Four GOP Reps Press for GAO Probe of 'Rampant' Asylum Fraud

By Cheryl K. Chumley
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Four Republican congressmen have asked the Government Accountability Office to investigate the U.S. asylum process after a leaked Department of Homeland Security report showed that up to 70 percent of cases contained proven or possible fraud.

"Once individuals are granted asylum in the U.S., they become immediately eligible for all major federal welfare programs. And if, as it appears, asylum fraud is rampant in the system, American taxpayers could potentially be defrauded out of hundreds of millions, if not billions, of dollars each year," House Judiciary Chairman Bob Goodlatte of Virginia wrote to the GAO.

Also signing the letter were House Immigration and Border Security Subcommittee Chairman Trey Gowdy of South Carolina, and Reps. Lamar Smith of Texas and Jason Chaffetz of Utah.

"For years, there have been reports of abuse in the asylum program; we are troubled by a continued lack of appropriate oversight by U.S. Citizenship and Immigration Services (USCIS), the component of the Department of Homeland Security that administers the asylum program," Goodlatte said in an introduction to the letter.

Goodlatte referred to a report from DHS written in 2009 that was recently obtained by the House Judiciary Committee, revealing that 70 percent or more of affirmative asylum cases from 2005 showed signs of fraud.

As the agency defines it, affirmative asylum is granted through a USCIS officer; defensive asylum comes by way of an immigration judge during a removal hearing held by the Executive Office for Immigration Review under the Department of Justice.

Persons may also obtain asylum status as a spouse or child of someone already granted asylum.

Asylum seekers usually claim they face persecution in their home country on account of race, religion, nationality, social group, or political opinion.

But in testimony before a House Judiciary subcommittee on Feb. 11, Jan Ting, law professor at Temple University, recounted the stories of several African women who made fraudulent claims

of having been raped to obtain legal asylum status.

"Illegal immigrants educate themselves on how to construct stories which make them sound like victims of persecution," Ting told the subcommittee.

The New York Times recently reported details of an asylum fraud ring in New York's Chinatown district in which lawyers counseled Chinese women to lie about having been forced to have abortions because of China's one-child policy.

Goodlatte held a committee hearing in mid-February entitled "Asylum Fraud: Abusing America's Compassion?"

The group of Republicans then turned to the GAO, pressing for an investigation to discover just how much taxpayer money is used to provide public benefits to aliens who "succeed in their fraudulent schemes," they wrote in their letter.

The DHS reported in its Annual Flow Report on Refugees and Asylees for 2012 that the total number of persons granted affirmative asylum rose from 13,369 in 2011 to 17,506 in 2012 — a 31 percent increase.

The totals for combined affirmative and defensive asylum approvals rose from 24,873 in 2011 to 29,484 in 2012, the DHS report disclosed.

Asylum is different from refugee status. An additional 58,179 people were granted refugee status in 2012 — a tag that grants entry to foreigners on a humanitarian basis and opens the doors for them to apply for legal citizenship within a few years of entering the United States. That's up from 56,384 in 2011, the DHS reported.

The GAO was tasked by Republicans with investigating asylum fraud cases, not refugee issues. It's all tied to one of the most hotly debated political issues, however: immigration.

As government watchdog and Judicial Watch President Tom Fitton asked: When is Congress and the American public going to become so fed up with the abuse that's plagued the immigration process to say that enough is enough?

"This is the second issue that's come up related to the collapse of the immigration system," Fitton told Newsmax, referring to the amnesty-ridden Development, Relief and Education for Alien Minors measure, or the DREAM Act, as the first. "And surprise, surprise: we find these applications are rife with fraud."

Part of the problem could be that the standards for obtaining asylum aren't really tough enough. The Center for Immigration Studies reported that the United States "operates one of the most generous asylum systems in the world, receiving about one out of every six claims filed."

Jessica Vaughan, CIS director of policy studies, told Newsmax:

"The 'credible fear' test is the key that unlocks the gate leading to asylum and permanent residence in the United States. Today, 92 percent of asylum applications pass this test. The number of individuals passing this critical test tripled from 2012 to 2013, and have increased nearly 600 percent since 2007."

"Over the years, Congress and the executive branch have implemented provisions designed to stem fraud and abuse of the asylum system, but these have become less viable over time," Vaughan said.

What's needed, Vaughan said, is a hard look at why the DHS report on asylum fraud was kept from public view in the first place.

"This report was suppressed by the Obama administration," Vaughan said. "The fraud detection programs have been discontinued. USCIS officers have been ordered not to issue deportation referrals for failed asylum seekers unless they are part of a large conspiracy or are known to be dangerous. As a result, there are no consequences for submitting a fraudulent application."

In addition, the Obama administration issued a directive in 2009 to Immigration and Customs Enforcement to release any detainees who were claiming asylum — "even though federal law requires them to be detained until their claim can be properly vetted and adjudicated," Vaughan said.

"There has been a huge increase in asylum applications that seems to correspond with the weakening of policies designed to deter people from making fraudulent claims," Vaughan said.

The threat to Americans from a weak, fraudulent asylum process hits at more than the cost to taxpayers.

Untold numbers of asylum seekers in ICE custody who were granted their freedom owing to the Obama administration's directive fell in with criminals or gangsters, skipped their hearings — and have yet to be brought back into the fold of legal processing, the CIS reported.

Vaughan suggested a quick congressional commitment to "find a way to roll back the abuses of executive authority that have undermined laws that Congress wrote" and recommended a speedy return of the fraud assessment process to USCIS.

The Cato Institute's Alex Nowrasteh said it is only common sense that someone who is in the United States illegally shouldn't get taxpayer-funded welfare.

"Asylees should not have access to any welfare programs, but instead be given a work permit," Nowrasteh, an immigration policy analyst for Cato's Center for Global Liberty and Prosperity, told Newsmax. "Charities, churches, and mutual aid societies can fill the gap better than welfare can, while saving taxpayers some money."