

## Terrorism Bar to Asylum

### INA § 208(b) Conditions for Granting Asylum

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#### (2) Exceptions

##### (A) In general

Paragraph (1) shall not apply to an alien if the Attorney General determines that—

(v) the alien described in subclause [\(I\)](#), [\(II\)](#), [\(III\)](#), [\(IV\)](#), or [\(VI\)](#) of [section 212\(a\)\(3\)\(B\)\(i\)](#) or [section 237\(a\)\(4\)\(B\)](#) (relating to terrorist activity), unless, in the case only of an alien described in subsection (IV) of section 212(a)(3)(B)(i), the Attorney General determines, in the Attorney General's discretion, that there are not reasonable grounds for regarding the alien as a danger to the security of the United States;

### 8 C.F.R. § 1208.13 Establishing asylum eligibility

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#### (c) Mandatory denials

(1) Applications filed on or after April 1, 1997. For applications filed on or after April 1, 1997, an applicant shall not qualify for asylum if section 208(a)(2) or 208(b)(2) of the Act applies to the applicant. If the applicant is found to be ineligible for asylum under either section 208(a)(2) or 208(b)(2) of the Act, the applicant shall be considered for eligibility for withholding of removal under section 241(b)(3) of the Act. The applicant shall also be considered for eligibility for withholding of removal under the Convention Against Torture if the applicant requests such consideration or if the evidence presented by the alien indicates that the alien may be tortured in the country of removal.

(2) Applications filed before April 1, 1997. (i) An immigration judge or asylum officer shall not grant asylum to any applicants who filed his or her application before April 1, 1997, if the alien:

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(C) Can reasonably be regarded as a danger to the security of the United States;