

THE IMPACT OF ISIS ON THE HOMELAND AND REFUGEE RESETTLEMENT

HEARING

BEFORE THE

COMMITTEE ON
HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE
ONE HUNDRED FOURTEENTH CONGRESS

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CONTENTS

Opening statements:	Page
Senator Johnson	1
Senator Carper	3
Senator McCaskill	14
Senator Ayotte	15
Senator Tester	17
Senator Baldwin	19
Senator Heitkamp	21
Senator Peters	23
Prepared statements:	
Senator Johnson	55
Senator Carper	57

WITNESS

THURSDAY, NOVEMBER 19, 2015

Hon. Anne C. Richard, Assistant Secretary for Population, Refugees, and Migration, U.S. Department of State	6
Hon. Leon Rodriguez, Director, U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security	7
Peter Bergen, Director, National Security Studies Program, New America Foundation	28
Brian Michael Jenkins, Senior Advisor to the President, RAND Corporation ...	30
Daved Gartenstein-Ross, Senior Fellow, Foundation for Defense of Democracies	32
Eric P. Schwartz, Dean, Humphrey School of Public Affairs, University of Minnesota, and Former Assistant Secretary for Population, Refugees, and Migration at the U.S. Department of State (2009–2011)	34
Lavinia Limón, President and Chief Executive Officer, U.S. Committee for Refugees and Immigrants	35

ALPHABETICAL LIST OF WITNESSES

Bergen, Peter:	
Testimony	28
Prepared statement	73
Gartenstein-Ross, Daved:	
Testimony	32
Prepared statement	101
Jenkins, Brian Michael:	
Testimony	30
Prepared statement	90
Limón, Lavinia:	
Testimony	35
Prepared statement	117
Richard, Hon. Anne C.:	
Testimony	6
Prepared statement	60
Rodriguez, Hon. Leon:	
Testimony	7
Prepared statement	64
Schwartz, Eric P.:	
Testimony	34
Prepared statement	110

IV

APPENDIX

Page

13-Step Vetting Process	122
Acronym List submitted by Senator Johnson	124
Statements submitted for the Record from:	
Asian Americans Advancing Justice	126
The American-Arab Anti-Discrimination Committee	129
American Immigration Council	135
American Immigration Lawyers Association	143
Columban Center for Advocacy and Outreach	146
Christian Reformed Church	148
The Center for Victims of Torture	149
Church World Service	152
Disciples Home Missions	153
Franciscan Action Network	154
Human Rights First	155
Gainesville Florida Interfaith Alliance for Immigrant Justice	161
International Rescue Committee	162
Jesuit Refugee Service/USA	165
Leadership Conference of Women Religious	167
Lutheran Immigration and Refugee Service	168
National Advocacy Center of the Sisters of the Good Shepherd	173
NAFSA Association of International Educators	174
National Council of Jewish Women	177
Niskanen Center	178
OCA-Asian Pacific American Advocates	183
Presbyterian Church	186
Religious Action Center of Reform Judaism	188
Refugee Solidarity Network	189
Shoulder to Shoulder Campaign	190
Syrian American Medical Society	192
Southeast Asia Resource Action Center	195
Truah: the Rabbinic Call for Human Rights	198
United Methodist Church	200
United States Conference of Catholic Bishops Committee on Migration	202
Unitarian Universalist Service Committee	214
We Belong Together	216
Welcoming America	217
Responses to post-hearing questions for the Record from:	
Ms. Richard	218
Mr. Rodriguez	227
Mr. Bergen	233

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THURSDAY, NOVEMBER 19, 2015

U.S. SENATE,
COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 2:14 p.m., in room 342, Dirksen Senate Office Building, Hon. Ron Johnson, Chairman of the Committee, presiding.

Present: Senators Johnson, Portman, Ayotte, Ernst, Sasse, Carper, McCaskill, Tester, Baldwin, Heitkamp, Booker, and Peters.

OPENING STATEMENT OF CHAIRMAN JOHNSON

Chairman JOHNSON. This hearing will come to order.

I think it is appropriate that we begin today with a moment of silence out of respect for those individuals that have lost their lives in Paris and in Beirut and in Egypt, over just the last 3 weeks, as the result of the Islamic State of Iraq and Syria (ISIS) barbaric activities. So, a moment of silence, please.

[A moment of silence was observed.]

Thank you.

I welcome our Ranking Member.

Senator CARPER. Thank you.

Chairman JOHNSON. When I took over as Chairman of this Committee, working with Senator Carper, we developed a rather simple mission statement for the Committee. It is, simply, to enhance the economic and national security of America. We have committed ourselves to that.

The threat of ISIS, of Islamic terror, threatens both. I mean, we have seen the tragic loss of life repeatedly. Obviously, that threatens national security. But think of the economic harm, as well, that these acts of terror result in. So, it is fitting and appropriate that this Committee, the Senate Committee on Homeland Security and Governmental Affairs, take up this very serious issue of the threats that ISIS poses across the board.

Now, in speaking with Ms. Richard earlier, she acknowledged that the topic, the primary topic, is really about the administration's plan to allow about 10,000 refugees in from Syria. We are a compassionate, humane society. And, so, we are going to lay out the reality in terms of what the vetting process will be to make sure that we maintain a secure Nation, that we minimize, if not eliminate, the risk that any of those refugees may cause America.

So, from our secure briefings I think we are going to hear of a pretty robust vetting process, and so I really do appreciate not only the Department of Homeland Security (DHS), with U.S. Citizenship and Immigration Services (USCIS), with Mr. Rodriguez, but also the State Department (DOS) sending Ms. Richard here. I know this is very short notice, but I truly do appreciate and I think everybody on this Committee appreciates the fact that you are taking the time to lay out that reality for the American public.

Refugees could pose a risk. But, I think, when we take a look at what the vetting process will be and we consider all the risks that ISIS poses to America, we may find there are far greater risks. I think in our briefings, we have had questions by members of our visa programs, whether it is the Visa Waiver Program (VWP) or student visas or the whole panoply of visas that we offer. What are the types of controls? What are the types of vulnerabilities? How are we exposed because of the openness of our society? I think all of these things are very appropriate questions and I think they definitely need to be explored.

But, if you really want to take a look at where we are most vulnerable, this Committee has dedicated border security as one of the priorities on the homeland security side of our Committee. We have held 12 separate hearings on that problem, trying to lay out the complexity, the difficult nature of that problem. And the conclusion that certainly I have come to, I think most Committee members have come to, is our borders are not secure.

A few members, including Senator Carper and I, made a trip down to Honduras and Guatemala a couple of weekends ago and there was a new—apparently, it is not new, but it is the first time I had heard this. I had always heard “other than Mexico” (OTM), and frequently described in our Committee hearings, this would be frequently people from Central America.

But when we were down in, I believe it was Guatemala, I heard a new term, Special Interest Aliens (SIAs). Now, currently, most of those are Cubans coming in through Central America, taking advantage of the dry foot policy in terms of immigration law. But, we were also told that this includes Syrians and Somalis and Pakistanis. This is a concern to us. I believe there were five Syrians just apprehended in, it was Honduras. We had some Syrians apprehended at the border. Now, again, we do not know what threat level. I think it is being reported that they were not a threat. But this is a serious concern.

We have heard now the new government in Canada is going to open up and potentially streamline their refugee program to allow 25,000 Syrian refugees. We have certainly discovered in this Committee that our border with Canada is far from secure. Again, our border on the Southwest is very, very far from secure. The one metric that stands out in my head proving how unsecure our border is, General Barry McCaffrey testified that we are only interdicting somewhere between five and 10 percent of drugs coming in through our Southern border.

So, again, we have to look at all the vulnerabilities. We will talk about the refugee and the vetting process, and it is fitting and appropriate we do so. But, we really do need to understand the threat that we face. It is real. It is growing.

And coming from a manufacturing background, I have done a lot of problem solving, and the first step in solving any problem is first laying out the reality, acknowledging that reality, looking for the root cause. And let us be honest. The root cause of this problem is that ISIS exists, that it was able to rise from the ashes of what was a defeated al-Qaeda in Iraq. And, so, what we need to do is address the root cause—the refugee crisis, the flow into Europe, the fact that we are even here today considering bringing in, on the basis of compassion, refugees from Syria. That is a symptom of the problem.

The root cause is ISIS, and so the solution is committing this Nation, together with a coalition of the willing, of the civilized world, to destroying, to defeating ISIS. That is a goal that President Obama stated, degrade and ultimately defeat ISIS. I would argue, “ultimately” ought to be very soon.

So, again, I want to thank the witnesses, not only this panel but also the next panel for taking the time to testify and for your thoughtful testimony. I look forward to the questions.

Chairman JOHNSON. With that, I will turn it over to Senator Carper.

OPENING STATEMENT OF SENATOR CARPER

Senator CARPER. Thanks, Mr. Chairman.

Let me just set aside my prepared remarks—I would ask consent that they be submitted for the record¹—and make a couple of comments, if I can.

A lot of attention paid to refugees coming from Syria to the United States. In the last year, there have been about 2,000 refugees. It is not an easy process to go through, as my colleagues know. It is a process that can take as much as 2 years. And, it starts with vetting by the United Nations (U.N.), one of their high commands, and if folks make the cut to get to the next step, then they go through a bunch of screens, such as personal interviews and in-person interviews. Data, to the extent that we have data files to check, we do all those. The Department of Homeland Security does some of them. We work with other countries with whom we are allied.

Out of the 2,000 that have come in as refugees in the last year or two, about 2 percent were military-aged males—2 percent. And of the folks that have come to our country so far, I am told, out of those 2,000, not one person has been arrested. Not one person has been arrested.

It takes 2 years, and it is a process that if I were a bad guy trying to get in, that is the last place I would try, the last way I would try to get in. If I were a bad guy trying to get in, I might try a Visa Waiver Program, a Visa Waiver Program, and I might try just coming over as a student or as a tourist.

The good news, I understand out of the four French nationals who were killed in Paris, either three or all four of them were folks who never would have been allowed to get on a plane because we had them suitcased in terms of who they were. They would never get on a plane to come to the United States.

¹The prepared statement of Senator Carper appears in the Appendix on page 57.

One of the things, the challenges for us, I think, is to—understand, we have had a hearing already this year on visa waivers, I recall, and we need to go back and dust off the books, see what we learned in terms of how we are strengthening that program. A lot has been done. What started off as a travel facilitation program has now become an information sharing program with 38 other nations. In order for them to participate in this program with us, they have to agree to provide access to every kind of data file, intelligence file, that we ask for, and if they do not, then they are not included as one of the visa waiver countries.

One of the latest, one of the other developments not too long ago, was if you want to be a Visa Waiver Country, of these 38 countries, you have to make sure that if somebody's passport is stolen or lost, it is reported to Interpol. And that way, when somebody shows up using, trying to use that passport to come to the United States or some other place, they can be stopped in their tracks.

The Preamble to our Constitution says, "In order to form a more perfect union." My guess is that as much as we are trying to make the Visa Waiver Program better, it still is not perfect and our goal should be perfection. We are going to work on it every day, and I think there are some things we can do legislatively, hopefully in this Committee, and to work with some of our other colleagues in Committees of jurisdiction.

The last thing that I would say, we face a moral dilemma here. The Pope was in town 2 months ago, spoke to all of us, invoked the golden rule, treat other people the way we want to be treated, invoked Matthew 25, the least of these, when I was a stranger in your land, did you take me in, and everybody stood up and applauded in our joint session—you may recall that—when he said those words. And now, we are not so sure we believe those words.

And the question is, we have a moral imperative to the least of these, to treat other people the way we want to be treated. We have an equally strong moral imperative, and I think a duty by virtue of our oath of office, to make sure that we do not meet the moral imperative, to the least of these, by putting at risk the citizens of this country.

And the question for us is, can we do both? Can we do both? I think we can, and I think, morally and just by common sense, we need to do both, and our challenge is to figure out how to do that and to thread the needle, build on the good work that has been done, and to continue to go for it.

The last thing I will say is this: The Department of Homeland Security is doing good work in communities where there is heavy, a large Muslim population in this country, just to try to make sure that we inoculate, we are inoculating, help those communities inoculate against the success—and the Chairman has mentioned this—the success of efforts to use social media to radicalize our own people. And, there is a request by the administration to increase the funding for that program. It seems to be working. And, I think as we consider the appropriations bills in the near future, I hope we will keep in mind what works and do more of that, including in this regard.

And, lastly, there is a fellow named Adam Szubin—Adam Szubin—who was heavily involved in a leadership role when we

were trying to cutoff Iran's access to international financial markets, when we were trying to cut off North Korea and their access to international financial markets. And, I understand he has been nominated at a very senior position within Treasury to do that work, to lead that effort, including cutting off ISIS financially, and there is obviously work that still needs to be done.

Senator Heitkamp, is that nomination still pending in the Banking Committee?

Senator HEITKAMP. It is still pending. We held his hearing, so the hearing has been completed, pending a vote in the Banking Committee.

Senator CARPER. Yes. This Committee has done great work in making sure that the senior level of leadership in the Department of Homeland Security, all those vacant positions a year and a half ago, they have been filled, and we have done very good work in that regard. This is another nomination that could be very helpful in terms of the root cause, cutting off ISIS's money. It is all well and good if we crush them on the battlefield, but in terms of making sure that their money is gone, this is a good way to do it, and we have a good guy who is willing to serve. We need to get him done.

Thank you.

Chairman JOHNSON. Thank you, Senator Carper. I also have an opening statement that I would enter in the record,¹ without objection.

A couple of housekeeping items. It is great we have such strong attendance, so we are going to limit questions to 5 minutes.

I thought there might be a few acronyms being thrown around, so I did have our staff publish a little acronym glossary² here to speed things along, as well as a 13-step vetting process³ put out by the U.S. Committee for Refugees and Immigrants, again, just to help the Committee as we are asking questions.

Chairman JOHNSON. With that, it is the tradition of this Committee to swear in witnesses, so if you will both rise and raise your right hand.

Do you swear the testimony you will give before this Committee will be the truth, the whole truth, and nothing but the truth, so help you, God?

Ms. RICHARD. I do.

Mr. RODRIGUEZ. I do.

Chairman JOHNSON. Thank you. Please be seated.

Our first witness is Ann Richard. Ms. Richard is the Assistant Secretary of State for the Bureau of Population, Refugees, and Migration at the U.S. Department of State. Prior to her appointment, Ms. Richard was the Vice President of Government Relations and Advocacy for the International Rescue Committee (IRC), an international aid agency that helps refugees, internally displaced, and other victims of conflict. Ms. Richard.

¹ The prepared statement of Senator Johnson appears in the Appendix on page 55.

² The acronym list referenced by Senator Johnson appears in the Appendix on page 124.

³ The 13-step vetting process provided by U.S. Committee for Refugees and Immigrants appears in the Appendix on page 122.

TESTIMONY OF THE HONORABLE ANNE C. RICHARD,¹ ASSISTANT SECRETARY FOR POPULATION, REFUGEES, AND MIGRATION, U.S. DEPARTMENT OF STATE

Ms. RICHARD. Thank you very much, Senator Johnson, Senator Carper, all the Senators on this important Committee, for holding this hearing today on the impact of ISIS on the homeland and refugee resettlement. I have provided some testimony that talks about the humanitarian assistance we provide overseas, that talks about our diplomacy in the humanitarian area, working with other countries, but what I would like to focus on right away is the refugee resettlement process.

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 here today, has the safety and security of Americans as our highest priority.

As an essential, fundamental part of the U.S. Refugee Admissions Program (USRAP), 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 agencies. These are intelligence, security, and law enforcement agencies, including the National Counterterrorism Center (NCTC), the Federal Bureau of Investigation (FBI's) Terrorist Screening Center (TSC), and the Departments of Homeland Security, State, and Defense (DOD). Consequently, resettlement is a deliberate process that can take 18 to 24 months, as you mentioned earlier.

Applicants to the U.S. Refugee Admissions Program (USRAP) are currently subject to the highest level of security checks of any category of traveler to the United States. These safeguards include biometric, or fingerprint, and biographic checks and lengthy in-person overseas interviews 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. These DHS interviewers report to Director Rodriguez as part of his leadership of USCIS, so he is really the expert on this.

What I would like to say is that 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 hardworking 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.

I am happy to answer any questions you have about any part of my testimony that I did not get into, but I think the hot issue today is the security aspects of our program and, therefore, I am very pleased to be here today to answer any questions. Thank you.

¹ The prepared statement of Ms. Richard appears in the Appendix on page 60.

Chairman JOHNSON. Thank you, Ms. Richard.

Our next witness is Leon Rodriguez. Mr. Rodriguez is the Director of U.S. Citizenship and Immigration Services at the U.S. Department of Homeland Security, which plays a key role in the U.S. Refugee Admissions Program. Prior to this position, Mr. Rodriguez served as the Director of the Office for Civil Rights at the Department of Health and Human Services (HHS) and Deputy Assistant Attorney General for Civil Rights at the Department of Justice (DOJ). Mr. Rodriguez.

TESTIMONY OF THE HONORABLE LEON RODRIGUEZ,¹ DIRECTOR, U.S. CITIZENSHIP AND IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY

Mr. RODRIGUEZ. Thank you, Chairman. Thank you, Ranking Member. Thank you, Members of the Committee. And thank you in particular for convening this very timely hearing.

I am going to use the time that I have to do something which I think is really critical at this juncture, which is to lay out with some care how the refugee screening process works, what its structure is, what its redundancies are, and what the resources are that are utilized as part of that process.

Most refugees, the overwhelming majority in the case of Syrians who enter the U.S. screening process, are first encountered in refugee camps. In the case of Syrians, the majority of those will be either in Turkey, Jordan, or Lebanon. Their first encounter is with the United Nations High Commissioner for Refugees (UNHCR), where they register their claim for refugee status. Some are referred to the United States. Others are referred to other countries that have also expressed a willingness to the United Nations to receive refugees.

The United Nations conducts an interview. It explores possible inadmissibilities that may apply, either in the case of the United States or in other countries. It also makes a determination of priority based on particular vulnerabilities of populations.

Once those determinations are made, if, in fact, there is a cognizable claim and there do not appear to be significant inadmissibilities, at that point, the U.N. refers that individual or that case—because very typically, these come to us not as single individuals, but rather as family units that are traveling together—to whatever country it is, in our case, to the State Department, where a series of things occur.

At that point, a second interview is conducted by Ms. Richard's staff and a set of biographic checks, and this is a very important element of the process, are conducted at that point. The checks conducted include query holdings, State Department holdings, including databases that are of an intelligence nature, Security Advisory Opinions (SAOs) in a large number of the cases, which is a database hosted by the FBI, and very critically for our discussion here, what is called the interagency check, which is a network of queries hosted by the National Counterterrorism Center of a broad swath of intelligence and law enforcement holdings.

¹ The prepared statement of Mr. Rodriguez appears in the Appendix on page 64.

I know we have talked a lot about the comparison between this case and Iraq. The fact is, when we talk about Syria, we are talking about the Islamic State of Iraq and the Levant (ISIL), we are talking about al-Nusra, we are talking about the Syrian government itself, all of which have interests and desires very much adverse to those of the United States.

There is a constant process of gathering information about what is going on in those places, and as a result, in several cases, or in a number of cases, our queries of those databases, at that phase, have registered hits. Those hits have been the basis either to deny outright admission to individuals or to place people on hold.

If the individual clears the State Department process, they are then referred to USCIS. We have the benefit of all the work that has been done prior—the State Department interview, the U.N. interview, and the fruits of those background checks. We place in particular those officers who work in environments like Syria or others through a particularly rigorous battery of both training and pre-deployment briefing, as well as apprenticeship while they are out in the field. With that briefing, they then conduct very intensive interviews of the individuals to identify credibility issues, possible inadmissibility issues, or possible other derogatory admission.

At the same time, the individuals are fingerprinted, and those fingerprints are run against U.S. Customs and Border Patrol (CBP) holdings, FBI holdings, and Department of Defense holdings.

Only after they clear that process and after their cases are carefully analyzed, do they move on. If there are concerns identified, then, at that point, they move into what is called the Controlled Application Resolution and Review Process, which is a joint undertaking of my Refugee Affairs Division and my Fraud Detection and National Security Directorate, in which those cases are subjected to an even more intense analysis of what is going on. In fact, the number of cases—going back a while now, hundreds of them, in fact—are on hold because of concerns identified during the process.

Only after an individual or a family unit has cleared that entire process is the decision made, in fact, to have stamped approved on that file, which allows that individual then to make plans for both cultural orientation, medical examination, and then planning to move to the United States.

I also underscore that when I talked about the biographic checks earlier, that is a recurrent process, meaning that even though we do it before the interview that system is constantly queried now. That is a recent improvement to the manner in which we do our work, which means that if new derogatory information arises about that individual, then we will be notified of that information in order to take appropriate action with respect to that case.

I look forward to the questions, which I think will give me further opportunity to elucidate this process. Thank you, Chairman and Ranking Member.

Chairman JOHNSON. Thank you, Mr. Rodriguez.

I want to start out, because we have been told this in briefings, the fact that only 2 percent of the 1,869 Syrian refugees that have been allowed into the country over the last year were men of military age, 21 to 30. But that is a little more narrow than that, is it not, because I am looking at figures that there really were 994

men and 875 women out of that 1,869. So, Ms. Richard, can you tell us the difference, the distinction there?

Ms. RICHARD. Yes. Thanks for bringing that up. There have been 2,000 Syrians resettled to the United States since the start of the crisis 4½ years ago, and 1,700 came last year. And of all the ones that have come, 2 percent are young, single, military-age males who are not with a family or do not have a family connection in the United States, so truly on their own. The number of males, the percentage of males is a little over half. But that includes boys to grandpas.

Chairman JOHNSON. Right. OK. I just kind of want to set the record straight there.

My concern is where are the vulnerabilities? Where are the holes in the system? And in briefings, I think what people are very concerned about, OK, you are checking databases, watchlists. My first question is, what does it take to get in a database or on a watchlist, and how do you avoid it? I mean, what people would not be on there that then you are going to completely rely on interviews?

So, let us first start here. How do you get on a watchlist and how do you stay off it?

Mr. RODRIGUEZ. Some of the specifics about how that works are things that we would need to address in a classified briefing—

Chairman JOHNSON. OK.

Mr. RODRIGUEZ [continuing]. But suffice it to say, if there is a heightened level of concern that somebody is a terrorist or otherwise an actor who would be seeking to harm the United States, that would be the basis of either nomination to one of the databases I described before, watchlisting. Again, I think in a classified briefing, we could probably go into detail as to how that happens.

Chairman JOHNSON. So they would have had to do something or be associated with somebody that is nefarious, correct?

Mr. RODRIGUEZ. Those are at least two ways—

Chairman JOHNSON. So, let us say they are a citizen of Syria or a citizen of France that really did not travel, or maybe a citizen of France that snuck into Syria, never had the passport stamped, was able to sneak back. There would be no reason for them to be on a watchlist or in a database, correct? And then during the interview process, they would really be able to answer all the questions and not come across as particularly suspicious, right?

Mr. RODRIGUEZ. I go back to what I said at the beginning. There is no question that ISIL, al-Nusra, the Syrian government, itself, are our enemies. There is, therefore, a constant process of looking for information about those entities, about their activities, about where they operate, about who they are, that, in turn, becomes—and, again, without describing the techniques as to how that occurs—information that is available to us through these various databases that I described. Therefore, this can become a reason either directly or through association, in some cases, to, at a minimum, hold a case and subject that case to further scrutiny.

Chairman JOHNSON. But, again, if you had a clean record and you are from Syria or you are one of those citizens from Europe, you may not be in those databases and you would have to have a pretty good interviewer to potentially catch that.

What is the current—and, hopefully, you can talk about this in open session—what is the current estimate of the number of foreign fighters that are European citizens or citizens—let us put it this way—citizens of a country that has the Visa Waiver Program in place with the United States? How many of those foreign fighters are we aware of that have gone to Syria, possibly come back?

Mr. RODRIGUEZ. I apologize, Chairman. I believe that that sort of analysis exists. I do not have it at my fingertips.

Chairman JOHNSON. Ms. Richard, do you know?

Ms. RICHARD. No, sir.

Chairman JOHNSON. OK, because I think that is, I think, one of our greater vulnerabilities. So, I think as other people ask questions, we are going to see a pretty robust vetting process for refugees and probably a less robust process for other forms of visa waivers or visas coming into this country, and I think that is part of the vulnerabilities we need to explore.

With that, I will turn it over to Senator Carper.

Senator CARPER. Thanks. Again, we appreciate very much your being here with us today.

Just given what we have talked about here today and what we have learned in the last several days about the rigor of the refugee program, the screening process in the refugee program, if—these guys are not stupid that we are dealing with, the bad guys. I cannot imagine why they would want to spend 2 years going through a refugee screening process when they could try to get to this country, or any other country, with a tourist waiver, tourist visa, rather, with a student visa, come through the visa waiver process we have with 38 other countries.

So, we are going to continue to focus on the refugee process for folks to get over here, whether it is 2,000 this year, 10,000 next year. It is hard to imagine, if I am trying to get over here to do mischief, I am going to wait 2 years to go through that process, knowing that at any step of the way, I could be bumped out and probably would be detected. OK.

I think where we need to, as a Committee, focus our attention is on the Visa Waiver Program, and I might be mistaken. We have a lot of hearings in this Committee, as my colleagues know, but I believe we had one in the last year or so on the visa waiver situation and it was good. And we learned there had been—was it perfect? No, it was not. Has it been made better? Yes, it has. And are there things that we can do to make it better still? There probably are.

And, I do not know, Mr. Rodriguez, if you could just talk to us about—this may be outside of your lane, the Visa Waiver Program, but we need to hear from somebody who can talk to us—

Mr. RODRIGUEZ. Yes—

Senator CARPER [continuing]. And give us some advice as to what legislatively we can do to strengthen it further.

Mr. RODRIGUEZ. Yes. I confess that it is outside of my lane, although the individual that runs that lane does not sit too far away from me, and that would be the Customs and Border—

Senator CARPER. Is there anybody here with you from DHS?

Mr. RODRIGUEZ. No, but we certainly could work with the Committee to arrange a briefing or a hearing, as the case might be, to discuss those issues.

Senator CARPER. All right. Good.

You said something in your testimony, Mr. Rodriguez, about I think the term you used was recurring process, going over, monitoring and reexamining as new information comes to the fore, and that could be used in terms of either denying or revisiting someone's ability to come here, to stay here. Would you talk a little bit more about that.

Mr. RODRIGUEZ. Yes. So, I talked before about the interagency check, which is essentially an electronic query of a number of different law enforcement and intelligence databases. We have now upgraded our approach to those checks to have the system advise us if further information is entered into that system about an individual about who there has been previously a query.

So, if we had queried during the initial phases of the—rather, sort of the intermediate phases of the screening process, an individual, and if new information arises about that individual, then we would be notified about the existence of that new information, and that occurs right up until the very moment of arrival in the United States. That query process continues to occur right up until that point.

The other thing that I might say, if I may, Senator, about the interview process, my training is as a State and Federal prosecutor. I have spent a lot of my life around law enforcement of all types: State, local, and Federal. And I have conducted and observed thousands of interviews. I have taken the opportunity to observe my officers in action. I was with them in Turkey this June. And I can tell you that the quality of the interviewing that they were conducting was as good as any I have seen in my professional career.

Senator CARPER. OK. Would you talk to us a little bit about whether or not we need to examine more closely—we have talked about the process—the refugee process of getting here and the visa waiver process of getting here. How about student and tourist visa process of getting here? I am told that 40 percent of the people that are here, if there are 12—we will say there are 12 million people here undocumented in this country. I think about 40 percent of them came here in a legal status, maybe using a tourist visa or a student visa. But, are there any things that we should be mindful of, thinking about the rigor of those processes?

Mr. RODRIGUEZ. Yes. I think the main thing to—

Senator CARPER. And the vetting of those people coming under those—

Mr. RODRIGUEZ [continuing]. Note about that, and I am going to try to say it in 5 seconds, is that those processes also involve both law enforcement and national security database checks. So, the fact that those are outside of the refugee process does not mean that we are not undertaking some of the same rigor that we apply to the refugee screening process.

Senator CARPER. All right. Thanks so much.

Chairman JOHNSON. Senator Portman.

Senator PORTMAN. Thank you, Mr. Chairman, and thank you for holding another hearing on this topic. We were here last month talking with the Secretary of Homeland Security, your boss, and also talking to the FBI Director and the counterterrorism folks about this very topic. And, I think it is clear that we live in a dangerous world and it is something we have to be concerned about, not just in the refugee program, but all these various entry points.

One, of course, is the Visa Waiver Program. We talked about the fact that there are 5,000 foreign fighters who come from these 38 countries with which we have a visa waiver arrangement. That is a huge risk, and I think it is appropriate that this Committee focus on tightening up those standards. I know there are a couple of legislative proposals floating out there now and we would love to have your input on that today.

We also, of course, have to worry about visas. I mean, the 9/11 terrorists came here, overstayed their visas. We did not know who they were, where they were. That is an immigration reform issue.

Legal immigrants—we have foreign fighters ourselves, and we have had some that have come back to my home State of Ohio. One came back to Columbus, Ohio, and plotted to commit terrorist acts in the United States and was arrested for it. It is happening.

We, of course, have the issue of illegal entry. This morning, we hear about the five individuals who were stopped in Honduras with fake Syrian passports, and then we have apparently a couple families on the Mexican border this morning. And, this is a problem and this goes to our need to have a secure border, not just for immigration purposes, but for money, guns, drugs, and certainly for terrorism.

And then homegrown terrorists. My hometown of Cincinnati, we have one person currently incarcerated, under arrest, for wanting to come to this capital to blow us up here. And in Akron, this month, we had a homegrown terrorist arrested. This is in Ohio, the heartland.

So, this is a very real issue, but I do not think we should ignore the refugee side of it, either. Let me tell you a story, and maybe you can tell me that this is something that could never happen under the current program. But there were a couple of brothers who were brought in as refugees from Iraq—not Syria, but from Iraq—and they were in the heartland, right across the river from where I live, in Bowling Green, Kentucky.

Recently, the Sixth Circuit Court of Appeals affirmed their conviction for terrorist activities, including providing assistance to al-Qaeda in Iraq. They also were taped saying that they wanted to build a bomb in the United States to kill a U.S. Army captain in the United States, and they were quoted as saying, quote, “many things should take place and it should be huge.” These were refugees.

And, so, this notion that, somehow, we need to worry about all these other issues but it is OK in the refugee program, of course, we need to know who is coming in, and we need to be sure we not only know who they are, but also what their intentions are.

And with regard to these Iraqi refugees who came in, they had been fingerprinted at the border in Syria, because they had to go through Syria to come from Iraq. They had been entered into a bio-

metric database maintained by U.S. intelligence. Yet, when they applied for refugee status and were checked by DHS, your department, FBI and the Department of Defense, they came in clean and were admitted to the United States. So, later they bragged about what they had done to attack and kill U.S. soldiers in Iraq. They were not picked up.

My concern, which was something that came forward in our last hearing here on October 8, in this room, where again we had your boss, the FBI Director and counterterrorism officials. They told us, point blank, we do not have the intelligence in Syria to be able to do the appropriate background checks. Here is the quote from Director Comey, the FBI Director, in response to asking about our gaps in intelligence collection and the sharing process that posed great risk, he said, "Senator, to me, there is a risk associated with bringing anybody in from the outside, but especially from a conflict zone like that. My concern there is that there are certain gaps, I do not want to talk about publicly, in the data that is available to us," end quote.

You said something similar this morning. You cannot talk in open session about the gaps we have. But, obviously, we do not have intelligence on the ground there. We have just spent 50 special forces there. That is great. They are not there to collect data on refugees.

So, I do think it is a concern and I do think we have to tighten it up and I think if we do not, we are ignoring one of the—agreed, many other threats, some of which may be greater threats in the sense of numbers of people, but for us to stand here and say we are somehow against refugees because we think there ought to be proper checks in place, that is ridiculous. We are the most generous country in the world, and thank God we are. And I, along with my colleagues, I think, on both sides of the aisle, are strongly in support of the U.S. Refugee Resettlement Program. But let us be darned sure that we do not have another situation, as we had in Bowling Green, Kentucky, in a case where, unfortunately, because we do not have intelligence on the ground, we had even less information than we did with regard to the Iraqis.

Your response.

Mr. RODRIGUEZ. Yes. Since the Bowling Green case, a lot has been done to upgrade the security check system. I have heard it certainly said by others that those individuals would have, in fact, been picked up under the kind of biographic screening that we do now.

Nothing of what I am saying should be seen as contrary to what either Secretary Johnson or Director Comey said. There is, in fact, risk in what we do. What I am saying is that we engage in the sort of process with redundancies, with abundant resources and with highly trained officers, to keep those risks to an absolute, absolute minimum.

Chairman JOHNSON. Thanks, Senator Portman.

Just out of respect to all of our Members here, I will be using the gavel here to keep the question and answer period as close to 5 minutes as possible. So, with that, Senator McCaskill.

OPENING STATEMENT OF SENATOR MCCASKILL

Senator MCCASKILL. Thank you both for being here. I will not ask you to take the time to identify all the different ways that foreigners can come to our country, but I think it is obvious, and it has already been stated today and many times over the last few days, that these radical jihadists are all over the world. They are in our country. They are in many countries. And, if you look at the number of refugees that have been brought in from other countries, there are a number of countries on that list where we have brought in many more than Syria, like Somalia, Iran, and Yemen. And, we have intelligence gaps everywhere. There are intelligence gaps.

So, the question I have for you is, if you were a terrorist—well, maybe this is not a good question because we do not want to tell terrorists this. Let me ask it this way. [Laughter.]

Let me ask it this way. Which way, of all the ways to get into this country, are you subjected to the most scrutiny?

Mr. RODRIGUEZ. I can say with great confidence that applicants for refugee status, and in particular refugees from Syria, are subjected to the most scrutiny of any traveler, of any kind, for any purpose, to the United States.

Senator MCCASKILL. So, my biggest concern is, listen, let me acknowledge, America is on edge. People I love are on edge. We are worried and we are angry, worried and angry. And what I would like us to do on a bipartisan basis is to calmly come together as a country, Democrats and Republicans, and figure out what we can do that enhances the security in all of the categories. But it seems to me we have gotten distracted by the shiny object of refugees because of this image of people swarming our borders without any checks, not realizing that this, of course, is not like Europe, where all they saw at the border of France is “Welcome to France.” That is it. I mean, once they got into Europe, they had free access around those countries.

So, what I would like you to tell us, both of you, is if you were going to spend time and energy crafting better policies to keep America safe from those people who want to come here, where would you focus attention?

Mr. RODRIGUEZ. For me, that is an operational question as much as a policy question, and it is an operational question that we ask ourselves every single day in what we do, which is, to the extent that we are screening, be they refugees or the other example that was given was individual student visas, what are we doing to plug up risks that we identify in those processes. So, even though I have identified what I think is a very rigorous process, we are constantly looking for opportunities to upgrade that process, to improve the scope of information that we access, to deepen the training and understanding of our officers.

One example, actually, is to the extent that we talk about increasing admissions, our officers learn a lot from the refugees that they interview.

Senator MCCASKILL. Right.

Mr. RODRIGUEZ. That actually—

Senator MCCASKILL. And all that goes into our process.

Mr. RODRIGUEZ. That is correct, and that deepens their ability to be able to screen the people that—

Senator McCASKILL. What about students?

Mr. RODRIGUEZ [continuing]. They encounter as part of the process.

Senator McCASKILL. Are we doing this for students? Are we checking them in all the databases?

Mr. RODRIGUEZ. In many cases, depending on where they come from and the circumstances in which they come—we are certainly checking in the databases. We do that for just about every immigration category that we operate. The configurations are different depending on the categories, but we basically do a national security check and a criminal justice check for just about every applicant for immigration benefit or other sort of immigration consideration who we encounter.

Senator McCASKILL. And what about biometrics for all of the 38 countries that we have Visa Waiver Programs with? How many of them now do not have the facial recognition and the fingerprint recognition and the chip-embedded passports that we think now should be standard? How many of those countries do not have that as a bare minimum?

Mr. RODRIGUEZ. Senator, I am going to respectfully defer to my Customs and Border Protection colleagues. They really are the experts on the operation of the Visa Waiver Program.

Senator McCASKILL. Well, I would like us to get that information because if we are crafting legislation, I think it is a big mistake not to use this as a moment of leverage with our visa waiver partners, to insist on the same kind of biometric protections that we have in our passports for those passports, since I believe, the foreign fighters in those countries pose much more of a risk to us than the small number of refugees who have gone through a great amount of vetting.

Chairman JOHNSON. Thank you, Senator McCaskill. Senator Ayotte.

OPENING STATEMENT OF SENATOR AYOTTE

Senator AYOTTE. I want to thank the Chairman.

Director Rodriguez, just to be clear, following up on Senator Portman's question about the current program and the refugee program, Director Comey, not only did he testify before this Committee with what he told Senator Portman, but also, I think, what has concerned many of us is the testimony that he gave before the House Committee on October 21, 2015 and in which he basically said that the U.S. Government may not have the ability to vet thoroughly all the Syrian refugees coming into the United States.

He explained that if a Syrian person is not already in the FBI's database, that person is unknown to the agency, leaving an inadequate basis for the person's background to be screened for terrorism risk. He said, quote, "We can only query against that which we have collected." He cautioned—he also said, "So, if someone has never made a ripple in the pond in Syria, in a way that would get their identity or interests reflected in our database, we can query our database until the cows come home, but we are not going to—there will be nothing because we have no record on that person."

So, I guess my question is, I understand all the multiple steps that you are taking, but is not one of our big gaps here that we do not have the kind of intelligence we had in Iraq, where we actually had, because we had many representatives on the ground, we had men and women who fought there, we had diplomatic representatives that we do not have in Syria, that this presents a different challenge to us?

Mr. RODRIGUEZ. There is no question that in Iraq, we had a unique level of intelligence saturation. To what I think was Senator McCaskill's point, though—

Senator AYOTTE. But I am asking this question—

Mr. RODRIGUEZ. No—

Senator AYOTTE. So, are there greater challenges, and how do we reconcile what Director Comey has said about these gaps with concerns that our constituents have, that I think are very legitimate, about this vetting process based on a gap in information?

Mr. RODRIGUEZ. No, I am trying to explain. So, this is not the first time, by far, that we have been vetting individuals coming from a country that was a zone of conflict where we were not participants, where we did not have the intelligence gathering ability that we had in Iraq. The fact is that we are gathering intelligence around the world—

Senator AYOTTE. OK, so just a simple question. Do you diminish at all the concerns raised by the FBI Director to the Congress?

Mr. RODRIGUEZ. No. I think I was very clear that what we do is not without risk. What I am saying is that we are using multiple intelligence resources—

Senator AYOTTE. I understand that. Just a simple yes or no. Do you disagree or do you have any quarrel with the comments that he has testified to in the House Committee?

Mr. RODRIGUEZ. I do not have quarrel with what he said. I think there is context that is critical.

Senator AYOTTE. OK. I appreciate it. I just wanted to understand.

So, I want to understand, of all the individuals involved in the Paris attacks, can either of you answer the question of how many were on our "no fly" list?

Mr. RODRIGUEZ. I know that I am not in a position, in an open hearing, to discuss that information.

Senator AYOTTE. OK. And, can either of you answer the question of how many were on our terrorist watchlist, or is that something we cannot answer in an open session?

Mr. RODRIGUEZ. Again, in an open session, I do not believe I can answer.

Senator AYOTTE. So, I would agree with Senator McCaskill that I think there are allies that we, on this Visa Waiver Program, which this Committee actually has been focusing on for a while—a number of hearings related, even prior to this, on the Visa Waiver Program—that we do need to understand what information and what gaps were on that, based on whether those individuals, who are engaged and are the perpetrators of the attacks in Paris, were on our list, No. 1. I think that we have all received some briefing on that in a classified setting. But, this is something we have to have an open discussion about, as well.

Where are those gaps that need to be fixed, because if they cannot get on our no fly list and they are not on our no fly list, this is a real issue on the Visa Waiver Program, because that means, potentially, they can come here. And, so, that is something that needs to be addressed.

So, I do not think that it is mutually exclusive that we address these gaps in the Visa Waiver Program that need to be addressed and gaps in refugee resettlement programs. Obviously, there are legitimate and important reasons for people to travel to the United States of America, but we need to make sure that we address that issue, as well.

But, I think many of us are concerned, based on what we are hearing from some of our top intelligence officials and the Director of the FBI, that the gaps we have do not allow us to fully know what we need to know on some of the individuals who are coming, potentially, to our country.

Finally, I just want to say that if we do not address ISIS with what they are doing in Syria and Iraq, then we are not going to be in a position—if we do not work together with our allies to defeat ISIS, then the refugee problem is going to continue because these individuals will not have a home, and I hope that is something that we all work ontogether on a bipartisan basis. Thank you.

Chairman JOHNSON. Senator Tester.

OPENING STATEMENT OF SENATOR TESTER

Senator TESTER. Thank you, Mr. Chairman. Thank you for holding this hearing, and thanks to both of the people who testified for coming today.

If a refugee's application for admittance is denied, is there a tag put on that form, on that record?

Mr. RODRIGUEZ. In other words, if we see the individual again? I assume that is the essence of your question, Senator.

Senator TESTER. That is the next question, yes.

Mr. RODRIGUEZ. OK. I mean, we certainly make sure that we know who that individual is.

Senator TESTER. OK.

Mr. RODRIGUEZ. It is also if, critically, if future cases demonstrate some connection to that denied individual, that is something that we are able to identify.

Senator TESTER. OK.

Mr. RODRIGUEZ. We are always looking at networks of people, family networks and networks of associations as part of our vetting.

Senator TESTER. OK. So, is it fair to say that refugees that have been denied acceptance, none of them have tried to reapply and none of them have received? Once been denied, they are out?

Mr. RODRIGUEZ. I cannot say whether that is unheard of, Senator—

Senator TESTER. What would cause—

Mr. RODRIGUEZ [continuing]. We can certainly get you an answer to that question.

Senator TESTER. Can you tell me what would cause a denied application to become one that would be accepted at a later date?

Mr. RODRIGUEZ. I suppose if it was a situation where it turned out that the individual was able to effectively refute——

Senator TESTER. OK.

Mr. RODRIGUEZ [continuing]. The basis of the denial——

Senator TESTER. Got you.

Mr. RODRIGUEZ. That would be a pretty high bar. I should just underscore that.

Senator TESTER. Could you give me an idea on how many refugee applications are received and how many are accepted?

Mr. RODRIGUEZ. In any given year, we admit—this past year——

Senator TESTER. What I am talking about is, you applied, you are turned away or you are accepted. Can you give me the difference between applications and acceptance? I know how many people have come in already.

Mr. RODRIGUEZ. Umm——

Senator TESTER. If you cannot answer that, you can get back to me.

Mr. RODRIGUEZ. Yes. I will get you that back——

Senator TESTER. Let me ask a little bit about the process for screening that you went through, and I appreciate that, by the way. You said that the refugees were continually queried through databases for additional information. Is that while the vetting process is going on, or does that even occur after they are admitted into the country?

Mr. RODRIGUEZ. That occurs right up until the time of their admission into the country, from the time that the check is first run, during the intermediate portions of the screening, essentially, the State Department leg of the screening, and that occurs right up until the time of their admission.

Senator TESTER. OK. Without getting into the specifics, and we have talked about VWP, we potentially will talk about political refugees and the difference. We could talk about different ways of getting into this country. Is your Department putting together a list of things as an ask of Congress to give you additional tools to make sure that the vetting process is where you believe it needs to be—if any are required? Are you willing to give us your suggestions on what needs to be done, not only with refugees, but with the entire overlay, political refugees and others?

Mr. RODRIGUEZ. Sure——

Senator TESTER. Visa waivers and others?

Mr. RODRIGUEZ. Sure. No, we are always willing to work with the Congress on those issues. I think it is important to understand that my agency is a fee-funded agency.

Senator TESTER. Yes.

Mr. RODRIGUEZ. The fees paid by most of our fee payers subsidize the refugee. So, they do not pay an application fee, but that is subsidized by other fee payers, other USCIS fee payers.

Senator TESTER. OK.

Mr. RODRIGUEZ. So, it is not from tax revenue.

Senator TESTER. I have you, but that is not the question. The question is, if we need to tighten up VWP, for example, or if we need to tighten up political refugees and the regimen that they have to go through to get accepted into this country, are you guys willing to put forth those recommendations to us? And, I am not

saying there are any needed, but it would be nice to deal with the folks who deal directly on where the gaps are. You know them better than I.

Mr. RODRIGUEZ. Senator, we are absolutely willing to work with this body at any time to refine the way we do our work. Absolutely.

Senator TESTER. OK. Let me see. What else is there? That is probably about it. I just want to say thank you for your work. I think that there is not anybody that serves in Congress that does not want to make sure this country is as secure and as safe as it can be. I think what happened in France rattled people to their soul. And, so, we need to make sure that the work you are doing fits the risk. Thank you.

Senator CARPER. Senator, before you yield back your time, let me just share something. At our briefing yesterday, and in some discussion at our lunch today, there was some mention of a program, I think it is funded within DHS, the number \$45 million per year sticks in my mind, and the money is used to combat radicalization in this country. Could you just take, like, 20 seconds and just tell us about that, because we heard yesterday that that is something we should do more of. It has worked. We should do more of that. It goes to the root causes that the Chairman was talking about.

Mr. RODRIGUEZ. Yes. Secretary Johnson has assembled at a high level in the Department something called the Office of Community Partnerships, the purpose of which is to engage in the activity we call countering violent extremism. And that is a series of engagements at a national, State, and local level, at a community level, with youth and with nongovernmental organizations, to really identify the root causes of radicalization and to use smart approaches to, in fact, interrupt the process of radicalization.

Chairman JOHNSON. Senator Baldwin.

OPENING STATEMENT OF SENATOR BALDWIN

Senator BALDWIN. Thank you, Mr. Chairman.

Like my colleagues, I certainly am hearing from the public in Wisconsin with sincerely held concerns and fears about an attack, such as the horrific attack we saw in Paris, happening here in the United States. So, I was grateful to hear your response to Senator McCaskill's question about which of the methods of entry into the United States would set up or provide the greatest amount of scrutiny, and I think I heard you say fairly specifically that the refugee path, especially if you are a refugee from Syria, would provoke, prompt, the most intense scrutiny. Is that correct?

Mr. RODRIGUEZ. Yes, that is correct. That is absolutely correct. I mean, I know what we do and across all lines of business and that is absolutely the most scrutiny to which we subject—

Senator BALDWIN. So, I wanted to follow-up, because a number of the Governors in the United States have come forward to try to cut off that path in terms of announcing some sort of refusal to participate in a Refugee Resettlement Program that is a national program. Governor Walker from the State of Wisconsin, my State that I represent, was among those Governors, and I just wanted to share what he communicated in terms of raising concerns.

He said that "there are not proper security procedures in place to appropriately background and accurately ascertain the identities

of those entering our country through the Syrian refugee program,” end quote, and additionally that, quote, “this deficiency in the program poses a threat to the safety and security of our people,” end quote.

Can you respond to those concerns?

Mr. RODRIGUEZ. Sure. There have been refugee populations that, because they come from conflict zones, because they are running from their house, have not presented a lot of documentation when we have encountered them. That has not generally been true of the Syrian refugee population.

I would also point out that our officers, as part of their rigorous training, are trained in identifying fraudulent documents, to the extent that that is something we are always looking for as a concern.

It is also a critical part of the vetting process from end to end, in other words, what UNHCR does, what Assistant Secretary Richard’s folks do and what we do, to really drill into the identity and associations of these individuals. So, I do have a high level of confidence that when we stamp a case “approved,” we know whose case we approved. We know the identity of that individual.

Senator BALDWIN. Thank you.

Ms. Richard, my next question has to do with the implications on funding that flows from the Federal Government in support of Refugee Resettlement Programs, generally, if a State were to announce that it was not going to participate in that program. I know that you work in partnership with the Department of Health and Human Services Office of Refugee Resettlement in all of this. But, let me just ask, do you think these State decisions jeopardize this funding stream and a series of programs that back up refugee resettlement, such as medical assistance, social services, and housing? And, I am particularly concerned about refugees who may have settled in our States from other places in the world aside from Syria.

Ms. RICHARD. Thank you for your question, Senator. Three departments of the Federal Government are the ones who help run the process, although as you have heard, a lot of law enforcement and national security intelligence agencies are involved in the vetting process. But in terms of running the process, the State Department is responsible for working with UNHCR. UNHCR refers refugees to us. We have staff in centers around the world who help the refugees put their case together to tell their story and collect their documents. The essential decision over whether they are coming or not rests with DHS.

The vetting process is complicated, as you have heard, and then we also are responsible for getting them to the United States, working with partner organizations to have them met at the airport, and getting them settled here in the first 3 months of their new lives in the United States.

At that point, the Department of Health and Human Services has a program to provide assistance through the State Governments to give additional support to refugees. They will have refugee-specific programs. It varies from State to State.

So, in the past, there has been at least one Governor who said, “I do not like refugees coming here. I am not going to accept this

money.” And a Member of Congress from that State told him, “Please accept the money. I worked very hard up here in Washington to get assistance for our State to help with these kinds of tests.” And this is a Federal program. The Governors do not have the ability to block the resettlement of refugees, but, more important than that is, this program depends very much on the support of the American people.

It is run at the community level. There are a lot of community organizations, of volunteers, churches, faith-based groups and temples involved. A lot of the things that help a refugee family get started once they get here are furnished by charity. I have been to places in Miami where recently arrived Cuban refugees get furniture from a furniture store where the founder was a Cuban refugee. And, so, these contributions are a big part of this program. It is a public-private partnership. It only works if people at the community level support it.

So, I am less concerned about the legal ramifications of the Governors’ actions and much more concerned about the message it is sending to the American citizens, that we would at all be running a program that is dangerous. We have no desire to do that. And we also need public officials and Senators and Members of Congress to help us—the responsibility is mine, but I can use the help—educate people about what this program is and why we do it and why it is in the best interests of our Nation to honor this tradition of bringing refugees to the United States. Thank you.

Chairman JOHNSON. Senator Heitkamp.

OPENING STATEMENT OF SENATOR HEITKAMP

Senator HEITKAMP. Thank you, Mr. Chairman.

A couple of things. First off, just because I know you guys have deferred a number of times on the Visa Waiver Program, I am not going to ask you specifics. But I do want for the record to acknowledge that 20 million people last year in 38 countries—and I am not saying they all traveled to the United States—used the Visa Waiver Program. And we know very many of those 38 countries do not have the same level of scrutiny, do not have the same level of biometrics, not even looking at eVerified passports, that we have allowed in the interest of commerce and certainly with allied countries, maybe not being as enforcement-minded as what we are. So, I think that this is a huge part of what we need to be concerned about.

But, we are here talking about the refugee program, and so I am going to just ask a simple question. Do you think it is legitimate for the American public to today ask you to provide answers to their questions about this program, but also for you to take a look at this program and analyze whether, in fact, there are any gaps, things that we could be doing better, choices that we could be making?

Let us say, Mr. Rodriguez, for example, we have someone that we know nothing about, compelling story, but we know nothing about him. Another compelling story over here, we know a lot about that person. Given the competition for resettlement in this country, do you not think it makes sense for us to prioritize those folks that have compelling stories but that we know a lot about?

Mr. RODRIGUEZ. I am accountable to the American people, first and foremost. So, whatever questions they have are questions that I am fully prepared, at all times, to answer, and I think their questions are about how we conduct this process and how we prioritize within this process.

The basic design of the refugee referral process is to prioritize individuals in the most need. And, at that point, it starts what is a very rigorous process of screening and a lot of information is gathered from everybody that we encounter. And if we cannot get that information, we do not clear them. We do not approve their cases and they either go on hold or they are outright denied.

Senator HEITKAMP. And I think that is something that has been missed in this discussion today, because a lot of people are saying "you know nothing about them," as the FBI Director has said. And what you are saying now is if you cannot really find out enough about them, if there is not any third-party verifiable information, that person may not, in fact probably will not, make it into this country.

Mr. RODRIGUEZ. Well, or——

Senator HEITKAMP. Is that what you are saying?

Mr. RODRIGUEZ. Not entirely. In other words, the individual has to give us enough information that matches other information that we know about what is going on——

Senator HEITKAMP. Would that not be third-party verifiable——

Mr. RODRIGUEZ. I guess you are right, Senator. That is third-party information.

Senator HEITKAMP. I think it is really—that is an important question, about how you prioritize, because no one here is suggesting that there is not a need or there are not compelling stories. But there are a lot of compelling stories, and maybe we prioritize those where we actually have a higher level of assurance.

I do not have a lot of time and I want to get to this issue of the Northern border, because, obviously, we have a fairly open border with Canada. I can attest to that, and I think the Ranking Member, who has flown over the Canadian border, can also attest to that. And I know the Chairman mentioned the Northern border during his opening statement. Canada's goals—and Canada's goals regarding Syrian refugees.

I think border security remains a critical priority for this country. I think we also have to include the Northern border, which I have been beating the drum for on this Committee since I have been on this Committee. So, we have to make smart investments on the Northern border.

One of the issues or questions that I have regarding the refugee program, especially as it relates to Canada, are there any issues with how the Canadians vet their refugees, any suggestions that you have made to expand their vetting process or improve their vetting process, and can you speak to what would occur if someone was admitted into Canada as a refugee and that person later tried to legally cross the border to the United States. Would that person, even though they may not have passed the rigor in our country, be allowed entry through Canada?

Mr. RODRIGUEZ. And I will ask Assistant Secretary Richard to add what I miss. We are in constant consultation, in particular

with the other English-speaking countries, on how we conduct our refugee screening process. The Canadians have been in this business for a long time. They do conduct at least sort of—the basic outline of their system, which is what I am familiar with, is also quite rigorous. But we are in a constant state of dialogue with them to make sure that we are learning from one another.

Senator HEITKAMP. Is the Canadian system as rigorous as ours?

Mr. RODRIGUEZ. I cannot say. It appears to me to be, again, from where I have been watching——

Senator HEITKAMP. That is something that you can get back to me on——

Mr. RODRIGUEZ. Certainly.

Senator HEITKAMP [continuing]. And I have used up my time and the Chairman has offered to gavel us down if we go too far over. So, this is a dialogue that I think we need to continue.

Ms. RICHARD. Senator, I am meeting with a Canadian official tomorrow, so if you give me some questions, I will get answers for you.

Chairman JOHNSON. I like fear being a motivating factor. I appreciate the discipline. Senator Peters.

OPENING STATEMENT OF SENATOR PETERS

Senator PETERS. Thank you, Mr. Chairman, and thank you to our panelists for your testimony today.

This has been an interesting hearing, one that I am sure we are going to be continuing to discuss for some time. But it is of particular importance to me and the folks in the State of Michigan. As I think both of you are aware, we have one of the largest Middle Eastern populations, outside of the Middle East, in primarily the Detroit metropolitan area. We are the home to many refugees from around the world, but particularly from the Middle East, who come to the Detroit area.

I have had an opportunity to work with refugee resettlement groups, with the religious community, and got to get to know many refugees who have come to this country, who contribute to the country. They are, for the most part—well, I should not say the most part. The refugees that I talk to are patriots. They are so excited to be in the United States because they are away from a very hazardous situation where their life was in jeopardy and this country opened up their borders and opened up our hearts to bring them here. They are store owners. They are entrepreneurs. They are physicians. They are engineers, contributing folks to our country. And, basically, this is what this country has been about since its founding, that we are about folks that come from around the world who want to pursue the American dream and be patriots.

But, I think it is also important for us, as we know that, I think the context as we are discussing this is also that we are dealing with a humanitarian crisis of proportions I do not believe we have seen since World War II. We have literally millions of people who have been displaced from Syria, and they are displaced because thousands and thousands of Syrians were murdered and they left because they fear for their safety, for their families and their loved ones.

I was in, just about 2 months ago, in a Syrian refugee camp in Jordan. I had the chance to visit Zaatari, the largest refugee camp there. At the time I was there, there were about 85,000 individuals crammed in a camp in the desert not far from the Syrian border, in not the best of conditions to live in. They were receiving food allowance that was equal to 50 cents a day, is what they were living on. You cannot buy a whole lot of food for 50 cents a day. You have one propane bottle for your family to cook from. You cannot do a whole lot of cooking.

But what was certainly most impactful to me was the conversations that I had with those refugees who just had a sense of hopelessness, that they had been there for a long time. You usually think you go to a refugee camp, you are there for 6 months, and you are back in your country. That is not the case. These folks had been there for 4 years, a lot that I talked to, with no idea what the future held for them. And their children were there and had to work and had difficulties surviving, not getting an education.

I asked them, I said, where do you want to go? I mean, obviously, you are in this camp. You do not know what your future is. Where do you want to go, to the United States? Do you want to go to Europe? And every one of the refugees that I had a chance to talk to, they had the same answer. They said, we just want to go home. We just want to go home. We do not want to go to a foreign country. We do not want to have another language. We do not want to do that. We just want to go home. I think everybody here, certainly everybody in this room today, if we were in that situation, we would just want to go home.

So, obviously, the most important thing is we have to stabilize the region. We have to deal with ISIS. We have to have a credible government there. We have to have a strategy to make sure that folks can go back and be comfortable. But we also know in the meantime that that is going to take some time. It is not going to happen overnight.

And in the meantime, you have folks, not just in Zaatari, where I visited, but the millions of other folks who were not in camps and are in Jordan. Jordan has taken on an incredible responsibility, opening up and saying, we are going to help these folks who are displaced, these people who are hurting, these people who are running away from the bad guys. These are folks who are running away from war. They are running away from violence and trying to find a place for peace where they can raise their children.

Now, the United Nations was at that camp. I know they were looking at folks to prioritize. I want to get a sense of how they get screened. You talked about the prioritization that the U.N. has as to how they determine which families should be in this program. And I think another important number, if both of you could respond to it, is that my understanding is about 20,000 folks have been referred to the United States from the United Nations as potential refugees, roughly. Out of that number, I understand we have looked at about 7,000—you can correct me on these numbers, but around 7,000—and that we admitted less than 2,000. So, already, the U.N. has done some screening, prioritizing, probably those who are in the most need, who have been there a long time,

but I would like to know what that is, how we can continue to screen down.

So, I think those numbers alone show how robust the system is, and I think we heard some folks discuss here, if you are a terrorist wanting to get into this country, you are going to take the path of least resistance. I look at this process—this is far from the path of least resistance. You have to be in a refugee camp for a while before you are even looked at by the U.N. I mean, this is a multi-year process that folks go through, and from seeing it firsthand, it is horrible conditions that oftentimes these folks find themselves in, and there is not anybody in this room that would want to be in that position, and they would want someone to say, we have some compassion. We know you can be a valuable contribution when you come here, as well.

If you could talk about that, please, the priorities and why we have moved those numbers down so much.

Ms. RICHARD. So, UNHCR works with us all around the world and refers refugees to us, and they know that we would like to take the people who are the most vulnerable and could most benefit from the safety and the economic prosperity that America offers. And, so, they send us some of the most vulnerable people.

And, my experience has been like yours, Senator, that most of the refugees you meet want to go home again, and so the resettlement sort of tears families apart in some ways. But, the people who we offer resettlement to, then, are widows with children, sometimes of an older generation, as well, people who have been victims of torture, trauma, people who have seen terrible things happen in front of them for whom there really is no going home ever again. We also give a home to people who are persecuted religious minorities, people who are lesbian, gay, bisexual, and transgender (LGBT), and we also—anyone who—perhaps people who feel that there would be a death threat on them if they went home again.

Chairman JOHNSON. Thank you, Senator Peters.

Just a couple quick questions and then I will give you each a chance to kind of wrap up if you have some closing comments.

Mr. Rodriguez, we are going from 70,000 to 85,000 refugees total. That is a 21 percent increase in fiscal year (FY) 2016. A goal of going from 70,000 to 100,000, that is a 43 percent increase in 2017. Do you have the resources to take on that large of an increase?

Mr. RODRIGUEZ. We do. It requires us to look for efficiencies in our process. I have often said that when organizations are challenged in this way, it actually becomes an opportunity to improve themselves. That is how we are treating this challenge. But, it does require us to move some resources around. It requires us to improve our processes where we can. Keep in mind, we are a \$3 billion a year organization, so the challenge is an operational one more than a financial one. But, we are rising to that challenge.

Chairman JOHNSON. How many Syrians are currently in the hopper that are being reviewed?

Mr. RODRIGUEZ. Currently in review—I thought I had this information—you know what? I will need to get back to you—

Chairman JOHNSON. OK, that is fine.

Mr. RODRIGUEZ [continuing]. With that information.

Chairman JOHNSON. My final comment, the House just passed the American SAFE Act of 2015. I have introduced the Senate companion bill. It basically says that no refugee may be admitted until the Director of the FBI certifies to the Secretary of Homeland Security and the Director of National Intelligence that each refugee has, quote, "received a background investigation that is sufficient to determine whether the refugee is a threat to the security of the United States." Then the refugees may only be admitted to the United States after the Secretary of the Department of Homeland Security and the Director of the FBI and the Director of National Intelligence certifies to Congress that the refugee is not a threat to the security of the United States.

Now, that passed on a pretty strong bipartisan basis, 289 to 137. That seems like a pretty reasonable way to assure that these checks, that this robust process that you have been describing, is carried out. Under Sarbanes-Oxley, Chief Executive Officers (CEOs) have to certify that their financial statements are accurate. Do you think that is a pretty reasonable response?

Mr. RODRIGUEZ. I think you saw that the White House took a position indicating that its view was that it did not add that much. I will say that the process that we engage in is essentially equivalent to the process contemplated in that bill. People are subjected to the most intense scrutiny. There is intense supervisory review. Cases that present concerns are actually elevated. Our Fraud and Detection and National Security Directorate is brought in to participate in the analysis of those cases.

So, it would be my view, along the lines of what the President has said, that, in fact, it would not necessarily add much beyond the process that we are already—

Chairman JOHNSON. As you are seeing by the very legitimate questions of the panel, the concerns of our constituents, I would think this would just be one additional level of control to provide that kind of comfort to make sure that these—this redundant system would actually work.

But, with that, Ms. Richard, do you have any closing comments?

Ms. RICHARD. Yes, sir. Thank you. I want to assure Senator McCaskill that another way for us to help make America safer is to work with the Europeans to make their own borders safer, and that is something that is an active discussion right now overseas.

Senator Peters asked about the 23,000 who had been referred to us, and we have brought 2,000 to the United States, but we continue to review cases and we will get new referrals and it is really more of a pipeline that people are flowing through.

Senator Tester asked how many have been denied, and worldwide—and I am sorry I did not tell him this when he was here—under our current screening, worldwide, it is about 80 percent are approved, 20 percent, so one in five, are denied. And, so, I do not have specifics by nationalities.

The issue about the FBI having no holdings, it is normal for the U.S. Government to have very little information about most refugees at the beginning of the resettlement process. Refugees are, after all, innocent civilians who have fled war zones. Iraq and Afghanistan are the exceptions. We have a lot of information about people who worked alongside or with the military or nearby. And

the people who, therefore, are referred to the program, we work with them so that they tell their stories and put together a case file and fill in the gaps that I know are a concern right now to everyone, based on the fact that the FBI does not have the whole picture on hand for Syrians. So, I do not think that has to stop the program. I think that we can work with the NCTC and with other intelligence agencies to help fill in those gaps, working with other agencies.

I want to reassure this Committee that we work very closely with DHS. This is my fifth time on the Hill in the last 3 days, and that is partly why I was so glad you gave Leon all the tough questions— [Laughter.]

But we are very happy to continue to—we work together on a daily basis and we are happy to continue to respond to you.

One question was, should we be looking closer at our program. The White House has already asked us to really go through the entire process carefully to look for efficiencies without cutting corners on security. Is it really the best process that we can possibly have? We are convinced that it is a very secure process, but everyone has noticed that it is lengthy. So, we are willing to do that. That is part of our jobs.

Thank you very much.

Chairman JOHNSON. Mr. Rodriguez.

Mr. RODRIGUEZ. Chairman, Ranking Member, Senators, I want to thank you, first and foremost, for leading what I think has been an incredible, from my perspective, an incredibly thoughtful and productive hearing. I think the questions that you have asked of us are questions that we needed to be asked, and I hope our answers offered some clarity.

I think one of the things that has become very clear to me over the last 2 weeks is that we have a burden with the American people in really explaining to them how this process works, what the safeguards are in that process, and this has been a great opportunity, the way this hearing has been led, to accomplish that.

Senator Heitkamp asked me a question that I fear I did not actually answer, which is are you looking for ways to make your process better, and the answer is absolutely yes. It is something that I and my staff—some of my leadership is here with me today—we do it every day, because we realize what this means to the American people. We realize what this means to the individuals often in great distress who are asking us to admit them to the United States. And, so, to that extent, we always are looking to improve and we always are willing to engage with this Committee to talk about how we can improve that process further.

So, thank you again for your invitation up here today.

Chairman JOHNSON. Again, we want to thank you both for your service, for taking the time to testify. We really want to thank the administration for making you available. I know this was very short notice, but I think we all agree, this was very important and useful information for the American people to hear, so thank you very much.

With that, you are dismissed and we will call up the next panel. [Pause.]

I am just going to make you all stand up again, so why do we not all stand up. Raise your right hand.

Do you swear the testimony you will give before this Committee will be the truth, the whole truth, and nothing but the truth, so help you, God?

Mr. BERGEN. I do.

Mr. JENKINS. I do.

Mr. GARTENSTEIN-ROSS. I do.

Mr. SCHWARTZ. I do.

Ms. LIMÓN. I do.

Chairman JOHNSON. Thank you. Please be seated. I like to be as efficient as possible.

Again, I appreciate you all for taking the time. Our first witness of the second panel is Mr. Peter Bergen. Mr. Bergen is the Vice President at New America in Washington, DC, where he is also Director of Studies and of several programs. Mr. Bergen is also CNN's National Security Analyst and a National Security Fellow at Fordham University. He is currently writing a book about home-grown terrorism, which HBO is basing a forthcoming film on. Mr. Bergen.

TESTIMONY OF PETER BERGEN,¹ DIRECTOR, NATIONAL SECURITY STUDIES PROGRAM, NEW AMERICAN FOUNDATION

Mr. BERGEN. Thank you Senator Johnson and Senator Carper and distinguished Senators on the Committee for the invitation to speak today.

So, my brief was to answer what are the homeland security lessons of the ISIS attacks in Paris and Sinai, and I think there are several. We have already addressed at length today the question of the refugees, but the real issue, I think, is not the refugees. It is the fact that there were so many Belgian and French citizens in the plot who might qualify for the Visa Waiver Program. It was not clear from the answers of the witnesses how many of these people were on watchlists, but let us assume that some of them were not, and even if some of them were, it certainly shows that with 1,800 French citizens having gone to Syria and 700 Brits and 700 Germans and you name your country in Europe, you have had a substantial number.

So, the Visa Waiver Program, I think, is more of an issue than the Refugee Resettlement Program, which seems to be incredibly robust. In fact, it seems like the last thing you would do would be to apply as a refugee because it would be so lengthy and so onerous. It would be much easier to come on a student visa or through the Visa Waiver Program.

And, I think another issue that we learned from—sort of changing subjects slightly—but the bombs in the Paris attacks were made from triacetone triperoxide (TATP), which were used in the 7/7 attacks, they were used in the planes plot of 2006, which actually did not work. They were used in the Najibullah Zazi plot to bomb the Manhattan subway around the eighth anniversary of 9/11. And, I think that is a reminder to us that hydrogen peroxide bombs, which are easily, relatively easy to access, are what the

¹ The prepared statement of Mr. Bergen appears in the Appendix on page 73.

jihadi terrorist groups want to use in the future because hydrogen peroxide is obviously easy to acquire and does not flag in the same way as acquiring ammonium nitrate or other kinds of issues. So, bulk purchases of hydrogen peroxide, as Najibullah Zazi did in Denver, Colorado, during his plan to attack in Manhattan, is something that certainly law enforcement around the country should be flagging for suspicious activity reports.

Another, I think, lesson of the Sinai attack is the question of airport workers. We have seen that five American citizens since 9/11 involved in jihadi terrorist crimes had jobs at American airports, three of them at Minneapolis-Saint Paul International Airport (MSP), two members of Shabaab, one member of ISIS, one of them at John F. Kennedy International Airport (JFK), who was a baggage handler there before 9/11 but used that in a plot luckily that was deferred—that did not work out—and also one at Los Angeles International Airport (LAX), who was part of the cell that was planning to attack synagogues, LAX, and U.S. military recruiting facilities in California 4 years after 9/11.

And then extend that problem to somewhere like Heathrow Airport, where a Heathrow Airport employee gave information about security to a self-described member of al-Qaeda. Luckily, she was arrested and he was arrested. An employee of British Airways was in touch with Anwar al-Awlaki, the leader of al-Qaeda in Yemen, about a plan to put a plane—a bomb on a plane, a British Airways plane, coming to the United States. And, so, this—I think Sharm el-Sheikh shows a huge vulnerability.

We have 200 airports around the world. Many of them are not in countries with necessarily particularly strong security services. And if you want to kill a lot of people, do not send a group of people to Paris with AK-47s. Put a bomb on a plane. After all, if you look at Sinai, 224 dead versus 129 dead. So, this question of airport security, I think, is an important one.

And then in the brief time I have left, New America, where I work, we have done a survey of 474 named foreign fighters going to ISIS, and here are the headlines about what we found. We found that one out of seven were women. Now, that is an astonishing finding because, in previous jihads, militants attracted to these jihads—by definition, these are very misogynistic groups—did not attract women. In Paris, of course, we had a woman blow herself up just 24 hours ago in a raid in St. Denis.

We found the average age was very young, the average age was 24. We found a lot of teenagers. For instance, we found an astonishing 80 named teenagers from the West who had gone, including, of course, from the United States, from places like Colorado and Chicago. Many of them have familial ties to jihadism, brothers, sisters who are also fighting in the jihad, or people who get married in Syria, or people who had been participating in previous terrorist plots, and a good example is what we just saw in Paris, where two brothers were involved and the leader of the plot brought his 13-year-old brother to Syria to basically fight there.

The American profile of these foreign fighters is very similar to the overall Western profile—young, one in six are women, and a key point here is that, for the American recruits, nine out of ten were very active in online jihadi circles, and that does not mean

just sending e-mails. That means posting repeatedly on jihadi websites.

A final point. The war in Syria and Iraq, of course, very deadly. Half of these foreign fighters, the male ones, are dead, and 6 percent of the females, even though they are not on the front lines.

Chairman JOHNSON. Thank you, Mr. Bergen.

Our next witness is Brian Michael Jenkins. Mr. Jenkins serves as the Senior Advisor to the President of the RAND Corporation. He is also Director at Mineta Transportation Institute's National Transportation Security Center. Mr. Jenkins is a decorated veteran, served as a member of the White House Commission on Aviation Safety and Security for President Clinton, as well as an advisor to the National Commission on Terrorism. Mr. Jenkins.

**TESTIMONY OF BRIAN MICHAEL JENKINS,¹ SENIOR ADVISOR
TO THE PRESIDENT, RAND CORPORATION**

Mr. JENKINS. Chairman Johnson, Ranking Member Carper, and Members of the Committee, thank you very much for inviting me to address this urgent issue.

I would like to be able to report that in response to the terrorist attacks in Paris, all of the perpetrators have been identified and apprehended. They will be executed promptly. That air strikes have smashed the Islamic State, and that an event such as this will never happen again. However, the reality is that this conflict is likely to go on. There are no quick or easy solutions. And terrorists certainly will attempt further attacks.

Let me give you some observations from the written testimony I have presented, first with regard to the conflict, itself. The fighting in Syria and Iraq will continue. Right now, the situation is at a military stalemate. Syria and Iraq are now effectively partitioned. I think these partitions will persist. Sectarian and ethnic divisions now drive the conflicts. That is going to make them hard to settle. The world will be dealing with the fallout of this conflict for years to come.

ISIL's ideology continues to exert a powerful pull, despite the bombing, the coalition bombing. The number of individuals joining or planning to join ISIL has not diminished. ISIL right now is calling on more to come.

The uniquely destructive nature of this conflict has produced four million refugees, caused four million people to flee from Syria and Iraq. Another 12 million are internally displaced. These are the new Palestinians. Neighboring countries cannot absorb them. They will be a continuing source of instability. We will be dealing with this issue for decades.

Hundreds of thousands of these refugees have headed to Europe, raising fears that terrorists can hide among them. Some may have done so, which brings me to the events in Paris.

The attack in Paris offers some important takeaways. It underscores the importance of intelligence. Now, just how this group managed to get past French intelligence, we are still not sure. But the French services are simply being overwhelmed by volume. The numbers that Peter mentioned of those who have gone from

¹ The prepared statement of Mr. Jenkins appears in the Appendix on page 90.

France, the number that are suspected of planning to go, the number that is in France suspected of planning to carry out homegrown terrorist attacks, that has simply overwhelmed the authorities. It is thousands.

The availability of terrorist recruits in France and Belgium and elsewhere in Europe reflects some societal problems of marginalized and alienated communities, where extremist ideologies can easily take root. Now, that is going to take a long time to fix.

The Paris attack has increased pressure on the United States to step up the fight against ISIL. My own view is that certainly we can do more militarily, but we must keep cool and stay smart here. We should not be provoked into measures that, in the long run, and this has the potential to be a very long run, could prove to be unsustainable or counterproductive.

Now, paradoxically, military success against ISIL in Syria may heighten the threat of terrorism beyond. That is, it will scatter the foreign fighters. It will validate ISIL's propaganda that this is the final showdown between the believers and the unbelievers, and we could see a surge of terrorism worldwide even as we achieve some measure of success of ISIL in Syria.

Further terrorist plots must be presumed. We must prepare for an array of scenarios, including armed assaults at multiple locations, like the one we saw in Paris, although we are more likely to see low-level attempts that still may be lethal.

With regard to refugees and immigrants, immigrants since the 19th century have brought their quarrels with them. The phenomenon is not new, but these are extraordinary circumstances. These are refugees from an active war zone where fighting continues, where loyalties are fluid, where our foes continue to exhort followers to carry out terrorist attacks here. This adds a layer of risk.

However, on the good news, the United States is not Europe. The numbers here are much smaller. The American audience for ISIL propaganda remains unreceptive. They are simply not selling a lot of cars here. And the new laws and structures which Congress has put in place to prevent terrorist attacks appear to be working. Moreover, we are not dealing with hundreds of thousands of refugees landing on our shores, but much smaller numbers, and we have more opportunities to vet them and select them.

An important point here. We are not just trying to filter out bad guys. Efforts to radicalize and recruit continue after arrival, and so this is not a one-time sign-off that gets us through. But America, historically, has been successful in assimilating immigrants.

And, finally, our domestic intelligence efforts have achieved a remarkable level of success. We are batting about 900.

Chairman JOHNSON. Thank you, Mr. Jenkins.

Our next witness is Daveed Gartenstein-Ross. Mr. Gartenstein-Ross is a Senior Fellow at the Foundation for Defense of Democracies, an Adjunct Assistant Professor at Georgetown, and a lecturer at the Catholic University of America. His body of work concentrates on al-Qaeda, the Islamic State, and other jihadist organizations and transnational ambitions. Mr. Gartenstein-Ross.

**TESTIMONY OF DAVEED GARTENSTEIN-ROSS,¹ SENIOR
FELLOW, FOUNDATION FOR DEFENSE OF DEMOCRACIES**

Mr. GARTENSTEIN-ROSS. Chairman Johnson, Ranking Member Carper, and Senators, it is an honor to be here to testify before you today.

I thought the first panel was quite strong and it was gratifying to see that it echoed my own conclusions in my written testimony. I would like to go over a couple of points and then look at broader issues.

The first and most important point is that I concluded, as did the previous panel, that the risk of refugee resettlement, in terms of moving operatives into the United States, is low because it is such an inefficient way to place operatives. Not only do the operatives have to wait 18 to 24 months, but they have to be selected. We are selecting about 10,000 out of over 2.1 million refugees in recognized UNHCR camps. That is a very small figure. They have no control over whether an operative would be selected, and given the way that we privilege the most vulnerable populations, it is highly unlikely that they would be.

That being said, I think it is also significant that the previous panel acknowledged the intelligence gaps, which I think we need to be forthright about. The panel characterized, I think accurately, the situation as one in which the risk we face is low, but it is not a no-risk proposition. There is some risk. But the selection process significantly reduces the risk, as well as increases the inefficiency of moving operatives in.

That being said, I think that the selection process is much more of a barrier than the screening process. It is a multi-layered screening process, but as FBI Director Comey acknowledged and as NCTC Director Rasmussen talked about, we do not have good visibility, and that means, inherently, there are limitations on our intelligence.

Indeed, recent events in Paris dramatically underscore the limitations of this intelligence. Not only did you have at least two large cells that were interlocking, but it is important to look at the travels of Abdelhamid Abaaoud, who was the mastermind of this attack. He was able to move from Europe, after a plot he was involved in in Belgium was interrupted on January 15 of this year, move back into Syria, then move back into Europe to personally direct the plot in France. That is significant. That means while he was a wanted man, he was able to move past European authorities into Syria, then past European authorities again as he moved back in. That indicates a much more significant intelligence gap than I think anybody would have anticipated prior to this plot.

The third thing I will say is that I think it was very important to highlight the fact that, when you are looking at vulnerabilities that the United States has to terrorist entry, that things like VWP are just more important than refugee resettlement programs. The reason why we are talking about refugee resettlement programs so much is because of the dramatic pictures of large numbers of refugees and migrants moving into Europe.

¹ The prepared statement of Mr. Gartenstein-Ross appears in the Appendix on page 101.

But, as we all know, the situation that we face is very different in the United States. Rather than a refugee population which is crossing into the U.S.'s borders, these are refugees that are being selected out of camps. It is just a fundamentally different situation and I think it makes sense for this legislative body to think about those means of entry that are of highest risk, and definitively, refugee resettlement programs are not.

The fourth point is that I do think we should think about the Islamic State's use of refugees, not so much in the United States as in Europe, because this is a problem that will arise. The Islamic State sees the refugees who are fleeing its self-proclaimed caliphate, and also fleeing Syria, as a major public relations problem. Between September 16 and 19, they released a dozen videos about the refugee situation. It seems that either one of the attackers used the refugee route or else planted a refugee's passport, or a Syrian passport, following the attack. We do not know which one yet, and there is evidence that points in both directions.

But, either way, one thing they will absolutely, in my view, try to do is make it—is either infiltrate an operative that way into Europe or else make it seem like that has happened in order to provoke a backlash against refugees. They have talked about their desire to destroy the gray zone between the European population and the Islamic State, so that Muslims have nowhere to go. That is something that is worth thinking about, not so much for our own resettlement program, so much as that is an issue that will come up, and if such a backlash occurs, if such an attack occurs, we need to have thought about that, I believe, so that we can fashion appropriate policies.

The final thing, or the final policy point I want to make, is that we also, as several Senators said, should consider our own policies toward Syria in order to reduce the destabilization.

The final point I make in my written testimony pertains to our Central Intelligence Agency (CIA) program for sponsoring rebels. I think it deserves much more scrutiny because I think there are some very deep problems. I do not want to divert this hearing, but I think that is not separable from this overall issue.

The final thing, taking off my hat as an expert witness and just talking as an American, I want to thank you for this hearing because I think that it was very sober at a time when we have had a political discussion which is extraordinarily hyperbolic. Senator McCaskill said we should come together as Americans, and I think that is very important. I think it is worth acknowledging that on both sides of this debate, people have very legitimate concerns. On the one hand, some people are concerned about security. Are they safe? And on the other hand, people are concerned that we, as Americans, are compassionate people. We want to welcome refugees. And I think both sides should recognize that there are legitimate concerns and be able to talk about this and advance ourselves, as opposed to having partisan finger pointing and zingers.

So, thank you, as an American, for holding a hearing that was very reasonable and very measured.

Chairman JOHNSON. Thank you.

Our next witness is Eric Schwartz. Mr. Schwartz is the Dean of Humphrey School of Public Affairs. Mr. Schwartz previously served

as the U.S. Assistant Secretary of State for Population, Refugees, and Migration and as the second highest ranking official in the office of the United Nations High Commissioner for Human Rights. Mr. Schwartz.

TESTIMONY OF THE HONORABLE ERIC P. SCHWARTZ,¹ DEAN, HUMPHREY SCHOOL OF PUBLIC AFFAIRS, UNIVERSITY OF MINNESOTA AND FORMER ASSISTANT SECRETARY FOR POPULATION, REFUGEES, AND MIGRATION AT THE U.S. DEPARTMENT OF STATE (2009–2011)

Mr. SCHWARTZ. Thank you, Mr. Chairman. The Committee has asked that witnesses discuss any vulnerabilities in the program for resettlement of Syrians, and this is a very important issue. But it is really only relevant, first, if we believe we have a national interest in resettling Syrians, and second, if we are confident that we are asking the correct security-related questions. So, I will talk about our national interests, in fact, our national security interests, in this program first.

Nobody disputes the critical national security importance of issues surrounding the Syria conflict—stemming the proliferation of weapons of mass destruction, supporting our friends and allies, sustaining economic relationships, defeating ISIS and others seeking to export campaigns of terror, and providing assistance to desperate people in need—all objectives that demand U.S. leadership in highly uncertain times, when more than at any time in recent memory, we need the support of our friends and our allies.

So, how does refugee resettlement of Syrians address these concerns, and more particularly, how might obstacles to the continuation of this program threaten our national interests?

First, the program communicates a commitment to burden sharing to governments neighboring Syria. If we are asking Turkey, Jordan, and Lebanon to continue to host some four million refugees, and if we are expecting their support for our efforts in the region, it is important that we sustain our resettlement efforts and it is counterproductive for us to send those governments a negative signal by shutting off resettlement programs for Syrians, given all that those governments are doing.

Second, if we are urging our European allies to implement humane policies on protection for hundreds of thousands of Syrians, here again, our commitment to resettlement is critical and a failure to offer modest resettlement will be perceived as hypocrisy and diminish our capacity to lead on issues of common concern.

Third, the battle against ISIS is also a battle of ideas, in which ISIS rejects any notion of the compatibility of Islam with other traditions. Our Refugee Resettlement Program rebukes that preposterous notion. But imposing significant obstacles to particular groups does risk playing into the very narrative that we seek to combat worldwide, and it is worth reflecting—I think we have to reflect—on the fact that legislative efforts to single out particular programs in Iraq or Syria do risk playing into that narrative and might, indeed, be welcomed by our adversaries.

¹ The prepared statement of Mr. Schwartz appears in the Appendix on page 110.

Finally, the United States has long advocated refugee resettlement based on the applicant's vulnerability, and measures that either privilege or disadvantage any group would depart from that principle and undermine our leadership.

So, if there is a compelling interest, national security interest, in resettling Syrians, what questions regarding vulnerability should we be asking? First, we should not be asking whether the Syrian Refugee Resettlement Program, or for that matter any immigration program, can guarantee against admission of an individual with ill intent. To put this into perspective, between 2010 and 2013, some four million people entered our country to establish residence and almost none of them received anything like the scrutiny given to Syrian refugee applicants.

In fact, applications for Syrian refugee admissions are, as we have heard, the most thoroughly vetted in our immigration and refugee process, involving reviews by intelligence, security, and law enforcement agencies. All applicants provide biometric and biographical data and undergo detailed interviews by officers of DHS. And I am convinced that these and other measures do provide a robust degree of safeguards that more than justify continuation of this program in light of the national security and humanitarian interests that they serve.

In conclusion, in yesterday's Smithsonian.com website, Daniel Gross writes of Herbert Karl Friedrich Bahr, who applied for U.S. asylum in 1942, claiming to be a persecuted Jewish refugee. Bahr's story unraveled and he was convicted of conspiracy and planned espionage. The event helped to stoke the contention that Jews could be part of a fifth column of spies, as United States officials turned their backs on those who were in need of protection from the Holocaust. There were some voices who condemned this inaction, but, to use Gross's words, they were drowned out in the name of national security.

Members of the Committee, I hope that we can ensure that voices supporting protection of the vulnerable are not drowned out and recognize that our Refugee Admissions Program not only meets our national security interests, but also reflects our values as a people.

Chairman JOHNSON. Thank you, Mr. Schwartz.

Our final witness is Lavinia Limón. Ms. Limón is the President and Chief Executive Officer of the U.S. Committee for Refugees and Immigrants, one of the nine domestic agencies contracted with the State Department to resettle refugees in the United States. Ms. Limón has more than 30 years of experience working on behalf of refugees and immigrants. Ms. Limón.

TESTIMONY OF LAVINIA LIMÓN,¹ PRESIDENT AND CHIEF EXECUTIVE OFFICER, U.S. COMMITTEE FOR REFUGEES AND IMMIGRANTS

Ms. LIMÓN. Thank you, Mr. Chairman, Ranking Member Carper, and honorable Committee Members. On behalf of the U.S. Committee for Refugees and Immigrants, a national nonprofit organization serving refugees and immigrants with a network of over 90

¹ The prepared statement of Ms. Limón appears in the Appendix on page 117.

agencies and offices around the Nation, I am honored to testify before you today in support of the U.S. Refugee Resettlement Program and to provide information on the program.

I want to thank you, Chairman Johnson, for complimenting our security screening fact sheet, which my staff works very hard to keep up to date, and we have changed it—it has been around for about 2 years, and we keep changing it as we learn more. And, of course, we are on the outside, so we do not have the inside information, but even the Government people say we got it right. So, that is pretty exciting.

Chairman JOHNSON. I always appreciate good information, so thanks.

Ms. LIMÓN. Thank you.

So, for over 100 years, USCRI has protected the rights and addressed the needs of persons in voluntary or forced migration worldwide. We are proud to do this work in the United States because our country is the world leader in providing protection to people who need it. This global refugee crisis requires strong leadership and the United States will inherently make a statement by our presence or our absence.

For refugees who are the most vulnerable, even after fleeing their countries: the torture survivors, women at risk and those with complex medical situations. For those individuals, resettlement is often the only option. And for refugees who have languished in refugee camps without the right to work and with their children denied education, these are the individuals for whom we stand.

We must not let the heinous acts in Paris make us turn our backs on children and families when our heritage and our history is to welcome refugees in the United States.

When I was invited to testify, I went out to our network and I said, tell me what Syrian refugees that we have resettled are saying, and I want to share some of their messages with you.

A Syrian refugee who came to Detroit with his wife and four children in September wanted everyone to know that he and his family are so happy to feel and be safe again after arriving in the United States. He told us, quote, “I truly appreciate the kindness of the American people that we witnessed.”

A Syrian family who arrived in Erie, Pennsylvania last night, told us that they were very happy to finally arrive in the United States after many years of waiting. The family was very thankful to be in Erie, Pennsylvania. The father was an electrician in Syria and he and his wife managed to keep their children alive while being displaced for almost 3 years. The father said that he felt an overwhelming sense of relief now that his children were finally safe.

A Syrian refugee resettled in California had a video and music shop in Damascus before having to flee with his mother because of the conflict. They escaped to Lebanon, where they stayed for 2 years until they were admitted to the United States as refugees in February of this year. He told us, quote, “There are many, many innocent people who really need help,” and he feels so blessed and lucky that he had the opportunity to resettle to the United States and wishes to see more Syrians have the ability to come here.

USCRI supports a solutions-based approach. Based on our experience, we have the following recommendation. We would like the U.S. refugee programs to be supported through all aspects of our government and by elected officials as a safe humanitarian and foreign policy operation. We would like to see funding for the Department of Homeland Security increased to maintain the integrity of the security checks. We would like to see increased support for the Office of Refugee Resettlement to enhance the integration of newly arrived refugees.

As the former Director of the Federal Office of Refugee Resettlement, and after a 40-year career—we gave you bad information there, Mr. Chairman—of helping refugees, I am proud and confident that our resettlement program works and is in the best interest of America.

Thank you for holding this hearing and thank you for listening to our point of view.

Chairman JOHNSON. Thank you, Ms. Limón.

Mr. Gartenstein-Ross, let me start with you. You talked about the refugee flow—I believe this is what you said. Let me just clarify this. You think the refugee flow is a public relations disaster for ISIS?

Mr. GARTENSTEIN-ROSS. Yes, absolutely, and this is something that they have made very clear in their own propaganda. They purport to be the home for Muslims worldwide, and the fact that people are fleeing from them and that other Syrians, rather than going from Assad-controlled areas or war-torn areas, they are going to Europe rather than into ISIS-held areas is—

Chairman JOHNSON. That was really the point I was going to make, because I think in other hearings, other briefings, we are being told that the refugee flow is not out of ISIS-controlled areas. It really is, primarily, because of Assad bombing his own people. It is really the Syrian government's genocide, his killing his own people, that is really causing the refugee problem.

Mr. GARTENSTEIN-ROSS. It is out of both. I mean, for example, if you look at the flow out of Mosul when the Christians left, that was all because of ISIS. But, yes, I mean, if you are looking at it, it is not as though most refugees are fleeing ISIS. I do agree with those recommendations, or with those assessments. But, let us be clear. There are refugees fleeing ISIS.

And, the other point, the reason why it is a public relations disaster for them is because ISIS is right there in Syria.

Chairman JOHNSON. They should be flowing into ISIS.

Mr. GARTENSTEIN-ROSS. Right, and—

Chairman JOHNSON. It is such a wonderful place.

Mr. GARTENSTEIN-ROSS. Precisely.

Chairman JOHNSON. Let us talk about the greatest risk. Again, I think, as we have heard testimony, the vetting process is redundant. It is pretty robust. As you said, pretty inefficient if you are trying to sneak people into the United States, at least—

Mr. GARTENSTEIN-ROSS. Right.

Chairman JOHNSON [continuing]. Less so going into Europe, with that refugee flow. As I said in my opening statement, I mean, I view the greatest risk literally as our completely unsecure borders and people flowing into other countries, then potentially coming in

here. I just want to kind of go down the list, or down the panel here. What is the greatest risk? Then I will be asking you, what is the No. 1 thing we should do? Mr. Bergen.

Mr. BERGEN. I think Paris shows that the Schengen Europe Agreement, in a sense, is the greatest risk, because it is very unclear that European countries understand who is coming into other—I mean, so, for instance, the mastermind, his travels that Daveed laid out. It is still not entirely clear, but it seems the French did not know what the Belgians knew and they were not sharing information, probably. So, that is the biggest problem.

And the secondary problem, then, is the Visa Waiver Program, which is related to that problem.

And, finally, the big thing that we are missing is a global database of who these people are. We only know 4,500 of their names. There are 30,000 of them, and that is—if we do not know who these people are, everything else is moot.

Chairman JOHNSON. Again, so the free flow within Europe, combined with the Visa Waiver Program, creates a real risk for those—I mean, to America, to our homeland, is the greatest risk.

Mr. BERGEN. Yes.

Chairman JOHNSON. Mr. Jenkins.

Mr. JENKINS. First of all, I would agree that you and Senator McCaskill, I think appropriately, broadened the inquiry from simply refugees to saying, let us look at the whole thing. Let us look at refugees, immigration, visa, VWP and border security and see what are our gaps and what are the most likely routes for terrorists, and I think there is probably consensus that the refugee may be the least productive route for them.

I certainly would agree with Peter that a major vulnerability is Europe, one, because of the numbers. Two, because they do not have the capability of selecting—these are people that are arriving and the Europeans are then trying to sort them out. A third problem is that the Europeans are not sharing information with each other in these senses. And as a consequence of that, by the way, I think that either cooperation within Europe is going to increase or we are going to see increasing border controls within Europe, which is going to challenge the European notion of free movement, altogether. Border controls are going to come back up.

The weakness that I think that we have in our system overall is that we are dependent on lists of names. We do not have—in terms of looking at visa, this is—we have a robust system for interviewing refugees and for screening that, but a lot of these other things are dependent on a name being on a list. If we do not have a name on a list, we do not have much else to go on. It would be useful, at the very least, if we could develop new ways of looking at this that we can say, look, there are some of these people that we can clear pretty fast because of who they are, and there are others that it is simply going to require a new way of taking a look at this.

Chairman JOHNSON. In other words, if people have not created that ripple, you have a problem.

Mr. JENKINS. Right.

Chairman JOHNSON. I will pick up on this, but I will go to Senator Heitkamp out of respect for time.

Senator HEITKAMP. Thank you, Mr. Chairman.

I wanted to just hang around because I think what you are talking about is so important, and I think as you have complimented the Committee, and I share that compliment, or I share your complimentary statements with the Chairman, I think we have a great panel here.

And, so, just to kind of begin it, from everything that I have read in your testimony and what you presented here, would you say that the focus that we have put, kind of at this point solely, on the Refugee Resettlement Program is perhaps misplaced and it has diverted attention from much more critical security issues that we have? Is that—it seems to be unanimous on the panel. Just let the record reflect, everyone is nodding their heads. If you disagree, please weigh in.

And, obviously, you represent a great cross-section of national security experts. Would you say that your view is kind of the majority view of people who study national security? So, you guys almost talked to each other at some point here. Can you tell me, building on what the Chairman has asked, what things you think we are missing, that we have not talked about today?

Obviously, the Visa Waiver Program is on everyone's mind. Along with Senator Feinstein, we are introducing a bill to address what we see as gaps. She has been on this for a long time. Obviously, it is much more timely now, so it will be a great bipartisan bill. We expect we are going to have a discussion on it.

But, what are we missing that people within your expertise today are saying, wow, why do they not get this? And that is for anyone.

Mr. GARTENSTEIN-ROSS. One of the key things I would recommend, and I agree with Peter entirely about the greatest threat in terms of entering—terrorists entering the United States being the Schengen Zone and VWP. I think the key thing for me is, in the past, because of the Schengen Agreement, there is certain information that the United States does not get from European allies because of that agreement. Over the course of the past several months, we have seen the virtual collapse of the Schengen Agreement, which means that our own leverage with our European allies is at an all-time high.

So, I would strongly recommend, Senators, to talk to U.S. Customs and Border Protection to figure out what they need, what information they need from Europeans, and where Schengen, in the past, has posed a threat to U.S. border security to see what we might be able to do in bilateral or multilateral negotiations with our European allies.

Senator HEITKAMP. Other things that we have missed.

Mr. BERGEN. Well, I will tell you something that has gone right, which is if you look at ISIS propaganda, they are very concerned about Turkey now, because the pressure on the Turks has really reduced, or at least impacted, the foreign fighter flow. So, any encouragement and/or expertise or aid we can give to Turks to increase their customs and border patrol would be very useful, because that is where, overwhelmingly, the foreign fighters are coming in.

Senator HEITKAMP. OK.

Mr. JENKINS. Let me add to a comment by Daveed in terms of both putting pressure on Europeans, but assisting them, as well. This is probably going to be more emphasis on bilateral agreements than on multilateral. There are profound differences in Europe, policy differences, even philosophical differences about how to deal with these issues—about intelligence issues, about privacy issues, about resettlement issues and about returning foreign fighters, whether they should be charged with criminal violations or whether they should be rehabilitated and put back into society.

When you deal with that many differences in a group like the European Union, it tends to dilute the efforts down to sort of the least common denominator, and so we really have to work closely on a bilateral basis to ensure that we are getting the information that we need for our own national security interests.

Senator HEITKAMP. Go ahead.

Mr. SCHWARTZ. I would just make four very brief points, and they are a little bit disjointed, since we have been talking about a lot of different issues.

First, I think support for front-line States is absolutely critical. I was part of a letter from 22 former officials, including Deputy Secretary of Defense Wolfowitz and former Under Secretary of Defense for Policy Michele Flournoy and others, urging an additional allocation of up to \$2 billion, in large measure to support Jordan and Turkey, because they are experiencing such significant challenges, and that would be a very valuable symbol of solidarity and support.

My second comment is I agree with the other panelists that the refugee program is not anywhere near the major threat.

My third and fourth points are that I agree that we need to take a very close look at the Visa Waiver Program and other programs, but I also think that we have to accept the fact or understand the fact, without prejudice to that point about looking at the Visa Waiver Program, we have to accept the fact that our strength is also our vulnerability. I mean, our system of immigration is responsible for creating a superpower. Without the kind of immigration policies that we have had over the past century or more, the United States would not have achieved the kind of economic and political dominance that we have in the world. And we have been spared some of the very challenging, dramatically challenging, demographic challenges that some of our European allies and Japan face. That is our strength, but it is also our vulnerability.

Ms. LIMÓN. Senator, I think the greatest risk is that we allow our political discourse and climate in the United States to make it acceptable to be anti-refugee and anti-immigrant, to say things that are negative and stereotypical of people, whereby the mainstream population thinks it is OK to turn our backs on newcomers.

I think when you look at Europe, you can see the sort of social isolation that a lot of their immigrant communities live with day to day, and the strength of America, the beauty of America, is that we do not do that, that our values and our ability to assimilate—and I will use that old fashioned word—we do, in fact, assimilate new people. By the second and third generation, they usually cannot speak their grandparents' or parents' language.

When people are willing to share our values of freedom and individuality and acceptance and incorporation, they become Americans, and we native-born people look at them at some point and go, oh, they are American. I do not know when that shift takes place, but it takes place. And that ability to incorporate keeps us from having that group that may turn on us internally.

And, so, we have to keep that political discourse and have the leadership to say to the American people—and it is not easy, because people are different and people do not like different and it makes everybody uneasy—but it is the political leadership that have to keep the dialogue in that positive way that it reinforces the beauty and strength of America.

Chairman JOHNSON. And, unfortunately, the past is not a complete predictor of the future. So, I think that is a real particular question.

I will start with Mr. Gartenstein-Ross again in terms of the greatest risk.

Mr. GARTENSTEIN-ROSS. As I said before, I agree with Peter about the Schengen Agreement and the problems within Europe as being the greatest immediate risk in terms of terrorist entry.

But, I do want to highlight something else which is very much related. This hearing, obviously, for very good reason, has focused on the Islamic State, on ISIS. But our enemy for the past decade and a half has been al-Qaeda, which has been pushed from the headlines, and this is not a good thing. Al-Qaeda today enjoys a lot more freedom of movement than anyone would have thought possible 5 years ago.

If you look at recent U.N. delistings, including Mohammed Islambouli, who has been fingered by National Public Radio (NPR) as a high-level leader in the Khorasan group, you can see that a lot of the U.N. sanctions are getting peeled back. Al-Qaeda is again receiving State support in Syria. Its affiliate, Jabhat al-Nusra, which is part of a coalition called Jaysh al-Fateh, is getting support from Qatar, from Turkey and from Saudi Arabia, and I think that we need to pay attention to this rebranding of al-Qaeda as a more reasonable jihadist force.

This is something that, if we do not pay attention to it now, I believe we will fully regret this in several years, not just in terms of immediate entry to the United States, but ability to operate throughout the world.

Chairman JOHNSON. Well, for my own part, I always refer to them as Islamic terrorists, and there are a number of different variations of that, a number of different groups, but they are Islamic terrorists and they are at war with civilization.

Mr. Schwartz, what is the greatest threat?

Mr. SCHWARTZ. I am sorry, in terms of—

Chairman JOHNSON. I guess, I could sign on to former Chairman of the Joint Chiefs of Staff, Admiral Mike Mullen, and say the greatest threat to our national security is our debt and deficit. I think that is true.

Mr. SCHWARTZ. I am sorry, is—

Chairman JOHNSON. Our debt and deficit. I mean, I think that is true, but this hearing is really about the threat that we face be-

cause of Islamic terrorism, so I think that is—and, again, we were talking about our vulnerabilities. You were talking about——

Mr. SCHWARTZ. Yes. I mean, as I said——

Chairman JOHNSON [continuing]. VWP, those types of things. I am looking for more specifics from that standpoint.

Mr. SCHWARTZ. Yes. Sure. As I said before, I think my expertise here is on our refugee programs, in particular, and to my mind, the refugee programs are far from our greatest threat. I think they are durable programs with processes——

Chairman JOHNSON. OK, so you voice your support for that——

Mr. SCHWARTZ. Right.

Chairman JOHNSON [continuing]. But where is our greatest vulnerability within these programs, within our acceptance of refugees and asylum seekers and immigrants?

Mr. SCHWARTZ. Well, as I said, I think it is clear that the Visa Waiver Program has greater vulnerabilities than the U.S. Refugee Resettlement Program, but I am, frankly, not an expert on all of the immigration programs. But, I can tell you that the Refugee Resettlement Program, which I know very, very well, is not one of those.

And, if I could just make one other point, which I made in my testimony, but I really think it is important. If Members of the Committee feel that the Department has made the case about the security procedures in the Refugee Resettlement Program, you should think long and hard on this issue of additional legislation because of my concern that it does play right into the narrative of us against them, our choosing a particular group and creating greater obstacles when we have a system in place that is rigorous and responsible.

I think our geopolitical interests require that we reflect very carefully about that kind of legislation. And even if the President has promised to veto it, the introduction of it and the passage of it is very worrisome.

Chairman JOHNSON. Ms. Limón, do you want to take another stab at it, or do you want to stand by your——

Ms. LIMÓN. I will just add that since last week, my office has received many phone calls of people who are extraordinarily worked up about Syrian refugees, and they will say things like, “I live in Des Moines. I want the names and addresses of every Syrian you brought here.” And that is one of the more polite things that are said. It has been kind of scary.

And when we look at resettling refugees right now, and, as I said, someone arrived in Erie last night and people are going to arrive in Chicago tomorrow and we have State Government officials saying to us, we want the names and addresses of these people, and we are like, whoa, what is going on here? These people are legally admitted to the United States. And are we—how are we going to protect them? These are people who have been persecuted, who have been fleeing violence and persecution because of their race, religion, or membership in an ethnic group, and they come to America, the land of the free, and we have to say, you may be persecuted because of your membership in a particular ethnic group.

It is a very dangerous time, and I will tell you, there are thousands of people who do this work around the country who are calling us going, "What am I supposed to do?"

Chairman JOHNSON. Which is why I think the certification process would give the American people the assurance that I think they probably are looking for. Senator Carper.

Senator CARPER. I apologize for being in and out. There is a lot going on, and I am very much interested in these issues. I spent a lot of time, as the Chairman knows, on these issues, and as does he.

Something I said earlier that I think you heard, and I talked about competing moral imperatives, and one of the moral imperatives which was reminded to us by Pope Francis a month or two ago was our obligation to the least of these. When I was hungry, did you feed Me? When I was naked, did you clothe Me? When I was thirsty, did you give Me a drink? When I was a stranger in your land, did you take Me in?

And the admonition—I think the biggest applause line that he got when he spoke at a joint session of the Congress was when he invoked the golden rule, that we should treat other people the way we want to be treated. I think everybody stood on their feet and applauded for a long time.

And, so, we have that moral imperative that faces us squarely and I am reminded of every day, those imperatives, as we confront this challenge. But we also have a moral imperative to 325 million people who live here and who want to be able to live to a ripe old age and have a good life. And, the question is, can we do both? Can we do both? Do we have to be true to one and not to the other?

Another Committee that I serve on, in fact, one of the things I was out of the room on was because of my responsibilities on the Environment and Public Works Committee. We have oversight over the Nuclear Regulatory Commission. But, we are always wrestling with the question, in that Committee, of can we have cleaner air, cleaner water, and at the same time have a stronger economy, or is it a choice of one or the other? I think it is a Hobson's choice. I think we can have both, and if we are smart, we will have both.

But, in terms of the moral imperatives, how do we meet both moral imperatives? How do we meet both moral imperatives, especially the latter one, to keep people safe, and one of them is to the rigor of the refugee programs, which is, I think, pretty well demonstrated now, and we are drilling down on the Visa Waiver Program to see what is good about that, and it has certainly improved over time. Is there some more that we can do? I think so.

One of the things, we have a very senior guy that the administration has nominated, I think a very good guy, Adam Szubin. I understand he is the perfect guy and his nomination is hung up in the Banking Committee for reasons that I do not understand. He is, I think, the guy who did the financial—sort of helped bring Iran to its knees on the financial side and cut off their funding. He did the same thing with North Korea, and we would like for him to do that with ISIS, too, if we can get him confirmed.

So, there are some things that we are doing, can be doing, but just respond, if you would, to my question, please. Thank you.

Mr. JENKINS. We have become a risk-averse, security-obsessed nation. That is understandable. I mean, we are still in the shadow of 9/11. We are dealing with these extraordinary times and threats. But we cannot remove all risk, and we have been doing a pretty good job, in terms of our domestic intelligence, in terms of preventing these attacks and so on. But we do not get to zero.

The problem is, if we try to get to zero, that has costs in other directions, costs in terms of real economic costs if we were to abolish the Visa Waiver Program, costs in terms of moral costs, in terms of our reputation as a society.

So, I think part of it is, without dismissing the very real threat, and this is very much a long-term thing, this is the shape of things to come, but we have to be able to accept that none of these programs, not one of these, provides us with an absolute guarantee—no amount of screening, no signatures, or so on. You can, as the Senate, keep the heat on people on this, and that is important, because over a period of time, measures become routinized, people go slack, and you can energize that. But, we do not get to zero.

Senator CARPER. Good. Excellent point.

Others, please.

Mr. BERGEN. Can I just make a factual observation? Every person who has been killed by a jihadi terrorist in this country has been killed by an American citizen or resident since 9/11. Refugees have not been involved. I mean, the real problem, the domestic terrorism problem, is provoked by homegrown terrorists.

Senator CARPER. That is a great point.

Mr. JENKINS. Great point.

Mr. SCHWARTZ. Senator Carper, I certainly agree that the Refugee Resettlement Program has robust procedures in it to help ensure the security of Americans, and I also believe that the Refugee Resettlement Program is the best expression of American values, the moral imperative.

But let me repeat what I said in my testimony, which is that I also believe in this particular instance, and in many others, that the continuation of this program serves vital national security imperatives. Our burden sharing with front-line States that are hosting over four million refugees. And burden sharing with European governments that we are asking to treat humanely hundreds of thousands of Syrian refugees. These are governments that we need in terms of the geopolitical objectives that we are trying to achieve in Syria and other places in the world.

And third, and perhaps most importantly, we rebuke the ISIS narrative of us versus them. Our programs are an expression of the proposition that it is not the Muslim world and everyone else. We combat that ISIS narrative day in and day out with our refugee programs. So, I think we have stakes in these programs that go far beyond the humanitarian imperatives.

Senator CARPER. Wonderful points. Thank you. Thank you all.

Chairman JOHNSON. Mr. Jenkins, you talked about the intelligence community (IC) being overwhelmed by the volume. Keep cool. Stay smart. I do not think—no one would dispute that we cannot turn this into a risk-free world, but these are threats and I believe these threats are growing. I mean, we just witnessed this in Paris.

So, if we sit back and play defense the whole time, I do not think that is particularly smart. How do we go on offense? I mean, how do we solve the problem then?

Mr. JENKINS. I would not argue for a defensive strategy. I agree that we do have to—we do have to become more effective in how we deal with this in Syria. I personally happen to think that it is not by deploying large numbers of American forces on the ground. I think the numbers that people mention underestimate the task. I think that that would become very, very quickly an unsustainable thing. Can we do other things, with the air campaign, with increasing the number of special operations personnel? I think we can even do more creative things. For example, our efforts to create a guerilla army and then throw it into battle against ISIS, that has turned out to be——

Chairman JOHNSON. It obviously did not work.

Mr. JENKINS. It did not work. However, that does not mean that competitive recruiting will not work. I am not talking about throwing people into battle. I am talking about, among Sunnis that are exposed to ISIL's areas of influence, it may make more sense for us to recruit them and pay them, in a sense, just to be on our payroll rather than spending the money to go after them. Let us provide a place in Syria where we can bring people on board.

Chairman JOHNSON. So, let me ask, has the threat grown or receded over the last year and a half under the current strategy?

Mr. JENKINS. I would say that in some cases, certainly, we have checked ISIL's advances.

Chairman JOHNSON. Yes, but has the threat grown or has it receded? You are saying the intelligence community is overwhelmed by the volume. Is not the volume growing?

Mr. JENKINS. The intelligence community in Europe is overwhelmed by the volume. We are——

Chairman JOHNSON. And, again, that is——

Mr. JENKINS. We are keeping up with it.

Chairman JOHNSON [continuing]. That is our greatest threat, is what you are telling us.

Mr. JENKINS. It is.

Chairman JOHNSON. So, that threat is growing. So, the strategy currently is not working, so the risk is increasing.

Mr. JENKINS. The risk of terrorism outside is going up. That, I think, is true for a variety of reasons. In fact, as I said, even as we have more success on the ground, that threat outside is going up. So, you cannot connect necessarily—you cannot look at the threat outside as evidence of failure inside Syria. That threat can go up even with success inside.

Chairman JOHNSON. But, again, remember the mission of this Committee is to enhance the economic and national security of this Nation. So, you have a destabilized Middle East. You started stabilizing nations in Europe. That destabilizes the entire world economy and that also affects our economic situation, as well.

Mr. JENKINS. It clearly does. So far, though, so far, we have been able to manage—we have been able to manage this. This is a matter of, can we improve things as opposed to fundamentally alter our strategy? So, over a period of time. I think we have been extraordinarily cautious.

Chairman JOHNSON. Do you think it is a good thing that Iran and Russia are gaining greater influence in the Middle East? Is that a good—

Mr. JENKINS. Russia—

Chairman JOHNSON [continuing]. Is that good for our regional security and world peace?

Mr. JENKINS. OK. Russia is not a newcomer to Syria. I mean, when the Syrian army crossed—

Chairman JOHNSON. I understand, but its influence is growing in the Middle East, correct?

Mr. JENKINS. I am not sure that it is.

Chairman JOHNSON. Mr. Gartenstein-Ross, do you think that is a good thing?

Mr. GARTENSTEIN-ROSS. No, I certainly do not think it is a good thing that either Russian or Iranian influence is growing, which both of them undoubtedly are.

In terms of the strategy, I think that there are things that we can do. As Brian said, and this is not a duck from your question, my direct answer to your question is that the threat has grown worse in the past year and a half. But, No. 1, if you look on the ground in Iraq and Syria, ISIS has experienced about a steady year of losses with one very good week in May, where they gained Ramadi, Baiji, and Tadmur in Syria. But, publicizing their losses is very important because they have a narrative of strength.

And I would say one area where the United States has clearly failed is it has not publicized their losses, including their losses outside of Iraq and Syria. They have at least four major losses in Africa that almost no one is aware of, including people in Africa. I know this because at an African Union seminar I was at last month in Namibia, people were absolutely unaware of all of ISIS's setbacks there.

A second reason why I would say that things have grown worse is if you look at the terrorism problem writ large, Tunisia is now fundamentally threatened in ways that it was not 2 years ago. Yemen is falling apart, and that is not an ISIS issue. There are many other things that are related, and ISIS has kind of glommed onto that.

But, we have to recognize the overall situation is one where violent non-State actors, including jihadist violent non-State actors, are gaining much more ground. This is a real problem, not just the problem set of Islamic terrorism, but the problem set of the democratization of violence. We are going to see much more violence at a sub-State level. So, a lot of these concerns, including what Senator Carper, I think, very articulately describes as competing imperatives, they are going to remain, and this is one reason why, when discourse becomes so locked and very jaded, as we have recently seen, I think we do ourselves a disservice if we are not able to reason through together as one body these very, very difficult issues that we are going to be grappling with for a long time to come.

Chairman JOHNSON. Senator Carper.

Senator CARPER. Thank you.

On the question of the influence of the Russians and the Iranians waning, I think one of you maybe said maybe not so much. An-

other, I think I understood you to say yes. Actually, Iran is sort of—talking about competing interests, you have competing interests there, as you know. You have the one group led by the Supreme Leader and the Revolutionary Guard, and you have another group led by the elected president of the country, in a country where, I want to say, like, 78 million people, the average age of the country is 25. And you have a generational divide there that we will see where they go. Most of the places where they seem to be involved in the Middle East, it has more to do with Shia versus Sunni, I think, than anything else.

I want to go back to something, I think it was Mr. Bergen, that you said, talking about the greatest threats, at least the greatest threats to us. I do not believe, from what I can tell, that the greatest threats to us are necessarily with respect to Syria and ISIS. I do not think they are necessarily related to those that are going through the Refugee Resettlement Program. I think we pretty well established that. I am not sure that the greatest threats are those who are going through a Visa Waiver Program, or those who come here on a tourist visa, or a student visa, or some other way that I am not thinking of.

I think you said it, Mr. Bergen. The thing that keeps me up at night more than anything else is the folks that are here, home-grown, born here, raised here, in many cases, and they become radicalized, and they can do great damage from the inside. Those are the folks that I worry about.

And, in order to address that threat, reduce the threat, a couple things, and we talked about them, but they bear reiterating, and one of those—I read a couple of books not long ago by a woman named Phyllis Schwartz. Do I have that right? Jessica Stern—not even close. Jessica Stern. [Laughter.]

Jessica Stern, one dealing with ISIS, another dealing with terrorism. She went around the world, just met with all kinds of terrorists. I cannot believe they let her in and just opened up their hearts to her, but they did. And she—the older book is the one—not the ISIS book, the ISIS book is the newer book—but one of the things she found in talking to all these terrorists, a lot of them were faith-based, and they—but they were people who, mostly guys, who had not had a lot of success in their lives and they were looking for a way into the big time.

And the big time could be to be involved in a military operation, to be trained, be effective, be a hero, to get killed and go to heaven and then you would have all these brides or wives. If they do not, they get paid. They get on somebody's payroll and make some money. Their families, if they do die, actually get money from the organization, in this case, ISIS.

So, one of the points that came to me from reading her first book was if ISIS is not successful, if they are losing territory and not gaining territory, if we are cutting them off financially, they become a whole lot less attractive. In their social media, they can still pump out the social media, but if the back story is these guys are faking it, it is like, as you said in Montana, all hat, no cattle.

So, that is why it is so important—Mr. Chairman, I agree on this—it is so important to crush these guys, sooner rather than later, but to do that.

The second piece is we actually have the ability—the Department of Homeland Security has this ability. We talked a little about one of the programs that they have that we have been asked to fund that enables them to run a counter-message within the Muslim communities, here in our country, where there are a lot of people and where a bunch, particularly the young people, are subject to being radicalized, but to have a countervailing message out there and work with the community there to make sure that that is an effective message, an effective message.

So, those are a couple of thoughts that I would leave with us. Do you all want to react to any of that? If you do, please do. If you do not, that is OK.

Mr. SCHWARTZ. As a Minnesotan, by way of New York and Washington, but having spent my last 4½ years at the University of Minnesota, I do need to say a word about the great work of the U.S. Attorney there, Andrew Luger. The countering violent extremism programs are one element, but what he has done and what his office has done is engage refugee and immigrant communities in very significant and substantial ways, in dialogue and in discussion, helping to understand the challenges that they confront without sacrificing in any way, shape, manner, or form the law enforcement imperative of his office. And, I think it is a real model for the rest of the country and deserves mention.

Senator CARPER. Just a show of hands. On the issue of the greatest threat that we face to the homeland, whether it is refugees, VWP folks, travel visas, student visas, homegrown, does anybody, by a show of hands, also think that the homegrown threat may be the biggest threat that we face?

[Show of hands.]

Thank you. Four out of five. Thank you.

Chairman JOHNSON. I do want to talk a little bit about the incentives created. In testimony we heard, and this is pretty well widely known, more than seven million refugees displaced within Syria, four million refugees outside, hundreds of thousands have now flown into Europe. The more that are accepted in, will not more flow? Is that not a destabilizing—again, Ms. Limón, you talked about the lack of assimilation. Part of the problem, I think, in France is that they have, just around Paris, about a 1.7 million Muslim population, not particularly assimilated, people that lack futures. And so they are drawn to this or more easily recruited to this type of ideology.

So, from my standpoint, the solution certainly is not to show greater compassion and allow the flow to go because you are just going to exacerbate the problem. Is that not a problem? Anybody?

Ms. LIMÓN. Yes, it is a problem. I think it is pretty unprecedented, as well, since World War II, the idea of all these people coming in. And I think Europe faces huge challenges in dealing with this. But I think it is also time—when Germany, Merkel says, fine, we will bring in—I think they are bringing in 800,000 people, and she sees that as a benefit to her country, which I happen to agree with her, but they are going to have to do this wholeheartedly. And that is, when you talk about those communities outside Paris, there are second, third generation Moroccans and other

Middle Easterners who live there who do not feel like they are French, and that is the beauty——

Chairman JOHNSON. Again, it is that lack of assimilation——

Ms. LIMÓN. That is right.

Chairman JOHNSON [continuing]. The Balkanization of societies——

Ms. LIMÓN. That is right.

Chairman JOHNSON [continuing]. Which is not a good thing.

Ms. LIMÓN. That is not a good thing.

Chairman JOHNSON. It is very destabilizing.

Ms. LIMÓN. And Europe has to deal with that and we need to make sure we do not do that here.

Chairman JOHNSON. Mr. Bergen, I do have to challenge you. I mean, you talked about all the terrorist attacks being perpetrated by U.S. citizens, but the Tsarnaev brothers were not homegrown. I would argue certainly that the 9/11 hijackers were on visa overstays. That, by the way, is kind of ignoring the fact that Islamic terrorists were at war with us since at least the mid-1990s, that did bring—in the end, we had 9/11, and——

Mr. Bergen. Well——

Chairman JOHNSON. And, by the way, talking about whether they are perceived as winners or losers, I mean, you down a jet 3 weeks ago. You have a successful, and I would consider low-tech, terrorist event in Beirut, I would say another low-tech terrorist event in Paris. I do push back on the sophistication of these. People talk about sophisticated, like, it kind of deludes us. Well, it is too sophisticated. It takes an awful lot of planning. It seems to me pretty easy to say, here are the targets. We are going to hit them at zero hour. Take a look at the weapons, readily available on the black market. I think the explosives may be a little more complex. But, just speak to the real threat and the growing threat. Mr. Bergen.

Mr. BERGEN. Well, I think you are absolutely right, sir, the attacks in Paris were not sophisticated, but they were complex, putting the operation together.

Chairman JOHNSON. They were organized.

Mr. BERGEN. They were highly complex.

The point I was trying to make, sir, since 9/11, yes, the Tsarnaev brothers came as minors into this country, and the real problem was that they got radicalized here. They were perfectly normal. They lived here for 10 years. It was the last 2 years of their existence——

Chairman JOHNSON. Point taken.

Mr. BERGEN [continuing]. That they got radicalized.

Chairman JOHNSON. OK. Does anybody else want to comment? Mr. Gartenstein-Ross.

Mr. GARTENSTEIN-ROSS. Yes. Just, I agree with you. You made a point about winners and losers. Obviously, this is a point where ISIS has had a string of successes and, at such a time trying to have an information-operations campaign around their losses is just not going to be particularly effective.

But, I do think that there is very strong proof, and I testified before the Senate about this back in April, that they have consistently exaggerated their strength, and I do think that we can do a

better job of knocking that down, bearing in mind that when they have big successes, like these awful attacks that we have just seen, you are not going to be able to convince people that they are on the losing side.

Chairman JOHNSON. No. I would argue ISIS's sophistication is the use of social media. The way that they are able to recruit and inspire people to join this barbarity, that takes a fair amount of sophistication to be able to identify people willing to blow themselves up. But, the actual attacks themselves strike me as relatively low-tech, which gives me a great deal of concern.

Mr. Bergen, did you want to say something?

Mr. BERGEN. No. I totally agree.

Mr. SCHWARTZ. Mr. Chairman, can I address the other question you asked, about incentives.

Chairman JOHNSON. Sure.

Mr. SCHWARTZ. In most cases, when you are dealing with migration and it is economic migration, you feel you can, as a matter of policy and ethics, it is reasonable to create certain deterrents to undocumented migration. The dilemma in the Syria case is that, yes, there are seven million internally displaced, four million refugees, but very few of those are people who did not have good reason to move, based on persecution, abuses, or conflict.

Now, traditionally, there are three ways that the cases of people in that situation are resolved. They can be locally integrated into the places they flee, they can return to their country of origin, or they are resettled in a third country, and traditionally, third country resettlement is really for a pretty small minority of refugees, and——

Chairman JOHNSON. Which, again, that is my point. It points to what the solution should be, which is to attempt to stabilize the situation in Syria and Iraq, which requires——

Mr. SCHWARTZ. Well, that was——

Chairman JOHNSON [continuing]. Wiping ISIS off the face of the earth in terms of their territory.

Mr. SCHWARTZ. But, I think it also——

Chairman JOHNSON. I do not see how that—I mean, I think that has to be the solution. I guess I was baffled, Mr. Jenkins, by your assertion that is going to make it even worse.

Mr. JENKINS. No, it is not that I am saying that, look, do not go after them because it will make it worse. I am saying that that is a consequence we have to be prepared for anyway. That is not a reason not to go after them. We have to continue, and indeed increase, our efforts to destroy ISIL. I have never been equivocal about going after ISIL. There is no option. There is no option that allows the continued existence of ISIL. And I would agree with Daveed, I do not make these distinctions between a bad ISIL and a slightly less bad al-Qaeda. We are talking about an ideology——

Chairman JOHNSON. It is Islamic terrorism.

Mr. JENKINS. Yes.

Chairman JOHNSON. And we, I think, as a civilized world, it is about time we remain—we begin or become completely, 100 percent committed to defeating them. And I realize it is a long-term process, but——

Mr. JENKINS. That is the point.

Chairman JOHNSON [continuing]. We have taken care of them in one situation and said, OK, we have kind of mopped that up, and we forget about it.

Mr. JENKINS. No, that is the point here, that, first of all, this is about this type of ideology, No. 1, that it—that we must destroy the military formations. I cannot tell you that we will ever change people's souls or beliefs. There are still Nazis in the world that believe in Nazism. But we can destroy these organizations, and, hell, I have been the Senator Cato of this in terms of repeating regularly that, furthermore, al-Qaeda and ISIL must be destroyed.

However, we have to accept that this is going to be a very long task and, therefore—and, therefore—pick our way through this in a way that we can sustain it in the long run and not do things that will immediately erode both international and domestic public support and not do things that are going to be counterproductive. So, this is not about going after them. This is about how we go after them.

Chairman JOHNSON. Yes. I think we are on the same page here. It requires, again, the 100 percent commitment by the civilized world to understand the reality of this, it is not going away, and it has to be destroyed.

Mr. JENKINS. Absolutely.

Chairman JOHNSON. Anybody else—

Mr. SCHWARTZ. Well, I would only say that there is nothing inconsistent between that objective and the efforts to bring together the major powers that are so dramatically impacting the situation on the ground in Syria today. I credit the administration for the efforts it is making. If that does not happen, then the humanitarian crisis that really overlays this whole situation will just be continued, because however desirable these objectives are, the destruction of ISIS, that is a long-term proposition, and right now, there is an imperative to chart out some sort of disposition of the situation in Syria and to address the humanitarian crisis.

Chairman JOHNSON. I would say the imperative is to make it not so long-term. I would say the imperative is to shorten the term of when we finally do achieve basic victory.

But, anyway, let me give everybody a chance to kind of summarize. I have taken enough of your time. And we will start with you, Ms. Limón.

Ms. LIMÓN. Thank you. Senator, I was just going to add that, as we have already agreed, the majority of the refugees are actually fleeing the government of Syria and Assad—

Chairman JOHNSON. Right.

Ms. LIMÓN [continuing]. And their actions. And having spent my entire career trying to help refugees fleeing bad governments, I am really wishing we would start putting our attention on those actions—not to take away from destroying ISIS and al-Qaeda and the rest of it, that is a good thing. But, it is also—when does the international community punish governments who have bad policies that have people fleeing? We have tens of thousands of Eritreans fleeing what is going on inside there. I could give you a whole laundry list. I will not take your time. When do we have policies where we say, we have to go to the source of this—

Chairman JOHNSON. I would say, when America leads.

Ms. LIMÓN. Thank you.

Chairman JOHNSON. Mr. Schwartz.

Mr. SCHWARTZ. The issues of this hearing have been many and varied and quite fascinating. The issue of the day is the legislation that was just enacted in the House of Representatives, and I know you have expressed your perspectives on it. I would only ask that if you and other members have a reasonable degree of confidence that the testimony of the administration was persuasive in terms of the kind of security measures that are in place, I would ask that you consider all of the implications of this legislation in terms of its implications with respect to our friends, our allies, governments, and people that are listening very, very closely to what comes out of the U.S. Congress and the administration. I have expressed my views on this——

Chairman JOHNSON. Right.

Mr. SCHWARTZ [continuing]. Early in the hearing, so you know——

Chairman JOHNSON. I generally do try and consider everything. I think a simple certification provides the American people the type of assurance that all of these redundant safeguards and all of those vetting processes are actually done. And, like I say, we require certification from CEOs under Sarbanes-Oxley——

Mr. SCHWARTZ. But my question is, why target this particular program, the one that is least——

Chairman JOHNSON. Because hundreds of people have been slaughtered in the last 3 weeks.

Mr. SCHWARTZ [continuing]. Necessary in the——

Chairman JOHNSON. Mr. Gartenstein-Ross.

Mr. GARTENSTEIN-ROSS. Well, I thought this was a strong conversation. As Eric said, the topics were many and varied. We have talked at great length about the primary topic, which is the risks of refugee resettlement. We had a consensus on this panel. So, let me just point to a couple of things that relate to some of the last rounds of questioning.

I think one thing that I would love to see the legislature exercise more oversight over is our CIA program for arming Syrian rebels. A lot of the recent revelations are extraordinarily disturbing, and I think that they are making the situation worse in terms of the primary topic that we are talking about, which is refugees. It also is something which I think is at a disservice to our strategic interests.

The second thing I will say is, we talked about winners and losers, and that is another area where I also think that the legislature could play a very strong role. This, obviously, is a time when ISIS has a number of prominent wins in terms of awful, deadly attacks. They are also experiencing some significant losses, the loss of Sinjar, for example, and their major holding, their major victory in the past year, Ramadi, is now increasingly threatened. I think being able to publicize that is important.

The final thing, because you asked about the influence of Iran and Russia, is Iran has been at the forefront of pushing back ISIS and this is not a fully positive thing at all. The atrocities being committed by the pro-Iran Shia militias against Sunnis is the kind of thing that lays the groundwork for this being a tragedy that will

continue ad infinitum. So, that is another thing that is not getting attention right now that richly deserves it. Thank you.

Chairman JOHNSON. Appreciate your insights. Mr. Jenkins.

Mr. JENKINS. We do not like to use the term, or many people do not, but we are at war. We have been at war for a long time on this. That means we are going to incur costs, we are going to incur risks in this. We cannot say, on the one hand, we are committed to a war and we are going to go after these people, and on the other hand treat every time we confront a risk as if it is an outrage and a failure. And, so, if we are going to be as determined as I believe you are, then that has consequences, and it has consequences not just for what we do in terms of going after ISIL, but how this Nation ought to be—ought not to be panicked into fear as we go forward with this, which sometimes I think we tend to do.

Chairman JOHNSON. Which, of course, the purpose of this hearing—I think we have done a pretty good job—is laying out the reality and getting a broad spectrum of viewpoints on this thing, and we have done a pretty good job of it. Mr. Bergen.

Mr. BERGEN. Chairman Johnson, I could not agree more. I mean, this has been an excellent hearing. A lot of light was shone on an issue that is being quite politicized.

One thing that we do not want to be doing is coming back here in 2019 having the same hearing about Afghanistan, because the plan to draw down to zero in Afghanistan is basically not a good idea, and hopefully we do not—we have already seen how this video plays out. ISIS already has a small presence in Afghanistan, which is growing. So, we do not want to make the same mistake that we have made in Iraq.

Chairman JOHNSON. Well, thank you, Mr. Bergen.

I really want to thank all the witnesses. I come from a manufacturing background. I like information. I like facts. I hate demagoguery. So, all of you, and the previous panel, too, I really do appreciate the administration—this was a very fast turnaround for the administration to provide us witnesses and I truly appreciate that, and I think it inured to their benefit on this issue. So, again, I appreciate all of you for bringing forth some good information for the American people to hear.

With that, this hearing record will remain open for 15 days, until December 4 at 5 p.m., for the submission of statements and questions for the record.

This hearing is adjourned.

[Whereupon, at 5:03 p.m., the Committee was adjourned.]

A P P E N D I X

Opening Statement of Chairman Ron Johnson “The Impact of ISIS on the Homeland and Refugee Resettlement”

Thursday, November 19, 2015

As prepared for delivery:

Last month, the leaders of the Department of Homeland Security, the FBI, and the National Counterterrorism Center testified before this committee regarding threats to the homeland — including the growing threat posed by the Islamic State in Iraq and Syria, or ISIS. Since then ISIS has shown us exactly what it is capable of.

Three weeks ago, a Russian Airbus A321 airliner was blown out of the sky as it left Egypt — killing 224 men, women and children. ISIS claimed responsibility. Last week, we watched in horror as multiple terrorist attacks occurred in different parts of the world — killing at least 37 and injuring 181 in Beirut and killing at least 129 and injuring 352 in Paris. Again ISIS claimed responsibility.

The horrific atrocities of ISIS clearly affect homeland security. More and more domestic plots appear to be inspired or motivated directly by ISIS or by its propaganda. Despite this, it appears that the president remains committed to admitting up to 10,000 Syrian refugees next year. Barring a change in the law, which is unlikely, the president has the legal authority to do this and will likely proceed. I believe it is this committee's responsibility to protect national security by ensuring that the vetting process for these refugees is thorough, complete and not short-circuited in any way.

We must consider both the possible risks associated with Syrian refugees and the other dangers the United States may face from Islamic terrorists. Today, we will analyze the vulnerabilities in the U.S. Refugee Resettlement Program but also those in the Visa Waiver Program and at our southwest and northern borders.

This committee knows better than most: Our borders are not secure. At a hearing examining the northern border, we heard that if you get into Canada, you will be able to reach the United States. Canada has announced that it will streamline its vetting process to bring 25,000 Syrian refugees to Canada by the end of the year. This raises the question: Are Syrian refugees coming in through Canada an even greater risk?

Testimony at other hearings revealed that we are interdicting only 5 to 10 percent of illegal drugs that are brought across our southwest border and that we may be catching as little as 30 to 40 percent of illegal immigrants. On Tuesday, it was reported that five Syrians were apprehended in Honduras who were making their way to the United States. During a trip to Central America last month, committee members heard that Hondurans catch "special interest aliens"[1] transiting their country on their way to the United States every single day.

The Paris attacks also highlight the vulnerabilities in the Visa Waiver Program. Most of the Paris attackers were nationals of countries in our Visa Waiver Program. We do not yet know

whether they could have come to the United States without a visa. What we do know is that there are between 5,000 to 8,000 known foreign fighters that originate from countries where the Visa Waiver Program would apply.

I am grateful to have two distinguished panels of leading experts here today to answer important questions about how we vet refugees before allowing them into our country, about what happens to the refugees once they arrive, and whether ISIS is likely to utilize our refugee resettlement program and other vulnerabilities to its tactical advantage.

I thank the witnesses for appearing today, and I look forward to your testimony regarding the very serious challenges we face.

[1] The term “Special Interest Alien” originated after the Sept. 11, 2001 attacks and refers to individuals from countries associated with terrorism. See Sylvia Longmire, *What Can We Learn From Trends in ‘Special Interest Alien’ Migration Into the U.S.*, Homeland Security Today.US (May, 11, 2011), <http://www.hstoday.us/briefings/correspondents-watch/single-article/what-can-we-learn-from-trends-in-special-interest-alien-migration-into-the-us/dde14d2e6e96cdb40a5ae5003d4002f2.html>.

**Statement of Ranking Member Tom Carper
“The Impact of ISIS on the Homeland and Refugee Resettlement”**

Thursday, November 19, 2015

As prepared for delivery:

Thank you Mr. Chairman.

First off, I want to express my deepest sympathies to the people of France. France is our oldest ally, and we mourn with them as they bury their countrymen.

The tragedy in Paris is yet another reminder that ISIS, Al Qaeda and other terrorist groups have no regard for innocent civilians and will stop at nothing to terrorize the West and our core values of freedom, democracy and respect for human life.

I want to commend the French people for their stoicism in the face of the attacks, and French and Belgian authorities for their valiant work in the days since. Their bravery and hard work has already apprehended or killed some of the terrorists, and quite possibly averted follow-on attacks.

We have also seen encouraging progress in the larger fight to dismantle and degrade ISIS. Here at home, it is our job, the job of DHS, the FBI and the Intelligence Community to make sure that these kinds of attacks do not happen on US soil. The good news is that we have made it very hard for ISIS to do this.

Over the past year, the FBI has arrested more than two dozen individuals on ISIS-related terrorism charges. DHS screens every single airline passenger coming to the United States and checks their data against our terrorism watchlist long before they ever get on a plane.

Over the past year DHS’s intelligence office—in partnership with the FBI—has issued dozens of intelligence reports to state and local law enforcement units throughout the country about ISIS. These reports give them the information they need to know what it is that ISIS may be trying to do and to take the steps necessary to protect their communities. One report even warned about the capabilities of the alleged mastermind of the Paris attacks – the man we now know was killed in yesterday’s pre-dawn raid by French authorities outside Paris.

Lastly, DHS has set up a new Countering Violent Extremism office charged with reaching out to select communities across the country to alert them to the dangers of ISIS. This office will help families, community leaders and religious figures understand ISIS’s online recruitment and radicalization tactics. It will also help young people resist the lure of joining the ranks of ISIS and al Qaeda.

We can of course always do more. But make no mistake, we have a multi layered and effective homeland security system in place. Our borders are strong, our law enforcement officers remain vigilant, and our intelligence community is working around the clock to sniff out the next attack.

With that said, I now want to take a moment to talk about Syrian refugees. A couple of months ago, on the other side of the Capitol, we had a visit from Pope Francis. I'm not Catholic, but I was moved. I know a lot of our colleagues were moved, too, especially when the Pope invoked the Golden Rule. He called on all of us to treat other people the way we want to be treated.

We were also moved when he invoked the words of Matthew 25: 'When I was hungry, did you feed me; when I was naked, did you clothe me; when I was thirsty, did you give me drink; when I was a stranger in your land, did you take me in?'

Let me repeat that last part: 'when I was a stranger in your land, did you take me in?'

When I hear that roughly a thousand Syrian refugees came to this country in the past year and more are coming next year, I think of the desperate plight of so many people who are trying to escape a hellacious situation in Syria. They've been living, in some cases, for months or even years in refugee camps. They've watched friends or family members suffer or die on the battlefield, at the hands of terrorists, and even on the route to safety as well.

What happened in Paris, however, has many people asking questions about whether our country should be accepting Syrian refugees.

From my perspective, we have two competing moral imperatives that should drive us in this situation. On the one hand, we have an obligation to care for 'the least of these.' And on the other hand, we have an obligation to protect those of us who live here from possible threats that might be caused by individuals fleeing the violence in Syria.

It may seem as if these moral imperatives are in conflict, that we can't both help the desperate Syrians we've seen and read about in the media without putting ourselves in danger. I understand the concern, but I don't believe that is the case.

"I think this Administration has worked hard to make sure that we can continue to welcome refugees with open arms while also keeping our citizens safe from terrorist groups like ISIS. The Administration has put in place a robust screening process for Syrian refugees - which we will hear about today.

It usually starts with the United Nations winnowing down the pool of refugees after gathering extensive biometric data and background information on the applicants. Only those individuals who pass the U.N. assessment are ever referred to the United States for possible resettlement.

At that point, federal agencies at the Department of Homeland Security and elsewhere begin a lengthy and intensive screening process, all conducted outside of our borders. Refugees are finger-printed, photographed, and vetted against all of the national security databases we maintain in search of any hint of terrorist ties or any other criminal or nefarious activity in their background.

Each refugee is then interviewed face-to-face by highly skilled immigration analysts who undergo special training to spot inconsistencies in information or attempts by someone to conceal their true identity in some way. After then going through a health screening, the refugees are subjected to another security check and are re-vetted against U.S. national security databases.

All this happens well before any of these applicants ever set foot on U.S. soil. On average, the screening process here in the U.S. takes a year and a half. Let me repeat that. For the U.S. to conduct its review, refugees must wait out 18 months or more of screening.

That's a long time to wait and a lot of hurdles that a member of ISIS would have to clear if they were going to try to use the refugee program to get to the United States.

So we need to take a step back, tune out the hysteria, and identify some common sense steps we can take to advance both our obligation to provide safe harbor to the victims of war, and our obligation to keep Americans safe.

I think we have a very experienced group of witnesses before us today who can help us have a productive dialogue on these issues.

Thank you to you all and I look forward to hearing your testimony.

**Testimony of Anne C. Richard,
Assistant Secretary for the Bureau of Population, Refugees, and Migration
to the Senate Committee on Homeland Security and Governmental Affairs
Hearing on "The Impact of ISIS on the Homeland and Refugee Resettlement"
November 19, 2015, 2:00 pm**

Chairman Johnson, Ranking Member Carper, 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 Committee 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.

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.

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

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.



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 IMPACT OF ISIS ON THE HOMELAND AND REFUGEE RESETTLEMENT”

BEFORE
THE SENATE COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENT AFFAIRS

NOVEMBER 19, 2015
2:00 P.M.
342 DIRKSEN SENATE OFFICE BUILDING
WASHINGTON, DC

Chairman Johnson, Ranking Member Carper, and distinguished members of the Committee, 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.

The Impact of ISIS on the Homeland and Refugee Resettlement

**Hearing before the U.S. Senate Committee on Homeland Security and
Governmental Affairs**

November 19, 2015

Peter Bergen

**Vice President, Director of International Security and Fellows Programs, New
America, Professor of Practice, Arizona State University and CNN National
Security Analyst**

This testimony is divided into six sections:

1. What are the homeland security lessons of the large-scale ISIS terrorist attacks in Paris and Sinai?
2. Who are the Westerners being recruited by ISIS?
3. How are they being recruited?
4. The threat to the United States by ISIS's American recruits
5. The threat to the United States by ISIS's non-American recruits;
6. How to defeat ISIS: twelve action items.¹

On Friday November 13, France had its 9/11. At least 129 people were killed at multiple locations in Paris, including a concert hall, a soccer stadium and a popular restaurant, the kinds of venues that ordinary Parisians flock to on a Friday night. At, or near, these venues the attackers deployed a mix of terrorist tactics, including suicide attackers, an assault using more than one gunman willing to fight to the death, hostage-taking and bombings. French President Francois Hollande blames ISIS, for the attack, and the terror group has claimed responsibility. It is still early in the investigation, but already it's clear that French and Belgian citizens some of whom had spent time in Syria fighting with ISIS were involved in the attack. One of the attackers had posed as a Syrian refugee.

On October 31 ISIS brought down a Russian Metrojet airliner leaving Sharm el-Sheikh airport in Sinai, Egypt killing all 224 people on board; the deadliest attack on commercial aviation since 9/11.

What are the homeland security lessons of the ISIS terrorist attacks in Paris and Sinai? The fact that one of the Paris attackers was posing as a Syrian refugee has caused many to ask whether one of the lessons of the Paris attacks is to end or "pause" accepting Syrian refugees into the States. More than 4.2 million Syrians have been registered as refugees according to the United Nations, yet the United States has accepted only around 2,000 Syrian refugees with the Obama administration announcing that it will accept 10,000 in 2016. Some have criticized the commitment to accept even 10,000 refugees citing fears that Syrian refugees would pose a terrorism threat to the United States. Republican presidential candidate Ben Carson, commented, "The jihadists want to infiltrate our nation. We have to exercise something that even resembles common sense" adding "That would be foolishness to take in people from a region where we don't have any way in making a determination if this person is radicalized already or potentially radicalized."

But how big a terrorist threat do Syrian refugees really pose to the United States? Animating the fear of accepting refugees is the belief that terrorism is a threat that infiltrates the United States from abroad. **Yet a survey by New America of 330 individuals accused of jihadist criminal activity in the United States since 9/11 found that more than eight in ten were American citizens.**

¹ Thanks to Courtney Schuster and David Sterman of New America for their help in preparing this testimony.

Among those 330 jihadist terrorism cases, none involved a refugee plotting or conducting an attack inside the United States. (One involved an alleged plot to do, but it was a tightly controlled sting operation.)

Attacks by foreigners entering the United States do pose a real threat, yet the plots to do so since 9/11 were not by refugees. British national Richard Reid's December 2001 attempt to bring down an American airliner flying between Paris and Miami with a bomb hidden in his shoe was enabled by the Visa Waiver Program, not by being a refugee. Umar Abdulmutallab was able to attempt to bring down Northwest Flight 253 flying over Detroit with a bomb hidden in his underwear on Christmas Day 2009, because he had a multiple entry visa. Far from being a refugee, he was a privileged member of the Nigerian elite.

Some refugees have been charged with terrorism related crimes. Of the 330 terrorism cases New America found nine instances of refugees charged with some kind of terrorist crime, most of them for conspiring to support an overseas terrorist organization.

In 2011, Waad Ramdan Alwan and Mohanad Shareef Hammadi were arrested in Bowling Green, Kentucky following a two-year FBI investigation. The FBI began tracking Alwan shortly after his arrival in the United States in 2009 due to his known insurgent activity in Iraq from 2003 to 2006, when he was detained by Iraqi authorities for placing IEDs targeting American forces. The FBI used a confidential informant to get close to Alwan and together the men developed what Alwan believed was a plan to send weapons to al-Qaeda in Iraq. Alwan recruited Mohanad Hammadi, another refugee from Iraq. Together, the two men acquired weapons through a FBI informant and loaded these materials in a truck that they believed would be shipped to al-Qaeda in Iraq. They did not, however, make any plans for an attack on U.S. soil. Both are serving long prison terms.

In another case, Yassin Aref, a Kurdish refugee from Iraq was convicted of conspiring to support a terrorist organization using a missile to attack a Pakistani diplomat in New York. The case was also a sting operation driven by an informant.

Some cases involved Somali men from Minnesota who traveled to Somalia to fight for the al-Qaeda aligned terrorist group Al Shabaab. Other cases involve refugees from Uzbekistan. Fazzlidin Kurbanov, an Uzbek refugee who came to the United States in 2009 was convicted of conspiring to provide material support to the Uzbek terrorist group, the Islamic Movement of Uzbekistan. In another case involving an Uzbek refugee, Jamshid Muhtorov, was charged him with planning to travel to fight with the Uzbek terrorist group Islamic Jihad Union abroad. However, the government did not allege that he plotted attacks inside the United States.

There are other reported cases beyond the nine we identified in which individuals who came, as refugees later became legal permanent residents or citizens. For example, Agron Abdullahu, a refugee from Kosovo who became a legal permanent resident, pleaded

guilty to providing firearms to illegal aliens; who ended up being convicted of conspiring to attack the Fort Dix military base in New Jersey in 2007.

The record simply does not provide support for fears of a significant threat from terrorists infiltrating as refugees. To the extent that there is a problem with refugees radicalizing, it is a homegrown problem similar to the radicalization of American citizens. Sometimes cited to justify fear of a refugee threat, the Tsarnaev brothers, who bombed the Boston Marathon in 2013, were both minors when their parents brought them to the United States from the former Soviet Union. They radicalized in the United States only around a decade after they had arrived in Boston. At the time of the bombing one of the brothers was an American citizen and the other had American residency.

As Congress contemplates what to do with the very small number of Syrian refugees that the States is willing to admit, it's worth recalling a shameful episode in U.S. history when refugees fleeing another brutal dictator were turned away from American shores. At the time seven in ten Americans polled said that they did not want these refugees let into the States. The year was 1938 and the refugees were Jews fleeing Hitler. Those attitudes had consequences. On May 13, 1939, more than 900 Jews fled Germany on the *St. Louis* cruise ship steaming first for Cuba and then, they hoped, the States. The Jews were turned away both in Havana and from the States—they could see the lights of Miami in the distance as they sailed back to Europe—where some 250 were killed in the Holocaust.

Today more than half of Americans polled say the States shouldn't take any Syrian refugees fleeing the terrible war in Syria and the brutal rule of both Syrian dictator Bashar al-Assad and of ISIS. Pandering to this anti-refugee sentiment may be easy politics but it isn't in the American spirit as best expressed by Emma Lazarus: "Give me your tired, your poor, your huddled masses yearning to breathe free, the wretched refuse of your teeming shore, send these, the homeless, tempest-tossed to me."

The existing Syrian refugee screening process involves a layered process of multiple checks and interviews by several US government agencies and on average lasts 18 to 24 months and therefore poses significant hurdles to any effort to infiltrate terrorists as refugees. **And so far, according to the US State Department, of the some 2,000 Syrian refugees who have been accepted into the States only around 2% are "military age males" who are unattached to families; the rest are children and women and the sick and the elderly.**

The screening for Syrian refugee is a rigorous system that can certainly be reviewed but there is no reason to hold up the application process of any Syrian refugee given the fact that the screening process is both so rigorous and so lengthy. **Syrian refugee claims should continue to be processed simultaneously as a review is instituted of the screening procedures to ensure they are the best procedures possible.**

Given the prevalence of French and Belgian citizens in the Paris attacks it's not so much the Syrian refugee program that bears more scrutiny but the Visa Waiver Program enjoyed by many European countries' nationals. Of course the Visa Waiver

Program significantly benefits the US economy as it encourages tourism and business by Europeans and so any possible adjustments to the program should take this into account.

One of the other lessons of the Paris attacks is the dangers of TATP bombs. French prosecutors say the bombs used in Paris last week were made from TATP, a fact that yields important clues about the way the plot was planned and executed.

TATP-based bombs are built using the common household ingredient hydrogen peroxide, which is used to bleach hair. Such bombs have been a signature of jihadist terrorists in the West for more than a decade because the materials are so easy to acquire, unlike military-grade explosives, which are tightly controlled in much of the West.

Their use in the Paris attacks, as well as in terrorist plots in London and in the United States over the past decade, should remind law enforcement in the West that these TATP bombs are what jihadist terrorists may deploy in the future.

What is tricky about TATP bombs is that they are quite difficult to make because their ingredients, when combined, are highly unstable and can explode easily if mishandled. To make an effective TATP bomb requires real training, which suggests a relatively skilled bomb-maker was involved in the Paris plot, since the terrorists detonated several bombs. It also suggests that there was some kind of bomb factory that, as yet, appears to be undiscovered, because putting together such bombs requires some kind of dedicated space. And it also suggests that there were probably tests of the bombs in an isolated place to ensure that they worked.

The dangers of TATP bombs can be seen in the case of Matthew Rugo and Curtis Jetton, 21-year-old roommates in Texas City, Texas. They didn't have any bomb-making training and were manufacturing explosives in 2006 from concentrated bleach when their concoction blew up, killing Rugo and injuring Jetton. The pair had no political motives: They had just wanted to blow up vehicles for fun.

Others in the United States have built TATP bombs with far more malevolent intent. Najibullah Zazi, who grew up in New York City, wanted to blow up as many commuters as possible on the Manhattan subway system. Zazi was trained by al Qaeda to make a TATP bomb in Pakistan, and during the summer of 2009, he made bulk purchases of hair bleach in suburban Denver and set up his bomb factory in a nearby motel room. He mixed and cooked batches of hair bleach in the kitchenette of the motel. On the night of September 6, 2009, as he labored over the stove, Zazi sent several emails to an al Qaeda operative "Ahmad." The emails contained a well-known al Qaeda code for a terrorist operation being imminent -- "the marriage is ready" -- and also asked for specific instructions "right away, please" about the other ingredients needed for the explosive. Zazi had mastered the manufacture of the hair bleach-based bombs but had forgotten the The Brits tipped off American officials that the email account belonged to an al Qaeda operative living in Pakistan, and the U.S. National Security Agency began monitoring it. Once the FBI realized there was an al Qaeda recruit living in Denver making TATP bombs, it intensively monitored Zazi. He traveled from Denver to New York to carry out

his plan around the eighth anniversary of 9/11 and was soon arrested, as were two of his co-conspirators..

More successful for al Qaeda was the cell of British suicide bombers who carried out the "7/7" London bombings on July 7, 2005. They used their training to heat up and distill ordinary hair bleach, combining it with other ingredients to make effective bombs. Making these bleach-based bombs was a complex process, not something that could be picked up by reading bomb-making recipes on the Internet. The ringleader had received bomb-making training from al Qaeda in Pakistan. In an apartment the London plotters had rented to serve as their bomb factory, they mixed the chemicals. As they brewed up batches, they wore disposable masks because of the high toxicity of the materials, which bleached their dark hair a noticeably lighter color. They installed a commercial-grade refrigerator in the apartment to keep the highly unstable bomb ingredients cold. They built four devices.

Fifty-two commuters were killed when the bombs detonated on three London Underground trains and a double-decker bus. Two weeks after the attacks, on July 21, 2005, a second wave of hydrogen peroxide-based bombs was set off in London, this one organized by a cell of Somali and Eritrean men who were first-generation immigrants to the UK. Fortunately, while four bombs were set to detonate on July 21 -- three on the Underground and one on a bus, mimicking the attacks two weeks earlier -- their faulty construction rendered them harmless.

Hydrogen peroxide-based bombs would again be the signature of a cell of British Pakistanis who plotted to bring down seven passenger jets flying to the United States and Canada from the UK during the summer of 2006. The plotters were intent on committing suicide during the attacks on the passenger jets. Six of them made "martyrdom" videotapes recovered by British investigators. British authorities were tracking the ringleader intensively in the summer of 2006. When he was arrested in east London on August 10, 2006, he was carrying a memory stick storing flight plans for United Airlines, American Airlines and Air Canada jets flying from the UK to destinations such as Chicago, Washington, Los Angeles, San Francisco, Montreal and Toronto. Investigators later found several large bottles containing concentrated hydrogen peroxide that one of the conspirators had dumped in a London park. The plotters were planning to bring the liquid explosives disguised as soft drinks in hand luggage onto the flights they had targeted, together with other innocuous-looking items that could act as triggers. They had planned to assemble their bombs on the planes.

It was this plot that triggered airlines to ban almost all liquids being taken on flights. As French investigators try to piece together what happened in Paris, they will surely be looking for where the TATP bombs were assembled, whether in an apartment as the 7/7 plotters did, or in a motel room as Zazi did, or in some other location. They will also be trying to determine who built the bombs. Were they built by the terrorists themselves, as was the case with the 7/7 plotters, or did someone else build them? And where did the training to build the bombs happen? Was it in France, or in Syria, or in some other

location? These are some of the questions that, hopefully, the investigation will eventually unearth.

After 9/11, the New York Police Department initiated Operation Nexus, in which cops visited thousands of stores in the city and the wider Northeast region that sold or distributed materials that could be used in a terrorist operation. It could be anything from pipes useful for pipe bombs to the explosive "black powder" that can be found in fireworks. Each storeowner would be told, "If you see in an anomaly in a purchase, let us know."

Najibullah Zazi was just such an anomaly, as he was a dark-haired, bearded Afghan-American man in his 20s who bought six bottles of Clairoxide hair bleach during one shopping trip at a store in a Denver suburb. Zazi returned to the store a month later and purchased another dozen bottles of Ms. Kay Liquid, which is also a peroxide-based hair bleach. **It's that kind of bulk purchase of hydrogen peroxide that should trigger a suspicious activity report in the U.S. and other Western countries.**

The bomb smuggled aboard the Metrojet flight by what was almost certainly an insider at Sharm el-Sheikh airport in Sinai raises the question: Could such an insider attack happen in the West? Short answer: It isn't out of the question.

Five American citizens involved in serious terrorist crimes since 9/11 have worked at major U.S. airports in a variety of capacities. Add to that the 73 airport workers in the United States with access to secure areas who only six months ago were identified by officials at the Department of Homeland Security as being in a federal database of possible terrorists, and a troubling picture emerges. (Those 73 workers were in a classified database that the TSA could not normally access.)

The five American terrorists who have worked at major American airports were recruited by variously ISIS; the al Qaeda-affiliated Somali terrorist group, al-Shabaab; a virulent "homegrown" jihadist cell based in California; and another such group in New York City.

In the years after 9/11, Kevin Lamar James was jailed in California's Folsom prison where he formed a group that he conceived of as "al Qaeda in America." James recruited others to help him with his plans. One of them was 21-year-old Gregory Vernon Patterson who had recently worked at a duty-free shop at Los Angeles International Airport (LAX). James thought that Patterson's inside knowledge of LAX would be helpful for his plans and when he made a list of potential targets in California, James listed LAX. James' crew planned to attack around the fourth anniversary of 9/11. They financed their activities by sticking up gas stations and their plans only came to light during the course of a routine investigation of a gas station robbery by police in Torrance, California, who found documents that laid out the group's plans for jihadist mayhem. Members of the California cell are now serving long prison terms. At the time, senior FBI official John Miller said, "Of all of the terrorist plots since 9/11, it is probably the one that operationally was closest to actually occurring."

On October 29, 2008, Shirwa Ahmed became one of the first Americans ever to conduct a suicide attack anywhere in the world when he was recruited by al-Shabaab to drive a truck loaded with explosives into a government building in Somalia, blowing himself up and killing 20 other people. Ahmed graduated from high school in Minneapolis in 2003 and then worked at the Minneapolis airport pushing passengers in wheelchairs; it was during this period that he became increasingly religious and was recruited by al-Shabaab. Abdisalan Hussein Ali became a suicide bomber for al-Shabaab in Somalia in 2011 and had also worked at the Minneapolis airport, in a Caribou coffee shop. Similarly, Abdirahmaan Muhumed, who was killed in 2014 while fighting for ISIS in Syria, had worked at the Minneapolis airport, where he had a security clearance that gave him access to the tarmac and to planes.

The problem of militants working at airports and airlines is not peculiar to the States. In the past decade, British citizens working at Heathrow and at British Airways have conspired with members of al Qaeda. In the United Kingdom, British Airways IT expert Rajib Karim, 31, conspired with al Qaeda's affiliate in Yemen to place a bomb on a U.S.-bound plane. In 2010, one of the leaders of al Qaeda's Yemeni affiliate, Anwar al-Awlaki, wrote an email to Karim asking, "Is it possible to get a package or a person with a package on board a flight heading to the US?" Karim replied: "I do not know much about US I can work with the bros to find out the possibilities of shipping a package to a US-bound plane." Karim had applied for cabin-crew training before he was arrested and was sentenced to 30 years in 2011. In 2006, an employee at a shop in Heathrow working on the "airside" post-security section of the airport provided advice about the security conditions to self-proclaimed al Qaeda terrorist Sohail Qureshi, who was convicted of multiple terrorism charges.

Department of Homeland Security Secretary Jeh Johnson announced in June that he was implementing new measures to "address the potential insider threat" by mandating biannual background checks for workers at U.S. airports, while also requiring airports to reduce the number of access points to secured areas and to increase randomized screening of airport employees. These are welcome developments but the real vulnerability is the two hundred or so airports around the world that have direct flights to the States.

2. Who are the Westerners being recruited by ISIS?

Until the Paris attacks, French citizen Mehdi Nemmouche was the only case of a Western fighter in Syria accused of returning to conduct a deadly terror attack in the West -- the May 24, 2014, shooting at the Jewish Museum in Brussels, Belgium, that left four people dead. Nemmouche has been extradited to Belgium, where he awaits trial.

Two major factors place Europe at far greater risk of "returnee" violence from veterans of the Syrian conflict than is the case in the United States: the much larger number of European militants who have gone to fight in Syria and the existence of more developed jihadist networks in Europe.

France has supplied more fighters to the Syrian conflict than any other Western country. In September, Prime Minister Manuel Valls told Parliament that 1,800 French citizens have been involved in jihadist networks worldwide -- almost all of whom were drawn to the Syrian war. Nine months earlier, Interior Minister Bernard Cazeneuve estimated that 185 militants had returned to France from Syria. Of those who had returned, he said 82 were in jail and 36 were under other forms of judicial control.

German security services report that 720 Germans have left for Syria, and they estimate that 100 have been killed there, while another 180 have returned to Germany. Last year, the Belgian Foreign Ministry released figures that up to 350 Belgians had left to fight in Syria. More than 700 British citizens have left for Syria, with about half estimated to have returned to the United Kingdom, according to British officials. In January, Australian Foreign Minister Julie Bishop placed the number of Australians fighting abroad at 180, with 20 having died in Syria.

1. So who exactly are the estimated 4,500 Westerners who have been drawn to join ISIS and other militant groups in Syria? To provide some answers to that question, New America collected information about 474 individuals from 25 Western countries who have been reported by credible news sources as having left their home countries to join ISIS or other Sunni jihadist groups in Syria or Iraq. The Western fighters drawn to Syria and Iraq represent a new demographic profile, quite different than that of other Western militants who fought in Afghanistan in the 1980s or Bosnia in the 1990s.

First, women are represented in unprecedented numbers. One in seven of the militants in New America's data set are women. Women were rarely, if at all, represented in previous jihadist conflicts. While Western women are not going to fight in the war in Syria, they are playing supporting roles, often marrying front-line fighters and sometimes working as a kind of police officer enforcing ISIS's draconian laws. They are women like Sally Jones, 44, from the United Kingdom, who took her 10-year-old son to Syria in 2013, and Emilie Konig, 31, one of the first women to leave for Syria, who left France and her two children behind in 2012 to join her husband there. The U.S. State Department says both women have encouraged terrorist attacks in their native countries, and it officially designated both of them terrorists in September.

Second, the recruits are young. The average age of Western volunteers drawn to the Syrian jihad is 24. For female recruits, the average age is 21. Almost a fifth are teenagers, more than a third of whom are female. New America has documented an astonishing 80 cases of Western teenagers who have traveled to the war in Syria. More than a third of these teenagers are girls. Hans-Georg Maassen, the head of Germany's domestic security agency, said, for instance, in March that nine female German teens had left for Syria. That same month, ISIS released a video of a French boy shooting a Palestinian hostage in the forehead.

Third, many have familial ties to jihadism. More than a quarter of Western fighters have a familial connection to jihad, whether through relatives who are also fighting in Syria and Iraq, through marriage or through some link to other jihads or terrorist attacks. For instance the father of British ISIS recruit Abdel-Majed Abdel Bary is Adel Abdel

Bary, who was convicted in New York for his role in the 1998 U.S. embassy bombings in Kenya and Tanzania. Of those with a familial link, one third are through marriage, many of them marriages between female recruits and male fighters conducted after they arrive in Syria. Three-fifths of Western fighters with familial ties to jihad have a relative who has also left for Syria. For example, the Deghayes family in the United Kingdom had three sons, ages 16 to 20, fighting in Syria together.

Fourth, the Americans drawn to the Syrian jihad -- 250 who have tried or have succeeded in getting to Syria -- share the same profile as the Western fighters overall: Women are well-represented, and the volunteers are young, and many have family ties to jihad. One in six of the Americans drawn to the Syrian conflict are women. The average age of the American militants is 25, with a fifth still in their teens. Almost a fifth of the American militants have a familial connection to jihad. The American recruits are, perhaps unsurprisingly, particularly active online: Around nine out of 10 American militants are active in online jihadist circles.

Fifth, for Western militants, the wars engulfing Syria and Iraq have often proved deadly. Almost half of the male fighters and 6% of the female recruits have been killed in Syria or Iraq.

Sixth, few of the Western fighters who have traveled to Syria and Iraq are in government custody. Only one-seventh of Western fighters in New America's data set are in custody, and more than two-fifths of individuals are still at large. (As indicated above, around half the Western militants were killed in the conflicts in Syria or Iraq.)

Seventh, the most popular route to Syria is through Turkey. Almost half of the Western foreign fighters made their way to Syria or Iraq via Turkey. Only one of the militants is documented as attempting to use an alternative route via Lebanon. For the rest of the Western militants, it's not clear from the public record how they arrived in Syria.

Eighth, where an affiliation can be determined, the majority of the Western fighters have joined ISIS: Three-fifths have joined ISIS, while only a tenth have joined al Qaeda's affiliate in Syria, known as al Nusra Front, and one-seventh have joined other smaller militant groups.

2. How these Westerners are recruited: Propaganda and motivations. Who is inspiring these militants to give up their often-comfortable lives in the West for the rigors of the war zone in Syria? Based on court records and press reports, New America has identified several Western militants acting as online recruiters. Among them are a number of Americans. For instance, Abdi Nur, a 20-year-old from Minnesota, allegedly took on the role of online recruiter after leaving for Syria in the summer of 2014. A complaint filed in November that charged six Minnesota men with trying to go to join ISIS accuses Nur of acting as an online recruiter and providing encouragement and advice to the men via Kik and other social media platforms from Syria. Another is Hoda Muthana, a 20-year-old American woman from Alabama, was identified by BuzzFeed as the individual behind the Twitter account Umm Jihad, which encouraged militants to

leave for Syria.

ISIS has disseminated two online guidebooks to encourage its Western recruits. In 2015, ISIS published its how-to guides *Hijrah* and "How to Survive in the West." *Hijrah* provided potential fighters with detailed packing lists -- advice on how to get to Turkey and dupe customs officials into issuing visas for the country; Twitter accounts of fighters living in Syria who can facilitate their travel; and even suggestions for recruits to assess their personality strengths and weaknesses before leaving home to prepare themselves better for jihad.

"How to Survive in the West" is a guide on how to "be a secret agent" in a Western country, giving readers tips on the making of Molotov cocktails, bombs and cell phone detonators; hiding weapons in secret compartments of vehicles, in the same fashion as gangs; and how to identify and evade police surveillance, even suggesting that readers watch the Jason Bourne film series for tips on employing evasion tactics.

What motivates many of these Western fighters to travel to a dangerous war zone with which most have no prior connection? A review of both ISIS propaganda and reporting on the individual cases in New America's data set suggests the answer is a mishmash of motivations that ISIS has picked up on as part of its recruiting strategy, including opposition to Syrian dictator Bashar al-Assad, religious invocations of the spiritual benefit of participating in jihad, the belief that religious duty requires living under ISIS's so-called caliphate, anger and alienation from Western society, and for some the "cool" factor of participating in a war.

Here are the rationales for joining ISIS that are provided by a couple of ISIS's alleged American recruits: Abdi Nur, the 20-year-old Minnesotan, tweeted: "Jihad Is The Greatest Honor For Man So Come On And Join Dawla Ya Iqwa (you brothers of the Islamic State))." Nur later explained to his sister: "If I didn't care I wouldn't have left but I want jannah (paradise) for all of us." Authorities say Chicago teen Hamzah Khan left a letter for his parents before attempting to travel to Syria in 2014, explaining that "there is an obligation to 'migrate' to the 'Islamic State.'" He was charged with material support of ISIS and has pleaded not guilty.

3. The threat to the United States by ISIS's American recruits. Four years into the Syrian civil war, little evidence has emerged to support the notion that returning fighters from Syria pose a great threat to the United States. In the United States, there has only been one case of a fighter returning from Syria and allegedly plotting an attack. Abdirahman Sheik Mohamud, 22, of Columbus, Ohio, left for Syria in April 2014 and fought there before returning home around two months later. The government alleges that a cleric in Syria told Mohamud that he should return to the United States to conduct an act of terrorism and that he discussed some kind of plan (with an informant) to kill American soldiers at a military base in Texas. He has pleaded not guilty to a charge of providing material support to a terrorist group.

Speaking at the Council on Foreign Relations in March, Director of National Intelligence

James Clapper said that about 40 individuals had returned from Syria. "We have since found they went for humanitarian purposes or some other reason that don't relate to plotting," he said.

We identified 23 Americans who actually reached Syria, 46 individuals who attempted or plotted to travel to Syria but were unsuccessful in doing so, and 14 who provided support to others fighting or seeking to fight in Syria.

Instead of being a launch pad for attacks at home, Syria turned out to be a graveyard for the few Americans who made it to the war zone. Of the 23 individuals who reached Syria, nine died there. For instance, Floridian Moner Abu Salha died conducting a suicide bombing in northern Syria last year, and Douglas McArthur McCain was killed fighting for ISIS. Nine of the Americans who reached Syria remain at large, while five American fighters who returned to the United States from Syria were taken into custody.

Rather than being an easy target for ISIS recruits, the United States benefits from a series of layered defenses that make returning and plotting a sophisticated attack undetected quite difficult. It takes more than a plane ticket for a returning fighter to conduct a sophisticated attack: they also have to gather arms, conduct surveillance, and carry out the attack undetected. In assessing the threat posed by returning American fighters, it is worth putting the current Syrian conflict into historical perspective. The historical comparison most people are aware of is the Afghan war against the Soviets and the ensuing civil war, which helped launch Osama bin Laden's al-Qaeda. Though an important cautionary tale, much has changed since then that makes it a weak comparison for how "blowback" from Syria might affect the United States.² For example, on 9/11, there were 16 people on the U.S. "no fly" list. Today, there are more than 48,000 people. In 2001, there were 32 Joint Terrorism Task Force "fusion centers," where multiple law enforcement agencies work together to chase down leads and build terrorism cases. Now there are 104 centers.³ A decade ago, the U.S. Department of Homeland Security, National Counterterrorism Center, Transportation Security Administration, Northern Command, and Cyber Command didn't exist. In 2014, all of these new post-9/11 institutions make it much harder for terrorists to operate in the United States. The U.S. intelligence budget also grew dramatically after 9/11, with Congress giving the government substantial resources with which to improve its counterterrorism capabilities. In 2013, the United States allocated \$72 billion to intelligence collection and other covert activities.⁴ Before 9/11, the budget was around one third of that figure: \$26 billion.

Perhaps of most relevance to the issue of returning fighters is that prior to 9/11, the U.S. law enforcement community demonstrated little interest in investigating or prosecuting individuals who traveled abroad to fight in an overseas jihad. Today, the U.S. government considers such persons to be a serious concern and tracks their activities.

² The section below is drawn from Peter Bergen et al. "2014 Jihadist Terrorism and Other Conventional Threats," *Bipartisan Policy Center*, September 2014.

³ Federal Bureau of Investigation. "Protecting America from Terrorist Attack: Our Joint Terrorism Task Forces." Federal Bureau of Investigation. Accessed August 5, 2013. http://www.fbi.gov/about-us/investigate/terrorism/terrorism_jtffs.

⁴ Intelligence Resource Program. "Intelligence Budget Data." Federation of American Scientists. Accessed August 25, 2014. <http://fas.org/irp/budget/>.

A post-9/11 American fighter flow to jihadist groups abroad that sparked fears but turned out not to be a real threat to the United States was Al-Shabaab's recruitment of American fighters to wage war in Somalia. According to a review by New America, no American fighter who fought in the conflict in Somalia returned to plot an attack in the United States. Instead, about one third of the individuals known to have traveled to fight in Somalia died there, either as suicide bombers or on the battlefield, while others were taken into custody upon their return.⁵

There are, however, worrisome cases of returning militants to the United States since 9/11 that attempted serious attacks. The United States' experience with Americans fighting or training in Afghanistan and Pakistan provides an illustration of what a more serious returnee threat might look like. Najibullah Zazi, Adis Medunjanin, and Zarein Ahmedzay, who all grew up in New York City, traveled to Pakistan, where they ended up receiving training from al-Qaeda, and were sent back to the United States where they were part of a serious plot to bomb the New York City subway in the fall of 2009. On May 1, 2010, Connecticut-based Faisal Shahzad, who was trained in bomb-making techniques in Pakistan by the Pakistani Taliban, left a car bomb undetected in New York City's Times Square that failed to properly explode.

Acts of violence by Americans inspired by, but with no direct connection to the terrorist groups in Syria, pose a more immediate challenge than attacks by returning fighters from Syria. As FBI Director James Comey noted in September 2014 while referring to the December 2013 arrest of Terry Loewen, who was accused of plotting an attack on Wichita Airport in Kansas after being radicalized online: "We have made it so hard for people to get into this country, bad guys, but they can enter as a photon and radicalize somebody in Wichita, Kansas." At the time, Comey also noted that ISIS lacked the capability for a sophisticated attack in the United States.⁶

On May 3, 2015, the United States saw its first actual attack inspired by ISIS along the lines of similar ISIS-inspired attacks in Ottawa, Copenhagen, and Paris. Two men were killed by police after opening fire at a contest to draw cartoons of the Prophet Mohammed in Garland, Texas, organized by the American Freedom Defense Initiative. The event featured right-wing Dutch politician Geert Wilders, who had been named on an al-Qaeda hit list. One of shooters, Elton Simpson, had previously been convicted of making a false statement to the FBI regarding plans to travel to Somalia. Before conducting the attack Simpson tweeted his allegiance to ISIS.⁷ Simpson, a 30-year-old resident of Phoenix, Arizona, who was born in Illinois and converted to Islam during his youth, was joined in the attack by his roommate Nadir Soofi, a 34-year-old who was born in Garland.

⁵ Bergen, Peter and David Sterman, "ISIS Threat to U.S. Mostly Hype," *CNN*, 9/5/2014, <http://edition.cnn.com/2014/09/05/opinion/bergen-sterman-isis-threat-hype/>.

⁶ Kendali, Brent and Jay Solomon, "FBI Cites Online Terror Recruiting, Training, Dumps Subway-Plot Claim," *Wall Street Journal*, 9/25/2014, <http://www.wsj.com/articles/fbi-director-cites-online-terror-recruiting-training-dumps-subway-plot-claim-1411688762>.

⁷ Ahmed, Saeed, Ed Lavender, and Joe Sutton, "Garland, Texas, shooting suspect linked himself to ISIS in tweets" *CNN*, 5/4/2015, <http://www.cnn.com/2015/05/04/us/garland-mohammed-drawing-contest-shooting/>

The shooting in Texas is not a lone case. While the United States has seen only one possible case of a domestic attack plot by a returned fighter from Syria, it has seen a number of alleged Syria-related plots to conduct violence that were inspired by the propaganda put out by ISIS. For instance, in March, the United States unsealed charges against Hasan Edmonds, a 22-year-old member of the National Guard, and his cousin Jonas Edmonds, alleging that Hasan Edmonds had sought to travel to fight with ISIS and that they had plotted to have Jonas Edmonds conduct an attack against a military facility. The plot was monitored by an undercover officer.⁸

4. Threats to the United States by non-American ISIS recruits. Many fighters from countries other than the United States have traveled to fight in Syria and could pose a potential threat to the United States. So far we have not seen a case of a foreign fighter from another country traveling to the United States to conduct an attack. However, the large number of foreign fighters traveling to fight in Syria from other countries magnifies the potential threat of an infiltration attack, especially given the high numbers of foreign fighters from countries that enjoy the Visa Waiver Program with the United States, such as Australia, Belgium, France, Germany, the Netherlands and the United Kingdom.

Tracking the many foreign fighters from Western countries who have gone to Syria and who have returned to the West poses a greater challenge, given their larger numbers, than tracking the handful of returning American fighters. Each French militant placed under surveillance requires 25 agents to maintain round-the-clock monitoring, and the strain on resources produced by ever increasing numbers of militants who need to be monitored was in part behind the failure to maintain surveillance of the Kouachi brothers, who conducted the attack on the Charlie Hebdo magazine in Paris earlier this year. It would take many thousands of agents to monitor each of the more than a 1,000 Frenchmen reportedly involved in the Syrian war, and France simply doesn't have that kind of manpower. The fact that a French prosecutor says that one of the Paris attackers on November 13 was a French national who was known to police is an indicator of how difficult tracking all of these militants has proven to be.

5. ISIS expands its reach. ISIS controls territory in Syria and Iraq that by some estimates is the size of the United Kingdom, and it lords over millions of people in both countries. The group has also secured pledges of allegiance from two dozen militant organizations from around the Muslim world, including in the Sinai and Egypt's neighbor Libya, while around 10 other groups have declared some form of solidarity with ISIS. The key to ISIS's success is not the group's military strength — ISIS in Syria and Iraq may number only about 20,000 to 30,000 fighters — but the weaknesses of the regimes where the group is doing well.

Think of the Sunni militant group ISIS as a pathogen that preys on weak hosts in the Muslim world. In fact, there is something of a law: The weaker a Muslim state the stronger will be the presence of ISIS or like-minded groups.

⁸ "US Army National Guard Soldier and his Cousin Arrested for Conspiring to Support Terrorism (ISIL)," *Department of Justice*, 3/26/15. <http://www.justice.gov/opa/pr/us-army-national-guard-soldier-and-his-cousin-arrested-conspiring-support-terrorism-isil>.

In 2014 ISIS seized huge swaths of Iraq, exploiting the fact that the country had been in a civil war for more than a decade and the Iraqi government had pursued a policy of excluding Sunnis from power. ISIS is one of the most powerful players in Syria because the country has been embroiled in a civil war since 2011 and the regime of Bashar al-Assad has imposed a reign of terror on its Sunni population, including the use of chemical weapons and widespread torture. For the moment, ISIS and the countries allied against it, including the United States, have come to something of a stalemate in Iraq and Syria.

ISIS also has a significant foothold in Libya because the country is embroiled in a civil war, which was instigated by the U.S.-led overthrow of Libyan dictator Moammar Gadhafi four years ago. (This move may turn out to be the most significant foreign policy blunder of the Obama administration, as there was no serious American plan for what would follow Gadhafi — the same negligence that had characterized George W. Bush's overthrow of Iraqi dictator Saddam Hussein.) ISIS is growing in Egypt because a military dictator who seized power in a coup leads the country, and he has brutally quashed all forms of dissent, including criminalizing the Muslim Brotherhood, which has many millions of members in Egypt and had formed the previous government. It's fertile soil for ISIS, which had done particularly well in the Sinai, leading an insurgency there that has killed hundreds.

When ISIS first gained significant ground in Iraq and Syria in 2014, it focused almost entirely on its actions there and encouraged its overseas followers to join the jihad. Writing in the third issue of *Dabiq*, its English-language online magazine, an ISIS writer asserted, "This life of jihad is not possible until you pack and move to the Khilafah," meaning to leave your home and travel to ISIS's areas of control in Iraq and Syria.

In the past weeks, ISIS has shifted its strategy, attacking on a large scale outside of Iraq and Syria. The group claimed responsibility for the downing of the Russian Metrojet carrying 224 passengers and crew on October 31 in the Sinai in Egypt. The Russians have in the past 24 hours finally conceded what was obvious: the plane was brought down by a bomb. Two weeks after the Metrojet bombing the team of ISIS militants attacked at multiple locations in Paris.

6. How to Defeat ISIS: Twelve Action Items:

1. Enlist defectors from ISIS to tell their stories publicly. Nothing is more powerful than hearing from former members of the group that ISIS is not creating an Islamist utopia in the areas it controls, but a hell on earth. The flow of "foreign fighters" to ISIS from around the Muslim world is estimated to be about 1,000 a month. Reducing that flow is a key to reducing ISIS manpower.

2. Amplify voices such as that of the ISIS opposition group Raqqa is Being Slaughtered Silently, which routinely posts photos online of bread lines in Raqqa, the de facto capital of ISIS in northern Syria, and writes about electricity shortages in the city. This will help to undercut ISIS propaganda that it is a truly functioning state.
3. Amplify the work of former jihadists like the Canadian Mubin Shaikh, who intervenes directly with young people online who he sees are being recruited virtually by ISIS.
4. Support the work of clerics such as Imam Mohamed Magid of Northern Virginia, who has personally convinced a number of American Muslims seduced by ISIS that what the group is doing is against Islam.
5. Keep up pressure on social media companies such as Twitter to enforce their own Terms of Use to take down any ISIS material that encourages violence. Earlier this year, Twitter quietly took down 2,000 accounts used by ISIS supporters, but the group continues to use Twitter and other social media platforms to propagate its message.
6. Keep up the military campaign against ISIS. The less the ISIS “caliphate” exists as a physical entity, the less the group can claim it is the “Islamic State” that it purports to be. That should involve more U.S. Special Forces on the ground embedded with Iraqi and other coalition forces and more U.S. forward air controllers calling in close air support strikes for those forces.
7. Applaud the work that the Turks have already done to tamp down the foreign fighter flow through their country to ISIS in neighboring Syria, and get them to do more. Turkey, which had long been criticized by Western countries for allowing foreign fighters to move through its territory on their way to Syria, has started to clamp down on that traffic into Syria. Those efforts by the Turks are paying off, according to ISIS itself. In early 2015, ISIS posted advice in one of its English-language online publications to would-be foreign fighters, saying, “It is important to know that the Turkish intelligence agencies are in no way friends of the Islamic State [ISIS].”
8. Provide “off ramps” to young ISIS recruits with no history of violence, so that instead of serving long prison terms for attempting to join ISIS — as they presently do in the United States — they would instead serve long periods of supervised probation. This will help families that presently face a hard choice: If they suspect a young family member is radicalizing and they go to the FBI, that person can end up in prison for up to 15 years on charges of attempting to support ISIS; but if they don’t go to the authorities and their child ends up traveling to Syria, he or she may well end up being killed there. Providing off-ramps would offer families a way out of this almost impossible choice.
9. Educate Muslim-American parents about the seductive messages that ISIS is propagating online.
10. Relentlessly hammer home the message that ISIS positions itself as the defender of Muslims, but its victims are overwhelmingly fellow Muslims.

11. Build a database of all the foreign fighters who have gone to Syria to fight for ISIS and Nusra. This is one of the recommendations of the House Homeland Security Committee's September 2015 report on foreign fighters in Syria and it is a very good one. How can you prevent an attack by returning foreign fighters if you are not cognizant of their names and links to ISIS? Right now INTERPOL has a list of some 5,000 foreign fighters, but that is simply dwarfed by the estimated 30,000 foreign fighters who have gone to fight in Syria.

12. Stay in Afghanistan beyond 2016. One only has to look at the debacle that has unfolded in Iraq after the withdrawal of U.S. troops at the end of 2011 to have a preview of what could take place in an Afghanistan without some kind of residual American presence. Without American forces in the country, there is a strong possibility Afghanistan could host a reinvigorated Taliban allied to a reinvigorated al-Qaeda – not to mention ISIS, which is also gaining a foothold in the region. Earlier this month U.S. and Afghan forces in Kandahar province destroyed “probably the largest” al-Qaeda training camp discovered during the 14-year Afghan War, according to Gen. John Campbell, the U.S. commander in Afghanistan. This U.S. military presence in Afghanistan doesn't have to be large, nor does it need to play a combat role, but U.S. troops should remain in Afghanistan to advise the Afghan army and provide intelligence support past 2016.

The Implications of the Paris Terrorist Attack for American Strategy in Syria and Homeland Security

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RAND Office of External Affairs

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Brian Michael Jenkins¹
The RAND Corporation

*The Implications of the Paris Terrorist Attack for American Strategy
in Syria and Homeland Security²*

Before the Committee on Homeland Security and Governmental Affairs
United States Senate

November 19, 2015

Chairman Johnson, Ranking Member Carper, distinguished members of the Committee, thank you for inviting me to address this urgent issue.

I would like to be able to report that, in response to the terrorist attacks in Paris, all of the perpetrators have been identified and apprehended, they will be executed promptly, airstrikes have smashed the Islamic State, and an event such as this will never happen again.

The reality, however, is that this conflict is likely to go on, there are no quick or easy solutions, and terrorists will attempt further attacks.

This hearing was urgently called following the November 13 terrorist attack in Paris. Investigations are continuing in France while we are witnessing the consequences of that attack in Syria. Let me offer some quick observations:

The fighting in Syria and Iraq will continue.

Right now, the situation is at a military stalemate. By stalemate, I mean that the insurgents arrayed against the Syrian government and the Islamic State of Iraq and the Levant (ISIL)³ forces

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/CT445.html>.

³ The organization's name transliterates from Arabic as al-Dawlah al-Islamiyah fi al-'Iraq wa al-Sham (abbreviated as Da'ish or DAESH). In the West, it is commonly referred to as the Islamic State of Iraq and the Levant (ISIL), the Islamic State of Iraq and Syria, the Islamic State of Iraq and the Sham (both abbreviated as ISIS), or simply as the Islamic State (IS). Arguments abound as to which is the most accurate translation, but here we refer to the group as ISIL.

in Iraq cannot overthrow governments in Damascus or Baghdad, but for the foreseeable future, neither government will be able to restore its authority throughout national territory.

Sectarian and ethnic divisions now drive the conflicts, which have become an existential contest for all of the local parties—it is a fight to the death or, at least, exhaustion.

Syria and Iraq are now effectively partitioned—Iraq into relatively homogenous Shia, Sunni, and Kurdish zones and Syria into a messier mosaic. This partition is likely to persist.

Foreign powers have significant stakes in the conflicts, but competing interests. Absent major military investments, outsiders cannot guarantee the victory of local allies.

The world will be dealing with the fallout of this conflict for years to come.

Such fallout includes a continuing terrorist threat, returning foreign fighters, and a deluge of refugees.

ISIL continues to exhort its affiliate groups and individual followers abroad to carry out terrorist attacks on its behalf and has been involved in a number of terrorist plots.

ISIL's ideology continues to exert a powerful pull. The American-led coalition bombing campaign in Syria and Iraq, along with ground offensives by Iraqi government forces and Kurdish fighters, have recaptured some territory from ISIL, but the number of individuals joining or planning to join ISIL has not diminished.

ISIL is calling on more to come. It offers believers what it portrays as an authentic Islamic state, while its advertised atrocities promise opportunities for unlimited violence.

ISIL portrays its struggle in apocalyptic terms as the final showdown between believers and infidels. This encourages extreme action and individual sacrifice. It also serves a useful propaganda purpose in the Islamic State's current circumstances. ISIL is being bombed; many in its ranks are being killed. ISIL attempts to maintain the morale of its fighters by arguing that this suffering is foretold, that it is God's will, and that it is proof that ISIL is on the right side of the conflict.

I suspect that as ISIS is put under increasing military pressure, we will see more references to the end of times and more calls to its supporters to carry out attacks, lest they be left behind and miss their shot at paradise.

The volume of recruits and potential recruits is overwhelming authorities in Europe. While the number of Americans wanting to go to Syria has increased, it remains a fraction of the number of Europeans who are joining ISIL's cause.

As a consequence of the destructive style of fighting, especially in Syria, 12 million people have been displaced, 8 million internally and 4 million fleeing the country. Another 4 million have fled or have been internally displaced in Iraq.

Hundreds of thousands of these refugees have headed to Europe, raising fears that terrorists can hide among the refugee masses to gain entrance into a country. Thus far, we have seen little evidence of this, although one of the terrorists in the Paris attack may have arrived in Europe as a refugee. This is still being investigated.

The terrorist attack in Paris offers some important takeaways.

The Paris attack reminds us of the continuing terrorist threat, although we should not need reminding. Al Qaeda declared war on the United States nearly 20 years ago and continues to be dedicated to attacking the "far enemy"—that's us. The emergence of ISIL in 2012 has heightened the threat. In their online websites and through social media, both organizations continue to call on followers to attack American targets.

Since 9/11, there have been multiple terrorist attacks on American citizens abroad, attempts to bring down U.S.-bound airliners, and scores of homegrown terrorist plots. We don't like to use the term, but the United States is at war.

The terrorists in Paris attacked soft targets—restaurants, a stadium, a nightclub where they knew they would encounter little or no security. This attack was all about the killing. People were the target.

Terrorists almost always have the advantage. Theoretically, they can attack anything, anywhere, anytime. And governments cannot protect everything, everywhere, all the time. Roughly 80 percent of all terrorist attacks are carried out at locations where there are no security perimeters to penetrate, no armed guards to respond.

The lethality of the attack in Paris reflects the determination of the attackers to kill wantonly, not tactical sophistication or combat skills. The attackers combined suicide bombers with armed assaults and hostage taking at multiple locations—a worst-case scenario for police response. As we have seen in the United States, a single determined shooter can cause havoc. Many deaths can occur in the first few minutes. Despite rapid response, casualties will likely run high.

The Paris attack underscores the importance of intelligence. We do not know how a plot involving eight attackers, the acquisition of automatic weapons, and construction of seven suicide vests got past French authorities. Thousands of French fighters have gone to Syria, and some of them have returned. Thousands more are suspected of preparing to go. Others are most certainly planning attacks in France; several homegrown terrorist plots have been thwarted. The French intelligence services are being overwhelmed by the number of people they must keep under surveillance.

France was targeted because ISIL was able to recruit the human assets—French and Belgian nationals—to carry out the attacks. **The availability of terrorist recruits in France and Belgium reflects societal issues of isolated, marginalized, and alienated communities where extremist ideologies can easily take root. This will take a long time to fix.**

The Paris attack may reflect a new threat configuration. The 9/11 attacks were centrally planned, directed, and supported. The original hijackers were sent to the United States with an agreed-upon plan. They communicated with al Qaeda's operational planners and received additional funds and later reinforcements.

The Shoe bomber and Underwear bomber were lone operatives recruited and equipped to carry out their attacks on airlines headed to the United States.

While al Qaeda taught Najibullah Zazi how to make explosive devices, he planned the attack to carry out suicide bombings on New York's subways.

Responding to exhortations, self-radicalized homegrown terrorists—on their own initiatives—have plotted terrorist attacks.

The investigation is ongoing, but the Paris attack reportedly involved a cell of French nationals with ISIL in Syria determined to carry on a terrorist campaign in France. They remotely recruited and assisted their own acquaintances in France and Belgium to carry out attacks. The ringmaster

was in Syria. The assets were local residents, but some may have come from Syria. In other words, it was not solely a matter of homegrown terrorists, returning fighters, or direction from fellow nationals abroad, but a combination of all three.

The Paris attacks have increased pressure on the United States to step up the fight in Syria and Iraq, but adjustments to strategy should be a matter of degrees, not fundamental course changes.

The terrorist attack in Paris has understandably caused alarm beyond France and has renewed debate about America's strategy to fight terrorism.

For some critics, the continuing chaos in Syria and Russia's intervention are the result of a vacuum created by American timidity. The Paris attack provides further proof that the current strategy of containment—and of what could be described as the "slow strangulation" of ISIL—cannot prevent ISIL from mounting a global terrorist campaign that threatens Europe and the United States. **We need to be prepared for a terrorist backlash.**

On the opposite side of the debate, some Americans are convinced that the United States ought to disengage. They believe that the United States cannot, without a huge military investment, significantly affect the outcome of a nasty civil war, and that attempts to do so will only make matters worse, above all, bogging the United States down in another Middle East war while the country faces more-serious national security challenges elsewhere and even more-pressing domestic problems.

My own view is that the rise of ISIL and al Qaeda in Syria and Iraq directly threaten U.S. security. Disengagement would be dangerous. The United States clearly has the power to do more militarily, but must keep cool and stay smart. The immediate threat posed by homegrown terrorists, returning foreign fighters, and terrorist infiltrators among Syrian refugees is real but manageable. We should not be provoked into measures that in the long run—and this has the potential to be a very long run—could turn out to be counterproductive.

Conventional American ground forces (with or without North Atlantic Treaty Organization [NATO] allies) can shatter ISIL's military formations, although **we should not underestimate the number of troops required or the friendly casualties that could come from dislodging ISIL from a dug-in defense of the urban areas it now holds.** One need only look at how tough the fighting was for the Kurds taking Sinjar or for the Iraqis to take towns held by ISIL to understand that fighting an enemy that is determined to die in battle is a fundamentally different challenge.

Breaking ISIL's military formations will not end ISIL's campaign, but will push ISIL's fighters underground where they continue their armed struggle as the jihadist insurgents did in the years following the American defeat of Saddam Hussein's army in 2003. **America will still face a long-term pacification problem.** For good reasons, American military commanders are not enthused about the prospect of seeing the armed forces tied down in another bloody and costly counterinsurgency campaign.

The air campaign against ISIL can be intensified. In retaliation for the terrorist attacks, the French already have increased their operations, with more on the way. The United States has recently deployed more aircraft. But the issue is not just more airplanes, but identifying sufficient targets and being willing to increase the risk of collateral casualties and damage. Ruthlessness by itself is not much of a strategy.

The United States can deploy additional special operations forces to assist non-jihadist formations, as it has done to support Kurdish fighters who have had some success in pushing back ISIL. The numbers involved are small, but can make a big difference in facilitating the sharing of intelligence, planning operations, coordinating air support, and facilitating re-supply. However, the other Syrian rebel formations have not yet proved to be a significant fighting force, and a strategy of more Americans on the ground comes with the risk of casualties and politically dangerous hostage situations. **No option is risk free.**

The United States can begin to recruit a Sunni army, initially not to directly challenge ISIL on the battlefield, but instead to draw off those within ISIL's zone of influence who have little income now and face an even more desperate future as the coalition's air campaign destroys what remains of the Islamic State's economy—and who may end up in ISIL's ranks out of sheer hunger. **This is competitive recruiting rather than open combat,** but it is cheaper to pay soldiers than it is to hunt them down as enemies.

Containing ISIL on the ground and protecting surrounding nations, especially Jordan and Saudi Arabia, should be a priority. ISIL's black flag flying over Mecca would have catastrophic consequences.

Smashing ISIL on the ground will scatter its foreign fighters. As foreigners, they will not survive long in an underground resistance movement. Some of these fighters will return home or move on to other jihadist fronts to continue their armed struggle.

Destroying the Islamic State will validate ISIL's Armageddon propaganda while further galvanizing its supporters abroad.

Paradoxically, success against ISIL in Syria and Iraq may heighten the threat of terrorism beyond. As ISIL becomes more desperate, its support for terrorist operations abroad will increase. Some foreign fighters will come back seeking revenge for their defeat. ISIL supporters will want to prove the struggle is not lost.

This is not to argue that leaving ISIL alone will bring peace—it will not—but rather to point out that **future terrorist attacks cannot always be interpreted as evidence of a failing counterterrorist strategy in Syria.**

What we see taking place in the Middle East and Europe has direct implications for U.S. homeland security.

Terrorist plots must be the operative presumption. That has been the case for years, but the current military effort in Syria could produce a surge in terrorist attacks outside of Syria.

Surprises are almost guaranteed. What happened in Paris is shocking but not surprising, in the sense that we know France in particular has been under terrorist assault. Surprises and setbacks are a feature of all wars, and especially of conflicts of long duration.

We should not overreact. It is difficult to stay on course. Americans do not excel at being phlegmatic. We are an impatient nation. We are heavyweight fighters looking for knockout blows in early rounds. To suggest anything less than that risks condemnation.

We need to be prepared but also keep the threat to the United States in context. We suffered a horrific terrorist blow on 9/11, which was unprecedented in the annals of terrorism and has cast a long shadow. We have witnessed appalling terrorist attacks in Madrid, London, and elsewhere throughout the world—now Paris. No doubt, there will be more. This is the way of the world today.

The United States is not Europe. Even though the number of Americans heading to Syria has increased, it remains a fraction of those going from France, Belgium, the United Kingdom, and Germany.

Terrorist attempts and plots in the United States reveal no evidence of a deep reservoir of recruits. Most are one-off attempts by individuals or tiny conspiracies. There is little organizational connectivity between recent terrorist plots in the United States. Unlike the more turbulent 1970s, there have been no sustained campaigns of terrorism.

The United States must be prepared for an array of terrorist attacks—mini-Mumbai scenarios like the one carried out in Paris cannot be ruled out.

Authorities have uncovered a number of plots involving armed assaults by gunmen and suicide attacks. **More likely to unfold on American soil, however, are the low-level, often amateurish attempts that we are familiar with.**

Larger-scale terrorist plots, if initiated from abroad, would still require local confederates. **The record of U.S. intelligence efforts since 9/11 has been remarkable.** Of close to 60 known jihadist terrorist plots, all but a handful have been interrupted. We are batting .900.

Intelligence has been our first line of defense. The 9/11 attacks brought about unprecedented international cooperation among intelligence services and law enforcement organizations. This needs to be maintained and expanded. **Our European allies are still struggling to achieve the kind of cooperation among their intelligence services that we have achieved here.** The United States should assist Europe in whatever way it can while enhancing American access to vital information on foreign fighters or terrorist networks that could threaten U.S. security.

Americans are uncomfortable with domestic intelligence efforts, and some communities find them offensive. Domestic intelligence is vital to homeland security and to preventing the kind of suspicions and hostilities that arise when terrorist attacks occur. **Efforts aimed at countering violent extremism, which some communities find equally offensive, cannot substitute for domestic intelligence and criminal investigations.**

Foreign fighters coming back from Syria must be identified. **The Visa Waiver program does not offer anybody a free pass to enter the country.** There are still checks in place. But terrorist watch lists need to be informed by continuing exchanges of information between the United States and visa waiver countries.

The intelligence role of U.S. Customs and Border Protection can be enhanced. Secondary interviews of those arriving at U.S. ports of entry should be viewed as opportunities to collect

intelligence. I am not suggesting that we increase the number of secondary interviews, but that we exploit them.

The United States does not face the deluge of refugees pouring into Europe. Unlike Europe, **U.S. authorities will have more opportunities to vet applicants before they arrive, and the numbers being admitted are much smaller.**

However, these are extraordinary circumstances. While the refugees may be fleeing from some of the same groups that are currently being attacked by the United States, they are coming from an active war zone where violence continues, where loyalties are fluid, and where America's opponents are exhorting followers to carry out terrorist attacks in the United States. **Security concerns dictate thorough vetting.**

It is not just a matter of keeping the bad guys out. The refugees currently flowing into Europe include a large percentage of single young males. This is typical of refugee populations, but these young men are coming from violent environments; they have little or no education; they will be difficult to employ. Frustrated and angry, some will turn to crime. Others may be receptive to radical ideologies.

Recruiting does happen here. Beginning in 2007, several dozen Somali-Americans, mainly from Minneapolis, returned to Somalia to fight invaders from Ethiopia and later to join al Qaeda's affiliate, al-Shabaab. This was a community already troubled by its young men joining street gangs. After learning of the recruiting that had secretly been going on, the community cooperated with authorities to successfully halt it.

The United States excels at assimilating immigrants, but a tiny fraction of America's new arrivals invariably bring the quarrels of their homeland with them. In a country of immigrants, this is not a new phenomenon. Previous diasporas have produced their share of terrorist groups and criminal gangs. There is no evidence, as far as I know, to indicate that Arab or Muslim immigrants in this country are having trouble assimilating into American society.

The conflicts in the Middle East and their consequences add layers to the existing terrorist threat. The threat is dynamic, and every major terrorist attack tells us more about how our foes operate.

For the past half century, the United States has dealt with homegrown and foreign terrorist threats. The years since 9/11 have been exceptionally tranquil. **New laws, institutions, and programs have been put in place to prevent terrorist violence; these approaches appear to**

be working. But as with any security measures, there is a tendency for vigilance to decline. The Paris attack tells us to keep our guard up.

Senate Testimony

The Impact of ISIS on the Homeland and Refugee Resettlement

Daveed Gartenstein-Ross
Senior Fellow, Foundation for Defense of Democracies
Chief Executive Officer, Valens Global

Hearing before the U.S. Senate Committee on Homeland Security and Governmental Affairs

Washington, D.C.
November 19, 2015



1726 M Street NW • Suite 700 • Washington, DC 20036

Chairman Johnson, Ranking Member Carper, and distinguished members of the committee, on behalf of the Foundation for Defense of Democracies, it is an honor to appear before you to discuss the Islamic State's (IS) impact on Syrian refugee resettlement in the United States.

In the aftermath of the Paris attacks, there has been much discussion about the security challenges associated with admitting Syrian refugees. I offer several overarching conclusions that I will discuss at greater length in this testimony:

- If a jihadist group like IS wants to place terrorists in the United States through the current refugee resettlement program, **the risk is very low, though it is non-zero.**
- **The biggest barrier to terrorist operatives entering the United States in this way is the selection process rather than the screening process.** The existing selection process for admitting refugees into the United States is rigorous and time-consuming, and the odds are significantly against any one refugee's admission: only 10,000 of an estimated 2.1 million Syrians registered by UNHCR will be admitted. Further, the United States privileges the "most vulnerable" refugee populations in its admission process, a cohort that includes single mothers, children, and individuals with medical needs but excludes populations—like teenage and young adult males—that are most likely to be infiltrated by violent extremist groups. This makes it difficult for extremist groups to plant operatives in the admitted refugee population. Moreover, the resettlement process for refugees entering the United States takes 18 to 24 months on average.¹ However, the refugee screening process is highly unlikely to uncover an operative who can be considered a "clean skin" (someone connected with a jihadist organization whose connections to the group are not known by American intelligence), and the U.S.'s intelligence penetration into Syria is limited.
- **A significant expansion of the Syrian refugee resettlement program in the U.S. would increase the risk of militant infiltration.** Significantly increasing the number of Syrian refugees who will be resettled might expand the parameters of the selection process beyond "most vulnerable" populations, and could make the infiltration of operatives in this manner more attractive to militant groups.
- **IS views the refugee outflows from Syria as a major challenge to the legitimacy of its caliphate,** and the group has exhorted Syrian refugees to return. At the same time, it is in IS's interest to create a backlash against Syrian refugees in Europe or the United States, which would then allow militant organizations to recruit from within the ranks of disaffected refugee populations. A backlash could also deter future waves of refugees from leaving Syria. Such a move is central to IS's playbook.
- **It is counterproductive for U.S. governors to publicly announce their opposition to admitting refugees into their states.** Governors do not have control over where refugees are placed, but this hard line marginalizes refugee populations even before

¹ U.S. Department of State, "U.S. Refugee Admissions Program," n.d., available at <http://www.state.gov/j/prm/ra/admissions/>.

they arrive, and creates the perception that they are not welcome, thus complicating and threatening integration and assimilation processes. While it is their prerogative to express their legitimate concerns to the Obama administration, the very public announcements that have been made recently are counterproductive.

The Islamic State's Strategic Outlook Toward Refugees

The iconic images of thousands of Syrians fleeing their homes for Europe are terrible publicity for IS. IS has sought to foster the perception that the caliphate is a refuge and safe haven for Muslims from across the world; this narrative is essential to the group's foreign fighter recruitment efforts. But the refugee crisis directly undercuts this narrative. If Syrians choose to flee for thousands of miles rather than joining the caliphate next door or remaining in it, the caliphate's political legitimacy is called into question. Prospective foreign fighters may be less inclined to join IS after witnessing the flood of refugees into Europe, and hearing horror stories about life in the caliphate.

IS has utilized its propaganda apparatus in an effort to dissuade Syrians from fleeing to Europe.² Between September 16 and 19, IS media outlets released twelve videos addressing the refugee crisis. IS's strategy in this propaganda blitz was twofold: underscore the dangers of life in Europe for refugees while painting the caliphate as a safe haven for Muslims. One theme that emerged in this propaganda was the idea that Muslim refugees who flee to Europe will suffer oppression at the hands of secular and Christian governments, and will be forced to abandon their faith.³ IS also warned of the dangerous journey to Europe, in one video montage incorporating the image of Aylan Kurdi, the young Syrian refugee who washed up dead on a beach in Turkey as his family was attempting to travel to Greece.⁴ Another theme that pervaded IS's refugee propaganda was that the caliphate was preferable to Europe. IS juxtaposed the experiences that refugees would encounter in Europe with images and videos portraying the caliphate as an Islamic utopia, where refugees are cared for and all Muslims can find religious salvation.⁵

While IS sees the Syrian refugee crisis as a challenge to its legitimacy, it also perceives strategic opportunities. One possibility is that IS may attempt to embed militants into refugee populations. In January 2015, an IS supporter released a short article that discussed opportunities for IS militants to use migrant and refugee flows from Libya to gain entry to Europe.⁶ Further, an al-Qaeda operative who had served time in prison in Italy before being extradited to his home country of Tunisia was arrested in October 2015 after traveling from Libya to the Italian island

² Aaron Zelin has compiled a comprehensive list of IS propaganda statements related to refugee. The statements cited in this testimony are drawn from his list. See Aaron Zelin, "The Islamic State on Refugees Leaving Syria," *Jihadology*, November 14, 2015; Aaron Zelin, "Targeting Europe's Refugees Is Not the Answer," Washington Institute for Near East Policy, November 16, 2015.

³ "Would You Exchange What is Better for What is Less," Wilayat Salah al-Din, September 16, 2015.

⁴ "And [He] Will Replace You With Another People," Wilayat Halab, September 18, 2015.

⁵ See, for example, "Messages from the Muslims to the Displaced Peoples [Going] to the Abodes of the Unbelievers," Wilayat al-Furat, September 17, 2015.

⁶ See discussion in Charlie Winter, *Libya: The Strategic Gateway for the Islamic State* (London: Quilliam Foundation, 2015).

of Lampedusa.⁷ Placing operatives among the Syrian refugees would advance IS's strategic objectives. IS believes that if it can drive a wedge between Muslim populations in Europe and the rest of European society, it can present itself as a protector of European Muslims, thus building its base of support in Europe. This strategic logic is clearly articulated in issue seven of *Dabiq*, IS's English-language online magazine, in which IS predicts that jihadist attacks in Europe will "compel the crusaders to actively destroy the grayzone," forcing Muslims in the West to make one of two choices: "apostatize and adopt the [infidel] religion" or migrate to the caliphate to "escape persecution from the crusader governments and citizens."⁸ This strategy—in which the group carries out attacks to accelerate societal schisms, then steps in to defend the group against whom its attacks triggered discrimination—is one that IS utilized to great effect in Iraq in the mid-2000s. During that period, IS's predecessor, al-Qaeda in Iraq, launched attacks against Shia populations in order to trigger revenge killings against Iraqi Sunnis.

It now appears that the passport of a Syrian citizen that had been stamped in Greece, Serbia and Croatia—three typical way-stations for refugees making the trip to western Europe—was on one of the Paris attackers in an effort to incite anti-refugee backlash.⁹ (It is possible that IS planted a stolen or forged passport on one of the attackers, and as of this writing its authenticity has not been determined.)

Refugee Selection and Screening Policies

It would be easier for IS or another jihadist group to infiltrate operatives into Europe than the United States. As previously noted, the biggest barrier to terrorist operatives entering the United States in this way is the refugee selection process rather than the screening process. Indeed, it is important not to overstate the efficacy of the screening process, something many observers have done.

The United States has a set of layered policies in place for selecting and screening refugees. The selection process is highly rigorous, with many refugees being selected from "most vulnerable" populations, a category that includes children, single mothers, torture victims, and people with special medical needs.¹⁰ Meanwhile, the screening process involves multiple checks across several agencies for security and medical concerns. This multi-stage screening process means that it takes a long time—18 to 24 months—for refugees to enter the United States, which means that any attempt to infiltrate operatives in this way must be undertaken with a fair amount of advance planning. Though this multi-stage screening system lessens the probability that malevolent actors will gain entrance into the United States, the efficacy of screening fundamentally depends on the quality of U.S. intelligence about the Syrian refugee population.

In response to the refugee crisis sweeping Europe, the Obama administration recently announced that it would increase the number of refugees from around the world that the United States will permanently resettle, from 70,000 per year to 100,000 by 2017. This plan allows the

⁷ Francesco Viviano, "Lampedusa, su un Barcone Terrorista di Ritorno," *La Repubblica*, November 8, 2015.

⁸ "The Extinction of the Grayzone," *Dabiq* issue 7, February 2015.

⁹ "Syrian Passport by Stadium Stolen or Fake, A.F.P. Reports," *New York Times*, November 17, 2015.

¹⁰ Gardiner Harris, David Sanger and David Herszenhorn, "Obama Increases Number of Syrian Refugees for U.S. Resettlement to 10,000," *New York Times*, September 10, 2015.

admission of 85,000 refugees in 2016 and 100,000 refugees the following year.¹¹ The White House also recently announced plans to admit at least 10,000 Syrian refugees in 2016—a significant increase over the approximately 1,500 Syrians expected to be resettled in the United States in 2015.¹² The administration announced plans to open additional refugee screening centers in Iraq and Lebanon.¹³

The selection process for refugee resettlement in the United States is markedly different from the process in Europe. Whereas Europe has little choice but to temporarily harbor, and process the asylum requests of, refugees and migrants who wash up on its shores, the U.S.'s geographic distance from conflict zones in the Middle East and North Africa allows it to implement a rigorous selection process. This process represents the greatest obstacle to jihadist penetration of the refugee resettlement program.

Approximately 75 percent of refugees who are screened by the U.S. are first vetted and then referred by the United Nations High Commissioner for Refugees (UNHCR).¹⁴ Many refugees that the UNHCR refers for resettlement come from populations labeled as the “most vulnerable.” Of the Syrian refugees who have been admitted thus far, more than half have been children. Moreover, just two percent of Syrian refugees who have been admitted are considered to be “single men of combat age.”¹⁵ UNHCR's preference for referring “most vulnerable” populations presents an obstacle for militant organizations seeking to infiltrate the refugee resettlement program. Unlike in Europe, where all refugees who request asylum must be temporarily housed until their requests are processed, IS and other militant groups have no control over who is selected for the U.S. refugee resettlement program.

The duration of the resettlement process is another obstacle for militant groups. Though resettling refugees can take as few as eight weeks in special circumstances, the process takes 18 to 24 months on average.¹⁶ Though IS and al-Qaeda plan external operations months in advance, this lag time does create obstacles for any militant organization seeking to strike the U.S. through the refugee resettlement program. There are more efficient ways to infiltrate the United States.

Though the refugee selection process presents a major obstacle to militant infiltration, the screening process is far from infallible even though it involves multiple checks. To be admissible, a refugee must pass a series of security and medical checks.¹⁷ A Department of State Resettlement Service Center (RSC) compiles personal data and background information for the security check process.¹⁸ Some refugees go through an additional review, a Security Advisory

¹¹ Michael R. Gordon, Alison Smale, and Rick Lyman, “U.S. Will Accept More Refugees as Crisis Grows,” *New York Times*, September 20, 2015.

¹² Harris et al., “Obama Increases Number of Syrian Refugees for U.S. Resettlement to 10,000.”

¹³ “U.S. to open new screening centers for Syrian refugees – State Department,” Reuters, November 6, 2015.

¹⁴ U.S. Department of State, “Background Briefing on the Mechanics of the United States Refugee Admissions Program,” September 11, 2015, available at <http://www.state.gov/r/pa/prs/ps/2015/09/246843.htm>.

¹⁵ Laura Koran, “How Do Syrian Refugees Get into the U.S.? Explaining the Process,” CNN, November 17, 2015.

¹⁶ U.S. Department of State, “U.S. Refugee Admissions Program,” n.d., available at <http://www.state.gov/j/prm/ra/admissions/>.

¹⁷ U.S. Department of State, “Background Briefing On the Mechanics of the United States Refugee Admissions Program,” September 11, 2015.

¹⁸ The various steps of the refugee settlement process are outlined in U.S. Committee for Refugees and Immigrants, “Security Screening of Refugees Admitted to the United States: A Detailed, Rigorous Process,” n.d., available at

Opinion, which is conducted by law enforcement and intelligence agencies. (Presumably, those who are flagged as potentially posing a more severe security threat are selected for this advisory opinion.) Candidates for refugee status are also fingerprinted and interviewed in person by a U.S. Citizenship and Immigration Services officer. A medical screening is completed, mostly to check for infectious diseases such as tuberculosis. Finally, a second interagency security check is completed before the refugee's departure to verify that all information remains correct, and that there are no relevant additions since the process began. After these security and medical checks have been completed and analyzed, a refugee be admitted to the United States.

However, a significant limitation to the screening process is that it is only as good as the data that the United States can gather within Syria. Top law enforcement and intelligence officials have said that the U.S. has significant intelligence gaps with regard to Syrian refugees.¹⁹ The biggest concern for the intelligence community is a "clean skin," an individual connected with a jihadist organization whose connections to the group are not known by American intelligence or law enforcement agencies. As FBI assistant director Michael Steinbach said, "You have to have information to vet. Databases don't [have] the information on those individuals, and that's the concern."²⁰ Thus, while the selection process significantly reduces the chance of terrorists entering the United States through the refugee resettlement program, we should understand that **the screening process would be unlikely to identify militant operatives**. Thus, a significant expansion of the resettlement program for Syrian refugees would pose risks.

Assessing the Security Risks Associated with Refugees Entering the United States

The overall risk associated with admitting refugees into the U.S. in current numbers is low but non-zero due to the obstacles to selection highlighted in the previous section. There are also some risks apart from the direct infiltration of operatives. For example, refugee populations may not fully assimilate into American society, and may be vulnerable to recruitment by violent extremist groups or local street gangs.

There are several cases of refugees who have been involved in terrorist activities in the United States, though these cases are relatively few and the risks should not be exaggerated. In May 2011, Waad Alwan and Mohanad Hammadi, two Iraqi refugees who had been resettled in Kentucky, were arrested in a sting operation and charged with attempting to provide arms to al-Qaeda in Iraq (the group that would later become IS). In talks with an undercover informant, the men discussed the possibility of carrying out attacks domestically. Both Alwan and Hammadi are believed to have been involved in the Sunni insurgency in Iraq before coming to the United States: Hammadi even boasted to an undercover operative that he had planted IEDs in Iraq, while

www.rcusa.org/uploads/pdfs/Refugee%20resettlement%20-%20step%20by%20step%20USCRI.pdf. Obviously, I assess the rigor of the process differently than does the U.S. Committee for Refugees and Immigrants, but its description of the steps involved is accurate.

¹⁹ See Evan Perez, "Intelligence Gaps Pose Challenge for Syrian Refugee Screening," CNN, October 8, 2015. Perez quotes NCTC director Nicholas Rasmussen, who explained that "the intelligence picture we've had of this conflict zone isn't what we'd like it to be," and that "you can only review against what you have."

²⁰ Justin Fishel and Mike Levine, "U.S. Officials Admit Concern over Syrian Refugee Effort," ABC News, February 12, 2015.

Alwan told the same operative that he had killed U.S. soldiers with a sniper rifle.²¹ Both men were admitted into the United States despite having been detained in Iraq due to suspicions about their involvement in insurgent activities.²² The cases of Alwan and Hammadi exposed significant flaws in the refugee screening process, and screening procedures were improved in subsequent years.²³

Tamerlan and Dzhokhar Tsarnaev, the brothers responsible for the Boston Marathon bombing, were refugees. They arrived in the United States after their parents received refugee status in 2002.²⁴ Tamerlan was 15 and Dzhokhar was 8 at the time they came to America. They would subsequently radicalize and carry out their notorious attack.

Al-Shabaab and Islamic State recruiting in Minneapolis and St. Paul illustrates a different type of security threat associated with resettling refugee populations from conflict zones—one that relates not to domestic terrorism but to foreign fighter networks.²⁵ From 2007 to 2009, more than 20 Somalis from the Minneapolis area, many of them teenagers and young adults who had grown up in the United States, traveled to Somalia to join al-Shabaab, which utilized the Ethiopian invasion in 2006 as an opportunity to rally the Somali diaspora.²⁶ This group included Shirwa Ahmed, a naturalized American citizen who, in October 2009, became the first American suicide bomber in an attack in the Puntland region.²⁷ Other members of this community were involved in fundraising for Shabaab.

Though distinct from the above instances due to the differences between the admission of refugees and asylum seekers, several jihadists involved in terrorist activities in the United States used asylum applications to remain in the country. Mir Aimal Kansi, who shot and killed two CIA employees and wounded three more in a January 1993 attack outside the agency's Langley headquarters, entered the U.S. illegally but applied for asylum, and was later allowed to stay in the country under a general immigration amnesty. Omar Abdel Rahman applied for political asylum to delay his deportation.²⁸ Ramzi Yousef, a key leader of the 1993 World Trade Center attack, "asked for asylum and was released pending a hearing," and organized the attack while his asylum application was still pending.²⁹ Various gaps in the asylum process that allowed these

²¹ Carrie Johnson, "Terrorism Case Exposes Gaps in Refugee Screening," NPR, June 8, 2011.

²² James Gordon Meek, Cindy Galli and Brian Ross, "Exclusive: U.S. May Have Let 'Dozens' of Terrorists into Country As Refugees," *ABC News*, November 20, 2013.

²³ Evan Perez, "Intelligence Gaps Pose Challenge for Syrian Refugee Screening," CNN, October 8, 2015 (noting that officials said "the U.S. has vastly improved its screening procedures after failures in the vetting of Iraqi refugees in recent years," but that there are significant intelligence gaps with respect to Syria).

²⁴ Peter Finn, Carol Leonnig and Will Englund, "Tamerlan Tsarnaev and Dzhokhar Tsarnaev Were Refugees from Brutal Chechen Conflict," *Washington Post*, April 19, 2013.

²⁵ The Somali community in Minneapolis-St. Paul originally came to the area "as legal refugees, largely." Jason DeRusha, "Good Question: Why Did Somalis Locate Here?," WCCO (Minneapolis), January 19, 2011.

²⁶ Andrea Elliott, "A Call to Jihad, Answered in America," *New York Times*, July 11, 2009.

²⁷ Bob Drogin, "Young Men Vanish into Somalia, Stirring Fears of Terrorist Recruitment," *Los Angeles Times*, January 18, 2009.

²⁸ Ted Conover, "The United States of Asylum," *New York Times*, September 19, 1993.

²⁹ Daryl Fears, "Bill Shifts Burden to Asylum-Seekers," *Washington Post*, May 1, 2005. Both Kansi and Yousef exploited an asylum process that, at the time, allowed any migrant who applied for asylum to receive a work permit while his claim was being investigated. Following Kansi's attack, the United States eliminated asylum seekers' ability to do so.

individuals to remain in the United States were addressed in subsequent years, and in 2005 Congress passed the Real ID Act, which imposed stringent requirements for asylum seekers.

Policy Options Associated with Refugee Resettlement

Syrian refugee resettlement poses only a minimal security risk to the United States as presently constituted. However, there are several things legislators and officials should consider to address security and other concerns:

1. Discussion of refugee admission should not occur without recognizing that **the United States has failed to meet its basic obligations to foreign nationals who assisted U.S. efforts in Iraq and Afghanistan.** This should change. Only a fraction of the Afghans who served U.S. military efforts, including as interpreters or contractors, have been admitted into the United States.³⁰ Emerson Brooking and Janine Davidson note that “when American servicemen rotate away,” their “translators remain—often becoming top-priority targets for reprisal attacks.”³¹ The United States has a fundamental obligation to the men and women who worked with us in Iraq and Afghanistan, risking their lives and their families’ lives. It is in our moral and strategic interest to admit the individuals who assisted American efforts as soon as possible, and that should not be seen as separate from the present discussion.
2. On the topic of particularly vulnerable populations, it is appropriate for legislators to **demand answers about why the Obama administration reportedly does not intend to designate IS’s treatment of Christians as an act of genocide.**³² It is absolutely right for the administration to classify IS’s treatment of Yazidis as genocidal, but Christians have also been subjected to IS’s genocidal policies.
3. The United States can adopt a **data-driven approach to assessing the reliability of refugees’ background stories.** American and European agencies can develop a database allowing officials to cross-check the accounts that Syrian refugees provide to investigators with open-source data, intelligence reports, and accounts from activist groups like the Syrian Observatory for Human Rights. The centerpiece of this dataset would be a comprehensive catalogue of significant activities (SIGACTS) involving state and non-state actors in Syria that would enable intelligence officials to corroborate refugees’ reports related to their flight from Syria. Using this database, officials could identify factual inaccuracies in refugee statements.
4. Policymakers should understand that **because the biggest barrier to militant entry through refugee resettlement is the selection process rather than the screening process, significant expansion of the number of refugees admitted increases the**

³⁰ Peter Cobus, “Where the Grave Isn’t Free: One Afghan Interpreter’s Trials of U.S. Resettlement,” *Voice of America*, April 22, 2015.

³¹ Emerson Brooking and Janine Davidson, “Why is a Comedian the Only One Talking About the Plight of Afghan Interpreters?,” *Council on Foreign Relations*, October 23, 2014.

³² See discussion in Michael Isikoff, “U.S. Weighs ‘Genocide’ Label for IS in Iraq—and More than a Word May be at Stake,” *Yahoo News*, November 12, 2015.

security concerns. This is because the biggest reasons that risks are low are a) the low percentage of refugees being admitted, and b) the focus on admitting “most vulnerable” populations. The odds will shift as more Syrian refugees are resettled into the United States.

5. Politicians, government officials and thought leaders should recognize that **signaling strong distaste in advance of Syrian refugees’ arrival is counterproductive from a national security standpoint.** At the same time, the administration fails to create a sound environment for discussing these issues if it meets expressions of concern about security with hectoring, condescension, and accusations. We all have an interest in having a real discussion free of grandstanding on any side of the issue.
6. **The United States has a strong interest in repairing its disastrous policy toward Syria,** which cannot be considered separate from the refugee issue. Numerous news reports, quoting U.S. officials, show that Syrian rebel factions that have received arms, training, and funding from the CIA are collaborating on the battlefield with Jabhat al-Nusra—al-Qaeda’s Syrian affiliate—in places like Idlib province.³³ Regardless of the fact that some CIA-supported rebel factions describe their collaboration with Nusra as an “uncomfortable marriage of necessity,” the fact remains that weapons the CIA distributes to rebels in Syria are consistently ending up in Nusra’s hands, and CIA-backed rebels have helped Nusra make gains.³⁴ Fourteen years after the 9/11 attacks, there is no justification for the United States to aid an al-Qaeda affiliate. Legislators should demand to know how and why this has happened, and should call for the administration to end all support that it knows will help al-Qaeda affiliates. Syria has enough refugees. Let’s not make more.

Thank you again for inviting me to testify today. I look forward to answering your questions.

³³ See, e.g., Ken Dilanian, “Officials: CIA-Backed Syrian Rebels Under Russian Blitz,” Associated Press, October 10, 2015.

³⁴ Anne Barnard and Karim Shoumali, “U.S. Weaponry Is Turning Syria Into Proxy War with Russia,” *New York Times*, October 12, 2015.

The Impact of ISIS on the Homeland and Refugee Resettlement

Testimony of Eric P. Schwartz
Dean and Professor, Humphrey School of Public Affairs, University of Minnesota

Committee on Homeland Security and Governmental Affairs
Washington, DC
November 19, 2015

I am very grateful for the opportunity to testify today. I deeply appreciate the important role of this Committee in ensuring the efficiency and effectiveness of the agencies and departments of the U.S. government, and including and especially those related to the critical issues of national security.

The Committee has asked that witnesses discuss any vulnerabilities within the program for U.S. resettlement of Syrians “to gauge the feasibility of ISIS and other dangerous actors reaching the United States.” This is an important question, but really only relevant if, first, we believe we have a strong national interest in resettling Syrians; and second, if we are confident we are asking the right questions about vulnerabilities in the program.

What is our foreign policy interest in this refugee resettlement program?

We have a compelling national security interest in sustaining and strengthening this program., which is why I was pleased to have signed a letter to the President and Congressional leaders from 22 former U.S. officials involved in foreign policy – Republicans, Democrats and former foreign service officers (including former U.S. Ambassadors to Syria) – urging that the United States both increase substantially our levels of overseas humanitarian assistance and support a refugee admissions goal of 100,000 Syrians. (I ask that the letter be included in the written record of this hearing.)

In short, the United States of America is confronting geopolitical and humanitarian challenges of historic proportions at a critical time in world history – a time that compels our elected and appointed officials to exercise world leadership by thinking and acting boldly in the promotion of both our interests and our values.

The signs of these challenges are clear and compelling, and were tragically reflected in the grotesque attacks against civilians in Paris last Friday night. They are also reflected in ongoing conflict, and egregious abuses of international human rights and humanitarian law in Syria and throughout the region. They demonstrate the reality of a more chaotic world, made more uncertain by the emergence of dangerous non-state actors, and further complicated by an increasingly multi-polarity that will test the capacity of the United States to influence events that impact the well-being of Americans and the world community.

These new realities are also reflected in humanitarian crises of historic proportions. In recent years, we've seen a sharp increase in the numbers of individuals displaced by persecution and conflict. As of the end of last year, the UN High Commissioner for Refugees estimated that there were some 60 million people displaced worldwide, including some 20 million refugees who have left their countries of origin due to persecution or conflict, and some 40 million internally displaced persons – “internal refugees,” if you will. According to the High Commissioner, Antonio Guterres, “we are witnessing a paradigm change, an unchecked slide into an era in which the scale of global forced displacement as well as the response required is now clearly dwarfing any seen before.” And of course, in the case of Syria, the numbers are striking: some half of the population displaced, with more than seven million internally displaced persons and more than four million refugees in neighboring countries.

Whatever one's perspective on the precise U.S. strategy for addressing the political, security and humanitarian crises in Syria, nobody disputes the critical importance of U.S. leadership. Our interests and our values are deeply implicated, whether those involve stemming the proliferation of weapons of mass destruction, supporting friends and allies, sustaining economic and commercial relationships, defeating ISIS and other forces that are seeking to export their campaigns of terror, or providing basic assistance to desperate people in dire need.

So how does refugee resettlement of Syrians help to achieve these objectives, and how do efforts to thwart the refugee resettlement program frustrate those objectives?

First, our Syrian refugee resettlement program communicates a critical commitment to burden sharing to governments in the region that are providing safe haven to Syrians. Turkey is hosting more than two million Syrian refugees; Lebanon is host to more than one million and Jordan's numbers are estimated at over 630,000. To be sure, the United States should be providing significant and substantial assistance in support of those governments as they seek to manage this burden, but for a limited number of Syrians who are among the most vulnerable, third country resettlement is a compelling priority, and the United States must be prepared to make a modest commitment to such resettlement. It is the neighboring countries that are bearing the overwhelming burden of this challenge. And if we are asking them – as we are indeed asking them – to continue to do so, and if we are expecting their support for diplomatic and other efforts we are making to reach a political settlement in Syria, it is counterproductive for us to send those governments such a negative signal by effectively shutting off our resettlement program for Syrians.

Second, we must also recognize the responsibility of burden-sharing with our allies in Europe. If we are urging our European friends and allies to implement humane policies and

procedures on protection for the hundreds of thousands of Syrians who have entered Europe, then we must demonstrate a commitment to provide resettlement opportunities for Syrians in the United States. Our failure to do so will not only be perceived as an expression of hypocrisy, but also as a reflection of diminished leadership that could undermine our capacity to influence European governments on diplomatic, political and military measures we may ultimately believe are critical to addressing the conflict.

Third, we must recognize that the battle against ISIS is a worldwide effort, in which ISIS – in its use of social media and other means of communication – offers an apocalyptic vision of conflict, and of course rejects any notion of the compatibility of Islam with other traditions. Our refugee resettlement program, which has welcomed persecuted Muslims and others from around the world, is a highly effective rebuke of that preposterous notion, and, in a world of inevitably increasing migration, offers a model of inclusion not only for other governments around the world, but for people – Muslim, Christian, Jewish and others – around the world. Conversely, imposing bars or unreasonable obstacles to the entry of particular groups of refugees risks playing into the very narrative that we are seeking to combat worldwide.

Finally, the United States has historically played a critical role in the provision of international humanitarian assistance and in support of refugee resettlement, which reflects a proud and bipartisan tradition of U.S. worldwide leadership. In terms of its focus on vulnerability of the applicant, our refugee resettlement program has served as a model for others around the world. Legislative measures that would appear to compromise that dimension of our program and either privilege or disadvantage any particular group would send an unfortunate signal about our commitments and undermine our world leadership on humanitarian issues.

What questions should we be asking about the Syrian refugee resettlement program?

This is a particularly important issue, as the wrong question can result in policy outcomes that ill-serve U.S. national interests. We should not be asking whether the Syrian refugee resettlement program – or, for that matter, any refugee resettlement or immigration program – can guarantee against admission of an individual who has ill-intent. No program can do that. To put this issue into perspective, as of 2013, there were some 41.3 million immigrants in the United States according to data gathered by the Migration Policy Institute. And between 2010 and 2013, some four million people entered our country to establish residence of one kind or another – and almost none of these individuals received anything like the scrutiny that is given to refugee applicants from Syria.

We know well why the United States is prepared to encourage the entry of large numbers of immigrants. If I may borrow from an address I offered at the Council on Foreign Relations as Assistant Secretary of State in 2010, entitled *Respecting the Dignity and Human Rights of People on the Move: International Migration Policy for the 21st Century*, let me note what you all know so well: that immigration has been absolutely critical to the economic growth and development of the United States; that it is impossible to imagine that the United States could have become the leading economic and political power it is today without the contribution made by many tens of millions of immigrants; and that immigration – including the entry of refugees who are often so determined and entrepreneurial – is a critical factor in enabling the United States to avoid many of the very troubling demographic trends that bedevil other industrialized countries less hospitable to immigrants.

So if our broad array of immigration programs, none of which has as rigorous screening as our Syrian refugee resettlement program, cannot guarantee against admission of an individual who has ill-intent, what are the issues we ought to be considering as we evaluate the security dimension of this Syrian resettlement effort?

The government witnesses you will have heard before this private panel will have described to you the procedures surrounding the security screening of Syrian refugees, so I will not describe them in detail. As I have indicated, applicants for refugee admissions are the most thoroughly vetted applicants in the U.S. immigration and refugee process. In the case of refugees, this involves reviews by federal intelligence, security and law enforcement agencies, including the National Counterterrorism Center, the FBI Terrorist Screening Center and the Departments of Homeland Security, State and Defense. All applicants provide biometric and extensive biographical data, and undergo detailed interviews by officers of DHS to ensure that the applicants have *bona fide* claims and do not pose security risks. I would be pleased to discuss these procedures in greater detail with members of the Committee, but I am convinced that these and other measures provide a robust degree of safeguards that more than justify continuation of these programs, in light of the national security and humanitarian interests they serve.

Conclusion

In *Smithsonian.com* (November 18), Daniel Gross has written a compelling and poignant piece relating to the very issue of this hearing. He writes of an individual asylum claimant, Herbert Karl Friedrich Bahr, claiming to be a persecuted Jew who fled on the SS Drottningholm in 1942 to seek asylum in the United States. During what Gross describes as “a meticulous interview process that involved five separate government agencies,” the story unraveled and

Bahr was prosecuted and convicted for conspiracy and planned espionage. The tragedy of this story, of course, is that the event helped to stoke anti-refugee sentiment in the United States, and the contention that Jews could be part of a fifth column of spies serving the Nazis. This sentiment contributed to restrictive immigration policies surrounding Jews threatened by the Holocaust, as United States officials turned their backs on those in need of protection. As Gross notes, historian Deborah Lipstadt wrote in her book, *Beyond Belief, the American Press and the Coming of the Holocaust*, that *The New Republic* characterized the government as “persecuting the refugee,” and *The Nation* criticized the our government’s posture. But, as Gross writes, “these voices were drowned out in the name of national security.”

Some 75 years after that terrible inaction, we must ensure that voices in support of protecting the vulnerable are not drowned out, and we must recognize that our refugee admissions program – including resettlement of Syrians – meets both our national security interests and our values as a people.



**Statement of Lavinia Limón, President and CEO,
U.S. Committee for Refugees and Immigrants (USCRI)
Senate Homeland Security Committee
Hearing on “The Impact of ISIS on the Homeland and Refugee Resettlement”**

November 19, 2015

Chairman Johnson, Ranking Member Carper and honorable Committee members, on behalf of the U.S. Committee for Refugees and Immigrants (USCRI), a national non-profit organization serving refugees and immigrants with a network of over 90 agencies and offices across the nation, I submit our testimony in support of the U.S. Refugee Resettlement Program and to provide information on the program.

First, our sincerest condolences to the families of the victims in the Paris attacks. Our thoughts are with them in this difficult time. Refugees across the U.S. who fled persecution and violence submit their condolences as well. Those who have sought refuge in Europe and the Middle East, understand the suffering of Parisians well because they have lived it every day. They too are the victims of the brutal actions of ISIS.

For over 100 years the U.S. Committee for Refugees and Immigrants (USCRI) has protected the rights and addressed the needs of persons in forced or voluntary migration worldwide and supported their transition to a dignified life. We help the uprooted by facilitating and providing direct professional services, and promoting the full participation of migrants in community life. We understand the impacts of terrorist acts, because we have seen them firsthand in our work with refugees fleeing terrorist persecution.

We are proud to do this work in the United States because our country is a world leader in providing protection to people who need it. Our heritage is to show compassion for victims of persecution and this is what we will continue to do. The global refugee crisis requires strong leadership and the U.S. will inherently make a statement by our presence or absence. For refugees who are the most vulnerable even after fleeing their countries: torture survivors; women at-risk; those with complex medical situations, for these individuals resettlement might be the only option. For refugees who have languished in camps without the right to work, with children denied education, with the daily betrayal of basic human rights, these are the individuals for whom we must stand. We must not let these heinous acts in Paris make us turn our backs on children and families when our opportunity is to welcome refugees in the U.S. We must not forget our own country was founded by refugees fleeing religious persecution.

A Solutions-Based Approach

Based on our experience we have the following recommendations:

1. Support the U.S. Refugee Resettlement Program as a safe, humanitarian and foreign policy operation.
2. Increase funding for the Department of Homeland Security to maintain the integrity of security checks.
3. Increase support for the Office of Refugee Resettlement to enhance the integration of newly arrived refugees.

Continue the U.S. Refugee Resettlement Program because it is safe

As the former Director of the federal Office of Refugee Resettlement I am familiar with the security checks that refugees must undergo prior to their arrival to the U.S. and am confident that our vetting system works. Unlike the current situation in Europe, the U.S. gets to choose which refugees we admit. Refugees coming in through the U.S. Refugee Resettlement Program must pass through a many-layered review which includes an in-depth, in-person interview by well-trained Homeland Security officers; and multiple highly rigorous background checks, including biographic and biometric investigations, using multiple databases. The FBI, DHS, and National Intelligence Agencies each run their own investigation. The security screenings occur at multiple points in the process and there is ongoing, recurring vetting. Syrians also go through an enhanced review with U.S. Customs and Immigration Services. Refugees also pass a health screening to ensure they don't have a contagious medical condition.

Less than 1% of refugees are resettled worldwide. There are more than 4 million Syrian refugees, and the US has resettled a little over 2,000 since the civil war began in 2011. While our resettlement impact has been small, it has demonstrated to other countries the importance of making opportunity for those who cannot return home.

Governors stating they will not allow refugees in their states is un-American and against the law. Profiling and screening solely on the basis of religious or racial characteristics would, in our view, be discriminatory and inappropriate. Freedom of movement is a constitutionally protected right of all persons and it has consistently been upheld by the U.S. Supreme Court. The federal government has the exclusive power to regulate immigration and any state law that conflicts with federal law is illegal according the Supremacy Clause of the Constitution which made federal law "the supreme law of the land." States cannot determine the federal government's refugee policy or prevent people from moving to their states, but governors can make Syrians feel unwelcome -- which would break down a system that relies on community support. From its inception, the U.S. Refugee Resettlement program has been a public/private partnership relying on the welcoming intentions of communities, individuals and states.

USCRI also thanks President Obama for his leadership in continuing to support the resettlement of refugees. USCRI stands with the President's statement that, "The people who are fleeing Syria are the most harmed by terrorism. They are the most vulnerable as a consequence to civil war and strife. We do not close our hearts to these victims of such violence and somehow start equating the issue of refugees with the issue of terrorism."

Increase funding for the Department of Homeland Security to maintain the integrity of security checks

Beginning in 2011, additional security checks were implemented for refugees seeking admission to the United States, resulting in severe disruptions in refugee travel, unclear and erroneous results, and a 'looping' effect where some checks expire while refugees wait in line for the next step in the process. This has made it nearly impossible for many to travel, which can result in further harm as they wait. There are at least three to five different biometric and biographic security checks performed depending on the applicant's age, gender, and country of nationality. The administration should consolidate security checks to replace the current system of overlapping checks that expire while others are conducted. A comprehensive biographic and biometric check acceptable to all agencies would improve efficiency, processing, and the protection of refugees. Also, cases in which one person's checks are holding up their family or cross-referenced case should be told their options so they can make well-informed decisions about their family's future. Additional interview officers will enable the system to maintain its rigorous nature without redundancy and waste. USCRI shares the interest in keeping the refugee program safe as our network of agencies and staff work with refugees every day.

Increase support for the Office of Refugee Resettlement to enhance integration

Resettled refugees make significant economic and cultural contributions to their new communities. An increase in funding for the Office of Refugee Resettlement to ensure adequate, stable and sustainable resources and programing for newly arrived refugees will only improve these outcomes. Ensure that efforts are pursued to encourage and equip refugees for naturalization by increasing the number of civic engagement programs and access to English language training. Congress should strongly consider funding the Matching Grant Program at higher levels. The Match Grant program enables refugees and other eligible individuals to become self-sufficient without resorting to federal or state assistance programs. A variety of programs support newcomers but are without sufficient or secure funding. This includes Ethnic & Community Based Organizations, Preferred Communities, Elderly Programs, Home Childcare, Refugee Agricultural Partnership, Microenterprise, Individual Development Account, Cuban-Haitian, Technical & Training Assistance, and School Impact grants.

The Need to Act

As a nation of immigrants, we know better than most the importance of providing hope and opportunity to those fleeing persecution and expect our government to continue to demonstrate leadership on this issue. We cannot continue to stand by while refugees are in need of life-saving

protection. I welcome any questions or opportunity to meet to discuss the program and our recommendations further. Thank you for your time and consideration.

Attachments:

USCRI Refugee Security Screening Backgrounder

USCRI Refugee Flow Chart

THE U.S. RESETTLEMENT PROGRAM: THE REFUGEE JOURNEY



Becoming a Refugee

Refugees flee their country seeking safety and protection. In most cases, the UN High Commissioner for Refugees (UNHCR) determines that the individual qualifies as a refugee under international law. A refugee is defined as someone who has fled his or her home country and cannot return because he or she has a well-founded fear of persecution based on religion, race, nationality, political opinion, or membership in a particular social group.

Referral to the U.S. for Resettlement

A refugee that meets one of the criteria for resettlement in the United States could be referred to the U.S. Government by UNHCR, a U.S. Embassy, or trained Non-Governmental Organizations. Less than one percent of refugees worldwide gain access to the program.

Resettlement Processing Begins

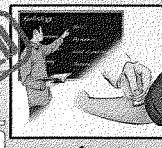
The Resettlement Support Center (RSC) meets with refugees to compile their personal data and background information for the security clearance process and the U.S. Department of Homeland Security's in-person interview.



4

In-Person Interview

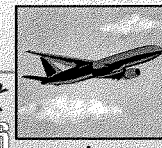
All refugees must undergo an interview with a refugee officer from the DHS' United States Citizenship and Immigration Services (USCIS). A trained refugee officer travels to the host country to conduct a detailed, face-to-face interview with each refugee being considered for resettlement.



5

Post Approval: Orientation and Medical Screening

An approved refugee undergoes a medical screening, is offered cultural orientation, and supplied with a travel loan that must be repaid. The refugee may also undergo final security checks.



6

Travel and Preparations

Every refugee is assigned to a Voluntary Agency in the United States, such as the U.S. Committee for Refugees and Immigrants (USCRI). USCRI places refugees with a local partner agency or office that will assist refugees upon their arrival to the U.S.



7

Arrival and Reception

Upon arrival to the U.S. at a designated airport, a Customs and Border Protection (CBP) officer reviews the refugee documentation. Refugees are met by local resettlement staff and/or family to start a new life in America.

SECURITY SCREENING OF REFUGEES ADMITTED TO THE UNITED STATES: A DETAILED, RIGOROUS PROCESS

Resettlement is considered a durable solution for refugees who cannot return to their countries of origin or integrate into the current country that is hosting them. Resettlement to a country like the U.S. presents a life-saving alternative for a very small number of refugees around the world (less than one half of one percent). Refugees seeking resettlement in the United States must pass through a number of steps aimed at ensuring that they will not pose a security risk to the United States.

—STEP 1

Refugee Status: In most cases the UN High Commissioner for Refugees (UNHCR) determines that the individual qualifies as a refugee under international law. **A refugee is someone who has fled from his or her home country and cannot return because he or she has a well-founded fear of persecution based on religion, race, nationality, political opinion or membership in a particular social group.**

—STEP 2

Referral to the United States: A refugee that meets one of the criteria for resettlement in the United States is referred to the U.S. government by UNHCR, a U.S. Embassy, or a trained Non-Governmental Organization.

—STEP 3

Resettlement Support Center: A Resettlement Support Center (RSC), contracted by the U.S. Department of State, compiles the refugee's personal data and background information for the security clearance process and to present to the U.S. Department of Homeland Security (DHS) for an in-person interview.

—STEP 4

Security Clearance Process: With information collected by the RSC, a number of security checks are conducted. The State Department runs the names of all refugees referred to the United States for resettlement through a standard CLASS (Consular Lookout and Support System) name check. In addition, enhanced interagency security checks were phased in beginning in 2008 and applied to all refugee applicants by 2010.

—STEP 5

Security Clearance Process: Certain refugees undergo an additional security review called a Security Advisory Opinion (SAO). These cases require a positive SAO clearance from a number of U.S. law enforcement and intelligence agencies in order to continue the resettlement process. When required, this step runs concurrently with Step 4.

**Note that under limited circumstances, refugee applicants may be interviewed in their home country rather than in a country of asylum.*



U.S. COMMITTEE FOR REFUGEES AND IMMIGRANTS
2231 Crystal Drive, Suite 350 • Arlington, VA 22202 • Tel: (703)310.1130 • Fax: (703)769.4241
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—STEP 6

Security Clearance Process: Refugees who meet the minimum age requirement have their fingerprints and photograph taken by a trained U.S. government employee, usually on the same day as their DHS interview. The fingerprints are then checked against various U.S. government databases and information on any matches is reviewed by DHS.

—STEP 7

In-person Interview: All refugee applicants are interviewed by an officer from **DHS's U.S. Citizenship and Immigration Services (USCIS)**. A trained officer will travel to the country of asylum* to conduct a detailed, face-to-face interview with each refugee applicant being considered for resettlement. Based on the information in the refugee's case file and on the interview, the DHS officer will determine if the individual qualifies as a refugee and is admissible under U.S. law.

—STEP 8

DHS Approval: If the USCIS officer finds that the individual qualifies as a refugee and meets other U.S. admission criteria, the officer will conditionally approve the refugee's application for resettlement and submit it to the U.S. Department of State for final processing. Conditional approvals become final once the results of all security checks (Steps 4, 5, and 6) have been received and cleared.

—STEP 9

Medical Screening: All refugee applicants approved for resettlement in the U.S. are required to undergo medical screening conducted by the International Organization for Migration or a physician designated by the U.S. Embassy.

—STEP 10

Matching Refugees with a Sponsor Agency: Every refugee is assigned to a Voluntary Agency in the U.S., such as the U.S. Committee for Refugees and Immigrants (USCRI). USCRI will place refugees with a local partner agency or office that will assist refugees upon their arrival in the U.S.

—STEP 11

Cultural Orientation: In addition, refugees approved for resettlement are offered cultural orientation while waiting for final processing, to prepare them for their journey to and initial resettlement in the United States.

—STEP 12

Security Clearance Process: Prior to departure to the U.S., a second interagency check is conducted for most refugees to check for any new information. Refugees must clear this check in order to depart to the U.S.

—STEP 13

Admission to the United States: Upon arrival at one of five U.S. airports designated as ports of entry for refugee admissions, a Customs and Border Protection (CBP) officer will review the refugee documentation and conduct additional security checks to ensure that the arriving refugee is the same person who was screened and approved for admission to the United States.

Acronyms for 11/19/2015 Hearing

ABIS – Department of Defense’s Automated Biometric Identification System

AQI – Al-Qaeda affiliate in Iraq

CBP – United States Customs and Border Protection

CIA – Central Intelligence Agency

CLASS – Department of State’s Consular Lookout and Support System

DHS – United States Department of Homeland Security

EU – European Union

FBI – Federal Bureau of Investigation

FDNS – United States Citizenship and Immigration Services’ Fraud Detection and National
Security Directorate

HHS – United States Department of Health and Human Services

I&A – Department of Homeland Security’s Office of Intelligence and Analysis

IACs – Interagency Checks

IDENT – Department of Homeland Security’s Automated Biometric Identification System

IED – Improvised Explosive Device

INTERPOL – International Criminal Police Organization

ISIL – Islamic State of Iraq and the Levant

ISIS – Islamic State of Iraq and Syria

LAX – Los Angeles International Airport

MENA – Middle East and North Africa

NATO – North Atlantic Treaty Organization

NCTC – National Counterterrorism Center

ORR – Department of Health and Human Service’s Office of Refugee Resettlement

PRM – Department of State’s Bureau of Population, Refugees, and Migration

RSC – Department of State’s Resettlement Service Center

SAOs – Security Advisory Opinions

SIGACTS – United States Army Database for Significant Activities

STATE – United States Department of State

TATP – Acetone peroxide (triacetone triperoxide, peroxyacetone)-based Explosive

TIDE – Terrorist Identities Datamart Environment

TSC – Federal Bureau of Investigation’s Terrorist Screening Center

UNHCR – United Nations High Commission for Refugees

UNICEF – United Nations Children’s Fund

USCIS – United States Citizenship and Immigration Services

USCRI – United States Committee for Refugees and Immigrants

USRAP – United States Refugee Admissions Program

USRRP – United States Refugee Resettlement Program

VWP – Visa Waiver Program



Written Statement of Asian Americans Advancing Justice

Senate Committee on Homeland Security & Governmental Affairs

Hearing on “The Impact of ISIS on the Homeland and Refugee Resettlement”

November 19, 2015

Asian Americans Advancing Justice (Advancing Justice) is a national partnership of five non-profit, non-partisan organizations that work to advance the human and civil rights of Asian Americans and Pacific Islanders (APIs) through advocacy, public policy, public education, and litigation. We are based in Washington D.C., Atlanta, Chicago, Los Angeles and San Francisco.

We appreciate this opportunity to submit a statement concerning today’s hearing on America’s refugee policies. The overwhelming majority of Asian Americans today are immigrants or the children of immigrants. Many Asian immigrants came and still come to the United States as refugees due to volatile conditions, war or strife in their countries of origin. Between 1975 and 2006, the United States admitted 1,306,355 East Asians as refugees to the United States, more than half of the total 2,671,012 refugee population. Asian refugees increased in recent years and now many Burmese and Bhutanese nationals come to the United States as refugees. For example, in 2011, more than half of new refugees arriving in the United States are from Burma and Bhutan combined. As a result of our own community’s experience, we are deeply committed to strong and robust humanitarian protections for refugees and asylum-seekers.

Around the world, more than 60 million individuals are displaced from their homes. Due to the Syrian crisis alone, more than eight million people are internally displaced and four million are seeking refuge in the region and in Europe. Seventy-six percent of these refugees are women and children. Advancing Justice is deeply disappointed that this Committee chose to focus today on the alleged “terrorist” threat from refugees. We call upon this Committee to use this opportunity to discuss how the United States can welcome more people fleeing harm and provide better support for refugees already in our communities, rather than closing our doors.

Since 9/11, and even before, immigrants have been unfairly targeted for suspicion of terrorism or other threats to national security. In 2002, the Department of Homeland Security established the National Security Entry-Exit Registration System (NSEERS) program, requiring male visa-holders over the age of 16 from predominantly Arab and Muslim countries to register with local immigration offices. Around 84,000 Arab and Muslim men registered voluntarily and over 14,000 of them were deported for complying with the program, sending shockwaves through Arab and South Asian communities. Many individuals who came forward and registered under

the NSEERS program were detained and deported for infractions of immigration law, principally overstaying a visa. While the NSEERS program was rolled back in 2011, thousands of Arab and South Asians are still battling removal proceedings as a result of the initiative, and the religious fear politics of 9/11 continues to be used to justify discrimination against Arab, Middle Eastern, Muslim and South Asian individuals.

Moreover, we have seen a continuation of these overreaching government policies that rely on the pretext of national security to unfairly target the communities we serve. For example, we have learned that DHS has adopted a de facto policy of flatly denying parole and imposing disproportionately high bond to Bangladeshi asylum seekers fleeing political persecution as members of the opposition Bangladesh National Party (BNP), which DHS claims without credible basis is a Tier III terrorist organization. Even putting aside the hypocrisy of this position in light of the fact that the U.S. was an ally of the BNP when it was Bangladesh's ruling party as recently as in 2004,¹ DHS's position is a prime example of why we must question a rush to judgment that entire refugee populations are somehow suspect as terrorist threats.

Concerns about national security have also more broadly and directly affected refugees and asylum-seekers. In 2009, Human Rights First reported at the time "over 7,500 cases pending before [DHS] are on indefinite hold based on some actual or perceived issue relating to the immigration law's 'terrorism'-related provisions."² Further, the "overwhelming majority" of those cases on hold were family reunification petitions or applications for permanent residence filed by people granted asylum or refugee status several years ago.³

Given that many of today's displaced persons and refugees are from Syria and other predominantly Muslim countries, we are disappointed that today's hearing appears to be triggered by unfounded concerns about the motivations or intentions of refugees and asylum-seekers from certain countries. The refugee resettlement program is already the most difficult way to enter the United States, routinely taking individuals several years to be processed. All refugees undergo thorough and rigorous security screenings prior to arriving in the United States, including but not limited to multiple biographic and identity investigations; FBI biometric checks; in-depth, in-person interviews by Department of Homeland Security officers; medical screenings; investigations by the National Counterterrorism Center, and other checks by U.S. domestic and international intelligence agencies. In addition, other measures such as mandatory supervisory review of all decisions, random case assignment, and forensic document testing are in place to maintain the security of the refugee resettlement program.

Our existing immigration laws related to terrorism are overly broad and unfairly deny relief to many otherwise eligible individuals seeking shelter. While we must protect against real threats to

¹ See, e.g., OFFICE OF THE COORDINATOR FOR COUNTERTERRORISM, U.S. DEP'T OF STATE, 2004 COUNTRY REPORTS ON TERRORISM 72-73 (2005), available at <http://www.state.gov/documents/organization/45322.pdf> (noting that in 2004, Bangladesh supported the global war on terror and that the United States was assisting Bangladesh's capacity to combat terrorism).

² Human Rights First, "Denial and Delay: The Impact of Immigration Law's 'Terrorism Bars' on Asylum Seekers and Refugees in the United States," (November 2009), available at <https://www.humanrightsfirst.org/wp-content/uploads/pdf/RPP-DenialandDelay-FULL-111009-web.pdf>.

³ *Id.*

national security and public safety, we should not let fear and prejudice guide our decisions about whom to welcome to America.

Sadly, in the aftermath of recently deadly and brutal attacks in Paris, Beirut and Baghdad, even limited efforts by the United States to resettle more Syrian refugees in the United States are being met with a brutal political backlash designed to incite fear and foment hate. Since the attacks, dozens of governors have declared they will not help resettle Syrian refugees in their states. And it appears the House will vote this week to temporarily halt the admission of Syrian and Iraqi refugees.

We must be careful not to act impulsively in response to this violence; instead we must have a measured and focused response more likely to actually address the root cause. The security of our country and its residents is paramount. But the kneejerk response of many, to blame refugees, does not reflect our country's history and values. Advancing Justice strongly urges this Committee to devote its time and resources to developing strong policies that promote the human rights, peace and security of people across the globe.



The American-Arab Anti-Discrimination Committee

Statement for the Record on the

The Impact of ISIS on the Homeland and Refugee Resettlement

before the

U.S. Senate Homeland Security and Governmental Affairs Committee

November 19, 2015

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To: Senator Ron Johnson, Chairman of Homeland Security and Governmental Affairs

Introduction

I am writing to you on behalf of the American-Arab Anti-Discrimination Committee (ADC), the country's only national Arab-American organization. ADC has a long history of supporting the human and civil rights of all Americans and opposing racism, discrimination and bigotry in any form. ADC was founded by former U.S. Senator James Abourezk in 1980. Today, ADC is the largest grassroots Arab-American civil rights and civil liberties organization in the United States. ADC is non-profit, non-sectarian, and non-partisan, with members in every State of the United States. ADC routinely works with a broad coalition of national organizations to address immigration, refugee, and humanitarian crisis in the Middle East and Arab region. ADC respectfully takes this opportunity to provide a statement for the record to U.S. Senate Homeland Security and Governmental Affairs Committee on *Refugee Resettlement in the United States*.

Statement

The fact that a number of governors have rejected Syrian refugees does not demonstrate any concrete fact or reliable evaluation of anything but their decision to cave into sensationalized propaganda aimed to cultivate fear. Our governmental agencies – the U.S. Department of Homeland Security (DHS), the Federal Bureau of Investigations (FBI), the Department of Defense (DOD), and the National Counterterrorism Center (NCTC) have the capacity to properly screen refugees prior to entrance into the United States.¹ “The length and thoroughness of the U.S. vetting system sets it apart from the chaotic, dangerous process for refugees fleeing into Europe by sea,” said Geoffrey Mock, the Syrian country specialist for Amnesty International USA.² Actually, the United States has one of the most comprehensive and vigorous in-depth security check processes, if not the top in the world, for screening refugee applications. Contradictory positions are merely opinion unfounded in objective reliable reports.

The United Nations Refugee Agency conducts an extensive vetting process that can take several months to a year with multiple levels of clearances before the U.S. vetting and security checks process even begins. These strict security measures have also been drastically enhanced in the past few years, including but not limited to required biometrics processing – eye scans and fingerprinting, collection of all biographical data, thorough interviews in person, and the cross-checking of asylum applicant names through a variety of government databases. The U.N. Refugee Agency security scrutiny applied to refugee applications referred to the U.S. is not conduct to refugees seeking refugee status in Europe, the vetting occurs after their entry.

¹ See U.S. Refugee Admission Program, <http://www.state.gov/j/prm/ra/admissions/index.htm>.

² See Linda Qiu, *Jeb Bush: 'It takes almost a year for a Refugee to be processed in the United States'*, POLITICOFACT, Nov. 15, 2015.



The numerous and vast strictly enforced security measures are beyond adequate and efficient to protect the security of the United States.³ Upon referral of a refugee application from the U.N. Refugee Agency, the U.S. makes the ultimate determination of whether the U.S. will accept or allow the refugee to enter the U.S. Multiple federal agencies – DOD, DHS, FBI, NCTC, the U.S. Citizenship and Immigration Services agency and the U.S. Department of State are intricately involved in the rigorous review process of each and every refugee application. The U.S. decided which refugee applications to approve and which refugee applications to deny.

DHS conducts several security checks and interviews overseas to make sure refugees meet the legal definition for a refugee – requiring demonstrable proof that were persecuted or feared persecution in their home country. Plus additional strenuous security provisions have been put in place for special screening and vetting of Syrian refugees that requires a minimum of 18-24 months for Syrian refugees to be fully examined.⁴ Syrian refugees as coming from an active war zone are scrutinized at the highest level security analysis⁵, where multiple checks are conducted on all biographical information and biometrics, and cross-referenced with the DOD, DHS, among other intelligence agencies to assure true identity and criminal background. There is also a pre-departure check that is conducted against accepted refugee's right before their scheduled travel to the U.S. and health testing done by the U.S Department of Health and Human Services.⁶

Syrian refugees must meet the basic requirements like all refugees and are subject to the same bars. Refugee applications will be denied and/or barred from refugee status where applicants have been involved in terrorism, torture, extrajudicial killings, genocide, acts that qualify as serious violent felonies under U.S. law, or engaged in fraud or misrepresentation of a material fact to gain admission to the U.S.⁷ The U.N. and U.S. governmental agency vetting process has been applied and used to aid refugees seeking safe haven from other similarly situated war torn and labeled "dangerous countries", whom nationals have also been subjected to terrorism, including but not limited to Iraq, the Democratic Republic of Congo, Somalia, and the Central African Republic.

The strict security measures demonstrate that the terminology "safety and security" is being used as a tool to limit refugees because of anti-Arab sentiment and Islamophobia. "Empirically,

³ Syrian Refugees Eyeing America See Long Waits and Extensive Vetting, WALL STREET JOURNAL, Nov. 9, 2015, http://www.wsj.com/video/syrian-refugees-eyeing-america-see-long-waits-and-extensive-vetting/4F0CA055-6E95-42DA-821F-15873247B4C1.html?mod=WSJ_VideoCarousel_1.

⁴ Elise Foley, Refugee Screenings Are More Intensive Than Some Politicians Would Have You Think, Huff Post, Nov. 17, 2015, http://www.huffingtonpost.com/entry/refugee-screening-process-syrians_564b55eccc4b045bf3df0e7.

⁵ Refugees seeking safe haven as nationals from Eastern Europe and Asian have not been forced to undergo such scrutiny as Syrian refugees.

⁶ Office of Refugee Resettlement, <http://www.acf.hhs.gov/programs/orr/programs/refugee-health>.

⁷ Bars & Security Screening in the Asylum & Refugee Processes, HUMAN RIGHTS FIRST, <http://www.humanrightsfirst.org/wp-content/uploads/HRF-Security-Safeguards.pdf>.



historically, we don't see terrorists trying to embed people in refugee flows exactly because they are so highly vetted," agreed Gary Shiffman, former chief of staff for Customs and Border Protection at DHS and the CEO of Giant Oak, a company that analyzes large data sets to help address terrorism and crime problems.⁸ Congress must uphold its responsibility to help the millions of people that have been forced to flee their homes in Syria since 2011 to escape indiscriminate violence, ongoing civil war, rape, torture, and death. We are undisputedly facing a global refugee crisis that requires the United

States to provide safe haven. There are over 4 million registered Syrian refugees and 8 million Syrians internally displaced. The United States has only accepted 1,600, less than 1 percent of the entire need, with 20,000 pending Syrian refugee referrals from the United Nations Refugee Agency. By contrast, Germany has said that it will accept 800,000 refugees in 2016 and is willing to accept 500,000 more each year for the next few years. Jordan has provided safe harbor to half a million Syrian refugees. The United States has committed to accepting at least 10,000 Syrian refugees in the next fiscal year, but much more is needed. This is a crucial time for the United States to take the leadership role in the international community during the largest humanitarian crisis in recent history and encourage other nations to pull their weight and responsibility.

Congressional actions that contradict and/or attempt to undermine the purpose and existence of the refugee program including but not limited to H.R. 3999⁹ and H.R. 3573¹⁰, to save human lives, through measures to effectively shut down the refugee program and/or engage in national origin and/or religious profiling of refugee applications must be prohibited. Both H.R. 3999 and H.R. 3573 are in direct violation and/or contrary to the 1951 U.N. Convention Relating to the Status of Refugees and the 1967 Protocol Relating to the Status of Refugees policy of non-discrimination, non-penalization, and non-refoulement.¹¹ The aforementioned U.N. Convention recognized as customary international law, and the Immigration and Nationality Act § 101(a)(42) demand and reinforce the fundamental principle that refugee status be applied without discrimination. Refugee status is granted and/or extended to provide temporary protection in the U.S. for all persons subjected to persecution or in fear of persecution based on a protected characteristic including religion and national origin. The United States cannot pick and choose based upon a person's race, national origin, or religion whether to grant refugee status. How can we single out and treat people differently who are seeking protection for their very lives for the

⁸ Rachel Oswald, GOP, Democrats Gear Up to Clash Over Refugee Program, CQ NEWS, Nov. 12, 2015.

⁹ American Security Against Foreign Enemies (SAFE) Act of 2015, H.R. 3999, <http://docs.house.gov/bills2015/1116/BILLS-114hr-AI-Foreign.pdf>.

¹⁰ Refugee Resettlement Oversight and Security Act of 2015, H.R. 3573

<https://www.congress.gov/114/bills/hr3573/BILLS-114hr3573ih.pdf>.

¹¹ <http://www.unhcr.org/3b66c2aa10.html>.



exact same reason? All Syrian and Iraqi refugee lives must be protected and are worth saving, not only Syrian Christians and Iraqi Christians.

Terrorism and the threat of terrorism are not solely confined to a particular country or religion. However, H.R. 3999 specifically signals out refugees coming from Syria or Iraq as requiring unanimous certification by the Secretary of DHS, the Director of the FBI, and the Director of National Intelligence to Congressional committee that the refugee accepted by the federal agency is not a threat to the security of the U.S. This is clearly an attempt by Congressional members to add additional burdens to elongate, and prevent refugee resettlement, and to create more bureaucratic loopholes and hurdles. As the requested federal intelligence and government agencies are already required to and enforce through their respective strict policies and procedures multiple cross-security checks to verify and assess the national security risk of each refugee. In addition, U.S. immigration law bars entry from the U.S. for any person “who is believed to be seeking to enter the U.S. to engage in unlawful activity” and “people who have been associated with a terrorist organization and intend to engage in activities in the U.S. that could endanger the welfare, safety, or security of the U.S.”

The Refugee Resettlement Oversight and Security Act of 2015, H.R. 3573 if enacted would amend the INA to limit and effectively prohibit the number of refugees allowed to enter the U.S. where there is an unwillingness or inability to work together. The language of H.R. 3573 prohibits the acceptance of refugees approved through the federal agencies screening process unless a joint resolution is enacted into law by Congress that sets the number of refugees for the fiscal year. This is seriously troubling for several reasons: 1) the U.S. needs the flexibility to be able to sufficiently respond to refugee crisis and humanitarian needs as they fluctuate and/or an unanticipated armed conflict, war, genocide and/or environmental disaster occurs, and not be confined to a specific number; and 2) where there is not bipartisanship, politics will determine whether or not we can provide a safe haven to refugees fleeing for their lives, rather than capacity and feasibility.

Section 5 of H.R. 3573 goes further and impermissibly authorize selective discrimination on the basis of religion, by providing that refugees from religious minority groups are given preferential treatment and are prioritized for entry. Not only is this impermissible but refugee eligibility on the basis of persecution because of one’s religion is already provided for and identified as a protected characteristic. This demonstrates that the underlying intention of this provision and the legislation overall is to allow only for Christian refugees to be granted entrance into the U.S., which is fairly due to Islamophobia and improper correlation of Islam with terrorism.



Conclusion

All Syrian refugees fear ISIS and terrorism as much if not more than Americans, like any human being. Syrian refugees are the daily targets and victims, suffering immense direct persecution by ISIS. The only difference is their chance of birth in a country that cannot protect them. Syrian refugees have been forced to live under siege, military invasions, plane and suicide bombings, rubble and destruction – terrorism – many for most of their lives. From World War II to Vietnam, America has always opened its doors to those in need of safe harbor, welcoming half a million refugees from Cuba and three quarters of a million from Vietnam, and today should be no different.



STATEMENT OF THE AMERICAN IMMIGRATION COUNCIL
SUBMITTED TO THE U.S. SENATE HOMELAND SECURITY AND GOVERNMENT
AFFAIRS COMMITTEE
HEARING ON “THE IMPACT OF ISIS ON THE HOMELAND AND REFUGEE
RESETTLEMENT”

November 19, 2015

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The American Immigration Council is a non-profit organization which for over 25 years has been dedicated to increasing public understanding of immigration law and policy and the role of immigration in American society. We write to share our analysis and research regarding refugees coming to the United States and the many safeguards already in place.

As set forth in our publication, “*An Overview of U.S. Refugee Law and Policy*” (November 18, 2015) (Attachment A), the United States plays an important role in protecting thousands of the world’s most vulnerable people. The United States is one of 28 countries that resettles refugees. A refugee is a person who either has been persecuted or has a “well-founded fear” of persecution on the basis of race, religion, nationality, membership in a particular social group, or political opinion.¹ This definition derives from the United Nations 1951 Convention and 1967 Protocols relating to the Status of Refugees, which the United States became a party to in 1968.²

Responding to the Syrian Refugee Crisis

The violence and devastation in Syria has led to the largest number of refugees since World War II. As of September 2015, the United States had taken in 1,500, or less than 0.03 percent of the total in need.³ This seems like a small number for such a large nation with a long history of welcoming those fleeing persecution. President Obama and Secretary of State Kerry have signaled that the United States will respond more robustly. The President has directed his Administration to accept 10,000 Syrian refugees in Fiscal Year 2016 and to increase the

¹ 8 U.S.C. § 1101(a)(42)(A) (2015).

² Convention and Protocol Relating to the Status of Refugees, United Nations High Commissioner for Refugees, available at, <http://www.unhcr.org/3b66c2aa10.html>.

³ Michael Gordon; Alison Smale; Rick Lyman, “U.S. Will Accept More Refugees As Crisis Grows,” New York Times, September 20, 2015, available at; <http://www.nytimes.com/2015/09/21/world/europe/us-to-increase-admission-of-refugees-to-100000-in-2017-kerry-says.html>.

number of overall refugees to 85,000 from the current level of 70,000.⁴ Although the Council believes that more must be done,⁵ it is important that the United States remains steadfast in its commitment to providing refuge to those most in need.

Following the attacks that took place in Paris just days ago, some have called for denying entry to Syrian refugees. This is the wrong approach. Syrian refugees are fleeing exactly the kind of terror that unfolded on the streets of Paris. The attacks in Paris sadly reflect the volatile times in which we live. Punishing refugees will not change this. The United States must respond to this crisis by carrying on our long history of welcoming those fleeing such dire situations. As former Secretary of State Madeleine Albright reflected, in response to proposals to halt the refugee program:

These proposals are motivated by fear, not by the facts, and they fly in the face of our country's proud tradition of admitting refugees from every corner of the globe and every faith background. We have always been a generous nation, and we have in place a rigorous process for refugee resettlement that balances our generosity with our need for security. It works, and it should not be stopped or paused.⁶

The United States Has a Rigorous Screening Process In Place

The United States has established a rigorous screening process for refugees coming to our country. Before admission as a refugee, a person must pass through an extensive 13 step screening process that usually takes between 18 and 24 months.⁷ This process includes having fingerprints and a photograph taken by the U.S. government, an in person interview with the Department of Homeland Security (DHS), two different interagency security background checks, a medical screening, and a final security check by Customs and Border Protection (CBP).⁸ We currently have systems in place to ensure the safety and security of our nation, while also fulfilling our humanitarian obligations around the world.

Post Arrival Steps

Although refugees are provided assistance in order to support their transition into the country, they are expected to have a job within six months of arrival. Refugee men who have recently arrived are employed at a higher rate than native born (67 percent to 60 percent respectively),

⁴ Proposed Refugee Admissions for Fiscal Year 2016, U.S. Department of State, available at <http://www.state.gov/j/prm/releases/docsforcongress/247770.htm>.

⁵ The Immigration Council has joined a broad coalition of organizations to urge the President to increase the number of refugees that we resettle to 200,000 for FY 16, with 100,000 of them being Syrian. As we explain, "After the end of the wars in Southeast Asia, the United States resettled 111,000 Vietnamese refugees in 1979 and then essentially doubled that number to 207,000 in 1980. The United States' rising to the occasion now would both encourage European nations to live up to their refugee protection obligations, and help to prevent further deterioration in the protection climate in the countries bordering on Syria that are currently hosting millions of Syrian refugee."

⁶ Madeleine Albright, "Madeleine Albright: ISIS Wants Us to Think Refugees Are the Enemy," Time Magazine, November 17, 2015, available at <http://time.com/4117333/madeleine-albright-refugees/>.

⁷ U.S. Committee For Refugees and Immigrants, "Security Screening of Refugees Admitted to the United States: A Detailed, Rigorous Process," available at <http://www.rcusa.org/uploads/pdfs/Refugee%20resettlement%20-%20step%20by%20step%20USCRI.pdf>.

⁸ Id.

and refugee women are employed at the same rate as native women.⁹ Many refugees go on to make substantial contributions to the U.S. economy and their communities. As the Migration Policy Institute noted, “Most refugee populations in the United States have integrated well, becoming productive residents and, often, citizens who enrich their communities and their new country. From Albert Einstein to Google co-founder Sergey Brin, refugees often give back much more than they take.”¹⁰

⁹ Randy Capps, Kathleen Newland, Susan Fratzke, Susanna Groves, Michael Fix, Margie McHugh, and Gregory Auclair, “The Integration Outcomes of U.S. Refugees: Successes and Challenges,” Migration Policy Institute, June 2015, available at, <http://www.migrationpolicy.org/research/integration-outcomes-us-refugees-successes-and-challenges>.

¹⁰ Kathleen Newland, “The U.S. Record Shows Refugees Are Not A Threat,” Migration Policy Institute, October 2015, available at; <http://www.migrationpolicy.org/news/us-record-shows-refugees-are-not-threat>.



An Overview of U.S. Refugee Law and Policy

The United States passed its first official refugee legislation to address the plight of displaced Europeans following World War II. Most refugees are displaced from their country of origin to a neighboring country, and then resettled to a third country through international organizations. The United States resettles more refugees than any other country, refugees who go on to contribute to our communities and our economy.

What is a refugee?

A refugee, as defined by Section 101(a)(42) of the Immigration and Nationality Act (INA), is a person who is unable or unwilling to return to his or her home country because of a “well-founded fear of persecution” due to race, membership in a particular social group, political opinion, religion, or national origin. This definition is based on the [United Nations 1951 Convention and 1967 Protocols](#) relating to the Status of Refugees, which the United States became a party to in [1968](#). Following the Vietnam War and the country's experience resettling Indochinese refugees, Congress passed the Refugee Act of 1980, which [incorporated](#) the Convention's definition into U.S. law and provides the legal basis for today's U.S. Refugee Admissions Program (USRAP).

A person who meets the definition of a refugee, but who applies for this status from *within the United States*—either when they are seeking admission at a port of entry or after they have already entered the country in a different status or without status—is an asylee. The United States processes asylees differently than those who enter the country in refugee status; that process is not addressed in this fact sheet.

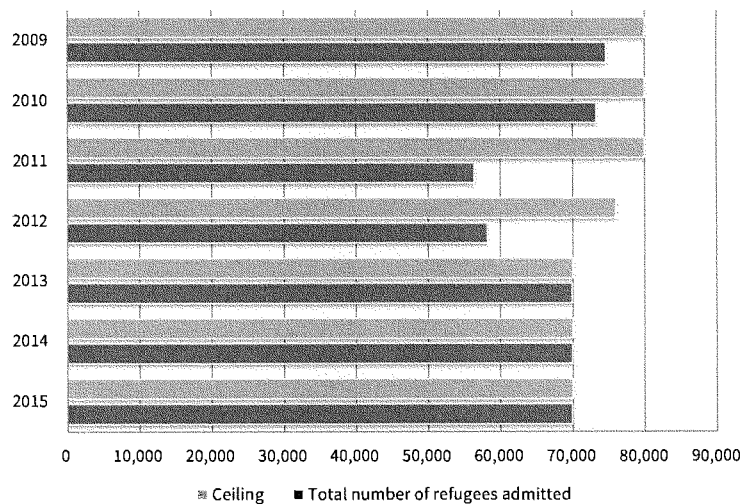
How many refugees are there in the world?

- According to [UNHCR](#), at the end of the 2014 there were an estimated 14.4 million refugees (a 19 percent growth from the previous year). According to [2015 statistics](#), it is estimated that there are over 4.2 million Syrian refugees.
- The [top origin countries](#) for refugees in 2013 were Afghanistan (2.6 million), Syria (2.5 million) Somalia (1.1 million), Sudan (650,000), the Democratic Republic of the Congo (499,600), and Myanmar (480,000).

How many refugees does the United States admit?

Each year the President, in consultation with Congress, determines the numerical ceiling for refugee admissions. For Fiscal Year (FY) 2016, the proposed [ceiling is 85,000](#).

Refugee Ceilings and Admitted Refugees to the United States, FY 2009-2015



(Source: [Refugee Processing Center](#))

- Over one-third of all refugee arrivals ([35.1 percent](#), or 24,579) in FY 2015 came from the Near East/South Asia—a region that includes Iraq, Iran, Bhutan, and Afghanistan.
- Another third of all refugee arrivals ([32.1 percent](#), or 22,472) in FY 2015 came from Africa.
- Over a quarter of all refugee arrivals ([26.4 percent](#), or 18,469) in FY 2015 came from East Asia — a region that includes China, Vietnam, and Indonesia.

How does the U.S. refugee resettlement process work?

The Refugee Admissions Program is jointly administered by the Bureau of Population, Refugees, and Migration (PRM) in the Department of State, the Office of Refugee Resettlement (ORR) in the Department of Health and Human Services (HHS), and offices within the Department of Homeland Security (DHS). U.S. Citizenship and Immigration Services (USCIS) within DHS conducts refugee interviews and determines individual eligibility for refugee status in the United States.

There are [three principal categories](#) for classifying refugees under the U.S. refugee program:

- **Priority One.** Individuals with compelling persecution needs or those for whom no other durable solution exists. These individuals are referred to the United States by UNHCR, or they are identified by a U.S. embassy or a non-governmental organization (NGO).

- **Priority Two.** Groups of “special concern” to the United States, which are selected by the Department of State with input from USCIS, UNHCR, and designated NGOs. Currently, the groups include certain persons from the former Soviet Union, Cuba, Democratic Republic of Congo, Iraq, Iran, Burma, and Bhutan.
- **Priority Three.** The relatives of refugees (parents, spouses, and unmarried children under 21) who are already settled in the United States may be admitted as refugees. The U.S.-based relative must file an Affidavit of Relationship (AOR) and must be processed by DHS.

Before admission to the United States, each refugee must undergo an extensive interviewing, screening, and security clearance process conducted by Regional Refugee Coordinators and overseas Resettlement Support Centers (RSCs). To qualify, individuals generally must not already be firmly resettled in any other country. Not everyone who falls into the three preceding categories is admitted to the United States.

- The INA requires most prospective refugees to prove their individual case of “well-founded fear,” regardless of the person’s country, circumstance, or classification in a priority category.
- Refugees are subject to the grounds of exclusion listed in Section 212(a) of the INA, including health-related grounds, moral/criminal grounds, and security grounds. They may also be excluded for polygamy, misrepresentation of facts on visa applications, smuggling, and previous deportations. Waivers exist for certain grounds of exclusion.

After a refugee has been conditionally accepted for resettlement, the RSC sends a request for assurance of placement to the United States, and the Refugee Processing Center (RPC) works with private voluntary agencies (VOLAG) to determine where the refugee will live. Refugees resettled in the United States do not need to have a U.S. “sponsor.” If a refugee approved for admission does have a relative living in the United States, every effort will be made to place the refugee near his or her relative.

- If a person is accepted as a refugee for admission to the United States, it is conditioned upon the individual passing a medical examination and all security checks.
 - According to a Human Rights First report, the processing times of the U.S. refugee resettlement program “can be quite prolonged, leaving some refugees stranded in dangerous locations or in difficult circumstances.” According to the Department of State the entire process can take an average of 18-24 months to complete. These issues have improved in recent years; in a 2014 report, the Obama Administration cited “interagency coordination and processing procedures” as one of the reasons for increased admissions.

Once this assurance of placement has been secured and medical examinations and security checks have been completed, RSCs work together with the International Organization for Migration (IOM) to schedule and arrange refugee travel to the United States.

- Before departing, refugees sign a promissory note to repay the United States for their travel costs. This travel loan is an interest-free loan that refugees begin to pay back six months after arriving in the country.
- Upon receipt of the IOM travel notification, the VOLAG arranges for the reception of refugees at the airport and transportation to their housing at their final destination.

What happens once refugees arrive?

- A VOLAG is responsible for assuring that most services are provided during the refugee's first 90 days in the United States. They arrange for food, housing, clothing, employment counseling, medical care, and other necessities.
- One year after admission, a refugee may apply for Lawful Permanent Resident ("LPR") status. If they adjusted to LPR status, they may petition for naturalization five years after their arrival in the United States.
- In FY 2014, new refugee arrivals went to 46 states. Top recipient states were California (3,068), Michigan (2,753), Texas (2,462), Illinois (1,064), and Arizona (973).
- Refugees are expected to have a job within six months of arrival. Refugee men who have recently arrived are employed at a higher rate than native born (67 percent to 60 percent respectively), and refugee women are employed at the same rate as native women.



AMERICAN
IMMIGRATION
LAWYERS
ASSOCIATION

Statement of the American Immigration Lawyers Association

Submitted to the Senate Committee on Homeland Security and Governmental Affairs

**November 19, 2015 hearing
“The Impact of ISIS on the Homeland and Refugee Resettlement”**

Contact:

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The American Immigration Lawyers Association (AILA) is the national association of immigration lawyers established to promote justice and advocate for fair and reasonable immigration law and policy. AILA has over 14,000 attorney and law professor members.

The world is witnessing the largest refugee crisis since World War II, with an estimated 60 million people currently forcibly displaced from their homes due to war, civil conflict, and persecution who are seeking safety either within their countries or in other countries. By itself, the civil war in Syria has forced over 4 million Syrians to flee as refugees into neighboring countries, and within Syria, nearly 12 million people are displaced internally.

Following the violent, tragic attacks in Paris and Beirut last week, some of our nation’s leaders are calling for the suspension of the U.S. refugee resettlement program or a ban on Syrian refugees. These refugees are fleeing exactly the kind of terror that unfolded last week and deserve international protection from persecution. We urge Congress not to pass legislation that would impose such restrictions on the U.S. refugee program which saves thousands of lives every year.

The U.S. refugee program already has a rigorous security screening process. Before being selected and brought to the U.S., refugees undergo screening that involves multiple agencies, checks with government intelligence and security databases, and in-person interviews—a process that typically takes two years or more. This process minimizes the risk that someone intending to do harm would ever enter the U.S. through the refugee program. In fact, not a single reported act of terrorism has been committed on U.S. soil since the refugee program was begun in 1975.

Protecting Syrian refugees

Each day, thousands of Syrians make the terrifying decision to flee having borne witness to the destruction of their homes and neighborhoods, and the senseless killing of their family, friends, and neighbors. According to the U.N., more than half of all Syrian refugees are under the age of 18. Children fleeing this horrible violence are at risk of falling ill, becoming malnourished, and being abused and exploited. The perils of remaining in Syria are so great that many risk

everything to make the dangerous journey to safety. In 2015, more than 2,500 refugees have died in the Mediterranean trying to attempt the journey.

On September 10, 2015, the Obama Administration pledged to resettle 10,000 Syrian refugees for the fiscal year 2016. This was a welcome step, but only an initial step that must be followed by a more comprehensive plan to protect the millions in need. Other smaller and less affluent countries across the Atlantic are hosting far greater numbers of Syrian refugees, with a total of about 4 million being hosted in Turkey, Lebanon, Jordan, and Iraq. Several European countries have stepped up as well, most notably Germany, which committed to accepting 35,000 Syrian refugees, in addition to Syrian asylum seekers.

The United States has the capacity to resettle at least 200,000 refugees in a single year. In 1980, the U.S. government accepted over 200,000 Vietnamese refugees, and in other years, similarly high numbers from Cuba, Northern Iraq, and Kosovo.¹ Our nation has always been a beacon of hope for those fleeing persecution and oppression, and we should accept far more than the 85,000 total refugees planned for the next year. AILA calls upon our nation's leaders to increase our resettlement of refugees worldwide to 200,000 for the current fiscal year beginning October 1, 2015. Of that total number, 100,000 should be refugees from Syria.

Rigorous security and background checks for refugees

Some commentators have recommended that the United States place additional restrictions on the refugee resettlement program to ensure national security and public safety. Since the terrorist attacks of September 11, 2001, the U.S. government has implemented a detailed and rigorous security screening process for all refugees who are candidates for resettlement to the United States. These security protocols are extremely rigorous, and it is unnecessary for Congress to mandate additional measures.

First, refugees are referred to the U.S. by the UNHCR, a U.S. embassy, or a trained non-governmental organization. Refugees then undergo a series of biometric and investigatory background checks, including collection and analysis of personal data, fingerprints, photographs, and other background information, all of which is checked against government databases. All refugees must also appear for a detailed interview by trained DHS personnel. Where any security concerns exist, refugees must undergo additional screening by way of a Security Advisory Opinion, which requires clearance from multiple U.S. law enforcement and intelligence agencies before resettlement may be approved.

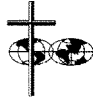
Stopping fearmongering against Muslims

In the media and public discourse, a dangerous sentiment against those of Muslim faith is taking hold. Some have suggested that the U.S. refugee resettlement program should exclude Muslims outright or prioritize other religious groups. Such a change to our laws and traditions would be a terrible mistake. Restricting refugee protection to certain faiths would be inconsistent with U.S. and international asylum law which do not discriminate against any religious group. Exclusion of Muslims from the U.S. resettlement program would leave thousands of people who have suffered horrific violence and persecution at the hands of ISIS or other warring factions without

¹ The United States resettled 111,000 Vietnamese refugees in 1979 and then doubled that number to 207,000 in 1980.

humanitarian protection. We call upon Congress to demonstrate leadership by speaking out against the scapegoating of any group during this time of crisis.

AILA supports efforts to increase the capacity of DHS and the Department of State to process security and background checks for Syrian and other refugees so they can be efficiently cleared for resettlement. It is imperative that our country take the lead when responding to the global refugee crisis, and not close its doors to Syrian and other refugees. We should be setting a benchmark for the rest of the world. The United States has a proud history as a global humanitarian leader, one that has protected refugees from every part of the world. We must not retreat from this legacy when confronted with these recent violent attacks. Instead we must demonstrate the strength of our beliefs and renew our commitment to humanitarian protection worldwide.



COLUMBAN CENTER FOR ADVOCACY AND OUTREACH

Lessons from the Paris Terrorist Attacks: Ramifications for the Homeland and Refugee Resettlement

In the Wake of Attacks in Paris, Beirut and Baghdad

We Urge Justice and Compassion, Not Vengeance and Hatred

The Columban Center for Advocacy and Outreach joins with people of all religious traditions to condemn the recent terrorist attacks in Paris, Beirut and Baghdad, and offer our deepest condolences to the families of the victims and survivors. We pray for an end to the senseless violence in Syria, which has claimed the lives of hundreds of thousands of people these past four years.

For many years now, and in many countries, Columbans have worked with migrants and refugees, offering them hospitality and assistance as they seek to build a new life in a foreign country. In the United States, the Columban Mission Center in El Paso, TX has welcomed unaccompanied minors and migrants fleeing the violence in Central America and Mexico, while the Columban Center for Advocacy and Outreach in Washington DC continues to work for comprehensive immigration reform.

In recent months, hundreds of thousands of Syrian refugees have fled the violence in their home to seek refuge in Europe. They should not be punished for the acts of terrorists who have taken advantage of the refugee route to commit heinous crimes in other nations. We urge our political leaders and fellow citizens in all nations to open their hearts and borders to the millions of Syrian refugees who have fled their homes in search of safety and asylum.

The refugees are not our enemy: they are our sisters and brothers, families with children, people like us who seek safety and shelter in a time of crisis.

These refugees are victims of the same terrorist violence that killed hundreds of innocent people this past weekend. We must respond to them with justice and compassion, not vengeance and hatred. We must bring to justice those who committed these heinous crimes, but let us also welcome their victims with compassion.

And let us not forget so soon the message of Pope Francis on his recent visit to the United States, when he reminded us:

"Our world is facing a refugee crisis of a magnitude not seen since the Second World War. This presents us with great challenges and many hard decisions."

Columban Center for Advocacy and Outreach * 415 Michigan Avenue NE, Suite 225 * Washington DC 20017



COLUMBAN CENTER FOR ADVOCACY AND OUTREACH

"All too often, those most in need of our help are unable to be heard. You are their voice, and many of you have faithfully made their cry heard."

"In this witness, which frequently encounters powerful resistance, you remind American democracy of the ideals for which it was founded, and that society is weakened whenever and wherever injustice prevails."

We urge our fellow citizens, religious and political leaders alike, to not turn our backs on the Syrian refugees.

Since the beginning of the conflict, nearly 12 million Syrians have fled their homes. This amounts to nearly half of the country's population, who are now deprived of their basic rights to shelter and adequate housing, security and human dignity. More than 4 million people, most of them women and children, are staying in neighboring countries, and a further 8 million people are believed to be internally displaced.

We urge President Obama and the leaders of Congress to not close our doors to the Syrian refugees. Now more than ever they need our support. Let us respond with justice and compassion.

Ending the war and saving lives must be our top priority. To that end, a return to internationally mediated negotiations is imperative in order to pursue a political transition to a free and democratic state.

But while the war continues, and refugees flee their homes to protect their lives and the lives of their families, we must not turn them away from our borders, or punish them for the acts of the very terrorists from whom they are fleeing.

Remember, as Pope Francis reminded us, we too were once foreigners in a foreign land. Let us not be afraid to respond with justice and compassion.

Rev. Timothy Mulroy, SSC
U.S. Regional Director
Missionary Society of St. Columban

The Missionary Society of St. Columban is a Catholic missionary order founded in 1918.

"As missionary disciples of Jesus, we are called to heal, reconcile, build bridges, and create mutual understanding through prophetic dialogue. Our commitment to inter-cultural and inter-faith dialogue, solidarity with marginalized people and the exploited earth are ways we participate in God's mission. Our proclamation of the Gospel of Jesus challenges us to build communities of peace."

Columban Center for Advocacy and Outreach * 415 Michigan Avenue NE, Suite 225 * Washington DC 20017



MEMORANDUM

**CRCNA Statement to the U.S. Senate Committee on Homeland Security and Governmental Affairs,
pertaining to its hearing on Lessons from the Paris Terrorists Attacks: Ramifications for the
Homeland and Refugee Resettlement
Thursday, November 19, 2015**

As Executive Director of the Christian Reformed Church in North America, I lament the attacks in Beirut, Baghdad, and Paris on November 12 and 13 and would like to express my grief for the victims and their families.

In the wake of these attacks, anti-refugee sentiment has greatly increased throughout the world. Refugees -- who are fleeing from the violence of terrorism -- should not be scapegoated for these extreme acts of violence. As Christians, we must speak clearly and loudly: we are called to welcome the stranger, protect the vulnerable, and love fearlessly. We are called to respond with love even amidst our fear.

The world is still facing the largest refugee crisis in recorded history. We must continue to have compassion for the vulnerable individuals fleeing conflict in Syria. Refugees already go through security screenings that can take up to 1,000 days; unnecessary additions to the process would be neither compassionate nor caring.

The Christian Reformed Church has a long history of welcoming the vulnerable and helping to resettle refugees in safe communities. The CRCNA pledges to fully participate in resettling Syrians of all religions during this current crisis as it has done with refugees from Iraq, Afghanistan, Cambodia, Cuba, Vietnam, and elsewhere.

Sincerely,

Dr. Steve Timmermans
Executive Director, CRCNA

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**Statement Submitted by the Center for Victims of Torture to the
U.S. Senate Homeland Security and Government Affairs Committee
“The Impact of ISIS on the Homeland and Refugee Resettlement”
November 19, 2015**

The Center for Victims of Torture (CVT) welcomes the opportunity to submit a statement for this timely and important hearing on the impact of ISIS and refugee resettlement. CVT provides healing services to survivors of torture and severe war atrocities at its clinics in the United States, the Middle East and Africa and engages in training and capacity building initiatives in support of torture survivor rehabilitation programs worldwide. CVT’s largest program serves urban refugees in Jordan. In 2015, CVT provided inter-disciplinary counseling, physical therapy and social work services to over 1,000 Syrian and Iraqi refugees who come to us with severe psychological and physical wounds resulting from torture and other traumatic experiences.

As the Senate Homeland Security and Government Affairs Committee considers the impact of ISIS as it relates to refugees being resettled to the United States, CVT urges the honorable members of the Committee to not conflate the victims of terrorist activities and/or mass government-sponsored atrocities with the perpetrators of such horrific acts. At all of CVT’s programs that are helping survivors heal from severely traumatic experiences associated with war, violence, terrorism and government repression, we see the impacts of such horrors every day.

CVT abhors the brutal and inhumane tactics that have been employed in the course of the Syrian and Iraqi conflicts and by terrorist organizations with roots or bases in Syria and/or Iraq, including but not limited to ISIS. We stand in solidarity with efforts to bring perpetrators of torture, war crimes and other human rights violations on all sides of the conflict to justice. We also support measures to ensure that the United States is not a safe haven for human rights violators and that the U.S. refugee resettlement program is not exploited as a way for terrorists to enter the United States. At the same time, we believe that national security protections and a robust refugee resettlement program are not mutually exclusive.

The Syrian and Iraqi Refugee Crises

As the conflict in Syria shows few signs of subsiding and its spill-over effects are increasingly evident—including through the rise and expansion of ISIS and the escalation of violence in Iraq—the levels of suffering, damage and despair throughout the region are immense. The UN High Commissioner for Refugees (UNHCR) reports that over 4 million Syrians are registered as refugees, with the majority in Turkey, Lebanon and Jordan.¹ The UN Office for the Coordination of Humanitarian Affairs (OCHA) estimates that 6.5 million people are displaced internally in Syria, with 13.5 million people in need of

¹ U.N. High Commissioner for Refugees: Syrian Regional Refugee Response, July 15, 2015, <http://data.unhcr.org/syrianrefugees/regional.php>.

humanitarian assistance.² Throughout the region, people are scrambling to survive. Iraqi refugees who fled to Syria in the mid-2000's have seen their new communities in Syria destroyed and are facing displacement again. Syrians who fled to Iraq in 2012 and 2013 are being forced to flee from violence there. Iraqis who may have returned when the country began to appear more stable are being forced back into exile in neighboring countries or displaced internally. OCHA reports estimates of more than 3.2 million people internally displaced within Iraq and 8.7 million people in need of humanitarian assistance.³

Without the prospect of returning home in the near future and conditions for refugees in highly strained host communities ranging from challenging to hostile to impossible, refugees are becoming more frustrated and more desperate.⁴ At CVT's program in Jordan, clients report that life is extraordinarily challenging for refugees. One CVT client commented, "We are like the living dead here." Work authorization is highly restricted and most refugees in Jordan do not have permission to work legally and earn a living. Simultaneously humanitarian assistance is being reduced or cut, leaving refugees in an impossible situation of having neither the means nor the opportunity to meet their basic needs of shelter, food, medical assistance and education. A CVT staff member in Jordan explained, "Syrians are feeling anger and frustration. Before they had the belief about returning, now they are stuck and they don't know what to do."

U.S. Refugee Resettlement Program: A Lifeline for Refugees in Need

The needs of Syrian and Iraqi refugees cannot be ignored. As part of this, the United States must substantially increase the number of Syrians it resettles in the coming years. Refugee resettlement not only helps address the immediate protection needs of some of the most vulnerable of refugees, it is also a vital component of international-responsibility sharing.

For example, "Amal's"⁵ family has been severely affected by the war in Syria:

Amal's oldest son was killed in an attack on his car while attempting to flee Syria. Two of her younger children have also suffered war-related injuries—her 19 year old suffers from a severe back injury that prevents him from being able to carry heavy objects. Her 7 year old was shot in the head and now has a facial disfigurement that will require specialized medical attention to repair. Her husband and two oldest sons—ages 19 and 21—were arrested in a neighborhood sweep, even though they were never involved in any opposition activities. They were imprisoned for four months. During that time, officers tried to force them to "confess" but they had nothing to confess. When her husband returned home, he was severely malnourished and looked hollow. They hit him with rods and pipes on his hands. He'd been beaten so much that his teeth were all broken and his thumbs were fractured.

The family was once quite rich and prosperous in Syria. Amal's husband was a business owner in Damascus. They lost everything— their home was destroyed by a rocket attack on their neighborhood. After their home was destroyed, they spent 6 months internally displaced in Syria prior to arriving in

² U.N. Office for the Coordination of Humanitarian Affairs: Syrian Arab Republic Crisis Overview, November 2015, <http://www.unocha.org/syria>.

³ U.N. Office for the Coordination of Humanitarian Affairs: Iraq Crisis Overview, November 2015, <http://www.unocha.org/iraq>.

⁴ CARE International in Jordan, Five Years into Exile: The challenges faced by Syrian refugees outside camps in Jordan and how they and their host communities are coping, June 30, 2015, <http://www.care-international.org/uploaddocument/news/publications/english/care%20five%20years%20into%20exile%20exec%20summary%202015%20print%20final%20recut.pdf>.

⁵ Written informed consents for use of client stories are on file with CVT. Names have been changed to protect confidentiality.

Jordan. The family's journey to Jordan was very difficult – there were rockets and bombs everywhere, forcing them to travel late and in the dark. The family is suffering in Jordan—they feel dehumanized, dependent and hopeless about the future. Amal wants to be resettled so that her children can have opportunities and get an education.

Similarly, “Sayeed” believes his family’s only hope will come through resettlement to a third country:

Sayeed is the father of four from Homs, Syria. Prior to the war, he owned a thriving business and lived a comfortable life with his family. He participated in early peaceful demonstrations in 2011—holding signs and leading the crowd in pro-democracy, pro-freedom chants. Intelligence officers taking photos during the demonstration turned him in and, in the middle of the night, he was attacked his home. He was arrested a few months later at a regime checkpoint and held in prison for seven months. For the first two months in prison, he was tortured daily—beaten with cables, forced to raise his hands for up for 90 minutes, forced to strip naked and subjected to sexual torture, chained to his core and hung from the ceiling, and burned with cigarettes. After being released, his family obtained Jordanian visas and fled Syria. Life in Jordan is very difficult. They are not allowed work and the limited UNHCR support they receive is not enough – his family can’t afford basic necessities. They lost everything they had in Syria. His only hope is that in the future his family can be resettled to a third country.

The United States can—and must—help families like Amal’s and Sayeed’s, who are full of hope and potential yet lost everything in Syria and now lack options and opportunities. The United States can do this while simultaneously protecting national security. In fact, USRAP’s eligibility criteria and scrutiny are so rigorous at each stage that refugees are the most thoroughly screened people to travel into the United States. Prior to being admitted, all refugees undergo a series of meticulous security screenings conducted by the U.S. government. These checks include multiple biographic and identity investigations; FBI biometric checks of fingerprints and photographs; in-depth, in-person interviews by specialized and well-trained Department of Homeland Security officers; medical screenings; and other checks by U.S. domestic and international intelligence agencies including the National Counterterrorism Center and National Security Council.⁶

The commitment by the Obama Administration to resettle 85,000 refugees in FY 2016, including at least 10,000 Syrian refugees, is a step forward. Thus far, the United States has only resettled 1,854 Syrian refugees.⁷ Nevertheless, given the scale and severity of refugee needs globally, current U.S. resettlement goals are still far more modest than the number of people the United States can and should welcome. CVT continues to call on the United States to resettle 200,000 refugees in FY 2016 with 100,000 of them being Syrian.

⁶ Center for American Progress, “Infographic: The Screening Process for Entry to the United States for Syrian Refugees,” <https://www.americanprogress.org/issues/immigration/news/2015/11/18/125812/infographic-the-screening-process-for-entry-to-the-united-states-for-syrian-refugees/>.

⁷ New York Times, “Paris Attack Intensifies Debate Over How Many Syrian Refugees to Allow into the U.S.,” <http://www.nytimes.com/interactive/2015/10/21/us/where-syrian-refugees-are-in-the-united-states.html>, November 16, 2015.



**CWS Statement to the U.S. Senate Committee on Homeland Security & Government Affairs pertaining to its hearing
The Impact of ISIS on the Homeland and Refugee Resettlement
 Thursday, November 19, 2015**

As a 69-year old humanitarian organization representing 37 Protestant, Anglican and Orthodox communions and 33 refugee resettlement offices across the country, Church World Service urges the Committee, as it discusses Syrian refugees, to affirm the importance of the U.S. refugee resettlement program, which has the most robust screening procedures in the world. CWS urges all Senators to reject any proposals that would stop the resettlement of Syrian refugees or put at risk vital funding for refugee protection overseas and resettlement in the United States.

Syria is experiencing the worst humanitarian crisis the world has seen in twenty years, with approximately four million refugees and eight million internally displaced persons. Roughly three-quarters of those displaced are women and children. Lebanon, Jordan, Turkey, Iraq and Egypt currently host more than three million Syrian refugees. This crisis is complex and requires a variety of solutions, including refugee resettlement, which plays a strategic role in alleviating pressure on host countries in the region, demonstrating international leadership, and providing durable solutions and opportunities for a new life for vulnerable populations fleeing persecution. While less than one percent of the world's estimated 19.5 million refugees are resettled to a third country, resettlement saves lives and also helps encourage other countries to provide durable solutions for refugees within their borders, including local integration.

The United States is one of 28 countries that resettles refugees. The U.S. Refugee Admissions Program (USRAP) is a public-private partnership that helps rescue refugees who have no other means of finding safety. To be considered a refugee, individuals must prove that they have fled persecution due to their nationality, ethnicity, religion, political opinion or membership in a particular social group. Refugees face three options: return to their home country, integrate in the country to which they first fled or be resettled to a third country. For the millions who are unable to return home due to significant threats to their safety and rejection by the country to which they first fled, resettlement is the last resort. While traditionally a world leader in refugee resettlement, the United States has only resettled about 2,000 Syrian refugees. During World War II, the United States admitted more than 650,000 displaced Europeans, and following the fall of Saigon, annual resettlement numbers ranged from 100,000 to more than 200,000 throughout the 1980s.

The refugee resettlement program is the most difficult way to enter the United States, routinely taking individuals longer than 1,000 days to be processed. Security measures are intrinsic to the integrity of the refugee program, and over the years, the U.S. government has continuously fine-tuned the system to maximize domestic security. All refugees undergo thorough and rigorous security screenings prior to arriving in the United States, including but not limited to multiple biographic and identity investigations; FBI biometric checks of applicants' fingerprints and photographs; in-depth, in-person interviews by well-trained Department of Homeland Security officers; medical screenings; investigations by the National Counterterrorism Center; and other checks by U.S. domestic and international intelligence agencies.

In addition, mandatory supervisory review of all decisions; random case assignment; inter-agency national security teams; trained document experts; forensic testing of documents; and interpreter monitoring are in place to maintain the security of the refugee resettlement program. Due to technological advances, Syrian refugees are also undergoing iris scans to confirm their identity through the process. Thus, refugees are the most vetted individuals to travel to the United States.

U.S. communities, schools, congregations, and employers welcome refugees and help them integrate in their new homes. In turn, refugees contribute to their new communities with their innovative skills, dedicated work, and inspiring perseverance. Through the Matching Grant Program, 80% of refugees find employment and become self sufficient within their first four to six months in the United States, an impressive success rate during an economic downturn and given the difficulty of learning a new language and rebuilding one's life in a new country. Refugees provide substantial contributions to the workforce and to local economic development. Many refugees are highly skilled and obtained high levels of education in their home countries. Additionally, refugees frequently begin successful business ventures after resettling in the United States and participate in civic engagement activities to give back to their new communities.

CWS calls on Congress to support resettlement as a lifesaving program and affirm the need to increase the resettlement of Syrian refugees during this time of crisis. Proposals to stop the resettlement of Syrian refugees are reminiscent of sobering times in this nation's history, when U.S. law specifically prohibited persons of Chinese descent from immigrating to the United States, when the coastguard returned Jewish people back to Germany during the Holocaust, and when the military imprisoned Japanese Americans in internment camps. History will judge us all in this moment, when we had the opportunity to stand in solidarity with the victims of ISIS and work together to defeat hate, or to instead turn our backs on them in cruel irony. We call on our elected officials to stand with the millions of Americans across the country who are donating to help refugees abroad and volunteering to welcome refugees in their communities. CWS stands committed to working with both chambers of Congress and the Administration to resettle Syrian refugees as part of the implementation of our foreign policy and humanitarian responsibilities. We urge all Senators to support these efforts to provide safety to vulnerable refugees from Syria and beyond.



DISCIPLES HOME MISSIONS STATEMENT
TO THE U.S. SENATE HOMELAND SECURITY COMMITTEE, FOR THE NOV. 19, 2015 HEARING ON:
THE IMPACT OF ISIS ON THE HOMELAND AND REFUGEE RESETTLEMENT

As a North American Christian faith movement of over 600,000 which was birthed on the American frontier, our congregations have long cherished the principle of freedom of religion for communities of all backgrounds. We are grateful to be part of a faith tradition that has spoken again and again of our key faith value of welcoming the stranger despite religious or cultural background. Since WWII, the Christian Church (Disciples of Christ) in the U.S. and Canada has worked through our Disciples Home Missions office of Refugee & Immigration Ministries, in partnership with Church World Service, to resettle over 40,000 refugees in the past six decades.

Now, in these days when our world is facing the worst humanitarian crisis since the end of World War II, we reaffirm strongly our readiness to continue to embrace refugees, and to welcome them without exclusion. We are ready to do so because we are called to love our neighbor as ourselves. Indeed, in light of the reality of over 60 million displaced persons and 20 million refugees in the world, we urge congress to support a greatly increased number of refugee arrivals in the coming years. We are aware that Secretary of State Kerry has requested the U.S. to resettle 85,000 overall refugees in 2016 and 100,000 in 2017.

Instead, we strive for a greater goal of hospitality—one which our history has shown is attainable through strong community and government partnerships. We believe that, just as the U.S. admitted over 650,000 European refugees during WWII, and between 100,000-200,000 Southeast Asian refugees for over a decade and a half after the Vietnam War, we are capable now to safely admit even greater numbers than the recommended 85,000 in 2016 and 100,000 in 2017. We also urge Congress to expedite the processing of Syrian refugee applications, and improve refugee admissions processes to reduce waiting times for long-suffering families. Further, we recognize that the multiple existing levels of refugee security screenings mean refugees are the most heavily scrutinized of all arrivals into the United States. This amount of security is appropriate and of greatest importance. However, we encourage Congress to take note that refugees are the most thoroughly vetted group of people who ever enter the United States, with rigorous screenings that engage the Dept. of Homeland Security, FBI, Dept. of Defense, and multiple intelligence agencies. We must support these screenings, while at the same time continuing to welcome refugees who have the same enemy of "ISIS".

In our international partnerships in mission, we have consistently observed families struggling desperately to stay together, and even to remain alive, because of the spiral of violence in their homelands. We commend the U.S. commitment of \$4.5 billion to the region. Yet, as we encourage other international communities to increase their contributions, we advocate for the U.S. to offer additional humanitarian aid to counter root causes in the Middle East, where the majority of refugees remain. Together with multiple faith partners, we urge that a negotiated solution to the Syria crisis be made a top U.S. diplomatic priority, and that armed involvement of partners must cease, together with provision of arms, and training of opposition groups.

We see many Christians, Muslims, Jews, and families of other faiths persecuted. As we support relationships of peace and solidarity across religious divides internationally, we are absolutely opposed to any legislation here in the U.S. that would prioritize Christian refugees at the expense or rejection of Muslim refugees and individuals of other faiths. Rather, we must counter anti-Muslim sentiment at every turn—allowing us to offer protection to Syrian refugees who are our world's most vulnerable. By so doing, we will welcome opportunities for relationship with hard working doctors, lawyers, teachers, business owners, coaches, pastors, imams.

There is a moral challenge directly before us. Our congregations are calling us constantly, expressing their willingness to help house, teach English, mentor, employ, and surround the world's most vulnerable people. Members of Congress, we urge you to do all you can to open these doors of opportunities for the world's most vulnerable persons—and we are ready to continuing to partner in welcoming all who come to our shores.



Franciscan Action Network

Transforming the World in the Spirit of St. Francis and St. Clare

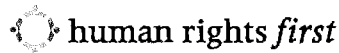
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FAN Statement to the House Judiciary Committee for its November 19, 2015 Hearing: Lessons from the Paris Terrorist Attacks: Ramifications for the Homeland and Refugee Resettlement

Franciscan Action Network, with 50 institutional members and approximately 12,000 Franciscans across the United States, religious and lay men and women, primarily but not totally Catholic, urges an increase in resettlement of refugees in fiscal year 2016, especially for Syrian refugees fleeing from violent conflict. With over 60 million displaced people around the world, the United States resettled fewer than 70,000 refugees this past fiscal year. Secretary of State John Kerry announced plans for our country to resettle 85,000 refugees in fiscal year 2016 and 100,000 in fiscal year 2017. This increase is very modest compared with the number of 650,000 displaced Europeans during World War II, and, following the fall of Saigon, annual resettlement numbers ranging from 100,000 to 200,000 during the 1980's.

Resettlement security measures are integral to the United States program and the government continually fine-tunes the program to maximize domestic security. All refugees undergo rigorous security screenings. Through the Matching Grant program, 80 % of refugees find employment and become self-sufficient within six months, an impressive rate of integration which also involves learning a new language. Many refugees are highly skilled and educated. Resettlement saves lives and also helps to encourage other countries to provide for refugees within their borders.

As a faith based organization, FAN heeds the call of the Scriptures and our church leaders to welcome the stranger, especially families who are fleeing violence in their home countries. We have special concern for Syrian refugees, yet the United States has resettled only 1,700 refugees from Syria. We call on our government to admit 100,000 Syrian refugees over and above annual resettlement numbers. And we urge members of Congress to heed the message of Pope Francis when he visited our country, to put a human face on the numbers of refugees.



HUMAN RIGHTS FIRST
Written Statement for
Senate Homeland Security Committee
342 Dirksen Senate Office Building
November 19, 2015

The Impact of ISIS on the Homeland and Refugee Resettlement

We are pleased to submit this statement on behalf of Human Rights First. Human Rights First works in the United States and abroad to promote a secure and humane world by advancing justice, human dignity and respect for the rule of law. Human Rights First is an independent advocacy organization that challenges America to live up to its ideals. We are a non-profit, nonpartisan international human rights organization with offices in New York, Washington D.C., and Houston, Texas.

For over 30 years, we've built bipartisan coalitions and teamed up with frontline activist and lawyers to tackle issues that demand American leadership, including the protecting of the rights and refugees who flee persecution. Protecting the persecuted is a core American value. Reflecting this country's deep-seated commitment to liber and human dignity, as well as its pledge under the 1951 Refugee Convention's Protocol, the United States has long led efforts to protect those who flee from political, religious and other persecutions.

The world is facing the largest refugee crisis since World War II and needs American leadership. The United States can protect its security while also protecting refugees from persecution. Human Rights First has condemned the brutal terrorist attacks in Paris. In the wake of those attacks, the United States should remain true to its ideals and commitment to protect refugees who have fled persecution and violence. Refugees are more closely vetted than any other group coming to the United States. As further detailed in attached fact sheet, the current system of background and security checks for Syrian refugees being resettled to the United States is the most rigorous vetting process applied to any people

coming to the United States. The U.N. High Commissioner for Refugees first registers refugees, interviews them, takes biometric data and background information. These refugees—overwhelmingly women and children—have been living in Jordan, Turkey or other frontline refugee-hosting countries for years, struggling to survive. The U.S. government then conducts its own extremely rigorous screening process, including health checks, repeated biometric checks, several layers of biographical and background screening, and interview conducted abroad by specially-trained Department of Homeland Security officers. Multiple agencies are involved, including the FBI's Terrorist Screening Center, the State Department, DHS, the National Counterterrorism Center, Department of Defense, and U.S. intelligence agencies. DHS has added an additional country-specific layer of enhanced review for Syrian refugee applications, which includes extra screening for national security risks.

A halt or “pause” in the U.S. resettlement system would send exactly the wrong message to the world—including to U.S. allies and to the refugees who have already been waiting for years in our resettlement process. U.S. allies in the Middle East, including Jordan and NATO ally Turkey, have been struggling for years to host Syrian refugees. They need the United States, the global resettlement leader, to launch a meaningful and robust resettlement initiative for Syrian refugees. This effort is already long overdue.

Globally about 60 million people have been forced to flee their homes. Over 4 million Syrians have fled their country, and many have been stranded for years in neighboring countries where they can't work, cannot support their families, have little access to education, and face shortages in food and other assistance due to massive underfunding of UN humanitarian aid appeals. Syria's neighbors, faced with overwhelming refugee numbers and inadequate international support, have made it more difficult for refugees to enter to seek protection or extend their stays. Meanwhile, the fighting and violence within Syria has intensified, leaving refugees with little hope that they will be able to safely return.

Many are turning to dangerous routes to reach places of safety where they can rebuild their lives. Hundreds of thousands have embarked on risky journeys in an attempt to reach Europe.

How the United States addresses this refugee crisis, particularly in the wake of the Paris terrorist attacks, will be a critical test for U.S. leadership. The United States has played a leading role in providing humanitarian assistance, giving over \$4 billion to relief efforts both within Syria and in neighboring countries. This is consistent both with U.S. leadership on humanitarian relief and its strategic interest in preventing further destabilization of the region. But the U.S. government can and should do more, including by using its unique position as a global leader to champion the protection of refugees trying to flee from Syria and to launch a meaningful resettlement initiative.

The United States has not launched a significant resettlement initiative that would demonstrate to Syria's neighbors a real commitment to share in hosting at least some of Syria's refugees and would encourage other resettlement states to follow suit. A meaningful resettlement initiative, in addition to providing a future to the individual refugees and families it would directly assist, should be seen as part of a broader effort to increase the protection space available to Syrian refugees in the region and globally.

Such a response would also help support the stability of refugee hosting states in the region including key U.S. allies like Jordan. As Ambassador Ryan Crocker pointed out this week in a [piece](#) in the Wall Street Journal: “Increased assistance would protect the stability of a region home to U.S. allies, including Jordan, NATO's Turkey and Lebanon, all of which are hosting refugees. The infrastructure—

water, sewage, medical care and education—of these states is overwhelmed. A major resettlement and aid initiative can relieve that strain. But left unaddressed, the strain will feed instability and trigger more violence across the region, which will have consequences for U.S. national security.”

The United States has long been a leader in protecting refugees and has typically resettled about half of the refugees identified as in need of resettlement each year. The United States has only resettled about 1,800 Syrian refugees since the Syrian conflict began nearly five years ago. Turkey, Jordan and Lebanon are hosting about 4 million Syrian refugees. Meanwhile Germany has announced it can host 800,000. This level of U.S. response falls far short of global leadership, and our resettlement process is much too slow, often taking two years or longer.

The United States must lead, and lead by example. Not only is it the right thing to do, but it is strategically smart. In addition to supporting Europe, a stronger refugee response will promote the stability of states bordering Syria including key U.S. allies in the region such as Jordan.

In light of this global emergency situation, we urge the United States to lead a comprehensive global initiative in partnership with European and other states to improve access to protection for refugees.

We urge the President and Congress to:

1. **Reject Efforts to Halt or “Pause” Refugee Resettlement.** Jordan, Turkey, and U.S. allies in Europe need the United States to lead global efforts to resettle refugees and to improve the pace and scale of U.S. resettlement efforts. Practically speaking, pausing a program that is already moving at a snail’s pace would be devastating. It would also exacerbate the crisis in Europe by signaling that the United States is pulling back on its already minimal resettlement efforts, prompting more refugees to try to reach Europe given the lack of timely and orderly routes to refuge. With respect to the American Safe Act, it would also prolong the already lengthy waits facing Iraqi refugees, including those who are at risk due to their work with the U.S. government or U.S. organizations and media. It would effectively shut down the resettlement of refugee families from the Syria and Iraq region, at least for months or years, and create an unworkable “certification” requirement that would make it nearly impossible to resettle any refugee families from the region given the level of bureaucratic coordination and time this process would require from very high level officials.
2. **Increase Resettlement and other Routes to Protection.** The United States should lead a global initiative that includes many countries to resettle Syrian refugees. The United States should increase its own resettlement commitment to 100,000 Syrian refugees and implement more expeditious routes to protection for Syrian refugees with family in the United States and other at-risk refugees. In the next month, the administration should appoint a high-level coordinator in the White House to oversee the refugee response. This officials should be tasked with securing significant improvements in the pace of the U.S. resettlement program. The U.S. should press other countries to sharply increase resettlement or other admission routes, and call on the European Union to create safe and legal ways for refugees to reach Europe. Over the next six months, the United States should review and reform its delay-plagued resettlement process to be more timely and effective without compromising security.

3. **Meet humanitarian assistance goal.** The United States should lead a global push to secure 100% funding of the UN's humanitarian appeal for the Syria crisis, set a strong example by further stepping up its contribution to cover a higher percentage of the appeal, significantly increase development funding for refugee-hosting countries, press wealthy states to increase contributions and develop longer term strategies for meeting the front-line needs of refugees and hosting communities.
4. **Champion protection for refugees.** The United States should encourage states in the region neighboring Syria – and in Europe and beyond - to respect the human rights of refugees and migrants, including to allow refugees to work to support their families, to educate children, to facilitate access to higher education, and to respect obligations to protect people from arbitrary detention and return to persecution.
5. **Redouble efforts to find effective multilateral solutions to the political and security crisis in Syria** and to address the human rights abuses causing so many people to flee in search of protection.

The U.S. Conference of Catholic Bishops, leading Jewish groups, major faith-based groups, and even the Pope have called on the United States to respond to this refugee crisis. Human Rights First and other leading organizations focused on refugee protection and refugee resettlement have called on the administration to resettle at least 100,000 Syrian refugees in fiscal year 2016. Various national security professionals including national security experts and officials who served in both democratic and republican administrations have called on the United States to lead by example to commit to resettling 100,000 refugees.

The United States has always led in time of international crises. This country should continue to be a beacon on human rights. Human Rights First believes that America is strongest when our policies and ideals match our actions.



human rights *first*

American ideals. Universal values.

FACT SHEET: November 2015

Refugee Resettlement - Security Screening Information

Refugees to the United States are more stringently screened and vetted than any other group allowed to enter the country.

The U.N. High Commissioner for Refugees first registers refugees, interviews them, takes biometric data and background information. These refugees—overwhelmingly women and children—have been living in Jordan, Turkey or other frontline refugee-hosting countries for years, struggling to survive. UNHCR has data from its regular interactions with these refugees over the years. Resettlement helps support the stability of nations that are key U.S. allies, as they are straining under the pressure of hosting so many refugees. Only those who pass the U.N. assessment are referred to the United States for resettlement. At least 18,000 have already been through the U.S. process and are awaiting U.S. government consideration and review.

The U.S. government then conducts its own extremely rigorous screening process, including health checks, repeated biometric checks, several layers of biographical and background screening, and in-person interviews by specially-trained officers. Multiple agencies are involved, including the FBI's Terrorist Screening Center, the State Department, the Department of Homeland Security, the National Counterterrorism Center, the Department of Defense and U.S. intelligence agencies. DHS has added an additional country-specific layer of review for Syrian refugee applications, which includes extra screening for national security risks.

Secretary Jeh Johnson outlined this process in Congressional testimony in October 2015:

"With regard to the current refugee crisis, the U.S. is committed to providing refuge to some of the world's most vulnerable people, while carefully screening refugees for security concerns before admitting them to the United States. The reality is that, with improvements to the process we have made over time, refugees are subject to the highest level of security checks. DHS works in concert with the Department of State, the Department of Defense, the National Counterterrorism Center, and the FBI's Terrorist Screening Center for the screening and vetting of refugees. The U.S. Government conducts both biographic and biometric checks on refugee applications, including security vetting that takes place at multiple junctures in the application process, and even just before arrival to account for changes in intelligence. All refugees admitted to the United States, including those from Syria, will be subject to this stringent security screening. Acting on my direction, USCIS has developed additional protocols to aid in the identification of security concerns with regard to the Syrian population, and the entire Department, along with the interagency, is committed to continual improvement of overall security vetting, as new techniques or sources of information are identified."

More specifically, the U.S. refugee vetting process for Syrian refugees includes the following elements as outlined by Department of Homeland Security officials:

- **Department of Homeland Security Interviews:** Refugees are interviewed by DHS-USCIS officers to determine whether or not they can be approved for resettlement to the United States. These interviews are conducted while refugees are still abroad.
- **Consular Lookout and Watch List Check:** Biographic checks are conducted against the State Department's Consular Lookout and Support System (CLASS)—which includes watch list information.

- **Security Advisory Opinions from Intelligence and Other Agencies:** DHS seeks Security Advisory Opinions (SAOs) from law enforcement and intelligence communities for cases that meet certain criteria.
- **National Counterterrorism Center Checks with Intelligence Agency Support:** Interagency checks, known as "IAC's," are conducted with the National Counterterrorism Center (NCTC) 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, and recurrent vetting was added in 2015 so that 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 provided to DHS.
- **DHS and FBI Biometric Checks:** Fingerprints are screened against the vast biometric holdings of the Federal Bureau of Investigation's Next Generation Identification system, and are screened and enrolled in DHS's Automated Biometric Identification System (IDENT). Through IDENT, the applicant's fingerprints are screened not only against watch list information, but also for previous immigration encounters in the United States and overseas—including cases in which the applicant previously applied for a visa at a U.S. embassy.
- **Department of Defense Biometric Screening:** Biometric screening is also conducted through the Department of Defense (DOD) Automated Biometric Identification System (ABIS). ABIS contains a variety of records, including fingerprint records captured in Iraq. ABIS screening has been expanded to refugee applicants of all nationalities who fall within the prescribed age ranges.
- **Enhanced Review for Syrian Cases:** In addition to the many biometric and biographic checks conducted, DHS-USCIS has instituted additional review of Syrian refugee applications. Before being scheduled for interview by a DHS-USCIS officer (while the refugee is still abroad), Syrian cases are reviewed at DHS-USCIS headquarters. All cases that meet certain criteria are referred to the DHS-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 is used by the interviewing officer to inform lines of inquiry related to the applicant's eligibility and credibility. DHS-USCIS reports that FDNS engages with law enforcement and intelligence community members for assistance with identity verification and acquisition of additional information.
- **Additional Screening Checks on Entry:** When they travel to the United States, refugees are subject to screening conducted by DHS-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.

Additional Resources:

- The *Wall Street Journal* in a [video](#) outlines the steps a refugee must go through to reach the United States.
- The *New York Times* in an [interactive map](#) shows where Syrian refugees currently reside.
- [Condoleezza Rice](#): In Alabama said she hopes America can remain "open and welcoming" to refugees fleeing violence in the world, including Syria
- [David Miliband](#): "There are many ways to come to the United States. Comparatively the refugee resettlement program is the most difficult short of swimming the Atlantic."
- [Fran Townsend](#): "There are no easy answers in Syria, but it's time to stop acting as if the problems there are too hard or too complicated. While we cannot right the wrong of the current policy failure, it is still possible to act now to both alleviate the consequent suffering and mitigate the potential future."
- [Governor Nikki Haley](#): "These are people who have protected our troops, these are people who have been persecuted for being Christian ... these are people who we took in because they were unsafe where they were."
- Finally, **states cannot unilaterally block resettlement.** Governors do not have the legal authority to determine who lives in their states. When refugees are legally admitted to the United States they have the right to move freely throughout the country.

Statement by Gainesville FL Interfaith Alliance for Immigrant Justice

To the Senate Hearing **Lessons from the Paris Terrorist Attacks:
Ramifications from the Homeland and Refugee Resettlement**

November 19, 2015

The Gainesville, Florida, Interfaith Alliance for Immigrant Justice has previously asked Congress to increase the number of Syrian refugees offered a refuge in the United States to at least 100,000 and we now respectfully repeat that request and not limit the number of refugees admitted to this country any further.

The Gainesville City Commission is actively seeking to make Gainesville a Welcoming City for people from around the world and building strong community support for Welcoming Refugees. Our Interfaith Alliance for Immigrant Justice has developed a network of faith leaders from the Jewish, Christian, and Muslim communities who are committed to providing hospitality for as many Syrian refugees as may be sent here. We have firm offers for housing, jobs, and other support from business and other community leaders. We have a full-time staff person ready to direct this welcoming project.

We ask you not to turn your backs on Gainesville, Florida, whose citizens of many faiths and none are united in welcoming strangers who are victims of war and in rejecting every form of religious bigotry.



Written Statement for the Record

**Submitted by Jennifer Sime, Senior Vice President, U.S. Programs
International Rescue Committee**

To, U.S. Senate Committee on Homeland Security and Governmental Affairs

For the Hearing: "The Impact of ISIS on the Homeland and Refugee Resettlement"

November 19, 2015

In the wake of the horrific attacks in Paris last Friday, the United States has shown the very best of America's compassion – the U.S. government has pledged assistance to help the French government bring those responsible to justice and individuals around the country have expressed outrage and solidarity with the victims in Paris.

Unfortunately, the compassion of some has not extended to refugees. We have seen calls to action that are entirely incompatible with fundamental American values. Among these, some elected officials have called to suspend or restrict resettlement of some refugees on the basis of national origin or religious belief. Such actions are based on fear, plain and simple, and are a rejection of American values. Turning away Syrian refugees perpetuates the very narrative of those responsible for the barbaric attacks in Paris and Beirut.

It is deeply disappointing to hear some elected officials equating Syrian refugees to the militant groups that are the very reason for their flight. Unfortunately, this is not the first time that fear has undermined our humanity and our common sense. In the late 1930s, public opinion polls showed Americans overwhelmingly opposed to the U.S. welcoming Jewish refugees to its shores. We all know what persecution awaited the very people many in the U.S. wanted to turn away. Let not history judge us poorly again.

Elected officials calling for a moratorium on Syrian refugee resettlement risk are putting themselves on the wrong side of history. They are also putting themselves on the wrong side of facts. Some officials have expressed concerns that terrorists may infiltrate the refugee resettlement program due to insufficient security measures. Such statements do not reflect reality.

Refugees are the most thoroughly vetted group of people amongst all immigrant groups who come to the U.S. Short of swimming the Atlantic, the refugee resettlement program is the most difficult way to come to the U.S. Refugees do not self-select to be resettled; they are identified by the UN Refugee Agency (UNHCR) on the

basis of specific needs or vulnerabilities, from amongst a population that is registered and documented by UNHCR. And UNHCR meticulously screens and documents refugees' history (and takes biometric data) before even referring them to one of a dozen countries. If among the fortunate few to be referred to the U.S. resettlement program, U.S. security screenings are extremely rigorous, involving the Department of Homeland Security (DHS), the Federal Bureau of Investigation, the Department of Defense and multiple intelligence agencies. Highly-trained DHS officials interview each refugee to determine whether they meet the refugee definition and whether they are admissible to the United States. Refugees undergo a series of biometric and investigatory background checks, including collection and analysis of personal data, fingerprints, photographs, and other background information, all of which is carefully checked by specially-trained analysts and vetted against all relevant government databases. The entire process typically takes more than two years – and often much more – before a refugee family arrives in the U.S. This is a secure program.

Maintaining the integrity of the U.S. refugee program is of paramount importance, and the IRC supports efforts by the U.S. government to ensure that program integrity is preserved. However, we are highly skeptical that adding a burdensome role for Congress in the approval of refugee resettlement applications will add any value. In fact, it would further delay the admission of refugees and effectively grind the program to a halt, all at a substantial additional cost to American taxpayers. Funds would be better used in enhancing the human resources available to the federal agencies that actually conduct refugee security checks, so that these can be performed with the same level of integrity but more quickly – bringing at-risk refugee families to safety sooner.

Banning Syrian refugees from resettlement will not make America safer. On the contrary, by feeding into ISIS propaganda that Muslims do not belong or are not welcome in the West, it makes us all less safe. An individual poses a danger to the U.S. when he or she is a violent extremist – not simply because he or she has a specific religious identity or nationality. And the U.S. can best counter violent extremists if it continues to serve as an example of multi-culturalism, religious tolerance and co-existence on its soil. Here, the U.S. is on the right side of the facts. In recent years, polls underscore Muslim-Americans' widespread feelings of integration and sense of belonging in American society. This is not the case in some European countries – where marginalization and lack of integration may be more strongly felt by Muslims. When our own leaders feed into hateful extremists' own propagandist narrative of Muslim vs. non-Muslim, it ignores America's long history of welcoming refugees of all races, religions and national origins, and integrating them into our communities and the fabric of our society. This has been one of the success stories of this country. Now is not the time to abandon this proud tradition.

European leaders recognize the importance of welcoming refugees – both for the sake of humanity and as a means of combating violent extremists. French President Francois Hollande on Wednesday reaffirmed his September pledge to resettle 30,000 Syrian refugees – even as his country still reels from last week's attack – acknowledging that with the proper security checks in place, this could be done without compromising France's national security. European Commission President Jean-Claude Juncker, with President Obama at the G20 summit earlier this week, underscored the importance of distinguishing refugees from those who are violent. Our reaction should be to welcome – not turn away – the refugees who have been driven from their homes, fleeing the very people who perpetrated the attacks in Paris as well as Beirut. Welcome, not rejection, makes this nation safer.

On Friday, November 13, the world caught a glimpse of what a terrorist group like ISIS is capable of. The over four million Syrian refugees who have fled their country have been subjected not just to ISIS but to violence by government forces and various other militant groups. They have been living with terror for almost five years. The Syrian crisis is a conflict that has been brutal in the indiscriminate killing of civilians. The U.S. must double down in diplomatic efforts to end the conflict and maintain its commitment to assisting civilians affected by the brutal war – both overseas and here at home. Banning the most vulnerable Syrian refugees from resettlement would put innocent lives at risk.

The U.S. can lead the world by example of how to live together in a free, democratic and plural society. Syrian refugees will be an asset to U.S. communities, not a threat. The true threat is giving in to intolerance and fear.



Statement for the Record

Submitted to the Senate Committee on Homeland Security & Governmental Affairs

Hearing: "The Impact of ISIS on the Homeland and Refugee Resettlement"

November 19, 2015

Jesuit Refugee Service/USA (JRS/USA) is an international Catholic non-governmental organization whose mission is to accompany, serve and advocate for the rights of refugees and other forcibly displaced persons. JRS works in 47 countries worldwide to meet the educational, health, social and other needs of almost 780,000 refugees and other forcibly displaced persons. JRS services are available to refugees and displaced persons regardless of their race, ethnic origin, or religious beliefs.

One of the proudest traditions of the United States has been to welcome the stranger. Through the U.S. resettlement program, we have provided a safe harbor to those fleeing violence and oppression, and an opportunity to make a new life in a country that does not just tolerate, but embraces, diversity.

In the past four decades, America has welcomed more than a million refugees from many countries, including Vietnam, Somalia, Bhutan, Iraq, Iran, Eritrea, Colombia, Burma, and, yes, Syria, to name just a few. All have been selected for vulnerability, and carefully vetted to ensure that these are freedom-seeking people, the kind that you and I would welcome as our neighbors.

Year after year, these refugees have integrated among us, adding the unique qualities of their traditions and cultures to enrich the tapestry of our communities.

To call for a halt to the resettlement of Syrian refugees in the wake of the Paris attack makes little sense. These are people who are fleeing violence visited upon their homes during the Syrian conflict, often by ISIS or by other extremist factions. Out of the millions who have fled, only a few thousands have thus far been selected as resettlement candidates, and these are those who have suffered most greatly – widows with children, trauma and torture survivors, and members of persecuted minorities.

They are, furthermore subject to the most rigorous security screening that our government has ever imposed. From initial identification to final approval, these candidates often must wait from eighteen months to two years in wretched conditions before admission to the United States because of our security standards, by far the most stringent in the world.

It is worth remembering that more than 70 million businesspeople, students, tourists, and immigrants enter the United States each year. The few thousand refugees invited to become part of our community are the most carefully selected and highly vetted of all.

In the current debate over refugee admissions, it is also important to remember that those lucky few offered resettlement are but a tiny fraction of the four million refugees in neighboring countries and ten million people who have been displaced within Syria. The vast majority of those people would far rather return to their homes than to attempt the dangerous path to Europe or endure the long wait for resettlement.

Their desperate need to move onward stems from the severe and deepening suffering and growing despair they are experiencing in their present circumstances, which have made life intolerable. Refugee parents are seeing their children going hungry, deprived of an education, lacking adequate medical care, inadequately clothed and facing another harsh winter in buildings with no windows and no heat. Worse, they can see no end in sight.

As we feel compassion for the terrible loss of the people of Paris, so we must also not forget these other victims of violence struggling to endure in Lebanon, Jordan, and Turkey, and within Syria.

While we should feel pride that the United States has been the most generous donor to the crisis, we, and the international community, must do far more. Adequate resources must be found to relieve their suffering and to address the worsening humanitarian crisis that has led to the march of hundreds of thousands into Europe. Both our American values and our long-term hopes for peace should compel us to insist on a better response.



Senate Homeland Security and Governmental Affairs Committee Hearing
Lessons from the Paris Terrorist Attacks: Ramifications for the Homeland and Refugee Resettlement

The Leadership Conference of Women Religious is horrified at the violence we witness in our world and appalled by the recent acts of bloodshed in Paris, Beirut, and throughout the Middle East. We continue to pray for all who suffer as a result of these senseless acts of terror.

We also pray for the strength and courage to respond to this violence with love and mercy. We refuse to let these acts of death and destruction sow the seeds of fear and mistrust that threaten to tear our communities apart and lead inevitably to more violence and harm.

We are witnessing the largest refugee crisis since the Second World War. More than 4 million Syrians have fled violence in their homeland and 12 million more are displaced internally. Syrian refugees are fleeing exactly the kind of terror that we have witnessed in these past few weeks. More than 250,000 Syrians have lost their lives, many more have lost family, home, and community.

At a time when the world is in desperate need of humanitarian relief, some are calling for suspension of the U.S. refugee resettlement program, an end to funding for Syrians, or a rationing of mercy based on religious creed. Such restrictions violate the tenets of our faith and the principles of our nation.

We reject the false choice currently being proffered by some in Washington, state capitols across the country, and on the campaign trail. We need not choose between the gospel call to welcome the stranger and our legitimate need for security. The protection that we rightly promise the world's refugees must not be denied to Syrians fleeing for their lives. The US refugee resettlement program has rigorous and multilayered security screenings to ensure that those we admit as refugees pose no threat to our security.

The present situation presents us with great challenges and many hard decisions. As Pope Francis reminded us just a few short weeks ago in his address to Congress,

Let us remember the Golden Rule: "Do unto others as you would have them do unto you" (Mt 7:12). This Rule points us in a clear direction. Let us treat others with the same passion and compassion with which we want to be treated. Let us seek for others the same possibilities which we seek for ourselves. Let us help others to grow, as we would like to be helped ourselves. In a word, if we want security, let us give security; if we want life, let us give life; if we want opportunities, let us provide opportunities. The yardstick we use for others will be the yardstick which time will use for us.

As women religious, as citizens of the United States, we choose to stand for life and hope. We will not give in to fear. We will not allow others to divide us by race or creed or nationality and we will not turn our back on our Syrian sisters and brothers in their hour of greatest need.

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Statement for the Record on
**“The Impact of ISIS on the Homeland and Refugee
 Resettlement”**

**U.S. Senate Committee on Homeland Security and
 Governmental Affairs**

November 19, 2015

by Lutheran Immigration and Refugee Service

Lutheran Immigration and Refugee Service (LIRS) appreciates the opportunity to submit its views on the United States Refugee Admissions Program. As the national organization founded by Lutherans to serve uprooted people, LIRS is committed to helping those who have been forced to flee their homes find protection. Following God’s call in scripture to uphold justice for the sojourner, LIRS serves as a leader in calling for the protection of vulnerable migrants and refugees, including children and families from Syria.

In light of the tragic attacks in Paris, we must stand together with vulnerable Syrian refugees who seek safety and a future. Every day, average Syrian people, including Christians persecuted for their faith, are being tortured murdered, bombed and traumatized. And for the most vulnerable, a relatively small number, who have no chance of ever being able to go home in safety—starting life anew in a strange land is the only possibility other than death. As Christians, as Americans, and as global citizens—we must choose to stand for hope and life.

For over 75 years, LIRS has worked to welcome over 500,000 refugees to the United States on behalf of the Evangelical Lutheran Church in America, the Lutheran Church—Missouri Synod and the Latvian Evangelical Lutheran Church in America. In Fiscal Year 2015, LIRS and its refugee resettlement network partners welcomed over 10,500 refugees to their new communities and empowered them to build new lives.

Resettlement in a third country is considered a durable solution and a last resort for only a small fraction of the world’s most vulnerable refugees. LIRS is proud to be one of nine organizations that partners with the federal government, particularly the Department of State’s Bureau of Population, Refugees and Migration (PRM) and the Department of Health and Human Services’ Office of Refugee Resettlement (ORR) to be a part of this solution.

LIRS is dismayed that despite the United Nations High Commissioner for Refugees (UNHCR) registering over 4 million Syrian refugees, half of whom are children, only a precious few Syrian refugees have been resettled in the United States. LIRS has urged the U.S. government to do far more by resettling 200,000 refugees in Fiscal Year 2016, including 100,000 Syrians. In response to past global crises, the U.S. has led the effort to resettle hundreds of thousands of refugees — a tiny fraction of those who are displaced — and America has always been better and stronger as a result. With the support of local churches and communities, our nation has the capacity to take a bold stance in welcoming far more of these vulnerable refugees into the United States.

The United States Refugee Admissions Program (USRAP) that is located within the Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) agency continually achieves its dual mission to offer resettlement opportunities to eligible refugees while safeguarding the integrity of the program and the United States' national security. To protect U.S. national security, DHS provides advanced training to its refugee adjudicators on security protocols, fraud detection and fraud prevention. In addition, each refugee considered for resettlement in the United States goes through a multi-layered screening process before coming to the United States. These processes include multiple biographic and biometric checks by U.S. security vetting agencies which are routinely updated, in-person interviews with trained adjudication's officers and 'pre- departure' checks. No case is finally approved until results from all security checks have been received and analyzed.

To add unnecessary security screening mechanisms to this already robust process would needlessly harm individuals who need protection by delaying their resettlement. "Sadly, the Syrian refugee population includes severely vulnerable individuals: women and girls at risk, survivors of torture and violence, and people with serious medical needs or disabilities," said Linda Hartke, LIRS President and CEO. "LIRS and our national network stand ready to do what it takes to welcome into U.S. communities the most vulnerable Syrian refugees who cannot return home or integrate in the countries currently hosting them."

The U.S. Refugee Admissions Program offers refugees safe haven and a chance at a new life, while also bringing tangible benefits to the communities that welcome them. Having endured incredible hardship and unimaginable horrors in their home countries, refugees often spend years exiled in host countries once they flee, awaiting the opportunity to rebuild their lives. Once they are resettled in a third country, refugees routinely become engaged and productive community members, contributing economically, socially, and spiritually to our communities. The support of welcoming communities, congregations, volunteers, employers, schools, foster families and others makes resettlement a successful public-private partnership. The federal government, particularly PRM and ORR, and state governments play a vital role.

In the case of Syrian refugees, the conflict continues to worsen and host countries in the region are increasingly strained and unable to offer benefits or stability. Desperate refugees are risking their

lives and the lives of their entire families making dangerous journeys over land and sea to reach safety. Hundreds of thousands have arrived in Europe with the hope of a permanent solution. While most citizens in affected countries in the European Union have reacted with welcome, some governments are choosing to close and militarize their borders to keep refugees out. It is against this backdrop that LIRS and our partners will continue to call on the Administration to resettle more Syrian refugees.

Increased Funding Needs and Necessary Resettlement Reforms

Resources available to individual refugee families and adults through ORR have remained stagnant for many years. To ensure that Syrian refugees resettled in the United States receive the help they need to locate housing, receive medical attention and employment assistance, among other services, and to promote self-sufficiency and long-term integration this funding must be increased. In addition, Congress must authorize and appropriate funds to meet the needs of the additional 15,000 refugees that the President has authorized for admission in FY2016.

While private support plays an important role in the reception and integration of refugees, federal resources are critical to ensure refugees receive essential services. Refugee populations arriving to the United States have changed significantly since the formal establishment of the resettlement program in the Refugee Act of 1980. Today's refugees are much more diverse and vulnerable than it was more than three decades ago. However, services lack flexibility to be responsive to the diverse strengths and needs of refugees arriving today. Furthermore, ORR's mandate has expanded over the years from serving resettled refugees to include asylees, Iraqi and Afghan Special Immigrant Visa recipients, Cuban and Haitian entrants, survivors of human trafficking and torture and unaccompanied children. Because funding has not kept up with these changes in ORR's mandate and diversifying client needs, ORR has strained to provide sufficient support and services to all of the populations under its care.

Reforms to Terrorism-Related Inadmissibility Grounds

Under immigration law, an individual cannot be admitted to the United States if they have provided material support, including insignificant material support, to an undesignated terrorist organization; a member of such an organization; or to an individual the individual knows, or reasonably should know, has committed or plans to commit a terrorist activity. In 2001, Congress enacted legislation that significantly broadened the definition of "terrorist activity."

As a result, refugees, including many vulnerable Syrian refugees who pose no threat to national security, face denial of protection and resettlement in the United States due to unintended consequences of the overly-broad application of the "material support to terrorist organizations" bar (and related bars) to admission. Indeed, current law threatens to exclude any Syrians who fought with any armed opposition group in Syria (regardless of whether or not the individual applicant was involved in any violations of international humanitarian law or other crimes), anyone who provided

“material support” to any opposition force or opposition fighter, anyone who solicited funds or members for such a force, and even anyone whose spouse or parent is found to have done these things.

These bars are duplicative and carry severe consequences. As mentioned previously, refugees are required to pass intense security screenings and background checks as part of the admission process. People who commit war crimes, crimes against humanity, or who persecute others are inadmissible to the United States under other provisions of our immigration laws. However, overly broad “terrorism” bars prevent the ability of the United States to provide welcome to bona fide refugees seeking safety.

LIRS Recommendations

LIRS’s expertise, experience, and compassion -- drawn from decades of welcoming vulnerable newcomers -- inspires our advocacy. To address current resettlement needs facing refugees, including millions of Syrian refugees, and improve welcome for refugees in the United States, LIRS makes the following recommendations to Congress:

- **Enact pending legislation to strengthen refugee protections and resettlement**, including the bi-partisan Protecting Religious Minorities Persecuted by ISIS Act of 2015 (H.R. 1568).
- **Urge the President to authorize the admission of 100,000 Syrian refugees** in Fiscal Year 2016 through an Emergency Presidential Determination on Additional Refugee Admissions pursuant to Section 207(b) of the Immigration and Nationality Act.
- **Support alternative mechanisms to resettle more Syrian refugees**, including:
 - Identifying specific groups of refugees in the region as being of particular humanitarian concern to the United States and designating them for group processing.
 - Expanding family reunification opportunities through the USRAP (through the P3 family reunification priority) to allow Syrians in legal status in the United States, even if they did not arrive as refugees, to file affidavits of relationship (AORs).
 - Allowing specific NGOs in the region to make direct resettlement referrals to the United States. The U.S. government should provide increased capacity building and training for these NGO partners so they can identify and refer the most vulnerable refugees for resettlement.
 - Utilizing iris scans and additional biometric data that UNHCR has collected for 65-67% of registered Syrian refugees. The use of this data could help reduce redundancies in the USRAP screening process.
- **Amend problematic anti-terrorism provisions** that define “material support” too broadly.

- **Ensure robust funding** of the Department of State's, Bureau of Population, Refugees, and Migration and the Department of Health and Human Services, Office of Refugee resettlement to better protect and assist refugees overseas and those resettled to the United States, including:
 - **Funding appropriate for successful support and resettlement of the authorized 85,000 refugee admissions** in FY 2016.
 - **Funding for DHS** to make more **frequent visits to the region** to conduct interviews with refugees slated for potential resettlement. When security concerns make in-person interviews impossible, DHS should consider using video conferencing for interviews.
 - **Funding to decrease wait times:** Security checks are a vital part of the United States Refugee Admissions Program (USRAP) and have proven successful in maintaining the program's integrity. Although these safeguards have been enhanced and updated, Congress should authorize sufficient funds such that the Department of Homeland Security (DHS), other U.S. security agencies, and the White House have sufficient resources and staff to eliminate delays and redundancies to reduce the waiting time for refugees at significant risk.
 - **Increased per capita funding for the Department of Health and Human Services (HHS) and the Office of Refugee Resettlement (ORR)** to allow these agencies to support programming that assists communities and organizations that resettle Syrian refugees to foster a welcoming climate for them, offer services that are tailored for Syrian refugees, and include a long-term focus on their successful integration.

If you have any questions about this statement, please contact Brittney Nystrom, LIRS Director for Advocacy at bnystrom@lirs.org or 202.626.7943.

A Statement by the National Advocacy Center of the Sisters of the Good Shepherd
November 17, 2015

Lessons from the Paris Terrorist Attacks:
Ramifications for the Homeland and Refugee Resettlement

Since the Order of the Sisters of the Good Shepherd was founded in France in 1835, the Order has dedicated itself to serving poor and marginal people. The work of the Sisters in 70 countries in 5 continents, 17 States, and 2 U.S. Territories is based on the belief that everyone, regardless of age, sex, culture or religion, has the right to a basic quality of life; adequate income, shelter, opportunities for education and employment, quality health care, and nutrition. As Catholics, our faith requires that everyone should be treated with the utmost dignity and respect.

Based upon that belief system, the National Advocacy Center of the Sisters of the Good Shepherd urges you to keep the United States a welcoming home to people of all religions who are fleeing violence in their home countries. Keeping Syrian refugees out of this country based on their religion sends the wrong message to the rest of the world about who we are as Americans. We are a welcoming country with a religiously diverse society and our resettlement program should continue to reflect this. To not do so only feeds into ISIS' propaganda and makes us all less safe.

Speaking of the plight of refugees, Pope Francis recently said, "They are human people, I stress this, who are appealing for solidarity and assistance, who need urgent action but also and above all understanding and kindness. God is good, let us imitate God. Their condition cannot leave us indifferent. Moreover, as Church we should remember that in tending the wounds of refugees, evacuees and the victims of trafficking, we are putting into practice the commandment of love that Jesus bequeathed to us when he identified with the foreigner, with those who are suffering, with all the innocent victims of violence and exploitation."

We urge you to avoid knee-jerk reactions that politicize the events in Paris, to reject misplaced blame that creates an atmosphere of fear, and to stand in solidarity with Syrian refugees, who are themselves the victims of ISIS. Thank you.



**NAFSA: Association of
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STATEMENT OF
Marlene M. Johnson Executive Director & CEO
NAFSA: Association of International Educators
BEFORE THE COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS, UNITED STATES SENATE
THE IMPACT OF ISIS ON THE HOMELAND AND REFUGEE
RESETTLEMENT

November 19, 2015

Chairman Johnson, Ranking Member Carper, and members of the
Committee: Thank you for the opportunity to submit this testimony.

On behalf of NAFSA: Association of International Educators, I appreciate the opportunity to express our support for the **Administration's proposal to resettle 10,000 Syrian refugees over the next year. However, the United States has the ability and duty to open our doors to an even greater number of people in need. NAFSA urges the Administration and Congress to support policies that would welcome 100,000 Syrian refugees in the coming year, in addition to other global refugees.** We also urge Congress and the Administration to take steps to ensure that Syrian students who seek higher education in the United States have a path to do so. The recent tragedies in Paris and Beirut and other cities around the world remind us that we must remain ever-vigilant against threats of violent extremism; however, closing our borders to Syrian refugees simply because they might share the same nationality as some perpetrators of terror perpetuates fear and isolationism, while failing to recognize that the refugees are desperately fleeing violence themselves.

NAFSA is the world's largest professional association dedicated to the promotion and advancement of international education and exchange. Our more than 10,000 members believe that connecting students, scholars, educators, and citizens across borders is fundamental to building mutual understanding among nations; preparing the next generation with vital cross-cultural and global skills; and creating the conditions for a more peaceful world. A commitment to fostering peace and security through international education demands that we go beyond providing the basic necessities of some of the world's most vulnerable people. As an association that was founded to respond to the needs of European students following WWII, we recognize that in order not to lose a generation of minds to the ravages of war and terror, we must educate them.



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As Nelson Mandela said, "Education is the most powerful weapon which you can use to change the world." The United States has a proud history of promoting mutual understanding through international education and exchange. In the decades since World War II, U.S. institutions of higher education have welcomed and educated millions of students from all over the world, with many becoming world leaders and some of our closest friends and allies. These students are among our greatest foreign policy assets, for it is through their time here that they come to understand our country firsthand.

The United States should move quickly to facilitate the matriculation of eligible refugee students to study at U.S. institutions of higher education. Specifically, to ensure Syrian students are able to study in U.S. institutions of higher education, Congress must call on the Administration to streamline the F-1 Visa process in order to make it easier for Syrian students to obtain Foreign Student Status. Currently, in order to be eligible for an F-1 Visa, foreign students must demonstrate, among other things, that they have no intent to immigrate to the United States. Given the current conflict, U.S. consular officers may assume Syrian visa applicants intend to immigrate to the United States. Applicants should be allowed to assert that they intend to return to Syria when it is safe to do so. Continuing their education will make it more feasible for them to return and contribute to rebuilding their country.

Second, to complete their visa application process, students are required to have face to face interviews at U.S. consulates. The U.S. Department of State should make accommodations to allow Syrian students expedited access to appointments at various locations to compensate for the severe logistical challenges refugee students face.

Finally, the Department of State should create an Exchange Visitor Program to provide another avenue for Syrian refugees to study at U.S. institutions of higher education.

To be sure, even when visa issues are resolved, enabling Syrian refugees to study in this country will require the cooperation of institutions of higher education as well as other stakeholders in the private sector. To that end, the administration should convene a working group of relevant parties in the government, higher education and the private sector to collaborate on addressing the practical hurdles—travel costs, application fees, missing transcripts and test scores, tuition and living expenses—Syrian students are



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likely to face. U.S. institutions of higher education must pledge to accept as many refugee students as possible and to waive application fees and document requirements. Corporations, foundations and other NGOs must work independently and in public/private partnerships to provide funding to offset travel and tuition expenses. Taken together, these actions would benefit Syrian refugees in the short term and foster the goodwill essential to building mutually beneficial partnerships among nations in the future.

It is imperative that we move quickly to offer safe refuge to 100,000 desperate Syrians, and to provide those who want to continue their education in the United States with the means to do so. If we fail to offer educational opportunities to qualified Syrian refugees we risk fostering the isolationism that helps to drive anti-Western sentiment. On the other hand, offering them safety and an education will build good will and cross-cultural understanding that enhances our own national security. Clearly, we must choose the latter.

Thank you for the opportunity to offer testimony on this critical matter.

8
National Council of Jewish Women
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National Council of Jewish Women

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NCJW Statement to the U.S. Senate Committee on Homeland Security & Government Affairs
pertaining to its hearing *The Impact of ISIS on the Homeland and Refugee Resettlement*
Thursday, November 19

Despite Terrorist Attacks, NCJW Calls on US to Welcome Refugees

November 18, 2015 Washington, DC – The National Council of Jewish Women (NCJW) today expressed deep sadness about the recent terrorist attacks and protested efforts to close borders to refugees seeking sanctuary from the same terrorism. NCJW CEO Nancy K. Kaufman released the following statement:

"Our prayers go out to the families and communities affected by the terrorist attacks in Paris and Beirut. NCJW mourns the senseless loss of so many and the trauma inflicted in order to sow terror.

"We must also remember that the millions of refugees from Syria and Iraq are trying to escape the same destructive force. We must rise above prejudice and fear to open our communities to the men, women, and children who seek sanctuary in the United States. While we can exercise due diligence in admitting refugees, we cannot use tragedy as an excuse for bigotry, silence, or inaction.

"Today, more than half of all state governors are speaking out against helping refugees, and there are bills proposed in Congress that, if passed, could stop the Syrian and Iraqi refugee resettlement program altogether. We must also speak out against the bigotry and anti-Muslim vitriol echoing in the chambers of the federal and state governments.

"It is a disgrace to stand idly by as innocent refugees flee violence and persecution. As Jews we are taught *va'ahavtem et ha-ger* — as we were once strangers, so must we love the stranger. Our nation must find the moral courage to welcome those seeking refuge from fear, persecution, and hate."

The National Council of Jewish Women (NCJW) is a grassroots organization of volunteers and advocates who turn progressive ideals into action. Inspired by Jewish values, NCJW strives for social justice by improving the quality of life for women, children, and families and by safeguarding individual rights and freedoms. More information on Facebook and on Twitter at @NCJW.

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Statement for the Record of the Niskanen Center*
Submitted to
The Senate Committee on Homeland Security & Governmental Affairs
Hearing on
“The Impact of ISIS on the Homeland and Refugee Resettlement”
November 19, 2015

The terrorist attack in Paris has led to inquiries concerning the security of the U.S. Refugee Admissions Program (USRAP). Lawmakers and the public should be able to feel confident that the program is secure. However, a thorough understanding of the USRAP process and history leads to the conclusion that while refugees are unlikely to become terrorists, they can be important assets in the war against the Islamic State.

Paris attacks are not applicable to the U.S. refugee vetting process

All of the confirmed Paris attackers, including the mastermind, were natives of Europe, highlighting the fact that homegrown terrorism played a more significant role in these attacks than terrorism originating abroad.¹ A fake Syrian passport, copies of which have reportedly been used by as many as eight other individuals in Europe,² was found near the body of one of the attackers, leading to the suspicion that a Syrian national may have been involved in the attack.³

The passport holder apparently entered the European Union (EU) on a boat from Turkey through Greece and applied for asylum in Serbia.⁴ According to German Interior Minister Thomas de Maiziere, however, the passport may have been a “planted lead,” saying that it is “certainly unusual that such a person would have faithfully registered in Greece and Serbia and Croatia, while we’re constantly pressing for registration and aren’t happy that it isn’t happening to the necessary extent.”⁵

Supposing that the attacker was a Syrian national, however, reveals nothing about the U.S. refugee resettlement process. This individual was not vetted by intelligence agencies, designated as a refugee by the United Nations High Commissioner on Refugees (UNHCR), or granted refugee status by any country. This case is simply not applicable to the U.S. refugee program, which requires extensive vetting prior to admission. Unfortunately, Europe does not have the same capabilities as the United States.

U.S. refugee program is not an attractive avenue for terrorist activity

The U.S. refugee resettlement program is, according to the State Department, “the most stringent security process for anyone entering the United States.”⁶ The process for most refugees, including all Syrian refugees, begins with designation as a refugee by UNHCR. The UN only refers refugees for resettlement if the individual has no hope of return to their country of origin, and there is a complicating factor requiring their resettlement outside of the area. Some examples include ethnic or religious persecution, health issues, or children with special needs. UNHCR refers less than one percent of the 14.4 million

* The Niskanen Center is a libertarian 501(c)(3) nonprofit think tank located in Washington, D.C. founded

refugees for resettlement.⁷ A terrorist, looking to gain entry to the U.S. through UNHCR referral, would have very low odds of succeeding without any screening at all.

If a refugee is referred to the United States for resettlement, overseas Resettlement Support Centers managed by the State Department collect biometric and biographical information from the applicants. This information is then immediately compared to the State Department's Consular Lookout and Support System (CLASS), which includes terrorist watch list information.⁸ U.S. Citizenship and Immigration Services refugee officers with special training for Syrians and Iraqis then interview the applicants.⁹ They attempt to find inconsistencies in the applicants' statements and test whether the person has firsthand knowledge of events that they claim to have witnessed.

The Department of Homeland Security, the Federal Bureau of Investigation, the Department of Defense, the Director of National Intelligence, and other security agencies check the information gathered against information held by the government. Biometric checks are then conducted. These databases include the FBI's Integrated Automated Fingerprint Identification System and DHS's Automated Biometric Identification System. Individuals are also run through the DOD's Automated Biometric Identification System, which holds fingerprints from weapons and explosives from Iraqi insurgents.¹⁰

This entire process takes between two and three years during which time the refugee remains in UNHCR refugee camps. On its face, this process is an unlikely avenue for terrorist infiltration. It would require a two- to three-year investment with no knowledge of whether the mission would result in resettlement in the U.S. There are much faster legal means for an individual to enter the United States, such as student or tourist visas, and there are much easier ways for the Islamic State to send attackers, such as individuals with European passports. It simply makes no sense for a terrorist to attempt to infiltrate the U.S. refugee resettlement process.

The history of U.S. resettlement shows that the vetting process works

Since 1980, the U.S. has welcomed about three million refugees, including hundreds of thousands from the Middle East. Since 9/11, more than 750,000 have been resettled, including a large population from Iraq. Over that period, there have been dozens of terrorist attacks on American soil but not one of them involved refugees[†] brought over under the U.S. refugee resettlement program.¹¹ This fact alone demonstrates that the U.S. refugee vetting process and law enforcement can together handle threats from terrorism.

There have been six cases in which refugees have been convicted of terrorism-related charges, all well before their plans could be carried out and most not targeting the United

[†] Some have claimed that the Boston bombers, the Tsarnaev brothers, change this conclusion. But the brothers were not refugees. Their parents came to the U.S. on a travel visa and were awarded *asylum*—which is not subject to the normal UNHCR referral process—and the brothers were young children and not subject to the vetting process. The case simply does not show that refugees cannot be vetted properly. Even if we do include asylees—and their foreign-born children—in this analysis, the risk of terrorism from an asylee or refugee is less than a million-to-one chance, one in every 1.8 million admissions. Bump, Phillip. "How the Boston Bombing Suspect Became a U.S. Citizen." *The Wire*. April 19, 2013.

States.¹² These cases show that the threat of refugee-related terrorism is one that is manageable through law enforcement and also very small—one person linked to terrorism for every 494,000 refugee admissions. For comparison, one American out of every 23,000 committed murder last year,¹³ and yet none of the would-be attackers were as successful as these American murderers.

The U.S. government does not report cases rejected based on terrorism-related concerns, so there is no way to verify how often the process screens out terrorists. But the refugee resettlement caseload only has a 50 percent approval rate (including pending cases),¹⁴ and at least one terrorist, the Los Angeles airport shooter in 2002, had his asylum claim rejected due to vetting.¹⁵

Moreover, if ISIS wanted to attack the United States, it need only dispatch one of the many foreign fighters who have come from the U.S. or the E.U. to do so. It would not need to attempt a two to three-year mission with a very low probability of success.

Accepting Syrian refugees is an important part of the fight against ISIS

Since 2011, more than 210,000 people have been killed in Syria, meaning about 140 people have died every single day in Syria. The result has been an exodus of over 4 million people from Syria. The Islamic State considers the fugitives from its “caliphate” to be traitors and have repeatedly condemned the flight of Muslims from the region. Its propaganda describes the abandonment of their caliphate as apostasy, which is punishable by death in ISIS-controlled territory.¹⁶

If the United States announced that it would no longer accept refugees from Syria and Iraq, ISIS would immediately introduce into their propaganda the message that America and the West hate Muslims and are willing to push them back to Assad. Combating ISIS propaganda is as important as any weapon the U.S. has. Since the beginning of the conflict, every single ISIS fighter killed has been replaced by a new recruit or foreign fighter.¹⁷ Without winning the propaganda war, the U.S. and its moderate Muslim allies will not win the actual war.

Some have suggested the creation of a “safe zone” or “humanitarian corridor” as an alternative to refugee resettlement. But whether this is a good idea or not, this does not replace refugee resettlement or solve the refugee crisis. There already is a de facto “safe zone” in Turkey that refugees are abandoning due to its squalid and dangerous conditions. Extending that safe zone down a few miles into Syria will not change the equation for most Syrians or would-be refugees.

Safe zones have a very mixed history as well. In 1994, the French established a safe zone in Rwanda to stem the tide of refugees into Zaire, but the mission had little long-term success at preventing the exodus from the country once the French left.¹⁸ In 1995, the U.S. attempted to support a safe city in Bosnia for Muslims that were victims of ethnic cleansing. The city ultimately became a target for attacks and failed to protect the civilian population.¹⁹ In 2009, a United Nations safe zone for refugees in Sri Lanka was attacked

by the Tamil Tigers organization.²⁰ Whether a safe zone can protect some civilians in this case is unclear, but it is clear that it will not stop the refugee crisis.

Safe zones will also not alleviate the need for U.N. to resettle refugees in special humanitarian circumstances. U.N. camps cannot provide for the needs of many refugees with special health or mental issues, childcare needs, or protection from persecution in the country in which the refugee is currently residing. Refugees also cannot hope to become self-sufficient in refugee camps. This fact partly explains the large numbers who flee camps in search of opportunity in Europe.

During the Cold War, we used refugee resettlement to gain foreign policy assets, spies, allies, and spokesmen to refute the enemy's propaganda. In the fight against ISIS, allies gained from aiding refugees will be as important as any weapon we have.

Recommendation

The U.S. should resettle the full 20,000 refugees referred by UNHCR on the condition that they take a loyalty oath, publicly condemning the Islamic State—an act of further apostasy under its law—and expressing their support for freedom of religion. If America closed its doors during what the U.N. has called the humanitarian crisis of our time, it would be a dark chapter in our history. We should look to find ways to address the security concerns without abandoning our moral leadership in the world.

¹ The New York Times. "Finding Links Between the Paris Attackers as the Manhunt Continues."

November 18, 2015. <http://www.nytimes.com/interactive/2015/11/15/world/europe/manhunt-for-paris->

² Drury, Iain. "The Syrian passports to terror: EIGHT migrants have got into Europe with same papers as those found on stadium suicide bomber." Daily Mail. November 18, 2015.

<http://www.dailymail.co.uk/news/article-3322960/The-Syrian-passports-terror-EIGHT-migrants-got-Europe-papers-stadium-suicide-bomber.html>

³ Walker, Marcus; Noemie Bisserbe. "Paris Stadium Attacker Got to Europe Using Fake Syrian Passport." Wall Street Journal. November 16, 2015. <http://www.wsj.com/articles/paris-stadium-attacker-entered-europe-via-greece-1447698583?alg=y>

⁴ Maltezou, Renee; George Georgiopoulos. "Holder of Syrian passport found in Paris traveled through Balkans." Reuters. November 15, 2015. <http://www.reuters.com/article/2015/11/15/us-france-shooting-asylum-idUSKCN0T40EB20151115#bU3JcsFZRhgTVFm.97>

⁵ Donahue, Patrick; Rainer Buergin. "Syrian Passport in Paris May Be Planted, German Minister Says." Bloomberg. November 17, 2015. <http://www.bloomberg.com/news/articles/2015-11-17/syrian-passport-in-paris-may-be-planted-german-minister-says>

⁶ Koran, Laura. "How do Syrian refugees get into the U.S.? Explaining the process." CNN, November 17, 2015. <http://www.cnn.com/2015/11/16/politics/syrian-refugees-u-s-applicants-explainer/>

⁷ UNHCR. "Resettlement: A New Beginning in a Third Country." UNHCR. Accessed November 9, 2015. <http://www.unhcr.org/pages/4a16b1676.html>

⁸ Barbara Strack. "Terorist Exploitation of Refugee Programs." USCIS Testimony for House Committee on Homeland Security, Subcommittee on Counterterrorism and Intelligence. December 4, 2012. <http://www.dhs.gov/news/2012/12/04/written-testimony-uscis-house-homeland-security-subcommittee-counterterrorism-and>

⁹ Foley, Elise. "Refugee Screenings Are More Intensive Than Some Politicians Would Have You Think." Huffington Post. November 17, 2015. http://www.huffingtonpost.com/entry/refugee-screening-process-syrians_564b55ece4b045bf3df0ece7

¹⁰ Barbara Strack. "Terorist Exploitation of Refugee Programs." USCIS Testimony for House Committee on Homeland Security, Subcommittee on Counterterrorism and Intelligence. December 4, 2012. <http://www.dhs.gov/news/2012/12/04/written-testimony-uscis-house-homeland-security-subcommittee-counterterrorism-and>

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¹² Bier, David. "Anti-Immigrant Activists More Prone to Terrorism Than Refugees." The Hill. September 29, 2015. thehill.com/blogs/pundits-blog/immigration/255237-anti-immigrant-activists-more-prone-to-terrorism-than-refugees

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¹³ Nowrasteh, Alex. "Syrian Refugees Don't Pose a Serious Security Threat." Cato Institute. November 18, 2015. <http://www.cato.org/blog/syrian-refugees-dont-pose-serious-security-threat>

¹⁴ Foley, Elise. "Refugee Screenings Are More Intensive Than Some Politicians Would Have You Think." Huffington Post. November 17, 2015. http://www.huffingtonpost.com/entry/refugee-screening-process-syrians_564b55ece4b045bf3df0ece7

¹⁵ Eddy Ramirez. "Panel Probes LAX Gunman." LA Times. October 10, 2002. <http://articles.latimes.com/2002/oct/10/local/me-lax10>

¹⁶ Zelin, Aaron. "Targeting Europe's Refugees Is Not the Answer." Washington Institute. November 16, 2015. <http://www.washingtoninstitute.org/policy-analysis/view/targeting-europes-refugees-is-not-the-answer>

¹⁷ Naylor, Sean. "Airstrikes Killing Thousands of Islamic State Fighters, but It Just Recruits More." Foreign Policy. June 9, 2015. <http://foreignpolicy.com/2015/06/09/airstrikes-killing-thousands-of-islamic-state-fighters-but-it-just-recruits-more/>

¹⁸ Haspelslagh, Sophie. "Safe Havens in Rwanda: Operation Turquoise." Beyond Intractability. http://www.beyondintractability.org/cic_documents/Safe-Havens-Rwanda.pdf

¹⁹ Editors. "Srebrenica: A U.N. 'Safe Haven' That Soon Was Not." New York Times. October 29, 1995. <http://www.nytimes.com/1995/10/29/world/srebrenica-a-un-safe-haven-that-soon-was-not.html>

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Statement for the Hearing Record

Senate Committee on Homeland Security & Governmental Affairs

Hearing on “The Impact of ISIS on the Homeland and Refugee Resettlement”

November 19, 2015

Chairman Johnson, Ranking Member Carper, members of the Committee, on behalf of the OCA – Asian Pacific American Advocates and our fifty local chapters around the country, we thank you for the opportunity to submit this statement for inclusion in the record for today’s hearing.

The United States has long been a leader in humanitarian aid and refugee resettlement. According to the Migration Policy Institute, over three million refugees have received refuge in the US since 1975. The number equates to more than double the amount of refugees that the other nine resettlement countries have accepted combined¹. Our country’s continued leadership on this issue has led to the immigration of over 1.3 million East Asian² and over 360,000 Near East and South Asian³ refugees into the United States. Because of this, Asian Americans now comprise over half of the total refugees living here today. As such, our communities have a strong and vested interest in ensuring the protection of policies pertaining to the admittance of asylum seekers and refugees.

In the wake of the terrorist attacks in Baghdad, Beirut, and Paris, there have been calls to suspend, delay, or defund refugee resettlement programs, particularly those for individuals from Syria and Afghanistan. These proposals do not keep the United States safer and only hinder the migration process for the over four million Syrian refugees attempting to escape from harm. By passing any legislation that may threaten the acceptance process, Congress would effectively prevent countless struggling individuals from obtaining the refuge they require; damage our reputation as the world leader in times of humanitarian crises; and hamper the resettlement process.

Refugees coming to the United States receive the most security scrutiny of any immigrant group or individual arriving here. Multiple government agencies are involved in the vetting process, including the Federal Bureau of Investigation, the National Counterterrorism Center, and the Departments of Homeland Security, State, and Defense. It also includes numerous interviews, biometrics and biographic

¹ Refugee Resettlement in Metropolitan America (migrationpolicy.org), available at <http://www.migrationpolicy.org/article/refugee-resettlement-metropolitan-america>.

² Refugee Admissions Program for East Asia (U.S. Department of State), available at <http://www.state.gov/j/prm/releases/onepagars/228693.htm>.

³ Refugee Admissions Program for Near East and South Asia (U.S. Department of State), available at <http://www.state.gov/j/prm/releases/onepagars/228691.htm>.

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checks, and medical screenings. The interviews, in particular, often determine whether or not an individual can even be considered a refugee as defined by §101(a)(42) of the Immigration and Nationality Act.

For refugees attempting to enter the United States, they must present various forms of identification, including birth certificates, passports, and school IDs and also prove displacement, which is particularly hard for individuals that have escaped their countries with very little to their person. Additionally, refugees often must relive their traumatic experiences in multiple rounds of interviews with various agencies, which then are cross checked with interviews with their family members. On average, this process takes 24 months to be completed. Once in the United States, they must again provide the same materials and recount their escape to various government agency staff.

In stark contrast, on an average day in 2014, over 5 million international passengers travelled in and out of the country; some entering as a matter of right, others by lawfully obtained visas.⁴ None of those entering undergo the type of multinational, intense, vetting process to which refugees are subjected. All of the 9/11 hijackers entered the country in this manner, yet there have been no cries to close the borders to such potential threats.

We recognize the important interest that the country has in protecting those within our borders and encourage efforts to strengthen our ability to detect potential threats by utilizing the full resources of the federal government. But simply turning our backs on helpless individuals, who are themselves victims of terrorism, sends two very dangerous messages. First, it paints all refugees as potential threats who should be objects of suspicion and fear, such objectification makes refugees the targets of bigoted violence, disparate treatment and harassment which can result in very tragic results. Second, it bolsters terrorists' claims that America is at war with Islam and undermines our claim to be at war with only terrorism. The result will aid the enemy in recruiting and radicalizing more terrorists to its cause and in fundraising, thereby making America even less safe.

Given the aforementioned security procedure for refugee admission, it is clear that today's hearing and the various calls for increased regulation are driven not by need but by unfounded concern regarding the potential actions of Muslim refugees. As reported in the Economist, only two of the 750,000 refugees resettled in the United States post-9/11 have been arrested on domestic terrorism charges.⁵ In contrast, there have been nine domestic terrorist attacks by non-Muslim extremists groups, claiming 48 lives during that same timeframe.⁶ Legislative efforts by congress to counter terrorism must focus on the actual threats rather than on the imagined actions of an already vulnerable population.

⁴ The U.S. International Air Passenger and Freight Statistics, released July 2015. U.S. Department of Transportation, available at https://www.transportation.gov/sites/dot.gov/files/docs/US%20International%20Air%20Passenger%20and%20Freight%20Statistics%20Report%20for%20December%202014_0.pdf

⁵ Yearning to breathe free (The Economist), available at <http://www.economist.com/news/united-states/21674694-america-should-reclaim-its-role-beacon-those-fleeing-persecution-and-war-yearning>.

⁶ Homegrown Extremists Tied to Deadlier Toll Than Jihadists in U.S. Since 9/11 (The New York Times) By: Shane, Scott. <http://www.nytimes.com/2015/06/25/us/tally-of-attacks-in-us-challenges-perceptions-of-top-terror-threat.html>

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Although we must continue to maintain the United States strong security measures against terrorism and harm to the American public, we urge the Committee to not further delay the already arduous vetting process for refugees seeking admittance here. Placing further regulations on the two year average it takes for an individual or family seeking safety only increases the trauma that refugees have already faced. OCA strongly recommends that the Committee focus on ensuring that an adequate amount of refugees are able to relocate to the United States and that their rights are not violated during the security process rather than unnecessarily denying them access to our country.

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Presbyterian Church (USA)*Statement to the U.S. House of Representatives' Judiciary Committee, pertaining to its hearing****“The Syrian Refugee Crisis and its Impact on the Security of the U.S Refugee Admissions Program”****November 19, 2015*

We are a world grieving. We mourn the many deaths, not only in Paris, but also in Beirut, Baghdad, and Egypt. Any sense of security we have had is badly compromised by these horrific events; moreover, our fear of ISIS grows with every successful execution of its violent agenda.

Much has been taken from us but we still hold the choice as to how we react in our grief and fear. Many politicians have rushed from grief to fearful judgment. More than half of the governors of our states have attempted to protect their citizens by issuing declarations denying entry of Syrian refugees into their states (as if all of the potential terrorists are Syrian). Some have gone so far as to call for denial of entry to all refugees at the present time, as if that will guarantee safety to the citizens of their state.

As U.S. governors pledge to refuse Syrian refugees within their states and some presidential hopefuls promise to abandon the refugee program altogether, we the people have a choice to make. We can choose to follow those who would have us hide in fear or we can choose hope.

Our nation, for decades, has chosen hope and welcome for those fleeing war and persecution. Since 1975, more than three million refugees have found safety and security within our nation's borders. Right now 11 million Syrians cannot go to school, tend to their land, or raise their children in the place they know as home. They cannot do these things because they, themselves, have been terrorized for far too long by numerous factions, including their own government.

Do we choose to abandon our plan to protect these Syrians because the people who have been threatening them are now threatening the West as well? ISIS has taken lives; they have taken our sense of security. Do we now hand over our hope and compassion to them?

Obviously, we need to move forward with a disciplined response, expediting security checks such as those employed by the U.S. refugee admission program. To refuse certain persons who are fleeing terror and persecution because they are “Syrian” or of some other particular ethnic group is unjust and may be illegal under U.S. law. We can be disciplined and, at the same time, led to love beyond our own limited, fearful vision.

After the crucifixion of Jesus, the disciples hid in fear. They locked the doors but God had another plan. Jesus appeared to them and said, “Peace be with you. As the Father has

sent me, so I send you” (Jn. 20:21). We were not meant to hide. We were meant to walk out in hope and compassion. Author, poet, and peace activist Wendell Berry wrote, “Healing is impossible in loneliness; it is the opposite of loneliness. Conviviality is healing. To be healed we must come with all the other creatures to the feast of Creation” (*The Art of the Commonplace: The Agrarian Essays*, “The Body and the Earth,” p. 99). The way to end terror is to prove that those who demonize us are wrong. We are not a heartless secular culture. We must witness to the Gospel with generous hospitality. To hide in fear is a mistake. Fear is the ammunition of terror. Hope is the best defense.



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**Senate Committee on Homeland Security and Governmental Affairs Hearing: The
Impact of ISIS on the Homeland and Refugee Resettlement
November 19, 2015**

On behalf of the Religious Action Center, the Washington office of the Union for Reform Judaism, whose nearly 900 congregations across North America encompass 1.5 million Reform Jews, and the Central Conference of American Rabbis, whose membership includes more than 2,000 Reform rabbis, we submit this testimony as an urgent plea on behalf of the refugees fleeing the horrific violence in Syria and elsewhere in the region, who so desperately need our support.

Our tradition teaches us that "The stranger who sojourns with you shall be to you as the native among you, and you shall love him as yourself" (Lev. 19:33). As a community, we find it impossible to close our hearts to the plight of the millions of refugees seeking a haven from violence and persecution. In our congregations nationwide, rabbis and congregants are eager to respond with compassion and efficacy. Many have contacted us ready to sponsor individuals or families of refugees, as many of our Canadian congregations are doing. In the absence of that opportunity in the U.S., these congregations have responded with financial donations to relief organizations and robust advocacy in support of welcoming increased numbers of refugees.

The recent attacks in Paris echo the kind of terrible violence that the Syrian people have lived with for the past several years. Now is the time to ensure the U.S. refugee system remains open to those fleeing this violence, reflecting our values as a country that is a safe haven and beacon of freedom. This can be done while maintaining our national security, assured in the knowledge that individuals allowed into the U.S. as refugees go through a lengthy and rigorous screening program.

A nation built by refugees from political and religious persecution cannot turn its back on refugees seeking escape from the same. We stand ready to do our part, but we know, as you must, that what is required first and foremost is governmental action, which should never discriminate against refugees or others based on their religion.

We must all ask ourselves what more can be done to help those in desperate need. We must all, including and perhaps especially those of us who hold public office and make decisions about our nation's priorities and actions, act with courage and compassion. We pray that we as a nation will rise to meet this challenge, and will all be found to have lived up to our responsibility to care for the poor, the needy and the stranger among us.



The Religious Action Center pursues social justice and religious liberty by mobilizing the Jewish community and serving as its advocate in Washington, D.C. The Center is led by the Commission on Social Action of the Central Conference of American Rabbis and the Union for Reform Judaism (and its affiliates) and is supported by the congregations of the Union.





REFUGEE SOLIDARITY NETWORK

**RSN's Statement to the Committee on the Homeland Security & Governmental Affairs of the U.S. Senate
pertaining to the hearing
Lessons from the Paris Terrorists Attacks: Ramifications for the Homeland and Refugee Resettlement
Thursday, November 19, 2015**

By Zaid Hydari, Executive Director of RSN

The war in Syria, now in its fifth year, has been described as the worst humanitarian crisis of our time. Nearly 4 million people have fled the country, of which well over 90% reside in neighboring countries Turkey, Lebanon, Jordan, Iraq and Egypt. Turkey alone hosts some 2 million Syrians, in addition to over 200,000 individuals that have fled Iraq, Afghanistan, Iran, and Somalia.

The Refugee Solidarity Network (RSN) is a US-based non-profit organization that seeks to protect and advance refugee rights worldwide, with a current focus on Turkey. In addition to building capacity of local legal advocates and supporting legal assistance initiatives on the ground in Turkey, RSN advocates for ways in which the international community can better respond and share in the responsibility of this human tragedy.

One way is through resettlement. The United States has a long and significant history of resettling populations in need. Since 1975, the U.S. has resettled more than 3 million refugees to its shores with annual admissions figures ranging from a high of 207,000 in 1980 to a low of 27,110 in 2002. Since the war in Syria broke out in March 2011, the U.S. has resettled less than 2,000 individuals from Syria.

On September 10, 2015 the White House announced a commitment to increase refugee resettlement to the US over the next two years. RSN welcomed this announcement, acknowledging it as a step in the right direction and advocating along with several partner organizations to further expand those commitments. However, some elected officials responded to these initiatives with derogatory remarks and offensive rhetoric, stoking fear against this program and against individuals in urgent need of assistance.

The recent heinous events in Beirut and Paris have only made matters worse. Governors and Congressional officials have spoken out against resettlement of all Syrians, with varying degrees of inflammatory generalizations and prejudice. Like all challenging moments, this has provided an opportunity to reflect not only on our moral obligation, but on the robustness of the security screening procedures carried out as part of the US Refugee Admissions Program.

Refugees are the most vetted and screened of any immigrants granted entry to the U.S. There is no objective basis to challenge the integrity of the security process, a rigorous and lengthy procedure that on average takes over 2 years from start to finish for each and every refugee selected for resettlement. Comparisons to the European context are simply not relevant, as asylum-seekers in Europe do not undergo advanced intensive screening.

While resettlement is not the only solution to this complex crisis, it is a critical gesture of burden-sharing to first countries of asylum like Turkey, where the government and host population have sacrificed a great deal, both monetarily and otherwise, to receive and protect the displaced. RSN and its partner's efforts to improve standards in Turkey are made difficult when other global leaders do not contribute their fair share.

RSN furthermore unequivocally opposes proposals to prioritize or favor resettlement of certain religious groups before others. RSN and its partner on the ground disseminate information to and advise refugees on their eligibility for humanitarian programs in Turkey and discriminatory distinctions between ethnic and religious groups adversely affect humanitarian aid providers and their programs. In addition to creating confusion, such policies stoke resentment and tarnish the image of the United States among vulnerable populations and on the world stage.

As it has done so many times in the past, the US should lead by example, encouraging other developing nations to increase their participation in humanitarian funding and resettlement, instead of participating in a race to the bottom. Congress should continue to promote funding appropriations for humanitarian assistance overseas, while increasing resettlement and family reunification opportunities to the US. RSN urges members of Congress to abandon harmful and misleading discourse instead of abandoning refugees in need of protection.

Written Testimony of Catherine Orsborn, Director of the Shoulder to Shoulder Campaign

"Lessons from the Paris Terrorist Attacks: Ramifications for the Homeland and Refugee Resettlement"

November 19, 2015; 2:00 pm

I would like to thank the members of the House Subcommittee on Immigration and Border Security for providing the opportunity to submit this statement on the need to address the Syrian refugee crisis. As I will discuss below, this is an issue that is too often clouded by misinformation and prejudice, and I welcome the opportunity to expand the conversation of this critical topic.

I bring before you today the collective voices of 31 different religious denominations and organizations, the members of the Shoulder to Shoulder campaign to combat anti-Muslim bigotry. We are calling on the United States government to respond generously in the face of the Syrian humanitarian crisis, and urging public officials to refrain from bigoted and discriminatory rhetoric and approaches in this response. The magnitude of the Syrian crisis is daunting, and the U.S. must help to lead a global response that honors the human dignity of each and every person seeking freedom from the violent conditions in Syria today.

As religious leaders, it is deeply concerning to our coalition that we too often hear this crisis discussed in terms of U.S. national security instead of our moral and humanitarian commitment to the least among us. We are of course concerned with safeguarding the national security of our nation, but too much of this rhetoric is a smokescreen for bigotry and prejudice. Elected officials have referred to the refugee resettlement system as a "Trojan horse" for terrorist groups. Such claims are unfounded, as the resettlement program is one of the most difficult ways to enter our country. Syrians from all backgrounds are leaving some of the most horrific conditions imaginable to find security for themselves and their communities; their human security is the security that is most threatened at the moment. We must not talk about Syrian refugees as "security threats," politicizing their plight, but we should talk about them as human beings who, as such, deserve our respect and compassion.

We do a disservice to our nation's values if we allow religious prejudice to influence our response to this crisis. Our nation's mandate in resettling refugees is to prioritize the most vulnerable. The most vulnerable of those

fleeing Syria are from a number of different religious and ethnic backgrounds- this includes religious minorities and Muslims alike. All of whom are fleeing the horrific conditions in Syria today; all of whom are searching for peace and security for themselves and their families. To paint Muslim refugees in particular as security threats on the basis of their religious identity is bigoted and defies the compassion with which we as Americans of different faith traditions should approach those asking for our help.

We thus lift our voices to call upon our elected officials to recognize the human dignity of Syrians reaching out for global support in this time of great need. We call on our elected officials to refrain from politicizing their plight and to instead reach into the wells of our own national values to find the courage and compassion to extend a welcoming hand to those seeking refuge without religious or ethnic discrimination in so doing.



Syrian American Medical Society Statement for the Record
To the Senate Committee on Homeland Security & Governmental Affairs

"The Impact of ISIS on the Homeland and Refugee Resettlement"
Thursday, November 19, 2015

Chairman Johnson, Ranking Member Carper, and all members of the Senate Committee on Homeland Security & Governmental Affairs, thank you for the opportunity to submit a written statement on the important issue of the Syrian refugee crisis and its implications for the United States.

We write to you as a non-religious, non-political, Syrian American led humanitarian organization that provides assistance to over 1.5 million Syrians each year and represents thousands of Syrian American medical professionals in the United States. The Syrian American Medical Society (SAMS) is working on the front lines of crisis relief in Syria and neighboring countries to save lives, support doctors and medical professionals, and rebuild healthcare.

SAMS was founded in 1998 as a professional society, working to connect physicians of Syrian descent through educational and professional activities. When the conflict in Syria began in 2011, SAMS expanded its capacity significantly to meet the growing needs and challenges of the medical crisis. SAMS is now a leading organization in the Syria crisis response, impacting the health and lives of millions. We support over 100 field hospitals, clinics, and surgical centers inside of Syria and support over 800 Syrian doctors, nurses, and health workers in Syria who are risking their lives to save others. Our members and supporters have led dozens of lifesaving medical missions to Jordan, Lebanon, and Turkey to support refugees regionally. SAMS also supports Syrian refugees in neighboring countries with critical psychosocial support, medical care, and social services.

Civilians are experiencing unthinkable atrocities right now in Syria. Hospitals, schools, markets, and other civilian infrastructure is targeted daily by aerial attacks. On October 20, one of our field clinics in Sarmin, Idlib was hit by two air-to-surface missiles fired from Syrian government / ally warplanes. This strike killed two of our heroic medical staff and 10 civilians. The director of the Sarmin clinic said afterwards, "When I am in the hospital, I feel like I am sitting on a bomb. It is only a matter of time until it explodes. It is wrong - a hospital should not be the most dangerous place. I wish I could say that targeting a hospital in Syria is unique, but is not. The field clinic I direct in Sarmin has been targeted and hit by airstrikes more than a dozen times. We've seen too many civilians and medical staff die in our hospital to count. The hardest part is knowing that these attacks will happen again." This is daily life inside of Syria. Another SAMS-

supported surgeon from Aleppo spoke about the aftermath of a barrel bomb attack, describing, **“The bodies of a mother and daughter were blown apart but their hands were still clasped together.”** These attacks are what civilians flee from each day, becoming internally displaced or refugees in surrounding countries to escape the daily violence.

As a result of these horrific events, the world is witnessing the largest refugee crisis since World War II. More than 12 million Syrians are displaced internally, and more than 4 million Syrians have fled as refugees. For nearly five years, they have been victims of unspeakable violence, losing not only their country and community but also family members and friends. The surrounding countries of Jordan, Turkey, and Lebanon have each taken in over one million Syrian refugees seeking protection. The enormous flow of refugees has created a strain on these countries in the region, which are forced to deal with extreme economic pressures, overcrowded hospitals, shortages of basic public services, and growing resentment among host communities. The sheer numbers of refugees and lack of support for host communities threaten their stability. Tens of thousands of Syrians are risking death again to flee to Europe; over 2,500 of them have drowned or disappeared in the Mediterranean in 2015.

SAMS strongly supports the U.S. refugee resettlement program, which resettles tens of thousands of refugees from around the world each year. **It is essential for the U.S. to take a leading role in Syrian refugee resettlement for the protection of Syria's most vulnerable refugees, for the stability and security of the region, and for the relevance of the U.S. as a humanitarian and global leader.**

Historically, the United States has always taken a leadership role in assisting vulnerable refugees fleeing major disasters. The U.S. has accepted the majority of all UNHCR referrals from around the world. The families and individuals being considered for resettlement face dire protection challenges and often need specialized care. Over 76 percent of Syrian refugees are women and children. Among those being considered for resettlement are victims of torture, women at risk, persons with disabilities, LGBTQ persons facing risk, women-headed households, and those facing acute security threats. **We call on all Congresspeople to maintain policy stances that are open-hearted to the most vulnerable populations and non-discriminatory in nature.**

To members of the Senate Committee on Homeland Security & Governmental Affairs, and to all Members of Congress, we recommend:

- **Working to ensure sufficient staffing and capacity for security vetting agencies to increase their ability to conduct thorough and quick security checks.** We commend the meticulous and exemplary work of the Refugee Admissions Program, coordinated by the Bureau of Population, Refugees, and Migration at the Department of State and the Department of Homeland Security. All Syrian refugee profiles being actively considered for resettlement are reviewed thoroughly by the U.S. Refugee Admissions Program with support and leadership from the White House and numerous security vetting agencies, including the Department of Defense and Federal Bureau of Investigation. These Syrians go through extensive security background checks, and those being considered for resettlement are among the most vulnerable populations. The U.S. vetting process is the most robust in the world and typically takes more than two years. To prohibit Syrian refugees from the option of U.S. resettlement because of the presence of ISIS and other extremist groups in Syria, and not based on thorough U.S. led security checks and humanitarian needs assessments, discounts the commendable work of the Department

of Homeland Security and Department of State and amounts to blatant discrimination based on nationality.

- **Demonstrating leadership by opposing inflammatory anti-refugee legislation.**
- **Fully funding essential humanitarian and refugee accounts.** It is essential that ample assistance is provided to the refugee response in Turkey, Jordan, and Lebanon, which together house 86% of Syrian refugees. With services and assistance at a regional level, more refugees will be able and willing to remain in the region, and fewer will flee to Europe or desperately need resettlement. Furthermore, funding is needed to maintain the stringent and rigorous vetting processes already in place through the Department of State and Department of Homeland Security so that refugees being resettled in the U.S. are properly vetted and assisted once they arrive. We call for funding at the following levels or higher:
 - Migration and Refugee Assistance (SFOPS): \$3.604 billion
 - International Disaster Assistance (SFOPS): \$2.42 billion (\$950 million for EFSP)
 - Refugee and Entrant Assistance (L/HHS): \$2.44 billion
 - Dept. of Homeland Security Refugee Corps (DHS): \$17.3 million in direct appropriations (+ \$32.3 million from anticipated fees for a total of \$49.6 million for DHS to do refugee resettlement screening)
- **Enhancing regional support and renewing efforts to stem flow of refugees by addressing the driver of the refugee crisis – the lack of protection for civilians in Syria.** The U.S. must make immediate civilian protection in Syria and the pursuit of a sustainable political solution to the conflict in Syria its top diplomatic priorities. Until protection is available and the conflict is resolved, Syrian civilians will continue to be killed, displaced, or flee the country, and it will not be safe for them to return home.

Refugee resettlement is not a political or partisan issue. It is a human issue. It is critical that the U.S. take further steps to act as a leader in this unprecedented global refugee crisis. The U.S., founded as a nation of immigrants, must continue and scale up its support for vulnerable Syrian refugees, providing them with the hope of resettlement and a brighter future.



Statement to the U.S. House of Representatives' Judiciary Committee, pertaining to its hearing "Lessons from the Paris Terrorists Attacks: Ramifications for the Homeland and Refugee Resettlement"

Thursday, November 19, 2015

The Southeast Asia Resource Action Center (SEARAC) was founded in 1979 to facilitate the relocation of Southeast Asian refugees into American society, and continues at present to advance the interests of these communities through advocacy, leadership development and capacity building.

Cambodian, Laotian and Vietnamese American communities arose from the largest refugee resettlement in U.S. history. Approximately 1.3 million refugees from war-torn countries in Southeast Asia were resettled into the United States after decades of the U.S. war in Vietnam, the Secret War in Laos, and the bombings of Cambodia, followed by the ruthless Khmer Rouge genocide. In 1975 alone, the United States resettled 4,600 refugees from Cambodia, 800 from Laos, and 125,000 from Vietnam, and continued to welcome hundreds of thousands more in need of safe haven in the years to come.

Syria is currently facing a similar humanitarian crisis, with more than 50 percent of its entire population displaced from their homes due to civil war and the growing threat of ISIS. More than 4 million refugees have fled the country, and an additional 8 million are internally displaced—76 percent of whom are women and children. Although SEARAC applauds Secretary Kerry's announcement to increase refugee resettlement numbers to 85,000 in 2016, and 100,000 in 2017, these efforts still need to be drastically improved. At present, the United States has resettled less than 2,000 Syrians since the beginning of the conflict. In contrast, there are currently, 1.9 million registered refugees in Turkey, 1.1 million in Lebanon, 630,000 in Jordan, 250,000 in Iraq, and 130,000 in Egypt.

Growing anti-immigrant and anti-Muslim sentiment fuel the fire of fear and hate that penalizes millions of these refugees in need of protection. The current process of refugee screening in the United States subscribes to the most stringent of standards, allowing admission into the country only after successfully undergoing a rigorous 11-step process, which includes a number of security clearances. Despite this, xenophobia and islamophobia continue to steer the direction of public policy decisions, and weaken the country's resolve in pursuing its humanitarian responsibility.

2015 marks the 40th year anniversary since the United States opened its doors to millions of men, women and children from Southeast Asia seeking humanitarian protection. Their courage and resilience has led these communities to grow and contribute to the country. SEARAC, along with more than 2.5 million Cambodian, Laotian and Vietnamese Americans living in the country, stand with our refugee brothers and sisters from Syria, and call on the Administration and Congress to carry on America's legacy as a leading humanitarian leader by opening its doors to vulnerable communities.

Co-Signers:Organizations:

ACT for Women and Girls
 Asian Law Alliance
 California Pan-Ethnic Health Network
 Chinese for Families
 Community Health for Asian Americans
 Fresno Interdenominational Refugee Ministries(FIRM)
 Guam Communications Network
 Khmer Health Advocates Inc.
 National Korean American Service & Education Consortium
 NQAPIA: National Queer API Alliance
 OCA - Asian Pacific American Advocates
 Pacific Islander Cancer Survivors Network
 Services, Immigrant Rights, and Education Network (SIREN)
 Southeast Asians in Medicine (SEAM) at UC Davis School of Medicine
 Stone Soup Fresno
 The Greenlining Institute
 UCDSOM Southeast Asians In Medicine
 United Cambodian Community
 Vietnamese Youth Development Center
 WSU Khmer Cougs

Individuals:

Adriana Garcia	Dao Chang	Ka Xiong
Albert Le	David	Kao Yong Thao
Amelia Ortega	David Yang	Kayla Lor
Angela Jia Yin Ng	dena	Kee Vang
Angie Tran	Dinh Le	Kenny Hoang
Anhlan Nguyen	Elena Macias	Kevin Nguyen
Anh-Thu Nguyen	Emily Reyes	Khamphoui Singvongsa
Anne Martin-Montgomery	Erin Tsurumoto Grassi	Khassandra Heu
Annie Luong	Ethan Nguyen	Khaum xiong
Anthony Le	Farrah Tek	Khonnie Lattasima
Ariana Yang	Francis Guzman	Kia Vang
Ashley Uyeda	Giao Tran	Kristi Moua
Bao Kou	Henrissa Bassey	Kurt Siklar
Binh Ly	Henry Yue	Lean Deleon
BINH NGUYEN	Huong nguyen	Lee Vang
Bopha Cheng	Jacqueline Dan	Linda Sok
C	JENIFFER CALLEJA	Linda Vang
Camille Llanes-Fontanilla	Jeniffer Huong	Linh Chuong
Casey Tran	Jennifer	Lisa Phan
Chariya Sok	Jennifer Ka	Lyia Jalao
Cherry Lim	Johnny Rodriguez	Lynna Vong
Cynthia Brothers	Jonnie Luong	Maggie Doman
D Cahn	Justin Nguyen	Maggie Quan

Mai Nhia Vang
Marcus Degnan
Martin Tran
Mary Rose
Mary Scully
Mary xiong
Mary Yang
Mayta Lor
Melissa Koch
Merri Sullivan
Michelle Yeung
Mina Nguyen
Minh Nguyen
Mykhou Vue
Nancy Le
Natalie Nguyen
Navy Nhiv
Nga Bui
Nhi Tran
Nit Ounniyom
Odyssey Xiong
Pa Thao
Prenz
Quynh Nguyen
Rachel Pomeroy
Ricky Ly
Ruth Silver Taube
Sandy Kuoch
Sarita Panchang
Seng
Sheila Nem
SONEXAY SANAPHOL
Steven Doman
Suzanne Im
Tagaipah Mathno
Tam Duong
Tanira Chau
TANYA NGUYEN
Thanh Nguyen
Thao Xiong
Thear Chum
Thomas Steers
Tiffany Clark
timothy mcdermott
Tin Thanh Nguyen, Esq.
Tina Ngo
Trinh Le
True Vang
Uyen Phuong Hoang
Vang Xiong
Vieng Siklar
Vincent
Vincent P. Tran

Yi Chia Chen
Z Vue
Zer Vang

Testimony of T'ruah: the Rabbinic Call for Human Rights

Mr. Chairman, Members of the Subcommittee, thank you for this opportunity to submit testimony on behalf of T'ruah: the Rabbinic Call for Human Rights concerning the response of the United States to the refugee crisis and the effect of recent terror attacks in Beirut and Paris on these important decisions. It is worrisome that more than two dozen state governors have been ignoring our country's obligations to refugees under the UN Refugee Convention, which we signed and ratified in 1967. We are grateful for the Subcommittee's timely review of our responsibilities today.

T'ruah: the Rabbinic Call for Human Rights is an organization of 1,800 rabbis from all streams of Judaism that acts on the Jewish imperative to respect and protect the human rights of all people. Grounded in Torah and our Jewish historical experience and guided by the Universal Declaration of Human Rights, we advocate for human rights in Israel and North America. We are one of many organizations working with Shoulder to Shoulder: Standing with American Muslims, Upholding American Values, and our concern for the welfare of Muslims in the United States comes from our commitment to human rights for all and our own Jewish historical experience as a minority often in need of protection.

Our historical experience as Jews in the United States teaches us the consequences of letting our fears dictate our policies towards those seeking refuge. 75 years ago, as Jewish refugees from the Nazis in Europe desperately sought a safe haven, elected officials in the United States spoke about the threat of Nazi infiltrators arriving on refugee boats, and spoke out against letting in so many Jews. Similar rhetoric about Muslim refugees is being used today, and similar fears are being used as excuses for refusing refuge to Syrians. Today, the processes our country have in place for screening refugees are incredibly thorough, and at least half of the refugees are children, who do not pose a threat. Americans made the mistake less than a century ago of turning away refugee Jewish children and their parents, many of whom went to their deaths. Today, we see in the Syrian refugees the same need that we saw two generations ago among European Jewish refugees, and today we have the strength, the resources, and the understanding to provide them with the shelter and aid they so desperately need.

At the beginning of Genesis, we read: "God created the human in his own image." (Genesis 1:27) Our primary understanding of who we are comes from this phrase, teaching us that every human being – no matter their religion or nationality – is created in God's image, b'tzelem Elohim. Therefore, to refuse hospitality and aid to millions of human beings in a dire situation is akin to degrading the divine.

If we take our belief in God seriously as people of faith, then we cannot be silent when millions of fellow human beings are being prevented from seeking refuge in other countries, and who are now being treated as undesirable in our country, primarily because of their religion. The Muslim faith of refugees does not make them inherently dangerous, as some voices have said. Acts of terror being committed today by extremists have had devastating impacts on Muslim communities as well as others. The fear is understandable, but our fears are shared by the majority of refugees from Syria, Iraq, and Afghanistan, who are fleeing precisely the same violence. Refusing to help victims of our shared enemy is immoral and cowardly.

Jewish tradition emphasizes the need for a shared sense of human responsibility. In a collection of Biblical interpretations called *Pirke DeRabbi Eliezer*, we are told that god gathered the dust - red, black, white, and yellow - to create the first person from the four corners of the world. Why? So that if a person traveled from east to west or from west to east, and the time came for that person to die, the earth would not be able to say that the dust of that person's body did not belong there, or should return to the place from which the person had been created. We learn that the basic elements of creation in each of our bodies are the same everywhere, and that each person's body will return to the dust, as is says in Genesis 3:19, "For you are dust, and you shall return to dust."

We believe that the moral voice of rabbis is critical in ending hateful and false anti-Muslim rhetoric, and we believe that the time to act and help these refugees is now. Mr. Chairman, Members of the Subcommittee, Truth: the Rabbinic Call for Human Rights believes strongly that the United States should do everything it can to be a place of refuge and welcome for those in dire need. We have a moral obligation to uphold the dignity and the safety of those in desperate circumstances. To that end, we strongly support your leadership in sponsoring legislation that would bring Syrian refugees to the United States and ensure their safety once here. We implore you to publicly recommit to our obligations under the Refugee Convention and come to the aid of our allies in Europe and the Middle East today by acting immediately to bring refugees to the United States. Your hearing today is a very important effort in doing that, and we thank you for the opportunity to contribute to it.

General Board of Church and Society of The United Methodist Church
Statement to the U.S. Senate's Judiciary Committee,
pertaining to its hearing
Lessons from the Paris Terrorist Attacks: Ramifications for the Homeland and Refugee
Resettlement
Thursday, November 19, 2015

The General Board of Church and Society grieves for the victims of violence in Paris, Beirut, and other places around the world recently. We continue to pray for the day when no more tears will be shed as war will give way to peace. Christians are reminded of the coming season of Advent and anticipate the coming of our Lord. We recall the Savior of the world began his life as a refugee.

Vulnerable people are increasingly facing crises in our world today. Perhaps the most vulnerable people are refugees. This is evident today as we see approximately four million refugees from Syria, with three quarters of them being women and children. The solutions to this crisis are complex, but one solution is the safe resettlement of refugees. Currently, more than three million Syrian refugees have resettled in Lebanon, Turkey, Jordan, Egypt, and Iraq. U.S. participation in the resettlement of refugees is vital and demonstrates global leadership while providing relief for the countries in the region to which refugees immediately flee.

The United States presently has resettled only 2,000 Syrian refugees. We feel strongly the United States should significantly increase this number and show authentic global leadership. Refugees are the single most scrutinized and vetted individuals to travel to the United States: undergoing more than seven security checks by intelligence agencies including biometric tests, medical screenings, forensic testing of documents, iris scans to confirm the identity of Syrian refugees throughout the process, investigations by the National Counterterrorism Center, and in-person interviews with Department of Homeland Security officials. It takes individuals longer than 1,000 days to be processed before entering.

States and governments have a responsibility to protect their citizens, including protecting the human rights of all people in their boundaries. However, the calls for stopping Syrians from entering the country are reminiscent of shameful times in this country's history when we surrendered to our fears and refused to serve people who truly were experiencing violence and persecution. Protecting and upholding human dignity and freedom for those fleeing terror, persecution, and economic deprivation, is not only the common responsibility of everyone including state and religious bodies, it is our highest calling.

The United Methodist Church has consistently supported humanitarian responses to crises. Christian witness should reflect the special care that Christ offers migrants, refugees and the vulnerable. As United Methodists, we know that fearful responses are not reflective of Christian life and witness. Instead, Christ calls us to a love for humankind and compassion for all of people regardless of race, ethnicity, or religion.

Therefore, we oppose all efforts to curtail the acceptance of Syrian refugees into the United States as well as the efforts of some to impose a religious litmus test that will discriminate against Muslim refugees. To conflate refugees with terrorists is inexcusable when the millions of people leaving Syria are fleeing that same violence and terror.

Rather than submit to fear, we pray that public officials will give pause to thoughtful deliberation and choose wisdom over political rhetoric. Our hope is that Congress shows true leadership in this time of great tragedy. United Methodists serve refugees across the world and will continue to welcome refugees to our communities. Our prayer is that this will include refugees from Syria.



Written Testimony of

**Most Reverend Eusebio Elizondo, M.Sp.
Auxiliary Bishop of the Archdiocese of Seattle, WA
Chairman, U.S. Conference of Catholic Bishops Committee on Migration**

For a Hearing of the Senate Homeland Security and Governmental Affairs Committee

“On Safe and Secure Resettlement of Refugees Fleeing from the Syrian Crisis”

**2:00 p.m., Thursday, November 19, 2015
Room 342 Dirksen Senate Office Building**

I am the Right Reverend Eusebio Elizondo, M.Sp., Auxiliary Bishop of Seattle, Washington, and Chair of the United States Conference of Catholic Bishops' Committee on Migration (USCCB/COM).

I would like to thank Chair Ron Johnson (R-WI), Ranking Member Thomas R. Carper (D-DE), and committee members for the opportunity to comment on the important issue of safe and secure refugee resettlement.

All of us are mindful of the senseless violence perpetrated by ISIS in Paris last week. As we mourn with our French brothers and sisters and offer our deepest condolences, we rededicate ourselves to seeking peace for Syria and her people and safe and dignified options for refugees fleeing from ISIS and other persecutors in Syria.

I am disturbed by calls from both federal and state officials for an end to the resettlement of Syrian refugees in the United States. These refugees are fleeing terror themselves—violence like we have witnessed in Paris. They are extremely vulnerable families, women, and children who are fleeing for their lives. We cannot and should not blame these vulnerable refugees for the actions of a terrorist organization.

Moreover, refugees to this country must pass security checks and multiple interviews before entering the United States—more than any arrival to the United States. It can take up to two years for a refugee to pass through the whole vetting process. We can look at strengthening the already stringent screening program, but we should continue to welcome those in desperate need.

Instead of using this tragedy to scapegoat all refugees, I call upon our public officials to work together to end the Syrian conflict peacefully so the close to 4 million Syrian refugees can return to their country and rebuild their homes. Until that goal is achieved, we must work with the world community to provide safe haven to vulnerable and deserving refugees who are simply attempting to survive. As a great nation, the United States must show leadership during this crisis and bring nations together to protect those in danger and bring an end to the conflicts in the Middle East.

Our analysis and recommendations in today's testimony will focus on how we believe safe and secure resettlement fits in as a small, but important, part of the overall solution to the Syrian refugee crisis. Before, and especially since, September 11, 2001, Congress has been vigilant about maintaining the safety and security of the U.S. resettlement program. This testimony will detail the bars to U.S. asylum and refugee protection, particularly those involved in crime or terrorism. It will also detail how compliance with these bars are maintained through numerous and arduous interviews, administrative reviews, security checks, and background checks built into the refugee resettlement screening process by the Departments of State, Justice, and Homeland Security. In the testimony, we will also show how safe and secure resettlement fits in to the overall comprehensive humanitarian response to the Syrian crisis.

A USCCB/COM delegation travelled to the region in October 2012 and completed a report titled, "Mission to the Middle East: Report of the U.S. Conference of Catholic Bishops on Syrian Refugees." We also traveled to the region more recently and released a report in January 2015 entitled, "Refuge and Hope in the Time of ISIS: The Urgent Need for Protection, Humanitarian Support, and Durable Solutions in Turkey, Bulgaria, and Greece." Between 2012 and 2015, we have seen more than a sevenfold increase in the number of Syrian refugees fleeing to neighboring host countries. There were 550,000 Syrian refugees in the region when we first visited. By the end of 2015, the number is expected to reach 4.3 million, with over half of them being children under the age of 17, 38% children under the age of 12, and three quarters of them being women and children.

With the coming of ISIS we have also witnessed an enormous increase in the number of ethnic and

religious minorities fleeing persecution. The conflict has also spread into Iraq, displacing many in that country, as well.

Mr. Chairman, I ask that the above reports be included in the hearing record. In this current written testimony, I will integrate and update our observations and recommendations from those reports.

When considering refugee situations, Catholics and all Christians are reminded that one of Jesus' first experiences as an infant was to flee for his life from King Herod with his family to Egypt. Jesus, Mary, and Joseph were refugees in the Middle East and faced some of the same fear, uncertainty, and dislocation that the millions of Syrians and Iraqis imperiled by this crisis face today. The situation is especially urgent given the unprecedented size, complexity, and rate of growth of the displaced population.

Mr. Chairman, in my testimony today regarding the U.S. resettlement program USCCB/COM recommends that the United States:

- Assure that U.S. resettlement is done in a safe, secure, and timely manner.
- Fully fund the U.S. Departments of State, Homeland Security, and Health and Human Services to securely vet and humanely resettle 85,000 refugees admitted under the Presidential Determination (PD) for Fiscal Year 2016, 100,000 refugees admitted under the PD for the Fiscal Year 2017, and additionally, the US should carry out its usual role as international human rights and refugee protection leader and assure that we do our fair share of safe, humane resettlement of Syrians.
- Encourage the Department of State (DOS) to focus especially on the most vulnerable refugees, including unaccompanied refugee minors (URMs), other children at risk, women at risk, refugees with serious health concerns, the elderly, victims of torture and/or trauma, those with affiliations with the U.S. government or U.S. based NGOs, media, and companies; members of persecuted minority ethnic and religious groups; and refugees in immediate danger.
- Increase U.S. resettlement of vulnerable non-Syrian refugees in the region, such as Iraqis, and urge other nations to do likewise and thereby share the refugee protection responsibility with the host countries.

Further, Mr. Chairman, we recommend that resettlement be integrated into a comprehensive approach to this crisis and urge that the United States:

- Work with other governments to obtain a ceasefire, initiate serious peace negotiations, provide increased impartial humanitarian assistance and allow safe passage for this assistance within Syria, especially for internally displaced people (IDPs), and establish a peace that builds an inclusive society in Syria and Iraq that protects the rights of all its citizens, including Christians and other minorities, enabling them to return to their homeland in the future with safety and dignity.
- Encourage refugee host countries to maintain secure border and migration enforcement policies and practices but at the same time maintain policies and practices that enable Syrians and other refugee groups (such as Iraqis) to safely flee from Syria and Iraq to find protection and humanitarian care without improper rejection at the border, deportation, or arbitrary detention in poor conditions.

- Provide more U.S. support and encourage more international humanitarian and development support for refugees in the region, especially children, for their basic necessities of life, immediate protection, primary and secondary education, and systems that lay the groundwork for durable solutions, including employment for adults; and provide host countries additional housing, food, water, sanitation, health, education, and transportation infrastructure to allow them to host these large numbers of refugees.
- Urge the Department of Homeland Security (DHS), in consultation with DOS and the Department of Justice (DOJ), to expeditiously remove unjust impediments to U.S. resettlement by implementing discretionary authority to grant exemptions from overly broad terrorism related inadmissibility grounds (TRIG) of U.S. immigration law.

I. Catholic Social Teaching

The Catholic Church is a migrant and refugee church. The Catholic Church in the United States, for example, is made up of more than 58 ethnic groups from throughout the world, including Europe, the Middle East, the Near East, Asia, Africa, and Latin America.

We have a long history of involvement in refugee and child protection both in the advocacy arena and in welcoming and integrating waves of immigrants and refugees who have helped build our nation as one that embraces ethnic diversity while sharing common values. The work of the USCCB's Committee on Migration is carried out by the Migration and Refugee Services (USCCB/MRS), which is the largest U.S. refugee resettlement agency, resettling one million of the three million refugees who have come to our country since 1975. It is a national leader in caring for unaccompanied refugee and migrant children and works with over 100 Catholic Charities across the United States to welcome and serve refugees and unaccompanied refugee and migrant children.

The U.S. Catholic Church also relates closely with the Catholic Church in countries throughout the world, where our worldwide Catholic communion serves the needs of the most marginalized regardless of nationality or religious affiliation. We serve many refugees, internally displaced persons, and host nations straining under the large influx of people fleeing persecution and war. The Church's deep experience in combating poverty and forced migration and their root causes in the Middle East also includes the work of, among others, Catholic Relief Services (CRS), the official overseas relief and development agency of the U.S. Catholic bishops, the International Catholic Migration Commission (ICMC), of which USCCB is the largest member, Caritas International, Jesuit Refugee Services (JRS), and the Catholic Near East Welfare Association (CNEWA).

The Catholic Church's work of assisting all migrants everywhere stems from the belief that every person is created in God's image. In the Old Testament, God calls upon his people to care for the alien because of their own experience as aliens: "So, you, too, must befriend the alien, for you were once aliens yourselves in the land of Egypt" (Deut. 10:17-19). In the New Testament, the image of the migrant is seen in the life and teachings of Jesus Christ. In his own life and work, Jesus identified himself with newcomers and with other marginalized persons in a special way: "I was a stranger and you welcomed me" (Mt. 25:35). Jesus himself was an itinerant preacher without a home of his own, and as noted above, a refugee fleeing to Egypt to avoid persecution and death (Mt. 2:15).

In modern times, popes over the last 100 years have developed the Church's teaching on migration, teaching that has been frequently applied by church leaders. Pope Pius XII reaffirmed the Catholic Church's commitment to caring for pilgrims, aliens, exiles, refugees, and migrants of every kind,

affirming that all peoples have the right to conditions worthy of human life and, if these conditions are not present, the right to migrate.¹

In our joint pastoral letter, *Strangers No Longer: Together on the Journey of Hope, A Pastoral Letter Concerning Migration*, January 23, 2003, the U.S. and Mexican Catholic bishops call for nations to work toward a “globalization of solidarity.” “Refugees and asylum seekers should be afforded protection. Those who flee wars and persecution should be protected by the global community. No. 99. Also, “[b]ecause of their heightened vulnerability, unaccompanied minors require special consideration and care” No. 82.

Recently, Pope Francis defended the rights of refugees and migrants, traveling to Lampedusa, Italy, to call for their protection. He decried the “globalization of indifference” and the “throwaway culture” that leads to the disregard of those fleeing persecution in order to seek refuge or a better life. Regarding Syrian refugees drowning at sea as they flee the crisis, he later exhorted the international community, “We cannot allow the Mediterranean to become a vast cemetery!” He urged solidarity with refugees and cooperation among the nations to address this challenge. During his recent trip to the United States, he spoke about the need to welcome refugees and migrants, urging Congress and the American people, “to respond in a way which is always just, humane, and fraternal”, remembering the Golden Rule and helping refugees, not viewing them as a problem.

II. Overview of the Ongoing Syrian Refugee Crisis

“War is like fire. A fire eats everything before it. So does war. There is no peace anywhere,” says a Syrian Christian refugee woman in Lebanon served by a Catholic aid group.

The Syrian refugee crisis deserves the full attention and mobilization of the international community. The armed conflict has continued to escalate across Syria and has spread into Iraq. It has brought ongoing large-scale destruction, human suffering, and death inside the country and threatens destabilization of the whole region. The size, scope, rapid growth and complexity of Syria’s forced migration are reasons for deep concern. With the brutal conflict and ever-growing forced migration, there is a serious lack of livelihood, shelter, food, water, sanitation, education, health care, and protection inside Syria and in neighboring countries that host Syrian refugees.

Protection, humanitarian support, and pursuit of durable solutions for refugees are important for humanitarian reasons but also as part of a strategy for maintaining the stability of the host countries and the region. This requires responsibility sharing by the international community both through generous assistance to support refugees in the host countries and also by providing refuge for some of those fleeing the crisis. Safe and secure refugee resettlement plays a relatively small, but important, role in the overall strategy to address the crisis. Before detailing the role of safe and secure resettlement, we want to describe the overall challenge facing the international community.

The conflict has led to the forced displacement of some 50% of the Syrian population, including some 8 million internally displaced people (IDP).

The Syrian Christian woman quoted above is among the some 4.3 million Syrian refugees forced to flee their country, with 1.1 million seeking refuge in Lebanon, 634,000 in Jordan, 2.2 million in Turkey, 244,000 in Iraq, 127,000 in Egypt, and the several hundred thousand who have fled to Europe seeking

¹ Pope Pius XII, *Exsul Familia* (On the Spiritual Care of Migrants), September, 1952.

asylum.² Besides the increase of Syrian refugees to neighboring countries, those countries also host large refugee populations of non-Syrians, including many Iraqis, Afghans, and others.

One UNHCR official in Turkey explained to the USCCB/COM delegation the impact of the refugee arrivals there over the last four years, “It began as a migration emergency, became a protracted refugee situation, and is now a social crisis for our country.” Some 20% of the Lebanese population is refugees and some 8% of Jordan’s. Although very high, those numbers alone do not capture the challenge for host nations and communities. During the first two-days of the most recent trip to Turkey, some 130,000 Syrian Kurds fled from ISIS in Kobane, Syria, into southern Turkey, where Turkey generously provided them protection and humanitarian care. To use a local community example, in Arsal, Lebanon, the city of 35,000 has already welcomed 39,000 Syrian refugees, including 20,000 in November 2013 alone.³

An enormous additional humanitarian and refugee protection challenge arises because over 85% of Syrian refugees in the region are so-called urban refugees who reside outside of camps, seeking refuge in widely dispersed local communities.

Some 75% of the Syrian refugees are women and children. Many, especially women and girls, face serious problems with gender-based and sexual violence in Syria and also often in the host countries. UNHCR reports that around half of the refugees are children, with 75% of them less than 12 years old.⁴ Some 60% do not attend school, including 80% in Lebanon and more than 50% in Jordan.⁵ Only 70% of Syrian, urban refugee children attend school in Turkey. This is due both to lack of education infrastructure and also because of widespread child labor—a strategy Syrian families have had to resort to for family survival. USCCB/COM also heard disturbing accounts of young girls being subjected to early marriage and bride selling.

The most vulnerable refugees are unaccompanied children. UNHCR has so far identified 3760 unaccompanied refugee minors (URMs) among the refugees in Lebanon and Jordan.⁶ The USCCB/COM delegation saw indications of many more than that during their recent trips. These are children alone in the world whose parents have died or who have been separated from their parents.

We turn last to the vulnerability of some Syrian minorities. While 75% of people in Syria⁷ and 90% of registered refugees fleeing from Syria are Sunni Muslims,⁸ there are also several ethnic and religious minority groups, including Christians, who are at risk. Christians make up some 10% of the Syrian population, totaling about 2.2 million.⁹ These are among the most ancient and venerable Christian communities in the world that have a history of peaceful coexistence with their Muslim neighbors. They long to remain in Syria.

A growing number of ethnic and religious minorities from both Syria and Iraq are now fleeing as a result of ISIS violence. Besides the ethnic Kurds from Syria described above, the USCCB/COM delegation met many refugees during their trip who were fleeing religious persecution. Iraqi Christians had fled to Turkey from villages near Mosul, Iraq. They reported that they, as Christians, were given an ultimatum by

² Syrian Refugee Response Regional overview, accessed Nov. 17, 2105, at <http://data.unhcr.org/syrianrefugees/regional.php>

³ Assistant Secretary of State Anne Richard, Testimony, December 10, 2013.

⁴ UNHCR, *The Future of Syria: Children in Crisis*, December 2013, p. 9.

⁵ Assistant Secretary Anne Richard, Testimony, December 10, 2013.

⁶ UNHCR, *The Future of Syria: Children in Crisis*, December 2013, p. 9 (2440 URMs in Lebanon, 1320 in Jordan).

⁷ USCIRF, *Special Report Protecting and Promoting Religious Freedom in Syria*, April 2013, p. 1 (available at www.uscifr.gov).

⁸ USCIRF, *Fact Sheet Syria: Syria's Refugee Crisis and its Implications*, July 2013, p. 1 (available at www.uscifr.gov).

⁹ USCIRF, *Special Report: Protecting and Promoting Religious Freedom in Syria*, April 2013, p. 1 (available at www.uscifr.gov).

ISIS to convert, pay a penalty for being Christian, or die. They understood the seriousness of the threat when the severed head of one of their noncompliant Christian neighbors was left on his doorstep. “I fled my country for Jesus Christ,” explained one middle-aged man. “I left so I could freely follow Jesus.” The delegation also met a young Syrian Christian convert seeking refuge in Bulgaria whose whole family had been killed after he explained to ISIS fighters why he had converted to Christianity. My fellow Bishop Oscar Cantú, Chairman of USCCB’s Committee on International Justice and Peace, rightly called religious persecution the “crisis within a crisis” in recent Senate testimony.¹⁰

III. Recommendations

We commend the peoples and governments of the refugee host countries for their generous welcome of their Syrian brothers and sisters. We commend the donor countries of humanitarian assistance led by the United States, UN agencies led by UNHCR, nongovernmental organizations, and other humanitarian actors. Yet with the escalating brutality of the conflict in Syria, the continued reports of crimes against humanity by the Syrian government and ISIS, and the thousands of Syrians fleeing for their lives every week, an even greater effort is needed. We urge a comprehensive approach to addressing the crisis that recognizes the important role that humanitarian interventions play in addressing the safety and security of the region. As you will note, we urge a still modest, but much more significant, role for U.S. resettlement as part of the solution. Up to now, the United States has resettled only some 2,000 Syrians.

Mr. Chairman, we will provide details now of our three sets of recommendations for Congress—the first regarding safe and secure resettlement, the second regarding the need for an inclusive peace in Syria, and the third regarding the need for taking a comprehensive approach by including sufficient humanitarian and development support for the refugees and host countries.

A. Increase U.S. refugee resettlement of the most vulnerable refugees and encourage other resettlement nations to do so as well.

International refugee protection has three durable solutions to refugee situations: voluntary repatriation in safety and dignity back to one’s home when peace comes, local integration into the host country, and safe and secure resettlement to a third country. In most refugee situations and in the case of Syria, voluntary repatriation is the most viable solution for the vast majority of refugees. To make this possible, the international community needs to support neighboring host countries to be able to safely and humanely host refugees until peace arrives. An inclusive peace in Syria and Iraq would enable all the refugees in neighboring countries, including ethnic and religious minorities, to be able to pursue voluntary return to their home countries. Such return is very important to most of the refugees. For many Catholic and Christian leaders and Catholic and Christian communities forced to flee from Syria and Iraq, it would be a cherished opportunity to return and rebuild their ancient communities and maintain the vital and important role of Christianity in the region that is traditionally diverse both in ethnicity and religion. For some refugees, with the permission of the host countries, they will be able to pursue the second durable solution and make a new life permanently in the neighboring host countries. For a very small percentage of the refugees, especially the most vulnerable and those most victimized and traumatized, the most viable and humane durable solution is resettlement. The most vulnerable Syrian refugees includes people from the majority and also from the minority ethnic and religious groups.

¹⁰ Testimony by Bishop Oscar Cantú, Chairman of the Committee on International Justice and Peace on behalf of the United States Conference of Catholic Bishops before the Subcommittee on State, Foreign Operations, and Related Programs of the Committee on Appropriations of the United States Senate, March 11, 2015.

In addition to providing robust humanitarian support for refugees in host countries, the United States, a nation of immigrants and refugees, often demonstrates solidarity with refugees and host countries in far-away crises like Syria's by providing strategic refugee resettlement for the most vulnerable refugees. It is strategic for the most vulnerable refugees because removing them from danger keeps their vulnerable situation from becoming catastrophic. It is strategic for host nations because it often removes vulnerable people who otherwise cause a disproportionate drain on the host's already strained resources. It is strategic for the overall crisis because it shares the responsibilities and spurs other nations to do likewise—either to provide aid or to agree to do resettlement or another durable solution. The U.S. generally resettles as many refugees as all other resettlement countries in the world combined.

The U.S. Conference of Catholic Bishops urges the United States to make strategic use of resettlement for the most vulnerable Syrian and Iraqi refugees. UNHCR says that because of their extreme vulnerabilities about 10% of the Syrians need to be resettled. Among the most vulnerable are unaccompanied refugee minors (URMs) whose parents have died or who are separated from their parents. There is a great risk that many other URMs, as urban refugees, will not be identified at all and their needs will go unnoticed by the overwhelmed host government and international staff. There is a strong need for community-based systems to identify vulnerable, at-risk refugees, especially unaccompanied children, to screen them, to provide protection and care, and to prepare for resettlement or whatever durable solutions is in each child's best interest. URMs should receive "best interest determinations" (BIDs) and ongoing support from social workers.

I must also call attention to religious minorities from Syria and Iraq as being among the most vulnerable refugees. As described earlier, it continues to be the hope and plan for many Catholic and Christian refugees to return home in the future. But for others, their vulnerability, trauma, and loss is such that the most viable and humane durable solution for them is resettlement. Other at-risk groups for whom resettlement is most viable include women and children at risk, refugees with serious health concerns, the elderly, victims of torture and/or trauma, those with affiliations with the U.S. government or U.S. based NGOs/media/companies; members of other minority persecuted groups, and refugees in immediate physical danger.

Mr. Chairman, before turning to recommendations regarding resettlement, we want to focus on maintaining the security and integrity of the refugee program, a goal that we share with this subcommittee. Before, and especially since, September 11, 2001, Congress has been vigilant about barring bad actors from U.S. asylum and refugee protection, particularly those involved in crime or terrorism. Among other bars, asylum or refugee protection in the United States cannot be granted to anyone who has persecuted others, been convicted of a particularly serious crime in the United States or a serious, nonpolitical crime in another country, engaged in terrorist activity, been a member of a terrorist organization, or otherwise posed a security threat to the United States.

Compliance with these bars are maintained through numerous and arduous interviews, administrative reviews, security checks, and background checks built into the refugee resettlement screening process.¹¹ Initially, most resettlement cases first involve a UNHCR refugee determination interview process that screens out individuals who have no grounds for refugee protection or who have committed heinous actions that fall under the exclusion clauses of the 1951 Refugee Convention. UNHCR (or sometimes the

¹¹"Security Screening of Refugees Admitted to the United States: A Detailed, Rigorous Process," U.S. Committee for Immigrants and Refugees, accessed May 19, 2015, at <http://www.rcusa.org/uploads/pdfs/Refugee%20resettlement%20-%20step%20by%20step%20USCRI.pdf>; "Bars & Security Screening in the Asylum & Refugee Process," Human Rights First, accessed May 19, 2015, <http://www.humanrightsfirst.org/wp-content/uploads/HRF-Security-Safeguards.pdf>

U.S. Embassy or a trained staff from a nongovernment organization) refers the refugee applicant to a Resettlement Support Center (RSC) overseen by the U.S. Department of State (DOS), where detailed biographical and personal information is gathered that will be used for in-person interviews by the Department of Homeland Security (DHS) and for security and background checks. DOS submits the names of all refugees through the Consular Lookout and Support System (CLASS). Further security checks are done through U.S. interagency checks that have been conducted since 2010. If needed, a Security Advisory Opinion (SAO) is submitted to U.S. intelligence and law enforcement agencies. When DHS arrives for in-person interviews, they take fingerprints and photos that are run through certain U.S. government data bases. If the person demonstrates grounds for asylum and no security problems, DHS grants a conditional approval, pending final security and medical screening. Prior to departure, another U.S. interagency security check is conducted. If the person passes, he/she travels to the United States where another check is done by Customs and Border Protection (CBP) at the Port of Entry. If any of these checks reveal information that disqualify the person that ends the person's ability to be admitted to the United States as a refugee.

At the point of applying for legal permanent residency another round of security and background checks is conducted for refugees. At the point of applying for U.S. citizenship another round is conducted. If above described security problems are revealed, they will bar the person from gaining the status they seek and subject the person to removal. As is clear from the arduous process, DOS and DHS have put in many layers of security to help assure the security and integrity of the program that both provides a new life to deserving refugees and assures the safety of the U.S. communities that welcome them.

Despite Congress' best intentions, Republicans and Democrats alike have noted that certain U.S. security provisions create the unintended consequence of keeping certain deserving refugees from securing resettlement in the United States. For U.S. resettlement of Syrians and Iraqis and for virtually any other refugee population that is fleeing an armed conflict, the set of overly broad U.S. immigration law provisions that bar entry to the United States, so-called TRIG (terrorism-related inadmissibility grounds). While having a laudable goal, TRIG provisions have been written and applied in such an overly broad way that they have delayed or barred admission of many deserving refugees who have no connection to terrorism.

Under the provisions, if a country has an armed, nongovernmental opposition group fighting against the government, that group is deemed to be involved in "terrorist activities." It does not matter if the opposition includes noble freedom fighters supported by the U.S. government to fight against a brutal regime that the U.S. condemns. If someone is a member, solicits funds or provides material support for the armed opposition group, or has a parent or spouse so involved, that person is barred from entering the United States. It does not matter if the person never violated any rules of war or criminal laws or has a neutral, nonmilitary role in the community such as providing humanitarian assistance or healthcare or retail sales. It does not matter that the person poses no danger or threat to our country.

In Syria's refugee crisis, there are armed opposition groups fighting against the Syrian government, a government that the UN has condemned for committing crimes against humanity. The opposition groups include some who have received nonmilitary aid from the U.S. government. Because of these and other aspects of the Syrian crisis, the overly broad and unfair application of the TRIG provisions pose a serious impediment for the resettlement of Syrians unless the Administration uses its exemption powers. These are measures painstakingly drawn up by a multi-agency, high level team from the Departments of Homeland Security, State, and Justice. They are also meant to be carefully, judiciously applied during the resettlement screening process. DHS officials have told us that exemptions tailored to the Syrian crisis have been completed and are awaiting the final authorization.

Mr. Chairman, to facilitate the small, but important, role of resettlement in addressing the massive humanitarian refugee crisis caused by the Syrian conflict, we urge the United States to:

- Assure that the increased resettlement is done in a safe, secure, and timely manner by:
 - Maintaining the rigorous security and background checks in the resettlement process while assuring that Congress appropriates and the Administration, through DHS and other security screening agencies, allocates sufficient resources and staff to increase the number people for whom security checks can be expeditiously conducted, thereby speeding up the process for refugees facing significant risks.
 - Increasing the nongovernmental and community capacity to identify and screen the most vulnerable urban refugees in host countries, including URM, to meet their immediate protection and humanitarian needs, and to prepare for their durable solutions;
 - Increasing UNHCR's capacity for refugee status determination, resettlement, and BIDs; and for U.S. Resettlement Support Centers' refugee and URM processing capacity;
 - Facilitating Best Interest Determinations (BIDs) for the 3760 unaccompanied refugee minors identified in Jordan and Lebanon and for all URM identified in the region, and use BIDs to pursue their short-term protection and durable solutions;
 - Increasing DHS' capacity to do circuit rides to the region to interview Syrian and other refugees for potential resettlement; and
 - Allowing Syrians with noncurrent visa petitions to receive refugee interviews while maintaining the same strict security processing measures (this was one of the successful strategies to facilitate Iraqi resettlement).
- Fully fund the U.S. Departments of State, Homeland Security, and Health and Human Services to securely vet and humanely resettle 85,000 refugees admitted under the Presidential Determination (PD) for Fiscal Year 2016, 100,000 refugees admitted under the PD for the Fiscal Year 2017, and additionally, the US should carry out its usual role as international human rights and refugee protection leader and assure that we do our fair share of safe, humane resettlement of Syrians.
- Encourage the Department of State (DOS) to focus especially on the most vulnerable refugees, including unaccompanied refugee minors (URMs), other children at risk, women at risk, refugees with serious health concerns, the elderly, victims of torture and/or trauma, those with affiliations with the U.S. government or U.S. based NGOs, media, and companies; members of persecuted minority ethnic and religious groups; and refugees in immediate danger.
- Increase U.S. resettlement of vulnerable non-Syrian refugees in the region, such as Iraqis, and urge other nations to do likewise and thereby share the refugee protection responsibility with the host countries.
- Increase U.S. resettlement of vulnerable, non-Syrian refugees in the region, such as Iraqis, and urge other resettlement nations to do the same, and thereby further share the burden with host countries.

- Urge DHS, in consultation with DOS and DOJ, to proactively and expeditiously remove unjust impediments to U.S. resettlement by fully authorizing the discretionary authority to grant exemptions from TRIG provisions of U.S. immigration law currently awaiting approval at DHS and by judiciously interpreting the meaning of the “material support” bar.

B. Pursue an inclusive peace in Syria.

While resettlement is the main focus of this hearing, it is very important to also recognize the other elements that contribute to a holistic response to the crisis. During a public appearance on August 25, 2013, Pope Francis denounced and called for an end to the “multiplication of massacres and atrocious acts” in Syria. Later, Pope Francis urged “the international community to make every effort to promote clear proposals for peace without further delay, a peace based on dialogue and negotiation, for the good of the entire Syrian people. May no effort be spared in guaranteeing humanitarian assistance to those wounded by this terrible conflict, in particular those forced to flee and the many refugees in nearby countries.”

Mr. Chairman, we urge Congress to

- Work with other governments to obtain a ceasefire, initiate serious peace negotiations, provide increased impartial humanitarian assistance and allow safe passage for this assistance within Syria and Iraq, especially for internally displaced people (IDPs), and establish a peace that builds an inclusive society in Syria and Iraq that protects the rights of all its citizens, including Christians and other minorities, enabling them to return in the future with safety and dignity to their homeland.

C. Support host countries to maintain generous protection and humanitarian care for refugees, especially children.

Given the huge influx of refugees, international support and special vigilance are needed to maintain border and migration enforcement and asylum policies that safeguard refugee protection and related humanitarian care for Syrians and also for Iraqis, and other refugees, while also maintaining the safety and security of the refugee host countries.

Beyond maintaining protection at the border, there are enormous political and logistical challenges involved in protecting and serving the 85% of Syrians who are urban refugees. When refugees reside in camps, the international community generally partners with host nations to create the camps’ infrastructure and service delivery system parallel to that of local communities, with refugees and communities remaining insulated from one another. With urban refugees, the international community partners with the host country and local communities to expand local infrastructure and services and facilitates face-to-face interactions, problem solving, conflict resolution, and collaboration between the local communities and refugees.

Lack of housing continues to be a chronic issue for Syrian urban refugees, many of whom were hard-working, middle-class people when they fled the conflict. Some fortunately still live with host families or friends. Others who lived in apartments—often 4-5 families per apartment-- have already spent down what savings they had, and with few jobs, have insufficient money for rent. They, as well as new arrivals, are forced to find shelter in abandoned or unfinished buildings, or to create settlements of makeshift tents provided by NGOs. Especially over the last year, many are also fleeing onward on dangerous maritime routes to seek refuge in Europe and beyond, with thousands losing their lives at sea.

Mr. Chairman, regarding the neighboring countries who host Syrian refugees, we urge Congress to

- Encourage host countries in the region to maintain secure border and migration enforcement policies and practices but at the same time refugee protection policies and practices that enable Syrians and other refugee groups (such as Iraqis) to safely flee from Syria and Iraq to find humane protection and care without improper rejection at the border, deportation, or arbitrary detention in poor conditions.
- Provide more U.S. support and encourage more international humanitarian and development support for refugees in the region, especially children, for their basic necessities of life, immediate protection, primary and secondary education, and systems that lay the groundwork for durable solutions, including employment for adults; and provide host countries additional housing, food, water, sanitation, health, education, and transportation infrastructure to allow them to host these large numbers of refugees.

Conclusion

Mr. Chairman, thank you for the opportunity to share our observations and recommendations.



**UNITARIAN UNIVERSALIST SERVICE COMMITTEE STATEMENT
to the Senate Homeland Security & Governmental Affairs Committee**

pertaining to the hearing

"The Impact of ISIS on the Homeland and Refugee Resettlement"

Thursday, November 19, 2015

The Unitarian Universalist Service Committee was founded 75 years ago to assist refugees escaping the atrocities and violence of Nazism in war-torn Europe. Today, we face a global refugee crisis of similar magnitude, and a U.S. public invited once again to live cowered by fear, religious and ethnic bigotry, and xenophobia. We call upon all members of this committee, indeed, all of our elected officials, to take the higher ground in this public debate and defend our highest ideals — to protect the liberty and human rights of all, to be a country that understands its strength and abundance have come as a result of welcoming waves of immigrants from many lands. It is only by taking the higher ground that we can maintain our integrity as a nation and our moral standing as a world power. It is only by taking this higher ground that we can win people's hearts and minds in the midst of ISIS terrorism.

The United States has traditionally been a leader in refugee protection and resettlement and needs to show bold leadership now. The United States can and should resettle at least 100,000 Syrian refugees this coming fiscal year, in addition to increasing our total resettlement commitment from 70,000 to 100,000 refugees from all parts of the world. The administration's initial announcement about resettling 10,000 is far from what is needed.

Rejecting refugees will make us less safe: Ignoring the plight of refugees, who can be potential allies, and denying them safe haven will drive them back to Syria. There they will face the dangerous regime of Bashar al-Assad that they fled in the first place. Some refugees, in a desperate search for any safety, will seek out ISIS as an ally against Assad.

UNITARIAN UNIVERSALIST SERVICE COMMITTEE

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There is no need to implement additional security safeguards as the United States already possesses an excellent screening system. Refugees are not terrorists. Since 1980, the United States has invited in millions of refugees, including hundreds of thousands from the Middle East, and not one of them has committed an act of terror in this country. All of the 9/11 hijackers, for example, used student or tourist visas.

The simple fact is that those who successfully obtain refugee status are not terrorists. They are often the victims of terrorism in their home countries just as surely as those who lie dead in Paris are.

To become a refugee in the United States, one undergoes a multi-stage vetting process and only after receiving U.N. designation by trained officers in the field. This process takes on average 18 to 24 months. Refugee status is the single most difficult way to come to the United States. It makes no sense for a terrorist to try to use the resettlement process for an attack.

Instead of tightening our controls, the United States needs to encourage Europe to coordinate the reception and registration of arriving refugees to ensure that security concerns and needs for protection are being met simultaneously.

Without a comprehensive collaborative response with burden-sharing agreements in place, Europe will not be safe from ISIS threats of infiltration. The United States should increase its humanitarian assistance to UNHCR and bilateral aid to do our part to meet this great challenge. Our best chance for preventing future devastating acts of terror is to act decisively and to work with the international community and within the collective framework of international law to address the critical human rights violations.



Statement of Andrea Cristina Mercado and Miriam Yeung, co-chairs of We Belong Together

Submitted to the United States Senate Committee on the Judiciary

Hearing on "Lessons from the Paris Terrorist Attacks: Ramifications for the Homeland and Refugee Resettlement"

November 19, 2015

Chairman Grassley, Ranking Member Leahy and members of the Committee, we are Andrea Cristina Mercado and Miriam Yeung, co-chairs of We Belong Together. Thank you for the opportunity to submit testimony for inclusion in the record for today's hearing.

We Belong Together is a campaign co-anchored by the National Domestic Workers Alliance and the National Asian Pacific American Women's Forum to mobilize women in support of common-sense immigration policies that will keep families together and empower women. We Belong Together was launched on Mother's Day in 2010 and has exposed the dangerous impact of immigration enforcement on women and families, advocated for comprehensive immigration reform legislation and campaigned President Obama to take executive action to improve the broken immigration system.

We stand in solidarity with the people of Beirut, Paris and all around the world who have experienced the pain and tragedy of senseless violence. We also stand in solidarity with all refugees around our world who, in order to escape violent conflicts and danger, escape to uncertain futures seeking safety and protection. Currently, Syria is experiencing a humanitarian crisis with 4 million refugees fleeing the country and 8 million internally displaced persons. Over 75% of these refugees are women and children and more than half are under the age of 18.

We urge the United States to act as a true global leader and offer protection to refugees from Syria and from around the world. This Committee should ensure that growing anti-immigrant and anti-Muslim sentiment do not guide policy decisions - this would be un-American, inhumane and dishonorable to the dignity of migrants seeking safety and protection in the U.S.



**Welcoming America's Statement to the U.S. Senate's Homeland Security Committee Hearing on
Lessons from the Paris Terrorists Attacks: Ramifications for the Homeland and Refugee Resettlement
November 19, 2015**

We are deeply saddened by the tragic events in Paris, Beirut and other parts of the world in the past week. Lives were lost to senseless acts of violence, but now more than ever, we must lead with compassion and open our doors and hearts to families fleeing from war-torn countries whose daily lives are plagued by strife. By definition, refugees are people who are here because they face a threat to their safety in their former homes. How we respond as a community, how we treat and welcome the most vulnerable, demonstrates how we live up to our values and who we are as Americans. And we are very heartened that leaders from across the country are speaking positively about being welcoming to Syrian refugees.

Families from Syria who are seeking a better life embody American values that have guided our country since its founding -- packing up everything and moving to a new place takes courage and resilience. They've defied all odds to arrive in a safe place, and we have the opportunity to reaffirm our values by responding with compassion. Moreover, communities are stronger when they become welcoming. For instance, a recent study in Columbus, Ohio, found that the central Ohio community reaps an annual economic impact of \$1.6 billion from refugee resettlement. Additionally, a report in Tennessee found that refugees contributed almost twice as much in tax revenues as they consumed in state-funded services in the past two decades.

By working together, we can make sure that our nation stands on the better side of history. Throughout our country's history, we have welcomed those seeking refuge regardless of where they were born or what religion they practice, and we have thrived because of it. We must continue to create inclusive communities where everyone has the opportunity to prosper and is treated with dignity and respect. When we look back 10 or 20 years from now, we will remember that we weren't hindered by our fears. Instead, we invited diverse new neighbors to join us in building a stronger community, and we all became better for it.

**Questions for the Record Submitted to
Assistant Secretary Anne C. Richard by
Senator Rob Portman (#1)
Homeland Security and Government Affairs Committee
November 19, 2015**

Question:

1. Assistant Secretary Richard: What changes do you recommend for the Visa Waiver program?

Answer:

My bureau, the Bureau of Population Refugees and Migration is not responsible for any portion of the Visa Waiver Program. The Department of Homeland Security, in consultation with the Department of State's Bureau of Consular Affairs, administers the Visa Waiver Program. The United States' long-term interests and security are served by protecting our country from those who seek to do us harm while continuing the flow of commerce and ideas that are the foundations of our prosperity and security. The Visa Waiver Program is the key to realizing both of these vital pillars of our national security, identifying those who pose a threat to our nation long before they seek to board a plane, while enabling ever-increasing numbers of visitors to experience U.S. culture and contribute to our economy. In 2014, visitors from VWP countries collectively spent nearly \$84.2 billion on goods

and services in the United States, injecting nearly \$231 million a day into local economies across the country.

Through the VWP, we have built strong partnerships throughout the interagency and with our international partners to ensure the real-time flow of information necessary for keeping our borders secure. VWP traveler screening is reinforced by the requirement that VWP countries enter into agreements/arrangements to regularly share information with the United States pertaining to known and suspected terrorists, serious criminals, and lost and stolen passports. These agreements and arrangements augment existing information sharing between the United States and VWP countries' security services that we otherwise would not have. We will work with our partners at DHS, the White House, and Congress to discuss expectations and set goals for a VWP review to make sure it is as effective as possible.

**Questions for the Record Submitted to
Assistant Secretary Anne C. Richard by
Senator Rob Portman (#2)
Homeland Security and Government Affairs Committee
November 19, 2015**

Question:

2. Assistant Secretary Richard: Concerning the refugee program, in previous hearings I pointed out that there are gaps in our intelligence collection and sharing processes that posed great risk. In response, Director Comey stated: "Senator, there is risk associated with bringing anybody in from the outside, but especially from a conflict zone like that... My concern there is that there are certain gaps that I do not want to talk about publicly in the data available to us."

- To your knowledge, what steps are being taken to make sure that terrorists do not exploit our Visa Waiver Program?
- Do intelligence and vetting gaps in the refugee process still exist? If so, what is being done to fix them?

Answer:

My bureau, the Bureau of Population Refugees and Migration is not responsible for any portion of the Visa Waiver Program. The Department of Homeland Security (DHS), in consultation with the Department of State's Bureau of Consular Affairs, continuously adapts the VWP to address current threats. Over the last year, the Department of Homeland Security and the Department of State, in coordination with several other federal agencies, have made a number of significant enhancements to the VWP to ensure our security apparatus continues to adapt in the face of evolving threats.

- DHS introduced additional data fields to the ESTA application in November 2014 that already have produced security benefits.
- DHS introduced new traveler screening and information sharing requirements for VWP countries in August 2015 specifically to address the threat posed by foreign terrorist fighters.
- DHS and the Department of State are working with VWP partners to implement the new VWP requirements, which will strengthen U.S. security and the security of our partners.

These security enhancements are part of our continuing assessments of U.S. security in the face of evolving threats and challenges, and our determination to stay one step ahead of those threats and challenges.

In regards to refugee admissions, all refugees of all nationalities considered for admission to the United States undergo the most intensive level of security screening of any category of traveler to the United States involving multiple federal intelligence, security and law enforcement agencies, including the National Counterterrorism Center, the Federal Bureau of Investigation, and the Departments of Homeland Security, State and Defense, in order to ensure that those admitted are not known to pose a threat to our country.

These safeguards include biometric (fingerprint) and biographic checks, and a lengthy in-depth 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 classified details of the refugee security screening process are regularly shared with relevant Congressional Committees.)

The burden of proof in the refugee application process is on the refugee – the refugee must show he or she qualifies for refugee status. U.S. law and regulations require that applicants provide DHS/USCIS with information that enables our law enforcement and intelligence communities to confirm their identity and assess whether they present a security risk. A lack of derogatory information on an applicant is not in and of itself sufficient evidence to pass the security clearance. If DHS' expert screeners are not satisfied with the information provided, the applicant will not be permitted to travel to the United States.

Mindful of the particular conditions of the Syria crisis, Syrian refugees go through yet additional forms of security screening. The screening process is multi-layered and recurrent and involves a rigorous security review. We check extensively against law enforcement and

intelligence community holdings—and those holdings are regularly updated and enhanced to ensure we have the most up-to-date and accurate information possible.

DHS has full discretion to deny admission to any refugee including on national security grounds and has done so in numerous cases. DHS' decisions are guided by the key principle directed by the President and affirmed throughout the U.S. government – that the safety and security of the American people must always come first.

**Questions for the Record Submitted to
Assistant Secretary Anne C. Richard by
Senator Joni Ernst (#1)
Homeland Security and Government Affairs Committee
November 19, 2015**

Question:

In remarks to the American Society for International Law in 2003, your predecessor, Assistant Secretary for Population, Refugees and Migration Arthur Dewey, stated: “With 9/11, the admissions program came under the same scrutiny that other immigration programs did. And, in our view, rightly so: we owed it to the American people to do everything we could to prevent any avenue from being used by terrorists to infiltrate the United States. . . . Thus, after 9/11, a freeze on refugee admissions was put into effect for over two months while a comprehensive review of procedures was undertaken. A number of new security measures were adopted as a result of this review....”

Following the attacks in Paris, don’t we also owe it to the American people to do everything we can to prevent any avenue from being used by terrorists to infiltrate the United States? If there were improvements to the refugee admissions process that were made after a post-9/11 freeze and review (and again after a six-month pause in processing Iraqi refugees in 2011 following the arrest on terrorism-related charges of two Iraqi refugees living in Bowling Green, Kentucky), isn’t it possible that there are also improvements to the system that could be made now?

Answer:

The Administration made the decision to participate in the global effort to resettle Syrian refugees only after concluding that we could do so safely and consistent with U.S. national security. This remains our guiding principle.

In 2001, before the events of 9/11, refugees were subject to far fewer security checks than they are today. Following the 9/11 attacks, President Bush delayed the signing of the annual determination on refugee admissions until late November while the White House led an interagency process to review whether security checks for refugees should be expanded—a process which resulted in expanded security checks for some nationalities.

In late 2008, in association with the larger scale admission of Iraqi refugees, we launched a new interagency security check. In 2010, the Administration undertook measures to further enhance security screening of refugees to the current intensive level. Refugees are now subject to the highest level of checks of any category of traveler to the United States. The enhancements made over the last several years included expanding the number of vetting partners in order to screen against heretofore untapped sources of information and enhanced our biometric (fingerprint) data.

The increased number of security checks required by the expanded process led to a temporary slowdown and decrease in arrivals in early 2011 while these checks were being implemented, which has been mistakenly referred to as a pause in admissions. Refugee admissions fell in March and April of 2011 to about 2,000 per month, compared to about 5,000 per month

for the first five months of that fiscal year. By June of 2011, arrival numbers had returned to normal levels.

In June 2015 we began performing “continuous checks” of all refugee applications against collected terrorism data holdings. This automated, recurrent vetting is performed to compare the latest information that has been added to U.S. government holdings against refugee applications. When new matches are identified an automated alert triggers a review. Positive matches are passed to USCIS and the Department of State to ensure refugees are prevented from traveling to the United States until a new eligibility determination is made. We have also automated and expanded the process to vet information against known and suspected terrorist holdings and we continue to work with our partners around the world to improve information sharing. The details of this process have been shared with Members of Congress in classified briefings by the Administration.

The lessons of the Iraqi refugee admissions experience have significantly informed our screening processes for all refugee applicants for U.S. admission. All Syrian refugees currently being processed are screened against the enhanced security screening protocol, with additional enhancements specifically for the Syrian population designed to safeguard against the admittance of refugees who pose security concerns.

**Post-Hearing Questions for the Record
Submitted to Hon. Leon Rodriguez
From Senator Rob Portman**

**“Lessons from the Paris Terrorist Attacks: Ramifications for the Homeland and
Refugee Resettlement”
November 19, 2015**

Question#:	1
Topic:	Visa Waiver program
Hearing:	Lessons from the Paris Terrorist Attacks: Ramifications for the Homeland and Refugee Resettlement
Primary:	Senator Rob Portman
Committee:	HOMELAND SECURITY (SENATE)

Question: Director Rodriguez: What changes do you recommend for the Visa Waiver program?

Response: I support DHS’s work to continuously adapt the Visa Waiver Program (VWP) to address evolving security threats. In November 2014, DHS added enhanced data fields to the Electronic System for Travel Authorization (ESTA) application to improve our knowledge of individuals who travel to the United States. In August 2015, DHS introduced requirements for all VWP travelers to use e-passports and for all VWP countries to screen travelers against INTERPOL’s Stolen and Lost Travel Document Database and implement the information sharing agreements that all VWP countries are required to sign. DHS identified further administrative actions in November 2015 to strengthen the security of the VWP, such as modifying ESTA to capture information from VWP travelers regarding past travel to countries constituting a terrorist safe haven. These efforts have been most successful when working in concert with our partners in Congress.

Question#:	2
Topic:	Refugee Program
Hearing:	Lessons from the Paris Terrorist Attacks: Ramifications for the Homeland and Refugee Resettlement
Primary:	Senator Rob Portman
Committee:	HOMELAND SECURITY (SENATE)

Question: Director Rodriguez: Concerning the refugee program, In previous hearings I pointed out that there are gaps in our intelligence collection and sharing processes that posed great risk. In response, Director Comey stated: "Senator, there is risk associated with bringing anybody in from the outside, but especially from a conflict zone like that... My concern there is that there are certain gaps that I do not want to talk about publicly in the data available to us."

To your knowledge, what steps are being taken to make sure that terrorists do not exploit our Visa Waiver Program?

Response: The U.S. Department of Homeland Security (DHS) continuously adapts the Visa Waiver Program (VWP) to address evolving security threats. In November 2014, the Department announced that a number of enhanced data fields—to include such information as contact information (email, phone number, and points of contact) and parents' names—would be added to the Electronic System for Travel Authorization (ESTA) application that VWP travelers must complete before boarding a plane or boat to the United States. The enhanced ESTA data fields have enabled U.S. Customs and Border Protection (CBP) and its interagency partners, including the National Counterterrorism Center, to identify a substantially larger number of applicants with potential connections to terrorism than would have been possible using the old ESTA application.

In August 2015, DHS introduced a series of security enhancements to the VWP. These measures include requirements for all VWP travelers to use e-passports and for VWP countries to screen travelers against INTERPOL's Stolen and Lost Travel Document (SLTD) Database and implement the information sharing agreements that all VWP countries are required to sign with the United States.

Finally, the Administration announced in November 2015 a series of administrative steps it would take to further strengthen the VWP, to include: modifying ESTA to capture information from VWP travelers regarding past travel to countries constituting a terrorist safe haven as determined by the Visa Waiver Improvement and Terrorist Travel Prevention Act (H.R. 2029); exploring possible pilot programs designed to assess the collection and use of biometrics in the VWP; and identifying any VWP partner countries that are deficient in key areas of cooperation, along with considering options to engender compliance using a range of penalties and incentives available under the Secretary of Homeland Security's current authority.

Question#:	2
Topic:	Refugee Program
Hearing:	Lessons from the Paris Terrorist Attacks: Ramifications for the Homeland and Refugee Resettlement
Primary:	Senator Rob Portman
Committee:	HOMELAND SECURITY (SENATE)

On December 18, 2015, the “Visa Waiver Program Improvement and Terrorist Travel Prevention Act of 2015” was enacted as part of the Consolidated Appropriations Act (PL 114-113). This legislation includes provisions that codify in law policy requirements introduced by DHS in August 2015 that VWP countries screen all travelers against the INTERPOL SLTD Database and implement the VWP information sharing arrangements. The legislation also contains new requirements for individual VWP travelers, including the requirement that all VWP travelers use secure, electronic passports beginning April 1, 2016.

Question: Do intelligence and vetting gaps in the refugee process still exist? If so, what is being done to fix them?

Response: Refugees are subject to the highest level of security checks of any category of traveler to the United States. Screening includes the involvement of the National Counterterrorism Center, the FBI's Terrorist Screening Center, DHS, and the Department of Defense. It is the most robust screening process for any category of individuals seeking admission into the United States. Screening procedures have been expanded over time to include a broader range of applicants and records.

We continually evaluate whether additional enhancements are necessary. Mindful of the particular conditions of the Syria crisis, Syrian refugees go through additional forms of security screening. If national security concerns are revealed during the interview or through the screening process, Syrian refugee applications are handled according to the same adjudicative processes as all other refugee benefit applications with identified national security concerns. We continue to examine options for further enhancements for screening Syrian refugees, the details of which are classified.

We are deeply committed to safeguarding the American public, just as we are committed to providing refuge to some of the world's most vulnerable people. We do not believe these goals are mutually exclusive, or that either has to be pursued at the expense of the other. We have admitted three million refugees since 1975 and have a great deal of experience in safely admitting vulnerable refugees from around the world.

September 17, 2015

President Barack Obama
The White House

Senator Mitch McConnell
Senate Majority Leader
U.S. Senate

Senator Harry Reid
Senate Minority Leader
U.S. Senate

Representative John Boehner
Speaker of the House
U.S. House of Representatives

Representative Nancy Pelosi
House Minority Leader
U.S. House of Representatives

Dear Mr. President, Senator McConnell, Senator Reid, Representative Boehner and Representative Pelosi:

As former national security, international humanitarian and human rights appointees of both Democratic and Republican administrations, we write to strongly urge greater U.S. leadership in the effort to provide a resolution to the conflict in Syria, and to meet the humanitarian needs of millions of Syrian refugees and internally displaced persons.

We appreciate that the United States has been the largest provider of humanitarian assistance to Syrians, but current efforts are not adequate. Humanitarian aid is falling short in the face of unspeakable suffering, and putting enormous pressure on governments in the region that are hosting refugees. In addition, as the United States encourages governments in Europe and the Middle East to treat refugees humanely, we must demonstrate a willingness to do more.

First, we urge that you announce support for a refugee admissions goal of 100,000 Syrian refugees on an extraordinary basis, over and above the current worldwide refugee ceiling of 70,000. With some four million Syrian refugees in neighboring countries and hundreds of thousands of Syrian asylum-seekers in Europe, this would be a responsible exercise in burden-sharing that would help to alleviate the suffering of vulnerable refugees most in need of resettlement. Moreover, this kind of leadership is in our nation's best traditions and would send a powerful signal to governments in Europe and the Middle East about their obligations to do more.

Second, we hope that the Administration and Congress will work together to make more resources available, on an exceptional basis, to meet this challenge. We urge the additional allocation of up to two billion dollars to support the admission and resettlement of Syrians and to provide more support for underfunded international appeals. And we encourage the Administration to bring governments together in an international effort to meet funding shortfalls.

Finally, we urge you to take extraordinary measures, as were taken for refugees from Vietnam, Northern Iraq and Kosovo, to provide expedited yet secure processing measures to ensure that this is a rescue program. We do not underestimate the challenges of a more robust U.S. response, but as officials who are familiar with U.S. government capacities – in fact, several of us participated in prior emergency rescue and resettlement operations – we are confident the United States has the capacity to implement this recommendation. History has demonstrated that these earlier rescue efforts strengthened not only the fabric of our society, but also our leadership role in the world.

For these reasons, we urge that you take prompt action on this critical issue.

Sincerely,

(Names in alphabetical order)

Morton I. Abramowitz
Former U.S. Ambassador to Turkey and Thailand
Former Assistant Secretary of State for Intelligence and Research

Gordon Adams
Former Associate Director for National Security and International Affairs,
Office of Management and Budget

J. Brian Atwood
Former Administrator, U.S. Agency for International Development
Former Undersecretary of State for Management

Derek Chollet
Former Assistant Secretary of Defense for International Security Affairs

Roberta Cohen
Former Deputy Assistant Secretary of State for Human Rights

Lorne Craner
Former Assistant Secretary of State for Democracy, Human Rights and Labor
Former Member, National Security Council Staff

Ryan Crocker
Former U.S. Ambassador to Syria, Afghanistan, Iraq, Pakistan, Kuwait and Lebanon

Paula Dobriansky
Former Undersecretary of State for Democracy and Global Affairs

Michele Flournoy
Former Under Secretary of Defense for Policy

Richard Fontaine
Former Member, National Security Council staff

Robert Ford
Former U.S. Ambassador to Syria and to Algeria

Robert P. George
Former Commissioner, U.S. Commission on Civil Rights

Morton Halperin
Former Director of Policy Planning, U.S. Department of State
Former NSC Senior Director for Democracy
Former Deputy Assistant Secretary of Defense

L. Craig Johnstone
Former Director for Resources, Plans and Policy, Department of State
Former U.S. Ambassador to Algeria

Harold Hongju Koh
Former State Department Legal Advisor
Former Assistant Secretary of State for Democracy, Human Rights and Labor

David J. Kramer
Former Assistant Secretary of State for Democracy, Human Rights, and Labor

Mark P. Lagon
Former Ambassador-at-Large to Combat Trafficking in Persons

Stephen Rickard
Former Senior Advisor for South Asian Affairs, Department of State

Kori Schake
Former Deputy Director for Policy Planning, Department of State
Former NSC Director for Defense Strategy and Requirements

Eric P. Schwartz
Former Assistant Secretary of State for Population, Refugees, and Migration
Former NSC Senior Director for Multilateral and Humanitarian Affairs

Kristen Silverberg
Former Assistant Secretary of State for International Organization Affairs
Former U.S. Ambassador to the European Union

Paul Wolfowitz
Former Deputy Secretary of Defense
Former U.S. Ambassador to Indonesia

**Post-Hearing Question for the Record
Submitted to Peter Bergen
From Senator Joni Ernst**

**“The Impact of ISIS on the Homeland and Refugee Resettlement”
November 19, 2015**

1. In your written testimony, you listed twelve action items for defeating ISIS. I'm interested in asking about some of the items you listed with respect to countering the ISIS propaganda machine – including amplifying the work of former jihadists, enlisting ISIS defectors, and supporting the work of clerics in the United States. Can you provide me with some additional detail on how you would recommend implementing these proposed action items?

**Responses to questions submitted for the record were not received at time of printing.
When received, they will be on file in the committee offices.**

**Post-Hearing Questions for the Record
Submitted to Peter Bergen
From Senator Rob Portman**

**“Lessons from the Paris Terrorist Attacks: Ramifications for the Homeland and Refugee
Resettlement”
November 19, 2015**

1. Mr. Bergen, in your testimony you seem to indicate that the visa waiver program poses a greater threat than the refugee system. The Title II law provides an “Emergency Termination” clause the wherein countries can be immediately terminated from the VWP if an emergency occurs in the country that the Secretary of Homeland Security in consultation with the Secretary of State determines threatens the law enforcement or security interest of the United States.

Do you think that the event in Paris, the refugee crisis in Europe and/or the growth of terrorist extremism in Europe and the Middle East meet the threshold for consideration of invoking this clause on any visa waiver member country?

**Responses to questions submitted for the record were not received at time of printing.
When received, they will be on file in the committee offices.**