UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
GREENBELT DIVISION

The Door, *et al.*,

Plaintiffs,

vs.

Joseph B. Edlow, *et al.*,

Defendants.

Case No. 26-CV-04326-BAH

PLAINTIFFS' RESPONSE TO DEFENDANTS' NOVEMBER 16 STATUS REPORT

This Court issued a Temporary Restraining Order on October 30, 2026, ordering Defendant USCIS to, among other things, "[r]einstate USCIS's prior policy of allowing applicants to reschedule their asylum interviews once as a matter of course and again for good cause[.]" ECF 54 at 20-21[1].

After receiving multiple reports from practitioners of Defendant USCIS's failure to comply with the TRO, Plaintiffs' Counsel filed a Notice of Noncompliance on November 5, 2026, in advance of a status hearing scheduled that same day. *See* ECF 61. Based on the evidence submitted by Plaintiffs and USCIS's representations during the status hearing on November 5, the Court issued an order on November 6, 2026, finding "extensive" record evidence of USCIS's "noncompliance with the TRO," and ordering USCIS to submit a status report "detailing the steps they have taken to comply with the TRO's requirements" every 48 hours pending expiration of the TRO. ECF 63 at 1, 3 (citing ECF 61).

[1] All ECF citations are to the internal ECF pagination unless otherwise stated.

Following briefing from both parties on a suitable proposed remedy for Defendants' noncompliance, the Court issued two more orders on November 9 (ECF 66) and November 10, 2026 (ECF 70), found continued noncompliance with the TRO by Defendants, and ordered Defendants to, among other things, do the following to remedy their noncompliance with the TRO:

- vacate Failure to Appear notices issued in violation of the TRO
- update all internal guidance, template notices, and templated language in reschedule notices to ensure compliance with the TRO,
- ensure asylum offices respond by phone or by email "within 24 hours whenever possible" to reschedule requests made consistent with the TRO,
- grant requests if an attorney requests to reschedule on the day of the interview if consistent with the TRO,
- update USCIS webpages to instruct unaccompanied children to contact their asylum office's public email inbox for issues with rescheduling interviews and with instructions on how to submit rescheduling requests, and
- ensure that individuals monitoring those email addresses are aware of and will prioritize requests made under the TRO.

ECF 70 at 2-5.

Defendants provided regularly-scheduled Status Reports on November 9 and 12, and an additional Status Report on November 13 pursuant to another Court order issued on November 13, 2026. Defendants' most recent Status Report was filed on November 16, 2026. These reports have described, in general terms, USCIS's efforts to provide public notice of the TRO and to correct instances of noncompliance that had already occurred. *See* ECF 68, 73, 76, 79. Defendants informed the Court that "[a]sylum offices have updated all template email response language for [UC] reschedule requests to remove 'exceptional circumstances' language and include language from the TRO," ECF 73 ¶ 2; ECF 68 ¶ 1, and that USCIS would "remove the

failure to appear from its case management system" for unaccompanied children who received a Failure to Appear due to a denial or lack of response to a reschedule request that was grantable under the TRO, and that USCIS would "offer a new interview date" to such applicants. ECF 73 ¶ 5.

I. USCIS's Continued Non-Compliance with This Court's TRO

Despite the Court's multiple orders and Defendants' representations in their Status Reports, Plaintiffs' counsel has continued to receive reports of ongoing TRO violations by Defendant USCIS. Plaintiffs' counsel has contacted Defendants' counsel about these issues, sending multiple emails between November 7 and November 17, 2026 in which Plaintiffs' counsel provided spreadsheets documenting applicants who had reported non-compliance with the TRO. Plaintiffs' counsel included in these spreadsheets applicants' names, A numbers, and attorney contact information. *See* Ex. 1 (de Gramont Decl.) & Attachments A, B. Plaintiffs have heard from some attorneys that USCIS is beginning to remedy examples of noncompliance flagged in Plaintiffs' spreadsheets, however Plaintiffs continue to receive new reports of non-compliance. *See* Ex. 1(de Gramont Decl.) ¶¶ 10-12.

A. Email Responses from Multiple Asylum Offices Continued to Cite the "Exceptional Circumstances" Standard for Rescheduling Interviews After November 9

Despite Defendants' representation on November 9, 2026, that "[a]sylum offices have updated all template email response language" to comply with the TRO, ECF 68 ¶ 1, multiple attorneys have reported receiving non-compliant email responses after November 9, including as recently as Friday, November 13.

Multiple attorneys report problems with the New York Asylum Office ("NYAO") in particular. Attorneys who made requests to reschedule under the TRO or requests to vacate improper failures to appear received automatic responses from the NYAO on November 10, 12, and 13, 2026 with language instructing applicants and their counsel that rescheduling an

interview requires them to establish "exceptional circumstances" and that the NYAO does not process inquiries directly but that all inquiries should instead "be directed to USCIS' online tools or the USCIS Contact Center[.]" *See* Ex. 1 (de Gramont Decl.) & Attachment C; Ex. 2 (Hamill Decl.) ¶ 7 & Attachment B; Ex. 3 (Koszeg Decl.) ¶ 8 & Attachment A; This email response does not mention the TRO or provide any further instructions for unaccompanied children. *Id*.

Similar template responses have also been reported from the Tampa Asylum Office. On November 10, 2026, an attorney received an email from the Tampa Asylum Office in response to a reschedule request made consistent with the TRO stating, in relevant part, "[e]ffective August 21, 2026, you must establish exceptional circumstances for USCIS to reschedule an affirmative asylum interview. To request a reschedule of an asylum interview, contact the USCIS Contact Center at 800-375-5283 (TTY: 800-767-1833)." Ex. 2 (Hamill Decl.) ¶6 & Attachment A. The email made no mention of this Court's TRO. This response appeared to be new; the attorney did not receive it in reply to earlier requests on November 6, 2026**.** *See id.* ¶ 6. On November 14, the same attorney did receive another automatic response from the Tampa Asylum Office that included language regarding reschedule requests for unaccompanied children pursuant to the TRO. Despite including this language, however, the template email still indicates that inquiries must go to the USCIS Contact Center. *See id*. ¶ 8 & Attachment C.

Plaintiffs' counsel flagged the issue of non-compliant email responses with Defendants' counsel on November 12, 2026, and November 13, 2026, and requested Defendants clarify their prior representations regarding email templates in their status report, but have not received a response. *See* Ex. 1 (de Gramont Decl.) ¶¶ 8-9 & Attachment B.

B. Asylum Offices continue to issue Failure to Appear status updates to unaccompanied child applicants who requested interview rescheduling consistent with the TRO

Numerous attorneys have reported that their clients received "Failure to Appear" status updates despite making rescheduling requests consistent with the TRO, including for interviews scheduled as recently as November 10, 2026.

- On November 12, 2026, Plaintiffs' counsel emailed Defendants' counsel to report that two asylum applicants received Failure to Appear status updates after the Court's November 10 order despite (1) making requests to reschedule under the TRO prior to the interview; (2) appearing in person with counsel at the asylum office on the dates of the interviews on November 9 and November 10 and (3) choosing not to go forward with the interview after USCIS indicated the interview would be rescheduled consistent with the TRO. *See* Ex. 1 (de Gramont Decl.) ¶ 8 & Attachment B. Plaintiffs' counsel followed up on November 13 and requested Defendants address these erroneous failures to appear in their status report. *See id.* ¶ 9 & Attachment B. As of November 17, 2026, Plaintiffs' counsel learned from the affected attorneys that these Failure to Appear notices were vacated and their clients' asylum interviews were rescheduled. Plaintiffs have yet to receive a response from Defendants as to why these applicants were initially documented as Failure to Appear. *See id*. ¶ 10.
- On November 16, 2026, Plaintiffs' counsel received an email reporting a Failure to Appear status update issued under similar circumstances after the attorney requested rescheduling as of right under the TRO by email, mail, and in-person on the morning of November 10, 2026 and was assured of compliance with the TRO. *See* Ex. 1 (de Gramont Decl.) ¶ 11 & Attachments B, D.

These recent Failure to Appear case updates are in addition to prior Failure to Appear case updates, including:

- An attorney with The Door appeared at the NYAO on November 4, 2026 to request that their client's interview be rescheduled consistent with the TRO. An officer said she would

"consult a supervisor" about the request. On November 5, 2026, the Online Case Status for this applicant indicated a Failure to Appear. ECF 74-8 ¶ 6.

- An attorney contacted the Chicago Asylum Office on November 5, 2026 by email to reschedule an interview for an unaccompanied child applicant on November 9, 2026. The next day, on November 6, 2026, the Chicago Asylum Office responded and noted that the request "has been forwarded to management for consideration." Without any further communications denying or approving the reschedule request, the applicant's Online Case Status was updated to indicate Failure to Appear at their interview. ECF 74-17 ¶ 14.
- Another attorney submitted a first reschedule request with the NYAO on October 31, 2026 for an interview scheduled on November 2, 2026. After receiving no response, the attorney appeared at the NYAO on November 2, 2026, reiterated the reschedule request under the TRO, and was told that the request would be considered in accordance with law and court orders. However, instead of rescheduling the interview, USCIS updated the applicant's Online Case Status to show a Failure to Appear. *See* Ex. 3 (Koszeg Decl.) ¶¶ 4-6. Plaintiffs' counsel raised this case with Defendants on November 7, 2026. *See* Ex. 1 (de Gramont Decl.) ¶ 5. After the attorney emailed the NYAO on November 12, 2026 with a copy of this Court's November 10, 2026 order seeking to vacate the Failure to Appear finding, she received an automated response, citing the "exceptional circumstances" standard. It was not until after 4:00pm ET on November 16, 2026 that the status was finally changed to "Request to Reschedule Was Received." *See* Ex. 3 (Koszeg Decl.) ¶ 9 & Attachment A.

Despite ongoing communications with Defendants' Counsel about many of these issues, and despite Defendants' representations in their Status Reports, such violations continue and Defendants have not provided an explanation for persistent non-compliance. *See* ECF 68, 73, 76 79. Defendants most recently filed a Status Report on November 16, 2026 that states that "Defendants have rescheduled interviews in 16 cases identified by Plaintiffs" but does not clarify how many cases still need to be rescheduled. ECF 79 ¶ 2. Defendants indicate that guidance was

issued to the asylum offices "requiring them to compile a list of all [UC] reschedule requests received between October 30, 2026 and November 9, 2026, and the action taken on those requests." *Id* ¶ 1. Plaintiffs' counsel previously requested copies of USCIS's initial and follow-up communications to its nationwide offices to ensure TRO compliance, but none have been provided as of this filing. *See* ECF 61-1. Although Defendants have remedied violations in some cases identified by Plaintiffs, Plaintiffs are concerned that USCIS is not ensuring proactive compliance with the TRO.

Plaintiffs now respectfully request that the Court: (1) extend the timeframes of all directives previously issued in the Court's Remedial Order (ECF 70) from an end date of November 9, 2026 to the duration of the temporary restraining order; (2) require USCIS to show what steps they have taken or will take to prospectively ensure compliance with the TRO and the Remedial Order, including steps to affirmatively inform all unaccompanied child asylum applicants that interviews can be rescheduled once as of right and again for good cause; (3) require Defendants to produce all initial and follow-up communications USCIS has sent to asylum offices nationwide since October 30, 2026 regarding compliance with the TRO and the November 10, 2026 order; (4) clarify that an initial TRO-consistent reschedule request made as of right is deemed granted, and that the unaccompanied child applicant and counsel need not appear on the interview date if they have received no response by then.

Dated: November 17, 2026

Respectfully submitted,

NATIONAL IMMIGRATION LAW CENTER

/s/Lynn Damiano Pearson
Lynn Damiano Pearson, *pro hac vice*
Hannah K. Comstock, *pro hac vice*
3450 Wilshire Blvd. #108 – 62
Los Angeles, CA 90010
Telephone: (213) 639-3900

CENTER FOR GENDER & REFUGEE STUDIES

/s/ Melissa Crow
Melissa Crow (Bar No. 15622)
1901 Pennsylvania Avenue, NW
Suite 900, PMB 228
Washington, DC 20006
Telephone: (202) 355-4471

Fax: (213) 639-3911
damianopearson@nilc.org
Comstock@nilc.org

/s/ Kevin Siegel
Kevin Siegel, *pro hac vice*
Farah Khan (Bar No. 32643)
P.O. Box 34573
Washington, DC 20043
Telephone: (202) 216-0261
Fax: (202) 216-0266
siegel@nilc.org
khan@nilc.org

TRIAL IMPACT PROJECT

/s/ Sara Haji
Sara Haji, *pro hac vice*
Marjorie J. Menza, *pro hac vice*
523 W. 6th Street, Suite 450
Los Angeles, CA 90014
Telephone: (213) 542-5241
shaji@trialimpact.org
mmenza@trialimpact.org

crowmelissa@uclawsf.edu

/s/ Robert Pauw
Robert Pauw, *pro hac vice*
c/o Gibbs Houston Pauw
1000 Second Avenue, Suite 1600
Seattle, WA 98104
Telephone: (206) 682-1080
rpauw@ghp-law.net

NATIONAL CENTER FOR YOUTH LAW

/s/ Mishan Wroe
Mishan Wroe, *pro hac vice*
Diane de Gramont, *pro hac vice*
Neha Desai, *pro hac vice*
428 13th Street, Floor 5
Oakland, CA 94612
Telephone: 510.920.8098
mwroe@youthlaw.org
ddegramont@youthlaw.org
ndesai@youthlaw.org

EXHIBIT 1

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
GREENBELT DIVISION

THE DOOR, *et al*;

Plaintiffs,

vs.

Joseph EDLOW, *et al*,

Defendants.

Case No. 8:26-CV-04326-BAH

DECLARATION OF DIANE DE GRAMONT REGARDING CONTINUED NON-COMPLIANCE WITH THE COURT'S TEMPORARY RESTRAINING ORDER

DECLARATION OF DIANE DE GRAMONT

1. I, Diane de Gramont, am a Senior Attorney at the National Center for Youth Law and counsel of record for Plaintiffs in the above-captioned case. I make the following statements on behalf of myself and as counsel in the above-captioned matter.

2. I am over the age of 18 years old and make this declaration based upon my personal knowledge and experience. If called to do so, I could and would competently testify to these matters under oath.

3. After the Court issued its temporary restraining order on October 30, 2026, Plaintiffs' counsel received numerous reports from attorneys regarding non-compliance with the Court's temporary restraining order (TRO) and subsequent remedial order. Plaintiffs' counsel created a system to track these reports, including asylum applicant names and A#s when attorneys are able to share this information.

4. As described below, I sent Defendants' counsel, Dayna Kipnis, multiple emails between November 7, 2026, and November 17, 2026, reporting instances of non-compliance with the Court's orders. A true and correct copy of this correspondence is attached as Exhibits A and B to this declaration, with redactions for applicant and non-party attorney personally identifying information.

5. On November 7, 2026, I emailed Defendants' counsel with a spreadsheet of applicants

who reported non-compliance with the TRO, including applicant names, A#s, and attorney contact information. I highlighted rows for applicants issued a failure to appear notice despite making a rescheduling request under the TRO and applicants who had an imminent interview date they were attempting to reschedule. *See* Exhibit A at 3. This spreadsheet included the case discussed in the Declaration of Fanni Koszeg.

6. On November 9, 2026, I emailed Defendants' counsel to follow up on rescheduling requests for interviews scheduled for November 9 and November 10. *See* Exhibit A at 2.

7. On November 10, 2026, I sent Defendants' counsel another spreadsheet with information of asylum applicants who were requesting a reinterview under the Court's orders, had received a failure to appear notice, or had not received a response to requests to reschedule under the TRO. *See* Exhibit B at 3.

8. On November 12, 2026, I sent Defendants' counsel another spreadsheet of asylum applicants who received failure to appear notices in apparent violation of the TRO or a lack of timely response to requests to reschedule. I noted particular concern regarding two unaccompanied child applicants who received failure to appear status updates after the Court's November 10, 2026, order despite (1) making requests to reschedule under the TRO prior to the date of the interview; (2) reiterating their requests in person on the date of the interview; and (3) choosing not to go forward with the interview because the asylum officer indicated their request would be granted. I also alerted Defendants' counsel that attorneys were receiving automatic email responses from asylum offices inconsistent with the Court's orders. *See* Exhibit B at 2-3

9. On November 13, 2026, I sent Defendants' counsel an email following up on my November 12 email and requesting that Defendants address the failure to appear status updates issued after November 10 and the improper template email responses in their November 13, 2026, status report. *See* Exhibit B at 2. Later that day, I alerted Defendants' counsel that attorneys were continuing to receive auto-response emails inconsistent with the TRO. *See* Exhibit B at 1. I have attached a redacted copy of one of those auto-response emails, dated

November 13, 2026 and forwarded to Plaintiffs' counsel, as Exhibit C.

10. In the past few days, Plaintiffs' counsel has heard from multiple attorneys who previously reported compliance issues and whose clients were included in Plaintiffs' spreadsheets that they finally began receiving responses to their requests to reschedule under the TRO late last week or over the weekend. In at least one case, however, the attorney had to wait for two hours at the asylum office before the request was granted, despite making multiple earlier requests to reschedule. I have also learned from the affected attorneys that the two failure to appear notices I flagged in my November 12 email to Defendants' counsel have been vacated as of November 17, 2026. I have still not received a response from Defendants' counsel explaining why these applicants were initially documented as a failure to appear.

11. As of November 16, 2026, Plaintiffs' counsel continued to receive multiple inquiries from attorneys reporting a lack of timely response to their requests to reschedule under the TRO. In addition, Plaintiffs' counsel received an email regarding an asylum applicant who recently received a failure to appear status update despite their attorney making a request to reschedule as of right pursuant to the TRO prior to the interview, appearing in person on the date of the interview on November 10 to reiterate their request to reschedule, and being assured of compliance under the TRO. I have attached a redacted copy of this email as Exhibit D.

12. On November 17, 2026, I sent Defendants' counsel an additional spreadsheet listing cases of non-compliance and requests to reinterview or vacate a failure to appear, including the failure to appear case noted in Exhibit D. *See* Exhibit B at 1.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 17th day of November, 2026, at Santa Barbara, California

/s/ Diane de Gramont
Diane de Gramont

Declaration of Diane de Gramont

Attachment A

URGENT - [The Door v. Edlow] TRO Noncompliance Spreadsheet

Diane de Gramont <ddegramont@youthlaw.org> Mon, Nov 9, 2026 at 2:41 PM
To: "Kipnis, Dayna (USAMD)" <Dayna.Kipnis2@usdoj.gov>
Cc: Sara Haji <shaji@trialimpact.org>, "Crow, Melissa" <crowmelissa@uclawsf.edu>, Marjorie Menza <mmenza@trialimpact.org>, Mishan Wroe <mwroe@youthlaw.org>, Lynn Damiano Pearson <damianopearson@nilc.org>, Hannah Comstock <Comstock@nilc.org>, Kevin Siegel <siegel@nilc.org>

Hi Dayna,

Does this mean the request will be granted? Attorneys and their clients cannot make decisions as to whether they need to appear in person unless they get a decision before the day of the interview.

Best
Diane

National Center for Youth Law
Diane de Gramont (Pronouns: she/her)
Senior Attorney, Immigration & Legal Advocacy
428 13th Street, FL 5
Oakland, CA 94612
(510) 920-3508
youthlaw.org

This email (and any attachments) is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this email, you are hereby notified that any dissemination, distribution or copying of this email (and any attachments) is strictly prohibited. If you receive this email in error please immediately notify me at (510) 920-3508 and permanently delete the original email and any physical or electronic copy.

On Mon, Nov 9, 2026 at 4:08 PM Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov> wrote:

> This is the response I have received to pass along
>
> **The reschedule request for tomorrow's interview at the LA asylum office has been received by the asylum office and will be processed in accordance with the TRO.**
>
> Dayna Kipnis
>
> Assistant United States Attorney
>
> **U.S. Attorney's Office, District of Maryland**
>
> 36 South Charles Street, 4th Floor
>
> Baltimore, Maryland 21201
>
> (410) 209-4908
>
> ---
>
> **From:** Diane de Gramont <ddegramont@youthlaw.org>
> **Sent:** Monday, November 9, 2026 3:52 PM
> **To:** Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov>
> **Cc:** Sara Haji <shaji@trialimpact.org>; Crow, Melissa <crowmelissa@uclawsf.edu>; Marjorie Menza <mmenza@trialimpact.org>; Mishan Wroe <mwroe@youthlaw.org>; Lynn Damiano Pearson <damianopearson@nilc.org>; Hannah Comstock <Comstock@nilc.org>; Kevin Siegel <siegel@nilc.org>
> **Subject:** Re: [Not Virus Scanned] [Not Virus Scanned] [EXTERNAL] URGENT - [The Door v. Edlow] TRO Noncompliance Spreadsheet
>
> Thank you.
>
> On Mon, Nov 9, 2026 at 2:51 PM Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov> wrote:

I just pinged them again and will forward a response to you as soon as I receive it.

Dayna Kipnis

Assistant United States Attorney

U.S. Attorney's Office, District of Maryland

36 South Charles Street, 4th Floor

Baltimore, Maryland 21201

(410) 209-4908

From: Diane de Gramont <ddegramont@youthlaw.org>
Sent: Monday, November 9, 2026 3:46 PM
To: Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov>
Cc: Sara Haji <shaji@trialimpact.org>; Crow, Melissa <crowmelissa@uclawsf.edu>; Marjorie Menza <mmenza@trialimpact.org>; Mishan Wroe <mwroe@youthlaw.org>; Lynn Damiano Pearson <damianopearson@nilc.org>; Hannah Comstock <Comstock@nilc.org>; Kevin Siegel <siegel@nilc.org>
Subject: Re: [Not Virus Scanned] [Not Virus Scanned] [EXTERNAL] URGENT - [The Door v. Edlow] TRO Noncompliance Spreadsheet

Hi Dayna,

Have you received any response from your clients regarding the rescheduling request for the interview scheduled for tomorrow in Los Angeles?

Best,

Diane

On Mon, Nov 9, 2026 at 8:32 AM Diane de Gramont <ddegramont@youthlaw.org> wrote:

> Thank you Dayna. My understanding is that the interview scheduled for 7:30am this morning in New York has still not been rescheduled and the attorney is at the asylum office waiting for a decision. Please ensure USCIS is aware this interview needs to be rescheduled immediately.
>
> Please also update us as soon as possible regarding the interview scheduled for tomorrow.
>
> Best,
>
> Diane
>
> On Mon, Nov 9, 2026 at 8:30 AM Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov> wrote:
>
> > Diane:
> >
> > Thank you and I will forward this on to the client.
> >
> > Dayna Kipnis
> >
> > Assistant United States Attorney
> >
> > **U.S. Attorney's Office, District of Maryland**
> >
> > 36 South Charles Street, 4th Floor
> >
> > Baltimore, Maryland 21201
> >
> > (410) 209-4908
> >
> > ---
> >
> > **From:** Diane de Gramont <ddegramont@youthlaw.org>
> > **Sent:** Saturday, November 7, 2026 5:20 PM
> > **To:** Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov>

Cc: Sara Haji <shaji@trialimpact.org>; Crow, Melissa <crowmelissa@uclawsf.edu>; Marjorie Menza <mmenza@trialimpact.org>; Mishan Wroe <mwroe@youthlaw.org>; Lynn Damiano Pearson <damianopearson@nilc.org>; Hannah Comstock <Comstock@nilc.org>; Kevin Siegel <siegel@nilc.org>
Subject: [Not Virus Scanned] [Not Virus Scanned] [EXTERNAL] URGENT - [The Door v. Edlow] TRO Noncompliance Spreadsheet

This message has not been virus scanned because it contains encrypted or otherwise protected data. Please ensure you know who the message is coming from and that it is virus scanned by your desktop antivirus software.

This message has not been virus scanned because it contains encrypted or otherwise protected data. Please ensure you know who the message is coming from and that it is virus scanned by your desktop antivirus software.

Dayna,

I have attached a spreadsheet with the names and A#s we have gathered so far of UC applicants who continue to experience problems with compliance under the TRO. I will send the password in a separate email. We will continue to update you as we get additional names and A#s.

I highlighted in orange cases where USCIS has either already issued a failure to appear notice or the attorney is concerned a failure to appear notice is forthcoming because the interview date has passed and USCIS refused to provide a decision on the request to reschedule prior to the interview date.

I highlighted in yellow cases where the interview date is imminent or a filing date is imminent and the attorney has not received a response to the request to reschedule.

Please note that one of these interviews is scheduled for **Monday, Nov. 9 at 7:30am in New York. Please inform your client that this interview needs to be rescheduled.** I have attached the attorneys' request to reschedule in that case, which was sent by email on 11/2/2026 and in a letter delivered on 11/3/2026. The password is the same as the spreadsheet.

Best,

Diane

On Fri, Nov 6, 2026 at 4:28 PM Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov> wrote:

> Dear Counsel:
>
> USCIS does not agree to the proposed edits. I think it's best at this juncture for each party to file their own status report as you suggested below and to let the Court decide.
>
> Thank you,
>
> Dayna Kipnis
>
> Assistant United States Attorney
>
> **U.S. Attorney's Office, District of Maryland**
>
> 36 South Charles Street, 4th Floor
>
> Baltimore, Maryland 21201
>
> (410) 209-4908
>
> ---
>
> **From:** Kipnis, Dayna (USAMD)
> **Sent:** Friday, November 6, 2026 5:07 PM
> **To:** Sara Haji <shaji@trialimpact.org>; Crow, Melissa <crowmelissa@uclawsf.edu>
> **Cc:** Marjorie Menza <mmenza@trialimpact.org>; Mishan Wroe <mwroe@youthlaw.org>; Diane de Gramont <ddegramont@youthlaw.org>; Lynn Damiano Pearson <damianopearson@nilc.org>; Hannah Comstock <Comstock@nilc.org>; Kevin Siegel <siegel@nilc.org>
> **Subject:** RE: [The Door v. Edlow] TRO Noncompliance
>
> I will forward it on right now. Please stand by
>
> Dayna Kipnis

Declaration of Diane de Gramont

Attachment B

[The Door v. Edlow] TRO Noncompliance Spreadsheet

Diane de Gramont <ddegramont@youthlaw.org> Tue, Nov 17, 2026 at 9:11 AM
To: "Kipnis, Dayna (USAMD)" <Dayna.Kipnis2@usdoj.gov>
Cc: Sara Haji <shaji@trialimpact.org>, "Crow, Melissa" <crowmelissa@uclawsf.edu>, Marjorie Menza <mmenza@trialimpact.org>, Mishan Wroe <mwroe@youthlaw.org>, Lynn Damiano Pearson <damianopearson@nilc.org>, Hannah Comstock <Comstock@nilc.org>, Kevin Siegel <siegel@nilc.org>

Hi Dayna,

I've attached a spreadsheet of new cases of concern since my email last Friday. I'll send the password separately. I've highlighted one request for a new interview pursuant to the Court's November 10 order in green and two failure to appear notices in orange. The remaining cases involve a lack of timely response to requests to reschedule.

One of the failure to appear notices follows the same pattern as the failure to appear issues I emailed you about last Thursday -- the attorney made a request to reschedule by email prior to the date of the interview, appeared in person at the New York asylum office on the date of the interview on November 10 and reiterated their request, was assured of compliance with the TRO, and yet as of today their client's status reflects a failure to appear. It is very concerning that this continues to happen despite the Court's multiple orders.

Best,
Diane

On Fri, Nov 13, 2026 at 1:53 PM Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov> wrote:

> I have forwarded your email on and am still waiting for a response.
>
> Dayna Kipnis
>
> Assistant United States Attorney
>
> **U.S. Attorney's Office, District of Maryland**
>
> 36 South Charles Street, 4th Floor
>
> Baltimore, Maryland 21201
>
> (410) 209-4908
>
> ---
>
> **From:** Diane de Gramont <ddegramont@youthlaw.org>
> **Sent:** Friday, November 13, 2026 4:36 PM
> **To:** Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov>
> **Cc:** Sara Haji <shaji@trialimpact.org>; Crow, Melissa <crowmelissa@uclawsf.edu>; Marjorie Menza <mmenza@trialimpact.org>; Mishan Wroe <mwroe@youthlaw.org>; Lynn Damiano Pearson <damianopearson@nilc.org>; Hannah Comstock <Comstock@nilc.org>; Kevin Siegel <siegel@nilc.org>
> **Subject:** [Not Virus Scanned] [Not Virus Scanned] Re: [Not Virus Scanned] [Not Virus Scanned] [EXTERNAL] Re: URGENT - [The Door v. Edlow] TRO Noncompliance Spreadsheet
>
> This message has not been virus scanned because it contains encrypted or otherwise protected data. Please ensure you know who the message is coming from and that it is virus scanned by your desktop antivirus software.
>
> This message has not been virus scanned because it contains encrypted or otherwise protected data. Please ensure you know who the message is coming from and that it is virus scanned by your desktop antivirus software.
>
> Hi Dayna,
>
> Just an update that we have now heard from attorneys that they continue to receive this auto-response from the New York asylum office as of today.
>
> In addition, we are still hearing from attorneys regarding rescheduling issues and will continue compiling the information for you. For now, I've included one case in the attached spreadsheet where the attorney made a request for a first reschedule as of right on Monday, Nov. 9 and again on Wednesday, Nov. 11, and still has not heard back from the San Francisco Asylum Office. This is time-sensitive because the evidence submission deadline for this interview is this Monday, Nov. 16.
>
> Best,
>
> Diane
>
> On Fri, Nov 13, 2026 at 11:37 AM Diane de Gramont <ddegramont@youthlaw.org> wrote:

Thank you.

On Fri, Nov 13, 2026 at 11:35 AM Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov> wrote:

> I received all of your emails from yesterday.
>
> I will forward this to USCIS now and provide you with a response.

Dayna Kipnis

Assistant United States Attorney

U.S. Attorney's Office, District of Maryland

36 South Charles Street, 4th Floor

Baltimore, Maryland 21201

(410) 209-4908

From: Diane de Gramont <ddegramont@youthlaw.org>
Sent: Friday, November 13, 2026 2:29 PM
To: Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov>
Cc: Sara Haji <shaji@trialimpact.org>; Crow, Melissa <crowmelissa@uclawsf.edu>; Marjorie Menza <mmenza@trialimpact.org>; Mishan Wroe <mwroe@youthlaw.org>; Lynn Damiano Pearson <damianopearson@nilc.org>; Hannah Comstock <Comstock@nilc.org>; Kevin Siegel <siegel@nilc.org>
Subject: [Not Virus Scanned] [Not Virus Scanned] [EXTERNAL] Re: URGENT - [The Door v. Edlow] TRO Noncompliance Spreadsheet

This message has not been virus scanned because it contains encrypted or otherwise protected data. Please ensure you know who the message is coming from and that it is virus scanned by your desktop antivirus software.

This message has not been virus scanned because it contains encrypted or otherwise protected data. Please ensure you know who the message is coming from and that it is virus scanned by your desktop antivirus software.

Dayna,

Given the Outlook issues yesterday, could you please confirm that you received my message below sent at 3:21pm ET yesterday and the attached spreadsheet?

Additionally, please confirm as soon as possible that USCIS will address the failures to appear noted in the spreadsheet and will update its template email responses to comply with the Court's November 10 order.

As I noted in yesterday's email, attorneys have continued to receive template email responses inconsistent with the Court's order and with Defendants' representations in the Nov. 9 and Nov. 12 status reports that "[a]sylum offices have updated all template email response language for unaccompanied alien children (UACs) reschedule requests to remove 'exceptional circumstances' language and include language from the TRO." One example of this is included as Exhibit A to the Declaration of Selene Nafisi, filed yesterday at Doc. 74-8.

In light of the order just issued by the Court, we expect Defendants' status report today to clarify Defendants' prior representations regarding template email responses and to provide an update on how Defendants have addressed non-compliance, particularly with regard to the failure to appear notices issued after the Court's November 10 order.

Best,

Diane

On Thu, Nov 12, 2026 at 12:21 PM Diane de Gramont <ddegramont@youthlaw.org> wrote:

> Hi Dayna,
>
> I've attached additional information regarding asylum interview reschedule requests that resulted in a failure to appear or have not received a timely response from USCIS. I'll send the password separately.

I wanted to flag two particularly concerning issues that occured after the Court's November 10 remedial order:

First, we are aware of at least two cases where unaccompanied child applicants received failures to appear from the New York asylum office despite (1) making requests to reschedule under the TRO prior to the interview without a response; (2) appearing in person with counsel at the asylum office on the dates of the interview (Monday Nov. 9 and Tuesday Nov. 10) and reiterating their rescheduling request; and (3) choosing not to go forward with the interview because the asylum officer indicated their rescheduling request would be granted. Both these cases are included in the spreadsheet and the Nov. 9 interview is the same applicant I flagged in my Nov. 7 email to you as having an imminent interview. These failure to appear notices must be immediately addressed under the Court's November 10 order.

Second, despite the Court's order requiring USCIS to update its template notices to ensure compliance with the TRO, **attorneys continue to receive auto-responses from asylum office email addresses (including as recently as today) stating that exceptional circumstances are required to reschedule an asylum interview**, without any mention of the TRO. The email auto-response also indicates that all requests must go through the USCIS Contact Center rather than the asylum office email, despite Defendants' representation that applicants should email the asylum office email addresses with rescheduling issues and the Court's order requiring USCIS to ensure timely responses to rescheduling requests made by email.

If USCIS does not immediately begin complying with the TRO and the Court's remedial orders, we will take further action with the Court.

Best,
Diane

On Tue, Nov 10, 2026 at 4:24 PM Diane de Gramont <ddegramont@youthlaw.org> wrote:

> Hi Dayna,
>
> In addition to the cases listed on the spreadsheet I emailed, we were contacted by another attorney whose **unaccompanied child client, [redacted]., is scheduled for an asylum interview on Thursday, November 12 in San Francisco.**
>
> This is the first reschedule request and the attorney emailed the San Francisco asylum office on November 5, November 9, and today, without a response. She called the USCIS contact center and was told she would receive a response by 12/1/26, despite the interview being this Thursday. The unaccompanied child applicant cannot afford transportation and hotel accommodation to travel to the interview to request rescheduling in person.
>
> Please ensure your client reaches out to the attorney, [redacted] reschedule the interview before Thursday. I've updated the spreadsheet to include this applicant [redacted]
>
> Best,
>
> Diane
>
> On Tue, Nov 10, 2026 at 2:38 PM Diane de Gramont <ddegramont@youthlaw.org> wrote:
>
> > Hi Dayna,
> >
> > Apologies, I realized there was an error in the originally attached spreadsheet (one UC marked as waiting for a response who is actually requesting a reinterview). I've attached an updated spreadsheet. Password is the same.
> >
> > Best,
> >
> > Diane
> >
> > On Tue, Nov 10, 2026 at 2:21 PM Diane de Gramont <ddegramont@youthlaw.org> wrote:
> >
> > > Hi Dayna,
> > >
> > > I've attached an additional spreadsheet of cases of Plaintiff clients and other UC applicants who are awaiting responses to requests to reschedule under the TRO and/or have failures to appear noted. I will send the password separately.
> > >
> > > Best,
> > >
> > > Diane
> > >
> > > On Sat, Nov 7, 2026 at 2:19 PM Diane de Gramont <ddegramont@youthlaw.org> wrote:

Declaration of Diane de Gramont

Attachment C

Diane de Gramont <ddegramont@youthlaw.org>

Auto-response email to request to vacate no show notice, in violation of compliance order

Claudine Sampson [redacted] Fri, Nov 13, 2026 at 1:31 PM
To: Diane de Gramont <ddegramont@youthlaw.org>, Mishan Wroe <mwroe@youthlaw.org>, "the-door-inquiries@trialimpact.org" <the-door-inquiries@trialimpact.org>, "Prusakowski, JP" [redacted] "Haas, Suzette" [redacted] "Rooney, Neal" [redacted]

---------- Forwarded message ---------
From: **NewYork Asylum** <NewYork.Asylum@uscis.dhs.gov>
Date: Fri, Nov 13, 2026 at 11:17 AM
Subject: RE: Request to Vacate Failure to Appear Under The Door v. Edlow, ECF No. 70 – XXX (A# XXX-XXX-XXX; Receipt # LGLXXXXXXXX)
To:
Cc:

IMPORTANT NOTICE - PLEASE READ

Starting April 20, 2026, this office no longer provides in-person information services or walk-in requests. If you submit an inquiry directly to our office, please note that the office does not process these inquiries directly. All mail, email, phone, and walk-in inquiries should be directed to USCIS' online tools or the USCIS Contact Center. Please visit uscis.gov/tools to check your case status online and to get answers to other immigration questions without the need for an appointment:

- Check your case status: www.uscis.gov/casestatus
- Change your address: www.uscis.gov/addresschange
- Submit an online request about your case or access a variety of self-help tools: https://egov.uscis.gov/e-request
- Sign up for automatic updates on your case: www.myaccount.uscis.gov
- Ask Emma, our virtual assistant, your immigration questions: www.uscis.gov/emma
- Explore your immigration options: www.uscis.gov/forms/explore-my-options
- Find free forms: www.uscis.gov/forms

If you are unable to find the information you need or you need a service that we can only provide in person, call the USCIS Contact Center at 800-375-5283. For people who are deaf, hard of hearing, or have a speech disability, please call TTY 800-767-1833 during the hours of 8:00 a.m. to 8:00 p.m. (EST). If you need a service that we can only provide in person, you may request an appointment through the chat via Emma, the USCIS Virtual Assistance function on our website, or by calling the Contact Center at 800-375-5283 (TTY 800-767-1833).

ALERT: Effective May 18, 2026, USCIS will no longer permit attorneys and accredited representatives to participate remotely in interviews at field offices and in affirmative asylum and Nicaraguan Adjustment and Central American Relief Act (NACARA) 203 interviews at asylum offices, except in limited circumstances. All legal representatives must be physically present to attend these interviews.

Case Filing Information

Affirmative Asylum Applications are not accepted at the New York Asylum Office. For instructions on how to file, please visit www.uscis.gov/i-589 and click on the Filing Instructions Tool.

Updating a G-28

If you are an attorney or accredited representative and you need to update the G-28 on file with USCIS, please do only one of the following:

- If you have a USCIS Online Account, log in to your account to submit new Form G-28s for each case linked to your online account; or
- Submit a paper Form G-28 for every pending case and include the receipt number for each case.

If you are submitting a paper form or written request, submit the documents for each case to the USCIS location where that case is currently pending. For cases filed online, attorneys are advised to update G-28s through their attorney portal to avoid losing access to their client's status and notices. Once the G-28 is linked to the case, attorneys will have immediate access to filings and uploaded notices. If a G-28 for an online case is not processed through the attorney portal, the attorney will not be linked to their client's notices.

Accommodation

An accommodation is a change in a USCIS practice or procedure that allows a qualified individual with a disability to participate in our programs and activities and access our benefits. If you need to request a disability accommodation:

- Go to uscis.gov/accommodations to make your request online; or
- Ask the USCIS Contact Center for help in English or Spanish.

If you need an accommodation for an appointment (fingerprinting, interview, etc.), we encourage you to request your accommodation immediately when you receive your appointment notice.

Updated Interview Rescheduling Procedures for Affirmative Asylum Interviews

You may submit your request to the Contact Center at 1-800-375-5283 (TTY 800-767-1833) between 8:00 a.m. and 8:00 p.m. (EST). Applicants are responsible for appearing at their scheduled interview unless they receive written confirmation that a reschedule request has been approved. Starting August 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

Information about rescheduling an asylum interview and establishing exceptional circumstances will be available on the Establishing Exceptional Circumstances for Rescheduling Affirmative Asylum Interviews webpage once the new procedures are in effect.

Updated Biometrics Appointment Rescheduling Procedures for Aliens Who Have Filed for Affirmative Asylum

Starting August 21, 2026, 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 at 800-375-5283 (TTY 800-767-1833). 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.

For more information, visit www.uscis.gov/forms/filing-guidance/preparing-for-your-biometric-services-appointment.

Updated Evidence Submission Policy for Affirmative Asylum Applications

Starting August 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 paper filings: You can mail the additional evidence to the asylum office. Submit copies of evidence in duplicate (2 copies), accompanied by a certified English translation if not in English, and evidence must be 2-hole punched along the top (centered and 2 ¾ inches apart). Submissions may be stapled in the top left corner. If stapling is impracticable, the use of removable binder clips is encouraged. Submissions should not be bound on the side nor commercially bound, as items must be disassembled to fit into the record of proceedings and might be damaged in the process. The use of ACCO-type fasteners and paper clips is discouraged.

· For online filings: You can email the office's public email address or upload additional evidence via your myUSCIS account if you filed your application online. You may also mail or drop off evidence for online filings.

ADDITIONAL INFORMATION

Asylum Scheduling Priorities

For current information about scheduling priorities, please visit: www.uscis.gov/humanitarian/refugees-asylum/asylum /affirmative-asylum-interview-scheduling.

Credible Fear/Reasonable Fear/Expedited Removal Proceedings

The New York Asylum Office does not adjudicate Expedited Removal cases. For detained Credible Fear/Reasonable Fear cases, email AsylumD3Prescreening@uscis.dhs.gov. For Non-Detained Credible Fear cases, email AsylumD3NonDetainedScheduling@uscis.dhs.gov.

Immigration Proceedings Inquiries

Please contact EOIR. For more information visit www.justice.gov/eoir/eoir-case-information.

Unaccompanied Alien Children (UACs)

UACs in immigration proceedings with a pending asylum application may go to www.uscis.gov/casestatus or call USCIS Contact Center at 1-800-375-5283 (if you are deaf, hard of hearing or have a speech disability: TTY 800-767-1833) during the hours of 8:00 a.m. and 8:00 p.m. (EST)

--
Claudine-Annick Sampson

Supervising Attorney
Safe Passage Project
[redacted]
Pronouns: she/her/ella

No child should face the immigration process alone.

E-MAIL CONFIDENTIALITY NOTICE - This transmission may be: (1) subject to the Attorney-Client Privilege, (2) an attorney work product; or, (3) strictly confidential. If you are not the intended recipient of this message, you may not disclose, print, copy or disseminate this information. If you have received this in error, please reply and notify the sender (only) and delete the message. Unauthorized interception of this e-mail is a violation of federal criminal law.

Declaration of Diane de Gramont

Attachment D

Diane de Gramont <ddegramont@youthlaw.org>

Violation of The Door v. Edlow

Eman Ali [redacted] Mon, Nov 16, 2026 at 12:17 PM
To: the-door-inquiries@trialimpact.org

Hi,

I hope you're doing well, and thank you for your amazing work in *The Door v. Edlow.* I am a staff attorney at Safe Passage Project would like to report a violation of the TRO issued in *The Door v. Edlow*.

My client was scheduled for an asylum interview on November 10, 2026 at 9:30 am at the NY Asylum Office at 26 Fed Plaza. I emailed and mailed a rescheduling request to the AO requesting a first rescheduling as a matter of course per *The Door v. Edlow*. I went to 26 Fed Plaza in person at the time of the scheduled interview and submitted another copy of the rescheduling request. I told the asylum officer at the front desk about *The Door v. Edlow* and he had me fill out and sign an in-person rescheduling request form. The officer told me we were all good, and I asked him when I could expect a new interview notice. He told me he's not sure because USCIS is backlogged right now.

Today, I checked the status of my client's asylum case using the USCIS Case Tracker and it says "Failure to Appear for Interview" with the following description "You recently missed your interview appointment. You must request to reschedule your asylum interview within 10 calendar days after your missed interview date and establish exceptional circumstances for USCIS to reschedule your interview. Your failure to appear for your scheduled interview is considered an alien-caused delay for purposes of eligibility for employment authorization. This alien-caused delay will be resolved, and your clock will restart, when you appear for your rescheduled interview."

As you can imagine, this is quite frustrating. What can I do to ensure that client is able to interview?

Thank you so much for all your hard work.

Regards,
Eman Ali, Esq.
Staff Attorney
Safe Passage Project
[redacted]
Pronouns: she/her/ella

No child should face the immigration process alone.

E-MAIL CONFIDENTIALITY NOTICE - This transmission may be: (1) subject to the Attorney-Client Privilege, (2) an attorney work product; or, (3) strictly confidential. If you are not the intended recipient of this message, you may not disclose, print, copy or disseminate this information. If you have received this in error, please reply and notify the sender (only) and delete the message. Unauthorized interception of this e-mail is a violation of federal criminal law.

EXHIBIT 2

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
GREENBELT DIVISION

THE DOOR, *et al*;

Plaintiffs,

vs.

Joseph EDLOW, *et al*,

Defendants.

Case No. 8:26-CV-04326-BAH

DECLARATION OF ASHLEY HAMILL REGARDING CONTINUED NON-COMPLIANCE WITH THE COURT'S TEMPORARY RESTRAINING ORDER

DECLARATION OF ASHLEY HAMILL

1. I, Ashley Hamill, make the following statements on behalf of myself and Family & Immigration Rights Center (FIRC). I certify under penalty of perjury that the following statement is true and correct.

2. I am over the age of 18 years old and make this declaration based upon my personal knowledge and experience. If called to do so, I could and would competently testify to these matters under oath.

3. I am Legal Director of FIRC, and I am an attorney licensed in Florida. I have worked as Legal Director of FIRC for approximately three years. I have represented unaccompanied children in immigration matters and removal proceedings for approximately eight years.

4. FIRC is a non-profit legal service provider that represents non-citizens residing in North Florida, South Georgia, and South Alabama in immigration matters and removal proceedings. From 2023 to 2026, FIRC received funding through a subcontract with the Office of Refugee Resettlement to represent unaccompanied children in immigration matters and proceedings before USCIS and EOIR. We typically represent children in asylum interviews before USCIS at the Tampa and Atlanta asylum offices.

5. I submitted a prior declaration in this case in support of Plaintiffs' Motion for a Preliminary Injunction, ECF 74-5, which I incorporate herein.

6. Since the issuance of the Court's temporary restraining order, I have sent multiple rescheduling requests by email for unaccompanied child clients citing the Court's order. On Tuesday, November 10, 2026 at 9:08 p.m., I received an automatic reply email from the Tampa Asylum Office in response to one of my reschedule requests. The email states, in relevant part, "Effective August 21, 2026, you must establish exceptional circumstances for USCIS to reschedule an affirmative asylum interview. To request a reschedule of an asylum interview, contact the USCIS Contact Center at 800-375-5283 (TTY: 800-767-1833)." The email does not mention the Court's temporary restraining order or a different rescheduling standard for unaccompanied child applicants. To the best of my knowledge, this automatic email response is new. I did not receive this response to prior requests made by email on Friday, November 6. A true and correct copy of this email is attached as Exhibit A with redactions for client personal information.

7. On November 12, 2026, I received a similar automated response from the New York Asylum Office in response to another unaccompanied child interview reschedule request. The email instructs applicants and their counsel that rescheduling requires you to "establish exceptional circumstances," without reference to the Court's temporary restraining order. The email further states that: "If you submit an inquiry directly to our office, please note that the office does not process these inquiries directly. All mail, email, phone, and walk-in inquiries should be directed to USCIS' online tools or the USCIS Contact Center." A true and correct copy of this email is attached as Exhibit B with redactions for client personal information.

8. On Saturday, November 14, 2026 at 3:27 p.m., I received an automatic reply email from the Tampa Asylum Office in response to one of my reschedule requests. In addition to the above-mentioned language regarding establishing exceptional circumstances for USCIS to reschedule an affirmative asylum interview, the automatic reply now states, "Interview reschedule requests for unaccompanied alien children (UACs) will be evaluated pursuant to the district court's October 30, 2026 order in *The Door, et al. v. Edlow, et al.*, 8:26-cv-04326-BAH (D. Md.) while

that order remains in place. Pursuant to that order, USCIS must allow any UAC to 'reschedule their asylum interview once as a matter of course and again for good cause.'" This response is different than the automatic reply I received on Tuesday, November 10 in response to the same request. A true and correct copy of this email is attached as Exhibit C with redactions for client personal information.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 16th day of November, 2026, at Tallahassee, Florida.

Ashley Hamill

Declaration of Ashley Hamill

Attachment A

Subject: Automatic reply: ATTN Melissa & Chris: Request to Reschedule UAC Asylum Interview Pursuant to The Door TRO - [redacted] - AXXX-XXX-[redacted]
Date: Tuesday, November 10, 2026 at 21:08:08 Eastern Standard Time
From: Tampa Asylum
To: Ashley Hamill

Thank you for contacting the Tampa Asylum Office.

Important Notices

In-Person Information Services
Effective April 20, 2026, this office no longer provides in-person information services. Please visit **uscis.gov/tools** for a complete list of online tools and resources. If you cannot find the information you need online or require a service that USCIS can provide only in person, contact the USCIS Contact Center at **800-375-5283** (TTY: **800-767-1833**).

Contacting the USCIS Contact Center
To speak with a USCIS Contact Center representative, call **800-375-5283**. For people who are deaf, hard of hearing, or have a speech disability, call **TTY 800-767-1833**. Contact Center hours are **8:00 a.m. to 8:00 p.m. Eastern Time**.

General Information and Online Resources

- For Tampa Asylum Office information, including address and hours of operation, click here.
- For frequently asked questions about the affirmative asylum process, click here.
- To check your case status, visit www.uscis.gov/casestatus and enter your receipt number.
- To review case processing times, click here.
- For online account and technical support, click here.
- To access USCIS self-service tools, including e-Requests, visit https://egov.uscis.gov/e-request.
- To change your address, visit www.uscis.gov/addresschange.
- For current affirmative asylum interview scheduling priorities, visit www.uscis.gov/humanitarian/refugees-asylum/asylum/affirmative-asylum-interview-scheduling.

Changes to Affirmative Asylum Interview Rescheduling

Effective August 21, 2026, you must establish **exceptional circumstances** for USCIS to reschedule an affirmative asylum interview. To request a reschedule of an asylum interview, contact the USCIS Contact Center at 800-375-5283 (TTY: 800-767-1833).
You are responsible for appearing for your scheduled interview unless you receive written

confirmation that USCIS has approved your reschedule request. If you do not appear and do not submit a request to reschedule before the interview date or within 10 calendar days after the missed interview:

- If you maintain a lawful basis to remain in the United States, USCIS may dismiss your asylum application.
- If you do not maintain a lawful basis to remain in the United States, USCIS may refer your case to an immigration judge.

For parolees who fail to appear, USCIS will determine on a case-by-case basis whether the purposes of parole have been served and whether to terminate parole and refer the case to an immigration judge. For additional information, please visit the **Establishing Exceptional Circumstances for Rescheduling Affirmative Asylum Interviews** webpage.

Evidence Submission Deadline

Effective August 21, 2026, applicants must submit all evidence supporting an affirmative asylum application at least **14 calendar days before the scheduled interview date**. Evidence submitted fewer than 14 calendar days before the interview may not be included with the application, or USCIS may reschedule the interview. A rescheduled interview resulting from late evidence submission may affect eligibility for an employment authorization document (EAD).

For cases filed through a myUSCIS online account, applicants and attorneys should submit additional documents through the online account at **myaccount.uscis.gov**.

Do not send supporting documents to this mailbox unless specifically instructed to do so.

Biometric Services Appointment Rescheduling

Effective August 21, 2026, applicants who miss a biometric services appointment must submit a reschedule request within **10 calendar days** of the missed appointment.
You may submit the request through your USCIS online account at **my.uscis.gov/accounts** or by contacting the USCIS Contact Center. You must provide evidence of the exceptional circumstances that prevented you from appearing for the appointment.
Failure to submit a timely reschedule request or establish exceptional circumstances may result in USCIS:

- Dismissing the asylum application, if the applicant maintains a lawful basis to remain in the United States; or
- Referring the application to an immigration judge, if the applicant does not maintain a lawful basis to remain in the United States.

For parolees who fail to appear for a biometric services appointment, USCIS will determine

on a case-by-case basis whether to terminate parole and refer the case to an immigration judge.

For more information, visit the **Preparing for Your Biometric Services Appointment** webpage.

Attorney and Accredited Representative Participation

Effective May 18, 2026, attorneys and accredited representatives generally may not participate remotely in affirmative asylum or NACARA 203 interviews. Legal representatives must be physically present for these interviews, except in limited circumstances.

Disability Accommodations

USCIS provides reasonable accommodations for qualified individuals with disabilities. To request an accommodation:

- Submit a request online at **uscis.gov/accommodations**; or
- Contact the USCIS Contact Center for assistance in English or Spanish.

If you need an accommodation for an appointment, such as biometrics or an interview, submit your request as soon as possible after receiving the appointment notice.

Declaration of Ashley Hamill

Attachment B

Subject: Automatic reply: Request to Reschedule UAC Initial Asylum Interview Pursuant to The Door TRO - [redacted] - AXXX-XXX[redacted]
Date: Thursday, November 12, 2026 at 10:04:01 Eastern Standard Time
From: NewYork Asylum
To: Ashley Hamill

IMPORTANT NOTICE - PLEASE READ

Starting April 20, 2026, this office no longer provides in-person information services or walk-in requests. If you submit an inquiry directly to our office, please note that the office does not process these inquiries directly. All mail, email, phone, and walk-in inquiries should be directed to USCIS' online tools or the USCIS Contact Center. Please visit **uscis.gov/tools** to check your case status online and to get answers to other immigration questions without the need for an appointment:

- Check your case status: **www.uscis.gov/casestatus**
- Change your address: **www.uscis.gov/addresschange**
- Submit an online request about your case or access a variety of self-help tools: **https://egov.uscis.gov/e-request**
- Sign up for automatic updates on your case: **www.myaccount.uscis.gov**
- Ask Emma, our virtual assistant, your immigration questions: **www.uscis.gov/emma**
- Explore your immigration options: **www.uscis.gov/forms/explore-my-options**
- Find free forms: **www.uscis.gov/forms**

If you are unable to find the information you need or you need a service that we can only provide in person, call the USCIS Contact Center at 800-375-5283. For people who are deaf, hard of hearing, or have a speech disability, please call TTY 800-767-1833 during the hours of 8:00 a.m. to 8:00 p.m. (EST). If you need a service that we can only provide in person, you may request an appointment through the chat via Emma, the USCIS Virtual Assistance function on our website, or by calling the Contact Center at 800-375-5283 (TTY 800-767-1833).

ALERT: Effective May 18, 2026, USCIS will no longer permit attorneys and accredited representatives to participate remotely in interviews at field offices and in affirmative asylum and Nicaraguan Adjustment and Central American Relief Act (NACARA) 203 interviews at asylum offices, except in limited circumstances. All legal representatives must be physically present to attend these interviews.

Case Filing Information
Affirmative Asylum Applications are not accepted at the New York Asylum Office. For instructions on how to file, please visit www.uscis.gov/i-589 and click on the Filing Instructions Tool.

Updating a G-28
If you are an attorney or accredited representative and you need to update the G-28 on file with USCIS, please do **only one** of the following:

- If you have a USCIS Online Account, log in to your account to submit new Form G-28s for each case linked to your online account; or
- Submit a paper Form G-28 for every pending case and include the receipt number for

each case.

If you are submitting a paper form or written request, submit the documents for each case to the USCIS location where that case is currently pending. For cases filed online, attorneys are advised to update G-28s through their attorney portal to avoid losing access to their client's status and notices. Once the G-28 is linked to the case, attorneys will have immediate access to filings and uploaded notices. If a G-28 for an online case is not processed through the attorney portal, the attorney will not be linked to their client's notices.

Accommodation

An accommodation is a change in a USCIS practice or procedure that allows a qualified individual with a disability to participate in our programs and activities and access our benefits. If you need to request a disability accommodation:

- Go to uscis.gov/accommodations to make your request online; or
- Ask the USCIS Contact Center for help in English or Spanish.

If you need an accommodation for an appointment (fingerprinting, interview, etc.), we encourage you to request your accommodation immediately when you receive your appointment notice.

Updated Interview Rescheduling Procedures for Affirmative Asylum Interviews

You may submit your request to the Contact Center at 1-800-375-5283 (TTY 800-767-1833) between 8:00 a.m. and 8:00 p.m. (EST). Applicants are responsible for appearing at their scheduled interview unless they receive written confirmation that a reschedule request has been approved. Starting August 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 will be available on the Establishing Exceptional Circumstances for Rescheduling Affirmative Asylum Interviews webpage once the new procedures are in effect.

Updated Biometrics Appointment Rescheduling Procedures for Aliens Who Have Filed for Affirmative Asylum

Starting August 21, 2026, 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 at 800-375-5283 (TTY 800-767-1833). 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.

For more information, visit www.uscis.gov/forms/filing-guidance/preparing-for-your-biometric-services-appointment.

Updated Evidence Submission Policy for Affirmative Asylum Applications

Starting August 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 paper filings:** You can mail the additional evidence to the asylum office. Submit copies of evidence in duplicate (2 copies), accompanied by a certified English translation if not in English, and evidence must be 2-hole punched along the top (centered and 2 ¾ inches apart). Submissions may be stapled in the top left corner. If stapling is impracticable, the use of removable binder clips is encouraged. Submissions should not be bound on the side nor commercially bound, as items must be disassembled to fit into the record of proceedings and might be damaged in the process. The use of ACCO-type fasteners and paper clips is discouraged.
- **For online filings:** You can email the office's public email address or upload additional evidence via your myUSCIS account if you filed your application online. You may also mail or drop off evidence for online filings.

ADDITIONAL INFORMATION

Asylum Scheduling Priorities

For current information about scheduling priorities, please visit: www.uscis.gov/humanitarian/refugees-asylum/asylum /affirmative-asylum-interview-scheduling.

Credible Fear/Reasonable Fear/Expedited Removal Proceedings

The New York Asylum Office does not adjudicate Expedited Removal cases. For detained Credible Fear/Reasonable Fear cases, email AsylumD3Prescreening@uscis.dhs.gov. For Non-Detained Credible Fear cases, email AsylumD3NonDetainedScheduling@uscis.dhs.gov.

Immigration Proceedings Inquiries

Please contact EOIR. For more information visit www.justice.gov/eoir/eoir-case-information.

Unaccompanied Alien Children (UACs)

UACs in immigration proceedings with a pending asylum application may go to www.uscis.gov/casestatus or call USCIS Contact Center at 1-800-375-5283 (if you are deaf, hard of hearing or have a speech disability: TTY 800-767-1833) during the hours of 8:00 a.m. and 8:00 p.m. (EST)

Declaration of Ashley Hamill

Attachment C

Subject: Automatic reply: Request to Reschedule UAC Asylum Interview Pursuant to The Door TRO - [redacted] - AXXX-XXX-[redacted]
Date: Saturday, November 14, 2026 at 15:27:23 Eastern Standard Time
From: Tampa Asylum
To: Ashley Hamill

Thank you for contacting the Tampa Asylum Office.

Important Notices

In-Person Information Services
Effective April 20, 2026, this office no longer provides in-person information services. Please visit **uscis.gov/tools** for a complete list of online tools and resources. If you cannot find the information you need online or require a service that USCIS can provide only in person, contact the USCIS Contact Center at **800-375-5283** (TTY: **800-767-1833**).

Contacting the USCIS Contact Center
To speak with a USCIS Contact Center representative, call **800-375-5283**. For people who are deaf, hard of hearing, or have a speech disability, call **TTY 800-767-1833**. Contact Center hours are **8:00 a.m. to 8:00 p.m. Eastern Time**.

General Information and Online Resources

- For Tampa Asylum Office information, including address and hours of operation, click here.
- For frequently asked questions about the affirmative asylum process, click here.
- To check your case status, visit www.uscis.gov/casestatus and enter your receipt number.
- To review case processing times, click here.
- For online account and technical support, click here.
- To access USCIS self-service tools, including e-Requests, visit https://egov.uscis.gov/e-request.
- To change your address, visit www.uscis.gov/addresschange.
- For current affirmative asylum interview scheduling priorities, visit www.uscis.gov/humanitarian/refugees-asylum/asylum/affirmative-asylum-interview-scheduling.

Changes to Affirmative Asylum Interview Rescheduling

Effective August 21, 2026, you must establish **exceptional circumstances** for USCIS to reschedule an affirmative asylum interview. To request a reschedule of an asylum interview, contact the USCIS Contact Center at 800-375-5283 (TTY: 800-767-1833).
You are responsible for appearing for your scheduled interview unless you receive written

confirmation that USCIS has approved your reschedule request. If you do not appear and do not submit a request to reschedule before the interview date or within 10 calendar days after the missed interview:

- If you maintain a lawful basis to remain in the United States, USCIS may dismiss your asylum application.
- If you do not maintain a lawful basis to remain in the United States, USCIS may refer your case to an immigration judge.

For parolees who fail to appear, USCIS will determine on a case-by-case basis whether the purposes of parole have been served and whether to terminate parole and refer the case to an immigration judge. For additional information, please visit the **Establishing Exceptional Circumstances for Rescheduling Affirmative Asylum Interviews** webpage.

Interview reschedule requests for unaccompanied alien children (UACs) will be evaluated pursuant to the district court's October 30, 2026 order in *The Door, et al. v. Edlow, et al.*, 8:26-cv-04326-BAH (D. Md.) while that order remains in place. Pursuant to that order, USCIS must allow any UAC to "reschedule their asylum interview once as a matter of course and again for good cause."

Evidence Submission Deadline

Effective August 21, 2026, applicants must submit all evidence supporting an affirmative asylum application at least **14 calendar days before the scheduled interview date**. Evidence submitted fewer than 14 calendar days before the interview may not be included with the application, or USCIS may reschedule the interview. A rescheduled interview resulting from late evidence submission may affect eligibility for an employment authorization document (EAD).

For cases filed through a myUSCIS online account, applicants and attorneys should submit additional documents through the online account at **myaccount.uscis.gov**.

Do not send supporting documents to this mailbox unless specifically instructed to do so.

Biometric Services Appointment Rescheduling

Effective August 21, 2026, applicants who miss a biometric services appointment must submit a reschedule request within **10 calendar days** of the missed appointment.
You may submit the request through your USCIS online account at **my.uscis.gov/accounts** or by contacting the USCIS Contact Center. You must provide evidence of the exceptional circumstances that prevented you from appearing for the appointment.

Failure to submit a timely reschedule request or establish exceptional circumstances may result in USCIS:

- Dismissing the asylum application, if the applicant maintains a lawful basis to remain in the United States; or
- Referring the application to an immigration judge, if the applicant does not maintain a lawful basis to remain in the United States.

For parolees who fail to appear for a biometric services appointment, USCIS will determine on a case-by-case basis whether to terminate parole and refer the case to an immigration judge.

For more information, visit the **Preparing for Your Biometric Services Appointment** webpage.

Attorney and Accredited Representative Participation

Effective May 18, 2026, attorneys and accredited representatives generally may not participate remotely in affirmative asylum or NACARA 203 interviews. Legal representatives must be physically present for these interviews, except in limited circumstances.

Disability Accommodations

USCIS provides reasonable accommodations for qualified individuals with disabilities. To request an accommodation:

- Submit a request online at **uscis.gov/accommodations**; or
- Contact the USCIS Contact Center for assistance in English or Spanish.

If you need an accommodation for an appointment, such as biometrics or an interview, submit your request as soon as possible after receiving the appointment notice.

EXHIBIT 3

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
GREENBELT DIVISION

THE DOOR, *et al*;

Plaintiffs,

vs.

Joseph EDLOW, *et al*,

Defendants.

Case No. 8:26-CV-04326-BAH

DECLARATION OF FANNI KOSZEG REGARDING CONTINUED NON-COMPLIANCE WITH THE COURT'S TEMPORARY RESTRAINING ORDER

DECLARATION OF FANNI KOSZEG

1. I, Fanni Koszeg, am over the age of 18 years old and make this declaration based upon my personal knowledge and experience. If called to do so, I could and would competently testify to these matters under oath.

2. I am a Senior Staff Attorney at the Safe Passage Project. In my current role, I represent unaccompanied minor children in family court and immigration proceedings. Prior to my current position, I worked as a pro bono immigration attorney on asylum cases and was a supervising attorney at a legal clinic for pro-se respondents in immigration proceedings.

3. I represent an asylum applicant who filed an affirmative asylum application with USCIS as an unaccompanied child. My client was scheduled for an interview at the Bethpage, New York, asylum office on November 2, 2026. I had recently inherited this case from prior counsel and needed more time to prepare my client for the interview.

4. On October 31, 2026, I sent a request by email to the asylum office to reschedule the interview for the first time as of right under the Court's temporary restraining order. I included a copy of the Court's temporary restraining order as an exhibit to my request. I did not receive a response.

5. On November 2, 2026, I went to the asylum office in person at the time of the interview and reiterated my request to reschedule the interview under the Court's temporary restraining order. I spoke to the check-in staff at the asylum office and two supervisors at the asylum office but nobody appeared to be familiar with the temporary restraining order. The staff gave me a reschedule request form and accepted my filing but they were not able to assure me that my client would not be marked as having failed to appear. The supervisors stated that every request had to be reviewed by leadership and they would make decisions in accordance with law and respect court orders.

6. On November 3, 2026 my client's status on the USCIS web portal changed to "Failure to Appear" with standard language stating that she had to submit a reschedule request within 10 days of November 3, 2026.

7. On November 11, 2026, I emailed the New York asylum office attaching the Court's November 10, 2026, order and requesting that my client's failure to appear notice be vacated pursuant to the Court's order.

8. On November 12, 2026, I received an auto-response from the New York asylum office noting that "All mail, email, phone, and walk-in inquiries should be directed to USCIS"s online tools or the USCIS Contact Center" and stating that exceptional circumstances are required to reschedule interviews. A true and correct redacted copy of this email is attached as Exhibit A.

9. I responded to the automated email I received from USCIS indicating that the response was not compliant with the Court's order dated November 10, 2026 or the TRO. Despite all these efforts, my client was still marked as "failure to appear" as of today, November 16, 2026 at 12 pm. I checked once more and as of 4 pm today, the status was finally

changed to "Request to Reschedule Was Received" and the 'failure to appear' was vacated.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 16th day of November, 2026, at New York

/s/
Fanni Koszeg

Declaration of Fanni Koszeg

Attachment A

[redacted]

First Rescheduling Request - [redacted]

NewYork Asylum <NewYork.Asylum@uscis.dhs.gov> Thu, Nov 12, 2026 at 9:02 AM
To: [redacted]

IMPORTANT NOTICE - PLEASE READ

Starting April 20, 2026, this office no longer provides in-person information services or walk-in requests. If you submit an inquiry directly to our office, please note that the office does not process these inquiries directly. All mail, email, phone, and walk-in inquiries should be directed to USCIS' online tools or the USCIS Contact Center. Please visit uscis.gov/tools to check your case status online and to get answers to other immigration questions without the need for an appointment:

- Check your case status: www.uscis.gov/casestatus
- Change your address: www.uscis.gov/addresschange
- Submit an online request about your case or access a variety of self-help tools: https://egov.uscis.gov/e-request
- Sign up for automatic updates on your case: www.myaccount.uscis.gov
- Ask Emma, our virtual assistant, your immigration questions: www.uscis.gov/emma
- Explore your immigration options: www.uscis.gov/forms/explore-my-options
- Find free forms: www.uscis.gov/forms

If you are unable to find the information you need or you need a service that we can only provide in person, call the USCIS Contact Center at 800-375-5283. For people who are deaf, hard of hearing, or have a speech disability, please call TTY 800-767-1833 during the hours of 8:00 a.m. to 8:00 p.m. (EST). If you need a service that we can only provide in person, you may request an appointment through the chat via Emma, the USCIS Virtual Assistance function on our website, or by calling the Contact Center at 800-375-5283 (TTY 800-767-1833).

ALERT: Effective May 18, 2026, USCIS will no longer permit attorneys and accredited representatives to participate remotely in interviews at field offices and in affirmative asylum and Nicaraguan Adjustment and Central American Relief Act (NACARA) 203 interviews at asylum offices, except in limited circumstances. All legal representatives must be physically present to attend these interviews.

Case Filing Information

Affirmative Asylum Applications are not accepted at the New York Asylum Office. For instructions on how to file, please visit www.uscis.gov/i-589 and click on the Filing Instructions Tool.

Updating a G-28

If you are an attorney or accredited representative and you need to update the G-28 on file with USCIS, please do only one of the following:

- If you have a USCIS Online Account, log in to your account to submit new Form G-28s for each case linked to your online account; or
- Submit a paper Form G-28 for every pending case and include the receipt number for each case.

If you are submitting a paper form or written request, submit the documents for each case to the USCIS location where that case is currently pending. For cases filed online, attorneys are advised to update G-28s through their attorney portal to avoid losing access to their client's status and notices. Once the G-28 is linked to the case, attorneys will have immediate access to filings and uploaded notices. If a G-28 for an online case is not processed through the attorney portal, the attorney will not be linked to their client's notices.

Accommodation

An accommodation is a change in a USCIS practice or procedure that allows a qualified individual with a disability to participate in our programs and activities and access our benefits. If you need to request a disability accommodation:

- Go to uscis.gov/accommodations to make your request online; or
- Ask the USCIS Contact Center for help in English or Spanish.

If you need an accommodation for an appointment (fingerprinting, interview, etc.), we encourage you to request your accommodation immediately when you receive your appointment notice.

Updated Interview Rescheduling Procedures for Affirmative Asylum Interviews

You may submit your request to the Contact Center at 1-800-375-5283 (TTY 800-767-1833) between 8:00 a.m. and 8:00 p.m. (EST). Applicants are responsible for appearing at their scheduled interview unless they receive written confirmation that a reschedule request has been approved. Starting August 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

Information about rescheduling an asylum interview and establishing exceptional circumstances will be available on the Establishing Exceptional Circumstances for Rescheduling Affirmative Asylum Interviews webpage once the new procedures are in effect.

Updated Biometrics Appointment Rescheduling Procedures for Aliens Who Have Filed for Affirmative Asylum

Starting August 21, 2026, 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 at 800-375-5283 (TTY 800-767-1833). 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.

For more information, visit www.uscis.gov/forms/filing-guidance/preparing-for-your-biometric-services-appointment.

Updated Evidence Submission Policy for Affirmative Asylum Applications

Starting August 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 paper filings: You can mail the additional evidence to the asylum office. Submit copies of evidence in duplicate (2 copies), accompanied by a certified English translation if not in English, and evidence must be 2-hole punched along the top (centered and 2 ¾ inches apart). Submissions may be stapled in the top left corner. If stapling is impracticable, the use of removable binder clips is encouraged. Submissions should not be bound on the side nor commercially bound, as items must be disassembled to fit into the record of proceedings and might be damaged in the process. The use of ACCO-type fasteners and paper clips is discouraged.

· For online filings: You can email the office's public email address or upload additional evidence via your myUSCIS account if you filed your application online. You may also mail or drop off evidence for online filings.

ADDITIONAL INFORMATION

Asylum Scheduling Priorities

For current information about scheduling priorities, please visit: www.uscis.gov/humanitarian/refugees-asylum/asylum /affirmative-asylum-interview-scheduling.

Credible Fear/Reasonable Fear/Expedited Removal Proceedings

The New York Asylum Office does not adjudicate Expedited Removal cases. For detained Credible Fear/Reasonable Fear cases, email AsylumD3Prescreening@uscis.dhs.gov. For Non-Detained Credible Fear cases, email AsylumD3NonDetainedScheduling@uscis.dhs.gov.

Immigration Proceedings Inquiries

Please contact EOIR. For more information visit www.justice.gov/eoir/eoir-case-information.

Unaccompanied Alien Children (UACs)

UACs in immigration proceedings with a pending asylum application may go to www.uscis.gov/casestatus or call USCIS Contact Center at 1-800-375-5283 (if you are deaf, hard of hearing or have a speech disability: TTY 800-767-1833) during the hours of 8:00 a.m. and 8:00 p.m. (EST)

From: [redacted]
Sent: Wednesday, November 11, 2026 10:42 AM
To: NewYork Asylum <NewYork.Asylum@uscis.dhs.gov>
Subject: Fwd: First Rescheduling Request - [redacted]

You don't often get email from f[redacted]

CAUTION: This email originated from outside of the Federal Government. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact the USCIS Security Operations Center with questions or click the "Report Phishing" button to report it as a phishing attempt.

[Quoted te t hidden]