



Fraud in the Refugee Family Reunification (Priority Three) Program

Fact Sheet

BUREAU OF POPULATION, REFUGEES, AND MIGRATION
Washington, DC

Q: What is this program?

A: The State Department's Bureau of Population, Refugees and Migration (PRM) is responsible for coordinating and managing the U.S. Refugee Admissions Program (USRAP). A critical part of this responsibility is determining which individuals or groups from among the millions of refugees worldwide will be able to apply for refugee resettlement in the United States.

There are currently three priorities or categories of cases that have access to the U.S. Refugee Admissions Program. Priority One and Two applicants are granted access to the program through an individual referral by the United Nations High Commissioner for Refugees (UNHCR), a U.S. Embassy or qualified NGO, or by membership in a group of cases designated as having access to the program by virtue of their circumstances and apparent need for resettlement. Priority Three, or P-3, refers to individual cases from eligible nationalities who are granted access for purposes of family reunification with certain legal residents in the United States.

Qualifying for access to the U.S. Refugee Admissions Program is only the first step in the process, however. Officials of the U.S. Citizenship and Immigration Service (USCIS) in the Department of Homeland Security (DHS) conduct an interview with all refugee applicants regardless of priority, to determine if the individual is a refugee under U.S. law, is not firmly resettled in another country and is otherwise admissible to the United States.

Access to the U.S. Refugee Admissions Program based on family ties has been available to various nationalities since the 1980s. In recent years, more than 95% of the applications to the P-3 program have been African – primarily Somalis, Ethiopians and Liberians.

Q: Why did the US decide to conduct DNA testing of some nationality groups applying for resettlement in the US?

A: PRM and DHS/USCIS jointly decided to test a sample of refugee cases due to reported fraud in the P-3 program, particularly in Kenya.

This pilot program later expanded to test applicants in other parts of Africa. (See questions and answers below.)

Q: What rate of fraud did you discover?

A: The rate of fraud varied among nationalities and from country to country, and is difficult to establish definitively as many individuals refused to agree to DNA testing.

We were, however, only able to confirm all claimed biological relationships in fewer than 20% of cases (family units). In the remaining cases, at least one negative result (fraudulent relationship) was identified, or the individuals refused to be tested.

Q: Which refugees are being tested? From which countries?

A: We initially tested a sample of some 500 refugees (primarily Somali and Ethiopian) in Nairobi, Kenya under consideration for U.S. resettlement through the P-3 program. After that sample suggested high rates of fraud, we expanded testing to Ethiopia, Uganda, Ghana, Guinea, Gambia and Cote d'Ivoire. Most of the approximately 3,000 refugees tested are from Somalia, Ethiopia, and Liberia, as these nationalities make up the vast majority of P-3 cases.

It is important to note that the initial DNA testing was limited to members of families applying for the P-3 program, and not between the applicants and the anchor relative in the United States.

Q: What does the suspension entail? When did resettlement in the US stop?

The State Department halted most aspects of P-3 family reunification processing in Kenya and Ethiopia in March, and in Uganda in May. In these locations, all P-3 processing activities have been suspended, including Overseas Processing Entity (OPE) pre-screening and U.S. Citizenship and Immigration Service (USCIS) interviews.

All cases that were approved by USCIS prior to March 2008 in these three locations have been offered the opportunity to undergo DNA testing of all claimed biological relationships within the case. Travel to the U.S. is proceeding only for those cases where DNA evidence supports all claimed biological relationships, or where there is no claimed biological relationship to test, as in the case of a spouse.

In West Africa, the situation is somewhat different due to the fact that PRM stopped accepting Affidavits of Relationship (AORs) for Liberians on September 30, 2006 and has committed to completing Liberian P-3 processing as expeditiously as possible. P-3 processing of Liberians in Ghana, Guinea, Gambia and Cote d'Ivoire continues, but all USCIS-approved P-3 cases must agree to undergo DNA testing of all claimed biological relationships.

P-3 processing continues for Affidavits of Relationship (AORs) that were forwarded to the Overseas Processing Entities (OPEs) in Bangkok, Cairo, Havana, Ho Chi Minh City, Istanbul, Kathmandu, Moscow, and Vienna before March 2008. (Note: most of these OPEs are regional and cover processing in a number of surrounding

countries.)

It is important to remember that fewer than five percent of P-3 cases are processed outside Africa.

Q: Have you stopped accepting applicants for the P-3 program?

A: We stopped accepting all applications for the P-3 program on October 22, 2008. The Departments of State and Homeland Security, along with our resettlement agency partners, are currently discussing the disposition of applications (other than the small number that were forwarded overseas prior to March 2008 as noted above) that were submitted earlier this year.

Q: How does the Department plan to address the fraud?

The Department is working closely with the Department of Homeland Security to develop and implement new procedures for verifying family relationship claims. These new procedures will likely include DNA testing. The P-3 program in Africa remains suspended as noted above until we have finalized and implemented these new measures.

Q: What measures will be taken against the thousands of refugees who have come into the United States through the P-3 program in the last 20 years?

A: We refer you to the Department of Homeland Security, which is responsible for any actions taken on individuals who have already been admitted as refugees under the P-3 program.

Q: Why did you only conduct DNA testing in Africa?

A: We began in Africa because African P-3s have accounted for more than 95% of P-3 refugee arrivals worldwide in recent years. In addition, we received frequent reports and anecdotal information that there was widespread fraud in the program there.

Q: How many relatives of refugees or asylees have come from Africa to the US via the P-3 program in recent years?

A: Since October 1, 2003, some 36,000 people have arrived from Africa through the P-3 program.

Q: How many P-3s were admitted to the United States, from elsewhere in the world, in recent years?

A: Since October 1, 2003, some 400 people have arrived from other parts of the world through the P-3 program.

Q: Please explain how the P-3 application process works.

A: A person who entered the United States as a refugee, or who was granted asylum after arriving in the United States; and who is a member of an eligible nationality (18 in FY 2009) may file Affidavits of Relationship (AORs) for family members overseas (parent, spouse, and/or unmarried children under 21) in order to establish their family members' eligibility to apply to the U.S. Refugee Admissions Program.

The Refugee Processing Center (RPC – a Department of State contractor) logs in the AORs and sends them to DHS for review.

DHS reviews the AOR to determine whether the individuals claimed are eligible for processing under P-3. For more information about this aspect of the process, we refer you to DHS.

DHS returns approved affidavits to the RPC, which forwards them to the appropriate Overseas Processing Entities (OPEs) for processing.

The OPEs open refugee admissions cases for the eligible family members, prescreen them, and present them to DHS for the final interview.

Q. Which countries' citizens are eligible for consideration through the P-3 Program?

A: For fiscal year 2009, the following nationalities are eligible:

Afghanistan
 Bhutan
 Burma
 Burundi
 Central African Republic
 Colombia
 Cuba
 Democratic People's Republic of Korea (DPRK)

Democratic Republic of Congo (DRC)
 Eritrea
 Ethiopia
 Haiti
 Iran
 Iraq
 Somalia
 Sudan
 Uzbekistan
 Zimbabwe

Q: Is the P-3 program suspended in those countries where DNA testing has not taken place and/or there is no evidence of fraud?

As of October 22, 2008, the Department of State stopped accepting Affidavits of Relationship (AORs) for all nationalities.

In locations where we have no evidence of fraud -- Bangkok, Cairo, Havana, Ho Chi Minh City, Istanbul, Kathmandu, Moscow, and Vienna -- the small number of AORs that were submitted and cleared prior to March 2008 are being processed. However, no new applications are being accepted for any nationality at this time

Q: What is the State Department doing to ensure that African refugees continue to be included in the Refugee Admissions Program in numbers commensurate with the humanitarian needs of the region?

A: We continue to work closely with UNHCR to determine which African refugee populations are appropriate candidates for group and individual referrals. For example, we recently authorized the processing of several thousand Eritrean refugees in a camp in Ethiopia and continue to receive P-1 (individual) referrals of Congolese, Burundians, Somalis, and other African nationalities.

In August 2008, PRM's Acting Assistant Secretary Sam Witten visited Kenya and East Africa where he reconfirmed with UNHCR and other partners the U.S. government's ongoing commitment to the resettlement of African refugees in need of resettlement