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General Government Division

B-279523

May 28, 1998

The Honorable J. Dennis Hastert
Chairman
The Honorable Thomas M. Barrett
Ranking Minority Member
Subcommittee on National Security,
International Affairs, and Criminal Justice
Committee on Government Reform and Oversight
House of Representatives

Subject: Assessment of Contractor's Review of INS' Analysis of a Random Sample of Recently Naturalized Aliens

Concerns have been raised about the possibility that the Immigration and Naturalization Service (INS) may have improperly naturalized some aliens.¹ To ensure that the current naturalization process has adequate controls and past naturalization efforts were adjudicated correctly, INS reviewed randomly selected naturalization case files approved between August 31, 1995, and September 30, 1996. Also, the Department of Justice's Justice Management Division (JMD) contracted with KPMG Peat Marwick LLP (KPMG) to oversee and validate INS' review.

¹Over the past several years, Justice's Office of Inspector General and we have reported on problems related to INS' adjudication of aliens who apply for naturalization. See the reports entitled Alien Fingerprint Requirements in the Immigration and Naturalization Service, U.S. Department of Justice, Office of Inspector General (Feb. 16, 1994); INS Fingerprinting of Aliens: Efforts to Ensure Authenticity of Aliens' Fingerprints (GAO/GGD-95-40, Dec. 22, 1994); Naturalization of Aliens: Assessment of the Extent to Which Aliens Were Improperly Naturalized (GAO/T-GGD-97-52, Mar. 5, 1997); Naturalization of Aliens: INS Internal Controls (GAO/T-GGD-97-57, Apr. 30, 1997); Naturalization of Aliens: INS Internal Controls (GAO/T-GGD-97-98, May 1, 1997); and Naturalized Aliens: Efforts to Determine If INS Improperly Naturalized Some Aliens (GAO/GGD-98-62, Mar. 23, 1998).

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In response to your request and as agreed with your offices, we assessed KPMG's approach to overseeing and monitoring INS' review. To do this, we (1) discussed INS' review of randomly selected case files of aliens who were naturalized during this period with INS, JMD, and KPMG officials in Washington, D.C., and with INS and KPMG officials in Charleston, South Carolina, where INS conducted the review; and (2) reviewed INS and KPMG records and reports regarding the review, including KPMG's reports to JMD.² In October 1997, we visited the Charleston, South Carolina, location to observe the review process. To assess KPMG's approach, we determined whether KPMG used generally accepted social science standards, which include (1) the use of unbiased selection procedures, reliability checks and assessments (e.g., training and rules for documenting the results), and procedures to assure quality of data used; (2) full disclosure of study procedures; and (3) appropriate statistical procedures to generalize the data gathered and analyzed.

We conducted our review from November 1997 to May 1998 in accordance with generally accepted government auditing standards. We requested comments on a draft of this letter from the Attorney General and KPMG. Their oral comments are discussed in the Agency Comments section of this letter.

RESULTS

INS officials reviewed 5,438 randomly selected case files from the 1,049,867 naturalization cases approved between August 31, 1995, and September 30, 1996. According to KPMG, the purposes of the randomly selected case file review were to (1) evaluate to what degree INS adjudicators correctly processed and documented their initial naturalization decisions and (2) determine if any of the case files contained documentation that provided a "prima facie" basis for disqualifying an alien's naturalization.

INS' review focused on the documentation concerning the naturalization requirements—good moral character, knowledge of English and civics, eligibility period, and residency. In addition, INS looked for administrative errors in the processing of the case files (e.g., differences in the applicant's name). INS' review identified that 4,939 (or 90.8 percent) of the 5,438 case files contained at least one documentation error. In addition, INS determined whether any of the case files contained documentation that provided a basis to disqualify an alien's naturalization. It classified the case files as

²Department of Justice, Immigration and Naturalization Service, Random Sample Process File Review, Final Report, KPMG, January 30, 1998; and Department of Justice, Immigration and Naturalization Service, Naturalization Review Sampling Methodology, Final Report, KPMG, October 17, 1997.

"proper," "insufficient documentation," or "presumptively ineligible." Using the results of INS' case file review, KPMG projected that of the 1,049,867 aliens naturalized between August 31, 1995, and September 30, 1996, 920,733 case files had insufficient documentation, 90,289 case file decisions were proper, and 38,845 aliens were presumptively ineligible to be naturalized.³

In carrying out its monitoring responsibilities, KPMG used generally accepted social science standards discussed previously. Specifically, to help ensure consistency among the INS review adjudicators in their decisionmaking and to provide reasonable assurance that case files were reviewed in accordance with policy guidance in place at the time of the initial adjudication, KPMG

- safeguarded and secured the case files to ensure their integrity;
- assisted in the development of a standardized worksheet to record the data from the case files;
- promoted consistency of INS staff deliberations by having discussions and training sessions related to how case file data should be recorded on the worksheet;
- assigned case files to INS staff for review to ensure that they reviewed only case files from outside their home units;
- tested the consistency of INS staff decisions by having each staff member review the same case files without knowledge of the previous decisions and then comparing the decision results;
- verified the accuracy of reported case file facts recorded on the worksheet through continuous and ongoing review of the documentation in the individual case files as compared with the information on the worksheet; and finally,
- evaluated INS staff compliance with INS' review guidelines through the review of a sample of each staff member's daily work.

In addition, KPMG identified the explicit steps it had taken to oversee INS' review of the randomly selected cases files. KPMG's report explained the methodology,

³KPMG's projections used a 95 percent confidence level and had a margin of error of plus or minus 0.7 percent for proper decisions, plus or minus 0.8 percent for insufficient documentation decisions, and plus or minus 0.5 percent for presumptively ineligible decisions.

including the basis used in its statistical projections. It used appropriate statistical procedures in projecting the sample to the universe of aliens who were naturalized during the review period.

AGENCY COMMENTS AND OUR EVALUATION

On May 19, 1998, we separately discussed a draft of this letter with an official from the Department of Justice's JMD, Audit Liaison Office, and with a KPMG manager. They agreed with the letter and provided a clarifying comment, which we included in this final letter.

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We are providing copies of this letter to the Attorney General; Commissioner, INS; Director, Management and Planning Staff, JMD; the Director, Office of Management and Budget; KPMG; and other interested parties. Copies will also be made available to others upon request.

Major contributors to this letter were James M. Blume, Assistant Director; Barry Jay Seltser, Assistant Director; James M. Fields, Senior Social Science Analyst; and Michael H. Little, Communications Analyst. If you need any additional information or have any questions, please contact me on (202) 512-8777.



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