

Removal of 26 Documents for Asylum Officer Training from the USCIS Website

Access Assessment Report May 29, 2018

Sunlight Foundation's Web Integrity Project

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See WIP's Report Production Protocol for details of our review process

Classification of Web content alterations and changes in access to Web resources:

Classification	Changed in this report?
Altering or removing text and non-text content	Yes
2. Altering or removing links	Yes
3. Moving an entire webpage or collection of webpages or establishing redirects	No
4. Altering or removing an entire pertinent section of a webpage or collection of webpages	Yes
5. Removing an entire webpage or document	Yes
6. Overhauling or removing an entire website	No
7. Altering or removing search engines and open data platforms	No
8. Altering, removing, or deleting datasets	No

The Sunlight Foundation's Web Integrity Project does not intend to assess any government agency's intentions in presenting the changes to webpages or other Web content that appear in this report.

The format of this report and the methodology used to generate it are based on those developed during 2017 by the Environmental Data & Governance Initiative's Website Monitoring Team, which our co-founders helped lead.

Removal of 26 Documents for Asylum Officer Training from the USCIS Website

Overview

Between March and April 2017, a series of 26 documents pertaining to training asylum officers were removed from the U.S. Citizenship and Immigration Services (USCIS) website. The materials were prepared for personnel charged with reviewing and vetting asylum claims under certain international agreements and provisions of U.S. law. An entire section titled "Asylum Officer Basic Training Course Lesson Modules," which included links to the training documents, was removed from the "Asylum Division Training Programs" page. Although some related material can be found elsewhere on the USCIS domain, the agency did not announce the removals or create a comprehensive archive of the resources.

Background

Agency details: According to its website, "U.S. Citizenship and Immigration Services (USCIS) is the federal agency that oversees lawful immigration to the United States." Housed within the Department of Homeland Security, it administers applications for residency and citizenship, work authorizations, and operates "humanitarian programs" for immigrants "displaced by war, famine and civil and political unrest, and those who are forced to flee their countries to escape the risk of death and torture at the hands of persecutors."

<u>Communications about changes</u>: The office has not proactively communicated about or explained the changes described within this report.

Known archives: A public Web archive for some USCIS material can be found at https://www.uscis.gov/archive. The USCIS website links to this archive in the footer of webpages throughout the domain. Another public Web archive for the uscis.gov domain, collected by the Federal Depository Library Program Web Archive, can be found at https://www.uscis.gov/. The USCIS website does not link to these archives. Both archives are also incomplete, and do not contain website snapshots pertaining to the materials or dates of many of the changes detailed within this report.

Description of Most Notable Changes

- 26 "Asylum Officer Basic Training Course" lesson module PDFs were entirely removed from the USCIS website; the corresponding URLs currently lead to "Page not found" notices. Among the removed course modules are lessons about: <u>Corps Values and Goals, Sources of Authority</u>, <u>Reading Case Law</u>, <u>International Human Rights Law</u>, and <u>Credible Fear</u> (<u>Webpage 1</u>; See <u>Table 1</u> for full list).
 - a. The "Asylum Officer Basic Training Course Lesson Modules" section was removed from the "Asylum Division Training Programs" page at the URL https://www.uscis.gov/humanitarian/refugees-asylum/asylum/asylum-division-training-programs (Webpage 1). The section included descriptive text and 26 links to

- the removed lesson module documents (compare page versions from <u>March 2</u>, <u>2017</u> and <u>April 27, 2017</u>).
- b. Training material related to some of the removed training documents can be found elsewhere on the USCIS domain, although most resources remain inaccessible (See <u>Additional Information</u> section).

Table of Contents

Report Section	Webpage Title	URL
Webpage 1	Asylum Division Training Programs	https://www.uscis.gov/humanitarian/refug ees-asylum/asylum/asylum-division-trainin g-programs
Additional Information	Additional Information: Assessment of Access to Asylum Officer Basic Training Course Lesson Information Elsewhere on the USCIS Website	https://www.uscis.gov/about-us/electronic-reading-room and uscis.gov domain

Detailed Description of Changes in Access and Content

Note: Throughout the entire report, links to the Internet Archive's Wayback Machine's (IAWM) versions of corresponding pages are provided for reference. IAWM displays time in GMT.

Webpage 1: Asylum Division Training Programs

- URL: <u>https://www.uscis.gov/humanitarian/refugees-asylum/asylum/asylum-division-training-programs</u>
- Changes occurred between March 2, 2017 and April 27, 2017.
- USCIS Web archives (See Additional Information for full assessment):
 - <u>USCIS.gov archive</u>: No archived version of page.
 - o <u>Federal Depository Library Program Web Archive</u>: No archived version of page.

Webpage 1 Details:

Changes to the "Asylum Division Training Programs" page:

 The "Asylum Officer Basic Training Course Lesson Modules" section on this page, including text and links, was removed between <u>March 2, 2017</u> and <u>April 27, 2017</u>. The text and links removed from this page related to training materials for USCIS personnel handling asylum claims, and included the following content:

"Asylum Officer Basic Training Course Lesson Modules

The Asylum Officer Basic Training Course lesson modules are used to train Asylum Officers at the mandatory 5-week AOBTC.

The AOBTC lesson modules were developed and are updated by the Asylum Division following a standardized procedure for U.S. Government training initiatives. The materials used in the course have been reviewed by a number of subject matter experts, including Asylum Division staff, the USCIS Office of the Chief Counsel, law professors, immigration attorneys in private practice, and practitioners working with refugees and asylees.

The lessons are updated as the need arises to address new case law, statutory requirements, and procedural directives. These lessons are not only used for the instruction of newly-hired Asylum Officers, but are also used to articulate and communicate Asylum Division guidance on the substantive adjudication of asylum cases, and the lesson modules are also used as a reference tool for Asylum Officers as they perform their duties.

- Corps Values and Goals (PDF, 53 KB)
- Sources of Authority (PDF, 53 KB)
- Reading Case Law (PDF, 63 KB)

- International Human Rights Law (PDF, 81 KB)
- Credible Fear (PDF, 125 KB)
- Definition of Refugee; Definition of Persecution; Eligibility Based on Past Persecution (PDF, 458 KB)
- Well Founded Fear (PDF, 131 KB)
- Nexus and the Five Protected Characteristics (PDF, 348 KB)
- Burden of Proof Standards of Proof Evidence (PDF, 136 KB)
- Bars to Asylum and Discretion (PDF, 242 KB)
- <u>Interview Part 1 Overview of Nonadversarial Asylum Interview</u> (PDF, 98 KB)
- Interview Part 2 Note-Taking (PDF, 44 KB)
- Interview Part 3 Eliciting Testimony (PDF, 94 KB)
- Interview Part 4 Inter-Cultural Communication (PDF, 74 KB)
- Interview Part 5 Interviewing Survivors (PDF, 143 KB)
- Interview Part 6 Working with an Interpreter (PDF, 86 KB)
- Making an Asylum Decision (PDF, 60 KB)
- Decision Writing Part 1 Overview and Components (PDF, 98 KB)
- Decision Writing Part 2 Legal Analysis (PDF, 90 KB)
- One-Year Filing Deadline (PDF, 133 KB)
- NACARA (PDF, 319 KB)
- Female Asylum Applicants and Gender-Related Claims (PDF, 170 KB)
- Reasonable Fear of Persecution and Torture Determinations (PDF, 125 KB)
- International Religious Freedom ACT IRF and Religious Persecution Claims (PDF, 148 KB)
- Guidelines for Children's Asylum Claims (PDF, 229 KB)
- UNHCR and Concepts of International Protection (PDF, 105 KB)"
- All lesson modules PDFs linked from the "Asylum Officer Basic Training Course Lesson Modules" section on this page were removed. See <u>Table 1</u> below for full assessment of access to documents corresponding to links in this section:

Table 1: Links removed from the "Asylum Division Training Programs" page (Webpage 1) The following table details the links for lesson modules that appeared on the "Asylum Division Training Programs" page (Webpage 1) before they were removed between March 2, 2017 and April 27, 2017. For each link, the table indicates the current status of the corresponding document; contains previous and current Internet Archive Wayback Machine (IAWM) versions of the document. Some related training materials can be found in the "Legal standards governing Asylum claims and issues related to the adjudication of children" document accessible from the USCIS "Electronic Reading Room" page, indicated accordingly in the table below. Some asylum-related material can be found elsewhere on the USCIS website, although most training resources remain inaccessible (see Additional Information for details on the analysis).

Index	Link Text	Removed Link URL	Current Document Status (May 2018)	Previous IAWM Version	Current IAWM Version	Is Related Content Found in the "Legal standards" document?*
1	Corps Values and Goals (PDF, 53 KB)	https://www.uscis.gov/sites/default/fi les/USCIS/Humanitarian/Refugees %20%26%20Asylum/Asylum/AOBT C%20Lesson%20Plans/Corps-Valu es-and-Goals-31aug10.pdf	Removed	<u>3/2/2017</u>	5/18/2018	No
2	Sources of Authority (PDF, 53 KB)	https://www.uscis.gov/sites/default/fi les/USCIS/Humanitarian/Refugees %20%26%20Asylum/Asylum/AOBT C%20Lesson%20Plans%20and%20 Training%20Programs/Sources-of-A uthority-31aug10.pdf	Removed	3/2/2017	5/18/2018	No
3	Reading Case Law (PDF, 63 KB)	https://www.uscis.gov/sites/default/files/USCIS/Humanitarian/Refugees%20%26%20Asylum/Asylum/AOBTC%20Lesson%20Plans/Reading-CaseLaw-31aug10.pdf	Removed	3/2/2017	5/18/2018	No
4	International Human Rights Law (PDF, 81 KB)	https://www.uscis.gov/sites/default/files/USCIS/Humanitarian/Refugees%20%26%20Asylum/Asylum/AOBTC%20Lesson%20Plans/International-Human-Rights-Law-31aug10.pdf	Removed	3/2/2017	5/18/2018	No
5	Credible Fear (PDF, 125 KB)	https://www.uscis.gov/sites/default/fi les/USCIS/Humanitarian/Refugees %20%26%20Asylum/Asylum/AOBT C%20Lesson%20Plans/Credible-Fe ar-31aug10.pdf	Removed	3/2/2017	5/18/2018	No
6	Definition of Refugee; Definition of Persecution; Eligibility Based on Past Persecution (PDF, 458 KB)	https://www.uscis.gov/sites/default/fi les/USCIS/Humanitarian/Refugees %20%26%20Asylum/Asylum/AOBT C%20Lesson%20Plans/Definition-R efugee-Persecution-Eligibiity-31aug 10.pdf	Removed	<u>3/2/2017</u>	<u>5/18/2018</u>	Yes
7	Well Founded Fear (PDF, 131 KB)	https://www.uscis.gov/sites/default/files/USCIS/Humanitarian/Refugees%20%26%20Asylum/Asylum/AOBTC%20Lesson%20Plans/Well-Found	Removed	3/2/2017	5/18/2018	No

		ed-Fear-31aug10.pdf				
8	Nexus and the Five Protected Characteristics (PDF, 348 KB)	https://www.uscis.gov/sites/default/files/USCIS/Humanitarian/Refugees%20%26%20Asylum/Asylum/AOBTC%20Lesson%20Plans/Nexus-the-Five-Protected-Characteristics-31aug10.pdf	Removed	3/2/2017	5/18/2018	No
9	Burden of Proof Standards of Proof Evidence (PDF, 136 KB)	https://www.uscis.gov/sites/default/files/USCIS/Humanitarian/Refugees%20%26%20Asylum/Asylum/AOBTC%20Lesson%20Plans/Burden-of-Proof-Standards-Proof-Evidence-31aug01.pdf	Removed	3/2/2017	5/18/2018	No
10	Bars to Asylum and Discretion (PDF, 242 KB)	https://www.uscis.gov/sites/default/files/USCIS/Humanitarian/Refugees%20%26%20Asylum/Asylum/Bars-to-Asylum-Discretion-31aug10.pdf	Removed	3/2/2017	5/18/2018	Yes
11	Interview Part 1 Overview of Nonadversarial Asylum Interview (PDF, 98 KB)	https://www.uscis.gov/sites/default/files/USCIS/Humanitarian/Refugees%20%26%20Asylum/Asylum/AOBTC%20Lesson%20Plans/Interview%20Part-Overview-Nonadversarial-Asylum-Interview-31aug10.pdf	Removed	3/2/2017	5/18/2018	Yes
12	Interview Part 2 Note-Taking (PDF, 44 KB)	https://www.uscis.gov/sites/default/files/USCIS/Humanitarian/Refugees%20%26%20Asylum/Asylum/AOBTC%20Lesson%20Plans/Interview-Part-2-Notetaking-31aug10.pdf	Removed	3/2/2017	5/18/2018	No
13	Interview Part 3 Eliciting Testimony (PDF, 94 KB)	https://www.uscis.gov/sites/default/files/USCIS/Humanitarian/Refugees%20%26%20Asylum/Asylum/AOBTC%20Lesson%20Plans/Interview-Part3-%20Eliciting-Testimony31aug10.pdf	Removed	3/2/2017	5/18/2018	Yes
14	Interview Part 4 Inter-Cultural Communication (PDF, 74 KB)	https://www.uscis.gov/sites/default/files/USCIS/Humanitarian/Refugees%20%26%20Asylum/Asylum/AOBTC%20Lesson%20Plans/Interview-Part4-Intercultural-Communication-31aug10.pdf	Removed	3/2/2017	5/18/2018	No
15	Interview Part 5 Interviewing Survivors (PDF, 143 KB)	https://www.uscis.gov/sites/default/files/USCIS/Humanitarian/Refugees%20%26%20Asylum/Asylum/AOBTC%20Lesson%20Plans/Interview-P	Removed	3/2/2017	5/18/2018	Yes

		art5-Interviewing-Survivors31aug10.				
16	Interview Part 6 Working with an Interpreter (PDF, 86 KB)	https://www.uscis.gov/sites/default/files/USCIS/Humanitarian/Refugees%20%26%20Asylum/Asylum/AOBTC%20Lesson%20Plans/Interview-Part6-Working-with-an-Interpreter-31aug10.pdf	Removed	3/2/2017	5/18/2018	Yes
17	Making an Asylum Decision (PDF, 60 KB)	https://www.uscis.gov/sites/default/files/USCIS/Humanitarian/Refugees%20%26%20Asylum/Asylum/AOBTC%20Lesson%20Plans/AOBT-Making-an-Asylum-Decision-3aug10.pdf	Removed	3/2/2017	5/18/2018	No
18	Decision Writing Part 1 Overview and Components (PDF, 98 KB)	https://www.uscis.gov/sites/default/fi les/USCIS/Humanitarian/Refugees %20%26%20Asylum/Asylum/AOBT C%20Lesson%20Plans/Decision-W riting-Part-1-Overview-Components- 31aug10.pdf	Removed	3/2/2017	5/18/2018	No
19	Decision Writing Part 2 Legal Analysis (PDF, 90 KB)	https://www.uscis.gov/sites/default/files/USCIS/Humanitarian/Refugees%20%26%20Asylum/Asylum/AOBTC%20Lesson%20Plans/Decision-Writing-Part-2-Legal-Analysis-31aug10.pdf	Removed	3/2/2017	5/18/2018	No
20	One-Year Filing Deadline (PDF, 133 KB)	https://www.uscis.gov/sites/default/files/USCIS/Humanitarian/Refugees%20%26%20Asylum/Asylum/AOBTC%20Lesson%20Plans/One-Year-Filling-Deadline-31aug10.pdf	Removed	3/2/2017	5/18/2018	No
21	NACARA (PDF, 319 KB)	https://www.uscis.gov/sites/default/files/USCIS/Humanitarian/Refugees%20%26%20Asylum/Asylum/AOBTC%20Lesson%20Plans/NACARA-31aug10.pdf	Removed	3/2/2017	5/18/2018	No
22	Female Asylum Applicants and Gender-Related Claims (PDF, 170 KB)	https://www.uscis.gov/sites/default/fi les/USCIS/Humanitarian/Refugees %20%26%20Asylum/Asylum/AOBT C%20Lesson%20Plans/Female-Asy lum-Applicants-Gender-Related-Clai ms-31aug10.pdf	Removed	3/2/2017	5/18/2018	No
23	Reasonable Fear of Persecution and	https://www.uscis.gov/sites/default/files/USCIS/Humanitarian/Refugees	Removed	3/2/2017	5/18/2018	No

	Torture Determinations (PDF, 125 KB)	%20%26%20Asylum/Asylum/AOBT C%20Lesson%20Plans/Reasonable -of-Persecution-Torture-Determinati ons-31aug10.pdf				
24	International Religious Freedom ACT IRF and Religious Persecution Claims (PDF, 148 KB)	https://www.uscis.gov/sites/default/files/USCIS/Humanitarian/Refugees%20%26%20Asylum/Asylum/AOBTC%20Lesson%20Plans/Intl-Religious-Freedom-Act-31aug10.pdf	Removed	<u>3/2/2017</u>	5/18/2018	Yes
25	Guidelines for Children's Asylum Claims (PDF, 229 KB)	https://www.uscis.gov/sites/default/files/USCIS/Humanitarian/Refugees%20%26%20Asylum/Asylum/AOBTC%20Lesson%20Plans/Guidelines-for-Childrens-Asylum-Claims-31aug10.pdf	Removed	<u>3/2/2017</u>	5/18/2018	Yes
26	UNHCR and Concepts of International Protection (PDF, 105 KB)	https://www.uscis.gov/sites/default/files/USCIS/Humanitarian/Refugees%20%26%20Asylum/Asylum/AOBTC%20Lesson%20Plans/UNHCR-Concepts-%20Intl-%20Protection%20-31aug10.pdf	Removed	<u>3/2/2017</u>	5/18/2018	No

^{* &}quot;Yes" indicates that a training material with the same or similar title as the removed lesson modules appears in the "Legal standards..." document (See Additional Information).

<u>Screenshot 1.1</u>: A portion of the "Asylum Division Training Programs" page (<u>Webpage 1</u>), from the Internet Archive's Wayback Machine on <u>March 2, 2017</u>. The entire "Asylum Officer Basic Training Course Lesson Modules" section was removed from the page by <u>April 27, 2017</u>.



Asylum Officer Basic Training Course Lesson Modules

The Asylum Officer Basic Training Course lesson modules are used to train Asylum Officers at the mandatory 5-week AOBTC.

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- Female Asylum Applicants and Gender-Related Claims (PDF, 170 KB)
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- Guidelines for Children's Asylum Claims (PDF, 229 KB)
- UNHCR and Concepts of International Protection (PDF, 105 KB)

Additional Information: Assessment of Access to Asylum Officer Basic Training Course Lesson Information Elsewhere on the USCIS Website

- USCIS maintains an "Electronic Reading Room" page at the URL https://www.uscis.gov/about-us/electronic-reading-room
 that "provides access to information identified under the Freedom of Information Act (FOIA)."
 - a. The PDF document with the link text "Legal standards governing Asylum claims and issues related to the adjudication of children," currently hosted at the URL <a href="https://www.uscis.gov/sites/default/files/files/nativedocuments/Legal_standards_g_overning_Asylum_claims_and_issues_related_to_the_adjudication_of_children.p_df (May 25, 2018) is a compilation of pages from various resources and documents, and can be found in the "Electronic Reading Room" page (May 15, 2018; Screenshot A.1).</p>
 - The PDF contains training material with titles that are the same or similar to those of modules removed from and detailed in <u>Webpage 1</u>, but which have been taken from documents different than those modules. (see <u>Table 1</u>).

Note: The content in the training materials found in the "Legal standards governing Asylum claims and issues related to the adjudication of children" PDF have not been comprehensively compared with the content in the lesson modules removed from <u>Webpage 1</u>, although keyword searches were conducted for each module

- 2. The USCIS domain hosts various other documents on its website with materials similar, but not identical, to some of the removed lesson modules. These documents, which can be found through a key term search using the USCIS website's search bar include:
 - a. Asylum and Female Mutilation (May 25, 2018)
 - b. Adjudicator's Field Manual Redacted Public Version, Appendix 15-2 Part 3 (May 25, 2018)
 - c. RAIO Directorate- Officer Training I RAIO Combined Training Course (February 22, 2018)
 - i. A separate PDF, which is part of the "Combined Training Course" titled "Guidance for Adjudicating LGBTI Refugee and Asylum Claims" was identified (August 8, 2017)
 - d. Affirmative Asylum Procedures Manual (AAPM) (May 25, 2018)
 - e. <u>Guidelines for Children's Asylum Claims</u> (<u>December 5, 2017</u>) (Appears to be same as removed training module listed in Index 25, Table 1)

Note: The content in the above documents has not been comprehensively cross-referenced to determine which lesson module topics appear in each.

- USCIS maintains archived content at the URL https://www.uscis.gov/archive. A keyword search for relevant terms that appear in the link text of the links removed from Webpage
 (see Table 1 for full list) indicates that the PDFs corresponding to these links do not appear in the USCIS archive.
- Searching for the <u>Webpage 1</u> URL or the <u>Table 1</u> PDF URLs in the <u>Federal Depository</u>
 <u>Library Program Web Archive</u> does not yield any results indicating that the page and
 documents are not stored in these archives.

Screenshot A.1

A portion of the USCIS "Electronic Reading Room" page, which contains a link to a PDF with information related to some of the modules removed from Webpage 1, from the Internet Archive's Wayback Machine on May 15, 2018. The link, with the text "Legal standards governing Asylum claims and issues related to the adjudication of children," is highlighted (May 25, 2018).

