

1 OVERSIGHT OF THE ADMINISTRATION'S FY 2017

2 REFUGEE RESETTLEMENT PROGRAM

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4 TUESDAY, SEPTEMBER 28, 2016

5 United States Senate,
6 Subcommittee on Immigration and
7 the National Interest,
8 Committee on the Judiciary,
9 Washington, D.C.

10 The Committee met, pursuant to notice, at 10:02 a.m.,
11 in room SD-226, Dirksen Senate Office Building, Hon. Jeff
12 Sessions, Chairman of the Subcommittee, presiding.

13 Present: Senators Grassley, Sessions, Cruz, Vitter,
14 Tillis, Durbin, Klobuchar, Franken, and Blumenthal.

15 Senator Sessions. Good morning. I want to thank all
16 of you for being here, and I want everyone to be able to
17 watch the hearing without obstruction. If people stand up
18 and block the view of those behind them, or speak out of
19 turn, it is not fair or considerate to others, and officers
20 will have to remove those individuals from the room.

21 Before we begin with opening statements, I would like
22 to explain how we are going to proceed today. We have one
23 panel of witnesses. I will make an opening statement
24 followed by opening statements, I believe, from Senator
25 Durbin. Senator Schumer is our Ranking Member but Senator

1 Durbin, I believe, will be filling that role today.

2 And we will then turn to our panel. After a brief
3 introduction, each witness will have five minutes for an
4 opening statement. Following their statements, we will
5 begin with the first round of questions in which each
6 senator will have five minutes.

7 After the first round, if any senator wishes to
8 continue with questions, we will have a second round of
9 questions. I will turn to my opening statement, and I
10 appreciate our full Senate Judiciary Committee Chairman,
11 Senator Grassley, for being here and for his leadership on
12 these issues.

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1 OPENING STATEMENT OF HON. JEFF SESSIONS, A U.S.
2 SENATOR FROM THE STATE OF ALABAMA

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4 Chairman Sessions. Today's hearing addresses the
5 Obama Administration's plans to admit 110,000 refugees into
6 the United States through the Refugee Admissions Program,
7 that will begin Saturday. And the tragic reality is that we
8 have millions of displaced persons in the world today.
9 Persons that are short of food and water, persons endangered
10 by conflict throughout various regions of the world.

11 No one disputes that most are victims. This is a
12 humanitarian disaster. Things have gotten worse it seems
13 and it could even be worst in the future.

14 And I think it is important for government leaders to
15 consult something more than their feelings as we deal with
16 nations in unstable areas of the world. Good intentions are
17 not enough. Good intentions can lead to disastrous
18 consequences and put stresses and pressures on human beings,
19 and costing them lives and prosperity as well as the United
20 States.

21 The challenge for us is to focus on what we can do to
22 help in the best possible way. But we must also consider
23 our limits. We must not endanger our homeland and use our
24 resources unwisely. We must be highly effective in what we
25 do to try to improve this situation.

1 Unfortunately, the Administration has presented the
2 American people with a false dichotomy. According to the
3 Administration, we either permanently resettle hundreds of
4 thousands of refugees in the United States or nothing can be
5 done. And so, the Administration presses forward with plans
6 to admit larger numbers, hundreds of thousands of largely
7 unvetted refugees from areas of the world that are producing
8 terrorists and extremists.

9 We must reject this false dichotomy. There are other
10 options -- options that carry none of the risks associated
11 with resettling masses of people into the United States and
12 can protect even more people that are facing danger.

13 I have long argued and called the Defense Department
14 about this on several occasions that the most effective,
15 compassionate strategy, and certainly, the only long-term
16 strategy that actually can work for millions of people is to
17 establish safe zones in and around the danger areas in the
18 Middle East, as close to their homes as possible with a goal
19 to be able to return people to their homes as soon as
20 possible. By doing so, we can more effectively provide them
21 protection at a fraction of the cost it takes to resettle
22 them into the United States. One estimate found that
23 resettling just one refugee in the United States was nearly
24 12 times more expensive than providing care for that refugee
25 abroad.

1 With the prospect for a ceasefire in Syria -- and we do
2 hope that can be accomplished -- there is even more reason
3 to focus on providing temporary support for displaced
4 persons in the region. But instead, the President continues
5 to push to expand the annual admission of refugees from
6 70,000 in 2015, 85,000 in 2016, to 110,000 starting
7 Saturday. That is a 57 percent increase on top of asylum
8 admissions. People are claiming asylum also -- green cards,
9 foreign workers, and all other forms of immigration into the
10 United States.

11 The American people strongly oppose these policies.
12 According to the most recent Rasmussen poll, 48 percent of
13 Americans do not want any more refugees with an additional
14 26 percent supporting much lower numbers than the President
15 has proposed. Thus, a total of 74 percent do not support
16 these increases and for good reasons.

17 The security and fiscal implications of these plans are
18 tremendous. They are just monumental. Put simply, there
19 are serious limitations on our ability to adequately vet
20 significant portions of the refugee population, particularly
21 those from Syria and the Middle East.

22 The Director of National Intelligence, the Director of
23 Central Intelligence, the Secretary of Homeland Security
24 have acknowledged that terrorists could infiltrate and are
25 infiltrating the refugee population. Their concerns are

1 valid, as it is clear that terrorists have done so in the
2 past.

3 Moreover, the Director of the FBI, Director Comey, has
4 testified he cannot certify that every refugee admitted to
5 the United States is not a security threat, and recently
6 compared the FBI's anti-terrorism mission, to "Looking for
7 needles in a nationwide haystack." While also trying to
8 figure out "Which pieces of hay might someday become
9 needles." And recent attacks highlight just how difficult
10 this is for law enforcement officers.

11 It is simply not possible to vet Syrian refugees. We
12 do not have the information. We cannot get the information
13 to properly vet these and other similarly situated refugee
14 applicants. There are no reliable records in Syria. There
15 is no way to prevent refugees who embraced the tenets of the
16 extreme Salafist and ideological Islamic extremists from
17 even being radicalized after their entry to the United
18 States.

19 In all our refugees programs, we have a right and a
20 duty to favor the admission of immigrants who support and
21 celebrate our pluralist western values. This is not just a
22 security test. This is a national interest test. It is
23 simply naive to imagine that we can let in millions of
24 immigrants from around the world and screen out all of the
25 potential terrorists. It has been proven over and over

1 again our ability to do so is not there.

2 Perhaps one of the main reasons we have such a problem
3 is that we do not as a matter of policy screen refugees for
4 their likeliness of success if they are admitted to the
5 United States -- their ability to be successful here, their
6 ability to assimilate, their ability to adopt our legal and
7 constitutional values, and their views towards the treatment
8 of women and homosexuals, their views on honor killings,
9 their views on the supremacy of the Constitution of the
10 United States. Should we not factor in if a group that want
11 to enter the United States have a hostility to the
12 Constitution and their goal would be to eliminate it and
13 impose a new ideological framework for the country?

14 There are now 10,000 open terrorism-related
15 investigations across the country, some in every state in
16 this country. There is an active investigation in every
17 area of the country. Our dedicated law enforcement officers
18 carry a tremendous burden to keep our country safe every
19 day, but it is impossible for them. People need to know
20 this.

21 It is impossible for them to bear this burden if we --
22 the Administration does not even recognize the fundamental
23 challenges we are facing today, and the risks that we are
24 incurring and it continues to admit those who present
25 significant risk of becoming involving with terrorism after

1 their administration -- admission into the United States.

2 In fact, the former Secretary of State, Hillary
3 Clinton, proposes not just a 10,000 Syrian refugee admission
4 program next year, but a 65,000 Syrian refugee admission
5 program next year. There is no way we have the ability to
6 secure that group of people who might come here.

7 And I would note that Director Comey has said that if
8 you imagine that we are going to give a full surveillance to
9 a person that might pose a threat to the United States, it
10 takes 30 agents a week -- personnel a week to monitor one
11 single individual effectively in this country. It is just
12 physically impossible for us to do that.

13 So, in addition to the very serious national security
14 implications and the initial resettlement cost, admitting a
15 110,000 refugees will result in an enormous long-term
16 financial burden on the taxpayers. Robert Rector, Senior
17 Fellow at the Heritage Foundation has estimated that the
18 total lifetime cost of admitting just 10,000 refugees which
19 includes all costs at the federal, state, and local level --
20 and that should be considered -- is \$6.5 billion. Using Mr.
21 Rector's numbers as a baseline, admitting 110,000 refugees
22 that the Obama Administration proposes to admit beginning on
23 October 1st will result in a total lifetime cost to the
24 taxpayers of \$71 billion.

25 So, there are limits. We cannot do everything for the

1 world. We have to consider cost to this country. And it
2 cannot continue. We must change course. We must be more
3 reasonable and cautious. If we cannot ensure the adequate
4 screening of any individual, we must not admit them to the
5 United States. Period.

6 We must only admit those who support and can be
7 reasonably expected to participate positively in our nation
8 and support our values. And we must only admit the number
9 of immigrants who we can absorb into our society
10 successfully. We must only admit those who choose to become
11 fully a part of the American experience.

12 We want to admit those who can flourish here and do
13 well here. We have admitted 59 million immigrants since
14 1965, that is the largest in the world. And we are adding
15 the equivalent of one million each year. We are adding the
16 equivalent of one city the size of Los Angeles through
17 immigration alone every three years.

18 It is time for us to focus on the task of helping our
19 recent immigrants, all our residents living here today to
20 rise into a stable middleclass instead of growing the
21 pressure on working families through continued flow of new
22 workers for whom we do not have jobs for, which are
23 absolutely scientifically proven to pull down wages in areas
24 where the flow is greatest and reduce job prospects for
25 Americans. So this becomes even more imperative at a time

1 when automation is changing permanently the entire structure
2 of the labor market.

3 So, I would conclude by noting that immigration policy
4 must be guided by our understanding that our society, the
5 western heritage of faith and reason and law is unique. It
6 is special. Our values, our rules, our traditions are what
7 make our society as successful as it is, and our society
8 successful in creating a climate where the values that we
9 cherish are able to flourish.

10 We are incapable of even discussing that today. It is
11 necessary and proper, and just to choose among those seven
12 billion people around the world who might be asking to have
13 the honor to come to the United States with some basis of
14 confidence that they will share our values.

15 Certainly, no one has a constitutional right just to
16 demand entry into the United States. It is our choice, and
17 we should do it in a way that furthers our country. We do a
18 disservice not only to those living here today but all of
19 those who wish to come here in the future if we allow our
20 immigration policy to replicate the conditions that the
21 people have fled from.

22 We must guard jealously our constitutional heritage if
23 the torch of liberty is to continue lighting the world. So
24 we have to work to maintain the national economic wealth and
25 strength so we can be able to help lead the world in a

1 positive way and help others in need.

2 So I appreciate the opportunity to share this. Senator
3 Durbin, we appreciate your willingness to participate today,
4 and I will turn it over to you.

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1 OPENING STATEMENT OF HON. RICHARD J. DURBIN, A U.S.
2 SENATOR FROM THE STATE OF ILLINOIS

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4 Chairman Durbin. Thanks, Senator Sessions. I ask
5 consent that 12 statements be placed in the record as part
6 of the committee hearing.

7 Senator Sessions. Without objection, yes.

8 Senator Durbin. Thank you.

9 [The prepared statements follow:]

10 / SUBCOMMITTEE INSERT

11 Senator Sessions. We are facing one of the worst
12 humanitarian crises in the history of the world. More than
13 65 million people have been forcibly displaced from their
14 homes. The brutal Syrian conflict, the epicenter of this
15 crisis, has killed hundreds of thousands, injured more than
16 a million, and displaced more than half of Syria's entire
17 population.

18 In some areas, children are starving to death. An
19 entire generation of children has known nothing but war. A
20 new UNICEF report finds that 28 million children around the
21 world have fled their homes due to conflict, 8.4 million
22 Syrian children in need of humanitarian aid, 2.8 million
23 Syrian children no longer in school, 2.4 million refugees.
24 UNICEF says, "No place is safe for children in Syria.
25 Violence has become commonplace, reaching family homes,

1 playgrounds, schools, parks, and places of worship."

2 Imagine what it must be like to be a mother or father
3 in Syria, this war-torn country, the impossible choices you
4 face. If you stay, your child could be bombed like Omran
5 Daqneesh, a five-year-old boy who was injured and his
6 brother was killed by a recent military strike. If you
7 flee, your child could die before your eyes, like three-
8 year-old Aylan Kurdi, who drowned last year in the
9 Mediterranean Sea with his older brother and mother.

10 Here is what Somali refugee Warsan Shire said about the
11 possible impossible choice refugees' faced -- "No one leaves
12 home unless home is the mouth of a shark. No one puts their
13 children in a boat unless the water is safer than the land."

14 I would like to show you another photo of a young
15 refugee. His name is Emir Hadzic. Emir was a Muslim
16 refugee who fled Sarajevo in 1995 and came to the United
17 States at the age of 17. Emir became the first
18 Bosnian-American to serve in the United States Marine Corps.
19 He is a veteran of the wars in Iraq and Afghanistan, and he
20 has deployed eight separate times in service of this nation.
21 He retired after 20 years as a U.S. Marine. This former
22 refugee returned to his hometown of St. Louis where he is
23 currently a police officer.

24 For those who proclaim that Muslim refugees are a
25 threat to America, please come to know retired Marine

1 Gunnery Sergeant Hadzic. Emir is now a part of Veterans for
2 American Ideals, a group of American veterans that support
3 refugees. They argue that accepting refugees is not just
4 the right thing to do, it is important for America's
5 national security.

6 Emir is here with us today. He is joined by Scott
7 Cooper, a retired Marine Lieutenant Colonel, and Andy
8 Slifka, a retired Marine sergeant, who have been fighting
9 to save the lives of Afghan and Iraqi translators, largely
10 Muslim translators who literally risked their lives to
11 protect America's troops. I would like to acknowledge these
12 outstanding American veterans and ask them to please stand.
13 Thank you for being here today.

14 Senator Sessions. Thank you for your service.

15 [Applause]

16 Senator Durbin. We are also joined by a number of
17 refugees from around the United States. They live in states
18 like Georgia, Texas, Vermont, and Illinois. Among them are
19 professors, lawyers, business owners, an episcopal priest
20 and a famous actor. Would our refugee guests please stand
21 to be acknowledged? Thank you as well for being here today.
22 Each of them has an amazing story to tell.

23 Veterans for American Ideals are not alone in arguing
24 that accepting refugees protects America. Listen to what
25 Michael Hayden, former director of CIA and the NSA under

1 President Bush, and James Stavridis, former NATO Supreme
2 Allied Commander said. Here is what they said about
3 refugees. "It's ironic to say the least that today some
4 politicians are seeking to shut out refugees in the name of
5 national security -- the global refugee crisis straining the
6 resources and infrastructure of Lebanon, Jordan, Turkey who
7 are hosting the vast majority of Syrian refugees. By doing
8 more to host and help these refugees, the United States
9 safeguards the stability of these nations and advances our
10 own national security interests. Moreover, hostility to
11 refugees helps ISIS. Conversely, welcoming refugees
12 regardless of their religion, nationality or race exposes
13 the falseness of terrorist propaganda and counters the
14 warped vision of extremists."

15 Now, let us be clear about these refugees. Many of
16 them wait months if not years to come to the United States
17 while they are being carefully screened and vetted. Before
18 they are admitted, they must pass careful rigorous security
19 screenings. All of that screening takes place before they
20 ever set foot in America.

21 Syrian refugees are subjected to another enhanced
22 review or stricter screening. If there is anything we can
23 do to make that process more secure, sign me up. But if
24 Republicans are serious about securing our country from
25 threats, they should focus on other areas.

1 Consider the Visa Waiver Program. Listen, 20 million
2 people from 38 nations travel to the United States each year
3 -- 20 million without visas. That is one-third of all
4 foreign visitors to the United States. They arrive at our
5 airports without undergoing biometric checks.

6 Zacarias Moussaoui, the so-called 20th hijacker and
7 9/11 co- conspirator tried to enter through the Visa Waiver
8 Program. So, did Richard Reid, the shoe bomber. Every
9 participant in the terrorist attack on the Bataclan theatre
10 last year in Paris held a passport from a Visa Waiver
11 Program country.

12 So if we are really concerned, really concerned about
13 protecting America from terrorists, how about strengthening
14 the Visa Waiver Program and requiring biometric checks of
15 travelers before they reach America so that we know who they
16 are before they board a plane? And if we are serious about
17 protecting America, Congress should close the loophole that
18 lets people who enter the U.S. through the Visa Waiver
19 Program buy guns, even assault weapons, and even if they are
20 on the FBI's terrorist watch list.

21 And speaking of gun violence, every day in America,
22 around 300 men, women, and children are shot and 90 of them
23 die. The American Medical Association has declared gun
24 violence is a public health crisis. What has the Judiciary
25 Committee done about these real threats that face us since

1 the Republicans took control in January of 2015? Nothing.
2 Nothing. No hearings, no legislation on the Visa Waiver
3 Program, on the terror loophole to buy guns, or on the gun
4 violence epidemic. Instead of these real security threats,
5 we are talking about innocent men, women, and children who
6 are fleeing terrorism.

7 We cannot forget the lessons of history. Fortunately,
8 some have not. Last year, the Senate received a letter from
9 more than 1,000 Jewish rabbis who opposed restrictions on
10 refugee settlement. They have not forgotten. They have not
11 forgotten how in 1939, the United States turned away the SS
12 St. Louis as it tried to dock in our country and save 900
13 Jewish refugees from the Nazi holocaust. America turned the
14 ship away. The 900 were returned to Europe and many died in
15 concentration camps.

16 These rabbis said, "In 1939, our country could not tell
17 the difference between the actual enemy and the victims of
18 an enemy. Today, let us not make the same mistake."

19 In the aftermath of our tragic failure, these Jewish
20 refugees fleeing Hitler, many of them went back to their
21 death. And we changed after World War II, after taking a
22 close look at our policies during that war.

23 Since the World War II, the American people have set
24 out to create an example for the world when it came to
25 refugees. Consider these numbers as we talk about the

1 possibility of 10,000 or 20,000 more Syrian refugees:
2 almost 400,000 Eastern Europeans admitted as refugees after
3 World War II into the United States; close to 400,000
4 Vietnamese refugees fleeing the Vietnam War, admitted as
5 refugees into the United States; approximately 650,000 Cuban
6 refugees were admitted into the United States after Castro
7 came to power and was clearly enthralled by our mortal
8 enemy, the Soviet Union; 650,000 Cuban refugees came to this
9 country, some of them with the fathers and grandfathers of
10 the three Cuban-Americans senators that we serve with today.

11 Is there anyone who questions whether these
12 Cuban-Americans have made a positive contribution to this
13 country? And we accepted more than 150,000 refugees from
14 former Yugoslavia. The list goes on -- Soviet Jews, so many
15 others.

16 Many of these refugees were fleeing regimes hostile to
17 the United States, and many of their critics argue they
18 could be spies. Hostile elements could be among them. But
19 the United States did the background checks, not literally
20 to the extent that we do today. We were not dissuaded by
21 this fear and hate that we heard.

22 President Ronald Reagan called America a shining city
23 on the hill whose doors were open to anyone with the will
24 and the heart to come here. Here is what they said about
25 refugees. I'm quoting Republican President Ronald Reagan.

1 Here is what he said, "We shall continue America's tradition
2 as a land that welcomes people from other countries. We
3 shall with other countries continue to share in the
4 responsibility of welcoming and resettling those who flee
5 oppression." Ronald Reagan.

6 Compare that with the current Republican Presidential
7 Nominee, notwithstanding his own immigrant mother, two
8 immigrant wives, and the hard work of immigrants who
9 contribute to his company and his wealth, Donald Trump and
10 his loyalists have made demonizing immigrants and refugees a
11 key plank of their party platform. Well, America cannot
12 build its future on fear and hate.

13 Today's refugees, like millions before them from all
14 over the world, will become proud Americans who contribute
15 greatly like Emir Hadzic.

16 Building walls on our borders and fear in our hearts
17 will not move this nation forward. Let us not continue the
18 cruelty and deception of blaming immigrants and refugees for
19 security and economic challenges. Let us work together to
20 build a better America for all Americans, including new
21 Americans, no matter the color of our skin, where our
22 parents were born, or how we pray.

23 Senator Sessions. Thank you, Senator Durbin.

24 Chairman Grassley, do you have any opening statements?

25 Chairman Grassley. I will put that statement in the

1 record. It will save time.

2 Senator Sessions. All right. Thank you very much.

3 Well we are not here to demonize refugees and we are
4 not going to end the refugee program, but there are risks in
5 the program. As were proceeding today in our cause, so --

6 Senator Franken. Mr. Chairman?

7 Senator Sessions. Yes.

8 Senator Franken. I am sorry I interrupt, sir.

9 Senator Sessions. Yes?

10 Senator Franken. May I just associate myself with
11 Senator Durbin's remarks and just want to, and say a couple
12 of little things or should we just --

13 Senator Sessions. Well, I think we probably better --

14 Senator Franken. Okay.

15 Senator Sessions. If you do not mind and I will come
16 to you. I believe you are next on that list.

17 Senator Franken. Thank you.

18 Senator Sessions. All right. If our witnesses will
19 stand and raise your right hand and be sworn? Do you affirm
20 that that the testimony you are about to give before the
21 committee will be the truth, the whole truth, and nothing
22 but the truth so help you God?

23 Mr. Henshaw. I do.

24 Mr. Rodriguez. I do.

25 Mr. Carey. I do.

1 Senator Sessions. Thank you. We appreciate your
2 testimony here today. We are, you know, dealing with
3 reality that we have got to confront. And it is a painful
4 time. We have an extraordinary number of refugees seeking
5 entrance into the United States and other areas of the
6 globe. And it is not possible that that problem, the
7 refugee problem can be solved by the United States, so we
8 will wrestle with it in this hearing.

9 Let me introduce each witness before they are provided
10 an opportunity to make an opening statement. Their
11 biographies are available on the committee's website.

12 First, we have Mr. Simon Henshaw, Principal Deputy
13 Assistant Secretary, Bureau of Population, Refugees, And
14 Migration at the Department of State. He is a career
15 officer in the U.S. Foreign Service. He worked in a variety
16 of positions across the Department Of State since he first
17 joined in 1985. He attended the National War College where
18 he earned a Master's of Science in National Security Affairs
19 and has a Bachelor of Arts in History from the University of
20 Massachusetts in Amherst.

21 Mr. Henshaw, we would be glad to have your opening
22 statement at this time.

1 STATEMENT OF SIMON HENSHAW, PRINCIPAL DEPUTY ASSISTANT
2 SECRETARY, BUREAU OF POPULATION, REFUGEES, AND MIGRATION,
3 U.S. DEPARTMENT OF STATE, WASHINGTON, DC
4

5 Mr. Henshaw. Thank you very much. Chairman Sessions
6 and distinguished Senators, thank you for holding this
7 hearing and bringing attention to the U.S. Refugee
8 Admissions Program. Thank you also for the opportunity to
9 appear before your subcommittee with my colleagues from the
10 Departments of Homeland Security and Health and Human
11 Services, and to describe our plans to bring 110,000
12 refugees to the United States during fiscal year of 2017.

13 The United States remains deeply committed to
14 safeguarding the American people from security threats, just
15 as we are committed to providing refuge to the world's most
16 vulnerable people. We do not believe these goals are
17 mutually exclusive.

18 Admitting refugees is an important form of American
19 humanitarian leadership. Our country is made stronger and
20 more vibrant because of the richness that immigrants and
21 refugees bring, with each wave of newcomers deepening what
22 it means to be American.

23 We share a deep bond with those who come to our country
24 seeking safety, opportunity, and freedom from fear. We are
25 grateful to have the chance to update you on the measures we

1 have taken to protect refugees around the world while
2 keeping America safe from harm. My part of this testimony
3 will address the Department of State's role in the U.S.
4 Refugee Admissions Program.

5 President Obama led a Leaders' Summit on Refugees at
6 the United Nations on September 20th, in response to the
7 largest mass displacement crisis since World War II.
8 According to the United Nations High Commissioner for
9 Refugees, there are 65 million forcibly displaced people in
10 the world today, 20 million of whom are refugees.

11 The United States recognizes that most refugees desire
12 safe, voluntary return to their homeland. Where
13 opportunities for the safe and voluntary return of refugees
14 remain unlikely or impossible, the United States and the
15 organizations we fund promote local integration, primarily
16 in neighboring countries.

17 Less than one percent of all refugees worldwide are
18 offered an opportunity to settle in a third country. The
19 United States is proud to offer the opportunity to build a
20 new life in our country to 110,000 refugees in Fiscal Year
21 2017.

22 Since 1975, we have welcomed more than 3.2 million
23 refugees to the United States who have become contributing
24 members of their new communities. The U.S. Refugees
25 Admissions Program embodies our highest values as Americans,

1 demonstrating compassion, generosity and leadership.

2 The U.S. Refugee Admissions Program has maintained its
3 focus on ensuring that refugee resettlement opportunities go
4 only to those who do not present a risk to the safety and
5 security of our country. We continue to employ rigorous
6 security measures to protect against threats to our national
7 security. In order to protect our security, applicants to
8 USRAP are subject to the most intensive screening of any
9 type of traveler to the United States.

10 The size of USRAP has varied over its history,
11 depending on global circumstances. After 9/11, refugee
12 arrivals dropped. Through the 2000s, the U.S. government
13 slowly increased the number of refugees admitted into the
14 country while ensuring that additional security measures
15 were added and implemented. With those changes in place,
16 USRAP is now able to offer protection to a larger number of
17 refugees in need, and we have met its targets for refugee
18 arrivals for four consecutive years.

19 The United States will admit 85,000 refugees in fiscal
20 year 2016, with the largest number coming from Burma, Iraq,
21 the Democratic Republic of Congo, Somalia, and Syria. We
22 are proud that the United States operates the largest
23 refugee resettlement program in the world, and resettlement
24 is an important component of U.S. global humanitarian
25 leadership. In late August, we reached the President's goal

1 of admitting at least 10,000 Syrians this year and expect to
2 admit about 12,300 total by the end of this week, by the end
3 of the fiscal year.

4 As Secretary of State Kerry briefed on September 13th
5 as part of the annual consultation mandated by law, the
6 United States intends to admit up to 110,000 refugees in
7 fiscal year 2017, which will include growing numbers of
8 refugees from Africa -- up to 35,000 -- and a greater number
9 of refugees from the Near East/South Asia region, primarily
10 Syrians, Iraqis, and Iranians, among others.

11 The refugee crisis caused by the conflict in Syria is
12 the worst the world has witnessed in a generation, resulting
13 in more than five million refugees in the region. The U.S.
14 government is deeply committed to assisting the Syrian
15 people and has provided nearly \$5.6 billion in humanitarian
16 assistance since the start of the crisis, more than any
17 other donor.

18 While the vast majority of Syrians would prefer to
19 return home when the conflict ends, it is clear that some
20 remain extremely vulnerable in their countries of asylum and
21 would benefit from resettlement. The Administration plans
22 to increase Syrian refugee resettlement efforts in fiscal
23 Year 2017, but has not established a target.

24 Refugees of every nationality are subject to higher
25 levels of security checks than any category of traveler to

1 the United States -- a multi-step screening process that
2 takes many months. Syrian refugees go through yet another
3 additional form of security screening tailored to the
4 particular conditions of the Syrian crisis, the classified
5 details of which have been shared with Congress.

6 We understand that in order to continue to be able to
7 offer this much-needed protection to 110,000 refugees, we
8 need the confidence of the American people that we have
9 taken every step to vet refugees before we approve them to
10 be resettled in the United States.

11 Although refugees typically are living in extremely
12 difficult conditions, they must move through the extensive
13 U.S. government vetting process before we approve them for
14 admission to the United States. The Department of State
15 works extremely closely with the Department of Homeland
16 Security to ensure that every aspect of our process to bring
17 refugees to the U.S. takes advantage of the government's
18 tools and databases for ensuring the security of our
19 borders.

20 USRAP is premised on the idea that refugees should
21 become economically self-sufficient as quickly as possible.
22 The Department of State works domestically with agencies to
23 ensure that refugees receive services in the first 30 to 90
24 days after arrival in accordance with established standards.

25 During and after the initial resettlement period, the

1 Office of Refugee Resettlement at the Department of Health
2 and Human Services provides technical assistance and funding
3 to states, the District of Columbia, and nonprofit
4 organizations to help refugees become self-sufficient and
5 integrated into U.S. society.

6 From the very beginnings of the program, USRAP was a
7 public-private partnership. This partnership is the very
8 heart of refugee program. Our confidence in the strength of
9 this partnership is why the Administration has set a target
10 of bringing 110,000 refugees to the United States next year.

11 And this partnership is growing. This month, the White
12 House announced that 51 companies from across the American
13 economy made new, measurable, and significant commitments to
14 aid refugees in the United States and around the world in
15 response to the President's call to action. In total, these
16 51 companies have committed to investing, donating, or
17 raising more than \$650 million.

18 Americans have given their time, money and talent to
19 assist more than three million --

20 Senator Sessions. [Off mic.]

21 Mr. Henshaw. Last paragraph, sir.

22 Senator Sessions. Very well, thank you.

23 Mr. Henshaw. -- and talent to assist more than three
24 million refugees in this program. It is deeply gratifying
25 to see the enthusiasm that communities around the United

1 States demonstrate to welcome refugees in their cities and
2 towns.

3 We are testifying as representatives of the U.S.
4 Government, but those that form the backbone of this program
5 are the countless faith-based volunteers, community members,
6 local organizations and elected leaders that ensure its
7 success in communities across the country. Our dialogue
8 with local community members and authorities ensures that
9 our program remains a robust and sustainable solution for
10 truly vulnerable refugees and an American tradition of which
11 we can all be proud.

12 Thank you.

13 Senator Sessions. Thank you.

14 [The prepared statement of Simon Henshaw follows:]

15 / SUBCOMMITTEE INSERT

16 Senator Sessions. Next, we have the Honorable Leon
17 Rodriguez, Director of U.S. Citizenship and Immigration
18 Services. He previously served as Director of the Office of
19 Civil Rights at the Department of Health and Human Services,
20 as Chief of Staff and Deputy Attorney General for Civil
21 Rights Division at the Department of Justice, and he has
22 worked in a variety of positions before including county
23 attorney for Montgomery County, Maryland, with a law firm in
24 the private sector, and in several other positions in the
25 Department of Justice. He received a BA from Brown

1 University and JD from Boston College.

2 Mr. Rodriguez?

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1 STATEMENT OF THE HONORABLE LEON RODRIGUEZ, DIRECTOR, U.S.
2 CITIZENSHIP AND IMMIGRATION SERVICES, U.S. DEPARTMENT OF
3 HOMELAND SECURITY, WASHINGTON, DC
4

5 Mr. Rodriguez. Thank you, Chairman and good morning
6 Members of the committee.

7 Chairman, like you I have spent a large part of my
8 career as a prosecutor. In fact, my very first job was a
9 state prosecutor in Brooklyn, New York at the height of the
10 crack epidemic. And one of my first assignments was in
11 homicide investigations.

12 And as result of that assignment, I spent many nights
13 with family members of homicide victims shortly after their
14 family members were killed, many mornings in the morgue with
15 the medical examiner with the bodies of the deceased in
16 those cases. And so I understand the gravity of the charge
17 I currently have. And I understand that when we talk about
18 public safety and national security, that these are not
19 abstractions but that, in fact, real families, real people
20 are potentially affected if we get it wrong.

21 I am also the child of refugees who came to the United
22 States from Cuba in the early 1960s. And I grew up in a
23 community of refugees, and I understand what those hopes and
24 dreams and realities and aspirations are.

25 I am also a student of history. And one day was

1 thumbing through some books in the USCIS library and found a
2 book of speeches about immigration. And this one was given
3 in 1964 before the U.S. House of Representatives, Committee
4 on the Judiciary by an individual by the name of Marion
5 Moncure Duncan who was then the president of the Daughters
6 of the American Revolution.

7 The title of those remarks was National Origin Quotas
8 Should Be Retained. After first expressing concerns about
9 the cultural and economic impacts presented by the
10 immigrants from that period, Ms. Moncure then went on to
11 state the following. "In view of this, revisions as per
12 proposed new quotas to greatly increase the number of
13 immigrants would be a threat to the security and well-being
14 of this nation, especially in face of the Cold War inasmuch
15 as it would be impossible to obtain adequate security checks
16 on immigrants from satellite Communist-controlled
17 countries."

18 Now, I do not believe that Ms. Moncure's advice was
19 heeded. Had it been, it is quite well possible that not
20 only I would not be here but, in fact, all four directors of
21 U.S. CIS since its founding. Not only that, the former CEO,
22 the late CEO of Coca-Cola, the parents of the CEO of Amazon,
23 the former CEO of Intel, Andrew Grove himself a refugee from
24 Eastern Europe. And the list goes on and on and on of what
25 would have been lost to this country if we had listened to

1 this advice.

2 Now, I understand the general point that we must meet
3 the standard that, Chairman, you have stated that if we
4 cannot ensure the screening, then we must not admit them.
5 We live by that principle.

6 I disagree, however, with the idea that the individuals
7 who we stamp for admission to the United States are,
8 "largely unvetted." In fact, we have detailed in exquisite
9 detail both in Mr. Henshaw's written remarks as well as my
10 own the process that we undertake in order to ensure that
11 the individuals who we admit, in fact, are not individuals
12 about whom we need to worry.

13 This does not to eliminate all risk. And I have been
14 candid that it does not eliminate all risk. But the fact is
15 that since September 11th, not a single act of actual
16 terrorist violence has been committed by a refugee who has
17 undergone our screening procedures.

18 There have been individuals who came to the U.S. as
19 children. There are individuals who came a long time ago
20 before our modern procedures. But since September 11th, all
21 we have had is conspiracies not only by refugees but in fact
22 by U.S.-born persons, other kinds of immigrants. It is
23 really an equal opportunity world. So --

24 Senator Sessions. You do not count conspiracies?

25 Mr. Rodriguez. They are not actual acts of violence.

1 They were effectively disrupted by U.S. law enforcement.

2 Senator Sessions. Okay.

3 Mr. Rodriguez. Is my point, sir.

4 Senator Sessions. I want to get your point.

5 Mr. Rodriguez. Is my point, sir.

6 Senator Sessions. It is not very logical.

7 Mr. Rodriguez. So, in fact, if you look at the record
8 of what USCIS has done, in the recent -- let us take the
9 example of Syrian refugees. In fact, seven percent of all
10 of those who have --

11 Senator Sessions. Mr. Rodriguez --

12 Mr. Rodriguez. I am running over my time.

13 Senator Sessions. Mr. Henshaw went twice as long as
14 he was required, so we are going to have to take -- you stay
15 close to your time.

16 Mr. Rodriguez. You know, he told me he was going to
17 yield me his time, sir.

18 [Laughter.]

19 Mr. Rodriguez. Alright. Can I have about 30 seconds
20 more? I just want to make a couple more points, sir.

21 Senator Sessions. You may wrap up.

22 Mr. Rodriguez. And that is the following. That since
23 we began admitting Syrian refugees under the current crisis,
24 seven percent have been denied because of either credibility
25 or security issues identified based on information from law

1 enforcement intelligence databases. About twice as many
2 have been placed on hold because we have concerns. In other
3 words, we live by the principle that you have stated, sir.

4 Thank you.

5 Senator Sessions. Thank you.

6 [The prepared statement of Leon Rodriguez follows:]

7 / SUBCOMMITTEE INSERT

8 Senator Sessions. Mr. Carey, Mr. Robert "Bob" Carey is
9 the Director of Office of Refugee Resettlement. He has most
10 recently served as Vice President of the Resettlement and
11 Migration Policy at the International Rescue Committee,
12 leading the agency's advocacy on refugee, immigration,
13 anti-trafficking, and community development policy issues.

14 Mr. Carey has served as Chair of the Refugee Council of
15 the United States of America. And we do, as Senator Durbin
16 indicated, we have some wonderful people who go out of their
17 way to help make refugees welcomed and successful in
18 America.

19 Mr. Carey?

1 STATEMENT OF ROBERT CAREY, DIRECTOR, OFFICE OF REFUGEE
2 RESETTLEMENT, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN
3 SERVICES, WASHINGTON, DC
4

5 Mr. Carey. Chairman Sessions and distinguished
6 Members of the subcommittee, thank you for inviting me to
7 discuss the Department of Health and Human Services'
8 responsibilities in facilitating the resettlement of
9 refugees in the United States.

10 I have the honor of overseeing the Office of Refugee
11 Resettlement Programs, which provide refugees, asylees,
12 victims of torture and other humanitarian entrants with the
13 support and services they need to become self-sufficient and
14 integrated into communities across the United States.

15 In my testimony today, I will describe the role that
16 HHS plays in refugee resettlement. ORR carries out its
17 mission to serve refugees through grants and services
18 administered by state governments and non-profit
19 organizations, and an extensive public-private partnership
20 network which involves many volunteers across the United
21 States as well faith-based and community organizations.

22 ORR grants are designed to facilitate refugees'
23 successful transition and integration into life in the
24 United States. Refugees arrive with distinct skills and
25 experiences, and we strive to provide the services necessary

1 to support their success.

2 ORR funds support, transitional, and medical services
3 for refugees through programs administered by states and by
4 voluntary organizations under the Wilson-Fish Programs. ORR
5 provides cash and medical assistance to refugees and other
6 populations for up to eight months after their arrival in
7 the U.S.

8 A portion of the new entrants participate in what is
9 called the Voluntary Agency Matching Grant Program. Through
10 this program, U.S. resettlement agencies use a combination
11 of ORR funds and privately raised resources to assist
12 refugees in obtaining employment. Service such case
13 management, job placement, and interim housing and cash
14 assistance help refugees become employed and self-sufficient
15 within their first eight months in the United States.

16 In fiscal year 2015, the Matching Grant program served
17 just under 30,000 refugees and reported economic
18 self-sufficiency rates of approximately 82 percent for
19 participants at 180 days after arrival. Given the proven
20 success of the program, ORR has expanded it in recent years,
21 including an additional 5,000 slots in fiscal year 2016.
22 ORR also provides funds to governments and private
23 non-profit agencies to support social services including
24 English language courses, employment services, case
25 management, social adjustment, and interpreter services.

1 We recognize that many individuals resettling to the
2 U.S. have experienced torture. We have a Survivors of
3 Torture Program which provides treatment and services to
4 these victims, given that increasing numbers of recent
5 arrivals are survivors, ORR has increased capacity and
6 expanded access to this program.

7 ORR is also deeply committed to supporting refugee
8 youth, particularly through School Impact grants. Through
9 this program, we support local school districts in which
10 refugees attend school. The program provides English
11 language instruction, after-school tutoring for refugee
12 students, after-school activities, parental outreach, and
13 interpreter services for parent-teacher meetings, aides
14 working with refugee children, and bilingual counselors.

15 Finally, I would like to share with you the story of
16 one refugee, Musa and his family who fled the Congo. When
17 Musa was 16, there was a war in his country and it was not
18 safe to live there. He witnessed the murder of his father.
19 His sister was sexually assaulted and his mother was
20 severely beaten.

21 Musa and his family fled to a camp outside of Congo
22 where they lived for seven years. While at the camp, Musa
23 and his family applied for refugee status through the UNHCR.
24 They went through five interviews and it took several years
25 to come to America.

1 Musa, his mother, and his six younger siblings were
2 eventually settled to Erie, Pennsylvania. They were
3 enrolled in ORR Matching Grant program. And after a period
4 of adjustment and struggle, and his active participation in
5 the program, he has adjusted well to American life.

6 He has two jobs, has obtained his driver's license, has
7 purchased a car. His brothers and sisters are doing well in
8 school, and the whole family is enjoying their new home and
9 community.

10 Stories like that of Musa and his family exemplify the
11 courage and determination seen in so many of the refugees
12 who arrived to the United States, and I have the honor of
13 hearing them every day. And they are not the exception but
14 rather the rule. Every day, thousands of refugees are
15 successfully integrating into their new communities in the
16 United States and giving back to the country that has given
17 them the opportunity to start over and live free from fear
18 and persecution.

19 Despite facing hardships, their resolve to better their
20 own lives, contribute to their communities, and integrate as
21 productive members of American society is unwavering. HHS
22 programs support refugees and other humanitarian populations
23 in achieving these goals.

24 I welcome this committee's interest in HHS's Refugee
25 Resettlement programs. Thank you for the opportunity to

1 discuss the critical work we perform in assisting vulnerable
2 populations. And I would be happy to answer any questions.

3 Thank you.

4 Senator Sessions. Thank you very much.

5 [The prepared statement of Robert Carey follows:]

6 / SUBCOMMITTEE INSERT

7 Senator Sessions. And thank all of you.

8 Senator Grassley, do you have anything you want to
9 start with? And I would be glad to yield any time that you
10 might need from my time.

11 Chairman Grassley. If I could exercise the first time
12 to ask questions, I would like to do this.

13 I am going to start with Mr. Henshaw. In its report to
14 Congress, the Administration says that it, "Aims to admit a
15 significantly higher number" of Syrian refugees in fiscal
16 year 2017. Last year, you told us you were going to admit
17 10,000 Syrians but that estimate was overshoot by about 30
18 percent. When we met with Secretary of State on September
19 13th, Secretary Kerry still could not give us an estimate of
20 the number of Syrian refugees to admit.

21 So what is the number of Syrian refugees you expect to,
22 expect to admit fiscal year 2017?

23 Mr. Henshaw. Senator, the Administration has still
24 not -- the White House has not given us a target for next
25 year for Syrians. We anticipate that it would be above

1 12,500 but I do not have a number other than that.

2 Typically, in our program we do not set nationality
3 numbers. We only set numbers by region. It was unusual
4 last year for a particular number, the Syrian number to be
5 set as it was.

6 Chairman Grassley. Well, you may have answered this
7 by saying 12,000. Would you say then that the range is in
8 that area of 10,000 to 15,000?

9 Mr. Henshaw. I can only say that I expect it will be
10 above 12,000.

11 Chairman Grassley. Above 12,000?

12 Mr. Henshaw. Yes.

13 Chairman Grassley. But you cannot say how much above
14 12,000?

15 Mr. Henshaw. No, I cannot. So -- no, sir.

16 Chairman Grassley. Is that because it is a hot
17 political item?

18 Mr. Henshaw. No. It is simply that a number has not
19 been given us -- to the White House. In the past, we have
20 not been given nationality numbers. The White House has not
21 taken that level of interest. So I do not want to speak
22 before the White House does in case they want to set a
23 number.

24 Chairman Grassley. Mr. Henshaw and Mr. Rodriguez, on
25 September 18th, just 10 days ago, Rahami, a naturalized U.S.

1 citizen from Afghanistan, allegedly was responsible for
2 bombing incidents in Seaside Park, New Jersey -- New York
3 City. He also was allegedly responsible for explosives
4 recovered near a train station in Elizabeth, New Jersey.

5 This young man was born in Afghanistan and reportedly
6 entered the U.S. as a derivative of his parents who sought
7 refuge. He also reportedly traveled extensively back to his
8 home country and to Pakistan, even staying for months.

9 This is not new. Time and again, we see refugees
10 returning to their country for various reasons even though
11 they claim that they will be persecuted if they go back, and
12 their life is in danger if they go back. But they go back
13 and stay a long time questioning whether or not they entered
14 the country based upon the principles of our refugee
15 program. So they travel back in that way.

16 Yet the Department of State and Homeland Security do
17 not track those travels or regularly review the travel
18 patterns of those who seek asylum or refugee status. We can
19 go back to 2013, the Tsarnaev brothers who bombed the
20 innocent Americans during the Boston marathon fled Chechnya,
21 yet traveled extensively to meet with Islamic radicals after
22 obtaining asylum.

23 Will the Department of State and the Department of
24 Homeland Security consider tracking the travel patterns of
25 those who obtained asylum or refugee status? And if you

1 would not track them, why not? And do not you see the
2 danger that I have just expressed of not tracking them? I
3 would like to have both of you answer.

4 Mr. Rodriguez. Yes. Let me -- I think generally,
5 this would be in the first instance either a DHS
6 responsibility writ large or a Consular Affairs
7 responsibility. Although not directly one of my particular
8 sub-agency, what I would say is in certain circumstances,
9 the kind of information that you are talking about about
10 travel could in fact be relevant as we consider subsequent
11 benefits that an individual may seek. An individual may
12 arrive as a refugee or may be granted asylum and
13 subsequently seek to adjust, and that is perhaps indeed an
14 issue that we could explore.

15 Now, as to the broader issue affecting all travelers,
16 those are other agencies that are responsible for
17 systematically tracking the travel of other individuals.
18 And I would not speak beyond the observation I just made.

19 Chairman Grassley. Mr. Henshaw?

20 Mr. Henshaw. I would agree that this is generally a
21 law enforcement issue and it is other agencies that track
22 the movement of people. I do not think it should adhere to
23 any one category of people allowed into the United States.
24 But I think if there are questions of movement by anybody
25 from this country, it is a law enforcement issue and those

1 agencies are more able to answer that question than I am.

2 Chairman Grassley. Mr. Chairman, my time is up.

3 Senator Sessions. Thank you. Well, I think the point
4 of Senator Grassley's question is people claimed to be
5 refugees. They say it is too dangerous for them to be in
6 their home country and then they go back. So just one of
7 the fundamental questions that the purity of this program is
8 not so great as a lot of people like to promote it.

9 Senator Durbin, thank you and I will yield to you.

10 Senator Durbin. I would like to ask the panel, and
11 anyone can respond. The Chairman in his opening remarks
12 said of the refugees, "They are largely unvetted." I would
13 like to ask anyone on the panel if you know of any refugees
14 that have been admitted to the United States during your
15 tenure with the government who have come in unvetted.

16 Mr. Rodriguez?

17 Mr. Rodriguez. Is it my watch to vet them, no. The
18 flat answer to that question is no. Every single refugee
19 over 14-years-old is interviewed, is screened in all the
20 manner that we described in our written statements, that
21 that is the case regardless of where they come from. If
22 there are particular countries of concerns -- Syria is
23 obviously one that has been identified as a concern -- those
24 vetting requirements are heightened yet and there are
25 additional steps that we take in those cases. But, no,

1 there are not people who were not vetted.

2 Senator Durbin. So that -- okay. I will take that
3 for what it is.

4 The second statement made by the Chairman in his
5 opening remarks was that the -- and it stands to reason --
6 that it is more complicated and challenging to vet someone
7 coming from Syria, a war-torn country where records may not
8 be easily available. How do you address that challenge?

9 Mr. Rodriguez. We address it in two critical ways. I
10 think the fact that the U.S. is not present in Syria in the
11 manner in which it was present in Iraq is what really drove
12 the observation that Director Comey made, which is that we
13 had a wealth of information about individuals coming from
14 Iraq. And there is, in fact, no other country from which we
15 would have quite the quantum of information that we got from
16 Iraq. That does not mean that we have no information.

17 In fact, gathering information about those
18 organizations in those countries that mean this country
19 harm, both from an intelligence perspective and national
20 defense perspective is no surprise one of the highest
21 priorities of the administration, of the particular agencies
22 responsible for gathering that intelligence.

23 As a result, when we conduct, for example, our
24 inter-agency check which bounces against a variety of law
25 enforcement and intelligence holdings, the details of which

1 we cannot discuss here, in fact, hundreds of individuals
2 have had derogatory information come back which then became
3 the basis for their rejection for refugee treatment. I am
4 talking specifically about Syria now.

5 There is another part of this. We have refugee
6 officers, asylum officers who are extensively trained and
7 also very carefully selected to do the work that they do. I
8 am a former prosecutor, a former criminal investigator and
9 so, I understand what that process is to conduct interviews,
10 to assess credibility and I have observed the work that our
11 officers do.

12 And, in fact, they are in an ongoing high-quality
13 process of assessing credibility, testing what they hear
14 from refugee candidates against the country conditions about
15 which they are briefed by intelligence officials, by law
16 enforcement officials, by experts, by other refugee
17 officers. So, in fact, that is another layer of screening.

18 That accounts for the fact that about seven percent of
19 Syrian applicants since the beginning of Syrian admissions
20 have been outright rejected either because of credibility or
21 because of hits. And it also accounts for the fact that 13
22 percent have been placed on hold until such time as we feel
23 that we have the correct amount of information based on work
24 conducted by our fraud detection national security --

25 Senator Durbin. Well, let me just interrupt you, Mr.

1 Rodriguez.

2 Mr. Rodriguez. Sure.

3 Senator Durbin. So, there is no presumption when you
4 are being considered for refugee status that you are
5 entitled to come to the United States?

6 Mr. Rodriguez. The burden is on the applicant.

7 Senator Durbin. And the vetting process involves not
8 just your administrative and security agency but also law
9 enforcement and intelligence agencies?

10 Mr. Rodriguez. There are a number of partners in that
11 process.

12 Senator Durbin. Is it fair to say that the level of
13 vetting and background checks for these refugees is
14 significantly different and more involved than when Cuban
15 refugees were brought into the United States?

16 Mr. Rodriguez. Yes. I have actually seen some files
17 from that period and the answer is yes. And, in fact, that
18 is why my answer was so long and was about to get longer,
19 Senator.

20 Senator Durbin. And let me just ask you this, there
21 is a basic question that has been raised about whether the
22 people who are admitted as refugees share our values in the
23 United States. Those who are willing to wait a year or two
24 years to finally come to this -- what we consider a great
25 country and it is and the safety of our shores. Can you

1 comment on that aspect?

2 Mr. Rodriguez. I can comment on what I have seen.

3 And that is that the refugees who I have met overseas, the
4 communities that I have visited including a number of the
5 folks, by the way, who are here with us today, every
6 opportunity that I have had to meet a refugee and what I
7 have observed throughout the history of this country is
8 regardless of what country they came from, what faith they
9 practice, what walk of life they came from, their level of
10 education, their economic circumstances, in fact, what the
11 vast overwhelming majority of refugees have done is exactly
12 that, assimilate to life in this country and seek a better
13 life for themselves and their families.

14 Senator Durbin. Thank you.

15 Chairman Grassley. Mr. Chairman, could I have 30
16 seconds please?

17 Senator Sessions. [Off mic.]

18 Chairman Grassley. You folks left the impression with
19 me that it is none of your business, it will be law
20 enforcement that has to track these guys and if you have
21 that attitude, they are never going to be tracked because
22 you folks are the only ones that have the ability to know
23 that they left the country in the first place.

24 Mr. Rodriguez. What I was talking -- yes, that is
25 really not what I was meaning to say, Senator, so --

1 Chairman Grassley. Are you sharing this information
2 with the law enforcement people you are talking about?

3 Mr. Rodriguez. Actually, yes. So, for example, when
4 we vet refugees and we identify information that is of law
5 enforcement or intelligence value, that information is
6 shared with the applicable law enforcement and intelligence
7 agencies. That is one example.

8 If I left the impression that we do not care what
9 happens, I apologize. It was not the impression I intended
10 to leave.

11 Mr. Henshaw. And I certainly did not mean to leave
12 that impression either. What I would say is that the vast
13 majority of our refugees do not return to the countries that
14 they came from. Syrians are not going back to Syria.
15 Somalis do not go back to Somalia in anything but very rare
16 circumstances.

17 That information is passed to law enforcement agencies
18 when it happens. There are cases where refugees do
19 eventually go back to their countries but that is once the
20 situation has improved. The vast number of Afghan refugees
21 in the world have returned to Afghanistan now even though
22 the situation is still somewhat tenuous. So, it depends on
23 the country and the situation. But we do keep law
24 enforcement informed.

25 Chairman Grassley. Mr. Chairman, thank you.

1 Senator Sessions. Well, Mr. Rodriguez, we just got to
2 be realistic with the American people about the situation.
3 We have had 508 individuals from the Middle East convicted
4 of terrorism since 9/11. Our staff has been able to find 40
5 refugees who have been convicted of charges related to
6 terrorism, many in recent years and your department, Mr.
7 Johnson -- Secretary Johnson, has refused to answer a very
8 simple question which is how many.

9 We have only been able to get this through public
10 sources. Are you prepared to give us answers to the letter
11 I submitted to you weeks ago or months ago on that subject,
12 just yes or no?

13 Mr. Rodriguez. I am sorry, sir, I am not
14 directly familiar with the letter you are talking about.
15 When you say how many, how many individuals have been
16 charged with terrorists charges?

17 Senator Sessions. Yes.

18 Mr. Rodriguez. I am aware of the 40.

19 Senator Sessions. That is the number we produced by
20 public sources going out and digging it up. We did not get
21 it from you.

22 Mr. Rodriguez. We certainly stand ready to work with
23 this committee to get it the information it needs.

24 Senator Sessions. And I would just note that I wish
25 it were not so, but government data from the annual report

1 to Congress shows that refugees from the Middle East from
2 March of 2009 through February of 2014, 89.7 percent are on
3 the SNAP assistance, Mr. Carey.

4 Also, 76 percent received Medicaid so, these costs are
5 not a part of your report to Congress -- because it is not
6 your agency -- when you estimate how much it cost to move a
7 refugee into the United States. We just need to know this.
8 A lot of the people are having difficulty being successful
9 in the United States and I wish it were better than it is,
10 but that is just part of it.

11 And with regard to security checks in Syria and Iraq,
12 you mentioned, Iraq we had pretty good records on, but we
13 have had a series of individuals from Iraq that have come in
14 here that have been involved in terrorism, too. And so, we
15 obviously missed some of that and we have virtually no
16 records for our investigators to confirm or deny statements
17 made by applicants for asylum or refugee status from Syria.

18 So, you have some -- I am sure -- security data that
19 you can run it against. You continue to say we run this as
20 hard as we can against whatever we have, but what Mr. Comey
21 is suggesting is that is just not very good. We do not have
22 enough information to be able to make a rational decision.

23 He also had a statement at the House hearing yesterday
24 or the day before that he warned that we are going to have a
25 big flow into the United States if ISIS loses its territory

1 and is routed from Syria and other places, that they are
2 going to pour into Europe and the United States. Do you
3 deny that?

4 Mr. Rodriguez. I read and watched parts of the
5 testimony yesterday. I did hear what he said. I also --

6 Senator Sessions. Do you agree or disagree with that?

7 Mr. Rodriguez. I certainly know that that is a
8 significant area of national security concern, absolutely.
9 And that is exactly the kind of thing that we have been
10 taking steps of -- it is certainly within the refugee
11 program, the programs that we manage.

12 Senator Sessions. Alright. Well, Mr. Henshaw, with
13 regard to this consultation, I was at the meeting when
14 Secretary Kerry came and consulted with us. You and he told
15 us it was going to be 110,000 people. You did not say,
16 "What do you think, Congress?" You just told us what it was
17 going to be, isn't that right?

18 Mr. Rodriguez. I was not there, Senator. But I
19 understand that there was a conversation back and forth and
20 that has -- how the consultation--

21 Senator Sessions. I thought you were there. Mr.
22 Rodriguez was there. So, he just told us what the number
23 is.

24 Now, we have a candidate for President, former
25 Secretary of State who knows these rules and laws. She says

1 she does not want 12,000 refugees from Syria. She is
2 publicly stated that she wants to have 65,000.

3 We had 10,000 supposedly last year. Does she have the
4 legal authority to do that if she is President of the United
5 States and she appoints a Secretary of State who executes
6 her policies?

7 Mr. Henshaw. Senator, I cannot comment on the
8 statements of presidential candidates.

9 Senator Sessions. Well, what about the law? Can the
10 president change the number? Since you have given no
11 specific number for Syria, that is what she said, 65,000
12 should come from Syria. Has she the ability to direct the
13 State Department to admit 65,000 from Syria?

14 Mr. Henshaw. The president of the United States can
15 change the numbers after consultation with Congress.

16 Senator Sessions. And consultation does not mean ask
17 our opinion, simply a notice and a meeting.

18 Let me ask you this, aside from the security question
19 that we deal with that you all do your best to check, I do
20 not dispute that, you do not screen refugees for anything
21 other than what threats they might make to the United
22 States; is not that correct?

23 Mr. Henshaw. They are screened for medical issues as
24 well.

25 Senator Sessions. So, I just want discuss this a

1 little bit and so I think the American people and all of us
2 need to think about it as we go forward with a rational
3 immigration policy -- do you take into consideration the
4 applicant's proficiency or lack of it in English or even
5 their literacy with regards to the country from which they
6 come?

7 Mr. Henshaw. Our decisions to bring in refugees are
8 based on their vulnerabilities.

9 Senator Sessions. So, you do not consider whether or
10 not they read and write English and/or their own language?

11 Mr. Henshaw. No, it is their vulnerabilities.

12 Senator Sessions. And neither do you consider level
13 of education or unique job skills?

14 Mr. Henshaw. No, but I have to say that we receive
15 many refugees with a high level of education, particularly
16 from the Middle East.

17 Senator Sessions. Do you make any inquiry about
18 practices that we reject in the United States like female
19 genital mutilation? Do you say do you believe in that and
20 when you come to the United States will you comply with the
21 laws of the United States on that kind of question?

22 Mr. Henshaw. On all questions we make it clear to
23 refugees that we are a nation of laws and that they need to
24 comply with our laws and --

25 Senator Sessions. But you do not ask them if they

1 would comply with that law?

2 Mr. Henshaw. I cannot answer that question. I do not
3 know.

4 Senator Sessions. Because we had 27 honor killings
5 last year in the United States according to DOJ, do you ask
6 if you adhere to the practice of honor killings for people
7 who violate certain religious codes before admitting into
8 the United States?

9 Mr. Henshaw. I am not sure those honor killings took
10 place among the resettled refugee community in the United
11 States. We make it clear and we have a cultural orientation
12 program which orients refugees, applicants to -- would-be
13 refugees to the United States...

14 Senator Sessions. But if you have evidence that they
15 -- do you make inquiry to determine if there is any evidence
16 that they adhere to a group that has those kind of views
17 like honor killings and whether or not they would give that
18 up if they admitted to the United States?

19 Mr. Henshaw. Senator, I have seen no evidence to show
20 that refugee communities are bringing these values into the
21 United States.

22 Senator Sessions. Well, we had 27 --

23 Mr. Henshaw. What I see is that they are becoming
24 good American citizens, members of the military, members of
25 our police, people with U.S. American values. That is what

1 I see when I visit refugee populations in the U.S.

2 Senator Sessions. Well, if they are illiterate in
3 their home country they are not likely to be a police
4 officer the next week in the United States, are they? And
5 with regard to honor killings, you have evidence that 27
6 people were killed in the United States for honor killings
7 according to a DOJ report.

8 Mr. Henshaw. I have no evidence that there were any
9 honor killings among the refugee population resettled in the
10 U.S., sir.

11 Senator Sessions. Well, it is from the same cultural
12 background I would say.

13 Mr. Henshaw. Well, our refugees come --

14 Senator Sessions. You certainly have evidence that
15 they have been charged -- at least 40 -- with terrorist
16 acts. So you are not perfect in your admission, I have to
17 admit.

18 So, Mr. Chairman, my time is up. I am sorry. I am the
19 Chairman of this hearing.

20 [Laughter.]

21 Senator Sessions. All right.

22 Senator Klobuchar? We are delighted to have a good
23 prosecutor.

24 Senator Klobuchar. Okay. Well, good. Well, that is
25 a good way to begin. Thank you very much, Mr. Chairman.

1 And thank you to all of you for working on this issue.

2 Senator Durbin and I have been long involved in this
3 issue and also Senator Franken and I represent a state that
4 has a lot of refugees and they are a big part of the fabric
5 of life in our state, leading businesses, teaching our
6 students, on our police forces.

7 So, I think I would start with this issue with you,
8 Director Rodriguez, on the security check. As you state in
9 your testimony, refugees are subject to the highest level of
10 security checks of any category of traveler to the U.S. I
11 believe we need to uphold these stringent security standards
12 which require extensive biographic and biometric checks,
13 information vetting.

14 Do you agree with me that refugees are the most
15 carefully vetted of all travelers and what has USCIS done to
16 ensure that the high security requirements for refugees are
17 not compromised as we look at some increase in the number of
18 refugees?

19 Mr. Rodriguez. Yes, I agree that they are the most
20 highly vetted travelers to the U.S. My particular sample
21 population is the rest of immigrants to the U.S. who also,
22 incidentally, are subject to extensive background checks, in
23 certain cases to interview as well but, refugees definitely
24 get more as do asylees.

25 We are in a constant process of adding tools as those

1 tools become available. And so, a lot of times, for
2 example, when we are talking about incidents for people who
3 arrive, even eight or nine years ago and let alone 20 years
4 ago, the process that they would have undergone then is
5 nowhere near the process that we have now.

6 Senator Klobuchar. Right. And for the Syrian
7 refugees, there is an extra layer. Is that right?

8 Mr. Rodriguez. There are a couple of extra layers.
9 One, a select portion of the cases when they have particular
10 characteristics are pre-reviewed by our fraud detection
11 National Security directorate even before an interview was
12 conducted by our officers in order to identify particular
13 lines of questioning, areas of concern for officers to
14 pursue. If there are concerns after the interview, those
15 cases are then held for further review by the same team.

16 Senator Klobuchar. Yes. We only -- we have a lot of
17 refugees from other populations, other countries, not as
18 many from Syria. And I met one of the 24 of them two weeks
19 ago -- we only have 24 in our state -- and she came actually
20 -- was Armenian so she was at the Armenian Independence Day
21 celebration from Aleppo and I talked to her about the
22 process that she had to go through.

23 I was going to ask you about the special immigrant
24 visas for Iraqi and Afghan translators. Senator Sessions
25 raised the issue of some of these refugees and I personally

1 have met one guy that is friends of the general that is in
2 charge of our Minnesota National Guard. He is teaching at a
3 military college now in the U.S. He has helped protect our
4 military abroad, including Senator Graham. And as a result,
5 he and his family were forced to flee their homes because
6 they received death threats from Al Qaeda.

7 He was granted a visa but he has been waiting for more
8 than two years to receive asylum in the U.S. I think you
9 know that this program of bringing in the people that helped
10 us are supported by Generals McChrystal and Campbell both
11 acknowledge how crucial this is.

12 Can you tell us more about why this is taking so long
13 for someone that has helped our country in this way?

14 Mr. Rodriguez. Sure. This really speaks to various
15 challenges that we are dealing with in our asylum process.
16 It is no secret that our asylum process is backlogged. The
17 fact is that we essentially run it on a first come, first
18 served basis. And so, we do address the oldest cases
19 regardless of factors of nationality or anything else. That
20 is the approach that we have taken.

21 We have been for sometime in the process of adding,
22 training, deploying, making sure that they have experience,
23 additional asylum officers in order that we reach the levels
24 needed to adequately address that case load.

25 Senator Klobuchar. Okay. And then the last question

1 I had -- I have a question that is pretty important that I
2 will put on the record on torture victims relief.
3 Republican Representative Chris Smith and I have been
4 working on this and Senator Durbin and Franken are
5 co-sponsors to this bill so, I will put that on the record.

6 And my question, actually last one, is about refugee
7 resettlement. It is my understanding, and you note in your
8 testimony that -- this is actually to Mr. Carey -- that the
9 voluntary agency Matching Grant Program reported economic
10 self-sufficiency rates of about 82 percent for refugees in
11 180 days. That does not surprise me. Our state found
12 unemployment rates down to 3.6 percent. The refugees are
13 legal. They are not illegal.

14 So, because they are legal, they can work, lawfully
15 work and it has made -- it is a big help for us in the areas
16 of our state where we simply need more workers. And I could
17 give you numerous examples of managers of plants that told
18 me they were going to shut down if they had not gone through
19 the refugee program to bring in people whether they were
20 from Burma, whether they were Mong, and it has a made a huge
21 difference in our state.

22 And our state has one of the lowest unemployment rates,
23 most successful metropolitan areas not to mention rural
24 areas in the country. And a lot of this has to do that we
25 have legal workers that can work at our 17 Fortune 500

1 companies or other places.

2 How has this program been effective? What can we do to
3 make it more effective?

4 Mr. Carey. Thank you, Senator. It is one of the
5 signature programs --

6 Senator Sessions. Is your microphone on?

7 Mr. Carey. Yes, maybe, sorry, a little distant.
8 Sorry.

9 No, the Matching Grant Program is one of the signature
10 programs of ORR. We are very proud of it. The 82 percent
11 outcome is an important indicator.

12 We have expanded it by 5,000 slots in the last year
13 recognizing that it is extraordinarily effective. I think
14 it is also emblematic of the public-private partnership that
15 fuels the program. Many thousands of volunteers from church
16 and community-based organizations participate in the ongoing
17 orientation and job search effort with refugees.

18 We find that the employers -- we work with them on an
19 ongoing basis during the initial placement period and it is
20 extraordinarily successful. We expect to continue it and
21 hope to increase it should resources become available.

22 Senator Klobuchar. Thank you.

23 Mr. Carey. Thank you.

24 Senator Klobuchar. Thank you, Mr. Chairman.

25 Senator Sessions. All right. Senator Vitter?

1 Senator Vitter. Thank you, Mr. Chairman.

2 Mr. Rodriguez, Fordham Law School Center on National
3 Security has released a report on ISIS prosecutions in the
4 United States. And they looked at all ISIS prosecutions in
5 the U.S. and determined that of those involved in that, 18
6 percent were refugees or asylees. Should not that be of
7 enormous concern to all of us?

8 Mr. Rodriguez. Without a doubt, yes.

9 Senator Vitter. I mean, is not that a very big
10 percentage?

11 Mr. Rodriguez. No --

12 Senator Vitter. Not a big percentage?

13 Mr. Rodriguez. No. No. No. I did not get to say
14 what I was about to say.

15 Senator Vitter. Well, my question is is not that a
16 very big percentage, 18 percent?

17 Mr. Rodriguez. One percent would be a big percentage.
18 This is an area of significant concern. Yes.

19 Senator Vitter. Now, a few minutes ago, you touted
20 and made a big deal in your testimony or perhaps in response
21 to a question that since 9/11 there has been no person who
22 came in as an adult in the refugee program who was convicted
23 of a violent terrorist offense. Now, that is great.

24 But that was a very carefully crafted statement. There
25 are many people who came in as an adult in the refugee

1 program who have been convicted of terrorist offenses;
2 correct?

3 Mr. Rodriguez. That is correct.

4 Senator Vitter. Now, we are all happy that those
5 plots were disrupted, but in terms of security threats
6 possibly posed by the refugee program, those cases are darn
7 relevant, are not they just as relevant as a successful
8 violent attack?

9 Mr. Rodriguez. Oh, sure they are. And they inform a
10 number of the improvements that we have made over the years.
11 Many of those cases involve admissions that took place a
12 while ago. And even in the last four to five years there
13 have been significant changes in the way that we vet
14 refugees that makes a difference.

15 Senator Vitter. So, just to clarify your earlier
16 statement again, you touted, nobody came in through the
17 refugee program as an adult who committed a violent act, but
18 there sure were those who came in who were convicted of
19 terrorist offenses.

20 Mr. Rodriguez. I was transparent about that. That is
21 correct.

22 Senator Vitter. Well, you are only transparent about
23 it once that --

24 Mr. Rodriguez. No. No. I said it in my opening --
25 no, I said it in my opening remarks. I said it in my

1 opening remarks.

2 [Simultaneous speech.]

3 Senator Vitter. Have you personally reviewed all of
4 those cases? Because, again, as the Chair said, we have
5 asked for the total number and your department and other
6 agencies have been unable to give us a number. Have you
7 reviewed that universe of cases both with regard to the
8 total number and the specific circumstances, perhaps common
9 threads of those cases?

10 Mr. Rodriguez. I cannot tell you that I have. I can
11 tell you two things -- one, I reviewed a lot of cases. And
12 certainly as new cases have arisen in recent years, I become
13 immediately familiar with the facts of those cases. And one
14 of the things that we do collectively in our agency is look
15 at anything -- improvements that we -- that may be indicated
16 by the circumstances in those cases.

17 Senator Vitter. Should not you know the total number
18 of that universe?

19 Mr. Rodriguez. Perhaps we know as an agency. I have
20 some rough sense of the number. I do not specifically know
21 the number. I should -- I should --

22 Senator Vitter. We have asked that question for
23 months. We have not gotten a straight response. Why is
24 that?

25 Mr. Rodriguez. I honestly do not know. I am prepared

1 to work with you to make sure you get the answers you are
2 looking for.

3 Senator Vitter. Okay. You are in charge of the
4 program. It seems to me you should darn well know what the
5 number is and it seems to me you should review those cases,
6 all of those cases to look for common threads.

7 Now, as been mentioned earlier, FBI Director Comey has
8 testified that the federal government does not have the
9 ability to conduct thorough background checks on all of the
10 Syrian refugees being let in. Do any of the witnesses here
11 disagree with that?

12 Mr. Rodriguez. I believe that that statement has been
13 vastly over-read. I would like to read another statement by
14 Director Comey made before the House Committee on Homeland
15 Security back in the summer. And this was referring to both
16 his testimony and also testimony by the Director of National
17 Intelligence and the head of the NCTC.

18 I think what all of three of us said when we last
19 talked about this together is we were comparing our ability
20 to vet Iraqi refugees as opposed to Syrian refugees. We
21 have made great progress and we have made even more progress
22 at getting better at knowing what we know about anybody who
23 was looking to come to the United States.

24 That is the full scope of what --

25 Senator Vitter. I believe Director Comey's point is

1 -- was -- was that in the vast number of these cases of
2 Syrian refugees, there is no information in our database, if
3 you will, from independent sources. Is not that correct?
4 Is not it true that in the great majority of cases the test
5 is basically the interview with them, checking that against
6 what you know of the area where they have testified they
7 were, not any third party sources?

8 Mr. Rodriguez. In other words, that is true. We do
9 not have access, for somebody who has not for whatever
10 reason appeared in our intelligence databases, I think that
11 is a fair statement.

12 Senator Vitter. So, that was clearly the point of
13 Director Comey's testimony when he said we do not have the
14 ability to conduct thorough background checks. We can only
15 -- quote, "we can only query against that which we have
16 collected," close quote. In the vast majority of Syrian
17 cases, that is nothing; correct?

18 Mr. Rodriguez. Well, in part because we would hope
19 that a lot of those folks are not coming up on intelligence
20 databases at all. In other words that they are -- and, in
21 fact, this has been my observation meeting them, they are
22 law-abiding working people trying to come here and find a
23 better life. That is why they would not appear in those
24 kinds of databases.

25 Senator Vitter. But you do admit that there are

1 terrorists who are not on these databases?

2 Mr. Rodriguez. I do not know. I do not know. I
3 cannot guarantee that every single terrorist is in those
4 databases. What I can tell you is that we have identified -
5 -

6 Senator Vitter. Well, let us back up. We can all
7 agree -- is not it clear that every single terrorist is not
8 on these databases? Is not that a virtual certainty?

9 Mr. Rodriguez. I think that is true regardless of
10 what country they are coming from --

11 Senator Vitter. Right.

12 [Simultaneous speech.]

13 Mr. Rodriguez. -- and how they are coming here and,
14 in fact, whether they are born in the United States to begin
15 with. The point that I am making first of all, I would not
16 dismiss the interview process so quickly and easily. These
17 are highly trained officers, intensely briefed on country
18 conditions. But the track record also speaks for itself,
19 significant numbers of people have been denied because of
20 what is in those databases. It is, in fact, a high priority
21 of government to develop as much and as robust information
22 as we can about these organizations.

23 Senator Vitter. Or the track record, terrorist
24 prosecutions of folks who came in through the refugee
25 program?

1 Mr. Rodriguez. Certainly, that is, you know, without
2 a doubt, that is something that has occurred, yes.

3 Senator Vitter. Thank you.

4 Senator Sessions. Well, we have not had terrorist
5 attacks from people who came from Cuba or Philippines or
6 Mexico or South Africa or Ethiopia. But there are areas
7 around the world where we have had a persistent number of
8 that and we expect that this Congress has a duty to make
9 sure that we are careful about those admissions and be in
10 touch with the reality when we do vetting. That is what the
11 issue is about and we all will have disagreements about it.

12 Senator Franken?

13 Senator Franken. Thank you.

14 On the vetting process, so, how long is it for someone
15 coming from Syria? And I guess we have admitted only 12,000
16 refugees out of a displaced population of 5 million people.
17 Considering the humanitarian crisis there which I think is
18 the worst since World War II and the Chairman, today's
19 Chairman talked about the light of liberty, and I believe
20 that on the Statue of Liberty there is a poem by Emma
21 Lazarus that says, "Bring me your tired, your poor, your
22 huddled masses yearning to breathe free" -- 12,000 Syrian
23 refugees out of a displaced population of almost 5 million.

24 We have seen these heartbreaking pictures of children
25 who are being killed. And think about, I guess, we are

1 talking over 400,000 Syrians killed in this. So think about
2 what our job is as human beings. And what our obligation is
3 to other human beings. These are people that are fleeing
4 ISIS. These are the people who are fleeing an Assad regime
5 that uses poison gas against civilians.

6 The vetting process is the UN first refugee center --
7 first vets people and hands them to us then we take over on
8 the average a year and a half before we -- as we vet them
9 before they come over. Is that correct?

10 Mr. Henshaw. Yes, that's correct, Senator.

11 Senator Franken. Okay. And have we had any adults
12 that came over from Syria engage in some terrorist plot of
13 some sort?

14 Mr. Henshaw. No, Senator.

15 Mr. Rodriguez. Not to my knowledge either.

16 Senator Franken. Oay. So these are people who come
17 here -- you know, my grandfather came from Russia. He
18 arrived and saw that on the Statue of Liberty. He was one
19 of those huddled masses yearning to breathe free.

20 One awful thing happening is one too many. But we have
21 had 400,000 people killed. Let us weigh those things. And
22 let us talk about what kind of country we are. Are we a
23 country that is just terrified? Are we political leaders?
24 Are we office holders whose job it is to give in to
25 terrorists and tell them that we are not going to live up to

1 our values that are there on the Statue of Liberty? Or are
2 we going to be a bigger people?

3 I think it is great that we have given more financial
4 aid in the Syrian crisis than any other country. But the
5 number of people that we have brought in is, I think, a
6 disgrace, 25 to Minnesota -- 25 people.

7 I just think that this is really a matter of, sort of,
8 values here. I think when you come right down to it. And I
9 think our country is enriched by refugees like my
10 grandfather. I do not think we should have a test that you
11 should ask someone from Syria whether they are Muslim or
12 not.

13 I have a feeling that ISIS terrorists might lie. They
14 are very tricky; you know? They might say they are
15 Christian. Though we have a member of this committee who
16 suggested that that be the -- I think we have to do a gut
17 check here and see who we are as a people. We benefit from
18 our immigrants. We benefit from our refugees. And we do
19 not benefit as a country when little children are drowning
20 and families go through these hardships and see their
21 families die.

22 Thank you.

23 Senator Sessions. Thank you, Senator Franken, an
24 eloquent statement. And we should all consider what you
25 tell us.

1

2 Senator, Tillis?

3 Senator Tillis. Thank you, Mr. Chair.

4 Mr. Rodriguez, I am going to ask you if you will, just
5 to give you a moment to do it. Go back to your opening
6 comments and the comment that you referred to as being
7 transparent on the prosecutions. I want to come back and
8 have you read that in a minute.

9 But I am going to -- this committee -- I am relatively
10 new. I have been here for less than two years and I am
11 really already tired of people talking past each other in
12 this committee.

13 Here is one of the problems we have -- I also want to
14 thank people who have come to this country as refugees and
15 served our nation. You go to Arlington National Cemetery,
16 you see a lot of Muslims who died in service of this nation.
17 This is not what this issue should be about.

18 This issue should be about the integrity of the
19 process; right? It should be about recognizing and not
20 finessing the fact that some one-fifth of the prosecutions
21 related to, I think, alleged facilitators were through the
22 refugee or asylee program. Why is that important?

23 Because it does a disservice to the refugees -- to
24 legitimate refugees who came here who had no intention of
25 harming this country and, in fact, many of them willing to

1 serve it. When we start finessing it and not look at the
2 problems with the current system, we do the refugees and
3 asylees a disservice.

4 And we as committee members should stop talking about a
5 Republican position or a Democrat position and come up with
6 a responsible, compassionate position for these refugees.
7 We also should come up with a responsible policy, so that
8 they are not forced to make the heartbreaking decision to
9 leave their nations.

10 You know, I do not think a lot of people were born and
11 all of a sudden say, "I want to come to the United States."
12 They leave their nations because they are threatened with
13 their lives. They are threatened with their families'
14 lives. That is a profound decision. It is one that I hope
15 I would never have to make in the United States.

16 I do not believe people are born and all of a sudden
17 want to come to the United States. Most of them want to
18 live in their nation of birth where their families exist,
19 where their cultures are. Our dialogue needs to keep that
20 in mind.

21 However, there are failures in this system and there
22 are people talking past each other, politicians and
23 bureaucrats who are parties to this problem. And we need to
24 start addressing them.

25 Now, I want to start, Mr. Rodriguez, by you reading

1 that passage please in your opening statements.

2 Mr. Rodriguez. That was an extemporaneous -- I mean,
3 if we have the transcript that was extemporaneous.

4 Senator Tillis. Yes. Okay. The problem was, I think
5 and --

6 Mr. Rodriguez. I can tell you what I meant to say.
7 If -- I apologize.

8 [Simultaneous speech.]

9 Senator Tillis. My request to you would be to
10 actually, if you were aware of the Fordham report, then you
11 should have said that -- in your words in response to
12 Senator Vitter, one percent is too many, then clearly 18
13 percent is 18 times too many.

14 What can we do, within your agency and other agencies
15 to make sure that we are sharing that information where we
16 are integrating and providing more information on patterns
17 of life so that we can find people who are abusing our
18 goodwill and potentially trying to do harm to this nation?
19 Because if one succeeds, then it harms our ability to go
20 help the refugees that we should find a safe place somewhere
21 on this planet, in this country or somewhere else.

22 What are you all doing -- and just very quickly, I only
23 have a minute and 45 seconds. What precisely have you done
24 to try -- you know the dialogue, the public dialogue out
25 there, what precisely have you done, instead of saying,

1 "Well, that's a Homeland and Security issue," what precise
2 constructive, proactive actions have your agencies taken to
3 make sure that the -- most of this happens when we do not
4 pass the baton. We do not share information. What
5 precisely can you point to you in your tenure that you have
6 done to try and eliminate those gaps that create the lapses
7 and the problems with this system?

8 Mr. Rodriguez. I am going to tell you about two
9 concrete things that have occurred during the time that I
10 have been there. There are things that my predecessors have
11 done as well, which shows the evolution of the process. I
12 tell you about two concrete things.

13 First, during my time as director, we took the
14 interagency check, which is the multi-agency, check of
15 intelligence agencies, law enforcement agencies. It is now
16 a recurrent check, which means that from the time it is
17 first initiated prior to interview, and for two and a half
18 years thereafter, if new information goes into that
19 database, we and other relevant agencies are notified --

20 Senator Tillis. Thank you and because I want to keep
21 honest on time --

22 Mr. Rodriguez. That is one thing. Can I tell you one
23 more?

24 Senator Tillis. If you could actually respond back in
25 a written form, I would like that. I would like it from

1 each of the agencies.

2 I guess, my final question is maybe for you also, Mr.
3 Rodriguez is this Fordham Law School report, had you heard
4 about it before Senator Vitter brought it up?

5 Mr. Rodriguez. I will -- I am eager to read it. I --

6 Senator Tillis. I would like to get a response back
7 from your agency on what, if anything, we may have been able
8 to do in the process to have identified this threat or the
9 patterns of life that occurred afterwards that ultimately
10 identified the -- are there things that we can learn from
11 this? It would seem to me if this report is legitimate --
12 and it appears to be -- that you can learn from this and you
13 should look at this as an opportunity to improve the
14 integrity of the system so that we do not have to continue
15 to have this circular discussion about refugees or not.

16 This is not what this discussion is about. We are a
17 nation founded on immigration. We re in a time now where
18 people can be radicalized through Twitter. So we have to be
19 absolutely certain that those who are coming here want to
20 honor our nation for honoring them as people who are
21 legitimately at risk.

22 We want to save them. We want to help them. But we
23 expect them to come to this country and participate fully in
24 society and your agencies can do us a service by eliminating
25 the gaps and the lapses in the system that give credibility

1 to some of the arguments that have been expressed today.

2 Thank you.

3 Senator Sessions. Senator Blumenthal?

4 Senator Blumenthal. Thanks, Mr. Chairman. Thank you
5 to the witnesses for being here today.

6 A number of the comments made this morning on this
7 panel reflect the fact that all of us have an immigrant
8 story or most of us do that is very near to us, both in time
9 and personal meaning. And I am proud to say that my dad
10 came to this country in 1935. He was 17 years old. He
11 spoke virtually no English, had not much more than the shirt
12 on his back and knew essentially no one.

13 And this great country gave him a chance to succeed.
14 Arguably, he was a refugee and certainly his parents and
15 immediate family were refugees when he enabled them to come
16 here by borrowing money that he could scarcely pay back on
17 the eve of the Holocaust.

18 And I am proud of my state of Connecticut, which has
19 welcomed refugees into their hearts and homes over many
20 years and most recently refugees from around the globe
21 seeking to escape similar kinds of persecution and violence.
22 There are churches and synagogues, nonprofits across the
23 state that have volunteered to help resettle those refugees.
24 The Integrated Refugee and Immigrant Services in
25 Connecticut, just as one example, one of our state's largest

1 refugee resettlement agencies has doubled the number of
2 families it has resettled this year during an outpouring of
3 refugees and a similar outpouring of community support.

4 I visited a refugee camp in Jordan during one of my
5 trips there with colleagues, some of whom are on this
6 committee, I believe. One of the refugees successfully
7 resettled in our state was here today. I am not sure that
8 he still is. His name is Ismail Desbad [phonetic]. He
9 lives in Naugatuck, Connecticut. He fled religious
10 persecution in Iran and was resettled in Connecticut with
11 his wife and three young children in 2000.

12 His history is a very inspiring one. When the Iranian
13 revolution began the university he was attending at that
14 time was shut down. And the leaders of his place of worship
15 -- Saint Paul Episcopal Church in Tehran were arrested.
16 With no one to lead his church, he stepped in and fulfilled
17 that role for almost a decade. He was prevented from
18 becoming a priest because of the religious persecution in
19 his country. Other church leaders were murdered.

20 He was eventually targeted. He escaped to this
21 country. And he now works as a hospice chaplain and
22 Episcopal priest in Naugatuck. Thanks to the opportunity
23 provided by American refugee programs, Mr. Desbad is serving
24 the people of Connecticut, not just benefitting from the
25 greatness of this country but contributing to it and giving

1 back.

2 There is a fear today -- it is understandable -- that
3 our nation is at risk. We are at war with extremist
4 violence. That violence presents dangers to our country.
5 And the apprehensions created by that ongoing war that we
6 must fight against violent extremism should not be permitted
7 to overcome our basic ideals. But we do need to be careful
8 and thoughtful about the way we do our refugee programs.

9 The question that I am asked and I want to ask you is
10 how do we improve the vetting and screening that is ongoing
11 now? How do we strengthen it? Because we must if there are
12 weaknesses in it.

13 I noted in your testimony that you talked about pilot
14 programs underway that will strengthen and increase its
15 efficacy. The increased reliance on potential biometrics is
16 another opportunity that I think should be explored. And
17 the intensity of our efforts to get better information from
18 countries that are ravaged by war and strife presents
19 challenges, but they too have to be explored.

20 So my question to you is what efforts are ongoing and
21 what can be done to improve those vetting and screening
22 programs?

23 Mr. Rodriguez. I would point to two significant
24 groups of effort. First of all, we are for the information
25 against which we vet, dependent on law enforcement and

1 intelligence agencies. There is an ongoing process among
2 those agencies and with their international partners to seek
3 new sources of information, to fortify information sharing,
4 that is something that progressed dramatically post
5 September 11th and continues to improve. And so that is
6 something that they can speak to, but we benefit
7 tremendously from the wealth of information created by the
8 work that those agencies do.

9 Secondly, we have been in the process of focusing now,
10 specifically on Syrian and more recently Iraqi populations
11 in looking at social media utilized by those applicants in
12 certain defined universes of cases. Again, it is possible,
13 places where we may find derogatory or concerning
14 information about those individuals, which would then inform
15 our vetting decisions. So those are two --

16 Senator Blumenthal. And that is the pilot program
17 that you referred to in your testimony?

18 Mr. Rodriguez. It is beyond the pilot now. There is,
19 in fact, active work going on for defined categories of
20 people in that area right now.

21 Senator Blumenthal. What can be done to improve the
22 availability of biometric information so that checks against
23 data can be more effectively done?

24 Mr. Rodriguez. I think that is something that
25 Director Comey spoke to yesterday in his hearing. Those are

1 efforts that are being led by the law enforcement and
2 intelligence agencies. That has been identified as a
3 critical area of further development in the work that we do.
4 And, again, we benefit in the work that we do as those
5 improvements are made by those agencies.

6 Senator Blumenthal. You would agree that those
7 improvements and efforts are absolutely necessary. You
8 refer to them as critical, but they're also urgent.

9 Mr. Rodriguez. I agree, Sir.

10 Senator Blumenthal. I have additional questions that
11 I would like to submit for the record to get written
12 answers, with the Chairman's permission. My time has
13 expired.

14 Thank you, Mr. Chairman.

15 Senator Sessions. Thank you.

16 Senator Cruz?

17 Senator Cruz. Thank you, Mr. Chairman.

18 America has long shown an incredible generosity of
19 spirit, welcoming refugees and offering them safe haven.
20 Indeed, I am the son of a refugee who fled, prison and
21 torture in Cuba and came to America seeking freedom.

22 But the immigration laws are not a suicide pact. The
23 refugee program should not become a vehicle for terrorists
24 to come murder innocent Americans. I and I think a great
25 many Americans are deeply concerned by the willful blindness

1 of this Administration to the threat of radical Islamic
2 terrorism.

3 That was characterized powerfully, just a few minutes
4 ago, when our Democratic colleagues, Senator Al Franken
5 said, "We should not even ask refugees if they are Muslims."
6 If one is trying to prevent radical Islamic terrorists from
7 coming in, the suggestion from my Democratic colleague that
8 we shouldn't even ask, to me is nuts.

9 As we look at this -- what is happening in Syria and
10 what is happening in the Middle East, ISIS is evil. They
11 are waging a war of genocide against Christians. They are
12 murdering Jews. They are murdering fellow Muslims. And
13 yet, the refugee program as administered by this
14 Administration seems to have an enormous preference for
15 Syrian-Muslim refugees and seems to actively keep out
16 Syrian-Christian refugees.

17 In 2014, the Obama Administration admitted 249 refugees
18 from Syria, 224 of those, 89.9 percent, were Muslim, only 13
19 were Christian, 5.2 percent. In 2015, the Obama
20 Administration admitted 2,192 refugees from Syria, 2,149
21 were Muslim. That is 98 percent. And only 29, 1.3 percent
22 were Christian.

23 In 2016, to date, the Obama Administration has admitted
24 11,717 refugees from Syria. Of those 11,624 were Muslim.
25 That is 99.2 percent. And 49 were Christian. That is 4.1

1 percent.

2 All told, since 2011, 14,267 Syrian refugees have been
3 admitted to the United States and more than 14,000 of them
4 were Muslim. Fewer than 100 were Christian.

5 Now, those numbers are not even close to the
6 proportional population in Syria. Syria -- the prewar
7 population, 10 percent of the population of Syria was
8 Christian. Yet, 0.68 percent of the refugees being admitted
9 by the Administration are Christian.

10 Mr. Henshaw, why is the Administration admitting such a
11 disproportionately low number of Christian refugees?

12 Mr. Henshaw. Our admittance of refugees is based on
13 vulnerabilities of which religious persecution is one of
14 them. Syrian refugees of those -- though Christians were 10
15 percent of the prewar Syrian population, there are only
16 about one percent of the number of refugees that have fled.

17 We believe there are a number of reasons for this. One
18 of them is that many of the Christians still reside in
19 Syria, in government-controlled areas and Alawite areas.
20 They were located in there beforehand. Our program,
21 however, is ready to take any Christian who comes into the
22 system.

23 One of the other difficulties we face is that some of
24 the Christians who have fled have fled to Lebanon and our
25 program is relatively small there, but we are trying to

1 build it up. And that --

2 [Simultaneous speech.]

3 Senator Cruz. Do you agree that ISIS is persecuting
4 Christians and endeavoring -- and would like to endeavor to
5 wage genocide against them?

6 Mr. Henshaw. Yes. And Muslims and Jews and any other
7 person that disagrees with them, absolutely.

8 So, we have started a program to include in our refugee
9 program, Syrians who are waiting for immigrant visas based
10 on relatives in the United States. There are a number of
11 Syrians that have pending immigrant visas who are --

12 Senator Cruz. Let me shift to another question.

13 Mr. Henshaw. Can I just add one --

14 Senator Cruz. My time is expiring and I want to ask
15 another question of your colleague.

16 Mr. Rodriguez, the House of Representatives recently
17 obtained a leaked internal DHS document, a memorandum that
18 basically admits that refugee fraud is, "easy to commit, yet
19 not easy to investigate." Are you familiar with this
20 memorandum?

21 Mr. Rodriguez. I think I know the memorandum. If you
22 have it, would you be willing to share it with me, because I
23 want to make sure we are talking about the same document.
24 May I say it?

25 Senator Cruz. I have it right here.

1 Mr. Rodriguez. Yes. It is the document that I
2 thought it was. This is not -- this is a draft document.
3 It is my understanding that was never issued. We believe it
4 was prepared in 2012. Whoever wrote this did not know what
5 they were talking about for this simple reason, they assumed
6 that we were not collecting fingerprints, that we were not
7 taking photographs, and that we were not conducting
8 interviews of refugees.

9 In fact, even back then and well before that, all three
10 of those activities were occurring for every single refugee
11 over the age of 14 years old and every single --

12 Senator Cruz. So you don't know who prepared this
13 document?

14 Mr. Rodriguez. I do not know who prepared this
15 document.

16 Senator Cruz. Well, I would appreciate your answering
17 to the committee in writing after this hearing. You ought
18 to be able to find out who prepared this document.

19 Mr. Rodriguez. Oh, I would like to know because
20 whoever it was, was deeply misinformed.

21 Senator Cruz. I mean, I would note that it has got
22 the DHS letterhead at the top. And the memorandum says,
23 "ISIS refugee program is particularly vulnerable to fraud
24 due to loose evidentiary requirements where at times the
25 testimony of an applicant alone is sufficient for approval.

1 As a result, a range of bad actors who use manufactured
2 histories, biographies and other false statements as well
3 produce and submit facetious supporting documentation have
4 exploited this program."

5 And the memo goes on to note "that in many instances,
6 the applicant for a benefit, including both asylum and
7 refugee status receives a government issued document that
8 contains the biographic information that the applicant
9 supplied. This document can then be used for many things
10 such as obtaining a driver's license."

11 Now, this strikes me as a recipe for fraud, that if we
12 are allowing refugees to come in without supporting
13 information, tell us who they claim to be and we are letting
14 them in, despite the fact that the director of the FBI has
15 told us they cannot vet these refugees to make sure they are
16 not terrorists, how can we possibly be confident that the
17 refugees coming in are not, in fact, terrorist seeking to
18 murder innocent Americans?

19 Mr. Rodriguez. What I am telling you is that I would
20 not give that document a whole lot of credit because whoever
21 that person was did not do the homework to learn about our
22 process. We can talk about real gaps, real issues, real
23 areas of risk. That document was written by somebody who
24 did not take the time to familiarize themselves --

25 Senator Cruz. Do you disagree with the passage I read

1 though?

2 Mr. Rodriguez. I disagree.

3 Senator Cruz. So is it true or false that the
4 testimony of the applicant alone can be sufficient for
5 approval?

6 Mr. Rodriguez. It is considered -- it depends on the
7 case. Usually, we do have extensive documentation. Syrians
8 in particular present with extensive documentation,
9 passports, military records. So there is documentation that
10 we review, if in fact, if you come to one of our refugee
11 settlement centers, you will see piles of documents --

12 Senator Cruz. Mr. Rodriguez, it is a very simple
13 question. My time has expired, but I just would like to get
14 an answer to this question. Is it true or false that the
15 testimony of the applicant alone can be sufficient for
16 approval?

17 Mr. Rodriguez. There are cases where the testimony is
18 not necessarily corroborated by documents, but it is always
19 tested against country conditions and other information.
20 That is why it does not lend itself in the way that you are
21 asking the question, Senator.

22 Senator Cruz. Are you saying it is true, or are you
23 saying it is false? I am just trying to understand --

24 Mr. Rodriguez. No, I am acknowledging that, yes,
25 testimony can be the basis for the grant of a refugee, but

1 it needs to be tested against other information that we know
2 about the country conditions at a minimum.

3 Senator Cruz. Thank you, Sir.

4 Senator Sessions. Well, Mr. Rodriguez, all of you
5 work for the people of the United States. And this is the
6 Congress of United States. We have a right to ask
7 questions. We expect unbiased objective answers.

8 Now, he took too long to get you to acknowledge that
9 answer. And I do not appreciate it. And I just tell you
10 others doubt the validity of this program and how effective
11 it is. Yesterday, Director Comey of the FBI, before the
12 House under oath testified the challenge will be -- talking
13 about the hopeful defeat of ISIL at least taking away their
14 territory -- he said, "The challenge will be through the
15 fingers of that crush of ISIS are going to come hundreds of
16 very, very dangerous people. They will not all die on the
17 battlefield in Syria and Iraq. There will be terrorist
18 diaspora sometime in the next two to five years like we have
19 never seen before."

20 He added, "We must prepare ourselves and our allies,
21 especially in western Europe, to confront that threat
22 because when ISIL is reduced to an insurgency and those
23 killers flow out they will try to come to western Europe and
24 here to kill innocent people."

25 And what he is saying is, we do not have a system that

1 can stop that from happening. And it can happen in a lot of
2 different ways. And I m uneasy that you are reluctant to
3 acknowledge the dangers that we have. You are in charge of
4 it. He is in charge of security too, and he admits there
5 are dangers. And I am just not happy about it. I just want
6 you to know it.

7 And I believe Senator Cruz is correct to say there is a
8 willful blindness here, just a refusal to acknowledge plain
9 reality. And we are not going to be intimidated from it. I
10 am not going to be intimidated and others are not from
11 discussing the danger by somebody saying you do not believe
12 in refugees, that you opposed Cuban refugees.

13 I am not opposed to Cuba refugees or from other places
14 of the world. Our concern is that we be sure we are careful
15 about it and the people in charge of it need to be
16 well-engaged and concerned about the danger we face.

17 So we had a discussion about honor killings. So I now
18 have a news report in November of last year, estimated 27
19 victims of honor killings each year in America -- in
20 America, not in Syria.

21 This is what the article -- this is the Fox News
22 article quoting from the report -- "It's estimated that 23
23 to 27 honor killings per year in the United States, 91
24 percent of the victims in North America are murdered for
25 being too westernized."

1 That does not sound like an assimilation goal of the
2 refugees to me or immigrants. And in incidents involving
3 daughters, 18 years or younger, A father is almost always
4 involved. And for every honor killing, there are many more
5 instances of physical and emotional abuse, all in the name
6 of fundamentalist Islam, say the experts. I would say that
7 is something we need to know about.

8 And I mentioned the female genital mutilation. This is
9 the FBI report I am reading from and it was May of this
10 year. First line, more than 500,000 women and girls across
11 the country, most of them living in metropolitan areas, are
12 at risk of undergoing female genital mutilation, a procedure
13 practiced in many Middle Eastern and African countries.

14 It goes on to say, "Major cities like New York,
15 Minneapolis, Los Angeles and Washington where a large
16 diaspora of immigrant communities have coalesced" are where
17 this is occurring. So this is a real problem. It is not a
18 made up problem. And we have got to confront this.

19 So let me say I believe that the situation in Syria is
20 a catastrophe. It is a humanitarian catastrophe. There is
21 no easy solution to it. We have got 4 million people.
22 Nobody proposes that we are going to fix this problem by
23 bringing in 12,000 people from Syria. They cannot possibly
24 fix the problem.

25 The problem was statesmen somewhere miscalculated about

1 what should happen in Syria. And we participated in that
2 furthering of a civil war that has created a catastrophe.
3 And our best solution in my opinion is to help the 12 to 1
4 cost factor by helping people in the region stay close to
5 their home and let us get a ceasefire working and let us see
6 if we can get people back home.

7 The world is not going to be able to take all of those
8 people. And what if another major country in the Middle
9 East collapses? Is it our duty to take everybody from that
10 country that would qualify as being in danger? It is just
11 not possible. We need to get focused on reality here. We
12 need to do the right thing for our country. There are
13 limits to what we can do, but we are the most generous
14 nation. We are funding refugee camps and doing all we can.

15 I would like to see the military and the State
16 Department work together to try to identify ways to get more
17 people at home, create more safe areas within Syria. I
18 think that is doable. We are just not getting any support
19 from the Administration to accomplish that. All we hear is,
20 we have got to set an example and get more people to leave
21 their country and come to the United States.

22 And as one expert who cares about this -- Institute of
23 Peace -- told me it is not a good policy to see how many
24 people you can take from countries. If the United States
25 wants to help the world, their overall goal should be to

1 help those countries be successful and not just take away
2 people from the country.

3 I would just say to you, the American people are uneasy
4 about this. We are not happy, and we are not getting very
5 good responses from our government officials who are in
6 charge of this programs.

7 Senator Cruz, I believe you have another question you
8 would like to ask and I would be pleased to recognize you at
9 this time.

10 Senator Cruz. Thank you, Mr. Chairman.

11 Mr. Rodriguez, I am sure you are familiar with FBI
12 Director Comey's testimony where last year he told the House
13 that the federal government could not guarantee that refugee
14 applicants from Syria were not terrorists and indeed he
15 said, "If someone has never made a ripple in the pond in
16 Syria in a way that we get their identity or their interests
17 reflected in our database, we can query our database until
18 the cows come home, but there will be nothing to show up
19 because we have no record on them."

20 Do you agree with the head of the FBI that we cannot
21 vet these refugees to make sure that they are not
22 terrorists?

23 Mr. Rodriguez. I agree with the quote. I do not
24 agree that that extends to quote, "We cannot vet the
25 refugees." In fact, I think there is extensive evidence

1 that we can vet the refugees.

2 Senator Cruz. And how successful do you think that
3 vetting has been?

4 Mr. Rodriguez. Again, I point to the fact that seven
5 percent of all Syrian applicants -- we are just taking that
6 particularly concerning group as the example -- have been
7 denied, either because information about them has arisen in
8 various law enforcement or intelligence databases or because
9 during the course of interview, we have determined them to
10 not be credible.

11 Roughly double that number, perhaps a little bit less,
12 placed on hold. No action taken on their --

13 Senator Cruz. But Mr. Rodriguez, with all respect,
14 that is an odd measure to say the vetting is successful
15 because we have turned some people down.

16 Mr. Rodriguez. We turn a lot of people down.

17 Senator Cruz. Well, let us ask, if vetting is
18 successful, it is preventing terrorists from coming to
19 America. So let me ask it a different way. In the eight
20 years of the Obama Administration, how many refugees
21 admitted into this country have been implicated in
22 terrorism?

23 Mr. Rodriguez. I mean, we have talked about this
24 during the hearing. There have been a number of cases.
25 Most of them --

1 Senator Cruz. How many? I am asking --

2 Mr. Rodriguez. I do not know the -- I cannot tell you
3 the exact number. I know that the number is -- to your
4 point -- significant.

5 Senator Cruz. Let me ask you -- why cannot you tell
6 me the exact number? If you are concerned about if the
7 vetting is working, I would think the Department of Homeland
8 Security would have every incentive to know every single
9 instance.

10 Mr. Rodriguez. I think what really matters in the
11 discussion about these cases is looking at those cases and
12 determining if there are things that we should have done
13 differently. That is one of the reasons, for example, that
14 the interagency checks were implemented. Lessons that were
15 learned because of admissions that occurred a while ago
16 resulted in changes. So we -- every single time a new case
17 arises, that is a discussion that I have, that is a
18 discussion my staff has, our intelligence partners about
19 what could we do differently in order for there to be an
20 improvement in the way we do --

21 Senator Cruz. So I agree that that learning from the
22 mistakes of the past is important. And so I m going to ask
23 you, will you provide this committee in writing with an
24 answer to my question, specifically the number of how many
25 refugees admitted in the last eight years have been

1 implicated in terrorism?

2 Mr. Rodriguez. As best we can, we will respond to
3 your questions.

4 Senator Cruz. Okay. I can tell you from the public
5 domain we are aware of at least 20 individuals, but there
6 may be far more because these are public domain and you have
7 records that we do not have access to.

8 Mr. Rodriguez. Senator Sessions has identified about
9 40 cases, actually. So we can go through those.

10 Senator Cruz. And there are instances, you know, two
11 in my home state of Texas just recently. In January of
12 2016, Omar Faraj Saeed Al Hardan was charged in an
13 indictment with attempting to provide material support to a
14 foreign terrorist organization, making false statements, and
15 attempting to procure citizenship or naturalization
16 unlawfully.

17 And Al Hardan was a Palestinian born in Iraq. He was
18 admitted to the United States as a refugee in 2009 and he
19 obtained a green card in 2011.

20 And according to media accounts, Al Hardan told his
21 wife, "I will go to Syria. I want to blow myself up. I am
22 against America." In your view, did the vetting process
23 work well, admitting Al Hrdan as a refugee?

24 Mr. Rodriguez. I would not speak to a specific case.
25 Obviously if there was derogatory information that we

1 missed, that is an area of concern about that specific case.
2 I will not speak about that one. I will say that we review
3 every new case and ask ourselves, is there something that we
4 should have done differently?

5 Senator Cruz. Another instance also in Texas on
6 February 5th, 2015. Abdinasir Mohamed Ibrahim was sentenced
7 to 15 years in federal prison for conspiring to provide
8 material support to Al Shabaab, a designated foreign
9 terrorist network and for making false statements in
10 immigration paperwork. Ibrahim is a native of Somalia, came
11 as a refugee in 2007 at the age 22 and was subsequently
12 given a green card.

13 We keep seeing instances over and over again of
14 refugees coming to America with an intention to engage in
15 terrorism and ISIS has made clear that they intend to
16 exploit our refugee program to send terrorists to America to
17 commit murder, to murder innocent Americans. How can you
18 assure the American people that we are not, right now,
19 admitting more terrorist who would wage jihad against our
20 nation?

21 Mr. Rodriguez. Because we conduct the process in a
22 manner that is designed to do everything within our power to
23 screen out individuals who mean us harm beginning with the
24 screening criteria that are given to UNHCR, the fact that
25 people are interviewed multiple times before even one of my

1 officers sees them.

2 Senator Cruz. But the interviews are not catching
3 these individuals. We are letting them in.

4 Mr. Rodriguez. There are those cases. There are also
5 a number of cases where we have stopped people from
6 travelling to the United States. And what I am telling you,
7 as time has gone on, the process has become better and
8 better. There are things that we are doing today that we
9 were not doing two years ago.

10 There are even some things we are doing now that we
11 were not doing a year ago. And so we are continuing to
12 strengthen the process further and further so that we can,
13 in fact, have the highest possible -- it is not going to
14 eliminate all risks. But we are doing it so that we can
15 have the highest level of confidence that we can that we are
16 not admitting threats to the United States.

17 Senator Cruz. Thank you.

18 Senator Sessions. Well, thank you, Senator Cruz. The
19 fact is it is pretty -- anybody understands the challenge
20 they face who do this vetting. You cannot vet people from
21 Syria because there is no way and we have no plans to send
22 people into Syria to verify anything that they say. That is
23 the problem, fundamentally.

24 And so I will ask you, are you not aware that I have
25 written four letters to the department, asking for

1 information on how many refugees have been convicted of
2 criminal act and terrorist activities?

3 Mr. Rodriguez. I confess ,Chairman, I am not. I will
4 certainly make sure to follow up on this --

5 Senator Sessions. This is absolutely breathtaking. It
6 is a total disrespect to this body who is in charge of
7 giving you money to run your business and we should quit
8 giving you money if you do not respond and you do not know
9 basic things.

10 Let me just tell you. On August 12th, I sent a letter
11 to that effect. December 3rd of 2015, I wrote on that
12 effect. January 11th of 2016, and in June of this year, so
13 frustrated was I that I wrote directly to the President to
14 ask why cannot we get this information?

15 So you think we are entitled to know this?

16 Mr. Rodriguez. Of course you are entitled to answers
17 to your questions. I will follow up, sir.

18 Senator Sessions. Well, to me, it indicates the
19 determination to promote an agenda without listening to the
20 American people, without listening to their elected
21 representatives and to downplay and misrepresent, really,
22 the danger that this program presents. And we are not
23 having terrorists from a lot of areas, but some areas we are
24 having terrorists that threaten this country in a whole lot
25 of ways.

1 Mr. Rodriguez. Were those letters addressed directly
2 to my agency?

3 Senator Sessions. They were directed to Secretary
4 Johnson.

5 Mr. Rodriguez. Thank you. I will follow up.

6 Senator Sessions. And if somebody was not sending it
7 to you or whoever, to get an answer from it, I take that as
8 absolute refusal to respond to a legitimate request of
9 Congress.

10 Mr. Rodriguez. By the way, our operations are
11 fee-funded not tax-funded. They are not funded by the tax
12 dollar.

13 Senator Sessions. So you are not funded by the
14 taxpayer?

15 Mr. Rodriguez. No, sir.

16 Senator Sessions. And so you do not offer -- you do
17 not have any--

18 Mr. Rodriguez. I just thought that was an important
19 clarification.

20 Senator Sessions. -- responsibility --

21 Mr. Rodriguez. No, we have a responsibility to the
22 American people to do our job the right way. That is not
23 the point I was making.

24 Senator Sessions. You do not get any fees that
25 Congress has not authorized; is not that true?

1 Mr. Rodriguez. That is certainly true.

2 Senator Sessions. All right. We will leave the
3 record open for questions. I thank you for your
4 participation. We are adjourned.

5 [Whereupon, at 12:17 p.m., the Committee was
6 adjourned.]

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C O N T E N T S

	PAGE
STATEMENT OF:	
THE HONORABLE JEFF SESSIONS A United States Senator from the State of Alabama	3
THE HONORABLE RICHARD J. DURBIN A United States Senator from the State of Illinois	12
A Panel Consisting of:	
SIMON HENSHAW Principal Deputy Assistant Secretary Bureau of Population, Refugees, and Migration U.S. Department of State Washington, DC	22
THE HONORABLE LEON RODRIGUEZ Director U.S. Citizenship and Immigration Services U.S. Department of Homeland Security Washington, DC	30
ROBERT CAREY Director Office of Refugee Resettlement United States Department of Health and Human Services Washington, DC	35