



What you need to know about bars to asylum and their exceptions

BAR TO ASYLUM	WHEN IT APPLIES	EXCEPTIONS
Immigration-Related Bars		
One-Year Filing Deadline	<ul style="list-style-type: none"> Asylum application must be filed within one year of last entry to the U.S. Does NOT apply to unaccompanied minors 	<ul style="list-style-type: none"> Changed circumstances Extraordinary circumstances <i>Mendez-Rojas</i> class members
Third-Country Transit	<ul style="list-style-type: none"> Applicant entered or attempted to enter through southern land border, On or after 7/16/19, and After transit through a third country en route to the U.S. 	<ul style="list-style-type: none"> Applicant was denied asylum in third country Applicant is a victim of severe form of trafficking Third country is not a party to UN Refugee Convention or Protocol or CAT
Firm Resettlement	<ul style="list-style-type: none"> Prior to arrival in the U.S., Entry to a third country, and Receipt or offer of permanent status. 	<ul style="list-style-type: none"> Restricted conditions No significant ties
Safe Third Country	<ul style="list-style-type: none"> Applicant arrived in the U.S., After passage through, A third country with which U.S. has bilateral or multilateral agreement 	<ul style="list-style-type: none"> Set by terms of agreement Does NOT apply to unaccompanied minors
Prior Asylum Denial	<ul style="list-style-type: none"> Prior denial of asylum application By the IJ or BIA 	<ul style="list-style-type: none"> Changed circumstances
Criminal Bars		
Particularly Serious Crime	<ul style="list-style-type: none"> Conviction for a “particularly serious” crime (including aggravated felony) In the United States, Constituting a danger to the community 	None
Serious Non-political Crime	<ul style="list-style-type: none"> Commission of a serious non-political crime Outside the U.S. 	None
Terrorism-Related Bars		
Persecutor of Others	<ul style="list-style-type: none"> Ordered, incited, assisted, or otherwise participated Persecution of others, On account of protected ground 	<ul style="list-style-type: none"> Duress
Danger to Security	<ul style="list-style-type: none"> Reasonable grounds to believe 	



	<ul style="list-style-type: none"> • Danger to security of the U.S. 	
Terrorist Activity	<ul style="list-style-type: none"> • Has engaged in a terrorist activity*, or • Reasonable ground to believe is, has, or likely to engage in terrorist activity*, or • Incited terrorist activity <p><i>*Includes provision of "material support"</i></p>	<ul style="list-style-type: none"> • Situational exemptions • Group-based exemptions
Member of a Terrorist Organization	<ul style="list-style-type: none"> • Representative of a terrorist organization, or • Member of a terrorist organization (tiers I, II, III) 	<ul style="list-style-type: none"> • Not a danger to the security of the U.S. (representative) • Unaware group was Tier III organization (member) • Group-based exemptions • Situational exemptions