

Exhibit A



**U.S. Citizenship
and Immigration
Services**

Applicant [REDACTED]

Officer: Monica Araujo
Assessment Date: May 1, 2025

USCIS Affirmative Asylum Checklist Assessment – Indicative Asylum Decision

Indicative Asylum Decision

Mandatory Bar to a Grant of Asylum and
Discretionary Denial

Supervisor: Anthony Negrut **A.N.**

BIOGRAPHIC INFORMATION

Age 20	Country of Birth Venezuela	Citizenship(s) Venezuela
Port of Entry [REDACTED]	Date of Entry [REDACTED]	Status at Entry EWI
Current Status	Status Expiration	Asylum Application Filing Date 2022-12-20

BARS TO APPLYING FOR ASYLUM

Is the applicant eligible to apply for asylum?

No (not physically presently in the United States); indicative decision below is based on evidence in the record if we were to obtain jurisdiction of the case and adjudicate

ONE-YEAR FILING DEADLINE

One-Year Filing Deadline: Did the applicant establish by clear and convincing evidence that the application was filed within one year after the applicant's date of last arrival in the United States?

N/A

Application filed by:

Unaccompanied Child (UC), as defined at 6 U.S.C. § 279(g)(2)

PRIOR DENIAL OF ASYLUM BY EXECUTIVE OFFICE FOR IMMIGRATION REVIEW (EOIR)

Prior Denial of Asylum by EOIR: Is there evidence of a prior asylum denial by EOIR?

No

MANDATORY BARS

Does the evidence indicate that a mandatory bar to asylum applies to the applicant?

Yes



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Terrorism-Related Inadmissibility Grounds (TRIG)

Evidence indicates the applicant would be subject to TRIG and inadmissible under INA 212(a)(3)(B)(i)(V) as an alien who is a member of a designated terrorist organization, namely, Tren de Aragua (TdA). On February 20, 2025, TdA was designated by the Secretary of State, in accordance with section 219 of the Immigration and Nationality Act (INA), as a Foreign Terrorist Organization (FTO). See "Foreign Terrorist Organization Designations of Tren de Aragua, Mara Salvatrucha, Cartel de Sinaloa, Cartel de Jalisco Nueva Generacion, Carteles Unidos, Cartel del Noreste, Cartel del Golfo, and La Nueva Familia Michoacana," A Notice by the State Department on 02/20/2025, 2025-02873 (90 FR 10030), available at: <https://www.federalregister.gov/documents/2025/02/20/2025-02873/foreign-terrorist-organization-designations-of-tren-de-aragua-mara-salvatrucha-cartel-de-sinaloa>. [REDACTED]

[REDACTED] and based on reviewed evidence, the applicant would be subject to TRIG as a member of a designated terrorist organization and inadmissible under INA 212(a)(3)(B)(i)(V), for which no exemption is available. The applicant would therefore be barred from asylum under INA 208(b)(2)(A)(v) as an alien subject to TRIG.

TRIG Exemption Outcome:

Exemption Not Available

DISCRETION

Should USCIS exercise discretion to grant asylum?

No

Explanation:

- Evidence reveals grave negative factors that would weigh against a favorable exercise of discretion in this case. [REDACTED] a group that has been designated by the Secretary of State as an FTO, as described above. The President has found and declared TdA to be "perpetrating, attempting, and threatening an invasion or predatory incursion against the territory of the United States." Presidential Proclamation 10903, *Invocation of the Alien Enemies Act Regarding the Invasion of the United States by Tren de Aragua*, March 14, 2025, 2025-04865 (90 FR 13033), available at: <https://www.federalregister.gov/documents/2025/03/20/2025-04865/invocation-of-the-alien-enemies-act-regarding-the-invasion-of-the-united-states-by-tren-de-aragua>. Reports further note from its origins in Venezuela, TdA "has expanded into Colombia, Ecuador, Peru and Chile and diversified from extorting migrants into sex-trafficking, contract killing and kidnapping." Lisa Lambert, "What is Tren de Aragua, the Venezuelan gang targeted by Trump?," BBC News, March 17, 2025, available at: <https://www.bbc.com/news/articles/cr421q5z69o>. A Chilean prosecutor described the group as a "brutal organization" that uses murder and torture to achieve its aims." *Id.* Considering the nature and targets of TdA's known activities [REDACTED] these factors would weigh so heavily against any favorable exercise of discretion in this case that they would be impossible to be outweighed. Moreover, [REDACTED]



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[REDACTED]

[REDACTED] As such, it would be unnecessary to make a determination as to whether the applicant meets the refugee definition in this case, considering even if he met the refugee definition, the severity of the negative factors would still weigh against an exercise of discretion to grant asylum.

DETERMINATION

The application for asylum would be DENIED because there is evidence indicating that a mandatory bar to asylum would apply to the applicant and USCIS would not exercise its favorable discretion to grant asylum.