

Adjudicator's Field Manual

NOTE: The [USCIS Policy Manual](#) is our centralized online repository for immigration policies. We are working quickly to update and move material from the Adjudicator's Field Manual to the Policy Manual. Please check that resource, along with our [Policy Memoranda](#) page, to verify information you find in the Adjudicator's Field Manual. If you have questions or concerns about any discrepancies among these resources, please contact PolicyFeedback@uscis.dhs.gov.

Chapter 11 Evidence.

11.1 Submission of Supporting Documents and Consideration of Evidence has been superseded by USCIS Policy Manual, Volume 1: General Policies and Procedures as of November 23, 2021.

11.2 Video and Audio Taping

11.3 Foreign Language Documents and Translations has been superseded by USCIS Policy Manual, Volume 1: General Policies and Procedures as of November 23, 2021.

11.4 Administration of Oaths

11.5 Outside Sources and Other USCIS Records has been superseded by USCIS Policy Manual, Volume 1: General Policies and Procedures as of June 9, 2021.

11.1 Submission of Supporting Documents and Consideration of Evidence has been superseded by USCIS Policy Manual, Volume 1: General Policies and Procedures as of November 23, 2021.

11.2 Video and Audio Taping.

(a) General.

In many instances the adjudicator may audio or video tape an interview with an applicant or petitioner. The purpose of such a recording is to preserve evidence for possible use in later proceedings without expending significant resources creating a verbatim written record. Such recordings may be used as evidence for denying a benefit. However, if such a decision is subsequently appealed, it may be necessary to transcribe the text of the interview in order to introduce it before the immigration court or Board of Immigration Appeals. The Executive Office for Immigration Review has declined to accept either video or audio taped interviews as evidence unless they are so transcribed. **Chapter 15** of this manual contains information on interview techniques, including the use of video and audio recording devices as an integral part of the interview process.

(b) Retention.

Tapes (video or audio) used for routine interviews (e.g. marriage fraud, adjustment of status, or naturalization) may be erased for reuse within ten days unless:

- the application or petition is likely to be denied and the information contained on the tape is considered as evidence;
- an incident during the interview was recorded on the tape and the tape may be used either for training, or to support or refute allegations of misconduct by a USCIS employee.

Such tapes should be retained for a period of three years, and may be extended in yearly increments in the event of ongoing litigation.

11.3 Foreign Language Documents and Translations has been superseded by USCIS Policy Manual, Volume 1: General Policies and Procedures as of November 23, 2021.

11.4 Administration of Oaths.

USCIS officers are authorized to administer oaths, pursuant to **section 287(b)** of the Act. In addition to certain applications which must be sworn to under oath, officers routinely conduct adjustment of status and naturalization interviews under oath. Sworn statements taken from the petitioner, beneficiary, applicant or other parties may also be required. In addition to oaths administered by officers, USCIS recognizes oaths administered for immigration purposes by authorized military personnel as provided by Article 136 of the Uniform Code of Military Justice. The list of authorized military officers includes: judge advocates, law specialists, adjutants, commanding officers and other designated by regulation.

The application forms for immigration benefits and regulations at **8 CFR 103.2(a)(2)** require that each application and petition be signed by the applicant. By signing the form, the applicant or petitioner certifies, under penalty of perjury, that the information contained on the application and in all supporting documents is true and correct.

11.5 Outside Sources and Other USCIS Records has been superseded by USCIS Policy Manual, Volume 1: General Policies and Procedures as of June 9, 2021.

Appendix 11-1, Supporting Documents and Applications, has been superseded by USCIS Policy Manual, Volume 1: General Policies and Procedures as of May 15, 2020.