



The asylum lawyers just got served

Markwayne Mullin's Department of Homeland Security is preparing to crack down on immigration attorneys who file fraudulent asylum claims, warning Tuesday that the agency is moving to give ICE lawyers more authority to pursue document-fraud penalties and help immigration judges shut down bogus cases.

James Percival, DHS general counsel, said the asylum system has been flooded for years by fraud from illegal aliens who claim they face persecution or torture in their home countries despite using the process mainly to stay and work in the United States.

"For many years, millions of illegal aliens have committed fraud in our immigration system," Percival said in a Tuesday [statement](#) first reported by CBS News. "No place is this more rampant than in immigration court."

Percival said asylum and other protection claims were designed for "unique and narrow circumstances," but have instead become a routine legal strategy for immigration attorneys representing illegal aliens.

"It is standard practice for immigration attorneys representing illegal aliens to assert that virtually every illegal alien is going to be persecuted or tortured in his or her home country," he said.

The new directive tells Immigration and Customs Enforcement to develop anti-fraud policies aimed at enforcing 8 U.S.C. § 1324c(d), a federal law that establishes penalties for document fraud. DHS said the move will give ICE attorneys stronger tools to challenge fake asylum claims, assist judges in denying fraudulent cases and speed the removal of illegal aliens who abuse the system.

Percival said ICE has long relied on immigration judges and criminal fraud statutes to discourage abuse, but said the agency has tools of its own that it now intends to use.

"Now, thanks to this directive, ICE attorneys have greater authority to enforce the law and stop the abuse of our asylum system by illegal aliens and attorneys," he said.

The move marks a sharp break from the Biden-era approach, when federal officials allowed millions of economic migrants to enter the asylum pipeline, obtain work permits and remain in the country while their cases sat in a massive court backlog. That backlog ballooned to more than 3.5 million cases, helping settle a population of renters, workers and consumers in Democrat-run sanctuary jurisdictions such as Chicago, New York, Boston and California.

Asylum claims also became a pathway to faster legal status for many migrants who made it into court, even as surveys showed only a small share were actually fleeing political persecution. Most came for jobs, using an overwhelmed asylum system as the legal cover to stay.

Federal prosecutors have brought only a limited number of high-profile asylum fraud cases in recent years, despite widespread abuse. In one case, federal officials charged Tibetan man Tenzin Norbu in 2005 with running what prosecutors described as a decade-long fraud scheme that sold fake asylum applications to immigrants. Prosecutors said the filings used boilerplate claims that applicants were Tibetan and would face persecution if removed to Chinese-controlled Tibet. Norbu allegedly coached clients on the false stories and provided fake documents for a fee of about \$5,000 per client.

In 2023, federal officials announced plea agreements involving two licensed immigration attorneys and a writer who worked with them, accusing the group of inventing false claims and coaching clients to lie under oath. A federal official said the defendants “invented offensive lies to cheat our country’s asylum process,” turning a system meant to protect legitimate victims of persecution into a profit-driven fraud operation.

Another case involved attorney Andreea Dumitru, who officials said submitted more than 100 applications containing knowingly false claims about applicants’ persecution narratives, criminal histories and travel records. Prosecutors said she fabricated detailed stories, forged client signatures and falsely notarized affidavits.

DHS’s new asylum-fraud push is part of a broader effort to tighten immigration enforcement through administrative and regulatory action as Congress continues to avoid major reforms to the nation’s immigration laws. Last week, DHS also declared that many migrants in the United States, including those given parole or Temporary Protected Status, must leave the country before applying for legal status or a green card.