

**EOIR Table 5-1. Asylum Withdrawals By Custody Status
By Fiscal Year Completed ^a**

Source: Immigration Court

| Fiscal Year Completed | Detained Aliens | | | Non-Detained and Released Aliens | | |
|-----------------------|-----------------|--------------------------|-----------------|----------------------------------|--------------------------|-----------------|
| | Withdrawals | Total Asylum Completions | Withdrawal Rate | Withdrawals | Total Asylum Completions | Withdrawal Rate |
| Pre-2000 | 1 | 16 | 6% | 2 | 44 | 5% |
| 2000 | 74 | 544 | 14% | 12 | 305 | 4% |
| 2001 | 123 | 1088 | 11% | 172 | 2877 | 6% |
| 2002 | 166 | 1214 | 14% | 285 | 4958 | 6% |
| 2003 | 172 | 1313 | 13% | 253 | 5248 | 5% |
| 2004 | 62 | 455 | 14% | 117 | 2187 | 5% |
| Total | 598 | 4630 | 13% | 841 | 15619 | 5% |

Methodology: DHS provided EOIR with a file of 40,694 credible fear receipts for the period October 1,

1999 through September 30, 2003. EOIR matched those records to its ANSIR system and found that 1,950 aliens had withdrawn their asylum application or their application for relief under CAT; some had actually withdrawn applications for both types of relief. Attachment 6 provides information

on asylum withdrawals, and attachment 6A provides the same information for CAT withdrawals.

Since some aliens withdrew their applications for both types of relief, the sum of the withdrawals in attachment 6 and 6A is greater than 1,950 (attachment 3). Even though the DHS data file covered the period FY 2000 - FY 2003, this chart shows some pre-2000 completions because these were anomalies in matching the file.

^aSource data from DHS was based on credible fear receipts, but this table reflects EOIR's completion data.

**EOIR Table 5-2. Convention Against Torture (CAT) Withdrawals by Custody Status
By Fiscal Year Completed^a**

Source: Immigration Court

| Fiscal Year Completed | Detained Aliens | | | Non-Detained and Released Aliens | | |
|-----------------------|-----------------|--------------------------|-----------------|----------------------------------|--------------------------|-----------------|
| | Withdrawals | Total Asylum Completions | Withdrawal Rate | Withdrawals | Total Asylum Completions | Withdrawal Rate |
| Pre-2000 | - | 1 | - | - | - | - |
| 2000 | 26 | 261 | 10% | 7 | 166 | 4% |
| 2001 | 93 | 814 | 11% | 98 | 1921 | 5% |
| 2002 | 155 | 1128 | 14% | 231 | 3629 | 6% |
| 2003 | 144 | 1245 | 12% | 226 | 4083 | 6% |
| 2004 | 54 | 417 | 13% | 117 | 1652 | 7% |
| Total | 472 | 3866 | 12% | 679 | 11451 | 6% |

Methodology: DHS provided EOIR with a file of 40,694 credible fear receipts for the period October 1, 1999 through September 30, 2003. EOIR matched those records to its ANSIR system and found that 1,950 aliens had withdrawn their asylum application or their application for relief under CAT; some had actually withdrawn applications for both types of relief. Attachment 6 provides information on asylum withdrawals, and attachment 6A provides the same information for CAT withdrawals. Since some aliens withdrew their applications for both types of relief, the sum of the withdrawals in attachment 6 and 6A is greater than 1,950 (attachment 3). Even though the DHS data file covered the period FY 2000 - FY 2003, this chart shows some pre-2000 completions because these were anomalies in matching the file.

^aSource data from DHS was based on credible fear receipts, but this table reflects EOIR's completion data.

**EOIR Table 6. Outcome of Appeals for Asylum Seekers Subject to Expedited Removal
By Appealing Party, FY 2000 - FY 2004**

Source: Board of Immigration Appeals

| Appealing Party | Year Appeal Decided | BIA Decision | | | | |
|-----------------|---------------------|--------------|---------|--------|-------|-------|
| | | Sustain | Dismiss | Remand | Other | Total |
| Alien | Pre-FY2000 | - | 21 | - | 5 | 26 |
| | FY 2000 | 1 | 9 | - | 4 | 14 |
| | FY 2001 | 73 | 192 | - | 26 | 291 |
| | FY 2002 | 25 | 1165 | 1 | 60 | 1251 |
| | FY 2003 | 96 | 2575 | - | 79 | 2750 |
| | FY 2004 | 121 | 2675 | 40 | 43 | 2879 |
| Government | Pre-FY2000 | - | - | - | 1 | 1 |
| | FY 2000 | 1 | 1 | - | 1 | 3 |
| | FY 2001 | 1 | 33 | - | 4 | 38 |
| | FY 2002 | 4 | 10 | - | 6 | 20 |
| | FY 2003 | 7 | 33 | - | 11 | 51 |
| | FY 2004 | 15 | 32 | 1 | 3 | 51 |
| Both | Pre-FY2000 | - | - | - | - | - |
| | FY 2000 | - | - | - | - | - |
| | FY 2001 | - | - | - | - | - |
| | FY 2002 | - | 3 | - | 1 | 4 |
| | FY 2003 | - | 6 | - | - | 6 |
| | FY 2004 | 3 | 7 | - | 2 | 12 |
| Other | Pre-FY2000 | - | - | - | - | - |
| | FY 2000 | - | - | - | - | - |
| | FY 2001 | 1 | 1 | - | - | 2 |
| | FY 2002 | 1 | 4 | - | - | 5 |
| | FY 2003 | - | 4 | - | 2 | 6 |
| | FY 2004 | 1 | 7 | - | 1 | 9 |
| | | | | | | |
| | TOTAL | 350 | 6778 | 42 | 249 | 7419 |

Methodology: DHS provided EOIR with a file of 40,694 credible fear receipts for the period October 1, 1999 through September 30, 2003. EOIR manipulated the file to eliminate duplicate records, and was left with a file of 40,206 records. Of these, EOIR was able to match 36,799 in its ANSIR system (91.5%). EOIR then took this file of 36,799 ANSIR records, and matched it to the Board of Immigration Appeals Processing System. Of the cases identified in the ANSIR system, 10,399 had filed appeals, of which 7,419 had been decided by the BIA as of the date of this report.

EOIR Table 7

Affirmative Asylum^a Application Referred to EOIR,
Case Completions by Disposition
FY 2000 – FY 2003

| Affirmative Asylum Completions by Disposition | | | | | | |
|---|---------|--------|-----------|-----------|--------------------|--------|
| | Granted | Denied | Abandoned | Withdrawn | Other ⁿ | Total |
| FY 2000 | 6,701 | 10,570 | 3,624 | 6,883 | 9,960 | 37,738 |
| FY 2001 | 6,781 | 8,558 | 3,390 | 4,890 | 8,511 | 32,130 |
| FY 2002 | 7,665 | 9,904 | 3,924 | 6,741 | 9,706 | 37,940 |
| FY 2003 | 9,910 | 12,794 | 3,926 | 12,392 | 10,146 | 49,168 |

^aCases Referred to EOIR by the DHS Asylum Office

ⁿIncludes Administrative Closures and Asylum Applications Not Acted On.