

**THE SYRIAN REFUGEE CRISIS AND
ITS IMPACT ON THE SECURITY OF THE
U.S. REFUGEE ADMISSIONS PROGRAM**

HEARING
BEFORE THE
SUBCOMMITTEE ON
IMMIGRATION AND BORDER SECURITY
OF THE
COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES
ONE HUNDRED FOURTEENTH CONGRESS
FIRST SESSION

NOVEMBER 19, 2015

Serial No. 114-48

Printed for the use of the Committee on the Judiciary



Available via the World Wide Web: <http://judiciary.house.gov>

U.S. GOVERNMENT PUBLISHING OFFICE

97-632 PDF

WASHINGTON : 2016

For sale by the Superintendent of Documents, U.S. Government Publishing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800
Fax: (202) 512-2104 Mail: Stop IDCC, Washington, DC 20402-0001

COMMITTEE ON THE JUDICIARY

BOB GOODLATTE, Virginia, *Chairman*

F. JAMES SENSENBRENNER, Jr., Wisconsin	JOHN CONYERS, JR., Michigan
LAMAR S. SMITH, Texas	JERROLD NADLER, New York
STEVE CHABOT, Ohio	ZOE LOFGREN, California
DARRELL E. ISSA, California	SHEILA JACKSON LEE, Texas
J. RANDY FORBES, Virginia	STEVE COHEN, Tennessee
STEVE KING, Iowa	HENRY C. "HANK" JOHNSON, JR., Georgia
TRENT FRANKS, Arizona	PEDRO R. PIERLUISI, Puerto Rico
LOUIE GOHMERT, Texas	JUDY CHU, California
JIM JORDAN, Ohio	TED DEUTCH, Florida
TED POE, Texas	LUIS V. GUTIERREZ, Illinois
JASON CHAFFETZ, Utah	KAREN BASS, California
TOM MARINO, Pennsylvania	CEDRIC RICHMOND, Louisiana
TREY GOWDY, South Carolina	SUZAN DELBENE, Washington
RAÚL LABRADOR, Idaho	HAKEEM JEFFRIES, New York
BLAKE FARENTHOLD, Texas	DAVID N. CICILLINE, Rhode Island
DOUG COLLINS, Georgia	SCOTT PETERS, California
RON DeSANTIS, Florida	
MIMI WALTERS, California	
KEN BUCK, Colorado	
JOHN RATCLIFFE, Texas	
DAVE TROTT, Michigan	
MIKE BISHOP, Michigan	

SHELLEY HUSBAND, *Chief of Staff & General Counsel*
PERRY APELBAUM, *Minority Staff Director & Chief Counsel*

SUBCOMMITTEE ON IMMIGRATION AND BORDER SECURITY

TREY GOWDY, South Carolina, *Chairman*
RAÚL LABRADOR, Idaho, *Vice-Chairman*

LAMAR S. SMITH, Texas	ZOE LOFGREN, California
STEVE KING, Iowa	LUIS V. GUTIERREZ, Illinois
KEN BUCK, Colorado	SHEILA JACKSON LEE, Texas
JOHN RATCLIFFE, Texas	PEDRO R. PIERLUISI, Puerto Rico
DAVE TROTT, Michigan	

GEORGE FISHMAN, *Chief Counsel*
GARY MERSON, *Minority Counsel*

CONTENTS

NOVEMBER 19, 2015

	Page
WITNESSES	
Anne C. Richard, Assistant Secretary, Bureau of Population, Refugees, and Migration, U.S. Department of State	
Oral Testimony	3
Prepared Statement	5
The Honorable Leon Rodriguez, Director, U.S. Citizenship and Immigration Services, Department of Homeland Security	
Oral Testimony	9
Prepared Statement	11
Seth G. Jones, Director, International Security and Defense Policy Center, RAND Corporation	
Oral Testimony	20
Prepared Statement	22
Mark Krikorian, Executive Director, Center for Immigration Studies	
Oral Testimony	31
Prepared Statement	33
Mark Hetfield, President and CEO, HIAS	
Oral Testimony	41
Prepared Statement	43
OPENING STATEMENTS	
The Honorable John Conyers, Jr., a Representative in Congress from the State of Michigan, and Ranking Member, Committee on the Judiciary	58
The Honorable Trey Gowdy, a Representative in Congress from the State of South Carolina, and Chairman, Subcommittee on Immigration and Border Security	59
The Honorable Zoe Lofgren, a Representative in Congress from the State of California, and Ranking Member, Subcommittee on Immigration and Border Security	61
The Honorable Bob Goodlatte, a Representative in Congress from the State of Virginia, and Chairman, Committee on the Judiciary	62
LETTERS, STATEMENTS, ETC., SUBMITTED FOR THE HEARING	
Material submitted by the Honorable Sheila Jackson Lee, a Representative in Congress from the State of Texas, and Ranking Member, Subcommittee on Immigration and Border Security	75
APPENDIX	
MATERIAL SUBMITTED FOR THE HEARING RECORD	
Material submitted by the Honorable Sheila Jackson Lee, a Representative in Congress from the State of Texas, and Ranking Member, Subcommittee on Immigration and Border Security	94

OFFICIAL HEARING RECORD

UNPRINTED MATERIAL SUBMITTED FOR THE HEARING RECORD

Submissions for the Record from the Honorable Zoe Lofgren, a Representative in Congress from the State of California, and Ranking Member, Subcommittee on Immigration and Border Security. These submissions are available at the Subcommittee and can also be accessed at:

<http://docs.house.gov/Committee/Calendar/ByEvent.aspx?EventID=104197>.

Submissions for the Record from the Honorable Steve King, a Representative in Congress from the State of Iowa, and Member, Subcommittee on Immigration and Border Security. These submissions are available at the Subcommittee and can also be accessed at:

<http://docs.house.gov/Committee/Calendar/ByEvent.aspx?EventID=104197>.

THE SYRIAN REFUGEE CRISIS AND ITS IMPACT ON THE SECURITY OF THE U.S. REFUGEE ADMISSIONS PROGRAM

THURSDAY, NOVEMBER 19, 2015

HOUSE OF REPRESENTATIVES
SUBCOMMITTEE ON IMMIGRATION AND BORDER SECURITY
COMMITTEE ON THE JUDICIARY
Washington, DC.

The Subcommittee met, pursuant to call, at 9 a.m., in room 2141, Rayburn House Office Building, the Honorable Trey Gowdy (Chairman of the Subcommittee) presiding.

Present: Representatives Gowdy, Labrador, Smith, King, Buck, Ratcliffe, Trott, Goodlatte, Lofgren, Gutierrez, Jackson Lee, and Conyers.

Staff Present: (Majority) George Fishman, Chief Counsel, Subcommittee on Immigration and Border Security; Andrea Loving, Counsel, Subcommittee on Immigration and Border Security; Kelsey Williams, Clerk; (Minority) Perry Apelbaum, Staff Director & Chief Counsel; Danielle Brown, Parliamentarian & Chief Legislative Counsel; Gary Merson, Chief Immigration Counsel; Maunica Sthanki, Immigration Counsel; Micah Bump, Immigration Counsel; and Rosalind Jackson, Professional Staff Member.

Mr. GOWDY. The Judiciary Committee will come to order. Without objection, the Chair is authorized to declare a recess of the Committee at any time.

We welcome everyone to this morning's hearing on the Syrian Refugee Crisis and Its Impact on the Security of the United States Refugee Admissions Program. I will just tell everyone that proper decorum is going to be observed. The witnesses deserve to be heard. The members deserve to be heard. This will be your one and only warning in that respect.

Secondarily, I will tell our witnesses we are going to do things a little bit differently this morning. I have some colleagues that will be here very shortly. So we are going to recognize our witnesses for their opening statements before we recognize the members for theirs. And because there's a lot of floor activity this morning at 10:30, we want to get as much done as we can. So while each of you has very vast and impressive resumes, I'm probably going to skip them as I introduce you and just recognize you by your name for your opening.

Witness Introductions

And I will now begin by introducing our witnesses today; the first witness is **Ms. Anne C. Richard**. Ms. Richard was sworn in on April 2, 2012 as the Assistant Secretary for the Bureau of Population, Refugees, and Migration. Prior to her appointment, Ms. Richard was the vice president of government relations and advocacy for the International Rescue Committee, an international aid agency that helps refugees, internally displaced and other victims of conflict. Ms. Richard has a B.S. in Foreign Service from Georgetown University and an M.A. in Public Policy Studies from the University of Chicago.

Our next witness is the Director of the United States Citizenship and Immigration Services, **the Honorable Leon Rodriguez**. Leon Rodriguez was sworn in as Director of USCIS on July 9, 2014. He previously served as the Director of the Office for Civil Rights at the Department of Health and Human Services, a position he held from 2011 to 2014. From 2010 to 2011, he served as Chief of Staff and Deputy Assistant Attorney General for Civil Rights at the Department of Justice. He received a B.A. from Brown University and a J.D. from Boston College Law School.

Our next witness is **Mr. Seth G. Jones**, the director of the International Security and Defense Policy Center at the RAND Corporation. He is also an adjunct professor at Johns Hopkins University's School for Advanced International Studies. He served as the representative for the commander, U.S. Special Operations Command, to the Assistant Secretary of Defense for Special Operations. Mr. Jones has received his B.A. from Bowdoin College and his M.A. and Ph.D. from the University of Chicago.

Our next witness is **Mr. Mark Krikorian**, the Executive Director of the Center for Immigration Studies (CIS) where he has served since 1995. The Center is an independent, non-partisan research organization in Washington, DC which examines and critiques the impact of immigration on the United States. He is a contributor at National Review Online, and has appeared on 60 Minutes, Nightline, NewsHour with Jim Lehrer, CNN, and NPR, among other television and radio programs. Mr. Krikorian holds a Bachelor's degree from Georgetown University and a Master's degree from the Fletcher School of Law and Diplomacy.

Our final witness is **Mr. Mark Hetfield** who is the President and Chief Executive Officer of the Hebrew Immigrant Aid Society. He has spent most of his 25-year career at HIAS, most recently as the agency's senior vice president of policy and programs. HIAS currently is a major implementing partner of the United Nations Refugee Agency and the U.S. Department of State. Mr. Hetfield holds a Bachelor of Science in Foreign Service from Georgetown University as well as having graduated cum laude with a Juris Doctor from Georgetown University.

Mr. GOWDY. Before I do that, I would ask everyone to rise for the administration of an oath. Just the witnesses. I'm sorry. That is my fault. That was my fault. I was ambiguous. That was my fault.

Do you swear the testimony you're about to give is the truth, the whole truth, and nothing but the truth so help you God? May the record reflect all the witnesses answered in the affirmative.

I am going to introduce you en banc and then recognize you individually for your opening. We are delighted to have Ms. Anne Richard. We are delighted to have Mr. Leon Rodriguez. We are delighted to have Mr. Seth Jones. We are delighted to have Mr. Mark Krikorian. And we are delighted to have Mr. Mark Hetfield. With that, Ms. Richard, I would recognize you for your 5-minute opening.

**TESTIMONY OF ANNE C. RICHARD, ASSISTANT SECRETARY,
BUREAU OF POPULATION, REFUGEES, AND MIGRATION, U.S.
DEPARTMENT OF STATE**

Ms. RICHARD. Thank you very much, Mr. Chairman. And thank you to the Subcommittee for holding this important hearing at such a key moment in the discussions about the program, the very successful program that the U.S. Government has to bring refugees to the United States so they can restart their lives after living through very, very difficult situations of war and persecution.

I know the murderous attacks in Paris last Friday evening have raised many questions about the spillover of not just migrants to Europe, but also the spread of violence from war zones in the Middle East to the streets of a major European capital. Let me assure you that the entire executive branch and the State Department that I represent, has the safety and security of Americans as our highest priority. As an essential fundamental part of U.S. Refugee Admissions Program, we screen applicants rigorously and carefully in an effort to ensure that no one who poses a threat to the safety and the security of Americans is able to enter our country. All refugees of all nationalities considered for admission into the United States undergo intensive security screening involving multiple Federal agencies, intelligence, security, and law enforcement agencies, including the National Counterterrorism Center, the FBI's Terrorist Screening Center, and the Departments of Homeland Security, State, and Defense.

Consequently, resettlement is a careful and deliberate process that can take 18 to 24 months. Applicants to the U.S. Refugee Admissions Program are currently subject to the highest level of security checks of any category of traveler to the United States. These safeguards include biometric and fingerprint, and biographic checks, and a lengthy in-person, overseas interview by specially-trained DHS officers who scrutinize the applicant's explanation of individual circumstances to ensure the applicant is a bona fide refugee and is not known to present security concerns to the United States.

Now, Leon will talk more about this, it's really in his department that the responsibility lies to determine who comes and who does not come. But we work so closely with them. I want to say that they are incredibly careful. And if they have any doubts, they will not allow anyone to enter the United States. No one has a right

to resettlement in the United States. It is something that we offer based on our history and our humanitarian values.

The vast majority of the 3 million refugees who have been admitted to the United States, including from some of the most troubled regions of the world, have proven to be hard-working and productive residents. They pay taxes, send their children to school, and after 5 years, many take the test to become citizens. Some serve in the U.S. military and undertake other forms of service for their communities and our country. And, in fact, our program is so well regarded, other countries come to us to learn more about it. And I'll be taking the British member of parliament, Richard Harrington, who is responsible now for trying to get more refugees through a process to the U.K., for a visit to one of our centers tomorrow.

So I'm happy to answer any questions you may have about this, about anything in my testimony. And my testimony talks about our humanitarian assistance overseas and our diplomatic efforts. But I know that right now, the American public wants to hear that our first priority is the safety of the American people. Thank you.

[The prepared statement of Ms. Richard follows:]

UNCLASSIFIED

**Testimony of Anne C. Richard,
Assistant Secretary for the Bureau of Population, Refugees, and Migration
to the House Judiciary Committee, Immigration and Border Security
Subcommittee Hearing on "The Syrian Refugee Crisis and Its Impact on the
Security of the U.S. Refugee Admissions Program"
November 19, 2015, 9:00 am**

Chairman Gowdy, Ranking Member Lofgren, and distinguished members of the Committee, thank you for the opportunity to appear before this Subcommittee to discuss the humanitarian aspects of the crisis in Syria.

I greatly appreciate the interest this Subcommittee has taken in this very challenging situation. I would like to briefly outline the steps taken by the Population, Refugees and Migration bureau and others at the State Department USAID, and in the Obama Administration to provide humanitarian assistance to innocent civilians and to assist the governments of other countries to deal with the crisis in Syria and the phenomenon of large-scale migration of refugees and others to Europe. I also want to explain how this relates to our Department's efforts to resettle refugees in this country.

As you know, in early September, the tragic photo of a little boy's body on a beach in Turkey awakened people to the plight of Syrian refugees in ways that years of grim statistics, bleak images, and mounting casualty figures could not.

What started as unrest in Syria in 2011 has developed into a multi-front war and spilled over to become a regional crisis. Recently, the crisis reached Europe as hundreds of thousands of young men, women and sometimes entire families sought to reach that continent by boat, bus, train and foot. They are joined by refugees and migrants from other countries, chiefly Afghanistan (16%), Eritrea (6%), and Iraq (3%). While the outflow of refugees to Europe has garnered a lot of attention, it is important for us to remember and acknowledge that the vast majority of Syrian families remain in the Middle East. Over four million are refugees in Turkey, Lebanon, Jordan, Iraq and Egypt. Roughly 7 million Syrians are displaced within their own country, and many more are dependent on aid to survive.

For more than four years, the Obama Administration has helped countries neighboring Syria and the innocent people caught up in the Syria crisis, even as we continue to play a leading role in providing humanitarian aid to people affected by conflicts in many other places.

We have a three pronged approach to the humanitarian aspects of the crisis in Syria and the region: strong levels of humanitarian assistance, active diplomacy, and expanded refugee resettlement.

UNCLASSIFIED

First, the U.S. Government is the leading donor of humanitarian assistance to people in need inside Syria, in the surrounding countries, and to others caught up in crises around the world. Through contributions to international organizations such as the UN High Commissioner for Refugees, the International Committee of the Red Cross, the International Organization for Migration, the World Food Program, UNICEF and leading non-governmental organizations, U.S. funds are being used to save millions of lives.

U.S. humanitarian assistance in response to the Syrian conflict totals more than \$4.5 billion since the start of the crisis and is made possible thanks to strong bipartisan support from Congress. Without U.S. support, more people would be making the dangerous voyage across the Mediterranean/to Europe. This assistance provides life-saving support-- including food, water, shelter, medical care and warm clothing-- to people in all 14 governorates of Syria, and to refugees and host communities in Turkey, Jordan, Lebanon, Iraq and Egypt. It reaches approximately 5 million Syrians each month. Where hospitals are barrel bombed, our assistance allows medical teams to provide life-saving care. More than 6 million patients have received treatment in more than 140 U.S.-supported hospitals and clinics across Syria. We have repaired water and sanitation facilities, providing access to clean water for 1.3 million people across Syria. Yet the needs are staggering.

Even with our sizable contributions (more than half of all those provided), however, UN appeals for humanitarian aid to address the crisis in Syria remain underfunded, with international donors stepping up to cover only 46% of the needs as of November 2015. These shortfalls have had real consequences; Syrian refugees in Jordan, Turkey, and Lebanon are losing hope of ever returning to their homes; they are unable to work regularly to sustain their families, rents are high and their children are missing out on school.

Roughly 85% of refugees now live outside of camps. We need to help refugees become self-sufficient while we also support the communities that host them. We are looking at ways to better link our relief and development assistance. Importantly, we are working to get more refugee children in school throughout the region. Education for children who have been displaced is essential for their own futures and for ours. We support the "No Lost Generation" campaign to educate and protect Syrian children and youth with funding to UN agencies like UNICEF and leading non-governmental organizations.

We stay in close touch with UN agencies to encourage the most efficient use of our aid dollars. Contributions from other donor governments, the private sector and the public are also urgently needed. In recent weeks, we have been gratified to see increased contributions from the public. We encourage members of the public seeking information about private efforts to visit www.aidrefugees.gov.

UNCLASSIFIED

The second prong of our response is diplomacy on humanitarian issues. For several years we have engaged government officials in the region to encourage them to keep borders open and allow refugees to enter their countries, authorize the work of leading humanitarian organizations, and allow refugees to pursue normal lives – as normal as is possible given what they have been through. We are part of a chorus of nations that call for the respect of humanitarian principles, even inside Syria in wartime.

Diplomacy on humanitarian issues means working constructively with other nations to find solutions. I meet routinely with senior officials from other countries, from Lebanon, Jordan and Turkey to Sweden and Germany, and my bureau helps inform other Department leaders about humanitarian issues and concerns that they then raise in their meetings. The issue of the refugee and migration crisis was taken up again and again in recent international fora such as the UN General Assembly in New York in September, the UN High Commissioner for Refugees' Executive Committee meeting in Geneva in early October, and the Global Forum on Migration and Development in Istanbul in mid-October. Most recently, on November 13, I co-chaired with France a humanitarian working group in Vienna the day before the new International Syria Support Group met, and a summary of our conclusions were reflected in that group's statement. All of these meetings have provided opportunities for countries to come together in a common effort.

Diplomacy also includes pushing, when needed, those who can and should be doing more. We are encouraging countries that provide assistance outside the UN system to contribute to the UN appeals for Syria. Contributions to UN appeals can help prevent duplication and ensure that assistance is provided to those who need it the most. We are also encouraging countries to permit refugees to pursue livelihoods and become more self-sufficient, and to do this in ways that do not exacerbate existing unemployment issues in their countries.

The third prong of our response is resettling refugees in the United States

In FY 2015, nearly 70,000 refugees of 67 different nationalities were admitted for permanent resettlement in the United States, including 1700 Syrians. In FY 2016, the President has determined that we should increase that overall number to 85,000, including at least 10,000 Syrians. We recognize that admitting more Syrian refugees to the United States is only part of the solution, but it is in keeping with our American tradition. It shows the world that we seek to provide refuge for those most in need, it sets an example for others to follow, and it adds to the diversity and strength of American society.

Resettlement is offered to refugees who are among the most vulnerable – people for whom a return to Syria someday would be extremely difficult, if not impossible, such as victims of torture, burn victims, or others with chronic medical conditions. Families or individuals who

UNCLASSIFIED

could benefit the most from resettlement are referred to the US Refugee Admissions Program (USRAP) by the UNHCR.

I know the murderous attacks in Paris last Friday evening have raised many questions about the spillover of not just migrants to Europe, but also the spread of violence from war zones in the Middle East to the streets of a major European capital.

Let me assure you that the entire Executive Branch, and the State Department that I represent, has the safety and security of Americans as our highest priority. As an essential, fundamental part of the US Refugee Admission Program, we screen applicants rigorously and carefully in an effort to ensure that no one who poses a threat to the safety and security of Americans is able to enter our country. All refugees of all nationalities considered for admission to the United States undergo intensive security screening involving multiple federal intelligence, security and law enforcement agencies, including the National Counterterrorism Center, the FBI's Terrorist Screening Center, and the Departments of Homeland Security, State and Defense. Consequently, resettlement is a deliberate process that can take 18-to-24 months.

Applicants to the U.S. Refugee Admissions Program are currently subject to the highest level of security checks of any category of traveler to the United States. These safeguards include biometric (fingerprint) and biographic checks, and a lengthy in-person overseas interview by specially trained DHS officers who scrutinize the applicant's explanation of individual circumstances to ensure the applicant is a bona fide refugee and is not known to present security concerns to the United States.

The vast majority of the three million refugees who have been admitted to the United States, including from some of the most troubled regions in the world, have proven to be hard-working and productive residents. They pay taxes, send their children to school, and after five years, many take the test to become citizens. Some serve in the U.S. military and undertake other forms of service for their communities and our country.

I am happy to answer any questions you may have about this three-pronged approach and to provide details about our programs.

Thank you.

Mr. GOWDY. Thank you, Ms. Richard. Mr. Rodriguez.

TESTIMONY OF THE HONORABLE LEON RODRIGUEZ, DIRECTOR, U.S. CITIZENSHIP AND IMMIGRATION SERVICES, DEPARTMENT OF HOMELAND SECURITY

Mr. RODRIGUEZ. Thank you, Chairman Gowdy. And good morning, Congressmen King and Smith. I think we can stipulate to two things: That the United States has a proud and long tradition of admitting refugees from some of the worst crises and most dangerous places in the world. And, secondly, that the situation in and around Syria is an untenable one, with 11 million people displaced.

The question is, if we are to continue that tradition of being a welcoming country, can I, as the Director of the agency that vets refugees, assure the American people that we are using all the resources that we have and that those resources are meaningful resources to vet refugees.

And what I'm here to tell you this morning is the process, as Assistant Secretary Richard described, is a multi-layered, robust, and intensive process through which individuals must pass before they can travel to the United States. Given the limitations of time, I will signpost three critical phases of that process. There is the United Nations High Commission on refugee phase. There is the Department of State phase. There is then the phase conducted by my refugee officers. And hopefully I will have a little bit of time during questioning to dig into some of those elements further.

During the UNHCR process, individuals for the first time are interviewed as to the substance of their claim for refugee status. Extensive biographical information is captured, as well as preliminary analysis as to whether there are potential bars or other disqualifiers that apply to those individuals. The fruits of those interviews are then passed to the State Department and, ultimately, to USCIS.

At the State Department stage, a second layer of interview is conducted. At that point, a series of critical biographic checks are initiated. There are three critical legs to that check. The first is the Consular Lookout Advisory Support System which queries against a number of critical law enforcement and intelligence holdings of the security advisory opinions, which are hosted by the FBI, but most important of all, what is called the interagency check. That is checked against a number of both law enforcement and intelligence holdings.

And important for me to let you know this morning, that through that suite of checks, we have, in fact, either denied refugee status to individuals or, at a minimum, placed them on hold based on derogatory information that came up through that check. That check is populated by the extensive work that is being done by the U.S. intelligence services which is, indeed, one of the most robust, well-developed intelligence services in the democratic world.

At that point, they come to my refugee officers who have extensive training both generally in protection law, refugee law, and interviewing, but then also very specific and targeted training as to conditions in Syria, including the lessons learned during the refugee process. As we interview each refugee or each family of refugees, we gain more and more information and more and more clar-

ity as to what is going on in Syria. That is coupled with another round of fingerprinting, a set of biometric checks, checks against Department of Defense databases, Customs and Border Patrol databases, FBI databases, which further check the status of these individuals.

Also, when I talk about the interagency check, I would note the fact that that is now a recurrent process. So these individuals are checked on an ongoing basis, so that if new derogatory information arises about these individuals during the process, that comes to our attention during the process.

I hope I have further opportunity during the questioning to elucidate each step of this process because I think it is critical for the American people to get the reassurance they need to continue to be the kind of welcoming country that we are. But I also ask us to consider the price of inaction, the fact that being welcoming to refugees contributes to the stability of the region, it puts us side by side with our allies in Europe who, in fact, are taking on this problem to the same extent or greater than we are, and honors our tradition as American people.

Thank you, Chairman. Thank you, Congressmen.

[The prepared statement of Mr. Rodriguez follows:]



**U.S. Citizenship
and Immigration
Services**

WRITTEN TESTIMONY

OF

**LEON RODRIGUEZ
DIRECTOR
U.S. CITIZENSHIP AND IMMIGRATION SERVICES
DEPARTMENT OF HOMELAND SECURITY**

FOR A HEARING ON

**"THE SYRIAN REFUGEE CRISIS AND ITS IMPACT ON THE SECURITY OF THE
U.S. REFUGEE ADMISSIONS PROGRAM"**

**BEFORE
THE HOUSE COMMITTEE ON THE JUDICIARY,
SUBCOMMITTEE ON IMMIGRATION AND BORDER SECURITY**

**NOVEMBER 19, 2015
9:00 A.M.
2141 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC**

Chairman Gowdy, Ranking Member Lofgren, and distinguished members of the Subcommittee, thank you for the opportunity to testify at today's hearing on the refugee admissions program, with particular emphasis on Fiscal Year 2016. As the Director of U.S. Citizenship and Immigration Services (USCIS), my team works in close partnership with colleagues at the Department of State's Bureau of Population, Refugees, and Migration (PRM), with other components within the Department of Homeland Security (DHS), and with colleagues in the law enforcement and intelligence communities to meet the U.S. Refugee Admissions Program's (USRAP) mission to offer resettlement opportunities to eligible refugees while safeguarding the integrity of the program and our national security.

As you know, the United States has a proud and long-standing tradition of offering protection, freedom, and opportunity to refugees from around the world who live in fear of persecution and are often left to languish in difficult conditions of temporary asylum. USCIS remains dedicated to fulfilling this mission, in partnership with PRM, and continuing the United States' leadership role in humanitarian protection. An integral part of this mission is to ensure that refugee resettlement opportunities go to those who are eligible for such protection and who do not present a risk to the safety and security of our country. Accordingly, we are committed to deterring and detecting fraud among those seeking to resettle in the United States, and we continue to employ the highest security measures to protect against risks to our national security.

As the Director of USCIS, I can assure you that this commitment to our humanitarian and national security mandates is shared inside and outside of DHS. The refugee resettlement program has forged strong and deep relationships with colleagues in the law enforcement, national security, and intelligence communities and we continue to benefit enormously from their expertise, analysis, and collaboration. It simply would not be possible for us to support a

resettlement program of the size and scope that the United States maintains without this critical interagency infrastructure.

My testimony today will describe USCIS's role in refugee resettlement generally, and I will discuss the screening measures and safeguards that have been developed by the USRAP and enhanced over time. While many of these enhancements were first deployed in connection with the Iraqi refugee resettlement program, they are now being applied more broadly to applicants of all nationalities, including Syrians who now represent a growing portion of our caseload.

Refugee Resettlement Case Processing

As I mentioned above, the USRAP is a shared operational responsibility of the State Department and USCIS, among other agencies. The State Department is responsible for the overarching coordination and management of the USRAP, including the decision on which refugees around the world are granted access to the USRAP for resettlement consideration. As contemplated by section 207 of the Immigration and Nationality Act, this work is guided each year by a Presidential determination, which sets the refugee admissions ceiling following consultations with Congress. 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 maximize flexibility and program integrity, in 2005 USCIS created the Refugee Corps, a cadre of specially-trained USCIS officers who are dedicated to adjudicating applications for refugee status overseas. These officers are based in Washington, D.C., but they travel to multiple locations around the world. In addition, USCIS has a small number of officers posted at embassies overseas who conduct refugee adjudications, and we assign specially-trained officers from other programs – such as the Asylum Corps, Office of the Chief Counsel, and

Administrative Appeals Office – to supplement the Refugee Corps. Using this model, USCIS has been able to respond to an increasingly diverse refugee admissions program, working in 64 countries in Fiscal Year (FY) 2015.

Recognizing that a well-trained cadre of officers is critical to protecting the integrity of the refugee process, we have focused our efforts on providing the highest quality training to our adjudicators. In addition to the basic training required of all USCIS officers, refugee officers receive five weeks of specialized training that includes comprehensive instruction on all aspects of the job, including refugee law, grounds of inadmissibility, fraud detection and prevention, security protocols, interviewing techniques, credibility analysis, and country conditions research. Before deploying overseas, officers also receive pre-departure training which focuses on the specific population that they will be interviewing. This includes information on the types of refugee claims that they are likely to encounter, detailed country of origin information, and updates on any fraud trends or security issues that have been identified. With the advent of large-scale processing of Iraqi applicants in 2007, USCIS officers who adjudicate Iraqi refugee applications began receiving additional two-day training on country-specific issues, including briefings from outside experts from the intelligence, policy, and academic communities. This training has since expanded to a one-week training in order to include Syria-specific topics as well.

In order to fully explore refugee claims and to identify any possible grounds of ineligibility, specially-trained USCIS officers conduct an in-person, in-depth interview of every principal refugee applicant. The officer assesses the credibility of the applicant and evaluates whether the applicant's testimony is consistent with known country conditions. These adjudicators also interview each accompanying family member age 14 and older to determine their admissibility to the United States. In addition, refugee applicants are subject to robust

security screening protocols to identify potential fraud, criminal or national security issues. All refugee status determinations made by interviewing officers undergo supervisory review before a final decision is made. Refugee Affairs Division policy requires officers to submit certain categories of sensitive cases – including certain national security-related cases – to Refugee Affairs Division Headquarters to obtain concurrence prior to the issuance of a decision. This allows for Headquarters staff to conduct additional research, liaise with law enforcement or intelligence agencies, or consult with an outside expert before finalizing the decision.

Security Checks

Security checks are an integral part of the USRAP process for applicants of all nationalities, and coordinating these checks is a shared responsibility between the State Department and DHS. Refugee applicants are subject to the highest level of security checks, and a refugee applicant is not approved for travel until the results of all required security checks have been obtained and cleared.

All available biographic and biometric information is vetted against a broad array of law enforcement, intelligence community, and other relevant databases to help confirm a refugee applicant's identity, check for any criminal or other derogatory information, and identify information that could inform lines of questioning during the interview. Biographic checks against the State Department's Consular Lookout and Support System (CLASS) – which includes watchlist information – are initiated at the time of prescreening by the State Department's Resettlement Support Center (RSC) staff. In addition, the RSC request Security Advisory Opinions (SAOs) from the law enforcement and intelligence communities for those cases meeting certain criteria.

In the fall of 2008, USCIS launched a third biographic check with the National Counterterrorism Center (NCTC), which we now refer to as Interagency Checks or “IAC’s.” Initially the IAC was required only for Iraqi applicants, but the IAC is now required for all refugee applicants within a designated age range, regardless of nationality. In addition, expanded intelligence community support was added to the IAC process in July 2010. In 2015, all partners coordinated to launch IAC recurrent vetting. With recurrent vetting, any intervening derogatory information that is identified after the initial check has cleared but before the applicant has traveled to the United States will be shared with USCIS without the need for a subsequent query.

In addition to these biographic checks, biometric checks against three sets of data are coordinated by USCIS, using mobile fingerprint equipment and photographs which are typically collected at the time of the USCIS interview. These fingerprints are screened against the vast biometric holdings of the Federal Bureau of Investigation’s Next Generation Identification system, and they are screened and enrolled in DHS’s Automated Biometric Identification System (IDENT). Through IDENT, applicant fingerprints are screened not only against watchlist information, but also for previous immigration encounters in the United States and overseas – including, for example, cases in which the applicant previously applied for a visa at a U.S. embassy. Starting in 2007, USCIS began to work with the Department of Defense (DoD) to augment biometric screening by checking against the DoD Automated Biometric Identification System (ABIS). ABIS contains a variety of records, including fingerprint records captured in theatre in Iraq, and it is a valuable resource to identify a wide array of relevant information. Today, ABIS screening has been expanded to refugee applicants of all nationalities who fall within the prescribed age ranges.

In addition to the existing suite of biometric and biographic checks that are applied to refugees regardless of nationality, USCIS has instituted an additional layer of review for Syrian refugee applications, taking into account the myriad actors and dynamic nature of the conflict in Syria. Before being scheduled for interview by a USCIS officer in the field, Syrian cases are reviewed at USCIS headquarters by a Refugee Affairs Division officer. All cases that meet certain criteria are referred to the USCIS' Fraud Detection and National Security Directorate (FDNS) for additional review and research. FDNS conducts open-source and classified research on referred cases and synthesizes an assessment for use by the interviewing officer. This information provides case-specific context relating to country conditions and regional activity, and it is used by the interviewing officer to inform lines of inquiry related to the applicant's eligibility and credibility.

Throughout the review process of Syrian refugee applicants, FDNS engages with law enforcement and intelligence community members for assistance with identity verification, acquisition of additional information, or deconfliction to ensure USCIS activities will not adversely affect an ongoing law enforcement investigation. When FDNS identifies terrorism-related information, it makes the appropriate nominations or enhancements to the Terrorist Identities Datamart Environment (TIDE), using standard interagency watchlisting protocols. Additionally, USCIS drafts and disseminates reports to U.S. law enforcement and intelligence agencies alerting the interagency to information that meets standing intelligence information requirements.

USCIS continues to work with DHS's Office of Intelligence and Analysis (I&A) and other intelligence community elements to identify options for new potential screening opportunities to enhance this already robust suite of checks. Finally, in addition to the checks that I have described, refugee applicants are subject to screening conducted by DHS colleagues

at U.S. Customs and Border Protection's National Targeting Center-Passenger and the Transportation Security Administration's Secure Flight program prior to their admission to the United States, as is the case with all individuals traveling to the United States regardless of immigration program.

The Refugee Admissions Pipeline

Given the wide geographic scope of the USRAP, including remote and sometimes dangerous locations, and the complexities of refugee resettlement processing, USCIS coordinates closely with PRM to develop a schedule for refugee interviews each quarter of the Fiscal Year. This yields a "pipeline" of refugee applicants who can be admitted to the United States, once all required security checks, medical examinations, and other pre-travel steps are completed.

In FY 2015, USCIS officers conducted refugee status interviews for applicants from 67 countries. The leading nationalities admitted to the United States were Burmese, Iraqis, and Somalis, as the multi-year program for Bhutanese nationals in Nepal continued its downward trend. Admissions from Africa continued their multiyear increase, notably including larger numbers of Congolese from the Great Lakes region of Africa.

Refugee processing operations in the Middle East, which have been primarily focused on Iraqi nationals since 2007, expanded to include a larger number of Syrian referrals from the United Nations High Commissioner for Refugees (UNHCR). As of late September 2015, the USRAP has received approximately 19,000 referrals of Syrian applicants from UNHCR, primarily in Turkey, Jordan, and Egypt. The USRAP continues to interview large numbers of Iraqi applicants in these same three locations, and has also resumed processing Iraqi nationals in Baghdad in spring 2015, after a break in operations since June 2014. USCIS was not able to

work in Lebanon in FY 2015 – but for one exceptional, one-officer visit – due to space constraints at the embassy, where officers both live and work due to the security conditions.

In Fiscal Years 2013, 2014, and 2015, USCIS and the State Department have succeeded in meeting the annual refugee admissions ceiling of 70,000. This accomplishment reflects a worldwide commitment to refugee protection, as well as intense and committed efforts by all the interagency partners to improve, refine, and enhance the security vetting regime for refugee applicants, while maintaining its integrity and rigor. We will continue these interagency efforts to improve the quality and efficacy of the USRAP security screening regime, including progress toward more automated processes.

USCIS is prepared to work closely with the State Department and other interagency partners to support a larger refugee admissions program of 85,000 arrivals in FY 2016, including at least 10,000 Syrian refugees, while assiduously maintaining the integrity of the program and our national security.

I would be happy to answer your questions.

Mr. GOWDY. Thank you, Mr. Rodriguez. Mr. Jones.

TESTIMONY OF SETH G. JONES, DIRECTOR, INTERNATIONAL SECURITY AND DEFENSE POLICY CENTER, RAND CORPORATION

Mr. JONES. Thank you, Chairman, and distinguished Members of the Subcommittee. This is an important subject. And the tragic attacks in Paris over the weekend and the links with Syria make this hearing particularly important.

I've divided my comments into two sections. The first will provide an overview of the foreign fighter problem from Syria and the region. The second, implications for refugees in the homeland.

My background and the focus of my remarks is primarily on terrorist groups and foreign fighters. That's my expertise, serving and working for U.S. Special Operations and for the FBI's 9/11 Commission last year, where we did look at some of this stuff for Director Comey.

The first, let me just talk about the extremist threat from Syria just to, obviously, put this into perspective. U.S.-led airstrikes and strikes recently from France and other coalition partners have probably halted advance of Daesh or the Islamic State in Syria. And across the border in Iraq, the U.S. efforts, including Special Operation forces on the ground, have helped halt the advance in places like Sinjar and supported Iraqi Army operations. But the group remains strong. Daesh remains strong and is currently not on the ropes.

In addition, in Syria, the al-Qaeda affiliated Jabhat al-Nusra is probably more capable now, that is, fighters, funds, territory, than at any time since its creation in 2011. It's an affiliate, which means it's pledged allegiance to Ayman al-Zawahiri and al-Qaeda Core back in Pakistan.

Obviously of concern for the U.S. is the sheer number of foreign fighters we have seen traveling to, and to some degree, from Syria and Iraq. The battlefield is the largest concentration of foreign extremists we have seen in any major war, certainly ones that I have participated in, and looked at the numbers in Pakistan, in Afghanistan, in Somalia, in Libya. National Counterterrorism numbers put this at over 20,000 foreign fighters who traveled to Syria to fight, about 17 percent of them have come from the West, with, depending on how you count it, somewhere in the neighborhood of 200 Americans that have traveled, or attempted to travel, to Syria mostly to fight against the Assad regime.

Obviously, we've seen plots tied to operationally or inspired by Daesh, the Islamic State in Paris recently, in Garland, Texas, in Copenhagen, Denmark, in Australia, in Ottawa, Canada, in Brussels, and then in other locations. So the threat clearly emanating from this region is clear. I note the recent MI5 director's comments, the head of British domestic intelligence agency, saying that they have 750 British extremists that have traveled to Syria. Many have joined Daesh. And they have been involved in at least 6 mass casualty plots in the U.K. which have been foiled. So the threat is notable coming to our European allies and to some degree to the U.S. homeland.

So that brings me back to the U.S. and the refugee issue. And let me start by saying that refugees clearly have played an important historical role in the United States, in ensuring U.S. economic prosperity and cultural diversity. The plots we looked at last year on the FBI's 9/11 commission, from Najibullah Zazi to Faisal Shahzad, the Time Square bomber, to David Headley, based out of Chicago, who was involved in the Mumbai attacks and plots in Copenhagen, almost none of these major attacks or individuals were refugees.

So, the threat historically has been relatively small. But I would just highlight a couple of things that make the Syria picture and Iraq also to some degree worth noting. One is, as I said earlier, we see the highest number of foreign fighters on any modern jihadist battlefield in the Syria/Iraq border. And that border is obviously very porous. And there obviously have been an exodus of fighters into the West.

Second, several European intelligence agencies have expressed concern about refugees, particularly into Europe, that have been in contact with Daesh or the Islamic State, including most recently in Belgium. So there have been some concerns in some cases after they've gotten into Europe.

And then, third, I would say, and this is based partly on my own experience, what we had in Iraq and Afghanistan was a pretty good intelligence architecture to collect information on individuals including those that came through prisons. We certainly don't have this in the Syrian context. I'm happy to talk in more detail about this.

Let me just conclude by saying that the U.S. has a longstanding tradition of offering protection and freedom to refugees. But obviously an integral part of that needs to be ensuring that those individuals considered provide—that the U.S. is able to provide security to the homeland. And the Syria battlefield is of some concern just because of the U.S. collection gap that exists compared to other battlefields we've been involved in. So thank you very much.

[The prepared statement of Mr. Jones follows:]

The Syrian Refugee Crisis and U.S. National Security

Seth G. Jones

RAND Office of External Affairs

CT-444

November 2015

Testimony presented before the House Judiciary Committee, Subcommittee on Immigration and Border Security on November 19, 2015

This product is part of the RAND Corporation testimony series. RAND testimonies record testimony presented by RAND associates to federal, state, or local legislative committees; government-appointed commissions and panels, and private review and oversight bodies. The RAND Corporation is a nonprofit research organization providing objective analysis and effective solutions that address the challenges facing the public and private sectors around the world. RAND's publications do not necessarily reflect the opinions of its research clients and sponsors. RAND® is a registered trademark.



Seth G. Jones¹
The RAND Corporation

*The Syrian Refugee Crisis and U.S. National Security*²

Before the Committee on Judiciary
Subcommittee on Immigration and Border Security
United States House of Representatives

November 19, 2015

Chairman Gowdy, Ranking Member Lofgren, and distinguished members of the Subcommittee on Immigration and Border Security, thank you for inviting me to testify at this important hearing, “The Syrian Refugee Crisis and Its Impact on the Security of the U.S. Refugee Admissions Program.” The tragic terrorist attacks in Paris and the links with Syria make the subject of this hearing particularly important. I have divided my comments into three sections. The first provides an overview of the foreign fighter problem from Syria, the second focuses on the terrorism threat to the United States, and the third examines the implications for Syrian refugees and the U.S. homeland.

I. The Extremist Threat from Syria

In Syria, the United States is providing limited support to some Syrian rebels against Da’ish—also known as the Islamic State of Iraq and the Levant (ISIL), Islamic State of Iraq and al-Sham (ISIS), or simply Islamic State (IS).³ However, U.S.-led airstrikes and other assistance have halted the Da’ish advance, helped Kurdish forces win back some territory, and supported Iraqi army operations against Da’ish. But the group remains strong and is certainly not yet on the ropes. Over the next several months, Da’ish is likely to remain highly capable because of its access to resources and its ability to replace killed and captured leaders. In addition, the al Qa’ida-affiliated Jabhat al-Nusrah and its numerous partners also retain substantial control of territory in northwestern Syrian areas such as Idlib. In fact, Jabhat al-Nusrah may be more capable now—with more fighters, funds, and territory—than at any time since its creation in 2011.

¹ The opinions and conclusions expressed in this testimony are the author’s alone and should not be interpreted as representing those of RAND or any of the sponsors of its research. This product is part of the RAND Corporation testimony series. RAND testimonies record testimony presented by RAND associates to federal, state, or local legislative committees; government-appointed commissions and panels; and private review and oversight bodies. The RAND Corporation is a nonprofit research organization providing objective analysis and effective solutions that address the challenges facing the public and private sectors around the world. RAND’s publications do not necessarily reflect the opinions of its research clients and sponsors.

² This testimony is available for free download at <http://www.rand.org/pubs/testimonies/CT444.html>.

³ Da’ish is an acronym from the Arabic name of the group, al-Dawlah al-Islamiyah fil ‘Iraq wal-Sham.

In neighboring Iraq, the United States is engaged in a counterinsurgency campaign against Da'ish and its allies. After nearly ten months of bombing and U.S. military, intelligence, and diplomatic support to the Iraqi government and local actors, Da'ish has lost ground in some areas—including most recently around Sinjar. But Da'ish still retains substantial territory in the predominantly Sunni provinces of Anbar, Salaheddine, and Nineveh. In addition, Da'ish remains well-funded, allowing it to continue operations. Its funding comes from such activities as smuggling oil, selling stolen goods, kidnapping and extortion, seizing bank accounts, and smuggling antiquities.⁴

Of particular concern for the United States is the growing number of extremists—both Sunni and Shi'a—that have traveled to and from Syria (and Iraq) to fight. The Syrian-Iraqi battlefield likely has the largest concentration of foreign extremists of any jihadist battlefield in the modern era. Estimates of the scale of this problem vary, but there have been over 20,000 foreign fighters who have traveled to Syria to fight. Approximately 3,400 fighters, or 17 percent, appear to be coming from the West. Roughly 200 Americans have traveled—or attempted to travel—to Syria to join the fight against the Assad regime.⁵ It is difficult to predict whether most of the foreign fighters will remain in Syria, Iraq, and other countries over the long run to fight or die on the battlefield; move to future war zones; or return to the United States and other Western countries as we have seen in France. Even if some return, it is uncertain whether they will become involved in terrorist plots, focus on recruiting and fundraising, or become disillusioned with terrorism. Still, foreign fighters have historically been agents of instability. Volunteering for war is often the principal stepping stone for individual involvement in more extreme forms of militancy—including in the United States.

Indeed, there have been a growing number of attacks and plots across the West that had operational ties to, or were inspired by, Da'ish in Syria and Iraq. These include attacks in Paris, France, in November 2015; Garland, Texas, in May 2015; Copenhagen, Denmark, in February 2015; Paris, France, in January 2015; Sydney, Australia, in December 2014; Ottawa, Canada, in October 2014; and Brussels, Belgium, in May 2014. Da'ish has been linked directly or indirectly to plots in such countries as France, Australia, Belgium, Libya, Tunisia, and the United States.⁶

⁴ See, for example, Patrick B. Johnston, *Countering ISIL's Financing: Testimony Presented Before the House Financial Services Committee on November 13, 2014*, Santa Monica, Calif.: RAND Corporation, CT-419, 2014. On antiquities, see Financial Action Task Force, *Financing of the Terrorist Organization Islamic State in Iraq and the Levant (ISIL)*, Paris: Financial Action Task Force, February 2015.

⁵ See Nicholas J. Rasmussen, *Current Terrorist Threat to the United States: Hearing before the Senate Select Committee on Intelligence*, February 12, 2015. NCTC has updated these numbers since February 2015.

⁶ These attacks have generally not involved returned foreign fighters, but rather individuals inspired directly or indirectly by Da'ish.

There is also significant concern among America's European allies about the threat from Syria and Iraq, most recently highlighted by the Paris attacks. For instance, more than 750 British extremists have traveled to Syria.⁷ Many have joined Da'ish, which was involved in at least six mass casualty plots in the UK over the past year.⁸ "We know that terrorists based in Syria harbor the same ambitions towards the UK—trying to direct attacks against our country, and exhorting extremists here to act independently," said MI5 director-general Andrew Parker in a speech earlier this year.⁹ Similar to the United States, the British face a complex threat, with more extremists than MI5 and the Metropolitan Police Service's Counter Terrorism Command, or SO15, can cover at any one time. Despite these challenges, MI5 and the police remain aggressive. In England and Wales, there has been a 35-percent increase in terrorist-related arrests since 2011. And more than 140 individuals have been convicted for terrorism-related offenses since 2010.¹⁰

The British are not alone. Counterterrorism agencies across Europe and North America are under tremendous pressure to prevent terrorist attacks. French authorities report that nearly 1,400 French citizens have gone to Syria—or tried to go.¹¹ In response to the November 2015 Paris attacks, French fighter jets bombed a series of Da'ish targets in Raqqa, Syria, including a command center, a recruitment center, an ammunition storage base and a training camp. The Paris attacks were planned in Syria, organized in Belgium, and perpetrated on French soil with French complicity.

II. The Terrorist Threat to the U.S. Homeland

The United States faces a three-dimensional threat: at home, overseas, and on-line. In understanding the threat from Syria and Iraq, it is important to understand the broader context. Not all terrorist groups present a direct threat to the U.S. homeland. As Table 1 highlights, terrorist groups can be divided into three categories: those that pose a high threat because they are involved in plotting or instigating attacks against the U.S. homeland; those that pose a medium threat because they are involved in plotting attacks against U.S. structures, such as

⁷ The data are from the UK's Security Service, or MI5. See Andrew Parker, Director General of the Security Service (MI5), "Lord Major's Defense and Security Lecture: a Modern MI5," October 28, 2015.

⁸ "ISIS Planning 'Mass Casualty' Terror Attacks in UK, Head of MI5 Warns," Independent (UK), October 30, 2015.

⁹ Andrew Parker, Director General of the Security Service (MI5), "Terrorism, Technology and Accountability," Address to the Royal United Services Institute (RUSI) at Thames House, January 8, 2015.

¹⁰ Parker, "Terrorism, Technology and Accountability."

¹¹ Brian Michael Jenkins and Jean-Francois Clair, "Predicting the 'Dangerousness' of Potential Terrorists," *The Hill*, March 26, 2015; Jenkins and Clair, "Different Countries, Different Ways of Countering Terrorism," *The Hill*, February 27, 2015.

embassies and U.S. citizens overseas (though not against the U.S. homeland); and those that pose a low threat because they are focused on targeting local regimes or other countries.¹² Two terrorist groups operating in Syria—Da'ish and the core al-Qa'ida-linked Khorasan Group that operate with Jabhat al-Nusra—present high threats (Table 1).

Table 1: Examples of Terrorists That Threaten the United States

	High Threat	Medium Threat	Low Threat
Characteristics	Plotting or instigating attacks against the U.S. homeland and U.S. targets overseas (e.g., U.S. embassies and citizens)	Plotting attacks against U.S. targets overseas (e.g., U.S. embassies and U.S. citizens)	Limited or no active plotting against U.S. homeland or U.S. targets overseas
Examples	<ul style="list-style-type: none"> • Al Qa'ida in the Arabian Peninsula • Core al Qa'ida (including the Khorasan Group) • Da'ish • Some inspired individuals and networks 	<ul style="list-style-type: none"> • Al Shabaab • Ansar al-Sharia Libya groups • Al Qa'ida in the Islamic Maghreb • Boko Haram • Haqqani Network 	<ul style="list-style-type: none"> • East Turkestan Islamic Movement • Suqor al-Sham

First, some groups pose a high threat because they possess the intentions and capabilities (resources, overseas personnel, and expertise) to plot or instigate attacks against the U.S. homeland and U.S. targets overseas. Since its expansion in Iraq and Syria, Da'ish has become a growing threat to the United States. The most likely Da'ish threat today comes from small cells of operatives or inspired individuals that target civilian targets in the U.S. homeland. Core al Qa'ida, based in Pakistan, also presents a threat to the U.S. homeland. But their leaders have had difficulty recruiting—or even inspiring—competent operatives in the West. That's why Ayman al-Zawahiri sent a small group of operatives, referred to as the Khorasan Group, to Syria to plot attacks in Europe and the United States. Another is al Qa'ida in the Arabian Peninsula, which provided training to two of the operatives involved in the *Charlie Hebdo* attacks, Said and Cherif Kouachi. Several Yemen-based operatives continue to plot attacks against the United States. In addition, a small number of inspired individuals, such as the Tsarnaev brothers, who perpetrated the April 2013 Boston Marathon bombings, pose a threat.

Terrorists have had difficulty striking the U.S. homeland because of robust counterterrorism steps by the Department of Homeland Security, Federal Bureau of Investigation, U.S. Intelligence Community, and other federal and local agencies. Still, groups that pose a high threat require

¹² Seth G. Jones, *A Persistent Threat: The Evolution of Al Qa'ida and Other Salafi Jihadists*, Santa Monica, Calif.: RAND Corporation, RR-637-OSD, 2014.

close intelligence scrutiny, including the travel patterns of their operatives, finances, communications, networks, and other activities.

Second, several extremist groups pose a medium-level threat. They may possess the intentions and capabilities to plot attacks against U.S. targets or U.S. citizens overseas. But they lack the intention, capabilities (resources, overseas personnel, and expertise), or both to plot or instigate attacks against the U.S. homeland. Ansar al-Sharia Tunisia, for instance, has planned attacks against U.S. diplomats and infrastructure in Tunis, including the U.S. Embassy. Several groups with a presence in Libya—such as the various Ansar al-Sharia Libya branches and al Qa'ida in the Islamic Maghreb—also pose a threat to U.S. embassies and citizens in North Africa; so does al Shabaab in Somalia. Its objectives are largely parochial: to establish an extreme Islamist emirate in Somalia and the broader region. Al Shabaab possesses a competent external operations capability to strike targets in East Africa. The September 2013 Westgate Mall attack in Nairobi, Kenya, was well-planned and well-executed, and involved sophisticated intelligence collection, surveillance, and reconnaissance of the target. Groups that pose a medium threat require close scrutiny in the regions where they operate, as well as their links with high threat groups.

Third, some extremist groups present a low-level threat to the United States. These groups do not possess the capability or intent to target the United States at home or overseas. They include such organizations as the East Turkestan Islamic Movement and Uighur separatists, which are primarily interested in Chinese targets.

III. Implications for Refugees and the U.S. Homeland

Based on the threat to the United States from groups operating in Syria and the region, it is important to examine potential risks from increased refugee flows from the region. Refugees have historically played—and will continue to play—a critical role in ensuring U.S. economic prosperity and cultural diversity. In addition, the threat to the U.S. homeland from refugees has been relatively low. Almost none of the major terrorist plots since 9/11 have involved refugees. Even in those cases where refugees were arrested on terrorism-related or even criminal charges, years and even decades often transpired between their entry into the United States and their involvement in terrorism. In most instances, a would-be terrorist's refugee status had little or nothing to do with their radicalization and shift to terrorism. Up to now, most terrorist groups have not used the refugee or asylum system to come to the United States and plot attacks.

But risks associated with refugees from Syria may be higher today for several reasons. Syria and neighboring Iraq have the highest numbers of foreign fighters on any modern jihadist battlefield, and there has already been an exodus of some fighters to the West. Da'ish has also been active in some Syrian refugee camps in the Middle East. There is some evidence that at least one of the Paris terrorists who killed more than 120 people may have come in the current wave of Syrian war refugees. More than 4 million refugees have come to Europe since Syrian government forces and rebels started fighting. Finally, the U.S. intelligence community's understanding of extremists in Syria is not as good as in many other jihadist battlefields, such as Iraq and Afghanistan, because of more limited intelligence collection capabilities.

Individual terrorists and terrorist groups have multiple options to attack the U.S. homeland. First, they can inspire and encourage locals to conduct attacks through magazines like *Dabiq* (published by Da'ish) and *Inspire* (published by al Qa'ida in the Arabian Peninsula). Second, they can infiltrate members into the United States from overseas to conduct attacks or recruit operatives from U.S. communities. Third, they can target aircraft or vessels coming into the United States. In 2010, for example, al Qa'ida in the Arabian Peninsula attempted to target cargo planes using non-metallic explosive devices hidden in printer cartridges. Russian Metrojet Flight 9268 was not a U.S. bound flight, but—assuming forensic analysis attributes it to Da'ish's affiliate in Sinai—it demonstrates Da'ish's desire to strike transportation targets.

Refugees have occasionally been involved in the first two types of terrorist activity in the United States. Perhaps the best-known case involved Waad Ramadan and Alwan Mohanad Shareef Hammadi, who were arrested on federal terrorism charges in 2009 in Bowling Green, Kentucky. They had been granted refugee status, though U.S. government agencies were unaware of their insurgent activities. Upon investigation, their fingerprints were found in a vast store of unprocessed biometric data and the FBI determined both men had been complicit in attacks on U.S. forces in Iraq and were continuing to provide support to Iraqi terrorist groups. The Bowling Green arrests led to numerous changes in how the United States processed refugees and asylum-seekers. The process had been haphazard, partly because there were so many refugees and asylum-seekers—including from Iraq—being processed through the system. But there were also challenges because the data were not well organized across the U.S. government. Overall, there are a small number of cases in which refugees have been arrested on terrorism-related charges in the United States. Examples include the following:

- A Bosnian refugee in St. Louis (arrested in 2015)
- A Somali refugee in Minneapolis (2015)
- An Uzbek refugee in Boise, Idaho (2013)
- Two Chechen refugees in Boston (2013)

- An Uzbek refugee in Aurora, Colorado (2012)
- Two Iraqi refugees in Bowling Green, Kentucky (2011)
- A Somali refugee in Columbus, Ohio (2011)
- A Somali refugee in St. Louis, Missouri (2010)
- A Somali refugee in Portland, Oregon (2010)
- An Afghan refugee in Aurora, Colorado (2009)

There have been other cases in neighboring Canada, perhaps as an attempt to evade U.S. security measures. Ahmed Ressay, the millennium bomber who was convicted in 2001 of planning to bomb Los Angeles International Airport (LAX) on New Year's Eve 1999, had applied to Canada as a refugee. He was denied refugee status, but still managed to remain in Canada before attempting to attack the United States. Raed Jaser, who pled guilty in March 2015 to involvement in a terrorist plot that targeted a train route between Toronto and New York City, had applied for refugee status in Canada as a Palestinian. The Canadian government rejected his family's refugee claims. But since the family was stateless, the government allowed family members to stay in the country under Canada's "deferred removal" program. Finally, Sayfildin Tahir Sharif (also known as Faruq Khalil Muhammad 'Ilsa), who was arrested in Canada in 2011 on a U.S. warrant, had moved to Canada as a refugee from Iraq.

Because of these concerns, the U.S. government agencies should continue to reassess America's refugee program and make sure it safeguards national security. The U.S. decision in September to accept 10,000 Syrians during the next fiscal year could introduce pressure on the federal government to move more quickly in processing applications.¹³ If new security checks are introduced, it may be necessary to examine how time can be saved at another point in the process, without sacrificing the quality of the reviews.¹⁴ A number of changes were implemented after the Bowling Green arrests. It is worth examining whether there needs to be enhanced screening and data collection for applicants. Some suggested measures include:

- Additional background checks and other screening protocols in place at the Department of Homeland Security and the Federal Bureau of Investigation for screening refugee applicants—including Syrian applicants—through the U.S. Refugee Admissions Program (USRAP).

¹³ Teresa Welsh, "Why the U.S. Can't Immediately Resettle Syrian Refugees," *U.S. News & World Report*, September 15, 2015.

¹⁴ According an August 2014 DHS study, a total of 69,909 persons were admitted to the United States as refugees during 2013. Admission ceilings are revised each year. Data is available from 1990-2013. For more details, see http://www.dhs.gov/sites/default/files/publications/ois_rfa_fr_2013.pdf

- Improved data management of potentially concerning refugees. Some of the mistakes in the past were not due to screening errors, but rather caused by poor data management. Information on terrorist links never made it to the right databases.
- A reaffirmed emphasis on intelligence and information sharing. This includes connectivity between U.S. intelligence, law enforcement (federal, state, and local), and border security agencies, as well as with international partners, to ensure data are up to date and well-integrated.
- Enhanced re-screening procedures for refugees who have entered the United States.
- Better engagement with Visa Waiver Program countries out of concern that refugees from Syria, Iraq, or other high-risk countries could be resettled there and then enter the United States with a lower level of scrutiny. The possibility that one of the Paris attackers entered Greece as a refugee from Syria reinforces the need to better vet refugees and the ease with which travelers can transit Schengen countries.
- Additional authorities to hold data collected in refugee camps.

The United States has a long-standing tradition of offering protection and freedom to refugees who live in fear of persecution, some of whom are left to languish in deplorable conditions of temporary asylum. But an integral part of that mission needs to be ensuring that those refugees considered for entry into the United States, including from such jihadist battlefields as Syria, do not present a risk to the safety and security of the United States.

Mr. GOWDY. Thank you, Mr. Jones. Mr. Krikorian.

**TESTIMONY OF MARK KRIKORIAN, EXECUTIVE DIRECTOR,
CENTER FOR IMMIGRATION STUDIES**

Mr. KRIKORIAN. Thank you, Chairman. Refugee protection policy has to be based on two principles. One, whatever policies we adopt must not pose a threat to the American people. And, secondly, whatever money we take from our people through taxes to devote to these purposes should yield the maximum humanitarian effect. And, unfortunately, resettlement of refugees in the United States from Syria or from Yemen or Somalia or other failed states, fails on both of those counts.

Hillary Clinton said at the debate this weekend that United States should spend “whatever it takes,” to properly screen Syrian refugees. I think everybody would agree with that. But it misses the point. The problem is not that we’re devoting inadequate resources. It’s certainly not that our people in DHS or FBI or State are not committed, our people are doing the best job they can. The problem is that proper screening of people from Syria cannot be done. We are giving our people an assignment which they cannot accomplish successfully.

We imagine in a modern, developed country like ours that everybody in the world leaves behind them the kind of electronic traces that we do, birth certificates, driver’s licenses, school records, all of those things that we kind of take for granted. But the fact is that those tracks, those traces are nonexistent in much of the world even in the best of circumstances. And in the kind of situation, the chaotic situation we have in Syria or in Somalia or Yemen or Libya or Afghanistan, what little information that might have been existed has probably gone up in smoke or at the very least is inaccessible to us.

DHS Secretary Jeh Johnson made that very point just last month when he said, “we’re not going to know a lot about the individual refugees who come forward.” That’s true. And, in fact, just this week, we found more evidence of that. The French sent our intelligence agency the fingerprints of the attackers in Paris and there was no trace of them anywhere in our databases, the very databases that we are supposed to be using to screen the Syrian refugees. Our screening of refugees resembles, and I don’t mean to be flip here, but it really does resemble the joke about the drunk who loses his keys in the park but is searching for them under the streetlight. And when asked why he’s doing that, he said well, the light is better here. The clearest statement of this came from Matthew Emerich, nothing personal, Mr. Emerich, who is in charge of fraud detection at USCIS, he told the Senate last month, “We check everything that we are aware of within U.S. Government holdings.” Because the light is better there.

The second point is efficacy. In other words, are the resources we’re devoting to humanitarian protection for refugees, whether it’s Syria or anywhere else, being used to the maximum effect? And bringing refugees to our country makes us feel better. I assume Mr. Hetfield will give us some warm stories about that. And it does make us feel better. But the point of humanitarian protection of refugees is not to make us feel better, it’s to assist as many people

as possible with whatever resources we've decided to devote to this purpose. And what we found, we did research on this, and we found that it cost 12 times as much to resettle a refugee from Syria, from the Middle East, in the United States as it does to provide for them in their own region. In this case, in, say, Syrian refugees in Turkey or Jordan or Lebanon, which is where most of them are.

The 5-year cost we conservatively estimated of resettling a refugee from the Middle East is \$64,000 compared to U.N. Figures that indicate a 5-year cost for caring for people in the region would be about \$5,300. In other words, each refugee that we bring to the United States from the Middle East means that 11 other people are not being helped with those same resources. The image I like to think about when considering this is imagine you have 12 drowning people. What are you going to do? Do you send them a one man yacht that's a very nice, beautiful yacht but holds only one person? Or do you throw them 12 life preservers? The moral choice is obvious there. And yet what we're doing through the best of intentions is sending the one person yacht instead of throwing them 12 life preservers.

In conclusion, Congress has a variety of measures to address this Syrian refugee issue. And I'm not qualified to say whether we should have a temporary pause or whether there should be a suspension of funding or a broad change in the rules. These are questions you're going to consider. But in considering them, I urge you to keep in mind these two points: The only way to reduce the security risk of resettling Syrian refugees or Somali or Yemeni or Libyan or Afghan is to reduce the number that we resettle. And the government's obligation to make the most effective use of the funding that we have taken from our people to devote to refugee protection, compels a shift in emphasis away from resettlement toward greater protection for people in the region. Thank you.

[The prepared statement of Mr. Krikorian follows:]

The Syrian Refugee Crisis and Its Impact on the Security of the U.S. Refugee Admissions Program
Hearing before the U.S. House of Representatives Judiciary Committee
Subcommittee on Immigration and Border Security
November 19, 2015

Statement of Mark Krikorian, Executive Director, Center for Immigration Studies

A wise man once said "The supreme function of statesmanship is to provide against preventable evils." Halting refugee resettlement from the Middle East would be just such an act of statesmanship.

The starting point of any policy debate is that the government of the United States has no responsibility to anyone but the citizens of the United States. As individuals delegated by the citizenry to deal with the business of the state, the president and members of Congress must necessarily put the interests of the American people before the interests of foreigners.

This means the United States government has no responsibility to refugees; they have no claim on it and no right to demand anything of it. If, nonetheless, we decide as a matter of policy to devote resources to humanitarian refugee protection (a policy decision which I personally support), then we should base our decision-making on two principles: 1) Such policies must not pose a threat to the American people, and 2) the funds taken from the people through taxes for this purpose must be used to the maximum humanitarian effect.

Resettling Syrian refugees in the United States fails on both counts.

1. **Security**

There are two parts to the security challenge posed by refugee resettlement.

A) Screening cannot be done adequately.

During last weekend's debate among the Democratic presidential candidates, Hillary Clinton said that the United States should spend "whatever resources it takes" to properly screen Syrian refugees before they are resettled in the United States. This is a common-sense demand that virtually all Americans would agree with.

Officials have assured us that refugees are "are subject to more intensive security than any other type of traveler to the U.S. to protect against threats to our national security."¹ There is no reason to doubt this. The people in the departments of State and Homeland Security, and at the intelligence agencies they work with, are doing their best to protect our people from harm.

But this misses the point. The problem with trying to screen candidates for resettlement from Syria – or any other failed state, such as Somalia, Libya, Yemen, or Afghanistan – is not a lack of resources or commitment.

The problem is that it cannot be done.

Our vetting process is heavily oriented toward electronic checks of databases with biographical information and photos and fingerprints. But little information of that kind which could potentially disqualify a candidate for resettlement is available to us. DHS Secretary Jeh Johnson said last month that "one of the challenges that we'll have is that we're not going to know a whole lot about the individual refugees that come forward."² FBI Director James Comey confirmed this, telling a Senate panel last month, "The only thing we can query is information that we have. So, if we have no information on someone, they've never crossed our radar screen, they've never been a ripple in the pond, there will be no record of them there and so it will be challenging."

"Challenging" indeed. We sometimes imagine such information must be available for everybody abroad as it is here – birth certificates, death records, driver's licenses, school records, credit card charges, and all the other tracks we leave behind us as we navigate life in a modern, information-based society.

But such tracks are rare or nonexistent in much of the world even in the best of times. And in chaotic conditions like those of Syria – or Somali or Yemen or Libya or Afghanistan – what little existed of the information trail has gone up in smoke. As FBI Assistant Director Michael Steinbach told another committee of this House, "The concern in Syria is that we don't have systems in places on the ground to collect information to vet...You're talking about a country that is a failed state, that does not have any infrastructure, so to speak. So all of the datasets – the police, the intel services – that normally you would go to to seek information doesn't exist."

Our screening of refugees resembles the joke where a drunk searches for his lost keys under the streetlight because that's where the light is. The clearest statement of this came from Matthew Emrich, who's in charge of fraud detection at USCIS, when he told a Senate hearing that "We check everything that we are aware of within US government holdings." Because that's where the light is.

Databases are not the only tool used in such screening. Many candidates for resettlement will present documents purporting to show who they are. Mr. Emrich again: "In most cases, these individuals do have documents from Syria ... Our officers are trained in fraud detection."

Given the pervasive fraud in all the immigration categories overseen by USCIS, this may seem cold comfort, but ICE's Forensic Document Laboratory really does have unparalleled expertise. But the problem with relying on documents is twofold. First, many non-threatening refugees have fake documents too, and that's no bar in itself to being accepted for resettlement. There's good reason for this – people fleeing one faction or another of Syria's war of all against all may well have to lie about

who they are to avoid capture or death. But even if we could identify every fake or altered document, how are we to distinguish the non-threatening document fraudster from the threatening one?

Second, the disintegration of Syria (and Libya, etc.) means that *legitimate* blank passports and other documents are circulating widely. Veteran immigration agent Dan Cadman explains: "This is because many Syrian government offices have been overrun in the chaos of war, leaving their trove of blank documents — passports, national identity cards, driver's licenses, etc. — behind for extremist groups and criminal gangs to take advantage of."³ ICE's Forensic Document Lab has genuine blanks of almost every country's passports for comparison, but that expertise doesn't help when false identities are inserted into these legitimate documents. Cadman again: "In such circumstances, there is no one that U.S. officers can turn to in order to verify the identity of the person who presents these facially legitimate documents."

The vulnerability of documents has been highlighted in Europe this year. Because of the preference given to Syrians, thousands of non-Syrian illegal aliens headed through Turkey to Europe have discarded their real passports and claimed to be Syrian, often presenting fraudulent documents. And one of the Paris attackers appears to have used just such a phony passport.

A final tool for screening refugees is personal interviews. It's true that experienced adjudicators can often sniff out liars and cheats from personal interaction. This works best as a supplement to other forms of screening, not as a substitute. But since those other forms are necessarily ineffective in conditions like those prevailing in the Middle East, pointing to interviews as a substitute is not encouraging. And let us not forget that the State Department's consular officers interview regular visa applicants, as well; but the presence of perhaps 5 million illegal aliens who were issued visas based on their promises made during interviews that they would go home suggests the limitations of this approach.

Finally, one would imagine that a strict vetting process would result in a relatively high rate of rejections. And yet, Barbara Strack, Chief of the USCIS Refugee Affairs Division, told the Senate hearing last month that more than 90 percent of Syrian candidates for resettlement were being approved. How stringent can the vetting of Syrian refugees really be when almost all of them are accepted?

B) *The sea within which terrorist fish swim*

The broader security problem created by refugee admissions — or by large-scale immigration of any kind from societies with large numbers of terrorists — is that they establish and constantly refresh insular communities that serve as cover and incubators for terrorism. However unwittingly, such neighborhoods, and their mosques and other institutions, fit Mao's observation regarding the peasantry's role in China's war against the Japanese: "The people are like water and the army is like fish."

The Brussels neighborhood of Molenbeek, for instance, seems to have been the haven where the recent atrocities in Paris were planned and organized. Its predominantly North African-origin population is certainly mostly peaceful and unthreatening, but they nonetheless served as the water for the terrorist fish.

This applies in our own country as well. Charles E. Allen, DHS's chief intelligence officer at the time, told this House's Select Committee on Intelligence in 2007, "As previous attacks indicate, overseas extremists do not operate in a vacuum and are often linked with criminal and smuggling networks – usually connected with resident populations [in the U.S.] from their countries of origin."

One example of this phenomenon was the al Qaeda cell in the Yemeni enclave in Lackawanna, N.Y., outside Buffalo, which was broken up in 2002. Five of the six members were U.S.-born but raised in the immigrant neighborhood, which the local paper described this way:

This is a piece of ethnic America where the Arabic-speaking Al-Jazeera television station is beamed in from Qatar through satellite dishes to Yemenite-American homes; where young children answer "Salaam" when the cell phone rings, while older children travel to the Middle East to meet their future husband or wife; where soccer moms don't seem to exist, and where girls don't get to play soccer – or, as some would say, football.⁴

No one of these factors, taken on its own, is especially remarkable in our diverse society. Even taken together, the kind of enclave they describe would be of little consequence if it were inhabited by, say, Amish or Hasidim, because those groups do not serve as "resident populations from their countries of origin" for violent extremist organizations like ISIS or al Qaeda or al Shabaab. But communities made up of refugees and immigrants from the Middle East do serve that purpose, however unwittingly – and cannot do otherwise.

The Somali community in Minneapolis is a prime example. Established through refugee resettlement, and continually expanded and refreshed by more resettlement (nearly 9,000 Somali refugees were admitted last year) as well as follow-on chain migration, it has been the source of dozens of recruits for al Shabaab and ISIS, and dozens more supporters. Just this summer, a Somali graduate of a Minnesota high school died fighting for ISIS in Syria. As the *Washington Times* noted, the refugee resettlement program "is having the unintended consequence of creating an enclave of immigrants with high unemployment that is both stressing the state's safety net and creating a rich pool of potential recruiting targets for Islamist terror groups."⁵

The combination of these two security vulnerabilities – the impossibility of vetting candidates for resettlement, plus the growth of domestic breeding grounds – is a big part of why the FBI has some 900 active investigations into domestic extremists, the vast majority related to ISIS.⁶

These investigations come in the wake of many examples of terrorism-related activities by refugees. (All parts of the immigration system have been exploited by terrorists, not just the refugee

program; see, for instance, "How Militant Islamic Terrorists Entered and Remained in the United States, 1993-2001".⁷) For instance, two al Qaeda bomb makers were arrested in Kentucky after having been resettled as refugees. Nor are they likely the only ones; ABC News reported in 2013:

Several dozen suspected terrorist bombmakers, including some believed to have targeted American troops, may have mistakenly been allowed to move to the United States as war refugees, according to FBI agents investigating the remnants of roadside bombs recovered from Iraq and Afghanistan.⁸

Other examples: An Uzbek refugee, who presumably underwent the stringent screening that the administration boasts of, was convicted in Idaho earlier this year on terrorism charges.⁹ A number of Bosnian refugees, presumably also screened, were charged this year with sending money and weapons to Islamist groups in Syrian and Iraq.¹⁰

Some have suggested resettling only Christians and other religious minorities from Syria, because we could be fairly certain they would not be affiliated with ISIS or al Qaeda. And indeed, there currently appears to be a policy of discrimination *against* Christian refugees; Muslims are overrepresented among the Syrians whom we have resettled, perhaps in part because the UN selects the refugees for us from its camps, and Christian refugees fear going to the camps, lest the Muslim refugees kill them, as happened this spring when Muslim passengers on a smuggling boat in the Mediterranean threw 12 people overboard to their deaths because they were Christians.

There are two problems with this approach. First, how would we know if those claiming to be Christians really are? The church records of baptism and marriage that might be useful in that regard are likely either destroyed or inaccessible, and there's nothing to stop jihadists – or even non-terrorist Muslims – from studying up on enough of the high points of Christianity to pass muster. Many Chinese illegal aliens in the United States have successfully gotten asylum by pretending to be members of China's underground Catholic or Protestant churches. How much more successful would Syrian Muslims be in such a fraud, since they are probably already familiar with many of the outward manifestations of Christian practice, given the relatively large number of Christians living there before the civil war?

The second problem with admitting only religious minorities is that resettlement of refugees of any faith is a highly inefficient means of protecting refugees. That issue of effectiveness is subject of the next section.

2. Efficacy

In addition to the security threats that refugee resettlement poses, any effort to extend humanitarian assistance to refugees must consider how effective it will be. This question also has two facets.

A) *More can be helped abroad*

Bringing refugees into our country makes us feel good about ourselves. Newspapers run heart-warming stories of overcoming adversity; churches embrace the objects of their charity; politicians wax nostalgic about their grandparents.

But the goal of refugee assistance is not to make us feel good. It is to assist as many people as possible with the resources available. And resettling a relative handful of them here to help us bask in our own righteousness means we are sacrificing the much larger number who could have been helped with the same resources.

The difference in cost is enormous. The Center for Immigration Studies has calculated that it costs twelve times as much to resettle a refugee in the United States as it does to care for the same refugee in the neighboring countries of first asylum, namely Turkey, Jordan, and Lebanon.¹¹ The five-year cost to American taxpayers of resettling a single Middle Eastern refugee in the United States is conservatively estimated to be more than \$64,000, compared with U.N. figures that indicate it costs about \$5,300 to provide for that same refugee for five years in his native region.

In other words, each refugee we bring to the United States means that eleven others are not being helped with that money. Faced with twelve drowning people, only a monster would send them a luxurious one-man boat rather than 12 life jackets. And yet, with the best of intentions, that is exactly what we are doing when we choose one lucky winner to resettle here.

Some will object that we can do both – relocate some refugees here and care for others in their native region. But money is not infinite. Every dollar the government spends is borrowed and will have to be paid back by our grandchildren. What's more, the U.N. estimates that there are 60 million refugees and internally displaced people around the world. Clearly, whatever amount we allocate to refugee protection will provide for only a fraction of the people in need.

Given these limitations on resources, I submit that it is wrong — morally wrong — to use those resources to resettle one refugee here when we could help 12 closer to their home.

There is little we can do to minimize the costs of resettling refugees. True, the private contractors the State Department pays to oversee the process are making a good living off of refugee resettlement, but reining them in won't make much difference. Most of the costs come from social services; according to the U.S. Department of Health and Human Services, more than 90 percent of refugees from the Middle East receive food stamps and nearly three-quarters are on Medicaid or some other taxpayer-funded health care.

This dependence on taxpayer handouts should come as no surprise. Refugees arrive destitute and often traumatized. They have little education (those from the Middle East have an average of only 10.5 years of schooling), which means that even if they find work, it will pay little. And because they're poor – almost all have incomes only slightly above the poverty line – they pay little in taxes.

Of course, we don't resettle refugees for economic reasons but for humanitarian ones. And since the goal is humanitarian, a wise steward must use his resources so that they generate the greatest humanitarian return. It's also true that refugees brought here will live better than those even in well-run refugee camps in the region. But the goal of refugee protection is to provide people adequate succor until they can return home, not maximize opportunity for a select few.

B) Success of refugee protection means people go home when conflict ends.

A return home is the final measure of the success of any effort at refugee protection. The civil war in Syria, like a similar civil war in the 1970s and 1980s in neighboring Lebanon, eventually will come to an end. Any scheme of refugee protection should be designed with eventual repatriation in mind.

The most successful effort at returning refugees to their homes has been in Afghanistan. The UN reports that since 2002, nearly 6 million Afghan refugees have returned home from neighboring Pakistan and Iran (though many remain).¹²

While the UN doesn't track the statistic, the likelihood that refugees who've been resettled on the other side of the world will ever move back is small. It's not just that the physical distance is greater, though that is a factor. In addition, the acclimation to developed-world standards of living and norms of behavior and the assimilation of children into a new and radically different society make it vanishingly unlikely that those brought here, as opposed to those given succor in their own region, will ever choose to go home.

3. Conclusion

Congress has before it a variety of measures to address the Syrian refugee issue, including a temporary pause, a broader change in the refugee rules, and defunding proposals. As you consider how to proceed, I would urge you to keep in mind these two points:

- 1) The only way to reduce the security risk of resettling Syrian refugees (or those from Somalia and other failed states) is to reduce the number we resettle.
- 2) The government's obligation to make the most effective use of whatever tax monies we decide to devote to refugee protection compels a shift in emphasis away from resettlement and toward protection in the region.

¹ <http://www.cis.org/rush/hearing-syrian-refugees-reassurance-and-storytelling>

² <http://www.defenseone.com/management/2015/10/chattanooga-wake-dhs-wants-revive-terrorism-alert-system/122748/>

-
- ³ <http://cis.org/cadmar/why-syrian-refugee-vetting-will-be-indisoutably-fallible>
- ⁴ "A separate world", *The Buffalo News*, September 23, 2002
- ⁵ <http://www.washingtontimes.com/news/2015/feb/24/islamist-terror-groups-target-minnesota-somali-ref/?page=all>
- ⁶ <http://www.usatoday.com/story/news/politics/2015/10/23/fbi-coney-isil-domestic-probes/74455460/>
- ⁷ <http://cis.org/911-HowMilitantIslamicTerroristsEntered>
- ⁸ <http://abcnews.go.com/Blotter/al-qaeda-kentucky-us-dozens-terrorists-country-refugees/story?id=20931131>
- ⁹ <http://www.nydailynews.com/news/crime/idaho-jury-convicts-uzbek-refugee-terror-charges-article-1.2323902>
- ¹⁰ <http://news.yahoo.com/bosnians-reject-hatred-wake-terror-financing-case-060550317.html>
- ¹¹ <http://cis.org/High-Cost-of-Resettling-Middle-Eastern-Refugees>
- ¹² <http://www.unhcr.org/pages/4f9016576.html>
-

Mr. GOWDY. Thank you. Mr. Hetfield.

TESTIMONY OF MARK HETFIELD, PRESIDENT AND CEO, HIAS

Mr. HETFIELD. Thank you, Chairman Gowdy, Ranking Member Lofgren, and distinguished Members of the Subcommittee for inviting me to speak here today on behalf of HIAS, which is the oldest refugee agency in the world. We have been resettling refugees since 1881, not just because it makes us feel better but because it saves lives.

Refugee resettlement has saved millions of lives since 1881 but not nearly enough. We're confronting the world's most horrific refugee crisis since World War II, with 60 million displaced across the globe, 20 percent of whom are Syrians, fleeing a conflict that has already taken over 240,000 lives. Without considerably more international assistance, countries like Lebanon, Jordan, and Turkey are beyond their saturation points with over 4 million Syrians, causing refugees to risk their lives to flee for a second or a third time.

The crisis finally attracted international attention and attention in this country when the body of 3 year-old Syrian Aylan Kurdi washed up on a Turkish beach on September 2, one of 813 men, women, and children asylum seekers to perish at sea that month trying to make the perilous journey to Europe.

This is an extraordinary crisis requiring extraordinary leadership. But, so far, the United States' response has been tepid at best. While this is the largest refugee crisis of my lifetime, we're resettling far fewer refugees than we did in 1980, when we resettled over 200,000 Indo-Chinese refugees, or in 1993 and 1994 when we resettled well over 110,000 refugees each year. But my great sadness at the murderous acts of terrorism perpetrated in Beirut and Paris last week has been compounded by the reactions of some politicians in this country. They have diverted the focus away from fighting terrorism and toward keeping refugees out of our country and out of their States. They have blamed the victims. This plays on people's fears, turns prejudice into policy, and weakens our national security and our national character.

I mistakenly thought that attitudes and signs, like Irish need not apply, no coloreds, no Jews, or dogs allowed, were ugly relics buried in the past but apparently not. Governors are clearly saying openly no Syrian Muslims are welcome in my State. One Governor even said, from my home State of New Jersey, no Syrian orphans under 5 are welcome either, which can only recall the ugly debate that occurred in this House in 1939 which resulted in the defeat of the Wagner-Rogers bill which would have saved 20,000 refugee children from Nazi Germany.

Governors are right to be concerned about security but so is the Federal Government, so are the refugee resettlement agencies. And the extensive screening process in our refugee program reflects that as Director Rodriguez has already testified and as is in my testimony. While the number of Syrian refugees being resettled here today is relatively anemic, the security protocols in place are stronger than anything I have ever seen in my 26 years working in this field. So strong, that it has made the refugee resettlement

program into more fortress than ambulance, causing massive backlogs of legitimately deserving and unnecessarily suffering refugees.

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

History has demonstrated that our democracy cannot only withstand large influxes of refugees from other countries, but will prosper as a result. When we welcomed millions of refugees from communist, fascist, and Nazi regimes, our country did not become infected with any of these ideologies, nor with the terror associated with them. If anything, these refugees immunized us from the totalitarian ideologies they were fleeing. The USRAP is hardly a piece of swiss cheese. It is not a sieve. And, in essence, it is not even the wide-reaching rescue program that it was intended to be. Given the complexity, intrusiveness, and unpredictability of the program for refugees, it seems highly unlikely, if not impossible, that a terrorist would choose the refugee resettlement program as his or her pathway to the U.S.

My written testimony outlines a number of suggestions to improve the program while increasing both security and efficiency. But it does not recommend a certification process.

Thank you for inviting me to testify here today on Syrian refugees. This country must continue to be both welcoming and safe.
[The prepared statement of Mr. Hetfield follows:]



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

**Testimony of Mark Hetfield
President and CEO, HIAS**

**10:30 AM
Wednesday, October 7, 2015
2141 Rayburn House Office Building**

Chairman Goodlatte, Ranking Member Conyers, and distinguished members of the House Committee on the Judiciary, thank you for honoring HIAS, the global refugee protection agency of the American Jewish community, by inviting me to testify at this hearing on Syrian refugees.

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

I commend you for convening this hearing on Syrian refugees, as we are now confronting the world's most horrific refugee crisis since the Second World War, with 60 million displaced across the globe, twenty percent of whom are Syrian, fleeing a conflict that has already taken over 240,000 lives. Turkey now hosts 1,939,000 Syrian refugees, Lebanon – a country of only 4.5 million people – host nearly 1.1 million, and Jordan hosts 628,000 Syrian refugees. Without considerably more international assistance, they are at their saturation points, causing refugees to risk their lives to flee for the second or third time.

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

On September 17th, a distinguished group of twenty former high-level officials from both Democratic and Republican administrations wrote the Congressional leadership and the President urging that, in addition to increasing humanitarian assistance for Syrian refugees in the MENA region, the U.S. resettle 100,000 Syrian refugees. Since the beginning of the conflict, however, the United States has taken in fewer than 2,000 Syrian refugees, and recently announced that it will endeavor to take just 10,000 in the next year. On September 20th, Secretary of State Kerry lamented that while he wants to do more for Syrian refugees, that he is constrained from doing so by the resources required by U.S. security vetting requirements.

This is an extraordinary crisis requiring extraordinary leadership, yet so far the United States has been conducting business as usual in contrast to what other countries are doing, and in contrast to the number of refugees we have resettled in comparable crises. While this is the largest refugee crisis of my lifetime, we are resettling far fewer refugees than we did in 1980, when we resettled over 200,000 Indochinese refugees, or in the 1993 and 1994, when we resettled well over 110,000 refugees each year.

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

today should not be on how to add even more security layers. Nor should it be on severe limits on the number of Syrian refugees coming into this country. Rather, the focus should be on how does the United States reclaim a leadership position and save lives by being more generous in the number of refugees we accept and more efficient in our security screening process.

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

This belief lacks a fundamental understanding of not only the extensive, intricate and immensely effective security process but also of the history and character of our refugee resettlement program. Over the years, the United States has admitted millions of refugees who, almost by definition, have tended to come from countries with governments and non-state actors that were ideologically opposed to the American way of life, with atrocious human rights records and poor relationships with the U.S. Like Syrian refugees now, the overwhelming majority of refugees considered for resettlement in those days did not take part in terror related activities, but were instead fleeing terror. These refugees were from communities we considered to be "enemies" but they themselves were actually fleeing from those enemies. We should be mindful that the goal of our refugee resettlement program is to offer protection and refuge to those seeking freedom from terror and tyranny.

For example, over the years the United States resettled:

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

For the decades after the U.S. started taking large numbers of refugees from overseas after World War II, the United States affectively dealt with the screening of refugees with relative efficiency through face to face interviews and record checks. This includes the admission of refugees from countries we were at war with, including Communist countries during the Cold War and Fascist/Nazi controlled countries during World War II.

After World War II, it became an imperative of the United States, and certainly the Jewish community, to ensure that never again would refugees

be turned back to their persecutors, as the United States did to the 908 Jews who were turned back to Europe on the St. Louis in 1939.

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

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

America gave refuge to millions of Jewish refugees. Today HIAS is committed to paying it forward and welcoming others the way that we were once welcomed. HIAS and the American Jewish community are

honored to be part of the U.S. Refugee Program's effort to welcome Syrian refugees to this country. As all refugees, we know they will struggle to get their bearings in the beginning, but that ultimately they will succeed in America and their children will go on to represent the very best of our country.

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

It took all the refugees I met with nine to ten months to get through the resettlement process from referral to arrival in the US. They all felt, however, that this relative speediness was an anomaly. All of the refugees with whom I spoke have friends or family who are still anxiously waiting for security clearances, taking far longer than the nine months that it took the families I met with. One of the refugees said that waiting for the security

check process was so nerve wracking that he described it by saying, "I thought I was going to explode." He said that he saw several of his friends get stuck in the process indefinitely with no idea why.

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

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

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

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

Every refugee submitted to the USRAP is interviewed by UNHCR or a qualified NGO, by the U.S. Resettlement Support Center, and again by the Department of Homeland Security. As I said before, the interviewing for Syrian refugees is more intensive than I have ever seen in the refugee

resettlement program. The refugees I spoke to said that their interviews with DHS lasted from three to seven hours. Under current procedures for Syrian refugees, refugees' stories are then compared during and after the interview at various levels of DHS for internal as well as external inconsistencies as well as red flags, and if security issues are flagged, the case is put on hold, such as a "CARRP Hold" (Controlled Application Review and Resolution Program).

But even prior to seeing a DHS officer for an interview, the refugee applicant is subject to a litany, really a web, of security clearance checks to include the Consular Lookout and Support System (CLASS) check, the Security Advisory Opinion (SAO), fingerprint checks (IDENT) and the Inter-Agency Check (IAC). The security clearances are therefore a suite of both automated and human based, manual checks between a myriad of agencies whereby the U.S. government uses every mechanism at its disposal to uncover any derogatory information it may have on an applicant or an applicant's family member, leaving no stone unturned.

Finally, keep in mind that Syrian refugees cannot "apply" for resettlement to the U.S. Refugee Admissions Program. In fact, they must be invited to apply by a partner entity authorized by the U.S. Refugee Admissions Program: UNHCR, an RSC, an embassy or a trained NGO partner. And, even when invited to apply by UNHCR, an RSC or a trained NGO partner, they do not know which country they will be referred to. Further reinforcing the unpredictability of an acceptance is that if and when they are referred to the USRAP, DHS has the power of discretionary denial, which means that

even if a case clears all security checks, the interviewing officer can deny the case just based on the interview alone.

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

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

We all agree that the refugee program needs to be secure. In its current form, the program is secure to a fault. The resettlement program should not have so many security screenings, however, that they become redundant to the extent that the very humanitarian essence of our refugee resettlement program is lost. There are ways to have a broad effective refugee screening program that also keeps us safe.

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

(1) Put someone in charge of the U.S. Refugee Admissions Program:

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

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

with resources who will be held accountable for moving cases quickly through the system.

- (3) **Monitor and address redundancies and other inefficiencies in the security check process:** Because the security checks occur in a black box, it is impossible for those of us on the outside to see the extent to which each of them adds value. For each refugee situation, the “official in charge” of the U.S. Refugee Admissions Program should constantly monitor all layers of security checks to remove or modify those layers which add time and cost but not value.
- (4) **Resolve holds on refugee cases:** UNHCR, the Departments of State and Homeland Security need to remember that when refugee cases are on hold for years, refugee lives are also on hold, their suffering is prolonged and, in some cases, their persecution is extended in the country of first asylum. These are refugees whose assistance has been cut, who are not allowed to make a living, and who are increasingly desperate. The UNHCR and the Departments of State and Homeland Security are currently “deprioritizing” and denying refugee cases due to security issues or other “triggers” that need to be resolved. This is why processing takes 18-24 months on average. These cases should not simply be cast aside. DHS and UNHCR need additional resources to resolve these issues in a timely manner.
- (5) **Talk to refugees:** If the security check process results in a “hit” on a refugee, more often than not, no government official ever meets with the refugee to try to resolve the issue, even though many will be instances of mistaken identity, faulty interpretation, or other

miscommunication. By all accounts, the U.S. and UNHCR are erring on the side of exclusion of Syrian refugees. Absent extremely sensitive intelligence that cannot be shared with the applicant, no refugee in the resettlement process should be denied or forgotten without allowing him or her to confront the adverse evidence and clear his or her name. DHS needs resources to re-interview refugees on hold, by video if necessary. Doing otherwise is not only a deprivation of due process, it is cruel. Refugees have already suffered enough.

- (6) **Shorten gaps in the interview process:** Refugee resettlement applicants are considered for resettlement for the very reason that their security situation in the country of first asylum is precarious, yet the resettlement process is stretched out to months or years due to gaps during each step in the process. RSC personnel should prepare cases in the same circuit ride as the DHS interviewers review them, not in separate circuit rides. If an applicant is otherwise interview-ready, DHS should not continue to postpone interviews just because not all of the clearances are yet back. Delayed clearances should delay refugee travel, not refugee interviews. And if DHS personnel cannot make it to a site to interview an applicant, they should deputize other U.S. Government officials (i.e. within the State Department) who can.
- (7) **Reunite refugee families:** Nothing causes resettled refugees more anxiety and is a greater impediment to their integration than separation from their families. The USRAP should expand its P-3

family unity program to reunite Syrian-born asylees, refugees, U.S. citizens or lawful permanent residents with their sons, daughters, parents, or siblings who have fled Syria. Previous integrity concerns with the P-3 program have been resolved through DNA testing and other improvements to the program.

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

Finally, it appears that concerns about Syrian refugees are being fueled more by Islamophobia than by facts. We at HIAS have been disheartened to see exclusionary rhetoric in the blogosphere about Syrian refugees re-enforced by offensive utterances from candidates for the highest office in our land. We should warmly welcome Syrians who make it to the United States, just as HIAS and this country welcomed Soviet Jews when they arrived. We in the American Jewish community know the heart of a stranger, for we were once strangers ourselves.

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

Dear Mr. Hetfield:

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

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

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

Thank you, Mr. Chairman, Ranking member Conyers, and members of the House Judiciary Committee, for inviting me to testify here today on Syrian refugees.

Mr. GOWDY. Thank you, Mr. Hetfield. I will remind the witnesses and the members to direct their responses and comments to the appropriate audiences. For members, it would be not to one another. And to witnesses, it would be not to one another. With that, I would recognize the Ranking Member of the full Committee, the gentleman from Michigan, Mr. Conyers.

Mr. CONYERS. Thank you, Mr. Chairman. I apologize for appearing late. But this is an important hearing which focuses on the Syrian refugee crisis and its impact on the security of our Nation's Refugee Admissions Program. It has the potential to shed meaningful light on critical issues of interest to all Americans, to all of us.

Unfortunately, the value of today's undertaking is greatly diminished by the fact that immediately following the conclusion of this hearing, we will go directly to the floor to vote on H.R. 4038, the so-called American Safe Act, a bill that would effectively shut down refugee processing for Syrians and Iraqis. Clearly, there are no easy solutions to a humanitarian crisis of this magnitude, as well as the security threats we will hear about today. Yet, 4038 is not the right answer in my view. And I want the witnesses to please let us know what should be our response keeping in mind these factors.

To begin with, while ensuring that safety of all Americans should be our top priority, H.R. 4038, which would effectively debar Syrian and Iraqi refugees from the U.S. Refugee Admissions Program and does nothing to promote security. This measure sets unreasonable clearance standards that the Department of Homeland Security cannot meet and, thereby, would halt refugee resettlement in the United States which is, perhaps, what the whole point of their doing this is.

So, without question, the program should be held to the highest standards to ensure to the greatest extent possible that the security screening is thorough, effective, and timely. In fact, refugees are already subject to the highest level of vetting, more than any other traveler or immigrant to the United States. This extensive screening process performed by the Departments of Homeland Security and State, in conjunction with the CIA, the FBI, and other law enforcement agencies, relies on methodical and exhaustive background checks that often take up to 24 months on average to complete and even longer in some cases.

But, like any system, there can be room for further improvement. So I would appreciate your thoughts here and after this hearing on how we can accomplish that goal. We must keep in mind that our Nation was founded by immigrants and has historically welcomed refugees when they're suffering around the globe. Whether it's an earthquake in Haiti, a tsunami in Asia, or 4 years of civil war in Syria with no end in sight, the world looks to the United States. We provide protections for refugees and asylum seekers, especially women and children. Nevertheless, in the wake of the September 11 attack on our shores and the tragic November 13 terror attacks in Paris, we must be vigilant, especially in the midst of a global refugee crisis.

The measure I keep referring to, however, is an extreme over-reaction to these latest security concerns. Rather than shutting our doors to the desperate men and women and children who are risk-

ing their lives to escape death and torture in their own homelands, we should work to utilize our immense resources and good intentions of our citizens to welcome them.

And, finally, Congress may do its part by properly funding refugee resettlement, as well as funding our Federal agencies so that they have the necessary personnel and programs to complete security checks. Rather than slamming the doors to the world's most vulnerable, we should be considering legislation to strengthen and expand refugee programs.

For example, I'm a co-sponsor of H.R. 1568, the Protecting Religious Minorities Persecuted by ISIS Act, which allows persecuted individuals in ISIS-held territories in Iraq and Syria to apply directly to the U.S. Refugee Admissions Program. Rather than rushing to the floor to consider legislation that was introduced just 2 days ago and has not been subject to even a single hearing, we should devote our legislative resources to developing meaningful solutions. And I thank the Chair very much for this opportunity.

Mr. GOWDY. I thank the gentleman of Michigan. The Chair will now recognize himself for an opening statement.

National security and public safety are the preeminent functions of government. National security and public safety are not simply factors to be considered in the administration of some broader policy objective. National security and public safety are the ultimate policy objectives. The safety and security of our fellow citizens should be the driving force behind all decisions that we make as Representatives. And as Representatives, it would be incongruent for us to undertake any act, or fail to undertake an act, calculated to jeopardize the safety and security of those who sent us here in the first place.

People do not employ us to represent them so we can take risks with their security. They send us here to put their security at the top of our constitutional to-do list. This country has a rich and long history of welcoming those fleeing persecution. We have a long and rich history of liberating those suffering under oppression. We are the most welcoming country in the world. And we are the most generous country in the world. And we help those in need both here and abroad. And we administer that aid in greater quantities than anyone else.

Our country has welcomed over 3 million refugees since 1975. We consistently provide aid to those in need. We provide protection for those who cannot protect themselves. And we provide a defense for those who are defenseless. Regrettably, the world we find ourselves in is imperfect and seemingly becoming more imperfect. It is because we are free and secure and an orderly society rooted in public safety that we have the liberty of being generous to other people.

Rather than address the underlying pathology that results in displaced people, those in charge of our foreign policy seem more interested in treating the symptoms. There are refugees from the Middle East and Northern Africa because those regions are on fire and riddled with chaos. And our bright lines and policies of containment and smart power or whatever we call it today have failed. Terrorists took the lives of over 100 innocent people in France and injured many more for no other reason than the fact that they

could. They killed 100 because they couldn't kill 1,000. And their objective is evil for the sake of evil. It is murder for the sake of murder. It is wanton and willful violence, premeditated depravity, calculated to take as many innocent lives as possible.

The acts of barbarism committed against the people of France are the latest in a long line of malevolent acts committed against innocents. And that line is not likely to be over. CIA Director Brennan said what happened in France was not a one-off event. We also know ISIS terrorists are intent on finding ways to attack America and her allies, including here. Director Brennan said ISIS has an external agenda they are determined to carry out. Another Administration official said I wouldn't put it past ISIS to infiltrate operatives among refugees. So that's a huge concern of ours. Those are not the words of some GOP presidential hopeful. Those are the words of our very intelligence officials who serve this Administration.

The President has said he's too busy to debate the critical issue. And, unfortunately, what passes for debate in this political day and age is some absurd conclusion about widows and orphans. It is precisely that kind of hyper partisan conclusion designed to cut off debate, rather than discuss foreign policy, that has united this country in only this one fact, we have no idea what our foreign policy is in the Middle East.

The people I represent are kind and generous and they are asking this Administration and this President one simple question, what assurance can you give us with respect to our public safety and national security. And so far, no one has been able to provide that assurance. On Monday, the President said the country would continue to accept Syrian refugees but only after subjecting them to rigorous screening and security checks. Those are wonderful words. But, at some point, you have to ask what does that mean. And the head of our own FBI said the concern in Syria, the lack of our footprint on the ground in Syria, that the databases won't have the information we need. So it's not that we don't have a process, we don't have any information. So you're talking about a country that's a failed state, that doesn't have any infrastructure. All the data sets, the police, the intel services you normally would go to and seek that information don't exist. That is not a Republican presidential hopeful. That is the head of the FBI.

He also said we can only query against that which we've collected. And so if someone has never made a ripple in a pond in Syria, or I will add, any other place in a way that would get their identity or their interest reflected in our database, we can query our database until the cows come home, but nothing will show up because there is no record on that person.

Lastly, he said I can't sit here and offer anybody an absolute assurance that there's no risk associated with this. So the question then becomes what amount of risk is acceptable? If our experts are telling us this is not a risk-free endeavor, and few things in life are, but someone is going to need to tell me and the people I work for what amount of risk is acceptable when you're talking about national security and public safety.

And I'll say this in conclusion, the President says we're scared of widows and orphans. With all due respect to him, what I'm real-

ly afraid of is a foreign policy that creates more widows and orphans. So where maybe he ought to start, maybe he ought to start is a foreign policy in the Middle East, including Syria, where people can go back to their homelands, which is their preference, go back to their homelands. Maybe you ought to defeat that JV team that you thought you had contained. That would be the very best thing you could do to help people who aspire to a better life.

And with that, I'll recognize the gentlelady from California.

Ms. LOFGREN. Thank you, Mr. Chairman. When we're elected to Congress, our first responsibility is to make sure that the security of the American people is attended to. That's number one, two, three, four. That's the first obligation. And I take it very seriously. That admonition has caused me, once again, to review the procedures and policies and laws relative to our refugee programs.

Now, refugees from Syria and other places in the Middle East are arriving in waves, unscreened, at Europe's doorstep. As Mr. Hetfield has recalled, we were shocked to see the body of a 3 year-old child on the beach, of families trying to escape from ISIS, who is beheading people. But our process is different. We have an ocean between us and Europe and the Middle East. And that has allowed us to provide for a rather extensive process. And here's really what it is. I mean, in order to even be considered, the United Nations High Commission on Refugee refers you to our system for screening. And only a few people actually make that process to be screened.

At that point, we have a Resettlement Support Center that does an interview. We do biographic checks. Then we use the CLASS system, the Consular Lookout and Support System, which queries data, it's classified, all of it is, but it includes the DEA, the FBI, Homeland Security, Immigration, Customs, on and on, the Marshal Service. Then we have for certain refugees, and that includes the Syrians, a Security Advisory Opinion, which is a positive SAO clearance from a number of U.S. law enforcement and intelligence agencies. Again, the participants are classified, but it is everybody.

And then we have the interagency check which was new. Before 2008 and this Administration, we didn't have that. And, unfortunately, we admitted four Iraqi refugees who turned out to be terrorists under the Bush administration. We reviewed the process and changed that to avoid a repetition of that, as well as the biometric checks, and the next generation information system, along with IDENT, the automated biographic identification system, and the automated biographic identification system. That's all followed by in-person interviews and some post-interview efforts. Following that, there are additional checks for Syrians.

So it's no small surprise that this process takes a couple of years for someone to pass. Now, I listened to the FBI director who we all respect. But I am mindful the FBI essentially has a veto. If there's somebody that we don't know who they are, they can't come in. That's our process. They can't come in. That's the current law. And that's as it should be. You know, that we would think querying what Assad thinks about a refugee, I don't really care what Assad thinks about a refugee. He thinks all the Sunnis are terrorists. And they're not.

So let's put this into perspective. If I were a terrorist, would I say well, I'm going to go to a camp, hope that the U.N. will refer me to the system, go through this extensive process for 2 years and, honestly, because of Paris, this has now been further extended because everyone wants to make sure that every T is crossed and I is dotted, and in 2 or 3 years, if I'm lucky, I might make it as a refugee. I don't think so. I don't think so. We need to take a look at all of the systems that we have. Most of the terrorists, it looks like at this point, all of the terrorists in Paris were Europeans. They had European passports. They had Belgium and French passports. They could come to the United States very easily. And so I think we need to take a look at what processes we have in place to make sure that the country is safe.

But it doesn't include being afraid of a 5 year-old. And I just want to say, Mr. Hetfield, it's important that you are here. I was listening to my colleague, Luis Gutierrez. And yesterday, a Syrian family, refugees, arrived in Chicago. And the non-profit group that was resettling them was the Jewish Community Center. That tells ISIS and the world that we're on the right side of history and they're on the wrong side of history. How do you recruit more terrorists when the United States stands up for what it is? And that's part of this equation. We need to win militarily but we also need to win it in a value fight. And we're not going to win that value fight by backing off from being free and being American. Thank you, Mr. Chairman.

Mr. GOWDY. The gentlelady yields back. The Chair would now recognize the gentleman from Virginia, the Chairman of the full Committee, Mr. Goodlatte.

Mr. GOODLATTE. Thank you, Mr. Chairman. From an immigration standpoint, perhaps the most essential lesson from the 9/11 terrorist acts is that foreign nationals who want to do us harm will exploit all aspects of our generous immigration policy to do so, even if it takes months or years.

Tragically, our allies in France learned that same lesson when over 120 people, including at least one American, were slaughtered by ISIS terrorists. And we know that at least one of the perpetrators registered as a refugee from Syria while in transit to Paris. Armed with that knowledge, today, we examine the Administration's plan to admit thousands of Syrians into the U.S. as refugees.

During fiscal year 2015, the President admitted 1,682 Syrian refugees to the U.S. Then in late September, the Administration announced that during this fiscal year, they plan to admit "at least" 10,000 more. And that number could go even higher as Secretary of State John Kerry stated, "I underscore the 'at least'—it is not a ceiling, it is a floor."

So since the overall ceiling for fiscal year 2016 refugee resettlement is 85,000, at a minimum, according to the Secretary of State, nearly 12 percent will be from a country with little infrastructure, in complete turmoil, into which thousands of radicalized foreign fighters have poured, parts of which the Islamic State controls, and in which we have no law enforcement presence. I understand that the Administration conducts security checks prior to admitting refugees. And according to the Administration, these checks are robust, especially with regard to the Syrian population. But are they

enough? Can these checks ensure that the individuals admitted as refugees are not terrorists and will not commit terrorist attacks once in the United States.

DHS Secretary Jeh Johnson told Congress that agencies involved in the vetting process are “committed to doing the best we can and as deliberately as we can.” Such a statement from the top U.S. Homeland Security official doesn’t exactly instill confidence in the vetting system. Islamic radicals around the world are chanting “death to America” and mounting barbaric attacks on western targets. ISIS is specifically saying “we will strike America at its center in Washington.”

Top Administration security officials have told Congress that the refugee vetting process is not adequate. In fact, FBI Director James Comey told this Committee that while the vetting of refugees has improved, the reality is that with a conflict zone like Syria, where there is dramatically less information available to use during the vetting process, Director Comey could not “offer anybody an absolute assurance that there’s no risk associated with” admitting Syrian nationals as refugees. And not only did his boss, Attorney General Lynch, not refute his statement, but she conceded that there are, in fact, challenges to the refugee vetting process during her testimony in this Committee on Tuesday.

I wrote to the President last month asking why he continues to ignore the concerns of some of his top security officials. And I look forward to the witnesses’ thoughts on such concerns today. Exactly who the individuals fleeing Syria are is also a question of immense concern. There is little doubt that members of the Islamic State and some of the foreign fighters who have streamed into Syria over the last few years are now some of the very individuals leaving the country.

In September, the director of National Intelligence, James Clapper, noted, regarding the millions of individuals fleeing Syria, “I don’t, obviously, put it past the likes of ISIL to infiltrate operatives among these refugees. So that is a huge concern of ours.” Media accounts note non-Syrians trying to pass themselves off as Syrians to try to get into European countries. And articles point out the booming fake identification document industry where a forged Syrian passport can be bought on the Turkish border for as little as \$200. I know that the Administration is trying to implement the refugee law that Congress puts in place. But if implementation places Americans in danger, it is clear that Congress must take a look at the refugee provisions in the Immigration and Nationality Act to determine what changes should be made.

Lastly, I would like to thank the witnesses for testifying here today. I know that some of you had to rearrange your schedules to make it here today and we appreciate your willingness to testify on this important topic. Mr. Chairman, thank you. I yield back.

Mr. GOWDY. Thank you, Mr. Chairman. The Chair will recognize the gentleman from Idaho for 5 minutes of questioning.

Mr. LABRADOR. Thank you, Mr. Chairman. And thank you to all the witnesses for appearing here today. I’m actually a proponent of our refugee program. So when I hear somebody like Mr. Hetfield talk about us as if we’re going back to the 1930’s, I’m actually very offended. I think your testimony was completely out of line and out

of place. Because most of us are here concerned about the safety and security of the United States, while at the same time we want to make sure that we can continue with this humanitarian program that has helped so many lives, so many people throughout the world. So it was very disappointing to hear your testimony.

The mission, however, that we have with humanitarian concerns must not come at the cost of our national security. With recent testimony from both FBI Director James Comey and Attorney General Loretta Lynch that the Administration is not able to properly vet incoming refugees, Congress has the duty to act. We're not acting out of just plain fear based on a few Members of Congress just talking to each other. We're acting after we have had testimony after testimony after testimony from our top national security experts telling us that we have a problem with the vetting process. Ms. Richard, you referenced an extensive security screening that all refugees must undergo prior to admission. Do you think that the current vetting system is appropriate?

Ms. RICHARD. Yes, I do. It's the toughest one for any traveler to the United States, Congressman.

Mr. LABRADOR. It's the toughest one. But do you think it's sufficient for the current crises that we're in?

Ms. RICHARD. Yes. And I'll tell you why because anybody we have any doubts about, anyone who we think might pose a threat to the United States in any possible way is not allowed to come in.

Mr. LABRADOR. Do you agree with that, Mr. Rodriguez? Just yes or no.

Mr. RODRIGUEZ. I do. I do agree. I would like to elaborate.

Mr. LABRADOR. How about you, Mr. Hetfield?

Mr. HETFIELD. I do agree.

Mr. LABRADOR. Okay. So all of you, I assume, disagree with Director Comey's testimony that it is not sufficient when processing that population due to intelligence gaps?

Ms. RICHARD. May I answer that question because I have given this some thought. You know, what Director Comey doesn't say is that it is normal for the U.S. Government to have no information about—

Mr. LABRADOR. That's not true. He was here in this Committee and he testified there was a huge difference between the Syrian population and the Iraqi population because we had intelligence on the Iraqi population.

Ms. RICHARD. And the reason for that is the Iraqi and Afghan programs were not like the normal refugee programs. We take people who have served for the U.S. military and have worked alongside our troops from Iraq. So there is a great deal of information about them available to the FBI. Normally, we would not have that.

Mr. LABRADOR. No. Reclaiming my time. He testified, has testified again and again and again that we don't have sufficient vetting. I trust him, with all due respect, a lot more with my national security than I respect you. You have a mission which is to bring more refugees to the United States. And I respect that you have that work to do. But I'm concerned about the national security of my constituents. I'm concerned about the national security of the people that are in my district.

We have two, as you know, two refugee centers in the State of Idaho. And we are concerned about what is going to happen in the State of Idaho if we don't do the proper vetting. So it's my responsibility to make sure that they are protected.

Mr. Rodriguez, I want to briefly touch on the interviews conducted with potential refugees. How are the interview questions generated?

Mr. RODRIGUEZ. The interview questions are generated—

Mr. LABRADOR. Your mike's not on.

Mr. RODRIGUEZ. I apologize. They are generated by, first of all, intensive briefing on country conditions, including classified information as I explained before. They are generated based on the information received in prior interviews of that same individual. They're also generated by the experience and training of that officer and what we have learned from other refugees.

Mr. LABRADOR. How often are those questions altered?

Mr. RODRIGUEZ. Well, those questions are determined very carefully on a case-by-case basis. There's obviously constant communication among our officers.

Mr. LABRADOR. What's the typical duration of a refugee interview?

Mr. RODRIGUEZ. I have observed them to be an hour. I've observed them to be 2 hours. It really depends on the nature of the case. The more complex, the more questions we have, the longer the interview will take. It takes as long as it needs to take.

Mr. LABRADOR. Okay. Mr. Jones, in your opinion, if security protocols are not updated, what is the future of the U.S. Refugee Admission Program?

Mr. JONES. Can you repeat the question? I couldn't hear the first part.

Mr. LABRADOR. Yes. If security protocols are not updated, what is the future of the U.S. Refugee Admission Program?

Mr. JONES. Well, look, I think the challenge we have, as I look at it, is the databases we have that are feeding into the refugee programs. We just have gaps in Syria. In the Iraq and Afghan cases I was involved in, we had large databases with biometric information, and names, based on people who were coming into prison systems and checkpoints. We don't have them here. So I do think this is a notable concern. It's a gap. We have gaps of information we generally haven't seen in many other cases.

Mr. LABRADOR. Okay. Thank you very much.

Mr. GOWDY. The gentleman yields back. The Chair will now recognize the gentlelady from California, Ms. Lofgren.

Ms. LOFGREN. Thank you, Mr. Chairman. Mr. Rodriguez, we have heard that refugees for admission to the U.S. are subject to more rigorous screening than any other traveler or immigrant. And this screening is often conducted because refugees, in particular, may not often have the documents that we would have walking down the street. I mean they have, in some cases, fled for their lives with just the clothes on their back. They may not have boxes of documents. How do we proceed to establish identity in those cases? I mean it's not just Syria. If you've got, you know, we had the lost boys in Sudan. We have Congolese refugees. We have peo-

ple who have fled with people chasing them and here they are. How do we go about identifying that piece?

Mr. RODRIGUEZ. And I think it's important. I appreciate, Congresswoman, your distinction between Syrians and others. Because the fact is actually most of the Syrians we see do come with documents that are authentic documents on the whole. What we do, though, is an extensive process of assessing, of mapping out family trees, aliases as the case might be, associations, other processes when we do have less documentation than is the norm.

We have trained our personnel both, by the way, to recognize fraudulent documents when they are presented, but also to use the interview as an effective way of determining identity in those cases.

Ms. LOFGREN. In March, the Chairman of the Committee organized a congressional delegation to visit the Middle East. And one of the most interesting elements of that trip, and I thank the Chairman for organizing it, was the trip we took to the refugee camp on the Syrian border in Jordan. And we had an opportunity to meet a large number of refugees, I would say almost all of whom wanted to go home but their homes had been destroyed. And, by the way, they were very grateful to the United States for the efforts that we have made to provide support for them. That was very rewarding to hear the recognition that the United States has among the refugees for our efforts.

Do we ever crowd source information? I mean those people had, that we met, I mean, some of them were computer science students, some of them were widows. I mean, you can find out a lot about somebody by doing not just an interview with them but crowd sourcing the information with everyone around them. Do we do that?

Mr. RODRIGUEZ. That's a great phrase, Congresswoman. We do so in two respects. One, we are always comparing and vetting what we hear from any one refugee or family of refugees, which is more typically what we're encountering, with what we're learning from other individuals from that town.

In fact, as we see refugees, they tend to come from—at least the ones we've admitted so far, particular areas in Syria. And also, as part of the classified information that we receive, there can well be information that gives more detail in the manner that you've described, Congresswoman.

Ms. LOFGREN. So in terms of the role of the refugee core and the additional training that they receive, what supplementary steps are taken by officers with the Syrian refugees as compared to all other applicants?

Mr. RODRIGUEZ. The manner in which they are briefed on country conditions and regional conditions is more intensive than what we do for any other officers. So they have their basic training on protection law, their basic training on refugee law, and interviewing. They then have two series of intensive briefings. One is a general briefing on actually Syria, Iraq, and Iran. And then prior to deployment, there is an 8-day period when they receive intensive briefings, both of an unclassified and classified nature from a number of different sources, including consultations with security experts to really steep them in the specifics of the environment

they're going to at the time that they are going to it. So there's an effort to ensure that that information is current.

Once in the field, those individuals have a 10-day mentoring shadowing period before they are able to move off and interview on their own.

Ms. LOFGREN. I see that my time has expired. Mr. Chairman, I yield back.

Mr. GOWDY. The gentlelady yields back. The Chair will now recognize the gentleman from Virginia.

Mr. GOODLATTE. Thank you, Mr. Chairman.

Director Rodriguez, I would like to follow up on that line of questioning. If the interview process is so effective, why do we have 5 million overstays in the United States? Five million people who are lawfully admitted to the United States through the interview process and have overstayed their visas, violated the terms, violated the promises they made when they entered the United States?

Mr. RODRIGUEZ. Congressman, what I can—

Ms. LOFGREN. Use your mike.

Mr. RODRIGUEZ. I apologize.

What I can speak to today is the actual refugee process. I mean, I think when we say—

Mr. GOODLATTE. But do you think refugees, where we've already talked about the greater difficulty of obtaining background information that you have a more highly accurate set of circumstances than you do for people who are applying to come into the United States for other types of visas?

Mr. RODRIGUEZ. I'm not sure I understood the question, Congressman.

Mr. GOODLATTE. Well, the question is very simple. If the interview process is so effective, and we interview the people who apply for a whole multitude of different types of visas, and they are coming from, in many instances, countries where we have much greater presence on the ground than we do in some refugee countries, and particularly that we don't have at all in Syria, why, nonetheless, would that good process that you described, do we still have 5 million people who are illegally present in the United States, who didn't come across the border; they entered the country legally after you said they could.

Mr. RODRIGUEZ. No. I do understand the question now. Sir what I can speak to is the refugee screening process, which as Assistant Secretary Richard mentioned, specifically as to Syrians is the most intensive process. It consists not just of the interview—

Mr. GOODLATTE. As the FBI Director noted, you have little inside Syria that you can contact. You can't access local or national databases there. You can't interview neighbors. You can't interview business associates. You can't interview other contacts with the people, because they are either in the country, and we can't get to them, or they are dispersed elsewhere around the world. Why do you think this interview process is so effective?

Mr. RODRIGUEZ. Because, again, it is based on extensive detailed mapping of family relationships, associations, credibility assessments based on prior documents. And, this is really critical, Congressman, it does not follow from anything that Director Comey

may have said, that we are clearing a void. In fact, people have either—

Mr. GOODLATTE. Well, the Director—I'm paraphrasing, but he said you can query a database until the cows come home, but if the information isn't in the database, you are not going to find anything. And I think that is exactly—or he thinks—

Mr. RODRIGUEZ. Well, Congressman—

Mr. GOODLATTE [continuing]. Is the situation.

Mr. RODRIGUEZ. That is why we have placed people on heightened review, that is why there have been denials. That is why there have been holds.

Mr. GOODLATTE. Why not do what so many Members of Congress and other people have said on both sides of the aisle, by the way, and that is hit the pause button on this? You know, the situation in Syria has been going on for a few years now. It continues to deteriorate, and the situation in terms of gathering information about people, we have a problem with forged documents that are fooling the Europeans and may be fooling us as well.

Why not simply delay this for a period of time until we make sure that the criteria that we've set forth in the legislation that we are putting forward today can be met?

Mr. RODRIGUEZ. And, Congressman, I would say because the process as currently constituted and currently re-sourced, because your question is, is the best we can do good enough? And the fact is that it is the most intensive process. It has resulted in denials and holds. It is a redundant, rigorous process through which we put these individuals.

Mr. GOODLATTE. Mr. Krikorian, does the U.S. Government have any credible way of distinguishing between refugees from Syria and individuals who are posing as Syrian refugees?

Mr. KRİKORIAN. They can try, and I have no doubt that USCIS officials, State Department, FBI, and the rest are doing their best to distinguish between people pretending to be Syrians and people who aren't. But there's a limit to how effective that can be, since there's an extreme paucity of data. So sometimes, I have no doubt they will, in fact, smoke out people who are lying or cheating. I'm sure it happens all the time. But as Ms. Strack said just last month to the Senate, more than 90 percent of Syrian refugee applicants are being approved, and that that might go down a little bit as those cases that are in limbo are formally decided. But the average worldwide is 80 percent. So how stringent, really, can a vetting process be when more than 90 percent of the people are being approved?

Mr. GOODLATTE. Thank you.

Mr. Chairman, my time has expired.

Mr. GOWDY. Well, thank you, Mr. Chairman.

The Chair will now recognize Ms. Lofgren for a brief unanimous consent request.

Ms. LOFGREN. Thank you, Mr. Chairman. I ask unanimous consent to submit to the record of this hearing 37 statements, including from the Christian Reform Church, the Lutheran Immigration

Services, the Southeast Asian Resource Center, and the Disciples of Christ.*

Mr. GOWDY. Without objection.

The Chair will now recognize the Ranking Member of the full Committee, Mr. Conyers.

Mr. CONYERS. Thank you, Chairman Gowdy.

My questions seem to be directed to Mark Hetfield, and the first one is—and I respect the important testimony of the other four witnesses, but I'm trying to see how much difference there is between the European refugee model and the U.S. refugee resettlement program. Is there much of a distinction there, sir?

Mr. HETFIELD. There is a very significant distinction, which is why it is so surprising to me that the attacks in Paris have resulted in even more intense scrutiny of the refugee resettlement program.

The refugees who arrive in Europe are not vetted in advance. They are asylum seekers. Their vetting does not begin until after they touch land in Greece or in Europe. In the United States, as Director Rodriguez testified and as you've heard over and over again, they are vetted—refugee applicants are vetted right-side up, upside down, and sideways, every which way you can possibly imagine, before they are admitted to the United States. And then the process continues after they arrive. They have to apply for adjustment, after a year in the United States. They continue to be under close watch. The risk in the refugee admissions program of admitting terrorists is very, very low.

Mr. CONYERS. You know, we're considering H.R. 4038 on the floor today, and conservatives around here argue the bill does nothing more than add a certification process that would ensure no terrorist element enter the country through resettlement.

Do you think that's the whole story behind this?

Mr. HETFIELD. Well, it is a very short bill, and it does, technically, add nothing but a certification process. But that process would totally cripple a system without making it more effective.

Refugees are already thoroughly vetted, as we've testified prior to arrival. And having three different, high-ranking officials certify each and every refugee case is a guarantee that the system will come to a screeching halt. It already moves so slowly. The refugee resettlement program is no longer a rescue program. It saves lives, but it saves lives very, very slowly. That would bring it to an end.

Mr. CONYERS. Mr. Hetfield, you are with the Hebrew Immigrant Aid Society. Now, are you concerned that refugees we would be accepting from Syria and Iraq would pose a specific threat to the Jewish community in the United States?

Mr. HETFIELD. We are, as everyone else is, very concerned about screening people out who want to do us harm, especially those who have a particular ax to grind against the Jewish community. But, again, these refugees are thoroughly vetted. And what worries us much, much more, because we feel the vetting is being done. But what we're also seeing right now is xenophobia, islamophobia driving a further wedge between Muslims and the rest the world. And

*Note: The material referred to is not printed in this hearing record but is on file with the Subcommittee, and can also be accessed at:

<http://docs.house.gov/Committee/Calendar/ByEvent.aspx?EventID=104197>.

we're afraid that can do far more damage to Muslim-Jewish relations, to who we are as a country, to our security as a country, and make us even more vulnerable to attack. Because we've basically said Syrian Muslims are not welcome here; we do not trust them.

Mr. CONYERS. And my final question to you, sir, is for you to try to explain why our world with ISIS and other terrorist groups is different because they do not comprise enemy states or governments. Shouldn't the safety and protection of our people be our first concern, even if it means not allowing some refugees into the United States?

Mr. HETFIELD. It absolutely should be our paramount concern to keep the United States safe and secure. And I can say with great confidence that my colleagues in the Department of Homeland Security are doing that to a fault. That is their mission. And they vet every refugee to make us safe. And I really can't imagine what additional protocols they could possibly install to make us any safer.

No terrorist in his right mind would use the refugee program as a way to enter the United States. They may find other channels. It's not going to be through the refugee program. It's too intrusive, it's too invasive, it's too thorough in the security checks that it does.

Mr. CONYERS. Secretary Richard, do you have anything to add to that comment?

Ms. RICHARD. The people who we are bringing have gone through this process, but they're also referred to us in the first place, because the UNHCR knows the type, the profile, of refugee that we want to help. And so we are looking at people who have been tortured, who are burn victims from barrel bombs, people who are widows and children, also the elderly, families that have been ripped apart as members have been murdered in front of their eyes.

So of course, every single one of us feels that the first priority is the safety of the American people. And if we can't provide for that, we would shut down the program. But we believe strongly that by the time a refugee is brought here, we are bringing some of the most vulnerable people, giving them a second chance at life, and we have screened out anyone, about whom we have any question—they weren't even probably referred to us in the first place, which may be why we have a higher acceptance rate, and I think that the proof is in the success of the program and communities all across the United States.

So thank you for the opportunity to provide some information. And we also would be happy, if given the opportunity, to explain more about the nuts and bolts of the process. We think it can withstand scrutiny. The Chair and the Ranking Member of this Subcommittee have spent a lot of time on this already this year, but we're happy to meet with other members to go into the point that, for example, the FBI holdings would only tell you a limited amount of information about refugees.

For example, if a refugee had ever committed a crime in the United States, the FBI could tell you that. But most refugees have never been to the United States before. So that's why we have to use many more databases and many more techniques and many more approaches to get the full story, make sure their story holds

up, and if it doesn't hold up, if there's any question, they are not included in the program. Thank you.

Mr. CONYERS. Thank you.

Thank you, Chairman Gowdy.

Mr. GOWDY. The gentleman yields back.

The Chair would now recognize the gentleman from Texas, Chairman Smith.

Mr. SMITH. Thank you, Mr. Chairman.

First of all, I would like to single out Mr. Krikorian and thank him for his excellent testimony. I honestly don't know how anyone could disagree with one word. But before I get to a question for Ms. Richard, Mr. Chairman, I just have to tell you how it seems to me right now, and that is that the President of the United States says he wants to protect the security of the American people. We have a bill on the House floor where the FBI has to certify that a Syrian refugee is not a threat to the United States. And yet, the President of the United States is threatening to veto a bill that tries to protect the security of the American people.

I have no rational explanation for the President's threatened veto. It is simply astounding to me that a President of the United States would want to veto a bill that tries to protect the security of Americans. I just don't get it.

But, Ms. Richard, my question to you is this: This year we have admitted 1,700 refugees from Syria already, just in the last several months. How many of those 1,700 refugees have been arrested for committing a crime?

Ms. RICHARD. So we've brought 1,700 in the last fiscal year, which ended September 30.

Mr. SMITH. Right.

Ms. RICHARD. Two thousand since the start of the crisis. As far as I know, none have been arrested unless you have contradictory information.

Mr. SMITH. And you track all the refugees from Syria, including the 1,700, so you would know?

Ms. RICHARD. No, we do not track them after the first 3 months in the United States.

Mr. SMITH. Then how do you know whether they have been arrested.

Ms. RICHARD. I rely on the law enforcement agencies to tell us.

Mr. SMITH. Okay. And so far as you know, none of the 1,700 have been arrested?

Ms. RICHARD. That's right. I haven't heard of any.

Mr. SMITH. Okay. As far as the stopping of the tracking after 3 months, are you going to stop tracking the 10,000 proposed to be admitted next year after 3 months and the 20,000, perhaps, the year after? Are you going to stop tracking those individuals as well?

Ms. RICHARD. Once refugees are in the United States, after a year of being here, they become legal, permanent residents. And after 5 years, they are allowed to—

Mr. SMITH. I understand that. I am talking about—

Ms. RICHARD. And because of that—

Mr. SMITH [continuing]. The early period.

Ms. RICHARD. They are treated pretty much like ordinary Americans, and they are not tracked.

Mr. SMITH. Okay. Right. But what I am saying is, are they treated any differently than any other refugees? Do you consider them to be any more of a threat than other refugees or not?

Ms. RICHARD. Well, they are not treated differently than other refugees.

Mr. SMITH. Okay. I think most people would consider to be Syrian refugees about whom we already—

Ms. RICHARD. I think Syrians are less of a threat, actually, because they have fled their country. They voted with their feet.

Mr. SMITH. Let me stop you there. No. Let me stop you there real quick. You say Syrians are less of a threat, even though we've had testimony from the FBI Director that of all of the cohorts of refugees, including Iraqi refugees, we have less information about the Syrian refugees than others?

I mean, the FBI director says he regrets he doesn't have more data about the Syrian refugees, and he has real concerns, and he thinks it's risky. Apparently, the Administration disagrees with the FBI director. But you're saying, again, I just want to make sure, that Syrian refugees are less risky than other refugees?

Ms. RICHARD. Well, my point is that Syrian refugees have been outside their country, and so we know what they have been up to. And there's a record of the time they spend outside their country.

Mr. SMITH. They may not have a record of terrorism. They may be would-be terrorists; they may be terrorists in training. Terrorist organizations have already said they are going to use the refugee program to try to infiltrate the United States. And you say you're less worried about Syrian refugees than other refugees?

Ms. RICHARD. I am very worried about terrorists.

Mr. SMITH. I'm sorry?

Ms. RICHARD. I am very worried about terrorists. I think we should focus on terrorists. I think we should prevent terrorists from coming to the United States.

Mr. SMITH. And don't you think Syrian refugees might some day become terrorists?

Ms. RICHARD. I think the odds of a refugee being a terrorist are very, very small. But that doesn't stop us from focusing our program to make sure nobody comes in who might be a terrorist.

Mr. SMITH. Right. I appreciate you're trying to focus the program that way. But we've heard from law enforcement officials that you really don't have the data you need to make that determination. But let me go on to—

Ms. RICHARD. What the FBI has said is that they don't have a lot of data from inside Syria, which makes sense, because the FBI has not operated there.

Mr. SMITH. Exactly. So I don't think there's any way for you to—

Ms. RICHARD. And it's also normal for us, with most refugees, not to have data. The exception is Iraqis and Afghans.

Mr. SMITH. Right. But if you don't have the data on Syrian refugees, then it seems to me to be very difficult for you to give the American people the assurance that they are not going to commit terrorist acts.

Ms. RICHARD. We do have lots of information about Syrian information. The FBI does not have a big amount of holdings on Syrians based on U.S. presence in Syria.

Mr. SMITH. Right. The FBI—

Ms. RICHARD. We have a lot of information about Syrian refugees. And Leon's program, he should probably talk about this more than I should, is it collects the information and does a fantastic job. I've sat through those interviews.

Mr. SMITH. Right.

Ms. RICHARD. Instead of doing scores of visa applicants in a day, they take their time, and they do about three or four refugee applicants.

Mr. SMITH. Well, all I can say is every law enforcement official, and I've heard a couple testify before Committees in the last 4 weeks, have disagreed with you. They say they have less data, less information about the Syrian refugees. If you are an outlier on that, you are entitled to your opinion. I'm just saying what other law enforcement officials have testified.

Last question is this, if the citizens of a State or a city do not want to have Syrian refugees resettled within their jurisdictions, State or city, is the State Department, is the Administration going to force them to take those refugees?

Ms. RICHARD. Well, there's a legal answer, and then there's a reality answer. Legal answer is—

Mr. SMITH. Well, let's go—

Ms. RICHARD [continuing]. This is a Federal Government program, and so the Federal Government has the right to resettle refugees all across America as we do in 180 countries, all types of cities and towns, right.

Mr. SMITH. I understand that. What's the reality answer?

Ms. RICHARD. The reality answer is this program only functions only if we have the support of the American people, very much at the level of communities and societies and towns to come forward and help these refugees, help them get jobs, and help them move on.

Mr. SMITH. I appreciate that. So you're saying the Administration, while it might assert that it has a legal right, is not going to force the resettlement of refugees in locales—

Ms. RICHARD. Well, that's for the President to decide—

Mr. SMITH. Let me finish.

Ms. RICHARD [continuing]. Our recommendation would be not to resettle anybody in a hostile environment.

Mr. SMITH. Let me finish my statement, please. Let me repeat that. You are saying the Administration, while they have the legal right to force resettlement, is not going to exercise that legal right if the local communities oppose the settlement of the refugees?

Ms. RICHARD. No, I haven't said that, Congressman, because it's up to the President to decide that. But I certainly would not want to resettle anybody in a hostile community. Now, I don't think we have many of those in the United States.

Mr. SMITH. Okay. And I wouldn't refer to them as hostile communities. They are acting in what they consider to be their best interests in protecting their own people.

Thank you, Mr. Chairman. My time is up.

Mr. GOWDY. The gentleman yields back.

The Chair would now recognize the gentlelady from Texas.

And I would just say, in light of the fact that votes are coming in 15 minutes, I am going to try to do a better job of limiting folks to 5 minutes, including myself.

Ms. JACKSON LEE. Thank you, Mr. Chairman, and to all the witnesses who have come. Thank you to the Ranking Member for her valiant effort on trying to strike a compromise with the bill that is being debated on the floor. I was delayed because I was speaking at the Rules Committee and trying to find—excuse me, on the rules on the floor, trying to find a reason for us moving forward with H.R. 4038.

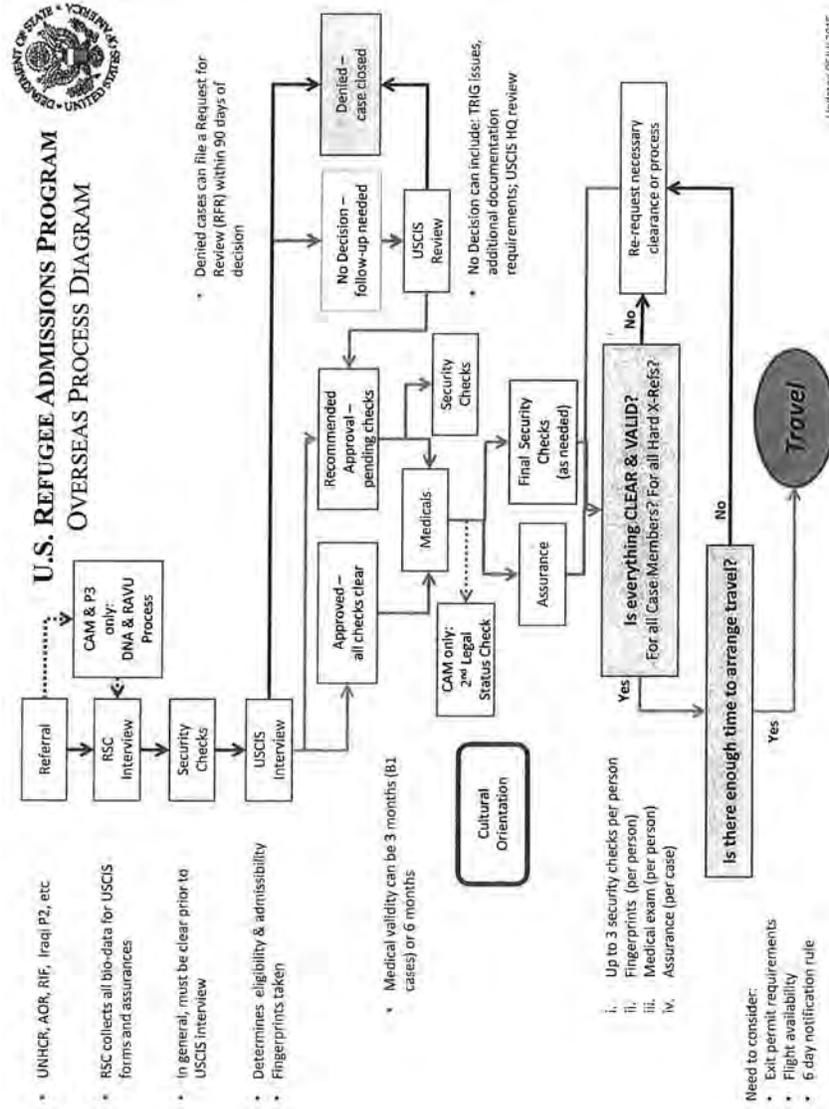
But I do want to thank the witnesses, so let me be very, very succinct, if I might.

Let me, first of all, ask to put the U.S. refugee admission program overseas process diagram into the record.

I ask unanimous consent, Mr. Chairman?

Mr. GOWDY. Without objection.

[The information referred to follows:]



Security Screening and Background Checks – Refugees

Introduction

This paper provides information on the security screening and background checks required for the U.S. Refugee Admissions Program (USRAP). Applicants for refugee resettlement are subject to the highest degree of security screening and background checks for any category of traveler to the United States.

All refugee applicants receive a standard suite of biographic and biometric security checks. Through close coordination with the federal law enforcement and intelligence communities, these checks are continually reviewed to identify potential enhancements and to develop approaches for specific populations that may pose particular threats. All case members must clear security checks in order for a case to be approved.

USCIS's adjudication of *Form I-590 Registration for Classification as a Refugee* by USCIS is only one part of the USRAP. Department of State (State) has overall coordination and management responsibility of the USRAP and has the lead in proposing admissions ceilings and processing priorities. The United Nations High Commissioner for Refugees (UNHCR) identifies and refers certain cases to the USRAP for resettlement and provides important information with regard to the worldwide refugee situation. Additionally, Resettlement Support Centers (RSCs), under cooperative agreements with State, carry out administrative and processing functions, such as file preparation and storage, data collection, and out-processing activities.

General Refugee Process



USRAP Screening

The screening of refugee applicants involves numerous biographic checks that are initiated by the RSCs and reviewed/resolved by USCIS. These include:

- ***Department of State Consular Lookout and Support System (CLASS)¹***

CLASS name checks are initiated by DOS for all refugee applicants at the time of pre-screening by the DOS contractor — the Resettlement Support Center (RSC). Responses are received prior to interview and possible matches to applicants are reviewed and adjudicated by USCIS Headquarters. Evidence of the response is forwarded for inclusion in the case file. If there is a new name or alias developed or identified at the interview, USCIS requests another CLASS name check on the new name, and the case is placed on HOLD until that response is received.

- ***Security Advisory Opinion (SAO)²***

The SAO is a State-initiated biographic check conducted by the Federal Bureau of Investigation and intelligence community partners. SAO name checks are initiated at the time of pre-screening by the RSC for the groups and nationalities designated by the interagency as requiring this higher level check. SAO are processed, and a response must be received prior to finalizing the decision. If there is a new name or alias developed at the interview, USCIS requests that another SAO be conducted on the new name, and the case is placed on HOLD until that response is received.

- ***Interagency Checks (IAC)***

The IAC consists of screening biographic data, including names, dates of birth, and other data points of all refugee applicants within designated age ranges. This information is captured at time of pre-screening and is provided to the National Counterterrorism Center (NCTC) and other intelligence community partners. This screening procedure was initiated in 2008 with NCTC and has expanded over time to include a broader range of holdings and applicants of all nationalities. Prior to recent changes, IAC screening was conducted at the time of initial application and again before an approved applicant's departure to the United States. Since summer 2015, the process includes recurrent IAC screening of all refugee applicants in lieu of the previously conducted pre-departure checks.

At the time of USCIS interview, USCIS staff collects fingerprints and initiates biometric checks. The biometric checks initiated by USCIS for refugee applicants include:

¹ CLASS is a State name-check database that posts use to access critical information for visa adjudication. The system contains records provided by numerous agencies and includes information on persons with visa refusals, immigration violations, criminal histories, and terrorism concerns, as well as intelligence information and child support enforcement data. In addition to containing information from DOS sources, sources for information in CLASS includes NCTC/TSC (terrorist watch lists), TECS, Interpol, DEA, HHS and FBI (extracts of the NCIC Wanted Person, Immigration Violator, Foreign Fugitive Files, VGTOF, and the Interstate Identification Index).

² The Security Advisory Opinion process was implemented after September 11, 2001, to provide a mechanism for additional scrutiny to certain high-risk categories of individuals seeking visas to enter the U.S.

- **FBI Fingerprint Check through Next Generation Identification (NGI)**
A biometric record check pertaining to criminal history and previous immigration data.
- **DHS Automated Biometric Identification System (IDENT - f/n/a US-VISIT)**
A biometric record check related to travel and immigration history for non-U.S. citizens as well as immigration violations, law enforcement, and national security concerns. Enrollment in IDENT also allows CBP to confirm identity at the port of entry.
- **DoD Defense Forensics and Biometrics Agency (DFBA)'s Automated Biometric Identification System (ABIS)³**
A biometric record check of DoD holdings collected in areas of conflict (predominantly Iraq and Afghanistan). DoD screening began in 2007 for Iraqi applicants and was incrementally expanded to all nationalities by 2013. CBP's National Targeting Center-Passenger (NTC-P) conducts biographic vetting of all ABIS biometric matches (both derogatory and benign) against various classified and unclassified U.S. Government databases.

The USCIS refugee interview itself, though not a traditional system check, is also a vital part of the refugee screening process. USCIS Officers conduct extensive interviews with each refugee applicant to develop all relevant issues related to eligibility for refugee resettlement and admissibility to enter the United States. Officers develop lines of questioning to elicit information regarding any involvement in terrorist activity, criminal activity, or the persecution/torture of others, and conduct a credibility assessment on each applicant.

CBP Screening

An applicant with a USCIS approved *Form I-590 Registration for Classification as a Refugee* must be found admissible to the United States by Customs and Border Protection (CBP) before receiving refugee status. CBP receives a manifest of all subjects who have approved *Forms I-590* and have made reservations to travel to the United States by air. CBP receives this manifest eight (8) days before the scheduled travel. The agency performs initial vetting of the subjects before they arrive at a port of entry and the conducts both background additional checks and interviews of these subjects upon arrival at a U.S. Port of Entry.

Controlled Application Review and Resolution Process (CARRP)

If any of the above security and backgrounds checks, or any background check performed at any time during the adjudication of any benefit to include testimony gleaned during the interview, reveal associated national security (NS) concerns (either known or suspected terrorist (KST) or non-KST NS concerns), then the case undergoes a focused national security CARRP review.

Syria Enhanced Review

USCIS's Refugee, Asylum and International Operations Directorate and Fraud Detection and National Security Directorate have collaborated to develop a Concept of Operations for the enhanced review of certain Syrian cases. This review involves FDNS providing intelligence-driven support to refugee adjudicators in terms of threat identification and lines of inquiry, as well as watchlisting and dissemination of intelligence information reports on those applicants determined to present a national security threat.

Ms. JACKSON LEE. If I can hold this up. Probably it's difficult to see the maze of which it is.

So let me say that the inquiry that is being made through this legislation and through this hearing is a legitimate one. Having started on the Homeland Security Committee, as the recovery at 9/11 was still occurring, having been to Ground Zero and seeing the angst and feeling that deeply imbedded pain, there is no memory that sears the minds of Americans as much as 9/11, although we have experienced much, such as the bombing of Pearl Harbor that resulted in the internment of Japanese Americans. I'm not sure whether at that time it made the Nation safer.

So this process troubles me, and I'm going to quickly ask Ms. Richard, Mr. Rodriguez, a scenario. I understand that approximately 23,000 individuals are referred by the United Nations from Syria. I don't know if they include Iraq. Out of that in the last year you took about 7,000 to interview, and about 2,000 came forward in terms of the process. The process lasts 18 to 24 months. Is that correct, Ms. Richard, about 18 to 24 months?

Ms. RICHARD. Yes, that's correct.

Ms. JACKSON LEE. And they include the people who are outside of Syria, who are either in the camps, and not that you directly go into the bowels of Syria and pull somebody out. Is that correct?

Ms. RICHARD. We do not operate inside Syria. This is only for people who have fled outside of Syria.

Ms. JACKSON LEE. And the individuals' prioritization, are those who are women and children, families, 2 percent of them happen to be unmarried men. Is that correct?

Ms. RICHARD. Of the ones we have brought to the United States, only 2 percent are unmarried single men traveling without family. So most are families, women and children, and multiple generations.

Ms. JACKSON LEE. Mr. Rodriguez, have you read H.R. 4038, by any chance?

Mr. RODRIGUEZ. As it happens, I have, yes.

Ms. JACKSON LEE. Very good. And good. It's not one of our tall ones. It's a limited one.

Mr. RODRIGUEZ. It was within my attention span, Congresswoman.

Ms. JACKSON LEE. It has not had any hearings. It has not had a hearing before the Homeland Security Committee, which has the basic jurisdiction of domestic security. I haven't had a hearing in front of the Crime Subcommittee of this Committee, though it deals with refugees, but it also deals with issues dealing with terrorism of sorts.

But you are the tactical man, if you will, in this process. As you look at it, do you read it as I read it, that the elements of certification, or the persons engaged in certification, must certify every single person, Syrian or Iraqi? Do you read it in that terminology?

Mr. RODRIGUEZ. I would not dare right now to opine or interpret other than to say that I am aware of it.

Ms. JACKSON LEE. But you sense that is—

Mr. RODRIGUEZ. I will talk about what we do right now and what we're planning to do.

Ms. JACKSON LEE. Okay. Well, let me do this. Maybe somebody else wants to opine. Because I think you can opine, and I need you to understand and to be understood. It says that everyone in this category has to certify each refugee. Does it not? Can you say that?

Mr. RODRIGUEZ. Yes. I don't think our far basic position, as the President stated last night, is that the process does—4038 doesn't add anything to the—it doesn't add anything to the already rigorous process in which we engage.

Ms. JACKSON LEE. Okay. Well, let me go back to Ms. Richard, then. And as I read this, each person would have to be independently certified. So if you are a 5-year-old Syrian girl, you would have to be certified by the long list of persons that already do it collectively? Is that not accurate?

Ms. RICHARD. Well, I don't know. I haven't spent time looking at the bill, since it's brand new. But we do have interviews for cases, which are either individuals or families. The interviews that Leon Rodriguez's USCIS carries out are meeting with the whole family, and then—

Ms. JACKSON LEE. Let me get, Mr.—

Mr. GOWDY. Well, the gentlelady's time has expired, and I really do want to give every member a chance. And votes are imminent, so I'm going to have to—

Ms. JACKSON LEE. Thank you. I yield back.

Mr. GOWDY. I thank the gentlelady.

The Chair will now recognize the gentleman from Iowa, Mr. King.

Mr. KING. Thank you, Mr. Chairman. I thank the witnesses. And I direct my first question to Mr. Rodriguez. And that is, when you do this extensive vetting process, do you take into account the religion of the applicants?

Mr. RODRIGUEZ. We do not, except as that being a possible—in many cases it is, a basis of persecution. It is one of the categories of persecution. But we do not disqualify anybody because of their faith.

Mr. KING. Do you take into account—do you ask them, what is your religion?

Mr. RODRIGUEZ. Again, if that is part of the basis for their persecution, then we do inquire into that, sir.

Mr. KING. And even though the law requires whether it is or isn't the basis for that, you are required to take that into account, religion.

Then can you explain to me the data out here and what we're seeing happen in the real world. And by the way, I just back from there a week ago. I was in the Kurdish region and over to the frontlines, as close as I can get to ISIS and into a refugee camp and up to Turkey, and on over into Hungary and Croatia and Serbia and then over to Sweden to see kind of the end result. But I asked in Turkey, take me to the refugee camps where I can talk to persecuted Christians, and they couldn't do that. And I said in Kurdistan, take me to the refugee camps where I can talk to persecuted Christians. They couldn't do that either. And the reason for that is the Christians are being taken into the homes that exist in the area and being taken care of in that fashion. It almost turns out to be exclusively Muslims within the camps, as near as I could

determine. Now, I don't have data. I just have the answers that I got to the questions I asked, some of them from State, I might add.

And so can you name for me or identify for me a suicidal terrorist that was not a Muslim?

Mr. RODRIGUEZ. I'm not even going to try to answer that question, Congressman. What I can talk about, Congressman, here today is—

Mr. KING. Well, why can't you answer that question? Either you can say, I can or I can't. That's a pretty simple—

Ms. JACKSON LEE. Would the gentleman yield?

Mr. KING. No, I wouldn't.

I'd ask the gentleman if you would also prefer to simply say that the Administration policy is not to utter these words; we have to walk around this subject rather than directly speak to it, then I'm willing to accept that answer too.

Mr. RODRIGUEZ. What I can say is that we do our job, and that if terrorists are attempting to gain admission to the United States, then we do our job to prevent them from doing so.

Mr. KING. But you are vetting them.

Mr. RODRIGUEZ. That's what the American people are asking of me.

Mr. KING. You're telling me that you're doing a thorough vetting process, but you're unable to tell me that you specifically ask them what their religion is. And if you don't specifically ask them, then neither are you able to quantify the risk to the American society. But I want to move away from that a little bit. I think my point is made there.

And I would like to make this point, that we are operating here on completely the wrong premise. We are operating on the idea that we can vet potential terrorists, no matter how much professionalism that we can bring here, and examine them up, down, sideways, as the gentleman testified, and that they come into America, then, and we're going to be okay if we do a good job of vetting the refugees that we would allow into America.

And yet, when I look at the situations here, for example, here's the Daily Mail article, here's the headline: "America's enemy's within; how nearly 70 have been arrested in America over ISIS plots in the last 18 months, including refugees who have been given safe haven turned out to be bringing terror against Americans." Nearly 70. That number is actually 66.

And so I understand that we can't be perfect with this, but some of these people that came in as terrorists were vetted. I don't think they were terrorists when they got here. They became terrorists after they got here. They became radicalized. Some were and got through. Some were radicalized.

And so when I look at this, I think, we're talking about a huge haystack of humanity. And that hay is benign, relatively speaking, but in that haystack are the needles called terrorists. And the proposal that's coming from the Administration is that we are so professional that we can examine all of that hay, and we can identify any of the needles in it, terrorists; we can sort the needles out of the haystack and somehow prevent them from coming into America. We're not putting them down to GTMO, where they belong, but let them come into America, and then this haystack would be be-

nign, and it could become one of our culture and society, then it will simulate into the broader American civilization. That's nuts to think that.

And, furthermore, even if it wasn't, then I would say to you, the benign hay that now you've envisioned, that we have already purified and cleaned the needles out of, now that that hay never ever morphs into a needle, a terrorist. But we know, even by this article, that people are radicalized in this country. They attack us. We've got multiple attacks in America.

When I look at the map of Europe and the dots of the hot spots where they have been attacked in nearly every country in Western Europe, and it's proportional to the populations that they've brought in from the Middle East and North Africa. Now, we cannot stick our heads in the sand and say that somehow that we're not bringing this upon ourselves. We are watching this. We are slow-motion cultural suicide in American. Slow motion, a generation behind Europe. And I've traveled all over there. And I've walked down through the no-go zones, and country after country in Europe to see it. And I sat down and talked to the people that are there. And I'm watching them. They feel so guilty about political correctness that they're willing to accept about any kind of violence brought into their country because they feel guilty about this.

Mr. GOWDY. The gentleman is out of time.

Mr. KING. And I will conclude for the Chairman, that if we are going to save ourselves, we have to also intervene and provide a safe zone, international safe zone, for the persecuted religions, which are the Syrian Christians and the Chaldean Christians. Thank you, Mr. Chairman. I yield back.

Mr. GOWDY. The gentleman yields back.

The Chair will now recognize the gentleman from Illinois, Mr. Gutierrez.

Mr. GUTIERREZ. Thank you so very much, Mr. Chairman. You know, we are all shocked and horrified and deeply saddened by the news coming from Paris. As a member of the Intelligence Committee, I know there is much to fear both for our allies and for us. But in light of the attacks on our ally friends last Friday, I urge my colleagues to keep a cool head and not to react exactly the way ISIS and other terrorists hope we do, with fear, with chaos, and with lashing out.

But sadly, that's what we have seen. Republican governors and elected officials and candidates and media figures do. I've been here long enough to do know a thing or two about opportunism. Maybe it's just too much to resist when you've got 15 guys and a lady running for President on the Republican side. Politicians, pundits, and celebrities would be attempted to say whatever they can to get in front of the news cameras and have it pointed at them.

The governor of Illinois, my home State, could not resist saying that our State was closed to Syrians fleeing the terror of ISIS and the Assad regime. He said there was no place in Illinois for women, children, elderly, Muslims fleeing the Assad regime and the ISIS terrorism, the murder, the rape, the selling—there's no place for those children and for those women.

Luckily, just as he said that to show the opportunism, a wonderful Syrian family arrived in Chicago just 2 days ago and found a

safe place. That is the message that destroys the hatred of ISIS, not the reel that they are going to have of people saying, we don't like Muslims; we can't trust Muslims; Muslims are somehow going to create a cultural system in America that's going to destroy us.

Every community of people that have come here has strengthened this Nation. And I just have to say that when you use fear, when you use fear—and I do remember, Mr. Chairman, last year we were here, and the last fear that I remember talking about was when the kid showed up—remember when the kid showed up, the refugee showed up from Central America? We had doctors, medical doctors—I don't know what medical school—saying that those children were bringing Ebola to the United States of America. They went to Africa, came back, crossed the border, came back with Ebola. A year later, where is it at? Remember? I remember governors saying that they were going to close down their States.

Every time we hear this, it's about they're coming because they are murders, they are rapists; they're coming because they are drug dealers. It's fear, fear, and fear. And you know what the best tradition of America is, when people have stood up against fearmongers who traffic in hatred and bigotry and prejudice. And that's what I sadly believe is happening now with Syrian Muslims fleeing.

Oh, if they were only all Christians, some would say, then it would be fine. You know what that kind of reminds me of, it kind of reminds me of the Irish, when they came here. They said, if they were only White Anglo-Saxon Protestants, but no, they had an allegiance to the Pope out in Rome, so therefore, they were suspicious people. We've heard these arguments time and time again in America, and America has always responded to them correctly by welcoming those to our Nation regardless of the faith that they hold so that they could celebrate that faith, so that they could live in that faith freely in America, because we don't have those kinds of threats here.

Look, we used fear during World War II. Boy, did we regret it, the internment camps of the Japanese, a stain and a blemish on America. We used fear and we used bigotry to say that those who would flee the prosecution and the persecution and the deaths of the Nazis and the Holocaust, we say no, there's no room in America for you. There's room, certainly, in America.

I understand that there is a terrorist system out there that wants to hurt us. I understand that. But I also understand that there are tens of thousands of American men and women patriots that are out there protecting the homeland every day, and they are not working 100 percent; they are working 200 percent, and they're keeping us safe. And that we are taking all of those measures, and they don't willy-nilly just let anybody go through a screening process. No, those are Americans watching out for Americans, and I think we impugn their integrity and we impugn who they are and their patriotism to this country.

So I would just like to say, look, we made the mistake before. Let's not make it again. Let us have a system—if you said, all we want to do is lose—we want to add an extra layer, that would be good, but that's not what we're doing. They are in the camp, they are getting vetted. We should welcome them to America. We

shouldn't fall into the trap of ISIS, I can see the reel now. Thank you so much.

Mr. GOWDY. The gentleman yields back.

The Chair will now recognize the gentleman from Colorado, Mr. Buck.

Mr. BUCK. Thank you, Mr. Chairman.

Director Rodriguez, I want to just tell you about my experience. I was the District Attorney in Northern Colorado, in Greeley, Colorado. We had between 1,500 and 2,000 Somali refugees, mostly Muslim, if not all Muslim, come to Greeley. There were some hiccups in the process, but for the most part, they were welcomed and have lived there happily in a community that is open to them.

How many refugees are there around the world that are in a position to come to this country? How many potential individuals are there?

Mr. RODRIGUEZ. Well, we have our admission target. My understanding generally, is that there are about 19 million refugees worldwide.

Mr. BUCK. Did you say 19 or 9?

Mr. RODRIGUEZ. Nineteen million.

Mr. BUCK. Nineteen million, refugees worldwide.

Mr. RODRIGUEZ. And Assistant Secretary Richard can correct me if my number is off, but the number is the largest it has ever been.

Mr. BUCK. Okay. So we have 19 million. That's what I was wondering. So 19 million refugees. How many of those can come to the country? What is our number that we would allow into the country?

Mr. RODRIGUEZ. Currently, every year we establish a target. Our target for this fiscal year is 85,000.

Mr. BUCK. Okay. So 85,000, a drop in the bucket of those 19 million. Why would the Administration object to a pause on Syrian refugees when we have 19 million potential refugees that we could take from other countries where we have been successful in integrating those refugees, for the most part, into communities and—

Mr. RODRIGUEZ. Because a quarter of all of those refugees worldwide are, in fact, Syrian. The potential for an even greater number exists with the continued activity of ISIL.

Mr. BUCK. So let's take a quarter. So we have 75 percent of 19 million people, and that, again, 85,000, we could certainly find 85,000 from that 75 percent. Why are we so interested in taking Syrian refugees? This isn't a matter of religion, as my colleague from Illinois pointed out. There have to be various religions in that 75 percent.

Mr. RODRIGUEZ. The situation in Syria is devastating to the extent that there is no reasonable prospect of return to that country for—

Mr. BUCK. And taking 85,000 Syrians wouldn't do anything to change that devastation either. Would it?

Mr. RODRIGUEZ. It would. It would start us on the road. It's something that we are doing alongside our European allies. The Germans, for example, are expecting 1.5 million people.

Mr. BUCK. I want to move on. I understand. My point is simple, there are plenty of other people that we could take in, hit the pause button, and do some research on this.

Director Rodriguez, Mr. Hetfield said that he was surprised that attacks in Paris has resulted in more scrutiny for America's refugee program. Are you surprised as an American that there is fear in this country over relocating Syrians into this country?

Mr. RODRIGUEZ. Congressman, there are enemies of the United States. Those enemies of the United States are in Syria.

Mr. BUCK. I was just asking if you are surprised.

Mr. RODRIGUEZ. My point is I know that the United States has enemies, whether they are in Europe, whether they are in Syria, whether they are—

Mr. BUCK. Your point doesn't answer my question. My question is, are you surprised that Americans are fearful over what happened in Paris?

Mr. RODRIGUEZ. I am neither surprised by the fact that there are fearful Americans, and I'm not surprised by that, nor am I surprised by the fact that many Americans want us to be a welcoming country to those in fact, who are victims of conflict and war.

Mr. BUCK. Okay. And so let me tell you one of the reasons why Americans are distrustful at this point. We have a President who, after the murder of an ambassador in Benghazi and the murder of three heroes in Benghazi, four people total, told the American people that the attack was the result of a video. We have a Secretary of State who immediately identified that it was not the result of a video, that it was the result of a well-planned attack.

And then the Administration paraded out one official after another to lie to the American public, and the American public has very little faith in this Administration when they assure the American public that somehow they're able to determine that Syrians that come to this country are going to be trustworthy and we will be safe. And it is a result of this Administration's lack of credibility that has caused the fear and panic among many of the Americans in this country.

I yield back my time.

Mr. GOWDY. The gentleman yields back.

The Chair will now recognize Mr. Trott.

Mr. TROTT. Thank you, Mr. Chairman.

Director Rodriguez, you know, kind of following up on Mr. Buck's questions. Do you think Americans have a right to be fearful today in light of what happened in Paris and the threats against New York and Washington?

Mr. RODRIGUEZ. Sure. I mean, there are threats to the United States. There's no question about that, Congressman.

Mr. TROTT. And do you think—you know, I'm going home this afternoon. And so what should I tell my constituents that we're doing about their fears?

Mr. RODRIGUEZ. What we are doing is engaging in the—and I assume we're talking about Syrian refugees, because there's a whole lot more that we are doing to protect the United States that goes beyond just what we're doing to scrutinize the 10,000 or so people—

Mr. TROTT. Your assumption is correct.

Mr. RODRIGUEZ [continuing]. Who may be coming.

What I would tell them is this is the most rigorous process in the history of refugee screening. That, in fact, we have denied people

admission. In fact, there are hundreds of people on hold because either their stories lacked credibility or because there was derogatory information about them. So the work is being done.

Mr. TROTT. But can you sort of understand the complete lack of confidence that most of my constituents, whether—let me continue, sir.

Mr. RODRIGUEZ. Yeah.

Mr. TROTT [continuing]. Whether the veterans over the VA, seniors over the future of the Social Security, families over the affordability of their health insurance premiums, as I go back to Michigan, can you sort of understand why people have apprehension about the confidence of the Federal Government, Congress included?

Mr. RODRIGUEZ. Congressman, I think it's actually a benefit of this hearing that we have a little bit more of a burden of information with people than I think we perceived. I think we need to make sure that the American people understand in a calm, reasoned dialogue, what we are doing, because what we are doing is rigorous; it is extensive; it is redundant; it is careful.

Mr. TROTT. So you are 100 percent confident that the process we have in place is going to work just fine going forward?

Mr. RODRIGUEZ. That it is a meaningful, rigorous, robust process that we are engaging in as aggressively as—

Mr. TROTT. In your mind, there's no value in just hitting the pause button. And, you know, many people have made this vote this afternoon into a political vote. It's not political at all. What Congress wants to do, and I think there will be many Democrats that join us, is hit the pause button and work in a collaborative fashion to make sure that our homeland is safe. There's no value in considering doing that, in your mind?

Mr. RODRIGUEZ. Again, I stand by what I've said about the process, so I don't think it's necessary that I repeat it. I do think we need to think about the costs of inaction.

Mr. TROTT. I spent 30 years—do you believe that the process can never be improved upon?

Mr. RODRIGUEZ. Well, of course. And, in fact, we are working every day to make sure that we refine our understanding about what's going on in these countries. We learn more, by the way, as we screen each and every refugee. So, of course, there's room for improvement. But the process, as it exists, is a robust, intensive, meaningful process.

Mr. TROTT. Okay. I'll yield back. Time is short.

Thank you for being here today, sir.

Mr. GOWDY. The gentleman yields back.

The Chair will now recognize the gentleman from Texas, Mr. Ratcliffe.

Mr. RATCLIFFE. Thank you, Mr. Chairman. I appreciate you holding this hearing and your leadership on this issue, and I appreciate all the witnesses being here.

I had a telephone town hall meetings with the people of the fourth congressional district of Texas, that I represent, just two nights ago. And it was similar to many of the telephone town hall meetings that I've had before, in a sense of I had about 8,000 people on the line at once. I've had as many as 3- and 400 people in

the queue to ask me questions. And that's pretty typical. What wasn't typical was the uniformity and lack of diversity in the questions that I had. I didn't have a single question about ObamaCare. I didn't have a single question about government overreach and the EPA. I didn't have single question about \$18 trillion of debt. I had 3- and 400 questions about the Syrian refugee issue and the concern that ISIS may try and use gaps in our process to make America less safe.

And there's really no exaggeration or hyperbole in what I've just related to you. It underscores and highlights the grave concern that the people in my district, and I think around the country, really have about this issue. And it's particularly relevant for us, because Texas, in the last year, has received—well, historically, has received the largest percentage of refugees for resettlement of any State in the country.

Last year, for fiscal year 2014, 10 percent of all arrivals in the United States were resettled in Texas. And I think, or hope that we can all agree that the conflict in Syria, and ISIS has stated and promised, efforts to infiltrate the Syrian refugee process, presents us with a unique challenge here. And in light of these challenges, I think it's incumbent that we all honestly assess whether our system is equipped to protect the American people. And if it's not, we've got to hit pause while we fix the problem. And I know some have demonized this opinion, saying it lacks compassion. But to those folks, I would emphasize that America is the beacon of freedom to the world, in part, because it is a refuge, because it is a safe place for people to come. And if we sacrifice national security, we will weaken one of the very aspects of our country that attracts the weak and the vulnerable to our shores.

So with that in mind, I want to start with you, Director Rodriguez. I understand that an applicant for refugee status must be cleared—or must clear all required security checks prior to final approval of their applications. But with respect to this process, do we admit individuals unless something negative appears during the screening process, or do we admit only for those—for whom we have information?

Mr. RODRIGUEZ. Yeah. We need to have confidence, one, that they can sustain the claim for refugee status. They're screened according to priorities by the United Nations' high commissioner on refugees, that's why a substantial number of them come as family units or victims of torture, victims, people who have been injured in war.

We screen very carefully as to whether there are exclusions or bars that they apply, whether they have been affiliated with a terrorist organization. We have, in fact, ruled people out on those bases or placed them on hold because we have suspicion that those bases apply.

Mr. RATCLIFFE. So, I don't mean to interrupt. So it sounds like we screen—do we screen on the presence of information or based on an absence of information?

Mr. RODRIGUEZ. We screen for both. In other words, if there is insufficient information, insufficient contacts for us to be confident that this person is who they say they are, and their claim is what

they say that it is, then that would be a basis, at a minimum, for that case to be placed on hold.

Mr. RATCLIFFE. Okay. So let me move on quickly. I want to address it from a State and local perspective. And I understand that the current law requires consultation with State and local government officials regarding refugee settlement in the community. But I understand that the extent to which that consultation actually takes place varies greatly. The consultation is supposed to result in the development of policies and strategies for the placement, re-settlement of refugees, but as all of you probably know, as of yesterday more than 25 governors, including my governor in Texas, issued statements saying it would bar Syrian refugees from settling in their States.

So I want to ask that question, would consultation take into account a desire on the part of a State's governor and residents to decline to accept refugees?

Mr. RODRIGUEZ. Congressman, I think Assistant Secretary Richard will take this question, actually.

Mr. RATCLIFFE. All right.

Ms. RICHARD. On the issue of consultation with the State and local governments, you are absolutely right, that that is an important aspect of this program. We require that the local organizations that are partners with us in carrying out the refugee program have quarterly consultations, that they do this with the community leaders. Every State has a State refugee coordinator, who is reporting to the governor, but who works with the Department of Health and Human Services to make sure that there is suitable provisions made for the refugees.

One of the things that Chairman Gowdy has reinforced in our discussions is that it's important that our partner organizations talk to the people who are the most responsible authorities at the community and State level. That they don't just talk to people who are interested in the program, but that they go to the police chief, the mayor, the school principal, the healthcare center, and make sure they know who's coming, what to expect, and that this, then, reinforces the community's acceptance and preparedness to welcome the refugees.

You are right that Texas is the most welcoming State in the United States for hosting refugees. And I was surprised that so many governors spoke out so quickly. I think that what we have to do—we had our phone call with all the governors that the White House arranged, the day before yesterday, and I think we have to get more information out to people so that they understand what this program is, how it operates, and why we take such care in making sure it's done in a way that's safe for the refugees, of course, who have been through so much, but especially is run in a way, that the security of the American people is not in danger.

Mr. RATCLIFFE. I would love to follow up, but my time has long since expired. I appreciate and I thank the Chairman for his indulgence.

Mr. GOWDY. The gentleman yields back. I want to let the witnesses know, votes have been called. In fact, the clock is on zero. So I am more than likely to miss votes, but I don't want you to think that any of my colleagues left because of disinterest. They

have been called to the floor. It's just a really important issue in my district. So I'm willing to risk the wrath of missing votes to ask some questions.

And I wanted to go last, because I wanted to hear everyone else's perspective. And I wrote a number of notes down, and I think I wrote them as accurately as they can be written. And this is the thought that kept going through my head.

This past weekend, I saw a gentleman in my hometown walking away from a gas station carrying a gas can. So even I could figure out, his car ran out of gas. And I had to make a decision whether or not I was going to offer him a ride. And I did. I offered him a ride. That's a risk, however small, that I was willing to take for myself.

I would never ask any of you to do that. You have to weigh and balance that risk yourself. I'm willing to get on an airplane today, because I want to get home quicker. The risk is very small something bad is going to happen. I'm not willing to go bungee jumping, even though the risk may also be small that something bad's going to happen.

So I haven't heard a single one of you say there's no risk. In fact, you can't say there's no risk. Even Mr. Hetfield, I think he put two verys in front of it. He said it's very, very low. I don't know if it warrants two verys in front of it. But there is some risk. And nobody has said there's zero risk. And I think every one of you would agree that the potential consequences of us getting it wrong are maybe cataclysmic. That we have to be right every time. So the risk can still be small and something bad can happen. And what I'm trying to get folks to do is weigh and balance the risk versus the potentiality of us getting it wrong.

So let me start here. Have we ever gotten it wrong in the past? Now, I'm not talking about Syrian refugees. I'm talking about any category of refugees. Have we gotten it wrong? Has our vetting failed in the past? Is anybody aware of a circumstance where our vetting has failed in the past? Not all at once.

Mr. KRIKORIAN. Well, I'll take that one, Congressman. The answer is, yes, many times. Just earlier this year, an Uzbek refugee, admitted as a refugee, was convicted of assisting terrorism. A couple of years ago, two Iraqi refugees, in Kentucky who had been admitted, it turned they had their fingerprints turn up later on IEDs.

And so the critics of sceptics, the defenders of bringing Syrians, they insist on saying, no one has been convicted—no refugee has been convicted of terrorist—no Syrian refugee has been convicted of terrorist activities in the United States. But these Iraqis killed Americans abroad. That doesn't make me feel better that they are here.

Mr. GOWDY. The conviction doesn't mean anything to me. The terrorist attacker is not going to be convicted, because he's dead. So you can't use conviction as a barometer for whether or not somebody has been a threat. They may not be around to convict.

So, does anybody disagree that there have been failures in vetting? Is anybody taking the position that we have made no mistakes?

Ms. RICHARD. Chairman Gowdy, I agree with you that in the history of the 3 million refugees who have come here, there have been

a handful who have been a threat to the United States. And fortunately, they have been stopped before anything bad happened. And the two Iraqis in Kentucky were the most shocking example.

They had done bad things in Iraq. They had lied to get into the country, and had our current system been in place, they would have been caught before they got here. And that's why the system has been improved since that episode.

You had said a few things in life are risk free. I heard the governor of Washington State say, you take a risk when you get out of bed in the morning. I mean, there's a lot of dangers in the world, absolutely. But I think the program that we run, does as much as humanly possible to reduce the risks of bringing refugees to this country. And we have great confidence in it.

And we invite members to come out to the field and meet some of the people who interview the refugees and sit through some of the briefings by Leon's team that I sat through. It's a very impressive, a very thorough event.

Mr. GOWDY. And, Ms. Richard, that's what makes me hate waste, fraud, abuse, deception, so much, is that when anyone engages in it, it also impacts those who would never consider engaging in it. Because it makes everyone have to stop and think. There is some risk. There is a great reality that if we get it wrong something bad could happen. And you have to balance the risk with the potentialities of something bad happening.

And when you do have people who abuse any system, believe it or not, there have been Federal judges who undergo rigorous screening, including going back and talking to neighbors from 25 years ago, and they still turn out, we get it wrong with them from time to time. United States attorneys, serious FBI background checks with every available database, we still get it wrong from time to time. Even Members of Congress, believe it or not, we get it wrong from time to time. So that's what, that's what I'm—we can't do it this morning, but you can't say there's no risk. And I appreciate the fact that nobody has tried to say that.

We all agree that we are dealing with an enemy that affirmatively wants to do whatever bad thing they can do to us. And I just think it's put the American people in a really, really tough position, particularly given the fact that public safety and national security are the preeminent functions of government. I do want to end, Ms. Richard, by thanking you for coming to South Carolina and noting that the reason you had to come to South Carolina was nothing that you had done.

And to Mr. Hetfield and others in his line of work, you're exactly right. The sheriff needs to be talked to, the superintendents need to be talked to, the community needs to be talked to, not simply people who may be supportive. If you want to find out the truth, you got to talk to everybody, including those who may not support the program, so you can weigh and balance the competing evidence. You should not have had to come to South Carolina quite frankly. You should not have had to. It should have been done well before you and I ever met.

So I think a lot of the information, the sooner it's shared and the more fully it's shared, the better people can make informed decisions. So as I leave to explain to the majority leader why I missed

the vote, this is what I would encourage everyone to do, Mr. Rodriguez, Ms. Richard, what I really wanted to do, if we weren't going, is to get you to walk the American people through every step of the vetting process.

I really do like the director of the FBI. But I also acknowledge that the FBI may be experts in this realm of data. You have access to other realms of data. And, again, people can draw whatever conclusions they want to draw. It's really none of my business. But until they have all the facts, you can't draw any conclusions. So to the extent you or someone else can just lay out for the American people every single step and every database you can access and every question you can ask and the training of the people doing the questioning, folks are still going to come down on different sides of this issue. They just are. But at least they'll know they did it having access to every bit of information.

So with that, I want to thank all five, I do want to thank the Administration witnesses for agreeing to a single panel. I know that that is unusual. But given the circumstances of the day, it was a necessity. I thank all of our witnesses.

And with that, I'm going to head to the floor. And we're adjourned. Thank you.

[Whereupon, at 11:04 a.m., the Subcommittee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD



Statement from the Arab American Institute
 House Judiciary Subcommittee on Immigration and Border Security
 Hearing on "The Syrian Refugee Crisis and its Impact on the Security of the U.S. Refugee Admissions Program" on November 19, 2015.

November 25, 2015

While the Syrian conflict has created the worst ongoing humanitarian crisis of our time, and has contributed to the worst refugee crisis since World War II, it has only garnered increased media coverage as a result of the shocking images of the 3-year old Syrian refugee Aylan Kurdi on a Turkish beach on September 2nd, 2015. This coverage and attention has begun to peak in the wake of the tragic terrorist attacks on Paris on November 13th.

Statistics produced by the United Nations (UN) paint a grim picture of the reality on the ground. According to the United Nations High Commissioner for Refugees (UNHCR), 12.2 million Syrians are in immediate need of humanitarian assistance (4.8 million of whom are trapped in areas that cannot be reached by aid agencies), 7.6 million individuals are internally displaced, and nearly 7.5 million children have been affected by the conflict. While neighboring states, and some European allies, have elected to receive their fair share of refugees, the United States has accepted less than 2,000 Syrian refugees since the outbreak of the conflict in 2011.

In light of this, President Obama recently announced that his administration would prepare to admit at least 10,000 Syrian refugees in Fiscal Year 2016. While this increase is a step in the right direction, we believe that it does not go far enough. Along with over 100 organizations, the Arab American Institute (AAI) has called on President Obama to accept 200,000 refugees in Fiscal Year 2016, including 100,000 Syrian refugees.

The reaction of the American public to the Syrian refugee crisis has largely mirrored the unique ethos that has always set this nation apart from others. After World War II, we welcomed nearly 400,000 Eastern Europeans and in 1975 we admitted approximately 120,000 Vietnamese refugees. The United States is a nation of immigrants, and many of our citizens recognize that we must not, and cannot, close our nation's doors to Syrian refugees seeking safety.

On the other hand, in the wake of the tragic attacks on Paris, there is a vocal group of individuals who, citing security concerns, have demanded we close our doors. Within this minority, some have expressed bigoted mischaracterizations of Islam and Arabs in order to create an environment of fear and bigotry. With the American public increasingly concerned for the present day geopolitical situations in the Middle East, we are seeing individuals employing fear-mongering tactics to keep Syrian refugees away.

AAI fully understands and supports the need to ensure that our nation's national security is never undermined. With that said, it is our belief that a thorough vetting system for refugees hoping to enter the United States already exists. As Barbara L. Stack, Chief of the Refugee Affairs Division at the Department of Homeland Security, testified before the Senate Judiciary Subcommittee on Immigration and the National Interest, "Refugee applicants are subject to the highest level of security checks, and a refugee application is not approved for travel until the results of all required security checks have been obtained and cleared."¹

Secretary of State John Kerry outlined the extensive vetting process that refugees must undergo before they are admitted to the United States, noting that the vetting process "is the most robust screening process for

any category of individuals seeking admissions into the United States," adding that "additional precautions have been added with regard to Syrian refugees." The process which can take up to 24 months involves several international and domestic agencies, including the United Nations High Commissioner for Refugees (UNHCR), the Department of State, the United States Citizen and Immigration Services (USCIS), the Department of Homeland Security (DHS), the Federal Bureau of Investigation (FBI), and the Department of Defense (DOD). These agencies conduct in-person interviews, biometric screening, and intelligence checks.

Secretary Kerry and DHS Secretary Jeh Johnson wrote, "We have tremendous faith in this system's ability to detect, investigate, and disrupt terrorist plotting in the country[.]"ⁱⁱ

Furthermore, the Director of the Federal Bureau of Investigation James Comey stated, "We are not aware of any credible threat here of a Paris-type attack, and we have seen no connection at all between the Paris attackers and the United States."ⁱⁱⁱ

However, discussions of possible security threats led to several bills being introduced on the House floor, including H.R. 4038, the "American Security Against Foreign Enemies Act of 2015" or the "American SAFE Act of 2015."

This bill, which adds an additional step of personal certification by the Director of the FBI, the Secretary of DHS, and the Director of National Intelligence, has been called "untenable" by the White House, and would introduce "unnecessary and impractical requirements."^{iv}

DHS Secretary Johnson, was quoted as saying that H.R. 4038 is a "bad bill because it seeks to micromanage the process in a way that is counter productive to national security to our humanitarian obligation and the overall ability to focus on Homeland Security."^v

Attorney General Loretta Lynch said at a conference shortly after H.R. 4038 passed that, "I understand people are concerned and they're anxious and they're afraid. I understand all of that. I just find it very troubling when we live and we take action out of fear as opposed to out of resolve and determination and based on facts.... My other concern about the tone is it's in direct conflict with who we are as a nation and our values as a people."^{vi}

The Arab American Institute believes that the proper response is not to deny all refugees admittance to the United States, but rather to ensure the agencies that assist with refugee resettlement and vetting have the proper resources and staff at hand to ensure the security checks.

We do not believe that admitting a larger number of Syrian refugees will make our country less secure. Rather, we believe that allowing more Syrian refugees into the country reflects the very principles on which our nation was founded on. As members of Congress considering this issue, we hope that you will uphold the U.S. tradition of welcoming the world's most vulnerable populations.

ⁱⁱ <http://www.judiciary.senate.gov/imo/media/doc/10-01-15%20Strack-Emrich%20Joint%20Testimony.pdf>

ⁱⁱⁱ https://www.bostonglobe.com/news/politics/2015/11/24/read-kerry-letter-governor-baker/q4xdafXgCLYCKSeyYTUPzl/story.html?pl=Article_Related_Box_Article

^{iv} <http://www.politico.com/story/2015/11/james-comey-fbi-paris-attack-us-216076>

^v <http://www.fl.com/cms/s/0/89e5f036-8e4e-11e5-a549-b89a1dfede9b.html#axzz3sWBLaiYf>

^{vi} <http://www.cnn.com/2015/11/19/politics/fbi-director-james-comey-refugee-legislation/index.html>

^{vii} <http://www.politico.com/story/2015/11/james-comey-fbi-paris-attack-us-216076>

SHEILA JACKSON LEE
18th DISTRICT, TEXAS

WASHINGTON OFFICE
2252 Rayburn Office Building
Washington, DC 20515
(202) 225-3416

DISTRICT OFFICE
1919 South Street, Suite 1180
Houston, TX 77002
(713) 655-0050

ACRES HOME OFFICE
6719 West Montgomery, Suite 204
Houston, TX 77091
(713) 691-4882

HEIGHTS OFFICE
429 West 19th Street
Houston, TX 77002
(713) 861-4079

FIFTH WARD OFFICE
4300 Lyons Ave., Suite 200
Houston, TX 77020
(713) 227-7740

Congress of the United States
House of Representatives
Washington, DC 20515

COMMITTEES
JUDICIARY
SUBCOMMITTEES
Ranking Member
Crime, Terrorism, Homeland Security and
Investigations
Immigration and Border Security

HOMELAND SECURITY
SUBCOMMITTEES
Cybersecurity, Infrastructure Protection and
Security Technologies

Border and Maritime Security

SENIOR WHIP
DEMOCRATIC CAUCUS

SUBCOMMITTEE ON IMMIGRATION AND BORDER SECURITY HEARING
"THE SYRIAN REFUGEE CRISIS AND ITS IMPACT ON THE SECURITY OF THE
U.S. REFUGEE ADMISSIONS PROGRAM"

NOVEMBER 19, 2015 9:00 AM

I thank Chairman Gowdy and Ranking Member Lofgren for holding this hearing today on the Syrian Refugee Crisis and the Admission of Syrian Refugees into the United States.

Thank you to our witnesses for being here. We welcome you and appreciate your testimony on this important matter before us.

I would also like to say that our prayers are with the victims of the terrorist attacks in Paris and their families.

Every American can empathize with the people of France because we remember the terrible and heart-breaking events of September 11, 2001, the first and worst attack by an enemy on American soil since Pearl Harbor and which took the lives of more than 3,000 innocent persons.

Those of us who were here on 9/11 remember the unity as we stood, not as Republicans and Democrats, but as Americans side by side on the steps of our Capitol in solidarity.

In the 14 years since that heart-wrenching day, our nation has learned much from our initial responses to the attacks of September 11; we have a much better idea today of what types of actions work, which do not, which go too far.

ISIS/ISIL aspires to bring about a bi-polar world, one divided between those Muslims who share their distorted and profaned interpretation of one of the world's great religions on the one hand, and everyone else on the other.

We in the United States seek a peaceful world in which every person on earth is free to worship in peace, live in freedom, and enjoy the blessings of liberty.

Women and children, religious minorities—including other Muslim beliefs that differ from their views, have suffered under ISIS/ISIL's reign of terror.

The reign of terror unleashed by ISIS/ISIL is the source of refugees who are fleeing from something so all-consuming and destructive that they leave with nothing but their children in their arms and the clothes on their bodies.

Our allies in Europe understand that kind of terror—from the stories of those who sought refuge from the Nazis prior to and during World War II and after the war when escaping the totalitarian states of the Soviet-dominated Warsaw Pact.

Fear of the stranger has always existed, but civilization and institutions ease that fear by providing law and order to people to assure protection from want, violence, and war by expending resources to address conditions that would result in those societal destabilizing influences.

Each nation decides where it stands on principle, law, and conscience.

We must stand today, united and fully committed to the ideals upon which our country was founded.

As the Ranking Member of the Subcommittee on Crime, Terrorism, Homeland Security and Investigations, and a Senior Member of the Committee on Homeland Security, I am deeply troubled by the recent attacks in Paris and the continued threat that ISIS/ISIL poses to our national security.

The purpose of this hearing, however, is to assess how the admission and resettlement of Syrian Refugees in the United States will impact our national security.

Looking to our vetted history of accepting victims of war from enemy countries, and the uniquely robust and thorough 16-step screening process, including an enhanced process for Syrians, one that can take up to 3-4 years, the admission of Syrian Refugees is the right and American thing to do.

I am committed to working with my colleagues to do our part in protecting our nation to the best of our capabilities, and I am equally committed to upholding the principles of this great nation.

The admission of Syrian Refugees will not jeopardize our national security, it will only enhance our values and strengthen our foundation.

I ask unanimous consent to have the U.S. Refugee Admissions Program Diagram and Process, and a letter by the Arab American Institute included in the record.

Thank you.