WRITTEN TESTIMONY

OF

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FOR A HEARING ON

"REFUGEE ADMISSIONS FY 2017
AND REFUGEE SECURITY SCREENING"

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

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Chairman Sessions, Ranking Member Schumer, and distinguished members of the Subcommittee, thank you for the opportunity to testify at today's hearing on the refugee admissions program, with particular emphasis on Fiscal Year 2017 and background checks and security screening of refugees. My testimony will focus specifically on the U.S. Refugee Admissions Program (USRAP). As the Director of U.S. Citizenship and Immigration Services (USCIS), I work with the talented and dedicated professionals at USCIS and throughout the federal government to meet the USRAP mission to offer resettlement opportunities to eligible refugees while safeguarding the integrity of the program and our national security. USCIS works in close partnership with colleagues in the Department of State's Bureau of Population, Refugees, and Migration (PRM), the Department of Health and Human Services' Office of Refugee Resettlement, and other components within the Department of Homeland Security (DHS), and the law enforcement and intelligence communities.

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

As the Director of USCIS, I can assure you that this commitment to our national security and humanitarian mandates is shared both within DHS and across the federal government. The refugee resettlement program has forged strong and deep relationships with colleagues in the law enforcement, national security, and intelligence communities, and we continue to benefit enormously from their expertise, analysis, and collaboration. It simply would not be possible for us to support a resettlement program of the size and scope that the United States maintains without this critical interagency infrastructure.

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

Refugee Resettlement Case Processing

As I previously mentioned, the USRAP is a shared operational responsibility of the State Department and USCIS, among other agencies. The State Department is responsible for the overarching coordination and management of the USRAP, including the decision on which refugees around the world are granted access to the USRAP for resettlement consideration. As contemplated by section 207 of the Immigration and Nationality Act, this work is guided each year by a Presidential determination, which sets the refugee admissions ceiling following consultations with Congress. USCIS is responsible for conducting individual, in-person interviews abroad with applicants to determine their eligibility for refugee status, including

whether they meet the refugee definition and are otherwise admissible to the United States under U.S. law.

To maximize flexibility and program integrity, in 2005 USCIS created the Refugee Corps, a cadre of specially-trained USCIS officers who are dedicated to adjudicating applications for refugee status overseas. These officers are based in Washington, D.C., but they travel to multiple locations around the world. In addition, USCIS has a small number of officers posted at embassies overseas who conduct refugee adjudications, and we assign specially-trained officers from other programs – such as the Asylum Corps, Office of the Chief Counsel, and Administrative Appeals Office – to supplement the Refugee Corps. Using this model, USCIS has been able to respond to an increasingly diverse refugee admissions program, working in 57 countries in Fiscal Year (FY) 2016.

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

In order to fully explore refugee claims and to identify any possible grounds of ineligibility, specially-trained USCIS officers conduct an in-person, in-depth interview of every principal refugee applicant. The officer assesses the credibility of the applicant and evaluates whether the applicant's testimony is consistent with known country conditions. These officers also interview each accompanying family member age 14 and older. All applicants must establish admissibility to the United States before the case (i.e., the collection of applicants) is approved. In addition, refugee applicants are subject to robust security screening protocols to identify potential fraud, criminal or national security issues. All refugee status determinations made by interviewing officers undergo supervisory review before a final decision is made. Refugee Affairs Division policy requires officers to submit certain categories of sensitive cases – including certain national security-related cases – to Refugee Affairs Division Headquarters to obtain concurrence prior to the issuance of a decision. This allows for Headquarters staff to conduct additional research, liaise with law enforcement or intelligence agencies, or consult with an outside expert before finalizing the decision.

Security Checks

All refugees entering our country are subject to the highest level of security check of any category of any traveler to the United States and admitted only after successfully completing a stringent security screening process.

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

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

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

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

To date, USCIS has conducted several pilots in which applicant data is screened against specific social media platforms. For these pilots, USCIS has partnered with DHS Science and

Technology as well as members of the Intelligence Community, through the DHS Office of Intelligence & Analysis (I&A), to conduct social media analysis on select refugee applicants. Building on the lessons learned from these pilots, USCIS' Fraud Detection and National Security Directorate (FDNS) currently conducts social media reviews on select applicant populations. Given the potential value of social media vetting, DHS continues to hone and expand its appropriate use.

In addition to the existing suite of biometric and biographic checks that are performed on refugees regardless of nationality, Syrian refugees undergo an additional layer of screening due to the dynamics of the conflict in Syria. This screening, referred to as the Syrian Enhanced Review to determine possible national security concerns, provides intelligence-driven support to refugee adjudicators, including helping to identify threat and determine possible national security concerns.. Before being scheduled for an interview by a USCIS officer in the field, Syrian cases are reviewed at USCIS headquarters by a Refugee Affairs Division officer. All cases that meet certain criteria are referred to FDNS for additional review and research. FDNS conducts open-source and classified research on referred cases and synthesizes an assessment for use by the interviewing officer. This information provides case-specific context relating to country conditions and regional activity, and it is used by the interviewing officer to inform lines of inquiry related to the applicant's eligibility and credibility.

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

USCIS continues to work with DHS's I&A and other intelligence community elements to identify options for new potential screening opportunities to enhance this already robust suite of checks. Finally, in addition to the checks that I have described, refugee applicants are subject to screening conducted by DHS colleagues at U.S. Customs and Border Protection's National Targeting Center-Passenger and the Transportation Security Administration's Secure Flight program prior to their admission to the United States, as is the case with all individuals traveling by air to the United States.

The Refugee Admissions Pipeline

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

In Fiscal Years 2013, 2014, and 2015, USCIS and the State Department succeeded in meeting the annual refugee admissions ceiling of 70,000. In FY 2016, the program is on track again to

reach the higher ceiling of 85,000 refugee admissions. This accomplishment reflects a worldwide commitment to refugee protection; efforts to enhance the efficiency of the program while maintaining its integrity and rigor; and intense and committed efforts by all the interagency partners to refine and enhance the security vetting regime for refugee applicants. Speaking for USCIS, it would not have been possible without the dedication, flexibility, and hard work of our refugee officers.

This fiscal year, USCIS officers have conducted refugee status interviews for applicants from 77 countries. The leading nationalities admitted to the United States will be Congolese, Burmese, Syrians, and Iraqis. Admissions from Africa continued their multiyear increase, notably including larger numbers of Congolese from the Great Lakes region of Africa. In addition, the program met and surpassed the President's goal of admitting at least 10,000 Syrian refugees. The multiyear program for Bhutanese nationals in Nepal continued its downward trend. USCIS collaborated with the State Department to deploy large teams to three locations – Jordan, Tanzania, and Uganda – and these large-scale, centralized operations improved efficiency by minimizing the time between different steps of the process. USRAP achieved greater admission numbers while maintaining the most stringent national security protocols possible.

The program also benefited from collaboration with U.S. Digital Service (a government entity founded in August of 2014 to bring together the best technology, design, and government talent), which helped to identify opportunities for efficiencies and improved technology. In FY 2017, we will continue these interagency efforts to improve the quality and efficacy of the USRAP, including progress toward more automated processes and enhance processing efficiencies overall.

USCIS is prepared to work closely with the State Department and other interagency partners to support a larger refugee admissions program of 110,000 arrivals in FY 2017 while assiduously maintaining the integrity of the program and our national security.

I would be happy to answer your questions.