IRAP
International Refugee
Assistance Project

International Refugee Assistance Project Statement for the Record: Indefinite Delays in Refugee Security Vetting

House Judiciary Committee Hearing on the Current Status of the U.S. Refugee Admissions Program (USRAP)

February 26, 2020

Introduction

Refugees and Special Immigrant Visa applicants undergo extensive security vetting, including checks conducted by the Department of State, FBI, National Counter Terrorism Center, Customs and Border Protection, Department of Defense, and USCIS.

In October 2017, President Trump ordered already-lengthy security checks to be expanded for refugees of 11 nationalities and refugees seeking to "follow-to-join" their spouses and parents resettled in the United States. These changes suspended the cases of hundreds of refugees who were already cleared for travel. Many have still not been allowed to resettle. Since October 2017, timelines for security checks have stretched indefinitely and refugee arrivals have plummeted. This means that individuals are left waiting for years with no known timeline to reach safety and join their families in the United States.

Additional Checks for Eleven Nationalities

In October 2017, the Administration expanded checks for eleven nationalities subject to the Security Advisory Opinion (SAO) check requirement: Egypt, Iran, Iraq, Libya, Mali, North Korea, Somalia, South Sudan, Sudan, Syria, and Yemen, as well as some Palestinians. Previously, SAO checks were required for boys and men of those nationalities within an age range. In October 2017, the SAO checks were expanded to girls and women within that age range and from those nationalities. Combined with extensive backlogs in the SAO process, this change made an already years-long resettlement process into an indefinite one for refugees from those countries.

According to the State Department, refugee admissions from those countries have fallen by more than 94% since FY 2016—from 36,952 in FY 2016 to 1,893 in FY 2019.[1] Among the groups who are now effectively shut off from U.S. resettlement are religious minorities from Iran, people fleeing persecution in Syria and Yemen, and Iraqis who worked for the U.S. Government.

[1] The State Department's data is attached below.

For example, more than 100,000 Iraqis with U.S. affiliations are waiting to be considered for resettlement, but in FY 2019 only fifty-one Iraqis with U.S. affiliations were admitted to the United States. FY 2020's refugee quota allots only 4,000 admissions to Iraqis with U.S. affiliations, but through the first four months of FY 2020, though only 52 U.S.-affiliated Iraqi refugees were admitted, setting a pace at which the U.S. would admit fewer than 160 U.S.-affiliated Iraqi refugees this fiscal year.

Among those waiting for a decision to about their resettlement is the family of Yousif.[2] Yousif is an Iraqi translator who supported the U.S. military and U.S.-based NGOs; his family members applied to the Direct Access Program years ago, and they are still waiting.

Also among those waiting is Sam, an Iraqi who served as a combat translator alongside U.S. military personnel who continue to advocate for Sam's ability to live in safety. Facing immediate threats to his life, Sam fled to Egypt, where he lives without legal residency or the right to work and separated from his family.[3]

Additional Checks for Refugees Reuniting with Spouses and Parents in the United States

The October 2017 changes also expanded security checks in the refugee follow-to-join program, which allows refugees who were resettled in the United States to reunite in safety with their spouses and minor children. As with the changes applied to certain nationalities, this has turned a long process into an indefinite one.[4] Follow-to-join refugee arrivals plummeted from 2,035 in FY 2015 to just 717 in FY 2018. In FY 2019, the backlog of pending follow-to-join refugee and asylum petitions increased by 59%, from 13,119 to 20,913.

Afkab Hussein is a Somali refugee who was resettled to the United States. By the time he was approved for travel, he had married and his wife was pregnant with their firstborn. Afkab traveled to the United States and applied for his wife and son to join him. They were approved to travel when the first Muslim Ban was implemented. Years later, he is still waiting to reunite with his wife and son in safety. He has met his son only once, on a brief trip to Kenya.[5]

Aminata Konate applied to reunite with her son in 2015, when he was a toddler. They were reunited in Idaho in 2019—the only refugee family of more than 40 assisted by a resettlement agency to be reunited since President Trump's inauguration.[6]

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[2] Yousif's story is attached below.
[3] Sam's story is attached below.
[4] More on changes to security vetting on the refugee follow-to-join program is attached below.
[5] Afkab's story is attached below.
[6] Aminata's story is attached below.

Conclusion

Additional layers of security checks, without sustained efforts to eliminate delays and backlogs, undermine the humanitarian goals of the refugee program. Refugee families are separated, individuals living under threat remain in limbo, and U.S. wartime partners remain in danger, because of new layers of security vetting. All vetting partners in USRAP must coordinate efforts to improve efficiency in refugee security vetting.

About IRAP

The International Refugee Assistance Project (IRAP) provides comprehensive legal services to refugees and displaced persons. Since our establishment, we have provided legal assistance to thousands of displaced persons seeking legal pathways from conflict zones to safe countries. IRAP provides pro bono legal representation, legal advice, and expert referrals to refugees all over the world.

IRAP's goal is to ensure that available services and legal protections go to those who are most in need. Our clients include LGBTI individuals, religious minorities subject to targeted violence, survivors of sexual and gender-based violence, children with medical emergencies for which local treatment is not available, and interpreters being hunted down by the Islamic State, militias, and the Taliban in retaliation for their work with the United States and NATO.

Exhibit 1

Department of State

Bureau of Population, Refugees, and Migration

Office of Admissions - Refugee Processing Center

Refugee Arrivals

Fiscal Year

as of 30-September-2019

Nationality(s): Egypt, Iran, Iraq, Korea, North, Libya, Mali, Republic of South Sudan, Somalia, Sudan, Syria, Yemen, Yemen (Sanaa)

Religion(s): All Religions

From: 01 Oct 2015

To: 30 Sep 2019

Nationality Religion	FY 2016	FY 2017	FY 2018	FY 2019	Cumulative Total
Egypt	**21**	**9**	**1**	**4**	**35**
Atheist	0	1	0	0	1
Christian	7	0	0	0	7
Coptic	4	0	0	0	4
Evangelical Christian	0	2	0	0	2
Moslem	4	2	1	3	10
Moslem Suni	1	2	0	1	4
Orthodox	5	1	0	0	6
Protestant	0	1	0	0	1
Iran	**3,750**	**2,577**	**41**	**199**	**6,567**
Atheist	36	28	0	6	70
Bahai	501	376	5	13	895
Baptist	0	2	0	0	2

Data extracted from the Worldwide Refugee Admissions Processing System (WRAPS).
Data prior to 2002 was migrated into WRAPS from a legacy system therefore we are providing post-2002 data.
MX - Arrivals by Nationality and Religion
Report Run Date: 14-February-2020

Department of State

Bureau of Population, Refugees, and Migration

Office of Admissions - Refugee Processing Center

Refugee Arrivals

Fiscal Year

as of 30-September-2019

From: 01 Oct 2015

To: 30 Sep 2019

Nationality Religion	FY 2016	FY 2017	FY 2018	FY 2019	Cumulative Total
Catholic	2	10	0	2	14
Christian	1,710	999	17	56	2,782
Evangelical Christian	0	1	0	0	1
Jehovah Witness	0	2	0	0	2
Jewish	72	43	1	2	118
Kaaka'i	32	27	0	2	61
Methodist	1	0	0	0	1
Moslem	25	19	1	19	64
Moslem Shiite	320	122	7	9	458
Moslem Suni	60	32	0	3	95
No Religion	117	127	1	37	282
Orthodox	3	2	0	0	5
Other Religion	12	18	0	3	33
Pentecostalist	5	18	0	0	23
Protestant	360	506	6	38	910
Sabeans-Mandean	263	141	3	8	415

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as of 30-September-2019

From: 01 Oct 2015

To: 30 Sep 2019

Nationality Religion	FY 2016	FY 2017	FY 2018	FY 2019	Cumulative Total
Seventh Day Adventist	5	0	0	0	5
Zoroastrian	226	104	0	1	331
Iraq	**9,880**	**6,886**	**140**	**465**	**17,371**
Atheist	6	9	0	0	15
Baptist	1	0	0	0	1
Catholic	676	603	12	15	1,306
Chaldean	107	40	0	3	150
Christian	406	519	3	51	979
Evangelical Christian	2	1	0	0	3
Greek Orthodox	0	3	0	0	3
Jewish	1	0	0	0	1
Kaaka'i	4	8	1	0	13
Moslem	276	159	18	123	576
Moslem Shiite	3,104	1,817	39	98	5,058
Moslem Suni	4,473	3,043	49	134	7,699
No Religion	7	1	0	0	8

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To: 30 Sep 2019

Nationality Religion	FY 2016	FY 2017	FY 2018	FY 2019	Cumulative Total
Orthodox	325	206	11	20	562
Other Religion	1	1	0	0	2
Protestant	7	1	0	0	8
Sabeans-Mandean	91	41	2	1	135
Yezidi	393	434	5	20	852
Korea, North	**14**	**12**	**5**	**1**	**32**
Atheist	0	1	0	0	1
Buddhist	0	0	1	0	1
Christian	6	8	4	0	18
No Religion	8	3	0	1	12
Libya	**1**	**3**	**1**	**0**	**5**
Moslem	0	0	1	0	1
Moslem Suni	1	3	0	0	4
Mali	**6**	**6**	**0**	**3**	**15**
Atheist	0	1	0	0	1
Catholic	1	0	0	0	1

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From: 01 Oct 2015

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Nationality Religion	FY 2016	FY 2017	FY 2018	FY 2019	Cumulative Total
Christian	0	1	0	0	1
Moslem	5	4	0	2	11
Moslem Suni	0	0	0	1	1
Republic of South Sudan	**189**	**176**	**13**	**42**	**420**
Catholic	16	40	4	1	61
Christian	138	118	9	38	303
Evangelical Christian	0	1	0	0	1
Moslem	6	7	0	0	13
Orthodox	5	0	0	0	5
Protestant	23	7	0	3	33
Seventh Day Adventist	1	3	0	0	4
Somalia	**9,020**	**6,130**	**257**	**231**	**15,638**
Christian	5	10	0	0	15
Moslem	8,532	5,786	236	188	14,742
Moslem Suni	480	332	21	43	876
No Religion	0	1	0	0	1

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Fiscal Year

as of 30-September-2019

From: 01 Oct 2015

To: 30 Sep 2019

Nationality Religion	FY 2016	FY 2017	FY 2018	FY 2019	Cumulative Total
Pentecostalist	2	0	0	0	2
Seventh Day Adventist	1	0	0	0	1
Unknown	0	1	0	0	1
Sudan	**1,458**	**980**	**76**	**382**	**2,896**
Catholic	47	51	0	41	139
Christian	177	123	25	87	412
Evangelical Christian	9	8	0	2	19
Moslem	971	614	33	167	1,785
Moslem Suni	175	134	14	53	376
No Religion	6	0	0	0	6
Orthodox	14	2	1	0	17
Protestant	59	48	3	32	142
Syria	**12,587**	**6,557**	**62**	**563**	**19,769**
Catholic	16	20	2	1	39
Chaldean	0	1	0	0	1
Christian	34	53	5	25	117

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From: 01 Oct 2015

To: 30 Sep 2019

Nationality Religion	FY 2016	FY 2017	FY 2018	FY 2019	Cumulative Total
Drew	0	3	0	0	3
Greek Orthodox	1	1	2	1	5
Jehovah Witness	4	0	0	2	6
Moslem	103	144	0	31	278
Moslem Shiite	20	12	0	0	32
Moslem Suni	12,363	6,257	42	478	19,140
No Religion	1	2	0	0	3
Orthodox	8	38	11	22	79
Other Religion	8	0	0	3	11
Protestant	5	0	0	0	5
Yezidi	24	26	0	0	50
Yemen	**26**	**21**	**2**	**3**	**52**
Christian	5	0	0	0	5
Jewish	7	0	0	0	7
Moslem	11	18	2	1	32
Moslem Suni	3	2	0	2	7

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as of 30-September-2019

From: 01 Oct 2015

To: 30 Sep 2019

Nationality Religion	FY 2016	FY 2017	FY 2018	FY 2019	Cumulative Total
No Religion	0	1	0	0	1
Total	**36,952**	**23,357**	**598**	**1,893**	**62,800**

Data prior to 2002 was migrated into WRAPS from a legacy system therefore we are providing post-2002 data.

Based on the terms of a settlement in *Doe et a. v. Trump et al.*, No. 17-0178 (W.D. Wash), certain refugee applicants that arrive in FY 2020 and any future fiscal years are counted toward the FY 2018 refugee admissions ceiling.

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Exhibit 2

THE WALL STREET JOURNAL.

https://www.wsj.com/articles/america-took-me-in-is-there-no-room-for-my-family-1507847224

OPINION | COMMENTARY

America Took Me In. Is There No Room for My Family?

As an Iraqi who helped U.S. troops, I wasn't safe. My mother, sister and brothers still aren't.

By Yousif al-Jabouri

Oct. 12, 2017 6:27 pm ET

I was born 40 years ago in Baghdad. I am married with two children, an 11-year-old boy and an 8-year-old girl. We have been living in the U.S. since 2014.

I worked with the U.S. Army as an interpreter between 2004 and 2009 on Forward Operating Base Warrior in Kirkuk province. I began working for the U.S. because I believed in the honest efforts of the American soldiers to create a better Iraq, with freedom and democracy, and I believed that Iraqis must have a role in this operation.

As an interpreter, I often had to act like a soldier, only without a weapon. I was exposed to the same danger as the American soldiers, except that I was unarmed and vulnerable to attacks on my days off, when I was not under the unit's protection. I therefore had to live a double life, pretending to work for an oil company in northern Iraq to justify my absence to friends and relatives, whom I kept in the dark for security reasons.

During my employment with the U.S. Army, I received many threats from hostile militias, which continued even after I resigned in 2009, when I heard that the Iraqi government wanted access to the database of local interpreters. That was a scary thing, because the Iraqi government in late-2008 had been infiltrated by hostile entities.

I had seen what extremists do to people like me, accused of treason for working with the U.S. I knew these killers wouldn't spare my family if they managed to find me. Seeking a better life elsewhere for the sake of my children, I applied for and was granted a Special Immigrant Visa for those who had worked with U.S. forces.

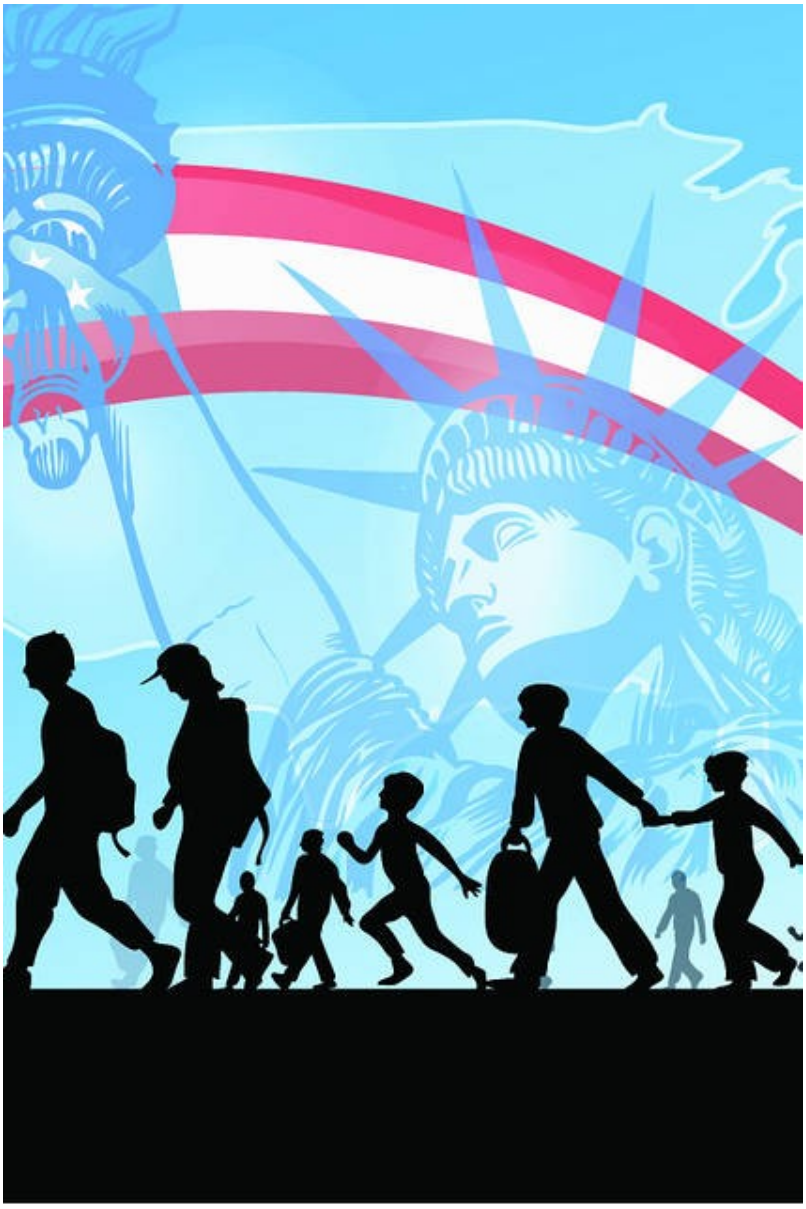


PHOTO: ISTOCK/GETTY IMAGES

While we are grateful to live in safety now, I wish I could say the same for the family I had to leave behind. My mother, brothers and sister, still in Iraq, remain in danger. They are considered the close family of a traitor and militias will often go after the relatives to get to their main target. Because my family members share my last name, I am unable to use my real name in this public forum. It's too dangerous for them.

I thought I could bring my family to safety by applying on their behalf to the Direct Access Program for Iraqis with U.S. ties. This program allows eligible Iraqis to be resettled as refugees, but there is a backlog of around 60,000 individuals, so I knew the process would take a long time. I did not realize that things could get even harder.

Last month President Trump decided to lower the refugee admissions ceiling to 45,000, the lowest number since the enactment of the Refugee Act of 1980. Iraqis who are in danger due to their American connections have to go through the U.S. refugee resettlement process to reach safety, so the effects of this policy will slow down the process for all refugees in it, including my family. There are no other options for them from inside Iraq.

Only the most persecuted and vulnerable refugees will ever be considered for

resettlement. Doesn't my family fall into that category? I understand the president wishes to protect Americans from terrorism, but my family members are the ones fleeing the terrorists. They are at great risk of being targeted, as they live in a country where Shiite militias and Islamic State are still influential and looking to make an example out of those who worked with the Americans. Reducing the number of resettlement spots directly puts more lives at risk.

I reached safety in a country that accepted me, my wife and our children. We were treated not as refugees but as citizens. I hope this country will do the same for the rest of my family and others who are in similar situations. Congress can take legislative action to remedy the situation, but the president has the authority to change his mind and increase refugee admissions to respond to an urgent need. He has shifted on policy before, and this would be an appropriate instance for him to change his mind again.

Protecting the persecuted is the right thing to do, and it's what America has always done. That is why I offered my help to Americans in Iraq. I hope the U.S. will continue to do the right thing and resettle refugees, like my family, who live in fear.

Yousif al-Jabouri is a pseudonym for a case worker at the International Refugee Assistance Project.

Appeared in the October 13, 2017, print edition.

Exhibit 3

U.S. Soldiers Trusted Me With Their Lives. Why Won't the U.S. Government Trust Me?

refugeerights.org/us-soldiers-trusted-me-with-their-lives-why-wont-the-us-government-trust-me/

Sam is an Iraqi refugee who worked as an interpreter for the U.S. military in Iraq. He has been living in hiding in Egypt since 2014. Sam is a pseudonym to protect his identity, as he is at constant risk of being deported back to Iraq, where his life is in danger.*

My name is Sam and I am an Iraqi refugee in Egypt. I have lived here for almost four years, separated from my family and without the ability to work or become a legal resident. But I live here to protect myself and my family. I have no other choice. Back home in Iraq, I am in danger. I am targeted because I worked with U.S. forces as an interpreter.

During my work with the United States in 2003 and 2004, I fought alongside U.S. soldiers. They became my brothers: they relied on me and I relied on them. I am proud to say that I helped save the lives of many of my American brothers, as they would have done for me. They trusted me, and I trusted them and that the American government would keep its word when they promised to protect me against those who want to hurt me for my work with American forces.

To my great sadness, that trust has been betrayed. While the veterans I worked with continue to fight for my safety, the government's anti-refugee policies have left me stranded and in danger for my life.

I stopped my work with the U.S. after surviving my first assassination attempt. While walking home from the base after dark, a man shot at me, hitting me in the leg and permanently damaging my hearing. Unfortunately, attacks of this kind aren't unusual and many interpreters who couldn't get out of the country in time have been executed.

Then a grenade was thrown at my home and I decided it was time to move with my family to Baghdad. But still, I wasn't safe. I tried to work with the U.S. again but three weeks into the job I noticed I was being followed. Then, in 2014, members of a local militia attacked me in my own home and demanded that I join them. I was worried they would hurt my family, so I agreed to give them information, just to make them leave. They took my ID and took photos of me and said they would be back. As soon as I could, I left and fled to Egypt.

I can't go back to Iraq, because I am targeted by both Sunnis and Shiites. The Sunnis hate me because I worked with the U.S. government and the Shiites hunt me because I will not become an informant.

Here in Egypt, my situation is terrible. I could be deported back to Iraq any day and I cannot trust the government. Just the other day, I was stopped in the street by men who said they were police. They interrogated me, made me take them to my apartment, and took my phone and wallet. I knew they were gangsters, which is why I handed them everything. But now they know where I live and I am scared.

I applied for resettlement to the United States via a special program for Iraqis who helped the U.S. in Iraq. But three years and eight months later I am still here. The vetting process was long and complicated. I underwent several background checks by many agencies, and had commanding officers write me letters of recommendation.

One officer is prepared to provide me a home with his family in Dallas. Another is going to offer me a job in California. I know my brothers will take care of me, as I did for them. Of course, those officers care about the safety of Americans and I care about the safety of Americans, too. But even after all I have done, does America care about my safety and that of my family?

I had passed all the security checks and I had communities ready to welcome me, and last October I was finally told to get ready to travel. But my travel was canceled when the U.S. government decided to ban refugees from Iraq for at least ninety days and subject us to new restrictions whenever the ban was finally lifted. Now I am back in security checks.

When I heard I couldn't come to the United States after all, I was devastated and humiliated. I feel like I am being treated like a child, or worse, a criminal. I was told that maybe after three months the ban would be over and my application would be ready for resettlement again. Then in January they called and asked me to provide my addresses going back 10 years and additional contact information for extended family members. I am disappointed that I am being treated as though I am dishonest. I feel like I have

sacrificed a lot for the United States, but this process has me wondering whether my sacrifice was worth it. And I am not the only one who feels like America has broken its promise.

I urge the U.S. government to place the same trust in us that the soldiers had when their lives were on the line. Please don’t forget us. Our own lives depend on it.

Exhibit 4

For Refugees in the Trump Era, a Tougher Path to the U.S.

pbs.org/wgbh/frontline/article/for-refugees-in-the-trump-era-a-tougher-path-to-the-u-s/

Somali refugees are pictured inside the Dadaab refugee camp in Kenya, one of the largest refugee camps in the world. (ONY KARUMBA/AFP/Getty Images)

January 23, 2018

by
Leila Miller Tow Journalism Fellow, FRONTLINE/Columbia Journalism School Fellowships
Afkab Hussein takes advantage of his commutes as a truck driver in Columbus, Ohio to speak to his wife and son, both of whom live in Nairobi, Kenya. They talk every day, sometimes for more than three hours, and his wife tells him about the words their two-year-old, Abdullahi, has learned in their native Somali.

Hussein, 30, has never met his son in person. He has gotten to know him through video chats and the dozens of pictures his wife sends. He loves to make Abdullahi – who is fascinated by cars – laugh by showing him the inside of his truck. For his birthday in November, Hussein bought him a toddler's bicycle.

"When I see my son … I feel good," he said. "I love him so much, my son and my wife."

Hussein came to the United States from Kenya, where he grew up in the Dadaab refugee camp alongside hundreds of thousands fleeing famine, drought and civil war in neighboring Somalia.

The resettlement process took him five years, but from Columbus, he is able to send money to his wife, Rhodo Abdirahman, that has helped her and Abdullahi live outside the camp.

“That was my dream,” he said about coming to America in 2015. “It was a beautiful country, and it was safe and you could work.”

Since arriving, Hussein has sought to bring Abdullahi and his wife to the U.S. through “follow to join,” a family reunification program for refugees that brought about 2,000 family members into the country in 2015, according to Department of Homeland Security data. But in October, he hit a snag: The Trump administration suspended the program, putting Hussein’s petition, and thousands like it, on hold.

Meanwhile, the clock never stopped ticking on key processing deadlines attached to these applications. While a federal court would block the administration’s order in December, families like Hussein’s could be forced to start over again if the security and medical checks required for them to travel to the U.S. expire before their applications are fully processed.

These processing times have already grown longer under tough new vetting requirements introduced by the Trump administration in October, according to resettlement agency officials. At the current pace, they say, the U.S. will fail to meet the ceiling of 45,000 refugees that President Donald Trump set in September. That limit is a nearly 60 percent cut from the 110,000 cap that President Barack Obama announced before leaving office, and the lowest since the modern refugee program was created in 1980.

The new cap reflects a dramatic shift in U.S. refugee policy that began a year ago this week with President Trump’s executive order suspending the entry of all refugees into the country for 120 days, temporarily banning travelers from seven predominantly Muslim nations, and indefinitely halting the admission of Syrian refugees. While President Trump has said his policies are aimed at preventing terrorism, critics worry the new vetting standards risk costing many refugees their opportunity for safety from war, persecution and economic insecurity. During a global refugee crisis, they say, the administration is shutting the door on people seeking resettlement as a last resort.

“Are they saying, we really want to reach this goal of 45,000 and we’re going to put these procedures into place and our resources into making sure this happens, or is this just another way to derail the whole process?” said Melanie Nezer, senior vice president of public affairs at HIAS, a Maryland-based resettlement agency. “It just seems like from everything that we’re seeing, it’s not being done with the intent of a secure program. It’s being done with the intent of no program, or a very tiny program.”

Legal challenges blocked the implementation of the president's original travel ban, but in June the Supreme Court allowed a modified ban to take partial effect, saying it should not be applied to foreign nationals with a "bona fide relationship with a person or entity in the United States," such as a family member.

When the modified refugee ban expired in October, the administration ordered that 11 countries — Egypt, Iran, Iraq, Libya, Mali, North Korea, Somalia, South Sudan, Sudan, Syria and Yemen — undergo a 90-day review to screen for possible security threats. This practically halted refugee admissions from those countries, which for each of the past three years have made up more than 40 percent of U.S. refugee admissions, according to a Reuters analysis. (A federal court injunction partially lifted this order in December. The government is currently appealing.)

Refugees already faced a stringent U.S. vetting system that included numerous layers of security checks across multiple federal agencies, higher level clearances for certain nationalities, and interviews with United Nations and State Department officials. As he restarted the refugee program in October, Trump instituted "enhanced vetting capabilities" including improving the mining of social media data and the collection of 10 years of biographical information, rather than five.

The new procedures, combined with the 11-country review, helped lower refugee admissions by 77 percent between October and December 2017. During that time, the U.S. admitted about 5,000 refugees, down from more than 25,000 one year earlier, according to data from the State Department's Refugee Processing Center. Refugees who identify as Muslim typically make up more than 40 percent of arrivals, but during those three months only 14 percent of refugees were Muslim, a recent *Wall Street Journal* analysis found, noting that the number of Christian refugees had increased.

A spokesman for United States Citizenship and Immigration Services declined to comment on processing times or vetting procedures for refugees, but as a candidate and now as president, Trump has repeatedly argued for tougher screening. As a candidate, he famously promised to restrict Muslims from entering the U.S. Last summer, he tweeted that the U.S. "must suspend immigration from regions linked with terrorism until a proven vetting method is in place."

David Inserra, a policy analyst specializing in homeland security issues at the conservative Heritage Foundation, said he supported "any way in which we can improve the vetting procedure."

"In asking for certain documents or looking for people who can vet better, that's not necessarily a bad thing as long as we're still taking those folks," he said.

But leaders of refugee resettlement agencies, which work with hundreds of local offices to help new refugees integrate, question the value of tougher vetting. They argue that the admission process was already tightly controlled and that refugees who have had to flee their homes could struggle to provide the documentation needed to meet the new requirements.

Administration policies, these leaders say, have also made it harder to do the day-to-day work of resettlement. The lower refugee ceiling, they note, has forced resettlement agencies to downsize, closing offices and laying off staff.

Erol Kekic, the head of Church World Service's immigration and refugee program, said that the amount of money wasted by resettlement offices preparing for refugees that never come is in the "tens of thousands of dollars if not in hundreds of thousands of dollars." Planning for refugees, he said, has turned into a game of trying to predict the arrival of nationalities that are not subject to extra security review or that travel through windows created by court injunctions.

"It has been a process of navigating a very difficult set of circumstances and looking at a crystal ball that is quite murky," said Kekic, whose organization announced plans last March to lay off over 500 employees.

Refugee processing has also been slowed by reductions in infrastructure abroad, according to resettlement officials who say that Homeland Security officials are conducting fewer interviews of refugees overseas. An October report submitted to Congress on refugee admissions for fiscal year 2018 said that the Department of Homeland Security would prioritize asylum applications from those already in the U.S. over overseas refugee processing in order to address the asylum backlog.

"We're entering into a new period where we don't know how long it will take people to go through the entire vetting process," said Lee Williams, the Vice President of the U.S. Committee for Refugees and Immigrants, a resettlement agency. "It is a real balancing act to get all these various security checks and their health checks and everything else to align."

Chris Opila, a former caseworker at Resettlement Support Center Africa, a center based in Nairobi that works with the State Department to process refugees for resettlement, explained that the longer wait times drag out, the more applications can become complicated. For example, during longer wait times, refugees may get married and have children, adding people to their cases.

"You get a collection of messy cases that increasingly require more institutional resources to clean them up," said Opila.

This had been one of Hussein's concerns when applying for resettlement. He was well into the process before he got married in 2014, and had feared that adding his wife to his case

could extend their wait by years.

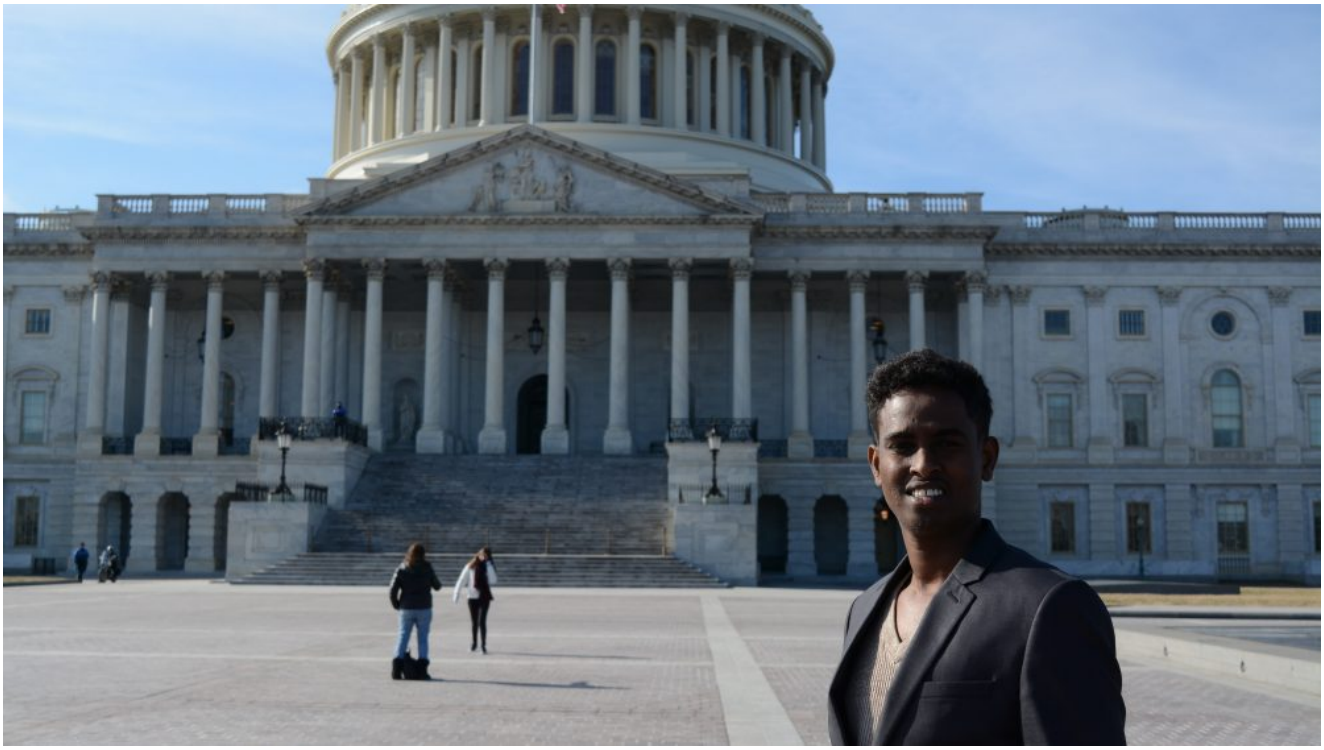
“That was a good decision for both of us because I would still be in a refugee camp if we put a case together,” he said.

Hussein’s wife and son, initially approved for resettlement by United States Citizenship and Immigration Services in June 2016, are currently waiting for a security clearance. Their medical examinations, which have already expired once, are due to expire again this week.

Exhibit 5

Why Refugee Families Cannot Reunite

refugeerights.org/why-refugee-families-cannot-reunite/



Afkab, a Somali refugee who was resettled in the United States in 2015, has waited for more than four years to live with his family in safety. Afkab's wife was pregnant with their first-born when Afkab was resettled, and Afkab has met his son only once on a short visit to Kenya.

Congress created a special process so that refugees like Afkab, who are already in the United States, could be reunited with their spouses and young children (who often have been separated from them when the family had to flee a dangerous situation). This process is called "follow-to-join" or the I-730 process–based on the form a family files to participate. Yet, like other humanitarian programs, the follow-to-join refugee process has seen indefinite delays and plummeting arrivals since January 2017, in no small part because of secretive changes that the Trump Administration has made to the process. Through a Freedom of Information Act (FOIA) request, IRAP obtained hundreds of email records outlining changes to the follow-to-join refugee process, which provide detailed insight into the reasons why refugee families continue to be separated—even though U.S. immigration law provides a pathway to reunite them.

At the root of follow-to-join refugee delays is the second Muslim Ban Executive Order 13,780, signed on March 16, 2017, which suspended all refugee processing while the Administration conducted a review of the refugee program. Although IRAP and other

advocates successfully obtained a court order that prevented the Administration from implementing some parts of the March 2017 Executive Order, the Administration continued its review. It concluded in October 2017 that two additional security checks should be required in the follow-to-join refugee application process: the Interagency Check and the Enhanced Fraud Detection and National Security Directorate Review (EFR). EFR includes a social media check that can take a long time and which USCIS is woefully under-equipped to perform.

Then, at the conclusion of the March 2017 Executive Order's review period in October 2017, a joint agency memorandum stated that a further suspension and review of certain refugee applications was necessary. Importantly, this memorandum suspended the follow-to-join refugee process altogether. IRAP again went to court and obtained an injunction against this suspension. But even after the court agreed that the agency's suspension of the follow-to-join refugee process was unlawful, there was very little movement in the cases of follow-to-join refugees. Follow-to-join refugee arrivals plummeted from 2,035 in fiscal year 2015 to just 717 in fiscal year 2018. In fiscal year 2019, the backlog of pending follow-to-join refugee and asylum petitions increased by 59%, from 13,119 to 20,913.

USCIS made several changes that caused the follow-to-join refugee application process to grind to a near-halt. The documents obtained through the FOIA request showed that:

1. USCIS transferred processing of follow-to-join refugee applications from one unit (its Service Center Operations Directorate) to another (its International Adjudications Support Branch, or IASB). This was done because IASB already had the ability to initiate the required security checks. Both units had to make adjustments to their databases to facilitate the transfer. The physical files then had to be mailed to IASB, which had to complete manual data entry for each individual file.
2. Before USCIS restarted processing, USCIS required additional biographic data from applicants to run the newly-required security checks. USCIS required follow-to-join refugee applicants to complete an additional form, Form I-590, alongside the initial I-730 petition. Because applicants who had already applied had not submitted an I-590, USCIS issued a Request for Evidence to each follow-to-join refugee applicant who was already pending in the process. USCIS only initiates security checks after mailing the request with the I-590 and after applicants returned the I-590.
3. USCIS began requesting the Interagency Check and the Enhanced FDNS Review checks *only after* all physical files had been manually entered into the IASB database, issuing a Request for Evidence, and receiving the I-590 from each applicant. USCIS further decided not to allow follow-to-join refugee beneficiaries to complete their interviews until those security checks were completed. USCIS did not have an anticipated timeframe to complete the security checks. USCIS often takes years to schedule refugee interviews.

The cumulative effect of these changes has been to prolong delays in the follow-to-join

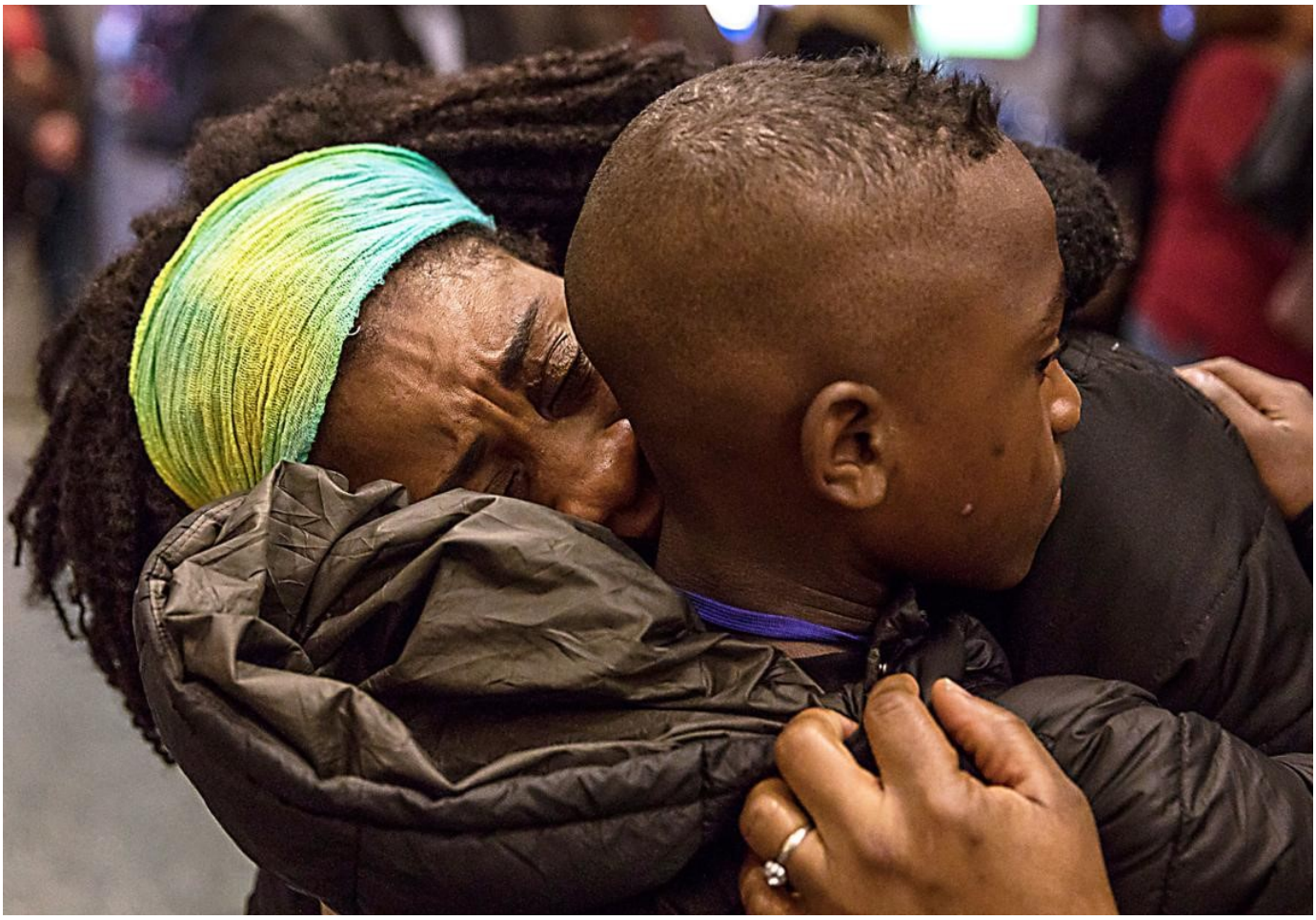
refugee process, preventing refugee families from reuniting in safety. Although IRAP has recently entered into a settlement with the government to reunite people like Afkab with their families by ensuring that USCIS processes their applications in a reasonable amount of time, this solution helps only some individuals with pending follow-to-join refugee applications. Many others have provided all evidence that the government has requested and have waited patiently for years while yearning to see their loved ones. USCIS must take steps to reduce unnecessary and duplicative security checks and to provide sufficient staff to process applications efficiently. Congress must demand that USCIS reduce the follow-to-join backlog and monitor the agency's progress in doing so.

Exhibit 6

https://www.idahopress.com/news/local/the-other-family-separation-problem-you-haven-t-heard-about/article_49dadf5f-2b73-5422-b5ce-926fc1b6a47f.html

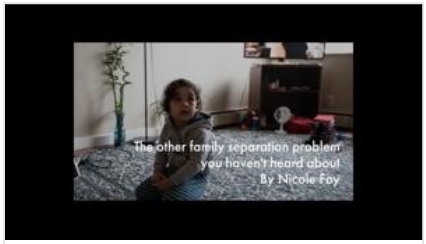
The other family separation problem you haven't heard about

By NICOLE FOY nfoy@idahopress.com
Mar 10, 2019



Aminata Konate is the first Boise refugee that has been reunited with her family since 2016. Aminata hugs her son, Patient, 9, after being separated since he was a toddler, in the Boise Airport on March 6.

RILEY BUNCH/IDAHO PRESS



Refugee video

BOISE — Late Wednesday night, Aminata Konate sprinted through a crowd of travelers at the Boise Airport, searching for a little boy she hadn't seen in many years.

When she found him, she burst into tears.

ASHLEY MILLER/IDAHO PRESS
Mar 9, 2019

Administrative processing and "extreme vetting"

The U.S. State Department's website is vague about what it means for a case to be in administrative processing.

"Some visa applications require further administrative processing, which takes additional time after the visa applicant's interview by a consular officer," the website says. "When administrative processing is required, the timing will vary based on individual circumstances of each case."

In November 2017, White House Press Secretary Sarah Huckabee Sanders explained "extreme vetting" included enhanced collection and review of biometric and biographic data, stricter scrutiny and review from agencies like Customs and Border Patrol,

"I'm lucky," said Aminata, a refugee from Mali. "That's why my son came."

Aminata is the first Boise refugee the International Rescue Committee has helped reunite with her family through the I-730 Refugee/Asylee relative petition since President Trump took office. She was separated from her son Patient, now 9, when he was just a toddler. He's been living in Cameroon while Aminata, who arrived in Idaho in 2015, tried everything to get him to the United States.

Julianne Tzul, the executive director of the International Rescue Committee in Boise, said her office is thrilled about Patient's arrival.

“We’ve kind of been walking alongside these families who have been aching for their loved ones for so long,” Tzul said.

But other Boise refugee families aren't so lucky.

“(T)here are still a lot of people whose kitchen tables have empty chairs around them, who are trying to parent from overseas, who are trying to get by without their spouses,” Tzul said. “I hope this is the beginning of many more coming. But I’m still very cautious that we’ll see that.”

In the last few months, the Idaho Press has reviewed the cases of several refugee families who are still waiting for their family members to join them in the Treasure Valley. Caseworkers at the IRC’s Boise office said since 2016, only Aminata's family reunification case has progressed to an approved flight.

The IRC has more than 40 pending cases like this in Idaho.

The families' cases differ by continents and circumstances, but all fled conflicts that forced them to leave family behind. Refugees who were approved to resettle in places like Boise were told they could help their relatives apply for a special refugee visa meant to reunify separated families.

But instead of approved visas and arrival dates, they have received a version of the same letter, telling them their case is still processing. For several local refugee families, their application for refugee status was approved three to four years ago. Yet, for reasons that aren't clear to them or their caseworkers, they haven't

collecting more information from partner intelligence agencies in foreign countries, more documentation and verification requirements, and "improved intelligence streams," according to CBS News.

been approved for visas.

“We are still (processing cases),” said Rabiou Manzo, immigration services supervisor at the IRC. “But we are just warning people that there is going to be a lot of waiting.”

DIP IN ARRIVALS

Under the I-730 Refugee/Asylee Relative petition, recent refugees or asylees can apply to have their spouses or unmarried children join them in the United States, according to the U.S. State Department.

The number of refugees admitted to the country each year has decreased since the Trump administration added a 45,000 cap to refugee admissions for fiscal year 2018. Just 22,491 refugees were resettled in the U.S. that year, compared to 84,994 two years prior, the last year of the Obama administration. Trump recently announced a 30,000 cap for this fiscal year.

The drop in refugee arrivals hit Boise hard in recent years. World Relief closed its Boise office and laid off more than 140 staff nationally in February 2017, citing the Trump Administration’s refugee caps as the direct cause.

Despite refugees from several countries trickling into Boise, caseworkers say family reunification cases have almost stalled. Staff at the International Rescue Committee, in particular, cite the “extreme vetting” added to the already lengthy application process for refugees.

“We have several approved I-730 cases that are undergoing mandatory administrative review," Manzo said. “These cases were approved between 2015 and 2016. I suspect there is a connection to the enhanced protocols for refugees that were implemented several months ago.”

Refugees go through intense security screenings led by several U.S. departments, including Homeland Security, Defense, State, Health and Human Services, the FBI and the intelligence community. An enhanced vetting process was added after Trump's January 2017 executive order briefly suspending refugee resettlement.

Two years later, what that means for individual cases is still unclear — even for caseworkers.

“I don’t think it’s every refugee," Manzo said. "I really don’t know if it’s some countries or every country.”

Yasmin Aguilar, the immigration specialist at the Agency for New Americans, also is unsure. Their agency — the only other refugee resettlement agency in Boise — have only two pending I-730 cases right now. It causes so much anxiety and uncertainty for the families, Aguilar said, it would almost be better if their applications were denied outright.

“Their cases are on hold, stuck in a black box where nobody sees it," Aguilar said. "And they’re stuck in those refugee camps.”

SEPARATED FAMILIES IN BOISE

The stories of two Boise refugee families, in particular, highlight the toll the stalled applications can take on people who have already escaped traumatic situations.

Hagath Mwamba fled violence in the Democratic Republic of Congo in 2003. Bands of Congolese soldiers and civilians were murdering Rwandans, mostly refugees who fled to DRC during the genocide and its violent aftermath.

Hagath, who is from DRC, had married a Rwandan refugee woman over the objections of family and friends. Their daughter, Ornelie, was almost 2 years old when men arrived at his door.

“I was trying to hide my wife so they could not kill her,” Hagath said. “But they found her one day in my house.”

The men murdered his wife in front of him, Hagath said, and searched the house for his daughter, whom Hagath had hidden with friends that day. Angry and determined to kill his daughter, too, the men gave Hagath an ultimatum.

“We’ll give you two hours,” they told Hagath. “But if you don’t show up with your baby, we’re going to kill you.”

Hagath ran to pick up his daughter, planning to cross the border and flee the country that night. But his friends stopped him,

warning that any checkpoint guard would be able to tell his daughter was Rwandan. Then, they both would be killed.

Instead, Hagath returned to his house, grabbing a picture of his daughter off the wall, and fled to Zambia, then Zimbabwe alone.

Hagath gazed at the faded photo during a February interview with the Idaho Press and described the little girl he left. For years, the photo was the only thing he had of his daughter. He lost contact with the friend and had no idea if the daughter he tried to save was alive.

Hagath remarried, had children and came to the United States as a refugee in 2011. But he never forgot about Ornelie. After he arrived in Boise, he approached the Red Cross with his story, asking if they could help him find his friend, and news of his daughter. Eventually, the Red Cross found his friends, who had good news: Ornelie was alive and safe.

Hagath friends had hidden Ornelie well. So well, in fact, that she was a teenager before she learned they weren't her parents and Hagath was her father.

When Hagath's friends decided to move from DRC to South Africa, they left her in the Tongogara Refugee Camp near Chipinge, Zimbabwe, assuming she would be reunited with her father in America soon. Hagath, who filed a I-730 Refugee/Asylee Relative petition for Ornelie in 2016, was told he would be reunited with his daughter in less than a year.

That was three years ago. Ornelie, who just turned 18, is still in Zimbabwe.

“She’s a girl, she’s alone,” Hagath said. “It’s very bad.”

THE KHUDHAIR FAMILY

In a small apartment across Boise, another family spends the days waiting.

Wejdan Khudhair is tired of hearing her husband's voice over the phone. Every day as she shops, cleans the house and parents with him on the other line, her hope of hearing him say her name in person wanes. Wejdan's husband, Natteq, who still lives in

Baghdad, Iraq, hasn't seen his family for almost three years.

Wejdan spends hours talking to Natteq via video chat on her phone. He goes to the grocery store with her, talks with her as she cooks and watches their children Mustafa, 3, and Om Albanin, 8, play in the living room together.

The constant video-chatting is a coping mechanism and an attempt to keep Natteq involved in family life. It's an attempt that's painful, three years after Wejdan and the kids left him in the airport in Baghdad. Om Albanin misses her father, pestering both her parents about when he is coming to the U.S.

Wejdan said her decision to come to the United States without her husband was one of the most difficult she ever made. She applied for refugee status with her mother in 2006, before she was married. She met and married Natteq in 2009, and Om Albanin was born a year later. When her application was approved, she got permission for her two children to come with her, but not her husband. Distraught over the decision, she missed several travel dates before the International Office of Migration warned her she would lose her chance entirely.

In the end, she left to give her children a safer, better future. She left Iraq in August 2016. Despite the pain of separation, she wouldn't choose differently.

"America gives me safety and a future," Wejdan said. "I can't get that in my country."

TOLL OF LONG SEPARATIONS

Many refugees struggle to set up a new life in the United States, which can be far more expensive and complicated than life in their home countries. That's why they seek help at places like the International Rescue Committee, whether for job placement, home furnishings, or English classes. But for women like Wejdan, who came without their husbands, the financial stress is palpable. Wejdan studied business in Iraq but now works in housekeeping at the Wyndham Garden Boise Airport hotel at a salary that barely keeps her family afloat.

"To live with a single income here, it's almost impossible," Manzo,

with the IRC, said. “The person is always financially stressed and that leads to a lot of things.”

For others, the lengthening separation prolongs the sharing of difficult truths. It was hard enough for Hagath's daughter to learn he was her father over the phone, before being left alone in a refugee camp. He hasn’t been able to bring himself to tell her the truth about her mother’s death. She thinks she died from an unspecified illness — although Hagath suspects she knows that’s not the whole story.

"Just to have her presence in this house," Hagath said. "Everything will be OK."

Cases like Wejdan's and Hagath's have stalled for so long that IRC caseworkers are running out of options. Hagath's daughter finally had an interview at the embassy in Zimbabwe this month, which they think went very well. Hagath thinks Ornelie could have a clear background check and flight date within weeks.

But the Khudhairs only have form emails from the U.S. embassy in Baghdad as updates.

“At this time, your case is still in administrative processing, which we must conclude before we can decide to issue your visa,” reads the most recent automated letter the Khudhairs received on Jan. 30 from the U.S. Embassy in Baghdad. "Unfortunately, because of the different circumstances involved in each case, we cannot estimate how long this processing stage will take."

Manzo said he finally told Wejdan to ask U.S. Sen. Mike Crapo, R-Idaho, for answers or help.

Wejdan hasn’t reached out to anyone from Idaho's congressional delegation or their staff yet. Her days are consumed by long hours cleaning, taking care of her children, then hours on the phone with her husband.

But if she does get an appointment, she knows what she’ll say.

“Why is it this long time? If there is anything you can do for me, please,” Wejdan said. “It’s not fair that a family lives separately, with one in another country.”

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