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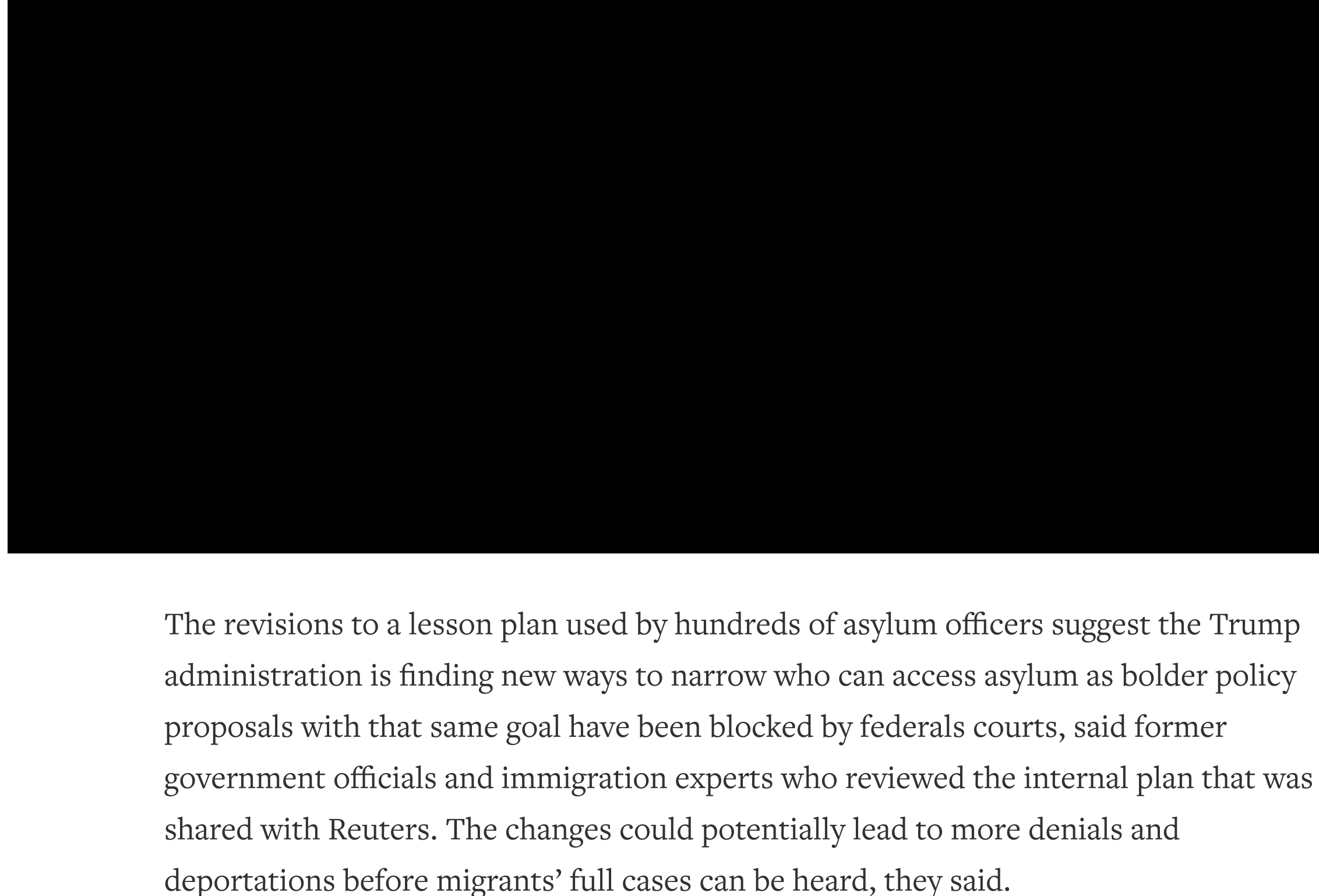
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Exclusive: New training document for asylum screenings reflects tougher U.S. stance

By Mica Rosenberg, Kristina Cooke

6 MIN READ

NEW YORK/SAN FRANCISCO (Reuters) - The Trump administration has revised training guidelines for asylum officers in ways that could make it harder for migrants seeking refuge in the United States to pass an initial screening.



The revisions to a lesson plan used by hundreds of asylum officers suggest the Trump administration is finding new ways to narrow who can access asylum as bolder policy proposals with that same goal have been blocked by federal courts, said former government officials and immigration experts who reviewed the internal plan that was shared with Reuters. The changes could potentially lead to more denials and deportations before migrants' full cases can be heard, they said.

The ballooning number of mostly Central American families turning themselves into border agents and asking for asylum has pushed U.S. border agencies to a breaking point. In March, more than 100,000 people were caught at the U.S.-Mexico border, the highest monthly level in more than a decade.

U.S. President Donald Trump has claimed the migrants are exploiting "loopholes" in immigration law and says many asylum claims are fraudulent.

The first step in the long U.S. asylum process is an interview by a USCIS official specially trained in asylum and refugee law to determine whether a migrant has a "credible fear" of returning to their home country.

If they pass that first hurdle, a low bar, they go on to immigration court where a judge can grant them asylum if they prove they have been persecuted because of their race, religion, nationality, political opinion, or membership in a particular social group.

Around three-quarters of the thousands of monthly applicants regularly pass the first "credible fear" interviews, according to government data. But most Central American migrants fleeing general violence and corruption ultimately do not qualify for asylum.

Trump has said repeatedly that the standards for entry into the United States are too lenient.

'BIG, FAT CON JOB'



FILE PHOTO: A sign is pictured at a fence surrounding a temporary facility for processing migrants requesting asylum, at the U.S. Border Patrol headquarters in El Paso, Texas, U.S. April 29, 2019. REUTERS/Joe Lutz Gonzalez/File Photo

The revised lesson plan is "a significant and disturbing step towards making it more difficult to pass credible fear interviews," said Victoria Neilson, who worked in the USCIS refugee and asylum division during the Obama administration.

The new plan deletes a paragraph from the previous guidance that told "credible fear" interviewers to consider that asylum seekers may not have all the evidence to prove their claims when they first arrive in the United States. Guidance to consider trauma and cultural background when assessing credibility has also been deleted. Instructions to be wary of fraud were inserted.

Stephen Legomsky, a former USCIS chief counsel said that asylum seekers who arrive in the United States without documents to prove their persecution back home have to rely on their own testimony. "Without taking cultural and psychological factors into account, evaluating the person's credibility becomes nearly impossible," Legomsky said.

USCIS' Collins said the agency's officers take into account "relevant country conditions information" and adhere "to all applicable laws, regulations, policies, and precedent decisions."

Currently, asylum officers are required to complete weeks of in-person training followed by regular ongoing refresher courses.

The White House is seeking \$23 million of funding to train border patrol agents to perform "credible fear" interviews that are usually done by specialized USCIS asylum officers. It was not clear whether or not this new lesson plan would be used to train border patrol agents.

U.S. Customs and Border Protection, which oversees the Border Patrol, referred questions about its agents conducting interviews to the U.S. Department of Homeland Security, which did not respond to a request for comment. An April 29 White House memo said agencies should "reprioritize" immigration officials to do "credible fear" screenings, without specifically mentioning Border Patrol.

Migrants who pass the initial "credible fear" interview are often allowed stay in the United States until their asylum cases are decided, a process that can take months or years because of a massive backlog of immigration court cases.

The Trump administration has said people are gaming the legal system in order to stay in the country.

At a rally in Grand Rapids, Michigan on March 29, Trump called the asylum process "a big, fat con job."

"You have people coming up, they are all met by the lawyers," he said, "and they say, say the following phrase, 'I'm very afraid for my life' ... and then I look at the guy, he looks like he just got out of the ring, he's the heavyweight champion of the world."

Under a new Trump policy started in January, hundreds of asylum seekers have been forced to return to wait in Mexico while their cases lumber through U.S. courts. That policy is being challenged by lawsuits.

Trump has promised to build a wall along the U.S.-Mexico border but a physical barrier would have little effect on migrants who turn themselves in to officials.

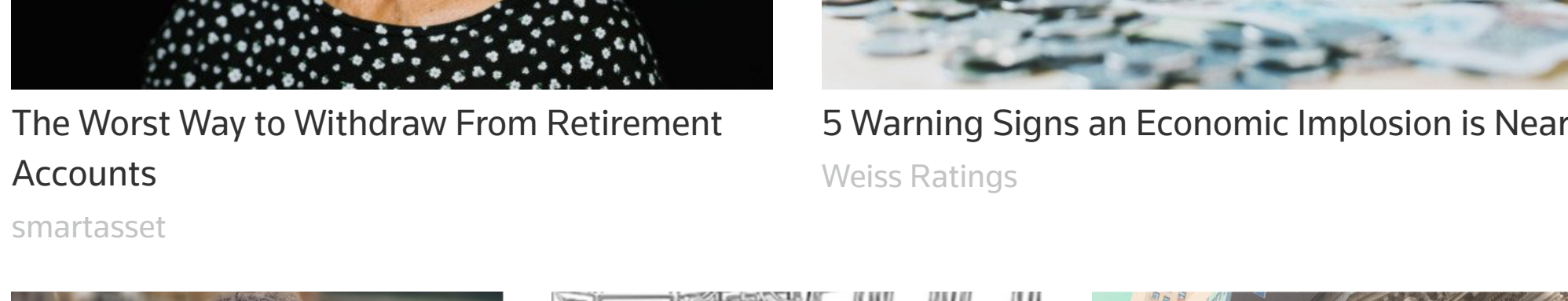
By changing the rules for asylum screenings the government "is erecting an invisible wall," for those seeking protection, said Dree Collopy, an immigration attorney at a Washington, D.C.-based law firm.

(This story was refiled to fix typo in penultimate paragraph)

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