

Remarks for the Homeland Security Appropriations Subcommittee Members' Day

Congressman Peter J. Visclosky (IN-01)

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I would like to thank Chairwoman Lucille Roybal-Allard, Ranking Member Chuck Fleischmann, and all of the members of the House Appropriations Subcommittee on Homeland Security for holding today's hearing and providing this opportunity for me and my colleagues to speak about our funding priorities in Fiscal Year (FY) 2021.

I am testifying today to discuss my concerns regarding the current administration's security-vetting procedures, which may be exacerbating a historic low amount of refugee admissions. I am proud that Northwest Indiana is home to a vibrant community of Syrian refugees and cherish the contributions these individuals make to the civic, cultural, and economic life of our region. At a time when the world is in the midst of an unimaginable humanitarian crisis affecting an estimated 70.8 million forcibly displaced persons, I believe that Congress must ensure that security vetting – however necessary – does not prevent us from meeting our moral obligation to assist those fleeing violent conflict.

That is why I strongly encourage the Subcommittee to consider additional reporting requirements through the FY 2021 appropriations process in order to obtain a better understanding of extended delays and increased denials in the U.S. Refugee Admissions Program (USRAP) resulting from new security-vetting requirements. This information could assist the House Appropriations Committee in identifying solutions to address these challenges, such as increasing staffing and reducing inefficiencies through improved interagency coordination. Without appropriate congressional oversight and smart investments, I fear that the administration's policies will

irreparably harm the U.S. capacity to vet and resettle refugees in a safe, expeditious manner. We cannot let that happen.

As the Chairman of the House Appropriations Subcommittee on Defense, there is nothing that I take more seriously than the safety and security of all of our citizens. I would emphasize that refugees are more thoroughly vetted than any other group coming into the United States – and I will continue to advocate for reasonable, effective measures to protect our national security.

Security vetting is an invaluable component of the USRAP. In general, individuals seeking refuge in the United States undergo several biographic and biometric security checks that begin at the pre-screening interviews conducted by Resettlement Support Centers and continue throughout the process. Additionally, applicants who meet certain criteria must receive a positive Security Advisory Opinion (SAO) – with input from the Federal Bureau of Investigation (FBI) and the Intelligence Community (IC) – before they may be granted refugee status and admitted into the United States. All refugees are also interviewed by U.S. Citizenship and Immigration Services (USCIS) officers who are specially trained to evaluate whether a given applicant is eligible to receive refugee status and meets various statutory requirements for admissibility under the Immigration and Nationality Act of 1965, as amended by the Refugee Act of 1980. Further, all refugees within a designated age range are subject to recurring Interagency Checks with constant input from the IC.

I would point out that security vetting of refugees has been gradually strengthened over the past two decades in response to changing security conditions and improving technological capabilities. As a result, the United States has admitted approximately one million refugees

since 9/11, none of whom have gone on to commit a lethal terrorist attack on U.S. soil. This is a remarkable achievement and we must do everything in our power to sustain it.

Regrettably, the administration has acted contrary to our national security and our best humanitarian impulses by reducing refugee admissions to historic lows and imposing intensified security-vetting requirements for certain populations, predominantly from Muslim-majority countries. On March 6, 2017, President Trump signed a second Muslim-ban Executive Order that stopped the USCIS from adjudicating applications for refugee status, suspended all travel to the United States under the USRAP for a period of 120 days, and lowered the refugee admissions ceiling to 50,000 individuals for FY 2017. The Supreme Court allowed the second Executive Order to go into effect on June 26, 2017, and, after a 120-day review, the administration announced a series of enhanced security-vetting requirements under which the USRAP could continue. However, processing for certain categories of refugees – such as children and spouses seeking to reunite with family members through the follow-to-join program – was not reinstated at this time.

Additional data-collection requirements for all refugees were among the changes to the USRAP associated with the 120-day review. For example, the administration required that every individual in the refugee admissions pipeline provide valid addresses for all places at which they resided for more than 30 days, a daunting task for individuals fleeing violence.

The administration also heightened security vetting for refugees from 11 countries, including Syria and several other Muslim-majority countries. Under the new guidance, SAO checks were extended from men between the ages of 14 and 50 from these 11 countries to men *and* women in this age range. These SAO requirements were applied retroactively, which meant that even

individuals who had already successfully completed all processing steps in theUSRAP and were ready for travel to the United States were subject to indefinite delays awaiting the results of additional security checks.

I would also note that, following the 120-day review of theUSRAP, the administration extended social-media checks from certain Iraqi and Syrian refugees to all refugees from SAO countries above the age of 12. While such checks may be prudent in some cases, I am deeply concerned that extending such vetting requirements to large refugee populations may be exacerbating the processing backlog while potentially resulting in false positives and application denials. This latter concern stems from a recent investigation by *ProPublica*, which found that USCIS officers are using Google Translate to review the social-media posts of family members who are seeking entry into the United States via the follow-to-join program.

The implementation of enhanced security-vetting procedures – as well as the dramatic expansion of the pool of refugees to which labor- and time-intensive SAO and social-media checks are applied – affected tens of thousands of refugees. It also created a significant backlog in refugee applications, extended processing times indefinitely, and strained federal resources. For example, according to the International Crisis Group, at one point in 2018, the FBI was processing an average of five SAOs per week, resulting in a backlog of nearly 100,000 individuals who were subject to the expanded SAO requirements.

The net effect of these policies has been a severe decline in refugee admissions, especially from the 11 SAO countries. In the case of Syria, refugee admissions went from 12,587 in FY 2016 to 563 in FY 2019. I would emphasize that only 65 Syrians were admitted in FY 2018, the fiscal year in which additional vetting requirements were instituted.

There are other indications that the administration is neglecting to devote sufficient resources to security vetting. For example, after expanding SAO requirements to 11 countries, the administration reportedly redirected USCIS officers from screening refugees abroad to handling asylum cases for individuals already in the United States. These reports contribute to the impression that the administration is withholding resources from security vetting as a means of reducing refugee admissions.

Due to a lack of transparency, the full impact of additional security-vetting requirements on both overall refugee admissions and refugee admissions from Muslim-majority countries is unclear. This dearth of information must be rectified. I encourage the Subcommittee to continue to conduct appropriate oversight of the Department of Homeland Security to ensure that the United States remains a welcoming, generous nation and a haven for all persecuted individuals, including refugees. Since the USRAP spans several federal agencies, I would also encourage this Subcommittee to continue to work in partnership with the House Appropriations Subcommittees on State and Foreign Ops, Commerce, Justice, Science, and Related Agencies, and others, as appropriate. I will be submitting programmatic and language requests on this issue to each of these Subcommittees and would invite other members to do the same.

In conclusion, thank you to Chairwoman Roybal-Allard, Ranking Member Fleischmann, and members of the Subcommittee for allowing me to testify today. I appreciate your attention to this issue. Please do not hesitate to contact me or my staff for any assistance that my office can provide.