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Chair Lofgren, Vice Chair Jayapal, Ranking Member Buck, and distinguished Members of the Subcommittee, thank you for the opportunity to testify at this hearing on the current state of the U.S. Refugee Admissions Program (USRAP). As the former Chief of the Refugee Affairs Division within the Refugee, Asylum, and International Operations Directorate at U.S. Citizenship and Immigration Services (USCIS), I served as a career civil servant during the Bush, Obama, and Trump Administrations. I'm happy to discuss the USRAP's mission to offer resettlement opportunities in the United States to eligible refugees while safeguarding the integrity of the program and our national security.

U.S. Refugee Resettlement

As defined by The Refugee Act¹ of 1980, a refugee is a person outside of his or her country of origin who is unable or unwilling to return to that country due to persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. U.S. law also recognizes certain refugees who remain inside their country of origin, under special circumstances. Today, the United Nations refugee agency -- the United Nations High Commissioner for Refugees (UNHCR) -- estimates that there are approximately 26 million refugees² in the world.

Three durable solutions³ are internationally recognized to end refugee status and allow refugees to live in peace and security. While these three solutions are sometimes presented as a hierarchy, I think that the better view is that they should be considered as complementary, depending on the particular characteristics of each refugee displacement situation. One durable solution is voluntary repatriation, that is, for refugees to return to their home country when they can do so with safety and dignity. It is the durable solution of choice for many refugees, but it also depends on the willingness and ability of their country of origin to help reintegrate its own people. The second durable solution is local integration, which involves allowing refugees to rebuild their lives with legal and social rights in the neighboring country to which they have fled. The third durable solution is resettlement in a third country, which is numerically the scarcest option. Over the course of many years, fewer than one percent of the world's refugees are resettled to a third country on an annual basis.

¹ Refugee Act of 1980, <https://www.govinfo.gov/content/pkg/STATUTE-94/pdf/STATUTE-94-Pg102.pdf>.

² Figures at a Glance, UNHCR, <https://www.unhcr.org/figures-at-a-glance.html>.

³ "The 10 Point Plan in action: Chapter 7, Solutions for refugees," UNHCR, <https://www.unhcr.org/en-us/protection/migration/50a4c17f9/10-point-plan-action-chapter-7-solutions-refugees.html>.

Traditionally, the United States has been the leading resettlement country in the world. The legal foundation was laid when Congress enacted The Refugee Act of 1980, with strong bipartisan support, almost 40 years ago. At the time of the bill's passage, Congress understood deeply the need to resettle refugees fleeing the Vietnam War and reflected the desire to institutionalize refugee resettlement, which had previously been carried out under varying legal authority for specific populations. As of 2018, UNHCR reported that the United States was one of 27 countries⁴ with a formal refugee resettlement program.

USRAP Operations

I'd like to describe briefly how the USRAP operates, highlighting measures that have been taken to safeguard its security and integrity. My focus is on overseas operations, which were part of my responsibility in my former position with USCIS's Refugee Affairs Division.

Overseas, the USRAP is a shared operational responsibility of the State Department and USCIS. The State Department is responsible for the overarching coordination and management of the USRAP. As contemplated by section 207 of the Immigration and Nationality Act⁵, this work is guided each year by a Presidential Determination, which sets the refugee admissions ceiling following the submission of a report and in-person consultations with Congress -- specifically, the Judiciary Committees of each chamber. It is important to remember that the United States is entirely in control of who gets to apply for resettlement to our country -- it is only those refugees who have been identified as being of "special humanitarian concern" to the United States. Traditionally, UNHCR helps to identify refugees in need of resettlement and makes referrals to the USRAP, in keeping with U.S. priorities. After applicants have been pre-screened by Resettlement Support Center staff under contract with the State Department, USCIS is responsible for conducting individual, in-person interviews with applicants to determine their eligibility for refugee status, including whether they meet the refugee definition and are otherwise admissible to the United States under U.S. law. To fulfill this mission, USCIS created the Refugee Corps in 2005, a cadre of specially-trained USCIS officers who are dedicated to adjudicating applications for refugee status overseas.

⁴ Information on UNHCR Resettlement, UNHCR, <https://www.unhcr.org/en-us/information-on-unhcr-resettlement.html>.

⁵ 8 USC 1157: Annual admission of refugees and admission of emergency situation refugees, Section 207, Immigration and Nationality Act <https://uscode.house.gov/view.xhtml?hl=false&edition=prelim&req=granuleid%3AUSC-prelim-title8-section1157&num=0&saved=%7CZ3JhbnVsZWlkOIVTQy1wcmVsaW0tdGI0bGU4LXNlY3Rpb24xMTU3%7C%7C%7C0%7Cfalse%7Cprelim#>.

Security Checks

Security checks have been an integral part of the USRAP process for applicants of all nationalities since the aftermath of the September 11 attacks, and they have been enhanced systematically over the years as interagency capacity has expanded. My former staff and I devoted countless hours to help ensure the integrity of the USRAP, in close collaboration with colleagues across the Executive Branch, including those with expertise in counter-terrorism, intelligence, and law enforcement. During my 12-year tenure with the USRAP, security checks that were first piloted and tested by the refugee program were expanded, institutionalized, and integrated as standard operating procedures for refugee processing *and* for other categories of travelers to the United States. Refugee admissions were not halted across the board as new capacities were brought online; rather, they were incorporated prospectively and with a risk-based analysis.

All available biographic and biometric information from refugee applicants is vetted against a broad array of law enforcement, intelligence community, and other relevant databases to help confirm a refugee applicant's identity, to check for any criminal or other derogatory information, and to identify information that could inform lines of questioning during the interview. Collaborations with the Department of Defense and UNHCR have reinforced screening procedures. I am attaching a detailed description of the security screening process as an addendum at the end of my testimony.⁶

One of the Trump Administration's early initiatives pursuant to Executive Order 13780 was to institute a 120-day review of the security check regime for refugee applicants. During this period, refugee admissions were generally suspended, although there was no risk-based assessment to justify such a broad moratorium. The results of this review were announced in October 2017 by the Secretary of State, Acting Secretary of Homeland Security, and the Director of the Office of National Intelligence. Based on the work of an interagency working group, additional ways to enhance refugee screening and vetting processes were identified and implemented. Thus, refugee admissions generally resumed with these new procedures in place. However, at the same time, these senior officials announced that additional review would be undertaken for nationals of 11 countries that had previously been identified for the higher level review of Security Advisory Opinions (SAO). Refugee admissions from these 11 countries generally remained suspended -- again, without a risk-based assessment. After the additional 90-day review period for these SAO countries, refugees of these nationalities were also cleared for admission to the United States, subject to enhanced security procedures.⁷

⁶ Infographic: The Screening Process for Refugee Entry into the United States, Amy Pope, Former Deputy Assistant to the President for Homeland Security, November 20, 2015
<https://obamawhitehouse.archives.gov/blog/2015/11/20/infographic-screening-process-refugee-entry-united-states>.

⁷ "DHS Announces Additional, Enhanced Security Procedures for Refugees Seeking Resettlement in the United States," Department of Homeland Security Office of the Press Secretary, January 29, 2018
<https://www.dhs.gov/news/2018/01/29/dhs-announces-additional-enhanced-security-procedures-refugees-seeking-resettlement>.

Fiscal Year 2020 Refugee Admissions

For Fiscal Year (FY) 2020, the Trump Administration set a historically low refugee admissions ceiling of 18,000, an 80 percent cut from the historic average ceiling of 95,000⁸. This continues the downward spiral of admissions during this Administration, from the ceiling of 110,000 that it inherited for FY17 (and immediately lowered to 50,000), down to 45,000 for FY18 (with fewer than 23,000 actual admissions), and 30,000 for FY19. None of the official explanations justify this decrease, as I explain below. Moreover, several other changes to standard operational processes further handicap the USRAP and will make it difficult to achieve even the exceedingly low ceiling of 18,000.

The Administration has offered a series of excuses for the low ceiling on refugee admissions, rather than plainly stating that its preferred policy is fewer refugees finding freedom and opportunity in the United States.

- First, the administration has argued that overseas refugee resettlement needs to be low because domestic asylum claims and “credible fear” claims at the southwest border are high. However, legally and operationally, domestic asylum processing and overseas refugee processing are distinct, and the government can handle both. At the time that the Administration set the 18,000 ceiling last September, there were approximately **40,000 refugees overseas who had already been interviewed and conditionally approved by DHS**. The vast majority of these 40,000 “pipeline” cases could be finalized and approved for travel to the U.S. this fiscal year. It is both inefficient and cruel to leave these refugees behind: inefficient because the U.S. government has already expended significant resources to conduct rounds of interviews and security checks, and cruel because we have raised these applicants’ expectations and then consigned them to limbo. And worse yet: refugees identified for U.S. resettlement are typically not considered by other resettlement countries because they are “spoken for,” leaving them in a perpetual stage of uncertainty and instability.
- The Administration also asserted that it was taking foreign policy into account⁹ in setting this year’s refugee admissions ceiling, as if past Administrations had not. But every administration has considered refugees’ humanitarian needs in the context of U.S. foreign policy and national security interests, as discussed further below.
- The Administration has argued that the U.S. should prioritize assistance to refugees overseas in lieu of resettlement, but this is misleading. Even at recent high-water marks for resettlement worldwide, 99 percent of refugees remain in host countries close to home, with monetary support from donors including the

⁸ “U.S. Annual Refugee Resettlement Ceilings and Number of Refugees Admitted, 1980-Present,” Migration Policy Institute, 2019, <https://www.migrationpolicy.org/programs/data-hub/charts/us-annual-refugee-resettlement-ceilings-and-number-refugees-admitted-united>.

⁹ Report to Congress on Proposed Refugee Admissions for FY2020, Department of State, Office of the Spokesperson, September 26, 2019 <https://www.state.gov/report-to-congress-on-proposed-refugee-admissions-for-fy-2020/>.

U.S. Voluntary return by refugees to their homelands is much desired, but it is rarely achieved at a significant scale due to continuing conflict, the aftermaths of conflict, poverty, and other factors. The Administration's current policy simply leaves stranded the most vulnerable one-half of 1 percent of refugees who used to be identified for resettlement to the U.S. — including people with medical needs, survivors of torture, and those who are not safe in their country of first asylum. Moreover, the Trump Administration's budget requests have consistently proposed dramatic **cuts** to the State Department's funding for overseas assistance, demonstrating clearly that this is a hollow argument.

Beyond the Ceiling - Hampering Admissions

In addition to setting this historically low ceiling, the Administration has taken a number of other steps -- some little recognized -- that hamper resettlement operations and will make it difficult to reach 18,000 admissions this fiscal year.

Challenge One: The Administration took an unusual approach to subdividing or "allocating" the admission slots to different groups of refugees. Traditionally the State Department has recommended and the President has determined that refugee slots would be allocated to five broad regional categories, often with an unallocated "reserve." Instead, this year the Administration abandoned this regional approach and set narrower criteria, allocating slots specifically for religious minorities; certain Iraqis; Central Americans from Guatemala, Honduras, and El Salvador; and "other refugees" in both enumerated and unenumerated categories. In contrast, note that as recently as 2016, USCIS interviewed refugees from 74 countries¹⁰.

These new, narrowed categories are harder for the State Department and USCIS to administer than the traditional regional approach, and they do not align properly with the "pipeline" cases already in the U.S. system. Thus, for example, thousands of Congolese refugees who have already been interviewed by USCIS and could likely travel to the U.S. this year will be left behind because there are insufficient slots assigned to the catch-all "other" category.

Further, it's important to note that these narrow categories actually represent **cuts** for the groups that are purportedly prioritized. Religious persecution, for example, has been part of the refugee definition since 1951¹¹, and it has always played a significant role in the U.S. resettlement program. Christians, Jews, Muslims, Buddhists, Hindus, Yazidis, Baha'is, and others who have been persecuted on account of their faith have found

¹⁰ Refugee Arrivals, Fiscal Year as of 30-September-2016, Department of State, Bureau of Population, Refugees, and Migration, Office of Admissions - Refugee Processing Center https://ireports.wrapsnet.org/Interactive-Reporting/EnumType/Report?ItemPath=/rpt_WebArrivalsReports/MX%20-%20Arrivals%20by%20Nationality%20and%20Religion (report run 2/24/2020).

¹¹ "Guidelines on International Protection: Religion-Based Refugee Claims under Article 1A(2) of the 1951 Convention and/or the 1967 Protocol relating to the Status of Refugees," UNHCR, April 28, 2004 <https://www.unhcr.org/en-us/publications/legal/40d8427a4/guidelines-international-protection-6-religion-based-refugee-claims-under.html>.

safety and freedom to worship in this country. The Administration's allocation of 5,000 slots to religious minorities represents a sharp dip from just a few years ago, and data from the refugee pipeline suggest that as many as 15,000 additional refugees who have suffered religious persecution could be resettled this year, if the ceiling were higher.

Similarly, in FY16, the U.S. resettled 9,880 Iraqi refugees, compared to the 4,000 authorized for FY20, and only **53 Iraqis¹² have actually been admitted as of mid-February.** These Iraqi applicants are individuals who have worked closely with the U.S. military, diplomats, journalists, and aid workers, and this contraction of refugee resettlement sends a message to our allies and potential future allies that the U.S. doesn't keep its promises.

Challenge Two: The Administration also decided to make it **much harder** to reallocate slots between the narrowly-designated categories, substantially increasing the likelihood that unneeded slots in one category will go unused rather than being repurposed to another category with higher potential. New language was included in this year's Presidential Determination that permits reallocations **only if** the Secretary of State consults with three other Cabinet officials -- the Secretaries of Homeland Security and Health and Human Services and the Attorney General -- and provides notification to the appropriate committees of the Congress, "if such transfer would be in the national interest and there is a need for greater admissions for the allocation to which the admissions will be transferred."¹³ In contrast, the simpler process in past years allowed for the Secretary of State alone to make the decision to reallocate slots, "following notification of the appropriate committees of the Congress, ... if greater admissions are needed for such region or regions."¹⁴ Even if the new language is interpreted to allow the enumerated Cabinet officials to delegate this authority to lower-level officials, it is unquestionably more cumbersome and slower to require input from four Executive Branch departments rather than to empower the Secretary of State to act, upon notice to Congress. And since **all** of the designated categories have already been agreed upon and endorsed by the President, it is difficult to see what additional benefit could be derived from this added layer of bureaucratic review; rather, it reads as an intentional effort to stall processing and reduce admissions.

Challenge Three: On September 26, 2019, President Trump issued Executive Order 13888 with a new requirement that state and local elected leaders affirmatively provide written consent in order for newly arrived refugees to be resettled in their jurisdictions. While many viewed the order as an invitation for states to say "no" and thereby limit resettlement, the response was overwhelmingly positive, with 43 states saying "yes"

¹² "Arrivals by Admissions Category as of Feb 14, 2020," Department of State, Bureau of Population, Refugees, and Migration, Office of Admissions - Refugee Processing Center <https://www.wrapsnet.org/admissions-and-arrivals/>.

¹³ Presidential Determination on Refugee Admissions for Fiscal Year 2020, Executive Office of the President, November 1, 2019 <https://www.whitehouse.gov/presidential-actions/presidential-determination-refugee-admissions-fiscal-year-2020/>.

¹⁴ Presidential Determination on Refugee Admissions for Fiscal Year 2018, Executive Office of the President, September 29, 2017 <https://www.whitehouse.gov/presidential-actions/presidential-memorandum-secretary-state-4/>.

(including 19 states with Republican governors) and only Texas declining. (Six states did not respond.) Because a federal court issued a preliminary injunction in *HIAS v. Trump* on January 15, the Executive Order has not gone into effect, but the State Department has delayed renewing its contracts with the domestic resettlement agencies that welcome refugees.

I highlight these challenges because, based on my 12 years of operational experience, the flexibility to use resettlement slots within broad geographic regions of the world and to reallocate them between categories is a critical factor in allowing the USRAP to meet the refugee ceiling. The best-laid plans for meeting resettlement goals at the beginning of a fiscal year are inevitably rocked by unforeseen developments. For example, the USRAP's overseas operations depend on the cooperation of the host governments where refugees reside. It is extremely common that one or more host governments withhold or delay visas at some point during the fiscal year and USCIS can't send in its staff to interview applicants on schedule. Or, in other instances, host governments may delay the issuance of exit permits that are required before refugees are allowed to leave the country. Sometimes there are medical issues that delay processing or refugees' departures -- say, an outbreak or suspected outbreak of measles in a particular refugee camp. Further, there can be security issues that affect the USRAP's ability to operate in certain locations. One example of this is Baghdad, where the U.S. embassy has sometimes hosted large teams of USCIS officers to interview Iraqi "Priority 2" cases and at other times has determined that the security environment called for a pause in their presence.

The professional staff at the State Department and USCIS -- working in close coordination with the vetting agencies, program partners from nongovernmental and international organizations, and domestic resettlement agencies -- have demonstrated that they can achieve refugee admissions that match the refugee ceiling. This happened in fiscal years 2013 through 2016, and again last year with 30,000 admissions against a 30,000 ceiling. Reaching the ceiling requires close monitoring of the pipeline, timely "issue-spotting," and agile adjustments as conditions change. It requires holding the vetting agencies accountable for the timely processing of security checks. It requires attention to and juggling of overlapping expiration dates for certain security checks and medical exams, which can cascade into a domino effect of delays for refugee applicants. I am concerned that this fiscal year, these professionals will find their efforts to reach the 18,000 ceiling stymied by the Administration's self-imposed roadblocks and speed-bumps.

While I have been talking about the admissions ceiling and the USRAP overall in numerical terms, it is critical to remember what those numbers represent. Each number reflects a person, and each slot in the USRAP is a unique and important humanitarian resource. It is an opportunity to relieve suffering in the world and to renew America's promise as a nation of immigrants and a beacon of hope for the persecuted. These scarce opportunities to extend humanitarian protection through resettlement should not be squandered.

I believe that this is an area ripe for congressional oversight, and this is the perfect time -- not quite halfway through the fiscal year -- for Congress, and more particularly this Committee, to communicate to the Administration that you value refugee resettlement. It's timely to inquire about the Administration's plans to reach the 18,000 ceiling; what refugee "circuit rides" are planned for USCIS officers (which have been drastically reduced); what obstacles exist or are anticipated with regard to *each allocated category*; what the strategies are to address them; and whether the Administration is committed to reallocating numbers across categories (and where) that would otherwise go unused.

Long-Term Consequences of Dismantling Infrastructure

The need for congressional oversight is particularly stark because the Administration is not just temporarily cutting refugee numbers during its tenure in office. The changes made by this Administration will have long-lasting ramifications, dismantling a program that Congress has supported and invested in over decades. These investments have created an infrastructure of public/private partnerships including state and local governments, congregations of faith, nonprofits, volunteers, employers, and community members across the United States.

The Administration has drastically reduced USCIS interview circuit rides, which begins to erode the pipeline of refugee candidates who could be admitted next fiscal year. It has begun closing USCIS's international offices, which have provided key logistical support to USCIS interviewers on circuit rides and which also took primary responsibility for interviewing certain refugee populations. This loss of capacity, local knowledge, and nimbleness in responding to time-sensitive developments will hamper USCIS refugee operations in the future.

In addition to dismantling the U.S. infrastructure for resettlement, the Administration announced in its 2020 Report to Congress that it will no longer accept resettlement referrals from UNHCR, with the very limited exceptions of religious minorities and individuals from Honduras, Guatemala, and El Salvador.¹⁵ This is unprecedented, as the United States has a long and positive history of working with UNHCR. As the internationally recognized agency mandated to protect refugees and with staff working in 134 countries around the world, UNHCR is uniquely placed to identify the most vulnerable refugees in need of resettlement and is by far the largest source of resettlement referrals worldwide. This change will negatively impact the efficiency of the USRAP. While the United States makes its own decisions about which refugees to accept, UNHCR's initial screening promotes the integrity of the USRAP by screening out cases that are unlikely to meet U.S. priorities and standards. Other referral mechanisms simply do not exist on any real scale: U.S. embassy referrals are rare, as embassy staff generally lack the capacity and training for such work. By severely limiting UNHCR referrals, the Administration is handicapping the USRAP for years to come, since it will take years to rebuild the "pipeline" of UNHCR referrals.

¹⁵ Report to Congress on Proposed Refugee Admissions for FY 2020, <https://www.state.gov/reports/report-to-congress-on-proposed-refugee-admissions-for-fy-2020/>.

Protection and Beyond: Foreign Policy and National Security Implications

I have heard critics say that refugee resettlement, in the larger scheme of things, just doesn't matter -- that even at "high" levels, only 1 or 2 percent of refugees get resettled, which is a drop in the bucket. This critique misses the larger context, however. First, resettlement **does** matter for the individuals and families involved. I'm sure that many Members of this Subcommittee have met refugees in your states and districts and have seen this first-hand.

Resettlement also opens up other "protection space" for refugees who remain in their countries of first asylum. When the U.S. engages with these front-line countries that are often under enormous pressure, U.S. diplomats have entree to negotiate for additional protections for those left behind: perhaps it's access to public schools for refugee children; or improved labor or mobility rights for refugees; or even a new UNHCR registration initiative that will place identity documents in the hands of refugees who otherwise have nothing to show to local police to prove who they are and their legal immigration status.

That said, resettlement is not solely a humanitarian endeavor - it is also critical to advancing U.S. foreign policy and national security interests. By assisting refugee-hosting states, the U.S. advances stability and U.S. strategic interests abroad. Former DHS Secretary Michael Chertoff has written:

*"Strategic allies located near crises host the largest refugee populations in the world. Jordan, Turkey, Pakistan and Kenya are among the top refugee-hosting states. Their willingness to host millions of refugees contributes greatly to regional stability and security, all in regions where U.S. troops are deployed. As our military works to contain terrorist insurgencies in Afghanistan, Iraq, Syria and the Horn of Africa, forcing refugees to return to unsafe and unstable countries would make countering terrorism more difficult."*¹⁶

These sentiments are echoed by military leaders such as Robert J. Natter, a retired U.S. Navy admiral who served as commander of the U.S. Atlantic Fleet and U.S. Fleet Forces from 2000 to 2003, and Mark P. Hertling, a retired lieutenant general who served as commanding general of U.S. Army Europe from 2011 to 2012. They have written:

"We know firsthand that both the humanitarian and strategic consequences of conflicts in Iraq, Syria, the Balkans and East and West Africa would be much worse had neighboring countries closed their borders. We also know that conflicts can restart when refugees are sent home prematurely. Of the 15 largest

¹⁶ "Cutting refugee admissions hurts Americans. Here's how," The Washington Post, September 14, 2017 https://www.washingtonpost.com/opinions/cutting-refugee-admissions-hurts-americans-heres-how/2017/09/14/c7c8b5e6-9987-11e7-b569-3360011663b4_story.html.

returns of refugees since 1990, a third have resulted¹⁷ in the resumption of conflict and the slaughter of innocents.”¹⁸

The State Department regularly leverages refugee resettlement as it works with countries like Jordan, Turkey, Egypt, and Lebanon - which are hosting hundreds of thousands and in some cases millions of refugees. Similarly, resettlement is a critical component in the U.S. relationship with Kenya, which hosts more than 500,000 refugees and has threatened¹⁹ to close its refugee camps for years. A mere 16 percent of the world’s refugee population is hosted in developed countries like the United States. In stark contrast, one-third of the global refugee population is hosted in low-income countries, like Bangladesh and South Sudan, which account for just over 1 percent of global GDP and 13 percent of the world’s population. Cooperation with foreign governments in key regions can run the gamut from keeping borders open to intelligence-sharing to military deployments to aviation security. This often happens with little fanfare, behind the scenes.

This is an arena where American leadership matters. How can we ask host governments to keep borders open and extend more rights to refugees within their borders when the U.S. will not step up and lend a hand through resettlement? How can we expect other resettlement countries to increase their commitment to help protect refugees when the U.S. program is in retreat?

Taking a step back, it cannot be ignored that the contraction of the U.S. refugee program has not been equally distributed across all populations. As the Migration Policy Institute’s analysis shows, the resettlement of Muslims has plummeted 87 percent since FY 2016. Christian admissions have also fallen by 37 percent over this period, “[b]ut, because Muslim admissions have fallen so much more, the great majority of admitted refugees are now Christian: In FY 2019, 79 percent of refugees were Christian and 16 percent Muslim—as compared to 44 percent Christian and 46 percent Muslim in 2016.” This shift also reflects a geographic bias: “More than half of the 65 percent decline in overall resettlement during this period is attributable to falling admissions from the ‘Near East/South Asia’ region, which includes the Middle East and Southern and Southeast Asian countries. Over this same period, admissions from Europe actually increased by 26 percent.²⁰ While there are certainly refugees in distress in Europe -- and this is a

¹⁷ “Forcibly Displaced, Toward a Development Approach Supporting Refugees, the Internally Displaced, and Their Hosts,” World Bank Group, 2017 <https://openknowledge.worldbank.org/bitstream/handle/10986/25016/9781464809385.pdf?sequence=11&isAllowed=y>.

¹⁸ “Cutting refugee admissions will have severe consequences for the U.S. military,” Robert J. Natter and Mark P. Hertling, The Washington Post, September 8, 2019 <https://www.washingtonpost.com/opinions/2019/09/08/cutting-refugee-admissions-will-have-severe-consequences-us-military/>.

¹⁹ “Kenyan Government Threatens To Close Dadaab Refugee Camp,” NPR Morning Edition, March 28, 2019 <https://www.npr.org/2019/03/28/707529616/kenyan-government-threatens-to-close-dadaab-refugee-camp>.

²⁰ “As the United States Resettles Fewer Refugees, Some Countries and Religions Face Bigger Hits Than Others,” Migration Policy Institute, September 2019

longstanding component of the USRAP -- I think that any refugee expert would find it surprising to see the primacy of European arrivals at the expense of those from the Middle East, Africa, and Asia.

One critique of this geographical shift is that it is antithetical to American values. But even for those who don't subscribe to that view, there are serious, real-world implications. As national security expert Juliette Kayyem has stated with regard to the President's divisive call for a ban on Muslims entering the United States, "This is a narrative ISIS has wanted, that ISIS is promoting.... [It's] on their website and their tweets...."²¹ It is being used as a recruiting message by extremists who wish us harm.

Bipartisan Support

The current politically-charged debate around refugee resettlement is a historical anomaly. For most of the program's existence, it has enjoyed bipartisan support, from Presidents Truman to Reagan to G.W. Bush -- even in the wake of 9/11 -- to Obama.²² Personally, when I started my job in 2005, both Senator Kennedy, a liberal Democrat, and Senator Brownback, a conservative Republican, exhorted my office to reach refugee admission targets. In 2008, I attended a reception hosted by First Lady Laura Bush in recognition of World Refugee Day in the Rose Garden at the White House. She welcomed UNHCR officials, service providers, advocates, and government officials to an event that lifted up the voices of refugees, featuring speakers who had fled from Burma, Iraq, and the Democratic Republic of Congo. It is a sad fact that such an event would never be contemplated today.

That said, I would be remiss if I did not recognize the bipartisan support evident in both chambers of Congress for the USRAP, including multiple letters led by Senators Lankford (R-OK)²³ and Shaheen (D-NH)²⁴, the Bipartisan Congressional Refugee

<https://www.migrationpolicy.org/news/united-states-refugee-resettlement-some-countries-religions-face-bigger-hits>.

²¹ "Is ISIS Really Using Videos of Donald Trump For Recruitment?," WGBH Boston, December 23, 2015 <https://www.wgbh.org/news/post/isis-really-using-videos-donald-trump-recruitment>.

²² "Four Decades of Presidential Leadership on Refugee Protection, Until Now," International Rescue Committee, February 17th, 2020

<https://www.rescue.org/sites/default/files/document/4442/ircpresidentsdayreport2020.pdf>.

Highest Annual Admissions Ceilings by Administration: Carter: 231,700; Reagan: 140,000; H.W. Bush: 142,000; Clinton: 121,000; G.W. Bush: 80,000; Obama: 110,000; Trump: 45,000; Current Ceiling: 18,000

²³ "Sens. Coons, Lankford send bipartisan letter to Trump Administration in response to proposed elimination of refugee resettlements," Office of Senator Chris Coons, August 6, 2019

<https://www.coons.senate.gov/news/press-releases/sens-coons-lankford-send-bipartisan-letter-to-trump-administration-in-response-to-proposed-elimination-of-refugee-resettlements>.

²⁴ Bipartisan Congressional Letter led by Senator Shaheen on status of USRAP, Office of Senator Jeanne Shaheen, May 4, 2017 <https://www.shaheen.senate.gov/imo/media/doc/2017-5-4%20Final%20Shaheen-Lankford%20Refugee%20Program%20Letter.pdf>.

Caucus²⁵, and Ranking Member Buck (R-CO),²⁶ signed by 17 Republican Members of Congress. This demonstrates that the USRAP has had and continues to have strong bipartisan support. That support must now be harnessed to provide effective oversight of an Administration that is clearly bent on dismantling this critical, lifesaving program.

In remarkably prescient comments from 1983, former Senator Hatfield (R-OR) seems to have anticipated today's policy debates and came out firmly on the side of resettlement:

"This consultation process focuses on the appropriate U.S. level in providing asylum to persons fleeing political persecution. There is no magic formula, and there is no way to quantify humanitarianism and balance it with the competing interests inherent in immigration and refugee policy decisionmaking. I do not pretend to have the magic number that will represent the perfect balance. However, without hesitation, I will state that the United States role in providing hope for those fleeing tyranny, in providing assistance to the countries of first asylum who bear the immediate brunt of refugee migration, and in providing shelter for our appropriate share for the refugee population, must not decline. This does not mean that the United States should admit every one fleeing war or the threat of war. It means simply that refugee policy must not be the whipping boy for our country's inability to control illegal immigration. And it means that if we abandon our responsibility to uphold freedom by providing hope to those who are not free, then we have failed history and we have failed ourselves."²⁷

Likewise, Senator Brownback (R-KS)²⁸ made impassioned comments in support of refugee resettlement during the refugee consultations in 2002, expressing grave concern that the resettlement ceiling was set at *only* 70,000:

"The success of the United States refugee program is of great personal interest to me Tragic events of September 11th interrupted our country's ability to process refugees. However, we cannot allow those events which have already caused so much death and sorrow to undermine our commitment to rescuing the persecuted, the widow, and the orphan. I think everyone here agrees it is time that refugee processing got back on track.

²⁵ "Congressman Neguse Leads Bipartisan Letter to Oppose Trump Administration Actions Targeting U.S. Refugee Resettlement," Office of Congressman Joe Neguse, August 7, 2019 <https://neguse.house.gov/media/press-releases/congressman-neguse-leads-bipartisan-letter-oppose-trump-administration-actions>.

²⁶ "Ken Buck Calls for the United States to Uphold Our Commitment to Refugees Around the World," Office of Congressman Ken Buck, October 18, 2019 <https://buck.house.gov/media-center/press-releases/ken-buck-calls-united-states-uphold-our-commitment-refugees-around-world>.

²⁷ Hearing Before the Subcommittee on Immigration and Refugee Policy of the Committee on the Judiciary the United States Senate, 98th Congress, Annual Refugee Consultation, Former Senator Mark Hatfield, September 26, 1983 <https://www.loc.gov/law/find/hearings/pdf/00139298780.pdf>.

²⁸ Empty Seats in a Lifeboat: Are There Problems with the U.S. Refugee Program? Hearing before the Subcommittee on Immigration of the Committee on the Judiciary, United States Senate, One Hundred Seventh Congress, Former Senator Sam Brownback, February 12, 2002 <https://www.govinfo.gov/content/pkg/CHRG-107shrg84502/html/CHRG-107shrg84502.htm>.

In the fall President Bush determined that our Nation could receive up to 70,000 refugees in this fiscal year.... [T]he reality is that 70,000 is a small number of the world's refugees.... We should strive to admit as many refugees as the President thinks that we can handle. To do less, even by a single person, is to deprive a victim of persecution of the protection that we ought to, and that we can provide....

If we are to lead the world by example we need to determine why our numbers declined so consistently year after year when there is so much need that is there around the world. Given this trend we need to ask ourselves, are we truly doing what is right and what is just and what we are capable of doing to help those that in many cases are the poorest of the poor in the most difficult circumstances around the world?"

Refugees' Contributions

The Administration's hostility to refugee resettlement is hard to understand or reconcile on the merits. Research from many sources demonstrates that refugees contribute positively to the U.S. economy. According to a study by the New American Economy Research Fund, refugees contribute meaningfully to our economy as earners and taxpayers.

While they receive initial assistance upon arriving in the United States, that is followed by particularly sharp increases in income in subsequent years. Entrepreneurship among refugees is nearly 50 percent higher than among U.S.-born populations, creating jobs for Americans. And, over time, more than 57 percent of refugees become homeowners.²⁹ Similar studies from the National Bureau of Economic Research³⁰ and The Fiscal Policy Institute³¹ also demonstrate that refugees contribute positively to the U.S. economy. An unpublished 2017 study by the Department of Health and Human Services found that refugees have contributed \$63 billion more in revenue than they cost over the past decade.³²

Conclusion

This Administration's hostility to refugee resettlement is unjustified, and it is not in keeping with the traditional bipartisan support for the USRAP. In dismantling the refugee resettlement program, the Trump Administration's policy ignores humanitarian needs on

²⁹ "From Struggle to Resilience: The Economic Impact of Refugees in America," New American Economy, June 19, 2017 <https://research.newamericaneconomy.org/report/from-struggle-to-resilience-the-economic-impact-of-refugees-in-america/>.

³⁰ "The Economic and Social Outcomes of Refugees in the United States: Evidence from the ACS," William N. Evans and Daniel Fitzgerald, The National Bureau of Economic Research, June 2017 <https://www.nber.org/papers/w23498>.

³¹ "Refugees as Employees: Good Retention, Strong Recruitment," David Dyssegaard Kallick and Cyierra Roldan, Fiscal Policy Institute, May 2018 <http://fiscalspolicy.org/refugees-as-employees-good-retention-strong-recruitment>.

³² "Rejected Report Shows Revenue Brought In by Refugees," The New York Times, September 19, 2017 <https://www.nytimes.com/interactive/2017/09/19/us/politics/document-Refugee-Report.html>.

every continent, cements the U.S. retreat from our longstanding leadership as the most generous resettlement country in the world, and diminishes U.S. influence over the violent and destabilizing root causes of displacement. Worse, it confirms to Americans and to the world that the new status quo of fear, division, and racism is the policy of the United States. We are not only leaving behind tens of thousands of refugee families at risk, but our own values and interests. I believe that the U.S. can and must do better.

Addendum: The Screening Process for Refugee Entry Into the United States

<https://obamawhitehouse.archives.gov/blog/2015/11/20/infographic-screening-process-refugee-entry-united-states>

Recurrent vetting: Throughout this process, pending applications continue to be checked against terrorist databases, to ensure new, relevant terrorism information has not come to light. If a match is found, that case is paused for further review. Applicants who continue to have no flags continue the process. If there is doubt about whether an applicant poses a security risk, they will not be admitted.

1. Many refugee applicants identify themselves to the U.N. Refugee Agency, UNHCR. UNHCR, then:

- Collects identifying documents
- Performs initial assessment
 - Collects biodata: name, address, birthday, place of birth, etc.
 - Collects biometrics: iris scans (for Syrians, and other refugee populations in the Middle East)
- Interviews applicants to confirm refugee status and the need for resettlement
 - Initial information checked again
- Only applicants who are strong candidates for resettlement move forward (less than 1% of global refugee population).

2. Applicants are received by a federally-funded Resettlement Support Center (RSC):

- Collects identifying documents
- Creates an applicant file
- Compiles information to conduct biographic security checks

3. Biographic security checks start with enhanced interagency security checks

Refugees are subject to the highest level of security checks of any category of traveler to the United States.

- U.S. security agencies screen the candidate, including:
 - National Counterterrorism Center/Intelligence Community
 - FBI
 - Department of Homeland Security
 - State Department
- The screening looks for indicators, like:
 - Information that the individual is a security risk
 - Connections to known bad actors
 - Outstanding warrants/immigration or criminal violations
- *DHS conducts an enhanced review of Syrian cases, which may be referred to USCIS Fraud Detection and National Security Directorate for review. Research that is used by the interviewing officer informs lines of question related to the applicant's eligibility and credibility.*

4. Department of Homeland Security (DHS)/USCIS interview:

- Interviews are conducted by USCIS Officers specially trained for interviews
- Fingerprints are collected and submitted (biometric check)
- Re-interviews can be conducted if fingerprint results or new information raises questions. If new biographic information is identified by USCIS at an interview, additional security checks on the information are conducted. USCIS may place a case on hold to do additional research or investigation. Otherwise, the process continues.

5. Biometric security checks:

- Applicant's fingerprints are taken by U.S. government employees
 - Fingerprints are screened against the FBI's biometric database.

- Fingerprints are screened against the DHS biometric database, containing watch-list information and previous immigration encounters in the U.S. and overseas.
 - Fingerprints are screened against the U.S. Department of Defense biometric database, which includes fingerprint records captured in Iraq and other locations.
- If not already halted, this is the end point for cases with security concerns. Otherwise, the process continues.

6. **Medical check:**

- The need for medical screening is determined
- This is the end point for cases denied due to medical reasons. Refugees may be provided medical treatment for communicable diseases such as tuberculosis.

7. **Cultural orientation and assignment to domestic resettlement locations:**

- Applicants complete cultural orientation classes.
- An assessment is made by a U.S.-based non-governmental organization to determine the best resettlement location for the candidate(s). Considerations include:
 - Family; candidates with family in a certain area may be placed in that area.
 - Health; a candidate with asthma may be matched to certain regions.
- A location is chosen.

8. **Travel:**

- International Organization for Migration books travel
- Prior to entry in the United States, applicants are subject to:
 - Screening from the U.S. Customs and Border Protection's National Targeting Center-Passenger
 - The Transportation Security Administration's Secure Flight Program
- This is the end point for some applicants. Applicants who have no flags continue the process.

9. **U.S. Arrival:**

- All refugees are required to apply for a green card within a year of their arrival to the United States, which triggers:
 - Another set of security procedures with the U.S. government.
- **Refugees are woven into the rich fabric of American society!**