

## WHAT IS A REASONABLE FEAR INTERVIEW?

Noncitizens arriving at the border, who are met by U.S. Customs and Border Protection (“CBP”) officials, will be subject to the **Expedited Removal** process. If they express a fear of return to their home country to the CBP official, they will be granted a **Credible Fear Interview (“CFI”)**. In a CFI, an asylum officer will determine whether the noncitizen has a “credible fear” of being deported or whether there is a “significant possibility” they could win asylum before an immigration judge.

However, certain noncitizens may not qualify for a CFI. If the noncitizen has been deported before, or has an order of deportation, or has an aggravated felony conviction, they will be given a **Reasonable Fear Interview (“RFI”)** instead. In a RFI, the immigration officer will determine whether there is a “reasonable possibility” that the noncitizen will be:

- **persecuted in the future on account of a protected ground** (race, religion, nationality, membership in a particular social group, or political opinion) or
- **tortured** (as defined in the Convention Against Torture) if they are returned to their country.

The noncitizen must show that there is **more than 50% chance** that they will be persecuted or tortured. Unlike a CFI, which allows the noncitizen to apply for Asylum, Withholding of Removal, and CAT Protection, individuals who pass a RFI are only allowed to apply for Withholding of Removal or CAT Protection.

## TIPS FOR YOUR REASONABLE FEAR INTERVIEW

- If you have a fear of return or experienced persecution or torture, make sure you tell the immigration officer.
- Clearly express your fear and why you are seeking protection
- If you need an interpreter or do not understand interpreter provided, tell the immigration officer immediately.
- Do not miss important details about your experience of persecution or torture.
- It is very important that you tell the truth and are consistent throughout this interview.
- If you pass the RFI, you will be asked similar questions in the future when you apply for Withholding or CAT protection. The government will compare your answers from your RFI.

## WHAT HAPPENS AFTER THE REASONABLE FEAR INTERVIEW?

If the immigration officer determines you have a reasonable fear of return to your home country, you will receive a Notice to Appear (“NTA”).

The NTA will place you in removal proceedings before an Immigration Judge who will adjudicate your application for Withholding of Removal and/or CAT protection.

If the asylum officer determines you do not have a reasonable fear of return:

- You may be deported from the U.S.
- You may ask to review the asylum officer’s finding before an Immigration Judge.

