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TERRORIST EXPLOITATION OF REFUGEE PROGRAMS

HEARING

BEFORE THE

SUBCOMMITTEE ON COUNTERTERRORISM AND INTELLIGENCE

OF THE

COMMITTEE ON HOMELAND SECURITY HOUSE OF REPRESENTATIVES

ONE HUNDRED TWELFTH CONGRESS

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CONTENTS

Page

STATEMENTS

The Honorable Patrick Meehan, a Representative in Congress From the State of Pennsylvania, and Chairman, Subcommittee on Counterterrorism and Intelligence:
Oral Statement 1
Prepared Statement 2
The Honorable Janice Hahn, a Representative in Congress From the State of California 4

WITNESSES

Mr. Lawrence F. Bartlett, Director, Office of Refugee Admissions, Bureau of Population, Refugees, and Migration, U.S. Department of State:
Oral Statement 5
Prepared Statement 7
Ms. Barbara L. Strack, Chief, Refugee Affairs Division, United States Citizenship and Immigration Services, U.S. Department of Homeland Security; Accompanied by Dawn Scalici, Deputy Under Secretary, Office of Intelligence and Analysis, U.S. Department of Homeland Security:
Oral Statement of Barbara L. Strack 8
Prepared Statement of Barbara L. Strack 10
Prepared Statement of Dawn Scalici 13

APPENDIX

Questions From Chairman Patrick Meehan for Lawrence F. Bartlett 33
Questions From Chairman Patrick Meehan for Barbara L. Strack 33
Questions From Chairman Patrick Meehan for Dawn Scalici 35

TERRORIST EXPLOITATION OF REFUGEE PROGRAMS

Tuesday, December 4, 2012

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
SUBCOMMITTEE ON COUNTERTERRORISM AND INTELLIGENCE,
Washington, DC.

The subcommittee met, pursuant to call, at 10:00 a.m., in Room 311, Cannon House Office Building, Hon. Patrick Meehan [Chairman of the subcommittee] presiding.

Present: Representatives Meehan, Hahn, and Hochul.

Mr. MEEHAN. The Committee on Homeland Security Subcommittee on Counterterrorism and Intelligence will come to order.

The subcommittee is meeting today to hear testimony regarding the exploitation of refugee programs by terrorists. I would like to welcome everyone to today's hearing. I look forward to hearing from today's witnesses from the Department of Homeland Security and the State Department. I would also like to take this opportunity to thank them for taking the time to be with us here today. You are all dedicated public servants and we thank you for the hard work you do on a day-to-day basis, and I know you have provided extensive briefings to my staff over the last year on the various security concerns related to the various visa refugee programs and I greatly appreciate your assistance on this important issue.

From 2004 to 2007, the bloody sectarian insurgency in Iraq produced substantial civilian displacement and emigration from the country. In response to this growing humanitarian crisis, Congress passed legislation which gave Iraqis who helped the U.S. Government or military the opportunity to receive special refugee status and resettlement in the United States.

While the motivation behind creating these special immigrant categories were well-intentioned, the fact remains that in May 2011 two Iraqi nationals who were given refugee status and resettled in the United States were arrested and accused by the FBI of plotting to send weapons and money to al-Qaeda in Iraq. One of the men arrested had openly discussed his prior experience as an insurgent until Iraq and the IED attacks he participated in against U.S. troops. The fingerprints of the other Iraqi refugee who was charged were traced by the FBI to a component of an unexploded IED that was recovered by U.S. forces in northern Iraq.

In the wake of these arrests, DHS Secretary Janet Napolitano and others have publicly acknowledged security screenings have been expanded to more than 58,000 Iraqi refugees who have already been settled in the United States, and according to press re-

ports this February, intelligence indicates that the threat posed by refugees with ties to al-Qaeda is much broader than previously believed.

FBI Director Robert Mueller stated last year during Congressional testimony before the House Intelligence Committee that he continues to be concerned with "individuals who have been resettled here in the United States that have some association with al-Qaeda in Iraq."

There are also reports that immigration authorities have given the FBI roughly 300 names of Iraqi refugees for further investigation. With the emergence of al-Qaeda affiliates across North Africa and the Middle East, the influx of AQI fighters into Jordan where Jordanian intelligence officials foiled a large-scale terror plot in October, and into Syria where there were reports just yesterday of chemical weapons being moved, I am increasingly worried that the terrorists may try to exploit various refugee resettlement programs via Turkey, Jordan, or other countries where persons may flee to escape the bloodshed.

It is imperative that the interagency security screening process for all refugees be formidable and credible. The purpose of this hearing is to identify any remaining gaps in the security screening process that need to be remedied and to ensure that DHS and the State Department have the necessary tools and resources at their disposal to be able to carry out the necessary security checks.

It is concerning to me that neither of the Iraqi refugees arrested last year had worked for any U.S. military, diplomatic, or nongovernmental organization in Iraq, yet both received refugee status based on humanitarian reasons.

All this being said, I am glad to hear that the interagency security screening and adjudication process for refugees has undergone and continues to undergo a number of enhancements since it was initiated. In particular I would like to call attention to the enhanced intelligence- and information-sharing relationships that have been developed as well as the biographic checks done in collaboration with the National Counterterrorism Center, and these are known as interagency checks, and I am encouraged by the security measures now required for all refugee applicants ages 14 to 65 regardless of nationality.

Now, as we all know, the United States welcomes more refugees than any other country in the world and I think the U.S. Government policy of resettling refugees, especially those who risked their lives helping our soldiers and diplomats, is important. My goal today is to highlight these issues to ensure that the security gaps are closed to prevent terrorists from infiltrating our refugee programs. Moreover, I want to ensure that the lessons learned from the breakdown are applied to future adjudication of refugees from other high-risk nations.

Again I want to thank our witnesses for their hard work on this important issue and for your being here today.

[The statement of Mr. Meehan follows:]

STATEMENT OF CHAIRMAN PATRICK MEEHAN

DECEMBER 4, 2012

I would like to welcome everyone to today's hearing.

I look forward to hearing from today's witnesses from the Department of Homeland Security and the State Department. I would also like to take this opportunity to thank them for taking the time to be here with us today. You are all dedicated public servants and we thank you for the hard work you do on a day-to-day basis.

I know you have provided extensive briefings to my staff over the last year on this issue and I greatly appreciate your assistance on this important issue.

THE AQI ARRESTS OF 2011

From 2004 to 2007, the insurgency in Iraq produced substantial civilian displacement and emigration from the country. In response to the growing humanitarian crisis, Congress passed legislation, which gave Iraqis who helped the U.S. Government or military the opportunity to receive special refugee status and resettlement in the United States.

While the motivation behind creating these special immigrant categories were well-intentioned, the fact remains that in May 2011, two Iraqi nationals who were given refugee status and resettled in the United States were arrested and accused by the FBI of plotting to send weapons and money to al-Qaeda in Iraq (AQI).

One of the men arrested had openly discussed his prior experience as an insurgent in Iraq and the IED attacks he participated against U.S. troops. The fingerprints of the other Iraqi refugee charged were traced by the FBI to a component of an unexploded IED that was recovered by U.S. forces in northern Iraq.

THE THREAT

In the wake of these arrests, DHS Secretary Janet Napolitano and others have publicly acknowledged that security checks have been expanded to the more than 58,000 Iraqi refugees who had already been settled in the United States.

According to press reports this past February, intelligence indicates that the threat posed by refugees with ties to al-Qaeda is much broader than was previously believed.

FBI Director Robert Mueller stated last year during Congressional testimony before the House Intelligence Committee that he continues to be concerned with "individuals who may have been resettled here in the United States that have some association with al-Qaeda in Iraq." There are also reports that that immigration authorities have given the FBI roughly 300 names of Iraqi refugees for further investigation.

With the recent movement of AQI fighters into Syria and reports just yesterday of chemical weapons being moved, I am increasingly worried that terrorists may try to exploit various refugee resettlement programs via Turkey, Jordan, or other countries where many refugees have fled to escape the bloodshed.

It is imperative that the interagency security screening process for refugees be formidable and credible.

TODAY'S HEARING

The purpose of this hearing is to identify any remaining gaps in the security screening process that need to be remedied, and to ensure DHS and the State Department have the necessary tools and resources to ensure security.

It is concerning that neither Hammadi nor Alwan had worked for any U.S. organization in Iraq, yet both received refugee status for humanitarian reasons.

INTERAGENCY SECURITY SCREENING AND ADJUDICATIONS WORK

All this being said, I am glad to hear that the interagency security screening and adjudication processing for refugees has undergone a number of enhancements since it was initiated, particularly regarding intelligence and information sharing with the intelligence community.

In particular, I would like to call attention to the biographic check done in collaboration with the National Counterterrorism Center, known as Interagency Checks. I am encouraged that this security check is now required for all refugee applicants ages 14 to 65, regardless of nationality.

CONCLUSION

As we all know, the United States welcomes more refugees than any other country in the world. I think the U.S. Government policy of resettling refugees, especially those who risked their lives helping our soldiers and diplomats, is important.

My goal today is to highlight these issues to ensure that security gaps are closed to prevent terrorists from infiltrating our refugee programs. Moreover, I want to en-

sure that the lessons learned from this breakdown are applied to the future adjudication of refugees from other high-risk nations.

Again, I thank the witnesses for their hard work on this important issue and for being here today.

Mr. MEEHAN. The Chairman now recognizes the Ranking Minority Member of the subcommittee, the gentle lady from California, Ms. Hahn, for any statement that she may have.

Ms. HAHN. Good morning. Thank you, Chairman Meehan, for holding this very important hearing today as well as the committee for allowing me to serve today in this capacity. I also want to thank the panel for appearing before us and providing valuable expert testimony on these critical issues.

Every year the United States admits thousands of refugees through its United States Refugee Admissions Program, a program authorized by Congress to support and provide opportunity to those who live in fear of persecution. Since 1975, the United States Refugee Admissions Program has admitted over 3 million refugees. The United States resettles more refugees than all other countries combined. Resettlement in the United States gives refugees the opportunity to share in America's promise and the ability to have life, liberty, and the pursuit of their happiness.

Many refugee entrepreneurs have received help from the United States and the community organizations that assist in refugee resettlement. Because of this support, there have been countless success stories of refugees that have come to America and have given remarkable contributions to this country and their communities. Hence, we can agree that the Refugee Admissions Program is beneficial and that it should be continued.

However, vulnerabilities in the program have been exposed. In 2011, the Department of Justice issued indictments to Waad Ramadan Alwan and Mohanad Shareef Hammadi, two Iraqi refugees living in Kentucky, for plotting to provide material support to al-Qaeda in Iraq. Since the indictment was issued both Alwan and Hammadi pleaded guilty to all counts.

The Department of Justice, specifically the investigations of the Joint Terrorism Task Force, should be applauded for their efforts in thwarting this potential terrorist activity. Unfortunately, the Joint Terrorism Task Force was not the first entity that had information on one of these convicted terrorists. In 2005, Alwan's fingerprint was found on a roadside bomb in Iraq. This information was in a Department of Defense database that was not checked during his background investigation when he applied to the Refugee Admissions Program. This illustrates that we still have failed to close the remaining information-sharing gaps that continue to persist since the September 11 terrorist attacks.

I look forward to hearing today from the witnesses on how measures to close gaps in the refugee admission process are being put in place.

In addition, separate and apart from the Refugee Resettlement Program, I would like to hear what measures are being put in place to ensure that the Special Immigrant Visa Program, a program for Iraqis and Afghans, is free from vulnerability. We want to keep the United States as a safe haven for both those in need and those that are here by birth or through the naturalization

process. One way to do that is to ensure that our Government agencies are working together collectively to obtain this goal.

Thank you. I yield back.

Mr. MEEHAN. Let me thank Ranking Member Hahn for her opening statement, and other Members of the committee are reminded that opening statements may be submitted for the record.

We are please to have three distinguished witnesses before us on this important topic. Let me introduce them from left to right, from my left to right.

Mr. Lawrence Bartlett is the director of the Office of Refugee Admissions at the U.S. Department of State's Bureau of Population, Refugees, and Migration. He leads the State Department program abroad and in the United States that identifies, processes, places, and has received more than 260,000 refugees in the United States over the last 4 years alone. Previously Mr. Bartlett held the State Department leadership positions for refugees from Afghanistan, Iraq, Kosovo, and Lebanon. Mr. Bartlett served as the Peace Corps' Country Director in Bulgaria and Jordan was a Peace Corps volunteer in the Yemen Arab Republic.

Ms. Barbara Strack is the chief of the Refugee Affairs Division of the Department of Homeland Security's Citizenship and Immigration Services. Ms. Strack's responsibilities include managing the refugee corps' and headquarters' staff to support the U.S. Refugee Admissions Program by conducting overseas adjudications and through related policy training, quality assurance, anti-fraud, and National security efforts. Ms. Strack came to DHS with both public- and private-sector experience, serving in the Policy Office of the former Immigration and Naturalization Service and as a Senate committee counsel, among other positions.

Ms. Dawn Scalici is the deputy under secretary for analysis in the Office of Intelligence and Analysis at the Department of Homeland Security. In this capacity she leads the office's analytic efforts with a special focus on advancing analysis and developing intelligence products to support the DHS leadership and State, local, Tribal, and private-sector partners. Prior to joining DHS, Ms. Scalici served as the director for production and strategic program at the CIA'S Office of Iraq Analysis where she oversaw current and strategic analysis in Iraq and led efforts to advance planning, analytic tradecraft, and community collaboration. She earlier served as the deputy director for mission management at the National Counterterrorism Center, helping oversee National intelligence related to the counterterrorism mission. Ms. Scalici is a 29-year veteran of the CIA.

For all witnesses, it would be greatly appreciated if you would be aware that your testimony is important to us, but we try to work within time parameters, so I know you will be guided, otherwise having submitted written testimony as well. So I now recognize Mr. Bartlett for his testimony.

STATEMENT OF LAWRENCE F. BARTLETT, DIRECTOR, OFFICE OF REFUGEE ADMISSIONS, BUREAU OF POPULATION, REFUGEES, AND MIGRATION, U.S. DEPARTMENT OF STATE

Mr. BARTLETT. Thank you. Chairman Meehan and other distinguished Members, thank you for the opportunity to appear before

your subcommittee and to update you on the steps we have taken to increase the security of the U.S. Refugee Admissions Program.

Every year the United States admits tens of thousands of refugees as part of a humanitarian effort that reflects the highest values and aspirations of the American people in a program that is authorized by Congress and historically has enjoyed broad bipartisan Congressional support.

Since 1975, the United States Refugee Admissions Program has welcomed over 3 million refugees to the United States. That is over 3 million people with a new chance at life, dignity, self-sufficiency, at raising a family and being part of our community. With the admission of each new refugee we celebrate the rebirth of America's promise.

For decades American communities have opened their hearts, homes, and neighborhoods to refugees from around the world. Our responsibility is to ensure that they do so with continued confidence in the security of the U.S. Refugee Admissions Program, a responsibility that the State Department shares with the Department of Homeland Security.

Specifically, the State Department's Bureau of Population, Refugees, and Migration, through our resettlement support centers, conducts preliminary overseas prescreening of refugee applicants for U.S. admissions, collecting pertinent biographic information necessary for numerous counselor, law enforcement, and intelligence reviews. The State Department is responsible for checking all refugee applicants against the Consular Lookout and Support System, known as CLASS, which comprises security information from the FBI Terrorist Screening Center and DHS as well as certain intelligence agencies.

Certain refugee applications are also submitted by the State Department for a Security Advisory Opinion. This check requests that certain law enforcement and intelligence agencies share with the State Department any information they have on refugee applicants with possible terrorism linkages. Our partners at DHS's U.S. Citizenship and Immigration Services as well as DHS's Office of Intelligence and Analysis will discuss in their testimony the additional security and other counterterrorism checks that they undertake in partnership with the National Counterterrorism Center, the Defense Department, and others in the intelligence community and law enforcement before DHS grants refugee status and admission to a refugee applicant and his or her qualifying members. The State Department strongly supports these efforts by DHS.

This subcommittee's request for testimony included questions pertaining to the Congressionally-mandated Special Immigrant Visa Program which facilitates the admissions of U.S. Government-affiliated foreign nationals, including Iraqis and Afghans to the United States. The SIV program, which is distinct from the U.S. Refugee Admissions Program, is managed by the State Department's Bureau of Consular Affairs. While I am not in a position to address SIV processing issues, I can tell you SIV applicants also undergo multiple extensive layers of security and counterterrorism review.

Whether through the admission of the U.S. Refugee Admission Program or the Special Immigrant Visa Program, the State Depart-

ment makes its first priority the safety of the American people, who have a right to expect that their Government will undertake all available efforts to safeguard their security. We at the Department of State are proud of the measures we have taken in recent years to strengthen the security of these programs, including through expanded intelligence community participation, measures which have made the country safer. In partnership with DHS we will continue to look for additional ways to enforce the safety and security of these important humanitarian programs. This is our obligation to the American people.

Thank you for the opportunity to testify, and I look forward to answering your questions.

[The statement of Mr. Bartlett follows:]

PREPARED STATEMENT OF LAWRENCE F. BARTLETT

DECEMBER 4, 2012

Chairman Meehan, Ranking Member Higgins and other distinguished Members, thank you for the opportunity to appear before your subcommittee and to update you on the steps we have taken to increase the security of the U.S. Refugee Admissions Program.

Every year the United States admits tens of thousands of refugees as part of a humanitarian effort that reflects the highest values and aspirations of the American people, in a program that is authorized by Congress and historically has enjoyed broad bipartisan Congressional support.

Since 1975, the United States Refugee Admissions Program has welcomed over 3 million refugees to the United States. That is over 3 million people with a new chance at life, dignity, self-sufficiency, at raising a family and being part of our community. With the admission of each new refugee, we celebrate the rebirth of America's promise.

For decades, American communities have opened their hearts, homes, and neighborhoods to refugees from around the world. Our responsibility is to ensure that they do so with continued confidence in the security of the U.S. Refugee Admissions Program, a responsibility the State Department shares with the Department of Homeland Security (DHS).

Specifically, the State Department's Bureau of Population, Refugees, and Migration, through our Resettlement Support Centers, conducts preliminary overseas prescreening of refugee applicants for U.S. admissions, collecting pertinent biographic information necessary for numerous consular, law enforcement, and intelligence reviews.

The State Department is responsible for checking all refugee applicants against the Consular Lookout and Support System known as "CLASS", which comprises security information from the FBI Terrorist Screening Center and DHS as well as certain intelligence agencies.

Certain refugee applications (based upon classified parameters) are also submitted by the State Department for a Security Advisory Opinion. This check requests that certain law enforcement and intelligence agencies share with the State Department any information they have on refugee applicants with possible terrorism linkages.

Our partners at DHS' U.S. Citizenship and Immigration Services as well as DHS's Office of Intelligence and Analysis, will discuss in their testimony the additional security and other counterterrorism checks that they undertake in partnership with the National Counterterrorism Center, DOD, and others in the intelligence community and law enforcement, before DHS grants refugee status and admission to a refugee applicant and his or her qualifying family members. The State Department strongly supports these efforts by DHS/USCIS.

This subcommittee's request for testimony included questions pertaining to the Congressionally-mandated Special Immigrant Visa (SIV) Program, which facilitates the admission of U.S. Government-affiliated foreign nationals, including Iraqis and Afghans, to the United States. The SIV Program, which is distinct from the U.S. Refugee Admissions Program, is managed by the State Department's Bureau of Consular Affairs. While I am not in a position to address SIV processing issues, I can tell you that SIV applicants also undergo multiple, extensive layers of security and counterterrorism review.

Whether through the administration of the U.S. Refugee Admissions Program or the Special Immigrant Visa Program, the State Department makes its first priority the safety of the American people, who have a right to expect that their Government will undertake all available efforts to safeguard their security.

We at the Department of State are proud of the measures we have taken in recent years to strengthen the security of these programs, including through expanded intelligence community participation—measures which have made the country safer. In partnership with DHS, we will continue to look for additional ways to enhance the safety and security of these important humanitarian programs. This is our obligation to the American people.

Thank you for the opportunity to testify. I look forward to answering your questions.

Mr. MEEHAN. Thank you, Mr. Bartlett.

Ms. Strack, the committee now recognizes you for your testimony.

STATEMENT OF BARBARA L. STRACK, CHIEF, REFUGEE AFFAIRS DIVISION, UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY; ACCOMPANIED BY DAWN SCALICI, DEPUTY UNDER SECRETARY, OFFICE OF INTELLIGENCE AND ANALYSIS, U.S. DEPARTMENT OF HOMELAND SECURITY

Ms. STRACK. Thank you, Mr. Chairman and Members of this subcommittee. I appreciate the opportunity to testify today about the U.S. Refugee Admissions Program and the Department of Homeland Security's efforts to deter exploitation of that program by terrorist groups.

As the Chief of the Refugee Affairs Division at U.S. Citizenship and Immigration Services, I work in close partnership with other components within DHS and with colleagues at the Department of State's Bureau of Population, Refugees, and Migration. We strive to meet the program's dual mission of offering resettlement opportunities to eligible refugees while safeguarding the integrity of the program and our National security.

USCIS is proud to play a part in the United States' long-standing tradition of offering protection, freedom, and opportunity to refugees from around the world. An integral part of this mission is to ensure that refugee resettlement opportunities go to those who are truly eligible and who do not present a risk to the safety or security of the United States. Accordingly, we are committed to deterring and detecting fraud among those seeking to resettle in the United States and we worked hard to develop and implement the best security screening measurements for refugee applicants in close collaboration with the law enforcement, National security, and intelligence communities.

I will focus this morning on the enhancements that were first adopted by the U.S. Refugee Admissions Program in connection with large-scale processing of Iraqi applicants beginning in 2007 and the lessons we have learned since and applied more broadly to other populations.

USCIS's first tool to assure the integrity of the Refugee Resettlement Program is its dedicated and well-trained officer corps. This special cadre of USCIS officers travels around the world to conduct detailed in-person interviews with refugee applicants. They adjudicate these cases based on U.S. law, taking into account their knowledge of country conditions and their assessment of the appli-

cant's credibility, and, when necessary, certain categories of cases, including certain National security-related cases, are referred back to headquarters. This provides another opportunity to conduct additional research and to liase with law enforcement or intelligence agencies before finalizing our decisions.

In addition to in-person interviews, security checks are an integral part of the U.S. resettlement program. All available biographic and biometric information is vetted against a broad array of law enforcement, intelligence community, and other relevant databases to help confirm an applicant's identity, to check for any criminal or other derogatory information, and to identify information that could inform lines of questioning at the interview itself.

While the State Department takes the lead for certain biographic checks, biometric checks are coordinated by USCIS using mobile fingerprint equipment. These fingerprints are screened against the FBI's vast biometric holdings and also screened and enrolled in DHS's biometric system, which is known as IDENT. Through IDENT, applicant fingerprints are screened not only against watch list information, but also for previous immigration encounters that may be relevant to their eligibility.

What I have just described is the baseline of security checks that were conducted for all refugee applicants before the launch of large-scale processing of Iraqi applicants in 2007. In order to mitigate the risk of exploitation while offering resettlement opportunities to thousands of Iraqi refugees in need of protection, many of whom had worked closely with the U.S. military or coalition forces, USCIS developed two key partnerships.

First, we established a relationship with the Department of Defense to augment our biometric screening by checking against a DOD database known as IAFIS. IAFIS includes fingerprint records captured in theater in Iraq and elsewhere, so it is a valuable resource for us to identify a wide array of relevant information. For example, it includes data ranging from individuals who had been detained by U.S. forces to those who had been employed by U.S. forces, and much more.

In addition, we reached out to DHS's Office of Intelligence and Analysis, which we call I&A for short, to take advantage of their expertise and their knowledge of the broader intelligence community. Working with I&A has enabled us to identify potential screening capabilities, to obtain critical intelligence information, and to enlist their services in our enhanced officer training. As a result, we have been able to enhance our refugee vetting protocols over time for both Iraqi applicants and for other nationalities. For example, in the fall of 2008 we launched a new biographic check for Iraqi applicants with the National Counterterrorism Center and we added further intelligence community support in July 2010 for what we now refer to as interagency checks, or IACs. We have expanded this vetting to other nationalities over time, and the IAC is now required for all refugee applicants ages 14 to 65.

In light of the time, I will conclude my testimony, and I look forward to answering any questions you may have. Thanks for the opportunity to testify this morning.

[The prepared statements of Ms. Strack and Ms. Scalici follows:]

PREPARED STATEMENT OF BARBARA L. STRACK

DECEMBER 4, 2012

Chairman Meehan, Ranking Member Higgins, and distinguished Members of the subcommittee, thank you for the opportunity to testify at today's hearing on the refugee program and the Department of Homeland Security's (DHS) efforts to deter exploitation by terrorist groups of the U.S. Refugee Admissions Program (USRAP). As the chief of the Refugee Affairs Division of the Refugee, Asylum, and International Operations (RAIO) Directorate within U.S. Citizenship and Immigration Services (USCIS), I work in close partnership with other components within DHS and with colleagues at the Department of State's Bureau of Population, Refugees, and Migration (PRM) to meet the USRAP's dual mission to offer resettlement opportunities to eligible refugees while safeguarding the integrity of the program and our National security.

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

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

My testimony today will be focused on the safeguards and measures taken by the USRAP in connection with the Iraqi refugee resettlement program and lessons that we have learned since large-scale processing of Iraqi applicants began in 2007. In particular, I will focus on security-vetting protocols and information sharing. In addition, I will address the current refugee environment as it pertains to applicants from Iraq, Syria, Afghanistan, and other countries in the Middle East and Africa. Finally, I will provide an update on the Special Immigrant Visa (SIV) program, which is distinct from the refugee program, but operates in parallel for certain Iraqi nationals.

DHS and other interagency partners have conducted a number of classified briefings for committee staff on each of these topics, and I would be happy to follow up with a classified briefing after today's hearing if needed.

REFUGEE RESETTLEMENT CASE PROCESSING

As I mentioned above, the USRAP is a shared responsibility of the State Department and USCIS. The State Department is responsible for the overarching coordination and management of the USRAP, including the decision on which refugees around the world are granted access to the USRAP for resettlement consideration, after formal consultations with Congress as set forth in section 207 of the Immigration and Nationality Act. USCIS is responsible for conducting individual, in-person 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.

In order to fulfill its responsibilities under the USRAP, USCIS created the Refugee Corps in 2005, which is a cadre of specially-trained USCIS officers who are dedicated to adjudicating applications for refugee status overseas. These officers are based in Washington, DC, but they travel around the world to the locations where refugees reside. In addition, USCIS has a small number of officers posted at embassies overseas and assigns well-trained officers from other programs—such as the Asylum Corps and Office of the Chief Counsel—to supplement the Refugee Corps. Using this model, USCIS has been able to respond to an increasingly diverse refugee admissions program, working in 66 countries in fiscal year 2012.

Recognizing that a well-trained cadre of officers is critical to protecting the integrity of the refugee process, we have focused our efforts on providing the highest-

quality training to refugee adjudicators. In addition to the basic training required of all USCIS officers, refugee officers receive 5 weeks of specialized training that includes comprehensive instruction on all aspects of the job, including refugee law, grounds of inadmissibility, fraud detection and prevention, security protocols, interviewing techniques, credibility analysis, and country conditions research. Before deploying overseas officers also receive pre-departure training which focuses on the specific population that they will be interviewing. This includes information on the types of refugee claims that they are likely to encounter, detailed country of origin information, and updates on any fraud trends or security issues that have been identified. Since the advent of large-scale processing of Iraqi applicants in 2007, USCIS officers who adjudicate Iraqi refugee applications also receive additional 2-day training on country-specific issues, including briefings from outside experts from the intelligence, policy, and academic communities. This specialized training was one of the requirements instituted under former DHS Secretary Chertoff, as part of the enhanced security screening procedures he announced in May 2007.

In order to fully explore refugee claims and to identify any possible grounds of ineligibility, specially-trained USCIS officers conduct an in-person, in-depth interview of every principal refugee applicant. The officer assesses the credibility of the applicant and evaluates whether the applicant's testimony is consistent with known country conditions. In addition, all refugee status determinations made by interviewing officers undergo supervisory review before a final decision is made. Refugee Affairs Division policy requires officers to submit certain categories of sensitive cases—including certain National security-related cases—to Refugee Affairs Division Headquarters to obtain concurrence prior to the issuance of a decision. This allows for Headquarters staff to conduct additional research, liaise with law enforcement or intelligence agencies, or consult with an outside expert before finalizing the decision.

SECURITY CHECKS

Security checks are an integral part of the USRAP for applicants of all nationalities, and coordinating these checks is a shared responsibility between the State Department and DHS. Prior to launching our large-scale Iraqi refugee processing in spring 2007, we worked from a standard suite of required security. For example, all available biographic and biometric information is vetted against a broad array of law enforcement, intelligence community, and other relevant databases to help confirm a refugee applicant's identity, check for any criminal or other derogatory information, and identify information that could inform lines of questioning during the interview. Biographic checks against the State Department's Consular Lookout and Support System (CLASS)—which includes watch list information—are initiated at the time of prescreening by the State Department's contractors. In addition, State requests Security Advisory Opinions (SAOs) from the law enforcement and intelligence communities for those cases meeting certain criteria. Biometric checks are coordinated by USCIS, using mobile fingerprint equipment and photographs at the time of the interview. These fingerprints are screened against the vast biometric holdings of the Federal Bureau of Investigation (FBI) Integrated Automated Fingerprint Identification System (IAFIS) and screened and enrolled in DHS's Automated Biometric Identification System (IDENT). Through IDENT, applicant fingerprints are screened not only against watch list information, but also for previous immigration encounters in the United States and overseas—including cases in which the applicant previously applied for a visa at a U.S. embassy.

In order to mitigate the risk of exploitation while offering resettlement opportunities to thousands of Iraqi refugees in need of protection, USCIS has developed two key partnerships. First, we work with the Department of Defense (DOD) to augment our biometric screening by checking against the DOD Automated Biometric Identification System (ABIS), which contains fingerprint records captured in theatre in Iraq and is a valuable resource for us to identify a wide array of relevant information. This includes data ranging from individuals who had been detained by U.S. forces to those who had been employed by U.S. forces.

In addition, we work with DHS's Office of Intelligence and Analysis (I&A) to identify potential screening capabilities and obtain critical intelligence information, as well as to enlist its services in our enhanced officer training.

These two partnerships were firmly in place in January 2008 when Congress passed the Refugee Crisis in Iraq Act, which directed the State Department and DHS to establish refugee processing mechanisms inside Iraq, supplementing the ongoing processing of Iraqi refugee applicants who had sought refuge in neighboring countries. Furthermore, with I&A's assistance, we have enhanced our refugee vetting protocols over time, for both Iraqi applicants and for applicants of other nation-

alities, including Afghans and Somalis. For example, in the fall of 2008, we launched a new biographic check with the National Counterterrorism Center (NCTC) for Iraqi applicants and added intelligence community support in July 2010 for what we now refer to as Interagency Checks (IAC). We have expanded this vetting protocol to other nationalities over time, and the IAC is now required for all refugee applicants ages 14–65, regardless of nationality.

Finally, in addition to the checks that I have described, our vetting regime now includes pre-departure checks that are conducted before a refugee applicant is scheduled to travel to the United States. Because there can be a considerable lapse of time between the initial vetting and the time of travel, these checks are important to identify any new derogatory information that may not have been available when the initial security checks were conducted. The suite of pre-departure checks currently includes a second IAC as well as additional screening conducted by our DHS colleagues at U.S. Customs and Border Protection's National Targeting Center-Passenger, and Secure Flight screening conducted by the Transportation Security Administration. A refugee applicant cannot be approved for travel until all required security checks have been completed and cleared.

THE REFUGEE ADMISSIONS PIPELINE

DHS's commitment to a rigorous vetting regime for refugee applicants and the challenges of implementing enhancements to guard against National security risks had a significant impact on refugee admissions levels in fiscal year 2011 and fiscal year 2012. In both years, we fell short of the admissions ceiling authorized by the President, and we recognize that many eligible refugee applicants have considerable wait times before receiving a final decision on their case.

DHS has been working closely with interagency partners to improve, refine, and streamline the security vetting regime for refugee applicants and for other immigration categories. I am pleased to report that refugee admission levels began to rebound in the second half of fiscal year 2012 as a result of these efforts. In fiscal year 2012, the USRAP admitted a total of 58,238 refugees. This compares favorably to fiscal year 2011's admission total of 56,424. We achieved this progress through a series of policy and operational decisions based on extensive interagency consultations. For example, the USRAP received critical policy guidance in February 2012 from the Deputies' Committee establishing an analytic framework for administering the IAC. In addition, DHS, the State Department, and other entities have cooperated to examine and harmonize the validity periods for various checks and to streamline certain steps without compromising the overall integrity of the program.

We will continue these interagency efforts to improve the efficacy of the USRAP security screening regime, including progress toward more automated processes and bolstering capacity to conduct recurrent and continuous vetting for the refugee applicants.

CURRENT REFUGEE ENVIRONMENT IN THE MIDDLE EAST AND AFRICA

USCIS officers conduct refugee status interviews for applicants from more than 60 countries each year, though the vast majority of these applicants are currently Iraqi, Bhutanese, and Burmese nationals. Refugee processing operations in the Middle East are primarily focused on Iraqi nationals with interviews taking place in Lebanon, Turkey, Jordan, and Egypt as well as in-country processing of Iraqi nationals in Baghdad. Operations in Damascus, Syria, previously a large refugee processing site, have been suspended since March 2011.

In fiscal year 2012, over 12,000 Iraqi refugees were admitted to the United States, and since 2007, over 71,000 Iraqi nationals have been resettled, many of whom have ties to the United States through work or family. Small numbers of Iranian and Afghani refugee applicants are also resettled through the USRAP—1,758 and 481 respectively for fiscal year 2012. In Africa, the vast majority of refugee applicants are Somali, Congolese, Eritrean, Sudanese, and Ethiopian nationals processed in Egypt, Kenya, Ethiopia, and Uganda. Applicants from Africa accounted for 10,608 of the refugees admitted in fiscal year 2012. In fiscal year 2013, we expect similar refugee processing demographics for these two regions with increased processing of Congolese refugee applicants in Rwanda.

SPECIAL IMMIGRANT VISAS (SIVS)

The SIV program is separate and distinct from the refugee resettlement program, though certain individuals may be eligible to apply for both the SIV and the USRAP at the same time. Afghan and Iraqi SIV applicants are also subject to the same enhanced security vetting protocols as refugee applicants. There are three programs under which an individual may apply for an SIV:

(1) The Iraqi and Afghan Translators/Interpreters Program under section 1059 of the National Defense Authorization Act for fiscal year 2006, which allows up to 50 principal SIVs each fiscal year for Iraqi and Afghan translators or interpreters who worked for the U.S. military or under Chief of Mission (COM) authority;

(2) The Iraqi Affiliates Program under section 1244 of the Refugee Crisis in Iraq Act, which authorizes up to 5,000 principal SIVs per year from fiscal year 2008 through fiscal year 2012[1] for Iraqis who worked for or on behalf of the U.S. Government; and

(3) The Afghan Allies Program under section 602(b) of the Afghan Allies Protection Act of 2009, which authorizes up to 1,500 SIVs annually from fiscal year 2009 through fiscal year 2013[2] for Afghans who worked for or on behalf of the U.S. Government.

Like the refugee program, all three SIV programs are a shared responsibility of the State Department and USCIS. Individuals who wish to apply for an SIV must first obtain COM approval from the State Department, or in the case of the Iraqi and Afghan Translators/Interpreters Program, the approval can come from an appropriate U.S. military general or flag officer. These letters certify that the individual has the requisite service and otherwise meets the general qualifications of the SIV program under which he or she is applying. When a COM letter is issued, the applicant may then submit it along with Form I–360, Petition for Amerasian, Widow(er), or Special Immigrant and any additional supporting evidence to the USCIS Nebraska Service Center (NSC), which has sole jurisdiction over the processing and adjudication of SIV petitions. Average processing time at NSC for an I–360 SIV petition is between 3 and 10 business days. During this time, USCIS conducts a biographic security check through DHS's TECS (formerly known as the Treasury Enforcement Communications System). The vast majority of SIV petitions are filed by individuals living outside the United States at the time of filing. If USCIS approves a SIV petition for an alien living outside the United States, USCIS forwards the case to the State Department's National Visa Center, which routes the case to the appropriate consulate overseas for interview of the petitioner and visa issuance. Prior to issuing the SIV, the State Department conducts additional biographic and biometric security checks—the same security vetting regime employed by the USRAP. To further streamline processing of SIVs, DHS and the State Department signed a Memorandum of Understanding in fiscal year 2012 to establish a process in which individuals filing an I–360 under the Iraqi Affiliates Program or Afghan Allies Program may submit their petitions electronically with USCIS. Since fiscal year 2006, USCIS has processed 12,899 I–360 petitions filed by Iraqis and Afghans who have assisted the United States, and has approved 10,739 of them as of September 2012.

Thank you for the opportunity to testify. I would be happy to answer your questions.

PREPARED STATEMENT OF DAWN SCALICI

Chairman Meehan, Ranking Member Higgins, distinguished Members of the subcommittee, thank you for the opportunity to testify today about the role of the intelligence community in the screening of Iraqi refugee applicants overseas seeking resettlement to the United States. As the deputy under secretary for intelligence and analysis/analysis, my office provides intelligence support to USCIS to help them leverage the full capabilities of the intelligence community (IC). We have worked closely with the Refugee Affairs Division to ensure all relevant intelligence is available and considered when screening applicants for refugee resettlement to the United States.

The integrity and security of the U.S. Refugee Admissions Program (USRAP), as well as other available immigration avenues, is of paramount importance to the Department of Homeland Security. We recognize that terrorists or other illicit actors could seek to use the refugee program to gain admission to the United States. To address this threat, the Department has taken significant steps to enhance the security checks conducted on refugee applicants. DHS and other interagency partners have conducted a number of classified briefings for committee staff on each of these topics and I would be happy to follow up with a classified briefing after today's hearing if needed.

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[1] With unused numbers available in fiscal year 2013.

[2] With unused numbers available in fiscal year 2014.

When large-scale processing of Iraqi refugee applicants was launched in 2007, DHS recognized the potential risks involved with administering such a program. To that end, at USCIS's request, my office has worked closely with key IC partners to develop more robust security screening processes—first for Iraqi refugee applicants and then expanding these security checks to all refugee applicants age 14 to 65. Each agency involved in this process is committed to minimizing the burden to the thousands of refugees who seek our protection and assistance while still conducting the most thorough security checks.

As a result of our interagency efforts, the vetting regime in place for Iraqi refugee resettlement applicants in 2007 was strong, but not impervious. We have worked to strengthen existing protocols over the last 5 years, including facilitating collaboration among IC partners and USCIS to identify where additional intelligence-based screening may be possible and effective. The mechanisms we have designed seek to ensure relevant intelligence is reviewed by analysts before an applicant is approved for resettlement. Today, this process is a robust mechanism that enhances our ability to deter and detect individuals seeking to exploit the refugee program.

Over the past 5 years, DHS has prevented the travel to the United States of a number of individuals who would have posed a threat as a result of the security regime we have in place. For example, we have identified and denied refugee resettlement to the United States to applicants who were:

- Detained for several years by the U.S. military on terrorism-related grounds in Iraq;
- Involved in terrorist or insurgent attacks against U.S., Iraqi, or Coalition forces;
- Linked to fingerprints found on unexploded improvised explosive devices; and
- Fired from employment with the U.S. Government in Iraq on the grounds that they were linked to terrorism.

I&A has worked with the FBI, NCTC, and other agencies to identify areas where intelligence information can be used to further strengthen existing security vetting procedures, and worked with partner agencies to develop solutions. Since instituting the additional checks in the summer of 2010, there has been an appreciable increase in our ability to identify derogatory information on Iraqi refugee applicants. Indeed, the robust security screening employed in the refugee context—and in the SIV screening mechanisms, which are modeled on it—has allowed the Department to leverage lessons learned to strengthen our collaboration with law enforcement, National security, and intelligence communities.

When we instituted the new security checks we ensured that high-risk refugee applicants were screened, and we now require these additional checks of all refugee and SIV applicants aged 14–65. In addition, we took steps to re-examine individuals that were already admitted to the United States. We are providing the results of the re-screening to the appropriate law enforcement and intelligence parties and while I cannot go into details in an open setting due to the sensitive nature of this effort, I can tell you that these "retroactive" checks continue.

Thank you for the opportunity to testify. I would be happy to answer your questions.

Mr. MEEHAN. Thank you, Ms. Strack.

I note for the record as well that you and Ms. Scalici joined together in preparing the written testimony and so your testimony reflects the opening statements for both of you. So I am grateful for your preparation for this and for your appearance here today, and I now will recognize myself for opening questions.

Let me begin first with the recognition that we have had some 68,000 Iraqi refugees resettled in the country since 2007.

What comfort can we have that there has been adequate screening, recognizing that many of those refugees were allowed into the country during a period of time where there was a response to matters in Iraq and less scrutiny that was given on the front end than may exist today?

So what comfort, I am not in the business of asking for guarantees, but I would like to have you explain how it is that we can feel confident that we don't have a situation with 68,000 refugees who were allowed in the country in the last 6 years?

Mr. Bartlett.

Mr. BARTLETT. Thank you, Mr. Chairman. If I could start and then I will defer to my colleagues at the Department of Homeland Security, but I think I would like to start by saying that obviously the administration's commitment to resettling Iraqi refugees is steadfast and conducting this program in a way that is responsible, responsible in a humanitarian way as well as in a security effort, are really our two main issues and our two main responsibilities.

The refugee program and the refugee screening for Iraqis is no different than it is for any other nationality. We conduct a full battery of tests and we have since the beginning of the Iraqi resettlement program. Those tests have evolved over time as vulnerabilities I think have been discovered and as new intelligence has been put into databases. So we continue to look at that population. But, frankly, as with any population, we want to make sure that this is a population that is safe to resettle.

Mr. MEEHAN. But when you say it is no different than any other, wouldn't there be a higher level of scrutiny of those that are coming from a country in which we know that there is a high degree of terrorist activity and al-Qaeda activity?

Mr. BARTLETT. The screening level is calibrated to some extent by the country of origin, but we also resettle refugees from Afghanistan, we resettle refugees from parts of Africa where there is also turmoil. So in fact what is incumbent upon all of us to do in the interagency and with the intelligence community is to look at, as you said, the specific intelligence that derives from those situations.

I would defer to my colleagues.

Mr. MEEHAN. Let me ask, let me just pursue this. I am going to ask you to go into these questions. But you are telling me that there is sort of a generalized approach to this, to the humanitarian immigration, and I can see somebody from Gambia or some other country, Ethiopia, where we don't—or maybe Ethiopia could be questionable, but we don't have the same degree of inherent, you know, issues. But with those in Iraq, Afghanistan, Jordan, Syria, Egypt, do we have some kind of a method in which there is a specific heightened level of scrutiny for those who are seeking to come into this country?

My opening question I note related to asking for your response with regard to the 58,000 Iraqi refugees who are already here. So I am sort of giving you two questions, but I want you to answer about these other countries now and then get back to what I asked about the 58,000 Iraqi refugees.

Mr. BARTLETT. Sure. Let me do my best, but I think I am again going to have to defer for specificity to my Department of Homeland Security colleagues.

The types of checks that are implemented for refugees are largely similar. I think the difference, but again my colleagues will expand upon this, is the types of information that is available to us from those very checks. So when my colleagues talked about using databases, fingerprint databases from Iraq, those definitely are just used for Iraqi refugees. So I think that is the discriminating factor. It is the types of intelligence holdings that we have and our ability to ping against those holdings.

I think on the second question about what is being done for those people who have already arrived, again I would defer to my DHS colleagues, who have been much more involved in that issue.

Mr. MEEHAN. Well, Ms. Strack and Ms. Scalici, either of you who wants to answer this, I guess the implication on that is somehow there is a level of basic intelligence that exists which is higher in those countries that we have concerns about the terrorist activity than in others, is that accurate? Be responsive to my questions, please.

Ms. STRACK. Thank you, Mr. Chairman. I would like to start briefly with a kind of operational response and then invite my colleague to speak more in depth on the intelligence front.

I would say operationally what you are suggesting, that the program ought to have heightened scrutiny on Iraqis, is in fact what happened. This was a chronology, and when the United States Government announced large-scale resettlement of Iraqis in 2007, we immediately looked at what should we be doing in light of this particular population, which was different. It was a nationality we had not been resettling a great deal. We looked at what enhancements we could bring on board that would address this new population. That is when we created the partnership with DOD. Initially that was Iraqi-focused. Later when we worked with the National——

Mr. MEEHAN. Was in this 2007, Ms. Strack?

Ms. STRACK. That was in 2007. Later when we identified additional capacity and a new partnership with the National Counterterrorism Center, that initially was focused on Iraqi applicants. But we learned by doing, and we learned that that heightened level of checks which was initially oriented towards Iraqi applicants, we expanded to applicants of all nationalities. So really we used the Iraqi program to raise the bar across the board for other nationalities.

Mr. MEEHAN. There was some 20–25,000 a year for a few years that were coming out of Iraq, is that not right, for at least a 2- or 3-year period? Twenty thousand a year?

Ms. STRACK. I believe the high point was 18,000.

Mr. MEEHAN. Okay, that is still 18,000 a year. Did you have the resources and capacity to do some kind of a fairly thorough assessment of each of those 18,000 before they were able to be granted entrance?

Ms. STRACK. Yes, sir, we did. That is where I would like to defer to my colleague who can explain in further detail.

Ms. SCALICI. Thank you. I think it is fair to say that in 2007 when the large-scale processing of Iraqi refugees began, certainly the security and vetting programs that we had in place at the time were strong, but they were not impervious. We have learned a lot since then and we have worked with interagency partners to strengthen the security and the vetting programs that we have in place.

Now, as Ms. Strack indicated, enhanced security vetting procedures were initially applied to Iraqi refugees applicants, expanded over time to other high-risk populations, to now at this point as we have all acknowledged to include all refugee applicants regardless of their country of origin within the age ranges of 14 to 65.

So we believe that the greatly enhanced security vetting, which allows us to draw upon all relevant intelligence and other data on the applicants, has greatly enhanced our ability to identify derogatory information on applicants for the refugee program.

At the same time, we recognize the fact that a number of Iraqi refugees entered the country before the enhanced security vetting procedures were put into place by the interagency, so what we have done as an interagency process is to go back and do retroactive checks on those individuals that were earlier admitted to the United States and any relevant information that comes to light is then shared with relevant intelligence community or law enforcement agencies as appropriate.

One other thing I think I would mention is while not only do we have analysts who are looking at all the relevant intelligence and data at the time that an applicant originally puts forward their application, we review it again before that applicant actually enters the United States in case any derogatory information has arisen in the intervening time.

So we do believe again this interagency process, drawing on more intelligence and data than we ever did before, as well as the recurring and the retroactive checks, has greatly enhanced our ability to identify individuals of concern.

Mr. MEEHAN. Ms. Scalici, thank you. My time has expired. I will follow up with some questions. But now I recognize the Ranking Member for whatever questions she may have. Ms. Hahn.

Ms. HAHN. Thank you. I think for me just real simply, in my opening testimony I talked about the arrests of the Iraqi refugees and how there was information available earlier that might have led us to believe that they could cause some trouble in our country. How did we miss that initial information and could you speak to what are we doing? I hear vague comments about information sharing, but we know that is key as we move forward. That was one of the one lessons we learned from 9/11.

So without divulging any classified information, how did we miss that information the first time around and what can you tell us that will give us some confidence that we really are able to look at all the data available out there to make responsible decisions as we move forward in this refugee program?

Ms. SCALICI. Well, for those two individuals of concern that we have been talking about, at the time they made their original application to enter the refugee program in the United States, both their biographic and the biometric information that we had available on them at the time and that were used in the screening processes came in clean. So we did not have any derogatory information on those two individuals that we used as part of the screening effort when they entered the United States. In fact, the fingerprint clearance came through as well from DOD, FBI, as well as DHS.

Ms. HAHN. Even though their fingerprints were found to have been on a roadside bomb?

Ms. SCALICI. That is what we have learned in the aftermath. I would have to defer to DOD and FBI for any specific information on that. But, again, all of the biographic as well as the biometric checks that were performed at the time did come back clean. But since that time, as I think we have noted, we have actually en-

hanced the program and the security checks and we now draw upon a greater wealth of intelligence and data holdings on individuals seeking application to the refugee program, which greatly enhances our ability to identify derogatory compared to earlier.

Ms. HAHN. Anyone else want to comment on that?

So other than the recent Iraqi refugee case, have there been many open-source cases of foreigners admitted through the refugee or immigration programs who have been associated with terrorism and is there any public evidence that terrorist groups are successfully exploiting this U.S. Refugee Admissions Program or any other refugee program for the specific purpose of gaining entry into the United States and committing an act of terrorism?

Ms. SCALICI. In that regard, certainly we are concerned about the potential for terrorist groups to exploit the refugee program. We certainly saw that in the case of the two individuals arrested in Kentucky. Although a point of clarification in that case, we don't actually believe that those two individuals deliberately sought entry to the United States through the refugee program with a specific intent on carrying out an attack here. But certainly in the aftermath of their entry to the United States, given their continuing desire to support terrorist groups overseas and in particular AQI, as well as obviously the previous terrorist involvement that had come to light, they were security risks.

When we look at on the potential in the future for terrorist groups to exploit the refugee program, we do have concerns. Hence, we have the enhanced security and vetting procedures that we have in place. I will tell you that we have intelligence-driven processes regardless of the immigration program that a terrorist actor may seek to use or just travel to the United States. We are reviewing intelligence on a regular basis, sharing that with interagency partners and developing the procedures by which we can help to identify and further screening individuals of concern, again regardless of the way in which they plan to enter the United States.

Ms. STRACK. If I may follow up with respect to your question about information sharing, I did want to note that we in many ways at USCIS, we are customers of the agencies that hold security and National intelligence information and it is a tremendously cooperative relationship. We have relationships, the information flows. It not only comes to us in order to help us make better decisions in individual refugee cases, there are instances where we are also able to share information back. So, for example, if there is a latent fingerprint that has been identified from an IED or some other terrorist-related purpose, if that applicant, if that individual appears as an applicant in the refugee program, we are able to associate biographic information with that person, a photograph with that person, a location with that person, and so we are able to enrich the watch list information in that regard.

Also my colleagues at another division of USCIS, our fraud detection and National security unit, have quite an elaborate program with liaison with other agencies. So they have officers embedded at the National Counterterrorism Center, the Terrorist Screening Center, with Interpol, with joint terrorism task forces at both the National level, State, and local. So that is a very important program for us, to make sure that those agencies have the benefit of

the immigration expertise embedded in their unit, and then they are also eyes and ears for USCIS to make sure that we are getting information from those kinds of organizations that are important to us, not just for the refugee program but across the whole range of immigration benefits that we are responsible for.

Ms. HAHN. Are you working with our fusion centers?

Ms. STRACK. Yes, ma'am.

Ms. HAHN. Because I know we have conflicting reports sometimes on the success of those, but I know the ones where I come from in Los Angeles have been very valuable in helping to provide extremely important information that I believe has thwarted some potential attacks in this country.

Ms. STRACK. We agree.

Ms. HAHN. I know I am over time, but since it is just you and me, I was just thinking, I am a strong supporter of a quick, immediate, and responsible drawdown of our forces in Afghanistan. I am one of those that really would like to speed up that time line, but I think part of the responsible drawdown includes providing opportunities for the Afghan people.

Are we prepared, what is your projection as we wind that war down to the number of Afghan refugees that may be seeking to come to this country? Let us know how your resources are and if you feel like that is going to be a major surge. Because the Afghan refugees have been smaller in comparison to the Iraqi refugees, and I just wanted to hear your projection as we go forward how you think that is all going to play out.

Mr. BARTLETT. Thank you. An interesting question. So on the Afghan front, the program that we have that parallels the Iraq program is the Special Immigrant Visa Program. Again, that was legislated by Congress for those people who have worked closely with our forces and with our embassy and other U.S. contractors. So that program is still on-going. It has frankly been a bit slow getting off the mark, but frankly is now working. Over the last year, had I think 235 visas were issued, a total over the time of the program, 2,117. So it is still fairly small but it continues.

On the refugee side, the refugee situation in Afghanistan is quite a bit different than the Iraqi refugee situation. Most Afghan refugees for over 20 years have found shelter and protection in either Pakistan or Iran. In the case of Pakistan we have supported the international efforts to help those refugees that are finding asylum in Pakistan.

Most of those refugees are not seeking resettlement. UNHCR has looked over the last few years to see if there are pockets of refugees, especially, actually both in Pakistan and Iran that are in need of resettlement, and we have started in fact to resettle some refugees from both countries. We have a very small program out of Iran. We are obviously not operating inside Iran, but are taking those people to either Romania or Slovakia where we can process vulnerable women and families.

So we don't I think project a large increase in the resettlement program for Afghanistan, but we continue to help UNHCR and I think the neighboring countries that are providing asylum and see where individuals might need protection as opposed to large waves of refugees.

Ms. HAHN. Thank you.

Mr. MEEHAN. Mr. Bartlett, you identified that you have a two-step process. First, you want to identify those who are eligible for this consideration and then to assure that they don't present a risk. Explain to me how you identify when and how somebody is eligible for this process in the first place?

Mr. BARTLETT. Sure, and that is more than a one-step process, trying to identify people for resettlement. Frankly, our largest partner is U.N. High Commission for Refugees and they work throughout the world——

Mr. MEEHAN. Is that an American-run organization or an international organization?

Mr. BARTLETT. This is an international organization. They operate in countries of refugee outflows as well as countries where refugees are received.

Mr. MEEHAN. Am I correct to say then we have an international organization that is determining who should be emigrating to the United States of America?

Mr. BARTLETT. It would not be exactly correct. What we do is we work closely with UNHCR in this regard to look at populations that are in need of resettlement. They are located in camps. They are basically at the ground level. There are hundreds and hundreds of thousands of refugees around the world who don't have a hope to go home any time soon.

Mr. MEEHAN. How do you distinguish between, because it is interesting and I noticed you identified that Afghans would have a place of refuge in Pakistan, so-to-speak. But we are now looking at Jordanians, Syrians, not as likely Egyptians at this point, although nobody knows what is going to happen there. How do you determine who may be able to find refuge within their region as opposed to the United States being the only source of refuge?

Mr. BARTLETT. Sure. I mean, this is certainly both a diplomatic as well as humanitarian effort. So what we expect is that countries will provide asylum for refugees as they seek it. Not all countries are able to provide long-term support. So that is something we will engage bilaterally with in terms of governments, but we will also work multilaterally through the United Nations and other partners to see. So, for example, Syria, you bring up Syrian refugees.

Mr. MEEHAN. Right.

Mr. BARTLETT. Syrian refugees right now have moved into principally Turkey and Lebanon, but some numbers also into Jordan. Those countries are hosting those refugees and we are supporting that effort.

Any refugee, I will say 99 percent of the refugees in this world, would like to go home. As great a place as the United States or Australia or Canada are for resettlement, their first preference is to go home to their families and their own country. So what we try to do is support the effort to help people, right now again in Turkey and Lebanon and Jordan, to remain in those places, to have protection, to have services, so that as the situation changes and hopefully the violence subsides they can return home.

So we are not looking at resettling large numbers of Syrian refugees at this moment, but, again, we are looking out to see if there

are individuals who, for example, may have protection concerns in Turkey or Lebanon and cannot stay there safely.

So it is really a kind of a two-step process. In an emergency situation it is really about providing assistance. We have provided about $200 million worth of assistance to Syrian refugees, and allowing them an opportunity to go home as the situation changes. If the situation becomes protracted as it is did with Iraqis, countries are sometimes unable to host people for extended periods of time. So after 5 years, after 6 years, then we begin to look at who within that population might be in need of resettlement.

Mr. MEEHAN. I interrupted you with regard to the criteria and eligibility. So is there specific criteria that you look at in making those determination as to who is eligible?

Mr. BARTLETT. There are. I mean, our program prides itself on the fact that we look largely at vulnerability. So we look at really protecting people who are vulnerable in a country of asylum. You know, our program provides a fairly broad range of services once people arrive so we are working with them to help anchor them in the United States and help them gain self-sufficiency.

But in terms of looking at criteria, again, we look at the vulnerability, their inability to stay in this situation of temporary asylum and, frankly, their inability to go home. So as the situation becomes protracted, and Somalia is a good example, we know that there will be—and the Democratic Republic of Congo is another, frankly—these are two populations that won't have an opportunity to go home soon. So then we will look at discrete populations within that large community to see who is the most vulnerable. Often women at risk, without a husband, a husband is missing but with children, have protection concerns in a camp environment or in an urban environment. So we will look at that population and work to identify those people. Sometimes people with medical conditions that can't be treated in a camp and makes them again more vulnerable, we will look at those populations. So it is kind of a broad array of vulnerabilities that we try to assess.

Mr. MEEHAN. Ms. Strack and Ms. Scalici, could you identify then, we are talking about those who are eligible for consideration, there has been an identification of an emphasis on those who have participated in assisting United States efforts, either in the military, intelligence or otherwise nongovernmental organizations, and put themselves into some peril. What is the distinction between those who are humanitarian versus those who have performed to the benefit of our interests and are therefore being given some consideration because of the exposure that may result from that service?

Ms. STRACK. I would say the programs work in several ways to address both humanitarian concerns and those who have worked side-by-side, employed directly by the United States or with U.S.-affiliated organizations, NGOs, or media organizations. The SIV program that we have talked about is often conflated with the refugee program but is actually distinct.

Mr. MEEHAN. Could you explain that for me, what SIV stands for? Because we have seen this before and I want to see how that is different from the other program.

Ms. STRACK. Yes, sir. It stands for Special Immigrant Visa Program. So unlike the refugee program, the fundamental focus of the

refugee program is on whether someone has been persecuted, have they been persecuted in the past or they have a well-founded fear of persecution in the future based on a protected category, race, religion, nationality, political opinion, or membership in a particular social group.

The SIV program traditionally, the Special Immigrant Visa, is really based on service with the United States, and this is something Mr. Bartlett is a little bit more of an expert on, but Congress legislated a program, special immigrant visas, to say that those who worked for the United States Government, and there are actually three subcategories within the Special Immigrant Visa program. Initially it was small, if you were a translator with the military, but it expanded beyond that to include embassy employees. Really for them it is the fact of their service with the United States that makes them eligible. When they come to the United States, both our agencies have handled it through an entirely different bureaucratic stream, they don't come as a refugee, they come as a lawful permanent resident, so when they arrive they get a green card based on their service.

Now, there are some individuals who may be eligible to apply for both programs. They may have worked with the U.S. embassy or the U.S. military so they are eligible to apply for an SIV, but they may very well be able to articulate a refugee claim because of that service they have also faced persecution.

So we work on the refugee side of the program, but individuals may choose which of those two avenues is better for them, which they think operates more quickly, depending on whether they are in Iraq or somewhere else.

Mr. MEEHAN. That is an interesting question. Do they operate on a parallel track or is there some preference given to somebody who has served as an interpreter for our troops that are, you know, out in the midst of the mountains in Afghanistan? Do they get a preference, or is there not any difference?

Ms. STRACK. I can tell you that they do operate on a parallel track. So an individual who is eligible has the opportunity to file for an SIV, and, again, that would be filed the State Department. In the refugee program, having worked with the United States or a U.S.-affiliated organization is one of the criteria that can help you get access to the program, but it is not the sole criteria.

Mr. MEEHAN. Okay.

Ms. HAHN. The only thing I would like to follow up, this has been such a good hearing and such a serious issue, but an important one certainly, and again we want to make sure that we continue this program, these programs, ensuring the safety of the refugees and the safety of the Americans.

Have you been briefed on any possible effect that sequestration might have on the departments and these programs?

Mr. BARTLETT. I know at the State Department we have certainly looked at overall sequestration effects. I note also that our program—our program has been adequately funded in the past, so I guess our expectation is that in the coming year that the program should be able to continue at similar levels. I think it would be hard to say that it would be at the same level. But, again, a lot of the infrastructure we have in place overseas as well as domesti-

cally I think will remain. So I think the question will be probably what happens in the longer term and I am not able to answer that at this point.

Ms. STRACK. USCIS is in an unusual position in that most of our programs, including the refugee program, are funded through fees, so the fees that are paid by applicants for other immigration benefits is what supports the refugee settlement program for USCIS. That being said, my understanding is that the interpretation of sequestration is that it most likely will affect not just appropriated funds but our fee funding as well, but because that is a complicated issue, our Budget Office at USCIS is in discussions with DHS headquarters on how sequestration will affect USCIS.

Ms. HAHN. Thank you. We know our Republican colleagues are going to do the right thing and make sure that we don't go over the cliff. I have complete confidence.

Mr. MEEHAN. As do I. I appreciate as well, there are so many aspects to this hearing, and I do want to follow up on a couple of lines of questioning.

I opened by identifying this look into the past while at the same time we appreciate the continuing instability throughout the region as we go to the future, and both create challenges to our immigration process, those who have already gained entrance to the United States, those who we may be looking at in the future.

I identified testimony from Robert Mueller which was publicly reported, and if it is in fact accurate it was before the House Intelligence Committee. He said "Individuals who may have resettled here in the United States that have some association with al-Qaeda in Iraq." Then he further, the report indicated that there were some 300 names of Iraqi refugees for further investigation.

So, Mr. Bartlett and then either of the other panelists, can you update this committee on the status of the rescreening process and explain exactly what steps were taken in the event that a person with a refugee status is found to have even a suspicion or a relationship of some sort to al-Qaeda?

Mr. BARTLETT. I can start briefly and then I will have to turn it over to my colleagues. But I can assure you that there is very close cooperation with all law enforcement agencies, in particular the FBI, and that the data that we hold in our systems is shared with them on these types of cases, and certainly our cooperation with Department of Homeland Security to further these kinds of information sharing. But I would really need to defer to DHS to answer that with more specificity.

Ms. SCALICI. Yes. In that regard, I think I mentioned a little bit about the retroactive checks that we have under way drawing upon a host of intelligence and other interagency data and intelligence that we have available on those individuals who entered the country before the enhanced security checks were in place. Certainly if any derogatory information comes to light as a result of those rechecks, that information is immediately shared with law enforcement agencies for consideration and for action as appropriate.

I do know that there have been several cases that FBI has opened as a result of new information that has come to light for individuals already settled here in the United States. That said,

though, I would have to defer really to DOJ for any specifics on the number of cases that are still open or the status of those cases.

Mr. MEEHAN. Ms. Scalici had said that there were 58,000 people who had come into the country during that period of time. Do we know where they are in the United States?

Mr. BARTLETT. I will start with that. We know where they arrived. So, certainly, when people enter the United States, we have arranged with, in fact we contract with local agencies around the country to receive the refugees and provide initial support. Largely, refugees stay in those initial places, but, of course, one of the great things about coming to the United States is that they are free to move, and some refugees do move.

So I am not sure, again, what DHS has in terms of onward movement, but it is one of the issues in terms of trying to provide ongoing support to people, is that they actually end up moving, but in small numbers.

Mr. MEEHAN. I am sort-of curious about what we know about those 58,000 who are already here and the extent to which we are going back, and do we engage them or do we go back historically and just look at other information that we have from, you know, other databases about what we knew about them prior to their time coming here?

Because I am struck by the fact that it was other intelligence sources—and maybe that is the way. That is the way we found the two individuals who had the past association who had actually been opposed to our military who gained entrance to the country. But we got that from intelligence. Otherwise, what are we doing to look at the 58,000 who are here to determine if there was anything in their background that would raise suspicion?

Ms. STRACK. If I may, I would like to note that of the 58,000 that you reference, from the very outset of large-scale Iraqi processing in 2007, there was very vigorous vetting.

Mr. MEEHAN. Okay.

Ms. STRACK. They were being fully vetted through biographic and biometric checks. The DOD fingerprint checks were part of the process, really from day one in 2007, as were other quite rigorous biographic and biometric checks. So although some of those individuals, a subset of that 58,000, was not subject to the very latest enhancement, that is what Ms. Scalici is talking about in terms of looking at that portion of them for the retroactive checks. So I do want to be clear that the serious, rigorous, robust vetting was in place from the very beginning in 2007.

But that being said, inevitably there are going to be instances where information comes to light after a refugee has been admitted to the United States. We work very closely, whether it is intelligence community, whether it is law enforcement, or whether it is our colleagues in immigration enforcement, civil immigration enforcement, depending on the information and the circumstance, whether it is an investigation, whether it is criminal proceedings, as in the Kentucky cases, or another alternative in some instances is that an individual can be placed in immigration removal proceedings and removed from the United States. So the solutions will be different, I think, under different fact patterns.

The other thing that I would mention is that refugees are obliged to come forward after 1 year and apply to adjust their status; that is, to apply for their green card to become a lawful permanent resident. Later in their immigration life cycle, they may apply for naturalization.

So at those junctures, when an individual comes back to USCIS, those other application benefits will also trigger additional vetting of the applicant. So there is some continuous vetting built in.

Ms. HAHN. May I follow up on what you just said?

Mr. MEEHAN. Please. Absolutely. Jump in wherever——

Ms. HAHN. Yeah. You know, this is an interesting issue, is tracking these refugees when they come here. I mean, you said they are obligated to, in a year, show up somewhere and reapply. Do we know if that happens? What about the ones that don't? Do we, you know, try to reach out to them?

If information does come to light after they are already here, let's say maybe even a couple years, what is our mechanism to know where these refugees actually have located? As you said, some do move. That is the beauty of this country. How are we sort of keeping track of these many thousands of refugees that are here if they don't automatically come back and reapply for their green card? What do we have in place?

For instance, what if some information does come to light on a particular person? How do we know where that person has located in this country?

Ms. STRACK. My understanding is that there is not systematic tracking of refugees who come into the United States because they have gone through vigorous vetting before they arrive. We do not treat them as a suspect class. However, the resettlement agencies that Larry mentioned, when refugees come into the United States there is an agency that is invited to welcome them and often keeps in touch with them and encourages them at the 1-year mark to go ahead and apply for adjustment of status. But we do not routinely track people.

Of course, if someone comes to our attention through law enforcement or intelligence reasons after someone has been admitted, very often that information itself may include information pertaining to location.

Ms. HAHN. Thank you. I appreciate that. You are right, we shouldn't be treating these people as suspects or criminals. But I think the issue is the information that comes to light after the rigorous vetting. At that point, there is a little bit of a vulnerability, I think, in this program. I don't know if there is any talk going forward of a better way to keep track of refugees.

Mr. MEEHAN. Do we have a record of individuals who have been denied access? I mean, who have sought status and then by virtue of something in their past denied?

Ms. STRACK. We do maintain records on denied refugee applicants. Those records are included in DHS' biometric database, the IDENT system. So if that individual is encountered again, whether they are using the same identity or a different identity, because of the biometric there would be a link to identify——

Mr. MEEHAN. "Biometric": Is that more than a fingerprint?

Ms. STRACK. Fingerprint and photograph. So they would be identified. To the other, a subsequent encounter would be identified that they had previously been denied as a refugee applicant.

Mr. MEEHAN. Okay.

Mr. Bartlett, can you explain the criteria for determining who gets this Security Advisory Opinion? What individuals in the, as you are doing the prescreening, seem to bring a higher level of scrutiny? Can you explain what a Security Advisory Opinion is or if it is not, whichever panelist, but——

Mr. BARTLETT. Allow me one conversation, Mr. Chairman.

Mr. MEEHAN. Absolutely.

Mr. BARTLETT. Take a moment.

Sorry. We did talk earlier about which information is classified and which is suitable for an open hearing. For the Security Advisory Opinion check——

Mr. MEEHAN. Mr. Bartlett, please, feel comfortable, if you are uncomfortable with talking about any kind of an issue. You have been conversant with us, and I am not against the possibility of entertaining that kind of a question in a different environment. But I just believe that we at the same time want to create a level of comfort that we are doing things on both ends. If you feel comfortable about it, I would like you to discuss it.

Mr. BARTLETT. I appreciate that. I will start with a small discussion and then I will move to the comfort level of going perhaps to offering to brief in a classified setting.

But at the outset, every refugee is subject to the Consular Lookout check, the CLASS check, and the information that might be in that CLASS check could point to the need to do a Security Advisory Opinion. So that, again, that has holdings from various intelligence agencies, and that would indicate a need to do a more rigorous examination of their background through the Security Advisory Opinion check.

Security Advisory Opinion checks are also run on other applicants. That is what we would need to talk about, I think, in a classified setting. But it is one that is run on many refugees, but not all, and it does give us additional information about if there is derogatory information that would disallow their entry to the United States.

Mr. MEEHAN. What do we know about an applicant when they make this? This is one of the things that I struggle with, is understanding where the, you know, the predicate knowledge about someone may come from.

Now, I distinguish, again, when I go back from those who have worked with our Government in some particular capacity over a period of time and there is already a relationship, and I know the DOD will come in and talk about individuals, they will affirm that they had participated with this person.

But I look towards others who come, quite appropriately, seeking refugee status. But how we do we determine that they actually have the beliefs or relationship with some particular group or others that qualifies them on the first place. What predicate level of information is pursued about someone? Do we have adequate resources to do it to the extent to which it is probably necessary?

Mr. BARTLETT. Sir, let me start and then refer to my DHS colleague.

The process by which refugees are both identified and processed is, I think I said earlier, methodical and sometimes long.

We don't really apologize, I think, for the length of the process because it does allow us to be, I think, more thorough. Again, we work very closely with partners on the ground. The United Nations is one, but certainly sometimes with local embassies, U.S. Embassies, sometimes with NGOs, to identify the refugees who are really in need of resettlement.

Then we have nine contractors overseas that are located in regions throughout the world who are responsible, and are our contractors, who are responsible for collecting different information on each refugee family. So be it an individual or be it a family, information is collected. That is when really we begin, I think, a lot of the screening processes so that information——

Mr. MEEHAN. How proactive is that, Mr. Bartlett? I mean, when I was appointed the United States Attorney, the FBI sent people back, they talked to my 8th-grade classmates, they talked to people that I went to high school with, neighbors that lived on my block when I was 10.

Now, of course, that is for a secure position of responsibility here in the United States Government. I don't expect to have the same degree. I am just sort of curious the extent to which, so there is a sort of a vetting, so to speak, and there would be the kind of inquiry that would go back to try the understand who this person was in their previous community and what we know about them?

Mr. BARTLETT. If I could say one additional point, and then I think I will refer to my DHS colleague.

I mean, at the beginning of this process there is a collection of information on each refugee or the refugee family in trying to develop both the individual information about that family, but also we look at family tree information, who are they related to, collection, obviously, of fingerprints at some point down the road. So at the individual level it is collected, and then that is when the process starts.

At the next point in the process, Department of Homeland Security comes in and conducts additional interviews face-to-face with a U.S. officer, usually located in Ms. Strack's office. But I think I will refer to Ms. Strack to talk a little more about how that vetting process then unfolds.

Mr. MEEHAN. Ms. Strack, would you also, as you discuss that process, to the extent you can share it, identify how it is that that interview is designed to elicit the kind of information that would allow us to ask the next logical question about somebody's background?

Ms. STRACK. Yes, sir. The information that we have on refugee applicants does vary in certain regards. One is that there are basically three different ways that individuals can access the U.S. refugee resettlement program. Larry, I think, has talked about two of those three to this point. One is the U.N. Refugee Agency, the U.N. High Commissioner for Refugees can refer cases to us. In some cases, that may be an individual that the UNHCR knows has been

in a camp for 20 or 30 years. They have very good registration records and they can reverify those records.

So that individual has come forward, has shared a story of persecution, a story of flight. They have been in the camp, they have had a ration for 20 years, they have talked about who their children are, who their family members are. So there is quite a long record on who that person is before resettlement to the United States has ever even been talked about. So when we do the interview with that kind of a family, we will have that record in front of us and we can elicit testimony and see if the things that they are telling us are consistent with the records and the story that they have been telling to the U.N. Refugee Agency over a period of time, and that can give us greater confidence that the information that we are eliciting is true and accurate.

In other cases, we may encounter, say, an Iraqi applicant who has fled much more recently. Iraqis tend to have a very great deal of documentation. So when we see an Iraqi refugee we often have a passport, we have a national ID, we may have a military booklet, in addition to possibly a record with UNHCR. They may tell us they worked for an American company, and if that is the case—or with the embassy—we have the ability to go back and to confirm their claimed employment history.

So it really runs the gamut in terms of the tools that we have, depending on the——

Mr. MEEHAN. May I interrupt to ask whether, in fact, in light of the engagement that we have with the governments of both Iraq and Afghanistan, do we have any access to the legacy records that that government now—that the Iraqi government or the Afghan government possess with respect to the, you know, the Iraqis and Afghans within their country? Do we have access to those databases?

Ms. STRACK. We do have access to some information, former Iraqi government information. I can't speak to Afghanistan. As Mr. Bartlett mentioned, we have just seen many fewer of those cases. I am not familiar with that off the top of my head. But we can in some instances access that information.

Then we spend really a very great deal of time with our staff training them to be rigorous in terms of eliciting testimony.

Another point that I would like to mention, for those who claim—who have previously been affiliated with the United States, we have found instances where that claim is true, they did have a previous affiliation with the U.S. Government or the U.S. military. We vet those individuals, nonetheless, just the way we would vet another applicant, because we have found in some instances that individuals may have been fired for cause or there may have been subsequent derogatory information that their former employer had no idea about.

So even in a case where someone has documented prior employment directly or indirectly with the U.S. Government or a U.S.-affiliated entity, we still go through the full suite of security checks because we think that is important.

Mr. MEEHAN. As we move forward in anticipation of the—maybe I shouldn't say anticipation—the recognition of the continuing unrest in the countries like Syria and Jordan, if we anticipate that

there may be more demands for the opportunity to be considered as refugees for either purpose, to come into our country, are we in possession of the capability right now, in light of the fact that we have got resources that are screening those in Iraq, we have got resources looking at Afghanistan, do you have the resources on the ground to be able to sufficiently identify and do the kinds of background work that need to be done, anticipating that you may get people from a broad variety of countries now who are seeking asylum under—not asylum, but refugee status in this, you know, in light of the destabilization?

Mr. BARTLETT. Perhaps I could start just on the pure processing front. I think my colleagues at DHS can talk more about the security screening effort.

But certainly in the Middle East we have very strong partners. We have a major partner that is located in Jordan. We have a major partner that is located in Istanbul, Turkey.

So from those two, I think, main points, and with suboffices both in Baghdad and Egypt and Lebanon, we do actually have the capability to receive refugees and to take initial screening information and to move them through the processing system.

I think on the security side I would defer to my DHS colleagues to talk about, kind-of, our ability to vet and be ready for that potential.

Ms. STRACK. As you know, every year the size of the refugee program is determined through a Presidential determination after consultations with Congress. So we know for this year the ceiling is 70,000. There will be an interagency conversation, then a conversation with the Congress about the size for next year.

So we do feel at USCIS that we have the resources that we need to support a program of 70,000 admissions this year. Next year's ceiling will be set I think keeping the resources of all of the program partners into account.

I can't speak directly to the capacity of the vetting agencies. That really is for them to say. But I can tell you that we know that a number of our vetting partners have increased their staffing over the last year, year-and-a-half or 2, and in connection with this workload and being sure that they are staffed to be partners with us in this effort.

Ms. SCALICI. I could add, if you will, that to complement a little bit of what Ms. Strack said, this is a resource-intensive effort that we have in place to do the enhanced security checks on all of the refugee applicants. We have worked across the interagency to include with the intelligence community. We believe we have the resources in place right now to support the refugee program as it is currently configured and at the current size that it currently exists. But I would have to defer to them if the program were to grow much larger over time.

That said, though, I mean, we continue to learn and collaborate well with our interagency partners. We are working hard to try to find ways in which we can automate the processes to a greater extent than currently exist and to streamline those processes so that over time the amount of manpower specifically devoted to the effort could perhaps go down with any loss in the efficacy of the program itself.

Mr. MEEHAN. I think it is important to note for the record, because we have been asking some probing questions and asking you to more or less present your confidence that something in the future might not happen by virtue of allowing the refugees here, but I think it is important to identify the 3 million or so, Mr. Bartlett, that you said have been resettled since the late '70s? Is that accurate? And of course the 58,000 since the Iraqi bulge, so to speak.

So the fact that we have identified a small number who have actually come to the United States and been investigated and concluded to have participated in a potential terrorist activity is noteworthy, that it is quite small.

But my closing question for you is, we on this committee have never ceased to be, I shouldn't say appreciative, I shouldn't say awed, but I would say cognizant of the extent to which al-Qaeda and others constantly probe and look for opportunities to exploit our system and to introduce acts of terror, not just against our interests in other parts of the country, but principally within the United States of America.

To what extent can we feel comfort that al-Qaeda is not looking at this program as a back-door way to work with somebody to get them in here, into our country, to plant them for ultimate—you know, is this a way around the traditional way of getting into the United States of America, as one would with a visa or otherwise?

Ms. SCALICI. I would note and agree with you, sir, that certainly al-Qaeda and its affiliates have been very innovative over the years in terms of trying to identify potential what they consider to be vulnerabilities or gaps in our screening procedures to try to get individuals into the United States to do harm here.

That is why we definitely have an intelligence-driven process. We review intelligence on a daily, 24-by-7 basis in conjunction with interagency partners to actively try to identify means by which al-Qaeda or its affiliates may try to penetrate our defenses and to identify individuals or groups of concern that really require increased screening and detention. So that is on-going.

Certainly, we have comfort in terms of the increased security vetting that we have in place through the refugee program. But I will emphasize, it is not a static program. We will continue to learn lessons, we will continue to try to identify new sources of data and intelligence that would be relevant to these screening processes and to better secure our defenses and our program, such as the refugee program.

Mr. MEEHAN. Do the other two panelists have any closing comments or observations you would like to share for us before we conclude the hearing?

Ms. STRACK. Mr. Chairman, I would just like to say, very briefly, when we launched large-scale processing of the Iraqi program in 2007, we recognized the compelling humanitarian need, but at the same time we recognized, in anticipation, that bad actors will try to take advantage of any immigration program to the United States, whether it is visa programs or refugee programs or student visitor programs.

So we have really striven over the years to be in the forefront of cooperation and collaboration with the law enforcement and National intelligence communities. We know no program is imper-

vious, but we have tried our best to be forward-leaning and in the forefront and ready to innovate and learn, as Ms. Scalici has said, from our experience in order to adopt the very best protocols that we can.

Mr. MEEHAN. Thank you.

Mr. Bartlett, any closing comment?

Mr. BARTLETT. Just a brief one, Mr. Chairman.

I would just like to thank you for your interest, I think, in the security screening process that we have put in place and for the recognition that, in fact, improvements have been made. Also just like to say that the security screening process not only protects the United States, but also protects the program and really allows this country to provide on-going protection to refugees who are in need of this. So we thank you for your interest.

Mr. MEEHAN. Well, let me conclude the hearing with the same observation I made at the outset, which is to thank you for the work that you do on a very, very challenging issue in which we balance the interests we have in continuing to be a Nation of refuge for those who we can include while at the same time appreciating the need to fulfill our first responsibility, which is to protect the citizens of the United States against future harm.

So you are on the tip of the spear. I thank you for the diligent work that you are doing and the improvements that continue to be putting in to enhancing our ability to do so.

So I just want to conclude the hearing by asking the panelists, if there should be further questioning from your panel here today or others who were unable to participate, that they may have written questions. We will keep the record open for 10 days in the event that there may be further questions, and I ask that you be responsive.

I am very grateful, again, for your participation today. So, without objection, the committee stands adjourned.

[Whereupon, at 11:26 a.m., the subcommittee was adjourned.]

APPENDIX

QUESTIONS FROM CHAIRMAN PATRICK MEEHAN FOR LAWRENCE F. BARTLETT

Question 1a. In May 2010, the FBI announced the arrest of Mohanad Hammadi and Waad Ramadan Alwan, two Iraqi nationals who were charged with participating in a plot to send cash, explosives, and Stinger missiles to al-Qaeda's affiliate in Iraq. The two made it through security screenings by both DHS and the Department of State and exploited special Iraqi refugee programs to come to the United States.

Most disturbing perhaps is that Alwan was admitted into the United States in 2009 even though his fingerprints were found in 2005 on an unexploded roadside bomb that was set to blow up a U.S. convoy in Iraq.

How is it that these two men were able to get through security background checks through the Iraqi refugee programs and what modifications in the security screening process have both DHS and the Department of State made since 2009 in order to make sure this never happens again?

Question 1b. How confident are you all that this could not happen again? Please explain how the enhanced security screening processes now in place ensures that this will never happen again.

Answer. Response was not received at the time of publication.

Question 2. Are there legal authorities that this subcommittee or Congress could provide to assist your Department in putting into place an effective, efficient security check process for refugees from all threat countries?

Answer. Response was not received at the time of publication.

Question 3. If a special category of refugee were created in the future, similar to what was established for Iraqis, do you feel confident the measures established to screen the current Iraqi refugees would be enough to prevent an incident resembling the Alwan and Hammadi case?

Answer. Response was not received at the time of publication.

Question 4. How many names of Iraqi refugees have been provided to the FBI for further investigation?

Answer. Response was not received at the time of publication.

Question 5. Do you have concerns that refugees with terrorist ties from Iraq or other high-risk countries could be resettled in countries that participate in the Visa Waiver Program and then could enter the United States with a lower level of scrutiny?

Answer. Response was not received at the time of publication.

Question 6. How does the enhanced screening protocols used for refugees compare with the checks conducted through the Electronic System for Travel Authorization (ESTA) program under the Visa Waiver Program?

Answer. Response was not received at the time of publication.

QUESTIONS FROM CHAIRMAN PATRICK MEEHAN FOR BARBARA L. STRACK

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How is it that these two men were able to get through security background checks through the Iraqi refugee programs and what modifications in the security screen-

ing process have both DHS and the Department of State made since 2009 in order to make sure this never happens again?

Question 1b. How confident are you all that this could not happen again? Please explain how the enhanced security screening processes now in place ensures that this will never happen again.

Answer. Response was not received at the time of publication.

Question 2a. In testimony before the Senate Homeland Security and Government Affairs Committee last year, DHS Under Secretary Rand Beers said that the rescreening of Iraqi refugees would not be "a one-time only screening process" because new intelligence and information is constantly becoming available.

We know that DHS is rescreening tens of thousands of Iraqi refugees who have been resettled in the United States for ties to terrorism. Can you update the committee as to the status of the rescreening process, how many refugees already in the country have been rescreened and how many remain?

Question 2b. Please explain step-by-step the exact process DHS undertakes if a refugee admitted into the country has been found to have ties to al-Qaeda or other terrorist groups.

Question 2c. Does any agency within DHS have access to Iraqi National Police and/or Iraqi Interior Ministry criminal records to assist in the adjudication process of Iraqi refugee and Special Immigrant Visa (SIV) applicants?

Question 2d. How many USCIS officers are assigned to adjudicating and interviewing Iraqi refugee applicants at Refugee Support Centers abroad? How does the training USCIS officers receive compare to the training the Department of State provides to its Consular Officers? What security-related questions are included in the interview?

Answer. Response was not received at the time of publication.

Question 3a. The Refugee Crisis in Iraq Act of 2007 requires refugees undergo and pass a background check as determined by the Secretary of Homeland Security.

What effect did the requirement for expediting Iraqi refugee resettlements have on DHS's ability to conduct thorough security screening of refugee applicants?

Question 3b. What staffing resources were in place in 2007 to vet the thousands of Iraqis applying for resettlement in the United States?

Answer. Response was not received at the time of publication.

Question 4. How many Iraqi refugee applicants have been flagged by USCIS in the adjudication process and refused resettlement status by the U.S. Government?

Answer. Response was not received at the time of publication.

Question 5. How many Iraqi Special Immigrant Visa (SIV) applicants have been identified by USCIS in the adjudication process and refused resettlement status by the U.S. Government?

Answer. Response was not received at the time of publication.

Question 6. Ms. Strack, can you explain the criteria for determining who should receive a Security Advisory Opinion and can you explain this process from beginning to end?

Answer. The Foreign Affairs Manual contains State Department administrative organization policies and procedures and is written based on requirements contained in the Foreign Service Act. Security Advisory Opinions (SAOs) for refugees are called Merlins, and the requirements for requesting a Merlin SAO are found in 9 FAM Appendix G. In general, SAOs must be requested for refugee applicants 16 years of age or older, who can be described in one of the categories listed below:

(1) An applicant with a non-excludable security-related hit in the Department of State's Consular Lookout and Support System (CLASS) database;

(2) Nationals, or specified categories of nationals, of designated countries which are not recognized by the United States, with which the United States has no diplomatic relations, or on which the Department has imposed an SAO requirement for political, security, or foreign policy reasons.

(3) Third-country nationals working for the government of Iraq or government of Libya.

(4) An applicant on whom the adjudicating officer has any reason to believe an SAO should be performed prior to final adjudication, including any applicant who may be inadmissible under I&A terrorism-related grounds.

Refugee applicants are subject to additional SAO requirements regardless of the CLASS name-check response. These requirements are classified.

The Bureau of Population, Refugees, and Migration (PRM)'s overseas Resettlement Support Centers request SAOs through PRM's Worldwide Refugee Admissions Processing System which is managed by the Refugee Processing Center (RPC), located in Rosslyn. The Center's staff runs a CLASS check and creates the SAO. Our interagency partners respond via a Consular Affairs application known as Visa Opinion Information Service (VOIS), which is used by the Department of State's Bu-

reau of Consular Affairs for all other types of SAOs. PRM and RPC staffs vet the responses to finalize the SAO decision.

Question 7. Is there a uniform process for receiving Security Advisory Opinion of refugees from countries which may be of heightening security concern before undergoing an interview with USCIS?

Answer. Response was not received at the time of publication.

Question 8. Are you satisfied with the support DHS has received from all applicable partners in the U.S. intelligence community (USIC) on the refugee security check regime? Are you aware of any data sources that DHS does not currently have access to, but could be helpful to the security check process?

Answer. Response was not received at the time of publication.

Question 9. Are there legal authorities that this subcommittee or Congress could provide to assist your Department in putting into place an effective, efficient security check process for refugees from all threat countries?

Answer. Response was not received at the time of publication.

Question 10. If a special category of refugee were created in the future, similar to what was established for Iraqis, do you feel confident the measures established to screen the current Iraqi refugees would be enough to prevent an incident resembling the Alwan and Hammadi case?

Answer. Response was not received at the time of publication.

Question 11. How many names of Iraqi refugees have been provided to the FBI for further investigation?

Answer. Response was not received at the time of publication.

Question 12. How long will DHS maintain data on refugees obtained as part of the application and security screening process? Does DHS also retain data on applicants who are rejected for resettlement?

Answer. Response was not received at the time of publication.

Question 13. Do you have concerns that refugees with terrorist ties from Iraq or other high-risk countries could be resettled in countries that participate in the Visa Waiver Program and then could enter the United States with a lower level of scrutiny?

Answer. Response was not received at the time of publication.

Question 14. How does the enhanced screening protocols used for refugees compare with the checks conducted through the Electronic System for Travel Authorization (ESTA) program under the Visa Waiver Program?

Answer. Response was not received at the time of publication.

QUESTIONS FROM CHAIRMAN PATRICK MEEHAN FOR DAWN SCALICI

Question 1a. In May 2010, the FBI announced the arrest of Mohanad Hammadi and Waad Ramadan Alwan, two Iraqi nationals who were charged with participating in a plot to send cash, explosives, and Stinger missiles to al-Qaeda's affiliate in Iraq. The two made it through security screenings by both DHS and the Department of State and exploited special Iraqi refugee programs to come to the United States.

Most disturbing perhaps is that Alwan was admitted into the United States in 2009 even though his fingerprints were found in 2005 on an unexploded roadside bomb that was set to blow up a U.S. convoy in Iraq.

How is it that these two men were able to get through security background checks through the Iraqi refugee programs and what modifications in the security screening process have both DHS and the Department of State made since 2009 in order to make sure this never happens again?

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