



Welcome the stranger.
Protect the refugee.

**Hearing of the
House Judiciary Committee
Subcommittee on Immigration and Border
Security**

**“The Syrian Refugee Crisis and Its Impact
on the Security of the U.S. Refugee
Admissions Program”**

**Testimony of Mark Hetfield
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Chairman Gowdy, Ranking Member Lofgren, and distinguished members of the House Subcommittee on Immigration and Border Security, thank you for honoring HIAS, the global refugee protection agency of the American Jewish community, by inviting me to testify at this hearing on Syrian refugees.

HIAS, the oldest refugee agency in the world, is one of nine national voluntary agencies that resettles refugees in communities throughout the United States in partnership with the Departments of State and Health and Human Services. HIAS also provides asylum services in the U.S., and assists refugees and displaced persons in a dozen countries around the world with legal protection, local integration and resettlement.

I commend you for convening this hearing on Syrian refugees, as we are now confronting the world's most horrific refugee crisis since the Second World War, with 60 million displaced across the globe, twenty percent of whom are Syrian, fleeing a conflict that has already taken over 240,000 lives. Turkey now hosts over 2 million Syrian refugees, Lebanon – a country of only 4.5 million people – host nearly 1.1 million, and Jordan hosts 633,000 Syrian refugees. Without considerably more international assistance, they are at their saturation points, causing refugees to risk their lives to flee for the second or third time.

The crisis finally attracted attention when the body of three year old Syrian Alan Kurdi washed up on a Turkish beach on September 2nd, one of 813 men, women and children asylum seekers to perish at sea that month trying to make the perilous boat journey to Europe.

On September 17th, a distinguished group of twenty former high-level officials from both Democratic and Republican administrations wrote the Congressional leadership and the President urging that, in addition to increasing humanitarian assistance for Syrian refugees in the MENA region, the U.S. resettle 100,000 Syrian refugees. Since the beginning of the conflict, however, the United States has taken in fewer than 2,000 Syrian

refugees, and recently announced that it will endeavor to take just 10,000 in the next year

This is an extraordinary crisis requiring extraordinary leadership, yet so far the United States' response has been tepid at best. While this is the largest refugee crisis of my lifetime, we are resettling far fewer refugees than we did in 1980, when we resettled over 200,000 Indochinese refugees, or in the 1993 and 1994, when we resettled well over 110,000 refugees each year.

I cannot find the words to express my disgust and horror at the murderous acts of terrorism perpetrated in Beirut and Paris last week. My sadness, however, has only been compounded by some reactions in the United States. Some politicians have seized on the opportunity to politicize the refugee crisis by stating that refugees who are Syrian or who are Syrian and Muslim, should not be resettled to the United States. Certain governors are even attempting to prevent the federal government from resettling refugees in their respective states on the basis of a refugee's Syrian nationality and/or Muslim religion.

I am totally disheartened and perplexed by these actions.

Disheartened because I mistakenly thought that signs and attitudes like "Irish need not apply," "no coloreds," "no beer sold to Indians" and "No Jews or dogs allowed" were ugly relics buried in our past. Apparently not. A number of governors have unearthed these skeletons of xenophobia, racism and islamophobia for political gain. By making a blanket statement that they will not accept refugees, leaders such as the Governor of Alabama have posted a virtual sign that says "Welcome to Alabama. Syrians not allowed." Others have basically said, "Welcome to my state. Unless you are a Syrian Muslim." As a Jewish community organization dedicated to welcoming refugees, for well over a century HIAS has been fighting such racist and xenophobic attitudes and we condemn these actions.

I am perplexed because this blatant discrimination against resettled refugees from Syria is being proposed in the name of security. Governors are right to be concerned about security, but so is the federal government, so are the refugee resettlement agencies, and the extensive screening process in our refugee program reflects that.

While the number of Syrian refugees being resettled to the United States today is relatively anemic, the security protocols in place are stronger than anything I have seen in my 26 years of working in this field. So strong, that it has made the refugee resettlement program into more fortress than ambulance, causing massive backlogs of holds of legitimately deserving and unnecessarily suffering refugees.

There are a growing number of politicians who have stated that we should not accept Syrian refugees. They are concerned that some of the refugees might be affiliated with ISIS, with the mass murderers who have terrorized Paris and the Middle East, and no amount of security screening would be able to ensure that we would not admit a terrorist into the country.

This fear of resettled refugees is based on erroneous assumptions. The flow of refugees to Europe is entirely dissimilar to the refugees accepted through the U.S. Refugee Resettlement program. The refugees who arrive in the United States have undergone extensive security vetting *prior* to setting foot on U.S. soil. Refugees to Europe are not screened until after they enter. This is the distinction. It simply does not make sense for U.S. lawmakers to react to the situation in Paris by proposing drastic legislative changes to the U.S. refugee resettlement program.

Using the tragedies in Paris as justification to close, narrow or radically revamp the US Refugee Admissions Program demonstrates a fundamental understanding of not only the extensive, intricate and immensely effective security process but also of the history and character of our refugee resettlement program. Over the years, the United States

has admitted millions of refugees who, almost by definition, have tended to come from countries with governments and non-state actors that were ideologically opposed to the American way of life, with atrocious human rights records and poor relationships with the U.S. Like Syrian refugees now, the overwhelming majority of refugees considered for resettlement in those days did not take part in terror related activities, but were themselves fleeing terror. These refugees were from communities we considered to be “enemies” but they themselves were actually fleeing from those enemies. We should be mindful that the goal of our refugee resettlement program is to offer protection and refuge to those seeking freedom from terror and tyranny.

For example, over the years the United States resettled:

- 400,000 displaced persons from Nazi controlled areas of Europe were resettled to the United States between 1945 and 1952.
- In 1956, 35,000 refugees from Communist Hungary were evacuated to Camp Kilmer in Piscataway, New Jersey.
- Between the fall of Saigon and 1997, the United States rescued 883,317 refugees who fled the Socialist Republic of Vietnam, a country with which we had been in a state of undeclared war that claimed 58,220 American lives.
- Between 1970 and the fall of the U.S.S.R in 1991, HIAS resettled over 200,000 Jews to the United States from the Soviet Union, the very government which posed the greatest security threat the United States has ever known. This is in addition to the 100s of 1000s of other refugees we have resettled from the USSR, Cuba, and the countries behind the Iron Curtain.

For the decades after the U.S. started taking large numbers of refugees from overseas after World War II, the United States effectively dealt with the screening of refugees with relative efficiency. This includes the admission of refugees from countries we were at war with, including

Communist countries during the Cold War and Fascist/Nazi controlled countries during World War II.

After World War II, it became an imperative of the United States, and certainly the Jewish community, to ensure that never again would refugees be turned back to their persecutors, as the United States did to the 908 Jews who were turned back to Europe on the St. Louis in 1939.

Still there are those who will insist that our refugee program is a safe haven for terrorists. Many of the refugees from Syria are fleeing because they refused to fight for an Assad led regime or for ISIS. They are families with children. These refugees are not the enemy and we should not be unfairly portraying those escaping terror as terrorists. Doing so is no different than portraying the passengers of the St. Louis as Nazis because they were German.

History has demonstrated that our democracy cannot only withstand large influxes of refugees from other countries, but will prosper as a result. When we welcomed millions of refugees who fled Communist, Fascist and Nazi regimes, our country did not become infected with any of those ideologies, nor with the terror associated with them. If anything, these refugees helped to immunize us from the totalitarian ideologies they were fleeing. These refugees and many others have, time and time again, proven that they are incredibly productive members of society. Refugees have helped make America great. HIAS refugee clients alone include IT pioneers like Sergei Brin and Jan Koum, talented cultural icons like Gary Shteyngart and Regina Spektor, and Dr. Gregory Braslavsky, the oncologist in Long Branch, N.J. who literally saved my wife's life after "American-born" doctors sent her away.

America gave refuge to millions of Jewish refugees. Today HIAS is committed to paying it forward and welcoming others the way that we were once welcomed. HIAS and the American Jewish community are honored to be part of the U.S. Refugee Program's effort to welcome Syrian

refugees to this country. As all refugees, we know they will struggle to get their bearings in the beginning, but that ultimately they will succeed in America and their children will go on to represent the very best of our country.

In fact, on Tuesday, September 29th I had the honor of meeting individually with seven Syrian refugee families who were resettled to Ohio by U.S. Together, a HIAS affiliate. All of the refugees with whom I met fled Syria after their homes were totally destroyed. Most were from Homs, where they were tailors, butchers, tile layers, or carpenters. They eventually ended up in cities in Jordan, but were distressed to find out upon arrival that it is illegal for refugees to work there, and that the Jordanian authorities arrest and deport refugees caught working. Unscrupulous employers took advantage of their situation by paying them little, withholding wages, or threatening to turn them into the authorities. The World Food Program (WFP) recently cut their food assistance, and that of 229,000 other Syrian refugees in Jordan, to zero, essentially leaving them all with no legal means to survive.

All of the refugees with whom I spoke have friends or family who are still anxiously waiting for security clearances. One of the refugees said that waiting for the security check process was so nerve wracking that he described it by saying, "I thought I was going to explode." He said that he saw several of his friends get stuck in the process indefinitely with no idea why.

All of these Syrians were grateful to be in Ohio and out of Jordan or Egypt, but were still fraught with anxiety because their parents, brothers and sisters were left behind as Internally Displaced Persons (IDPs) in Syria or desperate refugees elsewhere. As I was leaving his home, one young Syrian man thanked me. He said that he is grateful that a Jewish organization stepped in to help him when no one else would.

What level of security checks did they go through before they got to Ohio? The procedures in place are quite extensive, particularly compared to what security checks were run in 1989 when I was in Rome resettling Soviet Jews.

Every Syrian refugee three years of age or older in Jordan has their irises scanned and are fingerprinted and photographed by UNHCR upon intake. This ensures that there will be no identity fraud later in the process, where someone wanting to do us harm could potentially switch identities with another individual who is in the resettlement pipeline.

Moreover, during the intake UNHCR looks for 45 different triggers for possible security or exclusion concerns. If flagged, as 2/3 of cases are, the case is “deprioritized” and set aside for further investigation.

Every refugee submitted to the USRAP is interviewed by UNHCR or a qualified NGO, by the U.S. Resettlement Support Center, and again by the Department of Homeland Security. As I said before, the interviewing for Syrian refugees is more intensive than I have ever seen in the refugee resettlement program. The refugees I spoke to said that their interviews with DHS lasted from three to seven hours. Under current procedures for Syrian refugees, refugees’ stories are then compared during and after the interview at various levels of DHS for internal as well as external inconsistencies as well as red flags, and if security issues are flagged, the case is put on hold, such as a “CARRP Hold” (Controlled Application Review and Resolution Program).

But even prior to seeing a DHS officer for an interview, the refugee applicant is subject to a litany, really a web, of security clearance checks to include the Consular Lookout and Support System (CLASS) check, the Security Advisory Opinion (SAO), fingerprint checks (IDENT) and the Inter-Agency Check (IAC). The security clearances are therefore a suite of both automated and human based, manual checks between a myriad of agencies whereby the U.S. government uses every mechanism at its disposal to

uncover any derogatory information it may have on an applicant or an applicant's family member, leaving no stone unturned.

Finally, keep in mind that Syrian refugees cannot "apply" or self-refer for resettlement to the U.S. Refugee Admissions Program. In fact, they must be referred by a partner entity authorized by the U.S. Refugee Admissions Program: UNHCR, an RSC, an embassy or a trained NGO partner. And, even when referred by UNHCR, an RSC or a trained NGO partner, they do not know which country they will be referred to. Further reinforcing the unpredictability of an acceptance is that if and when they are referred to the USRAP, DHS has the power of discretionary denial, which means that even if a case clears all security checks, the interviewing officer can deny the case just based on the interview alone.

In addition, the DHS officer must review the case for inadmissibility on TRIG grounds (Terrorism Related Inadmissibility Grounds), and determine if the refugee applicant provided any type of material assistance to support any group that advocates violence to overthrow a regime. Ironically, Syrian applicants will be excluded from resettlement or require a waiver even for supporting anti-Assad anti-ISIS rebels supported or trained by the United States.

With all these security safeguards in place, the USRAP is hardly a piece of Swiss cheese. It is not a sieve. And in essence, it is not even the wide reaching rescue program that it was intended to be. It is an intricate maze with many trap doors and slides, which provides a humanitarian benefit – namely resettlement – to those few refugees lucky and patient enough to find their way to the finish line. Given the complexity, intrusiveness and unpredictability of the program, it seems highly unlikely, if not nearly impossible, that a terrorist agent or ISIS soldier would choose the refugee resettlement program as his or her path to the United States.

We all agree that the refugee program needs to be secure. In its current form, the program is secure to a fault

The following suggestions would improve our refugee admissions program, while increasing both security and efficiency:

(1) **Put someone in charge of the U.S. Refugee Admissions Program:** For many years, the USRAP was regarded to be a three-legged stool, relying on the Departments of State, Health and Human Services, and Justice. In this post September 11 environment, the U.S. Refugee Program has evolved into a 15 headed monster which is much more effective at guarding the door than at efficiently processing and welcoming refugees. The program is a web of multiple intelligence and law enforcement agencies operating among one other. The Refugee Program is their “customer,” but they lack a customer service based mentality. There is no one entity in control of the program, which can truly hold each part accountable. While there is a position at the National Security Council which is tasked with cursory oversight of the program, the President should appoint someone in a full-time high level position, to not just coordinate the customer service based relationships that characterize the current program, but to actually hold the entities accountable and make the program more of a priority.

(2) **Hold vetting agencies accountable for processing cases:** A lengthy security process does not necessarily mean the process is thorough. During security checks, refugees get stuck in one vetting agency or another, as these agencies do not view refugee resettlement to be a priority for them. Such agencies need to have designated officials with resources who will be held accountable for moving cases quickly through the system.

(3) **Monitor and address redundancies and other inefficiencies in the security check process:** Because the security checks occur in a black box, it is impossible for those of us on the outside to see the extent to which each of them adds value. For each refugee situation, the “official in charge” of the U.S. Refugee Admissions Program should constantly monitor all layers of security

checks to remove or modify those layers which add time and cost but not value.

(4) **Resolve holds on refugee cases:** UNHCR, the Departments of State and Homeland Security need to remember that when refugee cases are on hold for years, refugee lives are also on hold, their suffering is prolonged and, in some cases, their persecution is extended in the country of first asylum. These are refugees whose assistance has been cut, who are not allowed to make a living, and who are increasingly desperate. The UNHCR and the Departments of State and Homeland Security are currently “deprioritizing” and denying refugee cases due to security issues or other “triggers” that need to be resolved. This is why processing takes 18-24 months on average. These cases should not simply be cast aside. DHS and UNHCR need additional resources to resolve these issues in a timely manner.

(5) **Talk to refugees:** If the security check process results in a “hit” on a refugee, more often than not, no government official ever meets with the refugee to try to resolve the issue, even though many will be instances of mistaken identity, faulty interpretation, or other miscommunication. By all accounts, the U.S. and UNHCR are erring on the side of exclusion of Syrian refugees. Absent extremely sensitive intelligence that cannot be shared with the applicant, no refugee in the resettlement process should be denied or forgotten without allowing him or her to confront the adverse evidence and clear his or her name. DHS needs resources to re-interview refugees on hold, by video if necessary. Doing otherwise is not only a deprivation of due process, it is cruel. Refugees have already suffered enough.

(6) **Shorten gaps in the interview process:** Refugee resettlement applicants are considered for resettlement for the very reason that their security situation in the country of first asylum is precarious, yet the resettlement process is stretched out to months or years due to gaps during each step in the process. RSC personnel

should prepare cases in the same circuit ride as the DHS interviewers review them, not in separate circuit rides. If an applicant is otherwise interview-ready, DHS should not continue to postpone interviews just because not all of the clearances are yet back. Delayed clearances should delay refugee travel, not refugee interviews. And if DHS personnel cannot make it to a site to interview an applicant, they should deputize other U.S. Government officials (i.e. within the State Department) who can.

(7) **Reunite refugee families:** Nothing causes resettled refugees more anxiety and is a greater impediment to their integration than separation from their families. The USRAP should expand its P-3 family unity program to reunite Syrian-born asylees, refugees, U.S. citizens or lawful permanent residents with their sons, daughters, parents, or siblings who have fled Syria. Previous integrity concerns with the P-3 program have been resolved through DNA testing and other improvements to the program.

(8) **Address the push factors:** It is supremely ironic that, while Europe is so concerned about hundreds of thousands of refugees washing up on its shores, the UNHCR appeal for Syrian refugees remains largely unfunded, and the World Food Program has cut off food aid for refugees who are not allowed to work. Refugees arriving in Turkey and elsewhere must now wait years for their first appointment to see UNHCR and begin the process. Providing assistance to UNHCR to address these urgent conditions in the country of first asylum, and doing so to promote economic development of refugee hosting areas and not mere humanitarian assistance, needs to be given the highest priority.

Finally, it appears that concerns about Syrian refugees are being fueled more by Islamophobia than by facts. We at HIAS have been disheartened to see exclusionary rhetoric in the blogosphere about Syrian refugees re-enforced by offensive utterances from candidates for the highest office in our land. We should warmly welcome Syrians who make it to the United States, just as HIAS and this country welcomed Soviet Jews

when they arrived. We in the American Jewish community know the heart of a stranger, for we were once strangers ourselves.

I would like to close by reading you a letter I received earlier this month, together with a \$72 contribution to HIAS:

Dear Mr. Hetfield:

I am sitting here looking at a framed letter from HIAS dated July 1937. It welcomes my father-in-law, Sandor Riegelhaupt, to the United States. One line states "HIAS will be glad to be of further service to you in the problems of your adjustment to the new environment." It is signed by a name that looks like Abraham Herman, President. My deceased husband was a ten year old child when the family came to the United States. Were it not for HIAS, I am not sure if they would have been able to leave Germany.

Our local Jewish Family Service sent information regarding the Syrian refugee problem and noted that HIAS is one of the organizations that is assisting with relocation. It is my framed letter and the message from the Framingham JFS that has moved me to send you a modest contribution.

Thank you for continuing the work that has such an important history.

The terrorists' strategy is to defeat the West through a campaign of fear. The terrorists believe they can trick us into abandoning our values and into abandoning those who flee terrorism, extremism and totalitarianism: the refugees, the stateless, the vulnerable whom the international community swore to protect in the wake of the Holocaust. I am hopeful that the United States Congress and the President will not let that happen. The U.S. Refugee Admissions Program is secure and should be supported and expanded, as we are now facing the largest refugee crisis since the Second World War.

Thank you, Mr. Chairman, Ranking member Lofgren, and members of the House Subcommittee on Immigration and Border Security, for inviting me to testify here today on Syrian refugees.