

[Date]

Request for Review for [Client]

Date of Birth:

A-file Number: (if known)

RSC Case Number:

UNHCR number: (if applicable)

I. Introduction

- Intro Statement (e.g. I submit this timely Request for Review (RFR on behalf of [client]). In this RFR, [client] raises substantial new evidence/demonstrates clear error in the rejection of his Registration for Classification as a Refugee (Form I-590)).
 - If appeal is not timely, clearly set out reasons for why it should still be considered
- Reasons for ineligibility
- Brief summary of argument

II. Facts

- Narrative of client's situation focusing on events demonstrating resettlement needs

III. Standard of Review

- An RFR must allege significant error or present new evidence.¹ If the RFR demonstrates that the applicant is more likely than not to qualify for refugee status, USCIS should grant the applicant a new interview.²
- If there is an allegation of error in the adjudication, the reviewing officer must determine if the error was "significant" which means that "it is more likely than not to have affected the result in a refugee case."³ A significant error includes "failure to fully examine credibility issues."⁴ [add specific guidance. Eg. "Regarding credibility, USCIS guidance states: If a denial of refugee resettlement is based upon lack of credibility in the applicant's testimony, failures in fact finding and analysis failures will constitute a significant error. Therefore, in order to withstand review, an adjudicator's Refugee Applicant Assessment ("Assessment") must demonstrate all of the following . . .

¹ "Request for Review Tip Sheet." USCIS. <<http://www.uscis.gov/humanitarian/refugees-asylum/refugees/request-review-tip-sheet>>.

² Joseph D. Cuddihy, Guidance for Adjudicating Requests for Review of Denied I-590 Refugee Applications, USCIS, May 3, 2005.

³ *Id.*

⁴ *Id.*

- The matter(s) must be clearly described in the Assessment and support the adjudicator’s assertion that the applicant is not telling the truth;
 - The matter(s) must be material to the refugee’s application for resettlement; and
 - The applicant must have been made aware of the matter(s) and provided a fair opportunity to provide an explanation. The documentation must include a description of the applicant’s attempt to explain the matter(s).^{5”]}
- If there is submission of new evidence, the adjudicator “must consider both the new information and all of the prior facts of the case.” A re-interview should be granted “if the preponderance of the evidence indicates that the applicant should qualify for resettlement.”

IV. Argument

- A. [Argument pertaining to specific new evidence and/or substantial error pertaining to an ineligibility finding e.g. *Client presents X as new evidence demonstrating that Client has provided credible testimony about his refugee claim*]**
- Explanation of significant error or new evidence relevant to denial ground.
 - Relevant law (e.g. the Real ID Act of 2005 Act emphasized that any credibility determination must be grounded in an evaluation of “the totality of the circumstances, and all relevant factors.”) and discussion of rules adopted in various circuits (e.g. the ability to recall precise dates of events years after they happen is considered a poor test of how truthful a witness’s substantive account is).
 - Application of law to the facts of the case, in light of new evidence, or with error addressed.

V. Conclusion

- Brief restatement of argument
- Sign-off (e.g. For the foregoing reasons, Client’s I-590 application should be reinstated and he should be found eligible for resettlement in the United States. Thank you for your attention to this matter. Sincerely, [name, address, email])

Enclosures:

⁵ *Id.*

[List all appendices with brief descriptions e.g.:

Appendix 1: Chief of Mission Denial of Special Immigrant Visa Status

Appendix 2: Declaration of *Client's Name*

etc.]