



## **“Refugees Fleeing Religious Persecution”**

### **U.S. Commission on International Religious Freedom (USCIRF)**

**February 10, 2021**

Chair Manchin, Vice Chairs Perkins and Bhargava and all respected members of the commission, I am Elizabeth Neumann, senior advisor to the National Immigration Forum on national security matters and a former DHS Assistant Secretary for Counterterrorism and Threat Prevention during the Trump administration. I appreciate the opportunity to address the Commission on ways to protect U.S. national security interests through a more robust refugee admissions program.

#### **Introduction**

Beyond a moral imperative, restoring and strengthening the U.S. Refugee Admissions Program (USARP) is critical to our nation’s security. In 2020, there were more than 80 million individuals forcibly displaced from their homes worldwide, which is the highest level of displacement ever on record.<sup>1</sup> Approximately 85% of forcibly displaced persons are being hosted in developing regions,<sup>2</sup> and as defined by the U.N., 27% are hosted by Least Developed Countries.<sup>3</sup> This latter point is a startling finding for the counterterrorism mission: these Least Developed Countries — “Bangladesh, Chad, the Democratic Republic of the Congo, Ethiopia, Rwanda, South Sudan, Sudan, the United Republic of Tanzania, Uganda and Yemen — were home to 13% of the world’s population. Accounting for just 1.2% of the global gross domestic product, they had the fewest resources available to meet the needs of people seeking refuge.”<sup>4</sup>

These are parts of the developing world where the pressure of caring for large displaced populations overwhelms infrastructure and resources, bringing a risk of destabilizing the host country. Further, the current global approach to refugees leaves a large number of vulnerable people enduring years of circumstances that could increase their susceptibility to the recruitment tactics of traffickers, criminals and terrorists. Finally, these Least Developed Countries not only have economic and infrastructure challenges, but many of them are engaged in conflicts themselves, and several of them have active terrorist movements within their borders. For all of these challenges, I fear that those left to languish in the queue for long periods of time could become vulnerable to bad actors exploiting their resentment and hopelessness – creating potential radicalization paths for the next generation of extremism and terrorist recruits.

A survey conducted by the U.S. Institute of Peace found that forcibly displaced individuals in Afghanistan were more likely to be directly approached by the Taliban for radicalization.<sup>5</sup> Other

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<sup>1</sup> “More uprooted, fewer return, pushing forcibly displaced above 80 million.” United Nations High Commissioner for Refugees, December 9, 2020. <https://news.un.org/en/story/2020/12/1079642>.

<sup>2</sup> “Global Trends,” 22.

<sup>3</sup> See: “UNSD – Methodology,” UN Stats, United Nations, accessed November 13, 2020, <https://unstats.un.org/unsd/methodology/m49> for a list of countries included under ‘Developed Regions’ and ‘Least Developed Countries’.

<sup>4</sup> “Global Trends,” 22.

<sup>5</sup> Ahmadi, Belquis, Rahmatullah Amiri, and Sadaf Lakhani. “What Can Make Displaced People More Vulnerable to Extremism.” United States Institute of Peace. Accessed February 2, 2020.

<https://www.usip.org/publications/2019/03/what-can-make-displaced-people-more-vulnerable-extremism>.

studies have shown the pre-existence of militant groups and the inhumane conditions within refugee camps create protection issues and facilitate the radicalization process.<sup>6</sup> Therefore, it is crucial, for the sake of U.S. national security interests, to efficiently conduct security vetting procedures and expediently resettle refugees into a safe environment.

Despite recent rhetoric, refugees are the most thoroughly vetted individuals who come to the U.S. and statistics show they commit crimes in far fewer numbers than people born in the United States. We can maintain the quality of vetting procedures while modernizing processes to move faster – the sometimes decade-long wait for resettlement is not only inhumane but also increases the susceptibility of forcibly displaced persons to radicalization in detriment to U.S. national security.

The United States has damaged its own national security interests and retreated from the growing refugee challenge over the last 4 years. President Biden’s new Executive Order on *Rebuilding and Enhancing Programs to Resettle Refugees and Planning for the Impact of Climate Change on Migration*, demonstrates a serious effort to begin repairing the damage and reasserting U.S. leadership in welcoming refugees.<sup>7</sup> I support the administration’s efforts to increase the refugee ceiling and address root causes that lead to displacement and offer the following recommendations to effectively achieve those goals:

### **Recommendation 1: Strengthen the U.S. Refugee Admissions Program**

News reports suggest the Biden administration is consulting with Congress to reset the refugee admissions target from 15,000 to 62,500 this Fiscal Year with an intent to increase the ceiling to 125,000 in FY 2022. This scaled approach indicates a proper understanding of the need to invest in infrastructure that develops capacity to support growth in the admissions process.

The National Conference on Citizenship and the Penn Biden Center for Diplomacy and Global Engagement released a report in late October outlining [A Roadmap to Rebuilding the U.S. Refugee Admissions Program \(Roadmap\)](#).<sup>8</sup> The report cites the significant backlogs created by inefficient refugee processing procedures at USRAP and promotes reforms that drive improvements in USRAP’s core operations as a key to sustaining increased refugee admissions in the short and long term.

What follows are additional recommendations to address critical national security concerns. Some of these recommendations highlight the *Roadmap’s* recommendations to the extent there is a national security nexus. Implementing these recommendations will strengthen the USRAP and ensure that increased numbers of properly vetted refugees are resettled in the U.S.

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<sup>6</sup> McDowell, Christopher. “Forced Migration, Diaspora Politics and Extremism: Conceptual, Policy and Operational Implications with a Focus on the United Kingdom.” Centre for Research and Evidence on Security Threats. [https://nsiteam.com/social/wp-content/uploads/2019/12/chapter\\_mcdowell\\_chapter\\_Simeon.pdf](https://nsiteam.com/social/wp-content/uploads/2019/12/chapter_mcdowell_chapter_Simeon.pdf).

<sup>7</sup> “Executive Order 14013 of February 9, 2021, Rebuilding and Enhancing Programs to Resettle Refugees and Planning for the Impact of Climate Change on Migration” *Code of Federal Regulations*. <https://public-inspection.federalregister.gov/2021-02804.pdf>

<sup>8</sup> “A Roadmap to Rebuilding the U.S. Refugee Admissions Program,” National Conference on Citizenship & the Penn Biden Center for Diplomacy and Global Engagement, October 2020, <https://www.ncoc.org/wp-content/uploads/2020/10/Final-Report-A-Roadmap-to-Rebuilding-USRAP.pdf>.

- **Immediately increase the refugee ceiling for fiscal year (FY) 2021 to a level that is operationally feasible given current security vetting constraints and move to a multi-year planning approach that aligns budget and resources for the USRAP with the targeted ceiling.**

Attempting to achieve the higher refugee target requires *immediate* investments in the personnel, technology, and process improvements needed for the USRAP. Critically, the current fee-funded approach for USCIS and USRAP will not allow for the proposed rapid scaling. This is made all the more challenging by pandemic-related immigration restrictions which has all but ceased the flow of fees. The incoming administration will need to immediately work with Congress to appropriate funds to scale the program. The *Roadmap* provides extensive recommendations on personnel, technology, and process improvements needed for the USRAP - though they are not explicitly related to national security, if they are not addressed, it will create *security vulnerabilities* in the pressure to admit more refugees.

- **Strengthen the National Vetting Center (NVC); Prioritize and Expedite Operationalizing the Refugee Vetting Process.**

The National Vetting Center (NVC),<sup>9</sup> established in 2018 through National Security Presidential Memorandum 9 (NSPM-9), furthers the 9/11 Commission's recommendations to enhance interagency collaboration to ensure that agencies responsible for adjudicating immigration benefits, such as the State Department and United States Citizenship and Immigration Services (USCIS), have appropriate access to potentially derogatory information held by national security partners.<sup>10</sup> This access assists adjudicators in determining whether an applicant is ineligible for a benefit or admission to the U.S. When fully implemented, the NVC will automate many of the lengthy manual security checks required for refugee processing, which will allow background checks of refugees to be more thorough and quicker.

- **Have an Honest Discussion about Risk Tolerance and Determine the Path Forward for the Priority 2 (P-2) Population.**

There is a significant backlog of Iraqis awaiting approval as Priority 2 (P-2) refugees<sup>11</sup> with over 100,000 stuck in the USRAP pipeline – some for more than 10 years.<sup>12</sup> The *Roadmap* notes that with in-person interviews suspended due to security considerations in Iraq and recent embassy closures, virtual interviews and other remote processing tools should be utilized to address the backlog. Those who put their lives at risk to help Americans deserve to have answers instead of continuing to live in limbo. Failure to do so will reduce the willingness of local communities to

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<sup>9</sup> "NVC provides a common technology platform and process to allow for a coordinated and comprehensive review of relevant information. It streamlines the transfer of unclassified applicant and traveler information to classified environments, where it is compared against highly restricted information held by national security partners.

<sup>10</sup> "National Vetting Center," U.S. Customs and Border Protection, accessed November 2, 2020, <https://www.cbp.gov/border-security/ports-entry/national-vetting-center>.

<sup>11</sup> Lara Jakes, "Under Trump, Iraqis Who Helped U.S. in War Are Stalled in Refugee System," *The New York Times*, November 2, 2019, <https://www.nytimes.com/2019/11/02/world/middleeast/trump-refugees-iraq.html>.

<sup>12</sup> "A Roadmap to Rebuilding," 22.

partner with our military in future conflicts and will have an adverse long-term impact on our security.

The National Security Council should hold a robust dialogue about the level of risk the U.S. is willing to tolerate with regard to the P-2 population and keeping our promises. The current approach of zero risk tolerance treats potentially tenuous derogatory information as definitively derogatory. It is the responsibility of all involved in the USRAP process, including those in the vetting enterprise and adjudicators, to balance national security with the need to keep our commitment to those who have put themselves in harm's way. Upon resolution of this risk assessment, the National Vetting Governance Board should review and occasionally audit the implementation of that guidance to ensure that all partners are adhering in a consistent manner.

### **Recommendation 2: Re-engage with Our Allies to Address the Growing Numbers of Forcibly Displaced Persons**

For four years, the U.S. has largely refused to participate in international discussions on how to address the problem of increased numbers of forcibly displaced persons. The U.S. withdrew from the Global Compact on Migration in December 2017 and the Global Compact on Refugees in November 2018 on the grounds that the compacts would infringe on U.S. sovereignty.

While it is a legitimate need of a state to ensure its sovereignty, stepping away from these compacts increases the national security challenges of the future. I urge the Biden administration to return to the table and work with international partners to develop strategic solutions to address this growing challenge. The Biden administration should consider how to prioritize help for the Least Developed Countries that serve as the first country of asylum.

### **Recommendation 3: Lay a Foundation for Future National Security Benefits**

- **Reduce risk of future extremism by expediting processing.** As the USRAP works to build operational capability to process higher levels of refugee admissions, it also should work to expedite the processing time within USCIS, as well as the UNHCR or NGO referral process. The extensive delays waiting for adjudication, sometimes decades long, leave families in limbo for far too long. The sooner cases can be adjudicated — even if applications are denied — the more quickly displaced people have the opportunity to move on with their lives. Improvements in efficiency are possible given ongoing modernization efforts at USCIS and enhancements in the security vetting process.
- **Make investments in front-end procedures for future Special Immigrant Visa and P-2 populations.** To ensure the U.S. does not repeat the experience of the Iraqi P-2 population, which lacked documentation to support the role they played in supporting the U.S. in overseas conflict, the U.S. Department of Defense (DOD) should work with USCIS and the NVC to identify the information that should be collected up front on individuals who provide support to DOD and ensure such information is made available for vetting purposes in the future. To the extent that it is operationally feasible, DOD could leverage the NVC to vet individuals before they are employed by the military.

### **Conclusion**

As the Assistant Secretary for Counterterrorism and Threat Prevention, I was responsible for overseeing the vetting “enhancements” required by the President’s Executive Orders 13780 and

13815.<sup>13</sup> I had the privilege of visiting the UNHCR’s reception centers on the Greek Islands and in Egypt and the U.S. Refugee Processing Center in Egypt to examine the processes and technology used at various stages of vetting. I had two primary takeaways: 1) The vetting incurred by a prospective U.S.-bound refugee is more significant than any other immigrant or non-immigrant visitor to the United States,<sup>14</sup> and 2) We have to move faster — the sometimes decade-long wait for a displaced person to be resettled is not only inhumane but could increase their susceptibility to being radicalized.

The United States cannot alone solve the complexity of resettling refugees in a timely manner, nor is it the U.S.’s responsibility to shoulder the full burden. But ignoring the problem is only making it more difficult to solve. I applaud the Biden administration’s efforts thus far to increase the refugee ceiling and modernize the U.S. Refugee Admissions Program, while also strengthening our security and vetting procedures. I encourage Congress to appropriately allocate resources to strengthen the Refugee Admissions Program in order to achieve the goals laid out by President Biden.

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<sup>13</sup> “Executive Order 13780 of March 6, 2017, Protecting the Nation From Foreign Terrorist Entry,” *Code of Federal Regulations*, title 3 (2017): Section 1(h). <https://www.govinfo.gov/content/pkg/FR-2017-03-09/pdf/2017-04837.pdf>; “Executive Order 13815 of October 24, 2017, Resuming the United States Refugee Admissions Program With Enhanced Vetting Capabilities,” *Code of Federal Regulations*, title 3 (2017), <https://www.govinfo.gov/content/pkg/FR-2017-10-27/pdf/2017-23630.pdf>.

<sup>14</sup> “Refugee Processing and Security Screening,” (U.S. Citizenship and Immigration Services, Department of Homeland Security, last modified June 3, 2020), <https://www.uscis.gov/humanitarian/refugees-and-asylum/refugees/refugee-processing-and-security-screening>; See also Idean Salehyan, *The Strategic Case for Refugee Resettlement*, The Niskanen Center, September 2018, [https://www.niskanencenter.org/wp-content/uploads/old\\_uploads/2018/09/NC-Refugee-Paper-SalehyanElec\\_FINAL.pdf](https://www.niskanencenter.org/wp-content/uploads/old_uploads/2018/09/NC-Refugee-Paper-SalehyanElec_FINAL.pdf), 3: “These cuts were predicated on the notion that refugees could potentially pose a security risk to the U.S. However, these fears are misplaced, as vetting procedures for refugees are quite robust.”

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