

Quiz

Please answer the following questions based on what we have just learned.

1. A. Applicant testified at her March 2014 asylum interview that her husband was killed by rebels on August 1, 1997. However, according to her written statement this occurred on August 9, 1998. Within the applicant's written statement the date of another significant event is April 1, 1997. When asked to explain, the applicant stated that she could not remember the date clearly.

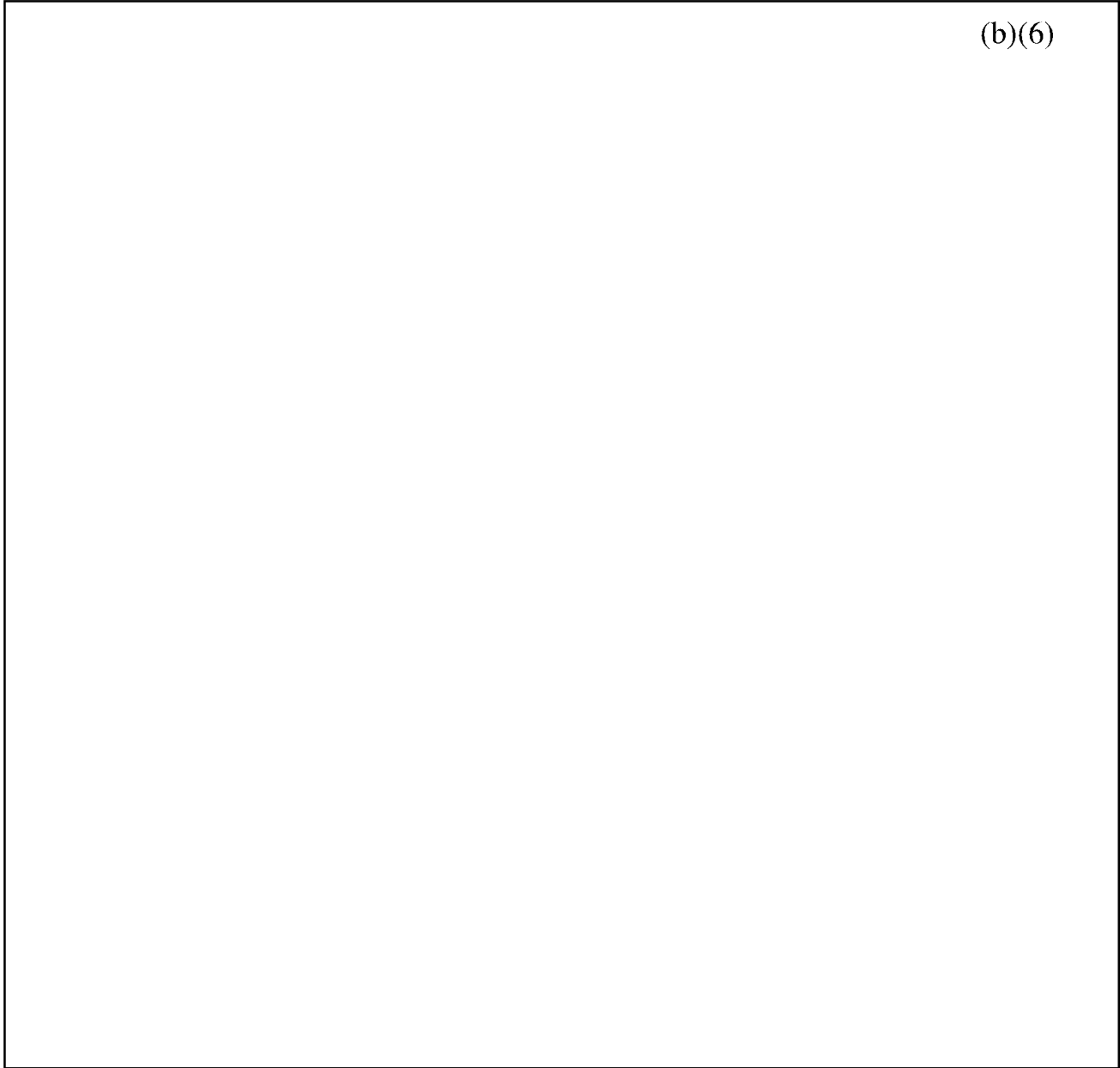
Or

B. The applicant testified that his wife was in hiding from family planning officials staying at a relative's home "very very far away." However, when asked how far away this relative's home was, he stated, "30 minutes, by car." When asked which relative, he mentioned that she was staying with her only brother. He also later mentioned that he and his daughter would go to see her about 3 times a week. When asked if he thought he could have been followed by family planning officials given that his wife was not staying very far away and he went to see her so frequently, he stated that he "did not think about it too deeply." When asked why he did not think about it "too deeply" given his claimed prior bad experiences with family planning officials, he repeated the same statement. When asked to explain how he considered his wife hiding, in light of his description, he stated, "I did not think family planning officials were that good." When asked to explain what he meant, he repeated the same statement.

- a. Which is the better credibility point? Please explain your choice.
 - b. How could you improve the credibility point that you have selected.
2. The applicant presented oral testimony to indicate that she was attacked in March of 2004; however, according to an affidavit written by her mother that was submitted by the applicant in support of her asylum application, she was attacked on February 8, 1998.
 - a. Is this an internal or external inconsistency?
3. The applicant's testimony lacked important detail regarding his activities when he was detained. The applicant testified that he was arrested on April 4, 2011 and detained for 4 days. When asked to explain what he did during that time, the applicant stated that he was interrogated. When asked what he did when he was not being interrogated, the applicant stated that he just sat in his cell and spent his time thinking. When asked about what he thought about during that time, the applicant stated that he thought about God and was very afraid. When asked to provide details about what he was thinking, the applicant stated that he was thinking about God and he was afraid, nothing else. The applicant's testimony regarding this matter is unreasonable because he was unable to provide details about his experience in detention, despite the fact that he was detained for 4 days. This matter is relevant because it casts doubt on his claim that he was arrested and detained due to his Christian religion.
 - a. What is the problem with this credibility point?

Fact Pattern 2

Please read the following excerpt from the officer's notes and answer the question below.



- Is the applicant's testimony reasonable? Please explain your answer. In thinking about this issue, do not only think about the quantity of what she is saying, but the quality, as in what she is actually saying.

Draft Fact Pattern for Eliciting Testimony Training – Identity

1. The start of this segment will be a discussion about why identity is important in asylum adjudications and a brief discussion about how we get there in an interview.
2. They will be given a chance to review the materials provided, which will include the fact pattern below, a copy of the applicant’s passport, a copy of the applicant’s birth certificate, a copy of her I-589 as well as copies of the visa applications from the applicant, her father, and the woman who she claims is not her mother, but who is listed as her mother and her father’s wife in their respective visa applications.
3. The officers will then be allowed to develop lines of inquiry and discuss why they would follow particular lines of inquiry. This activity will be in the form of game.

Background Information:

(b)(6)

The applicant’s claim is that she will be harmed by members of Congolese society in the DRC on account to her race as a person who is [redacted] and on account of [redacted] nationality. (There may be other claims, but these were the main ones that were focused on during the interview.)

On the applicant’s I-589 she indicates that she is [redacted] and the she is a citizen of the [redacted], but that she was born in [redacted].

(b)(6)

[redacted]

During her interview, the applicant testified to the following:

[redacted]

(b)(6)

(b)(6)

Draft Fact Pattern for Eliciting Testimony Training – Identity

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3. The officers will then be allowed to develop lines of inquiry and discuss why they would follow particular lines of inquiry. This activity will be in the form of game.

Background Information:

The applicant’s claim is that she will be harmed by members of Congolese society in the DRC on account to her race as a person who is [redacted] and on account of her imputed [redacted] nationality. (There may be other claims, but these were the main ones that were focused on during the interview.)

On the applicant’s I-589 she indicates that she is [redacted] and the she is a citizen of the [redacted], but that she was born in [redacted] (b)(6)

During her interview, the applicant testified to the following:

(b)(6)

Credibility Exercise – 30 minute breakout/ discussion

- i. Applicant stated in her oral testimony that she lived with her aunt because her parents went to work out of town.
 - a. Why is this fact relevant? Necessary?
 - b. Where does this lead?

- ii. Her I-589 indicated that she resided with an aunt since February 2010 until her departure from China because her parents, and that it was that living arrangement that led to her introduction to the underground church, her subsequent religious practice and consequent claimed past persecution.
 - a. Why is this fact relevant? Necessary?
 - b. Where does this lead?
 - c. How do these facts build upon the prior facts that are asserted?

- iii. Applicant also stated that she resided with her grandparents throughout her school year from September 2009 to June 2011.
 - a. Why is this fact relevant? Necessary?
 - b. Where does this lead?
 - c. How do these facts build upon the prior facts that are asserted?

- iv. Applicant testified that her grandparents' address is [REDACTED] (b)(6)
[REDACTED] and gave the family composition at her grandparents' home.
 - a. Why is this fact relevant? Necessary?
 - b. Where does this lead?
 - c. How do these facts build upon the prior facts that are asserted?

- v. When asked why she resided with her grandparents rather than her parents, applicant stated it was on account of the proximity of her grandparents' home to the location of her school. She also stated that she would sometimes visit with her parents on weekends when possible.
 - a. Why is this fact relevant? Necessary?
 - b. Where does this lead?
 - c. How do these facts build upon the prior facts that are asserted?

- vi. Applicant stated that she resided with her grandparents when she began attending [REDACTED] School from September 2009 until June 2011. (b)(6)
 - a. Why is this fact relevant? Necessary?
 - b. Where does this lead?
 - c. How does this fact build upon the prior facts that are asserted?

- (1) The top 3 nationalities interviewed at your office.
 - a. Guatemala – (mostly UACs)
 - b. Brazil – although we see numerous filings from Brazil, it appears that many are cases that end up withdrawing bc they just want to go to court
 - c. El Salvador –(mostly UACs)
 - d. I would also like to note the Central/ East African countries because this is where we see the most notable amounts of fraud and they have the most numerous filings after El Salvador (and Mexico). I have listed the main countries by order of amount of cases filed with the asylum office: Uganda, Angola, DRC/ Republic of Congo – DRC and Republic of Congo have lumped together because of the numerous errors in distinguishing between the countries in RAPS.
- (2) The top 4 documents applicants present as identification and/or proof in cases adjudicated at your office.
 - a. Documents from political organizations – letters and ID cards
 - b. Identity documents – Passports, ID cards, birth certificates, family composition letters
 - c. Police Records
 - d. Medical records
- (3) Any fraud issues or trends that your AOs are encountering in their interviews and cases.

(b)(6)

Shirk, Georgette L

From: Milano, Rosanne T (Rosie)
Sent: Thursday, January 23, 2020 6:23 AM
To: Swen, Oluremi A (Remi)
Subject: RE: thoughts on credibility

Of course 😊

From: Swen, Oluremi A (Remi) <Oluremi.A.Swen@uscis.dhs.gov>
Sent: Thursday, January 23, 2020 7:15 AM
To: Milano, Rosanne T (Rosie) <rosanne.t.milano@uscis.dhs.gov>
Cc: Sundborg, Rachael S <Rachael.S.Sundborg@uscis.dhs.gov>
Subject: Re: thoughts on credibility

(b)(5)

Sent from my iPhone

On Jan 23, 2020, at 7:11 AM, Milano, Rosanne T (Rosie) <rosanne.t.milano@uscis.dhs.gov> wrote:

(b)(5)

Thanks again!

From: Swen, Oluremi A (Remi) <Oluremi.A.Swen@uscis.dhs.gov>
Sent: Thursday, January 23, 2020 7:04 AM
To: Milano, Rosanne T (Rosie) <rosanne.t.milano@uscis.dhs.gov>
Cc: Sundborg, Rachael S <Rachael.S.Sundborg@uscis.dhs.gov>
Subject: Re: thoughts on credibility

(b)(5)

(b)(5)

Sent from my iPhone

On Jan 22, 2020, at 1:36 PM, Milano, Rosanne T (Rosie)
<rosanne.t.milano@uscis.dhs.gov> wrote:

Hi!

(b)(5)

↵

(b)(5)

Let me know if I am not clear! I know I can be muddled sometimes ☹

THANKS!

Rosanne (Rosie) T. Milano
Supervisory Asylum Officer | DHS | USCIS | Boston Asylum Sub-Office
15 New Sudbury St., Room 600, Boston, MA 02203 | ☎ [redacted] Fax 617-565-9507 |
✉ [redacted]

(b)(6)

(b)(6)

Bonus Quiz #2



1. Irma and her husband have been married since May 1, 2002 and they traveled together to the United States on March 5, 2006. Since around May of 2008, after the loss of a child, Irma's husband has been physically and emotionally abusive towards her. On one occasion Irma's husband severely beats her and is arrested and later convicted of assault. He is subsequently deported and returned to their country of origin on April 3, 2012. Irma files for asylum on February 5, 2013 due to the abuse that she experienced from her husband. Has Irma suffered past persecution? Please explain your answer.
2. Only serious injury qualifies as harm severe enough to constitute persecution. True or False?
3. Prior to establishing that an applicant is a refugee, who has the burden of proof?
4. When are you required to analyze pattern or practice of persecution?
5. What are two circumstances that would make internal relocation unreasonable for an applicant other than issues related to lack of safety?

Bonus Quiz #3



1. Rachel has missed the one-year filing deadline, but claims this delay was caused because of her former attorney who failed to provide her with accurate information.
 - a) How would Rachel be able to address the one-year filing deadline issue and still have the merits of her case considered?
 - b) What would Rachel be required to show in order to establish an exception to the one-year filing deadline?
2. Mena is from Egypt has filed beyond the one-year filing deadline. He claims that he fled Egypt because of he was physically harmed on account of his religion. He is now applying for asylum because he believes that the change in the regime has caused increased hostility towards those practitioners of his religion. Is Mena entitled to an exception to the one-year filing deadline? Please explain.

Quiz # 3 Cont'd



-
3. Isatta was physically harmed in her home country on account of her political opinion. She arrives in the United States on April 7, 2011 and enters with an F-1 visa. Isatta continues to attend school until August of 2012 and then files for asylum on January 8, 2013.
 - a) Did Isatta meet the one-year filing deadline?
 - b) If Isatta does not meet the one-year filing deadline, do the facts support an exception to the one-year filing deadline? Please Explain.
 - c) If Isatta has established an exception to the one-year filing deadline, did the applicant file within a reasonable period after the established exception?

BURUNDI

(b)(7)(c) (b)(7)(e)

1. Request originals /retain originals
 - a. Ask about Chain of custody

- b. Birth certificates, marriage, death certificates are all being provided as extracts.

- i.
 - ii.
 - iii.

- iv. Take note of documents being signed by

- v. Death certificates- According to the law, death certificates are to be prepared within 15 days of death, upon the declaration of two witnesses before the officer of civil affairs from the area where the deceased resided. Certificates mention the date and location of death, last names, first names, profession and resident of the deceased. As well as his parents' names and spouse (if applicable).
 1. Is there a reason why an applicant would not have an actual death certificate rather than a certificate copy if the certificate was issued within days of the death?
 2. Where is the original death certificate?

- c. Look for inconsistencies in

- d. Adoption documents – retain these. (b)(7)(c) (b)(7)(e)

- i. Applicants have submitted these adoption decrees but they all look different. Even though this is not material to their claims ask questions about relationship. Why is the child adopted? Where are the parents? Adoption process? Documents required. What is the difference between a legal adoption and an informal one?
- ii. Aunts/uncles/family members raise other family members' kids all the time. Why did applicant formally adopt? Who are the kids with? Has someone else adopted them since you left them behind?
- iii. Burundi has specific, detailed adoption laws. For example, children have to be under a certain age to be adopted (under 15). Married couples have to have been married for at least five years and both have to consent. (I will try to translate some of the important information regarding conditions/requirements of adoption).

Here are some links though in Refworld and to Burundian laws

- Immigration and Refugee Board of Canada, *Burundi: Information on the procedure to follow and the documents required to obtain a birth certificate and a national identity card; whether a new national identity card can be obtained if a card is in poor condition; whether the birth certificate is stored by the regional passport office; the magnitude of fraud involving identity documents, particularly passports, visas, birth certificates and marriage certificates*, 11 June 2009, BDI103183.FE, available at: <http://www.refworld.org/docid/4b20f03126.html>
- Immigration and Refugee Board of Canada, *Burundi: The practices involved in issuing proof of birth documents, particularly in Bujumbura; whether proof of birth documents are normally issued at birth; if not, when they are normally issued and for what purpose; the information and documents that parents must provide when applying for a proof of birth document several years after the birth of their child; the documents required to register a child at school*, 15 March 2012, BDI104036.FE, available at: <http://www.refworld.org/docid/50eac3fe2.html>

2. Some applicants claim affiliations with human rights organizations that they have either founded or were heavily involved in.
 - a. Research these organizations pre-interview if possible. Get as much information as possible about them (if any is available).

3.

(b)(7)(e)

(b)(7)(c) (b)(7)(e)

(b)(7)(e)

RWANDA

(b)(7)(c) (b)(7)(e)

(b)(7)(c) (b)(7)(e)

Assessment Components: One Year Filing Deadline

UACs with No Prior Determination

In this case, the applicant was 17 years old at the time of her initial asylum filing with USCIS, on May 21, 2015. In addition, she did not have lawful immigration status at the time of filing, as she entered the United States without authorization on November 1, 2014 and has never obtained any valid legal status. Finally, she did not have a parent or legal guardian in the United States who was available to provide care and physical custody. The applicant testified that her parents reside in El Salvador and that she resides with her older sister and her sister's husband, neither of whom have been recognized by a US court as her legal guardian. Therefore, she meets the legal definition of an "unaccompanied alien child." As USCIS has determined that the applicant was a UAC at the time of filing for asylum, USCIS has jurisdiction to adjudicate the applicant's asylum claim pursuant to the TVPRA. Further, because the applicant is a UAC, her application is not subject to the one-year filing deadline.

Assessing Credibility in the Interview

Applicant testified that he was harmed by unknown men in civilian clothes. He later testifies that the men were uniformed gov't soldiers.

Q: I find it strange that you are telling me two different things. Were your attackers unknown men or gov't soldiers?

A: Gov't soldiers.

Q: What happened after the attack?

AO found the applicant's testimony regarding the identity of his attackers not credible. Was credibility properly assessed here?

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Q: I find it strange that you are telling me two different things. Were your attackers unknown men or gov't soldiers?

A: Gov't soldiers.

Q: What happened after the attack?

- Step 1: Concern?
 - Yes (inconsistency)
- Step 2: Material/Relevant?
 - Yes (identity of the persecutor)
- Step 3: Informed applicant of the concern?
 - (borderline)
- Step 4: Asked applicant to explain concern?
 - Not done

Assessing Credibility in the Interview

Step 5: Assess the reasonableness of the explanation

“I’m sorry, my memory is poor and I misspoke earlier.”

“The date on the application is the date using the calendar from my home country, which is different from the one used in the United States.”

Are these explanations reasonable?

It depends.

Examples: Assessing Credibility in the Interview

(b)(7)(e)

Examples: Assessing Credibility in the Interview

AO found testimony regarding applicant's arrest inconsistent and lacking detail, specifically that she was not able to provide details regarding [REDACTED]

(b)(7)(e)

- Is there an inconsistency?
- Is there a lack of detail?

What more would the AO need to do here in order to make this a legally sufficient credibility concern?

The applicant needed to be informed of the AO's concern and then given an opportunity to explain. Since this was not done and the AO cannot assess the reasonableness of any explanation provided, this credibility point is not legally sufficient.

Examples: Assessing Credibility in the Interview

In his I-589, UAC Applicant stated that

[Redacted]

(b)(7)(e)

[Redacted]

In the interview, UAC Applicant testified

[Redacted]

(b)(7)(e)

[Redacted]

Inconsistency?

Examples: Assessing Credibility in the Interview

In his I-589, UAC Applicant stated that

[Redacted]

[Redacted]

In the interview, UAC Applicant

testified

[Redacted]

(b)(7)(e)

(b)(7)(e)

[Redacted]

Reasonable Explanation?

Examples: Assessing Credibility in the Interview

(b)(7)(e)

UAC Applicant testified that

[Redacted]

[Redacted]

[Redacted]

Later in the interview,

[Redacted]

[Redacted]

(b)(7)(e)

Inconsistency?

Examples: Assessing Credibility in the Interview

UAC Applicant testified that

[Redacted]

[Redacted]

(b)(7)(e)

UAC Applicant further testified that

[Redacted]

(b)(7)(e)

Reasonable Explanation?

Examples: Assessing Credibility in the Interview

(b)(7)(e)

Was applicant informed of credibility concern?

Given an opportunity to explain?

Conclusion

Interviewing for Credibility:

[Redacted]

(b)(7)(e)

Which Files Does FDNS Pre-Screen?

(b)(7)(e)

Required SMD and EFR Vetting

(b)(7)(e)

(b)(7)(e)

SMD and EFR Vetting (Cont'd)

(b)(7)(e)

Possible SMD and EFR Results

(b)(7)(e)

SMD and EFR Sign Offs

(b)(7)(e)

FDNS Duty Officer

(b)(7)(e)

ECN

-
- Currently a work in progress (!)
 - “I am an FDNS Team Member” ECN Page:
 - Duty Officer for the week, FDNS Contact Info, Outdated Team Photo

[Redacted] (b)(7)(e)

- “I need FDNS Resources” ECN Page:

- [Redacted] (b)(7)(e)
- [Redacted]

[Redacted] (b)(7)(e)

Knowledge Check: SMD Grant

(b)(7)(e)

Knowledge Check: SMD Referral

(b)(7)(e)

FRAUD

-
- Please contact FDNS or submit a Fraud Referral if:

(b)(7)(e)

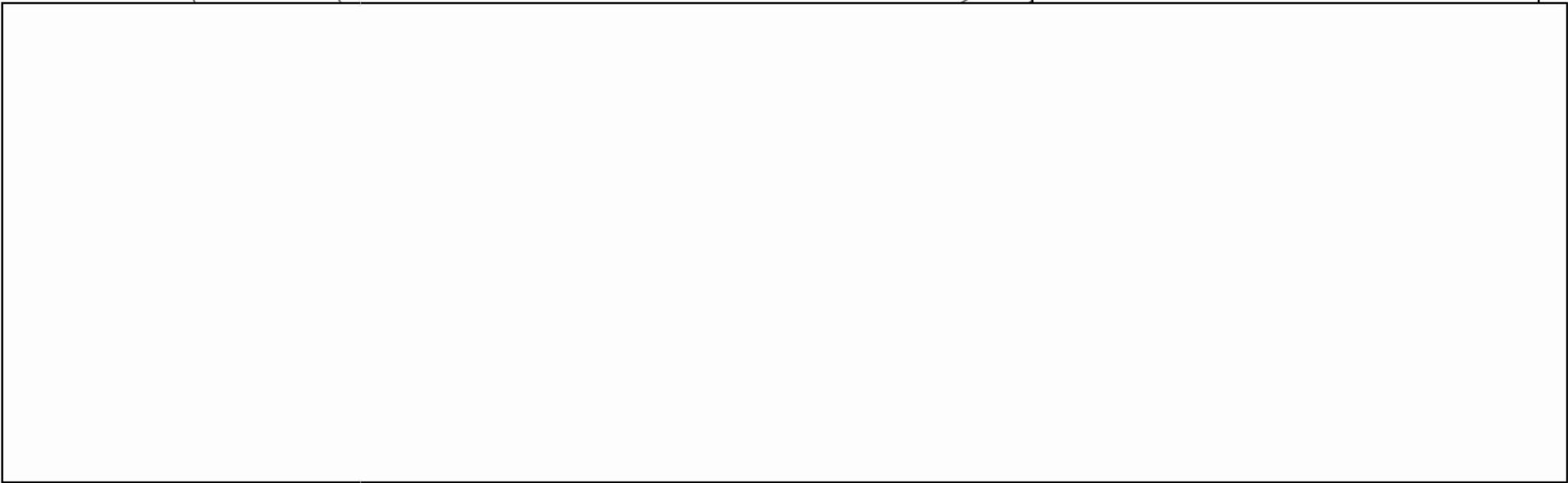
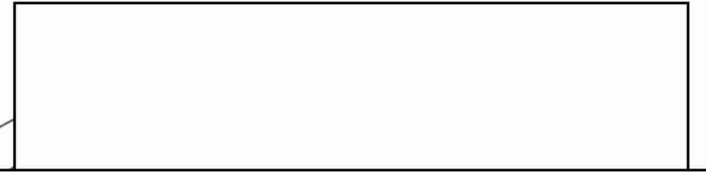
FDNS Support for AOs - Fraud

(b)(7)(e)

Fraud Referrals via DS

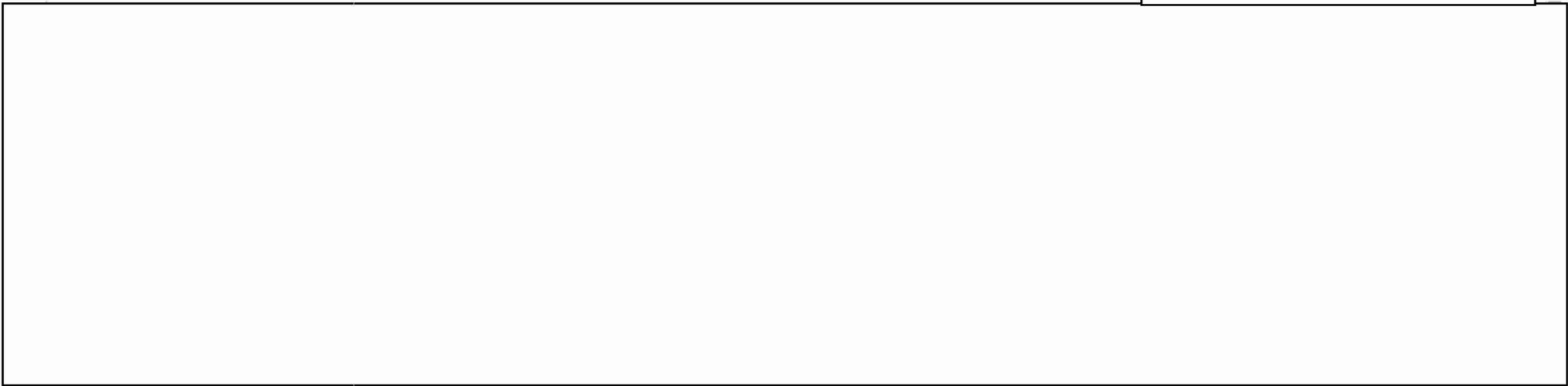
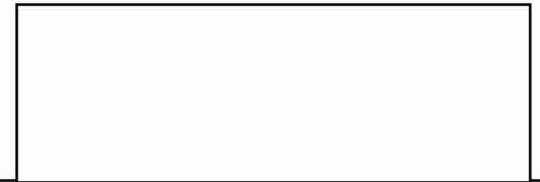
Step 1: The AO is required to fill the following information:

(b)(7)(c) (b)(7)(e)



Step 2: The AO will then be required to explain the reason for the referral:

(b)(7)(e)



Step 3: AO will need to include the applicant's biographical information:



(b)(7)(e)

(Note: Step 4 is skipped because it relates to requesting an Overseas Verification. It's rare that you'll need this and if you think you might, please reach out to FDNS before making the Fraud Referral.)

Step 5: To Save or Submit?

(b)(7)(e)

From: [Hough, Leslie D](#)
To: [Pinkham, Tara A](#)
Cc: [Baj, Ewa](#); [Vitiello, Lauren M](#); [Schank, Alex R](#); [Kelly, Brooke A](#); [Zelege, Aster N](#)
Subject: Feedback on common errors observed during SAO detail
Date: Tuesday, August 28, 2018 11:23:00 AM

Hi Tara,

We'd talked about my writing you an email with the most common security checks errors that I saw during my acting SAO detail. Then as I started writing it up, I realized it might be helpful for me to list the most common problems I saw more generally in interviewing and assessments as well. I'm including the other TOs and Brooke and Astor in case it's at all useful for them.

Common Security Checks errors:

- 1)
- 2)
- 3)
- 4)
- 5)
- 6)

(b)(7)(e)

Common interviewing problems:

- 1)
- 2)
- 3)
- 4)
- 5)

(b)(7)(e)

Common problems with assessments:

- 1)

(b)(7)(e)

2)

3)

4)

(b)(7)(e)

Common problems with NOIDs:

1) Not listing dependents;

2)

3)

4)

(b)(7)(e)

Hope this is helpful!

Leslie

From: [Dragan, Mariusz](#)
To: [Patel, Meeta A](#); [#ZNK Asylum Officers](#)
Subject: RE: case law re: credibility of documents ?
Date: Friday, April 21, 2017 1:09:37 PM

Matter of H-L-H 25 I&N Dec. 209 (BIA 2010) check footnote 5

From: Patel, Meeta A
Sent: Friday, April 21, 2017 11:59 AM
To: [#ZNK Asylum Officers](#)
Subject: case law re: credibility of documents ?

Hi All,

Mariusz had once mentioned to me some case law that says documents which are not dated contemporaneously may be given less weight than documents which are produced contemporaneously.

I cannot remember the name of the case or whether it's in an LP.

Does anyone happen to know ?

Thanks !

-Meeta

WHY USE SPLIT CREDIBILITY

- Recent cases where this could have been used but was often lacking dealt with claims by . (b)(7)(e)
- AO finds applicant not credible because testimony regarding claims of past harm were not detailed and at odds with other evidence.
- AO grants based on well founded fear.

REVIEWING THE I-589

- The way you review this document can *slow you down*
- When to use leading questions:

(b)(7)(e)

PROPER PROCEDURES - NTAS

(b)(7)(e)

PROPER PROCEDURES – NTAS, CONT'D

(b)(7)(e)

PROPER PROCEDURES NTAS, CONT'D

(b)(7)(e)

SWORN STATEMENT

(b)(7)(e)

SWORN STATEMENTS CONT'D

(b)(7)(e)

SWORN STATEMENTS CONT'D

(b)(7)(e)

RECORD ORDER

(b)(7)(e)

ACCURATE SECURITY CHECKS

(b)(7)(e)

ACCURATE SECURITY CHECKS CONT'D

■ TECS

(b)(7)(e)

ACCURATE SECURITY CHECKS CONT'D

■ Updating IBIT

(b)(7)(e)

ACCURATE SECURITY CHECKS CONT'D

■ FBI Name Checks

(b)(7)(e)

Assessing Credibility in the Interview

Applicant testified that he was harmed by unknown men in civilian clothes. He later testifies that the men were uniformed gov't soldiers.

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A: Gov't soldiers.

Q: What happened after the attack?

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 - (borderline)
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(b)(7)(e)

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(b)(7)(e)

(b)(7)(e)

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Examples: Assessing Credibility in the Interview

In his I-589, UAC Applicant stated that

(b)(7)(e)

In the interview, UAC Applicant testified that

(b)(7)(e)

Inconsistency?

Examples: Assessing Credibility in the Interview

In his I-589, UAC Applicant stated that

(b)(7)(e)

testified

(b)(7)(e)

In the interview, UAC Applicant

(b)(7)(e)

Reasonable Explanation?

Examples: Assessing Credibility in the Interview

UAC Applicant testified that [REDACTED] (b)(7)(e)

[REDACTED]

[REDACTED] Later in the interview, [REDACTED]

[REDACTED] (b)(7)(e)

Inconsistency?

Examples: Assessing Credibility in the Interview

UAC Applicant testified that

[REDACTED]

[REDACTED] (b)(7)(e)

UAC Applicant further testified that

[REDACTED]

[REDACTED] (b)(7)(e)

Reasonable Explanation?

Examples: Assessing Credibility in the Interview

(b)(7)(e)

***Was applicant informed of credibility concern?
Given an opportunity to explain?***

Conclusion

Interviewing for Credibility:

(b)(7)(e)

Shirk, Georgette L

From: Kumar, Vikram
Sent: Thursday, March 28, 2019 10:13 AM
To: #ZNK Asylum Officers
Subject: FW: New FAQ on Attending Demonstrations & research paper on Movement for Solidarity and Democracy (Burundi) - TRIG

Hi all,

See below for an FAQ regarding the TRIG implications of attending protests.

(b)(7)(e)

Vikram Kumar
Senior Asylum Officer
U.S. Department of Homeland Security- Newark Asylum Office

From: Mathew, Ajai [redacted]@uscis.dhs.gov> (b)(6)
Sent: Thursday, March 28, 2019 11:09 AM
To: Knowlton, Nicholas D [redacted]@uscis.dhs.gov>; Berman-vaporis, Rachel P [redacted]@uscis.dhs.gov>; Sullivan, Laura C [redacted]@uscis.dhs.gov>; Cleary, Heather M [redacted]@uscis.dhs.gov>; McMillan, Jill [redacted]@uscis.dhs.gov>; Clark, Dusty L [redacted]@uscis.dhs.gov>; McEvoy, Erin B [redacted]@uscis.dhs.gov>; Beck, LaToya S [redacted]@uscis.dhs.gov>; Trinh, Kimberly B [redacted]@uscis.dhs.gov>; Lynn, Mallory L [redacted]@uscis.dhs.gov>; Kim, Alejandra [redacted]@uscis.dhs.gov>; Dominguez, Maria R [redacted]@uscis.dhs.gov>; Talamantes, Eudelia A [redacted]@uscis.dhs.gov>; Coto, Yolanda R [redacted]@uscis.dhs.gov>; Baj, Ewa [redacted]@uscis.dhs.gov>; Dragan, Mariusz [redacted]@uscis.dhs.gov>; Fouda, Lauren T [redacted]@uscis.dhs.gov>; Kumar, Vikram [redacted]@uscis.dhs.gov>; Lewis, Victoria E [redacted]@uscis.dhs.gov>; Swen, Oluremi A (Remi) [redacted]@uscis.dhs.gov>; Sundborg, Rachael S [redacted]@uscis.dhs.gov>; Krause, Paige M [redacted]@uscis.dhs.gov>; Vasquez, Arnoldo A [redacted]@uscis.dhs.gov>; Romano Ferreira, Nicole I [redacted]@uscis.dhs.gov>; Damron, Andrew T [redacted]@uscis.dhs.gov>; Totter, Stephen [redacted]@uscis.dhs.gov>; Satia, Kimberly I [redacted]@uscis.dhs.gov>; Lehman, Danielle E [redacted]@uscis.dhs.gov>
Cc: Whalen, Ellen A [redacted]@uscis.dhs.gov>; Metzger, Evelyn S [redacted]@uscis.dhs.gov>; Picciotto, Giacomo A [redacted]@uscis.dhs.gov>; Kirkland, Brooke A [redacted]@uscis.dhs.gov>
Subject: New FAQ on Attending Demonstrations & research paper on Movement for Solidarity and Democracy (Burundi)

(b)(6)

Hi TRIG POCs,

Just sending this email to notify you of a new FAQ on Attending Demonstrations, which posted to the TRIG ECN yesterday and discusses whether there are any TRIG implications relating to attending demonstration, shouting slogans at a demonstration, attending demonstrations organized by Tier III groups, attending demonstrations that turn violent, and providing support to demonstrators at a violent demonstration.

[RAIO TRIG FAQ on Attending Demonstrations](#)

(b)(7)(e)

Movement for Solidarity and Democracy

Thank you,
Ajai

Shirk, Georgette L

From: Kumar, Vikram
Sent: Tuesday, June 05, 2018 2:52 PM
To: #ZNK-Lyndhurst Everyone
Subject: [Redacted] (b)(7)(e)

Hey everyone,

[Redacted]

[Redacted]

Thanks so much.

Best,
Vikram

(b)(7)(e)

Vikram Kumar
Senior Asylum Officer
U.S. Department of Homeland Security
Newark Asylum Office
1200 Wall Street West, 4th Floor
Lyndhurst, NJ 07071

EXAMPLE 1: VENEZUELA

Q: When did you become involved in community organizing? (b)(7)(e)

A: [REDACTED]

Q: What do you mean when you say [REDACTED] (b)(7)(e)

A: [REDACTED]

Q: Were you involved in community activism before the election?

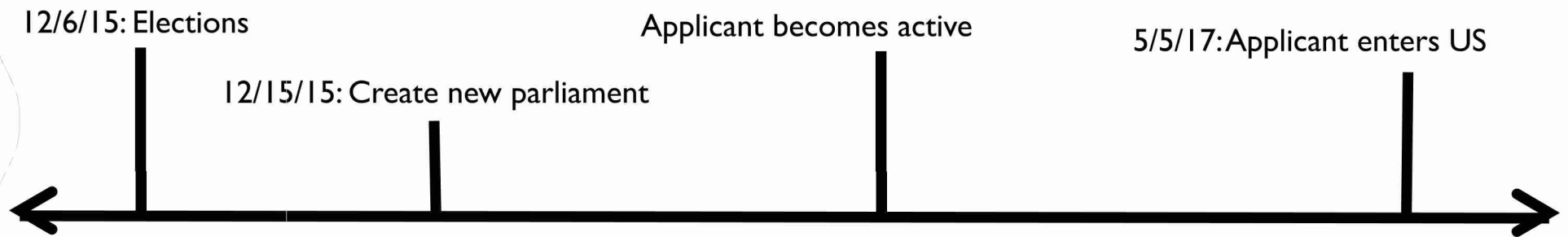
A: Yes.

Q: What did you do before the election?

A: I did some campaigning on behalf of the opposition. I handed out flyers, went to rallies.

FOUO

EXAMPLE 1: VENEZUELA



FOUO

EXAMPLE 1: VENEZUELA

Q:What was it about the creation of the new parliament that caused you to get more involved in politics?

A:

[REDACTED]

(b)(6) (b)(7)(e)

Q:When was that election?

A: 2016.

Q: How soon after the election did you leave Venezuela?

A: Nine months later.

Q: I have found several news articles that indicate that Maduro created the National Communal Parliament after the 2015 election [REDACTED]

A:

[REDACTED]

(b)(6) (b)(7)(e)

FOUO

EXAMPLE 2: SYRIA

Q: Where did you go after you left Aleppo?

A: We crossed into Turkey.

Q: Where did you cross into Turkey?

A: Jarablus.

Q: Did you pass through the actual town of Jarablus?

A: Yes. I took a bus from Aleppo to Jarablus, stayed a few days there, then found a smuggler in town who helped me cross the fence a little bit outside of Jarablus.

Q: When were you in Jarablus?

A: End of March 2014.

FOUO

EXAMPLE 2: SYRIA

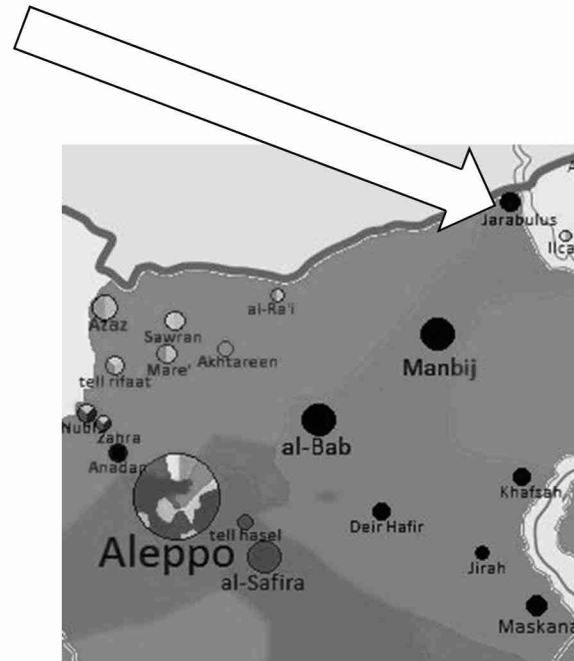
**Armed group control
on March 13, 2014**

Black: ISIS

Green: FSA

Red: Syrian gov't

Yellow: Kurds



FOUO

EXAMPLE 2: SYRIA

Q: Who was in control of Jarablus at the time?

A: FSA.

Q: How did you know it was the FSA?

A: They flew the Syrian revolutionary flag at their checkpoints in the city, the one with three red stars.

Q: According to news reports ISIS was in control of Jarablus in March 2014. You told me that at the time you were there the FSA was in control. Can you help me understand why what you've told me is different from the reports I read?

A: I don't know about your reports, but all I saw was the Syrian revolutionary flag.

FOUO

EXAMPLE 3: INDIA

Q: When was the last time the supporters of the BJP attacked you?

A: September 2018 outside my house. I then went and hid at my sister's house until I left India in January 2019.

Q: Did you have any encounters with supporters of the BJP after September 2018?

A: No. I was in hiding and didn't leave my sister's house so they couldn't see me.

Q: Is there anywhere in India you could live and be safe from supporters of the BJP?

A: No, the BJP is in control everywhere and the police support them.

Q: I have reports that indicate that there are several states governed by parties other than the BJP. Why could you not live in those states?

A: The BJP could find me anywhere.

FOUO

EXAMPLE 3: INDIA

Q:What makes you think that supporters of the BJP would target you in states that the party doesn't control?

A: My brother lives in a state controlled by the Congress party. When I was hiding at his house BJP supporters were still looking for me.

Q:When were you hiding at your brother's house?

A: Before I left India.

Q: Earlier you told me that you hid at your sister's house until you left India. Now you say that you hid at your brother's house before you left India. Can you explain the difference in what you told me?

A: I hid at my brother's house, not my sister's.

Q:Why did you say earlier that you hid at your sister's house?

A: I don't know. I'm tired.

FOUO

EXAMPLE 4: CHINA

Q: I see that your passport was issued in January, 2019. When did you apply for the passport?

A: I don't remember exactly. Maybe a month before I left China.

Q: Did you apply for your passport after you were accused of organizing a political gathering?

A: Yes

Q: Did you have any difficulties applying for or receiving your passport?

A: No

Q: I have a report from the US State Department that says that Chinese authorities may refuse to issue passports to people they consider "politically unreliable." However, you told me that you were able to obtain a passport despite being accused of organizing a political gathering. Can you explain the difference between what's in the report and what you told me?

A: I don't know. I just applied for the passport and they issued it.

FOUO

EXAMPLE 5: RUSSIA

Q: How long were you a Russian border guard?

A: From 2013 until 2018 I was the commanding officer for 15 border guards.

Q: Did you ever detain anyone?

A: Yes, people who tried to enter the country illegally.

Q: Did you ever harm anybody you detained?

A: No

Q: Did you ever order anyone to harm anybody?

A: No

~~FOUO~~

EXAMPLE 5: RUSSIA

Q: Were you ever aware of any border guards ever harming anyone in their custody?

A: I am not aware of that.

Q: I have a report from Human Rights Watch that says that Russian border guards frequently harm detainees. However, you told me that you were not aware of any border guards ever harming anyone in their custody. Can you explain the difference between what I read in the reports and what you're telling me now?

A: I imagine it happens but I never saw anything like that at my station.

FOUO

held a paid position with that organization as its Coordinator.

She goes on to say that in October 2011, she was confronted and ultimately detained by a Ugandan governmental official (Residential District Commissioner) who insisted that she stop her work as a human rights advocate. [REDACTED] (b)(6)

[REDACTED]

[REDACTED]. She says the group wrote a blog.

The applicant went on to say that she received [REDACTED] (b)(6)

She also says that in late [REDACTED] (b)(6)

[REDACTED] says she did not report these threatening calls to any authority figures because she came to the US shortly after receiving these phone calls.

V. CREDIBILITY

The applicant's testimony was found not credible for the following reasons:

- The limited documentation submitted by the applicant in support of her claim that she was targeted for persecution by Ugandan officials undermines his overall claim. The applicant maintains that she was a human rights advocate and began her advocacy by encouraging women

[REDACTED]

and deeds on behalf of these causes.

(b)(6) (b)(7)(e)

- The applicant's inability to provide detailed answers about the nature of her work and writings [REDACTED]

(b)(6) (b)(7)(e)

[redacted]. However, when questioned about this group, the applicant was unsure about the group and had difficulty explaining her role as the group's Coordinator. She said she is unsure if the group even exists in Uganda and says that she no longer has contact with the group. She says she even lacks a contact telephone number for the group. She goes on to say that she is not in possession of any corroborating materials and/or writings from this group which would link her to the work of this advocacy group. [redacted]

(b)(6)
(b)(6) (b)(7)(e)
(b)(7)(e)

[redacted]

The applicant's inability to adequately address basic questions asked of her about the organization that she led, her work with them while she coordinated the group—that compounded with the applicant's inability to provide direct source evidence of her role and/or work with the group serves to undermine her overall claim and calls into question whether she would have been targeted by Ugandan officials on account of outspoken political opinions.

- The applicant maintains she is now and was, while she resided in Uganda, wanted for questioning by Ugandan officials on account of her outspoken political beliefs. However, she concedes she departed without incident on two separate occasions from Uganda's international airport for the United States. When asked to explain how she departed from her country with such ease on two separate occasions, the applicant provided no answer. Instead, she simply stated that she had a visa and a ticket for the US. The ease at which she was able to twice leave her country for the United States further calls into question the applicant's contention that governmental agents want to harm and/or arrest her on account of her outspoken political beliefs. Given the opportunity to pull her aside for additional questioning and/or possible arrest, governmental security agents twice let her pass by without incident so that she could board her internationally-bound flights.

When given an opportunity to explain, the applicant was unable to provide a reasonable explanation for the inconsistencies described above.

VI. FOCUSED ANALYSIS COMPONENT

A. MATERIALITY OF NON-CREDIBLE ASSERTIONS

As explained above, the credibility concerns regarding applicant's testimony are material in that they call into question whether or not the applicant was persecuted in Uganda on account of her political opinion as

[redacted]

(b)(6)

As the applicant's testimony was not credible in material respects, she has failed to meet her burden of establishing that she is a refugee as required by 8 CFR § 208.13. Consequently, she is ineligible for asylum.

VII. DECISION

For the foregoing reasons, the applicant is not eligible for asylum status in the United States. Assessment is to refer to the Immigration Judge.

could not reach that level because he came to America and borrowed money for his trip, which he needed to pay back.

In China he worked as a peasant farmer and did part time construction work too. When asked why his application said that he worked for a furnishing company in China he said that he did work at a factory run by a friend and worker there when they needed help. [redacted]

(b)(6)

[redacted] He could not remember his friends name. He said he did not make a lot of money and would only work at the factory when his vegetable field was empty. He was not sure his monthly income, but he would go months without making any money.

His boss at the factory was name Wang. When asked why his visa application said his bosses name was Shi Wenqui he said he was not aware because he applied through an agency. When asked why his visa application said he made 15,0000 yuan a month he gave the same answer. He said he did not know why his visa application said he was in charge of manufacturing for foreign orders at the factory. When asked for clarification regarding what his visa application said and what he listed on his I-589 he said that he was an average worker in China and needed to make up his employment at the factory to get the visa.

The applicant's testimony was found not credible for the following reasons:

- The applicant's testimony was inconsistent about whether he was arrested or not regarding past persecution in China. The applicant's explanation regarding evidence of his arrest is not clear. The applicant testified he had been given a receipt for the fine for his arrest. When asked if he could not obtain the receipt for the fine he provided two different reasons which contradicted each other.

(b)(6)

(b)(7)(e)

[redacted] it is reasonable to expect him to have either retained the receipt showing he was arrested or to provide credible testimony as to why he could not obtain the receipt from the police if he had been issued it in the first place.

- The applicant's testimony lacked important detail and was inconsistent [redacted]

(b)(6)

(b)(7)(e)

[redacted] church in China. The applicant stated he would be persecuted by the authorities for attending church if he were to return to China. When asked how he would find churches to practice at in China the applicant stated that he would first ask for a referral from his church in Boston, because he had heard people there, who were

going back to China, asking for referrals. But he could not remember who the people were or when he heard them talking about referrals for churches in China. The applicant's testimony was not credible because he would not provide any detailed information on how he would practice Christianity in China. The applicant was not clear about how he would find a church. He could not identify any of the people who he heard asking for referrals at his church in Boston. He was not clear about when or where he heard people in his church talking about church referrals in China. Given the applicant's claim that he is a bona fide Christian who would attend unregistered religious gatherings back in China it is reasonable to expect him to explain which illegal church he would attend or at least how he would learn about such churches.

- The applicant's testimony was internally inconsistent regarding how he would proselytize in China. The applicant initially testified that he would be able to spread the gospel back in China. However, he later testified that he was not trained, or had not reached the level, where he could spread the gospel. It is not clear from his responses if he would actually proselytize or not. Given that the applicant is claiming he is a Christian who proselytize in China and it is reasonable to expect him to be able to provide internally consistent testimony regarding whether would proselytize in China or not.

- The applicant's testimony was detailed and specific regarding why he became a Christian. The applicant was asked the question about why he wanted to become Christian [redacted]

[redacted]

(b)(6)
(b)(7)(e)

not provide sufficient information showing why he would make such a significant spiritual commitment and change in his life.

The applicant claims that he was arrested and detained because he attended unregistered church gatherings. The applicant's inability to provide consistent testimony regarding the reason that he is applying for asylum is relevant because it casts doubt on his claim that he is applying for asylum because he was arrested and detained for attending unregistered church gatherings. [redacted]

(b)(6)
(b)(7)(e)

persecution is relevant because it casts doubt on her claim that she is a bona fide Christian who attended unregistered gatherings. The applicant's inability to provide internally consistent testimony regarding the where he would attend church in Chinas and whether he would proselytize in China is relevant because it casts doubt on his claim that he would practice Christianity in China.

As the applicant's testimony was not credible in material respects, she has failed to meet her burden of establishing that she is a refugee as required by 8 CFR § 208.13. Consequently, she is ineligible for asylum status in the United States.

In addition, the applicant has failed to show a well-founded fear of persecution based on his claim that he will attend unregistered church gatherings in China. To

establish a well-founded fear of persecution an applicant must show possession of a protected characteristic, the persecutor's awareness of the applicant's possession of the protected characteristic or ability to become aware, the persecutor's capability of persecuting the applicant and the persecutor's inclination to harm the applicant. *Matter of Mogharrabi*, 19 I&N Dec. 439 (BIA 1987); *See, Matter of Kasinga*, 21 I&N Dec. 357 (BIA 1996). The applicant failed to provide all four prongs of the *Mogharabbi* test for well-founded fear.

Here, the applicant has failed to establish that the Chinese government is aware or is likely to become aware of these activities if he were to partake in them in China. The applicant testified that he would attend church in China by getting a referral from his church in Boston but the applicant did not give credible testimony about how he would do this. The applicant was also not clear regarding whether he would proselytize or not in China. Merely being a Christian and a national of China is not sufficient to establish a well-founded fear of persecution in the present circumstances.

Assessment is to refer to the Immigration Judge.

(b)(6)

[redacted]

come to the United States in order to be able to practice his religion in peace. Although he had always been raised Christian by his mother, he had never been baptized until he came to the United States and his religion in Iran was stated as Muslim on all his identification documents.

Applicant is afraid to return to Iran because the Iranian government would eventually find out that he is a Christian even though his identification documents show him as a Muslim

Furthermore, he is afraid to return to Nepal [redacted]

(b)(6)

[redacted] is unwilling or unable to protect him just as they didn't in the past. Furthermore, he claims that he is limited [redacted]

[redacted] in Nepal as he claims he [redacted] (b)(6)

The applicant's testimony was found not credible for the following reasons:

The most essential aspect of an asylum claim is the identity of the applicant. See 8 CFR § 209.8. The applicant was unable to establish his identity through his Iranian passport and Philippines birth certificate. He presented two passports, an Iranian and a Nepalese

[redacted]

[redacted] applicant was unable to present the adjudicating officer with any type of [redacted] or any type of documents outside his passport to verify that he had lived in Iran or that he had gone to school there. Furthermore, [redacted] almost no entries in it showing that it had not been used except [redacted]

(b)(6)

[redacted]

(b)(6)

Christian religion. He testified that he had been raised Christian and that he had attended several Catholic churches [redacted] with his mother during his childhood. Yet he didn't provide any proof nor was he able to name those churches during his testimony.

Applicant's claim was that he wasn't able to practice his religion [redacted] he had never been baptized and according to [redacted] documents stated [redacted]

(b)(6)

although no documents were presented to verify this. Furthermore, applicant stated that he wasn't able to practice his Christian [redacted]

(b)(6)

[redacted] reports reflect Christians have lived and operated Christian hospitals in Nepal freely: (b)(6) (b)(7)(e)

[redacted]

[redacted]

(b)(6)

immigration status, his testimony failed to establish that he suffered past persecution or that he

has a well-founded fear of future persecution. Outside of being randomly stopped and not accepted at the [redacted] As to a reasonable fear of future persecution as to his religion, the fact that he was stopped at the [redacted] and eventually allowed to enter Iran without any restriction shows that there his fear of harm in Iran is not reasonable.

(b)(6) (b)(7)(e)

Furthermore, his testimony as to his time spent in Nepal is full of inconsistencies and lack of detail as to material aspects of his claim and country conditions don't support his claim that he was targeted because of his religion or because of his mixed heritage.

For the foregoing reasons, the applicant is not eligible for asylum status in the United States. Assessment is to refer to the Immigration Judge.

During the second asylum interview at the asylum office [REDACTED]

(b)(6)

The applicant testified at the beginning of the asylum interview that he is familiar with the contents of his written asylum application, that the contents were read back to him in his native language, and that the contents are all true and complete.

V. CREDIBILITY

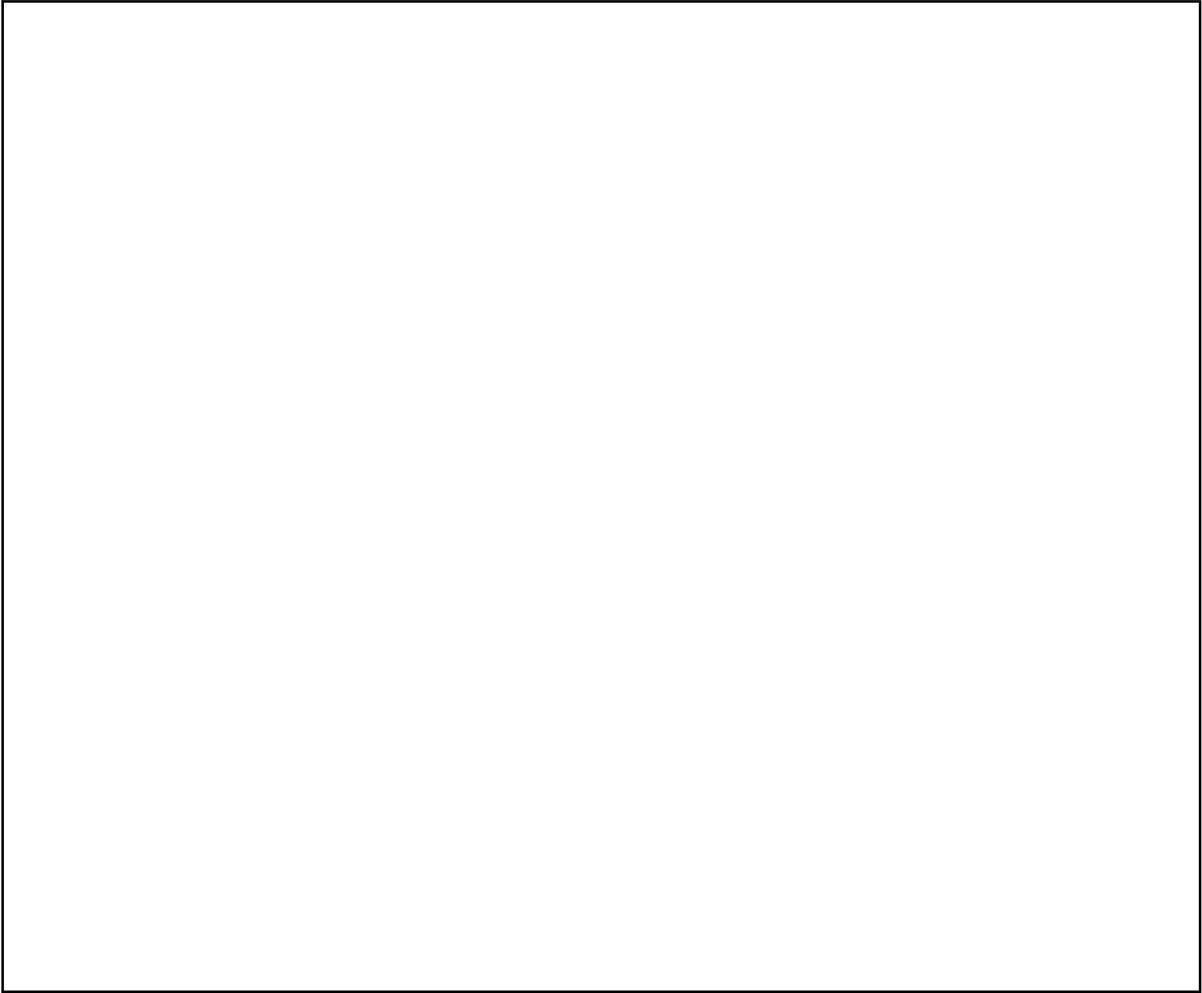
To receive asylum, an asylum-seeker must show past persecution or a well-founded fear of future persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

The applicant's testimony was found not credible for the following reasons:

- The applicant's testimony during his first asylum interview was inconsistent with the

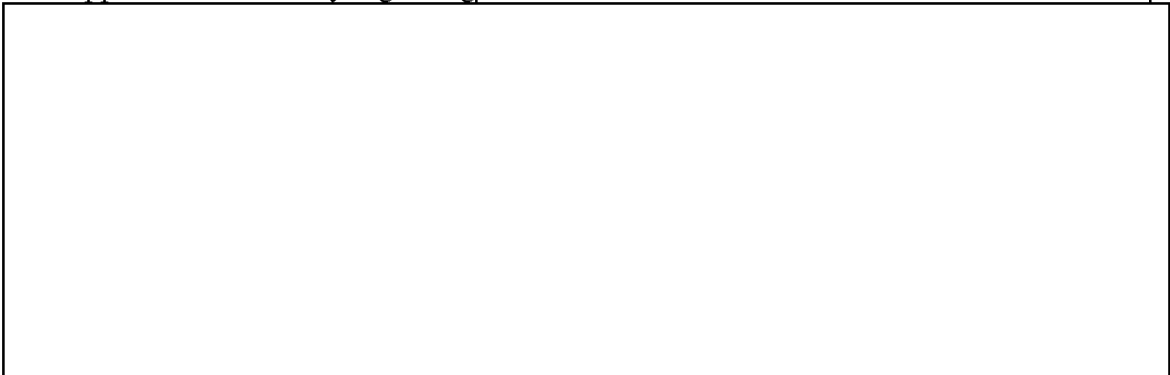
[REDACTED]

(b)(6) (b)(7)(e)

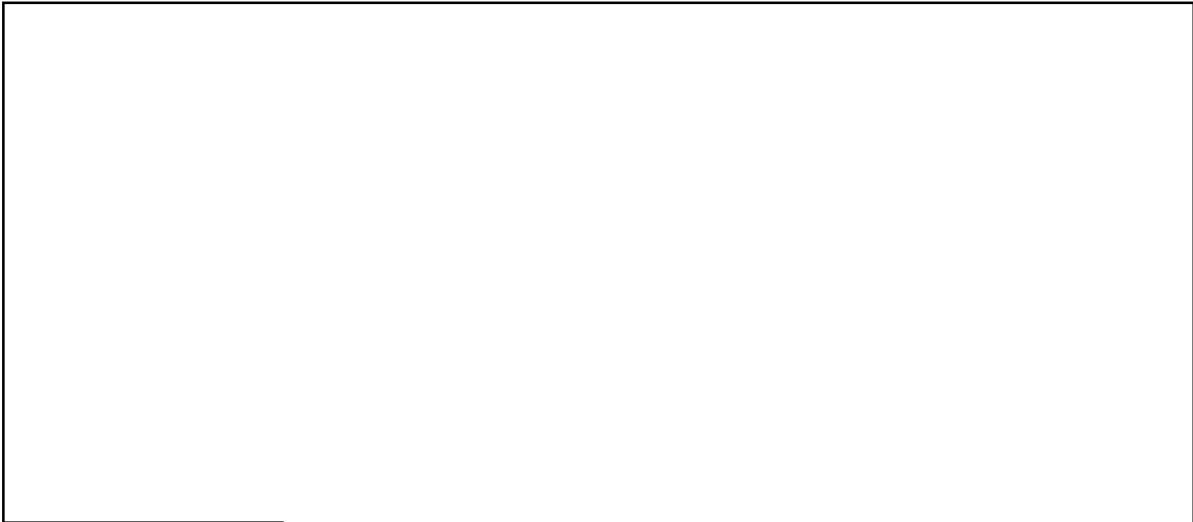


[redacted] The applicant was not confronted or given an opportunity to explain the derogatory information that was discovered after the interview. However, considering the applicant's testimony was not sufficiently solid and convincing, there was no compelling reason to afford the applicant an opportunity to explain the discrepancy in a third interview at the Asylum Office. The applicant inconsistent testimony is material to the applicant's claim of whether he was harmed by the Djiboutian government on account of his political activity with the PDD.

- The applicant's testimony regarding [redacted]



(b)(6) (b)(7)(e)



The applicant was not confronted or given an opportunity to explain the derogatory information that was discovered after the interview. However, considering the applicant's testimony was not sufficiently solid and convincing, there was no compelling reason to afford the applicant an opportunity to explain the discrepancy in a third interview at the Asylum Office. The applicant's vague and evasive testimony is material to the applicant's claim of whether he was arrested due to his political activities with the PDD in Djibouti.

Considering the identified credibility issues, the absence of reasonable explanations for those issues, and taking into consideration the applicant's individual circumstances, the applicant's testimony is found not credible under the totality of the circumstance. As the applicant's testimony was not credible in material respects, he has failed to meet his burden of establishing that he is a refugee as required by 8 CFR § 208.13.

VII DECISION

For the foregoing reasons, the applicant is not eligible for asylum status in the United States. Assessment is to refer to the Immigration judge.

V. CREDIBILITY DETERMINATION / EVIDENCE ASSESSMENT

(b)(6)

The applicant's testimony was found not credible for the following reasons: his testimony was not fully corroborated by documentary evidence and was vague and lacked detail on material points.

1. The applicant's oral testimony regarding his identity as a Christian was vague and lacked detail. [redacted]

[redacted]

[redacted] The applicant's failure to provide sufficient details about regarding his Christian identity is not reasonable. This is material as it calls into question whether the applicant is a Christian.

2. The applicant's oral testimony regarding the time when he started believing in Christianity was vague and lacked detail. The applicant states he was introduced [redacted]

(b)(6)

[redacted]

(b)(7)(e)

[redacted] failure to provide an explanation for the date he started believing in Christianity is not reasonable because one would expect a person to know when he started to believe in his new faith. This is material as it calls into question whether the applicant is a Christian.

3. The applicant's oral testimony regarding his knowledge of his Christian religion was vague and lacked detail. When asked about [redacted]

[redacted]

(b)(6)

(b)(7)(e)

stated "Something like being people got arrested or raided by the police." The applicant's failure to explain any religious teachings although he applicant states he attended church bi-weekly for over five years is not reasonable because one would expect a new convert to know at least one tenant or lesson as a part of practicing his new religion. This is material as it calls into question whether the applicant is Christian.

While the issues described above may not singlehandedly compel a finding that the applicant is not credible, considered together, they raise significant doubts as to the credibility of the applicant's testimony and diminish the evidentiary weight that can be given to it. Under the REAL ID Act, an applicant's testimony alone is sufficient to sustain an applicant's burden of proof without corroboration only if it is credible, persuasive, and refers to specific facts sufficient to establish that the applicant is a refugee. INA § 208(b)(1)(B)(ii). The First Circuit Court of Appeals, in which this matter arises, has held that even if an asylum applicant is found "generally credible," his testimony may be found insufficiently

compelling to support his burden of proof without corroboration. *Chhay v. Mukasey*, 540 F.3d 1, 6-7 (1st Cir. 2008).

VI. FOCUSED ANALYSIS COMPONENT

Considering the totality of the circumstances and all relevant factors, the applicant's testimony is found not credible. The applicant's non-credible assertions have a direct and objective bearing on his asylum eligibility because these assertions cast doubt on the veracity of the information provided in his application for asylum.

As the applicant's testimony was not credible in material respects, he has failed to meet his burden of establishing that he is a refugee as required by 8 CFR § 208.13.

The applicant has also failed to establish that he is similarly situated to a group of persons subject to a pattern or practice of persecution, such that his fear of persecution upon return is reasonable.

For the foregoing reasons, the applicant is not eligible for asylum status in the United States.

VII. DECISION

Assessment is to refer to the Immigration Judge.

(b)(6)

[Redacted]

Applicant arrived in the US using a passport with a different name and date of birth. Applicant testified that his father paid an agent US \$50, 000 to assist with the passport and the visa. Applicant was granted an F1 visa, but did not attend school after his arrival in the US. Applicant fears that he will be arrested, beaten again by the government.

V. CREDIBILITY

ESTABLISHING IDENTITY

The applicant’s testimony was found not credible for the following reason:

The applicant was unable to successfully establish his identity. The applicant presented a Chinese passport with a different name issued in October 2012. He stated that he paid an agent the amount of \$50,000 in order to help him get out of the country. [Redacted]

[Redacted]

(b)(6)
(b)(7)(e)

in China. It seems implausible that someone who is claiming an identity will not present any official documents evidencing his identity. Further, this calls into question whether the applicant is the person he is claiming to be. Therefore, we do not know the applicant’s identity.

[Redacted]

(b)(6) (b)(7)(e)

[Redacted] stated that the government only gave them the money and had his other signed the documents and the government never gave them any documentation. It seems implausible that [Redacted]

(b)(6) (b)(7)(e)

[Redacted]

[Redacted] This also calls into question whether the applicant’s family was actually evicted from their property which is the basis of his asylum claim.

Because he did not provide documentation to corroborate essential elements of his claim, he is found not to have met his burden of proof of his claim. See Matter of Y-B-, Int Dec 3337 (BIA 1998) and Matter of SMJ, Int Dec 3303 (BIA 1997).

VI. DECISION

For the foregoing reasons, the applicant is not eligible for asylum status in the United States. Assessment is to refer to the Immigration Judge.

[Redacted]

file a police report. (b)(6)

He was release in April 13, 2013. After his release, he did not seek any medical attention because he did not feel weak. He did an HIV test, which was negative, but he did not have the document sowing where and when he did the test.

He went for his visa application in April 18, 2013. His soccer team manager had prepared his documents for him and filled the online visa application.

He fears that if he returned in Cote D'Ivoire, he will not be safe because the country is insecure. He also fears that because of his ethnicity as a bête, he will continue to be the target of the FRCI soldiers.

V. CREDIBILITY

The applicant's testimony about his arrests and the medical document from the Centre Hospitalier Universitaire Yalgado Ouedraogo was vague, implausible and lacked details.

Applicant stated that after his release from detention in February 28, 2011, his parents found him very weak and sent him to see a doctor at [Redacted]

[Large Redacted Block]

(b)(6)
(b)(7)(e)

[Redacted] It calls into question the authenticity of the medical report and whether applicant ever visited the Doctor's office. It further casts doubt on whether applicant was ever arrested, detained and persecuted.

Applicant stated that from [Redacted]

(b)(6) (b)(7)(e)

[Redacted] He stated that police will come, handcuff him and take him to

(b)(7)(e)

(b)(6) (b)(7)(e)

[Redacted]

[Redacted] This explanation is not reasonable as someone who is the subject this many police arrest will avoid being in a place where the police could easily arrest him. This inconsistency is relevant to his claim as it concerns whether the arrests claimed by the applicant took place.

Applicant later stated that

[Redacted]

[Redacted]

(b)(6)(b)(7)(e)
(b)(7)(e)

[Redacted] This inconsistency regarding the circumstances of the applicant's arrest is relevant to his claim as the applicant claimed to have suffered past harm in being arrested and detained several times.

While the issues described above may not singlehandedly compel a finding that the applicant is not credible, considered together, they raise significant doubts as to the credibility of the applicant's testimony and diminish the evidentiary weight that can be given to it. Under the REAL ID Act, an applicant's testimony alone is sufficient to sustain an applicant's burden of proof without corroboration only if it is credible, persuasive, and refers to specific facts sufficient to establish that the applicant is a refugee. INA § 208(b)(1)(B)(ii). The First Circuit Court of Appeals, in which this matter arises, has held that even if an asylum applicant is found "generally credible," her testimony may be found insufficiently compelling to support her burden of proof without corroboration. *Chhay v. Mukasey*, 540 F.3d 1, 6-7 (1st Cir. 2008).

The applicant in this case provided testimonial and documentary evidence specifically related to the harm he suffered and his reasons for fearing harm in Burkina Faso. The applicant did not submit any other independent

[Redacted]

[Redacted]

to demonstrate that he is a refugee.

(b)(6) (b)(7)(e)

VI. FOCUSED ANALYSIS

The issues undermining the credibility of the applicant's testimony and the applicant's failure to come forward with a reasonable explanation to corroborate his claim have a direct and objective bearing on the basis for his asylum eligibility. As explained above, there is no other documentary evidence in the record aside from his insufficiently credible [redacted] either that he was persecuted in the past or that he has a well-founded fear of persecution in the future.

(b)(6) (b)(7)(e)

As the applicant's documentary evidence was not credible in material respects and there is no extrinsic evidence to indicate that the applicant is a refugee, he has failed to carry his burden of proof to support his claim as required by 8 C.F.R. § 208.13. Consequently, he is found to be ineligible for asylum.

VII. DECISION

For the foregoing reasons, the applicant is not eligible for asylum status in the United States. Assessment is to refer to the Immigration Judge.

Shirk, Georgette L

From: Shaw, Katerina
Sent: Thursday, March 28, 2019 10:20 AM
To: Kumar, Vikram
Subject: RE: New FAQ on Attending Demonstrations & research paper on Movement for Solidarity and Democracy (Burundi) - TRIG



From: Kumar, Vikram [redacted]@uscis.dhs.gov>
Sent: Thursday, March 28, 2019 11:14 AM
To: Shaw, Katerina [redacted]@uscis.dhs.gov>
Cc: Fouda, Lauren T [redacted]@uscis.dhs.gov>
Subject: FW: New FAQ on Attending Demonstrations & research paper on Movement for Solidarity and Democracy (Burundi) - TRIG

Nice work Katerina. ☺

From: Kumar, Vikram
Sent: Thursday, March 28, 2019 11:13 AM
To: #ZNK Asylum Officers [redacted]@uscis.dhs.gov> (b)(6)
Subject: FW: New FAQ on Attending Demonstrations & research paper on Movement for Solidarity and Democracy (Burundi) - TRIG

Hi all,

See below for an FAQ regarding the TRIG implications of attending protests.

[redacted] (b)(7)(e)

Vikram Kumar
Senior Asylum Officer
U.S. Department of Homeland Security- Newark Asylum Office

From: Mathew, Ajai [redacted]@uscis.dhs.gov> (b)(6)
Sent: Thursday, March 28, 2019 11:09 AM
To: Knowlton, Nicholas D [redacted]@uscis.dhs.gov>; Berman-vaporis, Rachel P [redacted]@uscis.dhs.gov>; Sullivan, Laura C [redacted]@uscis.dhs.gov>; (b)(6), (b)(7)(e), Heather M [redacted]@uscis.dhs.gov>; McMillan, Jill [redacted]@uscis.dhs.gov>; Clark, Dusty L [redacted]@uscis.dhs.gov>; McEvoy, Erin B [redacted]@uscis.dhs.gov>; Beck, LaToya S [redacted]@uscis.dhs.gov>; Trinh, Kimberly B [redacted]@uscis.dhs.gov>; Lynn, Mallory L [redacted]@uscis.dhs.gov>; Kim, Alejandra [redacted]@uscis.dhs.gov>; Dominguez, Maria R [redacted]@uscis.dhs.gov>; Talamantes, Eudelia A [redacted]@uscis.dhs.gov>; Coto, Yolanda R [redacted]@uscis.dhs.gov>; Baj, Ewa [redacted]@uscis.dhs.gov>; Dragan, Mariusz [redacted]@uscis.dhs.gov>; Fouda, Lauren T [redacted]@uscis.dhs.gov>; Kumar, Vikram [redacted]@uscis.dhs.gov>; Lewis, Victoria E [redacted]@uscis.dhs.gov>; Swen, Oluremi A (Remi) [redacted]@uscis.dhs.gov>; Sundborg, Rachael S [redacted]@uscis.dhs.gov>

(b)(6)

[redacted]@uscis.dhs.gov>; Krause, Paige M <[redacted]@uscis.dhs.gov>; Vasquez, Arnoldo A <[redacted]@uscis.dhs.gov>; Romano Ferreira, Nicole I <[redacted]@uscis.dhs.gov>; Damron, Andrew T <[redacted]@uscis.dhs.gov>; Totter, Stephen <[redacted]@uscis.dhs.gov>; Satia, Kimberly I <[redacted]@uscis.dhs.gov>; Lehman, Danielle E <[redacted]@uscis.dhs.gov>
Cc: Whalen, Ellen A <[redacted]@uscis.dhs.gov>; Metzger, Evelyn S <[redacted]@uscis.dhs.gov>; Picciotto, Giacomo A <[redacted]@uscis.dhs.gov>; Kirkland, Brooke A <[redacted]@uscis.dhs.gov>
Subject: New FAQ on Attending Demonstrations & research paper on Movement for Solidarity and Democracy (Burundi)

Hi TRIG POCs,

Just sending this email to notify you of a new FAQ on Attending Demonstrations, which posted to the TRIG ECN yesterday and discusses whether there are any TRIG implications relating to attending demonstration, shouting slogans at a demonstration, attending demonstrations organized by Tier III groups, attending demonstrations that turn violent, and providing support to demonstrators at a violent demonstration.

[RAIO TRIG FAQ on Attending Demonstrations](#)

[redacted] (b)(7)(e)

[Movement for Solidarity and Democracy](#)

Thank you,
Ajai