



ERIE COUNTY LEGISLATURE

92 Franklin Street - 4th Floor
Buffalo, New York 14202

TO: Members of the Erie County Legislature

FROM: Karen M. McCarthy, Clerk

DATE: December 17, 2015

SUBJECT Documents Received at Refugee Resettlement Process Informational Meeting

The attached documents were received the Informational Meeting on December 17, 2015

Thank you.

First. Let me thank you for the opportunity to come and speak before you today. I will be speaking to you regarding post-resettlement. Buffalo has become a unique city in regards to the services offered to incoming refugees, particularly in the area of post-resettlement. Post-resettlement refers to the time after the initial intensive case management that refugees receive from the resettlement agencies. It could be anywhere from three months after arrival to ten years after arrival. Post-resettlement services are intended to supplement services beyond the time that the resettlement agencies are providing that intensive care. We work hard with each of the agencies to build strong partnerships and avoid duplication of services. Most of the post-resettlement agencies provide a place to go for assistance and referrals, but are not designed to be the intensive case management provided by resettlement. Two weeks ago, NPR did a story calling Buffalo the City that Welcomes Refugees. We have several organizations that primarily focus on the long-term integration needs of refugees in Buffalo. These include Jericho Road, HEAL international, Burmese Community Support Center, and Iraqi American Society, to name a few. At Jericho Road, we have nine community development programs that focus on understanding and navigating systems in the US, Pregnancy, financial literacy, housing, and education.

In addition to those organizations that specifically target refugees, several other local non-profits have seen the value and community improvement that results in working with the refugee communities and have integrated refugees clientele into their other programs that target low-income populations. For example, the work of WEDI, the parent organization to the West Side Bazaar, has resulted in the grant ferry district seeing a complete business turn around. What was once primarily empty store fronts, is now is a thriving business district and over half the business are refugee owned businesses. PUSH Buffalo, Buffalo Niagara Riverkeepers, the WASH project, the Community Health Network of Buffalo are others that have integrated working with refugees into their daily work. We have all seen the turn around of the West side of Buffalo, with lower crime rates, increased owner occupied housing, and a safer neighborhood. The short term investments of these organizations has resulted in long term community investment in our community by refugees.

I want to address some questions around funding while I have this chance today. First, I have heard referenced in the media that people want to know why the federal funding to HEAL International and Burmese Community Support Center was cut. The project itself was a start up project. It brought it \$175,000 a year for three years in federal funding to a partnership between HEAL, BCSC, JR, and IIB. Each year, continued funding was based upon successful completion of the previous year. Each year, the partnership exceeded expectations and was refunded. It was a start up project and the grant period ended. The project itself was successful. The federal funding stream that funded the project has been reallocated and is projected to become available again in 2017. However, as recent recipients, they would not qualify for the same project and would likely not be given priority status to new applicaiton. Their funding was not cut do to impropriety or failure to meet expectations, the grant period simply ended and the funding line was reallocated.

Secondly, I want to highlight the amount of state and federal funding that comes into the area, due to our targeted refugee efforts. Jericho Road currently has a budget of just under \$11 million dollars. The majority of this funding is non-local funding we receive for being a federally qualified health center. Our federally qualified health center status was received in 2012, and was awarded to us because in large part because of our unique ability to serve the refugee population. Buffalo is a City that has become known for helping refugees and has received state and federal funding in large amounts to support these efforts. This is money that not only gets invested into refugees, but gets used in our county, strengthening our entire community.

I want to end with two quick stories, Lin Market started as a small business on grant street. The owner was a refugee who moved to Buffalo because he heard how welcoming we were to refugees. JR helped him with initial settling into Buffalo. Some local community members assisted him to open his store. Now he has two thriving businesses, the store and a restaurant. He has several employees and he has become a local community leader representing the Burmese Karen population to local law enforcement. He is leading an effort to overcome barriers between the Karen community and the local police, making our community better.

Zaw Win came as a refugee through resettlement. He now owns a Laundromat on the West Side that extends community programming to low-income members of the West Side Community, using his business as a place to promote community education, awareness and literacy. He is being honored this year by the National Federation of Just Communities for his efforts to improve our community, not just for refugees, but for everyone.

These are just a couple of stories amidst thousands of success stories that have resulted by being a City that Welcomes Refugees. When we choose to invest in the refugee communities, they in turn invest in us.

Good morning Legislators.

My name is Eva Hassett. I am the executive director of the International Institute of Buffalo. I love my City, my County and my Country. I am pleased to be here.

I am speaking this morning on behalf of the 4 organizations that operate refugee resettlement programs in Erie County today: the International Institute of Buffalo, Jewish Family Service, Catholic Charities of Buffalo and Journeys End Refugee Services.

Representatives of these organizations are here this morning. We are also joined by members of the immigrant and refugee communities in Erie County, and representatives of other ethnic and community based organizations that help integrate the foreign born in WNY.

Refugee resettlement programs brought a total of \$6.4 MILLION in federal dollars to Erie County in FFY 2014-15. This \$6.4 million is direct federal revenue, which is then spent locally and has more impact.

In addition to these federal dollars, the federal government reimburses Erie County for 8 months for any refugee who accesses Food Stamps, Medicaid or Public Assistance.

These same resettlement and post resettlement activities also bring state revenue to Erie County, and the clients they serve generate state income tax as well as generate city and county property taxes and fees. These activities, and the clients they serve, stabilize and grow neighborhoods.

We have given the Clerk a more detailed package about the US Department of State Refugee Resettlement program, called the Reception and Placement program.

We would very much like to make a more detailed presentation to the Legislature on this program.

I will summarize a few points about it this morning:

The program has operated as a US government program since 1980, when The United States Refugee Act was signed into law. Refugee resettlement and employment programming is funded through the US Departments of State and Health and Human Services.

So this program has been operating for 35 years as a formal federal program.

Historically, between 70,000 and 85,000 refugees are resettled to the US/year. This is true whether the President has been a Republican or Democrat.

In FFY 2014 a total of 4085 refugees were resettled to NYS. Approximately 1442 were resettled to Buffalo.

So the scale of what is happening in the US is far different than we see in Europe.

Less than 1% of the refugees in the world are resettled to a third country. The vast majority of the refugees and displaced people in the world remain in refugee camps or worse situations.

The resettlement program operates through a coordinated system of 9 national and almost 200 local nonprofits located all over the US, who partner with the federal government.

The federal government manages the process for setting the size of the program, identifying candidates from camps located all over the world, screening the candidates and working with the nonprofits to manage the transportation and initial placement of refugees throughout the US.

Local affiliates like the 4 agencies in Buffalo work with their national partners, under a cooperative agreement contract with the US Department of State, to resettle refugees locally.

Under this contract, which spells out the core services provided by resettlement agencies, we provide services that include finding and preparing appropriate housing, linking clients to adult and k-12 education and medical care, and linking to other services, including employment services for all adults ages 18-65.

All Buffalo resettlement agencies provide in house employment services through a variety of programming funded by the federal and state governments, the United Way, and other funders.

The resettlement contract period is 90 days, during which agencies are paid to provide these core services. Agencies seek and receive additional funding and use other partners to provide services beyond this period.

The US program is vastly different from what is currently happening in the EU.

Refugees are brought by the federal government, are work authorized and documented, and are eligible to naturalize.

(by the way if you have never been to a natz ceremony, you need to go).

It is my understanding that Jan Owen from USCIS is here to talk about screening from DHS perspective: DHS, FBI, CIA, DOS counterterrorism.

But I will say that the security screening for the refugee resettlement program is stringent, robust and managed by DHS, FBI, CIA and DOS Bureau of Counterterrorism. It is more stringent than that for any other entrant to the US. And it takes between 1.5-3 years to complete.

As we listen to anti-immigrant and refugee rhetoric on television, in cities and counties all over the country, local government leaders recognize the contribution that refugees and immigrants make.

Buffalo is one of 26 cities that have opened offices supporting immigrant and refugee integration. In addition to the cities, at least 37 additional organized bodies – commissions, welcoming offices, nonprofits, etc – have been formed, mainly over the last 5 years. There are state level offices as well, including in New York State, but also in Republican led states like Michigan.

I want to briefly touch on the positive impact that refugees and immigrants are having in Erie County and the US, and how they contribute to the region's resurgence:

Population

Erie County's population as of last April was 922,835, an increase of 0.4 percent from the 2010 census. The increase – the first since the 1960s – was attributed to 12,196 people from other countries moving to Erie County between 2010 and 2014, more than making up for the 8,394 residents who moved away.

Erie County was the only county in Western New York to witness a population increase in the first four years of this decade.

This is also what is happening nationally. 29 of the 50 largest cities in the US – including Buffalo - saw a population decline between 1960 and 1980. Of the 29, 14 cities have rebounded, increasing their population between 1980 and 2013. Every single city that rebounded saw an increase in the immigrant population.

NO major city over the past four decades has grown without an increase in its immigrant population.

So if our plan is to grow, this data would suggest we need to talk about supporting the growth of the immigrant and refugee population.

Entrepreneurs

The impact of immigrant entrepreneurs on the small business sector and on neighborhoods is obvious on streets like Hertel Avenue and Grant Street. Refugees are a large part of the resurgence of these neighborhoods.

But this phenomenon is also consistent with national trends.

Between 2000 and 2013, immigrants were responsible for all of the net growth in Main Street business nationally, including in Buffalo.

Nationally, immigrants own 53 percent of grocery stores, 45 percent of nail salons, 43 percent of liquor stores, 38 percent of restaurants, and 32 percent of both jewelry and clothing stores.

These are the businesses that make neighborhoods attractive and allow them to work.

This contribution holds at larger scale as well.

- 41% of the Fortune 500 companies were started by immigrants or the children of immigrants.**
- 57.4% of the Fortune 500 companies from New York were started by immigrants or the children of immigrants.**

The founder of Google, Sergey Brin, came to the US as a refugee. Elon Musk, the chairman of Solar City, is an immigrant from South Africa.

Employment

Refugees and immigrants are critical to the workforce. Refugees and immigrants have vast range of skills and demographically are more of working age than the US native born population (esp in cities like buffalo).

Research shows that immigrant employment increases total employment. Hiring immigrants creates and retains jobs for the general population.

International students are another critical resource to WNY economy.

- **Between 40 to 60% of all graduate students in STEM at American colleges and universities are international students, including:**
 - **40% of all new masters in engineering, computer science, and physical sciences**
 - **45% of all new Ph.D.s in life science, computer science, and physical sciences**
 - **50% of all new Ph.D.s in engineering**
 - **70% of all masters and Ph.D. students in electrical engineering**

These fields are critical to the region's economic future and to Buffalo Billion investments like Solar City and the Buffalo Niagara Medical Campus.

Immigrants and refugees are homeowners.

Immigrants and refugees are professionals.

Immigrants and refugees are taxpayers.

And last, they are citizens... just this morning another group of diverse citizens were nationalized at the federal courthouse on Niagara Square. I would urge you to attend a ceremony.

Community

Immigrants and refugees help us stay attached to what is happening in the world. They help us learn about new cultures. They help us see the advantages we have as Americans, and how others do not have them. I hope they help us not take the advantages we have for granted.

Refugees are escaping persecution in countries – their homes – where they cannot vote, where they cannot practice their religion or culture, where they cannot take care of their family. Where they cannot be who they are.

Refugees come here to be able to do these things because in America we all have the right to do them.

Last, immigrants and refugees are creating positive press for our region: Western NY has been and continues to be shown nationally and globally as an example of a community that supports and is successful at integrating immigrants and realizing the economic and community impact they bring.

As I think you realize, America and Buffalo are both great as the result of the contributions of immigrants and refugees.

I wouldn't be sitting here, and you probably wouldn't either, unless a refugee decided to take risks and come to the US for the same American dream that brings people here today. It is our history as a country.

Sadly, there is also a history of intolerance and hate aimed at the newest arrivals. 120 years ago, it would have been Irish and Italians we wanted to keep out. In fact, it is entirely possible that Italian refugees were on the Legislature's agenda 120 years ago.

I want to read from a CNN piece about this time.

"The largest mass lynching in U.S. history took place in New Orleans in 1891 — and it wasn't African-Americans who were lynched, as many of us might assume. It was Italian-Americans.

After nine Italians were tried and found not guilty of murdering New Orleans Police Chief David Hennessy, a mob dragged them from the jail, along with two other Italians being held on unrelated charges, and lynched them all.

The lynchings were followed by mass arrests of Italian immigrants throughout New Orleans, and waves of attacks against Italians nationwide.

*What was the reaction of our country's leaders to the lynchings? Teddy Roosevelt, not yet president, famously said they were "a rather good thing." The response in *The New York Times* was worse. A March 16, 1891 editorial referred to the victims of the lynchings as "... sneaking and cowardly Sicilians, the descendants of bandits and assassins." An editorial the next day argued that "Lynch law was the only course open to the people of New Orleans. ..."*

In addition to prejudice based on ethnicity, Italian immigrants also had to face hostility toward their religion. In 1785, when Catholics proposed building St. Peter's Church in the heart of Manhattan, city

officials, fearing the papacy and sinister foreign influences, forced them to relocate outside the then city limits. On December 24, 1806, two decades after St. Peter's was built on Church Street, where it still stands, protesters surrounded the church, outraged by mysterious ceremonies going on inside, ceremonies we now commonly understand to be the celebration of Christmas. The Christmas Eve 1806 protest led to a riot in which dozens were injured and a policeman was killed.

The decades go by, they turn into centuries, and we forget. “

In addition to the Italians and Catholics, lots of other new arrival groups - Chinese, Polish, Jewish, African American, Japanese, and more who came here for the same reasons (sadly) met the same reaction.

I know you know this. But we all need to think about it, to remember the stories from our own families.

My Italian great grandfather, Louis, whose daughter I am named after, had to change his last name from Castelvechi to Castine so that it didn't sound Italian. My Irish ancestors, the Hassetts, made sure there were no Michaels and Patricks among the baby boys, because 'Mick' and 'Paddy' were slurs.

These people had to change their names to protect themselves – after they had fled their homes in search of a new, free life in America.

Yesterday I read in the New York Times that there are now an average of 2 hate crimes a day in this country against Muslims and Muslim houses of worship. Hate crimes against anyone are wrong and we need to work to stop them. That's not the country I believe in.

We all have a chance to learn from history, change history and make history by being leaders who remember these experiences and don't paint ANY group with the actions of one person, or allow people who we think somehow are different than us to be the objects of hate when they are not and deserve our support.

My dad, rest his soul, used to talk about the Accident of Birth: he told me it is an accident that I was born who and where I was born, and that (in today's context) I could have easily been born a refugee from Syria.

That because it was an accident, I was not to think I was somehow better, but I was to use any advantages I had to help those who accidentally didn't have them.

Liberty, justice, equality and freedom. Those are the words we associate with America.

City of Good Neighbors and "Buffalove" – those are the words we associate with Buffalo and WNY. Let's show each other and the world what we mean when we use those words. Let's put them into action.

I am happy to answer any questions you might have.



U.S. Citizenship and Immigration Services

Refugee Processing and Security Screening

This Web page provides information about the security screening and background checks required by the U.S. Refugee Admissions Program (USRAP) as well as the refugee resettlement process. The USRAP is an interagency effort which includes a number of governmental and non-governmental partners both abroad and in the United States. Refugee applicants have the highest level of background and security checks of any category of traveler to the United States.

On this page:

- **Refugee Processing**
- **General Refugee Process**
- **USRAP Screening**
- **USCIS Interview**
- **Controlled Application Review and Resolution Process (CARRP)**
- **Enhanced Review of Syrian Applicants**
- **CBP Vetting**

Refugee Processing

Refugee applicants are subject to intensive biographic and biometric security checks. Through close coordination with the federal law enforcement and intelligence communities, these checks are continually reviewed and enhanced to address specific populations that may pose particular threats.

The United Nations High Commissioner for Refugees (UNHCR) identifies and refers many refugees to the USRAP for resettlement consideration. UNHCR also provides important information about the worldwide refugee situation.

The Department of State (State) coordinates and manages the USRAP. Resettlement Support Centers (RSCs) work with State to carry out administrative and processing functions, such as file preparation, data collection, and out-processing activities during the refugee admissions process.

USCIS conducts interviews with applicants to determine their eligibility for refugee status, including whether they are credible, meet the refugee definition, and are otherwise admissible to the United States under U.S. law.

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General Refugee Process



UNHCR registration and resettlement referral,
based on vulnerability and eligibility assessment

RSC conducts prescreening interview and initiates biographic checks

USCIS reviews biographic check results; conducts the eligibility interview; collects biometrics
and initiates biometric checks; requests additional biographic checks, if needed

USCIS adjudicates Form I-590, no case is approved
until security check results are received and cleared

RSC processes approved cases for travel, including medical exams
and sponsorship by a domestic resettlement agency

All refugee travel information collected on flight manifests is screened
prior to boarding via CBP/TSA (NTC-P and Secure Flight)

CBP determines if the applicant is admissible to the United States
and admits applicant to the U.S. as a refugee

USRAP Screening

USRAP screening is a shared responsibility. It includes both biometric and biographic checks at multiple stages during the process, including immediately before a refugee's departure to the United States and upon his or her arrival in the United States.

The screening of refugee applicants involves numerous biographic checks that are initiated by the RSCs and reviewed and/or resolved by USCIS. These include:

- **The Department of State's Consular Lookout and Support System (CLASS)**

State initiates CLASS name checks for all refugee applicants when they are being prescreened by an RSC. Name checks are conducted on the applicant's primary names as well as any variations used by the applicant. Responses are received before the USCIS interview, and possible matches are reviewed and adjudicated by USCIS headquarters. Evidence of the response is included in the case file. If a new name or variation is identified at the interview, USCIS requests another CLASS name check on the new name and places the case on hold until that response is received.

CLASS is owned by State. The name-check database provides access to critical information for adjudicating immigration applications. The system contains records provided by numerous agencies and includes information on individuals who have been denied visas, immigration violations, criminal histories, and terrorism concerns, as well as intelligence information and child support enforcement data.

In addition to containing information from State sources, CLASS also includes information from:

- National Counterterrorism Center/Terrorist Screening Center (terrorist watch lists),
 - TECS,
 - Interpol,
 - Drug Enforcement Administration,
 - Health and Human Services, and
 - FBI (extracts of the National Crime Information Center's Wanted Persons File, Immigration Violator File, Foreign Fugitive File, Violent Gang and Terrorist Organization File (and the Interstate Identification Index)).
- **Security Advisory Opinion (SAO)**
State initiates SAO name checks for certain refugee applicants when they are being prescreened by an RSC. The SAO biographic check is conducted by the FBI and intelligence community partners. SAOs are conducted for an applicant who is a member of a group or nationality that the U.S. government has designated as requiring this higher level check. SAOs are processed, and a response must be received before finalizing the decision. If there is a new name or variation identified at the interview, USCIS requests another SAO for the new name and places the case on hold until that response is received.

The SAO process was implemented after Sept. 11, 2001, to provide an additional security mechanism to screen individuals in certain higher-risk categories who are seeking to enter the United States through a variety of means, including refugee applicants.

- **Interagency Check (IAC)**

The IAC screens biographic data, including names, dates of birth, and other additional data of all refugee applicants 18-30 designated age ranges. This information is captured at the time the applicant is prescreened and is provided to intelligence

community partners. This screening procedure began in 2008 and has expanded over time to include a broader range of applicants and records. These checks occur throughout the process.

At the time of USCIS interview, USCIS staff collects fingerprints and begins biometric checks. These checks include:

- **FBI Fingerprint Check through Next Generation Identification (NGI)**
Recurring biometric record checks pertaining to criminal history and previous immigration data.
- **DHS Automated Biometric Identification System (IDENT - f/n/a US-VISIT)**
A biometric record check related to travel and immigration history as well as immigration violations, and law enforcement and national security concerns. Enrollment in IDENT also allows U.S. Customs and Border Protection (CBP) to confirm the applicant's identity at U.S. ports of entry.
- **DOD Defense Forensics and Biometrics Agency (DFBA)'s Automated Biometric Identification System (ABIS)**
A biometric record check of the Department of Defense's (DOD) records collected in areas of conflict (predominantly Iraq and Afghanistan). DOD screening began in 2007 for Iraqi applicants and has now been expanded to all nationalities. CBP's National Targeting Center-Passenger (NTC-P) conducts biographic vetting of all ABIS biometric matches against various classified and unclassified U.S. government databases.

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USCIS Interview

The USCIS refugee interview is an important part of the refugee screening process. Highly trained USCIS officers conduct extensive interviews with each refugee applicant to learn more about the applicant's claim for refugee status and admissibility. These officers have undergone specialized and extensive training on:

- 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 additional training on the specific population that they will be interviewing, detailed country of origin information, and updates on any fraud trends or security issues that have been identified.

Officers conducting interviews of Syrian applicants undergo an expanded 1-week training focusing on Syria-specific topics, including a classified intelligence briefing. During the interview, the officer develops lines of questioning to obtain information on whether the applicant has been involved in terrorist activity, criminal activity, or the persecution/torture of others. The officer will also conduct a credibility assessment on each applicant.

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Controlled Application Review and Resolution Process (CARRP)

During the process of adjudicating any USCIS benefit, if any national security concerns are raised, either based on security and background checks or personal interviews or testimony, USCIS conducts an additional review through the internal CARRP process. CARRP is an internal USCIS process that a case can go through to ensure that immigration benefits or services are not granted to individuals who pose a threat to national security and/or public safety, or who seek to defraud our immigration system.

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Enhanced Review for Syrian Applicants

USCIS' Refugee, Asylum, and International Operations Directorate and Fraud Detection and National Security Directorate (FDNS) work together to provide enhanced review of certain Syrian cases. This review involves FDNS providing intelligence-driven support to refugee adjudicators, including identifying threats and suggesting topics for questioning. FDNS also monitors terrorist watch lists and disseminates intelligence information reports on any applicants who are determined to present a national security threat.

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CBP Vetting

CBP inspects all applicants who are approved for refugee resettlement to the United States to determine their admissibility before they are admitted as refugees. CBP receives a manifest of all approved individuals who have been booked for travel to the United States. CBP receives this manifest 8 days before the scheduled travel. CBP begins vetting the individuals before they arrive at a U.S. airport and then conducts an inspection and additional background checks of these individuals upon their arrival at a U.S. airport.



U.S. Citizenship and Immigration Services

Refugee, Asylum, and International Operations Directorate

Leadership

Joseph E. Langlois is the Associate Director of Refugee, Asylum and International Operations (RAIO).

What we Do

We provide immigration, protection and humanitarian services for people who are:

- Fleeing oppression, persecution or torture;
- Facing urgent humanitarian situations; and,
- Best served in our international offices, such as military members who are serving overseas and permanent residents who need replacement documents to return to the U.S.

We protect national security, combat fraud, and prevent ineligible individuals from immigrating to the U.S. through careful screening, vigilant reviews and sound adjudications.

Locations

Our global presence includes:

- Offices in Washington, D.C., including headquarters components and the refugee corps;
- Two domestic offices that adjudicate overseas applications not requiring interviews;
- Twenty-five international offices;
- Eight domestic asylum offices; and,
- An office in Miami that provides resettlement and orientation benefits to Cuban and Haitian parolees.

Our officers travel abroad to assist refugees and domestically to adjudicate asylum benefits.

Organization

RAIO is made up of three divisions:

The Refugee Affairs Division provides resettlement benefits to people who are outside their countries and cannot or are unwilling to return to their homes because they fear serious harm.

The Asylum Division manages the U.S. affirmative asylum process, which allows individuals who are already in the U.S. (or at a port of entry), to remain here because they have been persecuted or fear persecution. The individual must not be in removal proceedings or apply under affirmative asylum procedures.

The International Operations Division, with offices around the world, is the face of USCIS abroad. These offices reunite families, enable adoptive children to come to join permanent families in the U.S., consider parole requests from individuals outside the U.S. for urgent humanitarian reasons or significant public benefit, and provide information services and travel documents to people around the world.

RAIO Training Programs and Materials

Our success depends on a well-trained workforce. With this goal in mind, Refugee, Asylum and International Operations (RAIO) has developed comprehensive training programs for its officer staff. The RAIO Directorate level training branch develops training materials and conducts training for all officers new to RAIO on topics that are common to all officers. Most of the lesson plans used at the "RAIO Combined Training" are available to the public at this link: [RAIO Combined Training Lesson Plans](#).

In addition, each RAIO division has its own training section, responsible for job-specific training for their officers. Most of the Asylum

Additional Reference:

<http://judiciary.house.gov/index.cfm/hearings?ID=DEA0F8AB-4CB9-4C09-B8F4-CA562C6BCA86>

Dec 09 2015

Oversight of the United States Citizenship and Immigration Services

House Subcommittee on Immigration and Border Security

Witnesses:

Mr. Leon Rodriguez

Director - U.S. Citizenship and Immigration Services



Fact Sheet

Dec. 3, 2015

Refugee Security Screening

U.S. Citizenship and Immigration Services (USCIS) is deeply committed to safeguarding the American public from threats to public safety and national security, just as we are committed to providing refuge to some of the world's most vulnerable people. We do not believe these goals are mutually exclusive, or that either has to be pursued at the expense of the other.

This fact sheet provides information about the security screening and background checks required by the U.S. Refugee Admissions Program (USRAP). The USRAP is an interagency effort involving a number of governmental and non-governmental partners both overseas and in the United States. Applicants for refugee resettlement are subject to the highest degree of security screening and background checks for any category of traveler to the United States.

All refugee applicants receive a standard suite of biographic and biometric security checks. Through close coordination with the federal law enforcement and intelligence communities, these checks are continually reviewed to identify potential enhancements and to develop approaches for specific populations that may pose particular threats. All case members included on a refugee application must clear security checks for that application to be approved.

Processing priorities are established annually that determine which of the world's refugees are "of special humanitarian concern to the United States," i.e., eligible to be considered for possible resettlement in the United States. Fitting into a processing priority gives a refugee applicant the opportunity for an interview with a USCIS officer but does not guarantee approval. The priorities currently in use are:

- **Priority 1:** UN High Commissioner for Refugees, U.S. Embassy, or specially-trained non-governmental organization (NGO) identified cases, including persons facing compelling security concerns, women-at-risk, victims of torture or violence and others in need of resettlement
- **Priority 2:** Groups of special concern identified by the U.S. refugee program (e.g., Bhutanese in Nepal)
- **Priority 3:** Family reunification cases (i.e., spouses, unmarried children under 21, and parents of persons lawfully admitted to the U.S. as refugees or asylees or persons who are legal permanent residents or U.S. citizens who previously had refugee or asylum status)

USCIS' adjudication of Form I-590, Registration for Classification as a Refugee, is only one part of the broader USRAP:

- The United Nations High Commissioner for Refugees (UNHCR) identifies and refers certain cases to the USRAP for resettlement and provides important information about the worldwide refugee situation. Department of State (State) has overall coordination and management responsibility for the USRAP and has the lead in proposing admissions ceilings and processing priorities.
- Resettlement Support Centers (RSCs), under cooperative agreements with State, carry out administrative and processing functions, such as file preparation and storage, data collection, and out-processing activities.
- USCIS is responsible for conducting individual interviews 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.

General Refugee Process

**UNHCR registration and resettlement referral,
based on vulnerability and eligibility assessment**

RSC conducts prescreening interview and initiates biographic checks

USCIS reviews biographic check results; conducts the eligibility interview; collects biometrics and initiates biometric checks; requests additional biographic checks, if needed

USCIS adjudicates Form I-590, no case is approved until security check results are received and cleared

RSC processes approved cases for travel, including medical exams and sponsorship by a domestic resettlement agency

All refugee travel information collected on flight manifests is screened prior to boarding via CBP/TSA (NTC-P and Secure Flight)

CBP determines if the applicant is admissible to the United States and admits applicant to the U.S. as a refugee

USRAP Screening

USRAP screening includes both biometric and biographic checks, which occur at multiple stages throughout the process, including immediately before a refugee's departure to the United States as well as upon arrival in the United States.

The screening of refugee applicants involves numerous biographic checks that are initiated by the RSCs and reviewed/resolved by USCIS. These include:

- **Department of State Consular Lookout and Support System (CLASS)¹**
CLASS name checks are initiated by State for all refugee applicants at the time of pre-screening by State's contractor — the RSC. Name checks are conducted on the applicant's primary names as well as any variations used by the applicant. Responses are received prior to interview and possible matches to applicants are reviewed and adjudicated by USCIS Headquarters. Evidence of the response is forwarded for inclusion in the case file. If there is a new name or variation developed or identified at the interview, USCIS requests another CLASS name check on the new name, and the case is placed on hold until that response is received.
- **Security Advisory Opinion (SAO)²**
The SAO is a State-initiated biographic check conducted by the Federal Bureau of Investigation and intelligence community partners. SAO name checks are initiated at the time of pre-screening by the RSC for the groups and nationalities designated by the U.S. government as requiring this higher level check. SAOs are processed, and a response must be received prior to finalizing the decision. If there is a new name or variation developed at the interview, USCIS requests that another SAO be conducted on the new name, and the case is placed on hold until that response is received.
- **Interagency Check (IAC)**
The IAC screens biographic data, including names, dates of birth and other data points of all refugee applicants within designated age ranges. This information is captured at the time of pre-screening and is provided to intelligence community partners. This screening procedure was initiated in 2008 and has expanded over time to include a broader range of applicants and records. These checks occur throughout the process.

At the time of USCIS interview, USCIS staff collects fingerprints and initiates biometric checks. The biometric checks initiated by USCIS for refugee applicants include:

- **FBI Fingerprint Check through Next Generation Identification (NGI)**

¹ CLASS is a State name-check database that posts use to access critical information for adjudicating immigration applications. The system contains records provided by numerous agencies and includes information on persons with visa refusals, immigration violations, criminal histories, and terrorism concerns, as well as intelligence information and child support enforcement data. In addition to containing information from State sources, sources for information in CLASS includes NCTC/TSC (terrorist watch lists), TECS, Interpol, DEA, HHS and FBI (extracts of the NCIC Wanted Person, Immigration Violator, Foreign Fugitive Files, VGTOF, and the Interstate Identification Index).

² The Security Advisory Opinion process was implemented after September 11, 2001, to provide a mechanism for additional scrutiny to certain higher-risk categories of individuals seeking to enter the United States through a variety of means, including refugee applicants.

Recurring biometric record checks pertaining to criminal history and previous immigration data.

- **DHS Automated Biometric Identification System (IDENT - f/n/a US-VISIT)**
A biometric record check related to travel and immigration history for non-U.S. citizens as well as immigration violations, and law enforcement and national security concerns. Enrollment in IDENT also allows CBP to confirm identity at the port of entry.
- **DOD Defense Forensics and Biometrics Agency (DFBA)'s Automated Biometric Identification System (ABIS)i**
A biometric record check of DOD holdings collected in areas of conflict (predominantly Iraq and Afghanistan). DOD screening began in 2007 for Iraqi applicants and was incrementally expanded to all nationalities by 2013. CBP's National Targeting Center-Passenger (NTC-P) conducts biographic vetting of all ABIS biometric matches (both derogatory and benign) against various classified and unclassified U.S. government databases.

USCIS Interview

The USCIS refugee interview itself, though not a traditional system check, is also a vital part of the refugee screening process. Highly trained USCIS officers conduct extensive interviews with each refugee applicant to elicit information about the applicant's claim for refugee status and admissibility. During the interview, the officer:

- Confirms the basic biographical data of the applicant;
- Verifies that the applicant was properly given access to the USRAP;
- Determines whether the applicant has suffered past persecution or has a well-founded fear of future persecution on the basis of race, religion, nationality, membership in a particular social group, or political opinion in his or her home country; and
- Determines whether the applicant is admissible to the United States and whether he or she has been firmly resettled in another country.

The officer develops lines of questioning to elicit information regarding any involvement in terrorist activity, criminal activity or the persecution/torture of others, and conducts a credibility assessment on each applicant. USCIS officers receive training on country-specific issues for populations they interview, including briefings from outside experts from the intelligence, policy and academic communities.

Controlled Application Review and Resolution Process (CARRP)

During the routine process of adjudicating any USCIS benefit, if any national security concerns are raised, either based on security and background checks or personal interviews or testimony, USCIS conducts an additional review through the internal CARRP process.

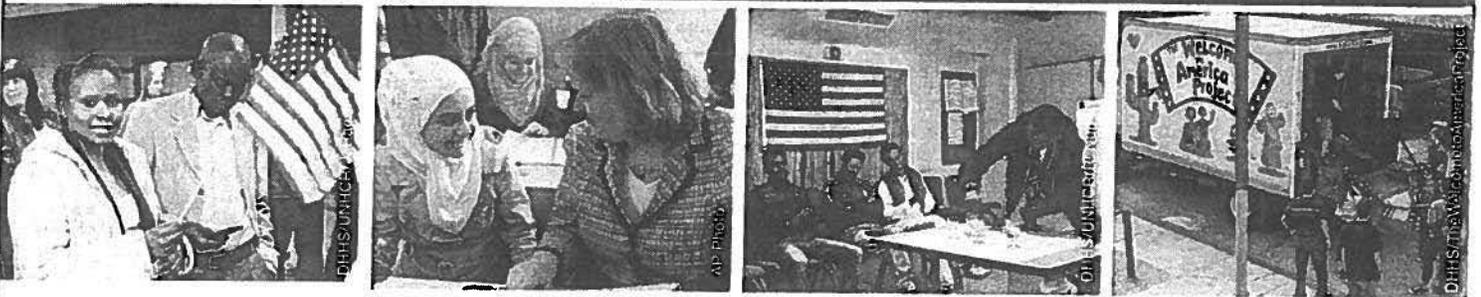
Syria Enhanced Review

USCIS' Refugee, Asylum and International Operations Directorate and Fraud Detection and National Security Directorate (FDNS) have collaborated to provide for enhanced review of certain Syrian cases. This review involves FDNS providing intelligence-driven support to refugee adjudicators, including threat identification, and suggesting topics for questioning. FDNS also monitors terrorist watch lists and disseminates intelligence information reports on any applicants who are determined to present a national security threat.

CBP Screening

An applicant with a USCIS-approved Form I-590, Registration for Classification as a Refugee, must be found admissible to the United States by Customs and Border Protection (CBP) before receiving refugee status. CBP receives a manifest of all individuals who have approved Forms I-590 and have been booked for travel to the United States by air. CBP receives this manifest eight days before the scheduled travel. CBP performs initial vetting of the individuals before they arrive at a U.S. airport and conducts additional background checks of these individuals upon arrival at a U.S. airport.

REFUGEE RESETTLEMENT IN THE UNITED STATES



We have a duty to the millions stranded away from home, not just to preserve life, but to safeguard hope.

– Secretary of State John Kerry

The U.S. Refugee Admissions Program embodies the United States' values of compassion, generosity, and leadership in serving vulnerable populations. The United States has welcomed more than three million refugees since 1975, helping them build new lives in all 50 states.

Identifying Refugees

Refugees survive terrible ordeals: torture, upheaval, perilous journeys, and tremendous loss. They are persecuted because of their race, religion, nationality, political opinion, or membership in a particular social group. The vast majority of the nearly 20 million refugees in the world today will receive support in the country to which they fled. A small number, particularly the most vulnerable, will be resettled in a third country, such as the United States.

What is Resettlement?

Resettlement is the selection and transfer of refugees from a country in which they have sought protection to a third

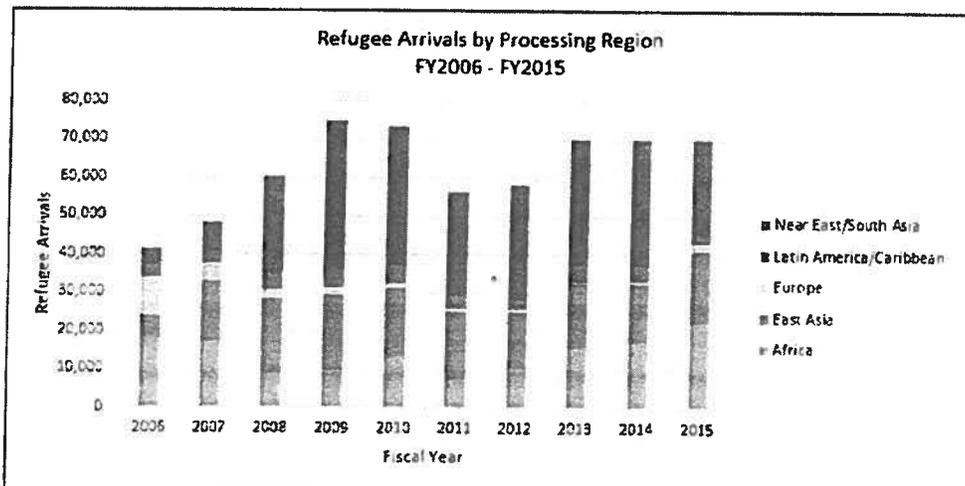
country. This differs from the asylum process, whereby individuals who have reached the United States are granted protection. Resettlement can take 18-24 months or longer from referral to arrival in the United States.

Who Do We Resettle?

The United States will admit 85,000 refugees from around the world in Fiscal Year 2016:

- Roughly 34,000 will come from the Near East and South Asia (of which at least 10,000 will be from Syria);
- 25,000 from Africa;
- 13,000 from East Asia;
- 4,000 from Europe;
- 3,000 from Latin America and the Caribbean; and
- An unallocated reserve of 6,000 will provide the flexibility needed to respond to emergent situations.

Where Do Refugees Come From?



REFUGEE RESETTLEMENT IN THE UNITED STATES

Entering the U.S. Resettlement System

Refugees are usually referred to the United States for resettlement by the United Nations High Commissioner for Refugees. Under the guidance of the U.S. Department of State's Bureau of Population, Refugees, and Migration, nine Resettlement Support Centers (RSC) prepare refugee applications for U.S. resettlement consideration. The RSCs collect biographic and other information from the applicants to prepare for the adjudication interview and for security screening.

Refugee Screening Process

Enhanced security screening is a joint responsibility of the Department of State and the Department of Homeland Security (DHS) and includes the participation of the National Counterterrorism Center and the Department of Defense.

Within DHS, the U.S. Citizenship and Immigration Services (USCIS) reviews each application and conducts an in-person

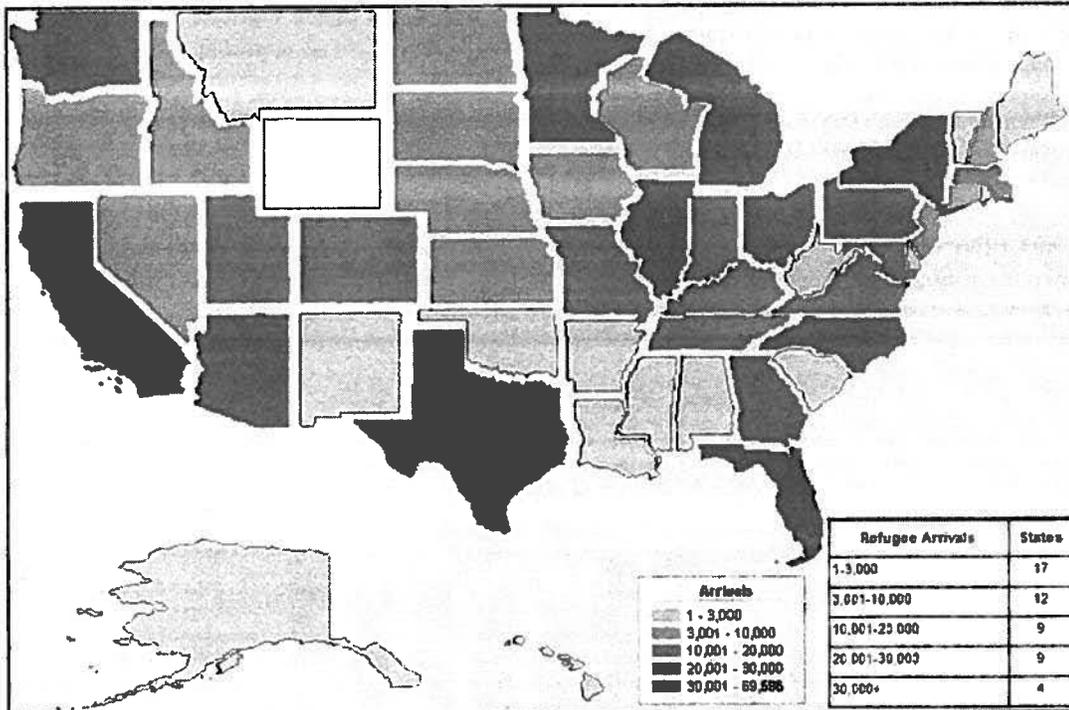
interview with each applicant. USCIS-approved refugees also undergo a health screening to prevent those with a contagious disease from entering the country. The RSC then requests a "sponsorship assurance" from a U.S.-based resettlement agency that is experienced in providing assistance to newly arrived refugees. Finally, the International Organization for Migration facilitates transportation to the United States. Most refugees also undergo a brief cultural orientation course prior to departure for the United States.

Starting a New Life

Once in the U.S., refugees seize the chance for a new beginning. With the assistance of more than 300 local resettlement agencies, refugees put down roots, attend school, get jobs, pay taxes and become productive members of their communities. They start businesses and make our communities more vibrant and diverse. Refugees share many of America's values: courage, resilience, openness to new experiences, and the determination to rebuild their lives in a new land.

Where in the U.S. Do They Go?

Arrivals by State FY 2006 – FY 2015



Additional Resources:

State Department Refugee Admissions Program: <http://www.state.gov/j/prm/ra/>

U.S. Citizenship and Immigration Services: <http://www.uscis.gov/humanitarian/refugees-asylum/refugees>

Refugee Processing Center: <http://www.wrapsnet.org>

SECURITY SCREENING OF REFUGEES ADMITTED TO THE UNITED STATES: A DETAILED, RIGOROUS PROCESS

Resettlement is considered a durable solution for refugees who cannot return to their countries of origin or integrate into the current country that is hosting them. Resettlement to a country like the U.S. presents a life-saving alternative for a very small number of refugees around the world (less than one half of one percent). Refugees seeking resettlement in the United States must pass through a number of steps aimed at ensuring that they will not pose a security risk to the United States.

—STEP 1

Refugee Status: In most cases the UN High Commissioner for Refugees (UNHCR) determines that the individual qualifies as a refugee under international law. **A refugee is someone who has fled from his or her home country and cannot return because he or she has a well-founded fear of persecution based on religion, race, nationality, political opinion or membership in a particular social group.**

—STEP 2

Referral to the United States: A refugee that meets one of the criteria for resettlement in the United States is referred to the U.S. government by UNHCR, a U.S. Embassy, or a trained Non-Governmental Organization.

—STEP 3

Resettlement Support Center: A Resettlement Support Center (RSC), contracted by the U.S. Department of State, compiles the refugee's personal data and background information for the security clearance process and to present to the U.S. Department of Homeland Security (DHS) for an in-person interview.

—STEP 4

Security Clearance Process: With information collected by the RSC, a number of security checks are conducted. The State Department runs the names of all refugees referred to the United States for resettlement through a standard CLASS (Consular Lookout and Support System) name check. In addition, enhanced interagency security checks were phased in beginning in 2008 and applied to all refugee applicants by 2010.

—STEP 5

Security Clearance Process: Certain refugees undergo an additional security review called a Security Advisory Opinion (SAO). These cases require a positive SAO clearance from a number of U.S. law enforcement and intelligence agencies in order to continue the resettlement process. When required, this step runs concurrently with Step 4.

**Note that under limited circumstances, refugee applicants may be interviewed in their home country rather than in a country of asylum.*



U.S. COMMITTEE FOR REFUGEES AND IMMIGRANTS
2231 Crystal Drive, Suite 350 • Arlington, VA 22202 • Tel: (703)310.1130 • Fax: (703)769.4241

www.refugees.org

—STEP 6

Security Clearance Process: Refugees who meet the minimum age requirement have their fingerprints and photograph taken by a trained U.S. government employee, usually on the same day as their DHS interview. The fingerprints are then checked against various U.S. government databases and information on any matches is reviewed by DHS.

—STEP 7

In-person Interview: All refugee applicants are interviewed by an officer from DHS's U.S. Citizenship and Immigration Services (USCIS). A trained officer will travel to the country of asylum* to conduct a detailed, face-to-face interview with each refugee applicant being considered for resettlement. Based on the information in the refugee's case file and on the interview, the DHS officer will determine if the individual qualifies as a refugee and is admissible under U.S. law.

—STEP 8

DHS Approval: If the USCIS officer finds that the individual qualifies as a refugee and meets other U.S. admission criteria, the officer will conditionally approve the refugee's application for resettlement and submit it to the U.S. Department of State for final processing. Conditional approvals become final once the results of all security checks (Steps 4, 5, and 6) have been received and cleared.

—STEP 9

Medical Screening: All refugee applicants approved for resettlement in the U.S. are required to undergo medical screening conducted by the International Organization for Migration or a physician designated by the U.S. Embassy.

—STEP 10

Matching Refugees with a Sponsor Agency: Every refugee is assigned to a Voluntary Agency in the U.S., such as the U.S. Committee for Refugees and Immigrants (USCRI). USCRI will place refugees with a local partner agency or office that will assist refugees upon their arrival in the U.S.

—STEP 11

Cultural Orientation: In addition, refugees approved for resettlement are offered cultural orientation while waiting for final processing, to prepare them for their journey to and initial resettlement in the United States.

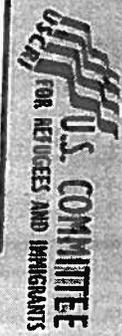
—STEP 12

Security Clearance Process: Prior to departure to the U.S., a second interagency check is conducted for most refugees to check for any new information. Refugees must clear this check in order to depart to the U.S.

—STEP 13

Admission to the United States: Upon arrival at one of five U.S. airports designated as ports of entry for refugee admissions, a Customs and Border Protection (CBP) officer will review the refugee documentation and conduct additional security checks to ensure that the arriving refugee is the same person who was screened and approved for admission to the United States.

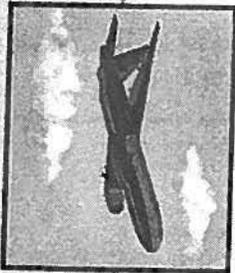
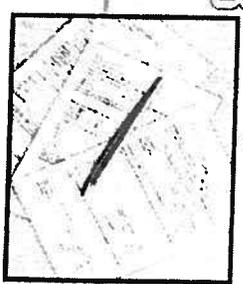
THE U.S. RESETTLEMENT PROGRAM: THE REFUGEE JOURNEY



Becoming a Refugee
 Refugees flee their country seeking safety and protection. In most cases, the UN High Commissioner for Refugees (UNHCR) determines that the individual qualifies as a refugee under international law. A refugee is defined as someone who has fled his or her home country and cannot return because he or she has a well-founded fear of persecution based on religion, race, nationality, political opinion, or membership in a particular social group.

Referral to the U.S. for Resettlement
 A refugee that meets one of the criteria for resettlement in the United States could be referred to the U.S. Government by UNHCR, a U.S. Embassy, or trained Non-Governmental Organizations. Less than one percent of refugees worldwide gain access to the program.

Resettlement Processing Begins
 The Resettlement Support Center (RSC) meets with refugees to compile their personal data and background information for the security clearance process and the U.S. Department of Homeland Security's in-person interview.



1 In-Person Interview
 All refugees must undergo an interview with a refugee officer from the DHS' United States Citizenship and Immigration Services (USCIS). A trained refugee officer travels to the host country to conduct a detailed, face-to-face interview with each refugee being considered for resettlement.

2 Post Approval: Orientation and Medical Screening
 An approved refugee undergoes a medical screening, is offered cultural orientation, and supplied with a travel loan that must be repaid. The refugee may also undergo final security checks.

3 Travel and Preparations
 Every refugee is assigned to a Voluntary Agency in the United States, such as the U.S. Committee for Refugees and Immigrants (USCRI). USCRI places refugees with a local partner agency or office that will assist refugees upon their arrival to the U.S.

4 Arrival and Reception
 Upon arrival to the U.S. at a designated airport, a Customs and Border Protection (CBP) officer reviews the refugee documentation. Refugees are met by local resettlement staff and/or family to start a new life in America.

APPROVED

SECURITY CLEARANCE

SECURITY CLEARANCE



Infographic: The Screening Process for Refugee Entry into the United States

NOVEMBER 20, 2015 AT 7:09 PM ET BY AMY POPE

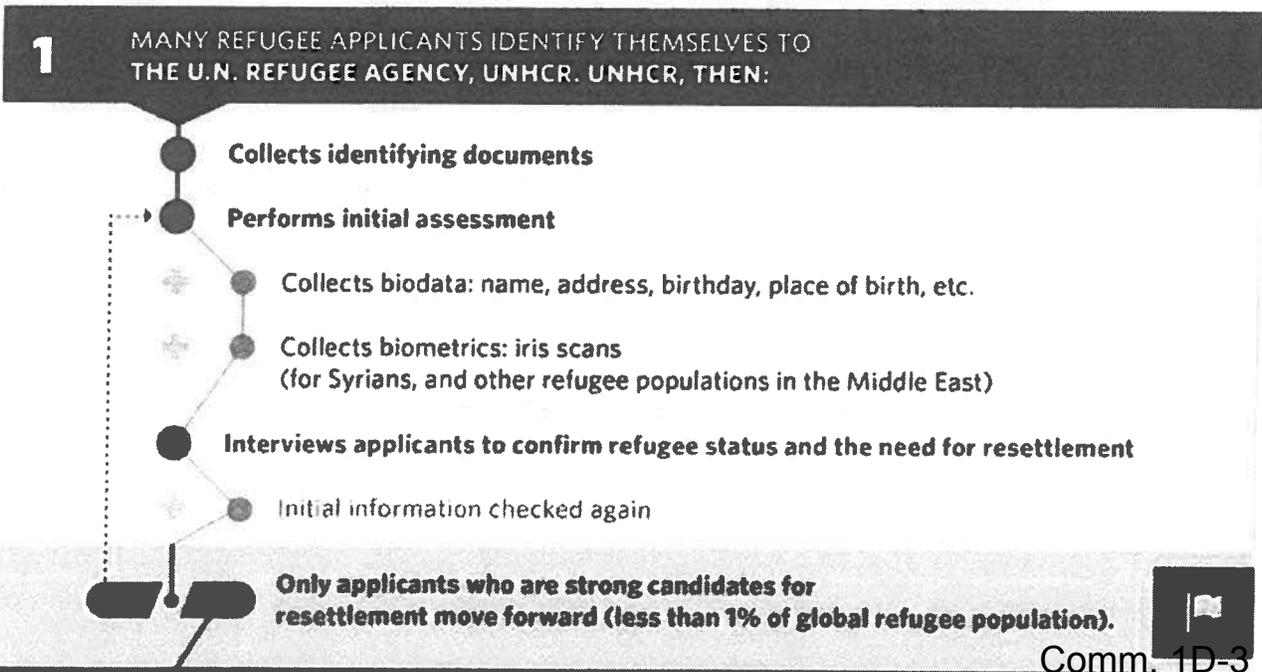


Summary: A step-by-step guide to the rigorous process for refugee entry into the U.S.

Refugees undergo more rigorous screening than anyone else we allow into the United States. Here's what the screening process looks like for them:

THE SCREENING PROCESS

FOR REFUGEE ENTRY INTO THE UNITED STATES



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THE SCREENING PROCESS

FOR REFUGEE ENTRY INTO THE UNITED STATES

1

MANY REFUGEE APPLICANTS IDENTIFY THEMSELVES TO THE U.N. REFUGEE AGENCY, UNHCR. UNHCR, THEN:

Collects identifying documents

Performs initial assessment

Collects biodata: name, address, birthday, place of birth, etc.

Collects biometrics: iris scans (for Syrians, and other refugee populations in the Middle East)

Interviews applicants to confirm refugee status and the need for resettlement

Initial information checked again

Only applicants who are strong candidates for resettlement move forward (less than 1% of global refugee population).

2

APPLICANTS ARE RECEIVED BY A FEDERALLY-FUNDED RESETTLEMENT SUPPORT CENTER (RSC):

Collects identifying documents

Creates an applicant file

Compiles information to conduct biographic security checks

3

BIOGRAPHIC SECURITY CHECKS START WITH ENHANCED INTERAGENCY SECURITY CHECKS:

U.S. security agencies screen the candidate, including:

National Counterterrorism Center/
Intelligence Community

FBI

Department of Homeland Security

REFUGEES ARE SUBJECT TO THE HIGHEST LEVEL OF SECURITY CHECKS of any category of traveler to the United States.

2 APPLICANTS ARE RECEIVED BY A FEDERALLY-FUNDED RESETTLEMENT SUPPORT CENTER (RSC):

- Collects identifying documents
- Creates an applicant file
- Compiles information to conduct biographic security checks

3 BIOGRAPHIC SECURITY CHECKS START WITH ENHANCED INTERAGENCY SECURITY CHECKS:

REFUGEES ARE SUBJECT TO THE HIGHEST LEVEL OF SECURITY CHECKS of any category of traveler to the United States.

- **U.S. security agencies screen the candidate, including:**
 - ✦ National Counterterrorism Center/ Intelligence Community
 - ✦ FBI
 - ✦ Department of Homeland Security
 - ✦ State Department

- **The screening looks for indicators, like:**
 - ✦ Information that the individual is a security risk
 - ✦ Connections to known bad actors
 - ✦ Outstanding warrants/immigration or criminal violations

● *DHS conducts an enhanced review of Syrian cases, which may be referred to USCIS Fraud Detection and National Security Directorate for review. Research that is used by the interviewing officer informs lines of question related to the applicant's eligibility and credibility.*

● This process is repeated any time new information is provided, such as a previously used name or different phone number. Otherwise, the process continues.

4 DEPARTMENT OF HOMELAND SECURITY (DHS)/USCIS INTERVIEW:

- Interviews are conducted by USCIS Officers specially trained for interviews
- Fingerprints are collected and submitted (biometric check)

● Re-interviews can be conducted if fingerprint results

or new information raises questions. If new biographic information is identified by USCIS at an interview, additional security checks on the information are conducted. USCIS may place a case on hold to do additional research or investigation. Otherwise, the process continues.



5 BIOMETRIC SECURITY CHECKS

- Applicant's fingerprints are taken by U.S. government employees
- ✦ ● Fingerprints are screened against the FBI's biometric database
- ✦ ● Fingerprints are screened against the DHS biometric database, containing watch-list information and previous immigration encounters in the U.S. and overseas.
- ✦ ● Fingerprints are screened against the U.S. Department of Defense biometric database, which includes fingerprint records captured in Iraq and other locations.



IF NOT ALREADY HALTED, THIS IS THE END POINT FOR CASES WITH SECURITY CONCERNS.
Otherwise, the process continues.



6 MEDICAL CHECK:

- The need for medical screening is determined

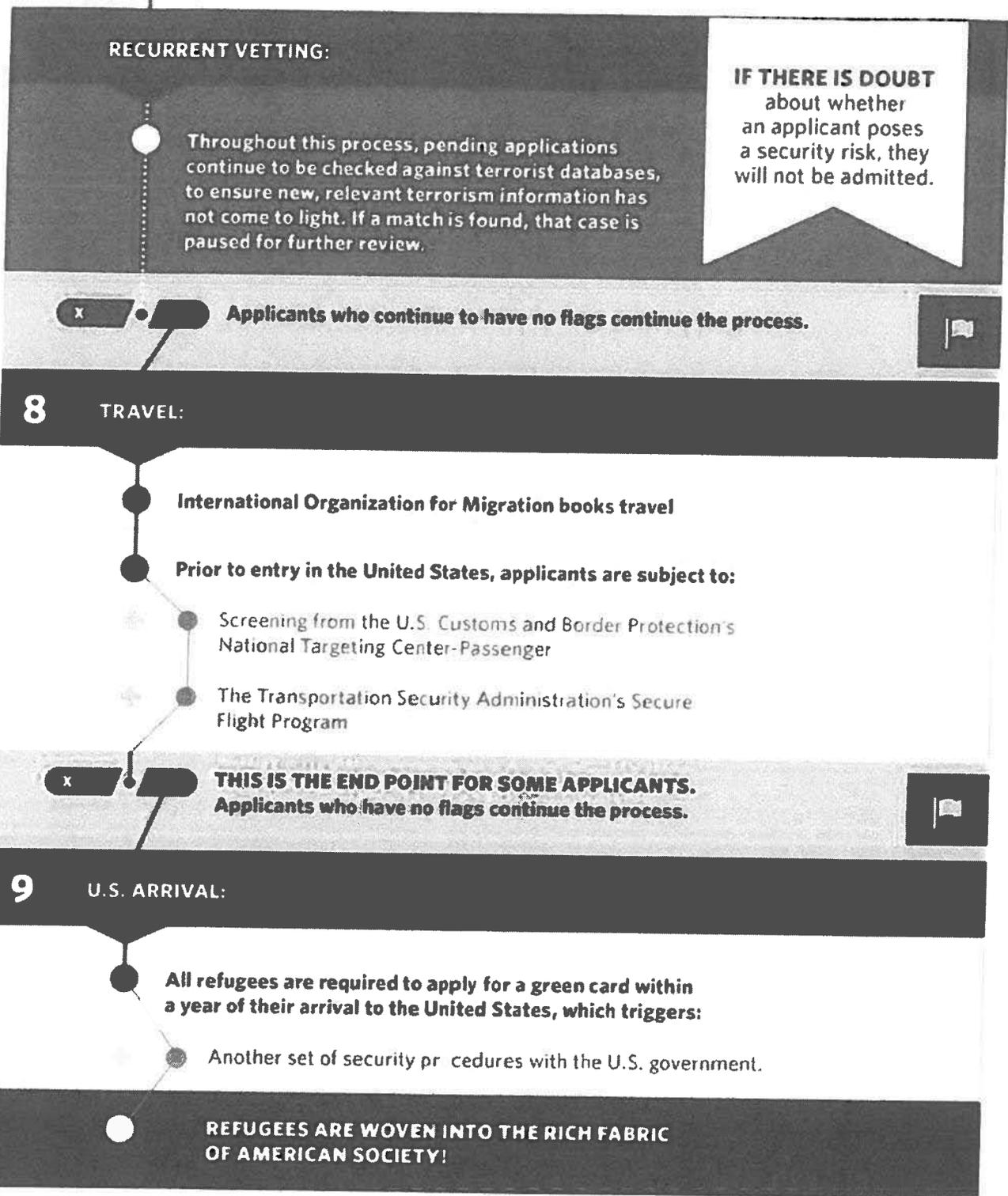


THIS IS THE END POINT FOR CASES DENIED DUE TO MEDICAL REASONS.
Refugees may be provided medical treatment for communicable diseases such as tuberculosis.



7 CULTURAL ORIENTATION AND ASSIGNMENT TO DOMESTIC RESETTLEMENT LOCATIONS:

- Applicants complete cultural orientation classes.
- An assessment is made by a U.S.-based non-governmental organization to determine the best resettlement location for the candidate(s). Considerations include:
 - ✦ ● Family; candidates with family in a certain area may be placed in that area.
 - ✦ ● Health; a candidate with asthma may be matched to certain regions.
- A location is chosen.



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11/25/15

The Full Text of the Graphic: