



COMPARISON OF FEAR-BASED RELIEF

	Asylum	Statutory Withholding of Removal	CAT Withholding of Removal	CAT Deferral of Removal
Elements	<ul style="list-style-type: none"> Well-founded fear of persecution, By government or private actor that the government is unable/unwilling to control, On account of, One or more protected ground. 	Same as Asylum	<ul style="list-style-type: none"> Applicant will suffer torture, By government or with gov't acquiescence 	Same as CAT Withholding of Removal
Legal Standard	Well-founded fear (≥ 10% chance)	More likely than not (≥ 51% chance)	More likely than not (≥ 51% chance)	More likely than not (≥ 51% chance)
Discretionary	Yes	No	No	No
Who can grant	Asylum Office or Immigration Court	Immigration Court	Immigration Court	Immigration Court
Filing Deadline	Within one year of last entry, unless: <ul style="list-style-type: none"> Changed circumstances Extraordinary circumstances <i>Mendez-Rojas</i> class member 	None	None	None
Bars	<ul style="list-style-type: none"> Immigration-related bars: Third-Country Transit, Firm Resettlement, Safe Third Country; Criminal bars: Conviction for “particularly serious” crime in U.S. or Commission of serious non-political crime outside the U.S.; Terrorism Related Bars 	<ul style="list-style-type: none"> Conviction of “particularly serious” crime in U.S., Terrorism Related bars 	Same as Statutory Withholding of Removal	None
Eligibility for Permanent Status	Yes, after 1 year in asylee status	No	No	No
Derivatives	Spouse and children	No	No	No
Employment Authorization	Automatic	Requires application; Renewed annually	Requires application; Renewed annually	Requires application; Renewed annually
Travel outside of U.S.	Permitted with Refugee Travel Document; Not to country of persecution	No	No	No