



## Testimony

Before the Subcommittee on  
Immigration and Border Security,  
Committee on the Judiciary, House of  
Representatives

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# REFUGEES

## Federal Agencies and Their Partners Have Implemented Certain Measures, but Need to Further Strengthen Applicant Screening and Assess Fraud Risks

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Accessible Version

# GAO Highlights

Highlights of [GAO-18-156T](#), a testimony before the Subcommittee on Immigration and Border Security, Committee on the Judiciary, House of Representatives

## Why GAO Did This Study

According to UNHCR, as of June 2017, more than 21 million people were refugees worldwide. State manages the U.S. Refugee Admissions Program (USRAP) and coordinates with UNHCR, which refers the most applicants to USRAP, and USCIS, which adjudicates refugee applications. Deterring and detecting fraud is essential to ensuring the integrity of USRAP and an increase in the number of applicants approved for resettlement in the United States from countries where terrorists operate has raised questions about the adequacy of applicant screening.

This statement addresses (1) how State works with UNHCR to ensure program integrity in the UNHCR resettlement referral process; (2) the extent to which State and RSCs have policies and procedures on refugee case processing and State has overseen RSC activities; (3) the extent to which USCIS has policies and procedures for adjudicating refugee applications; and (4) the extent to which State, USCIS, and their partners follow leading practices to reduce the risk of staff and applicant fraud in USRAP. This statement is based on GAO's July 2017 reports regarding USRAP. To conduct that work, GAO analyzed State, USCIS, and UNHCR policies; interviewed relevant officials; conducted fieldwork in 2016 at selected UNHCR offices, as well as at RSCs in Austria, Jordan, Kenya, and El Salvador, where GAO observed a nongeneralizable sample of refugee screening interviews (selected based on application data and other factors).

## What GAO Recommends

GAO made recommendations to State and USCIS to strengthen the implementation of USRAP. State and USCIS agreed with GAO's recommendations and have begun taking actions to address them.

View [GAO-18-156T](#). For more information, contact Rebecca Gambler at (202) 512-8777 or [gablerr@gao.gov](mailto:gablerr@gao.gov) or Thomas Melito at (202) 512-9601 or [melitot@gao.gov](mailto:melitot@gao.gov).

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## REFUGEES

### Federal Agencies and Their Partners Have Implemented Certain Measures, but Need to Further Strengthen Applicant Screening and Assess Fraud Risks

#### What GAO Found

The Department of State (State) and the United Nations High Commissioner for Refugees (UNHCR) have worked together on measures designed to ensure integrity in the refugee resettlement referral process and have established a framework to guide their partnership. Working with State, UNHCR has implemented standard operating procedures and other guidance that, according to UNHCR officials, provides baseline requirements throughout the referral process. UNHCR also uses databases to help verify the identities of, and manage information about, refugees.

State and the nine worldwide Resettlement Support Centers (RSC) have policies and procedures for processing refugee applications. Overseen by State, the organizations that operate RSCs hire staff to process and prescreen applicants who have been referred for resettlement consideration. GAO observed 27 prescreening interviews conducted by RSC caseworkers in four countries and found that, for example, RSCs generally recorded key information and submitted any required security checks. However, State has not established outcome-based performance indicators to evaluate whether RSCs were consistently and effectively prescreening applicants and preparing case files—key RSC activities that have important implications for timely and effective adjudication and security checks. Developing outcome-based performance indicators would better position State to determine whether RSCs are meeting their responsibilities.

The Department of Homeland Security's U.S. Citizenship and Immigration Services (USCIS) has policies and procedures for adjudicating refugee applications for resettlement in the United States, including how officers are to conduct interviews and adjudicate applications. GAO observed 29 USCIS interviews and found that officers completed all parts of the required assessment. USCIS also provides guidance to help officers identify national security concerns in applications, which can be challenging to identify as country conditions evolve. In 2016, USCIS determined that its pilot to send officers with national security expertise overseas to support interviewing officers was successful. USCIS has taken steps to fill these positions, but it has not yet developed a plan for deploying these additional officers, whose expertise could help improve the effectiveness of the adjudication process.

State, USCIS, and their partners have implemented antifraud measures to reduce the risk of staff and applicant fraud—both of which have occurred—but could further assess fraud risks. Officials from all nine RSCs stated that they assign staff fraud risk management responsibilities to designated individuals. However, not all RSCs reported complying with all required program integrity measures—reported compliance at individual RSCs ranged from 86 to 100 percent. State has also not required RSCs to conduct regular staff fraud risk assessments tailored to each RSC or examined the suitability of related controls. Without taking additional steps to address these issues, State and RSCs may face challenges in identifying new staff fraud risks or gaps in the program's internal control system and implementing new control activities to mitigate them. Further, State and USCIS have not jointly assessed applicant fraud risk program-wide. Doing so could help them ensure that fraud detection and prevention efforts across USRAP are targeted to those areas that are of highest risk.

Chairman Labrador, Ranking Member Lofgren, and Members of the Subcommittee:

Thank you for the opportunity to discuss our July 2017 reports on the U.S. Refugee Admissions Program (USRAP)—the process by which refugees seek to be resettled in the United States.<sup>1</sup> Millions of people worldwide have fled their home countries to seek asylum because of persecution. In general, individuals determined to have a well-founded fear of persecution on account of their race, religion, nationality, political opinion, or their membership in a particular social group can be registered<sup>2</sup> as refugees with the governments of the countries to which they have fled or with the United Nations High Commissioner for Refugees (UNHCR). As of June 2017, UNHCR reported there were approximately 22.5 million refugees worldwide.

In fiscal year 2016, the United States admitted nearly 85,000 refugees for resettlement, the largest yearly number in more than 15 years, and admitted about 52,000 refugees in fiscal year 2017. Increases in the number of USRAP applicants approved for resettlement in the United States—particularly from countries in the Middle East where terrorist groups such as the Islamic State in Iraq and Syria (ISIS) operate—have raised questions about the adequacy of screening for refugee applicants to prevent access by persons who may be threats to national security.

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<sup>1</sup>GAO, *Refugees: State and Its Partners Have Implemented Several Antifraud Measures but Could Further Reduce Staff Fraud Risks*, [GAO-17-737](#) (Washington, D.C.: July 31, 2017) and *Refugees: Actions Needed by State Department and DHS to Further Strengthen Applicant Screening Process and Assess Fraud Risks*, [GAO-17-706](#) (Washington, D.C.: July 31, 2017). These reports are public versions of sensitive reports that we issued in June 2017. See *Refugees: State and Its Partners Have Implemented Several Antifraud Measures but Could Further Reduce the Risks of Staff Fraud*, [GAO-17-446SU](#) (Washington, D.C.: June 7, 2017) and *Refugees: Actions Needed by State Department and DHS to Further Strengthen Applicant Screening Process and Assess Fraud Risks*, [GAO-17-444SU](#) (Washington, D.C.: June 7, 2017).

<sup>2</sup>See United Nations Convention Relating to the Status of Refugees, July 28, 1951, 189 U.N.T.S. 150; United Nations Protocol Relating to the Status of Refugees, Jan. 31, 1967, 19 U.S.T. 6223. Under U.S. immigration law, in general, qualified foreign nationals located outside of the United States may be granted humanitarian protection in the form of refugee status and resettlement in the United States if they demonstrate that they are unable or unwilling to return to their home country because of past persecution or a well-founded fear of future persecution based on their race, religion, nationality, membership in a particular social group, or political opinion. See 8 U.S.C. §§ 1101(a)(42), 1157(c). In response to the large number of people displaced following World War II, the United Nations established UNHCR in 1950 with the mandate of providing protection to and seeking permanent solutions for refugees.

There are also questions as to whether USRAP is vulnerable to fraud because there have been past cases of fraud committed by both staff involved in the processing of refugee applications (referred to hereafter as staff fraud) and by refugee applicants. Given the potential consequences that the outcomes of decisions on refugee applications can have on the safety and security of both vulnerable refugee populations and the United States, it is important that there is integrity in the resettlement process and that the U.S. government has an effective refugee screening process to allow for resettlement of qualified applicants while preventing persons with malicious intent from using USRAP to gain entry into the country.

The Department of State's (State) Bureau of Population, Refugees, and Migration (PRM) manages USRAP. State works with the Department of Homeland Security's (DHS) U.S. Citizenship and Immigration Services (USCIS), which has responsibility for adjudicating applications for resettlement in the United States as refugees. USCIS officers, in adjudicating applications for resettlement, are to conduct individual, in-person interviews with applicants overseas and use the results of these interviews in coordination with other relevant information, such as the results of applicants' security checks, to determine whether USCIS will approve the applicants for resettlement in the United States as refugees. State receives applications and referrals for refugee resettlement from a variety of sources, with most coming from UNHCR. UNHCR is mandated to work with governments to provide "durable solutions" to refugees so that they may transition out of refugee status and rebuild their lives. This may include their consideration to submit a refugee's case to the United States or other country for resettlement. Both State and USCIS coordinate with nine Resettlement Support Centers (RSC) worldwide to manage applications and referrals to USRAP, interview applicants to collect their information (referred to as prescreening), and prepare approved refugee applicants for resettlement to the United States.<sup>3</sup> State oversees these RSCs, four of which are operated by the International Organization for Migration (IOM), and four of which are operated by nongovernmental organizations (NGO). The ninth RSC, in Havana, Cuba, is operated directly by State.

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<sup>3</sup>The nine RSCs cover the following countries or geographic regions and are located in the cities and countries in parentheses: Africa (Nairobi, Kenya); Austria (Vienna, Austria); Cuba (Havana, Cuba); East Asia (Bangkok, Thailand); Eurasia (Moscow, Russia); Latin America (Quito, Ecuador); the Middle East and North Africa (Amman, Jordan); South Asia (Damak, Nepal); and Turkey and the Middle East (Istanbul, Turkey).

This statement summarizes our July 2017 reports.<sup>4</sup> Specifically, this statement addresses (1) how State works with UNHCR to ensure program integrity in the UNHCR resettlement referral process; (2) the extent to which State and RSCs have policies and procedures on refugee case processing and State has overseen RSC activities; (3) the extent to which USCIS has policies and procedures for adjudicating refugee applications; and (4) the extent to which State, USCIS, and their partners follow leading practices to reduce the risk of staff and applicant fraud in USRAP. For those reports, we reviewed State, DHS, RSC, and UNHCR policies and documents and interviewed relevant officials—including officials at all 9 RSCs. In addition, we conducted fieldwork at selected UNHCR offices, as well as at RSCs in Austria, Jordan, Kenya, and El Salvador.<sup>5</sup> At the RSCs, we observed two nongeneralizable samples of refugee screening interviews in 2016 (selected based on application data and other factors). More detailed information on our objectives, scope, and methodology for that work can be found in the issued reports. We conducted the work upon which this statement is based in accordance with generally accepted government auditing standards.

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## State Has Worked with UNHCR on Various Measures Designed to Ensure the Integrity of the Resettlement Referral Process

In July 2017, we found that State and UNHCR have worked together on several measures designed to ensure integrity in the process through which UNHCR refers refugees to USRAP for potential resettlement in the United States (or, the resettlement referral process).<sup>6</sup> Since 2000, State and UNHCR have outlined their formal partnership using a Framework for Cooperation. State and UNHCR signed the most recent framework document in 2016, covering the period of March 14, 2016 to December 31, 2017. The organizations developed the framework to guide their partnership, emphasizing measures such as oversight activities and risk management. Among other things, the framework emphasizes improved accountability at UNHCR through effective oversight measures, close

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<sup>4</sup>[GAO-17-737](#) and [GAO-17-706](#).

<sup>5</sup>The office in El Salvador is a sub-office associated with the IOM-run RSC in Quito, Ecuador.

<sup>6</sup>[GAO-17-737](#)

cooperation with State, and organization-wide risk management. In addition, the framework notes that State will work to ensure that UNHCR allocates sufficient resources to fully implement measures to provide oversight and accountability. For instance, UNHCR has several offices that are responsible for overseeing antifraud activities, in addition to providing audit services, investigating instances of fraud, and conducting broad reviews of country-level operations such as the United Nations Office of Internal Oversight Services and the Board of Auditors. The framework also describes regular coordination and communication between State and UNHCR as an important principle in the relationship between the two organizations. Specifically, at the headquarters level, the U.S. Mission in Geneva, Switzerland, has a humanitarian affairs office that, according to State officials, coordinates with UNHCR on a regular basis.

Additionally, UNHCR has developed standard operating procedures (SOPs) and identity management systems to combat the risk of fraud and worked with State to implement these activities in the resettlement process. Despite the complexity and regional variations in its refugee registration, refugee status determination, and resettlement referral processes, UNHCR officials said that standardizing procedures ensures that the organization has established basic antifraud practices worldwide. These officials added that they believe that the SOPs are among the most important tools with which they ensure the integrity of the resettlement referral process. UNHCR officials also collect biometric information on refugees, such as iris scans and fingerprints. State and UNHCR developed a Memorandum of Understanding (MOU) regarding the sharing of some biometric information. According to a Letter of Understanding that accompanies the MOU, it provides a framework whereby data from UNHCR is shared with State, which allows for increased efficiency and accuracy in processing resettlement referrals to the United States. See figure 2 for photographs of technology that UNHCR uses to register and verify refugee identities.

**Figure 1: Technology that the United Nations High Commissioner for Refugees (UNHCR) Uses to Register and Verify Refugee Identities**



On the left, a Sudanese man provides iris scans during registration with UNHCR in Chad. On the right, an unaccompanied Afghan child provides fingerprint scans to UNHCR in a children's shelter in Indonesia.

Source: © UNHCR/S.A. Jefferies. | GAO-18-156T

## State and RSCs Have Policies and Procedures for Processing Refugees, but State Could Improve Efforts to Monitor RSC Performance

State and RSCs have policies and procedures for processing refugee applications, but, as we found in July 2017, State has not established outcome-based performance measures to assess whether RSCs are meeting their objectives under USRAP.<sup>7</sup> State's *USRAP Overseas Processing Manual* includes requirements for information RSCs should collect when prescreening applicants and initiating national security checks, among other things.<sup>8</sup> RSCs communicate directly with USRAP applicants and prepare their case files. For example, RSCs are to conduct prescreening interviews to record key information, such as applicants' persecution stories and information about their extended family, and submit certain security checks based on the information

<sup>7</sup>GAO-17-706

<sup>8</sup>Department of State, *USRAP Overseas Processing Manual* (Washington, D.C.: October 2015).

collected during the interview to U.S. agencies.<sup>9</sup> In addition, State developed SOPs for processing and prescreening refugee applications at RSCs, which State officials indicated provide baseline standards for RSC operations. Further, all four of the RSCs we visited provided us with their own local SOPs that incorporated the topics covered in State's SOPs. Directors at the remaining five RSCs also told us that they had developed local SOPs that covered the overarching USRAP requirements. We observed how RSC staff implemented State's case processing and prescreening policies and procedures during our site visits to four RSCs from June 2016 to September 2016. Specifically, we observed 27 prescreening interviews conducted by RSC caseworkers at the four RSCs we visited and found that these caseworkers generally adhered to State requirements during these interviews. In addition, we observed how RSC staff in all four locations implemented additional required procedures during our site visits, such as initiating required security checks and compiling case file information for USCIS interviewing officers, and found that these RSC staff were generally complying with SOPs.

State has control activities in place to monitor how RSCs implement policies and procedures for USRAP, but it does not have outcome-based performance indicators to assess whether RSCs are meeting their objectives under USRAP. Consistent with State's January 2016 *Federal Assistance Policy Directive*, and according to State officials, State is required to monitor the RSCs it funds, whether through cooperative agreements or voluntary contributions.<sup>10</sup> On the basis of our interviews with State officials and as reflected in documentation from all nine RSCs, including quarterly reports to State, all RSCs have generally undergone the same monitoring regime regardless of funding mechanism.<sup>11</sup> Further, according to State officials, the department has dedicated Program Officers located in Washington, D.C., and Refugee Coordinators based in U.S. embassies worldwide, who are responsible for providing support to RSCs and monitoring their activities—including conducting annual monitoring visits. Further, State has established objectives for RSCs,

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<sup>9</sup>Specifically, RSCs are required to initiate, as applicable, security checks through which applications are screened for indicators that applicants might pose a national security or fraud concern, or have immigration or criminal violations, among other things.

<sup>10</sup>Department of State, *Federal Assistance Policy Directive* (Washington, D.C.: January 2016).

<sup>11</sup>State funds four RSCs through cooperative agreements, four through a voluntary contribution to the International Organization for Migration (IOM), and self-operates the final RSC (RSC Cuba).



which include interviewing applicants to obtain relevant information for the adjudication and ensuring the accuracy of information in State's database and the case files. State also establishes annual targets for the number of refugees who depart for the United States from each RSC.

Although State has established objectives and monitors several quantitative goals for RSCs, it has not established outcome-based performance indicators for key RSC activities such as prescreening applicants or accurate case file preparation, or monitored RSC performance consistently across such indicators. Specifically, neither the quarterly reports nor other monitoring reports we examined have or use consistent outcome-based performance indicators from which State could evaluate whether RSCs were consistently and effectively prescreening applicants and preparing case files—key RSC activities that have important implications for timely and effective USCIS interviews and security checks. Developing outcome-based performance indicators, as required by State policy and performance management guidance, and monitoring RSC performance against such indicators on a regular basis, would better position State to determine whether all RSCs are processing refugee applications in accordance with their responsibilities under USRAP.

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## USCIS Has Policies and Procedures for Adjudicating Refugee Applications, but Could Improve Training and Quality Assurance

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### USCIS Has Policies and Procedures to Adjudicate Refugee Applications, but Could Improve Training for Temporary Officers

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USCIS has developed policies and procedures for adjudicating refugee applications. In July 2017, we found that these policies and procedures apply to all USCIS officers who adjudicate refugee applications—those from USCIS's Refugee Affairs Division (RAD), International Operations Division (IO), and temporary officers from offices throughout USCIS—and include those for how officers are to review the case file before the interview and conduct the interview, as well as how supervisors are to

review applications to ensure they are legally sufficient.<sup>12</sup> We observed 29 USCIS refugee interviews at the four RSCs that we visited from June 2016 to September 2016 and found that the interviewing officers completed all parts of the assessment tool and followed other required policies. We also observed that the USCIS officers documented the questions they asked and the answers the applicants provided. We also observed USCIS supervisors while they reviewed officers' initial decisions, interview transcripts, and case file documentation, consistent with USCIS policy, at two of the sites we visited.<sup>13</sup> Further, all six of the officers that we met with stated that supervisors conducted the required supervisory case file review during their circuit rides and the four supervisory officers we met with were aware of the requirements and stated that they conducted the supervisory reviews.<sup>14</sup>

USCIS also provides specialized training to all officers who adjudicate applications abroad, but we found that USCIS could provide additional training for officers who work on a temporary basis. According to USCIS policy, all USCIS officers who adjudicate refugee applications must complete specialized training, and the training varies based on the USCIS division of the officer. However, temporary officers receive a condensed (or shortened) version of the trainings received by full time refugee officers and do not receive infield training. Although temporary officers receive training prior to conducting in-person interviews with refugee applicants, we found that they sometimes face challenges adjudicating refugee applications. Specifically, we reviewed 44 summary trip reports USCIS supervisors completed following officers' trips overseas to interview USRAP applicants from the fourth quarter of 2014 through the third quarter of 2016 that included adjudications by temporary officers.<sup>15</sup>

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<sup>12</sup>[GAO-17-706](#). RAD officers are to adjudicate the majority of applications for refugee status. These officers are based in Washington, D.C. but travel to multiple locations where the caseload is large for 6 to 8 weeks at a time interviewing USRAP applicants. IO is the component of USCIS that is charged with advancing the USCIS mission in the international arena. IO has 24 offices around the world and, among other responsibilities, generally adjudicates cases where the caseload is small or where IO has a permanent office presence, such as Moscow.

<sup>13</sup>We did not have an opportunity to directly observe supervisory review at the remaining two locations.

<sup>14</sup>RAD officers are based in Washington, D.C., but they travel to multiple locations for 6 to 8 weeks at a time (called circuit rides), generally making four trips per year.

<sup>15</sup>We analyzed all 107 available reports completed following circuit rides during this time frame.

In 15 of the 44 reports, the supervisors noted that temporary officers faced challenges adjudicating refugee applications. Standards for Internal Control in the Federal Government state that management should demonstrate a commitment to recruit, develop, and retain competent individuals. The standards also note that competence is the qualification to carry out assigned responsibilities, and requires relevant knowledge, skills, and abilities, which are gained largely from professional experience, training, and certifications.<sup>16</sup> To the extent that USCIS uses temporary officers on future circuit rides, providing them with additional training, such as in-field training, would help better prepare them to interview refugees and adjudicate their applications, increase the quality and efficiency of their work, and potentially reduce the supervisory burden on those who oversee temporary officers.

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### USCIS Has Resources to Help Officers Identify Applicants with National Security Concerns, but Has Not Documented Plans for Deploying Officers with National Security Expertise Overseas

In addition to training, USCIS has developed guidance documents and tools to help officers identify USRAP applicants with potential national security concerns. However, we found that USCIS could strengthen its efforts by developing and implementing a plan for deploying officers with national security expertise on selected circuit rides.<sup>17</sup> USCIS provides a number of resources to officers to help them identify and address potential national security-related concerns in USRAP applications. In addition, USCIS's national security policies and operating procedures require that cases with national security concerns be placed on hold by interviewing officers. These cases are then reviewed by USCIS headquarters staff who have additional specialized training and expertise in vetting national security issues. While USCIS has training and guidance to adjudicate cases with national security-related concerns, USCIS trip reports we analyzed and officers we interviewed indicated that it can be challenging to adjudicate such applications. USCIS officials identified several reasons why it is challenging to provide training and guidance on how to adjudicate cases with potential national security

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<sup>16</sup>GAO, *Standards for Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: September 2014).

<sup>17</sup>[GAO-17-706](#)

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concerns. For example, according to RAD and IO headquarters officials, indicators of national security concerns and the country conditions that give rise to them evolve and change; as a result, USCIS guidance on how to address those concerns also changes over time.

To further help interviewing officers adjudicate cases with national security concerns, in 2016, USCIS completed a pilot program that included sending officers with national security expertise overseas to support interviewing officers in some locations. USCIS determined the pilot was successful and has taken steps to formalize it; however, USCIS has not developed and implemented a plan for deploying these additional officers, whose expertise could help improve the efficiency and effectiveness of the adjudication process. In light of the evolving and significant nature of national security concerns, developing and implementing a plan to deploy additional USCIS officers with national security expertise on circuit rides—including timeframes for deployment and how USCIS will select circuit rides for deployment—would better ensure that USCIS provides interviewing officers with the resources needed to efficiently and effectively adjudicate cases with national security concerns.

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## USCIS Does Not Conduct Regular Quality Assurance Assessments of Refugee Adjudications

We also found that USCIS has not regularly assessed the quality of refugee adjudications, which help ensure that case files are completed accurately and that decisions by USCIS officers are well-documented and legally sufficient.<sup>18</sup> USCIS conducted a quality assurance review of refugee adjudications in fiscal year 2015, which included a sample of applications adjudicated by RAD and IO during one quarter of the fiscal year. The 2015 quality assurance review found that most cases in the sample were legally sufficient.<sup>19</sup> However, the review indicated that there were differences between RAD and IO adjudications. Specifically, the

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<sup>18</sup>[GAO-17-706](#)

<sup>19</sup>During USCIS quality assurance reviews, each case is assigned to one of five categories that reflect the quality level of the case. The categories are: legally sufficient 1 – overall, the quality of the adjudication is excellent; legally sufficient 2 – overall, the quality of the adjudication is good; legally sufficient 3 – overall, the quality of the adjudication is acceptable; legally sufficient 4 – overall, the quality of the adjudication is minimally acceptable; and not legally sufficient – the case is not legally sufficient and/or violates program policy.

review rated 69 of 80 RAD case files (86 percent) as good or excellent, and rated 36 of 73 IO case files (49 percent) as good or excellent. Two of 80 RAD case files (less than 3 percent) in the review and 17 of 73 IO case files (23 percent) were rated as not legally sufficient.<sup>20</sup> USCIS developed action items to address identified deficiencies and has taken steps to implement them. Among cases rated not legally sufficient, the most common deficiency identified was that interviewing officers did not fully develop the interview record with respect to possible inadmissibilities.<sup>21</sup> Other deficiencies reported included interview records not being fully developed with respect to well-founded fear of persecution, improper documentation and analysis of terrorism-related inadmissibility concerns, incorrect hold determination, and required sections of the assessment leading to the adjudication decision that were incomplete.

Although there have been major changes in the refugee caseload in the past 2 years (such as an increase in Syrian refugees), an increased use of temporary staff to conduct refugee adjudications in fiscal year 2016, and the difference in quality between RAD and IO adjudications noted in the 2015 quality assurance review, USCIS did not conduct quality reviews in 2016 and had no plans to conduct them in 2017. *Standards for Internal Control in the Federal Government* states that management should establish and operate monitoring activities to monitor the internal control system and evaluate the results.<sup>22</sup> In addition, standard practices for program management state that program quality should be monitored on a regular basis to provide confidence that the program will comply with the relevant quality policies and standards.<sup>23</sup> USCIS officials stated that

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<sup>20</sup>The assessment rated an additional 12 IO cases (16 percent) and zero RAD cases as minimally acceptable. The sample was not representative of all RAD and IO applications for the fiscal year.

<sup>21</sup>Among other things, USCIS officers may not classify an applicant as a refugee or approve an applicant for refugee resettlement in the United States if he or she: has participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group or political opinion; is inadmissible for having engaged in terrorist activity or associating with terrorist organizations; is inadmissible on certain non-waivable criminal or security grounds; or is firmly resettled in a foreign country. See, e.g., 8 U.S.C. §§ 1101(a)(42) (establishing the persecutor bar); 1182(a)(2)(establishing criminal and related grounds of inadmissibility) and (a)(3) (establishing security and related grounds of inadmissibility, including terrorism-related grounds); and 8 U.S.C. § 1157(c) (establishing that firm resettlement in any foreign country is a bar to admission as a refugee).

<sup>22</sup>[GAO-14-704G](#).

<sup>23</sup>Project Management Institute, Inc., *The Standard for Program Management*®, Third Edition, 2013.

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supervisors continue to review each refugee case file for legal sufficiency and completeness at the time of the interview. While supervisory review is an important quality control step, it does not position USCIS to identify systematic quality concerns, such as those identified in the fiscal year 2015 quality assessment results. Conducting such reviews would help ensure that case files are completed accurately and that decisions by USCIS officers are well-documented and legally sufficient.

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## State, USCIS, and Their Partners Have Implemented Antifraud Measures but Could Further Assess Staff and Applicant Fraud Risks

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### To Address Fraud Risks, State and RSCs Have Taken Steps to Follow Many Leading Antifraud Practices but Could Improve Implementation of Controls and Assessment of Risk

According to State officials we interviewed for our July 2017 report, staff fraud at RSCs occurs infrequently, but instances of staff fraud have taken place in recent years, such as RSC staff soliciting bribes from applicants in exchange for promises of expediting applicants through RSC processing.<sup>24</sup> State and RSCs reported instituting a number of activities to combat the risk of fraud committed by RSC staff. Many of these activities correspond with leading practices identified in GAO's Fraud Risk Framework which identifies leading antifraud practices to aid program managers in managing fraud risks that affect their program.<sup>25</sup> For instance, State and RSCs reported that they have taken steps to commit to an organizational culture and structure to help manage staff fraud risks and established collaborative relationships with both internal and external partners to share information. Officials from all nine RSCs stated that they assign staff fraud risk management responsibilities to designated individuals. In addition, State and RSCs reported that RSCs have designed control activities to address staff fraud risk. State officials identified two key guidance documents containing control activities: RSC

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<sup>24</sup>[GAO-17-737](#)

<sup>25</sup>GAO, *A Framework for Managing Fraud Risks in Federal Programs*, [GAO-15-593SP](#) (Washington, D.C.: July, 2015).

SOPs and the Program Integrity Guidelines. The Program Integrity Guidelines are a list of 87 measures designed to prevent and mitigate staff fraud at RSCs. The measures were developed by State and provided to RSCs in response to a staff fraud incident in 2013 that resulted in the termination of two RSC staff. These measures include control activities addressing issues such as background checks, interpreter assignment, antifraud training, office layout, case file reviews, electronic data management, and reporting and responding to instances of suspected fraud.

State required RSCs to comply with the original Program Integrity Guidelines by October 2014; however, our review of RSC documents found that RSCs reported complying with most, but not all, of the required measures applicable to their operations. Reported compliance with required, applicable measures at individual RSCs ranged from 86 percent to 100 percent. For 53 of the 72 measures, compliance was reported by all RSCs for which the measure was applicable.<sup>26</sup> Some RSCs have reported that they face challenges in fully implementing certain controls. State officials told us that they work to ensure that each RSC complies with all required controls in the Program Integrity Guidelines. If an RSC reports that it does not yet fully comply with a measure listed in the Program Integrity Guidelines, State expects the RSC to report its progress toward compliance to State. While this reporting assists State in its implementation efforts, we found that gaps remain. Full compliance with these measures could help RSCs ensure the integrity of their operations and guard against staff fraud.

In addition, State has taken some steps to assess the risks posed by staff fraud to RSC operations; however, we found that not all RSCs have conducted staff fraud risk assessments that follow leading practices identified in the Fraud Risk Framework, including (1) conducting assessments at regular intervals or when the program experiences changes, (2) tailoring assessments to the program and its operations, and (3) examining the suitability of existing fraud controls. State officials told us that not all RSCs had conducted staff fraud risk assessments because State's Program Integrity Guidelines recommend but do not require these assessments. Without State requiring RSCs to conduct regular staff fraud

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<sup>26</sup>Our calculations of the percentages of reported RSC compliance exclude measures that RSCs reported to be not applicable to their operations. For example, RSC Cuba reported that it does not hire interpreters, so we did not include measures related to interpreters in our analysis of RSC Cuba's reported compliance with the Program Integrity Guidelines.

risk assessments tailored to their specific operations, staff fraud risk assessments conducted by individual RSCs have varied. Further, we found that State and most RSCs have not examined the suitability of existing fraud controls. For example, while one RSC has regularly assessed the suitability of its existing staff fraud controls by conducting regular staff fraud risk assessments that examine the likelihood and impact of potential fraudulent activity and related fraud controls, the remaining eight RSCs have not done so. State officials told us that because State does not require RSCs to conduct risk assessments, information needed to assess the suitability of existing controls is not available from all RSCs. As the number of refugees accepted varies each year by RSC, internal control systems may need to be changed to respond to the potential increased fraud risk. Without requiring RSCs to conduct regular staff fraud risk assessments that are tailored to their specific operating environments and reviewing these assessments to examine the suitability of existing fraud controls, State may lack necessary information about staff fraud risks and therefore not have reasonable assurance that existing controls effectively reduce these risks. Information from such risk assessments could help State and RSCs revise existing controls or develop new controls to mitigate the staff fraud risks faced by the program, if necessary.

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### State and USCIS Have Mechanisms to Help Detect and Prevent Applicant Fraud, but Could Jointly Assess Applicant Fraud Risks

Fraud can occur in the refugee process in a number of ways, and State, RSCs, and USCIS have implemented certain mechanisms to help detect and prevent fraud by USRAP applicants.<sup>27</sup> USCIS officers can encounter indicators of fraud while adjudicating refugee applications, and State has suspended USRAP programs in the past because of fraud. To detect and prevent applicant fraud in USRAP, State, RSCs, and USCIS have put mechanisms in place such as DNA testing for certain applicants; training on applicant fraud trends for USCIS officers; and procedures at RSCs to require, where possible, that different interpreters be involved in different stages of the USRAP application process to decrease the likelihood that applicants collude with interpreters. However, State and USCIS have not jointly assessed applicant fraud risks program-wide. The Fraud Risk Framework calls for program managers to plan and conduct regular fraud

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<sup>27</sup> [GAO-17-706](#)



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risk assessments.<sup>28</sup> In addition, *Standards for Internal Control in the Federal Government* states that management should consider the potential for fraud when identifying, analyzing, and responding to risks, and analyze and respond to identified fraud risks, through a risk analysis process, so that they are effectively mitigated.<sup>29</sup>

Although State and USCIS perform a number of fraud risk management activities and have responded to individual instances of applicant fraud, we found that these efforts do not position the agencies to assess fraud risks program-wide for USRAP or know if their controls are appropriately targeted to the areas of highest risk in the program. State and USCIS officials told us that each agency has discrete areas of responsibility in the refugee admissions process, and each agency's antifraud activities are largely directed at their portions of the process. Because the management of USRAP involves several agencies, without jointly and regularly assessing applicant fraud risks and determining the fraud risk tolerance of the entirety of USRAP, in accordance with leading practices, State and USCIS do not have comprehensive information on the inherent fraud risks that may affect the integrity of the refugee application process and therefore do not have reasonable assurance that State, USCIS, and other program partners have implemented controls to mitigate those risks. Moreover, regularly assessing applicant fraud risks program-wide could help State and USCIS ensure that fraud prevention and detection efforts across USRAP are targeted to those areas that are of highest risk, in accordance with the program's fraud risk tolerance.

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## Our Recommendations and Agencies' Responses

In our July reports, we made several recommendations to State and DHS. Specifically, we recommended that State take the following actions in [GAO-17-706](#):

- develop outcome-based indicators for RSC, as required by State policy;
- monitor RSC performance against such indicators on a regular basis;

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<sup>28</sup>[GAO-15-593SP](#).

<sup>29</sup>[GAO-14-704G](#).

And we recommended that State take the following actions in [GAO-17-737](#):

- actively pursue efforts to ensure that RSCs comply with required, applicable measures in the Program Integrity Guidelines;
- update guidance, such as the Program Integrity Guidelines, to require each RSC to conduct regular staff fraud risk assessments that are tailored to each RSC's specific operations; and
- regularly review RSC staff fraud risk assessments and use them to examine the suitability of existing staff fraud controls and revise controls as appropriate.

We recommended that USCIS take the following actions in [GAO-17-706](#):

- provide additional training for any temporary officers who adjudicate refugee applications;
- develop and implement a plan to deploy officers with national security expertise overseas;
- conduct regular quality assurance assessments of refugee application adjudications across RAD and IO.

We also recommended that State and USCIS conduct regular joint risk assessments of applicant fraud risk across USRAP.

State and USCIS concurred with all of our recommendations and have actions underway to address them. For example, State noted that it has developed new guidance to enhance the monitoring of RSCs, which outlines roles, responsibilities, and tools for program officers and refugee coordinators. In addition, USCIS provided documentation that USCIS officials conducted a quality assurance assessment of refugee adjudications in July 2017. Moreover, in July 2017, USCIS provided documentation indicating that it instituted additional headquarters and overseas training for temporary officers consistent with our recommendation. Therefore, we closed this recommendation as implemented.

Chairman Labrador, Ranking Member Lofgren, and Members of the Subcommittee, this completes my prepared statement. I would be pleased to respond to any questions that you may have.

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## GAO Contacts and Staff Acknowledgments

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