



STATEMENT OF THE AMERICAN IMMIGRATION COUNCIL

**SUBMITTED TO THE SENATE JUDICIARY COMMITTEE,
SUBCOMMITTEE ON IMMIGRATION AND THE NATIONAL INTEREST**

**HEARING ON “OVERSIGHT OF THE ADMINISTRATION’S FY 2016 REFUGEE
RESETTLEMENT PROGRAM: FISCAL AND SECURITY IMPLICATIONS”**

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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, [“Refugees: A Fact Sheet”](#) (October 1, 2014) (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

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.³ This process includes having fingerprints and a photograph taken by the U.S. government, an in person interview with the Department of Homeland Security, two different interagency security background checks, a medical screening, and a final security check by

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 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>.

Customs and Border Protection (CBP).⁴ We currently have systems in place to ensure the safety and security of our nation, while also fulfilling our humanitarian obligations around the world.

Responding to the Syrian Refugee Crisis

The violence and devastation in Syria has led to the largest number of refugees since World War II. The United States must respond to this crisis by carrying on our long history of welcoming those fleeing such dire situations. Recently, President Obama and Secretary of State Kerry began to signal that the United States will respond more robustly. He directed his Administration to accept at least 10,000 Syrian refugees in the next fiscal year and to increase the number of overall refugees to 100,000 from the current level of 70,000.⁵ We must do more.

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.

We should heed the call from Pope Francis last week to “not be taken aback by their numbers, but rather view them as persons, seeing their faces and listening to their stories, trying to respond as best we can to their situation.”⁶

⁴ Id.

⁵ 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>.

⁶ Politico Staff, Full Text: Pope Francis' historic address to Congress, Politico, September 24, 2015 available at, <http://www.politico.com/story/2015/09/pope-francis-speech-to-congress-transcript-text-video-214016#ixzz3mfb2vqsD>.

ATTACHMENT A

December 2014

REFUGEES: A FACTSHEET

The need for international protection of refugees stemmed from the plight of displaced civilians in Europe during 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 like the Office of the United Nations High Commissioner for Refugees (UNHCR). The United States resettles [more refugees](#) than any other country, and these refugees go on to contribute to our communities and our economy.¹

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](#).² Following the Vietnam War and the U.S. experience of 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).³

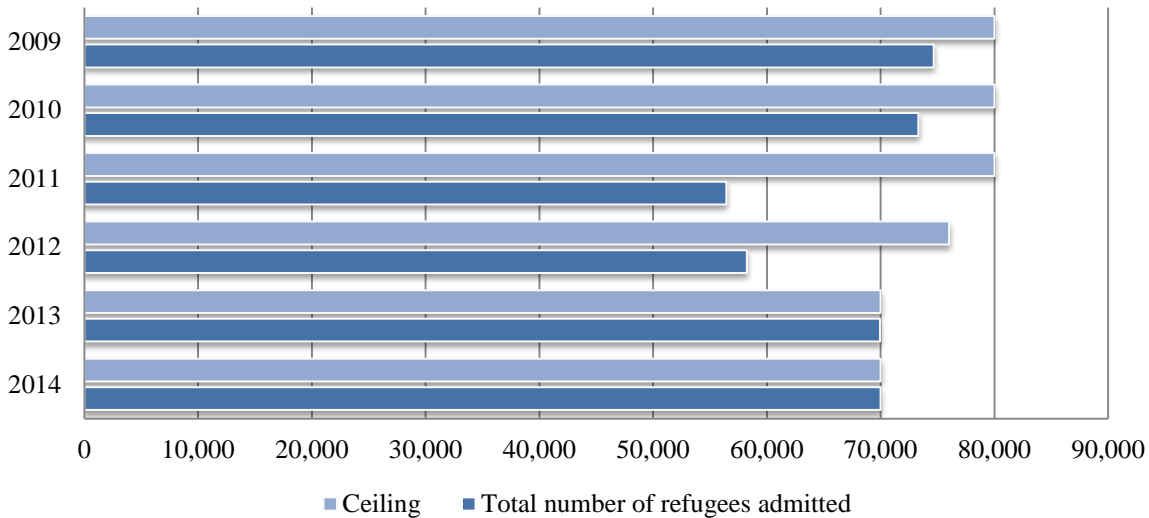
How many refugees are there in the world?

- The [2012 UNHCR Statistical Yearbook](#) reports that there are 10.5 million refugees worldwide. In 2012, children under the age of 18 represented [46 percent](#) of the refugee population.⁴
- The [top origin countries](#) for refugees are Afghanistan (2.6 million), Somalia (1.1 million), Iraq (746,200), Syria (729,000), Sudan (569,000), and the Democratic Republic of the Congo (509,300).⁵

How many refugees does the U.S. admit?

Each year the President, in consultation with Congress, determines the numerical ceiling for refugee admissions. For Fiscal Year (FY) 2015, the [ceiling is 70,000](#).⁶

Refugee Ceilings and Admitted Refugees to the U.S., FY 2009-2014



(Source: [Refugee Processing Center](#)⁷; [Congressional Research Service, 2014](#)⁸)

- Almost half of all refugee arrivals ([46.4 percent](#), or 32,450) in FY 2014 came from the Near East/South Asia—a region that includes Iraq, Iran, Bhutan, and Afghanistan.⁹

How does the U.S. refugee resettlement process work?

The Bureau of Population, Refugees, and Migration (PRM) of the Department of State and the Office of Refugee Resettlement (ORR) in the Department of Health and Human Services, as well as offices within the Department of Homeland Security (DHS), are responsible for administering the U.S. Refugee Admissions Program. 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 principle categories](#) for classifying refugees under the U.S. refugee program:¹⁰

- **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). Generally, to qualify, individuals must not already be firmly resettled in any other country. Not everyone who falls into the preceding categories is admitted to the United States.

- The INA requires that the majority of prospective refugees make their individual well-founded fear cases.
 - An exception is individuals who are members of a special group that falls under the Lautenberg Amendment. The amendment [allows for a](#) “presumption of refugee eligibility for certain categories of people.”¹¹ It does not allow direct access to refugee status within the United States. Rather, if an individual can prove that they are a member of an eligible group, that group is presumed to have well-founded fear status.
- 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 U.S., and the Refugee Processing Center (RPC) works with [private voluntary agencies](#) (VOLAG) to determine where the refugee will live in the United States.¹² Refugees resettled in the United States do not need to have a U.S. “sponsor.” However, 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.” These have improved in recent years, and in a 2012 report to Congress, the Obama Administration cited “interagency coordination and processing procedures” as one of the reasons for increased admissions.¹³

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 U.S.

- Before leaving for the United States, refugees sign a promissory note to repay the United States for their travel costs.¹⁴ This travel loan is an interest-free loan that refugees begin to pay back six months after arriving in the United States.
- Upon receipt of IOM travel notification, the VOLAG arranges for the airport reception of refugees and transportation to their furnished housing at their final destination.

What happens once refugees arrive in the United States?

- According to [ORR](#), the states that have received the most refugees since FY 2007 are California (25,716), Michigan (18,047), Texas (12,956) and Arizona (7,447).
 - In FY 2014, new refugee arrivals went to 46 U.S. states. Top recipient states in FY 2014 were California (3,068), Michigan (2,753), Texas (2,462), Illinois (1,064) and Arizona (973).¹⁵
- 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.

Refugees contribute to their new communities in the United States in many ways including education, science, politics, sports, and music.

- Bertine Bahige, [a former child soldier](#) and refugee from the Democratic Republic of Congo, was resettled to a Maryland suburb of Washington, D.C. and moved to the University of Wyoming on a scholarship.¹⁶
 - He is now a U.S. citizen who teaches math at a high school in Gillette, Wyoming, coaches soccer, and is [currently advocating](#) for a refugee resettlement office in Wyoming, which is the only state that does not have one. "We don't always need to think about what we can give to refugees," he said. "We need to think about what refugees can bring to communities."¹⁷
- Nobel Prize winning scientists [Albert Einstein](#) and [Martin Karplus](#) both came to the United States as refugees from Nazi Europe.¹⁸
 - Albert Einstein went on to have a hand in the founding of the organization that would become the [International Rescue Committee](#), which offers care and assistance to refugees in 40 countries and 22 U.S. cities.¹⁹
- Other famous refugees [include](#) Grammy nominated musician [Regina Spektor](#), former Secretary of State Madeleine Albright, former U.S. Representative Anh "Joseph" Quang Cao, and Olympic marathon silver medalist [Mebrahtom Keflezighi](#).²⁰

Endnotes

- ¹ UNHCR, "[UNHCR Statistical Yearbook 2012, 12th edition](#)," 10, December 2013.
- ² UNHCR, "[Convention and Protocol Related to the Status of Refugees](#)."
- ³ Refugee Council USA, "[History of the U.S. Refugee Resettlement Program](#)," accessed October 10, 2014.
- ⁴ UNHCR, "[UNHCR Statistical Yearbook 2012, 12th edition](#)," 10, December 2013.
- ⁵ Ibid.
- ⁶ The White House, Office of the Press Secretary, "[Presidential Memorandum – FY 2015 Refugee Admissions](#)," September 30, 2014.
- ⁷ Refugee Processing Center, "[Refugee Admissions Report as of October 8, 2014](#)," accessed October 8, 2014.
- ⁸ Andorra Bruno, [Refugee Admissions and Resettlement Policy](#) (Washington, DC: Congressional Research Service, March 6, 2014).
- ⁹ Refugee Processing Center, "[Arrivals by Region as of Sep 30, 2014](#)," accessed October 8, 2014.
- ¹⁰ U.S. Citizenship and Immigration Services, "[The United States Refugee Admissions Program \(USRAP\) Consultation & Worldwide Processing Priorities](#)," Last Reviewed/Updated: 04/08/2013.
- ¹¹ Hebrew Immigrant Aid Society, "[Lautenberg Amendment](#)," accessed December 1, 2014.
- ¹² Office of Refugee Resettlement, U.S. Department of Health & Human Services, "[Voluntary Agencies](#)," July 17, 2012.
- ¹³ Human Rights First, "[How to Repair the U.S. Asylum and Refugee Resettlement Systems: Blueprint for the Next Administration](#)," December 2012.
- ¹⁴ U.S. Committee for Refugees and Immigrants, "[Frequently Asked Questions](#)," accessed December 1, 2014.
- ¹⁵ Office of Refugee Resettlement, "[Fiscal Year 2012 Refugee Arrivals](#)," January 24, 2013.
- ¹⁶ Kyle Roerink, "[Former child soldier wants Wyoming refugee office](#)," *Washington Times*, February 22, 2014.
- ¹⁷ Ibid.
- ¹⁸ UNHCR, "[Prominent Refugees](#)"; Agence France Presse, "[Martin Karplus, Nobel Laureate in Chemistry, Escaped Nazis During Holocaust At 8 Years Old](#)," *Huffington Post*, October 9, 2013.
- ¹⁹ International Rescue Committee, "[Einstein and the IRC's beginnings, 80 years ago](#)," July 24, 2013.
- ²⁰ U.S. Embassy, "[Famous \(and Not-So-Famous\) Refugees Making a Difference](#)," IIP Digital, June 18, 2012; Asylum Access, "[Spring 2013 – An Interview with Meb Keflezighi](#)," June 2013; HIAS Refugee, "[myStory: Regina Spektor](#)," Youtube, January 6, 2012.

