LEGISLATIVE TESTIMONY

The Current State of the U.S. Refugee Program

Testimony before the Subcommittee on Immigration and Citizenship
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Lora Ries
Senior Research Fellow, Homeland Security
Douglas and Sarah Allison Center for Foreign Policy
Kathryn and Shelby Cullom Davis Institute for National Security and Foreign Policy
The Heritage Foundation

Chairwoman Lofgren, Ranking Member Buck, and distinguished Members of Congress:

Thank you for the opportunity to speak to you today about the current state of the U.S. Refugee Program. My name is Lora Ries. I am the Senior Research Fellow for Homeland Security in the Douglas and Sarah Allison Center for Foreign Policy at The Heritage Foundation. I have spent my career involved in the immigration and homeland security arena – at the Department of Homeland Security, the private sector, the Department of Justice, and the U.S. House of Representatives' Committee on the Judiciary.

The United States has a long, proud humanitarian tradition of admitting refugees into the country. The U.S. Refugee Admission Program (USRAP) is the current mechanism to implement and achieve refugee admissions. The program supports U.S. interests by asserting American leadership, strengthening U.S. public diplomacy, helping partners and allies in a tangible way, and rescuing some of the world's most vulnerable people. The U.S. government has made improvements to the USRAP over the years, but additional improvements are still needed to help ensure the program serves U.S. interests, supports our allies, and helps those in greatest need.

Principles

Before describing needed improvements to the USRAP, it is important to first set out some basic principles related to admitting refugees into the United States.

1) Managing who crosses its borders is central to a nation's sovereignty and is exercised by every country in the world.
2) Resettlement is not the solution to mass displacement. Only the resolution of conflict will rectify an associated refugee crisis.
3) Assisting countries on the front line to conflict that are hosting refugees stretches resources the furthest and helps the largest number of refugees.
4) U.S. policymakers have a moral and constitutional duty to care for American interests first. This includes the responsibility to ensure the U.S. only takes in as many refugees as it can safely vet and assimilate.

UNHCR

The USRAP spans several agencies across the international, federal, state, and local arenas. The United Nations High Commissioner for Refugees (UNHCR) is the primary international organization responsible for assisting refugees and other displaced persons, and is a key component of the USRAP for referring potential resettlement cases to the U.S.

Like other countries, the U.S. benefits from the UNHCR being the primary intake agency as opposed to the U.S. directly receiving self-selected refugee applicants. The UNHCR is better positioned to have a global view and knowledge of sources and locations of persecution. The U.N. is also better situated than a single receiving country to resource staff from those regions who have the most current country condition knowledge. Furthermore, the UNHCR has an enterprise view of the resettlement status and issues of receiving countries to appropriately identify regions or countries for additional integration and resettlement. This allows for distribution of resettlement cases by UNHCR among several receiving countries.

While the U.S. benefits from UNHCR participation in the USRAP, vetting and security improvements are needed in the UNHCR process.

Vetting and Security Checks

Safeguarding the homeland requires periodic vetting and security assessments and prioritizing the best candidates for resettlement. There is no way to design a foolproof vetting system, but a successful refugee program should be honest about security risks and make sure to mitigate them. Review of vetting and security procedures occurred at the beginning of the Trump Administration. A similar assessment occurred after 9/11. These assessments are necessary periodically to identify and combat fraud patterns, maximize information sharing among agencies dispersed across departments, and leverage newer technology.

When new vetting and security procedures are implemented, it takes some time for USRAP staff to acclimate to the changes, causing refugee admissions numbers to initially dip. The post-9/11 enhancements were resource-intensive and staff had to re-vet cases. As a result, the refugee admission numbers dropped from 69,304 in 2001 to 27,110 and 28,422 in 2002 and 2003, respectively. The admission numbers rebounded, however. Predictably, the admission numbers decreased again after the vetting and security changes made in this Administration. As before, USRAP staff have become more efficient at the new vetting and security procedures, and the admission numbers have started to rise. In fiscal year (FY) 2018, the U.S. admitted 22,491 refugees, and in FY 2019, the refugee ceiling number of 30,000 was admitted.

As the U.S. government identifies fraud patterns during and between security assessments, it should consistently update the UNHCR with its fraud findings to terminate fraudulent applications further upstream in the refugee resettlement process.

Information sharing between the U.S., as well as other resettlement countries, and the UNHCR needs to occur in both directions, however. In addition to fraud patterns it finds, the UNHCR should be sharing biometric, biographic, and interview information it collects from resettlement cases with all resettlement countries. This is valuable information for countries in both their refugee and asylum processes. For example, a refugee applicant case may not be accepted by the U.S., but if the applicant subsequently arrives in the U.S. and seeks asylum, the U.S. has a need to know the applicant's immigration history.

The U.S. immigration agencies and intelligence community should be accelerating development progress towards this concept of a complete immigration history, or "person-centric" system. Currently, many immigration, criminal, and intelligence systems are built for narrow purposes and may be encounter-based. The result is it is difficult and time-consuming for staff to do manual searches in multiple systems to connect the dots and derive a complete picture of an individual. Rather, person-centric databases would link encounters, based on biometrics, and provide a person's travel to and from the U.S. and immigration history to allow an adjudicator to determine eligibility for a benefit.

An aspect of the USRAP that needs attention is continuous vetting of recently resettled refugees to determine whether a refugee returns to the country of their claimed persecution fear. If a refugee voluntarily re-avails himself of the protection of his country or travels with the passport of that country,

he may lose his refugee status. To maintain the integrity of the USRAP, the U.S. should ensure that those who apply for, and those who have received, refugee status have a bona fide claim of fear.

While U.S. immigration law states that a refugee should apply for adjustment of status (a green card) one year after admission as a refugee, there is currently no follow-up by the U.S. government to ensure a refugee submits the adjustment application. The intent of the one-year requirement is, in part, to have the Department of Homeland Security (DHS) encounter the refugee again for re-vetting. As a refugee's one-year anniversary approaches, DHS should contact the refugee with a reminder to apply for adjustment of status. It is in the refugee's interest to apply for adjustment because lawful permanent resident status provides the individual with more immigration stability.

Re-designing security vetting on the front end of the refugee admissions process does not eliminate security risks from occurring after the refugee process is complete. Unfortunately, subsequent radicalization of refugees in the same or later generations has occurred in the U.S. and other resettlement countries. To mitigate radicalization risks, the U.S. government should develop a comprehensive plan for assimilating refugees into the United States.

Assimilation

Assimilation into mainstream mores is key to immigrants' success. Embracing the American creed, learning English, and gaining an education help immigrants build an American identity, and the knowledge, skill sets, and social capital that increase their sense of belonging in American society. Assimilation does not require that refugees forget their history. Patriotic assimilation simply asks that immigrants embrace the principles of the United States, and develop loyalty to the U.S. and fellow Americans above other countries and people.

The U.S. government can do a better job assimilating refugees. The government should institute a comprehensive plan for assimilation, including mobilizing private organizations, companies, and individuals. Having individual sponsors assist refugees in their resettlement process, including the timely application for lawful permanent resident status, for example, creates human connections and loyalties to fellow Americans.

To increase assimilation, schools should emphasize civics education. Learning English can also be assisted by greater civil society involvement. Places of worship, community groups, and academic communities can marshal extra time and resources for refugees to facilitate their entry into mainstream society. This helps build social capital, civic pride, and patriotic attachment to other Americans.

The U.S. government should pilot private resettlement programs. Canada has used a private resettlement program model and reports better assimilation outcomes. Refugees in Canada who have gone through a private resettlement model have reported greater satisfaction with their new lives than those resettled by the government alone.

Finally, the USRAP should add an assessment of refugees' skills and educational degrees to align them with employment needs and to fully utilize their skills. The process should include: assessing degrees and credentials earned overseas; recognizing the level of educational attainment and technical qualifications with the appropriate U.S. credential; and assisting refugees in preparing for licensing and certification tests.

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