

Obama's DHS detection of fraud by Asylum seekers a shambles: govn't. Report

Thanks to President Barack Obama and his political comrades, the United States is being deluged by immigrants from some of the world's most dangerous spots: the Middle East, North Africa and Mexico. Many of those entering the U.S. from Syria, Iraq, Somalia and Mexico are claiming they are entitled to asylum from violence and death by Islamic extremists or from violence and death members of the drug cartels.

"According to government figures, each year, tens of thousands of aliens in the United States apply for asylum, which provides refuge to those who have been persecuted or fear persecution on protected grounds. Asylum officers in the Department of Homeland Security's U.S. Citizenship and Immigration Services and the immigration judges in Department of Justice adjudicate asylum applications," claim officials from a supposed nonpartisan government agency.

The the House of Representatives directed the U.S. Government Accountability Office (GAO) to review the status of the asylum system. This report addresses what DHS and Department of Justice (DOJ) data indicate about trends in asylum claims, as well as the extent to which DHS and DOJ have designed mechanisms to prevent and detect asylum fraud. They also reviewed the extent to which DHS and DOJ designed and implemented processes to address any asylum fraud that has been identified. Unfortunately, few news outlets bothered the cover the release of the report and its contents except for One America News Network (OANN), NewsmaxTV, and some of the Internet news and commentary publications.

The GAO analyzed DHS and DOJ data on asylum applications for

fiscal years 2010 through 2014, reviewed DHS and DOJ policies and procedures related to asylum fraud, and interviewed DHS and DOJ officials in Washington, D.C., Falls Church, VA, and in asylum offices and immigration courts across the country selected on the basis of application data and other factors.

The total number of asylum applications, including both principal applicants and their eligible dependents, filed in fiscal year 2014 (108,152) is more than double the number filed in fiscal year 2010 (47,118). As of September 2015, the Department of Homeland Security's (DHS) U.S. Citizenship and Immigration Services (USCIS) has a backlog of 106,121 principal applicants, of which 64,254 have exceeded required time frames for adjudication. USCIS has plans to hire additional staff to deal with the backlog.

USCIS and the Department of Justice's (DOJ) Executive Office for Immigration Review (EOIR) have limited capabilities to detect asylum fraud.

While USCIS and EOIR have mechanisms to investigate fraud in individual applications, neither agency has assessed fraud risks across the asylum process, in accordance with leading practices for managing fraud risks.

Various cases of fraud illustrate risks that may affect the integrity of the asylum system. For example, an investigation in New York resulted in charges against 30 defendants as of March 2014 for their alleged participation in immigration fraud schemes; 829 applicants associated with the attorneys and preparers charged in the case received asylum from USCIS, and 3,709 received asylum from EOIR.

Without regular assessments of fraud risks, USCIS and EOIR lack reasonable assurance that they have implemented controls to mitigate those risks.

USCIS's capability to identify patterns of fraud across asylum applications is hindered because USCIS relies on a paper-based

system for asylum applications and does not electronically capture some key information that could be used to detect fraud, such as the applicant's written statement.

Asylum officers and USCIS Fraud Detection and National Security (FDNS) Directorate immigration officers told GAO that they can identify potential fraud by analyzing trends across asylum applications; however, they must rely on labor-intensive methods to do so. Identifying and implementing additional fraud detection tools could enable USCIS to detect fraud more effectively while using resources more efficiently.

FDNS has not established clear fraud detection responsibilities for its immigration officers in asylum offices; FDNS officers GAO analysts spoke with at all eight asylum offices told GAO they have limited guidance with respect to fraud. FDNS standard operating procedures for fraud detection are intended to apply across USCIS, and therefore do not reflect the unique features of the asylum system.

Developing asylum-specific guidance for fraud detection, in accordance with federal internal control standards, would better position FDNS officers to understand their roles and responsibilities in the asylum process.

To address identified instances of asylum fraud, USCIS can, in some cases, terminate an individual's asylum status. USCIS terminated the asylum status of 374 people from fiscal years 2010 through 2014 for fraud. In August 2015, USCIS adopted a target of 180 days for conducting initial reviews, in which the asylum office reviews evidence and decides whether to begin termination proceedings, when the asylee has applied for adjustment to lawful permanent resident status; however, this goal applies only to a subset of asylees and pertains to initial reviews.

Further, asylees with pending termination reviews may be eligible to receive certain federal benefits. Developing

timeliness goals for all pending termination reviews would help USCIS better identify the staffing resources needed to address the terminations workload.

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