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Asylum

i ALERT: Updated Interview Rescheduling Procedures for Affirmative Asylum Interviews

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Starting Aug. 21, 2026, you must establish exceptional circumstances for USCIS to reschedule your asylum interview.

Additionally, we will no longer issue a Failure to Appear Warning notice after a missed interview. If you maintain a lawful basis to remain in the United States and you fail to appear for your interview without submitting a request to reschedule, either before your interview date or within 10 calendar days after your missed interview date, we may dismiss your asylum application. If you do not maintain a lawful basis to remain in the United States, we may refer your case to an immigration judge.

Note: If you are a parolee who fails to appear for your asylum interview, USCIS will make a determination as to whether the purposes of parole have been served and determine, on a case-by-case basis, whether to terminate your parole and refer your case to an immigration judge.

Information about rescheduling an asylum interview and establishing exceptional circumstances is available on the [Establishing Exceptional Circumstances for Rescheduling Affirmative Asylum Interviews](#) webpage.

i ALERT: Updated Evidence Submission Policy for Affirmative Asylum Applications

[See less](#) ^

Starting Aug. 21, 2026, you must submit all evidence in support of your asylum application to the asylum office 14 calendar days before the date of your scheduled interview. Evidence submitted less than 14 calendar days from your scheduled interview may not be included with your asylum application, or we may reschedule your asylum interview. A rescheduled asylum interview due to late evidence submission may affect your eligibility for an employment authorization document (EAD).

For information related to employment authorization based on a pending asylum application, please review the **Permission to Work in the United States** section below.

i ALERT: Updated Biometric Appointment Rescheduling Procedures for Aliens Who Have Filed for Affirmative Asylum

[See less](#) ^

On Aug. 21, 2026, we implemented updated procedures for aliens who have filed [Form I-589, Application for Asylum and for Withholding of Removal](#), and are requesting to reschedule a biometric services appointment.

If you fail to appear for your biometric services appointment and are requesting to be scheduled for a new appointment, you must submit your reschedule request within 10 calendar days of your missed appointment. You can submit a reschedule request via my.uscis.gov/accounts or by calling the USCIS Contact Center.

You must provide evidence of the exceptional circumstances that led to your failure to appear in your USCIS online account or to the Asylum Office.

Failure to submit a reschedule request with the requested evidence, or failure to establish exceptional circumstances to excuse your failure to attend your biometric services appointment as initially scheduled, may cause USCIS to:

- Dismiss your asylum application, if you maintain a lawful basis to remain in the United States; or
- Refer your application to an immigration judge, if you do not maintain a lawful basis to remain in the United States.

Note: If you are a parolee who fails to appear for your biometric services appointment, USCIS will make a determination as to whether the purposes of parole have been served and determine on a case-by-case basis, whether to terminate your parole and refer your case to an immigration judge.

You can find more information on our [Preparing for Your Biometric Services Appointment](#) page. For information related to employment authorization based on a pending asylum application, please review the **Permission to Work in the United States** section below.

ALERT: Court Order on Circumvention of Lawful Pathways Final Rule

[See less](#) ^

On Aug. 3, 2023, the U.S. Court of Appeals for the Ninth Circuit issued a stay of the U.S. District Court for the Northern District of California's order in *East Bay Sanctuary Covenant v. Biden*, 18-cv-06810 (N.D. Cal.), vacating the [Circumvention of Lawful Pathways \(CLP\) rule](#). USCIS continued to apply the CLP rule during the stay. On April 10, 2025, the Ninth Circuit vacated its prior order staying proceedings and the district court's judgment and remanded the case to the district court for further proceedings. Although the CLP rule sunsetted on May 12, 2025, its provisions remain applicable to those who entered the United States between May 12, 2023, and May 11, 2025. Until the district court renders a decision, USCIS will continue to apply the CLP rule where appropriate.

Under the rule, certain individuals who entered the United States through its southwest land border or adjacent coastal borders are presumed to be ineligible for asylum, unless they can demonstrate an exception to the rule or rebut the presumption.

Every year people come to the United States seeking protection because they have suffered persecution or fear that they will suffer persecution due to:

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

You may only file this application if you are physically present in the United

States, and you are not a U.S. citizen.

At this time, the option to file an online [Form I-589, Application for Asylum and for Withholding of Removal](#) is only available for certain affirmative asylum applicants. Affirmative asylum applicants may not file an online Form I-589 if they:

- Application for Asylum and for Withholding of Removal
- Are an unaccompanied alien child as defined in 6 U.S.C. § 279(g) and are in removal proceedings;
- Are among the categories of applicants who must currently file by mail with the Asylum Vetting Center as outlined in the Special Instructions section of our [Form I-589](#) webpage; or
- Already submitted a Form I-589, which is still pending with USCIS.

If you are eligible for asylum you may be permitted to remain in the United States. To apply for asylum affirmatively or defensively, file a Form I-589 within 1 year of your arrival to the United States. Visit our [Obtaining Asylum in the United States](#) page for more information on affirmative and defensive filings.

You may include your spouse and children who are physically present in the United States as dependents on your affirmative or defensive asylum application at the time you file or at any time until a final decision is made on your application. To include your child as a dependent on your application, the child must be under 21 years old and unmarried. For more information see our Form I-589 page.

If you were placed in expedited removal proceedings, you received a positive credible fear determination, and USCIS retained your asylum application for further consideration in an Asylum Merits Interview, please visit our [Asylum Merits Interview with USCIS: Processing After a Positive Credible Fear Determination](#) page.

If you have an asylum application pending with us, you can check the status of your application at [Case Status Online](#). You will need the receipt number that we provided you after you filed your application.

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Permission to Work in the United States

To apply for employment authorization and an Employment Authorization Document (EAD), you must file Form I-765, Application for Employment Authorization. For more information, see the [Form I-765](#) webpage.

Based on a Pending Asylum Application:

You are generally eligible for an EAD when your asylum application has been pending for 180 days. To apply for an EAD based on your pending asylum application under the (c)(8) category, you may file Form I-765 150 days after you file your asylum application. You are not eligible to receive an EAD until your asylum application has been pending for at least another 30 days, for a total of 180 days. This is commonly referred to as the 180-Day Asylum EAD Clock.

Delays that you request or cause while your asylum application is pending with an asylum office or with the Executive Office for Immigration Review do not count toward the 180-day eligibility period.

Delays you may request or cause may include, but are not limited to:

- Asking to transfer a case to a new asylum office or interview location, including when the transfer is based on your change of address;
- Asking to reschedule an interview for a later date;
- Failing to appear at an interview or biometrics appointment;
- Failing to provide a competent interpreter at an interview (if required);
- Asking to provide additional evidence at or after an interview, or within 14 calendar days in advance of the interview; or
- Failing to receive and acknowledge an asylum decision in person (if

required).

If you are required to receive and acknowledge your asylum decision at an asylum office but you fail to appear, your 180-Day Asylum EAD Clock will stop, and you may be ineligible to receive employment authorization. If we referred your case to an immigration court, your 180-Day Asylum EAD Clock will not start again until your first hearing with an immigration judge.

If you fail to appear for a scheduled asylum interview without establishing exceptional circumstances, or fail without good cause to provide a competent interpreter if you are required to do so, we may refer your Form I-589 to an immigration judge, and you will be ineligible for employment authorization based on your pending Form I-589. For additional information about establishing exceptional circumstances, please review our [Establishing Exceptional Circumstances for Rescheduling Affirmative Asylum Interviews](#) webpage.

For more information regarding employment authorization and applicant-caused delays, see [The 180-Day Asylum EAD Clock Notice](#).

After your asylum application is adjudicated:

If you are granted asylum, you are immediately authorized to work. (Some asylees choose to obtain EADs for convenience or identification purposes, but you do not need an EAD to work if you have been granted asylum.) If we approve your affirmative asylum application, we will mail an EAD to your address of record. If you do not receive your EAD within 90 days of your asylum grant, you may call the [USCIS Contact Center](#). When you call, indicate that you are calling about an auto EAD. You may also contact us by clicking on “Connect to Live Agent” in the Chat with Emma feature on our website. Have your Form I-589 receipt notice available when you call us about your EAD. If you were granted asylum by an immigration judge, you must file Form I-765 to obtain an EAD.

If we deny your asylum application, USCIS will terminate your employment authorization immediately. If you do not maintain a lawful

basis to remain in the United States and an asylum officer refers your asylum application to an immigration judge for further consideration, your EAD will remain valid through the expiration date on your EAD. If an immigration judge denies or rejects your asylum application, we will terminate your employment authorization 30 days after the date the immigration judge denied or rejected your asylum application, unless you appeal the immigration judge's decision to the Board of Immigration Appeals (BIA). If the BIA denies your appeal of the denial or rejection of the asylum application, then we will terminate your EAD immediately. You may be otherwise eligible for employment authorization if you are in a valid immigrant or nonimmigrant status or are in an unexpired period of parole or temporary protected status.

ALERT: If you are applying for your initial (first) employment authorization based on having a pending asylum application, you may be a member of the class action case, *Rosario v. USCIS*, Case No. C15-0813JLR (W.D. Wash. July 26, 2018). To learn more, visit the [Rosario Class Action page](#).

Bringing Your Family to the United States

If you are granted asylum you may petition to bring your spouse and children to the United States by filing a [Form I-730, Refugee/Asylee Relative Petition](#). To include your child on your application, the child must be under 21 and unmarried.

You must file the petition within 2 years of being granted asylum unless there are humanitarian reasons to excuse this deadline. There is no fee to file this petition.

Filing for Permanent Residence (Green Card)

You may be approved for a Green Card 1 year after being granted asylum. To apply for a Green Card, file a [Form I-485, Application to Register](#)

[Permanent Residence or to Adjust Status](#). You must submit a separate Form I-485 application packet for yourself and, if applicable, for each family member who received derivative asylum based on your application.

For more information about Green Cards, see our [Green Cards for Asylees](#) page. For more information about asylum, see our [Asylum Questions and Answers](#) page.

Related Links



Asylum News

- [Asylum and Refugee News Releases](#)
- [Asylum and Refugee Alerts](#)
- [USCIS Welcomes Refugees and Asylees](#)

Asylum

- [How USCIS Processes a Form I-589 Filed After Removal Proceedings are Dismissed or Terminated](#)
- [J.O.P. Proposed Settlement Agreement](#)
- [J.O.P. v. DHS Final Class Notice 11.25.2024](#)
- [Settlement Agreement J.O.P. v. D.H.S. et al.](#)
- [The 180-Day Asylum EAD Clock Notice](#)
- [Rosario Class Action](#)
- [Notice of Proposed Settlement and Hearing In Class Action Involving Detained Noncitizens Who Are Awaiting a “Reasonable Fear Determination”](#)
- [Obtaining Asylum in the United States](#)
- [The Affirmative Asylum Process](#)

- [Types of Affirmative Asylum Decisions](#)
- [Asylum Merits Interview with USCIS: Processing After a Positive Credible Fear Determination](#)
- [Preparing for Your Affirmative Asylum Interview](#)
- [Minor Children Applying for Asylum By Themselves](#)
- [Immigration through the Nicaraguan Adjustment and Central American Relief Act \(NACARA\) Section 203](#)
- [Asylum Bars](#)
- [Benefits and Responsibilities of Asylees](#)
- [Asylum Division Training Programs](#)
- [Basic Eligibility for Section 204\(l\) Relief for Surviving Relatives](#)

Asylum Forms

- [I-589, Application for Asylum and for Withholding of Removal](#)

Find Asylum Offices and Related Areas

- [Field Office Locator](#)
- [Asylum Office Locator](#)

Questions and Answers

- [Asylum Questions and Answers](#)

Other USCIS Links

- [Green Card for Asylees](#)
- [Family of Refugees and Asylees](#)

Non-USCIS Links

- [Executive Office for Immigration Review](#)
- [Title 8, Code of Federal Regulations](#)
- [Office of Refugee Resettlement Benefits and Services Available for](#)

[Asylees](#)

Resources available in [English \(PDF\)](#), [Arabic \(PDF\)](#), [Hindi \(PDF\)](#), [Mandarin \(PDF\)](#), [Russian \(PDF\)](#), [Spanish \(PDF\)](#), and [Turkish \(PDF\)](#).

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Last Reviewed/Updated: 08/26/2026