



ILSAA
IMMIGRATION LEGAL SERVICES
FOR AFGHAN ARRIVALS

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THE PAPERWORK REDUCTION ACT (PRA) OF 1995 (Pub. L. 104–13) The purpose of this information collection is to understand the qualifications of Legal Service Providers handling cases for the Immigration Legal Services for Afghan Arrivals project, an Office of Refugee Resettlement initiative. Public reporting burden for this collection of information is estimated to average sixty-five minutes per respondent, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. This is a voluntary collection of information. A federal agency may not conduct or sponsor, and no individual or entity is required to respond to, nor shall an individual or entity be subject to a penalty or failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act of 1995, unless that collection of information displays a currently valid OMB control number. If you have any comments on this collection of information, please contact Malia Kim, Capacity Building Director, ICF, by email at Malia.Kim@icf.com.

Knowledge Assessment - Comprehensive

Affirmative Asylum

1. Showing past persecution creates a presumption of well-founded fear in asylum cases. (T)
2. A persecutor bar is an individual who is not eligible for a grant of asylum if he or she has participated in the persecution of others based on the five protected grounds. (T)
3. Membership in a group that engages in persecution is considered a persecutor bar. (F)
4. A conviction for a serious non-political crime can be a disqualifier for asylum. (T)
5. Citizens or nationals of Afghanistan, or foreign nationals that have no nationality and last habitually resided in Afghanistan, are eligible for expedited processing. (T)



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6. What are the five statutory grounds for asylum? (Select all that apply.) (A, B, D, E, G)
 - A. Race
 - B. Religion
 - C. Sex
 - D. Nationality
 - E. Political opinion
 - F. Disability
 - G. Membership in a particular social group

7. What is NOT considered a bar to asylum? (E)
 - A. The applicant has been convicted of a “particularly serious crime” such that the applicant is a danger to the United States.
 - B. The applicant poses a danger to the security of the United States.
 - C. The applicant has been firmly resettled in another country before arriving in the United States (meaning they received an offer equivalent to U.S. permanent residence in another country).
 - D. The applicant is the spouse or child of an individual who is inadmissible for any of the above within the last 5 years.
 - E. The applicant has applied for a special immigrant visa and has been denied.

8. Affirmative asylum applicants are eligible to apply for an Employment Authorization Document (EAD) pursuant to their pending asylum application 150 days after the applicant files for asylum. (T)

9. What is the 180-Day Asylum EAD Clock? (A)
 - A. The applicant is not eligible to receive the EAD until the asylum application has been pending for a total of 180 days.
 - B. It takes 180 days for USCIS to process the EAD.
 - C. There is a 180-day delay before the applicant can start working.
 - D. It takes 180 days to file an appeal if an EAD is denied.

10. Children and spouses of primary asylum applicants are NOT granted the same status as the primary applicant and are physically present in the United States. (F)





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11. If the primary applicant's children and spouse are outside of the U.S. and wish to join the primary applicant in the United States, the primary applicant should file a Form I-730, Refugee/Asylee Relative Petition, within 2 years of being granted asylum. (T)

12. OAW affirmative asylum applications should be scheduled for interview within 45 days of USCIS receiving the asylum application. (T)

13. What actions should you take after receiving a NOID? (Select all that apply)
(A)
 - A. Once the applicant receives the NOID, the applicant should submit a rebuttal, including additional evidence, to overcome the NOID.
 - B. Do not respond
 - C. File for parole
 - D. None of the above

14. What are exceptions to the one-year filing deadline? (D)
 - A. Illness
 - B. Disability
 - C. Maintaining parole status
 - D. All of the above

15. What do you do when an applicant is missing documentation, e.g., birth certificate, marriage certificate? (D)
 - A. Check U.S. Department of State reciprocity schedule for Afghan specific documents.
 - B. Obtain affidavits from people with first-hand knowledge.
 - C. File an Explanation of Unavailability of Documents.
 - D. All of the above

16. What is the category for a pending-asylum EAD? (B)





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- A. c(12)
- B. c(8)
- C. c(7)
- D. 3

Family and Relative Petitions (forms I-730 and I-130).

1. What are the possible steps the government does to process Form I-730? (D)
 - A. Issues RFEs and approves application
 - B. Schedule the interview with the beneficiary
 - C. Schedule medical examination
 - D. All the above

2. What type of spouse or children are eligible to request status under Form I-730? (E)
 - A. Marriage that existed prior to the date of admission
 - B. Unmarried children under 21 years of age born in wedlock
 - C. Child under 21 years of age born out of wedlock but has a legitimate bona fide relationship with the natural mother or natural father
 - D. Child adopted over the age of 16 and only resided with adoptive parents for 1 year or less
 - E. A, B, and C

3. The spouse and/or unmarried children must be from the beneficiary's country of origin to be eligible for an I-730 application. (T)

4. A petitioning asylee or refugee must file the Form I-730 within one year of the date they were granted asylum by a USCIS Asylum Office or an Immigration judge. (F)

5. For those who miss the I-730 filing deadline, it is best to request an extension based on humanitarian reasons at the time of submitting Form I-730 is filed. (T)





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6. To establish a stepchild, the beneficiary must provide proof of termination of any prior marriages between the petitioner and the parent of the stepchild. (T)

7. An adopted child is eligible if the adoption took place after the child became 16 years of age, or if the child has been in legal custody and living with the adoptive parent(s) for at least 2 years. (F)

8. It is possible to file a Form I-730 for a beneficiary who has a final order of removal. (T)

9. What are examples of primary evidence? (E)
 - A. Civil issued documents
 - B. Membership affiliations
 - C. Blood Test
 - D. Tazkera
 - E. A and D

10. The primary applicant must file at a consulate for additional family members when petitioning for an I-130 (T)

11. When filing an I-130 as a U.S. citizen, I can petition for my ... (D)
 - A. Spouse
 - B. Parents
 - C. Children who are unmarried and under 21 years of age
 - D. All of the above
 - E. None of the above

12. Petitioners who have been granted asylee or refugee status can file an I-130 if they have a green card. (T)

13. The **AOR** is an application on behalf of your family member for admission to the United States. (F)





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14. As a refugee or asylee, I can submit an I-130 for my spouse and child who are unmarried and under the age of 21, 2 years after I have arrived in the United States. (F)
15. I am an Afghan without U.S. citizenship. The special programs I can use for Afghan Family Reunification are:
- A. Parole
 - B. TPS subsequent to parole
 - C. I-130
 - D. A and B

Humanitarian Parole

1. Humanitarian parole allows an individual who may be inadmissible or otherwise ineligible for a visa, refugee, or other immigration status to enter the United States for urgent humanitarian reasons or significant public benefit. (T)
2. Humanitarian parole allows an individual to apply for a work authorization. (T)
3. What are common reasons Afghans apply for humanitarian parole? (E)
 - A. Reuniting with family in the United States for urgent reasons including age, disability, or living circumstances that demonstrate that the individual abroad is particularly vulnerable
 - B. For employment
 - C. Medical reasons
 - D. Death in the family
 - E. A, C, D
4. What is considered evidence for humanitarian parole? ()
 - A. Evidence supporting the existence of vulnerability
 - B. Statements or other documentation explaining the living conditions or circumstances of the family member
 - c. Evidence of the immigration status of family members residing in the U.S.
 - D. Country conditions report
 - E. All of the above





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5. On August 31, 2021, the U.S. Embassy in Kabul, Afghanistan, suspended its operations. There is no other option within Afghanistan for Afghans to continue the processing of visa or related applications. Consequently, Afghans seeking humanitarian parole, or any other status, must enter a third country and process their applications via the U.S. embassy there. (T)
6. A judge adjudicates humanitarian parole applications. (F)
7. What is NOT an example of a country conditions report? (Select all that apply.) (E)
 - A. Articles and reports current situation in Afghanistan focused on your beneficiary's situation.
 - B. Dangers and instability of third country
 - C. Reports by NGOs (Human Rights Watch, Amnesty International, Committee to Protect Journalists, Asylos)
 - D. Reports by other governments (Immigration and Refugee Board of Canada)
 - E. Affidavit of Support
8. All Afghan humanitarian parole applications are considered for expedited processing. (T)
9. CBP has the authority to grant humanitarian parole at a port of entry. (T)
10. Humanitarian parole is granted once an individual has arrived in the United States AND is considered an "admissible" for immigration purposes. (F)
11. Humanitarian parole is a temporary option, and the applicant can apply to adjust status based on parole only. (F)





SIV

1. An Afghan qualifies for an SIV visa if they are of Afghan nationality and employed by or on behalf of the U.S. government in Afghanistan for a period of at least 1 year between 2001 and 2023 and experience ongoing serious threat as a consequence of such employment. (T)
2. Select the possible steps of the SIV process. (A, C)
 - A. COM application and DS-157
 - B. I-360
 - C. I-485
 - D. All of the above
3. A Chief of Mission Application is proof that the applicant possesses the employment experience required for the SIV process. (T)
4. What is supporting evidence in a COM case? (Select all that apply.) (A, B, D)
 - A. Letter of recommendation from a supervisor or senior person
 - B. Evidence of Afghan nationality
 - C. Immigration history
 - D. Employee badge
5. Derivative applicants (spouses and children) need to apply separately for the COM approval. (F)
6. The COM process requires an interview for primary and derivative applicants. (F)
7. An applicant can apply for SIV as parolee. (T)



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8. What are considered grounds of inadmissibility for SIV? (Select all that apply.) (A, B, C, E)
 - A. Health-related
 - B. Crime-related
 - C. Security related
 - D. Submitted application for green card
 - E. Practicing polygamy

9. What is a tazkera? (E)
 - A. Birth certificate
 - B. Passport
 - C. Afghan driver's license
 - D. Equivalent of Afghan social security card
 - E. National ID card

10. What are exceptions to the filing deadline? (E)
 - A. Illness
 - B. Disability
 - C. Holding other status or parole
 - D. All the above
 - E. SIV does not have a filing deadline

11. What do you do when an applicant is missing identity documentation, e.g., birth certificate, marriage certificate? (D)
 - E. Check Department of State reciprocity schedule for Afghan specific documents
 - F. Obtain affidavits from people with first-hand knowledge
 - G. Call the USCIS 1-800 number
 - H. A and B





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12. Azeem, an Afghan interpreter, filed a petition seeking SIV status on July 3, 2019. He listed his spouse and his daughter on the petition since his daughter was unmarried and under 21. The petition was approved 20 months later on April 3, 2021, and the priority date was current at that time. Azeem applied for an immigrant visa, but due to the backlog at the U.S. embassy, he was not interviewed. Instead, he was paroled into the U.S with SQ/SI status. He has recently applied for adjustment of status. His wife and daughter stayed behind and are still in hiding in Kabul. The daughter was born on February 1, 1999. Using her biological age, she had already turned 21 on the date the I-360 petition was approved.

According to the Child Status Protection Act (CSPA), can she still be included in the petition? Yes

Terrorism-Related Inadmissibility Grounds (TRIG)

1. What are examples of “material support” for TRIG? (E)
 - A. Providing safehouse
 - B. Transportation
 - C. Funds
 - D. Weapons
 - E. All of the above
1. Lack of knowledge is a TRIG exemption for Afghan nationals. (T)
2. You must apply or file a form to apply for a TRIG exemption. (F)
3. Is the following example a potential inadmissibility under TRIG? Yes
A woman who has been kidnapped by the Afghan Taliban and received forced labor (cooking, cleaning, etc.)

Polygamy



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1. USCIS honors polygamous marriages and practicing polygamy is NOT a ground for inadmissibility. (F)
2. USCIS only honors the first marriage valid for immigration purposes. (T)
3. Polygamy can result in the denial of a citizenship application and in deportation proceedings. (T)
4. A waiver to the ground of polygamy inadmissibility is available in the following applications:
 - A. TPS
 - B. SIV AOS
 - C. Asylee AOS
 - D. A and C

Unaccompanied Afghan Minors

1. Unaccompanied minors can have their asylum application heard by an asylum officer in a nonadversarial interview instead of presenting their case in immigration court before an immigration judge, where they are subjected to cross-examination by a government attorney. (T)
2. Children designated as unaccompanied minors are subjected to the 1-year filing asylum deadline. (F)
3. Removal to a safe third country bar to asylum does not apply to unaccompanied minors. (T)
4. For children, the level of physical or psychological harm they have suffered or will suffer can constitute persecution and are held to an equal standard as an adult. (F)
5. It is difficult to establish particularity and nexus in many gang-related claims. (T)



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6. The Kim Memo, which states that the Asylum Office must take jurisdiction over an I-589 filed by someone who was previously designated as an unaccompanied minor even if they are in removal proceedings, whether or not they continued to meet the definition of an unaccompanied minor at the time of filing, is currently in effect. (T)
7. Unaccompanied minors can file using form DS-4317. (F)
8. Afghan children can apply for Special Immigrant Juvenile Status (SIJS) even if they were not abused, abandoned, or neglected by one or both parents. (F)

USCIS Best Practices

1. How do you know if you are using the correct edition date of a USCIS form? (B)
 - A. Using the last form you submitted for a prior application is sufficient
 - B. Download the form directly from USCIS every time
 - C. The expiration date on the form
 - D. Read legal forums
2. What form of signature is acceptable to use to submit to USCIS? (F)
 - A. E-signature
 - B. Wet signature
 - C. Using DocuSign
 - D. Using pdf editor tool
 - E. Sign and take a picture, then send a copy
 - F. B and E
3. I think my case is taking too long, what are the next steps? (E)
 - A. Review current processing times for my form
 - B. You or the client can contact the USCIS' hotline
 - C. Get on the next USCIS webinar to ask a question about your case
 - D. A tool within processing times will allow you to submit an inquiry after inputting your receipt number on USCIS.gov
 - E. A, B and D
4. My client changed their address, how do I notify USCIS? (E)





- A. File an AR-11 form
 - B. Update address on USCIS Change of Address page
 - C. Call USCIS directly to notify them of the change
 - D. Send an email to USCIS
 - E. A and B
5. The visa bulletin is based on when an I-130 is originally filed with USCIS. (T)
6. It is necessary to check the bulletin when filing an asylum application. (F)
7. What does “C” on the visa bulletin indicate? (B)
- A. Confirmed
 - B. Current
 - C. Customs
 - D. Consular
8. If you are filing multiple forms for several family members, you can submit one payment for all family members to USCIS. (T)
9. What should you put on the front of the envelope for I-589 Afghan specific cases to be eligible for the expediated processing? (A)
- A. OAR or OAW
 - B. Expediate
 - C. PP
 - D. ASAP
10. If you just want to receive a text message or email when USCIS accepts your paper form, you can include Form G-1145, E-Notification of Application/Petition Acceptance with the form you mail to USCIS. When USCIS sends the confirmation text message or email, it will list your receipt number and tell you how you can get case status information. (T)



11. Only attorneys can sign up for a USCIS account. (F)
12. Asylum applications are filed at a USCIS Asylum Office. (F)
13. When you are attending an interview, what do you do when an interpreter is not available? (Select all that apply.)
 - A. Request a reschedule
 - B. Schedule an appearance by phone
 - C. Ask your client to bring a family member
 - D. Attend the appointment without one as it is difficult to reschedule the appointment
14. USCIS' practice of expediting application forms for EAAs overcomes:
 - A. Delays that are based on average processing times
 - B. Delays based on visa unavailability on the visa bulletin
 - C. Both
 - D. Neither
15. Under current fee waiver regulations, USCIS only approves fee waivers for certain forms or certain types of requests on a form. (T)
16. You do not need to file Form I-912 for applications and petitions that do not require a filing fee. (T)