

# CHAPTER SIX

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## Completing the I-589 Application for Asylum

*The I-589 Application for Asylum is the most critical part of the asylum seeker's asylum claim. By signing the I-589 Application for Asylum, the applicant is certifying under penalty of perjury that the application and all evidence submitted with it are true and accurate. This application will be the basis of the individual's grant of asylum or his/her removal from the United States.*

**A**lthough the I-589 Application for Asylum is only an eleven page form, it encompasses the asylum seeker's entire asylum claim. Thus, much care and review should be put into the form's preparation. This chapter is designed to answer the most common questions that arise when completing the asylum application.

### 6.1 Completing the Asylum Application

- A. Each question **MUST** be completed. If the question does not pertain to the individual, simply insert "Not Applicable", "None", or "Unknown" (please see explanation below).
- B. The applicant must sign the application.
- C. The person assisting the applicant must sign the application.
- D. Photographs must be attached (please staple to designated area on page 9 of the I-589).

**See HRI's Affirmative Asylum Checklist at Appendix 6-A, copy of an I-589 Application for Asylum at Appendix 1-A, a sample completed G-28 at Appendix 6-B, and a sample completed I-589 Application for Asylum at Appendix 6-B.**

### 6.2 Terms on the I-589 Application

- A. **Questions on I-589 that cannot be answered.** Under certain circumstances some questions on the I-589 cannot be answered. In these instances there are three appropriate responses: *Not Applicable*, *None*, or *Unknown*:
  - 1. *Not Applicable* should be used when the particular question does not apply to the situation and there is no possible answer to the question. E.g.: Part A, Question 7, the applicant does not have anyone his/her mail in care of, the response is "Not Applicable".
  - 2. *None* should be used if the applicant does not possess any of the items in question. E.g.: Part A, Question 2, the applicant does not have a social security number, the response is "None".
  - 3. *Unknown* should be used when the applicant does not know the answer to the question and cannot easily access the needed information. E.g.: Part A, Question 30, the applicant did not grow up with or know his/her father and does not have any access to older family members who know his/her father, the response is "Unknown".
- B. **Alien Registration Number.** Alien Registration Number or A# refers to an 8-digit number beginning with the letter "A" which is assigned to individuals by the CIS. If

the applicant is not in removal proceedings, he/she may not have an A number. If removal proceedings have been initiated, the A number may be found on the Notice to Appear (NTA).<sup>1</sup> In instances where the applicant does not have an A#, the correct response is “None”.

- C. Alias.** The applicant should list all names he/she has previously used, including names used on any false identity documents, nicknames, and the applicant’s maiden name if any.<sup>2</sup> In instances where the applicant does not have any aliases the correct response is “None”.
- D. Date of Birth.** An applicant may not know his/her exact date of birth or the date of birth of his/her family. Write in the approximate year, if possible, in the space provided, e.g. “Approximately 19\_\_\_\_”.<sup>3</sup>
- E. Entry Questions.** The date of entry is located on the I-94. An I-94 is an arrival/departure card. It is a small white card given to non-citizens upon entry to the U.S. at a port of entry. It is normally stapled to the page in the passport that is opposite the U.S. visa.

If the applicant was inspected at a port of entry but was not issued an I-94 or was waved into the U.S. without being questioned by a CIS officer, documentation might not exist. Depending on the circumstances the applicant may have been inspected and admitted for the purposes of answering the question on the I-589.

If the applicant entered the U.S. without inspection, HRI recommends the applicant put N/A in the blank. The CIS or EOIR can make the determination that the applicant was not admitted/inspected upon entry.

#### **Note**

For definition of terms of “admission” and “admitted”, please see INA § 101(a)(13). After reviewing the definition, please contact HRI for further discussion on any questions concerning “admission” and “admitted”.

**Please also see § 5.3 for a list of evidence that can be used to establish entry.**

The applicant who lists previous entries to the U.S. should explain elsewhere in the application and/or in his or her affidavit the reasons for not applying previously for asylum and why, if applicant returned to the country of claimed persecution.<sup>4</sup>

### **6.3 Information About the Asylum Seeker’s Spouse and Children**

Please note that all children must be named on the application, regardless of age and marital status.<sup>5</sup> Further, even if the person does not have custody of the child, the child must be named on the application. However, in order to be included on the application (i.e. granted derivative status based on applicant) the spouse and children must be

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<sup>1</sup> Practice Pointers For Completing the Asylum Application and Sample Form I-589, App. 7-A.

<sup>2</sup> *Id.*, App. 7-A-2.

<sup>3</sup> *Id.*, App. 7-A-3.

<sup>4</sup> *Id.*, App 7-A-4.

<sup>5</sup> *Id.*, App. 7-A-6.

present in the United States. If the family members are not present in the U.S., the applicant can petition for them later if he/she is granted asylum. In addition, the children must be unmarried and under the age of twenty-one in order to be *included* on the application.<sup>6</sup>

The pro bono should be very specific when questioning the applicant about his/her children. If he/she fails to list all of his/her biological, stepchildren, and adopted children on the I-589 Application it will cause problems when petitioning to bring them to the United States. For instance:

1. How many children have you given birth to/fathered?
2. Do you have any stepchildren which you have raised?
3. Are you responsible for any other children? If so, how long have the children resided with you? Have you legally adopted the children?
4. Does your spouse have any additional children with someone else?
5. Do any other children live in your household which we have not discussed?

For definition of “child” please see INA § 101(b)(1). After reviewing the definition, please contact HRI for further discussion dealing with stepchildren, adopted children, or any other complicated issues associated with children.

Any additional children who do not fit onto the I-589 application should be included on page 10 and 11 of the application. **See Appendix 1-A for a copy of an I-589 Application for Asylum.**

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<sup>6</sup> Included refers to eligibility for derivative asylum status and should not imply the child should not be named on the application.

# CHAPTER SIX

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## Completing the I-589 Application for Asylum

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<b>Appendix 6-B</b>	Sample Completed G-28 Attorney Representation Form
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## Appendix 6-A

### AFFIRMATIVE ASYLUM CHECKLIST

Pro Bono Volunteer: \_\_\_\_\_

Client Name: \_\_\_\_\_

According to CIS, all the items below must be completed before they will accept an asylum package for processing. Failure to complete one or more of the items without a reasonable explanation will result in CIS returning the package without processing. Therefore, please use this checklist as a guide when completing the package.

- ☐ I have completed every question on the I-589 Application, leaving no blanks and have placed N/A, Unknown, or None in all unanswered questions.
- ☐ My client has signed the I-589 Application on page 9, and supplement pages 10 and 11.
- ☐ I have signed the I-589 Application as the preparer on page 9.
- ☐ If I am an attorney, my client and I have signed a G-28.
- ☐ I attached 2 passport style photos of my client to pg. 9 of the I-589 Application.
- ☐ I included proof of entry (required even if entry was without passport or own passport) at Exhibit 1.
- ☐ I included Birth Documents in the package at Exhibit "2".
- ☐ If my client is married I included Marriage Documents in the package.
- ☐ I prepared an Affidavit. The affidavit is signed, notarized and in the package.
- ☐ I researched the country conditions and included it in the package.
- ☐ I highlighted all the information in the research that I feel is relevant to the CIS officer.
- ☐ I included proof that my client has personally been persecuted.
- ☐ I included an Affidavit of Translation for each document not in English pursuant to 8 CFR § 1003.33
- ☐ I prepared an exhibit list.
- ☐ I prepared the package in triplicate, plus one extra file copy for HRI, the client, and me(original, plus five copies).
- ☐ I tabbed all sets of exhibits (original and four copies).
- ☐ I hole punched the package (at the top).
- ☐ I only used 8 ½ x 11 sized paper.

**Family Member(s) present in the United States and included in application:**

- ☐ I prepared a separate package for each family member in **triplicate** with proof of relationship and entry. I also attached **2 passport photos** to a copy of the applicant's I-589 Application.

## Appendix 6-B

U.S. Department of Justice  
Immigration and Naturalization Service

### Notice of Entry of Appearance as Attorney or Representative

**Appearances** - An appearance shall be filed on this form by the attorney or representative appearing in each case. Thereafter, substitution may be permitted upon the written withdrawal of the attorney or representative of record or upon notification of the new attorney or representative. When an appearance is made by a person acting in a representative capacity, his personal appearance or signature shall constitute a representation that under the provisions of this chapter he is authorized and qualified to represent. Further proof of authority to act in a representative capacity may be required. **Availability of Records** - During the time a case is pending, and except as otherwise provided in 8 CFR 103.2(b), a party to a proceeding or his attorney or representative shall be permitted to examine the record of proceeding in a Service office. He may, in conformity with 8 CFR 103.10, obtain copies of Service records or information therefrom and copies of documents or transcripts of evidence furnished by him. Upon request, he/she may, in addition, be loaned a copy of the testimony and exhibits contained in the record of proceeding upon giving his/her receipt for such copies and pledging that it will be surrendered upon final disposition of the case or upon demand. If extra copies of exhibits do not exist, they shall not be furnished free on loan; however, they shall be made available for copying or purchase of copies as provided in 8 CFR 103.10.

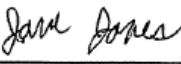
In re: SMTIH, John Jason	Date: July 05, 2008 File No. N/A
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I hereby enter my appearance as attorney for (or representative of), and at the request of the following named person(s):

Name: John Jason SMITH	<input type="checkbox"/> Petitioner <input type="checkbox"/> Beneficiary
<input checked="" type="checkbox"/> Applicant	
Address: (Apt. No.) (Number & Street)	(City) (State) (Zip Code)
1234 DALLAS LANE	DALLAS TX 75200
Name: NONE	<input type="checkbox"/> Petitioner <input type="checkbox"/> Beneficiary
<input type="checkbox"/> Applicant	
Address: (Apt. No.) (Number & Street)	(City) (State) (Zip Code)
N/A N/A	

Check Applicable Item(s) below:

- ☒ 1. I am an attorney and a member in good standing of the bar of the Supreme Court of the United States or of the highest court of the following State, territory, insular possession, or District of Columbia  
Texas Supreme Court and am not under a court or administrative agency order suspending, enjoining, restraining, disbaring, or otherwise restricting me in practicing law.
- ☐ 2. I am an accredited representative of the following named religious, charitable, social service, or similar organization established in the United States and which is so recognized by the Board:
- ☐ 3. I am associated with \_\_\_\_\_  
 the attorney of record previously filed a notice of appearance in this case and my appearance is at his request. (If you check this item, also check item 1 or 2 whichever is appropriate.)
- ☐ 4. Others (Explain Fully.)

SIGNATURE 	COMPLETE ADDRESS 2501 Oak Lawn Avenue, Suite 850 Dallas, Texas 75219
NAME (Type or Print) Jane Jones, Attorney (TX 12345678)	TELEPHONE NUMBER (214) 855-0793

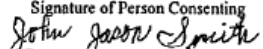
PURSUANT TO THE PRIVACY ACT OF 1974, I HEREBY CONSENT TO THE DISCLOSURE TO THE FOLLOWING NAMED ATTORNEY OR REPRESENTATIVE OF ANY RECORD PERTAINING TO ME WHICH APPEARS IN ANY IMMIGRATION AND NATURALIZATION SERVICE SYSTEM OF RECORDS:

Jane Jones, Attorney (TX 12345678)

(Name of Attorney or Representative)

THE ABOVE CONSENT TO DISCLOSURE IS IN CONNECTION WITH THE FOLLOWING MATTER:

Advice and counsel in I-589 Application for Asylum

Name of Person Consenting John Jason SMITH	Signature of Person Consenting 	Date 06/05/08
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(NOTE: Execution of this box is required under the Privacy Act of 1974 where the person being represented is a citizen of the United States or an alien lawfully admitted for permanent residence.)

This form may not be used to request records under the Freedom of Information Act or the Privacy Act. The manner of requesting such records is contained in 8CFR 103.10 and 103.20 Et. Seq.

Form G-28 (09/26/00)Y

## Appendix 6-C

Department of Homeland Security  
U.S. Citizenship and Immigration Services

U.S. Department of Justice  
Executive Office for Immigration Review

OMB No. 1615-0067; Expires 03/31/10

### I-589, Application for Asylum and for Withholding of Removal

**START HERE - Type or print in black ink. See the instructions for information about eligibility and how to complete and file this application. There is NO filing fee for this application.**

**NOTE:** Check this box if you also want to apply for withholding of removal under the Convention Against Torture. ☒

#### Part A. I. Information About You

1. Alien Registration Number(s) (A-Number) (if any) None		2. U.S. Social Security Number (if any) None	
3. Complete Last Name		4. First Name	5. Middle Name
6. What other names have you used (include maiden name and aliases)? None			
7. Residence in the U.S. (where you physically reside)		Telephone Number	
Street Number and Name		Apt. Number N/A	
City Dallas	State Texas	Zip Code	
8. Mailing Address in the U.S. (if different than the address in No. 7) In Care Of (if applicable):		Telephone Number ( 214 ) 855-0520	
Street Number and Name 2801 Swiss Avenue		Apt. Number N/A	
City Dallas	State Texas	Zip Code 75204	
9. Gender: <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	10. Marital Status: <input type="checkbox"/> Single <input checked="" type="checkbox"/> Married <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed		
11. Date of Birth (mm/dd/yyyy)		12. City and Country of Birth Kinshasa, Democratic Republic of Congo (DRC)	
13. Present Nationality (Citizenship) Congolese	14. Nationality at Birth Congolese	15. Race, Ethnic, or Tribal Group African	16. Religion Catholic
17. Check the box, a through c, that applies: a. <input checked="" type="checkbox"/> I have never been in Immigration Court proceedings. b. <input type="checkbox"/> I am now in Immigration Court proceedings. c. <input type="checkbox"/> I am not now in Immigration Court proceedings, but I have been in the past.			
18. Complete 18 a through c. a. When did you last leave your country? (mmm/dd/yyyy) 05/15/2009 b. What is your current I-94 Number, if any? c. List each entry into the U.S. beginning with your most recent entry. List date (mm/dd/yyyy), place, and your status for each entry. (Attach additional sheets as needed.)			
Date 05/16/2009	Place New York, New York	Status M1 Student Visa	Date Status Expires: 05/16/2010
Date 08/31/1995	Place New York, New York	Status B1 Visitor Visa	
Date N/A	Place N/A	Status N/A	
19. What country issued your last passport or travel document? Democratic Republic of Congo (DRC)		20. Passport # Travel Document # N/A	21. Expiration Date (mm/dd/yyyy) 03/25/2010
22. What is your native language (include dialect, if applicable)? French		23. Are you fluent in English? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
		24. What other languages do you speak fluently? Lingala	
<b>For EOIR use only.</b>		<b>For USCIS use only. Decision:</b>	
		Action:	
		Interview Date:	Approval Date:
		Asylum Officer ID#:	Denial Date:
		Referral Date:	



Form I-589 (Rev. 04/07/09) Y

## Appendix 6-C

### Part A. II. Information About Your Spouse and Children

**Your spouse** ☐ I am not married. (Skip to **Your Children** below.)

1. Alien Registration Number (A-Number) <i>(if any)</i> N/A	2. Passport/ID Card No. <i>(if any)</i> N/A	3. Date of Birth <i>(mm/dd/yyyy)</i> 09/29/1971	4. U.S. Social Security No. <i>(if any)</i> N/A
5. Complete Last Name	6. First Name	7. Middle Name	8. Maiden Name
9. Date of Marriage <i>(mm/dd/yyyy)</i> 01/07/1994	10. Place of Marriage Kinshasa, DRC	11. City and Country of Birth Lubumbashi, DRC	
12. Nationality <i>(Citizenship)</i> Congolesse	13. Race, Ethnic, or Tribal Group African	14. Gender <input type="checkbox"/> Male <input checked="" type="checkbox"/> Female	
15. Is this person in the U.S.? <input type="checkbox"/> Yes <i>(Complete Blocks 16 to 24.)</i> <input checked="" type="checkbox"/> No <i>(Specify location):</i> Kinshasa, DRC			
16. Place of last entry into the U.S. N/A	17. Date of last entry into the U.S. <i>(mm/dd/yyyy)</i> N/A	18. I-94 No. <i>(if any)</i> N/A	19. Status when last admitted <i>(Visa type, if any)</i> N/A
20. What is your spouse's current status? N/A	21. What is the expiration date of his/her authorized stay, if any? <i>(mm/dd/yyyy)</i> N/A	22. Is your spouse in Immigration Court proceedings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	23. If previously in the U.S., date of previous arrival <i>(mm/dd/yyyy)</i> N/A
24. If in the U.S., is your spouse to be included in this application? <i>(Check the appropriate box.)</i>  <input type="checkbox"/> Yes <i>(Attach one photograph of your spouse in the upper right corner of Page 9 on the extra copy of the application submitted for this person.)</i> <input checked="" type="checkbox"/> No			

**Your Children.** List all of your children, regardless of age, location, or marital status.

☐ I do not have any children. *(Skip to Part A. III., Information about your background.)*

☒ I have children. Total number of children: 8

*(NOTE: Use Form I-589 Supplement A or attach additional sheets of paper and documentation if you have more than four children.)*

1. Alien Registration Number (A-Number) <i>(if any)</i> N/A	2. Passport/ID Card No. <i>(if any)</i> N/A	3. Marital Status <i>(Married, Single, Divorced, Widowed)</i> Single	4. U.S. Social Security No. <i>(if any)</i> N/A
5. Complete Last Name Baluti	6. First Name Jennifer	7. Middle Name Molongi	8. Date of Birth <i>(mm/dd/yyyy)</i> 07/29/1981
9. City and Country of Birth Kinshasa, DRC	10. Nationality <i>(Citizenship)</i> Congolesse	11. Race, Ethnic, or Tribal Group African	12. Gender <input type="checkbox"/> Male <input checked="" type="checkbox"/> Female
13. Is this child in the U.S. ? <input type="checkbox"/> Yes <i>(Complete Blocks 14 to 21.)</i> <input checked="" type="checkbox"/> No <i>(Specify location):</i> Kinshasa, DRC			
14. Place of last entry in the U.S. N/A	15. Date of last entry in the U.S. <i>(mm/dd/yyyy)</i> N/A	16. I-94 No. <i>(if any)</i> N/A	17. Status when last admitted <i>(Visa type, if any)</i> N/A
18. What is your child's current status? N/A	19. What is the expiration date of his/her authorized stay, if any? <i>(mm/dd/yyyy)</i> N/A	20. Is your child in Immigration Court proceedings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
21. If in the U.S., is this child to be included in this application? <i>(Check the appropriate box.)</i>  <input type="checkbox"/> Yes <i>(Attach one photograph of your child in the upper right corner of Page 9 on the extra copy of the application submitted for this person.)</i> <input checked="" type="checkbox"/> No			



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## Appendix 6-C

### Part A. III. Information About Your Background

1. List your last address where you lived before coming to the United States. If this is not the country where you fear persecution, also list the last address in the country where you fear persecution. (List Address, City/Town, Department, Province, or State and Country.)  
(NOTE: Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)

Number and Street (Provide if available)	City/Town	Department, Province, or State	Country	Dates	
				From (Mo/Yr)	To (Mo/Yr)
	Kalamu	Kinshasa	DRC	11/00	04/09
N/A	N/A	N/A	N/A	N/A	N/A

2. Provide the following information about your residences during the past 5 years. List your present address first.  
(NOTE: Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)

Number and Street	City/Town	Department, Province, or State	Country	Dates	
				From (Mo/Yr)	To (Mo/Yr)
	Arlington	Texas	USA	03/10	present
	Dallas	Texas	USA	03/10	03/10
	North Richland Hills	Texas	USA	03/09	03/10
Unknown	Unknown	Kinshasa	DRC	04/09	05/09
	Kalamu	Kinshasa	DRC	11/00	04/09

3. Provide the following information about your education, beginning with the most recent.  
(NOTE: Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)

Name of School	Type of School	Location (Address)	Attended	
			From (Mo/Yr)	To (Mo/Yr)
Goldstar Aviation	Aviation School	200 Commander Rd, Fort Worth, TX	05/09	07/09
Acedemia Aeronautica	Aviation School	Napoli, Italy	01/73	08/77
Zaire Air Force Aviation	Military Aviation School	Katanga, DRC	11/72	01/73
Please see attached Supplement B				

4. Provide the following information about your employment during the past 5 years. List your present employment first.  
(NOTE: Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)

Name and Address of Employer	Your Occupation	Dates	
		From (Mo/Yr)	To (Mo/Yr)
Malu Aviation, Aeroport De Ndolo B.P 7417, Kinshasa, DRC	Pilot	04/07	05/09
MONUC United Nations Mission to Congo, Lubumbashi, Katanga, DRC	Pilot	10/06	12/06
Air Transport Office, Waltair, Regional Express Airways, DRC	Free Lance Pilot	02/02	10/06

5. Provide the following information about your parents and siblings (brothers and sisters). Check the box if the person is deceased.  
(NOTE: Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)

Full Name	City/Town and Country of Birth	Current Location
Mother	Kinshasa, DRC	<input checked="" type="checkbox"/> Deceased 02/06/95
Father	Kinshasa, DRC	<input checked="" type="checkbox"/> Deceased 01/23/73
Sibling	Kinshasa, DRC	<input type="checkbox"/> Deceased Kinshasa, DRC
Sibling	Kinshasa, DRC	<input type="checkbox"/> Deceased Kinshasa, DRC
Sibling	Kinshasa, DRC	<input type="checkbox"/> Deceased Kinshasa, DRC
Sibling	Kinshasa, DRC	<input checked="" type="checkbox"/> Deceased 03/97



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## Appendix 6-C

### Part B. Information About Your Application

(NOTE: Use Form I-589 Supplement B, or attach additional sheets of paper as needed to complete your responses to the questions contained in Part B.)

When answering the following questions about your asylum or other protection claim (withholding of removal under 241(b)(3) of the INA or withholding of removal under the Convention Against Torture), you must provide a detailed and specific account of the basis of your claim to asylum or other protection. To the best of your ability, provide specific dates, places, and descriptions about each event or action described. You must attach documents evidencing the general conditions in the country from which you are seeking asylum or other protection and the specific facts on which you are relying to support your claim. If this documentation is unavailable or you are not providing this documentation with your application, explain why in your responses to the following questions.

Refer to Instructions, Part I: Filing Instructions, Section II, "Basis of Eligibility," Parts A - D, Section V, "Completing the Form," Part B, and Section VII, "Additional Evidence That You Should Submit," for more information on completing this section of the form.

1. Why are you applying for asylum or withholding of removal under section 241(b)(3) of the INA, or for withholding of removal under the Convention Against Torture? Check the appropriate box(es) below and then provide detailed answers to questions A and B below:

I am seeking asylum or withholding of removal based on:

- |                                      |   |
|--------------------------------------|---|
| <input type="checkbox"/> Race        | <input checked="" type="checkbox"/> Political opinion                       |
| <input type="checkbox"/> Religion    | <input checked="" type="checkbox"/> Membership in a particular social group |
| <input type="checkbox"/> Nationality | <input checked="" type="checkbox"/> Torture Convention                      |

- A. Have you, your family, or close friends or colleagues ever experienced harm or mistreatment or threats in the past by anyone?

☐ No ☒ Yes

If "Yes," explain in detail:

1. What happened;
2. When the harm or mistreatment or threats occurred;
3. Who caused the harm or mistreatment or threats; and
4. Why you believe the harm or mistreatment or threats occurred.

Please see my attached affidavit and supporting documentation.

- B. Do you fear harm or mistreatment if you return to your home country?

☐ No ☒ Yes

If "Yes," explain in detail:

1. What harm or mistreatment you fear;
2. Who you believe would harm or mistreat you; and
3. Why you believe you would or could be harmed or mistreated.

I fear I will be arrested, tortured and killed by government security forces of the DRC. Before fleeing to the U.S., I was imprisoned by the government where I was tortured and threatened with death for making aviation safety recommendations to the government. The government tortured me. Government security guards repeatedly beat and kicked me, electrocuted my legs, feet, shoulders and genitals, then forced my body into a car tire. I escaped from prison before they could kill me, which they surely would have. After my escape, the government ransacked my house and took members of my family as prisoners because I was viewed as a traitor to the government. If I am returned to the DRC, the government will surely arrest me on arrival, torture and kill me. Please see attached affidavit and supporting documentation.



## Appendix 6-C

### Part B. Information About Your Application (Continued)

2. Have you or your family members ever been accused, charged, arrested, detained, interrogated, convicted and sentenced, or imprisoned in any country other than the United States?

☐ No ☒ Yes

If "Yes," explain the circumstances and reasons for the action.

Please see attached affidavit and supporting documentation.

- 3.A. Have you or your family members ever belonged to or been associated with any organizations or groups in your home country, such as, but not limited to, a political party, student group, labor union, religious organization, military or paramilitary group, civil patrol, guerrilla organization, ethnic group, human rights group, or the press or media?

☐ No ☒ Yes

If "Yes," describe for each person the level of participation, any leadership or other positions held, and the length of time you or your family members were involved in each organization or activity.

I am a member of the Union de Pilotes Congolais (UPC), an air pilot's trade union in the DRC. I also support the Mouvement de Liberation Du Congo (MLC), a political party in the DRC. Please see attached affidavit and supporting documentation.

- B. Do you or your family members continue to participate in any way in these organizations or groups?

☐ No ☒ Yes

If "Yes," describe for each person your or your family members' current level of participation, any leadership or other positions currently held, and the length of time you or your family members have been involved in each organization or group.

I am still a member of the above-referenced organizations, but I have not actively participated in them since I fled the DRC.

4. Are you afraid of being subjected to torture in your home country or any other country to which you may be returned?

☐ No ☒ Yes

If "Yes," explain why you are afraid and describe the nature of torture you fear, by whom, and why it would be inflicted.

I was tortured by government security forces in the DRC. Because of my aviation safety recommendations, the government arrested me, beat and kicked me, and electrocuted my feet, legs, shoulders and genitals. Government security forces told me that my safety recommendations were viewed as treason. I was able to escape from the prison I was kept in, and I fled to the U.S. If I am returned to the DRC, I have no doubt that I will be arrested on sight and tortured. Please see attached affidavit and supporting documentation.



## Appendix 6-C

### Part C. Additional Information About Your Application

(NOTE: Use Form I-589 Supplement B, or attach additional sheets of paper as needed to complete your responses to the questions contained in Part C.)

1. Have you, your spouse, your child(ren), your parents or your siblings ever applied to the U.S. Government for refugee status, asylum, or withholding of removal?

☒ No ☐ Yes

If "Yes," explain the decision and what happened to any status you, your spouse, your child(ren), your parents, or your siblings received as a result of that decision. Indicate whether or not you were included in a parent or spouse's application. If so, include your parent or spouse's A-number in your response. If you have been denied asylum by an immigration judge or the Board of Immigration Appeals, describe any change(s) in conditions in your country or your own personal circumstances since the date of the denial that may affect your eligibility for asylum.

N/A

2. A. After leaving the country from which you are claiming asylum, did you or your spouse or child(ren) who are now in the United States travel through or reside in any other country before entering the United States? ☐ No ☒ Yes

- B. Have you, your spouse, your child(ren), or other family members, such as your parents or siblings, ever applied for or received any lawful status in any country other than the one from which you are now claiming asylum?

☒ No ☐ Yes

If "Yes" to either or both questions (2A and/or 2B), provide for each person the following: the name of each country and the length of stay, the person's status while there, the reasons for leaving, whether or not the person is entitled to return for lawful residence purposes, and whether the person applied for refugee status or for asylum while there, and if not, why he or she did not do so.

I left DRC on May 15, 2009 to travel to the United States. My airplane stopped for a layover for a couple of hours in Johannesburg, South Africa. During this period I did not go through immigration and I did not leave the airport. The stop was for the purpose of transit only. I then boarded a plane for United States and arrived at JFK International Airport in New York, New York, on May 16, 2009.

3. Have you, your spouse or your child(ren) ever ordered, incited, assisted or otherwise participated in causing harm or suffering to any person because of his or her race, religion, nationality, membership in a particular social group or belief in a particular political opinion?

☒ No ☐ Yes

If "Yes," describe in detail each such incident and your own, your spouse's, or your child(ren)'s involvement.

N/A





## Appendix 6-C

### Part C. Additional Information About Your Application (Continued)

4. After you left the country where you were harmed or fear harm, did you return to that country?

☒ No ☐ Yes

If "Yes," describe in detail the circumstances of your visit(s) (for example, the date(s) of the trip(s), the purpose(s) of the trip(s), and the length of time you remained in that country for the visit(s).)

N/A

5. Are you filing this application more than 1 year after your last arrival in the United States?

☒ No ☐ Yes

If "Yes," explain why you did not file within the first year after you arrived. You must be prepared to explain at your interview or hearing why you did not file your asylum application within the first year after you arrived. For guidance in answering this question, see Instructions, Part 1: Filing Instructions, Section V. "Completing the Form," Part C.

N/A

6. Have you or any member of your family included in the application ever committed any crime and/or been arrested, charged, convicted, or sentenced for any crimes in the United States?

☒ No ☐ Yes

If "Yes," for each instance, specify in your response: what occurred and the circumstances, dates, length of sentence received, location, the duration of the detention or imprisonment, reason(s) for the detention or conviction, any formal charges that were lodged against you or your relatives included in your application, and the reason(s) for release. Attach documents referring to these incidents, if they are available, or an explanation of why documents are not available.

N/A

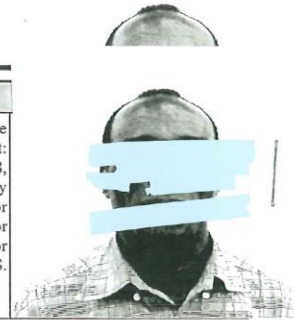


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## Appendix 6-C

### Part D. Your Signature

I certify, under penalty of perjury under the laws of the United States of America, that this application and the evidence submitted with it are all true and correct. Title 18, United States Code, Section 1546(a), provides in part: Whoever knowingly makes under oath, or as permitted under penalty of perjury under Section 1746 of Title 28, United States Code, knowingly subscribes as true, any false statement with respect to a material fact in any application, affidavit, or other document required by the immigration laws or regulations prescribed thereunder, or knowingly presents any such application, affidavit, or other document containing any such false statement or which fails to contain any reasonable basis in law or fact - shall be fined in accordance with this title or imprisoned for up to 25 years. I authorize the release of any information from my immigration record that U.S. Citizenship and Immigration Services (USCIS) needs to determine eligibility for the benefit I am seeking.



**WARNING:** Applicants who are in the United States illegally are subject to removal if their asylum or withholding claims are not granted by an asylum officer or an immigration judge. Any information provided in completing this application may be used as a basis for the institution of, or as evidence in, removal proceedings even if the application is later withdrawn. Applicants determined to have knowingly made a frivolous application for asylum will be permanently ineligible for any benefits under the Immigration and Nationality Act. You may not avoid a frivolous finding simply because someone advised you to provide false information in your asylum application. If filing with USCIS, unexcused failure to appear for an appointment to provide biometrics (such as fingerprints) and your biographical information within the time allowed may result in an asylum officer dismissing your asylum application or referring it to an immigration judge. Failure without good cause to provide DHS with biometrics or other biographical information while in removal proceedings may result in your application being found abandoned by the immigration judge. See sections 208(d)(5)(A) and 208(d)(6) of the INA and 8 CFR sections 208.10, 1208.10, 208.20, 1003.47(d) and 1208.20.

Print your complete name.	Write your name in your native alphabet.
[REDACTED]	[REDACTED]

Did your spouse, parent, or child(ren) assist you in completing this application? ☒ No ☐ Yes (If "Yes," list the name and relationship.)

N/A (Name)	N/A (Relationship)	N/A (Name)	N/A (Relationship)
Did someone other than your spouse, parent, or child(ren) prepare this application? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If "Yes," complete Part E.)			
Asylum applicants may be represented by counsel. Have you been provided with a list of persons who may be available to assist you, at little or no cost, with your asylum claim? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			

Signature of Applicant (The person in Part A.I.)

[REDACTED]

Sign your name so it all appears within the brackets

04/18/2010

Date (mm/dd/yyyy)

### Part E. Declaration of Person Preparing Form, if Other Than Applicant, Spouse, Parent, or Child

I declare that I have prepared this application at the request of the person named in Part D, that the responses provided are based on all information of which I have knowledge, or which was provided to me by the applicant, and that the completed application was read to the applicant in his or her native language or a language he or she understands for verification before he or she signed the application in my presence. I am aware that the knowing placement of false information on the Form I-589 may also subject me to civil penalties under 8 U.S.C. 1324c and/or criminal penalties under 18 U.S.C. 1546(a).

Signature of Preparer [REDACTED]		Print Complete Name of Preparer [REDACTED] torney	
Daytime Telephone Number ( 214 ) 855-0520		Address of Preparer: Street Number and Name 2801 Swiss Avenue	
Apt. No. N/A	City Dallas	State Texas	Zip Code 75204



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## Appendix 6-C

### Part F. To Be Completed at Asylum Interview, if Applicable

**NOTE:** You will be asked to complete this part when you appear for examination before an asylum officer of the Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS).

I swear (affirm) that I know the contents of this application that I am signing, including the attached documents and supplements, that they are ☐ all true or ☐ not all true to the best of my knowledge and that correction(s) numbered \_\_\_\_\_ to \_\_\_\_\_ were made by me or at my request. Furthermore, I am aware that if I am determined to have knowingly made a frivolous application for asylum I will be permanently ineligible for any benefits under the Immigration and Nationality Act, and that I may not avoid a frivolous finding simply because someone advised me to provide false information in my asylum application.

Signed and sworn to before me by the above named applicant on:

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date (mm/dd/yyyy)

\_\_\_\_\_  
Write Your Name in Your Native Alphabet

\_\_\_\_\_  
Signature of Asylum Officer

### Part G. To Be Completed at Removal Hearing, if Applicable

**NOTE:** You will be asked to complete this Part when you appear before an immigration judge of the U.S. Department of Justice, Executive Office for Immigration Review (EOIR), for a hearing.

I swear (affirm) that I know the contents of this application that I am signing, including the attached documents and supplements, that they are ☐ all true or ☐ not all true to the best of my knowledge and that correction(s) numbered \_\_\_\_\_ to \_\_\_\_\_ were made by me or at my request. Furthermore, I am aware that if I am determined to have knowingly made a frivolous application for asylum I will be permanently ineligible for any benefits under the Immigration and Nationality Act, and that I may not avoid a frivolous finding simply because someone advised me to provide false information in my asylum application.

Signed and sworn to before me by the above named applicant on:

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date (mm/dd/yyyy)

\_\_\_\_\_  
Write Your Name in Your Native Alphabet

\_\_\_\_\_  
Signature of Immigration Judge



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## Appendix 6-C

Department of Homeland Security  
U.S. Citizenship and Immigration Services

U.S. Department of Justice  
Executive Office for Immigration Review

OMB No. 1615-0067; Expires 03/31/10

### Form I-589, Application for Asylum and for Withholding of Removal

**START HERE - Type or print in black ink. See the instructions for information about eligibility and how to complete and file this application. There is NO filing fee for this application.**

**NOTE:** Check this box if you also want to apply for withholding of removal under the Convention Against Torture. ☒

#### Part A. I. Information About You

1. Alien Registration Number(s) (A-Number) (if any) N/A		2. U.S. Social Security Number (if any) N/A	
3. Complete Last Name		4. First Name	5. Middle Name
6. What other names have you used (include maiden name and aliases)? Jo			
7. Residence in the U.S. (where you physically reside)		Telephone Number	
Street Number and Name		Apt. Number	
City	State	Zip Code	
8. Mailing Address in the U.S. (if different than the address in No. 7) In Care Of (if applicable): Human Rights Initiative		Telephone Number (214) 855-0520	
Street Number and Name 2801 Swiss Avenue		Apt. Number	
City Dallas	State Texas	Zip Code 75204	
9. Gender: <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	10. Marital Status: <input checked="" type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed		
11. Date of Birth (mm/dd/yyyy) 07/10/1988	12. City and Country of Birth Falam, Burma (Myanmar)		
13. Present Nationality (Citizenship) Burma	14. Nationality at Birth Burma	15. Race, Ethnic, or Tribal Group Chin	16. Religion Christian-Baptist
17. Check the box, a through c, that applies: a. <input checked="" type="checkbox"/> I have never been in Immigration Court proceedings. b. <input type="checkbox"/> I am now in Immigration Court proceedings. c. <input type="checkbox"/> I am not now in Immigration Court proceedings, but I have been in the past.			
18. Complete 18 a through c. a. When did you last leave your country? (mmm/dd/yyyy) 07/24/2009 b. What is your current I-94 Number, if any? c. List each entry into the U.S. beginning with your most recent entry. List date (mm/dd/yyyy), place, and your status for each entry. (Attach additional sheets as needed.) Date 07/25/2009 Place Seattle Status J-1 Date Status Expires: 06/01/2010 Date _____ Place _____ Status _____ Date _____ Place _____ Status _____			
19. What country issued your last passport or travel document?	20. Passport # Travel Document # n/a		21. Expiration Date (mm/dd/yyyy) 10/17/2010
22. What is your native language (include dialect, if applicable)? Chin (Falam) <b>For EOIR use only.</b>	23. Are you fluent in English? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 24. What other languages do you speak fluently? Burmese, Mizo <b>Action: For USCIS use only. Decision:</b> Interview Date: _____ Approval Date: _____ Asylum Officer ID#: _____ Denial Date: _____ Referral Date: _____		



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## Appendix 6-C



## Part A. II. Information About Your Spouse and Children

**Your spouse** ☒ I am not married. (Skip to **Your Children** below.)

1. Alien Registration Number (A-Number) (if any) n/a	2. Passport/ID Card No. (if any) n/a	3. Date of Birth (mm/dd/yyyy) n/a	4. U.S. Social Security No. (if any) n/a
5. Complete Last Name n/a	6. First Name n/a	7. Middle Name n/a	8. Maiden Name n/a
9. Date of Marriage (mm/dd/yyyy) n/a	10. Place of Marriage n/a	11. City and Country of Birth n/a	
12. Nationality (Citizenship) n/a	13. Race, Ethnic, or Tribal Group n/a	14. Gender <input type="checkbox"/> Male <input type="checkbox"/> Female	
15. Is this person in the U.S.? <input type="checkbox"/> Yes (Complete Blocks 16 to 24.) <input type="checkbox"/> No (Specify location):			
16. Place of last entry into the U.S. n/a	17. Date of last entry into the U.S. (mm/dd/yyyy) n/a	18. I-94 No. (if any) n/a	19. Status when last admitted (Visa type, if any) n/a
20. What is your spouse's current status? n/a	21. What is the expiration date of his/her authorized stay, if any? (mm/dd/yyyy) n/a	22. Is your spouse in Immigration Court proceedings? <input type="checkbox"/> Yes <input type="checkbox"/> No	23. If previously in the U.S., date of previous arrival (mm/dd/yyyy) n/a
24. If in the U.S., is your spouse to be included in this application? (Check the appropriate box.) <input type="checkbox"/> Yes (Attach one photograph of your spouse in the upper right corner of Page 9 on the extra copy of the application submitted for this person.) <input type="checkbox"/> No			

**Your Children.** List all of your children, regardless of age, location, or marital status.

☒ I do not have any children. (Skip to Part A. III., **Information about your background.**)

☐ I have children. Total number of children: \_\_\_\_\_

(NOTE: Use Form I-589 Supplement A or attach additional sheets of paper and documentation if you have more than four children.)

1. Alien Registration Number (A-Number) (if any) n/a	2. Passport/ID Card No. (if any) n/a	3. Marital Status (Married, Single, Divorced, Widowed) n/a	4. U.S. Social Security No. (if any) n/a
5. Complete Last Name n/a	6. First Name n/a	7. Middle Name n/a	8. Date of Birth (mm/dd/yyyy) n/a
9. City and Country of Birth n/a	10. Nationality (Citizenship) n/a	11. Race, Ethnic, or Tribal Group n/a	12. Gender <input type="checkbox"/> Male <input type="checkbox"/> Female
13. Is this child in the U.S. ? <input type="checkbox"/> Yes (Complete Blocks 14 to 21.) <input type="checkbox"/> No (Specify location):			
14. Place of last entry in the U.S. n/a	15. Date of last entry in the U.S. (mm/dd/yyyy) n/a	16. I-94 No. (if any) n/a	17. Status when last admitted (Visa type, if any) n/a
18. What is your child's current status? n/a	19. What is the expiration date of his/her authorized stay, if any? (mm/dd/yyyy) n/a	20. Is your child in Immigration Court proceedings? <input type="checkbox"/> Yes <input type="checkbox"/> No	
21. If in the U.S., is this child to be included in this application? (Check the appropriate box.) <input type="checkbox"/> Yes (Attach one photograph of your child in the upper right corner of Page 9 on the extra copy of the application submitted for this person.) <input type="checkbox"/> No			



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## Appendix 6-C

Part A. II. Information About Your Spouse and Children (Continued)			
1. Alien Registration Number (A-Number) <i>(if any)</i> n/a	2. Passport/ID Card No. <i>(if any)</i> n/a	3. Marital Status <i>(Married, Single, Divorced, Widowed)</i> n/a	4. U.S. Social Security No. <i>(if any)</i> n/a
5. Complete Last Name n/a	6. First Name n/a	7. Middle Name n/a	8. Date of Birth <i>(mm/dd/yyyy)</i> n/a
9. City and Country of Birth n/a	10. Nationality <i>(Citizenship)</i> n/a	11. Race, Ethnic, or Tribal Group n/a	12. Gender <input type="checkbox"/> Male <input type="checkbox"/> Female
13. Is this child in the U.S.? <input type="checkbox"/> Yes <i>(Complete Blocks 14 to 21.)</i> <input type="checkbox"/> No <i>(Specify location.)</i>			
14. Place of last entry into the U.S. n/a	15. Date of last entry into the U.S. <i>(mm/dd/yyyy)</i> n/a	16. I-94 No. <i>(If any)</i> n/a	17. Status when last admitted <i>(Visa type, if any)</i> n/a
18. What is your child's current status? n/a	19. What is the expiration date of his/her authorized stay, if any? <i>(mm/dd/yyyy)</i> n/a	20. Is your child in Immigration Court proceedings? <input type="checkbox"/> Yes <input type="checkbox"/> No	
21. If in the U.S., is this child to be included in this application? <i>(Check the appropriate box.)</i> <input type="checkbox"/> Yes <i>(Attach one photograph of your child in the upper right corner of Page 9 on the extra copy of the application submitted for this person.)</i> <input type="checkbox"/> No			
1. Alien Registration Number (A-Number) <i>(if any)</i> n/a	2. Passport/ID Card No. <i>(if any)</i> n/a	3. Marital Status <i>(Married, Single, Divorced, Widowed)</i> n/a	4. U.S. Social Security No. <i>(if any)</i> n/a
5. Complete Last Name n/a	6. First Name n/a	7. Middle Name n/a	8. Date of Birth <i>(mm/dd/yyyy)</i> n/a
9. City and Country of Birth n/a	10. Nationality <i>(Citizenship)</i> n/a	11. Race, Ethnic, or Tribal Group n/a	12. Gender <input type="checkbox"/> Male <input type="checkbox"/> Female
13. Is this child in the U.S.? <input type="checkbox"/> Yes <i>(Complete Blocks 14 to 21.)</i> <input type="checkbox"/> No <i>(Specify location.)</i>			
14. Place of last entry into the U.S. n/a	15. Date of last entry into the U.S. <i>(mm/dd/yyyy)</i> n/a	16. I-94 No. <i>(If any)</i> n/a	17. Status when last admitted <i>(Visa type, if any)</i> n/a
18. What is your child's current status? n/a	19. What is the expiration date of his/her authorized stay, if any? <i>(mm/dd/yyyy)</i> n/a	20. Is your child in Immigration Court proceedings? <input type="checkbox"/> Yes <input type="checkbox"/> No	
21. If in the U.S., is this child to be included in this application? <i>(Check the appropriate box.)</i> <input type="checkbox"/> Yes <i>(Attach one photograph of your child in the upper right corner of Page 9 on the extra copy of the application submitted for this person.)</i> <input type="checkbox"/> No			
1. Alien Registration Number (A-Number) <i>(if any)</i> n/a	2. Passport/ID Card No. <i>(if any)</i> n/a	3. Marital Status <i>(Married, Single, Divorced, Widowed)</i> n/a	4. U.S. Social Security No. <i>(if any)</i> n/a
5. Complete Last Name n/a	6. First Name n/a	7. Middle Name n/a	8. Date of Birth <i>(mm/dd/yyyy)</i> n/a
9. City and Country of Birth n/a	10. Nationality <i>(Citizenship)</i> n/a	11. Race, Ethnic, or Tribal Group n/a	12. Gender <input type="checkbox"/> Male <input type="checkbox"/> Female
13. Is this child in the U.S.? <input type="checkbox"/> Yes <i>(Complete Blocks 14 to 21.)</i> <input type="checkbox"/> No <i>(Specify location.)</i>			
14. Place of last entry into the U.S. n/a	15. Date of last entry into the U.S. <i>(mm/dd/yyyy)</i> n/a	16. I-94 No. <i>(if any)</i> n/a	17. Status when last admitted <i>(Visa type, if any)</i> n/a
18. What is your child's current status? n/a	19. What is the expiration date of his/her authorized stay, if any? <i>(mm/dd/yyyy)</i> n/a	20. Is your child in Immigration Court proceedings? <input type="checkbox"/> Yes <input type="checkbox"/> No	
21. If in the U.S., is this child to be included in this application? <i>(Check the appropriate box.)</i> <input type="checkbox"/> Yes <i>(Attach one photograph of your child in the upper right corner of Page 9 on the extra copy of the application submitted for this person.)</i> <input type="checkbox"/> No			



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## Appendix 6-C

### Part A. III. Information About Your Background

1. List your last address where you lived before coming to the United States. If this is not the country where you fear persecution, also list the last address in the country where you fear persecution. (List Address, City/Town, Department, Province, or State and Country.)  
(NOTE: Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)

Number and Street (Provide if available)	City/Town	Department, Province, or State	Country	Dates From (Mo/Yr) To (Mo/Yr)	
3	Taketah	Yangon	Myanmar	09/06	07/09

2. Provide the following information about your residences during the past 5 years. List your present address first.  
(NOTE: Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)

Number and Street	City/Town	Department, Province, or State	Country	Dates From (Mo/Yr) To (Mo/Yr)	
			United States	07/10	Present
			United States	05/10	07/10
			United States	07/09	05/10
			Burma	09/06	07/09
			Burma	07/05	09/06

3. Provide the following information about your education, beginning with the most recent.  
(NOTE: Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)

Name of School	Type of School	Location (Address)	Attended From (Mo/Yr) To (Mo/Yr)	
University of Wyoming	University	Laramie, Wyoming	07/09	05/10
West Yangon Technological University	University	Yangon, Myanmar	12/05	06/09

4. Provide the following information about your employment during the past 5 years. List your present employment first.  
(NOTE: Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)

Name and Address of Employer	Your Occupation	Dates From (Mo/Yr) To (Mo/Yr)	
Worldvision, Yangon	Tutor	06/08	03/09

5. Provide the following information about your parents and siblings (brothers and sisters). Check the box if the person is deceased.  
(NOTE: Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)

Full Name	City/Town and Country of Birth	Current Location
Mother	Falam, Myanmar	<input type="checkbox"/> Deceased Yangon, Burma
Father	Falam, Myanmar	<input type="checkbox"/> Deceased Shan State, Burma
Sibling 1	Falam, Myanmar	<input type="checkbox"/> Deceased Falam, Burma
Sibling	Falam, Myanmar	<input type="checkbox"/> Deceased Malaysia
Sibling 1	Falam, Myanmar	<input type="checkbox"/> Deceased Falam, Burma
Sibling	Falam, Myanmar	<input checked="" type="checkbox"/> Deceased



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## Appendix 6-C

### Part B. Information About Your Application

(NOTE: Use Form I-589 Supplement B, or attach additional sheets of paper as needed to complete your responses to the questions contained in Part B.)

When answering the following questions about your asylum or other protection claim (withholding of removal under 241(b)(3) of the INA or withholding of removal under the Convention Against Torture), you must provide a detailed and specific account of the basis of your claim to asylum or other protection. To the best of your ability, provide specific dates, places, and descriptions about each event or action described. You must attach documents evidencing the general conditions in the country from which you are seeking asylum or other protection and the specific facts on which you are relying to support your claim. If this documentation is unavailable or you are not providing this documentation with your application, explain why in your responses to the following questions.

Refer to Instructions, Part I: Filing Instructions, Section II, "Basis of Eligibility," Parts A - D, Section V, "Completing the Form," Part B, and Section VII, "Additional Evidence That You Should Submit," for more information on completing this section of the form.

1. Why are you applying for asylum or withholding of removal under section 241(b)(3) of the INA, or for withholding of removal under the Convention Against Torture? Check the appropriate box(es) below and then provide detailed answers to questions A and B below:

I am seeking asylum or withholding of removal based on:

- |  |   |
|--|---|
| <input type="checkbox"/> Race                | <input checked="" type="checkbox"/> Political opinion                       |
| <input checked="" type="checkbox"/> Religion | <input checked="" type="checkbox"/> Membership in a particular social group |
| <input type="checkbox"/> Nationality         | <input checked="" type="checkbox"/> Torture Convention                      |

- A. Have you, your family, or close friends or colleagues ever experienced harm or mistreatment or threats in the past by anyone?

☐ No ☒ Yes

If "Yes," explain in detail:

1. What happened;
2. When the harm or mistreatment or threats occurred;
3. Who caused the harm or mistreatment or threats; and
4. Why you believe the harm or mistreatment or threats occurred.

I was arrested by the Burmese military police, detained without food or water, tied up and abandoned, and then tortured with a beating and being cut with a knife. The military junta wants to punish me for my peaceful political activities. My mother and a close friend were also arrested and interrogated to force them to give information to the police about my political activities.

See attached affidavit for more details.

- B. Do you fear harm or mistreatment if you return to your home country?

☐ No ☒ Yes

If "Yes," explain in detail:

1. What harm or mistreatment you fear;
2. Who you believe would harm or mistreat you; and
3. Why you believe you would or could be harmed or mistreated.

I fear that I will be arrested, charged with political crimes, tortured, and interrogated to give information about my fellow protesters and members of my political movement, and sentenced to a lengthy jail sentence or even death. The military junta that controls Burma will persecute and torture me, as they have in the past. The military junta persecuted and tortured me in the past because of my political activities and beliefs, and will persecute and torture me in the future because of my political beliefs, and because the regime deals more harshly with Christians and Chins who oppose it.

See attached affidavit for more details.



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## Appendix 6-C

### Part B. Information About Your Application (Continued)

2. Have you or your family members ever been accused, charged, arrested, detained, interrogated, convicted and sentenced, or imprisoned in any country other than the United States?

☐ No

☒ Yes

If "Yes," explain the circumstances and reasons for the action.

I was arrested by the military junta in February 2008 because of my political activities. They interrogated and tortured me because they believed I had been involved in the September 2007 peaceful protests. My mother was arrested in 2010 because the military junta had learned that I was still involved in politics and they wished to interrogate her about me.

See attached affidavit for more details.

- 3.A. Have you or your family members ever belonged to or been associated with any organizations or groups in your home country, such as, but not limited to, a political party, student group, labor union, religious organization, military or paramilitary group, civil patrol, guerrilla organization, ethnic group, human rights group, or the press or media?

☐ No

☒ Yes

If "Yes," describe for each person the level of participation, any leadership or other positions held, and the length of time you or your family members were involved in each organization or activity.

West Yangon Technological University Student Christian Movement (Universal Christian Fellowship):

2006-2007- member

2007-2008- vice-president

2008-2009- secretary

Baptist Church- entire life

Chin ethnic group- I was born a Chin

American Center- 2007-2009

See attached affidavit for more details.

- B. Do you or your family members continue to participate in any way in these organizations or groups?

☐ No

☒ Yes

If "Yes," describe for each person your or your family members' current level of participation, any leadership or other positions currently held, and the length of time you or your family members have been involved in each organization or group.

My family are Baptist Christians and have been for my entire life. We are regular churchgoers and I sing in the choir. We are also all ethnic Chins.

See attached affidavit for more details.

4. Are you afraid of being subjected to torture in your home country or any other country to which you may be returned?

☐ No

☒ Yes

If "Yes," explain why you are afraid and describe the nature of torture you fear, by whom, and why it would be inflicted.

I fear that the military junta that controls Burma will torture me by slicing me with knives, as they have in the past, and that they will again hit and kick me when I am interrogated, and that they will beat me with bamboo poles and nightsticks. They will torture me both to punish me for my political beliefs and to force me to give information about other members of my political movement. They are more willing to torture me because I am a Christian Chin.

See attached affidavit for more details.



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## Appendix 6-C

### Part C. Additional Information About Your Application

(NOTE: Use Form I-589 Supplement B, or attach additional sheets of paper as needed to complete your responses to the questions contained in Part C.)

1. Have you, your spouse, your child(ren), your parents or your siblings ever applied to the U.S. Government for refugee status, asylum, or withholding of removal?

☒ No

☐ Yes

If "Yes," explain the decision and what happened to any status you, your spouse, your child(ren), your parents, or your siblings received as a result of that decision. Indicate whether or not you were included in a parent or spouse's application. If so, include your parent or spouse's A-number in your response. If you have been denied asylum by an immigration judge or the Board of Immigration Appeals, describe any change(s) in conditions in your country or your own personal circumstances since the date of the denial that may affect your eligibility for asylum.

n/a

2. A. After leaving the country from which you are claiming asylum, did you or your spouse or child(ren) who are now in the United States travel through or reside in any other country before entering the United States? ☐ No ☒ Yes

- B. Have you, your spouse, your child(ren), or other family members, such as your parents or siblings, ever applied for or received any lawful status in any country other than the one from which you are now claiming asylum?

☒ No

☐ Yes

If "Yes" to either or both questions (2A and/or 2B), provide for each person the following: the name of each country and the length of stay, the person's status while there, the reasons for leaving, whether or not the person is entitled to return for lawful residence purposes, and whether the person applied for refugee status or for asylum while there, and if not, why he or she did not do so.

I changed planes in Thailand and Japan on my way to the United States. I never went through immigration in Thailand or Japan.

3. Have you, your spouse or your child(ren) ever ordered, incited, assisted or otherwise participated in causing harm or suffering to any person because of his or her race, religion, nationality, membership in a particular social group or belief in a particular political opinion?

☒ No

☐ Yes

If "Yes," describe in detail each such incident and your own, your spouse's, or your child(ren)'s involvement.

n/a



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## Appendix 6-C

### Part C. Additional Information About Your Application (Continued)

4. After you left the country where you were harmed or fear harm, did you return to that country?

☒ No ☐ Yes

If "Yes," describe in detail the circumstances of your visit(s) (for example, the date(s) of the trip(s), the purpose(s) of the trip(s), and the length of time you remained in that country for the visit(s).)

n/a

5. Are you filing this application more than 1 year after your last arrival in the United States?

☒ No ☐ Yes

If "Yes," explain why you did not file within the first year after you arrived. You must be prepared to explain at your interview or hearing why you did not file your asylum application within the first year after you arrived. For guidance in answering this question, see Instructions, Part 1: Filing Instructions, Section V. "Completing the Form," Part C.

n/a

6. Have you or any member of your family included in the application ever committed any crime and/or been arrested, charged, convicted, or sentenced for any crimes in the United States?

☐ No ☒ Yes

If "Yes," for each instance, specify in your response: what occurred and the circumstances, dates, length of sentence received, location, the duration of the detention or imprisonment, reason(s) for the detention or conviction, any formal charges that were lodged against you or your relatives included in your application, and the reason(s) for release. Attach documents referring to these incidents, if they are available, or an explanation of why documents are not available.

On the bus from Utah to Texas in May 2010, I was detained by Texas police who wanted to check my immigration status. I was held for about two hours in the police station, but once my immigration status on a J-1 student visa was confirmed, I was released with apologies. Because I was not charged with any crime or referred to immigration court, I have no documents relating to this detention.



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## Appendix 6-C

### Part D. Your Signature

I certify, under penalty of perjury under the laws of the United States of America, that this application and the evidence submitted with it are all true and correct. Title 18, United States Code, Section 1546(a), provides in part: Whoever knowingly makes under oath, or as permitted under penalty of perjury under Section 1746 of Title 28 United States Code, knowingly subscribes as true, any false statement with respect to a material fact in any application, affidavit, or other document required by the immigration laws or regulations prescribed thereunder, or knowingly presents any such application, affidavit, or other document containing any such false statement or which fails to contain any reasonable basis in law or fact - shall be fined in accordance with this title or imprisoned for up to 25 years. I authorize the release of any information from my immigration record that U.S. Citizenship and Immigration Services (USCIS) needs to determine eligibility for the benefit I am seeking.



**WARNING:** Applicants who are in the United States illegally are subject to removal if their asylum or with by an asylum officer or an immigration judge. Any information provided in completing this application may institution of, or as evidence in, removal proceedings even if the application is later withdrawn. Applicants determined to have knowingly made a frivolous application for asylum will be permanently ineligible for any benefits under the Immigration and Nationality Act. You may not avoid a frivolous finding simply because someone advised you to provide false information in your asylum application. If filing with USCIS, unexcused failure to appear for an appointment to provide biometrics (such as fingerprints) and your biographical information within the time allowed may result in an asylum officer dismissing your asylum application or referring it to an immigration judge. Failure without good cause to provide DHS with biometrics or other biographical information while in removal proceedings may result in your application being found abandoned by the immigration judge. See sections 208(d)(5)(A) and 208(d)(6) of the INA and 8 CFR sections 208.10, 1208.10, 208.20, 1003.47(d) and 1208.20.

Print your complete name.	Write your name in your native alphabet.
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Did your spouse, parent, or child(ren) assist you in completing this application? ☒ No ☐ Yes (If "Yes," list the name and relationship.)

(Name)	(Relationship)	(Name)	(Relationship)
Did someone other than your spouse, parent, or child(ren) prepare this application?		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes (If "Yes," complete Part E.)
Asylum applicants may be represented by counsel. Have you been provided with a list of persons who may be available to assist you, at little or no cost, with your asylum claim?		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes

Signature of Applicant (The person in Part A.I.)

[ \_\_\_\_\_ ]  
Sign your name so it all appears within the brackets

7/22/2010

Date (mm/dd/yyyy)

### Part E. Declaration of Person Preparing Form, if Other Than Applicant, Spouse, Parent, or Child

I declare that I have prepared this application at the request of the person named in Part D, that the responses provided are based on all information of which I have knowledge, or which was provided to me by the applicant, and that the completed application was read to the applicant in his or her native language or a language he or she understands for verification before he or she signed the application in my presence. I am aware that the knowing placement of false information on the Form I-589 may also subject me to civil penalties under 8 U.S.C. 1324c and/or criminal penalties under 18 U.S.C. 1546(a).

Signature		Print Complete Name of Preparer	
Daytime Telephone Number		Address of Preparer: Street Number and Name Vinson & Elkins, LLP, 2001 Ross Avenue	
Apt. No. Suite 3700	City Dallas	State Texas	Zip Code 75201



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## Appendix 6-C

### Part F. To Be Completed at Asylum Interview, if Applicable

**NOTE:** You will be asked to complete this part when you appear for examination before an asylum officer of the Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS).

I swear (affirm) that I know the contents of this application that I am signing, including the attached documents and supplements, that they are ☐ all true or ☐ not all true to the best of my knowledge and that correction(s) numbered \_\_\_\_\_ to \_\_\_\_\_ were made by me or at my request. Furthermore, I am aware that if I am determined to have knowingly made a frivolous application for asylum I will be permanently ineligible for any benefits under the Immigration and Nationality Act, and that I may not avoid a frivolous finding simply because someone advised me to provide false information in my asylum application.

Signed and sworn to before me by the above named applicant on:

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date (mm/dd/yyyy)

\_\_\_\_\_  
Write Your Name in Your Native Alphabet

\_\_\_\_\_  
Signature of Asylum Officer

### Part G. To Be Completed at Removal Hearing, if Applicable

**NOTE:** You will be asked to complete this Part when you appear before an immigration judge of the U.S. Department of Justice, Executive Office for Immigration Review (EOIR), for a hearing.

I swear (affirm) that I know the contents of this application that I am signing, including the attached documents and supplements, that they are ☐ all true or ☐ not all true to the best of my knowledge and that correction(s) numbered \_\_\_\_\_ to \_\_\_\_\_ were made by me or at my request. Furthermore, I am aware that if I am determined to have knowingly made a frivolous application for asylum I will be permanently ineligible for any benefits under the Immigration and Nationality Act, and that I may not avoid a frivolous finding simply because someone advised me to provide false information in my asylum application.

Signed and sworn to before me by the above named applicant on:

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date (mm/dd/yyyy)

\_\_\_\_\_  
Write Your Name in Your Native Alphabet

\_\_\_\_\_  
Signature of Immigration Judge



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