

RHR Information Services, Inc

# SelectRent News

## Editor's Note

# STOP!



Before you throw this newsletter in the "round file", take the time to read this issue—particularly the article discussing the screening of immigrants by the government as this is perhaps the most common misconception we see at RHR. The question arises virtually every day—"Why should I even bother to run a background check on a person that has just

immigrated to the country when the government has already checked them out?". The reality is that in many cases the government is not doing a thorough of a job of background screening as we would all like to believe.

We are also pleased to announce a great enhancement available to our criteria "Stop-Sign" service and the details are explained in the article on page 3.

We hope to see many of you at the upcoming MHA Fall Convention on Tuesday, October 17th at the Xcel Energy Center in St. Paul. If you don't have a ticket—don't worry about it—the price of

admission is FREE!

If you've never been to the convention you have to come and check it out. It's a Wild West theme this year, and literally thousands of dollars are given away over the course of the show from 1:30—6pm.

We will be in our usual spot by the main stage and offering a demonstration of the new service as well as giving away lots of great prizes.

*Tony Karels*  
Account Manager

### Inside this issue:

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## Immigrant Screening Mistakes by our Government?

A congressional panel is calling for an investigation and hearing into reports that applicants for green cards, work visas and other immigration documents were not properly screened against the U.S. terrorist watch list. Rep. Ed Royce, chairman of the House Subcommittee on Terrorism and Nonproliferation, called for the hearing Tuesday. Royce, R-Fullerton, has held several hearings on problems within the U.S. Citizenship and Immigration Ser-

vice and said the recent report is evidence of a threat to national security.

"These shortcomings at USCIS are very problematic as we confront resourceful terrorists who will do whatever they can to harm this nation," Royce said.

Jose Montero, acting director for communications for the Citizenship and Immigration Service, said that a national security background check is completed for every application that USCIS receives for an

immigration benefit.

"Last year, U.S. Citizenship and Immigration Services conducted more than 35 million national security background checks," Montero said.

**Roughly 75 percent of applications at the center that resulted in a "hit" during background checks were not properly vetted or checked during the past four years, according to interviews with National Benefits Center**

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## Immigration Mistakes (continued)

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**employees.** Those hits came from criminal and terrorist databases compiled by various U.S. government agencies. Adjudicators, the Citizenship and Immigration Service employees who evaluate and decide which applications to approve, said they were not properly trained on what to do if an application triggered a hit.

Montero said, however, that all hits regarding national security threats get passed on to a specialized unit in Washington, D.C.

"At the National Benefits Center, as at every other U.S. Citizenship and Immigration Service office, once a background check identifies a national security hit, the adjudication of that case is immediately stopped and the case is sent directly to the Office of Fraud Detection and National Security where a team of specially trained USCIS employees investigate and resolve that hit," Montero said.

But those working at the center said they didn't usually know when they had a database hit.

According to official e-mails obtained by the Daily Bulletin, supervisors at the center were first notified May 8 of their failure to have the adjudicators appropriately screen the applications.

On Aug. 7, the adjudicators were finally notified that they were not properly screening for terrorist ties and criminals.

They were reminded of the failure Aug. 11. At that time, the employees were told they were not accessing the requisite information "at all."

Other documents obtained by the paper recommended granting benefits to applicants on the terrorist watch list. One document, dated July 27, recommends granting an immigration benefit to an applicant whose name was confirmed as being on the terrorist watch list. The documents were provided to at least one senator last week.

In 2002, President Bush announced a five-year, \$500 million initiative to achieve and maintain a six-month processing time for most immigration benefit applications, thereby eliminating the millions of backlogged applications by October. Critics contend the Citizenship and Immigration Service is cutting corners to achieve the president's goal, and adjudicators interviewed by the Daily Bulletin said they are forced to process applications quickly or lose promotions or perhaps their jobs.

"The system is rigged to approve applications and shortchange security," Royce said. "There are too many uninvestigated complaints against USCIS employees who issue green cards, work visas and other immigration benefits." Robert Cowan, director of the National Benefits Center, told the Daily Bulletin this past week that "USCIS opted at the national level to not always require the F14 or F15 keys," which trigger the database searches.

Cowan said employees were misinformed by supervisors in the Aug. 11 e-mail that said the failure to check the F14 or F15 keys was the reason the center noted a 75 percent failure rate in resolving hits on background checks. Cowan said the 75 percent figure was attributable to employees not properly marking enforcement documents, misspelling names or leaving out names altogether. Cowan further stated that any allegations of security being compromised to reduce the backlog are unfounded.

While statements by staff members refute Cowan's explanation of the error rate, both current and former USCIS employees, speaking on condition of anonymity, stated that a 75 percent error rate in misspelling or missing names would lead to even larger numbers of applications being improperly screened. They said it also would lead to

benefits being granted to an untold number of individuals with terrorist ties and others who would be major threats to public safety.

"In light of the reported government documentation provided to Congress, it would appear only today's announcement of congressional hearings, accompanied by subpoenas, and an independent investigation will shed light on the truth, one way or another," said Michael Maxwell, former director of internal affairs at USCIS, who has testified numerous times before Congress.

Adjudicators from the National Benefits Center and several from offices in the central region of the country contacted the Daily Bulletin this past week, saying that similar failures to screen applicants are happening nationwide. "I didn't know about the F14 or F15 key until I read the story - I don't even have one on my keyboard," said a Citizenship and Immigration Service manager from the central region who asked to remain anonymous for fear of reprisal. "But the real problem is the push to get the backlog completed by October, and adjudicators are processing applications so fast that there is no time for thorough background checks," he added.

A current USCIS adjudicator, also from the central region, completely unaware of the F14 and F15 search functions, stated customer service has taken priority over national security. "The American public has no idea just how bad the system really is," he said.

Further information provided this week to Congress and the Daily Bulletin shows that the Citizenship and Immigration Service changed standard operating procedures in February and March for the computer background-check

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## Immigration Mistakes (continued)

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 system. The National Benefits Center issued their own set of new instruction in May. The procedures effective in February and March did not contain any directions for adjudicators to hit the F14 or F15 keys to check against watch lists. In a May 25 e-mail, however, National Benefits Center supervisor Norma Limon sent revised instructions for doing checks at

the center - making it mandatory for adjudicators to hit the F14 and F15 keys. An employee's failure to hit the function key would render the background check "incomplete," according to later e-mails. Numerous staff at the National Benefits Center said Tuesday that USCIS is requiring mandatory retraining for all adjudicators. If adjudicators opt out of the training, they will be held

responsible for any mistakes made on the applications, one adjudicator said. Center employees estimate more than 2.8 million applications would need to be rechecked in order to ensure proper background checks were carried out on applications dating to 2002.

Story at [www.dailybulletin.com](http://www.dailybulletin.com)

## RHR now offers customized criminal "Stop-Signs"

If you are currently a customer taking advantage of our criteria stop-sign program we are pleased to announce a major enhancement to the criminal component of the product.

Until now we have only been able to stop your report when an applicant is

convicted at a specific level of severity (i.e. Felony, Gross Misdemeanor, etc.). As of October 15th, RHR is now able to look at specific types of crimes (drugs, theft, DWI, etc.) and stop reports based upon your individual criteria regardless of the level of severity. This allows for

much more customization and greater adherence to your company policy.

Please contact us for more information on implementing the new service.



## Can a juvenile sex offender's record be found?

Difficult legal questions are often posed to applicant screening agencies. Sometimes the answer is gray because of legislative loopholes. The following is one such question.

### Question:

15-year-old boy is convicted of indecent sexual acts with a nine-year-old female. He is convicted as a juvenile in the state of Texas. His criminal record is clear because of the juvenile status on the case; however, he is still listed as a sexual offender and is now 21 years old. (He was also given two years in a juvenile facility). Is reporting him as a sex offender a violation of his rights, as he was convicted as a juvenile?

### Answer:

If he is currently on the sex offender registry, it is public record information. A background screener's responsibility is to report accurate and up-to-date public record data. The court system has the burden of managing what records are removed and whether or not the individual needs to currently register as a sex offender. It is however, an interesting question and one that is unresolved in several states. Wisconsin has enacted a new law called "Annie's Law." Annie Zyla, a victim of a juvenile sex crime, successfully promoted the idea that the public's right to know of a juvenile sex offender living in the neighborhood overrides a juvenile's

right to keep court records closed.

Zyla has now set her sights on Congress and a national bill. Congress is finishing a bill that could include juveniles on a federal registry (to be created). Failure to register would be considered a felony.

States vary in their opinion regarding juvenile sex offenders:

- Some states list juveniles on public registries.
- Some wait until they turn 18.
- Some never list them.
- Some list them for life while others specific time frame.

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*"A background screener's responsibility is to report accurate and up-to-date public record data."*

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## The Right Path to the Right People

Disclaimer: This newsletter has been developed for informational purposes only for use by the customers of RHR Information Services, Inc., and should not be relied upon as definitively accurate. Due to the complex nature of your business, we strongly suggest that you work closely with legal council when making business related decisions.

## Top 10 Excuses of the Month

1. **"My husband is an alcoholic and he has been having blackouts. We don't know what happened to the rent money."**

Jesse U., Seaford, NY

2. **"I am out of town and can't get to a bank. My dog had a heart attack and I have to stay with him here while he has surgery. I will be gone for 8 to 10 days and will try to get you the rent when I get back."**

April R., Canada

3. **"My boyfriend is a landlord too. He told me not to pay another dime until you lower the rent to a reasonable rate."**

Sally B., Massapequa, NY

4. **"Why should I pay rent if I am going to buy the house next month?"**

Margo M., Maine

5. **"My son was supposed to pay you."**

Mare M., Long Island, NY

6. **"I can't pay the rent because things are really tough at work."**

Leanne P., Rollingsworth, NH

7. **"I got 3 kids in college. What do you want from me?"**

Larry C., Connecticut

8. **"I'm not giving half my paycheck to some stupid kid."**

Kendra F., Minneapolis, MN

9. **"You can wait because you are so cheap. You haven't done anything in here since we moved in 6 months ago."**

Michael K., San Diego, CA

10. **"I am going to China for June through August. I'll make sure my friend gets you the rent."**

J.N, New Jersey

If you have some noteworthy excuses let us know! Just when we think we've heard the best excuse ever, a new one comes along to raise the bar!