

**EXECUTIVE SUMMARY OF CHANGES  
TO THE REASONABLE FEAR LESSON PLAN  
FEBRUARY 2017**

**REASONABLE FEAR (RF) LESSON PLAN (LP) – dated 02/13/17**

- **Country of removal** – Section III, Jurisdiction; pp. 9-10
  - In discussing when an asylum officer must explore an applicant’s fear with regard to a country, includes reference to the countries “proposed” for removal, and deletes reference to “any other country to which DHS is contemplating removal,” for parity with the Credible Fear (CF) LP.
  - Also removes a note stating that procedures are being developed for DHS referral of cases back to the asylum office when a person expresses fear to a new country of removal, as procedural updates are best suited for the RF Procedures Manual.
- **Credibility** – Section VIII, Credibility; pp. 12-17
  - Modifies structure and content to conform to guidance provided in the updated CF LP, other than those topics specific to credibility in the RF context.
  - Includes additional references from the RAIO Credibility LP on the REAL ID Act credibility standard of the “totality of the circumstances and all relevant factors” and the applicant’s need to provide detail.
  - Removes “relevant to the claim” language from the discussion on considering and assessing credibility.
- **Nexus** – Section IX, Establishing a Reasonable Fear of Persecution; p. 17
  - Adds language from the CF LP regarding the burden of proof required to establish nexus to a protected ground.
- **Other serious harm** – Section IX, Establishing a Reasonable Fear of Persecution; p. 19
  - Clarifies that a RF of persecution may be found only if there is a reasonable possibility the applicant will be persecuted in the future, regardless of the likelihood that the applicant will face other serious harm upon return.
- **CAT internal relocation** – Section XII, Establishing a Reasonable Fear of Torture; p. 39
  - Updates the burden of proof discussion for RF of torture, in order to take into account a Ninth Circuit decision holding that unlike other CAT elements for which the applicant bears the burden, the applicant and the government share the burden with regard to CAT internal relocation.
- **Mandatory bars** – Section XII, Establishing Reasonable Fear of Torture; p. 40
  - Adds language instructing asylum officers to keep in mind procedures for flagging mandatory bars for further consideration during a hearing before an immigration judge.
- **Note taking** – Section XIV, Interviews; p. 44
  - Updates the note-taking section to conform to May 2014 memorandum by John Lafferty, *Updated Guidance on Reasonable Fear Note-Taking*, providing that asylum officers must take interview notes in a Question & Answer format during RF interviews and provide the applicant with a summary of material facts at the end of the interview, with which the applicant must agree, superseding the sworn statement requirement.