,052
KROME NORTH SPC, FLORIDA	8,217	3,901	102	12,220
LANCASTER, CALIFORNIA	4,820	2,861	24	7,705
LAS VEGAS, NEVADA	3,556	253	135	3,944
LOS ANGELES, CALIFORNIA	18,721	397	2,056	21,174
LOS FRESNOS (PORT ISABEL SPC), TEXAS	2,275	932	39	3,246
MEMPHIS, TENNESSEE	2,933	41	153	3,127
MIAMI, FLORIDA	13,225	1	1,306	14,532
NEW ORLEANS, LOUISIANA	947	0	69	1,016
NEW YORK CITY, NEW YORK	16,000	1	1,716	17,717
NEWARK, NEW JERSEY	6,133	1,305	811	8,249
OAKDALE FEDERAL DETENTION CENTER, LOUISIANA	9,009	3,586	60	12,655
OMAHA, NEBRASKA	3,871	955	155	4,981
ORLANDO, FLORIDA	5,204	1	386	5,591
PHILADELPHIA, PENNSYLVANIA	2,255	0	285	2,540
PHOENIX, ARIZONA	3,427	2	235	3,664
PORTLAND, OREGON	986	52	51	1,089
SAIPAN, NORTHERN MARIANAS ISLANDS	53	0	0	53
SALT LAKE CITY, UTAH	2,834	155	46	3,035
SAN ANTONIO, TEXAS	12,721	3,176	403	16,300
SAN DIEGO, CALIFORNIA	3,106	31	247	3,384
SAN FRANCISCO, CALIFORNIA	9,365	964	443	10,772
SEATTLE, WASHINGTON	3,209	0	243	3,452
STEWART DETENTION FACILITY, GEORGIA	7,401	939	23	8,363
TACOMA, WASHINGTON	6,342	2,768	29	9,139
TUCSON, ARIZONA	5,417	0	19	5,436
ULSTER - NEW YORK STATE DOC, NEW YORK	504	2	22	528
VARICK SPC, NEW YORK	1,313	976	61	2,350
YORK, PENNSYLVANIA	5,460	2,319	74	7,853
TOTAL	287,207	51,141	14,899	353,247

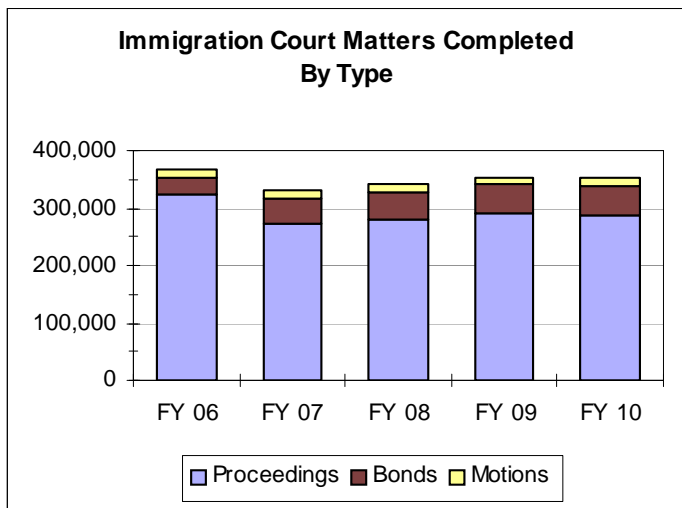
Figures 2 and 3 below provide information on the types of matters received and completed by the immigration courts. Proceedings make up the bulk of the courts' work, but the courts also process significant numbers of bonds and motions to reopen and reconsider. For both matters received and matters completed the number of bonds has significantly increased from FY 2006 to FY 2010 while proceedings and motions to reopen and reconsider have gone up and down throughout the five year time span.

Figure 2



	Proceedings	Bonds	Motions	Total
FY 06	308,652	30,099	12,300	351,051
FY 07	279,430	42,664	13,867	335,961
FY 08	292,013	45,918	14,228	352,159
FY 09	327,928	51,645	13,612	393,185
FY 10	325,326	52,660	14,902	392,888

Figure 3



	Proceedings	Bonds	Motions	Total
FY 06	324,040	29,740	12,300	366,080
FY 07	273,468	42,313	13,862	329,643
FY 08	281,216	45,126	14,257	340,599
FY 09	290,435	50,333	13,377	354,145
FY 10	287,207	51,141	14,899	353,247

Immigration Courts: Proceedings Received and Completed by Type

This section of the Statistical Year Book provides further details on proceedings by type. As noted 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 former 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.

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 is subject to the expedited removal provisions expresses either an intention to apply for asylum or a fear of returning to the country of removal, the alien is referred for a “credible fear” interview by a DHS 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:

- Rescission. 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.
- 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 if returned to the country of removal 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 Review proceeding and found that "reasonable fear of persecution or torture" exists. The immigration judge's Reasonable Fear finding automatically initiates a Withholding Only hearing.

Table 3 shows all types of proceedings received by the immigration courts between FY 2006 and FY 2010.

Table 3 - Immigration Court Proceedings Received by Case Type

Type of Proceeding	FY2006	FY 2007	FY 2008	FY 2009	FY 2010
Deportation	3,648	4,030	4,185	3,592	3,597
Exclusion	385	453	436	379	315
Removal	302,906	272,824	285,419	321,729	318,435
Credible Fear	411	825	702	885	1,165
Reasonable Fear	78	131	172	241	398
Claimed Status	69	77	53	43	51
Asylum Only	959	814	707	621	532
Rescission	30	33	30	56	59
Continued Detention Review	6	6	5	1	1
NACARA	28	42	14	22	8
Withholding Only	132	195	290	359	765
Total	308,652	279,430	292,013	327,928	325,326

Table 4 shows all types of proceedings completed by the immigration courts for the period FY 2006 to FY 2010. 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 22 percent of the proceedings completed in FY 2010.

Table 4 - Immigration Court Proceedings Completed by Case Type

Type of Proceeding	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Deportation	4,148	4,088	3,974	3,730	3,690
Exclusion	462	427	500	397	364
Removal	317,240	266,712	274,635	284,164	280,420
Credible Fear	411	822	696	884	1,143
Reasonable Fear	77	127	171	231	394
Claimed Status	64	81	54	37	54
Asylum Only	1,456	993	842	647	567
Rescission	29	24	31	26	49
Continued Detention Review	6	5	6	1	1
NACARA	18	31	34	20	18
Withholding Only	129	158	273	298	507
Total	324,040	273,468	281,216	290,435	287,207

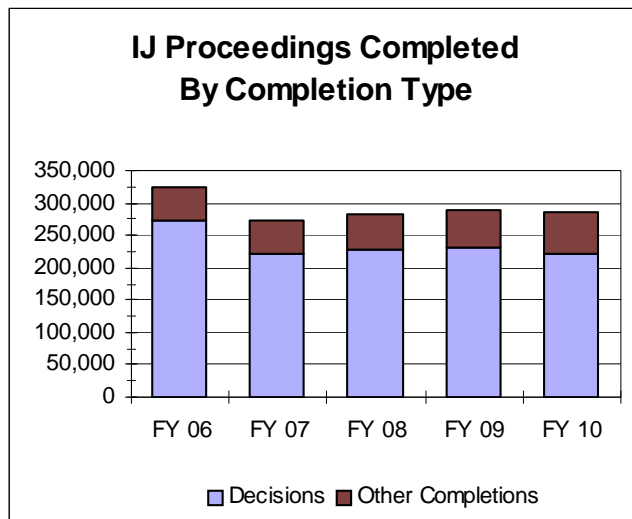
Immigration Courts: Proceedings Completed by Disposition

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 and cases transferred to a different hearing location or granted a change of venue are counted as “other completions.”

Figure 4 provides a breakdown of proceedings from FY 2006 to FY 2010 by type of completion – either through an immigration judge decision or through an “other completion,” such as an administrative closure or change of venue.

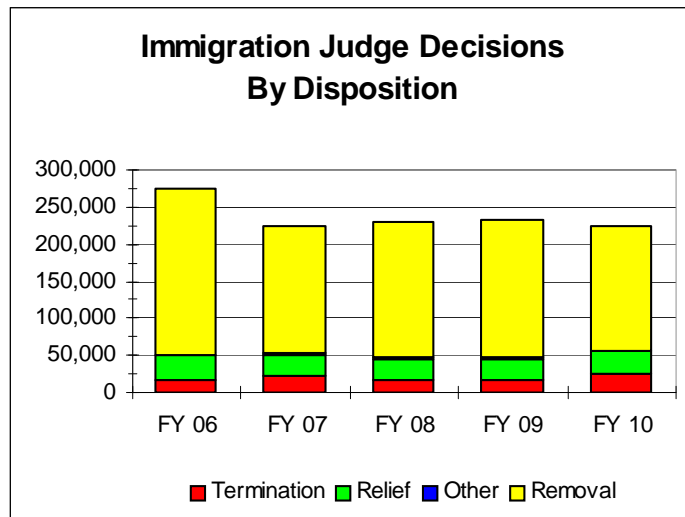
Figure 4



IJ Proceedings Completed			
	Decisions	Other Completions	Total
FY 06	273,761	50,279	324,040
FY 07	223,085	50,383	273,468
FY 08	229,463	51,753	281,216
FY 09	232,385	58,050	290,435
FY 10	222,909	64,298	287,207

Figure 5 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. 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.

Figure 5

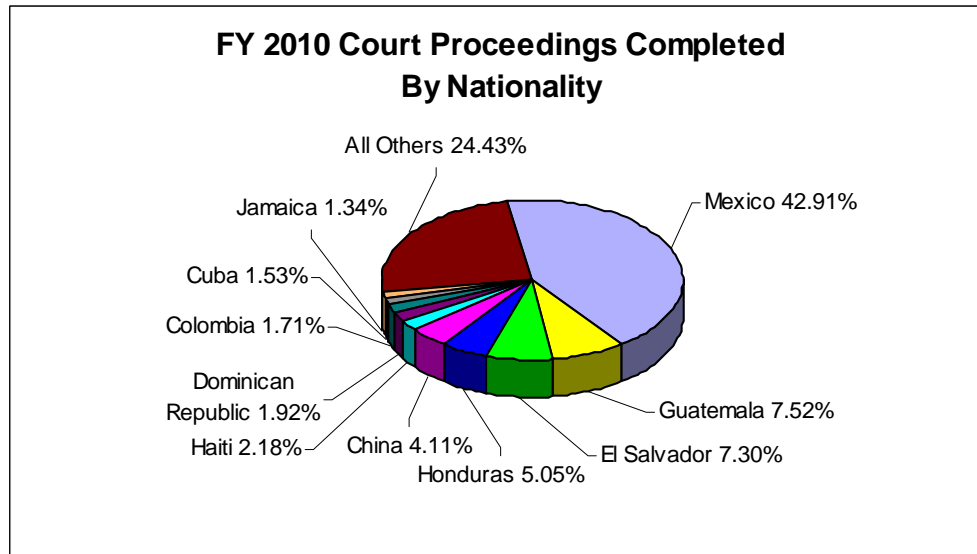


IJ Decisions by Disposition										
	Termination		Relief		Removal		Other		Total	
	Number	% of Total	Number	% of Total	Number	% of Total	Number	% of Total	Number	% of Total
FY 06	15,985	5.8	34,411	12.6	222,211	81.2	1,154	0.4	273,761	100.0
FY 07	21,146	9.5	30,264	13.6	170,291	76.3	1,384	0.6	223,085	100.0
FY 08	17,033	7.4	28,369	12.4	182,720	79.6	1,341	0.6	229,463	100.0
FY 09	17,035	7.3	28,664	12.3	185,410	79.8	1,276	0.5	232,385	100.0
FY 10	24,317	10.9	30,838	13.8	166,424	74.7	1,330	0.6	222,909	100.0

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



FY 2010 Court Proceedings Completed by Nationality		
Nationality	Cases	% of Total
Mexico	123,239	42.91%
Guatemala	21,612	7.52%
El Salvador	20,980	7.30%
Honduras	14,498	5.05%
China	11,800	4.11%
Haiti	6,258	2.18%
Dominican Republic	5,509	1.92%
Colombia	4,897	1.71%
Cuba	4,389	1.53%
Jamaica	3,850	1.34%
All Others	70,175	24.43%
Total	287,207	100.00%

In FY 2010, the top 10 nationalities accounted for approximately 76 percent of all proceedings completed as shown in Figure 6. A total of 224 nationalities were represented in the FY 2010 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 2006 through FY 2010. For the five-year period, eight of the top 10 nationalities remained the same: Mexico, Guatemala, El Salvador, Honduras, China, Haiti, Colombia, and Cuba.

**Table 5 - Court Proceedings Completed by Nationality
Top 25 Nationalities: FY 2006 - FY 2010**

Rank	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
1	Mexico	Mexico	Mexico	Mexico	Mexico
2	El Salvador	El Salvador	El Salvador	Guatemala	Guatemala
3	Honduras	Guatemala	Guatemala	El Salvador	El Salvador
4	Guatemala	Honduras	Honduras	Honduras	Honduras
5	China	China	China	China	China
6	Brazil	Cuba	Haiti	Haiti	Haiti
7	Cuba	Haiti	Cuba	Colombia	Dominican Republic
8	Haiti	Colombia	Colombia	Dominican Republic	Colombia
9	Colombia	Dominican Republic	Dominican Republic	Cuba	Cuba
10	Nicaragua	Nicaragua	Brazil	Jamaica	Jamaica
11	Dominican Republic	Brazil	Jamaica	Ecuador	India
12	India	India	Ecuador	Brazil	Ecuador
13	Indonesia	Jamaica	India	India	Brazil
14	Pakistan	Ecuador	Nicaragua	Peru	Philippines
15	Jamaica	Pakistan	Philippines	Philippines	Peru
16	Ecuador	Indonesia	Peru	Nicaragua	Nicaragua
17	Venezuela	Peru	Venezuela	Venezuela	Venezuela
18	Peru	Venezuela	Pakistan	Pakistan	Pakistan
19	Philippines	Philippines	Indonesia	Russia	Canada
20	Albania	Nigeria	Canada	Nigeria	Russia
21	Nigeria	Russia	Nigeria	Indonesia	Nigeria
22	Costa Rica	Canada	Russia	Canada	Kenya
23	Russia	Albania	Vietnam	Ethiopia	Ghana
24	Egypt	Egypt	Ghana	Ghana	Vietnam
25	Canada	Ethiopia	Trinidad and Tobago	Vietnam	South Korea

Immigration Courts: Proceedings Completed by Language

Figure 7 below shows a breakdown of FY 2006 immigration court proceedings completed by language. Of the 253 languages spoken in court proceedings during FY 2006, 90 percent were in the following five languages: Spanish, English, Portuguese, Mandarin, and Creole.

Figure 8 below shows comparable data for FY 2010. Although four of the top five languages were the same, there was more diversity in languages in FY 2010. A total of 283 different languages were spoken in court proceedings in the immigration courts during FY 2010. The top five languages accounted for 91 percent of the proceedings completed in FY 2010.

FY 2010 highlights include:

- Spanish language cases were 66 percent of the total caseload, a decrease of four percent since FY 2006.
- In the “Other” category, Russian, Portuguese, and Arabic represented the three most frequently spoken languages.
- The number of different languages used in court proceedings has increased by 12 percent over FY 2006.

Figure 7

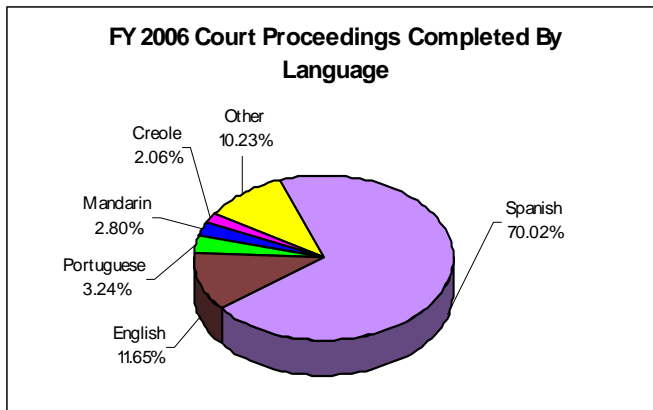
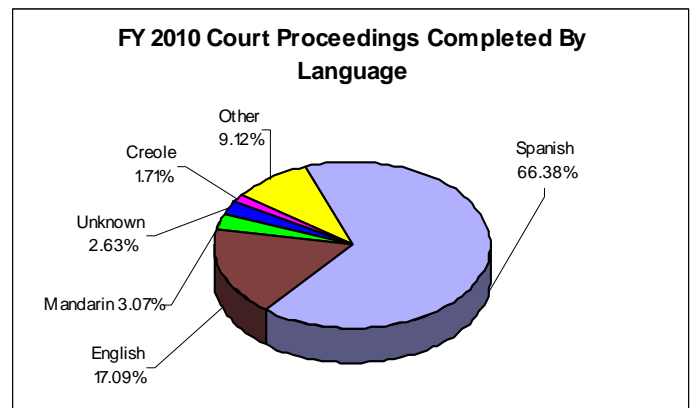


Figure 8



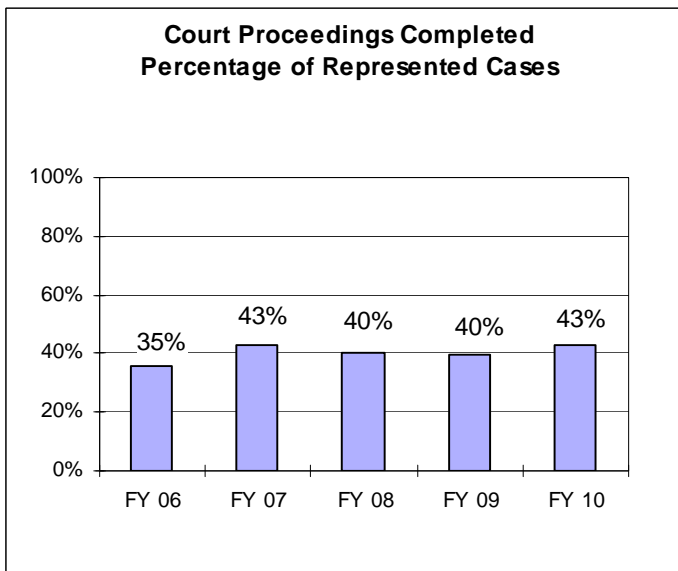
Immigration Courts: Proceedings Completed by Representation Status

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 2006 – FY 2010 were represented. The percentage of represented aliens for FY 2006 to FY 2010 ranged from 35 percent to 43 percent.

Figure 9



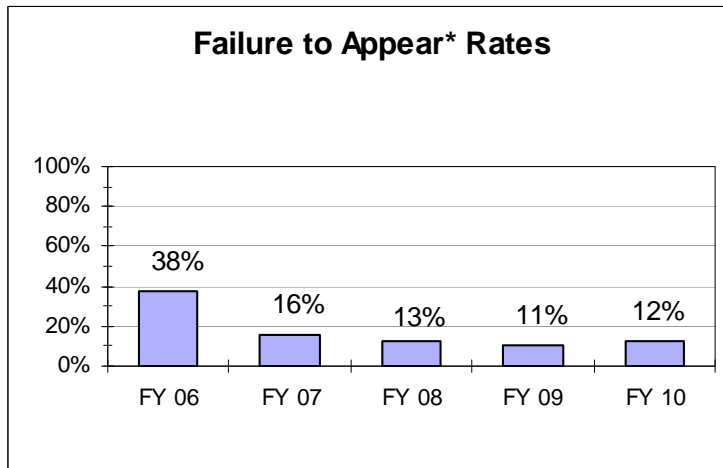
	Represented	Unrepresented	Total
FY 06	114,684	209,356	324,040
FY 07	117,186	156,282	273,468
FY 08	113,169	168,047	281,216
FY 09	114,829	175,606	290,435
FY 10	122,465	164,742	287,207

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.

Figure 10 compares immigration judge decisions and failures to appear. Of the immigration judge decisions rendered in FY 2010, 12 percent involved aliens who failed to appear. The failure to appear rate decreased 22 percent from FY 2006 to FY 2007. The number of aliens who failed to appear decreased by 65 percent over the same period. The failure to appear rate has remained fairly consistent from FY 2007 to FY 2010.

Figure 10



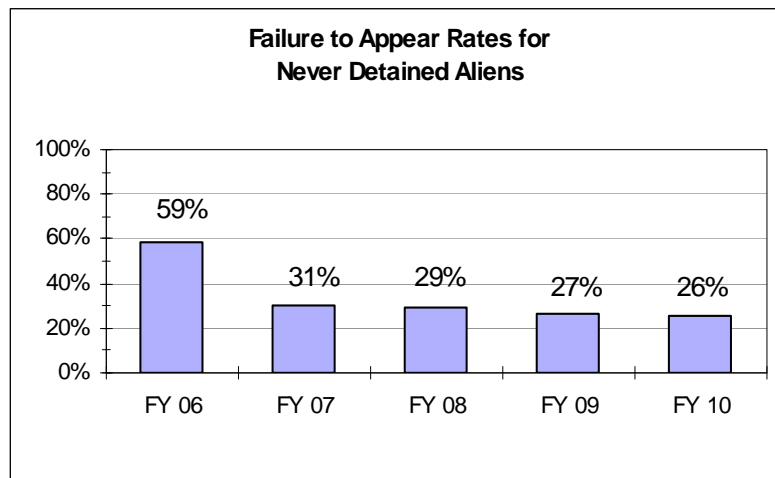
Failure to Appear* Rates			
	In Absentia Orders	IJ Decisions	Failure to Appear Rate
FY 06	102,849	273,761	38%
FY 07	35,576	223,085	16%
FY 08	29,853	229,463	13%
FY 09	25,338	232,385	11%
FY 10	26,790	222,909	12%

*Prior to FY 2009, administrative closures were included to calculate the failure to appear rate. However, due to a larger percentage of administrative closures not relating directly to failure to appear, the failure to appear rate is calculated using immigration judge decisions and *in absentia* orders only.

The following figures show EOIR data on failures to appear by detention status: never 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 aliens that have never been detained. From FY 2006 to FY 2007 the failure to appear rate decreased 28 percent, then from FY 2007 to FY 2010 the failure to appear rate decreased slightly each year.

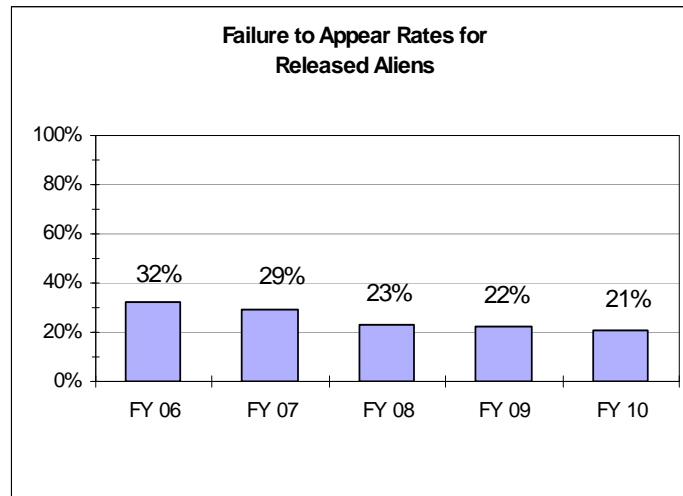
Figure 11



Failure to Appear Rates for Never Detained Aliens			
	In Absentia Orders		IJ Decisions
	Number	% of Total	
FY 06	95,495	59%	162,949
FY 07	28,855	31%	94,195
FY 08	24,480	29%	83,179
FY 09	20,422	27%	76,442
FY 10	21,850	26%	84,515

Failures to appear for aliens released on bond or on their own recognizance are shown in Figure 12. From FY 2006 to FY 2010 the failure to appear rate has decreased each year. This decrease is consistent with the overall rate depicted in Figure 10.

Figure 12



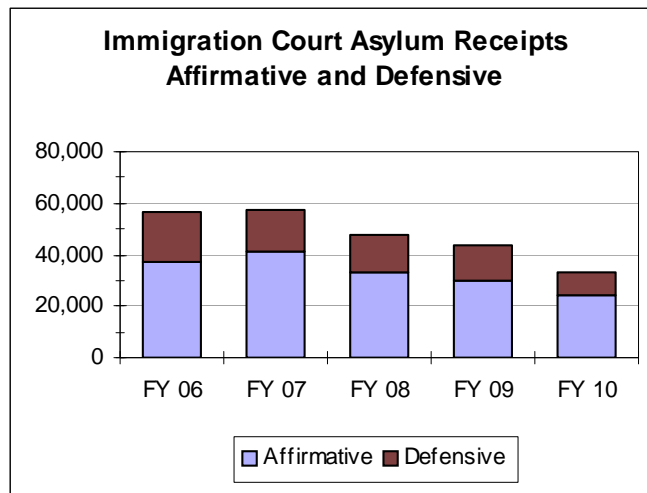
Failure to Appear Rates for Released Aliens			
	In Absentia Orders		IJ Decisions
	Number	% of Total	
FY 06	6,772	32%	20,901
FY 07	6,188	29%	21,257
FY 08	4,902	23%	21,260
FY 09	4,592	22%	20,729
FY 10	4,653	21%	22,523

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.

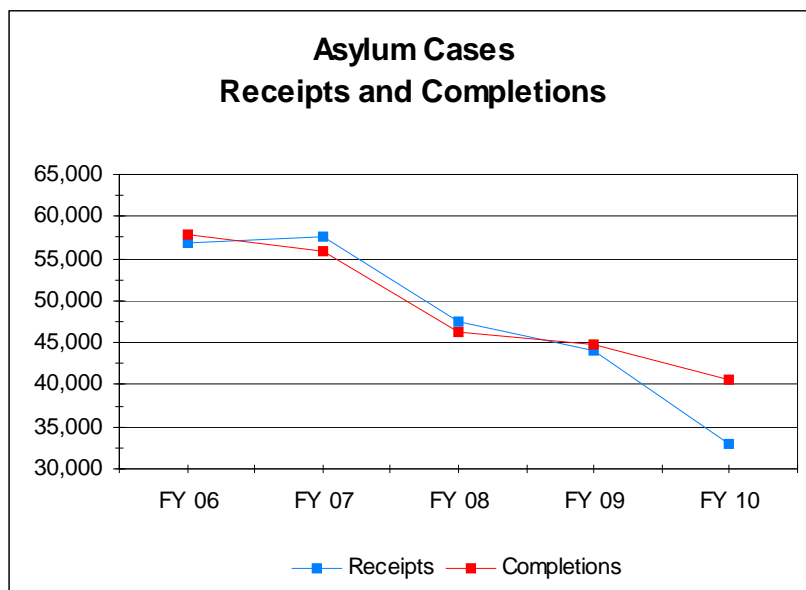
Figure 13



Immigration Court Asylum Receipts			
	Affirmative	Defensive	Total
FY 06	37,294	19,675	56,969
FY 07	41,214	16,301	57,515
FY 08	32,776	14,666	47,442
FY 09	29,897	14,125	44,022
FY 10	24,372	8,589	32,961

As shown in Figure 14 below, asylum receipts declined by 42 percent and asylum completions declined by 30 percent from FY 2006 to FY 2010.

Figure 14



Asylum Receipts and Completions		
	Receipts	Completions
FY 06	56,969	57,864
FY 07	57,515	55,762
FY 08	47,442	46,181
FY 09	44,022	44,668
FY 10	32,961	40,545

Table 6, shown on page I3, provides information on FY 2010 asylum receipts and completions by immigration court. In FY 2010 the New York, NY; Los Angeles, CA; San Francisco, CA; Miami, FL; and Orlando, FL, immigration courts received 62 percent of asylum filings. In FY 2010, only six immigration courts had more asylum receipts than completions.

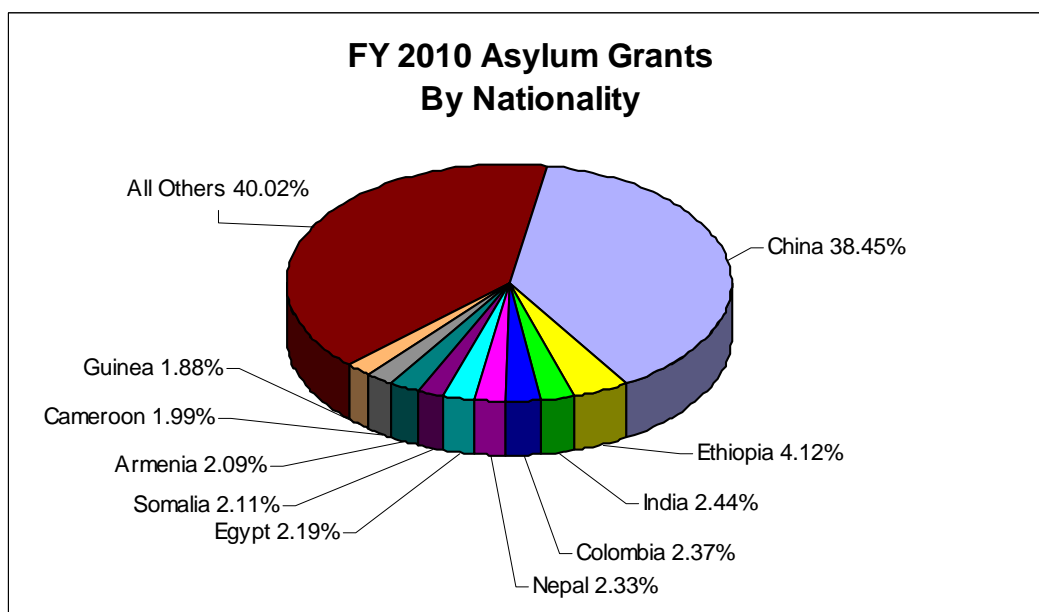
Table 6 - Asylum Receipts and Completions by Court for FY 2010

Immigration Court	Receipts	Completions
ARLINGTON, VIRGINIA	879	1,439
ATLANTA, GEORGIA	267	693
BALTIMORE, MARYLAND	674	843
BATAVIA SPC, NEW YORK	57	64
BLOOMINGTON (ST. PAUL), MINNESOTA	329	417
BOSTON, MASSACHUSETTS	775	1,397
BUFFALO, NEW YORK	98	146
CHARLOTTE, NORTH CAROLINA	316	429
CHICAGO, ILLINOIS	595	657
CLEVELAND, OHIO	368	758
DALLAS, TEXAS	241	256
DENVER, COLORADO	238	363
DETROIT, MICHIGAN	176	339
EAST MESA, CALIFORNIA	61	77
EL CENTRO SPC, CALIFORNIA	57	75
EL PASO SPC, TEXAS	24	43
EL PASO, TEXAS	123	161
ELIZABETH SPC, NEW JERSEY	169	182
ELOY, ARIZONA	141	189
FISHKILL - NEW YORK STATE DOC, NEW YORK	0	7
FLORENCE SPC, ARIZONA	128	153
GUAYNABO (SAN JUAN), PUERTO RICO	190	219
HARLINGEN, TEXAS	82	89
HARTFORD, CONNECTICUT	173	211
HONOLULU, HAWAII	91	152
HOUSTON SPC, TEXAS	86	106
HOUSTON, TEXAS	283	395
IMPERIAL, CALIFORNIA	25	33
KANSAS CITY, MISSOURI	194	435
KROME NORTH SPC, FLORIDA	281	348
LANCASTER, CALIFORNIA	185	192
LAS VEGAS, NEVADA	352	268
LOS ANGELES, CALIFORNIA	5,244	7,566
LOS FRESNOS (PORT ISABEL SPC), TEXAS	55	56
MEMPHIS, TENNESSEE	357	415
MIAMI, FLORIDA	1,440	3,560
NEW ORLEANS, LOUISIANA	102	88
NEW YORK CITY, NEW YORK	10,355	7,844
NEWARK, NEW JERSEY	835	929
OAKDALE FEDERAL DETENTION CENTER, LOUISIANA	53	67
OMAHA, NEBRASKA	441	591
ORLANDO, FLORIDA	1,006	2,357
PHILADELPHIA, PENNSYLVANIA	436	532
PHOENIX, ARIZONA	398	354
PORTLAND, OREGON	128	225
SAIPAN, NORTHERN MARIANA'S ISLANDS	0	0
SALT LAKE CITY, UTAH	133	173
SAN ANTONIO, TEXAS	404	538
SAN DIEGO, CALIFORNIA	344	501
SAN FRANCISCO, CALIFORNIA	2,295	2,187
SEATTLE, WASHINGTON	660	756
STEWART DETENTION FACILITY, GEORGIA	30	36
TACOMA, WASHINGTON	261	230
TUCSON, ARIZONA	36	58
ULSTER - NEW YORK STATE DOC, NEW YORK	7	9
VARICK SPC, NEW YORK	118	132
YORK, PENNSYLVANIA	165	205
TOTAL	32,961	40,545

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 2010. In FY 2010, the top 10 nationalities accounted for 60 percent of all asylum grants. China accounted for 38 percent of all asylum grants. A total of 148 nationalities were represented among cases granted asylum in FY 2010. Table 7, on the following page, provides information for comparative purposes on the top nationalities granted asylum for the period FY 2006 to FY 2010. Four nationalities were represented among the top 10 nationalities granted asylum each year during the five-year period: China, Colombia, India, and Ethiopia. For more complete information on asylum data by nationality see: <http://www.justice.gov/eoir/efoia/FY10AsyStats.pdf>.

Figure 15



FY 2010 Asylum Grants by Nationality		
Nationality	Cases	% of Total
China	3,795	38.45%
Ethiopia	407	4.12%
India	241	2.44%
Colombia	234	2.37%
Nepal	230	2.33%
Egypt	216	2.19%
Somalia	208	2.11%
Armenia	206	2.09%
Cameroon	196	1.99%
Guinea	186	1.88%
All Others	3,950	40.02%
Total	9,869	100.00%

**Table 7 - Asylum Grants by Nationality
Top 25 Nationalities: FY 2006 - FY 2010**

Rank	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
1	China	China	China	China	China
2	Colombia	Colombia	Colombia	Haiti	Ethiopia
3	Haiti	Haiti	Haiti	Ethiopia	India
4	Albania	Albania	Iraq	Colombia	Colombia
5	India	India	Albania	Iraq	Nepal
6	Cameroon	Ethiopia	Ethiopia	India	Egypt
7	Guinea	Guinea	Venezuela	Albania	Somalia
8	Ethiopia	Venezuela	India	Cameroon	Armenia
9	Indonesia	Iraq	Guinea	Armenia	Cameroon
10	Armenia	Egypt	Russia	Eritrea	Guinea
11	Venezuela	Indonesia	Indonesia	Guinea	Venezuela
12	Egypt	Russia	Egypt	Venezuela	Eritrea
13	Mauritania	Cameroon	El Salvador	Egypt	Soviet Union
14	Russia	Soviet Union	Soviet Union	Nepal	Haiti
15	Iraq	Armenia	Guatemala	Somalia	Guatemala
16	Soviet Union	Mauritania	Cameroon	Guatemala	Russia
17	Pakistan	Pakistan	Nepal	Indonesia	Iraq
18	Nepal	El Salvador	Armenia	Soviet Union	Albania
19	Guatemala	Guatemala	Pakistan	Russia	El Salvador
20	Ivory Coast	Ivory Coast	Yugoslavia	El Salvador	Indonesia
21	Burma (Myanmar)	Nepal	Burma (Myanmar)	Sri Lanka	Pakistan
22	Yugoslavia	Burma (Myanmar)	Eritrea	Burma (Myanmar)	Sri Lanka
23	Togo	Yugoslavia	Somalia	Pakistan	Kenya
24	Iran	Eritrea	Mauritania	Yugoslavia	Yugoslavia
25	Somalia	Somalia	Ivory Coast	Kenya	Iran

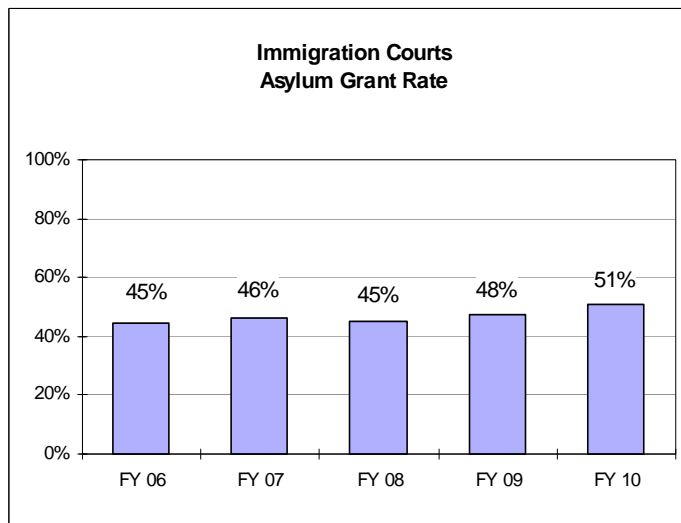
Immigration Courts: Disposition of Asylum Cases

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 another type of relief besides asylum, and this is also recorded as an "other" completion.

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 and denials. The grant rate has increased from FY 2006 (45%) to FY 2010 (51%).

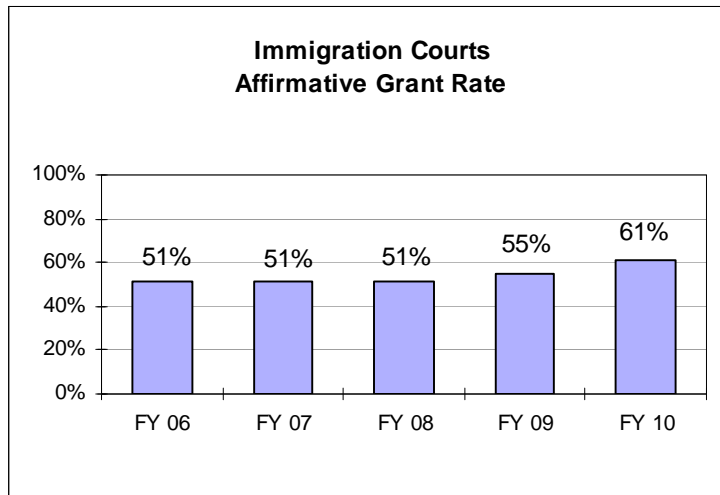
Figure 16



	Grants	Denials	Grant Rate
FY 06	13,304	16,477	45%
FY 07	12,859	14,874	46%
FY 08	10,881	13,167	45%
FY 09	10,298	11,334	48%
FY 10	9,869	9,554	51%

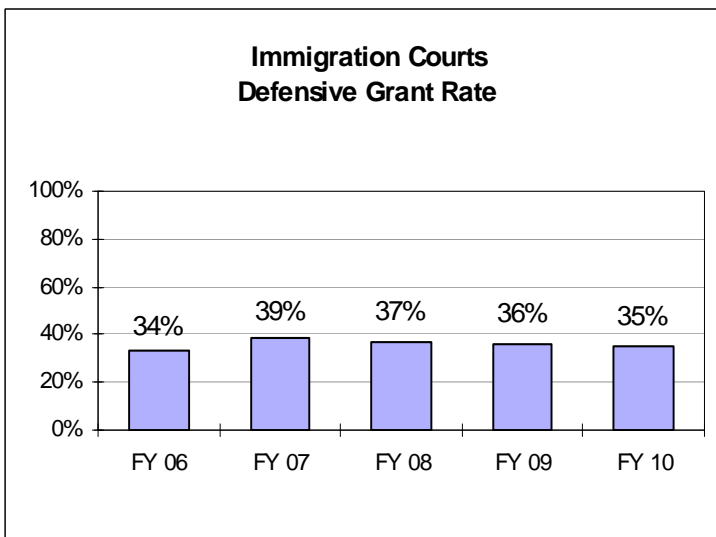
There is some difference in the grant rates depending on whether the asylum application was filed affirmatively or defensively. There are two ways that aliens may request asylum: “affirmatively,” by completing an asylum application and filing it with a DHS Asylum Office; or “defensively,” by requesting asylum before an immigration judge. From FY 2006 to FY 2010, grant rates for affirmative asylum claims were higher than grant rates for defensive claims. The grant rate for affirmative asylum claims has significantly increased from FY 2006 to FY 2010, where defensive claims have remained fairly consistent. Figures 17 and 18 show the grant rates for affirmative and defensive asylum claims.

Figure 17



	Grants	Denials	Grant Rate
FY 06	9,530	9,020	51%
FY 07	8,427	7,953	51%
FY 08	7,356	7,051	51%
FY 09	7,262	5,940	55%
FY 10	7,088	4,508	61%

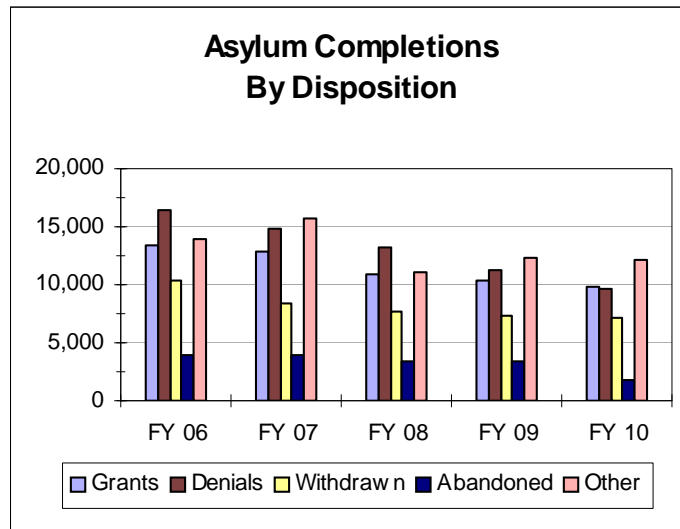
Figure 18



	Grants	Denials	Grant Rate
FY 06	3,774	7,457	34%
FY 07	4,426	6,921	39%
FY 08	3,520	6,116	37%
FY 09	3,030	5,394	36%
FY 10	2,771	5,046	35%

Figure 19 illustrates graphically all asylum case completions broken out by disposition. Each of the dispositions has shown a significant decrease from FY 2006 to FY 2010. These decreases are mutually related to the overall decrease in asylum completions.

Figure 19



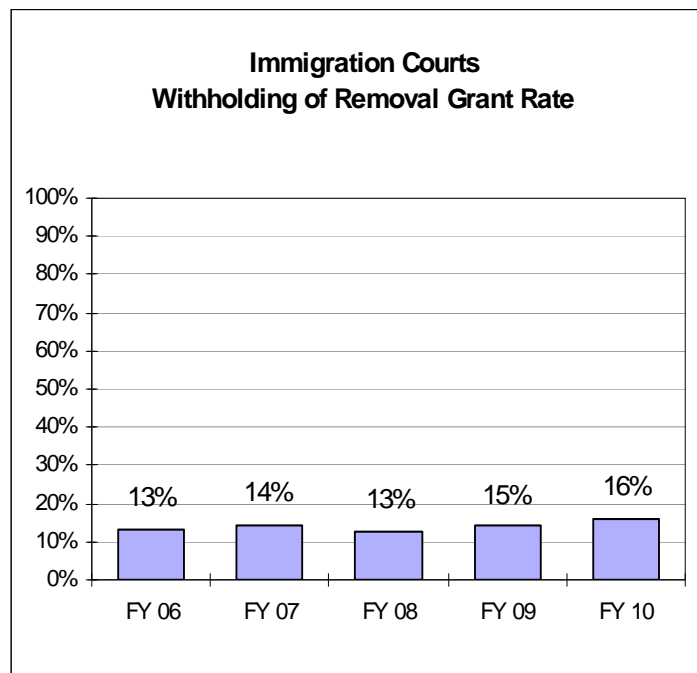
Asylum Completions by Disposition						
	Grants	Denials	Withdrawn	Abandoned	Other	Total
FY 06	13,304	16,477	10,324	3,918	13,841	57,864
FY 07	12,859	14,874	8,405	3,985	15,639	55,762
FY 08	10,881	13,167	7,676	3,449	11,008	46,181
FY 09	10,298	11,334	7,264	3,406	12,366	44,668
FY 10	9,869	9,554	7,194	1,799	12,129	40,545

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. 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 withholding of removal grant rate. Cases that had grants for both asylum and withholding were omitted from withholding of removal because they have previously been counted as an asylum grant.

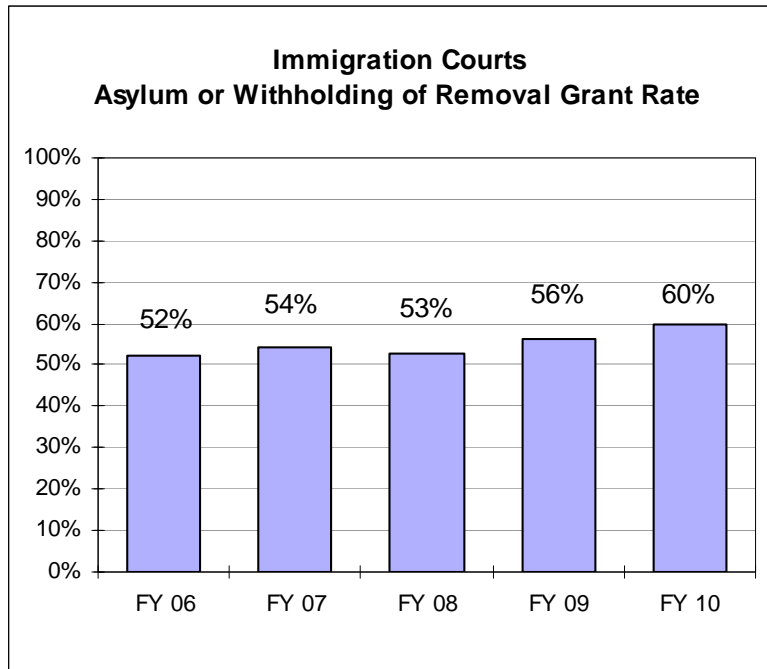
Figure 19-A



	Grants	Denials	Grant Rate
FY 06	2,571	16,778	13%
FY 07	2,554	15,343	14%
FY 08	2,055	14,013	13%
FY 09	1,984	11,680	15%
FY 10	1,874	9,894	16%

Figure 19-B shows the percentage of cases in which asylum or withholding of removal was granted. The grant rate has increased eight percent from FY 2006 to FY 2010.

Figure 19-B



Immigration Court Asylum or Withholding of Removal Grant Rate				
	Asylum Grants	Withholding of Removal Grants	Denials of Both Asylum and Withholding of Removal	Grant Rate
FY 06	13,304	2,571	14,452	52%
FY 07	12,859	2,554	13,048	54%
FY 08	10,881	2,055	11,630	53%
FY 09	10,298	1,984	9,625	56%
FY 10	9,869	1,874	7,906	60%

Table 8, on the following page, provides information on the FY 2010 asylum grant rate for each individual immigration court.

Table 8 - FY 2010 Asylum Grant Rate by Immigration Court

Immigration Court	Grants	Denials	Grant Rate
ARLINGTON, VIRGINIA	455	136	77%
ATLANTA, GEORGIA	40	133	23%
BALTIMORE, MARYLAND	281	177	61%
BATAVIA SPC, NEW YORK	4	38	10%
BLOOMINGTON (ST. PAUL), MINNESOTA	44	147	23%
BOSTON, MASSACHUSETTS	271	336	45%
BUFFALO, NEW YORK	17	46	27%
CHARLOTTE, NORTH CAROLINA	45	104	30%
CHICAGO, ILLINOIS	180	172	51%
CLEVELAND, OHIO	126	319	28%
DALLAS, TEXAS	42	57	42%
DENVER, COLORADO	61	102	37%
DETROIT, MICHIGAN	72	125	37%
EAST MESA, CALIFORNIA	34	29	54%
EL CENTRO SPC, CALIFORNIA	11	43	20%
EL PASO SPC, TEXAS	1	25	4%
EL PASO, TEXAS	1	75	1%
ELIZABETH SPC, NEW JERSEY	47	61	44%
ELOY, ARIZONA	9	125	7%
FISHKILL - NEW YORK STATE DOC, NEW YORK	0	7	0%
FLORENCE SPC, ARIZONA	14	78	15%
GUAYNABO (SAN JUAN), PUERTO RICO	1	17	6%
HARLINGEN, TEXAS	8	30	21%
HARTFORD, CONNECTICUT	48	99	33%
HONOLULU, HAWAII	58	55	51%
HOUSTON SPC, TEXAS	3	64	4%
HOUSTON, TEXAS	66	148	31%
IMPERIAL, CALIFORNIA	2	22	8%
KANSAS CITY, MISSOURI	43	97	31%
KROME NORTH SPC, FLORIDA	12	217	5%
LANCASTER, CALIFORNIA	24	72	25%
LAS VEGAS, NEVADA	42	43	49%
LOS ANGELES, CALIFORNIA	1,167	1,426	45%
LOS FRESNOS (PORT ISABEL SPC), TEXAS	5	34	13%
MEMPHIS, TENNESSEE	119	111	52%
MIAMI, FLORIDA	353	709	33%
NEW ORLEANS, LOUISIANA	16	42	28%
NEW YORK CITY, NEW YORK	4,215	1,313	76%
NEWARK, NEW JERSEY	264	239	52%
OAKDALE FEDERAL DETENTION CENTER, LOUISIANA	1	38	3%
OMAHA, NEBRASKA	49	180	21%
ORLANDO, FLORIDA	286	668	30%
PHILADELPHIA, PENNSYLVANIA	92	97	49%
PHOENIX, ARIZONA	55	62	47%
PORTLAND, OREGON	53	50	51%
SAIPAN, NORTHERN MARIANAS ISLANDS	0	0	0%
SALT LAKE CITY, UTAH	30	43	41%
SAN ANTONIO, TEXAS	113	124	48%
SAN DIEGO, CALIFORNIA	165	145	53%
SAN FRANCISCO, CALIFORNIA	523	512	51%
SEATTLE, WASHINGTON	200	274	42%
STEWART DETENTION FACILITY, GEORGIA	0	20	0%
TACOMA, WASHINGTON	53	105	34%
TUCSON, ARIZONA	22	9	71%
ULSTER - NEW YORK STATE DOC, NEW YORK	0	4	0%
VARICK SPC, NEW YORK	23	51	31%
YORK, PENNSYLVANIA	3	99	3%
TOTAL	9,869	9,554	51%

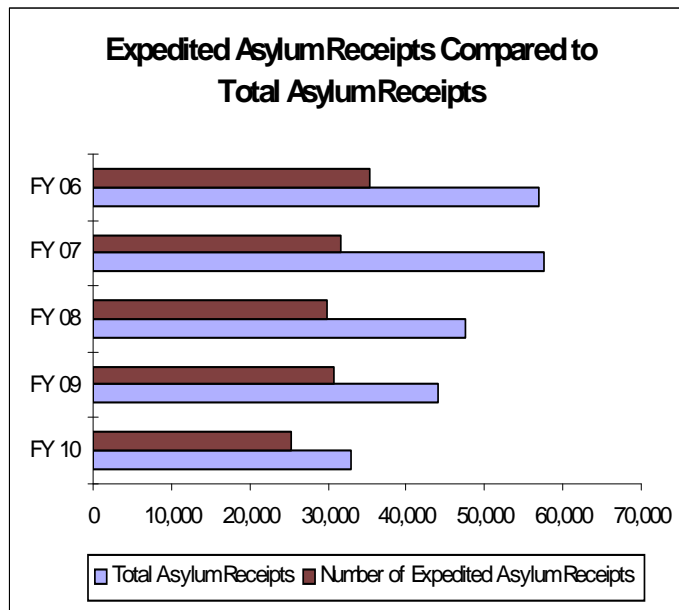
Immigration Courts: Expedited Asylum Cases

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 28 percent from FY 2006 to FY 2010. Total asylum receipts have decreased by 42 percent from FY 2006 to FY 2010.

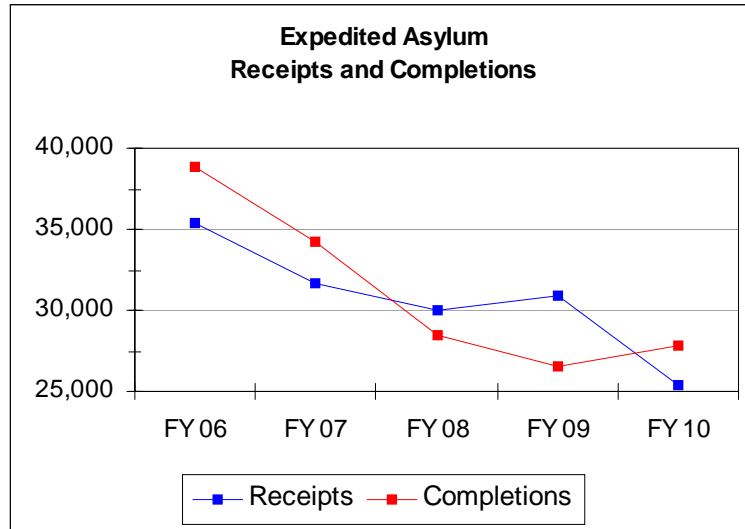
Figure 20



Expedited Asylum Receipts		
	Number of Expedited Asylum Receipts	Total Asylum Receipts
FY 06	35,391	56,969
FY 07	31,688	57,515
FY 08	29,952	47,442
FY 09	30,846	44,022
FY 10	25,401	32,961

Depicted in Figure 21 below are the number of receipts and completions for expedited asylum cases between FY 2006 and FY 2010.

Figure 21



Expedited Asylum Receipts and Completions FY 2006 - FY 2010		
	Receipts	Completions
FY 06	35,391	38,819
FY 07	31,688	34,281
FY 08	29,952	28,495
FY 09	30,846	26,582
FY 10	25,401	27,827

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 24,754 CAT applications during FY 2010. Of those, 489 CAT cases were granted, the majority of which were granted withholding.

Table 9 - FY 2010 Convention Against Torture Cases by Disposition

Granted			Denied	Other	Withdrawn	Abandoned	Total
Withholding	Deferral	Total					
395	94	489	9,082	8,501	5,877	805	24,754

Table 10 on the following page shows a breakdown of CAT completions by immigration courts. The New York City, NY; Los Angeles, CA; Miami, FL; Orlando, FL; and San Francisco, CA, immigration courts combined completed approximately 59 percent of the total FY 2010 CAT cases.

Table 10 - FY 2010 Convention Against Torture Completions by Court

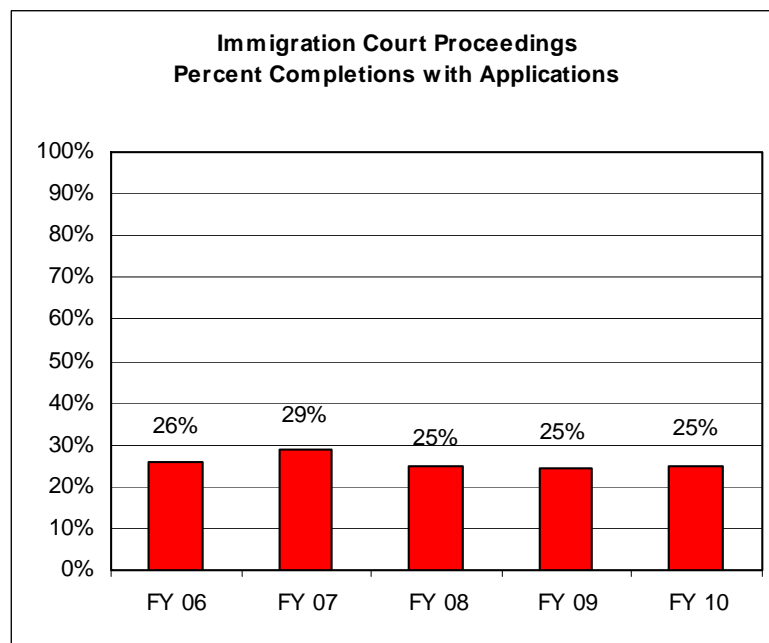
Immigration Court	Completions
ARLINGTON, VIRGINIA	467
ATLANTA, GEORGIA	105
BALTIMORE, MARYLAND	382
BATAVIA SPC, NEW YORK	67
BLOOMINGTON (ST. PAUL), MINNESOTA	273
BOSTON, MASSACHUSETTS	503
BUFFALO, NEW YORK	76
CHARLOTTE, NORTH CAROLINA	266
CHICAGO, ILLINOIS	309
CLEVELAND, OHIO	531
DALLAS, TEXAS	139
DENVER, COLORADO	104
DETROIT, MICHIGAN	374
EAST MESA, CALIFORNIA	84
EL CENTRO SPC, CALIFORNIA	73
EL PASO SPC, TEXAS	26
EL PASO, TEXAS	92
ELIZABETH SPC, NEW JERSEY	181
ELOY, ARIZONA	196
FISHKILL - NEW YORK STATE DOC, NEW YORK	35
FLORENCE SPC, ARIZONA	145
GUAYNABO (SAN JUAN), PUERTO RICO	135
HARLINGEN, TEXAS	105
HARTFORD, CONNECTICUT	122
HONOLULU, HAWAII	63
HOUSTON SPC, TEXAS	83
HOUSTON, TEXAS	182
IMPERIAL, CALIFORNIA	24
KANSAS CITY, MISSOURI	97
KROME NORTH SPC, FLORIDA	433
LANCASTER, CALIFORNIA	181
LAS VEGAS, NEVADA	140
LOS ANGELES, CALIFORNIA	4,023
LOS FRESNOS (PORT ISABEL SPC), TEXAS	83
MEMPHIS, TENNESSEE	260
MIAMI, FLORIDA	2,694
NEW ORLEANS, LOUISIANA	67
NEW YORK CITY, NEW YORK	4,306
NEWARK, NEW JERSEY	663
OAKDALE FEDERAL DETENTION CENTER, LOUISIANA	72
OMAHA, NEBRASKA	97
ORLANDO, FLORIDA	1,970
PHILADELPHIA, PENNSYLVANIA	353
PHOENIX, ARIZONA	48
PORTLAND, OREGON	111
SAIPAN, NORTHERN MARIANAS ISLANDS	1
SALT LAKE CITY, UTAH	42
SAN ANTONIO, TEXAS	463
SAN DIEGO, CALIFORNIA	416
SAN FRANCISCO, CALIFORNIA	1,613
SEATTLE, WASHINGTON	694
STEWART DETENTION FACILITY, GEORGIA	19
TACOMA, WASHINGTON	242
TUCSON, ARIZONA	7
ULSTER - NEW YORK STATE DOC, NEW YORK	50
VARICK SPC, NEW YORK	197
YORK, PENNSYLVANIA	270
TOTAL	24,754

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 and without Applications for Relief					
	With Applications	Percent with Applications	Without Applications	Percent Without Applications	Total
FY 06	83,344	26%	240,696	74%	324,040
FY 07	78,490	29%	194,978	71%	273,468
FY 08	69,835	25%	211,381	75%	281,216
FY 09	71,419	25%	219,016	75%	290,435
FY 10	71,924	25%	215,283	75%	287,207

Table 11 on page N2 shows the number and percentage of proceedings completed with applications for relief at each immigration court in FY 2010. 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 2010 Immigration Court Completions (Proceedings) With Applications for Relief

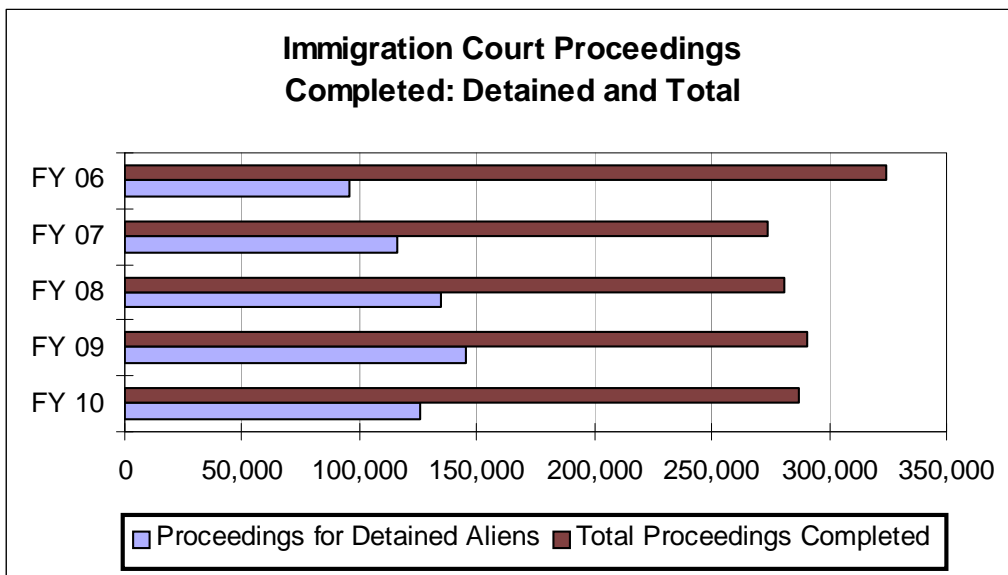
Immigration Court	Total Completions	# of Completions With Applications	Percent With Applications
ARLINGTON, VIRGINIA	6,484	2,086	32%
ATLANTA, GEORGIA	5,257	1,062	20%
BALTIMORE, MARYLAND	3,613	1,594	44%
BATAVIA SPC, NEW YORK	1,278	115	9%
BLOOMINGTON (ST. PAUL), MINNESOTA	3,913	686	18%
BOSTON, MASSACHUSETTS	6,322	2,677	42%
BUFFALO, NEW YORK	2,465	376	15%
CHARLOTTE, NORTH CAROLINA	3,629	796	22%
CHICAGO, ILLINOIS	8,913	1,472	17%
CLEVELAND, OHIO	4,751	1,035	22%
DALLAS, TEXAS	8,057	991	12%
DENVER, COLORADO	7,326	1,013	14%
DETROIT, MICHIGAN	4,082	733	18%
EAST MESA, CALIFORNIA	986	162	16%
EL CENTRO SPC, CALIFORNIA	1,707	231	14%
EL PASO SPC, TEXAS	3,766	295	8%
EL PASO, TEXAS	6,770	724	11%
ELIZABETH SPC, NEW JERSEY	1,740	252	14%
ELOY, ARIZONA	7,231	1,887	26%
FISHKILL - NEW YORK STATE DOC, NEW YORK	328	44	13%
FLORENCE SPC, ARIZONA	4,683	632	13%
GUAYNABO (SAN JUAN), PUERTO RICO	1,705	680	40%
HARLINGEN, TEXAS	8,768	605	7%
HARTFORD, CONNECTICUT	1,751	593	34%
HONOLULU, HAWAII	827	275	33%
HOUSTON SPC, TEXAS	11,002	530	5%
HOUSTON, TEXAS	4,818	1,743	36%
IMPERIAL, CALIFORNIA	1,157	196	17%
KANSAS CITY, MISSOURI	4,574	790	17%
KROME NORTH SPC, FLORIDA	8,217	1,187	14%
LANCASTER, CALIFORNIA	4,820	547	11%
LAS VEGAS, NEVADA	3,556	650	18%
LOS ANGELES, CALIFORNIA	18,721	10,613	57%
LOS FRESNOS (PORT ISABEL SPC), TEXAS	2,275	234	10%
MEMPHIS, TENNESSEE	2,933	715	24%
MIAMI, FLORIDA	13,225	5,688	43%
NEW ORLEANS, LOUISIANA	947	234	25%
NEW YORK CITY, NEW YORK	16,000	10,371	65%
NEWARK, NEW JERSEY	6,133	1,756	29%
OAKDALE FEDERAL DETENTION CENTER, LOUISIANA	9,009	279	3%
OMAHA, NEBRASKA	3,871	824	21%
ORLANDO, FLORIDA	5,204	3,128	60%
PHILADELPHIA, PENNSYLVANIA	2,255	827	37%
PHOENIX, ARIZONA	3,427	843	25%
PORTLAND, OREGON	986	365	37%
SAIPAN, NORTHERN MARIANA ISLANDS	53	2	4%
SALT LAKE CITY, UTAH	2,834	343	12%
SAN ANTONIO, TEXAS	12,721	1,091	9%
SAN DIEGO, CALIFORNIA	3,106	1,353	44%
SAN FRANCISCO, CALIFORNIA	9,365	3,598	38%
SEATTLE, WASHINGTON	3,209	1,203	37%
STEWART DETENTION FACILITY, GEORGIA	7,401	102	1%
TACOMA, WASHINGTON	6,342	494	8%
TUCSON, ARIZONA	5,417	123	2%
ULSTER - NEW YORK STATE DOC, NEW YORK	504	80	16%
VARICK SPC, NEW YORK	1,313	468	36%
YORK, PENNSYLVANIA	5,460	531	10%
TOTAL	287,207	71,924	25%

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, DHS contract detention facilities, state and local government jails, and Bureau of Prisons 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. The percent detained increased yearly from FY 2006 to FY 2009. In FY 2010, the percent of detained completions decreased by six percent from FY 2009.

Figure 23



Immigration Court (Proceedings) Completions			
	Proceedings Completed for Detained Aliens (Including IHP)		
	Proceedings for Detained Aliens	Total Proceedings Completed	Percent Detained
FY 06	95,783	324,040	30%
FY 07	115,816	273,468	42%
FY 08	134,416	281,216	48%
FY 09	144,970	290,435	50%
FY 10	125,580	287,207	44%

Table 12 on the following page provides information, by immigration court, on FY 2010 detained completions. The immigration courts in Houston SPC, TX; Oakdale, LA; Stewart Detention, GA; Krome, FL; Eloy, AZ; San Antonio, TX; and Tucson, AZ, each completed more than 5,000 detained proceedings in FY 2010. Overall, immigration courts located in three border states – Texas, Arizona, and California – accounted for 48 percent of the detained completions in FY 2010. Courts in those three states are highlighted in blue in Table 12.

Table 12 - FY 2010 Immigration Court Completions (Proceedings) for Detained Cases

Immigration Court	Completions
ARLINGTON, VIRGINIA	1,528
ATLANTA, GEORGIA	1,257
BALTIMORE, MARYLAND	599
BATAVIA SPC, NEW YORK	848
BLOOMINGTON (ST. PAUL), MINNESOTA	2,045
BOSTON, MASSACHUSETTS	1,605
BUFFALO, NEW YORK	112
CHARLOTTE, NORTH CAROLINA	407
CHICAGO, ILLINOIS	3,794
CLEVELAND, OHIO	2,574
DALLAS, TEXAS	4,614
DENVER, COLORADO	3,844
DETROIT, MICHIGAN	1,981
EAST MESA, CALIFORNIA	854
EL CENTRO SPC, CALIFORNIA	1,460
EL PASO SPC, TEXAS	3,070
EL PASO, TEXAS	4,864
ELIZABETH SPC, NEW JERSEY	1,089
ELOY, ARIZONA	5,924
FISHKILL - NEW YORK STATE DOC, NEW YORK	328
FLORENCE SPC, ARIZONA	2,908
GUAYNABO (SAN JUAN), PUERTO RICO	325
HARLINGEN, TEXAS	3,489
HARTFORD, CONNECTICUT	480
HONOLULU, HAWAII	286
HOUSTON SPC, TEXAS	9,681
HOUSTON, TEXAS	203
IMPERIAL, CALIFORNIA	739
KANSAS CITY, MISSOURI	1,148
KROME NORTH SPC, FLORIDA	6,803
LANCASTER, CALIFORNIA	3,564
LAS VEGAS, NEVADA	2,006
LOS ANGELES, CALIFORNIA	1,100
LOS FRESNOS (PORT ISABEL SPC), TEXAS	1,828
MEMPHIS, TENNESSEE	45
MIAMI, FLORIDA	730
NEW ORLEANS, LOUISIANA	134
NEW YORK CITY, NEW YORK	119
NEWARK, NEW JERSEY	2,030
OAKDALE FEDERAL DETENTION CENTER, LOUISIANA	7,672
OMAHA, NEBRASKA	1,956
ORLANDO, FLORIDA	57
PHILADELPHIA, PENNSYLVANIA	46
PHOENIX, ARIZONA	494
PORTLAND, OREGON	121
SAIPAN, NORTHERN MARIANAS ISLANDS	8
SALT LAKE CITY, UTAH	2,093
SAN ANTONIO, TEXAS	5,693
SAN DIEGO, CALIFORNIA	904
SAN FRANCISCO, CALIFORNIA	3,281
SEATTLE, WASHINGTON	131
STEWART DETENTION FACILITY, GEORGIA	6,980
TACOMA, WASHINGTON	4,676
TUCSON, ARIZONA	5,152
ULSTER - NEW YORK STATE DOC, NEW YORK	496
VARICK SPC, NEW YORK	955
YORK, PENNSYLVANIA	4,450
TOTAL	125,580

 Immigration Courts in U.S./Mexico Border States

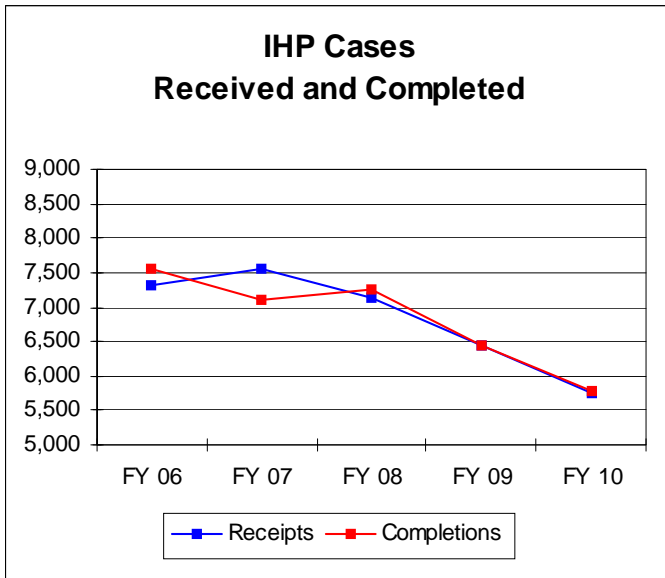
Immigration Courts: Institutional Hearing Program Case Processing

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 2010, DHS filed charging documents with the immigration courts for incarcerated aliens in 75 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 2006 - FY 2010. IHP receipts declined by 21 percent from FY 2006 to FY 2010. IHP completions decreased by 23 percent from FY 2006 to FY 2010.

Figure 24



IHP Cases		
	Receipts	Completions
FY 06	7,314	7,556
FY 07	7,559	7,103
FY 08	7,150	7,261
FY 09	6,430	6,450
FY 10	5,747	5,794

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 06	FY 07	FY 08	FY 09	FY 10
Total Decisions in IHP Cases	6,021	5,482	5,612	4,928	4,415
<i>Removal</i>	5,762	5,234	5,373	4,713	4,287
<i>Termination</i>	192	209	180	137	102
<i>Relief</i>	54	24	33	31	16
<i>Other</i>	13	15	26	47	10
Other Completions	1,535	1,621	1,649	1,522	1,379
Total Completions	7,556	7,103	7,261	6,450	5,794

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 06	222,211	22,212	10%
FY 07	170,291	23,971	14%
FY 08	182,720	26,684	15%
FY 09	185,410	26,878	14%
FY 10	166,424	27,560	17%

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 of 1996 (IIRIRA) 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.
 - Non-Permanent 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, on the following page, reflects grants of relief under the various provisions described above during the period FY 2006 - FY 2010.

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 2006	1,437	2,972	11,353	143	527	118	3,138
FY 2007	1,405	3,202	7,279	119	562	63	2,939
FY 2008	1,048	3,029	7,105	100	412	0	3,025
FY 2009	857	2,926	7,364	75	471	0	3,477
FY 2010	857	3,716	8,475	87	505	0	3,982

Board of Immigration Appeals: Total Cases Received and Completed

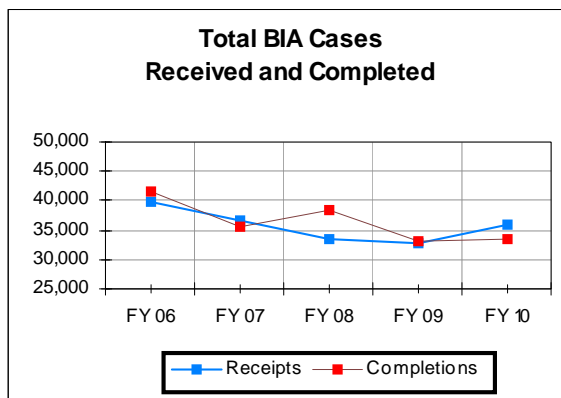
The Board of Immigration Appeals (BIA) has nationwide jurisdiction to hear appeals from certain decisions rendered by immigration judges or certain DHS officials. Published BIA decisions are binding on all DHS officers and immigration judges unless modified or overruled by the Attorney General or a federal 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 appeals. These appeals are filed directly with the BIA in Falls Church, VA, and must be filed within 30 days of the immigration judge's 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 §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 decreased by 17 percent from FY 2006 to FY 2009. During this same period, case completions decreased by 20 percent. Receipts increased from FY 2009 to FY 2010 while completions remained about the same.

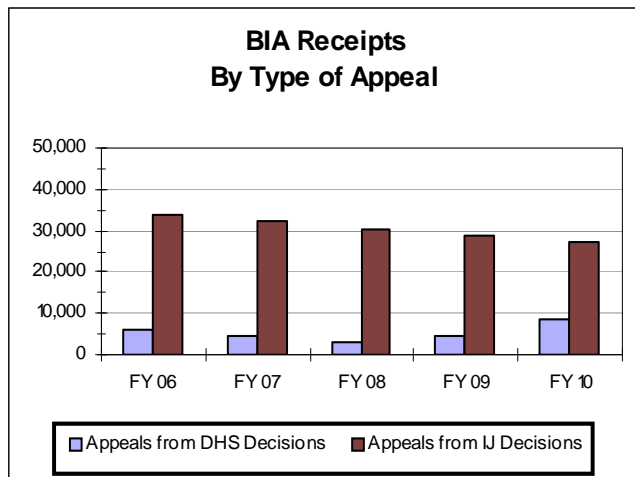
Figure 25



Total BIA Cases		
	Receipts	Completions
FY 06	39,743	41,475
FY 07	36,606	35,394
FY 08	33,469	38,369
FY 09	32,891	33,102
FY 10	35,787	33,305

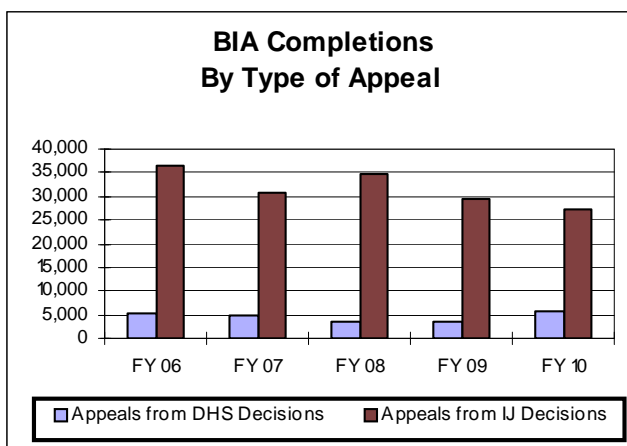
As noted earlier, BIA handles two types of cases: those generated from an immigration judge decision, and those generated from a DHS decision. Figures 26 and 27 below provide information on the types of cases received and completed by the BIA. Appeals of immigration judge decisions make up the bulk of the BIA's work. Receipts of appeals of IJ decisions decreased by 19 percent from FY 2006 to FY 2010 while completions of appeals from IJ decisions decreased by 25 percent. Receipts of appeals from DHS decisions increased by 99 percent from FY 2009 to FY 2010. Completions of appeals from DHS decisions increased by 59 percent for the same time period.

Figure 26



	Appeals from DHS Decisions	Appeals from IJ Decisions	Total Appeals
FY 06	6,143	33,600	39,743
FY 07	4,309	32,297	36,606
FY 08	3,021	30,448	33,469
FY 09	4,313	28,578	32,891
FY 10	8,591	27,196	35,787

Figure 27



	Appeals from DHS Decisions	Appeals from IJ Decisions	Total Appeals
FY 06	5,127	36,348	41,475
FY 07	4,643	30,751	35,394
FY 08	3,557	34,812	38,369
FY 09	3,707	29,395	33,102
FY 10	5,877	27,428	33,305

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 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;
- 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 immigration judge decisions have declined each year from FY 2006 to FY 2010. Appeals received from DHS decisions decreased each year from FY 2006 to FY 2008 then increased in FY 2009 and again in FY 2010. From FY 2009 to FY 2010 appeals received from DHS decisions on visa petitions increased 115 percent. The data in Table 17 shows that from FY 2006 to FY 2010 there has been an overall decrease in the number of completions of appeals from immigration judge decisions.

Table 16 provides a breakdown of the types of cases received by the BIA between FY 2006 and FY 2010.

Table 16 - BIA Receipts by Type

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Total Appeals from IJ Decisions	33,600	32,297	30,448	28,578	27,196
Case Appeal	20,282	18,343	17,759	16,644	15,556
Appeal of IJ Motion to Reopen	1,546	1,967	1,941	1,834	1,899
Motion to Reopen-BIA	9,266	8,965	8,376	7,826	7,529
Bond Appeal	613	716	729	1,063	1,110
Bond MTR	0	5	18	38	23
Interlocutory Appeal	98	146	165	174	203
Circuit Court Remand	1,792	2,154	1,457	997	876
Special Circumstance	3	1	3	2	0
Total Appeals from DHS Decisions	6,143	4,309	3,021	4,313	8,591
Decisions on Visa Petitions	5,918	3,980	2,851	3,985	8,569
212 Waiver Decisions	75	139	117	27	21
Decisions on Fines and Penalties	150	190	53	301	1
Grand Total	39,743	36,606	33,469	32,891	35,787

Table 17 provides a breakdown of the types of cases completed by the BIA between FY 2006 and FY 2010.

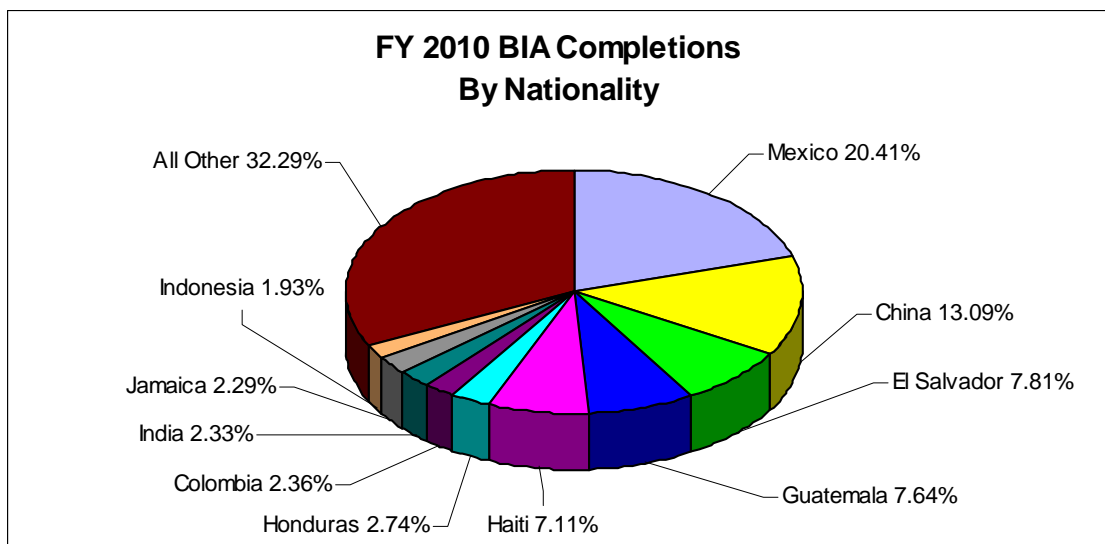
Table 17 - BIA Completions by Type

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Total Appeals from IJ Decisions	36,348	30,751	34,812	29,395	27,428
Case Appeal	23,544	17,802	21,928	17,885	16,069
Appeal of IJ Motion to Reopen	1,964	1,083	1,936	1,526	2,000
Motion to Reopen-BIA	8,839	8,717	8,315	7,622	7,372
Bond Appeal	610	709	725	1,040	1,025
Bond MTR	0	1	15	32	25
Interlocutory Appeal	104	129	193	178	191
Circuit Court Remand	1,284	2,309	1,696	1,110	746
Special Circumstance	3	1	4	2	0
Total Appeals from DHS Decisions	5,127	4,643	3,557	3,707	5,877
Decisions on Visa Petitions	4,993	4,410	3,199	3,377	5,857
212 Waiver Decisions	68	131	131	29	20
Decisions on Fines and Penalties	66	102	227	301	0
Grand Total	41,475	35,394	38,369	33,102	33,305

Board of Immigration Appeals: Immigration Judge Decision Appeals Completed by Nationality

This section provides information on appeal completions by nationality. Only completions of immigration judge decision appeals are included in these data; appeals of DHS decisions are not included. In FY 2010, the top 10 nationalities accounted for 68 percent of all completions as shown in Figure 28. A total of 189 nationalities were represented in the FY 2010 completions. Data in Table 18, on the following page, compares the predominant nationalities for completed immigration judge appeals in fiscal years 2006-2010. For the five-year period, seven nationalities ranked among the top 10 each year: Mexico, China, Haiti, El Salvador, Guatemala, Colombia, and Indonesia.

Figure 28



FY 2010 IJ Appeals Completed by Nationality		
Nationality	Cases	% of Total
Mexico	5,599	20.41%
China	3,591	13.09%
El Salvador	2,141	7.81%
Guatemala	2,096	7.64%
Haiti	1,950	7.11%
Honduras	751	2.74%
Colombia	648	2.36%
India	638	2.33%
Jamaica	628	2.29%
Indonesia	530	1.93%
All Other	8,856	32.29%
Total	27,428	100.00%

**Table 18 - BIA - IJ Decision Appeals Completed by Nationality
Top 25 Nationalities: FY 2006 - FY 2010**

Rank	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
1	Mexico	Mexico	Mexico	Mexico	Mexico
2	China	China	China	China	China
3	Haiti	Haiti	Haiti	Haiti	El Salvador
4	Colombia	Colombia	El Salvador	El Salvador	Guatemala
5	Guatemala	El Salvador	Guatemala	Guatemala	Haiti
6	El Salvador	Guatemala	Colombia	Colombia	Honduras
7	Indonesia	Indonesia	India	Honduras	Colombia
8	India	India	Indonesia	India	India
9	Pakistan	Dominican Republic	Honduras	Indonesia	Jamaica
10	Albania	Jamaica	Dominican Republic	Jamaica	Indonesia
11	Dominican Republic	Albania	Jamaica	Dominican Republic	Dominican Republic
12	Jamaica	Pakistan	Venezuela	Venezuela	Venezuela
13	Honduras	Honduras	Pakistan	Pakistan	Nigeria
14	Nigeria	Venezuela	Albania	Nigeria	Pakistan
15	Philippines	Nigeria	Nigeria	Albania	Philippines
16	Armenia	Philippines	Philippines	Philippines	Nicaragua
17	Venezuela	Armenia	Peru	Peru	Peru
18	Cameroon	Ethiopia	Armenia	Nicaragua	Ecuador
19	Peru	Peru	Nicaragua	Ecuador	Albania
20	Bangladesh	Guinea	Cameroon	Cameroon	Brazil
21	Ethiopia	Cameroon	Bangladesh	Ethiopia	Armenia
22	Russia	Bangladesh	Ethiopia	Guinea	Cameroon
23	Guyana	Mauritania	Ecuador	Mauritania	Russia
24	Egypt	Russia	Guinea	Armenia	Cuba
25	Mauritania	Iraq	Brazil	Russia	Ethiopia

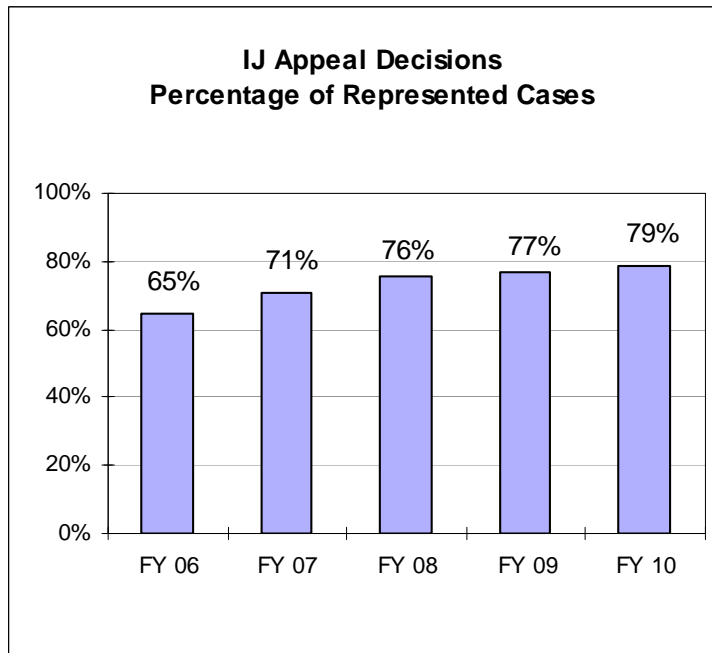
Board of Immigration Appeals: Immigration Judge Decision Appeals Completed by Representation Status

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 29, the representation rate increased each year from FY 2006 with a 65 percent representation rate to FY 2010 with a 79 percent representation rate. Only appeals of immigration judge decisions are included in these data.

Figure 29



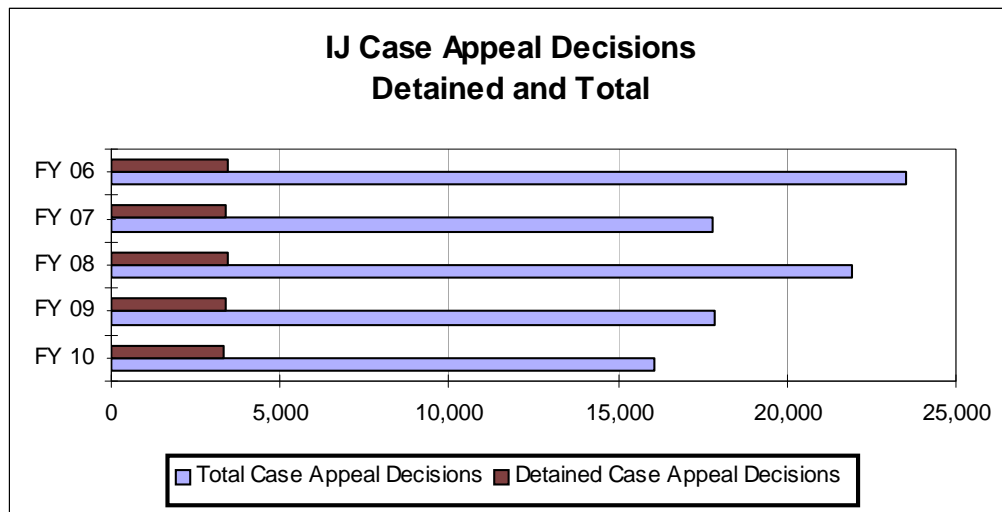
Represented Before the BIA			
	Represented	Unrepresented	Total
FY 06	23,539	12,809	36,348
FY 07	21,816	8,935	30,751
FY 08	26,393	8,419	34,812
FY 09	22,605	6,790	29,395
FY 10	21,531	5,897	27,428

Board of Immigration Appeals: Immigration Judge 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 30 is the number of immigration judge case appeal decisions between FY 2006 and FY 2010 along with the number of immigration judge case appeal decisions that involved detainees. The figures for detained appeal decisions also include IHP cases. Detained case appeal decisions have remained fairly consistent from FY 2006 to FY 2010, however, the total IJ case appeal decisions have decreased by 32 percent for the same time period causing the percent detained to increase.

Figure 30



Detained IJ Case Appeal Decisions (Including IHP)			
	Detained Case Appeal Decisions (Including IHP)	Total IJ Case Appeal Decisions	Percent Detained
FY 06	3,434	23,544	15%
FY 07	3,387	17,802	19%
FY 08	3,458	21,928	16%
FY 09	3,361	17,885	19%
FY 10	3,337	16,069	21%

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 2010, 11 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. The percentage of IHP completions declined from FY 2006 to FY 2010. 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.

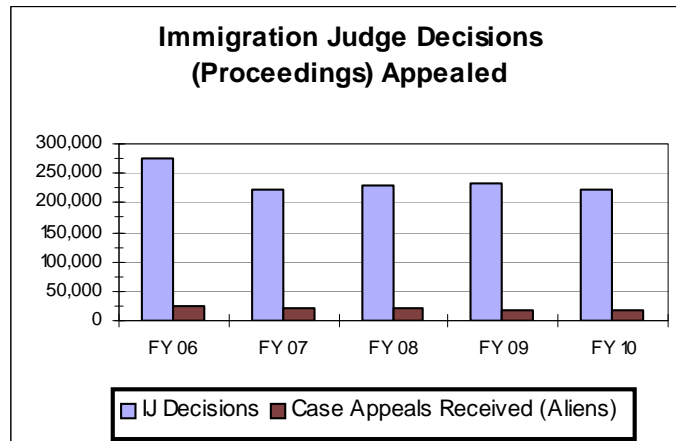
Table 19
Breakdown of BIA Detained Completions

	Total Detained Completions	IHP Completions	Percent IHP Completions
FY 2006	3,434	602	18%
FY 2007	3,387	465	14%
FY 2008	3,458	471	14%
FY 2009	3,361	449	13%
FY 2010	3,337	380	11%

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 31 below compares immigration judge decisions with the number of case appeals received (aliens) at the BIA for fiscal years 2006 through 2010. All other figures and tables in Tabs S-W reflect cases (which can involve multiple aliens). In this instance, reporting on aliens who appealed is a more accurate representation of appeal rate.

Figure 31



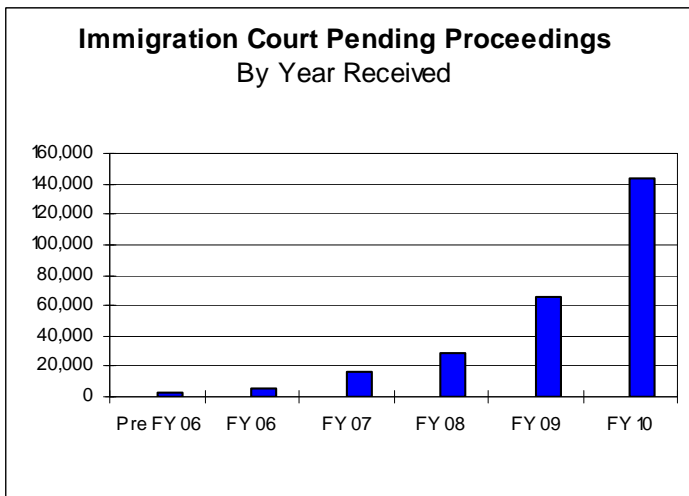
IJ Decisions (Proceedings) Appealed			
	IJ Decisions	Case Appeals Received (Aliens)	Percent Appealed
FY 06	273,761	24,580	9%
FY 07	223,085	21,900	10%
FY 08	229,463	20,691	9%
FY 09	232,385	19,052	8%
FY 10	222,909	17,578	8%

Immigration Courts and Board of Immigration Appeals: Pending Caseload

As in any court system, EOIR's workload depends on the number of matters filed before it. DHS determines EOIR's initial caseload by filing charging documents alleging aliens' illegal presence in the United States. The nature and number of the proceedings and the number of appeals from immigration court decisions are determined by the parties themselves. In addition, changes to the immigration laws or regulations, and DHS policies and budgeting, have a dramatic impact on EOIR's workload.

Figure 32 presents information on the pending proceedings at the immigration courts based on the year the proceeding was received at the court. The age of pending cases is decreasing. Proceedings received prior to FY 2009 account for 20 percent of the total number of pending proceedings.

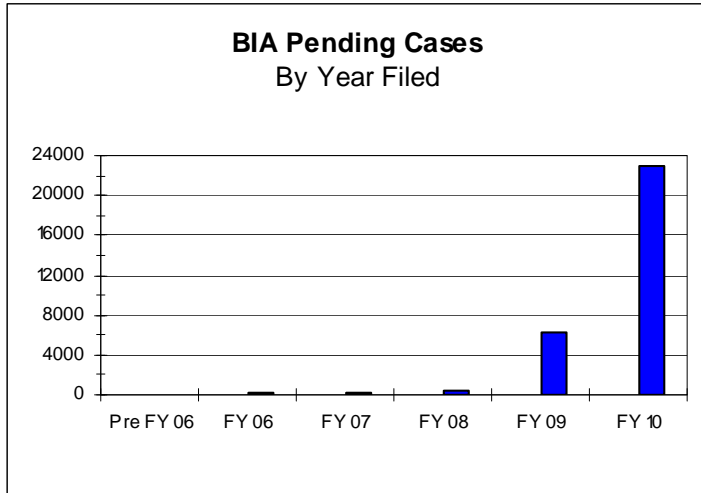
Figure 32



Year Received	Pending 09/30/10
Pre FY 06	3,362
FY 06	6,036
FY 07	16,206
FY 08	28,168
FY 09	64,987
FY 10	143,863
Total	262,622

Figure 33 below depicts the age of the BIA's pending caseload. The age of pending cases has decreased. Cases received before FY 2009 account for three percent of the pending caseload.

Figure 33



Year Filed	Pending 09/30/10
Pre FY 06	50
FY 06	130
FY 07	180
FY 08	425
FY 09	6,327
FY 10	23,000
Total	30,112

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

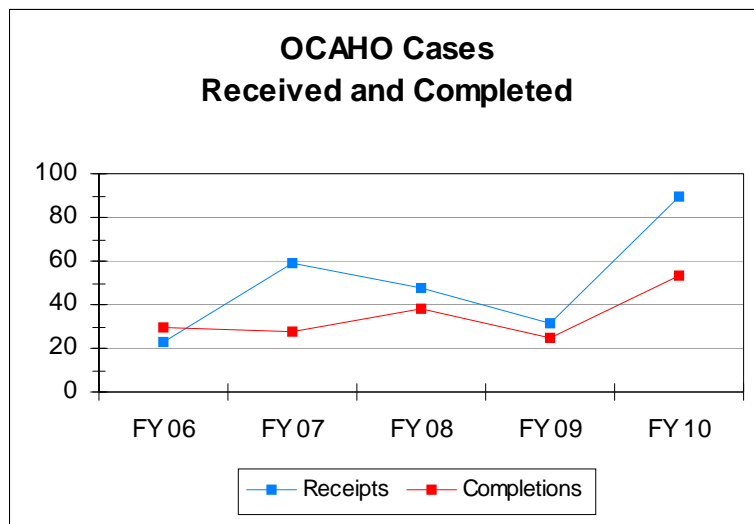
The Office of the Chief Administrative Hearing Officer (OCAHO) is headed by the Chief Administrative Hearing Officer, who is responsible for the general supervision of administrative law judges. OCAHO's administrative law judges hear cases and adjudicate issues arising under provisions of the Immigration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

- Knowingly hiring, recruiting or referring for a fee unauthorized aliens, or the continued employment of unauthorized aliens and failure to comply with employment eligibility verification requirements in violation of section 274A of the INA (employer sanctions);
- Unfair immigration-related employment practices in violation of section 274B of the INA;
- Immigration-related document fraud in violation of section 274C of the INA; and
- IRCA's prohibition of indemnity bonds.

Complaints may be brought by DHS, the Department of Justice Office of Special Counsel for Immigration-Related Unfair Employment Practices, or private litigants. All final decisions may be appealed to the appropriate circuit court of appeals.

Figure 34 provides information on the number of cases received and completed by OCAHO between FY 2006 and FY 2010. Completions may include cases received in a prior fiscal year.

Figure 34



OCAHO Cases		
	Receipts	Completions
FY 06	23	30
FY 07	59	28
FY 08	48	38
FY 09	31	25
FY 10	91	53

GLOSSARY OF TERMS

Disclaimer

This Glossary has been compiled as an addendum to the FY 2010 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 (BIA), and/or the Department of Homeland Security. Accredited representatives are granted accreditation by the BIA. To be granted BIA accreditation, accredited representatives must be affiliated with an organization that has been recognized by the BIA. 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) hear cases and adjudicate issues arising under the provisions of the INA relating to: (1) knowingly hiring, recruiting or referring for a fee unauthorized aliens, or the continued employment of unauthorized aliens and failure to comply with employment eligibility verification requirements in violation of section 274A of the INA (employer sanctions); (2) unfair immigration-related employment practices in violation of section 274B of the INA; (3) immigration-related document fraud in violation of section 274C of the INA; and (4) IRCA's prohibition of indemnity bonds. Complaints are brought by the Department of Homeland Security, the Office of Special Counsel for Immigration-Related Unfair Employment Practices in the Department of Justice, or private individuals as prescribed by statute.

Affirmative Asylum Application

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

Aggravated Felony

As defined by section 101(a)(43) of the Immigration and Nationality Act, 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, who is physically present in the United States or who arrives in the United States irrespective of such alien status, may be eligible for asylum if he or she can show that he or she is a "refugee" and is not subject to any statutory prohibitions. The Immigration and Nationality Act generally 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 county 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 Immigration and Nationality Act 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, 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 Immigration and Nationality Act 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 withholding of removal under the Convention Against Torture (CAT). 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. BIA decisions are binding on all DHS officers and immigration judges unless modified or overruled by the Attorney General or a federal court.

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 Immigration and Nationality Act 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. 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 non-permanent 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. 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 non-permanent 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 section 274A and section 274C, the complainant is the Department of Homeland Security, and the respondent is an employer. In Immigration and Nationality Act section 274B cases, the complainant is either the Office of Special Counsel for Immigration-Related Unfair Employment Practices or certain private individuals, and the respondent is an employer, as prescribed by statute.

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) changed the definition of “refugee” to include, as a form of political opinion, those who have a well-founded fear of persecution or have suffered persecution on account of Coercive Population Control (CPC) policies. 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 and may apply for withholding of removal under CAT. 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, never 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 former 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 former 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 former 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 certain immigration-related civil money penalty and document fraud 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 results in an *in absentia* order of removal. 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

The Immigration and Nationality Act consolidated previous immigration laws into one coordinated statute. As amended, the Immigration and Nationality Act provides the foundation for immigration law in effect today. The Immigration and Nationality Act 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, Office of the Chief Immigration Judge, 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 the Attorney General's delegates in deciding the matters before them and exercise the powers and duties delegated to them by the Immigration and Nationality Act and by the Attorney General through regulation. Immigration judge decisions are administratively final unless appealed or certified to the Board of Immigration Appeals.

Immigration Reform and Control Act of 1986 (IRCA)

Among other things, IRCA addressed the problem of undocumented aliens by imposing sanctions on employers who hired or continued to employ them, 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 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's jurisdiction includes cases involving allegations of: (1) knowingly hiring, recruiting or referring for a fee unauthorized aliens, or the continued employment of unauthorized aliens and failure to comply with employment eligibility verification requirements of section 274A of the INA (employer sanctions); (2) unfair immigration-

related employment practices in violation of section 274B of the INA; (3) immigration-related document fraud in violation of section 274C of the INA; and (4) IRCA's prohibition of indemnity bonds. OCAHO is headed by a Chief Administrative Hearing Officer (CAHO) who provides overall program direction, articulates policies and procedures, establishes priorities and administers the hearing process presided over by Administrative Law Judges (ALJs). The CAHO 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, numerous Assistant Chief Immigration Judges, a Chief Clerk's Office, a Language Services Unit, and other personnel that coordinate the management and operation of the immigration courts. *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 (covering aliens who are not lawful permanent residents and have been convicted of an aggravated felony) and under section 241(a)(5) of the Immigration and Nationality Act (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. That review must be concluded within ten days after the asylum officer refers the case to the immigration court, unless there are exceptional circumstances. 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 (Form I-862) 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. 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), United States Citizenship and Immigration Services (USCIS) 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 USCIS 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, USCIS 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 USCIS.

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. The decision made in the case shall be final to the same extent as if no appeal had been taken.

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 (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 Immigration and Nationality Act are now able to apply for withholding of removal under section 241(b)(3) of the Immigration and Nationality Act, 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 Immigration and Nationality Act and the Convention Against Torture pursuant to 8 C.F.R. sections 1208.16 and 1208.17. 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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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
AFGHANISTAN	51	6	10	2	5	16
ALBANIA	175	148	104	10	26	58
ALGERIA	15	1	5	0	3	4
ANDORRA	1	0	0	0	0	0
ANGOLA	7	2	9	1	0	4
ANTIGUA AND BARBUDA	2	0	1	0	1	0
ARGENTINA	35	8	14	8	11	15
ARMENIA	232	206	99	28	57	141
AUSTRALIA	4	0	4	0	1	3
AUSTRIA	3	0	0	0	2	1
AZERBAIJAN	32	9	9	3	5	16
BAHAMAS	19	0	4	0	8	6
BAHRAIN	3	2	0	1	1	7
BANGLADESH	178	48	27	6	54	61
BARBADOS	4	0	1	0	0	1
BE REMOVED FROM THE UNITED STATES	0	0	0	0	1	0
BELARUS	68	40	16	3	8	21
BELGIUM	11	6	5	2	2	6
BELIZE	12	2	13	0	4	6
BENIN	13	3	3	0	2	4
BERMUDA	1	0	1	0	0	0
BHUTAN	13	2	1	0	0	3
BOLIVIA	21	8	8	0	7	10
BOSNIA-HERZEGOVINA	32	4	17	1	3	10
BOTSWANA	7	0	0	0	1	0
BRAZIL	147	17	58	21	36	37
BRITISH VIRGIN ISLANDS	1	0	0	0	0	0
BULGARIA	46	20	16	4	10	22
BURKINA FASO	86	49	15	0	13	14
BURMA (MYANMAR)	106	80	20	1	11	43
BURUNDI	14	7	3	0	4	4

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
BYELORUSSIA (BELARUS)	59	27	11	4	6	16
CAMBODIA	22	13	14	1	10	18
CAMEROON	245	196	57	13	15	100
CANADA	16	5	4	1	3	9
CAYMAN ISLANDS	1	1	0	0	0	0
CENTRAL AFRICAN REPUBLIC	18	10	4	0	2	4
CHAD	10	28	5	2	5	5
CHILE	22	1	7	0	2	10
CHINA	10,087	3,795	1,522	181	285	1,606
COCOS ISLAND	1	0	0	0	0	0
COLOMBIA	563	234	380	76	220	285
COMORO ISLANDS	1	1	2	0	0	0
CONGO	105	56	25	3	15	20
COSTA RICA	12	0	5	2	4	5
CROATIA	7	2	1	1	0	1
CUBA	167	9	106	18	65	138
CYPRUS	0	0	1	0	0	0
CZECH REPUBLIC	9	4	7	0	1	0
CZECHOSLOVAKIA	2	0	0	0	0	5
DEMOCRATIC REPUBLIC OF CONGO	23	12	22	3	4	14
DENMARK	1	0	0	0	1	0
DJIBOUTI	9	1	2	1	0	5
DOMINICA	7	0	2	1	1	2
DOMINICAN REPUBLIC	63	11	30	2	11	23
EAST GERMANY	2	0	1	0	0	0
ECUADOR	243	7	63	7	49	35
EGYPT	393	216	40	13	34	99
EL SALVADOR	1,780	146	1,103	285	1,080	1,773
EQUATORIAL GUINEA	4	0	0	0	2	0
ERITREA	283	179	29	0	3	54
ESTONIA	5	2	7	0	1	2

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
ETHIOPIA	614	407	106	5	27	127
FALKLAND ISLANDS	1	0	0	1	0	0
FEDERATED STATES OF MICRONESA	2	0	1	0	0	0
FIJI	52	18	15	1	11	20
FINLAND	0	0	0	0	0	1
FRANCE	17	1	2	2	2	8
FRENCH GUIANA	1	0	0	0	0	0
GABON	11	2	1	0	0	3
GAMBIA	171	42	41	1	53	36
GAZA STRIP	0	1	0	0	0	0
GEORGIA	30	32	17	7	18	11
GERMANY	50	11	14	4	9	10
GHANA	59	8	31	1	10	18
GIBRALTAR	0	1	0	0	0	0
GREECE	5	1	4	1	1	1
GRENADA	12	0	1	1	0	0
GUADELOUPE	0	0	1	0	0	0
GUATEMALA	1,611	166	1,004	248	1,194	1,085
GUINEA	397	186	76	7	58	78
GUINEA BISSAU	5	1	2	0	0	0
GUYANA	44	3	13	1	17	25
HAITI	820	167	496	132	347	2,238
HOLLAND	0	0	1	0	0	0
HONDURAS	526	65	364	49	133	234
HONG KONG	3	0	1	0	1	0
HUNGARY	27	1	9	13	1	3
INDIA	1,002	241	224	33	119	233
INDONESIA	326	116	293	36	112	167
IRAN	205	83	46	6	44	80
IRAQ	161	149	46	4	25	35
IRELAND	6	1	0	0	1	1

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
ISRAEL	38	10	17	2	5	12
ITALY	7	5	9	2	1	2
IVORY COAST (COTE D'IVOIRE)	216	66	44	11	39	42
JAMAICA	147	6	79	4	18	46
JAPAN	7	0	3	0	1	0
JORDAN	62	19	30	6	24	25
KAMPUCHEA	2	0	1	0	1	4
KAZAKHSTAN	58	17	12	5	7	16
KENYA	297	90	116	15	44	76
KIRGHIZIA (KYRGYZSTAN)	64	10	5	2	8	13
KOSOVO	28	6	2	0	0	3
KUWAIT	9	3	6	1	3	4
LAOS	46	7	17	1	13	23
LATVIA	12	0	4	0	1	2
LEBANON	49	26	41	7	21	27
LESOTHO	0	0	1	0	0	0
LIBERIA	124	25	45	5	29	61
LIBYA	10	5	1	0	1	1
LITHUANIA	10	2	8	2	11	5
MACAU	2	1	0	0	0	1
MACEDONIA	23	10	6	0	5	10
MADAGASCAR	1	0	0	0	2	0
MALAWI	11	2	0	0	0	0
MALAYSIA	20	8	6	0	5	3
MALI	232	74	50	0	42	55
MALTA	0	0	0	1	0	0
MAURITANIA	141	59	47	15	11	49
MAURITIUS	3	0	0	0	0	0
MEXICO	3,231	49	508	174	1,671	671
MOLDAVIA (MOLDOVA)	312	46	34	16	22	81
MONACO	2	1	0	0	0	1

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
MONGOLIA	217	50	33	4	7	48
MONTENEGRO	4	0	0	0	0	0
MOROCCO	32	3	19	2	11	8
NAMIBIA	4	0	1	0	1	7
NEPAL	755	230	109	6	9	88
NETHERLANDS	4	4	3	2	1	0
NETHERLANDS ANTILLES	2	0	0	0	0	0
NEW ZEALAND	2	1	2	0	0	0
NICARAGUA	163	15	106	26	59	60
NIGER	41	4	14	4	5	12
NIGERIA	133	35	70	5	29	50
NIUE	15	1	2	1	0	1
NO NATIONALITY	0	2	0	0	0	0
NORTH KOREA	7	0	1	2	0	1
NORWAY	1	1	2	0	0	0
PAKISTAN	396	113	123	11	78	118
PALESTINE	4	1	3	0	0	2
PANAMA	5	1	1	0	3	0
PARAGUAY	2	2	3	0	3	0
PEOPLE'S REPUBLIC OF BENIN	0	1	0	0	0	0
PERU	126	25	93	10	52	62
PHILIPPINES	121	5	48	1	62	71
POLAND	30	2	20	0	25	8
PORTUGAL	7	0	2	0	4	2
QATAR	0	0	0	0	1	0
ROMANIA	73	27	20	4	10	33
RUSSIA	574	159	111	42	73	182
RWANDA	34	25	4	2	6	10
SAMOA	0	0	1	1	1	0
SAN MARINO	0	0	0	0	0	1
SAUDI ARABIA	14	3	1	1	2	0

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
SENEGAL	187	18	28	2	29	30
SERBIA MONTENEGRO	19	23	14	0	2	6
SEYCHELLES	1	1	2	1	2	0
SIERRA LEONE	75	27	48	7	10	32
SINGAPORE	8	0	3	0	1	2
SLOVAK REPUBLIC	8	1	2	0	4	2
SLOVENIA	1	2	0	0	1	2
SOMALIA	445	208	57	12	12	93
SOUTH AFRICA	16	2	13	1	6	4
SOUTH KOREA	23	4	16	5	10	13
SOVIET UNION	514	176	36	13	27	83
SPAIN	6	0	2	0	1	5
SRI LANKA	228	111	51	9	14	42
ST. KITTS, WEST INDIES	8	0	3	2	0	2
ST. LUCIA	8	0	2	2	0	0
ST. VINCENT AND THE GRENADINES	3	0	1	0	1	2
STATELESS - ALIEN UNABLE TO NAME A COUNTRY	133	85	22	3	11	34
SUDAN	101	35	25	4	12	26
SURINAME	11	0	1	0	3	5
SWAZILAND	1	0	0	0	0	0
SWEDEN	7	1	0	1	1	1
SWITZERLAND	1	0	4	0	1	0
SYRIA	36	13	17	4	22	15
TAIWAN	10	1	1	0	5	2
TAJIKISTAN (TADZHIK)	41	9	7	1	5	6
TANZANIA	23	3	11	1	5	6
THAILAND	21	4	3	0	10	12
THE REPUBLIC OF THE MARSHALL ISLANDS	3	0	0	0	0	1
TOGO	48	45	20	2	9	36
TONGA	4	0	3	0	12	8
TRINIDAD AND TOBAGO	37	1	9	5	4	19

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
TUNISIA	4	0	5	0	3	4
TURKEY	63	12	30	3	5	21
TURKMENISTAN	24	7	5	3	0	0
TURKS AND CAICOS ISLANDS	1	0	1	0	0	0
UGANDA	55	26	22	0	4	14
UKRAINE	201	62	64	9	33	74
UNITED ARAB EMIRATES	4	0	0	0	0	0
UNITED KINGDOM	30	2	3	0	6	14
UNKNOWN NATIONALITY	59	7	34	0	9	19
URUGUAY	19	0	2	6	7	2
UZBEKISTAN	152	54	54	14	30	57
VENEZUELA	398	181	207	26	108	156
VIETNAM	62	9	28	1	22	39
YEMEN	38	7	11	1	6	20
YUGOSLAVIA	107	85	23	1	14	31
ZAIRE	15	4	7	3	1	1
ZAMBIA	6	7	3	0	2	6
ZIMBABWE	109	52	48	6	19	29
TOTAL	32,961	9,869	9,554	1,799	7,194	12,129

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
AFGHANISTAN	38	7	6	1	2	19
ALBANIA	324	213	122	12	36	71
ALGERIA	27	6	13	1	7	9
ANGOLA	27	6	7	2	2	10
ANTIGUA AND BARBUDA	1	0	0	0	0	0
ARGENTINA	44	10	13	8	19	20
ARMENIA	323	201	98	20	82	115
ARUBA	0	1	0	0	0	0
AUSTRALIA	2	0	0	0	1	0
AUSTRIA	1	1	1	0	0	0
AZERBAIJAN	37	14	7	3	7	11
BAHAMAS	9	0	7	0	2	0
BAHRAIN	9	0	0	0	0	0
BANGLADESH	248	51	52	8	44	56
BARBADOS	3	0	0	0	0	1
BE REMOVED FROM THE UNITED STATES	1	1	0	0	1	0
BELARUS	91	34	10	4	5	22
BELGIUM	23	7	8	1	0	6
BELIZE	24	2	7	2	2	1
BENIN	16	4	4	0	1	4
BERMUDA	4	0	0	0	0	0
BHUTAN	6	5	0	0	1	2
BOLIVIA	28	1	10	2	8	4
BOSNIA-HERZEGOVINA	42	17	12	7	6	15
BOTSWANA	1	0	0	0	0	0
BRAZIL	214	22	65	16	39	41
BRUNEI	2	0	0	0	0	1
BULGARIA	86	42	21	14	10	35
BURKINA FASO	91	39	6	2	7	21
BURMA (MYANMAR)	163	108	23	5	7	30
BURUNDI	31	15	10	1	0	4

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
BYELORUSSIA (BELARUS)	82	39	8	4	6	19
CAMBODIA	42	11	25	1	6	11
CAMEROON	404	211	83	19	24	98
CANADA	23	11	5	0	2	9
CAPE VERDE	1	0	0	0	1	0
CENTRAL AFRICAN REPUBLIC	35	16	8	1	1	17
CHAD	65	40	9	2	13	15
CHILE	19	6	7	2	2	3
CHINA	9,916	3,448	1,649	196	238	1,624
COCOS ISLAND	0	0	1	0	0	0
COLOMBIA	996	368	504	133	252	319
CONGO	190	49	24	7	11	54
COSTA RICA	15	1	4	5	3	5
CROATIA	12	1	5	0	1	1
CUBA	254	15	100	10	77	140
CYPRUS	1	0	0	0	0	0
CZECH REPUBLIC	8	2	1	2	3	1
CZECHOSLOVAKIA	3	0	2	0	2	5
DEMOCRATIC REPUBLIC OF CONGO	48	10	12	2	0	8
DJIBOUTI	15	5	1	1	1	0
DOMINICA	3	0	1	1	0	1
DOMINICAN REPUBLIC	85	3	27	0	12	19
EAST GERMANY	0	0	3	0	0	0
ECUADOR	252	6	28	6	37	47
EGYPT	414	174	58	11	29	70
EL SALVADOR	4,078	120	1,233	566	1,091	2,733
EQUATORIAL GUINEA	2	0	1	0	0	0
ERITREA	322	198	23	5	5	47
ESTONIA	19	8	9	4	3	19
ETHIOPIA	800	410	112	19	26	123
FIJI	81	29	24	8	11	12

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
FINLAND	4	4	1	0	4	2
FRANCE	9	1	4	1	4	4
GABON	10	0	1	0	1	0
GAMBIA	216	49	53	6	33	57
GEORGIA	136	24	28	5	8	41
GERMANY	38	1	8	3	0	9
GHANA	86	8	27	3	9	20
GIBRALTAR	1	0	0	0	0	0
GREECE	7	0	0	0	1	1
GRENADA	3	0	1	0	1	2
GUATEMALA	3,721	159	1,156	633	1,333	1,420
GUINEA	486	194	98	7	49	95
GUINEA BISSAU	11	3	3	0	1	3
GUYANA	68	0	23	3	16	21
HAITI	1,900	410	1,586	281	259	716
HOLLAND	1	0	0	0	0	0
HONDURAS	832	46	401	76	116	232
HONG KONG	3	1	4	0	0	0
HUNGARY	16	1	2	3	3	3
ICELAND	1	0	0	0	0	1
INDIA	1,121	263	231	44	100	224
INDONESIA	590	157	336	62	122	159
IRAN	227	92	48	9	48	79
IRAQ	354	364	49	5	26	59
IRELAND	1	0	0	0	0	0
ISRAEL	56	17	18	3	14	23
ITALY	14	0	9	0	6	5
IVORY COAST (COTE D'IVOIRE)	292	96	65	14	65	81
JAMAICA	181	2	80	6	19	38
JAPAN	7	2	4	0	7	1
JORDAN	95	20	38	4	21	35

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
KAMPUCHEA	4	1	5	0	3	1
KAZAKHSTAN	84	20	9	2	2	21
KENYA	377	97	94	20	36	66
KIRGHIZIA (KYRGYZSTAN)	80	7	5	1	6	14
KIRIBATI	1	0	1	0	0	1
KOSOVO	32	7	1	0	2	1
KUWAIT	21	5	3	0	1	9
LAOS	65	13	26	4	3	31
LATVIA	13	2	2	2	6	4
LEBANON	115	9	46	10	20	36
LESOTHO	1	0	0	0	0	0
LIBERIA	210	31	55	13	20	75
LIBYA	6	5	2	0	1	2
LITHUANIA	16	1	6	1	2	15
MACAU	1	0	0	0	1	1
MACEDONIA	42	15	16	1	3	5
MADAGASCAR	4	2	2	0	0	1
MALAWI	11	2	4	1	6	4
MALAYSIA	19	1	12	2	2	9
MALDIVES	1	0	0	0	0	0
MALI	243	71	64	6	51	76
MALTA	1	1	0	0	0	1
MAURITANIA	327	95	44	20	14	205
MAURITIUS	2	0	0	0	0	0
MEXICO	3,335	65	365	639	1,743	559
MOLDAVIA (MOLDOVA)	285	22	17	14	11	55
MONACO	9	0	0	0	0	5
MONGOLIA	277	28	43	3	7	46
MONTENEGRO	0	0	1	0	0	0
MOROCCO	47	4	13	5	6	12
NAMIBIA	7	0	5	0	0	0

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**Immigration Courts
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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
NAURU	1	0	0	0	0	0
NEPAL	762	172	81	9	16	57
NETHERLANDS	6	0	4	0	0	2
NETHERLANDS ANTILLES	1	0	0	0	1	0
NEW CALEDONIA	0	0	1	1	2	0
NEW ZEALAND	1	0	0	0	3	0
NICARAGUA	286	19	135	34	81	83
NIGER	73	14	13	3	8	27
NIGERIA	192	29	73	9	32	51
NIUE	10	3	4	1	1	3
NORFOLK ISLAND	0	0	1	0	0	0
NORTH KOREA	5	1	2	1	2	2
NORWAY	2	0	0	0	0	0
OMAN	1	0	0	0	2	5
PAKISTAN	566	104	115	15	72	152
PALESTINE	14	0	5	1	6	2
PANAMA	14	1	5	2	3	1
PARAGUAY	9	2	1	0	4	1
PEOPLE'S REPUBLIC OF BENIN	1	0	0	0	0	0
PERU	207	39	82	7	48	39
PHILIPPINES	184	13	57	8	50	31
PITCAIRN ISLANDS	1	0	0	0	0	0
POLAND	35	5	16	7	13	27
PORTUGAL	2	1	1	0	0	4
QATAR	1	0	0	0	0	1
ROMANIA	92	31	31	17	12	27
RUSSIA	735	128	111	66	48	240
RWANDA	76	24	4	0	0	25
SAMOA	3	0	0	0	0	0
SAUDI ARABIA	6	3	1	0	0	2
SENEGAL	163	25	30	2	21	45

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**Immigration Courts
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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
SERBIA MONTENEGRO	43	47	14	0	2	14
SEYCHELLES	0	0	1	0	0	0
SIERRA LEONE	152	29	38	3	26	75
SINGAPORE	2	4	1	0	0	1
SLOVAK REPUBLIC	10	1	0	0	2	10
SLOVENIA	9	0	0	1	0	3
SOLOMON ISLANDS	1	0	0	0	0	0
SOMALIA	338	168	40	12	6	76
SOUTH AFRICA	29	3	10	1	3	6
SOUTH KOREA	72	1	6	1	12	10
SOVIET UNION	467	154	39	15	32	97
SPAIN	5	3	0	1	2	1
SRI LANKA	373	112	59	12	22	64
ST. KITTS, WEST INDIES	2	0	0	0	1	1
ST. LUCIA	8	0	0	0	0	1
ST. VINCENT AND THE GRENADINES	1	0	3	0	0	0
STATELESS - ALIEN UNABLE TO NAME A COUNTRY	274	82	20	7	11	56
SUDAN	124	40	33	2	10	41
SURINAME	9	0	1	0	0	0
SWAZILAND	1	0	0	0	0	0
SWEDEN	3	5	2	0	0	2
SWITZERLAND	5	0	0	0	0	0
SYRIA	56	18	12	4	23	12
TAIWAN	7	1	2	0	2	1
TAJIKISTAN (TADZHIK)	50	8	2	0	1	8
TANZANIA	31	6	9	2	5	12
THAILAND	20	1	8	0	7	5
THE REPUBLIC OF THE MARSHALL ISLANDS	0	0	0	0	0	1
TOGO	164	39	23	1	11	78
TONGA	9	0	1	0	4	1
TRINIDAD AND TOBAGO	43	0	18	0	7	10

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
TUNISIA	7	0	6	2	5	4
TURKEY	92	18	10	3	3	23
TURKMENISTAN	23	14	4	0	7	11
TURKS AND CAICOS ISLANDS	1	0	0	0	0	0
UGANDA	80	28	21	5	2	16
UKRAINE	303	26	56	13	30	79
UNITED ARAB EMIRATES	0	0	0	4	0	0
UNITED KINGDOM	38	6	15	3	7	7
UNKNOWN NATIONALITY	91	7	40	1	19	11
URUGUAY	15	0	0	4	4	1
UZEBEKISTAN	183	65	48	22	21	50
VENEZUELA	615	192	297	60	134	147
VIETNAM	79	10	31	0	16	23
WESTERN SAHARA	0	0	0	0	0	1
YEMEN	59	7	9	1	6	15
YUGOSLAVIA	193	101	40	5	12	25
ZAIRE	12	8	1	0	0	0
ZAMBIA	21	5	6	0	2	3
ZIMBABWE	229	69	51	12	24	53
TOTAL	44,022	10,298	11,334	3,406	7,264	12,366

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
AFGHANISTAN	40	28	13	0	4	13
ALBANIA	304	324	180	18	54	79
ALGERIA	35	5	12	4	3	6
ANGOLA	14	8	4	1	1	7
ANTIGUA AND BARBUDA	2	0	1	0	1	1
ARGENTINA	70	14	41	20	17	11
ARMENIA	362	144	102	19	76	75
AUSTRALIA	0	0	1	0	0	0
AUSTRIA	4	0	11	0	2	1
AZERBAIJAN	37	12	3	2	9	8
BAHAMAS	12	2	3	0	5	1
BAHRAIN	4	0	0	1	1	4
BANGLADESH	258	81	39	3	41	50
BARBADOS	2	0	1	0	0	0
BE REMOVED FROM THE UNITED STATES	3	0	1	1	0	0
BELARUS	67	39	12	0	3	16
BELGIUM	26	9	2	4	2	6
BELIZE	13	1	4	0	0	1
BENIN	20	2	0	1	2	3
BERMUDA	1	0	0	0	0	0
BHUTAN	10	4	0	0	0	1
BOLIVIA	40	6	2	1	4	12
BOSNIA-HERZEGOVINA	56	6	24	5	8	4
BOTSWANA	1	0	0	0	0	0
BRAZIL	191	31	58	37	57	33
BRITISH INDIAN OCEAN TERRITORY	1	0	0	0	0	1
BULGARIA	119	48	23	13	14	38
BURKINA FASO	93	23	12	3	12	10
BURMA (MYANMAR)	211	126	30	4	2	23
BURUNDI	23	12	15	1	3	2
BYELORUSSIA (BELARUS)	54	41	7	1	10	13

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
CAMBODIA	34	7	16	6	11	16
CAMEROON	486	161	99	17	24	101
CANADA	19	3	8	0	6	10
CAPE VERDE	2	0	2	0	4	0
CENTRAL AFRICAN REPUBLIC	25	13	6	1	0	4
CHAD	96	24	8	3	0	12
CHILE	20	1	2	2	7	9
CHINA	9,223	3,456	1,763	114	224	1,195
COCOS ISLAND	1	0	0	0	0	0
COLOMBIA	1,213	547	810	160	443	420
COMORO ISLANDS	3	0	0	0	0	2
CONGO	112	70	40	12	8	35
COSTA RICA	21	1	8	6	5	4
CROATIA	10	0	2	0	1	2
CUBA	379	23	79	28	112	150
CYPRUS	0	1	0	0	0	0
CZECH REPUBLIC	20	3	5	5	3	8
CZECHOSLOVAKIA	7	3	1	5	8	11
DEMOCRATIC REPUBLIC OF CONGO	46	24	14	1	6	3
DENMARK	1	0	1	0	3	0
DJIBOUTI	7	1	1	0	0	2
DOMINICA	5	0	0	1	0	0
DOMINICAN REPUBLIC	71	1	24	6	8	14
EAST GERMANY	6	1	1	0	0	0
ECUADOR	147	13	39	10	31	19
EGYPT	415	185	56	5	29	53
EL SALVADOR	6,068	173	1,474	604	1,107	2,532
EQUATORIAL GUINEA	0	9	0	0	0	1
ERITREA	298	120	25	1	5	24
ESTONIA	15	3	12	6	6	3
ETHIOPIA	764	315	142	16	31	77

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
FEDERATED STATES OF MICRONESA	1	0	2	0	0	0
FIJI	82	24	19	5	20	28
FINLAND	1	0	1	0	0	3
FRANCE	13	0	5	0	8	5
GABON	6	0	4	1	1	2
GAMBIA	188	53	54	1	56	51
GAZA STRIP	2	0	0	0	0	0
GEORGIA	75	26	23	6	11	15
GERMANY	34	4	13	0	3	1
GHANA	72	12	25	3	12	20
GIBRALTAR	1	0	1	0	0	1
GREECE	4	0	2	0	0	1
GRENADA	1	1	1	0	0	0
GUADELOUPE	1	0	0	0	0	0
GUATEMALA	4,978	168	1,277	624	1,208	1,158
GUINEA	504	242	168	9	71	70
GUINEA BISSAU	5	2	4	0	2	1
GUYANA	66	2	44	2	11	18
HAITI	3,316	529	2,037	492	435	1,358
HOLLAND	1	0	0	0	0	0
HONDURAS	888	73	377	93	127	248
HONG KONG	4	0	1	0	3	0
HUNGARY	33	1	1	8	1	2
ICELAND	1	0	0	0	0	0
INDIA	1,014	272	282	34	114	168
INDONESIA	996	195	438	40	108	158
IRAN	242	71	43	9	54	60
IRAQ	487	410	47	8	27	48
IRELAND	1	0	0	0	0	0
ISRAEL	65	16	32	1	4	13
ITALY	20	0	6	0	5	3

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
IVORY COAST (COTE D'IVOIRE)	290	92	92	8	63	46
JAMAICA	143	3	73	2	26	25
JAPAN	10	1	3	1	8	3
JORDAN	102	19	37	5	25	26
KAMPUCHEA	3	5	1	1	2	4
KAZAKHSTAN	48	14	16	5	11	12
KENYA	366	60	75	9	41	68
KIRGHIZIA (KYRGYZSTAN)	40	6	3	1	2	9
KIRIBATI	1	1	0	0	0	0
KOSOVO	15	2	7	0	0	0
KUWAIT	11	2	7	1	2	3
LAOS	85	4	28	3	9	19
LATVIA	13	3	9	5	7	7
LEBANON	110	20	53	13	28	27
LESOTHO	1	0	0	0	0	1
LIBERIA	162	32	39	7	38	33
LIBYA	11	2	1	0	1	1
LITHUANIA	37	1	13	19	13	14
MACAU	1	0	3	0	1	1
MACEDONIA	28	11	18	0	6	8
MADAGASCAR	4	2	1	0	1	2
MALAWI	9	0	4	0	2	5
MALAYSIA	38	2	7	0	3	6
MALDIVES	4	4	0	0	0	0
MALI	280	28	63	2	49	43
MALTA	1	0	0	0	0	0
MARTINIQUE	1	0	0	0	0	0
MAURITANIA	109	94	129	22	17	44
MAURITIUS	1	0	1	0	0	0
MEXICO	3,527	73	249	387	1,598	411
MOLDAVIA (MOLDOVA)	160	16	11	5	7	21

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**Immigration Courts
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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
MONACO	0	2	1	1	2	0
MONGOLIA	184	42	29	7	7	31
MONTSERRAT	0	0	1	0	0	0
MOROCCO	39	23	21	5	12	13
MOZAMBIQUE	1	0	1	0	1	1
NAMIBIA	1	0	1	0	1	0
NEPAL	456	152	65	5	8	45
NETHERLANDS	9	1	2	2	1	1
NEW CALEDONIA	6	0	0	1	0	0
NEW ZEALAND	3	0	0	0	0	0
NICARAGUA	375	23	135	103	89	194
NIGER	45	8	11	2	3	10
NIGERIA	194	28	88	5	35	35
NIUE	15	11	2	0	2	2
NO NATIONALITY	4	1	1	0	0	3
NORTH KOREA	3	3	0	6	1	1
NORWAY	0	0	0	0	2	1
OMAN	2	1	0	0	0	0
PAKISTAN	475	142	142	19	79	101
PALESTINE	6	1	5	2	3	4
PANAMA	10	1	6	0	0	2
PAPUA NEW GUINEA	0	0	1	0	0	0
PARAGUAY	6	1	0	1	3	0
PEOPLE'S REPUBLIC OF BENIN	0	1	1	0	0	0
PERU	225	51	104	22	67	62
PHILIPPINES	221	15	31	3	42	43
POLAND	46	7	11	8	24	21
PORTUGAL	10	1	4	1	4	8
QATAR	4	3	1	0	0	0
ROMANIA	128	55	30	20	22	49
RUSSIA	512	200	113	44	81	136

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
RWANDA	35	20	11	0	0	5
SAMOA	1	0	1	0	2	0
SAN MARINO	1	1	0	0	0	0
SAUDI ARABIA	10	5	8	0	3	1
SENEGAL	128	18	40	3	16	16
SERBIA MONTENEGRO	66	24	19	1	6	9
SEYCHELLES	6	0	4	0	0	1
SIERRA LEONE	133	47	72	5	11	45
SINGAPORE	7	2	0	0	2	1
SLOVAK REPUBLIC	5	0	2	5	2	4
SLOVENIA	3	3	0	0	0	0
SOLOMON ISLANDS	0	0	1	0	0	0
SOMALIA	227	101	62	7	11	60
SOUTH AFRICA	30	1	18	0	5	7
SOUTH KOREA	22	1	7	2	5	3
SOVIET UNION	330	173	58	14	37	85
SPAIN	10	1	4	0	2	0
SRI LANKA	360	87	74	13	30	32
ST. KITTS, WEST INDIES	1	0	0	0	0	0
ST. LUCIA	1	1	1	0	0	0
ST. VINCENT AND THE GRENADINES	5	0	1	0	0	0
STATELESS - ALIEN UNABLE TO NAME A COUNTRY	214	59	36	5	7	24
SUDAN	125	30	17	7	12	28
SURINAME	2	0	2	1	3	5
SWEDEN	15	2	4	0	1	0
SWITZERLAND	2	0	0	0	0	0
SYRIA	63	11	24	6	18	9
TAIWAN	15	0	6	0	7	4
TAJIKISTAN (TADZHIK)	19	1	3	0	2	2
TANZANIA	25	5	21	1	5	6
THAILAND	31	4	13	0	5	7

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
THE REPUBLIC OF THE MARSHALL ISLANDS	1	0	0	0	0	0
TOGO	84	63	31	3	10	25
TONGA	7	0	1	1	3	4
TRINIDAD AND TOBAGO	51	6	17	2	12	7
TUNISIA	11	1	6	0	6	4
TURKEY	85	11	17	1	9	19
TURKMENISTAN	29	15	2	3	4	3
TURKS AND CAICOS ISLANDS	0	0	0	0	0	1
UGANDA	84	33	11	8	8	18
UKRAINE	191	59	60	21	33	56
UNITED ARAB EMIRATES	2	0	0	0	0	1
UNITED KINGDOM	37	3	11	3	5	9
UNKNOWN NATIONALITY	91	5	28	0	6	17
URUGUAY	13	1	5	5	3	5
UZBEKISTAN	219	67	44	12	18	54
VANUATU	1	0	0	1	0	0
VENEZUELA	787	306	379	59	147	148
VIETNAM	106	7	45	2	16	27
WESTERN SAHARA	2	0	0	0	0	1
YEMEN	35	8	28	1	9	11
YUGOSLAVIA	200	128	32	6	24	48
ZAIRE	10	3	0	0	1	2
ZAMBIA	23	5	5	0	3	2
ZIMBABWE	201	68	40	14	24	32
TOTAL	47,442	10,881	13,167	3,449	7,676	11,008

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
AFGHANISTAN	60	22	14	8	10	18
ALBANIA	564	420	245	11	61	162
ALGERIA	31	6	9	3	5	12
ANDORRA	0	1	0	0	1	0
ANGOLA	23	7	7	1	4	4
ANTIGUA AND BARBUDA	3	0	0	0	0	1
ARGENTINA	106	15	52	20	33	24
ARMENIA	507	179	112	18	71	106
ARUBA	0	0	1	0	0	0
AUSTRALIA	5	0	1	0	1	0
AUSTRIA	2	0	0	0	0	1
AZERBAIJAN	35	23	11	1	4	14
BAHAMAS	8	1	5	1	4	3
BAHRAIN	5	0	6	0	0	3
BANGLADESH	229	100	95	12	58	81
BE REMOVED FROM THE UNITED STATES	0	0	0	0	0	1
BELARUS	68	32	23	5	9	19
BELGIUM	17	4	4	0	6	5
BELIZE	17	0	3	1	1	6
BENIN	12	2	3	0	0	3
BERMUDA	0	0	1	0	0	1
BHUTAN	7	0	1	0	0	2
BOLIVIA	37	3	12	0	5	5
BOSNIA-HERZEGOVINA	50	18	14	0	6	12
BOTSWANA	0	1	1	0	0	0
BRAZIL	250	33	85	36	44	44
BRITISH INDIAN OCEAN TERRITORY	1	0	1	0	0	0
BULGARIA	177	67	40	12	19	54
BURKINA FASO	108	20	20	0	6	11
BURMA (MYANMAR)	184	129	40	8	8	25
BURUNDI	47	13	20	2	2	11

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
BYELORUSSIA (BELARUS)	85	44	14	8	12	22
CAMBODIA	56	13	33	4	17	23
CAMEROON	424	205	135	9	35	83
CANADA	38	9	7	2	4	12
CAPE VERDE	6	0	1	1	1	2
CAYMAN ISLANDS	0	1	0	0	0	0
CENTRAL AFRICAN REPUBLIC	22	13	10	2	1	5
CHAD	45	21	8	2	3	8
CHILE	29	1	1	6	3	4
CHINA	8,665	4,552	1,663	153	306	1,324
COLOMBIA	1,718	683	1,240	173	601	682
COMORO ISLANDS	3	0	2	0	0	0
CONGO	138	73	40	7	19	37
COSTA RICA	23	5	3	3	2	8
CROATIA	8	2	7	0	6	4
CUBA	449	26	79	29	138	357
CYPRUS	1	0	0	0	0	0
CZECH REPUBLIC	18	0	0	11	2	3
CZECHOSLOVAKIA	18	2	8	7	2	17
DEMOCRATIC REPUBLIC OF CONGO	45	23	13	5	9	6
DENMARK	4	0	0	0	1	0
DJIBOUTI	5	1	2	0	0	0
DOMINICA	3	0	2	0	0	1
DOMINICAN REPUBLIC	60	5	24	6	23	28
ECUADOR	148	10	39	12	32	39
EGYPT	419	234	67	14	50	90
EL SALVADOR	10,025	139	1,610	538	965	2,900
EQUATORIAL GUINEA	2	0	0	0	0	0
ERITREA	202	120	28	3	8	36
ESTONIA	21	13	18	5	7	15
ETHIOPIA	684	352	145	16	48	85

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
FEDERATED STATES OF MICRONESA	1	0	0	0	0	0
FIJI	96	24	23	3	33	33
FINLAND	16	2	0	2	3	1
FRANCE	22	3	8	0	3	2
GABON	5	4	5	1	0	0
GAMBIA	316	59	53	9	65	80
GAZA STRIP	0	0	1	0	0	0
GEORGIA	80	27	36	11	12	35
GERMANY	25	4	13	2	5	5
GHANA	72	8	21	5	12	18
GIBRALTAR	1	0	0	0	0	0
GREECE	14	12	4	1	1	1
GRENADA	3	0	0	0	1	0
GUADELOUPE	0	0	0	0	0	1
GUATEMALA	8,473	136	1,244	788	977	1,380
GUINEA	651	325	158	23	58	83
GUINEA BISSAU	9	3	1	0	0	5
GUYANA	99	15	40	2	12	29
HAITI	4,483	586	2,360	565	355	2,366
HONDURAS	1,134	86	465	88	161	251
HONG KONG	6	2	0	1	0	1
HUNGARY	16	0	1	1	4	13
INDIA	942	359	374	70	130	256
INDONESIA	1,181	211	571	53	172	197
IRAN	244	108	70	14	44	59
IRAQ	521	279	61	10	20	85
IRELAND	1	0	1	1	0	1
ISRAEL	79	18	17	6	9	18
ITALY	24	0	8	0	6	4
IVORY COAST (COTE D'IVOIRE)	403	135	99	17	59	64
JAMAICA	115	4	46	6	34	45

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
JAPAN	11	2	4	0	2	7
JORDAN	100	16	40	6	28	22
KAMPUCHEA	4	0	0	0	3	1
KAZAKHSTAN	53	31	9	1	4	20
KENYA	258	51	82	10	45	71
KIRGHIZIA (KYRGYZSTAN)	22	7	1	1	8	12
KIRIBATI	0	0	0	0	1	0
KOSOVO	8	3	0	0	0	0
KUWAIT	18	3	7	1	2	2
LAOS	68	6	22	6	26	32
LATVIA	20	6	7	1	5	13
LEBANON	157	29	48	5	27	49
LESOTHO	2	0	2	0	0	1
LIBERIA	190	53	60	26	47	55
LIBYA	4	2	4	0	0	1
LITHUANIA	66	4	13	14	12	54
MACAU	5	0	0	0	0	0
MACEDONIA	50	27	17	3	8	10
MADAGASCAR	4	4	3	0	0	1
MALAWI	11	3	3	0	4	5
MALAYSIA	28	4	13	1	2	4
MALI	353	60	47	2	38	49
MALTA	1	0	0	0	0	2
MAURITANIA	208	174	154	67	27	99
MAURITIUS	2	0	1	1	0	0
MEXICO	3,080	49	288	252	2,164	488
MOLDAVIA (MOLDOVA)	62	7	12	6	1	7
MONACO	10	3	0	0	0	2
MONGOLIA	132	49	49	1	4	17
MONTENEGRO	2	0	0	0	0	1
MONTSERRAT	1	0	0	0	0	0

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
MOROCCO	54	4	5	2	11	10
MOZAMBIQUE	2	1	0	0	0	0
NAMIBIA	7	0	0	0	1	0
NEPAL	372	131	82	9	17	47
NETHERLANDS	6	2	4	0	0	2
NICARAGUA	766	23	164	350	66	1,103
NIGER	48	10	7	1	8	6
NIGERIA	197	39	63	7	35	67
NIUE	21	1	2	0	0	2
NO NATIONALITY	3	0	0	0	0	0
NORTH KOREA	10	2	0	0	1	2
NORWAY	3	0	0	0	1	0
OMAN	1	2	0	0	0	1
PAKISTAN	452	140	167	22	122	144
PALESTINE	17	3	7	0	0	1
PANAMA	14	1	6	3	2	4
PAPUA NEW GUINEA	1	0	0	0	0	0
PARAGUAY	2	0	3	0	5	2
PEOPLE'S REPUBLIC OF BENIN	3	0	0	0	0	0
PERU	304	54	144	30	67	74
PHILIPPINES	191	9	63	3	59	60
PITCAIRN ISLANDS	0	1	0	0	0	0
POLAND	71	7	13	13	39	67
PORTUGAL	14	0	4	1	3	7
QATAR	1	1	5	0	0	0
ROMANIA	231	31	39	27	28	161
RUSSIA	590	209	132	48	77	208
RWANDA	44	22	7	6	6	8
SAMOA	2	0	1	0	0	0
SAUDI ARABIA	17	5	6	0	10	7
SENEGAL	124	30	38	3	16	21

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
SERBIA MONTENEGRO	91	27	19	3	4	5
SEYCHELLES	5	1	0	0	1	1
SIERRA LEONE	194	48	65	7	19	66
SINGAPORE	7	1	1	1	1	0
SLOVAK REPUBLIC	17	2	5	4	5	11
SLOVENIA	9	0	1	0	2	5
SOLOMON ISLANDS	3	0	1	0	0	1
SOMALIA	241	109	53	19	16	64
SOUTH AFRICA	32	8	15	3	0	11
SOUTH KOREA	37	1	5	3	3	7
SOVIET UNION	479	191	62	39	29	118
SPAIN	6	0	1	0	4	7
SRI LANKA	237	89	51	5	14	39
ST. KITTS, WEST INDIES	1	0	1	0	0	1
ST. LUCIA	5	0	1	1	0	0
ST. VINCENT AND THE GRENADINES	0	0	1	0	0	0
STATELESS - ALIEN UNABLE TO NAME A COUNTRY	178	79	34	3	6	30
SUDAN	82	19	20	0	9	34
SURINAME	9	1	3	3	4	4
SWEDEN	10	0	7	1	0	5
SWITZERLAND	0	4	0	0	0	0
SYRIA	75	23	33	3	16	22
TAIWAN	5	1	0	0	0	0
TAJKISTAN (TADZHIK)	13	5	2	2	1	4
TANZANIA	40	16	16	2	9	12
THAILAND	34	3	7	1	4	11
TOGO	106	82	49	4	21	36
TONGA	15	0	2	0	2	1
TRINIDAD AND TOBAGO	44	1	15	2	5	18
TUNISIA	11	1	9	1	7	3
TURKEY	65	23	15	0	5	15

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
TURKMENISTAN	23	12	16	1	5	4
UGANDA	65	50	23	7	8	20
UKRAINE	241	40	49	15	29	93
UNITED ARAB EMIRATES	2	0	0	0	0	3
UNITED KINGDOM	23	3	4	1	7	6
UNKNOWN NATIONALITY	36	2	11	2	5	5
URUGUAY	28	0	13	7	5	13
UZBEKISTAN	207	74	56	15	33	63
VENEZUELA	812	317	463	34	171	275
VIETNAM	98	10	32	1	23	38
YEMEN	48	8	28	6	10	11
YUGOSLAVIA	245	125	58	11	34	52
ZAIRE	12	5	4	1	0	1
ZAMBIA	15	7	8	2	4	12
ZIMBABWE	162	97	62	12	23	31
TOTAL	57,515	12,859	14,874	3,985	8,405	15,639

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AFGHANISTAN	61	25	10	2	10	14
ALBANIA	790	497	392	27	90	194
ALGERIA	21	13	22	3	7	11
ANDORRA	1	2	0	0	0	0
ANGOLA	21	16	19	0	1	6
ANGUILLA	0	0	0	0	0	1
ANTIGUA AND BARBUDA	0	0	0	0	0	1
ARGENTINA	110	9	112	7	45	51
ARMENIA	534	289	161	55	79	154
ARUBA	2	0	0	0	0	0
AUSTRALIA	5	0	0	0	1	1
AUSTRIA	13	0	0	1	1	1
AZERBAIJAN	34	27	15	3	2	17
BAHAMAS	9	0	4	0	1	4
BAHRAIN	9	0	8	1	4	0
BANGLADESH	305	113	84	23	71	99
BARBADOS	3	1	2	1	1	1
BE REMOVED FROM THE UNITED STATES	1	0	0	0	0	0
BELARUS	96	54	26	8	11	35
BELGIUM	32	5	2	0	4	10
BELIZE	14	1	3	3	6	7
BENIN	7	1	3	0	0	4
BERMUDA	0	0	0	0	0	1
BHUTAN	0	1	0	0	0	0
BOLIVIA	24	2	3	3	6	6
BOSNIA-HERZEGOVINA	45	7	17	1	6	13
BOTSWANA	1	0	0	0	0	0
BRAZIL	211	33	94	27	46	54
BRITISH INDIAN OCEAN TERRITORY	0	0	3	0	0	0
BRITISH VIRGIN ISLANDS	1	0	0	0	0	2
BULGARIA	159	72	40	10	14	44

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BURKINA FASO	56	13	8	1	9	15
BURMA (MYANMAR)	237	157	44	7	15	47
BURUNDI	38	13	10	2	0	8
BYELORUSSIA (BELARUS)	93	52	21	4	8	30
CAMBODIA	50	9	49	3	10	14
CAMEROON	462	357	167	15	31	139
CANADA	43	9	3	1	3	7
CAPE VERDE	4	0	1	0	3	3
CAYMAN ISLANDS	1	0	0	0	0	0
CENTRAL AFRICAN REPUBLIC	30	10	21	1	5	12
CHAD	63	16	7	1	4	7
CHILE	15	2	6	2	1	7
CHINA	9,130	4,048	2,115	229	287	1,565
COLOMBIA	2,119	782	1,646	288	687	951
CONGO	127	89	46	6	16	52
COSTA RICA	17	1	3	0	3	11
CROATIA	4	1	3	0	2	4
CUBA	597	26	79	47	203	287
CYPRUS	1	1	0	0	0	0
CZECH REPUBLIC	19	2	4	1	1	8
CZECHOSLOVAKIA	37	2	5	3	7	18
DEMOCRATIC REPUBLIC OF CONGO	50	24	26	7	10	16
DJIBOUTI	11	6	1	0	1	0
DOMINICA	3	0	2	1	1	0
DOMINICAN REPUBLIC	72	1	19	0	27	26
EAST GERMANY	1	0	0	0	0	1
ECUADOR	121	11	29	9	31	29
EGYPT	430	239	63	16	58	75
EL SALVADOR	8,073	95	1,006	464	610	1,860
EQUATORIAL GUINEA	9	1	0	0	0	0
ERITREA	227	96	29	2	6	78

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
ESTONIA	38	3	5	5	8	8
ETHIOPIA	735	345	167	6	53	96
FEDERATED STATES OF MICRONESA	0	0	1	0	0	0
FIJI	85	45	51	6	45	46
FINLAND	0	1	0	0	1	0
FRANCE	13	2	8	0	12	3
GABON	11	5	1	0	0	4
GAMBIA	259	46	34	3	65	74
GAZA STRIP	1	0	0	0	1	0
GEORGIA	91	59	46	6	21	28
GERMANY	39	9	3	0	3	1
GHANA	64	6	23	4	7	18
GIBRALTAR	1	1	1	0	0	0
GREECE	9	3	1	1	1	1
GRENADA	2	0	0	0	2	1
GUATEMALA	5,326	161	886	555	615	1,014
GUINEA	552	356	203	33	54	75
GUINEA BISSAU	7	2	4	0	2	3
GUYANA	133	16	77	11	38	37
HAITI	6,059	569	2,520	576	355	1,325
HONDURAS	1,349	65	422	68	133	195
HONG KONG	1	0	2	0	0	1
HUNGARY	13	2	3	0	1	7
INDIA	1,044	450	457	60	153	278
INDONESIA	929	314	1,088	78	332	295
IRAN	349	117	85	17	63	95
IRAQ	394	192	126	6	24	59
IRELAND	2	0	0	0	0	0
ISRAEL	61	25	22	2	14	31
ITALY	16	2	9	0	7	1
IVORY COAST (COTE D'IVOIRE)	313	159	81	8	34	58

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
JAMAICA	127	3	45	5	34	48
JAPAN	5	3	5	0	7	8
JORDAN	103	27	45	1	30	38
KAMPUCHEA	2	11	9	1	7	7
KAZAKHSTAN	65	25	14	3	10	12
KENYA	253	60	120	15	36	78
KIRGHIZIA (KYRGYZSTAN)	28	20	9	2	2	9
KIRIBATI	1	0	0	0	0	1
KOSOVO	7	4	2	0	1	1
KUWAIT	20	4	7	0	5	5
LAOS	75	11	37	0	29	27
LATVIA	32	12	8	3	8	9
LEBANON	107	26	48	4	49	58
LESOTHO	1	0	0	1	2	0
LIBERIA	216	59	65	14	33	97
LIBYA	6	1	4	1	0	0
LITHUANIA	93	18	19	10	10	34
MACAU	2	0	2	0	0	0
MACEDONIA	42	20	22	1	8	15
MADAGASCAR	8	1	1	0	2	3
MALAWI	13	0	0	0	0	3
MALAYSIA	21	4	8	0	7	2
MALI	252	62	37	6	32	38
MALTA	3	1	0	0	0	1
MAURITANIA	361	219	194	49	34	186
MAURITIUS	0	0	1	0	0	2
MEXICO	2,818	49	296	155	4,158	619
MOLDAVIA (MOLDOVA)	40	2	8	0	7	16
MONACO	2	0	0	0	0	0
MONGOLIA	137	39	31	4	4	19
MOROCCO	35	8	23	3	7	10

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
MOZAMBIQUE	1	0	0	0	1	0
NAMIBIA	0	0	2	0	0	0
NEPAL	316	165	70	8	19	46
NETHERLANDS	13	0	0	0	2	1
NEW CALEDONIA	0	0	0	1	0	1
NEW ZEALAND	0	0	0	0	1	0
NICARAGUA	2,087	15	120	361	57	622
NIGER	33	10	24	3	8	15
NIGERIA	219	30	90	3	43	58
NIUE	5	0	2	0	0	1
NO NATIONALITY	1	0	0	0	0	0
NORFOLK ISLAND	1	0	0	0	0	0
NORTH KOREA	14	6	0	0	0	0
OMAN	8	0	0	0	1	0
PAKISTAN	587	178	251	17	168	184
PALESTINE	8	0	7	4	1	2
PANAMA	13	7	4	1	3	4
PAPUA NEW GUINEA	0	0	0	1	0	0
PARAGUAY	21	2	5	1	0	5
PERU	342	88	141	20	78	99
PHILIPPINES	182	17	68	8	102	61
PITCAIRN ISLANDS	1	0	0	0	0	0
POLAND	238	4	23	68	45	122
PORTUGAL	16	5	2	5	7	13
QATAR	0	0	2	0	1	1
ROMANIA	255	43	34	13	30	45
RUSSIA	560	203	133	46	83	186
RWANDA	46	24	9	1	2	5
SAMOA	2	0	0	0	0	0
SAN MARINO	2	0	2	0	0	0
SAUDI ARABIA	36	13	3	0	2	8

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
SENEGAL	98	15	43	9	10	16
SERBIA MONTENEGRO	59	21	14	4	4	12
SEYCHELLES	6	1	3	0	0	4
SIERRA LEONE	200	79	107	17	27	103
SINGAPORE	4	2	3	0	0	4
SLOVAK REPUBLIC	38	1	2	3	2	17
SLOVENIA	1	1	3	0	0	1
SOMALIA	271	116	63	54	18	102
SOUTH AFRICA	29	20	15	5	15	17
SOUTH KOREA	51	1	5	1	7	8
SOVIET UNION	463	188	65	41	37	113
SPAIN	9	0	8	0	1	2
SRI LANKA	209	85	47	15	35	32
ST. CHRISTOPHER-NEVIS	0	1	0	0	0	0
ST. KITTS, WEST INDIES	2	0	1	0	0	0
ST. LUCIA	1	0	1	0	1	0
ST. VINCENT AND THE GRENADINES	2	0	0	0	1	1
STATELESS - ALIEN UNABLE TO NAME A COUNTRY	112	86	26	8	9	33
SUDAN	97	45	28	3	15	37
SURINAME	14	2	1	0	2	4
SWAZILAND	0	0	1	0	0	1
SWEDEN	11	0	0	0	1	2
SWITZERLAND	5	0	0	0	1	0
SYRIA	81	20	33	3	16	15
TAIWAN	10	2	2	0	1	1
TAJKISTAN (TADZHIK)	7	4	2	0	1	1
TANZANIA	38	17	15	2	6	11
THAILAND	35	0	6	1	15	3
THE REPUBLIC OF PALAU	1	0	0	0	0	0
TOGO	200	145	76	12	24	73
TONGA	14	0	1	1	2	1

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NATIONALITY	RECEIVED	GRANTED	DENIED	ABANDONED	WITHDRAWN	OTHER
TRINIDAD AND TOBAGO	52	3	8	3	11	19
TUNISIA	26	0	8	1	8	8
TURKEY	68	34	26	3	24	20
TURKMENISTAN	48	23	9	2	3	11
TURKS AND CAICOS ISLANDS	0	0	1	0	0	0
UGANDA	74	36	32	1	11	33
UKRAINE	265	45	98	29	35	72
UNITED ARAB EMIRATES	3	6	0	1	1	0
UNITED KINGDOM	21	2	8	0	7	17
UNKNOWN NATIONALITY	12	1	1	0	0	0
URUGUAY	16	0	15	2	1	10
UZBEKISTAN	240	95	62	17	28	50
VENEZUELA	1,039	279	585	68	158	219
VIETNAM	106	10	45	3	28	28
YEMEN	61	10	29	3	23	27
YUGOSLAVIA	198	154	83	11	29	64
ZAIRE	13	5	11	1	3	4
ZAMBIA	32	8	4	6	3	16
ZIMBABWE	200	56	70	19	35	49
TOTAL	56,969	13,304	16,477	3,918	10,324	13,841