



Refugee Affairs Division

Refugee, Asylum and International Operations
U.S. Citizenship and Immigration Services

WORKING WITH AN INTERPRETER STANDARD OPERATING PROCEDURE

(“INTERPRETER SOP”)

Policy Branch
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I. ACRONYMS

- OSI Office of Security and Integrity
- PRM Bureau of Population, Refugees and Migration
- RAD Refugee Affairs Division
- RSC Resettlement Support Center
- SOP Standard Operating Procedure
- USCIS U.S. Citizenship and Immigration Services

II. PURPOSE

The following Standard Operating Procedure (SOP) addresses issues related to working with Interpreters during refugee processing circuit rides. This SOP sets forth the roles and responsibilities of Adjudicating Officers¹ and Interpreters who are engaged in Refugee Interviews. It also provides information and guidance on the provision of qualified Interpreters, the Interpreter's oath, and fraternization with Interpreters.

III. QUALIFIED INTERPRETERS

Officers on refugee processing circuit rides typically conduct refugee interviews with the assistance of Interpreters when applicants are unable to speak English well enough to express themselves fully or to understand the Adjudicating Officers' questions. Resettlement Support Centers (RSCs) managed by the Department of State, hire and manage Interpreters for most U.S. Citizenship and Immigration Services (USCIS) Refugee Interviews. Interpreters must be proficient in English and either the native language of the applicants or another language in which the applicants and Interpreters are fluent. It is preferable for applicants and Interpreters to use the native language of applicants, as opposed to another language in which the applicants are proficient.

Adjudicating Officers should keep in mind that Interpreters may sometimes feel sympathetic toward the Adjudicating Officers, while on other occasions they may feel more empathy toward the applicants. RSCs will seek to recruit dispassionate Interpreters with no personal interest in the U.S. refugee resettlement process. The use of refugees themselves as Interpreters is strongly disfavored and should only be considered when the particular processing location and/or language skills required make other options untenable. In such situations, these Interpreters should be refugees who have already been approved for resettlement to the United States. If RSCs intend to use approved refugees as Interpreters, they must first receive approval for this through the PRM Program Officer who will bring the request to the Refugee Affairs Division (RAD) Desk Officer. The RAD Desk Officer will alert team leaders of any agreement to use an approved refugee as an Interpreter during the pre-departure briefing. If a Team Leader discovers that an interpreter is an approved refugee who was not previously agreed to at the headquarters level, the Team Leader should alert the appropriate RAD Desk Officer immediately so that alternatives can be considered.

¹ "Adjudicating officer" refers to Refugee Officers, Overseas Adjudication Officers and any other USCIS officers temporarily detailed to adjudicate refugee cases.

Adjudicating Officers should be alert to the possibility of bias on the part of Interpreters, such as affinities or dislikes based on nationality, religion, social status, etc. Interpreters who have had professional, financial, social or familial interactions with any applicant(s) should disclose this to the Adjudicating Officers so that reassignment can be considered. If Adjudicating Officers have any concerns about Interpreters, they should consult with their Team Leaders.

IV. INTERPRETER OATH

At the beginning of circuit rides, when possible, Team Leaders will meet with the Interpreter pool and provide all Interpreters with Field Guidance: Interpreter's Roles and Responsibilities. (See Appendix I) During this meeting, Interpreters and Adjudicating Officers may be introduced to each other. Team Leaders will explain the Interpreters' roles and responsibilities and administer the Interpreter oath to the entire Interpreter pool. If the oath has been administered to the entire Interpreter pool, Adjudicating Officers are not required to re-administer the oath to the Interpreter at the beginning of each Refugee Interview. Adjudicating Officers encountering Interpreters who have not been sworn in by Team Leaders, however, should put these Interpreters under oath. If an interpreter has been placed under oath outside of the presence of the applicant, the Adjudicating Officer must inform the applicant that the interpreter has already been placed under oath and has sworn or affirmed to interpret completely and truthfully and to keep all information confidential. Team Leaders and international offices may choose to administer the oath more frequently if they believe this will add value.

Oath: "Do you solemnly swear or affirm that you will interpret all statements made during an interview completely and truthfully and that you will keep all information confidential?"

V. INTERPRETER ROLES AND RESPONSIBILITIES

At the beginning of circuit rides, Team Leaders will meet with the Interpreter pool and provide all Interpreters with Field Guidance: Interpreter's Roles and Responsibilities. (See Appendix I) Team Leaders will explain the Interpreters' roles and responsibilities. During this meeting, Interpreters and Adjudicating Officers may be introduced to each other. For field offices or overseas or locations where refugee interviews take place regularly, the Field Guidance: Interpreter's Roles and Responsibilities should be provided to the Interpreter prior

to the Interpreter's participation in a refugee interview. This process should be renewed as deemed appropriate by USCIS overseas management to ensure that interpreters remain aware of their responsibilities.

Interpreters need to understand the supporting role that they play at the Refugee Interview, and they need to understand that Adjudicating Officers begin, direct, and conclude the Refugee Interviews. Interpreters must make every effort to provide verbatim interpretation, using the words of the Adjudicating Officers and applicants.

Interpreters must neither condense testimony nor elaborate upon what the applicants or Adjudicating Officers have said. Interpreters must not attempt to answer questions on behalf of the applicants and should not explain the meaning of the applicants' words to Adjudicating Officers. Interpreters should not engage in conversations with applicants during the Refugee Interview. They should not provide explanations to applicants who may be confused. Interpreters should translate the applicants' responses even if the responses do not correspond with or directly answer the Adjudicating Officers' questions. However, Interpreters may alert Adjudicating Officers if they believe that applicants are confused during Refugee Interviews.

It is the Interpreters' responsibility to alert Adjudicating Officers and applicants if questions or responses become too lengthy for accurate interpretation. Similarly, Interpreters must inform Adjudicating Officers when they do not understand something said by applicants or Adjudicating Officers. Interpreters should ask for clarification from Adjudicating Officers in these circumstances, or ask Adjudicating Officers for permission to seek clarification from applicants.

Interpreters must keep all information gathered during Refugee Interviews strictly confidential. Interpreters may not reveal anything about a Refugee Interview to others, including other Interpreters and RSC staff.

Interpreters must follow the non-fraternization policy as outlined in the Field Guidance.

VI. ADJUDICATING OFFICER RESPONSIBILITIES

a. Explaining roles and responsibilities

At the beginning of all Refugee Interviews, Adjudicating Officers should explain the role and responsibilities of the Interpreter to the applicant. Adjudicating Officers should explain to applicants that they should speak directly to the Adjudicating Officer and not the Interpreter. They should also stress to applicants that Interpreters have no decision-making role in refugee processing. Adjudicating Officers should also inform applicants that Interpreters have taken an oath and are obliged to uphold the confidentiality of the testimony in all cases.

After explaining these roles and responsibilities, Adjudicating Officers should ask applicants whether they understand the Interpreter. Adjudicating Officers must indicate on Refugee Assessments whether the applicants and Interpreters understand each other by checking the appropriate check-box. Adjudicating Officers should inform applicants to let them know at any time during the Refugee Interview if they have difficulty understanding the Interpreter.

b. Placement of Interpreters in the Interviewing Room

Applicants and Adjudicating Officers should be sitting directly across from each other whenever possible as this allows for optimal eye-contact. Interpreters should be seated to the side, ideally equidistant from applicants and Adjudicating Officers. If Interpreters sit too close to the applicants, it may suggest that Interpreters are assisting the applicants; if they sit too close to the Adjudicating Officers, it may give the false impression that they play some role in the decision. [REDACTED]

c. Communication

Notwithstanding the presence of Interpreters, Adjudicating Officers should address applicants directly, usually using the pronoun “you.” Adjudicating Officers should refrain from side conversations with Interpreters as much as possible during Refugee Interviews. If Adjudicating Officers need to speak with Interpreters during Refugee Interviews, the content of these discussions should be interpreted for the applicants.

Adjudicating Officers should be conscious to avoid idioms and most contractions during Refugee Interviews; they should speak clearly and slowly while asking straightforward questions, one at a time. Adjudicating Officers should also monitor their use of pronouns in order to minimize potential ambiguity. Adjudicating Officers should break down their

questions into short segments, and they should also encourage applicants to break down their responses into short segments. Adjudicating Officers must be willing to rephrase questions when Interpreters or applicants appear confused, and they should check in with Interpreters to ensure mutual understanding.

Adjudicating Officers should consider discussing difficult or unusual vocabulary words with Interpreters privately before a Refugee Interview begins in order to facilitate smooth communication during the Refugee Interview.

d. Identifying and Addressing Inadequate or Improper Interpretation

Adjudicating Officers need to identify problems with interpretation and take action in the following situations:

- Interpreters lack proficiency in either English or the language of the applicants.
- Interpreters appear to be providing answers to the applicants, altering or embellishing applicants' answers, or changing the Adjudicating Officers' questions.
- Interpreters violate confidentiality.

In consultation with Team Leaders, Adjudicating Officers may stop or interrupt Refugee Interviews due to inadequate or improper interpretation. Adjudicating Officers should first inform Interpreters of their concerns, emphasizing the obligation to make every effort to interpret questions and responses verbatim. If difficulties persist, Adjudicating Officers should consult with Team Leaders, who may then reach out to RSCs to secure the services of competent Interpreters if the problems cannot be resolved. RSCs have policies in place to track and respond to concerns raised about inadequate or improper interpretation including termination of the interpreter. Therefore, it is important that the USCIS Team Leader shares detailed information about concerns related to an interpreter.² In accordance with PRM's Program Integrity Guidelines, all RSCs are required to maintain a dedicated email address and/or mailbox to collect complaints of fraudulent activity from all stakeholders (including refugees). The mailbox is to be placed so that individuals feel assured that their complaints will remain anonymous if desired. All RSCs must also have a whistle blower policy in use which allows for anonymous reports. In addition, RSCs must maintain separate waiting areas

for refugees and interpreters. If there is no dedicated waiting room available to interpreters, they should be escorted to an area away from refugees while not engaged in interviews. Concerns regarding confidentiality should be raised directly with the RSC and the RAD HQ Desk Officer.

Prompt action by Adjudicating Officers and Team Leaders will help USCIS complete Refugee Interviews on time. Indications of misinterpretation include:

- Applicants' responses do not answer Adjudicating Officers' questions.
- Recognizable words (e.g. proper names and English words) are not interpreted.
- Interpreters appear to use many more words than necessary to interpret questions.
- Lengthy applicant responses elicit very brief interpretation into English.
- Back-and-forth dialogue between Interpreters and applicants.
- Applicants indicate non-verbally that they are confused.

e. Foreign contacts reporting

In general, Adjudicating Officers should remember that certain categories of foreign contacts need to be reported; and in some interview locations ALL foreign contact must be reported. Employees are required to report all incidents involving unauthorized attempts to gain access to sensitive or classified information or contact of a suspicious nature. Individuals with Secret and Top Secret security clearances are not required to report limited social contact with foreign nationals, but they should consider doing so as a best practice during their background investigation. Employees must report foreign contacts with whom they, their spouse, or their cohabitant maintain "close and/or continuing contact and are bound by affection, influence, common interests, and/or obligation," on their SF-86, Questionnaire for National Security Positions, or upon request by the Office of Security and Integrity (OSI). Adjudicating Officers are encouraged to report such relationships to OSI as they arise using Form DHS-11053-5, rather than waiting until their next security background re-investigation.

VII. FRATERNIZATION WITH INTERPRETERS

Adjudicating Officers and finger printers should generally avoid social interactions with Interpreters outside of the workplace. Such social contact with USCIS staff outside the

workplace may create an appearance that Interpreters have a decision-making role in the refugee resettlement process or they have influence on USCIS Adjudicating Officers. This perception of authority or influence could put Interpreters at risk of being pressured by outsiders to favor or disadvantage certain applicants in the resettlement process. Individual or small-group outings or weekend trips with Interpreters are not appropriate, including shopping excursions and tourism. A large-group gathering – such as dinner to which all USCIS staff and Interpreters are invited – is permissible. Any questions concerning fraternization with Interpreters should be directed to Team Leaders. After the completion of DHS circuit rides, Adjudicating Officers should not maintain social contact with Interpreters, including contact through social media sites such as Facebook.

VIII. VERSION HISTORY

Version	Revised by	Date	Revisions
1.0	Final	10/24/17	Prepared by RAD Policy; OCC (Refugee Asylum Law Division and Ethics Counsel) reviewed/cleared September 2017.

IX. APPENDIX I

FIELD GUIDANCE: INTERPRETER'S ROLES AND RESPONSIBILITIES

Thank you for working as an Interpreter with USCIS. Your role as an Interpreter is extremely important to our mission of resettling refugees and your hard work is much appreciated. You are required to follow the rules set forth in this document throughout your work with us. If you have any questions about these responsibilities, please contact the USCIS Team Leader.

You will either be interpreting between English and the applicant's native language or another language in which the applicant is proficient. If there is a choice, you should always interpret using the applicant's native language.

You will be working under the direction of a USCIS Adjudicating Officer during each Refugee Interview. You will rotate among Adjudicating Officers throughout the detail. The rotation may be on a daily or weekly basis, as determined by the Team Leader and RSC. You will report to the assigned Adjudicating Officer and be available for Refugee Interviews during the work day. Necessary breaks such as lunch or prayer time should be coordinated with the Adjudicating Officer. The Adjudicating Officer will begin each Refugee Interview, direct the proceedings, and ultimately conclude the Refugee Interview.

You are required to interpret the meaning of the Adjudicating Officer's questions and the applicant's responses verbatim (word-for-word) to the extent possible. During the Refugee Interview, you should not:

- Condense the Adjudicating Officer's questions or the applicant's answers
- Expand on the Adjudicating Officer's questions or the applicant's answers
- Answer questions for the applicant or alter the applicant's responses
- Explain the meaning of what the applicant is saying
- Engage in conversations with the applicant or comment on their testimony

Please interpret the applicant's responses even when the responses do not appear to make sense or do not answer the Adjudicating Officer's questions. Let the Adjudicating Officer know if the length of his or her questions is making interpretation difficult. Similarly, advise the Adjudicating Officer when the applicant's responses are too long or complex for

accurate interpretation. You should also advise the Adjudicating Officer if you are having difficulty understanding either the applicant or the Adjudicating Officer. Adjudicating Officers will use the second person (you) when addressing the applicant; Interpreters should use the first person (I or me) when interpreting the applicant's testimony into English.

You must remain neutral during USCIS Refugee Interviews. If you have previously met an applicant, even if it was a minimal social interaction, you should disclose this information to the Adjudicating Officer prior to the start of the Refugee Interview. It is strictly forbidden to have personal connections with applicants, have business affairs with applicants, or behave in such a way as to give the appearance to the applicants that you have influence on any case decision. If at any time an applicant or other person offers you a bribe, threatens you, or otherwise tries to coerce you to interpret incorrectly, you should inform the Adjudicating Officer or team leader immediately. They will communicate this information to other parties as appropriate. Your report will be treated in confidence.

During Refugee Interviews, you should always sit in a way that demonstrates neutrality. Adjudicating Officers may make adjustments to where you are seated in certain locations or certain situations, due to the set-up of the interviewing room, or an applicant's handicap or disability.

Information shared between an Adjudicating Officer and applicant is strictly confidential. Please give all notes taken during a case to the Adjudicating Officer at the end of the Refugee Interview. Revealing anything about an applicant's claim, even to other Interpreters, can be potentially harmful to the applicant. Any notes you take during the Refugee Interview that may include personal information concerning the applicant or their claim should be shredded by the Adjudicating Officer after the Refugee Interview has concluded.

You will be asked to take the following oath before you begin your work with this USCIS team:

"I solemnly swear or affirm that I will interpret all statements made during an interview completely and truthfully and that I will keep all information confidential."

Adjudicating Officers are prohibited from socializing with Interpreters outside of work hours to prevent any perception that Interpreters can influence Adjudicating Officers'

decisions. Adjudicating Officers and Interpreters may meet at group gatherings where all Interpreters and USCIS staff are invited. Other interactions, including individual outings, evening or weekend trips, or social media contact with USCIS staff are not appropriate at any point during your employment with the RSC.