



UNITED STATES COMMISSION ON
INTERNATIONAL RELIGIOUS FREEDOM

Expedited Removal Study Recommendations Report Card

Recommendations to Customs and Border Protection (CBP)
(Inspections and Border Patrol)

CBP GRADE OVERALL: F

Expand existing videotape systems to all ports of entry and border patrol stations; have ‘testers’ verify that procedures are correctly followed. **GRADE: F**

Reconcile conflicting field guidance to clarify the requirement that any alien expressing fear be referred for a credible fear interview. **GRADE: F**

Inform Immigration Judges that forms used at ports of entry and the border are not verbatim transcripts of the alien’s entire asylum claim, despite their appearance, so that they can be given the proper weight. **GRADE: F**

Save scarce detention resources by not placing asylum seekers with valid passports in Expedited Removal. **GRADE: F**

Improve monitoring so that existing border procedures are correctly followed. **GRADE: F**

Recommendations to Immigration and Customs Enforcement (ICE)
(Detention)

ICE GRADE OVERALL: D

Train detention center personnel to work with non-criminal, psychologically vulnerable, asylum-seekers. **GRADE: C**

Work with the Immigration Courts to ensure that detained aliens in Expedited **GRADE: D**

Removal, including those who have not been referred for a credible fear determination, have access to legal service providers.

Change detention standards so that non-criminal asylum seekers are not detained under penal conditions.

GRADE: F

Codify existing parole criteria into regulations.

GRADE: F

Ensure consistent and correct parole decisions by developing standardized forms and national review procedures to ensure their proper application.

GRADE: F

Recommendations to U.S. Citizenship and Immigration Services (Credible Fear)

USCIS GRADE OVERALL: B

Subject both positive and negative credible fear findings to similar review procedures.

GRADE: A

Expand the existing *pro bono* program for the credible fear process to all eight Asylum Offices.

GRADE: B

Allow Asylum Officers to grant asylum at the credible fear stage.

GRADE: F*

Recommendations to the Department of Homeland Security (Agency-Wide Coordination)

DHS GRADE OVERALL: D

Create a high-level Refugee Coordinator position.

GRADE: C

Address implementation and coordination issues before expanding Expedited Removal.

GRADE: F

Create a reliable data management system that allows for real-time information on asylum seekers in Expedited Removal.

GRADE: F

Allow Asylum Officers to grant asylum at the credible fear stage.

GRADE: F*

Recommendations to the Department of Justice/Executive Office for Immigration Review
(Immigration Adjudication)

DOJ/EOIR GRADE OVERALL: C+

Reinstate funding for Immigration Judge training.

GRADE: A

Expand the Legal Orientation Program (LOP), conducted by NGOs under EOIR's direction, in order to provide legal information to detained aliens, improve their access to *pro bono* counsel, reduce detention costs, and increase Immigration Court efficiency.

GRADE: B

Improve the quality of Immigration Court decisions.

GRADE: C

Work with ICE to ensure that detained aliens in Expedited Removal, including those who have not been referred for a credible fear determination, have access to legal service providers.

GRADE: C

Improve administrative review of asylum appeals.

GRADE: C-

Allow Asylum Officers to grant asylum at the credible fear stage.

GRADE: F*

Recommendations to DHS/DOJ Together

ICE and EOIR should work together to ensure that detained aliens in Expedited Removal, including those who have not been referred for a credible fear determination, have access to legal service providers.

GRADE: C (EOIR)

GRADE: D (ICE)

Allow Asylum Officers to grant asylum at the credible fear stage.

GRADE: F*

(*shared by DHS, USCIS, and EOIR)