



## STATEMENT OF THE AMERICAN IMMIGRATION COUNCIL

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

### HEARING ON “OVERSIGHT OF THE ADMINISTRATION'S FY 2017 REFUGEE RESETTLEMENT PROGRAM”

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Contact:

Royce Bernstein Murray  
Rmurray@immcouncil.org  
Phone: 202/507-7510

1331 G Street, NW, Suite 200  
Washington, DC 20005  
Fax: 202/742-5619

The American Immigration Council (Immigration Council) is a non-profit organization which for over 25 years has been dedicated to increasing public understanding of immigration law and policy and the role of immigration in American society. We write to share our analysis and research regarding refugees coming to the United States and the many safeguards already in place.

The United States plays an important role in protecting thousands of the world’s most vulnerable people. The United States is one of 33 countries that resettles refugees.<sup>1</sup> A refugee is a person who either has been persecuted or has a “well-founded fear” of persecution on the basis of race, religion, nationality, membership in a particular social group, or political opinion.<sup>2</sup> This definition derives from the United Nations 1951 Convention and 1967 Protocols relating to the Status of Refugees, to which the United States became a party in 1968.<sup>3</sup>

#### *Responding to the Syrian Refugee Crisis*

The violence and devastation in Syria has led to the largest number of refugees since World War II. Worldwide, there were more than 65 million forcibly displaced individuals in 2015, including 4.9 million refugees from Syria.<sup>4</sup> As of August 2016, the United States had taken in 10,000 Syrian refugees in Fiscal Year 2016.<sup>5</sup> President Obama and Secretary of State Kerry have

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<sup>1</sup> “Global Trends: Forced Displacement in 2015,” United Nations High Commissioner for Refugees, June 20, 2016, available at, <http://www.unhcr.org/en-us/statistics/unhcrstats/576408cd7/unhcr-global-trends-2015.html>.

<sup>2</sup> 8 U.S.C. § 1101(a)(42)(A) (2015).

<sup>3</sup> Convention and Protocol Relating to the Status of Refugees, United Nations High Commissioner for Refugees, available at, <http://www.unhcr.org/3b66c2aa10.html>.

<sup>4</sup> “Global Trends: Forced Displacement in 2015,” United Nations High Commissioner for Refugees, June 20, 2016, available at, <http://www.unhcr.org/en-us/statistics/unhcrstats/576408cd7/unhcr-global-trends-2015.html>.

<sup>5</sup> “Statement by National Security Advisor Susan E. Rice on Syrian Refugee Admissions,” August 29, 2016 <https://www.whitehouse.gov/the-press-office/2016/08/29/statement-national-security-advisor-susan-e-rice-syrian-refugee>.

signaled that the United States will continue to respond to the Syrian refugee crisis. The Administration has presented plans to increase the number of overall refugee admissions from the current ceiling of 85,000 to 110,000 in Fiscal Year 2017, including 40,000 refugees from the Near East and South Asia.<sup>6</sup> Although the United States has made progress in admitting Syrian refugees, the Immigration Council believes that more must be done considering the United States is a large and developed nation with a long history of welcoming those fleeing persecution. The United States showed tremendous leadership in providing refuge to those fleeing conflict during the wars in Southeast Asia in the mid-twentieth century by resettling more than 800,000 Southeast Asian refugees,<sup>7</sup> and the United States should show this same leadership today.

Some have called for denying entry to Syrian refugees. This is the wrong approach. Syrian refugees themselves are fleeing violence and terrorism in their home country. The United States must respond to the Syrian refugee crisis by carrying on our long history of welcoming those fleeing such dire situations. As former Secretary of State Madeline Albright reflected, in response to proposals to halt the refugee program:

These proposals are motivated by fear, not by the facts, and they fly in the face of our country's proud tradition of admitting refugees from every corner of the globe and every faith background. We have always been a generous nation, and we have in place a rigorous process for refugee resettlement that balances our generosity with our need for security. It works, and it should not be stopped or paused.<sup>8</sup>

### *The United States Has a Rigorous Screening Process in Place*

The United States has established a rigorous screening process for refugees coming to our country. As set forth in our publication, "[An Overview of U.S. Refugee Law and Policy](#)" (November 18, 2015), before an admission as a refugee, a person must pass through an extensive 13 step screening process that usually takes between 18 and 24 months.<sup>9</sup> This process includes having fingerprints and a photograph taken by the U.S. government, an in-person interview with the Department of Homeland Security (DHS), two different interagency security background checks, a medical screening, and a final security check by U.S. Customs and Border Protection (CBP).<sup>10</sup> During the screening process, DHS conducts enhanced review of Syrian cases.<sup>11</sup> We currently have systems in place to ensure the safety and security of our nation, while also fulfilling our humanitarian obligations around the world.

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<sup>6</sup> Miriam Jordan, "President Obama to Increase Refugees Admitted to U.S. by 30%," The Wall Street Journal, available at, <http://www.wsj.com/articles/president-obama-to-increase-refugees-admitted-to-u-s-by-30-1473818352>.

<sup>7</sup> "Seven common myths on refugee resettlement in the United States," International Rescue Committee, September 19, 2016, available at, <https://www.rescue.org/article/seven-common-myths-refugee-resettlement-united-states>.

<sup>8</sup> Madeleine Albright, "Madeleine Albright: ISIS Wants Us to Think Refugees Are the Enemy," Time Magazine, November 17, 2015, available at, <http://time.com/4117333/madeleine-albright-refugees/>.

<sup>9</sup> U.S. Committee for Refugees and Immigrants, "Security Screening of Refugees Admitted to the United States: A Detailed, Rigorous Process," available at, <http://refugees.org/explore-the-issues/our-work-with-refugees/security-screening/>.

<sup>10</sup> Id.

<sup>11</sup> Id.

### *Humanitarian Crisis in Northern Triangle*

Since the summer of 2014, record numbers of unaccompanied children and families have been arriving at our Southern Border fleeing unprecedented levels of violence in Central America. Unfortunately, the knee-jerk response to the influx of women and children fleeing violence by the Obama Administration and U.S. Immigration and Customs Enforcement (ICE) was to rapidly prop up family detention facilities. Families and others from the region have been apprehended, detained in poor conditions, and rushed through removal proceedings with little due process.<sup>12</sup>

All of this has been done in the name of deterrence and national security when in reality these children and families are deserving of our protection and help. However our report, [\*A Guide to Children Arriving at the Border: Laws, Policies and Responses\*](#) (June 2015), provides information about the tens of thousands of children—some traveling with their parents and others alone—who have fled their homes in Central America and arrived at our southern border and why the current enforcement only response to their arrival is the wrong approach. The report also seeks to explain the basic protections the law affords them, what happens to the children once they are in U.S. custody, and what the government has done in response.

Since 2014, El Salvador's murder rate has increased 70 percent, making the small country the murder capital of the Western hemisphere, while Honduras and Guatemala are ranked third and fifth, respectively.<sup>13</sup> This trend continued during the first quarter of 2016 with El Salvador averaging "nearly one homicide per hour."<sup>14</sup> In January 2016 U.S. Peace Corps volunteers withdrew from El Salvador for the first time in 40 years, which followed the September 2012 withdrawal of volunteers from Honduras.<sup>15</sup> Those fleeing violence face tremendous obstacles along the way, including trafficking, rape, and a fierce enforcement crackdown in Mexico, which only increases the risks they face in seeking protection.<sup>16</sup>

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<sup>12</sup> *Deplorable Medical Treatment at Family Detention Centers*, American Immigration Council, July 20, 2016, available at, <https://www.americanimmigrationcouncil.org/news/deplorable-medical-treatment-family-detention-centers>.

<sup>13</sup> Joshua Paltrow, *Why El Salvador Became the Hemisphere's Murder Capital*, Washington Post, January 5, 2016, available at, <https://www.washingtonpost.com/news/worldviews/wp/2016/01/05/why-el-salvador-became-the-hemispheres-murder-capital/>.

<sup>14</sup> Dan Harris et al, *In El Salvador, the Murder Capital of the World, Gang Violence Becomes a Way of Life*, ABC News, May 17, 2016, available at, <http://abcnews.go.com/International/el-salvador-murder-capital-world-gang-violence-life/story?id=39177963>.

<sup>15</sup> Peace Corp, Peace Corps in El Salvador, accessed September 21, 2016, available at, <https://www.peacecorps.gov/el-salvador/>; Freddy Cuevas and Adriana Gomez, *Peace Corps Honduras: Why Are All the US Volunteers Leaving?*, Associated Press, January 18, 2012, available at, <http://www.csmonitor.com/World/Latest-News-Wires/2012/0118/Peace-Corps-Honduras-Why-are-all-the-US-volunteers-leaving>.

<sup>16</sup> Adam Isacson, Maureen Meyer and Hannah Smith, *Increased Enforcement at Mexico's Southern Border*, WOLA Advocacy For Human Rights in the Americas, November 2015, available at, [https://www.wola.org/files/WOLA\\_Increased\\_Enforcement\\_at\\_Mexico's\\_Southern\\_Border\\_Nov2015.pdf](https://www.wola.org/files/WOLA_Increased_Enforcement_at_Mexico's_Southern_Border_Nov2015.pdf).

There are signs that the Administration is coming to understand the protection needs of this population, signaled by the recent announcement to expand its Central American Minors (CAM) Refugee/Parole program and commence regional refugee processing by the Department of Homeland Security of individuals from the Northern Triangle in need of resettlement in the U.S. or a third country. However, those who cannot safely wait out lengthy refugee processing and who instead flee to the United States should also be given ample due process to make an effective claim for protection under U.S. asylum law.

### *Post-Arrival Success*

Although refugees are provided limited assistance in order to support their transition into the country, they are expected to have a job within six months of arrival. Refugee men who have recently arrived are employed at a higher rate than the native born (67 percent to 60 percent respectively), and refugee women are employed at the same rate as native women.<sup>17</sup> Many refugees go on to make substantial contributions to the U.S. economy and their communities. As the Migration Policy Institute noted, "Most refugee populations in the United States have integrated well, becoming productive residents and, often, citizens who enrich their communities and their new country. From Albert Einstein to Google co-founder Sergey Brin, refugees often give back much more than they take."<sup>18</sup> Our legal and moral obligations to shelter those fleeing persecution as well as the promise these refugees hold for the future of our country demand nothing less than a robust refugee resettlement by the United States.

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<sup>17</sup> Randy Capps, Kathleen Newland, Susan Fratzke, Susanna Groves, Michael Fix, Margie McHugh, and Gregory Auclair, "The Integration Outcomes of U.S. Refugees: Successes and Challenges," Migration Policy Institute, June 2015, available at, <http://www.migrationpolicy.org/research/integration-outcomes-us-refugees-successes-and-challenges>.

<sup>18</sup> Kathleen Newland, "The U.S. Record Shows Refugees Are Not a Threat," Migration Policy Institute, October 2015, available at, <http://www.migrationpolicy.org/news/us-record-shows-refugees-are-not-threat>.