



Highlights of [GAO-08-935](#), a report to congressional requesters

Why GAO Did This Study

Each year, tens of thousands of noncitizens apply in the United States for asylum, which provides refuge to those who have been persecuted or fear persecution. Asylum officers (AO) in the Department of Homeland Security's (DHS) U.S. Citizenship and Immigration Services (USCIS), and immigration judges (IJ) in the Department of Justice's (DOJ) Executive Office for Immigration Review (EOIR) assess applicants' credibility and eligibility. GAO was asked to evaluate aspects of the asylum system. This report addresses the extent to which quality assurance mechanisms have been designed to ensure adjudications' integrity, how key factors affect AOs' adjudications, and what key factors affect IJs' adjudications. To conduct this work, GAO reviewed agency documents, policies, and procedures; surveyed all AOs, supervisory AOs, and IJs; and visited three of the eight Asylum Offices. These offices varied in size and percentage of cases granted asylum. Results of these visits provided additional information but were not projectable.

What GAO Recommends

GAO recommends that the Asylum Division, among other things, solicit information from officers on their training needs, develop a plan to implement local quality reviews in all offices, and determine how much time is needed to adjudicate a case in a manner consistent with procedures and training. DHS and USCIS concurred with GAO's recommendations.

To view the full product, including the scope and methodology, click on [GAO-08-935](#). For more information, contact Richard M. Stana at (202) 512-8777 or stanar@gao.gov.

U.S. ASYLUM SYSTEM

Agencies Have Taken Actions to Help Ensure Quality in the Asylum Adjudication Process, but Challenges Remain

What GAO Found

USCIS and EOIR have designed quality assurance mechanisms to help ensure the integrity of asylum adjudications, but some can be improved. While 75 percent of AO survey respondents reported that basic training prepared them at least moderately well to adjudicate cases, they also reported that despite weekly training, they needed additional training to help them detect fraud, conduct security checks, and assess the credibility of asylum seekers. The Asylum Division does not consistently solicit AOs' and supervisory AOs' input on a range of their training needs. Without this, the Asylum Division lacks key information for making training decisions. The Asylum Division has designed a quality review framework to ensure the quality and consistency of asylum decisions. Although supervisors review all cases and headquarters reviews certain cases, other local quality assurance reviews rarely took place in three of the eight Asylum Offices primarily due to competing priorities. By fully implementing its quality review framework, the Asylum Division would better identify deficiencies, examine their root causes, and take action. The majority of IJ survey respondents reported that training enhanced their ability to adjudicate asylum cases, although the majority also reported having additional training needs. EOIR expanded its training program in 2006, particularly for newly hired IJs, and annually solicits IJs' views on their training needs.

Asylum officers reported challenges in identifying fraud and assessing applicants' credibility, as well as time constraints, as key factors affecting their adjudications. The majority of AO survey respondents reported it moderately or very difficult to identify various types of fraud, despite mechanisms designed to help identify fraud and assess credibility. Further, assistance from other federal entities to AOs in assessing the authenticity of asylum claims has been hindered in part by resource limitations and competing priorities. With respect to time constraints, 65 percent of AOs and 73 percent of supervisory AOs reported that AOs have insufficient time to thoroughly adjudicate cases—that is, in a manner consistent with procedures and training—while management's views were mixed. The Asylum Division set a productivity standard equating to 4 hours per case in 1999 without empirical data. Without empirical data on the time it takes to thoroughly adjudicate a case, the Asylum Division is not best positioned to know if its productivity standard reflects the time AOs need for thorough adjudications.

Verifying fraud, assessing credibility, and time constraints are also key factors affecting IJs' adjudications. IJ survey respondents cited verifying fraud (88 percent) and assessing credibility (81 percent) as a moderately or very challenging aspect of asylum adjudications. Responding to 2006 Attorney General reforms, EOIR implemented a program to which IJs can refer instances of suspected fraud and receive information to aid in fraud detection. Eighty-two percent of IJs reported time limitations as moderately or very challenging aspects of their adjudications. EOIR has detailed IJs to courts with high caseloads and plans to hire additional staff, but it is too soon to know the extent to which additional staff will alleviate IJs' time challenges.