



OOD
PM 25-19 (Amended)
Effective: February 5, 2025

To: All of EOIR
From: Sirce E. Owen, Acting Director
Date: February 5, 2025

EOIR'S ANTI-FRAUD PROGRAM

PURPOSE:	Re-establish a robust Anti-Fraud Program at EOIR
OWNER:	Office of the Director
AUTHORITY:	8 C.F.R. § 1003.0(b)
CANCELLATION:	None

Immigration fraud, particularly asylum fraud, is a pernicious affront to aliens with valid immigration applications and a stain on the overall integrity and effectiveness of our Nation's immigration system. Such fraud is particularly corrosive to EOIR due to its pervasiveness and the unfortunate reality of its low-risk/high-reward appeal to aliens in immigration proceedings.

EOIR's Anti-Fraud Program was intended to combat "possible fraud upon EOIR, particularly with respect to matters relating to *fraudulent applications* or documents affecting multiple removal proceedings, applications for relief from removal, appeals, or other proceedings before EOIR." 8 C.F.R. § 1003.0(f)(2)(i) (emphasis added). Its efficacy has varied considerably since its inception in 2007, but it was re-energized in 2017. Beginning in 2021, however, EOIR's Anti-Fraud Program was effectively decommissioned and became a moribund subcomponent with a muddled focus and a lack of institutional support.

That development was disheartening and, unfortunately, conveyed the message that immigration fraud is unimportant and should not concern EOIR employees. That message, though, is unequivocally incorrect. EOIR should have zero tolerance for immigration fraud, and it takes all allegations of fraud seriously. Moreover, EOIR employees have a duty to identify and report fraud in immigration proceedings, pursuant to both policy, *see* Policy Memorandum (PM) 19-07, *Identifying and Reporting Fraud and Abuse*, and law, *see* 5 C.F.R. § 2635.101(b)(11) (requiring federal employees to "disclose waste, fraud, abuse, and corruption"); 28 C.F.R. § 0.29b (requiring Department of Justice employees to disclose fraud).

To those ends, EOIR is committed to re-establishing a robust and effective Anti-Fraud Program which will provide resources to employees on how to identify and report instances of suspected fraud (particularly asylum fraud), coordinate with investigative authorities to respond to instances of fraud, and notify appropriate authorities of instances of fraud, misrepresentation, or abuse

involving attorneys or accredited representatives. Further, to assist the Anti-Fraud Program in fulfilling its mission, all employees must familiarize (or re-familiarize) themselves with PM 19-07 and its Appendix A and must be prepared to cooperate fully with the Anti-Fraud Program and, as necessary, EOIR's Disciplinary Counsel.¹

Unfortunately, EOIR's recent lack of urgency in combatting of fraud only encourages more fraud, and rooting it out will require significant effort from EOIR employees at all levels. Nevertheless, because fraud constitutes a direct attack on EOIR's integrity, ending it is absolutely vital to EOIR's success as an agency. Accordingly, to protect the legitimacy of EOIR as an institution, all employees should support a strong and effective Anti-Fraud Program.

This PM is not intended to, does not, and may not be relied upon to create, any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person. Nothing herein should be construed as mandating a particular outcome in any specific case. Nothing in this PM limits an adjudicator's independent judgment and discretion in adjudicating cases or an adjudicator's authority under applicable law.

Please contact your supervisor if you have any questions.

¹ Employees who do not report suspected fraud as required by law may be subject to corrective or disciplinary action.