U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
*Office of the Director* (MS 2000)
Washington, DC 20529-2000

U.S. Citizenship and Immigration Services

**June 28, 2018** **PM-602-0050.1**

# Policy Memorandum

**SUBJECT:** Updated Guidance for the Referral of Cases and Issuance of Notices to Appear (NTAs) in Cases Involving Inadmissible and Deportable Aliens

## Purpose

On January 25, 2017, the President signed Executive Order 13768, *Enhancing Public Safety in the Interior of the United States*. The Executive Order set forth the President's immigration policies for enhancing public safety, and it articulated the priorities for the removal of aliens from the United States.

This Policy Memorandum (PM) outlines how U.S. Citizenship and Immigration Services' (USCIS) Notice to Appear (NTA) and referral policies implement the Department of Homeland Security's (DHS) removal priorities, including those identified in Executive Order 13768, and it provides updates to USCIS' guidelines for referring cases and issuing NTAs. This PM supersedes Policy Memorandum 602-0050, *Revised Guidance for the Referral of Cases and Issuance of Notices to Appear (NTAs) in Cases Involving Inadmissible and Removable Aliens***,** dated November 7, 2011.

## Scope

This PM applies to and will be used to guide referrals and the issuance of NTAs by all USCIS employees, unless otherwise specifically provided in this PM or other USCIS policy or guidance documents.

## Authority

Immigration and Nationality Act (INA) §§ 101(a)(43), 103(a), 208, 212, 216, 216A, 237, 239, 240, 242, 244, and 318; Homeland Security Act of 2002 § 402(5); Title 8, Code of Federal Regulations (8 CFR) §§ 2.1, 103, 207.9, 208, 216.3(a), 216.6(a)(5), 236.14(c), and pts. 239 and 244.

## Background

Executive Order 13768 emphasizes that enforcement of our immigration laws is critically important to the national security and public safety of the United States. The Executive Order also provides that the Federal Government will no longer exempt classes or categories of removable aliens from potential enforcement.

On February 20, 2017, former Secretary of Homeland Security John Kelly issued an implementation memorandum, *Enforcement of the Immigration Laws to Serve the National Interest*,[1] which was related to the President's immigration enforcement priorities. The memorandum sets forth guidance for all DHS personnel regarding the enforcement priorities.

The Executive Order and DHS Implementation Memorandum prioritize the removal of aliens described in INA §§ 212(a)(2), (a)(3), (a)(6)(C), 235, and 237(a)(2) and (a)(4), to include aliens who are removable based on criminal or security grounds, fraud or misrepresentation, and aliens subject to expedited removal. In addition to aliens described in those subsections, the Executive Order and DHS Implementation Memorandum also prioritize removable aliens who, regardless of the basis for removal:

(a) Have been convicted of any criminal offense;
(b) Have been charged with any criminal offense that has not been resolved;
(c) Have committed acts that constitute a chargeable criminal offense;[2]
(d) Have engaged in fraud or willful misrepresentation in connection with any official matter or application before a governmental agency;
(e) Have abused any program related to receipt of public benefits;
(f) Are subject to a final order of removal, but have not departed; or
(g) In the judgment of an immigration officer, otherwise pose a risk to public safety or national security.

USCIS has authority, under the immigration laws,[3] to issue Form I-862, Notice to Appear, which is thereafter filed with the Immigration Court to commence removal proceedings under section 240 of the INA.[4] U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP) also have authority to issue NTAs. Accordingly, USCIS must ensure that its issuance of NTAs fits within and supports DHS's overall removal priorities – promoting national security, public safety, and the integrity of the immigration system. This PM identifies the circumstances under which USCIS issues NTAs or refers cases to ICE.

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[1] *See* https://www.dhs.gov/sites/default/files/publications/17_0220_S1_Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf.

[2] Chargeable criminal offenses include those defined by state, federal, international, or appropriate foreign law.

[3] *See, e.g.*, INA §§ 103(a), 239; 8 CFR §§ 2.1, 239.1.

[4] *Delegation by the Secretary of Homeland Security to the Bureau of Citizenship and Immigration Services*, Delegation Number 0150.1, Paragraph 2(N). However, international District Directors and officers are not authorized to issue NTAs.

This PM will not apply to the use of discretion in adjudicating cases. Guidance on how the enforcement priorities will affect USCIS' use of discretion in adjudicating cases will be addressed in a separate policy memorandum.

**Policy**

USCIS is updating its NTA policy to better align with enforcement priorities. It is the policy of USCIS to issue NTAs and Referrals to ICE (RTIs), as outlined below:

I. National Security Cases

These cases fall under the priorities outlined in Executive Order 13768, and they include aliens engaged in or suspected of terrorism or espionage, or those who are otherwise described in INA §§ 212(a)(3) or 237(a)(4). In addition, any removable alien who, in the judgment of a USCIS officer, otherwise poses a risk to national security is considered a priority for removal.

This PM does not affect the handling of cases involving national security concerns.[5] Guidance from the Fraud Detection and National Security Directorate (FDNS)[6] will continue to govern the definition of these cases and the procedures for resolution and NTA issuance.

II. NTA Issuance Required by Statute or Regulation

USCIS will continue to issue NTAs in the following circumstances:

A. Termination of Conditional Permanent Resident Status and Denials of Form I-751, Petition to Remove the Conditions of Residence (8 CFR §§ 216.3, 216.4, 216.5).[7]
B. Termination of Conditional Permanent Resident Status and Denials of Form I-829, Petition by Entrepreneur to Remove Conditions on Permanent Resident Status (8 CFR § 216.6).
C. Termination of refugee status by the District Director (8 CFR § 207.9).
D. Denials of Nicaraguan and Central American Relief Act (NACARA) Section 202 and Haitian Refugee Immigration Fairness Act (HRIFA) adjustment of status applications:
    1. NACARA 202 adjustment denials (8 CFR § 1245.13(m));
    2. HRIFA adjustment denials (8 CFR § 245.15(r)(2)(i)).
E. Asylum,[8] NACARA Section 203,[9] and Credible Fear cases:[10]

[5] National Security Concerns include cases involving Terrorism-Related Inadmissibility Grounds (TRIG) in sections 212(a)(3)(B) and 212(a)(3)(F) of the INA. *See also* INA § 237(a)(4)(B) (corresponding grounds of deportability).

[6] *See Policy for Vetting and Adjudicating Cases with National Security Concerns* (April 11, 2008).

[7] *See* USCIS memorandum, *Adjudication of Form I-751, Petition to Remove Conditions on Residence Where the CPR Has a Final Order of Removal, Is in Removal Proceedings, or Has Filed an Unexcused Untimely Petition or Multiple Petitions* (Oct. 9, 2009); *see also* USCIS memorandum, *I-751 Filed Prior to Termination of Marriage* (Apr. 3, 2009).

1. Asylum referrals (8 CFR § 208.14(c)(1));
2. Termination of asylum or termination of withholding of removal or deportation (8 CFR § 208.24(e));[11]
3. Positive credible fear findings (8 CFR § 208.30(f));
4. NACARA 203 cases, where suspension of deportation or cancellation of removal is not granted and the applicant does not have asylum status or lawful immigrant or nonimmigrant status (8 CFR § 240.70(d));
5. Cases where NACARA 203 was granted to persons who were ineligible to receive suspension of deportation or special rule cancellation of removal at the time that the grant was issued (8 CFR § 246.1).

This PM does not change NTA or notification procedures for Temporary Protected Status (TPS) cases as described in 8 CFR part 244.[12] In individual TPS cases where USCIS denies an initial TPS application or re-registration or withdraws TPS, *and* the individual has no other lawful immigration status or other authorization to remain in the United States, officers will first follow the procedures in the applicable regulations within 8 CFR part 244, where required.

Once the TPS regulatory provisions have been followed or are found to be non-applicable in the specific case, officers will issue an NTA to such an alien who has no other lawful immigration status or authorization to remain in the United States following the final determination to deny or withdraw TPS, unless there is a sufficient reason to delay issuance of, or to not issue the NTA (e.g., ICE or another appropriate law enforcement agency makes a reasonable request that USCIS not immediately issue the NTA, so as not to disrupt an investigation). Where the alien already has an unexecuted final order of removal, the officer should not issue another NTA without consulting with local USCIS counsel.

Independent of this PM, if the Secretary terminates a country's TPS designation, certain former beneficiaries who have been granted TPS under that country's designation, but who do not have other lawful immigration status or authorization to remain in the United States, may become a DHS enforcement priority. In such circumstances, USCIS officers should defer to ICE and CBP regarding the appropriate timing of any NTA issuances to former TPS beneficiaries after the country's TPS designation ends. However, if USCIS issues an unfavorable decision on a benefit request submitted by, or on behalf of, a former TPS

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[8] USCIS may issue an NTA when an asylum applicant withdraws his or her asylum application. See also Section VI of this memorandum for other NTA issuance by the Asylum Division in special circumstances not required by statute or regulation.

[9] This memorandum does not apply to the Asylum Division's initiation of rescission proceedings for lawful permanent residents (LPRs) granted LPR status under NACARA 203 by the Asylum Division.

[10] This memorandum does not apply to the Asylum Division's issuance of Form I-863, Notice of Referral to Immigration Judge.

[11] *See* INA § 208(c)(3) describing removal when asylum is terminated.

[12] *See* USCIS memorandum, *Service Center Issuance of Notice to Appear (Form I-862)* (Sept. 12, 2003).

beneficiary who is not lawfully present in the United States, officers will follow the NTA guidance in Section V below.

III. Fraud, Misrepresentation, and Abuse of Public Benefits Cases

Cases presenting substantiated fraud or misrepresentation are among DHS's enforcement priorities. Aliens falling under INA § 212(a)(6)(C), removable aliens who "have engaged in fraud or willful misrepresentation in connection with any official matter or application before a governmental agency,"[13] and removable aliens who have abused any program related to receipt of public benefits are all priorities for removal.[14]

When fraud, misrepresentation, or evidence of abuse of public benefit programs is part of the record,[15] and the alien is removable, USCIS will issue an NTA upon denial of the petition or application, or other appropriate negative eligibility determination (e.g., withdrawal, termination, rescission). An NTA will be issued against such a removable alien, even if the petition or application is denied for a ground other than fraud, such as lack of prosecution or abandonment, the application or petition is terminated based on a withdrawal by the petitioner/applicant, or where an approval is revoked, so long as the alien is removable and USCIS has determined there is fraud in the record.

USCIS may consider referring groups of cases with articulated suspicions of fraud to ICE prior to adjudication. USCIS will not refer to ICE individual applications or petitions involving suspected fraud, except as agreed upon by USCIS and ICE. When USCIS refers a case to ICE for investigation, USCIS will suspend adjudication for 60 days, but they may resume the administrative process should ICE not respond within that timeframe or provide a Case Closure Notice or case status report within 120 days of accepting the referral. USCIS will ensure proper de-confliction with ICE throughout its administrative process.

While the NTA is not required to include the charge of fraud or misrepresentation (INA §§ 212(a)(6)(C)(i) and/or (ii), 237(a)(1)(A), 237(a)(1)(G), or similar charge), efforts should be made to include these charges whenever evidence in the record supports such a charge. Please consult with USCIS counsel if there are questions determining whether to include a charge of fraud or misrepresentation.

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[13] *See* section 5(d) of the Executive Order: Enhancing Public Safety in the Interior of the United States.

[14] *See* section 5(d) of the Executive Order: Enhancing Public Safety in the Interior of the United States. For purposes of USCIS, enforcement priority 5(d) would necessarily include instances where USCIS has established that the alien is inadmissible under INA § 212(a)(6)(C)(i)), as well as when the fraud or willful misrepresentation was committed in connection with any official matter or application before another government agency.

[15] Adjudicators encountering Statement of Findings should follow current operational guidance regarding their review and resolution.

## IV. Criminal Cases

Criminal cases fall under the priorities outlined in Executive Order 13768, as follows:

- Aliens described in INA §§ 212(a)(2) or 237(a)(2), Criminal and Related Grounds;
- Removable aliens convicted of any criminal offense;
- Removable aliens charged with any criminal offense that has not been resolved; and
- Removable aliens who committed acts that constitute a chargeable criminal offense.

### A. Egregious Public Safety (EPS) Cases and Non-Egregious Public Safety (Non-EPS) Cases

Executive Order 13768 does not contain language regarding Egregious Public Safety (EPS) or Non-Egregious Public Safety (Non-EPS) cases. However, this PM uses the terminology to assist in triaging cases for investigation and the issuance of NTAs.

An EPS case is defined by USCIS and ICE[16] as a case where information indicates the alien is under investigation for, has been arrested for (without disposition), or has been convicted of, any of the following:

- Murder, rape, or sexual abuse of a minor, as defined in INA § 101(a)(43)(A);
- Illicit trafficking in firearms or destructive devices, as defined in INA § 101(a)(43)(C);
- Offenses relating to explosive materials or firearms, as defined in INA § 101(a)(43)(E);
- Crimes of violence for which the term of imprisonment imposed, or where the penalty for a pending case, is at least one year, as defined in INA § 101(a)(43)(F);
- An offense relating to the demand for, or receipt of, ransom, as defined in INA § 101(a)(43)(H);
- An offense relating to child pornography, as defined in INA § 101(a)(43)(I);
- An offense relating to peonage, slavery, involuntary servitude, and trafficking in persons, as defined in INA § 101(a)(43)(K)(iii);
- An offense relating to alien smuggling, as described in INA § 101(a)(43)(N);
- Human Rights Violators, known or suspected street gang members, or Interpol hits; or
- Re-entry after an order of exclusion, deportation or removal subsequent to conviction for a felony where a Form I-212, Application for Permission to Reapply for Admission into the United States after Deportation or Removal, has not been approved.

[16] See *Memorandum of Agreement Between United States Citizenship and Immigration Services and United States Immigration and Customs Enforcement On the Issuance of Notices to Appear to Aliens Encountered During an Adjudication* (June 15, 2006).

A Non-EPS criminal case is defined by USCIS as a case where information indicates the alien is under investigation for, has been arrested for (without disposition), or has been convicted of any crime not listed above.

1. EPS Cases

Executive Order 13768 and the implementing guidance provide that DHS personnel should take enforcement actions in accordance with applicable law, and they support that DHS personnel have full authority to initiate removal proceedings against any alien who is removable. As a result, USCIS will issue an NTA against removable aliens in all cases meeting the EPS definition, regardless of the existence of a conviction, if the application or petition is denied and the alien is removable. USCIS should refer an EPS case to ICE prior to adjudication and before an NTA is issued if there are circumstances that warrant such action. If the case is referred, ICE will have an opportunity to decide if, when, and how to issue an NTA or detain the alien. For Form I-90 applications, and any adjudications involving EPS concerns where USCIS has not issued an NTA, USCIS will refer these cases to ICE after adjudication.

If USCIS does not receive notification of the acceptance or declination of an EPS referral to ICE after 60 days, USCIS will resume adjudication of the case.

2. Non-EPS Criminal Cases

USCIS will issue NTAs in all Non-EPS criminal cases if the application or petition is denied and the alien is removable. Where USCIS does not issue an NTA, USCIS should refer Non-EPS cases to ICE prior to final adjudication if the alien appears inadmissible to or deportable from the United States based upon a criminal offense not included on the EPS list.[17]

3. N-400 Denials

USCIS will issue NTAs on all N-400 cases if the N-400 has been denied on good moral character (GMC) grounds based on the underlying criminal offense, and provided the alien is removable.

## V. Aliens Not Lawfully Present in the United States or Subject to Other Grounds of Removability

USCIS will issue an NTA where, upon issuance of an unfavorable decision on an application, petition, or benefit request, the alien is not lawfully present in the United States.

[17] A Non-EPS case referred to ICE prior to adjudication will be treated in the same manner as an EPS case referral, subject to the suspense period and notification requirements.

For aliens removable under any other grounds not specifically addressed in this PM, USCIS will ensure all grounds for removability supported by the record are addressed and result in the issuance of an NTA, whenever appropriate.

## VI. Special Circumstances for NTA Issuance

A. In limited and extraordinary circumstances, USCIS may issue an NTA if a removable alien requests that an NTA be issued, either before or after the adjudication of an application or petition, in order to seek lawful status or other relief in removal proceedings. The request must be made in writing to the USCIS office that has jurisdiction over the case, and USCIS retains discretion to deny such a request.

B. An Asylum Office may issue an NTA in the following situations:
   1. An asylum applicant who has been issued an NTA may request issuance for family members not included on the asylum application as dependents for family unification purposes. The request must be made in writing, and USCIS retains discretion to deny such a request.
   2. An asylum applicant issued a denial while in lawful immigration status may request that the Asylum Office issue an NTA after he or she falls out of lawful immigration status. The request must be made in writing and USCIS retains discretion to deny such a request.
   3. The Asylum Office may issue an NTA after rescinding asylum status, based on a determination that USCIS did not have jurisdiction to grant asylum status, if the applicant does not currently have an outstanding order of removal or is not otherwise in removal proceedings.
   4. If the Asylum Office dismisses NACARA 203 because the NACARA applicant was not removable and the applicant subsequently falls out of lawful immigration status, the applicant may request the issuance of an NTA. The request must be made in writing, and USCIS retains discretion to deny such a request.

C. USCIS may issue NTAs in connection with a Form N-400 filing in the following situations, in addition to the situations described above in paragraph IV.A.3:
   1. When the applicant may be eligible to naturalize, but is also deportable under INA § 237. Examples include applicants convicted of aggravated felonies prior to November 29, 1990, or applicants convicted of deportable offenses after obtaining lawful permanent resident (LPR) status that do not preclude GMC or otherwise make an applicant ineligible for naturalization; or
   2. When it is determined that the applicant was inadmissible at the time of adjustment or admission to the United States, and thus deportable under INA § 237, and ineligible for naturalization under INA § 318.[18]

[18] In the Third Circuit *only* (Pennsylvania, New Jersey, Delaware, and the U.S. Virgin Islands), based on the holding in *Garcia v. Att'y Gen*., 553 F.3d 724 (3d Cir. 2009), if the alien has been an LPR for at least 5 years, the alien

Unless USCIS exercises prosecutorial discretion in favor of the alien, as described below in Section VIII, an NTA will be issued in these two situations before adjudication.[19] If an NTA has been issued in any case while the N-400 is pending, the N-400 will be placed on hold until removal proceedings have concluded. Once proceedings have concluded, the adjudication of the N-400 will resume.

D. In cases involving the confidentiality protections at 8 U.S.C. § 1367(a)(2),[20] USCIS must follow the guidelines established in this PM, once the benefit request has been denied.[21] 8 U.S.C. § 1367 does not preclude USCIS from serving an NTA upon the attorney of record or safe mailing address. However, USCIS cannot serve the NTA on the physical address of the applicant or petitioner unless Section 1367 protections have been terminated.

   In following the guidelines established in this PM, USCIS must also comply with the provisions at 8 U.S.C. § 1367(a)(1), which, with limited exception, prohibits DHS employees and contractors from making adverse determinations of admissibility or deportability using information furnished solely by prohibited sources. Unlike the confidentiality provisions of 8 U.S.C. § 1367(a)(2), which expire once the benefit request has been denied and all opportunities for appeal have been exhausted, this prohibition on adverse determinations of admissibility or deportability using information furnished solely by prohibited sources does not expire upon denial of the benefit petition or application and applies regardless of whether any application or petition has been filed.[22]

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cannot be placed in removal proceedings for fraud or willful misrepresentation of a material fact at time of adjustment, if USCIS could have learned of the fraud or misrepresentation through reasonable diligence before the 5-year rescission period expired. Please consult with USCIS counsel if there are questions regarding the applicability of this precedent.

[19] In the Ninth Circuit *only* (Alaska, Arizona, California, Commonwealth of the Northern Mariana Islands (CNMI), Guam, Hawaii, Idaho, Montana, Nevada, Oregon, and Washington), based on the decision in *Yith v. Nielsen*, 881 F.3d 1155 (2018), please consult with counsel before issuing an NTA in these cases.

[20] The confidentiality protections in 8 USC § 1367(a)(2) extend to applicants and petitioners for, and beneficiaries of, benefit requests covered by the following form types: Form I-360, Petition for Amerasian, Widow(er), or Special Immigrant, processed under the Violence Against Women Act (VAWA); Form I-485 based on VAWA, T or U nonimmigrant status; Form I-751 under the battered spouse or child waiver; Form I-914, Application for T Nonimmigrant Status; Form I-918, Petition for U Nonimmigrant Status; Form I-765V, Application for Employment Authorization for Abused Nonimmigrant Spouse; Form I-485, Application to Register Permanent Residence or Adjust Status, processed under VAWA amendments to the Cuban Adjustment Act; and all related ancillary forms with a VAWA Form I-360, VAWA Cuban Adjustment Act Form I-485, Form I-914, or Form I-918. These confidentiality protections generally continue indefinitely for individuals granted covered immigration relief or benefits and cover information contained in prior and subsequent applications filed by protected individuals, including petitions for derivative beneficiaries, applications for adjustment of status, and naturalization.

[21] Officers should look to operational guidance for instructions on the handling of cases for which 1378(a)(2) protections have been terminated.

[22] For additional information, see USCIS Policy Memorandum, *Identification and Disclosure of Section 1367 Information*, PM-602-0136 (Aug. 25, 2016), and DHS Instruction No. 002-02-001, *Implementation of Section 1367 Provisions* (Nov. 7, 2013).

VII. Preservation of Administrative Review

Except as specifically provided by law,[23] the issuance, service, or filing of an NTA to commence removal proceedings does not negate any right to seek administrative review, whether by motion to the USCIS office that issued the unfavorable decision, or by appeal to the USCIS Administrative Appeals Office. USCIS will continue to conduct its administrative review during the course of removal proceedings. If USCIS takes favorable action upon motion or appeal, such that an individual is no longer removable, USCIS should advise ICE counsel so that appropriate action can be taken in removal proceedings.

VIII. Exercise of Prosecutorial Discretion

Executive Order 13768 and the implementing guidance provide that DHS personnel should take enforcement actions in accordance with applicable law, and they support that DHS personnel have full authority to initiate removal proceedings against any alien who is removable. NTAs will be issued in cases where the individual is a priority for removal under this PM, as outlined above, except in very limited circumstances involving the exercise of prosecutorial discretion, as described here. The Executive Order and implementing guidance also provide that prosecutorial discretion may be exercised on a case-by-case basis in consultation with the head of the relevant field office of the component that initiated or will initiate the enforcement action, regardless of which entity actually files any applicable charging documents: CBP Chief Patrol Agent, CBP Director of Field Operations, ICE Field Office Director, ICE Special Agent-in-Charge, USCIS Field Office Director, Director of the National Benefits Center, International Operations Chief, or Service Center Director.[24] Given the high level of concurrence required, prosecutorial discretion to not issue an NTA should only be exercised on a case-by-case basis after considering all USCIS and DHS guidance, DHS's enforcement priorities, the individual facts presented, and any DHS interest(s) implicated (e.g., federal court litigation-related considerations or deconfliction with law enforcement priorities of other agencies).

To facilitate the exercise of prosecutorial discretion, a Prosecutorial Review Panel must be maintained in each office authorized to issue NTAs. The Prosecutorial Review Panel must include a local supervisory officer[25] and a local USCIS Office of Chief Counsel attorney (to serve in an advisory role for legal sufficiency review) to determine whether to recommend

[23] *See, e.g.*, INA 318 (precluding consideration of an application for naturalization if there are pending removal proceedings pursuant to a warrant of arrest (NOTE: this is subject to *Yith* in the Ninth Circuit)); 8 CFR § 244.10(c)(2) (precluding administrative appeal when NTA is issued after certain denials of TPS, but providing for *de novo* determination of TPS eligibility in removal proceedings).

[24] See John F. Kelly, Secretary of Homeland Security, *Enforcement of the Immigration Laws to Serve the National Interest* (Feb. 20, 2017).

[25] In cases involving Form N-400, the NTA Panel must be represented by at least one local supervisory officer who is an expert in naturalization laws, policies, and procedures.

the exercise of prosecutorial discretion not to issue an NTA in the aforementioned cases. The Prosecutorial Review Panel will make a recommendation regarding the positive exercise of prosecutorial discretion, as described above. A Field Office Director, an Associate Service Center Director, the Assistant Center Director of the National Benefits Center, or the Deputy Chief of International Operations must concur with the recommendation to exercise prosecutorial discretion.

**Implementation**

Components should refer to their operational guidance for specific processing of cases in accordance with this memorandum. Each office must create processes for referrals of cases, both pre- and post-adjudication, and the completion of RTIs. A document outlining these processes must be sent to the appropriate District Office, Service Center, or International Operations Division Branch within 30 days of the issuance of this memorandum.

**Use**

This PM is intended solely for the guidance of USCIS personnel in the performance of their official duties. It is not intended to, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law, or by any individual or other party in removal proceedings, in litigation with the United States, or in any other form or manner.

**Contact Information**

Questions or suggestions regarding this PM should be addressed through appropriate channels to the Field Operations Directorate, Service Center Operations Directorate, or the Refugee, Asylum, and International Operations Directorate.