



July 2017

# REFUGEES

## Actions Needed by State Department and DHS to Further Strengthen Applicant Screening Process and Assess Fraud Risks

# GAO Highlights

Highlights of [GAO-17-706](#), a report to congressional addressees

## Why GAO Did This Study

Increases in the number of USRAP applicants approved for resettlement in the United States from countries where terrorists operate have raised questions about the adequacy of applicant screening.

GAO was asked to review the refugee screening process. This report (1) describes what State and DHS data indicate about the characteristics and outcomes of USRAP applications, (2) analyzes the extent to which State and RSCs have policies and procedures on refugee case processing and State oversees RSC activities, (3) analyzes the extent to which USCIS has policies and procedures for adjudicating refugee applications, and (4) analyzes the extent to which State and USCIS have mechanisms in place to detect and prevent applicant fraud. GAO reviewed State and DHS policies, analyzed refugee processing data and reports, observed a nongeneralizable sample of refugee screening interviews in four countries in 2016 (selected based on application data and other factors), and interviewed State and DHS officials and RSC staff.

## What GAO Recommends

GAO recommends that State (1) develop outcome-based indicators to measure RSC performance and (2) monitor against these measures; USCIS (1) enhance training to temporary officers, (2) develop a plan to deploy additional officers with national security expertise, and (3) conduct regular quality assurance assessments; and State and DHS jointly conduct regular fraud risk assessments. State and DHS concurred with GAO's recommendations.

View [GAO-17-706](#). For more information, contact Rebecca Gambler at (202) 512-8777 or [gambler@gao.gov](mailto:gambler@gao.gov).

July 2017

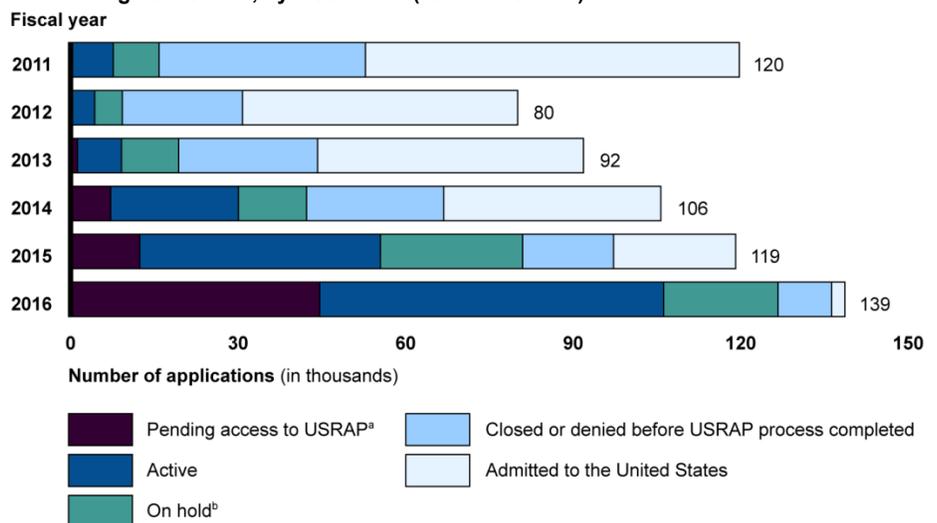
## REFUGEES

### Actions Needed by State Department and DHS to Further Strengthen Applicant Screening Process and Assess Fraud Risks

## What GAO Found

From fiscal year 2011 through June 2016, the U.S. Refugee Admission Program (USRAP) received about 655,000 applications and referrals—with most referrals coming from the United Nations High Commissioner for Refugees—and approximately 227,000 applicants were admitted to the United States (see figure). More than 75 percent of the applications and referrals were from refugees fleeing six countries—Iraq, Burma, Syria, Somalia, the Democratic Republic of Congo, and Bhutan. Nine Department of State- (State) funded Resettlement Support Centers (RSC) located abroad process applications by conducting prescreening interviews and initiating security checks, among other activities. Such information is subsequently used by the Department of Homeland Security's (DHS) U.S. Citizenship and Immigration Services (USCIS), which conducts in-person interviews with applicants and assesses eligibility for refugee status to determine whether to approve or deny them for resettlement.

**Status of U.S. Refugee Admissions Program (USRAP) Applications Received from Fiscal Year 2011 through June 2016, by Fiscal Year (as of June 2016)**



Source: GAO analysis of USRAP data. | GAO-17-706

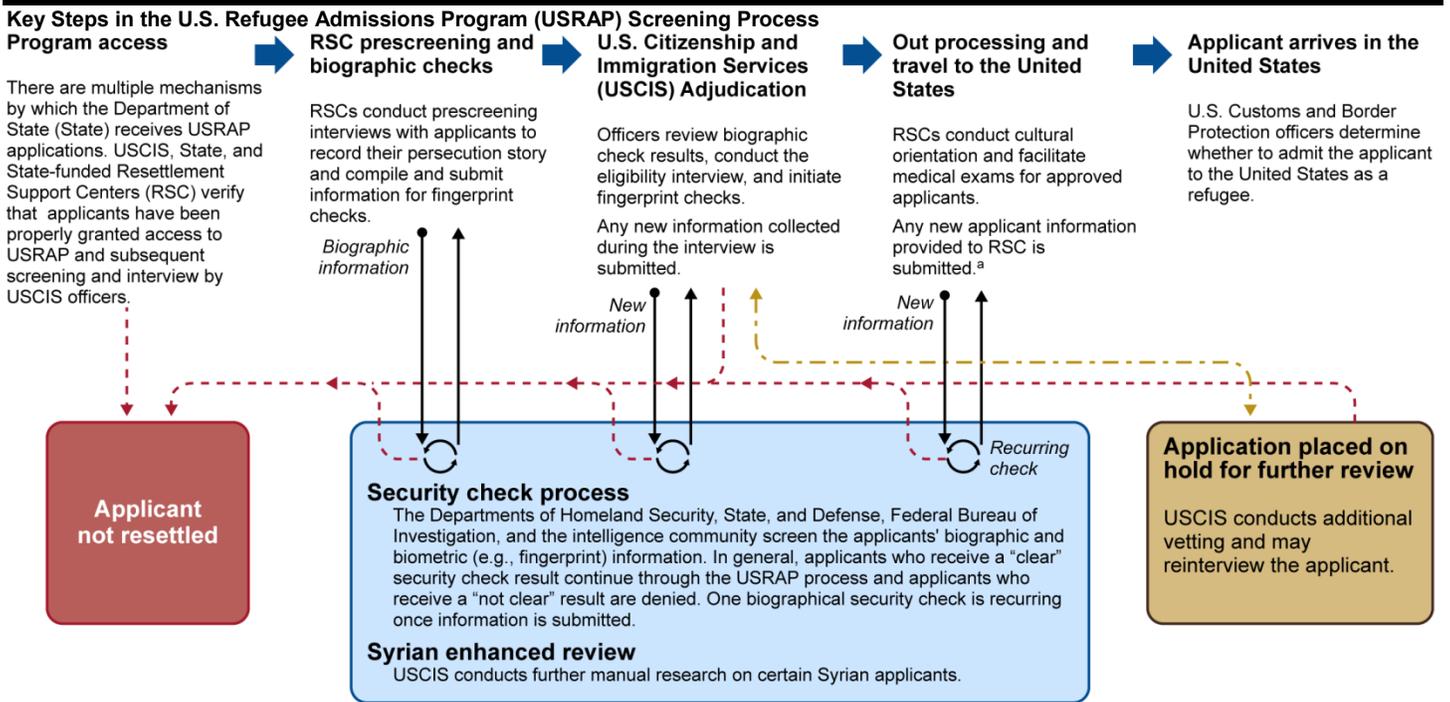
<sup>a</sup>After receiving an application, USRAP partners determine whether the applicant qualifies for a U.S. Citizenship and Immigration Services (USCIS) interview.

<sup>b</sup>USCIS officers may place an application on hold after their interview if they determine that additional information is needed to adjudicate the application.

State and RSCs have policies and procedures for processing refugee applications, but State has not established outcome based-performance measures. For example, State's *USRAP Overseas Processing Manual* includes requirements for information RSCs should collect when prescreening applicants and initiating national security checks, among other things. GAO observed 27 prescreening interviews conducted by RSC caseworkers in four countries and found that they generally adhered to State requirements. Further, State has control activities in place to monitor how RSCs implement policies and procedures. However, State has not established outcome-based performance indicators for key activities—such as prescreening applicants and accurate case

file preparation—or monitored RSC performance consistently across such indicators. Developing outcome-based performance indicators, and monitoring RSC performance against such indicators on a regular basis, would better position State to determine whether RSCs are processing refugee applications in accordance with their responsibilities.

USCIS has policies and procedures for adjudicating applications—including how its officers are to conduct interviews, review case files, and make decisions on refugee applications—but could improve training, the process for adjudicating applicants with national security concerns, and quality assurance assessments. For example, USCIS has developed an assessment tool that officers are to use when interviewing applicants. GAO observed 29 USCIS interviews and found that officers completed all parts of the assessment. USCIS also provides specialized training to all officers who adjudicate applications abroad, but could provide additional training for officers who work on a temporary basis, which would better prepare them to adjudicate applications. In addition, USCIS provides guidance to help officers identify national security concerns in applications and has taken steps to address challenges with adjudicating such cases. For example, in 2016, USCIS completed a pilot 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. Further, USCIS does not conduct regular quality assurance assessments of refugee adjudications, consistent with federal internal control standards. Conducting regular assessments of refugee adjudications would allow USCIS to target training or guidance to areas of most need.



Source: GAO analysis of Department of State and USCIS information. | GAO-17-706

<sup>a</sup>All persons traveling to the United States by air are subject to standard U.S. government vetting practices.

State and USCIS have mechanisms in place to detect and prevent applicant fraud in USRAP, such as requiring DNA testing for certain applicants, but have not jointly assessed applicant fraud risks program-wide. Applicant fraud may include document and identity fraud, among other things. USCIS officers can encounter indicators of fraud while adjudicating refugee applications, and fraud has occurred in USRAP programs in the past. Because the management of USRAP involves several agencies, jointly and regularly assessing fraud risks program-wide, consistent with leading fraud risk management practices and federal internal control standards, could help State and USCIS ensure that fraud detection and prevention efforts across USRAP are targeted to those areas that are of highest risk.

This is a public version of a sensitive report issued in June 2017. Information that the Departments of Homeland Security, and State deemed to be sensitive is not included in this report.

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## Abbreviations

AOR	Affidavit of Relationship
CAM	Central American Minors Program
CBP	U.S. Customs and Border Protection
CLASS	Consular Lookout and Support System
DHS	Department of Homeland Security
FBI	Federal Bureau of Investigation
GPRA	Government Performance and Results Act of 1993
GPRAMA	GPRA Modernization Act of 2010
INA	Immigration and Nationality Act
IO	International Operations
IOM	International Organization for Migration
ISIS	Islamic State in Iraq and Syria
MOU	memorandum of understanding
NGO	non-governmental organization
P1	Priority 1
P2	Priority 2
P3	Priority 3
RAD	Refugee Affairs Division
RAIO	Refugee, Asylum, and International Operations Directorate
RAVU	Refugee Access Verification Unit
RSC	Resettlement Support Center
State	Department of State
SOP	standard operating procedures
SVPI	Security, Vetting, and Program Integrity unit
UNHCR	United Nations High Commissioner for Refugees
USCIS	U.S. Citizenship and Immigration Services
USRAP	U.S. Refugee Admissions Program

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July 31, 2017

Congressional Addressees

An estimated 34,000 people are forced to flee their homes each day because of conflict, oppression, and persecution, according to the United Nations High Commissioner for Refugees (UNHCR).<sup>1</sup> U.S. immigration law provides that 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.<sup>2</sup> UNHCR reported that there were more than 21 million refugees worldwide in 2015.<sup>3</sup> In fiscal year 2016, the United States admitted approximately 85,000 refugees for resettlement—the largest yearly number in more than 15 years—through the U.S. Refugee Admissions Program (USRAP).

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. There are also questions as to whether USRAP is vulnerable to fraud because, for example, testimonial evidence alone, without corroboration, may be sufficient for refugee applicants to meet the burden of proof for establishing eligibility for resettlement in the United States.<sup>4</sup> Given the potential consequences that the outcomes of decisions on refugee applications can have on the safety and security of both

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<sup>1</sup>UNHCR, *Global Trends: Forced Displacement in 2015* (Geneva, Switzerland: June 2015).

<sup>2</sup>U.S. immigration law also provides that eligible spouses and children of such refugees shall also be admitted as refugees when accompanying or following-to-join the principal refugee, but are not required to establish a persecution claim of their own.

<sup>3</sup>UNHCR, *Global Trends: Forced Displacement in 2015*.

<sup>4</sup>See, e.g., 8 U.S.C. § 1158(b)(1)(B)(ii) (providing that the testimony of the applicant may be sufficient to sustain the applicant's burden without corroboration, and that if evidence to corroborate otherwise credible testimony is deemed necessary, such evidence must be provided unless the applicant does not have the evidence and cannot reasonably obtain the evidence).

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vulnerable refugee populations and the United States, it is important that the U.S. government have 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 Departments of State (State) and Homeland Security (DHS) have joint responsibility for the admission of refugees to the United States. Specifically, State's Bureau of Population, Refugees, and Migration coordinates and manages USRAP and makes decisions on which individuals around the world are eligible for resettlement as refugees in the United States. State coordinates with DHS and other agencies in carrying out this responsibility. In particular, nine State-funded Resettlement Support Centers (RSC) that are operated by international and nongovernmental organizations and are located abroad with distinct geographic areas of responsibility communicate directly with applicants to process their applications, collect their information, and conduct in-person prescreening interviews.<sup>5</sup> After such prescreening is complete, DHS's U.S. Citizenship and Immigration Services (USCIS) has responsibility for adjudicating applications from these individuals. In adjudicating such applications, USCIS officers are to conduct individual, in-person interviews with applicants overseas and use the results of these interviews in conjunction 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. Federal agencies within and outside of the intelligence community, including the National Counterterrorism Center (NCTC), the Department of Defense, and the Federal Bureau of Investigation (FBI), partner with State and USCIS on security checks to identify and vet any potential national security concerns associated with an applicant.<sup>6</sup> Further, at U.S. ports of entry, DHS's U.S. Customs and Border Protection (CBP) is responsible for inspecting all individuals, including refugees, to determine if they will be admitted or otherwise permitted entry into the country.

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<sup>5</sup>The nine RSCs and their respective headquarters locations are: Africa (Nairobi, Kenya); Austria (Vienna, Austria); East Asia (Bangkok, Thailand); Eurasia (Moscow, Russia); Latin America (Quito, Ecuador); Middle East and North Africa (Amman, Jordan); South Asia (Damak, Nepal); Turkey and the Middle East (Istanbul, Turkey); and Cuba (Havana, Cuba). RSC Cuba is operated by State.

<sup>6</sup>Among other missions, NCTC, within the Office of the Director of National Intelligence, serves as the primary organization within the U.S. government for analyzing and integrating all information possessed or acquired by the U.S. government pertaining to terrorism and counterterrorism See 50 U.S.C. § 3056 (excepting, however, intelligence pertaining exclusively to domestic terrorist and domestic counterterrorism).

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Pursuant to a provision in the Joint Explanatory Statement accompanying the Consolidated Appropriations Act, 2016, and congressional requests, we were asked to review the refugee screening process.<sup>7</sup> This report (1) describes what State and DHS data indicate about the characteristics and outcomes of USRAP applications, (2) analyzes the extent to which RSCs and State have policies and procedures on refugee case processing and State has overseen RSC activities, (3) analyzes the extent to which USCIS has policies and procedures for adjudicating refugee applications, and (4) analyzes the extent to which State and USCIS have mechanisms in place to detect and prevent applicant fraud in USRAP.<sup>8</sup> You also asked

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<sup>7</sup>See 161 Cong. Rec. H10175 (daily ed. Dec. 17, 2015) (explanatory statement accompanying Pub. L. No. 114-113, div. F, 129 Stat. 2242, 2493 (2015)).

<sup>8</sup>This report does not address the impacts, if any, of Executive Order 13780, Protecting the Nation From Foreign Terrorist Entry into the United States, issued on March 6, 2017, on USRAP or the processing of refugees for admission into the United States more generally. See 82 Fed. Reg. 13,209 (Mar. 9, 2017). Among other things, the Executive Order articulates that it is the policy of the United States to improve the screening and vetting protocols and procedures associated with the visa-issuance process and USRAP. As of June 2017, certain aspects of the Executive Order had been the subject of pending litigation and sections 2 and 6 of the Executive Order (among other things, temporarily suspending the entry of nationals from countries of particular concern and the U.S. Refugee Admissions Program, respectively) remained the subject of a nationwide injunction. See *Hawaii v. Trump*, No. 1:17-cv-00050, ECF Doc. No. 219, 2017 U.S. Dist. LEXIS 36935 (D. Haw. Mar. 15, 2017) (Order Granting Motion for Temporary Restraining Order), *aff'd in pertinent part*, 2017 U.S. App. LEXIS 10356 (9th Cir. June 12, 2017) (per curiam). On June 26, 2017, however, the Supreme Court, granted, in part, the government's application to stay the injunction and, specific to section 6, explained that the administration may enforce this section except with respect to an individual seeking admission as a refugee who can "credibly claim a bona fide relationship with a person or entity in the United States." See *Trump v. International Refugee Assistance Project*, 2017 U.S. LEXIS 4266 (June 26, 2017) (per curiam) (providing also that the government's petitions for certiorari have been granted and that the Court will hear the cases during the first session of the October Term 2017). Subsequent to the Supreme Court's June 26, 2017, ruling, State and DHS officials stated that USRAP will be implemented in accordance with the Executive Order and consistent with the Supreme Court's ruling. Implementation of the Executive Order, however, remains the subject of ongoing litigation in the federal courts. See, e.g., *Hawaii v. Trump*, No. 1:17-cv-00050, 2017 U.S. Dist. LEXIS 109034 (D. Haw. July 13, 2017) and *Trump v. Hawaii*, 2017 U.S. LEXIS 4322 (July 19, 2017).

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us to provide specific information on the Central American Minors (CAM) program, which is included in appendix I.<sup>9</sup>

This report is a public version of a sensitive report that we issued in June 2017.<sup>10</sup> The Departments of Homeland Security and State deemed some of the information in our June report to be Sensitive But Unclassified or For Official Use Only, which must be protected from public disclosure. Therefore, this report omits sensitive information about USRAP security check processes and results, as well as specific details about prior incidences of fraud in the program. Although the information provided in this report is more limited, the report addresses the same objectives as the sensitive report and uses the same methodology.

To describe what State and DHS data indicate about the characteristics and outcomes of USRAP applications, we analyzed record-level data from State's Worldwide Refugee Admissions Processing System (WRAPS)—an interactive computer system that serves as a repository for application information and tracks the status of all individual refugee applications to USRAP—for all refugee applications that were received from fiscal years 2011 through June 2016.<sup>11</sup> We also obtained WRAPS summary data on the CAM program from December 2014—when State and DHS began accepting applications for the program—through March 2017. We assessed the reliability of the WRAPS data by, for example, reviewing them for missing data or obvious errors and interviewing State officials responsible for ensuring data quality. During our assessment, we found some inconsistencies in the data field that indicates the status of

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<sup>9</sup>In general the CAM refugee/parole program, managed jointly by State and DHS, permits qualifying parents in the United States to request that their children or other eligible family members in El Salvador, Guatemala, or Honduras be considered for admission to the United States as a refugee or permitted entry on parole. In general, parole is a mechanism by which an individual not otherwise admitted to the United States may be permitted entry into the country on a temporary basis. See 8 U.S.C. § 1182(d)(5); 8 C.F.R. § 212.5. The CAM program began accepting applications from qualifying parents on December 1, 2014, and, effective November 15, 2016, the program was expanded to allow additional categories of eligible family members to apply for admission to the United States as refugees when accompanied by a qualifying child.

<sup>10</sup>GAO, *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>11</sup>We selected October 2010 through June 24, 2016—fiscal year 2011 through about three quarters of fiscal year 2016—because this was the most recent complete 5-year period and fiscal year for which data were available when we were conducting our work.

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the application in USRAP when conducting our internal data checks. We rounded the counts for the categories in this field to the nearest thousand for the purposes of reporting USRAP summary data and to the nearest hundred for the purposes of reporting CAM summary data. We found the WRAPS data to be sufficiently reliable for the purposes of this report, including determining the number of applications, their outcomes (approved, closed or denied, or pending), the results of security checks, timeframes associated with processing applications, and various applicant characteristics such as gender and nationality.

To analyze the extent to which State and RSCs have policies and procedures on refugee case processing and State's oversight of RSC activities, we analyzed State's standard operating procedures (SOP) and guidance to RSCs, including State's *USRAP Overseas Processing Manual* and SOPs pertaining to different phases of the refugee application process.<sup>12</sup> We also reviewed local SOPs developed by each RSC. Additionally, we observed refugee processing and RSC caseworkers conducting in-person prescreening interviews (27 interviews in total) by visiting RSC offices in four locations—San Salvador, El Salvador; Vienna, Austria; Amman, Jordan; and Nairobi, Kenya—from June through September 2016.<sup>13</sup> We selected these locations based on various factors, including variations in the number of refugee applications received, geographic variability (i.e., RSC locations), and the types of applications processed at each office. The results from our visits are specific to the processing and interviews observed at these locations when we visited and cannot be generalized; however, we believe the site visit results still provide important context and insights into how RSCs implement USRAP policies and procedures. For the five RSCs we did not visit in person, we conducted telephone interviews with RSC management. In addition, we analyzed 107 summary reports USCIS team supervisors completed following officers' trips overseas to interview USRAP applicants from the fourth quarter of 2014 through the third quarter of 2016 (the most recent reports available at the time of our

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<sup>12</sup>Department of State, *USRAP Overseas Processing Manual* (Washington, D.C.: October 2015).

<sup>13</sup>We selected RSC caseworkers to observe on the basis of who was processing refugee applications and prescreening USRAP applicants during our planned site visits.

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review).<sup>14</sup> We also spoke with 6 USCIS officers who conducted the applicant interviews we observed during our site visits to obtain their perspectives on RSC case processing, as well as 4 supervisory officers.<sup>15</sup> To assess the controls State has in place to monitor RSCs, we reviewed RSC cooperative agreements and a memorandum of understanding (MOU), and the most recent monitoring report State completed for each RSC; questionnaires completed by RSC directors in advance of State monitoring visits; and fiscal year 2015 quarterly reports RSCs submitted to State—the most recent completed fiscal year for which data were available when we were conducting our work.<sup>16</sup> We obtained additional information on how State monitors RSCs during our interviews with State officials who manage the program. We compared State’s monitoring efforts with requirements in State’s *Performance Management Guidebook*,<sup>17</sup> *Federal Assistance Policy Directive*,<sup>18</sup> and the Government Performance and Results Act of 1993 (GPRA), as updated by the GPRA Modernization Act of 2010 (GPRAMA).<sup>19</sup>

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<sup>14</sup>We analyzed all available USCIS summary reports from July 2014 through June 2016. USCIS officials told us that some summary reports were not available for a number of reasons, including: reports lost during the migration of technology, reports in progress and pending completion, and trips with a single officer who communicated regularly with USCIS headquarters officials during the trip about any relevant issues or trends. According to USCIS officials, trip reports are required yet informal reporting mechanisms to ensure continuity between circuit rides and to provide team leaders with the opportunity to communicate case processing trends and issues. Although written by supervisors, they do not go through a formal clearance process. USCIS officials stated that trends and issues described in the reports may only be reflective of that particular case composition and team composition on a single circuit ride. These officials further stated that the reports do not necessarily reflect the ongoing processing and take into account the totality of processing in that location.

<sup>15</sup>We selected USCIS officers and supervisory officers to interview based on their availability either during or after our site visits.

<sup>16</sup>Nongovernmental organizations operate four RSCs through cooperative agreements with State—Africa, Austria, East Asia, and Turkey and the Middle East. In addition, State funds four other RSCs managed by the International Organization for Migration—Eurasia, Latin America, South Asia, and Middle East and North Africa—through voluntary contributions. State operates RSC Cuba.

<sup>17</sup>Department of State, *Performance Management Guidebook: Resources, Tips, and Tools* (Washington, D.C.: December 2011).

<sup>18</sup>Department of State, *Federal Assistance Policy Directive* (Washington, D.C.: January 2016).

<sup>19</sup>See generally Pub. L. No. 103-62, 107 Stat. 285 (1993) (GPRA) and Pub. L. No. 111-352, 124 Stat. 3866 (2011) (updating GPRA); 31 U.S.C. § 1115.

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To analyze the extent to which USCIS has developed and implemented policies and procedures for adjudicating refugee applications, we analyzed USCIS SOPs on the refugee adjudication process, including USCIS's I-590 Refugee Application Assessment—the primary tool refugee officers use to interview and screen refugees and document the resulting adjudication decisions. Further, we observed 29 USCIS interviews at the four RSCs we visited.<sup>20</sup> Although these observations are not generalizable across all USCIS interviews, they provided first-hand observations on how USCIS officers adjudicate refugee applications and insights into the implementation of USCIS's policies and procedures. In addition, we analyzed the aforementioned USCIS summary reports to better understand how USCIS adjudicates applications overseas and any associated challenges. We also reviewed USCIS training materials and attended trainings that USCIS officers receive prior to traveling overseas to interview a specific population of refugees. We also discussed USCIS training and guidance with USCIS's Refugee Affairs Division (RAD) and International Operations (IO) Division and the 10 USCIS officers, mentioned above, who we interviewed. In addition, we reviewed USCIS workforce planning information and training requirements. We compared all of this information to *Standards for Internal Control in the Federal Government* and leading practices in federal strategic planning.<sup>21</sup> Further, we reviewed USCIS quality assurance policy documents, quality assurance assessments from fiscal year 2015—the most recent year in which USCIS assessed refugee adjudications—and spoke with USCIS officials about quality assurance mechanisms for USRAP. We compared USCIS's quality assurance practices to USCIS's memorandum on roles and responsibilities with respect to refugee processing and federal internal control standards<sup>22</sup> and standard practices for program management.<sup>23</sup>

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<sup>20</sup>In Kenya, we observed USCIS interviews at the Kakuma refugee camp. In all other locations, we observed USCIS interviews at the RSC offices. We selected USCIS officers to observe on the basis of who was interviewing USRAP applicants during our planned site visits.

<sup>21</sup>GAO, *Standards for Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: September 2014).

<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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To analyze the extent to which State and USCIS have mechanisms in place to detect and prevent applicant fraud in USRAP, we compared State's and USCIS's fraud-related policies and procedures with standards for federal internal control and leading practices in GAO's *A Framework for Managing Fraud Risks in Federal Programs* (Fraud Risk Framework).<sup>24</sup> For the purposes of this report, we define refugee fraud as the willful misrepresentation of material facts, such as making false statements, submitting forged or falsified documents, or conspiring to do so, in support of a refugee claim with the United States.<sup>25</sup> Regarding USCIS, we reviewed policies and procedures on how to identify and prevent fraud in USRAP, such as USCIS's draft refugee fraud process SOPs and fraud training materials that USCIS provides to its officers. Regarding State, we reviewed memoranda on previously identified fraud in USRAP programs as well as SOPs State developed to help RSCs identify fraudulent applications. Further, we interviewed USCIS and State headquarters officials and officials at all 9 RSCs about applicant fraud in USRAP and their fraud identification and prevention procedures. In addition, we analyzed WRAPS data on steps RSCs take to prevent fraudulent applications. We also reviewed the 107 USCIS trip reports, which contain information on fraud trends that officers encountered while adjudicating cases in a particular location.

The performance audit upon which this report is based was conducted from February 2016 to June 2017 in accordance with generally accepted government auditing standards. Those standards require that we plan

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<sup>24</sup>GAO-14-704G, and *A Framework for Managing Fraud Risks in Federal Programs*, GAO-15-593SP (Washington, D.C.: July 28, 2015). This framework is a comprehensive set of leading practices that serves as a guide for program managers to use when developing efforts to combat fraud in a strategic, risk-based manner. GAO identified these leading practices through focus groups with antifraud professionals; interviews with government, private sector, and nonprofit antifraud experts; and a review of literature. We used the leading practices in this framework to assess USCIS efforts because, as the framework states, it encompasses control activities to prevent, detect, and respond to fraud, as well as structures and environmental factors that influence or help managers achieve their objective to mitigate fraud risks; thus, this framework is applicable to USCIS efforts to address fraud risks in the refugee admissions program. Pursuant to the Fraud Reduction and Data Analytics Act of 2015, the Director of the Office of Management and Budget is to establish, in consultation with the Comptroller General, guidelines for agencies to establish financial and administrative controls to identify and assess fraud risks and design and implement control activities to prevent, detect, and respond to fraud, including improper payments, and which are to incorporate the leading practices identified in GAO's Fraud Risk Framework. See Pub. L. No. 114-186, 130 Stat. 546 (2016).

<sup>25</sup>We developed this definition on the basis of an analysis of documentation from USCIS, as well as through interviews with USCIS officials who investigate fraud in USRAP.

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and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. We subsequently worked with State, DHS, and the Department of Defense from June to July 2017 to prepare this nonsensitive version of the original sensitive report for public release. This public version was also prepared in accordance with generally accepted government auditing standards.

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## Background

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### Refugee Eligibility Requirements and Admissions

The United States has a long history of refugee resettlement, but there was no formal program for the resettlement and admission of refugees until the Refugee Act of 1980 (Refugee Act) amended the Immigration and Nationality Act (INA) to, among other purposes, establish a more uniform basis for the provision of assistance to refugees.<sup>26</sup> Under the INA, as amended, an applicant seeking admission to the United States as a refugee must (1) not be firmly resettled in any foreign country, (2) be determined by the President to be of special humanitarian concern to the United States, (3) meet the definition of refugee established in U.S. immigration law, and (4) be otherwise admissible to the United States as an immigrant under U.S. immigration law.<sup>27</sup> Under USRAP, USCIS officers determine an applicant's eligibility for refugee status by assessing whether the applicant has, among other things, credibly established that he or she suffered past persecution, or has a well-founded fear of future persecution, and that he or she is not otherwise statutorily barred from

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<sup>26</sup>See Pub. L. No. 82-414, tit. I, § 101(a)(42), tit. II, ch. 1, §§ 207-09, 66 Stat. 163 (1952) (INA), as added by Pub. L. No. 96-212, tit. II, § 201, 94 Stat. 102, 102-06 (1980) (Refugee Act); 8 U.S.C. §§ 1101(a)(42), 1157-59. For example, prior to enactment of the INA and its subsequent amendments, the United States, pursuant to the Displaced Persons Act of 1948, Pub. L. No. 80-774, 62 Stat. 1009, which was enacted in response to the migration crisis in Europe resulting from World War II, admitted over 400,000 displaced persons by the end of 1952.

<sup>27</sup>See 8 U.S.C. §§ 1101(a)(42) (defining "refugee" under U.S. immigration law), 1157 (authorizing, and establishing the criteria for, the admission of refugees to the United States).

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being granted refugee status or admission to the United States.<sup>28</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.<sup>29</sup> Under USRAP, cases may be presented for USCIS adjudication with a single applicant or may include a principle applicant with certain family members.<sup>30</sup> All applicants on a case must be deemed

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<sup>28</sup>Specifically, under the INA a refugee is any person who is outside any country of his or her nationality or, in the case of a person having no nationality, is outside any country in which he or she last habitually resided, and who is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. See 8 U.S.C. § 1101(a)(42) (providing further that in such special circumstances as the President, after appropriate consultation, may specify, persons within their country of nationality or, if having no nationality, within the country in which he or she habitually resides, may also be deemed a refugee if he or she is persecuted or has a well-founded fear of persecution on account of the same factors, and also describing particular circumstances that will be deemed to constitute persecution or a well-founded fear of persecution on account of political opinion, such as being forced to abort a pregnancy or undergo involuntary sterilization).

<sup>29</sup>See generally 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). See also 8 C.F.R. § 207.1(b) (establishing the standard for determining whether a refugee is considered to be “firmly resettled”). Derivative spouses and children of the principal refugee are not subject to the firm resettlement bar, certain grounds of inadmissibility, such as the public charge, labor certification and immigrant document requirement grounds, do not apply to refugees by statute, and the statute recognizes certain other grounds of inadmissibility for which a discretionary waiver may or may not be granted based for humanitarian, family unity, or public interest reasons. See 8 U.S.C. § 1157(c)(2)-(3); 8 C.F.R. § 207.1(b), 207.3. There is no explicit exception to the persecutor bar—see *Negusie v. Holder*, 555 U.S. 511 (2009)—but according to USCIS officials the application of a person who would otherwise fall within the persecutor bar but who has established that his or her conduct may have been the result of duress will be placed on hold.

<sup>30</sup>Under USRAP, the principal applicant’s spouse and unmarried children under the age of 21 may apply together while they are overseas. The principal applicant may also petition for his or her derivative spouse and children to “follow-to-join” him or her as refugees within two years after the principal has been admitted to the United States as a refugee, unless the deadline is waived for humanitarian reasons. See 8 U.S.C. § 1157(c)(2); 8 C.F.R. § 207.7.

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admissible, but only the principal applicant must prove his or her past persecution or fear of future persecution.

Before the beginning of each fiscal year and after consultation with Congress, the President is to establish the number of refugees who may be admitted to the United States in the ensuing fiscal year (i.e., a “ceiling”), with such admissions allocated among refugees of special humanitarian concern to the United States (e.g., by region or country of nationality).<sup>31</sup> For example, for fiscal year 2016, the administration proposed and met a ceiling of 85,000 refugees in fiscal year 2016 (including a goal of admitting 10,000 Syrian refugees) and established a ceiling of 110,000 for fiscal year 2017.<sup>32</sup> Since 2001, annual ceilings for refugee admission have generally been between 70,000 and 80,000 admissions; in the early 1990s, the ceilings were at more than 100,000 admissions. Actual admissions of refugees into the country have been at or below the ceiling in recent years. For example, the combined ceiling for

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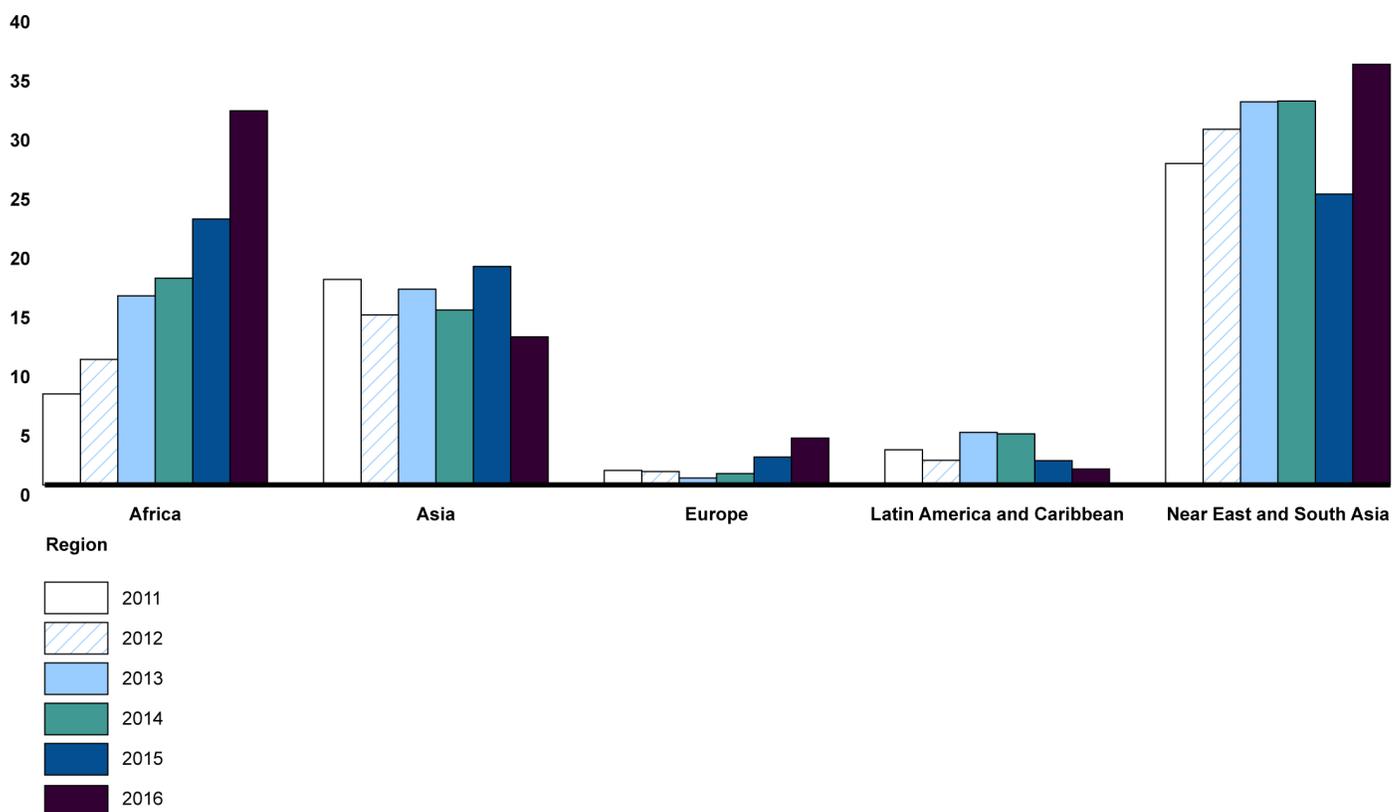
<sup>31</sup>See 8 U.S.C. § 1157(a) (providing that the number of refugees who may be admitted in any fiscal year shall be the number as the President determines, before the beginning of the fiscal year and after appropriate consultation, is justified by humanitarian concerns or is otherwise in the national interest), (b) (authorizing the President, after appropriate consultation, to allocate additional refugee numbers for unforeseen emergency circumstances), and (e) (defining what constitutes appropriate consultation with Congress).

<sup>32</sup>According to State officials, a refugee counts towards the ceiling in the year for which they were admitted to the United States. Section 6(b) of President’s March 6, 2017, executive order provides that the entry of more than 50,000 refugees in fiscal year 2017 would be detrimental to the interests of the United States and suspends the entry of refugees beyond that number until such time as the President determines that additional admissions would be in the national interest. See Exec. Order No. 13,780, 82 Fed. Reg. at 13,216. As of June 2017, State and DHS officials had stated that USRAP was being implemented in a manner compliant with the District Court of Hawaii’s nationwide injunction and thus with a ceiling of 110,000 refugee admissions for fiscal year 2017 (the program had been operating under the 50,000 ceiling established in the Executive Order prior to the District Court’s injunction). The Supreme Court, through its June 26, 2017, ruling, however, granted, in part, the government’s application to stay the injunction and, with respect to section 6(b), permitted the administration to proceed with the 50,000 refugee ceiling provided that the section is not enforced against an individual seeking admission as a refugee who can credibly claim a bona fide relationship with a person or entity in the United States, “even if the 50,000-person cap has been reached or exceeded.” See 2017 U.S. LEXIS 4266, at \*17-18. Subsequent to the Supreme Court’s ruling, State and DHS officials stated that section 6(b) of the Executive Order will be implemented in a manner consistent with the Supreme Court’s ruling. Implementation of the Executive Order, however, remains the subject of ongoing litigation in the federal courts. See, e.g., *Hawaii v. Trump*, No. 1:17-cv-00050, 2017 U.S. Dist. LEXIS 109034 (D. Haw. July 13, 2017) and *Trump v. Hawaii*, 2017 U.S. LEXIS 4322 (July 19, 2017). As June 23, 2017, about 49,000 refugees had been admitted to the United States in fiscal year 2017, according to State.

fiscal years 2011 through 2016 was 451,000, during which the United States admitted about 410,000 refugees. Figure 1 shows refugee admissions by region during this time period.

**Figure 1: Refugee Admissions by Region, Fiscal Years 2011 through 2016**

Number of admissions (in thousands)



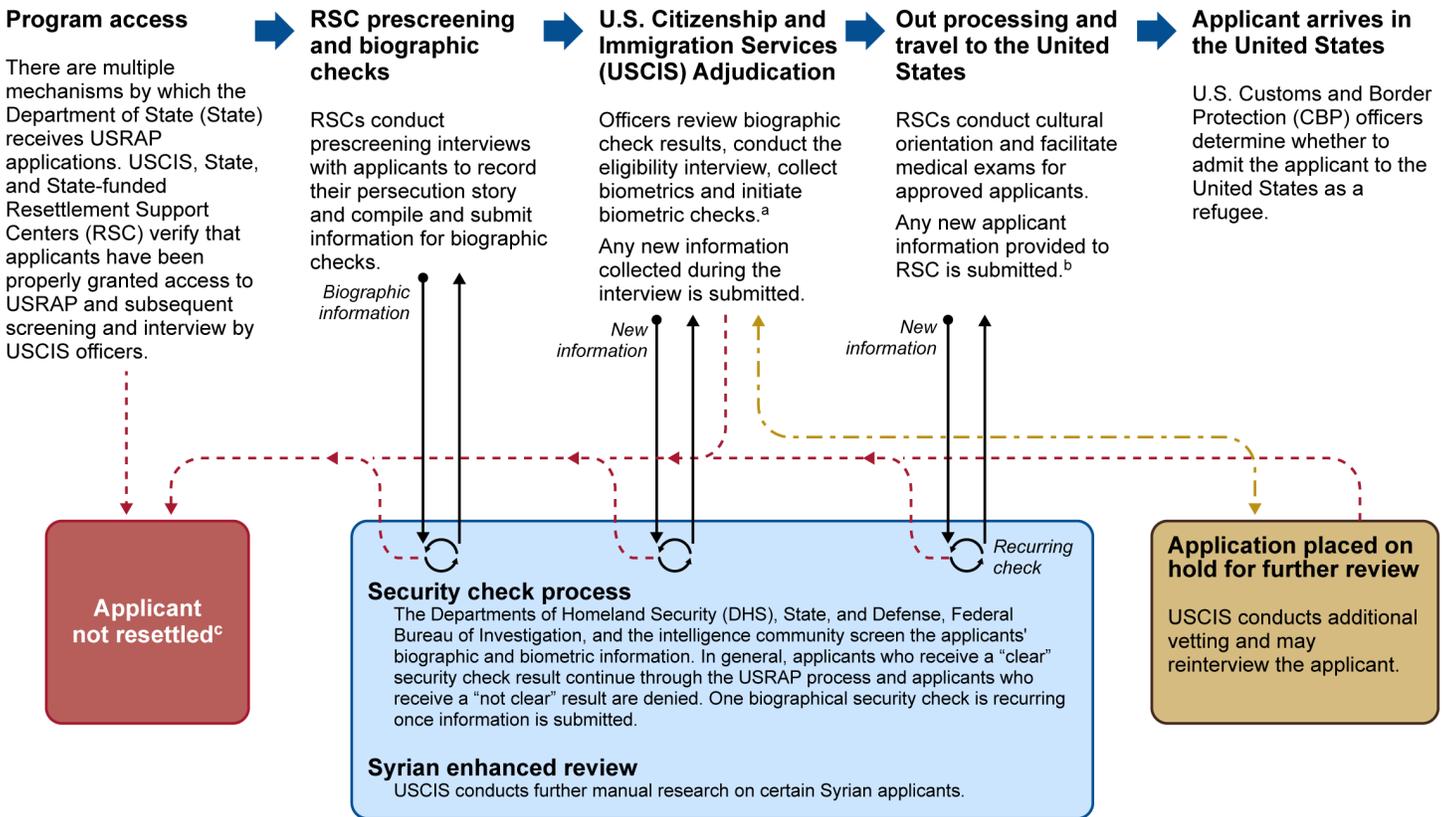
Source: GAO analysis of Department of State data from wrapsnet.org. | GAO-17-706

Note: The Department of State (State) determines “region” by nationality of the applicant, not the location of the State-funded Resettlement Support Center that processed the application. Wrapsnet.org is a public website operated by State that provides information and data on the U.S. Refugee Admissions Program.

# Screening Process for Refugees Seeking to Resettle in the United States

There are a number of steps in the USRAP screening process for applicants. Figure 2 provides an overview of the refugee screening process.

**Figure 2: Key Steps in the U.S. Refugee Admissions Program (USRAP) Screening Process**



Source: GAO analysis of Department of State and USCIS information. | GAO-17-706

<sup>a</sup>Biometrics is the automated recognition of individuals based on their biological and behavioral characteristics. USCIS staff collect applicants' fingerprints and check them against the Federal Bureau of Investigation, DHS, and Department of Defense databases.

<sup>b</sup>All persons traveling to the United States by air are subject to standard U.S. government vetting practices. For example, CBP is to electronically vet all travelers, including persons seeking resettlement in the United States as refugees, before they board U.S.-bound flights and is to continue vetting the travelers until they land at a U.S. port of entry. Such travelers are also be subject to Transportation Security Administration prescreening, as well as physical screening prior to boarding commercial aircraft destined for the United States, in accordance with the agency's policies and procedures.

<sup>c</sup>According to State's *USRAP Overseas Processing Manual*, if a USCIS officer denies a case and the RSC presents the applicant with the denial letter, the applicant has 90 days to file a Request for

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Review. Such reviews are divided into two categories: requests that allege an error in the adjudication and requests that introduce new evidence; and, in general, the applicant may only file one request for review. A review may result in USCIS overturning the denial, upholding the denial or requesting another interview with the applicant.

**Program access.** First, State and USCIS make initial determinations about whether an individual will be accepted into or excluded from USRAP (referred to as program access) for subsequent screening and interview by USCIS officers. There are multiple mechanisms by which State and its partners receive USRAP applications. For example, most applicants are referred to USRAP by UNHCR, but applicants who meet certain criteria can apply directly. State has identified three categories of individuals who are of special humanitarian concern and, therefore, can qualify for access to USRAP:

- Priority 1 (P1), or individuals specifically referred to USRAP generally because they have a compelling need for protection;<sup>33</sup>
- Priority 2 (P2), or specific groups, often within certain nationalities or ethnic groups in specified locations, whose members State and its partners have identified as being in need of resettlement; and
- Priority 3 (P3), or individuals from designated nationalities who have immediate family members in the United States who initially entered as refugees or who were granted asylum.<sup>34</sup>

**Prescreening and biographic checks.** Second, RSCs, funded by State and operated by international and nongovernment organizations, communicate directly with USRAP applicants and prepare their case files. RSC staff are to create a case file for applicants and record all of the applicants' information into WRAPS. RSCs are to conduct prescreening interviews to record key information, such as applicants' persecution stories and information about their extended family, and submit biographic security checks based on the information collected during the interview to U.S. agencies, including DHS, State, and the FBI, among others. According to State's *USRAP Overseas Processing Manual*, every applicant in USRAP is required to undergo security checks that must be cleared before a refugee can be resettled in the United States, and

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<sup>33</sup>To be considered by USRAP, P1 applicants must be referred by UNHCR, a State-approved non-governmental organization, or a U.S. Embassy.

<sup>34</sup>See app. II for a description of the priority categories and how applicants associated with each priority gain access to USRAP. The priority classifications only indicate the source of the referral, not the urgency with which they are adjudicated.

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### Key Refugee Processing Terms

**Access:** Determination by the Department of State and its U.S. Refugee Admissions Program (USRAP) partners of whether the applicant qualifies for the U.S. Citizenship and Immigration Services (USCIS) adjudication based on if he/she is of special humanitarian concern (i.e., if he/she is within a Priority 1, Priority 2, or Priority 3 category), among other things.

**Adjudication:** USCIS's process for deciding whether to approve or deny an applicant for refugee status. The adjudication process includes, among other things, at least one in-person interview; security checks; and, in some instances, additional review of the applicant's case to address national security concerns.

**Approved application:** Determination by USCIS officer that the applicant meets the refugee definition and is otherwise eligible for resettlement in the United States, and will subsequently be processed for travel to the United States.

**Admitted:** U.S. Customs and Border Protection (CBP) admits applicant to the United States as a refugee.

USCIS officers are not to approve the applicant until all required security checks are cleared. Specifically, State SOPs require RSCs to initiate, as applicable, three biographic checks:

- **Consular Lookout and Support System (CLASS) Check.** CLASS is a State Department name check process. The system contains records provided by numerous agencies and includes information on persons with prior visa applications, immigration violations, and terrorism concerns. State conducts the check against multiple sources, including the U.S. government's consolidated watchlist of known or suspected terrorists, using a USRAP applicant's primary name and name variants, among other data.<sup>35</sup>
- **Security Advisory Opinion.** The FBI and intelligence community partners conduct biographic checks of certain applicants who are members of groups or nationalities designated by the U.S. government as requiring more thorough vetting.<sup>36</sup>
- **Interagency Check.** Partners, including NCTC and elements of the intelligence community, screen biographic data of all refugee applicants within a designated age range against intelligence and law enforcement information within their databases and security holdings. Specifically, all refugee applicants within certain ages are required to undergo an Interagency Check. Further, security vetting partners are to continuously check interagency refugee applicant data against their security holdings through a refugee's admission to the United States and, in some instances, after an applicant's arrival and admission to the United States.

Through these checks, applications are screened for indicators that they might pose a national security or fraud concern or have immigration or criminal violations, among other things. USCIS and FBI officials have testified at congressional hearings that security checks are limited to the records available in U.S. government databases (which may include information provided by foreign governments and other information on foreign nationals). According to State SOPs, security check responses are communicated through WRAPS, and RSC staff include them in the case file provided to the USCIS officer adjudicating the application. If at

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<sup>35</sup>The Terrorist Screening Center, a multi-agency organization administered by the FBI, maintains the Terrorist Screening Database—the U.S. government's consolidated watchlist of known or suspected terrorists.

<sup>36</sup>State SOPs also provide that a Security Advisory Opinion may be required as a result of the CLASS Check.

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any time an applicant is identified as having a match for the Security Advisory Opinion or Interagency Check, the case is to be placed on hold. For Security Advisory Opinion results that are completed before the USCIS interview, State officers are to review any matches to determine if they relate to the applicant and should preclude the applicant from access to the USRAP. USCIS is responsible for reviewing security check results that are completed after the USCIS interview. Further, the CLASS check may require a Security Advisory Opinion or additional DHS review. Once prescreening is complete and RSC staff have received the results of certain security checks, they are to notify State and USCIS that the applicant is ready for interview and adjudication.<sup>37</sup> DHS is to, based on policy, conduct an additional review of Syrian and certain other applicants prior to adjudication as part of prescreening.

**USCIS Adjudication.** Third, USCIS adjudicates applications. USCIS coordinates with State to develop a schedule for refugee interviews each quarter of the fiscal year. USCIS officers conduct individual, in-person interviews overseas with applicants to help determine their eligibility for refugee status. RAD and IO—within USCIS’s Refugee, Asylum, and International Operations (RAIO) Directorate—share responsibility for adjudicating USRAP cases. In 2005, USCIS created the Refugee Corps, a cadre of USCIS officers within RAD who, according to USCIS officials, are to adjudicate the majority of applications for refugee status. These 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, according to RAD officials. In addition, IO officers posted at U.S. embassies overseas can conduct circuit rides and interviews in embassies to adjudicate refugee applications, among other responsibilities.<sup>38</sup> Before or during the circuit ride, USCIS officials are to take the applicants’ fingerprints, which are screened against DHS, Department of Defense, and FBI biometric databases, and if new information from the biometric check raises questions, USCIS officers may ask additional questions at the interview, require additional interviews, or deny the case. In addition, if USCIS officers identify new biographic information during the interview, such as an alias that was

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<sup>37</sup>According to State SOPs, the CLASS check must be completed prior to RSC staff requesting that USCIS interview the applicant. RSC staff are to have submitted the Security Advisory Opinion and Interagency Checks prior to requesting the interview, but they may receive the results after the USCIS interview.

<sup>38</sup>IO is the component of USCIS, within RAIO, that is charged with advancing the USCIS mission in the international arena. IO has 24 offices around the world.

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previously unknown or not disclosed to RSC staff, that information is vetted through the biographic security checks described above, per State and DHS policy. The officers are to place these applications on hold, pending the outcome of these checks. Further, consistent with USCIS policy, officers are required to place a case on hold to do additional research or investigation if, for example, the officer determines during the interview that the applicant may pose a national security concern. Based on the interviews and security checks conducted, USCIS officers will either approve or deny an applicant's case.<sup>39</sup> USCIS supervisory officers are to review 100 percent of officers' adjudications, according to USCIS policy.

**Final processing and travel to the United States.** If USCIS approves an applicant's refugee application, RSCs are to generally provide the applicant with cultural orientation classes on adjusting to life in the United States, facilitate medical checks, and prepare the applicant to travel. Prior to admission to the United States, applicants are subject to the standard CBP and Transportation Security Administration vetting and screening processes applied to all travelers destined for the United States by air.<sup>40</sup> CBP is to inspect all refugees upon their arrival at one of seven U.S.

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<sup>39</sup>According to State's *USRAP Overseas Processing Manual*, if a USCIS officer denies a case and the RSC presents the applicant with the denial letter, the applicant has 90 days to file a Request for Review. Such reviews are divided into two categories: requests that allege an error in the adjudication and requests that introduce new evidence. An applicant for refugee resettlement who receives a Notice of Ineligibility for Resettlement may file only one request for review, although USCIS may, in its discretion, establish exceptions concerning subsequent requests for review. A review may result in USCIS overturning the denial, upholding the denial or requesting another interview with the applicant. State or USCIS can also close an applicant's case for a variety of reasons, including the outcome of a security check, if State determines that the applicant does not meet USRAP criteria, or an applicant request to withdraw from the program.

<sup>40</sup>All persons traveling to the United States by air are subject to standard U.S. government vetting practices. For example, CBP is to electronically vet all travelers, including persons seeking resettlement in the United States as refugees, before they board U.S.-bound flights and is to continue vetting the travelers until they land at a U.S. port of entry. Such travelers are also subject to Transportation Security Administration prescreening, as well as physical screening prior to boarding commercial aircraft destined for the United States in accordance with the agency's policies and procedures.

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airports designated for refugee arrivals and make the final determination about whether to admit the individual as a refugee to the United States.<sup>41</sup>

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## USRAP Applicant Characteristics Vary; About One-third of Applicants from Fiscal Year 2011 through June 2016 Have Been Admitted to the United States, as of June 2016

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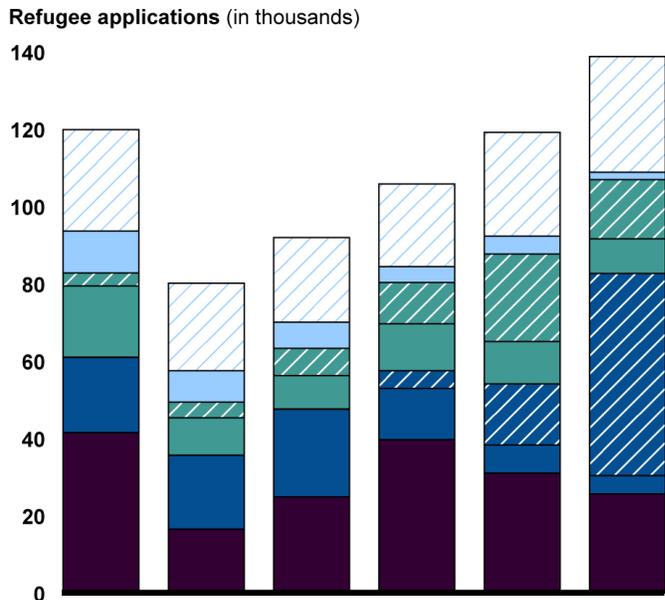
### USRAP Applicant Characteristics Vary by Country of Nationality, Processing Location, and Case Size

From fiscal year 2011 through June 2016, WRAPS data indicate that USRAP received about 655,000 referrals and applications, associated with about 288,000 cases. As figure 3 indicates, during this time frame, more than 75 percent of applications were from refugees fleeing 6 countries—Iraq, Burma, Syria, Somalia, the Democratic Republic of Congo, and Bhutan—and the number of applicants from certain countries has changed over time. For example, the number of Bhutanese and Burmese applications decreased, but the number of Syrian and Congolese applications increased. State officials said that UNHCR submitted a large number of P1 Syrian referrals to USRAP in fiscal year 2016 because more people were fleeing that country due to conflict and the goal of admitting 10,000 Syrian refugees. From October 2015 through June 2016, WRAPS data indicate that more than one-third of USRAP applicants were Syrian.

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<sup>41</sup>See 8 C.F.R. § 207.4. The seven U.S. airports designated for refugee arrivals are, according to CBP officials: Miami International Airport; Chicago O'Hare International Airport; Washington Dulles International Airport; John F. Kennedy International Airport (New York); Los Angeles International Airport; George Bush Intercontinental Airport (Houston); and Newark International Airport.

**Figure 3: Refugee Applications Received by Country of Nationality and Year, Fiscal Year 2011 through June 2016, by Fiscal Year**



	Fiscal year	2011	2012	2013	2014	2015	2016 <sup>a</sup>	Total
Iraq		41,423	16,447	24,786	39,618	30,989	25,571	178,834
Burma		19,406	19,114	22,654	13,239	7,196	4,749	86,358
Syria		92	33	99	4,562	15,849	52,280	72,915
Somalia		18,441	9,640	8,643	12,160	10,978	8,928	68,790
Democratic Republic of Congo		3,346	4,094	7,019	10,678	22,630	15,319	63,086
Bhutan		10,821	8,101	6,796	4,116	4,598	1,913	36,345
Other		26,227	22,650	21,850	21,336	26,854	29,902	148,819
<b>Total</b>		<b>119,756</b>	<b>80,079</b>	<b>91,847</b>	<b>105,709</b>	<b>119,094</b>	<b>138,662</b>	<b>655,147</b>

Source: GAO analysis of U.S Refugee Admissions Program data. | GAO-17-706

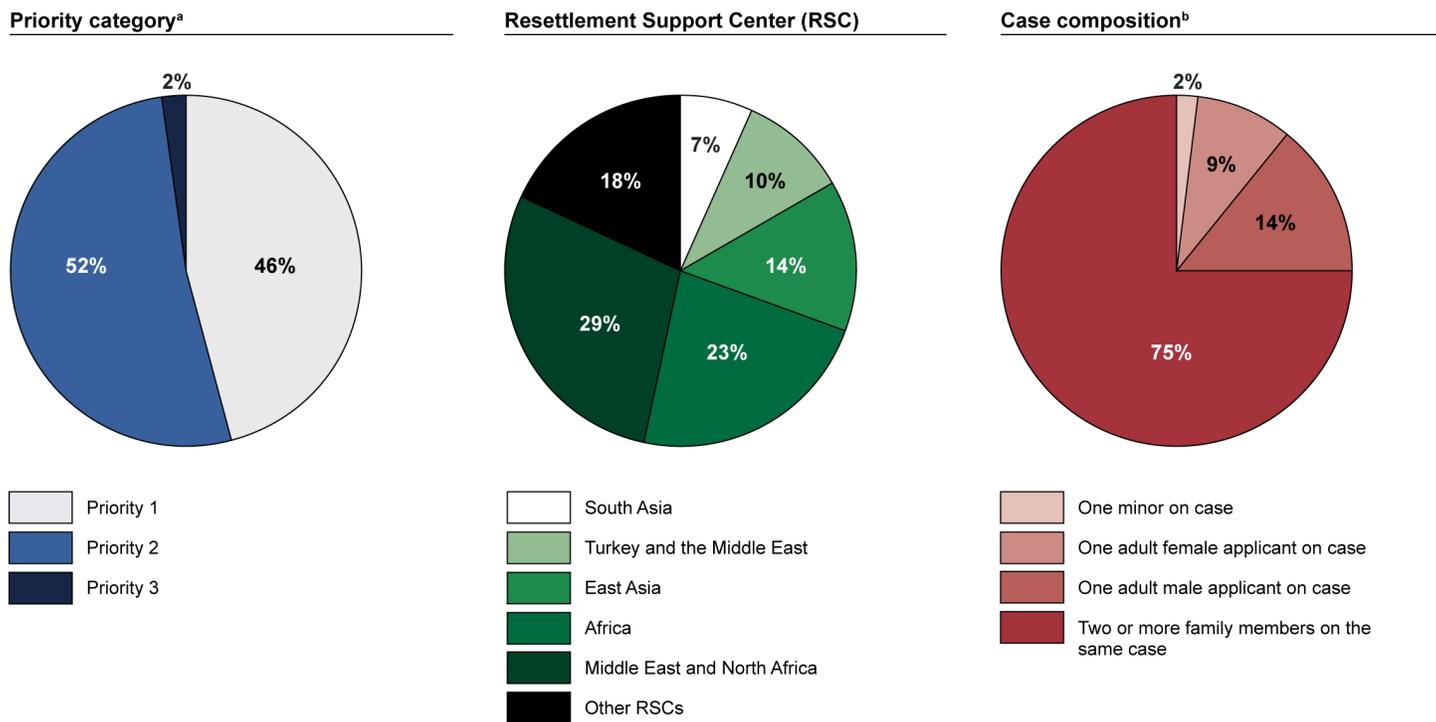
Note: Not all U.S. Refugee Admissions Program applicants are ultimately admitted to the United States as refugees.

<sup>a</sup>Fiscal year 2016 data includes applications received from October 2015 through June 2016.

In addition to nationality, USRAP applicants' characteristics varied in other ways. For example, as shown in figure 4, applications to USRAP from fiscal year 2011 through June 2016 were largely split between the P1 or P2 categories and about two-thirds were processed in one of three RSCs (Middle East and North Africa, Africa, and East Asia). Further, 75 percent of applicants were associated with cases that included immediate

family members (which includes a spouse and unmarried children under the age of 21), while 25 percent of cases included only 1 individual.<sup>42</sup>

**Figure 4: Key Characteristics of Refugee Applications to the U.S Refugee Admissions Program (USRAP), Fiscal Year 2011 through June 2016 (as of June 2016)**



Source: GAO analysis of USRAP data. | GAO-17-706

Note: Percentages may not sum to 100 due to rounding.

<sup>a</sup>The USRAP priority system provides guidelines for managing and processing refugee applications. The three priority categories are: Priority 1, or individuals specifically referred to USRAP generally because they have a compelling need for protection; Priority 2, or specific groups, often within certain nationalities or ethnic groups in specified locations, whose members Department of State (State) and its partners have identified as being in need of resettlement; and Priority 3, or individuals from designated nationalities who have immediate family members in the United States who initially entered as refugees or who were granted asylum.

<sup>b</sup>Family members who can be included on the same case include the principal applicant, his or her spouse, and unmarried children under the age of 21. Any additional members other than spouse or children must have their own cases. According to State officials, many applicants on their own cases have family members on another case.

<sup>42</sup>According to State and DHS officials, many applicants with their own case have family members on another case. For example, a young adult son or daughter over the age of 21 cannot be included on a parent's case but may be cross-referenced.

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**United States Admitted 35 Percent of Applicants from Fiscal Year 2011 to June 2016, and the Remaining Applications Were Closed or In Process, as of June 2016**

At any given time, there are a number of applicants at different stages of the USRAP process. According to State and RSC officials, State and USCIS process applications in the general order they were received. For example, table 1 shows that, of the applications received in fiscal year 2011, 56 percent were approved and admitted to the United States as of June 2016, 13 percent were still in process (pending access to USRAP, actively being processed, or on hold), and 31 percent of applications were closed before the applicant completed the USRAP process, as of June 2016.<sup>43</sup> By comparison, as of June 2016, almost 70 percent of applications received in fiscal year 2015 were in process.

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<sup>43</sup>State or USCIS can close an applicant's case for a variety of reasons, including the outcome of a security check, the applicant requested to withdraw from the program, or if the applicant is found otherwise not to be qualified for the program.

**Table 1: Status of U.S. Refugee Admissions Program (USRAP) Applications Received from Fiscal Year 2011 through June 2016, by Fiscal Year (as of June 2016)**

Fiscal year application received	Pending access to USRAP <sup>a</sup>	Active	On hold <sup>b</sup>	Closed or denied before USRAP process completed <sup>c</sup>	Admitted to the United States	Total
2011	Less than 100 Less than 1%	8,000 6%	8,000 7%	37,000 31%	67,000 56%	120,000
2012	Less than 100 Less than 1%	4,000 5%	5,000 6%	22,000 27%	49,000 62%	80,000
2013	1,000 1%	8,000 9%	10,000 11%	25,000 27%	48,000 52%	92,000
2014	7,000 7%	23,000 22%	12,000 12%	25,000 23%	39,000 37%	106,000
2015	12,000 10%	43,000 36%	25,000 22%	16,000 14%	22,000 18%	119,000
2016 (as of June)	45,000 32%	62,000 44%	20,000 15%	10,000 7%	2,000 2%	139,000
<b>Total</b>	<b>66,000</b> <b>10%</b>	<b>147,000</b> <b>22%</b>	<b>81,000</b> <b>12%</b>	<b>134,000</b> <b>20%</b>	<b>227,000</b> <b>35%</b>	<b>655,000</b>

Source: GAO analysis of USRAP data. | GAO-17-706.

Note: Data are rounded to the nearest thousand, and, as a result, the sum of the number of applicants across all fiscal years may be different than the rounded total.

<sup>a</sup>After receiving an application, USRAP partners determine whether the applicant qualifies for an interview with U.S. Citizenship and Immigration Services (USCIS).

<sup>b</sup>USCIS officers may place an application on hold after their in-person interview if they determine that additional information is needed to adjudicate an application.

<sup>c</sup>Applicants with closed or denied applications did not complete the USRAP process because, for example, USCIS officers denied the application or the applicant withdrew from the program.

**Program Access.** Of the total number of applications received from fiscal years 2011 through June 2016 (about 655,000), State and its USRAP partners made access determinations for about 590,000 of that amount—569,000 (or 96 percent) of which they accepted, as of June 2016.<sup>44</sup> As described earlier, State and its USRAP partners makes the initial determination on whether to grant an applicant access (accept) to USRAP for subsequent screening and interview by USCIS officers.<sup>45</sup> According to State officials, one reason the acceptance rate is high is because State Refugee Coordinators stationed overseas provide

<sup>44</sup>About 66,000 applications were pending an access determination.

<sup>45</sup>See app. II for additional information on which USRAP partners grant access for specific USRAP programs.

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feedback to UNHCR on the types of P1 applications that are not likely to be accepted or ultimately approved by USCIS officers. Further, according to State officials, State coordinates with UNHCR and USCIS to develop predefined eligibility criteria for certain P2 groups and applicants meeting those criteria may access USRAP once UNHCR submits the application to State. For example, State and UNHCR created a new P2 group in 2015 for Congolese who fled to Tanzania. To be part of the P2 group, applicants must have registered with UNHCR and verified their residence in the Nyaragusu refugee camp.

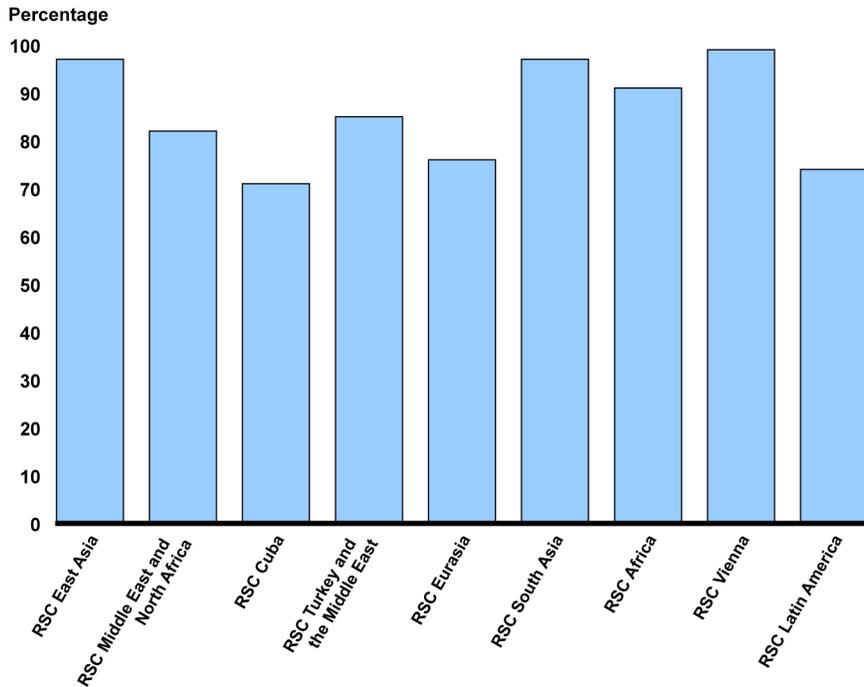
From fiscal year 2011 through June 2016, acceptance of applications to USRAP for adjudication varied by nationality of the applicants. For example, excluding pending applications, USRAP partners did not accept 8 percent of Iraqi applicants. USRAP partners also did not accept 4 percent of Syrian applicants, and did not accept less than 1 percent of Burmese and Somali applicants. According to State officials, the most common reason why applicants are not accepted is that they fail to meet criteria to access USRAP. For example, according to State officials, acceptance rates were lower for Iraqi applicants because some Iraqis could not prove their association with the United States—a requirement under various P2 programs. As part of the adjudication process, USCIS officers are to confirm that applicants were appropriately granted access to USRAP. WRAPS data from fiscal year 2011 through June 2016 show that USCIS officers confirmed that over 99 percent (all but about 1,000 out of 351,000) of the applicants interviewed were appropriately granted access to USRAP (i.e., qualify for adjudication by USCIS), as of June 2016.

**USCIS Adjudications.** According to WRAPS data, as of June 2016, USCIS officers interviewed about 62 percent (351,000) of the applicants who were granted access to USRAP from fiscal year 2011 through June 2016. USCIS officers approved 89 percent (314,000 of 351,000) and denied 7 percent (24,000) of these applications.<sup>46</sup> Approval rates varied by RSC (see fig. 5).

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<sup>46</sup>Four percent of applications received a determination other than approved or denied, including that the applicant was not qualified for USRAP. USCIS officers can also make no determination at the time of the interview and place the application on hold.

**Figure 5: Percentage of Refugee Applications Approved by U.S. Citizenship and Immigration Services, by Resettlement Support Center (RSC), Fiscal Year 2011 through June 2016 (as of June 2016)**



Source: GAO analysis of the U.S. Refugee Admissions Program data. | GAO-17-706

Applications may also be put on hold for a number of reasons. For example, holds may occur because of security check results, a USCIS officer did not have sufficient information at the time of the interview to approve or deny the applications associated with the case, or as a result of new information that came to light after the interview. For applications in our time period of analysis, WRAPS data indicate that 12 percent (about 81,000) were on hold as of June 2016. USCIS officials stated that they would make a final decision on these cases after receiving additional information, which could include outstanding or additional security checks results, information from family members' cases, and conducting additional interviews.

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About 24 percent (138,000) of the applicants who were granted access to USRAP from fiscal year 2011 through June 2016 were awaiting interviews with USCIS (i.e., the applicant had an active case or a case that was on hold but had not received an interview), as of June 2016.<sup>47</sup> RSC Middle East and North Africa (58,000) and RSC Africa (40,000) had the largest number of applications awaiting interviews. Some applicants have waited years to receive a USCIS interview. For example, according to WRAPS data, about 9,000 applications submitted in fiscal years 2011 or 2012 were active in June 2016 and the applicants had not yet received a USCIS interview. About 87 percent of these applications were applicants from Iraq or Somalia. In addition, there were about 6,000 applications received in fiscal years 2011 and 2012 that were on hold and had not received a USCIS interview, 93 percent of whom were from Iraq, Somalia, or Burma. According to State officials, the security situations in Iraq and a refugee camp on the border of Kenya and Somalia where many Somali applicants are located have made it difficult to schedule USCIS interviews at certain times in these locations, among other reasons.

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### A Small Percentage of USRAP Applicants Were Not Admitted to the United States as a Result of Biographic and Biometric Checks

For applications received from fiscal year 2011 through June 2016 with security check results noted in WRAPS, the Interagency Check was the one that most often resulted in a result of “not clear” based on thresholds set by an interagency process including the intelligence community and law enforcement agencies.<sup>48</sup> However, “not clear” results—meaning, the checks identified security or fraud concerns—represented a small percentage of all results for each of the three biographic checks and the fingerprint check, as of June 2016.<sup>49</sup> Further, of the applicants who were admitted to the United States or had closed applications as of June 2016, the median number of days from initiation of the biographic security checks (at the time of the RSC prescreening interview) through the last

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<sup>47</sup>Fourteen percent of applications were accepted for a USCIS interview but closed prior to an officer conducting the interview.

<sup>48</sup>According to USCIS officials, the thresholds for all security checks are established by interagency committees, typically at the Deputies’ level, facilitated by the National Security Council, and reflect the U.S. government’s collective determination for the level of security vetting within USRAP. Applicants may receive a “not clear” result for more than one security check. According to USRAP procedures, if one applicant on a case receives a “not clear” result, the status of all family members on the case becomes “not clear.”

<sup>49</sup>Specific details on the number of security checks conducted and the associated results are omitted from this report because State deemed the information to be sensitive.

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completed Interagency Check (which is often the last check prior to departure for the United States) was 247 days.

According to WRAPS data, the overwhelming majority of the about 227,000 applicants from fiscal year 2011 through June 2016 who were admitted to the United States as refugees had “clear” security check results, as of June 2016. However, one applicant who was admitted to the United States in 2012 had his security check status change from “clear” to “not clear” days before his planned travel. The security vetting process at that time did not account for responses from a vetting agency that had not been specifically requested and, therefore, an additional check of security vetting responses after receipt of a final response of “clear” had not been conducted. According to State officials, when the RSC realized the applicant had a “not clear” response, it notified local USCIS officials immediately. USCIS data show that the refugee has since adjusted to legal permanent resident status.<sup>50</sup> According to a USCIS branch chief, at the time of the individual’s adjustment application, the derogatory information (which predicated the “not clear”) had been resolved and there was no basis for USCIS to deny the individual’s adjustment application. State has since updated security SOPs to require RSCs to run daily reports to check if any applicants with imminent travel plans have received an unsolicited Interagency Check “not clear.”

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<sup>50</sup>See 8 U.S.C. § 1159(a) (establishing requirements for adjustment of status); 8 C.F.R. § 209.1(b) (providing that upon admission to the United States, every refugee entrant will be notified of the requirement to submit an application for permanent residence one year after entry).

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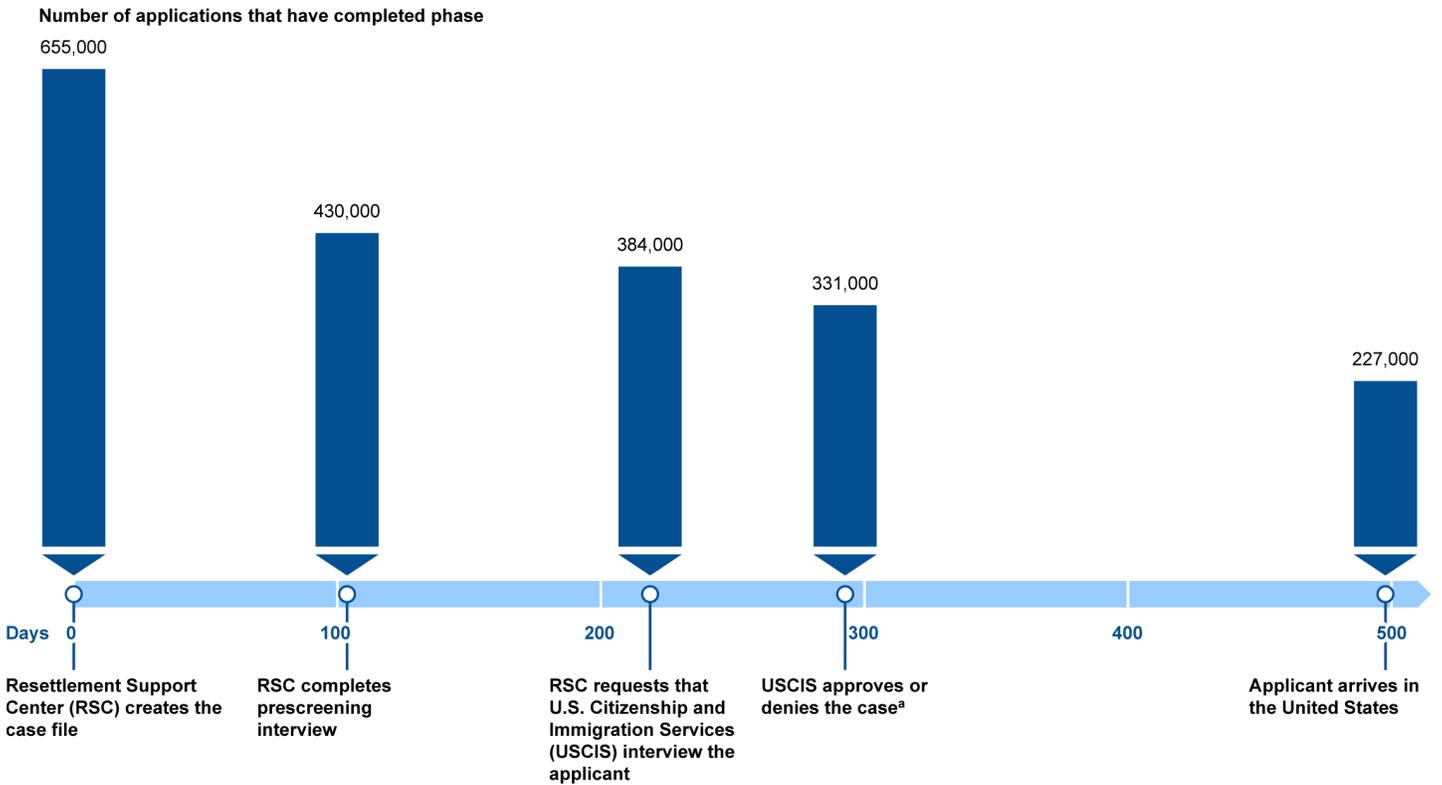
**USRAP Process Took 1 Year or Longer to Complete from Case Creation through Arrival in the United States for About Three Quarters of Applicants Whom USCIS Approved**

The length of time to process a USRAP application varies. For example, of the applicants who applied from fiscal year 2011 through June 2016 and had been admitted to the United States, as of June 2016, 27 percent were processed in less than 1 year, 47 percent between 1 and 2 years, and 26 percent in more than 2 years. Figure 6 shows the cumulative length of time (median number of days) of key phases in the USRAP process. The lengthiest phase was from the time USCIS approved the applicant through arrival in the United States (a median of 189 days).<sup>51</sup>

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<sup>51</sup>Median number of days between key processing phases may not be the same as the cumulative number of days in processing for the same phases because not all applications had recorded dates for all phases. After USCIS conditional approval, the applicant undergoes medical exams (the results of which are considered as part of the final refugee adjudication) and attends cultural orientation sessions, and the RSC prepares the applicant to travel. According to State officials, security checks continue during all of these processes and contribute to processing time before departure. Officials said that certain security checks will continue after an applicant arrives and is admitted to the United States.

**Figure 6: Median Length of Time from Creation of a Case to Subsequent Key Phases in the U.S. Refugee Admissions Program (USRAP), Applications Submitted Fiscal Year 2011 through June 2016 (as of June 2016)**



Source: GAO analysis of USRAP data. | GAO-17-706

Note: Data are rounded to the nearest thousand. Not all applications have data for all phases completed.

<sup>a</sup>USCIS may interview an applicant multiple times before making a decision on his or her case. In addition, the decision may be pending the outcome of security checks that occur after the USCIS interview.

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

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### State and RSCs Have Policies and Procedures on Refugee Case Processing and Prescreening

State and RSCs have various policies and SOPs, trainings, and quality checks related to refugee case processing and prescreening.

**Policies and SOPs for USRAP.** State's *USRAP Overseas Processing Manual* provides an outline of the policies and procedures involved in overseas processing for USRAP, including instructions for using WRAPS, requirements for what information RSCs should collect during prescreening, and instructions and requirements for initiating certain national security checks, among other things.<sup>52</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. For example, RSC caseworkers we observed reviewed applicants' identification documents (e.g. passport,

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<sup>52</sup>Department of State, *USRAP Overseas Processing Manual* (Washington, D.C.: October 2015).

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birth certificate, or marriage certificate) and recorded name variations (e.g. alternate spellings to confirm identity and for use in security checks); recorded “family tree” information (for security checks and to confirm family relationships for subsequent applicants); and recorded the applicants’ flight paths and persecution stories (to be used by USCIS officers in their interviews and to determine if the applicant qualifies as a refugee). In one location, we observed that RSC caseworkers were not consistently asking applicants during the prescreening interviews if they had any other aliases or nicknames. Further, USCIS officers identified the same issue in three separate RSCs, during circuit rides in fiscal years 2014, 2015, and 2016, according to RAD trip reports.<sup>53</sup> Asking about aliases and nicknames is an expected practice for all RSC staff conducting prescreening interviews, according to State and RSC officials, because the information could be useful and important during an applicant’s biographic national security checks. Further, State officials said that if aliases are not identified prior to USCIS interview, it may delay processing because when USCIS officers identify additional names the RSCs must resubmit security checks. We brought the issue to the attention of RSC and State management, and, in response to our observations, the RSC revised its local SOPs to more clearly instruct RSC caseworkers to ask applicants if they had any aliases or nicknames, and State revised its prescreening SOPs and informed all other RSCs of the change.

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 through WRAPS and compiling case file information for USCIS interviewing officers, and found that these RSC staff were complying with SOPs. Further, all nine RSC directors we interviewed stated that they were familiar with State’s requirements for their location and reported implementing them.

**Training on USRAP requirements.** On the basis of our analysis of State’s cooperative agreements, RSC monitoring documents submitted to State, and interviews with State headquarters’ officials and all nine RSC directors, we found that these RSCs reported having various trainings for

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<sup>53</sup>We analyzed available trip reports on circuit rides completed between July 2014 and June 2016. USCIS trip reports are summaries of circuit rides completed by USCIS team leads that include, among other things, summaries and trends in adjudications, cases that involved national security concerns, and suggestions on how to improve training and guidance for officers whom USCIS sends on future circuit rides to that location.

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their staff. According to State officials, they have not developed specific training requirements for all RSCs because each RSC has different needs and conditions requiring individualized training programs. All nine RSC directors with whom we spoke said they have training programs ranging from technical trainings (e.g., WRAPS or interview training) to shadowing programs in which newly-hired staff observe more experienced RSC employees performing their duties. During our September 2016 site visit to RSC Africa, for example, we observed new-hire training for RSC caseworkers, as well as more experienced caseworkers mentoring and coaching the newer staff. At RSC Latin America, according to the director, new staff receive 1 week of WRAPS training and observe more experienced caseworkers conduct prescreening interviews until the new staff member is able to conduct the interviews alone.

**Quality control checks.** On the basis of our analysis of RSC monitoring documents submitted to State, cooperative agreements, observations at the four RSCs we visited, and interviews with State headquarters' officials and all nine RSC directors, RSCs have quality control checks to oversee case processing and prescreening to help ensure that RSC staff collect accurate and reliable information. For example, at all four RSCs we visited, we observed staff conducting both electronic and manual quality control checks of case information. Specifically, after the prescreening interview, RSC staff in all four locations reviewed the hard copy case file and ran checks in WRAPS for errors or omissions. Further, all four RSCs we visited had a dedicated quality control unit that is to monitor data quality and review regular data monitoring reports. Moreover, RSC directors in the other five locations stated that they have similar quality control checks in place, and all nine RSC directors stated that there are quality control checks at every stage of the USRAP process from case creation in WRAPS to when refugees are about to depart for the United States.

According to USCIS officials we interviewed at headquarters and in the field, RSCs generally provide the information that USCIS officers needed to adjudicate applications, but they also identified areas for improvement during some circuit rides. For example, all 10 USCIS officers that we interviewed who participated in the circuit rides associated with our site visits stated that the information gathered by RSCs during the prescreening process was generally accurate, complete, and useful. However, 4 of these officers stated that they have encountered some errors when RSCs provided case files with missing documents or information. In addition, 70 out of the 107 RAD trip reports we analyzed contained feedback on RSC activities. Of these 70 reports, 10 reports

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stated that RSCs generally prepared the cases well, but 45 reports identified concerns with the quality of certain case files, including missing documentation.<sup>54</sup> According to USCIS officials, missing documentation can lead to delays during the circuit ride while RSC staff obtain and provide copies of the missing documents or USCIS officers obtain the missing information during the interview. In addition, USCIS officers may need to place the application on hold until the missing documentation can be obtained.<sup>55</sup> USCIS officers and State officials we interviewed stated that some of the missing information could only have been obtained during the USCIS interviews with applicants, while others stated that applicants can forget or neglect to give RSC staff all of their documentation despite repeated reminders from RSC staff. Further, five of the nine RSC managers stated that they request USCIS officers submit feedback at the end of circuit rides on the quality of the case file content and interpreters, and three of these RSC managers stated that they take action based on USCIS's feedback.<sup>56</sup> For example, RSC managers in two locations stated that they have excluded certain interpreters—who are hired on daily contracts—from subsequent circuit rides based on the feedback from USCIS officers. Additionally, USCIS officials stated that their supervisory officers often meet with RSC staff throughout and at the conclusion of a circuit ride to offer feedback on case preparation, among other things. USCIS headquarters officials also offer feedback to State headquarters officials on RSC operations after circuit ride teams return to Washington, D.C.

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<sup>54</sup>Twenty two of the 70 trip reports did not include information on case file quality. Seven of the 10 trip reports concluded that RSCs generally prepared the cases well and also identified concerns about RSC processing activities.

<sup>55</sup>Some trip reports we reviewed included more than one concern about RSC processing activities.

<sup>56</sup>The other two RSC managers did not comment on the actions taken based on USCIS feedback.

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State Has Controls in Place to Monitor RSCs, but Does Not Have Outcome-based Indicators to Assess RSC Performance across Key Activities

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>57</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).<sup>58</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. The four cooperative agreements and MOU with IOM establish objectives for the RSCs, which include interviewing applicants to obtain relevant information for the adjudication and ensuring the accuracy of information in WRAPS and the case files. State also establishes annual targets for the number of refugees who depart for the United States from each RSC.

In addition, the cooperative agreements between the RSCs and State specify that State will periodically visit and evaluate the general performance of RSC operations. They also require RSCs to provide State with regular written reports on whether performance is in compliance with all the terms and conditions of the agreement. Consistent with funding requirements, the four RSCs with cooperative agreements submitted quarterly reports to State in fiscal year 2015, for example, that included information on how each RSC is addressing USRAP objectives. The reports included the number of applicants prescreened each quarter, the number of approved applicants who received cultural orientation training, and how RSCs compile applicant information. In addition, the four RSCs operated by IOM submitted quarterly reports using the same template.<sup>59</sup>

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<sup>57</sup>Department of State, *Federal Assistance Policy Directive* (Washington, D.C.: January 2016).

<sup>58</sup>The four RSCs with cooperative agreements are RSC Africa, RSC Austria, RSC East Asia, and RSC Turkey and the Middle East. The four RSCs run by the International Organization for Migration through a voluntary contribution from State are RSC Eurasia, RSC Latin America, RSC Middle East and North Africa, and RSC South Asia.

<sup>59</sup>RSC Cuba does not submit quarterly reports because resettlement support operations in Cuba are performed directly by State-employed U.S. Embassy staff.

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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. State headquarters officials and Refugee Coordinators we met with at the four RSC locations we visited told us that they have daily, informal interaction—via telephone, e-mail, or in-person—with the RSCs. State’s Program Officers also stated that they coordinate regularly with RSCs and conduct annual monitoring visits at RSCs to assess RSCs’ performance and complete monitoring reports based on their visits. We reviewed monitoring reports from eight State site visits to RSCs completed between 2015 and 2016 and found that some included narrative discussions of RSC case processing and timeframes, records management, coordination with other USRAP partners, and other topics.<sup>60</sup> However, not all monitoring reports included consistent information on the same topics. For example, four of the eight monitoring reports we analyzed did not contain information on RSC case processing, prescreening interviews, and security check activities. Further, Program Officers are to complete separate monitoring reports for RSCs funded through cooperative agreements that assess the degree to which RSCs are making progress towards objectives based on project indicators. The indicators for RSCs, according to two fiscal year 2016 reports we reviewed, include the number of individuals prescreened and presented to USCIS for interview, the number of individuals who received cultural orientation training, the number of refugees that departed from those RSCs to the United States, and whether the RSCs ran security checks on all applicants. According to State officials, they also conduct daily monitoring of RSC activities through WRAPS data, which may be useful for monitoring RSC workload or data quality issues.

Although State has established objectives and monitors several quantitative goals for RSCs—including the number of refugees that depart each year for the United States and the number of applicants who receive cultural orientation training—it has not established outcome-based performance indicators for key RSC activities such as prescreening applicants or accurate case file preparation, or monitored

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<sup>60</sup>State officials said that no monitoring report was available for the South Asia RSC because State officials found no major deficiencies and as a result decided to provide an oral briefing instead of a written report.

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RSC performance consistently across such indicators.<sup>61</sup> Specifically, neither the quarterly reports nor other monitoring reports we examined have or use consistent outcome-based performance indicators from which State Program Officers 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. RSCs collect performance information from USCIS officers through surveys or in-person feedback sessions at the end of circuit rides, which could help inform the development of outcome-based performance indicators. For example, the survey asks USCIS officers to rate the quality of the RSC staff's documentation of the applicants' persecution claim. State could develop an indicator from this information and measure progress against it.

According to State's January 2016 policy directive, all assistance awards made by bureaus, offices, and posts—both domestic and overseas—within the department with assistance-awarding authority should have a monitoring plan that includes goals, objectives, and indicators that are outcome-oriented and capable of measuring the recipient's progress in meeting these goals.<sup>62</sup> In addition, according to *State's Performance Management Guidebook*, a program requires a systematic process for monitoring the achievement of program activities; analyzing performance to track progress toward planned results; and using performance information and evaluations to influence program implementation and results.<sup>63</sup> The guidebook states that each bureau, program, or project should establish goals; have specific measurable, outcome-oriented objectives; and develop and monitor performance indicators that focus on the results or effects caused. Moreover, in accordance with GPRA, as updated by GPRAMA, performance measurement is the ongoing monitoring and reporting of program accomplishments, particularly towards pre-established goals, and agencies are to establish

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<sup>61</sup>Output-based performance indicators measure the direct products or services delivered by a program, while outcome-based indicators measures the results of those products or services.

<sup>62</sup>Department of State, *Federal Assistance Policy Directive* (Washington, D.C.: January 2016).

<sup>63</sup>Department of State, *Performance Management Guidebook: Resources, Tips, and Tools* (Washington, D.C.: December 2011).

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performance measures to assess progress towards goals.<sup>64</sup> These measures should link program efforts to desired outcomes. While GPRAMA is applicable to the department or agency level, performance goals and measures are important management tools to all levels of an agency.<sup>65</sup>

State officials said that in September 2016 they began to staff a new policy section within State's Office of Admissions, and staff within this section are to begin standardizing the reporting of monitoring efforts, among other things. In addition, as of March 2017, according to State officials, the department and IOM were in the process of revising the MOU to include, among other things, new monitoring and reporting requirements that includes performance indicators. These officials also stated that, in future cooperative agreements, they plan to build on performance indicators developed by IOM while ensuring outcome-based results. However, as of March 2017, State did not have documentation or timelines for its plans to develop outcome-based performance indicators. 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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<sup>64</sup>See generally Pub. L. No. 103-62, 107 Stat. 285 (1993) (GPRA) and Pub. L. No. 111-352, 124 Stat. 3866 (2011) (updating GPRA); 31 U.S.C. § 1115.

<sup>65</sup>GAO, *Managing For Results: Enhancing Agency Use of Performance Information for Management Decision Making*, [GAO-05-927](#) (Washington, D.C.: Sept. 9, 2005).

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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 Assign Officers and Adjudicate Refugee Applications

#### Staffing USCIS Circuit Rides

USCIS has policies and procedures to determine how to assign officers—RAD, IO, and temporary duty officers from other USCIS divisions—on circuit rides to adjudicate USRAP applications. According to USCIS officials, each fiscal year, based on State’s determination of the estimated number of cases that will be ready for USCIS interviews, RAD and IO divide responsibility for the anticipated workload. In general, RAD officers adjudicate refugee applications in locations where the caseload is large, such as Jordan and Kenya. According to USCIS officials, IO officers generally adjudicate refugee applications in locations where the refugee caseload is small, such as Pakistan, or where IO has a permanent office presence, such as Moscow, Russia. In fiscal year 2016, USCIS interviewed 43,705 refugee cases comprising 120,919 individuals. RAD interviewed 36,706 and, IO interviewed 6,999 of these cases.

USCIS solicits a pool of temporary duty (temporary) officers from offices throughout USCIS who have volunteered to adjudicate refugee applications on circuit rides, contingent upon receiving additional training, when RAD or IO do not have sufficient staff capacity to meet the workload demands. According to RAD headquarters officials, there are no restrictions on assigning temporary officers to particular circuit rides. RAD officials stated that they generally assign RAD and temporary officers based on officers’ availability and interview experience. Additionally, temporary officers may commit to doing one or more circuit rides over one

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or more fiscal years. USCIS headquarters officials acknowledged that applications in some locations are more difficult to adjudicate than others and some temporary officers may not be as proficient or experienced at adjudicating applications as permanent RAD and IO officers. As a result, as resources permit, RAD and IO officials stated that they try to place temporary officers on circuit rides with caseloads that are best suited for their experience level. RAD headquarters officials also stated that, historically, they have planned for temporary officers to conduct approximately 15 to 25 percent of RAD's refugee interviews and expect temporary officers to continue to be part of their workforce plan. When the refugee ceiling increased to 85,000 in fiscal year 2016, RAD increased the number of temporary officers on circuit rides to meet immediate mission needs while also working to hire additional refugee officers. RAD officials stated that, in fiscal year 2016, temporary staff completed 41 percent of RAD's interviews. As of March 2017, RAD officials stated that they have undertaken significant hiring efforts in the past year, reducing the need for temporary officers. In addition, IO officials stated that fewer than 25 percent of the officers who participated in IO circuit rides in fiscal year 2016 were temporary officers. As of March 2017, IO officials stated that they do not plan to use temporary officers to adjudicate refugee applications for the remainder of fiscal year 2017.

## Adjudication Policies and Procedures

USCIS has developed policies and procedures for adjudicating refugee applications. These policies and procedures apply to RAD, IO, and temporary officers and include policies and procedures 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. For example, USCIS has developed a refugee application assessment tool that all officers are to use when interviewing the applicant to determine if the applicant was appropriately granted access to USRAP, had past persecution or a well-founded fear of persecution, is credible, is not a persecutor, and is admissible to the United States—including whether the applicant might be inadmissible due to national security or terrorism-related concerns. According to the assessment tool, at the time of interview, the USCIS officer is responsible for ensuring that appropriate security checks have been completed before making a decision on the application. Further, after receiving a completed refugee case file, supervisors are to review all forms and documents in the file that are relevant to establishing eligibility for refugee resettlement, including any documents provided by UNHCR or the RSC and those completed by the interviewing officer. Supervisors are to review the case file completed by the interviewing officer to ensure that the officer's decision is legally sufficient, that the officer has reviewed security check

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results, and that all sections of the refugee application assessment are accurate and complete. In addition, USCIS has developed policies and procedures for determining when to place applications on hold. Specifically, officers may place an application on hold when the officer cannot make a final decision at the time of the interview—for example, if the outcomes of all required security checks are not yet available or if national security indicators requiring additional research become known to the officer at any point during the interview.

We observed 29 USCIS RAD refugee interviews (including interviews by RAD officers and temporary officers) at 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 placed cases that had pending security checks on hold, as required. We also observed that the USCIS officers documented the questions they asked and the answers the applicants provided. We also observed RAD supervisors while they reviewed officers' initial decisions, interview transcripts, and case file documentation, consistent with RAD policy, at two of the sites we visited.<sup>66</sup> Further, all six of the USCIS 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>67</sup>

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### USCIS Provides Specialized Training to All Officers Who Adjudicate Refugee Applications, but Could Improve Training for Temporary Officers

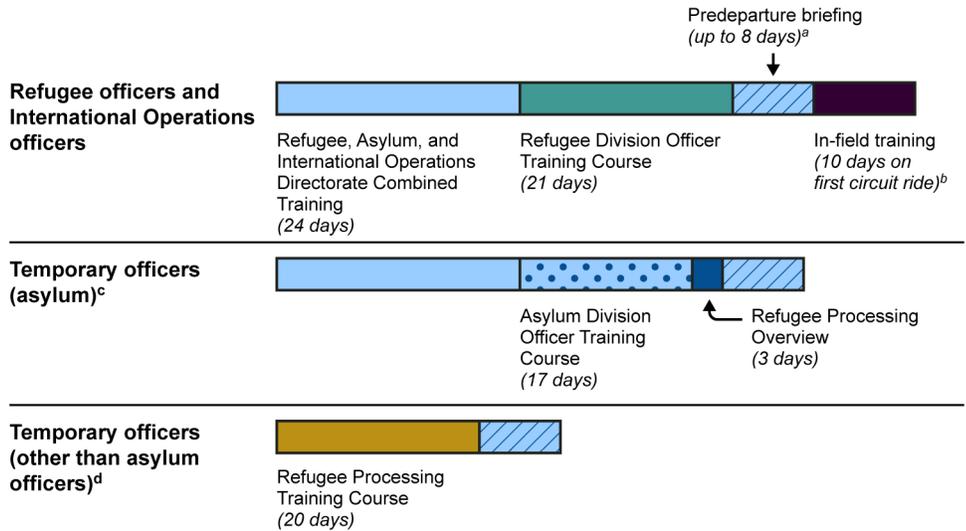
According to USCIS policy, all USCIS officers who adjudicate refugee applications must complete specialized training, and the training varies based on the USCIS division of the officer (for example, Asylum or Refugee Affairs). However, temporary officers receive a condensed (or shortened) version of the trainings received by full time refugee officers and do not receive infield training. Figure 7 shows the training USCIS officers receive depending on whether they are in RAD, IO, or another USCIS division (i.e., a temporary officer).

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<sup>66</sup>We did not have an opportunity to directly observe supervisory review at the remaining two locations.

<sup>67</sup>Of the interviewing officers we met with, 8 were refugee officers and 2 were temporary officers. None of the supervisors were temporary officers.

**Figure 7: U.S. Citizenship and Immigration Services (USCIS) Initial Training Requirements for Officers Who Adjudicate Refugee Applications**



Source: GAO analysis of USCIS training requirements. | GAO-17-706

<sup>a</sup>According to International Operations (IO) officials, most IO circuit rides include a small number of staff and the predeparture briefing is less formalized than the Refugee Affairs Division (RAD) predeparture briefing.

<sup>b</sup>According to IO officials, some IO officers receive in-field training from a dedicated trainer on RAD circuit rides, while others may receive in-field mentoring through other means, such as being paired with a more experienced officer on their first circuit ride.

<sup>c</sup>Applies to individuals who have completed affirmative asylum interviews within the past year. Like refugee officers, asylum officers conduct interviews to assess whether an applicant has credibly established that he or she is a refugee.

<sup>d</sup>Applies to individuals who have never conducted refugee or asylum interviews or whose most recent RAD or asylum interviewing experience was more than 5 years ago.

**Protection Training.** RAD training requirements for refugee officers state that officers are to attend a 4 week, in-person training (referred to as refugee basic training) that is specific to the refugee adjudication process, including classroom sessions, a written exam, and at least three mock interviews. IO headquarters officials stated that IO officers are to attend refugee basic training before adjudicating refugee applications. To adjudicate refugee applications, temporary officers are to have received “protection training,” the content of which varies based on the experience

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and qualifications of the temporary officer.<sup>68</sup> Specifically, RAD's training requirements for temporary officers state that officers who have not interviewed refugees in the past year are to receive an abbreviated in-person training that is either 3 days (if the temporary officer has recent interviewing experience for RAIO directorates, such as an asylum officer) or 20 days (if the temporary officer does not have recent interviewing experience for RAIO directorates).<sup>69</sup> On the basis of our review of training syllabi, topics in refugee basic training, and temporary officer trainings include, at a minimum, applicable refugee and other immigration laws, refugee case file review, national security concerns, bars to refugee admission to the United States, and credibility assessment.

**Middle East Refugee Processing Training.** Further, since October 2014, all officers (including temporary officers) who adjudicate applications that include applicants from Iraq and Syria are required to take the week-long Middle East Refugee Processing training.<sup>70</sup> This training provides information to officers on the region's history, specific country conditions, and additional training on indicators of potential national security concerns—such as military service history—for refugee applicants from Iran, Iraq, and Syria. This training includes briefings from law enforcement and the intelligence community.

**Predeparture briefings.** In addition, prior to each RAD circuit ride, all officers, including temporary officers, who will adjudicate applications on that circuit ride are to receive a predeparture briefing that includes, among other things, any updated information on national security

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<sup>68</sup>For example, RAD considers Asylum Division Officer Training, the division-specific training course for USCIS asylum officers, protection training. Like refugee officers, asylum officers conduct interviews to assess whether an applicant has credibly established that he or she is a refugee within the meaning of U.S. immigration law. However, whereas refugee officers travel overseas to interview applicants, asylum officers interview applicants from within the United States. RAD also utilizes USCIS attorneys from the Office of the Chief Counsel, especially the Refugee and Asylum Law Division and the Administrative Appeals Office as temporary officers on refugee circuit rides. According to USCIS officials, these officers have had extensive immigration and refugee-related legal training.

<sup>69</sup>For example, officers who have conducted asylum interviews within the past year are to take the 3-day training. Officers who have not conducted refugee interviews in 5 or more years are to take the 20-day training.

<sup>70</sup>A previous version of this training for officers who adjudicated applications from Iraq, known as Iraqi training, began in June 2007. In October 2014, Iraqi training was lengthened and expanded to the current Middle East refugee processing training.

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concerns and caseload trends for the particular circuit ride population. IO officials stated that their circuit rides are smaller and they do not always have formal predeparture briefings.<sup>71</sup> However, IO officials told us their officers spend time before circuit rides reviewing case files and researching any country conditions or policy updates that officers deem relevant to their cases. All 10 RAD or temporary officers we interviewed who adjudicated applications or reviewed cases on the RAD circuit rides we observed stated that the USCIS trainings—particularly the predeparture briefings—were valuable and helpful.

**In-field training.** RAD officers receive 10 days of “in-field training” from a dedicated trainer on their first circuit ride. According to RAD training requirements and circuit ride trip reports, during the in-field training period, new officers are to observe experienced interviewers, conduct interviews on a reduced schedule, receive individual guidance and performance feedback, and discuss case-specific issues with the trainers. In particular, 3 of the 107 trip reports we analyzed covered circuit rides with in-field training and noted that the in-field training period was valuable for new officers. For example, one report stated that new refugee officers benefited greatly from the in-field trainer’s knowledge and ability to be fully available for training and development. IO officials stated that they do not require formal in-field training for all new officers. Some new IO officers receive formal in-field training on RAD circuit rides, while others on smaller circuit rides may be paired with a more experienced officer and receive in-field mentoring on their first circuit ride. However, temporary officers do not receive in-field training.

Although temporary officers receive training prior to participating in circuit rides, we found that they sometimes face challenges adjudicating refugee applications. For example, we analyzed the 44 available trip reports completed from July 2014 through June 2016 from RAD circuit rides that included temporary officers.<sup>72</sup> In 15 of the 44 reports (about one-third), the RAD circuit ride supervisors noted that temporary officers faced challenges adjudicating refugee applications on the circuit ride. For example, one report indicated that although temporary officers completed

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<sup>71</sup>IO officials stated that IO does not necessarily hold formal pre-departure briefings because, in some locations, the same few IO officers may be processing the same refugee populations on multiple occasions. Thus, those particular IO officers may already be familiar with that caseload and may not require a formal pre-departure briefing.

<sup>72</sup>We analyzed all 107 available reports completed following circuit rides during this time frame.

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the required training and predeparture briefing, they seemed not to have retained much information. Other reports indicated that temporary officers stated that they did not feel prepared to conduct some aspects of administrative and interview processes or that most temporary staff on the circuit ride only began to grasp the full range of law, policy, and procedures after 4 to 5 weeks on the circuit ride. One report also noted that temporary officers required de-facto mentoring on a daily basis. Further, USCIS headquarters officials and two interviewing officers we spoke with told us that some temporary officers make more errors than experienced officers, which contributes to inefficiencies, such as extra hours worked by supervisors. In addition, one temporary officer we observed stated that, despite the training she received, she felt unprepared to adjudicate cases on the first few days of her circuit ride. According to USCIS officials, all adjudications that are finalized have been determined by a supervisor to be legally sufficient. Consistent with USCIS policy, a supervisor is to review each case file and determine that the officer's decision on the application is legally sufficient, among other things, before the decision is finalized. The supervisor may agree with the officer's decision, request a reinterview for more information, or overturn the officer's decision.

On the basis of their review of trip reports, USCIS headquarters officials stated that in 2016, they revised the Refugee Processing Overview training (which is required for temporary officers with recent RAIO interviewing experience, such as asylum officers) and the predeparture briefing content (up to 8 days) to include mock interviews and more practical exercises about the refugee adjudication process. We reviewed syllabi for the Refugee Processing Overview training and found that the training increased from 1 day, without mock interviews, in April 2015 to 3 days, with two mock interviews and additional practical exercises about national security and terrorism-related concerns, in March 2016. However, unlike RAD officers and IO officers, USCIS has not offered in-field training for temporary officers.

*Standards for Internal Control in the Federal Government* states 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>73</sup> USCIS officials told

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<sup>73</sup>[GAO-14-704G](#).

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us that temporary officers receive a number of accommodations to help them adjudicate applications—including a reduced ramp-up schedule on their first days of interviewing and a compilation of frequently used adjudication tools and guidance—but that USCIS is unable to offer in-field training to temporary officers due to resource constraints.

In March 2017, RAD officials also stated that they have undertaken significant hiring efforts in the past year, reducing the need for temporary officers. IO officials also said IO does not plan to use temporary officers for the remainder of fiscal year 2017. Nevertheless, interviewing officers, including temporary officers, play a critical role in the refugee adjudication process, and USCIS may use temporary officers to meet workload demands in the future. Some temporary officers have committed to working on three circuit rides in a 2-year period, and may interview hundreds of refugee cases over that time frame. Further, while enhancing training for temporary officers may require additional resources, the lack of experience and preparation among temporary officers has led to inefficiencies, as described by some USCIS supervisors. 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 on Circuit Rides

In addition to training, USCIS has developed guidance documents and tools to help officers identify USRAP applicants with potential national security concerns. However, USCIS could strengthen its efforts by developing and implementing a plan for deploying officers with national security expertise on selected circuit rides. USCIS provides a number of resources to officers to help them identify and address potential national security-related concerns in USRAP applications.<sup>74</sup> Further, security check results (provided by interagency vetting partners) may help officers identify security concerns before the refugee interview. 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. These headquarters staff can clear the hold, deny the case, or refer the case back to USCIS officers for reinterview with suggested lines of questioning. Further, RAD maintains training lesson plans, guidance on particular issues (such as terrorism-related inadmissibilities), and country conditions information that is accessible to interviewing officers overseas. As discussed above, USCIS provides the most up-to-date guidance to interviewing officers during its predeparture briefings.

While USCIS has training and guidance to adjudicate cases with national security-related concerns, USCIS trip reports and officers we interviewed indicated that it can be challenging to adjudicate such applications. About half of the trip reports we analyzed (52 of 107) identified national security concerns as a training need for future circuit rides or made policy or guidance requests regarding national security concerns. Of these 52 reports, 33 were from circuit rides with no temporary officers and 19 were from circuit rides with a mix of temporary officers and refugee officers. For example, some trip reports generally noted that officers had difficulty identifying what applicant characteristics would be considered potential national security concerns among certain populations being interviewed. In addition, one trip report stated that officers required repeated reminders to elicit all of the necessary details that headquarters reviewers would need to determine whether an applicant posed a national security concern. Further, one supervisor we spoke with during a site visit stated

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<sup>74</sup>Specific examples of resources provided to officers are omitted from this report because USCIS deemed the information to be sensitive.

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that guidance about identifying cases with national security indicators is ambiguous and, at times, contradictory. Moreover, both RAD and IO headquarters officials we met with stated that interviewing officers are hesitant to make decisions regarding cases with national security concerns, and, as a result, often place cases on hold that are ultimately determined not to have national security concerns. USCIS officials identified several reasons why it is challenging to provide training and guidance on how to adjudicate cases with potential national security 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, RAD initiated a pilot program in the second and third quarters of fiscal year 2016, through which it sent headquarters USCIS Security, Vetting, and Program Integrity (SVPI) unit officers with national security-related expertise to support interviewing officers on select circuit rides.<sup>75</sup> During these circuit rides, according to RAD and SVPI officials, SVPI officers' tasks included prescreening case files and applications for national security concerns, flagging those concerns, and recommending lines of questions for USCIS interviewing officers. During our August 2016 visit to Amman, Jordan, we observed 16 interviews of applicants whose case files the SVPI officer had prescreened for potential national security-related issues; interviewing officers used notes that the SVPI officer provided to inform the questions they asked applicants. In some instances, the SVPI officer stated that he met with the interviewing officer before the interview to discuss potential questions on issues of national security concern that the SVPI officer anticipated might arise. Further, during the interview, the SVPI officer was available for real-time webchats to answer officers' questions as they arose.

The SVPI officer, circuit ride supervisor, and interviewing officers we spoke with in Amman all stated that having SVPI present on the circuit ride was valuable. For example, one temporary officer, who was on her

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<sup>75</sup>SVPI consists of both RAD refugee officers and USCIS Fraud Detection and National Security Directorate immigration officers who are responsible for addressing national security, fraud, or other security-related issues that arise in the adjudication of applications. SVPI officers provide advice to refugee officers adjudicating applications with fraud or national security concerns, conduct additional headquarters' checks where there are indicators of fraud or national security concerns, and help shape policy and operating procedures for national security cases.

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first circuit ride, stated that she could not imagine resolving cases with national security concerns without the in-field help of SVPI. USCIS headquarters officials stated sending an SVPI officer resulted in a decrease in cases requiring headquarters review, although other factors also played a role in this decrease. For example, the on-site SVPI officer was able to resolve some cases with potential national security concerns in the field and was also able to prioritize cases requiring headquarters' review due to potential national security concerns.

In December 2016, RAI0 and SVPI officials said they had determined that the SVPI in-field pilot was successful and that they plan to make it a formal part of select circuit rides in the future. These officials stated that they plan to continue to send SVPI officers on select circuit rides with caseloads high in potential national security-related issues, as resources permit.<sup>76</sup> The officials stated that RAD selects which circuit rides will have on-site SVPI support based on several factors, including the number of cases placed on hold for national security-related concerns during previous circuit rides to certain locations and the availability of SVPI staff.

To increase SVPI's ability to support circuit rides, in December 2016, USCIS posted an SVPI job announcement with eight potential vacancies. The announcement stated that the job may require travel of up to 180 days per year on overseas circuit rides. The USCIS officials told us that, as of March 2017, they continue to work to fill these positions and are drafting an SOP that will have guidance about roles and responsibilities for SVPI officers providing on-site support to RAD circuit rides, which they intend to finalize later in 2017.<sup>77</sup> As of April 2017, USCIS reported having filled five of the eight positions. Further, according to USCIS officials, SVPI initiated a test of the operational aspects of the draft SOP by deploying a supervisory SVPI officer on a RAD circuit ride in March 2017. USCIS officials reported in March 2017 that the draft SOP had not yet undergone a legal review. According to these officials, they expect to issue the SOP by July 2017. However, USCIS did not provide documentation or timelines for its plans to expand the use of SVPI officers on selected circuit rides.

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<sup>76</sup>As of March 2017, USCIS officials stated that SVPI officers are providing on-site support to select RAD circuit rides.

<sup>77</sup>Officials stated that the hiring process for SVPI on-site circuit ride support officers was interrupted by the federal hiring freeze announced in January 2017, but that as of March 2017, these positions have been exempted from the hiring freeze and the hiring process continues.

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We have previously reported that, in developing new initiatives, agencies can benefit from following leading practices for strategic planning.<sup>78</sup> Congress enacted GPRAMA to improve the efficiency and accountability of federal programs and, among other things, to update the requirement that federal agencies develop long-term strategic plans that include agencywide goals and strategies for achieving those goals.<sup>79</sup> The Office of Management and Budget (OMB) has provided guidance in Circular A-11 to agencies on how to prepare these plans in accordance with GPRAMA requirements. We have reported in the past that, taken together, the strategic planning elements established under GPRA, as updated by GPRAMA, and associated OMB guidance, along with practices we have identified, provide a framework of leading practices that can be used for strategic planning at lower levels within federal agencies, such as planning for individual divisions, programs, or initiatives.<sup>80</sup> One of these leading practices is to define strategies and identify resources needed to achieve goals. Strategies should be designed to align activities, core processes, and resources to support the mission. Further, strategies should include milestones as well as a description of the resources needed to meet established goals.

RAIO officials stated that they plan to deploy SVPI officers on additional circuit rides in the future. While these plans are a positive step for helping officers address potential national security concerns on circuit rides, USCIS has not yet documented these plans or completed an SOP. Given SVPI's lack of documentation for future plans and challenges identified by USCIS staff in adjudicating cases with potential national security

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<sup>78</sup>GAO, *National Nuclear Administration: A Plan Incorporation Leading Practices Is Needed to Guide Cost Reporting Improvement Effort*, [GAO-17-141](#) (Washington, D.C.: January 2017); *Environmental Protection: EPA Should Develop a Strategic Plan for Its New Compliance Initiative*, [GAO-13-115](#) (Washington, D.C.: Dec. 10, 2012); and *Environmental Justice: EPA Needs to Take Additional Actions to Help Ensure Effective Implementation*, [GAO-12-77](#) (Washington, D.C.: Oct. 6, 2011).

<sup>79</sup>See generally Pub. L. No. 103-62, 107 Stat. 285 (1993) (GPRA) and Pub. L. No. 111-352, 124 Stat. 3866 (2011) (updating GPRA); 5 U.S.C. § 306(a).

<sup>80</sup>For example, see GAO, *Veterans Health Care: 11-12 r1, Improvements Needed in Operationalizing Strategic Goals and Objectives*, [GAO-17-50](#) (Washington, DC: October 2016); *Executive Guide: Effectively Implementing the Government Performance and Results Act*, [GAO/GGD-96-118](#) (Washington, D.C.: June 1, 1996); *Tax Administration: IRS Needs to Further Refine Its Tax Filing Season Performance Measures*, [GAO-03-143](#) (Washington, D.C.: Nov. 22, 2002); and *Managing for Results: Strengthening Regulatory Agencies' Performance Management Practices*, [GAO/GGD-00-10](#) (Washington, D.C.: Oct. 28, 1999).

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concerns, it is unclear how or when RAIO will fulfill its plans to send national security experts on circuit rides to support interviewing officers. In light of the evolving and significant nature of national security concerns, developing and implementing a plan to deploy additional SVPI officers with national security expertise on circuit rides—including timeframes for deployment and how USCIS will select circuit rides for SVPI 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 Has Not Conducted Quality Assurance Assessments of Refugee Adjudications since Fiscal Year 2015 Despite Significant Changes to the Program Since That Time

USCIS has not conducted quality assurance assessments of refugee adjudications since fiscal year 2015 and has not developed plans for subsequent assessments, which help ensure that case files are completed accurately and that decisions by RAD, IO, and temporary officers are well-documented and legally sufficient. The RAIO Directorate conducted a quality assurance review of refugee adjudications in fiscal year 2015.<sup>81</sup> The RAIO Directorate's 2015 review included a sample of applications adjudicated by RAD and IO during one quarter of the fiscal year, which was not representative of all RAD and IO applications for the fiscal year.<sup>82</sup> The 2015 quality assurance review found that most cases in the sample were legally sufficient.<sup>83</sup> However, the review indicated that there were differences between RAD and IO adjudications. Specifically, the 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

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<sup>81</sup>RAIO officials stated that, prior to the fiscal year 2015 review, they made significant revisions to the assessment tool for refugee cases and implemented a new rating system for quality reviews. The purpose of these changes was to accurately reflect the quality level of each case and clarify whether the case was legally sufficient.

<sup>82</sup>For example, the review did not include any cases from Russia or South Africa, which comprised 26 percent of IO's caseload in fiscal year 2015.

<sup>83</sup>During RAIO 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.

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sufficient.<sup>84</sup> According to the assessment, USCIS placed these cases on hold or requested that RSCs schedule the applicants for reinterview. 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. 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. RAIO identified issues related to training and guidance for IO officers as well as supervisory review that may have led to these deficiencies.

RAIO developed six high-priority action items to address the identified deficiencies in the quality assurance review and, as of November 2016, RAD and IO officials have made progress toward implementing them. For example, in 2016, IO issued a memorandum with required qualifications for IO officers who conduct supervisory review of refugee applications and provided additional guidance on which questions officers must ask during the interview in specific locations to ensure legal sufficiency. RAD and IO officials stated that they have taken steps to implement other action items identified in the 2015 review, such as incorporating more national security-related research, as appropriate, into the case file reviews that IO officers complete as part of their circuit ride predeparture preparation.

RAIO officials stated that they have not completed a quality assurance review since fiscal year 2015, and, as of March 2017, do not know whether they will do so in fiscal year 2017.<sup>85</sup> USCIS officials stated that they did not conduct a review in fiscal year 2016 for two reasons. First, in fiscal year 2016, RAIO officials stated that they faced resource constraints because they were focused on hiring and training new staff, and training and quality assurance are handled by the same team within RAIO. Second, the officials stated that there was value in allowing time for the action steps identified after the 2015 review to be implemented

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<sup>84</sup>The assessment rated an additional 12 IO cases (16 percent) and zero RAD cases as minimally acceptable.

<sup>85</sup>RAD officials stated that a variety of factors, including any changes that may occur as a result of executive orders in early 2017 addressing U.S. immigration policy and more specifically, refugee admissions, may impact whether RAIO conducts a fiscal year 2017 quality assurance assessment.

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before conducting another review to identify if the action steps addressed the deficiencies noted in the prior review. RAIO officials also stated that even though they do not yet know whether they will conduct a quality assessment in fiscal year 2017, 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.

USCIS's January 2015 RAD and *IO Roles and Responsibilities with Respect to Refugee Processing* memorandum states that RAD is to establish quality assurance criteria and design the quality assurance program for refugee adjudications, in consultation with IO. The 2015 memorandum further states that RAD will conduct quality assurance reviews of refugee cases adjudicated by temporary officers, IO staff, and permanent RAD staff. Further, *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>86</sup> The scope and frequency of evaluations are to depend on the assessment of risks, effectiveness of ongoing monitoring, and rate of change within the entity and its environment. 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>87</sup>

Although there have been significant changes in the refugee caseload in the past 2 years (such as the 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 has no plans to conduct them in 2017. Regular quality assurance reviews could help provide USCIS reasonable assurance that RAD officers, IO officers, and temporary officers are consistently, accurately, and sufficiently documenting their adjudication decisions. Conducting regular quality assurance assessments of refugee adjudications would also provide USCIS officials with key information about the quality of USCIS refugee adjudications and allow them to

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<sup>86</sup>GAO-14-704G.

<sup>87</sup>Project Management Institute, Inc., *The Standard for Program Management*®, Third Edition, 2013.

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identify any areas where officers face challenges, allowing RAD and IO to target training or guidance to areas where it may be most needed.

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

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### State, RSCs, and USCIS Have Implemented Mechanisms to Help Detect and Prevent Fraud Committed by USRAP Applicants

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>88</sup> In general, immigration benefit fraud often involves the willful misrepresentation of material fact for the purpose of obtaining an immigration benefit, such as refugee status. Immigration benefit fraud is often facilitated by document and identity fraud. Document fraud includes forging, counterfeiting, altering, or falsely making any document, or using, possessing, obtaining, accepting, or receiving such falsified documents in order to satisfy any requirement of, or to obtain a benefit under, U.S. law. Identity fraud refers to the fraudulent use of others' valid documents. In the context of USRAP, applicants may attempt to apply for refugee status after having been denied refugee status or another immigration benefit, such as a visa, using another identity. Or, applicants may falsely present themselves as a national of a country eligible for resettlement to gain access to USRAP. Further, applicants may present false marriage claims or attempt to include unrelated children on their case. USCIS officers can encounter indicators of fraud while adjudicating refugee applications, and State has

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<sup>88</sup>In June 2017, we reported on how State works with UNHCR to implement integrity activities in the resettlement process and State and RSC activities to reduce the risk of staff fraud. See GAO, *Refugees: State and Its Partners Have Implemented Several Antifraud Measures but Could Further Reduce the Risk of Staff Fraud*, [GAO-17-446SU](#) (Washington, D.C.: June 2017). The public version of this sensitive GAO report is *Refugees: State and Its Partners Have Implemented Several Antifraud Measures but Could Further Reduce Staff Fraud Risks*, [GAO-17-737](#) (Washington, D.C.: July 2017).

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suspended USRAP programs in the past because of fraud. Examples include the following:

- Of the 107 RAD circuit ride trip reports we analyzed, 30 reports identified instances in which officers denied applications for fraud or misrepresentation. According to an SVPI official, applications with indicators of fraud may also be denied on other grounds, such as ineligibility, inadmissibility, and security check results, among others.
- In 2008, State suspended the P3 program, a family reunification program between a family member in the United States and the refugee applicant, because of widespread fraud, as discussed below.
- In 2015, State suspended a P2 program after discovering that two individuals who had been approved as refugees and admitted to the United States had submitted fraudulent documents gain access to USRAP. During the suspension period from March to December 2015, State and RSC officials reviewed all cases that they were processing for this P2 program. According to State officials, this review found additional applicants with fraudulent documents.<sup>89</sup>

State, RSCs, and USCIS have put mechanisms in place to help detect and prevent fraud by USRAP applicants.

**State.** State has guidance intended to help RSC staff identify fraudulent refugee applicants, and State has strengthened access controls for some refugee applicants. For example, State SOPs require that, when entering a new case into WRAPS for prescreening, RSC staff verify that a duplicate record does not already exist in WRAPS for the applicants. According to State SOPs, one of the purposes of this step is to identify individuals who attempt to fraudulently access USRAP. RSC officials at all four locations we visited stated that they complete this procedure and our analysis of WRAPS data showed that RSCs have identified duplicate applicant records.<sup>90</sup> State has also strengthened its controls for granting

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<sup>89</sup>Specific details of the 2015 P2 fraud incident are omitted from this report because State determined the information to be sensitive.

<sup>90</sup>According to our analysis of WRAPS data, from fiscal year 2011 through June 2016, RSCs conducting duplicate record verification found 1,396 matches to existing applications within their own RSC and 288 matches to existing applications submitted in another RSC. In these instances, RSCs may close one of the duplicative applications. According to USCIS and State officials, as well as RSC staff, such duplicative records are not necessarily an indicator of fraud. For example, duplicate records could also result from administrative error or travel by an applicant from one RSC's jurisdiction to another.

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access to USRAP for some groups of refugee applicants. For example, after suspending the P3 program due to fraud in 2008, State restarted the P3 program in 2012 with additional controls in place, including a requirement for DNA testing for all claimed parent and child biological relationships. In addition, when State initiated the P2 Central American Minors program in 2014—which, like the P3 program, requires a familial relationship between someone residing in the United States and the refugee applicant—State instituted a requirement for DNA testing of all claimed biological relationships between the qualifying child and the qualifying parent.<sup>91</sup> Further, after finding fraud in 2015 in a P2 program, as discussed above, State strengthened the mechanism for verifying access to USRAP.

**RSCs.** RSCs have also implemented a variety of controls to help detect and prevent fraud among refugee applicants to USRAP. For example, according to all nine RSC directors, each RSC has a designated anti-fraud official or entity, consistent with GAO's Fraud Risk Framework.<sup>92</sup> Officials at all nine RSCs stated that they provide staff with training or information on applicant fraud trends. Further, RSC officials in two RSCs stated that they conduct their own research to detect potential applicant fraud. In addition, two of the four RSCs we visited conduct two prescreening interviews for each applicant rather than one. According to RSC officials, conducting more than one interview serves as a fraud deterrent because it allows the RSC staff to check for consistency across interviews and identify false information. Further, these RSCs require, where possible, that different interpreters participate in each interview to decrease the likelihood that applicants collude with interpreters.

**USCIS.** Within USCIS, SVPI and adjudicators are responsible for antifraud activities related to the adjudication of the refugee application. USCIS has implemented a number of control activities to detect and prevent refugee applicant fraud. Through biometric checks, USCIS may identify that a USRAP applicant has multiple identities. According to SVPI officials, SVPI analyzes the results of the checks, identifies fraud indicators, and may complete a fraud referral so that the applicant can be interviewed or re-interviewed by an officer overseas to address the fraud concern. SVPI also receives fraud referrals from other sources, such as refugee officers and the RSCs, although SVPI officials stated that the

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<sup>91</sup>See app. I for additional information on the Central American Minors program.

<sup>92</sup>[GAO-15-593SP](#).

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number of such referrals is small. USCIS officials stated that, in many instances, interviewing officers deny an application with indicators of fraud on other grounds, which does not require the involvement of SVPI or a fraud referral. Interviewing officers may also place a case with indicators of fraud on hold for additional SVPI research. According to USCIS officials and training materials that we reviewed, USCIS officers who adjudicate refugee applications receive training in identifying fraud and processing cases with fraud indicators during basic training and predeparture briefings. We observed discussions about fraud trends at three of the four predeparture briefings that we attended.

Additionally, the RAD trip report guide states that supervisors are to document any suspected fraud trends from the circuit ride, including how the fraud trend was identified, any actions taken in response to the trend, whether the trend was expected to continue, and examples of any suspected fraud. Of the 107 trip reports we analyzed, 72 contained information about applicant fraud or fraud trends. The information varied, ranging from detailed descriptions of individual cases denied due to misrepresentation or fraud to a more general description of potential fraud trends in certain populations, such as a lack of reliable marriage documentation. The remaining 35 reports stated that there were no fraud trends or left the section of the report about fraud trends blank, which indicates that the author of the trip report did not identify fraud trends on the circuit ride.

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## State and USCIS Have Not Jointly Assessed Applicant Fraud Risks Across USRAP

State and USCIS have not jointly assessed applicant fraud risks across USRAP. Our Fraud Risk Framework calls for program managers to plan and conduct regular fraud risk assessments. According to our Fraud Risk Framework, there is no universally accepted approach for conducting fraud risk assessments, since circumstances among programs vary; however, assessing fraud risks generally involves five actions: (1) identifying inherent fraud risks affecting the program, (2) assessing the likelihood and impact of those fraud risks, (3) determining fraud risk tolerance, (4) examining the suitability of existing fraud controls and prioritizing residual fraud risks, and (5) documenting the program's fraud risk profile.<sup>93</sup> The framework provides managers with flexibility in deciding whether to carry out this and other aspects of fraud risk management at the program or agency level. In addition, *Standards for Internal Control in*

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<sup>93</sup>[GAO-15-593SP](#).

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*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>94</sup>

Although State and USCIS perform a number of fraud risk management activities and have responded to individual instances of applicant fraud, these efforts do not position State and USCIS 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. State is responsible for managing USRAP at a programmatic level and, according to State officials, State has responded to instances of fraud in USRAP. State officials said that they have not conducted an assessment of the risks associated with applications to USRAP because, according to these officials, such an assessment is USCIS's responsibility. However, USCIS officials told us that SVPI—USCIS's antifraud entity for refugee applicant fraud—only has authority over antifraud activities related to the adjudication of the refugee application, including security checks. USCIS officials stated that they are not responsible for, and do not have the authority to respond to, applicant fraud program-wide in USRAP, although they coordinate with State when fraud is brought to the attention of SVPI. As of March 2017, SVPI has a draft Fraud Process SOP, which identifies three main types of applicant fraud in USRAP—individuals who are using multiple identities; individuals who are claiming false family composition, such as marriage fraud; and individuals who are claiming a false country of nationality. In addition, the draft SOP identifies the main sources by which USCIS detects fraud in the USRAP application process—results from biometric checks and testimony and evidence from the USRAP applicant. However, USCIS and State have not jointly conducted a fraud risk assessment of the risks associated with applications to USRAP or determined a fraud risk tolerance for the program.

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

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<sup>94</sup>[GAO-14-704G](#).

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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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## Conclusions

Screening and adjudicating refugee applicants and applications are challenging tasks that involve entities across the U.S. government. RSCs have an important role in the refugee admissions process because they collect applicants' information and conduct in-person prescreening interviews that USCIS officers use to help determine applicants' eligibility and credibility. 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 RSCs are processing refugee applications in accordance with their responsibilities under USRAP.

In addition, adjudicating refugee applications can be challenging. During a face-to-face interview, USCIS officers must, among other things, determine if the applicant meets the definition of a refugee; is inadmissible because of, for example, national security concerns or criminal activities; and is credible. Further, indicators of national security concerns (and the country conditions that give rise to them) evolve and change. 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. Moreover, developing and implementing a plan to deploy additional USCIS SVPI officers with national security expertise on select circuit rides would better ensure that USCIS provides interviewing officers with the resources needed to efficiently and effectively adjudicate cases with national security concerns. In addition, conducting regular quality assurance assessments of refugee adjudications would also provide USCIS officials with key information about the quality of USCIS refugee adjudications and allow them to identify any areas where officers face challenges, allowing RAD and IO to target training or guidance to areas where it may be most needed.

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Given that USCIS officers encounter indicators of fraud while adjudicating refugee applications and fraud has occurred in USRAP programs in the past, it is important that USCIS and State implement leading practices to combat fraud. Without jointly and regularly assessing applicant fraud risks and determining the fraud risk tolerance 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. 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.

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## Recommendations for Executive Action

To better assess whether RSCs are meeting USRAP objectives, the Assistant Secretary of State for Population, Refugees, and Migration should take the following two actions:

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

To better ensure that USCIS officers effectively adjudicate applications for refugee status, the Director of USCIS should take the following three actions:

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

To provide reasonable assurance that USRAP applicant fraud prevention and detection controls are adequate and effectively implemented, we recommend that the Secretaries of Homeland Security and State conduct regular joint assessments of applicant fraud risk across USRAP.

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## Agency Comments

We provided a draft of the sensitive version of this report to the Departments of Homeland Security, State, Defense, and Justice, as well as the Office of Director of National Intelligence, for their review and comment. State and DHS provided written comments stating that they concurred with our recommendations, which are reproduced in full in appendixes III and IV, respectively. In emails, a Director in the Office of

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the Under Secretary of Defense for Policy at the Departments of Defense and the Legislative Liaison Officer at the Office of Director of National Intelligence stated that these agencies did not have any written comments on our draft report. State, DHS, the Department of Justice, and the FBI provided technical comments, which we incorporated as appropriate.

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We are sending copies of this report to interested congressional committees; the Secretaries of Homeland Security, State, and Defense; the Attorney General of the United States; and, the Director for National Intelligence. In addition, the report is available at no charge on the GAO website at <http://gao.gov>.

If you or your staff have any questions about this report, please contact me at (202) 512-8777 or [gablerr@gao.gov](mailto:gablerr@gao.gov). Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. Key contributors to this report are listed in appendix V.



Rebecca Gambler  
Director, Homeland Security and Justice

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*List of Addressees*

The Honorable John Boozman  
Chairman  
The Honorable Jon Tester  
Ranking Member  
Subcommittee on Homeland Security  
Committee on Appropriations  
United States Senate

The Honorable Lindsey Graham  
Chairman  
The Honorable Patrick Leahy  
Ranking Member  
Subcommittee on State, Foreign Operations, and Related Programs  
Committee on Appropriations  
United States Senate

The Honorable Charles E. Grassley  
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Committee on the Judiciary  
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The Honorable Claire McCaskill  
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The Honorable John R. Carter  
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The Honorable Lucille Roybal-Allard  
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Committee on Appropriations  
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The Honorable Hal Rogers  
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The Honorable Nita Lowey  
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Committee on Appropriations  
House of Representatives

The Honorable Michael McCaul  
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Committee on Homeland Security  
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The Honorable Bob Goodlatte  
Chairman  
Committee on the Judiciary  
House of Representatives

The Honorable Jeff Duncan  
Chairman  
Subcommittee on the Western Hemisphere  
Committee on Foreign Affairs  
House of Representatives

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# Appendix I: Central American Minors Program

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The Central American Minors (CAM) Program was established in November 2014 to promote safe, legal, and orderly migration of certain vulnerable children to the United States and began accepting applications on December 1, 2014. This family reunification program aims to deter children from El Salvador, Guatemala, and Honduras from undertaking a risky journey in an attempt to be reunited with a parent residing in the United States.<sup>1</sup> CAM allows certain parents to request access to the U.S. Refugee Admissions Program (USRAP) for their children who are nationals of one of these three countries and are outside of the United States. Children who are found ineligible for admission as a refugee under USRAP but still at risk of harm may be considered for parole—in general a mechanism by which an individual not otherwise admitted to the United States may be permitted entry into the country on a temporary basis.<sup>2</sup> CAM is jointly run by the Department of State's (State) Bureau of Population, Refugees, and Migration and the Department of Homeland Security's (DHS) U.S. Citizenship and Immigration Services (USCIS).

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## Requirements for Program Access

To participate in CAM, both parent and child must meet certain qualifying criteria. Among other criteria, a qualifying parent must be 18 years of age and lawfully present within the United States at the time of application and at the time of admission or parole of the beneficiary (e.g., a qualifying

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<sup>1</sup>From fiscal years 2009 through 2014, the Department of Homeland Security (DHS) apprehended about 100,000 unaccompanied children at the U.S. border from El Salvador, Guatemala, and Honduras. See GAO, *Unaccompanied Alien Children: Actions Needed to Ensure Children Receive Required Care in DHS Custody*, [GAO-15-521](#) (Washington, D.C.: July 14, 2015).

<sup>2</sup>See 8 U.S.C. § 1182(d)(5); 8 C.F.R. § 212.5. According to State and USCIS officials, as of June 2017 the use of parole within the context of CAM is under review in light of Executive Order 13767, *Border Security and Immigration Enforcement Improvements*, issued on January 25, 2017, and DHS's February 20, 2017, memorandum on *Implementing Border Security and Immigration Improvement Policies*, both of which address the federal government's use of parole authority. See 82 Fed. Reg. 8793 (Jan. 30, 2017).

child) to the United States.<sup>3</sup> The qualifying child must be a biological, step, or legally adopted child of the qualifying parent; unmarried; under the age of 21 at the time the qualifying parent initiates the process; and a national of El Salvador, Guatemala, or Honduras. Other family members of the child who meet certain criteria are also eligible to be part of the qualifying child's application. For example, an accompanying parent who is the legal spouse of the U.S.-based qualifying parent may be eligible to travel with the qualifying child. However, the accompanying parent cannot derive his or her refugee status from the qualifying child and therefore must independently establish that he or she qualifies as a refugee. In July 2016 State and DHS announced that CAM would expand to include additional eligible family members, when accompanied by a qualifying child—(1) the children, regardless of age or marital status, of a U.S.-based qualifying parent; (2) the biological parent of a qualifying child who is not legally married to the U.S.-based lawfully present parent; and (3) the caregiver of a qualifying child who is related to either the U.S.-based lawfully present parent or the qualifying child.<sup>4</sup> State began accepting applications that included these additional family members in November 2016.

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<sup>3</sup>The qualifying parent must be lawfully present in the United States under one of the following categories: Permanent Resident Status, Temporary Protected Status, Parolee, Deferred Action, Deferred Enforced Departure, or Withholding of Removal. Parolees and persons granted deferred action must have been issued parole or deferred action for a minimum of 1 year. A beneficiary that enters the United States as a refugee is deemed admitted, has lawful immigration status, and a path towards citizenship (i.e., a refugee must apply for lawful permanent resident status within 1 year of arrival in the United States as a refugee). See 8 U.S.C. §§ 1101(a)(42) (defining refugee), 1157 (authorizing and establishing criteria for the admission of refugees to the United States), 1159 (authorizing adjustment of status for a refugee); see also 8 C.F.R. §§ 207.1-207.9, 209.1. A beneficiary paroled into the United States—that is, authorized to enter for urgent humanitarian reasons or significant public benefit—is lawfully present in the country temporarily but has not been deemed admitted to the country and parole is neither a lawful immigration status nor itself a pathway to citizenship. See 8 U.S.C. § 1182(d)(5) (authorizing discretionary parole); 8 C.F.R. § 212.5. According to USCIS officials, parole under CAM is analyzed using the significant public benefit standard; it is not analyzed using the urgent humanitarian reasons standard.

<sup>4</sup>The caregiver must be a part of the same household and economic unit as the qualifying child. In addition, children of the qualifying child and unmarried children under age 21 of the accompanying in-country caregiver could be included on the qualifying child's application.

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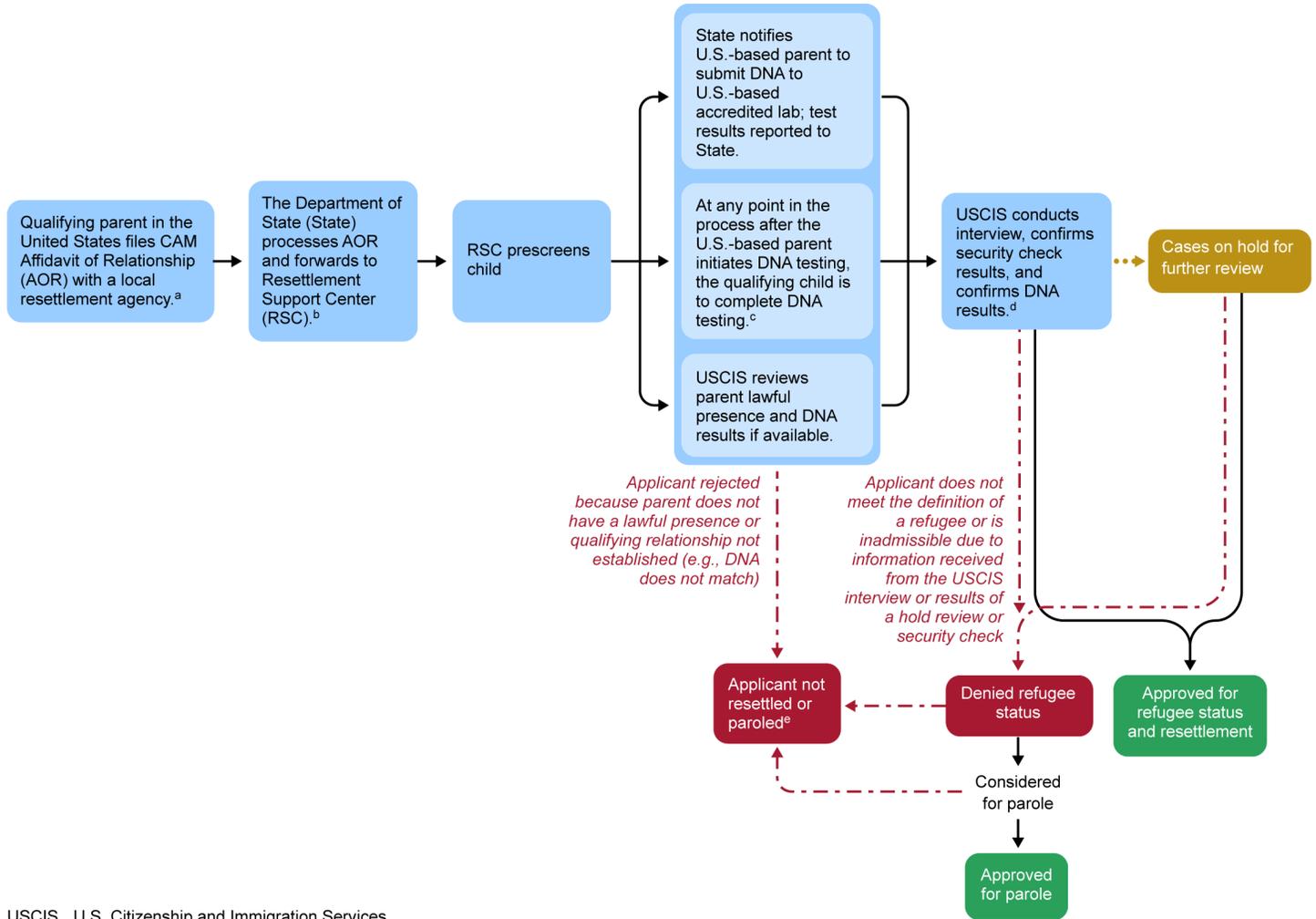
**Application, Interview, and Screening Process**

As shown in figure 8, a qualifying parent initiates the CAM application process in the United States by completing a form (DS-7699, or “Affidavit of Relationship” (AOR)) with the help of a resettlement agency—a State-funded entity that provides support services to refugees once they arrive within the United States.<sup>5</sup>

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<sup>5</sup>There are currently nine resettlement agencies that, through cooperative agreements with State, receive federal funding to perform a range of activities supporting refugee resettlement, including filing paperwork to have in-country relatives join family members currently residing within the United States.

Figure 8: Overview of Key Processing Steps for U.S. Refugee Admissions Program’s (USRAP) Central American Minors (CAM) Program



USCIS U.S. Citizenship and Immigration Services

Source: GAO analysis of Department of State documentation for CAM Program. | GAO-17-706

<sup>a</sup>The CAM AOR contains pertinent identifying information about the U.S.-based parent, in-country child, and other qualifying relatives who will receive the refugee interview. Resettlement agencies are entities that provide support services to refugees once they arrive within the United States.

<sup>b</sup>At this point, State makes an initial determination on whether the U.S.-based parent is lawfully present. For a small number of cases, if State cannot determine lawful presence at time of submission of the AOR, State may send them to USCIS for review. State may reject an AOR at this point due to a lack of lawful presence or qualifying relationship. RSC Latin America—the RSC responsible for CAM—is operated by the International Organization for Migration and communicates directly with CAM applicants to process their applications, collect their information, and conduct in-person prescreening interviews. For cases in which the U.S.-based parent is filing for an adopted or step-child, USCIS requires that the parent submit documentation to substantiate the relationship, such as legal paperwork required for adoption or a marriage certificate.

<sup>c</sup>Receipt of DNA results must occur prior to USCIS's final decision.

<sup>d</sup>Every USRAP applicant is required to undergo security checks that must be cleared before a refugee can be resettled in the United States. Information for the checks is initially collected during prescreening. If State receives negative security check results before the USCIS interview, State may administratively close the case based on the information, or USCIS may interview the case and subsequently issue a denial if the security check information merits. If security check results are not complete by the time of the USCIS review, USCIS will place an otherwise approved case on hold, pending the security check final outcome.

<sup>e</sup>According to State's *USRAP Overseas Processing Manual*, if a USCIS officer denies a case and the RSC presents the applicant with the denial letter, the applicant has 90 days to file a Request for Review. Such reviews are divided into two categories: requests that allege an error in the adjudication and requests that introduce new evidence; and, in general, the applicant may only file one request for review. A review may result in USCIS overturning the denial, upholding the denial or requesting another interview with the applicant.

The qualifying parent files an AOR with the assistance of a designated resettlement agency, which forwards the AOR to State. State is to conduct a preliminary review of the AOR for completeness, including a check that the qualifying parent has provided proof of his or her lawful status, and then provide the case to Resettlement Support Center (RSC) staff. RSC staff are to prescreen the qualifying children according to the standard operating procedures for all USRAP applicants.<sup>6</sup> Shortly after prescreening, RSCs are to collect the child's DNA to confirm biological relationships between the parent and the qualifying child. State has established policies and procedures specifically for the collection and processing of DNA samples from the qualifying child.<sup>7</sup> We observed RSC staff taking 5 separate DNA samples at the RSC Latin America San Salvador office, during which staff adhered to the established standard operating procedures for DNA collection. Separately, within the United States, State is to notify the parent in the United States to provide DNA samples to a U.S.-based, accredited lab to confirm the biological relationship with his or her claimed child or children. The parent must also cover the costs associated with the DNA testing, but State is to reimburse the costs of the tests if all the claimed biological relationships are supported by the DNA evidence, even if the beneficiary is not ultimately admitted as a refugee or paroled to the United States. The U.S.-based lab

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<sup>6</sup>In a small number of cases where sufficient proof of lawful presence is not submitted with the AOR, State is to submit the case to USCIS for confirmation before further processing occurs and before RSC prescreening.

<sup>7</sup>For example, these procedures include requirements that DNA tests received by RSCs abroad must be received, inspected, and securely stored by a U.S. citizen; a DNA Test Kit Log be kept to record and track the location of all test kits while at the RSC; and the RSC verify the applicant's name and date of birth at the appointment to collect the DNA sample by asking the applicant to state the information and by comparing a copy of the applicant's photo identification presented at the appointment with that provided at the prescreening interview.

reports the results of DNA testing for all cases to State, which then uploads the results into the Worldwide Refugee Admissions Processing System for viewing by USCIS.<sup>8</sup> Although USCIS does not require DNA testing for other eligible family members included on applications (e.g., the children of the qualifying child or the siblings of the qualifying child who are not biologically related to the U.S.-based parent)—citing, among other factors, concerns over the reliability of such testing between, for example, siblings—USCIS officials stated that additional DNA testing will occur for new CAM categories announced in July 2016.<sup>9</sup>

After prescreening, but before USCIS interviews the child, USCIS's Refugee Access Verification Unit (RAVU) is to, among other things, take steps to confirm the parent's lawful status and to review the results of DNA testing, if available.<sup>10</sup> According to USCIS procedures, if RAVU cannot confirm the parent's status or DNA testing results do not confirm the relationship, USCIS will generally reject the application.<sup>11</sup> According to State data, USCIS rejected or disqualified about 600 (5 percent) of the approximate 12,000 CAM AORs submitted from December 2014 through March 2017. USCIS generally adjudicates CAM applicants as they do all other USRAP applicants. However, according to USCIS policy, and consistent with characteristics of the targeted populations and stated objectives of the program, USCIS officials stated that CAM applicants undergo additional vetting for potential gang affiliations in cases with such

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<sup>8</sup>The Worldwide Refugee Admissions Processing System is an interactive computer system that serves as a repository for application information and tracks the status of all individual refugee applications to USRAP.

<sup>9</sup>According to USCIS officials, USRAP will require additional DNA testing for the new CAM categories announced in July 2016, including DNA testing between (1) the qualifying parent and their children who are married or over age 21; (2) the qualifying child and the in-country biological parent of the qualifying child who is not legally married to the U.S.-based lawfully present parent; and (3) the qualifying parent and caregiver of the qualifying child or in country parent and caregiver if it is a DNA-testable relationship (e.g., the grandmother of the qualifying child).

<sup>10</sup>The purpose of RAVU is to track and manage the review of AORs filed by immediate family members in the United States on behalf of overseas family members who seek consideration for refugee resettlement. RAVU is to review the qualifying parent's immigration record (and other records or information) for (1) a qualifying form of lawful presence, (2) proof of the claimed relationship, and (3) derogatory information about the qualifying parent. If DNA testing results are not available at the time RAVU conducts its review, the USCIS officer will review them as part of the adjudication.

<sup>11</sup>In some cases where DNA results are negative the case may still be forwarded to USCIS interview if there is sufficient evidence of a valid step relationship between the qualifying parent and the qualifying child.

indicators. If USCIS concludes that such an applicant is not eligible for admission as a refugee, the applicant may be considered for parole.

**Vetting CAM applicants for potential gang affiliation.** USCIS policy requires that officers place CAM applications on hold if gang affiliation indicators exist. As with all USRAP applicants, CAM program applicants are inadmissible to the United States as refugees if USCIS officers find them to be persecutors of others, have committed certain crimes, or be a threat to the security of the United States, among other things. Consistent with USCIS policy, USCIS officers may place a case on hold to do additional research or investigation if the officer determines that the applicant or other case members may be inadmissible due to information provided during the interview (e.g., the applicant has a known or suspected gang affiliation). For example, to further review CAM applications from Salvadoran applicants identified by USCIS interviewers as having indicators of possible gang affiliation during the USCIS interview, USCIS staff are to contact the Federal Bureau of Investigation (FBI). For CAM applicants in El Salvador, FBI agents stationed in San Salvador are to coordinate with the government of El Salvador in sharing investigative information on gangs.<sup>12</sup> According to FBI officials, if the FBI has any information on the CAM program applicant and potential gang affiliations, they are to forward the information to USCIS officials, who determine whether the information renders the applicant ineligible for the program. FBI officials in San Salvador said that they receive 6 to 10 requests per month from USCIS for any available information related to CAM program applicants. From December 2014 through March 2017, USCIS officers had placed about 14 percent of CAM applicants they interviewed on hold, and in most cases, according to State data, the hold was for USCIS's headquarters' review of possible gang affiliations.

**Parole.** CAM program applicants found by USCIS to be ineligible for refugee status in the United States are to be considered on a case-by-case basis for parole, which is a mechanism to allow someone who is otherwise inadmissible to enter the United States on a temporary basis

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<sup>12</sup>The FBI agents in El Salvador are part of the FBI's Transnational Anti-Gang Initiative. Announced in 2007, the FBI established the Initiative to help combat extremely violent Central American street gangs. See GAO, *Combating Gangs: Federal Agencies Have Implemented a Central American Gang Strategy, but Could Strengthen Oversight and Measurement of Efforts*, [GAO-10-395](#) (Washington, D.C.: Apr. 23, 2010). FBI agents also assist with gang vetting for applicants in Guatemala, and U.S. Immigration and Customs Enforcement agents assist with gang vetting for applicants in Honduras.

for urgent humanitarian reasons or significant public benefit.<sup>13</sup> USCIS procedures require that, to support an authorization of parole, the qualifying child must assert to the USCIS officer during the interview that he or she has a fear of being harmed, and the objective evidence must demonstrate that the child would face a reasonable possibility of harm if he or she remains in their home country.<sup>14</sup> The interviewing officer has discretion to conditionally approve parole, after consideration of the entire record, and several factors—such as the outcome of the security checks or derogatory information (which may include involvement in gangs or other criminal activity)—could lead to a denial of parole. The final decision regarding parole is made by a USCIS officer after review of medical exam results and an additional review of security checks. Once in the United States a parolee, unlike a refugee, is not considered to have been admitted into the country, has not been conferred a lawful immigration status, and does not have the benefit of a pathway to U.S. citizenship. Parole under CAM may be authorized for a period of up to 2 years and parolees are to file their request for re-parole no later than 90 days before the expiration of their authorized parole. Parolees may also apply for employment authorization but the extent to which they may be eligible for other public benefits is determined in accordance with U.S. law.

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<sup>13</sup>See 8 U.S.C. § 1182(d)(5); 8 C.F.R. § 212.5. Although the basis for parole in statute and regulation is for “urgent humanitarian reasons or significant public benefit,” USCIS officials explained that parole under the CAM program is based on a determination of significant public benefit and not urgent humanitarian reasons. In accordance with USCIS policy, if an officer determines that the applicant does not meet the refugee definition, consistent with U.S. immigration law, the applicant will be considered for parole. If a qualifying child is found to be a refugee or is paroled, USCIS policy also provides that any additional eligible family member on the case or eligible family members cross-referenced on other cases will also be considered for parole.

<sup>14</sup>According to USCIS policy, the level of harm required for parole under the CAM program is less severe than the persecution standard established under U.S. immigration law and applicants seeking parole are not required to establish a connection between the harm he or she may experience and one of the five protected grounds used to determine refugee status. See 8 U.S.C. § 1101(a)(42) (defining “refugee”). USCIS policy further provides that the standard of harm by which a qualifying child is authorized parole (or granted refugee status) is not applied to other eligible family members on the case who will also be considered for parole, and such individuals will generally be conditionally approved for parole in the interest of family unity unless there are negative factors such as criminality or gang affiliation that outweigh that interest. For further information on the factors driving the migration of unaccompanied children to the United States from Central America, see GAO, *Central America: Information on Migration of Unaccompanied Children from El Salvador, Guatemala, and Honduras*, [GAO-15-362](#) (Washington, D.C.: February 2015).

**Outcomes for CAM  
Program Applications  
Submitted from December  
2014 through March 2017**

Parole has been the most common outcome of CAM program applications, but a lower percentage of parolees have arrived in the United States than those granted refugee status through the program. From December 2014, when the program began accepting AORs, through March 2017, USCIS received AORs for about 12,100 individuals. Most of the AORs submitted were for applicants from El Salvador (86 percent).<sup>15</sup> USCIS had made final decisions on half (6,300) of these applicants, approving 70 percent for parole and granting 29 percent refugee status. According to USCIS officials, more CAM cases receive parole because the generalized violence that applicants experience does not rise to the level of persecution or is not on account of a protected characteristic required to support a refugee determination. However, the officials noted that the conditions in El Salvador, Guatemala, and Honduras, and the fact that the children are living without at least one parent in their country of origin are generally sufficient to demonstrate the fear of harm required to support a parole determination. USCIS officers determined that the remaining 1 percent of applicants did not qualify for refugee status or parole and denied the associated cases. However, a higher percentage of CAM applicants who had received refugee status had arrived in the United States, as of March 2017. Program data on applications submitted from December 2014 through March 2017 show that 63 percent (about 1,100) of all CAM-approved refugees and 33 percent (about 1,500) of CAM approved parolees had traveled to the United States. Parolees must finance their travel to the United States and do not receive benefits upon arrival, circumstances that, according to State officials, most likely account for the difference in CAM refugee and parolee arrivals. Refugees have access to travel loans, and must sign a promissory note to assume responsibility for repaying the cost of travel to the United States. Parolees are also responsible for paying for the costs of medical exams.

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<sup>15</sup>According to State officials, most applications submitted are for applicants from El Salvador because there are more qualifying parents within the United States from El Salvador than Guatemala or Honduras.

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# Appendix II: Summary of United States Refugee Admissions Program Priority Categories

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The U.S. Refugee Admissions Program (USRAP) provides refugees who are of special humanitarian concern from around the world with opportunities for resettlement in the United States.<sup>1</sup> The Departments of State (State) and Homeland Security (DHS) have joint responsibility for the admission of refugees to the United States. Specifically, State's Bureau of Population, Refugees, and Migration coordinates and manages USRAP and makes decisions, along with DHS's U.S. Citizenship and Immigration Services (USCIS), on which individuals around the world are eligible to apply for refugee status in the United States. Nine State-funded Resettlement Support Centers (RSCs) with distinct geographic areas of responsibility communicate directly with applicants to process their applications, collect their information, conduct a prescreening interview, and prepare applications for adjudication by USCIS. State and its partners—including USCIS—make initial determinations about whether an individual will be accepted into or excluded from USRAP (referred to as program "access") for subsequent screening and interview by USCIS officers. State has identified three categories of individuals who are of special humanitarian concern and, therefore, can qualify for access to USRAP—Priority 1, Priority 2, and Priority 3.<sup>2</sup> Table 2 describes these priority categories—including the multiple programs that comprise the Priority 2 category—and how State applicants within these priorities gain access to USRAP.

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<sup>1</sup>The resettlement and admission of refugees to the United States are authorized by the Immigration and Nationality Act (INA), as amended by the Refugee Act of 1980. See 8 U.S.C. §§ 1101(a)(42) (defining "refugee") and 1157 (authorizing, and establishing the criteria for, the admission of refugees to the United States). Pursuant to the INA, as amended, before the beginning of each fiscal year and after consultation with Congress, the President is to establish the number of refugees that may be admitted to the United States in the ensuing fiscal year (i.e., a ceiling), with such admissions being allocated among refugees of special humanitarian concern to the United States (e.g., by region or country of nationality). See 8 U.S.C. § 1157(a).

<sup>2</sup>In addition to the three priorities, USRAP also allows the principal applicant's spouse and unmarried children under the age of 21 to apply together while they are overseas. The principal applicant may also petition for his or her derivative spouse and children to "follow-to-join" him or her as refugees within 2 years after the principal has been admitted to the United States as a refugee, unless the deadline is waived for humanitarian reasons. See 8 U.S.C. § 1157(c)(2); 8 C.F.R. § 207.7.

**Appendix II: Summary of United States  
Refugee Admissions Program Priority  
Categories**

**Table 2: Description of U.S. Refugee Admissions Program (USRAP) Priority Access Groups, as of March 2017**

<b>Priority 1 (P1) refugee category<sup>a</sup></b>		
<b>Priority description</b>	<b>Program access</b>	
The P1 category includes refugee claims from persons of any nationality, in any location, often with compelling protection needs, for whom resettlement appears the only durable long-term solution. To be considered under USRAP, applicants must be referred by the United Nations High Commissioner for Refugees (UNHCR), a Department of State (State)-approved non-governmental organization (NGO), or a U.S. embassy.	According to State policy, State officials are required to review a selection of P1 UNHCR referrals and all NGO and U.S. embassy referrals to ensure access to USRAP is consistent with U.S. policies and that there are no glaring inconsistencies or grounds for inadmissibility, among other things. <sup>b</sup>	
<b>Priority 2 (P2) refugee category</b>		
<b>Open access programs</b> allow individuals to seek access to USRAP on the basis of meeting designated criteria (e.g., specific nationality, a U.S.-based family member, etc.). State establishes these criteria in consultation with U.S. Citizenship and Immigration Services (USCIS), and with UNHCR and others, as appropriate. To gain access to USRAP under a P2 open access program, applicants must apply at a Resettlement Support Center (RSC) designated for processing a particular program and show how they meet criteria specified for access. Some programs allow or require applicants to apply from within their country of nationality.		
<b>Program</b>	<b>General Description</b>	<b>Program access</b>
Central American Minors Program (CAM)	Children in El Salvador, Guatemala, and Honduras with a parent who lawfully resides within the United States; other family members may be eligible in accordance with program policy. The U.S.-based parent must file for program access on behalf of the qualifying child, and DNA testing must confirm the relationship between the parent and child.	USCIS grants access once it confirms that the parent lawfully resides within the United States and relationship to child qualifies under program parameters.
Cuba	Cuban human rights activists, members of persecuted religious minorities, former political prisoners, forced-labor conscripts, and persons deprived of their professional credentials or subjected to other disproportionately harsh or discriminatory treatment resulting from their perceived or actual political or religious beliefs. Applicants apply from within Cuba.	State grants access following review of the application.
Lautenberg Program <sup>c</sup>	Certain religious adherents living in countries that made up the former Soviet Union and who have close family in the United States. In 2004, the program was expanded to include certain Iranian religious minorities. Applicants can apply from within or outside their country of nationality.	Generally, cases are accepted once a U.S.-based family member petitions for their relatives to have access.
Iraqis Associated with the United States—Employment Verification <sup>d</sup>	Iraqis who were interpreters or translators for the U.S. government or Multi-National Forces in Iraq; Iraqis who are or were employed by the U.S. government, or an organization or entity closely associated with the U.S. Mission in Iraq, that received funding through an official and documented contract; and, Iraqis who worked for a U.S.-based media organization or non-governmental organization. In addition, the spouses, children, parents and siblings of the eligible individuals are also eligible, provided the relationships can be verified. Individuals can apply directly and processing takes place within Iraq or (if applicant has fled Iraq) in Egypt or Jordan.	Cases are accepted once RSC Middle East and North Africa confirms that the applicant meets the necessary employment criteria and a State official authorizes the application.

**Appendix II: Summary of United States  
Refugee Admissions Program Priority  
Categories**

**Priority 2 (P2) refugee category**

**Open access programs** allow individuals to seek access to USRAP on the basis of meeting designated criteria (e.g., specific nationality, a U.S.-based family member, etc.). State establishes these criteria in consultation with U.S. Citizenship and Immigration Services (USCIS), and with UNHCR and others, as appropriate. To gain access to USRAP under a P2 open access program, applicants must apply at a Resettlement Support Center (RSC) designated for processing a particular program and show how they meet criteria specified for access. Some programs allow or require applicants to apply from within their country of nationality.

<b>Program</b>	<b>General Description</b>	<b>Program access</b>
Iraqis Associated with the United States—Form I-130 Petition for Alien Relative <sup>e</sup>	Iraqis within the United States who have filed a USCIS Form I-130, which allows a U.S. citizen or lawful permanent resident in the United States to petition for relatives living abroad to immigrate to the United States, provided that USCIS can verify the relationship. Under this program, U.S.-based Iraqis who are citizens or lawful permanent residents may petition on behalf of their spouses, unmarried children, parents, brothers, and sisters. Processing can take place within Iraq or (if applicants have fled Iraq) in Egypt or Jordan.	Once USCIS receives the I-130 petitions and verifies family relationships between U.S.-based petitioner and the Iraqis to be resettled, the Iraqis gain access to the program.
Syrian Beneficiaries of Approved Form I-130 Petition for Alien Relative <sup>f</sup>	Syrians within the United States who have filed a USCIS Form I-130, provided that USCIS can verify the relationship and immigrant visas have not yet been issued. U.S.-based Syrians who are citizens may petition on behalf of their spouses, children (regardless of age or marital status), siblings, and parents. If U.S.-based Syrians are permanent resident aliens, they may petition on behalf of their spouses and unmarried children. Processing can take place in Jordan, Lebanon, United Arab Emirates, Saudi Arabia, Kuwait, Egypt, Qatar, Iraq, Israel, Bahrain, Oman, Morocco, and Algeria.	Once USCIS receives the I-130 petitions and verifies family relationships between U.S.-based petitioner and the Syrians to be resettled, the Syrian beneficiaries gain access to the program.

**Closed access programs** allow State to grant groups of individuals (typically, who share a common nationality or history of persecution) access to USRAP. State, in consultation with USCIS, designates the groups and identifies criteria for inclusion in the group, based on a referring entity's (usually the UNHCR) recommendation.

<b>Program</b>	<b>General description</b>	<b>Program access</b>
Ethnic minorities and others from Burma in camps in Thailand	Individuals who fled Burma, are registered in one of nine refugee camps along the Thai-Burma border, were identified by UNHCR as in need of resettlement, and who expressed interest prior to January 2014.	The referring entity (usually UNHCR) provides the biographical data of eligible refugee applicants to USRAP for access.
Ethnic minorities from Burma in Malaysia	Members of ethnic minorities from Burma, recognized by the UNHCR as refugees in Malaysia, and identified as being in need of resettlement.	
Bhutanese in Nepal	Bhutanese refugees registered by UNHCR in camps in Nepal, identified as in need of resettlement, and expressing interest prior to June 30, 2014.	
Congolese in Rwanda	Congolese refugees in Rwanda who were survivors of massacres in 1997, verifiably registered by the government of Rwanda and UNHCR in 2011, and identified as in need of resettlement.	
Congolese in Tanzania	Congolese refugees registered by UNHCR in Tanzania whose residence in the Nyaragusu refugee camp was confirmed in a 2013-2014 UNHCR verification exercise.	

**Appendix II: Summary of United States  
Refugee Admissions Program Priority  
Categories**

<b>Priority 3 (P3) refugee category</b>	
<b>Priority description</b>	<b>Program access</b>
Provides for USRAP access to family members (i.e., the spouse, unmarried children under 21, and parents) of persons residing in the United States who were initially admitted into the country as refugees or who were granted asylum. Only certain nationalities of family members may apply, and the U.S.-based family member must be 18 years of age and must file within 5 years of arriving in the United States. <sup>9</sup> In addition, DNA testing is required to verify all claimed family relationships.	Applicants gain access after USCIS completes a review of the immigration files of the U.S.-based petitioner to verify all claimed relationships and their eligibility. Applicants and their family members must also submit to DNA testing, which USCIS verifies.

Source: GAO analysis of Department of State and USCIS information | GAO-17-706.

<sup>a</sup>The USRAP priority system provides guidelines for managing and processing refugee applications. The three priority categories are: Priority 1, or individuals specifically referred to USRAP generally because they have a compelling need for protection; Priority 2, or specific groups, often within certain nationalities or ethnic groups in specified locations, whose members State and its partners have identified as being in need of resettlement; and Priority 3, or individuals from designated nationalities who have immediate family members in the United States who initially entered as refugees or who were granted asylum.

<sup>b</sup>In addition to State's review of P1 referrals, North Koreans and Palestinians referrals require DHS concurrence before they may be granted access.

<sup>c</sup>See Pub. L. No. 101-167, § 599D, 103 Stat. 1195, 1261-63 (1989) (codified at 8 U.S.C. § 1157 note as amended). As subsequently amended, this provision, referred to as the "Lautenberg Amendment," establishes a presumption of refugee status of certain categories of people from the former Soviet Union and Southeast Asia as well as certain Iranian religious minorities. See also Pub. L. No. 108-199, § 213, tit. II, 118 Stat. 3, 253 (2004) (adding certain Iranian populations). The Lautenberg Amendment must be reauthorized each fiscal year, and for fiscal year 2016 was reauthorized as part of the Consolidated Appropriations Act, 2016. See, e.g., Pub. L. No. 114-113, § 7034(k)(8), div. K, 129 Stat. 2242, 2765 (2015).

<sup>d</sup>See Refugee Crisis in Iraq Act of 2007, Pub. L. No. 110-181, tit. XII, 122 Stat. 3, 395-401 (2008) (authorizing this Iraqi direct access program).

<sup>e</sup>Accepting Iraqi I-130 applications as a P2 category may allow USRAP to expedite processing for these petitions.

<sup>f</sup>Accepting Syrian I-130 applications as a P2 category may allow USRAP to expedite processing for these petitions.

<sup>9</sup>Nationalities permitted to submit P3 applications in fiscal years 2016 and 2017 are Afghanistan, Bhutan, Burma, Burundi, Central African Republic, Colombia, Cuba, Democratic People's Republic of Korea, Democratic Republic of Congo, El Salvador, Eritrea, Ethiopia, Guatemala, Haiti, Honduras, Iran, Iraq, Mali, Somalia, South Sudan, Sudan, Sri Lanka, Syria, and Uzbekistan.

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# Appendix III: Comments from the Department of State

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United States Department of State

Comptroller

Washington, DC 20520

Charles M. Johnson, Jr.  
Managing Director  
International Affairs and Trade  
Government Accountability Office  
441 G Street, N.W.  
Washington, D.C. 20548-0001

July 6, 2017

Dear Mr. Johnson:

We appreciate the opportunity to review your draft report, "REFUGEES: Actions Needed by State Department and DHS to Further Strengthen Applicant Screening Process and Assess Fraud Risks" GAO Job Code 102095

The enclosed Department of State comments are provided for incorporation with this letter as an appendix to the final report.

If you have any questions concerning this response, please contact Kelly Gauger, Deputy Director, Office of Refugee Admissions, Bureau of Population, Refugees and Migration at (202) 453-9268.

Sincerely,

Christopher H. Flagg

Enclosure:  
As stated

cc: GAO – Rebecca Gambler  
PRM– Mark Storella (Acting)  
State/OIG - Norman Brown

Department of State Comments on GAO Report:

**REFUGEES: Actions Needed by State Department and DHS to Further  
Strengthen Applicant Screening Process and Assess Fraud Risks**  
(GAO-17-706, GAO Code 102095)

Thank you for the opportunity to comment on the GAO draft report, entitled “*Actions Needed by State Department and DHS to Further Strengthen Applicant Screening Process and Assess Fraud Risks.*”

The Department of State accepts the GAO’s recommendations to develop outcome-based indicators and to monitor Resettlement Support Center (RSC) performance against such indicators on a regular basis. We agree with GAO’s assessment that these measures will strengthen our ability to assess whether RSCs are meeting U.S. Refugee Admissions Program (USRAP) objectives. The Bureau of Population, Refugees, and Migration (PRM) has developed new guidance to enhance monitoring of RSCs. A new monitoring and evaluation framework serves as the foundational document for this guidance, which has incorporated and formalized PRM’s existing RSC monitoring practices and established further requirements to address gaps identified by internal and external evaluative processes. The framework outlines roles, responsibilities, and tools for program officers and refugee coordinators. As part of the new guidance, all future notification of funding opportunity announcements will require partners to agree to and regularly report on standardized outcome-based indicators to measure performance against established USRAP objectives. As defined in the framework, PRM program officers and refugee coordinators will also report on progress against these indicators, to assess RSC’s performance in meeting USRAP objectives. The PRM Admissions Policy Team will continually review, develop, and provide resources and facilitate training to ensure program officers and refugee coordinators are knowledgeable and capable with respect to their monitoring and evaluation responsibilities.

The Department of State also accepts GAO’s recommendation that the Departments of State and Homeland Security conduct regular joint assessments of applicant fraud risk across the USRAP. We agree with GAO’s assessment that this measure would provide enhanced assurance that USRAP applicant fraud prevention and detection controls are adequate and effectively implemented. While the Departments of State and Homeland Security have worked independently and jointly to address fraud risks on a case-by-case basis, the two departments will work together going forward to conduct regular joint assessments of applicant

-2-

fraud risks across the USRAP by jointly developing an assessment framework. The assessment framework will be developed in calendar year 2017. It will be initiated and evaluated in Fiscal Year 2018, and we intend for an assessment to be completed by the end of Fiscal Year 2018.

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# Appendix IV: Comments from the Department of Homeland Security

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U.S. Department of Homeland Security  
Washington, DC 20528



**Homeland  
Security**

July 7, 2017

Rebecca Gambler  
Director, Homeland Security and Justice  
U.S. Government Accountability Office  
441 G Street, NW  
Washington, DC 20548

Re: Management's Response to Draft Report GAO-17-706, "REFUGEES: Actions Needed by State Department and DHS to Further Strengthen Applicant Screening Process and Assess Fraud Risks"

Dear Ms. Gambler:

Thank you for the opportunity to review and comment on this draft report. The U.S. Department of Homeland Security (DHS) appreciates the U.S. Government Accountability Office's (GAO) work in planning and conducting its review and issuing this report.

The Department is pleased to note GAO's recognition of the wide-ranging policies and procedures that DHS has implemented to adjudicate refugee cases as well as its efforts with its interagency partners, both domestically and overseas. DHS remains committed to continuously reviewing its policies and procedures to ensure that the U.S. Refugee Admissions Program maintains the highest level of program integrity and safeguards the American public from threats to public safety and national security. For example, DHS deployed officers from the Refugee Affairs Division's Security Vetting and Program Integrity Branch on circuit rides during Fiscal Year 2016 to support interviewing officers adjudicating cases with national security concerns, and, in conjunction with this deployment, developed a plan to test and implement draft Standard Operating Procedures to better institutionalize this process in future deployments.

The Department recognizes the weaknesses inherent in the Refugee Admissions Program, and has recently sought to make improvements to the screening of refugee applicants consistent with President Trump's clear direction in recent executive orders- most recently in Executive Order 13780, Protecting The Nation From Foreign Terrorist Entry Into The United States, and previously in Executive Order 13769, which bears the same name. However, Section 6 of Executive Order 13780, which directs a review of the Refugee Admissions Program application and adjudication processes to determine what additional procedures should be used to ensure that individuals seeking admission as refugees do not pose a threat to the security and welfare of the United States, was preliminarily enjoined on March 15, 2017 by the U.S. District Court for the District of Hawaii in *Hawaii v. Trump*, Case No. 1:17-cv-00050 (D. Haw.). That injunction is currently on appeal.

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**Appendix IV: Comments from the Department  
of Homeland Security**

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The draft report contained four recommendations with which the Department concurs. Attached find our detailed response to each of the recommendations.

Again, thank you for the opportunity to review and comment on this draft report. Technical comments were previously provided under separate cover. Please feel free to contact me if you have any questions. We look forward to working with you in the future.

Sincerely,



JIM H. CRUMPACKER, CIA, CFE  
Director  
Departmental GAO-OIG Liaison Office

Attachment

**Attachment: DHS Management Response to Recommendations  
Contained in GAO-17-706**

GAO recommended that the Director of U.S. Citizenship and Immigration Services (USCIS) take the following actions:

**Recommendation 1:** Provide additional training, such as infield training, for any temporary officers who adjudicate refugee applications on future circuit rides.

**Response:** Concur. As the USCIS Refugee, Asylum and International Operations Directorate (RAIO) staffing levels align with the anticipated refugee processing workloads for Fiscal Year (FY) 2017, FY 2018, and in future years, USCIS RAIO agrees that temporary duty officers, on refugee circuit rides (to supplement staffing by permanent officers), should receive additional training. Accordingly, USCIS RAIO has launched a review and already made enhancements to its training program for temporary duty officers. For example, the “ramp-up” period for interviews has been extended for temporary duty officers, providing them with a reduced interview schedule at the beginning of a circuit ride. Additionally, for future trainings of temporary duty officers who have previously had refugee or asylum training, the Refugee Processing Overview training class (formerly known as “Refugees 101”) will be extended from 3 days to 4 days to provide more detailed instruction. USCIS RAIO will also consider providing in-field training for future temporary duty officers. Once the President has signed the Presidential Determination on Refugee Admissions for FY 2018, USCIS RAIO will be able to assess the need for temporary duty officers for FY 2018. We request that GAO consider this recommendation resolved and closed as implemented.

**Recommendation 2:** Develop and implement a plan to deploy officers with national security expertise on circuit rides.

**Response:** Concur. Since FY 2016, USCIS RAIO and the Fraud Detection and National Security Directorate (FDNS) have been taking steps to deploy specially trained staff on circuit rides to further strengthen USCIS’ ability to identify and address cases where national security indicators are present. In FY 2016, USCIS RAIO’s Refugee Affairs Division (RAD) conducted several pilots involving the deployment of RAD’s Security Vetting and Program Integrity Branch (SVPI) personnel to circuit rides. Based on assessments of the effectiveness of this effort, RAD decided to institutionalize this approach for appropriate caseloads. In FY 2017, RAD began hiring and training dedicated SVPI staff who will deploy to locations with high rates of cases with national security indicators; developed a Standard Operating Procedure (SOP) for forward deployment; and is conducting a pilot involving two supervisory SVPI/FDNS officers to test the SOP with a goal towards finalizing it shortly after the pilot’s conclusion. USCIS RAIO intends to deploy SVPI officers on select circuit rides starting in Quarter 1 of FY 2018. Estimated Completion Date (ECD): December 31, 2017.

**Recommendation 3:** Conduct regular quality assurance assessments of refugee application adjudications across RAD and IO.

**Response:** Concur. USCIS RAIO recognizes the value of conducting quality assurance assessments and has conducted quality assurance assessments of refugee application adjudications on an annual basis from FY 2009 through FY 2015. A quality assessment was not conducted on refugee applications in FY 2016 to allow time for implementation of recommendations from the 2015 USCIS RAIO Quality Assurance Review, conducted in the third quarter of that year. USCIS RAIO is currently assessing the options to conduct a quality assessment in FY 2017 and developing a plan for conducting regular quality assessments going forward. ECD: September 30, 2017.

GAO also recommended that the Secretary of Homeland Security and State:

**Recommendation 4:** Conduct regular joint assessments of applicant fraud risk across USRAP.

**Response:** Concur. While DHS and the Department of State have worked independently and jointly to address fraud risks on a case-by-case basis, the two departments will work together to conduct regular joint assessments of applicant fraud risks across the U.S. Refugee Admission Program by jointly developing an assessment framework. The assessment framework will be developed by the end of calendar year 2017, and initiated and evaluated by the end of FY 2018. ECD: September 30, 2018.

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# Appendix V: GAO Contact and Staff Acknowledgments

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## GAO Contact

Rebecca Gambler, (202) 512-8777 or [gablerr@gao.gov](mailto:gablerr@gao.gov)

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## Staff Acknowledgments

In addition to the contact named above, Kathryn Bernet (Assistant Director), David Alexander, Mona Nichols Blake, Eric Erdman, Cynthia Grant, Brian Hackney, Paul Hobart, Eric Hauswirth, Susan Hsu, Thomas Lombardi, Mike McKemey, Erin McLaughlin, Thomas Melito, Clair Peachey, Mary Pitts, Elizabeth Repko, Judith Williams, and Su Jin Yon made significant contributions to this report.

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