

**CRISIS OF CONFIDENCE: PREVENTING TERRORIST
INFILTRATION THROUGH U.S. REFUGEE AND
VISA PROGRAMS**

HEARING

BEFORE THE

COMMITTEE ON HOMELAND SECURITY

HOUSE OF REPRESENTATIVES

ONE HUNDRED FOURTEENTH CONGRESS

SECOND SESSION

FEBRUARY 3, 2016

Serial No. 114-50

Printed for the use of the Committee on Homeland Security



Available via the World Wide Web: <http://www.gpo.gov/fdsys/>

U.S. GOVERNMENT PUBLISHING OFFICE

21-522 PDF

WASHINGTON : 2016

For sale by the Superintendent of Documents, U.S. Government Publishing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800
Fax: (202) 512-2104 Mail: Stop IDCC, Washington, DC 20402-0001

COMMITTEE ON HOMELAND SECURITY

MICHAEL T. MCCAUL, Texas, *Chairman*

LAMAR SMITH, Texas	BENNIE G. THOMPSON, Mississippi
PETER T. KING, New York	LORETTA SANCHEZ, California
MIKE ROGERS, Alabama	SHEILA JACKSON LEE, Texas
CANDICE S. MILLER, Michigan, <i>Vice Chair</i>	JAMES R. LANGEVIN, Rhode Island
JEFF DUNCAN, South Carolina	BRIAN HIGGINS, New York
TOM MARINO, Pennsylvania	CEDRIC L. RICHMOND, Louisiana
LOU BARLETTA, Pennsylvania	WILLIAM R. KEATING, Massachusetts
SCOTT PERRY, Pennsylvania	DONALD M. PAYNE, JR., New Jersey
CURT CLAWSON, Florida	FILEMON VELA, Texas
JOHN KATKO, New York	BONNIE WATSON COLEMAN, New Jersey
WILL HURD, Texas	KATHLEEN M. RICE, New York
EARL L. "BUDDY" CARTER, Georgia	NORMA J. TORRES, California
MARK WALKER, North Carolina	
BARRY LOUDERMILK, Georgia	
MARTHA MCSALLY, Arizona	
JOHN RATCLIFFE, Texas	
DANIEL M. DONOVAN, JR., New York	

BRENDAN P. SHIELDS, *Staff Director*

JOAN V. O'HARA, *General Counsel*

MICHAEL S. TWINCHEK, *Chief Clerk*

I. LANIER AVANT, *Minority Staff Director*

CONTENTS

	Page
STATEMENTS	
The Honorable Michael T. McCaul, a Representative in Congress From the State of Texas, and Chairman, Committee on Homeland Security:	
Oral Statement	1
Prepared Statement	3
The Honorable Bennie G. Thompson, a Representative in Congress From the State of Mississippi, and Ranking Member, Committee on Homeland Security:	
Oral Statement	4
Prepared Statement	6
The Honorable Sheila Jackson Lee, a Representative in Congress From the State of Texas:	
Prepared Statement	8
WITNESSES	
Mr. Francis X. Taylor, Under Secretary for Intelligence and Analysis, U.S. Department of Homeland Security:	
Oral Statement	12
Prepared Statement	13
Mr. Leon Rodriguez, Director, U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security:	
Oral Statement	14
Prepared Statement	16
Mr. Lev J. Kubiak, Assistant Director, U.S. Immigration and Customs Enforcement, U.S. Department of Homeland Security:	
Oral Statement	19
Prepared Statement	21
Ms. Michele Thoren Bond, Assistant Secretary, Bureau of Consular Affairs, U.S. Department of State:	
Oral Statement	23
Prepared Statement	24
FOR THE RECORD	
The Honorable Jeff Duncan, a Representative in Congress From the State of South Carolina:	
Testimony before the SC Senate General Committee by Congressman Jeff Duncan (SC-03)	40
The Honorable Norma J. Torres, a Representative in Congress From the State of California:	
Statement of the American-Arab Anti-Discrimination Committee	43
Statement of Church World Service	45
Statement of Disciples Refugee & Immigration Ministries	46
Statement of Franciscan Action Network	47
Statement of Yasmine Taeb, Legislative Representative for Human Rights & Civil Liberties, Friends Committee on National Legislation	48
Statement of HIAS	48
Statement of Lutheran Immigration and Refugee Service	49
Statement of Most Reverend Eusebio Elizondo, M.Sp.S., Auxiliary Bishop of the Archdiocese of Seattle, WA, Chairman, U.S. Conference of Catholic Bishops Committee on Migration	50

IV

	Page
Statement of Lavinia Limón, President and CEO, U.S. Committee for Refugees and Immigrants (USCRI)	60
Statement of Andrea Cristina Mercado and Miriam Yeung, Co-chairs, We Belong Together	62

APPENDIX

Questions From Honorable Barry Loudermilk for the Department of Homeland Security	83
---	----

CRISIS OF CONFIDENCE: PREVENTING TERRORIST INFILTRATION THROUGH U.S. REFUGEE AND VISA PROGRAMS

Wednesday, February 3, 2016

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC.

The committee met, pursuant to call, at 10:12 a.m., in Room 311, Cannon House Office Building, Hon. Michael T. McCaul [Chairman of the committee] presiding.

Present: Representatives McCaul, Smith, King, Rogers, Duncan, Marino, Barletta, Perry, Clawson, Katko, Hurd, Carter, McSally, Ratcliffe, Donovan, Thompson, Jackson Lee, Langevin, Keating, Rice, and Torres.

Chairman MCCAUL. The Committee on Homeland Security will come to order.

The committee is meeting today to receive testimony regarding the threat posed from the exploitation of our Nation's refugee and visa programs by violent Islamist extremist groups such as ISIS.

I now recognize myself for an opening statement.

Today, we are in the highest threat environment since 9/11, yet there is a crisis of confidence in Washington's ability to do what it takes to protect our country. Over the past few weeks, I have traveled around the country to discuss the terror threats we face and how to thwart them. The American people are concerned, and rightfully so.

The President believes terrorist groups like ISIS are on the run, but the truth is that they are on the march and gaining ground across the world. Make no mistake: They want to send their foot soldiers to our shores. That is why we are here today. We must be clear-eyed about our enemy's goals and do what it takes to prevent them from exporting their violence to America.

This morning, our focus is on our Nation's refugee and visa programs. Terrorists have used these routes to get into our country, exposing security vulnerabilities into our systems. Just last month, the FBI arrested 2 Iraqis in the United States on terror-related charges. Both were inspired by ISIS, 1 had traveled to Syria, and both had entered our country as refugees. In December, 2 ISIS fanatics in San Bernardino launched a heinous attack that left 14 dead and 22 wounded. One of these terrorists came into the United States, already radicalized, on a fiancée visa.

Jihadists see these programs as a back door into America and will continue to exploit them until we take action. ISIS has vowed

to send its operatives into the West posing as refugees, and it has done so to brutally murder civilians on the streets of Paris.

Our intelligence community has also told me that individuals with terrorism ties in Syria have already tried to gain access to our country through the refugee program. What is even more concerning is that top officials have testified before this committee that intelligence gaps prevent us from being able to confidently weed out terrorists from these groups.

That is why I drafted the SAFE Act, which passed the House with bipartisan, veto-proof majority last year. It would add additional layers of security to the process of admitting refugees from the conflict zone. Sadly, the White House has chosen to let partisan politics get in the way of National security and pushed for this bill to be blocked in the Senate. Without these enhanced protections in place, more violent extremists will be able to slip through the cracks undetected.

Our visa programs are an even bigger concern. On the chart behind me, you can see that terrorists have used student visas, tourist visas, and more to infiltrate our country and plot significant acts of terror. But time and again, we have failed to close the vulnerabilities in the system quickly enough.

Indeed, every one of the 9/11 hijackers came into America on a visa, and we failed to connect the dots to stop them. Several overstayed their visas, and nothing was done. We saw this again in 2012 when the FBI arrested a Moroccan national plotting a suicide bombing right here on Capitol Hill. The suspect entered our country on a tourist visa in 1999, and he never left.

In a report to Congress issued last month, DHS admitted that there are hundreds of thousands, if not millions, of aliens in this country. These individuals came in legally but did not leave when they were supposed to. That is why we must fulfill one of the last remaining recommendations of the 9/11 Commission by moving forward with a biometric entry-exit system to track those who overstay their welcome.

We are currently working on legislation to close other glaring gaps in the system and to bring visa security screening into the 21st Century by incorporating social media data into screening.

More broadly speaking, this committee has led the effort in Congress to shut down terrorist pathways into our country. Our bipartisan Task Force on Combating Terrorist and Foreign Fighter Travel, led by the gentleman from New York, Mr. Katko, made more than 50 actionable recommendations to improve our defenses. I am proud to say that as of yesterday we have taken legislative action to implement nearly half of them. This includes a major security overhaul of the Visa Waiver program through an effort spearheaded by this committee's Vice Chair, Ms. Miller.

However, we are deeply concerned that, despite signing this law, the President does not plan to implement it faithfully. This failure of implementation is not the topic of today's hearing. The committee will convene 1 week from today to question witnesses from DHS and the State Department on their inaction.

Let us not forget that we are engaged in a war against Islamist terror. Americans expect us to act like it and to do what it takes to respond to the evolving threat and secure our homeland.

[The statement of Chairman McCaul follows:]

STATEMENT OF CHAIRMAN MICHAEL T. MCCAUL

We are in the highest threat environment since 9/11. Yet there is a crisis of confidence in Washington's ability to do what it takes to protect our country.

The past few weeks, I have traveled around the country to discuss the terror threats we face and how to thwart them. The American people are concerned, and rightfully so.

The President believes terrorist groups like ISIS are on the run. But the truth is that they are on the march—and gaining ground across the world. Make no mistake: They want to send their foot soldiers to our shores.

That is why we are here today. We must be clear-eyed about our enemies' goals and do what it takes to prevent them from exporting their violence to America.

This morning our focus is on our Nation's refugee and visa programs. Terrorists have used these routes to get into our country, exposing security vulnerabilities in our systems.

Just last month, the FBI arrested 2 Iraqis in the United States on terror-related charges. Both were inspired by ISIS, 1 had traveled to Syria, and both had entered our country as refugees.

In December, 2 ISIS fanatics in San Bernardino launched a heinous attack that left 14 dead and 22 wounded. One of these terrorists came into the United States—already radicalized—on a fiancé visa.

Jihadists see these programs as a back door into America and will continue to exploit them until we take action. ISIS has vowed to send its operatives into the West posing as refugees—and it has done so to brutally murder civilians on the streets of Paris.

Our intelligence community has also told me that individuals with terrorism ties in Syria have already tried to gain access to our country through the refugee program. What's even more concerning is that top officials have testified before this committee that intelligence gaps prevent us from being able to confidently weed out terrorists from these groups.

This is why I drafted the SAFE Act, which passed the House with a bipartisan, veto-proof majority last year. It would add additional layers of security to the process of admitting refugees from the conflict zone. Sadly, the White House has chosen to let partisan politics get in the way of National security and pushed for this bill to be blocked in the Senate.

Without these enhanced protections in place, more violent extremists will be able to slip through the cracks, undetected.

Our visa programs are an even bigger concern.

On the chart behind me, you can see that terrorists have used student visas, tourist visas, and more to infiltrate our country and plot significant acts of terror. But time and again, we have failed to close the vulnerabilities in the system quickly enough.



Every one of the 9/11 hijackers came into America on a visa, and we failed to connect the dots to stop them. Several even overstayed their visas and nothing was done.

We saw this again in 2012, when the FBI arrested a Moroccan national plotting a suicide bombing right here on Capitol Hill. The suspect entered our country on a tourist visa in 1999 . . . and he never left.

In a report to Congress issued last month, DHS admitted that there are hundreds of thousands—if not millions—of aliens in this country. These individuals came in legally but did not leave when they were supposed to.

This is why we must fulfill one of the last remaining recommendations of the 9/11 Commission by moving forward with a biometric entry-exit system to track those who overstay their welcome.

We are currently working on legislation to close other glaring gaps in the system—and to bring visa security screening into the 21st Century by incorporating social media data into screening.

More broadly speaking, this committee has led the effort in Congress to shut down terrorist pathways into our country. Our bipartisan Task Force on Combating Terrorist and Foreign Fighter Travel, led by the Gentleman from New York, Mr. Katko, made more than 50 actionable recommendations to improve our defenses.

I am proud to say that as of yesterday, we have taken legislative action to implement nearly half of them.

This includes a major security overhaul of the Visa Waiver program through an effort spearheaded by this Committee's Vice Chair, Ms. Miller. However, we are deeply concerned that despite signing this law, the President does not plan to implement it faithfully. This failure of implementation is not the topic of today's hearing; the committee will convene 1 week from today to question witnesses from DHS and the State Department on their inaction.

Let us not forget: We are engaged in a war against Islamist terror. Americans expect us to act like it—and to do what it takes to respond to the evolving threat and secure our homeland.

Chairman McCAUL. With that, now the Chair recognizes the Ranking Member, the gentleman from Mississippi, Mr. Thompson.

Mr. THOMPSON. Thank you very much, Mr. Chairman. Thank you for holding today's hearing.

I would also like to thank that the Department of Homeland Security and Department of State for being witnesses here today.

Given the evolving threat environment, it is proper that this committee examine both the visa security and the refugee vetting process.

Last month, in separate incidents, 2 Iraqi refugees accused of having ties to the Islamic State were arrested in Sacramento and Houston.

In December of last year, the United States was stunned when a mass shooting and attempted bombing were perpetrated by 2 attackers in San Bernardino, California. The perpetrators were husband and wife, and the wife entered the United States on a K, or a fiancé, visa.

Also in November, it was reported that a fake Syrian passport was found with one of the terrorists who carried out the deadly Paris attacks directed by ISIL.

Consequently, I understand the concern that is presented here today. However, as I have stated in previous hearings, it is important that we as Federal policymakers embrace facts, not fear. Our refugee screening process includes the most thorough vetting any visitor or immigrant to the United States undergoes, with DHS conducting an enhanced review of Syrian refugee cases.

Throughout the refugee application process, applications continue to be checked against terrorist databases to ensure no new information has come to light. If there is any doubt about whether an applicant poses a risk, that person will not be admitted.

With proper vetting, we should continue to welcome vulnerable populations to this country, including Syrian refugees, in keeping with our history and values as Americans. Providing safe harbor to individuals who no longer have a home because of war and violence is the humane and American thing to do.

Today, I hope to hear from the Department of Homeland Security about information that the agency can publicly share about its improvements to the refugee vetting process. Advancements in technology and the evolving threat involvement require continual evaluation of how the agencies use technology in the vetting and screening processes.

It has been reported that United States Citizenship and Immigration Services is piloting the use of social media in vetting refugee applications. While we understand social media can play a role in refugee vetting, we should remember it is only one part of an extensive process. Frankly, the more explicit we are about our refugee vetting process in public, particularly with respect to social media, the more valuable information we stand to lose. Users have the ability to control their social media, so we do not want to tip them off.

Additionally, while the overwhelming majority of visa holders are legitimate visitors who comply with the terms of their visas and depart in a timely fashion, some have exploited the system.

In the wake of September 11, the attempted Christmas day 2009 attack, and other incidents, we have strengthened our visa security by pushing out our borders, conducting screening early in the process, and enhancing how we vet visa applicants. I want to hear from DHS and the State Department about what needs to be done and what resources are necessary to address security vetting challenges.

I am particularly interested in knowing whether there is a way to improve the vetting process to identify people that seek to do us harm but on whom we have no derogatory information, which I un-

derstand was the case with one of the San Bernardino perpetrators.

As we consider reviews of the refugee and visa security processes, we need to make sure that, if there are improvements that need to be made, Congress will commit the funding for them. We cannot make substantial changes to these programs if they are not properly funded.

Finally, Mr. Chair, in December, the House came together and passed legislation to strengthen the Visa Waiver program. I understand, as you have already indicated, that next week the committee will hold a hearing on the Visa Waiver program and specifically how the administration intends to implement language, including in the recent enacted omnibus appropriations patient bill, to prohibit individuals with citizenship in or recent travel to Iraq, Iran, Sudan, or Syria from coming to the United States under the Visa Waiver program. Instead, such travelers will have to obtain a visa.

I strongly support giving the Secretary discretion to waive the visa requirement when doing so is in the interest of our National security as provided for under the law and, in fact, supported some discretion for certain individuals on a case-by-case basis who have traveled to 1 of the 4 countries for verifiable, legitimate purposes.

However, I am concerned about recent statements indicating that the Departments of State and Homeland Security may attempt to exempt broad categories of travelers from the requirements of the law, and I look forward to hearing some comment at some point on that.

Mr. Chairman, with that, I yield back the balance of my time.
[The statement of Ranking Member Thompson follows:]

STATEMENT OF RANKING MEMBER BENNIE G. THOMPSON

FEBRUARY 3, 2016

Given the evolving threat environment, it is proper for this committee to examine both the visa security and the refugee vetting processes. Last month, in separate incidents, 2 Iraqi refugees accused of having ties to the Islamic State were arrested in Sacramento and Houston. In December of last year, the United States was stunned when a mass shooting and attempted bombing were perpetrated by 2 attackers in San Bernardino, California. The perpetrators were husband and wife, and the wife entered the United States on a K or fiancé visa.

Also, in November, it was reported that a fake Syrian passport was found with one of the terrorists who carried out the deadly Paris attacks directed by ISIL. Consequently, I understand the concern that is presented here today. However, as I have stated in previous hearings, it is important that we as Federal policymakers embrace facts, not fear.

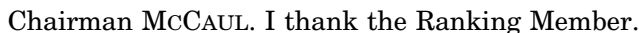
Our refugee screening process includes the most thorough vetting any visitor or immigrant to the United States undergoes, with DHS conducting an enhanced review of Syrian refugee cases. Throughout the refugee application process, applications continue to be checked against terrorist databases to ensure no new information has come to light. If there is any doubt about whether an applicant poses a risk, that person will not be admitted. With proper vetting, we should continue to welcome vulnerable populations to this country, including Syrian refugees, in keeping with our history and values as Americans. Providing safe harbor to individuals who no longer have a home because of war and violence is the humane—and American—thing to do.

Today, I hope to hear from the Department of Homeland Security about information that the agency can publicly share about its improvements to the refugee vetting process. Advancements in technology and the evolving threat environment require continual evaluation of how the agencies use technology in the vetting and screening processes.

I want to hear more from DHS and the State Department about what needs to be done and what resources are necessary to address security vetting challenges. I am particularly interested in knowing whether there is a way to improve the vetting process to identify people that seek to do us harm, but on whom we have no derogatory information, which I understand was the case with one of the San Bernardino perpetrators.

Finally, in December, the House came together and passed legislation to strengthen the Visa Waiver program. I understand that next week the committee will hold a hearing on the VWP, and specifically how the administration intends to implement language included in the recently enacted omnibus appropriations bill to prohibit individuals with citizenship in or recent travel to Iraq, Iran, Sudan, or Syria from coming to the United States under the VWP. Instead, such travelers would have to obtain a visa.

However, I am concerned about recent statements indicating the Departments of State and Homeland Security may attempt to exempt broad categories of travelers from the requirements of the new law. I look forward to hearing more from these agencies next week about their plans for implementing the law and their efforts to further enhance the security of the VWP generally.



Other Members are reminded that opening statements may be submitted for the record.

[The statement of Hon. Jackson Lee follows:]

PREPARED STATEMENT OF SHEILA JACKSON LEE

FEBRUARY 3, 2016

I thank Chairman McCaul, Ranking Member Thompson, thank you for holding this morning's hearing entitled a "Crisis of Confidence: Preventing Terrorist Infiltration through U.S. Refugee and Visa Programs."

Today's hearing in part concerns terrorist infiltration of U.S. refugee and visa programs in response to a number of incidents both in the United States and abroad over the last several months.

The committee through the witnesses we'll be hearing from can assess the ongoing Syrian refugee crisis; the November 2015 Paris attacks and their possible relationship to a refugee; the arrest on terrorism-related charges last month of two Iraqi refugees accused of having ties to the Islamic State; and the December 2, 2015, mass shooting and attempted bombing in San Bernardino, California.

I welcome and thank today's witnesses: The Honorable Francis X. Taylor, the under secretary for intelligence and analysis, Department of Homeland Security; The Honorable León Rodríguez, director of the U.S. Citizenship and Immigrations Services at the Department of Homeland Security; Mr. Lev J. Kubiak, the assistant director of the U.S. Immigration and Customs Enforcement of the Department of Homeland Security; and the Honorable Michele Thoren Bond, the assistant secretary, Bureau of Consular Affairs, Department of State (Democratic witness).

The United States is a Nation of immigrants—something that I am particularly proud to say has been a tremendous benefit to the economic, social, and cultural diversity has been of tremendous benefit to the city of Houston, the State of Texas, and our Nation.

Our Nation's heritage and leadership in protecting the rights of immigrants and refugees has established norms that are now international law.

The legacy of immigration in the United States does not mean that all who come to our shores will not engage in activity that is unlawful—for this reason we have processes in place to screen persons seeking to enter the Nation.

Today's hearing is on the topic of the Visa Waiver program (VWP), which is intended to explore the National security and law enforcement interest in assuring that this program functions as intended.

In response to Congressional concerns regarding the VWP, H.R. 158, on December 8, 2015, the Visa Waiver Program Improvement and Terrorist Travel Prevention Act was passed by the House.

H.R. 158, most notably prohibiting people from traveling to the United States under the VWP who were, since March 1, 2011, present in Iraq or Syria, any country designated as a state sponsor of terrorism, or any country deemed appropriate by the Secretary of Homeland Security. Currently, 4 countries meet that definition: Iraq, Iran, Sudan, and Syria.

The bill also makes anyone who is a dual national of a VWP country and one of the specified countries ineligible to travel to the United States under the VWP. Such individuals would not be prohibited from traveling to this country, but would have to obtain a visa to do so. The Senate did not act on H.R. 158.

On December 18, 2015, the House passed the Consolidated Appropriations Act, 2016, which included VWP language based on H.R. 158, the final text of which resulted from bipartisan negotiations between the White House, House and Senate Leadership, and committees of jurisdiction.

Like H.R. 158, Section 203 of the Act prohibits travel to the United States under the VWP for those who have traveled to Iraq, Iran, Sudan, or Syria since March 1, 2011, or who are citizens of those countries.

Section 203 of the Act exempts from this prohibition anyone who traveled to one of the specified countries in order to perform military service in the armed forces of a VWP country or to carry out official duties as a full-time employee of the government of a VWP country.

It was generally understood that CBP would have to make changes to its ESTA questionnaire to ascertain whether an ESTA applicant is prohibited by the Act from traveling under the VWP or whether such an individual is exempt because the prior travel to a specified country was for military or government service.

The bill has been passed and signed into law and I do not believe nor has any evidence been presented that the administration is in violation of the law.

It is important to commit ourselves to the facts and let them lead us in the development of policy or better clarity on what the administration is in fact doing.

I do want to ensure that all of our Nation's immigration programs work as intended and that should they not identify threats because no indication that one exist that law enforcement and Homeland Security have the tools necessary to intervene to stop incidents before they happen.

In the city of Houston it was reported last month by the FBI that Omar Faraj Saeed Al Hardan a Palestinian national; born in Iraq in 1991; who had entered the United States as a refugee in November 2009 was charged with 3 terrorism counts.

He was granted Legal Permanent Residence status in the United States in 2011. He submitted an application for citizenship in August 2014. Mr. Al Hardan was indicted on 3 charges:

- Unlawfully and knowingly attempting to provide material support and resources as defined in Title 18, U.S.C. Section 2339A(b)(1), including personnel, specifically himself, training, and expert advice and assistance to ISIL;
- Procurement of citizenship or naturalization unlawfully because he lied on Form N-400, which is the application for U.S. Citizenship that he completed on August 18, 2014.
- He lied about his prior association with a terrorist organization ISIL which the indictment said existed with ISIL throughout 2014, and al-Nusrah Front during 2013 throughout 2014 in violation of Title 18, U.S.C., Section 1425(a).
- Finally, he was charged on making a false statement or representation to an agency of the United States in violation of 18 U.S.C. Section 1001(a)(1) on or about October 27, 2015.

This was not the only arrest made in connection with a person who had entered the country as a refugee.

In San Bernardino a fiancé visa was used by Syed Rizwan Farook to bring Tashfeen Malik into the United States as his wife.

Farook was an American-born U.S. citizen of Pakistani descent, who worked as a health department employee.

Malik was a Pakistani-born lawful permanent resident of the United States.

On December 2, 2015, the couple killed 14 people and wounded 22 in a terrorist attack in San Bernardino, California.

These are disturbing accounts of the challenges faced by those charged with defending and securing our Nation against of Homeland Security threats.

Some threats are known by the public because of incidents that have occurred at home and abroad, while other threats will remain for as long as possible outside of our Nation through the tireless efforts of the men and women of the agencies represented by our witnesses.

The United States as the greatest democracy in the free world must and always lead.

As a Nation of immigrants, providing for the least among us is an American value which makes us a leader in the world as well as promotes our credibility in the world in other matters related to foreign policy and our dealings with our international allies.

Indeed, as a world leader, our country carries the burden of leading the international community in addressing the dire humanitarian crisis we face across our world from Syria to Nigeria and the world over, just as we did during World War II by playing an instrumental role in the formation of the United Nations, on which we now sit as 1 of the 5 permanent members of Security Council.

We must refrain from knee-jerk anti-refugee rhetoric and policies even as we grapple with the recent attacks in Beirut, Paris, Baghdad, and Sana'a.

It is important to note that the VWP works in both directions—our Nation's Government officials, business community, tourists, academic researchers, and students can travel around the world with little more than a commercial ticket and a U.S. Passport.

Should our allies decide to establish their own VWP prohibitions based on a perceived threat from a small subset of our Nation's populations this could have serious repercussions for our economic interest.

If anything, the recent attacks and headlines should compel us not to stoop to the level of the evil perpetrators of violence but rather to prepare ourselves to redouble our efforts to address the refugee crisis the world faces by making good on our promises to provide refuge to Syrians seeking peace and security from the war-torn society they have fled.

Putting up walls and fences and closing borders to prevent members of the human race from sanctuary do not provide any short- or long-term solutions to the challenges we face as it relates to solving the threat of ISIS or the challenge of the refugee crisis in Syria.

The circumstance for refugees that may enter the United States is not the conditions people entered Europe from the conflict area.

They came by foot and could cross narrow bodies of water to be on European soil.

The United States' entire refugee process has been completely revised based on lessons learned from September 11, 2001 and the unique threats posed by terrorism.

The process can take up to 2 years.

The United States can hand-pick who it will allow to enter.

The policy of the administration is that only the most vulnerable are under consideration—women with minor-age children; persons with dire medical conditions and those who have been victims of violence.

Yes, there are challenges—we do not have access to records on persons who are coming from Syria.

This is why the policy regarding refugees entering the country takes almost 2 years and is so selective.

We should also be aware of burden sharing.

As the world's sole superpower we must do what other nations are doing—accept Syrian refugees.

The United States has agreed to accept 10,000 Syrians through 2016, which to some may seem to be a great number of refugees to accept.

However, when compared to other nations, our contributions toward relieving the suffering caused by ISIS/ISIL the number is small, for example:

- To date the United States has accepted 1,500 Syrian refugees since the start of the conflict in 2011 and will receive another 10,000 by 2016.
- Turkey has accepted over 1.9 million Syrians accounting for almost half of the Syrian refugees.
- Lebanon has received 1.1 million refugees which marks a 25% increase in the country's 4.4 million population.
- Jordan has provided shelter to 629,000 refugees from Syria, Iraq, Somalia, and Sudan, but Syrians constitute the majority of Jordan's refugee population.
- Iraq has received 249,000 Syrians even though like Syria, Iraq has been torn by attacks perpetrated by ISIS.
- Egypt has provided refuge to 132,000 Syrians, with no refugees living in camps in Egypt and Egyptian billionaire Naguib Sawiris, one of the region's wealthiest men, offering to buy an island for refugees and his name for the proposed island home: Hope.
- Germany has accepted 98,700 Syrian refugees as the European country that faces the largest share of Syrian requests for asylum in Europe.
- Sweden has provided refuge for 64,700 Syrians.
- France has accepted 6,700 refugees and as of September 2015, has committed to hosting 24,000 refugees over the next 2 years.
- The United Kingdom has accepted 7,000 Syrian refugees and has committed to take up another 20,000 Syrian refugees over the next 5 years.
- Denmark and Hungary have received 29,000 Syrians combined.
- Serbia has received 49,500 asylum requests from Syrian refugees.
- Italy, where many migrants have made the perilous Mediterranean crossing from North Africa also receives refugees.
- Greece, which lies on a popular transit route from Turkey north through the Balkans to Northern Europe, has seen more than 250,000 people arrive on its shores this year.

Today's witnesses tell many of us what we need to know about visa and refugee processes for entering the United States.

It is ironic and sad that the single greatest casualty group of terrorist organizations like Boko Haram and ISIS/ISIL are Muslims—especially women, children, disabled, and the elderly.

Violent extremism is not new—those who struggle to hold onto an idyllic past or rigid view of their faith that does not tolerate non-conformism has plagued societies throughout history.

The only tools that have succeed in overcoming violent extremism is the commitment of those most affected by their violence to stand against them.

We must remember that after the battles are fought and won that the underlying causes for so many willing souls to commit themselves to kill and die for ISIS/ISIL and Boko Haram must be addressed.

Where there is poverty, corruption, a sense of not having value or social worth, violence and systemic disparity in living conditions and insurmountable forces to resist upward mobility by poor communities lays fertile ground for recruiting, training, and turning young minds toward violence.

Some would argue that these problems are not ours to solve.

The counter argument is that the cost of not solving these underlying problems makes the ability to win a lasting end to violent extremism nearly impossible.

We cannot kill ideas with bombs—we must change hearts and minds.

I am a firm supporter of getting to the source of problems that come from the complexity of our interconnected world.

We have new challenges to secure our Nation from threats.

There will likely be new challenges ahead, but we must persevere to succeed in developing the tools, skills, knowledge, and personnel to succeed.

Part of the struggle for peace we have today is a direct consequence of invading Iraq without provocation or reason.

Paraphrasing Secretary of State Colin Powell's advice to President George W. Bush: "If we break it—we will own it."

He was warning President Bush about the folly of entering into a war of choice with Iraq and the complexities of that region of the world that could spiral out of control.

Added to the challenge of violent extremists is their technological savvy in the use of the tools of social media to reach far beyond the battlefield to influence young people to join their cause.

I believe firmly that the United States can win this fight, but we must be wise and learn from our past as well as inform ourselves on the world that is generating these hyper-violent extremist groups.

I thank today's witnesses and look forward to their testimony. Thank you.

Chairman McCAUL. We are pleased to have a distinguished panel here before us today.

First, Mr. Francis Taylor assumed his post as under secretary for intelligence and analysis at the Department of Homeland Security in April 2014. In this role, he provides Secretary Johnson, DHS senior leadership, DHS components, and State, local, Tribal, private-sector partners with the homeland security intelligence and information they need to keep the country safe, secure, and resilient.

Thank you for being here, and thank you for your service.

Previously, he served as assistant secretary of state for diplomatic security and director of the Office of Foreign Missions.

Mr. Leon Rodriguez was confirmed by the United States Senate in June 2014 as the director of the United States Citizenship and Immigration Services. He previously served as the director for the Office of Civil Rights at the Department of Health and Human Services, a position he held from 2011 to 2014. Prior to that time, he served as chief of staff and deputy assistant attorney general for civil rights at the Department of Justice.

Mr. Kubiak assumed the role, our next witness, of assistant director for international operations at the U.S. Immigration and Customs Enforcement on June 30, 2014. In this position, he is responsible for a budget of more than \$130 million and operational oversight of 63 offices in 46 countries and 8 Department of Defense liaison offices with over 400 personnel.

Finally, Ms. Michele Bond was sworn in as assistant secretary of state for consular affairs on August 10, 2015. She leads a team of 13,000 consular professionals in almost 300 locations across the United States and around the world who protect the lives and interests of U.S. citizens abroad.

I want to thank all of you for being here today.

I now recognize Mr. Taylor for his testimony.

STATEMENT OF THE HON. FRANCIS X. TAYLOR, UNDER SECRETARY FOR INTELLIGENCE AND ANALYSIS, U.S. DEPARTMENT OF HOMELAND SECURITY

Mr. TAYLOR. Chairman McCaul, Ranking Member Thompson, thank you and distinguished Members of the committee for allowing us to appear before you this morning to discuss DHS's refugee, visa, and other admissions screening and vetting efforts. I have prepared a statement for the record, sir, but I would just highlight in my oral comments a few other items.

DHS, together with our law enforcement and intelligence colleagues, leverage a range of information and processes to carry out screening and vetting supporting our operational missions, including preventing terrorism. Screening and vetting are key to refugee, visa, and other admissions processes.

Every day, DHS, with our interagency partners, vet millions of individuals traveling to, from, or within the United States—those applying for citizenship and immigration benefits and those applying for credentials and special accesses. Our screening and vetting efforts include biometric and biographic information collection, in-person interviews, detailed research and analysis, database vetting and bulk data screening, publicly-available information vetting, including social media, and identity verification.

Because of the technological advances and the evolving nature of the threat environment that we face, we have efforts continuously underway to enhance our screening and vetting processes. Additionally, in December, Secretary Johnson asked me to lead a review of the Department's current use of social media in our vetting and identity processes to develop a future state that optimizes the use of social media vetting across our Department.

Our review found that, while social media efforts are underway across the Department, social media use as a vetting tool by components is varied and could benefit from a unified approach that leverages the strength of the entire Department and state-of-the-art technological capabilities.

The next step for us is to address these issues, which we are aggressively working to do. While I cannot get into the specifics of many aspects of our screening and vetting efforts in an open hearing, these are the broad steps DHS is taking to further improve our screening and vetting of refugees and visa applicants:

First, developing policies and a framework to systematically leverage all information and intelligence available to the U.S. Government to inform our vetting programs and adjudication decisions.

Second, continuously screening applicants against U.S. Government holdings at every stage of the vetting process to ensure that new information regarding applicants informs our admission decisions.

Third, continuously refining and enhancing our policies, processes, capabilities, and systems, as we have since 9/11, to ensure that we leverage emerging technologies and capabilities and adapt to a constantly-evolving threat environment while we are protecting privacy and civil liberties.

Fourth, determining the appropriate DHS investment strategy needed to automate a process that enables bulk data screening and

analysis in a manner that protects both individual liberties but produces information of value.

These are just a few of the steps DHS is taking to meet this challenge, and we will continue to seek new ways to solve our most pressing National security issues and fulfill our border security, immigration and travel security, and other Homeland Security missions.

Chairman McCaul, Ranking Member Thompson, and Members of the committee, thank you again for the opportunity to appear before you. I look forward to answering your questions.

[The prepared statement of Mr. Taylor follows:]

PREPARED STATEMENT OF FRANCIS X. TAYLOR

FEBRUARY 3, 2016

Chairman McCaul, Ranking Member Thompson, and distinguished Members of the committee, thank you for the opportunity to appear before you today to discuss DHS refugee, visa, and other admissions screening and vetting efforts. I am pleased to appear alongside my Department of Homeland Security (DHS) colleagues from U.S. Citizenship and Immigration Services (USCIS) and U.S. Immigration and Customs Enforcement (ICE) to discuss the holistic Department-wide approach to screening and vetting that we are moving towards in support of DHS's Unity of Effort.

For several years, DHS, together with our law enforcement and intelligence community colleagues, have leveraged a range of information and processes to carry out screening and vetting supporting our operational missions, to include preventing terrorism. Screening and vetting are key to refugee, visa, and other admissions adjudication processes. Every day, DHS, along with our interagency partners, vets millions of individuals traveling to, from, or within the United States; applying for citizenship and immigration benefits; or applying for credentials or other special accesses. Our screening and vetting efforts include biometric and biographic information collection, in-person interviews, detailed research and analysis, database vetting and bulk data screening, publicly-available information vetting (including social media), and identity verification. Director Rodriguez and Associate Director Kubiak have detailed many of these screening and vetting efforts in their statements.

We recognize that technological advances and the evolving nature of the threat environment require us to continuously re-evaluate and improve our screening and vetting processes. That is why we have efforts underway to evaluate how we might enhance the way we elicit information during in-person interviews and on our forms, identify new information and data relevant to vetting that is available to the U.S. Government, develop new methods to ingest data into our existing systems, and better calibrate information provided to adjudicators.

Additionally, Secretary Johnson asked me to convene a task force to examine our current use of social media expand its use for operational purposes across the Department, consistent with law. Social media is currently used for over 30 different operational or investigative purposes by U.S. Customs and Border Protection, ICE, Transportation Security Administration, Federal Emergency Management Agency, the U.S. Coast Guard, U.S. Secret Service, the Office of Intelligence and Analysis, and other components. The Task Force is examining the resource and technical challenges involved with more extensive use of social media, as well as its effectiveness as a component of the review process for applicants for various immigration benefits.

While I cannot discuss specifics regarding many aspects of our screening and vetting efforts in an open hearing, I will outline the broad steps DHS is taking to further improve our screening and vetting of admissions applicants:

1. We are developing a framework and policies to further leverage information and intelligence available to the U.S. Government to inform our vetting programs and adjudication decisions.
2. We are continuously screening applicants against U.S. Government holdings at every stage of the vetting process to ensure that new information regarding applicants informs our admissions decisions.
3. We are continuously refining and enhancing our processes, capabilities, and systems, as we have since 9/11, to ensure that we leverage emerging technology and capabilities and adapt to a constantly-evolving threat environment, while also protecting privacy and civil liberties.

4. We are working to resource needs and determine the appropriate DHS investment strategy needed to automate a process that enables bulk data screening and analysis in a manner that protects individual liberties.

To give an example of enhancements we are exploring, as part of our Social Media Task Force, the Office of Science and Technology and USCIS initiated a pilot to assist DHS with understanding the value of social media data sources with respect to vetting certain applications under the K-1 (fiance) Visa program and Syrian refugee processing. The pilot allows experienced USCIS immigration officers to access commercial state-of-the-art social media analytics capability to enhance our screening methodology. The pilot began in December 2015 and will run through June 2016. This pilot is an example of how we are leveraging DHS's Unity of Effort and represents dedicated DHS collaboration with industry technology leaders. We will use this pilot as a template for future unified screening and vetting efforts. This pilot builds on previous efforts to enhance admissions application processing by leveraging social media, a matter Director Rodriguez addresses in his testimony.

Secretary Johnson has asked us to apply a unified Departmental approach to screening and vetting in support of our varied missions and as part of his broader priority of strengthening Departmental Unity of Effort. The efforts my colleagues and I have outlined are just a few steps we have taken in meeting this challenge, and we will continue to seek new ways to bring to bear our strength as a Department to solve the most pressing National security issues and fulfill our border security, immigration, travel security, and other homeland security missions.

Chairman McCaul, Ranking Member Thompson, and Members of the committee, thank you again for the opportunity to appear before you today to discuss this important matter. I look forward to answering your questions.

Chairman MCCAUL. Thank you, Secretary Taylor.

The Chair now recognizes Director Rodriguez.

STATEMENT OF LEON RODRIGUEZ, DIRECTOR, U.S. CITIZENSHIP AND IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY

Mr. RODRIGUEZ. Good morning, Chairman, Ranking Member, Members of the committee. Thank you all for convening this very important hearing.

Chairman and Ranking Member, as both of you observed, there are very active and dangerous individuals and organizations who are sworn to the destruction of our country. Every morning when I wake up to begin to do my work, I think about exactly that.

I want to talk about where the refugee program sits in the context of those threats. We have heard the refugee program described as a purely humanitarian and optional undertaking. I am here this morning, among other things, to suggest to you that the refugee program is, in fact, a vital part of both our foreign policy and our National security.

Let's talk about the specific Syrian case. The 4 million refugees now dispersed throughout the Middle East and Europe are, on the whole, the victims of the very individuals who are sworn to destroy us here in the United States. They are now scattered throughout both the Middle East and Europe. Four hundred thousand Syrian refugee children are not in school. I do not need to dwell too long on what the consequences of that could be, in terms of human trafficking, potential for radicalization, a long list of other risks and harms which should be intuitive to this body.

So, therefore, refugee admissions are a critical element of regional stability, stabilizing the regions where these individuals are located, which, in turn, has important consequences to the United States, and standing together with our European allies, who, in fact, are facing this problem very imminently. While we are talking about taking 10,000, roughly, here in the United States, many of

my European colleagues are dealing with many, many times that already in their borders and, in fact, in many cases, without any control at all.

The 10,000 we are talking about is merely a quarter of a percent of the 4 million who are currently refugees and an even smaller fraction of the number of Syrians who are displaced either within Syria or elsewhere in the world. They also represent about 1/300th of 1 percent of the overall population of the United States.

So I would suggest, to fail to admit refugees, who are, in fact, the most immediate and most severe victims of that sort of terrorism, of those sorts of threats, would cede a vital part of the battlefield to the very people who are seeking to destroy us.

Now, in order to admit those refugees, we need to do it safely, and that is really the critical topic of this hearing today. I am here to talk both about refugees and more generally about our immigration system and what we do and have been doing for a very long time to ensure that those who seek the benefit of coming to the United States and staying in the United States are not those who mean us harm, either as threats to our National security or otherwise as threats to our society.

In fact, refugees go through a very lengthy process involving multiple interviews, multiple screenings. They are checked against databases of United States law enforcement, the intelligence community, Customs and Border Protection, State Department advisory services. Many of these are tools that, for example, when we talk about September 11 did not exist at that time, were not in utilization at that time. Even when we talk about individuals who came in 2009, 2010, some of the most powerful tools we use now are tools that were not in existence at that time.

Let me talk about one particular example. It is a tool that we call the Interagency Check that is now used in the case of virtually every Syrian who is admitted as a refugee, in the case of every Iraqi who is admitted as a refugee. That sort of check goes against the entire universe of intelligence holdings and law enforcement holdings of the United States.

As evidence of the effectiveness of the use of those tools, alongside the 2,000 or so Syrians who have now been admitted there were also 30 individuals who were denied outright because they failed either the check or the interview process. There are several hundred who are on hold as our Fraud Detection and National Security Directorate conducts a more thorough investigation of those cases before we make a final decision. In fact, many of those may end up being denied because we are unable to resolve the concerns that we have about those individuals.

I look forward to talking in more detail. These are indeed vital issues. I do want to provide both this committee and the American people the reassurance that they require so we can engage in this strategically important effort of refugee admission.

Thank you.

[The prepared statement of Mr. Rodriguez follows:]

PREPARED STATEMENT OF LEON RODRIGUEZ

FEBRUARY 3, 2016

Chairman McCaul, Ranking Member Thompson, and distinguished Members of the committee, thank you for the opportunity to testify at today's hearing. While my colleagues from the Department of State and the Department of Homeland Security's Immigration and Customs Enforcement and Intelligence and Analysis will discuss security screening in the visa process, my testimony will focus specifically on the U.S. Refugee Admissions Program (USRAP). As the director of U.S. Citizenship and Immigration Services (USCIS), I work with the talented and dedicated professionals at USCIS and throughout the Federal Government to meet the USRAP mission to offer resettlement opportunities to eligible refugees while safeguarding the integrity of the program and our National security. USCIS works in close partnership with colleagues at the Department of State's Bureau of Population, Refugees, and Migration (PRM), other components within the Department of Homeland Security (DHS), and colleagues in the law enforcement and intelligence communities.

While my statement focuses exclusively on refugee security, I do want to take one moment to also mention that USCIS plays a significant role in visa security as well. From the visa petition stage to post-entry applications for immigrant benefits, USCIS works closely with the State Department, the DHS partners represented on this panel and others to ensure that those wishing to enter the United States are screened thoroughly and repeatedly.

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 difficult conditions of temporary asylum. USCIS remains dedicated to fulfilling this mission, in partnership with PRM, and to continuing the United States' leadership role in humanitarian protection. An integral part of this mission is to ensure that refugee resettlement opportunities go to those who are eligible for such protection and who do not present a risk to the safety and security of our country. Accordingly, we are committed to deterring and detecting fraud to maintain the integrity of the refugee resettlement program, and we continue to employ the highest security measures to protect against risks to our National security.

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

REFUGEE RESETTLEMENT CASE PROCESSING

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

To maximize flexibility and program integrity, in 2005, USCIS created the Refugee Corps, a cadre of specially-trained USCIS officers who are dedicated to adjudicating applications for refugee status overseas. These officers are based in Washington, DC, but they travel to multiple locations around the world. In addition, USCIS has a small number of officers posted at embassies overseas who conduct refugee adjudications, and we assign specially-trained officers from other programs—such as the Asylum Corps, Office of the Chief Counsel, and Administrative Appeals

Office—to supplement the Refugee Corps. Using this model, USCIS has been able to respond to an increasingly diverse refugee admissions program, working in 64 countries in fiscal year 2015.

Recognizing that a well-trained cadre of officers is critical to protecting the integrity of the refugee process, we have focused our efforts on providing the highest quality training to our 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. With the advent of large-scale processing of Iraqi applicants in 2007, USCIS officers who adjudicate Iraqi refugee applications began receiving an additional 2-day training on country-specific issues, including briefings from outside experts from the intelligence, policy, and academic communities. This training has since expanded to a 1-week training in order to include Syria-specific topics as well.

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

SECURITY CHECKS

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

All available biographic and biometric information is vetted against a broad array of law enforcement, 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 Resettlement Support Center (RSC) staff. In addition, the RSC initiates requests for Security Advisory Opinions (SAOs) from the law enforcement and intelligence communities for those cases meeting certain criteria.

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

In addition to these biographic checks, which screen information such as an applicant's name and date of birth, USCIS conducts biometric checks against 3 sets of data using mobile fingerprint equipment and photographs that are typically collected at the time of the USCIS interview. These fingerprints are screened against the vast biometric holdings of the Federal Bureau of Investigation's Next Generation Identification system, and they are screened and enrolled in DHS's Automated Biometric Identification System (IDENT). Through IDENT, applicant fingerprints are

screened not only against watch list information, but also for previous immigration encounters in the United States and overseas—including, for example, cases in which the applicant previously applied for a visa at a U.S. embassy. Starting in 2007, USCIS began to work with the Department of Defense (DoD) to augment biometric screening by checking against the DoD Automated Biometric Identification System (ABIS). ABIS contains a variety of records, including fingerprint records captured in theatre in Iraq, and it is a valuable resource to identify a wide array of relevant information. Today, ABIS screening has been expanded to refugee applicants of all nationalities who fall within the prescribed age ranges.

In accordance with DHS policy, USCIS is currently using social media for review of applications for certain immigration benefits. To date, USCIS has conducted 4 pilots using social media in connection with refugee applications and is exploring using social media for other adjudications. For these pilots, USCIS has been working with members of the intelligence community, through the DHS Office of Intelligence & Analysis (I&A), to conduct social media analysis on select refugee applicants. Given the potential value of social media vetting, DHS continues to evaluate the results of these pilots in order to expand its appropriate use.

In addition to the existing suite of biometric and biographic checks that are applied to refugees regardless of nationality, USCIS has instituted an additional layer of review for Syrian refugee applications, taking into account the myriad actors and dynamic nature of the conflict in Syria. Before being scheduled for an interview by a USCIS officer in the field, Syrian cases are reviewed at USCIS headquarters by a Refugee Affairs Division officer. All cases that meet certain criteria are referred to the USCIS' Fraud Detection and National Security Directorate (FDNS) for additional review and research. FDNS conducts open-source and Classified research on referred cases and synthesizes an assessment for use by the interviewing officer. FDNS also checks social media as part of this enhanced review process. This information provides case-specific context relating to country conditions and regional activity, and it is used by the interviewing officer to inform lines of inquiry related to the applicant's eligibility and credibility.

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

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

THE REFUGEE ADMISSIONS PIPELINE

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

In fiscal year 2015, USCIS officers conducted refugee status interviews for applicants from 67 countries. The leading nationalities admitted to the United States were Burmese, Iraqis, and Somalis, as the multi-year program for Bhutanese nationals in Nepal continued its downward trend. Admissions from Africa continued their multi-year increase, notably including larger numbers of Congolese from the Great Lakes region of Africa.

Refugee processing operations in the Middle East, which have been primarily focused on Iraqi nationals since 2007, expanded to include a larger number of Syrian referrals from the United Nations High Commissioner for Refugees (UNHCR). As of mid-January 2016, the USRAP has received approximately 26,500 referrals of Syrian applicants from UNHCR, primarily in Turkey, Jordan, and Egypt. The

USRAP continues to interview large numbers of Iraqi applicants in these same 3 locations, and also resumed processing Iraqi nationals in Baghdad in spring 2015, after a break in operations since June 2014. USCIS was not able to work in Lebanon in fiscal year 2015—but for one exceptional, one-officer visit—due to space constraints at the embassy, where officers are required to both live and work due to the security conditions. However, we are scheduled to return to Beirut to conduct refugee adjudications in the second quarter of fiscal year 2016.

In fiscal years 2013, 2014, and 2015, USCIS and the State Department have succeeded in meeting the annual refugee admissions ceiling of 70,000. This accomplishment reflects a world-wide commitment to refugee protection, as well as intense and committed efforts by all the interagency partners to improve, refine, and enhance the security vetting regime for refugee applicants, while maintaining its integrity and rigor. We will continue these interagency efforts to improve the quality and efficacy of the USRAP security screening regime, including progress toward more automated processes.

USCIS is prepared to work closely with the State Department and other interagency partners to support a larger refugee admissions program of 85,000 arrivals in fiscal year 2016, including at least 10,000 Syrian refugees, while assiduously maintaining the integrity of the program and our National security.

I would be happy to answer your questions.

Chairman McCAUL. Thank you, Director Rodriguez.
The Chair now recognizes Assistant Director Kubiak.

STATEMENT OF LEV J. KUBIAK, ASSISTANT DIRECTOR, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, U.S. DEPARTMENT OF HOMELAND SECURITY

Mr. KUBIAK. Good morning, Chairman McCaul, Ranking Member Thompson, and distinguished Members. Thank you for the opportunity to discuss ICE's international engagement and security efforts to confront dangerous challenges on a global stage.

Today, I am honored to provide an overview of our international operations and to highlight a program I believe, based on my 20 years as a law enforcement officer, is one of the most critical and important U.S. security programs that we have at this point in our history. It will provide a little more granularity to Director Rodriguez's comments about new programs that have been instituted since 9/11 that increase the vetting process that we have overseas.

Currently, ICE is focused on detecting and deterring threats before they reach our Nation's borders. To that end, we deploy approximately 250 special agents and 170 support and investigative staff to 62 offices in 46 countries. Our international staff works in conjunction with their foreign law enforcement counterparts to detect, disrupt, and dismantle transnational criminal organizations and individuals that intend harm.

As you know, the Homeland Security Act of 2002 authorizes the deployment of DHS officers to diplomatic posts to perform visa security activities and provide advice and training to our State Department Consular Affairs colleagues. This critical mission is accomplished by the Visa Security program, which we refer to as VSP.

The VSP's primary purpose is to identify terrorists and criminals or other aliens ineligible for a visa prior to their travel or application for admission to the United States. VSP places our investigators on the front line of defense so that they can exploit terrorist and criminal organizations through the visa adjudication process, which is one of our first opportunities to assess whether a potential visitor or immigrant poses a potential threat.

The U.S. Government continuously vets applicants from the time they submit their application through the time they make their travel arrangements to the time that they appear at our border and beyond. As new information becomes available through our screening processes, it is provided to the appropriate decision makers, which can be State, CIS, CPB, or ICE, to ensure we use all of our tools and authorities to protect the United States from individuals who may present a security concern.

Recently, in 2014, we instituted the Pre-Adjudicated Threat Recognition Intelligence Operations Team, which we call PATRIOT, Initiative as an important part of the screening process. ICE personnel, in coordination with State and CBP, use the results of the automated screening process to identify individuals of concern. Those individuals are then referred specifically to specially-trained ICE special agents currently deployed to 26 high-risk locations in 20 countries.

One of the most effective aspects of this program is its use of automated screening tools which identify individuals of concern early in the visa application process, which then allows us to utilize our law enforcement tools in country to participate in interviews and to engage international law enforcement partners to identify additional information that would not otherwise be available to the United States Government.

At the VSP locations, ICE conducts targeted in-depth reviews of high-risk applicants prior to visa issuance and makes recommendations to consular officers to refuse visas when warranted. ICE actions complement the consular officers' screening, applicant interviews, and reviews of applications and supporting documentation. At the same time, VSP also facilitates the travel of individuals who, as a result of the enhanced screening, are determined not to be our targets of interest.

In fiscal year 2015 alone, VSP screened approximately 2 million visa applicants from these designated high-risk locations and made recommendations contributing to the refusal of over 8,000 visas by State. Of those refusals, over 2,200 applicants had some suspected connection to terrorism. Last year alone, we were able to create or enhance 760 records in the United States terrorist database as a result of VSP operations globally.

With the \$18 million enhancement to VSP that Congress provided ICE in fiscal year 2015, VSP operations expanded to 6 additional visa issuing posts last year. This is the single largest expansion of the VSP program in its 13-year history. Further, using the same fiscal year 2015 money, ICE will expand to 4 additional locations in 2016, which will result in a 50 percent increase in expansion of the program globally in just 2 years.

This record expansion is made possible by the additional Congressional funding, by CBP and ICE's joint initiative to centralize PATRIOT screening and vetting in the National Capital region, and collaboration with the Department of State on site selection, post selection, and expansion. Together, ICE and State are now jointly training overseas personnel and integrating staff at embassies to enhance regular and timely information sharing. ICE, CBP, and State Department personnel are collectively identifying ways

to further improve screening and vetting constantly and to identify the most critical embassies for future expansion.

Thank you very much for inviting me to testify today and for your continued support of the ICE mission and its law enforcement mission overseas. HSI remains committed to working with this committee to help prevent and combat threats to our Nation. I look forward to your questions.

[The prepared statement of Mr. Kubiak follows:]

PREPARED STATEMENT OF LEV J. KUBIAK

FEBRUARY 3, 2016

INTRODUCTION

Chairman McCaul, Ranking Member Thompson, and distinguished Members of the committee: Thank you for the opportunity to discuss the international engagement and security enhancement of U.S. Immigration and Customs Enforcement (ICE). At ICE, we strive to uphold our homeland security mission by confronting dangerous challenges on a global stage, with a particular focus on those emanating from beyond America's physical borders. Today, I am honored to provide an overview of our international operations and to highlight our security programs that guard the United States against diverse and global threats.

First, I would like to briefly outline the structure of ICE to help you understand our mission and responsibilities. ICE is divided into 3 operational components: Enforcement and Removal Operations (ERO), Homeland Security Investigations (HSI), and the Office of the Principal Legal Advisor (OPLA). The role of ERO is to identify, apprehend, and remove aliens unlawfully present in the United States in accordance with Federal law and policy. HSI investigates transnational crime by conducting a wide range of domestic and international criminal investigations, often in coordination with other Federal agencies, targeting the illegal movement of people and merchandise into, within, and out of the United States. OPLA is the exclusive legal representative for the U.S. Government in exclusion, deportation, and removal proceedings before the U.S. Department of Justice's Executive Office for Immigration Review, and litigates immigration-related hearings on behalf of the United States involving criminal aliens, terrorists, and human rights abusers.

HSI has extremely broad authorities and jurisdiction over the investigation of crimes with a nexus to U.S. borders and ports of entry. HSI's 3 operational priorities are border security, public safety, and counterterrorism/National security. We investigate offenses that stem from our traditional customs and immigration authorities, including smuggling of illicit goods and people and illicit finance associated with global criminal organizations.

One of ICE's most important priorities is to detect and deter threats before they reach our Nation's borders. To achieve this goal, ICE currently deploys approximately 250 special agents and 170 support staff to 62 offices in 46 countries. Our international staff works in conjunction with international law enforcement counterparts to detect, disrupt, and dismantle transnational criminal groups and individuals who seek to cause harm to the security of the United States.

THE VISA SECURITY PROGRAM AND PATRIOT

The Homeland Security Act of 2002 authorizes the deployment of the Department of Homeland Security (DHS) officers to diplomatic posts to perform visa security activities and provide advice and training to Department of State (DOS) consular officers. This critical mission is accomplished by the Visa Security program (VSP). The VSP's primary purpose is to identify terrorists, criminals, and other aliens ineligible for a visa prior to their travel or application for admission to the United States.

VSP is our first line of defense in the visa process against terrorists and criminal organizations by preventing foreign nationals who pose a threat to National security from entering the United States. The visa adjudication process is often the first opportunity to assess whether a potential visitor or immigrant poses a threat to the United States. Furthermore, the visa adjudication process is an on-going and continuous vetting process of applicants in search of derogatory information—a visa recipient is not simply granted admittance at only one review point.

Visa security is an important, interagency collaboration function, shared by both DOS and DHS, including the component offices of ICE, U.S. Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS). Our com-

ponents constantly seek to enhance our systems and processes to improve visa security efforts. Through the Pre-Adjudicated Threat Recognition Intelligence Operations Team (PATRIOT) initiative, we conduct automated screening of visa application information against DHS holdings as well as holdings of other U.S. agencies prior to the applicant's interview and visa adjudication. The process includes in-depth vetting of applicants identified as potentially having derogatory information who may be of investigative interest, or ineligible to receive U.S. visas. The PATRIOT initiative takes a risk-based approach and uses interagency resources from ICE, CBP, DOS, and the intelligence community to identify National security and public safety threats.

VSP differs from other U.S. Government screening efforts in that it leverages its capabilities, such as in-person interviews and working with international law enforcement partners to investigate suspect travelers, enhance existing information, and identify previously unknown threats, instead of simply denying visas and any potential travel. In fiscal year 2015, the VSP reviewed over 2 million visa applications, including approximately 8,600 cases in which visas were refused. Of these denials, over 2,200 applicants had some suspected connection to terrorism or terrorist organizations.

In addition, VSP enhances visa vetting by increasing automated data exchange between DOS and the CBP National Targeting Center (NTC), the latter of which provides tactical targeting and analytical research to prevent terrorists from entering the United States. The flow of on-line visa information to DHS systems is now automated and information is sent back to DOS using an automated interface.

Furthermore, ICE deploys personnel to the NTC to augment and expand current operations. The co-location of ICE personnel at the targeting center helps increase both communication and information sharing. The NTC conducts pre-departure vetting of all travelers on flights bound for the United States. Vetting identifies high-risk passengers who should be the subject of no-board recommendations to carriers, including those whose visas have been revoked.

Within ICE's VSP international footprint, we deploy specially-trained agents overseas to screen and vet visa applications at 26 high-risk locations in 20 countries, augmenting vetting mechanisms in place world-wide in order to enhance efforts at these critical posts to identify potential terrorist and criminal threats before they enter the United States. ICE accomplishes this crucial function by conducting targeted, in-depth reviews of individual visa applications and applicants prior to visa issuance, and making recommendations to consular officers to refuse or revoke visas when warranted. ICE actions complement the consular officers' screening, applicant interviews, and reviews of applications and supporting documentation. As a result of additional Congressional funding in fiscal year 2015, HSI expanded VSP operations to 6 new visa-issuing posts.

COORDINATION WITH THE U.S. DEPARTMENT OF STATE

Effective border security requires broad information sharing and cooperation among U.S. Government agencies. In October 2006, ICE entered into a memorandum of understanding (MOU) with the DOS Bureau of Consular Affairs in order to exchange visa and immigration data. The agreement allows ICE and DOS to exchange information contained in each other's electronic databases pertaining to foreign persons seeking entry into the United States. This exchange of information allows Consular Affairs personnel to query and access ICE and CBP records. Consular Affairs personnel can then consider prior violations when adjudicating visa applications for foreign persons who have applied to enter the United States. Similarly, the exchange of information allows ICE personnel to query the DOS Consular Consolidated Database and to access passport and visa application information of persons under investigation by ICE. This information sharing also acts as an exchange for on-going criminal investigations. If, for example, a suspect of an on-going Federal criminal investigation applies for a visa, ICE and DOS employees can collaborate to conduct additional investigation and/or queries prior to visa adjudication.

In January 2011, ICE signed an MOU outlining roles, responsibilities, and collaboration between ICE, Consular Affairs, and the Diplomatic Security Service. To facilitate information sharing and reduce duplication of efforts, ICE and DOS conduct collaborative training and orientation prior to overseas deployments. At overseas posts, ICE and DOS personnel work closely together in working groups, meetings, training and briefings, and engage in regular and timely information sharing. Additionally, ICE and DOS personnel work side-by-side to identify embassies for potential future expansion of the VSP and routinely travel together and provide briefings to U.S. embassy personnel prior to commencement of operations.

CONCLUSION

I am grateful for the opportunity to appear before you today and for your continued support of ICE and its law enforcement mission. I am confident that we will continue to build upon the momentum we have generated as a result of our considerable operational achievements around the world. HSI remains committed to working with this committee to forge a strong and productive relationship going forward to help prevent and combat threats to our Nation.

I would be pleased to answer any questions.

Chairman MCCAUL. Thank you, Director Kubiak.

The Chair now recognizes Assistant Secretary Bond to testify.

STATEMENT OF MICHELE THOREN BOND, ASSISTANT SECRETARY, BUREAU OF CONSULAR AFFAIRS, U.S. DEPARTMENT OF STATE

Ms. BOND. Thank you. Good morning, Chairman McCaul, Ranking Member Thompson, and distinguished Members of the committee. Thank you for this opportunity to testify today on the topic of security vetting for visa applicants.

The Department of State and our partner agencies throughout the Federal Government take our commitment to protect America's borders and citizens seriously, and we constantly analyze and update our clearance procedures. My written statement, which I request be put into the record, describes the rigorous screening regimen that applies to all visa categories.

The vast majority of visa applicants and all immigrant and fiancé visa applicants are interviewed by a consular officer. Every consular officer completes an extensive training course with a strong emphasis on border security, fraud prevention, interagency coordination, and interviewing techniques.

All visa applicant data are vetted against databases, including terrorist identity databases that contain millions of records of individuals found ineligible for visas or regarding for whom potentially derogatory information exists. We fingerprint nearly all visa applicants and screen them against the DHS and FBI databases of known and suspected terrorists, wanted persons, immigration law violators, and criminals. All visa applicants are screened against photos of known or suspected terrorists and prior visa applicants.

When the interagency screening process shows potentially disqualifying derogatory information, the consular officer suspends visa processing and submits a request for a Washington-based interagency security advisory opinion review conducted by Federal law enforcement, intelligence agencies, and the Department of State.

The Department of Homeland Security's PATRIOT system and visa security program, as described, provide additional protections at certain overseas posts. DHS Immigration and Customs Enforcement special agents assigned to more than 20 embassies and consulates in high-threat locations provide on-site vetting of visa applications and other law enforcement support to our consular officers.

Security reviews do not stop when the visa is issued. The Department and partner agencies continuously match new threat information with our records of existing visas. Now, we refuse more than a million visa applications a year, and since 2001 the Department has revoked more than 122,000 visas based on information that surfaced after issuance of the visa. This includes nearly 10,000

visas revoked for suspected links to terrorism—again, based on information that surfaced after issuance.

Mr. Chairman, Ranking Member Thompson, and distinguished Members of the committee, the Department of State has no higher priority than the safety of our fellow citizens at home and overseas and the security of the traveling public. Every visa decision we make is a National security decision.

We appreciate the support of Congress as we work to strengthen our defenses. I encourage each of you to visit our consular sections when you are abroad to see how we do this on a daily basis.

I look forward to your questions. Thank you.

[The prepared statement of Ms. Bond follows:]

PREPARED STATEMENT OF MICHELE THOREN BOND

FEBRUARY 3, 2016

Good morning Chairman McCaul, Ranking Member Thompson, and distinguished Members of the committee. The Department of State is dedicated to the protection of our borders. We have no higher priority than the safety of our fellow citizens at home and abroad. We and our partner agencies throughout the Federal Government have built a layered visa and border security screening system, and continue to refine and strengthen the 5 pillars of visa security: Technological advances, biometric innovations, personal interviews, data sharing, and training.

This layered approach enables us and our interagency partners to track and review the visa eligibility and status of foreign visitors from their visa applications throughout their travel to, sojourn in, and departure from the United States. Lessons learned through the years have led to significant improvements in procedures and capabilities. At the same time, the tragic events that transpired most recently in San Bernardino demonstrated that no system is perfect. We must constantly analyze, test, and update our clearance procedures. We will never stop doing so.

A LAYERED APPROACH TO VISA SECURITY

In coordination with interagency partners, the Department has developed, implemented, and refined an intensive visa application and screening process. We require personal interviews in most cases, including all immigrant and fiancé cases, employ analytic interviewing techniques, and incorporate multiple biographic and biometric checks in the visa process. Underpinning the process is a sophisticated global information technology network that shares data among the Department and Federal law enforcement and intelligence agencies. Security is our primary mission. Every visa decision is a National security decision. The rigorous security screening regimen I describe below applies to all visa categories.

All visa applicants submit on-line applications—the on-line DS-160 nonimmigrant visa application form, or the on-line DS-260 immigrant visa application form. On-line forms enable consular and fraud prevention officers, and our intelligence and law enforcement partners, to analyze data in advance of the visa interview, including the detection of potential non-biographic links to derogatory information. The on-line forms offer foreign language support, but applicants must respond in English, to facilitate information sharing among the Department and other Government agencies.

Consular officers use a multitude of tools to screen visa applications. No visa can be issued unless all relevant concerns are fully resolved. The vast majority of visa applicants are interviewed by a consular officer. During the interview, consular officers pursue case-relevant issues pertaining to the applicant's identity, qualifications for the particular visa category in question, and any information pertaining to possible ineligibilities related to criminal history, prior visa applications or travel to the United States, and/or links to terrorism or security threats.

As a matter of standard procedure, all visa applicant data is reviewed through the Department's Consular Lookout and Support System (CLASS), an on-line database containing approximately 36 million records of persons found ineligible for visas, or regarding whom potentially derogatory information exists, drawn from records and sources throughout the U.S. Government. CLASS employs sophisticated name-searching algorithms to identify accurate matches between visa applicants and any derogatory information contained in CLASS. We also run all visa applicants' names against the Consular Consolidated Database (CCD, our automated visa

application record system) to detect and respond to any derogatory information regarding visa applicants and visa holders and to check for prior visa applications, refusals, or issuances. The CCD contains more than 181 million immigrant and non-immigrant visa records going back to 1998. This robust searching capability, which takes into account variations in spelling, is central to our procedures.

We collect 10-print fingerprint scans from nearly all visa applicants, except certain foreign government officials, diplomats, international organization employees, and visa applicants over the age of 79 or under the age of 14. Those fingerprints are screened against two key databases: First, the Department of Homeland Security's (DHS) IDENT database, which contains a watch list of available fingerprints of known and suspected terrorists, wanted persons, and immigration law violators; and second, the Federal Bureau of Investigation's (FBI) Next Generation Identification (NGI) system, which contains more than 75.5 million criminal history records.

All visa photos are screened against a gallery of photos of known or suspected terrorists obtained from the FBI's Terrorist Screening Center (TSC), and against visa applicant photos contained in the Department's CCD.

In 2013, in coordination with multiple interagency partners, the Department launched the "Kingfisher Expansion" (KFE) counterterrorism visa vetting system. While the precise details of KFE vetting cannot be detailed in this open setting, KFE supports a sophisticated comparison of multiple fields of information drawn from visa applications against intelligence community and law enforcement agency databases in order to identify terrorism concerns. If a "red-light" hit is communicated to the relevant consular post, then the consular officer denies the visa application and submits it for a Washington-based interagency Security Advisory Opinion (SAO) review by Federal law enforcement and intelligence agencies. In addition to this KFE "red-light" scenario, consular officers are required to submit SAO requests in any case with applicable CLASS name check results, or with particular nationality, place of birth, or residence information. In any case in which reasonable grounds exist regardless of name check results, a consular officer may suspend visa processing and institute SAO procedures. Consular officers receive extensive training on the SAO process, which requires them to issue an interim denial of a visa application and engage in interagency review for any case with possible security ineligibilities. An applicant subject to this review may be found eligible for a visa only if the SAO process resolves all concerns.

DHS's Pre-adjudicated Threat Recognition and Intelligence Operations Team (PATRIOT) and Visa Security Program (VSP) provide additional law enforcement review of visa applications at designated overseas posts. PATRIOT is a pre-adjudication visa screening and vetting initiative that employs resources from DHS/Immigration and Customs Enforcement (ICE), Customs and Border Protection (CBP), and the Department of State. It was established to identify National security, public safety, and other eligibility concerns prior to visa issuance. A team of agents, officers, and analysts from ICE and CBP perform manual vetting of possible derogatory matches.

PATRIOT works in concert with the Visa Security Units (VSU) located in more than 20 high-threat posts and is being deployed to more visa-issuing posts as rapidly as available resources will support. ICE special agents assigned to VSUs provide on-site vetting of visa applications and other law enforcement support to consular officers. When warranted, DHS officers assigned to VSUs conduct targeted, in-depth reviews of individual visa applications and applicants prior to issuance, and recommend refusal or revocation of applications to consular officers. The Department of State works closely with DHS to ensure that no known or suspected terrorist inadvertently receives a visa or is admitted into our country. The Department of State has not and will not issue a visa for which the VSU recommends refusal.

TRAINING

Consular officers are trained to take all prescribed steps to protect the United States and its citizens when making visa adjudication decisions. Each consular officer completes an intensive, 6-week Basic Consular Course. This course features a strong emphasis on border security and fraud prevention, with more than 40 classroom hours devoted to security, counterterrorism, fraud detection, and visa accountability programs. Adjudicators receive extensive classroom instruction on immigration law, Department policy and guidance, and consular systems, including review of background data checks and biometric clearances.

Students learn about the interagency vetting process through briefings from the Bureau of International Security and Nonproliferation; Consular Affairs' (CA) Office of Screening, Analysis and Coordination; CA's Counterfeit Deterrence Laboratory; Diplomatic Security; and the DHS/ICE Forensic Document Laboratory.

In addition, officers receive in-depth interviewing and name-check technique training, spending more than 30 classroom hours critiquing real consular interviews, debriefing role plays, and other in-class activities. Basic interviewing training includes instruction in techniques for questioning an applicant to elicit information relevant to assessing visa eligibility. Officers use verbal and non-verbal cues to judge an applicant's credibility and the veracity of the applicant's story. They examine and assess documentation, including electronic application forms, internal background check information, passports, and required supporting documents during the interview.

Officers receive continuing education in all of these disciplines throughout their careers. All consular officers have Top Secret clearances, and most speak the language of the country to which they are assigned and receive training in the culture of the host country.

VISAS VIPER PROGRAM

U.S. missions overseas report information about foreign nationals with possible terrorist connections through the Visas Viper reporting program. Following the December 25, 2009, attempted terrorist attack on Northwest Flight 253, we strengthened the procedures and content requirements for Visas Viper reporting. Chiefs of Mission are responsible for ensuring that all appropriate agencies and offices at post contribute relevant information for Viper nominations. Visas Viper cables must include complete information about all previous and current U.S. visas. On December 31, 2009, we updated instructions regarding procedures and criteria used to revoke visas. We added specific reference to cases that raise security and other concerns to the guidance regarding consular officers' use of the authority to deny visa applications under section 214(b) of the Immigration and Nationality Act (INA), if the applicant does not establish visa eligibility to the satisfaction of the consular officer. Instruction in appropriate use of this authority has been a fundamental part of officer training for several years.

CONTINUOUS VETTING AND VISA REVOCATION

Federal agencies have been matching new threat information against existing visa records since 2002. We have long recognized this function as critical to managing our records and processes. This system of continual vetting evolved as post-9/11 reforms were instituted, and is now performed in cooperation with the TSC, the National Counterterrorism Center (NCTC), FBI, DHS/ICE, and CBP's National Targeting Center (NTC). All records added to the Terrorist Screening Database (TSDB) and Terrorist Identities Datamart Environment (TIDE) are checked against the CCD to determine if there are matching visa records. Vetting partners send these matches electronically to the Department of State, where analysts review the hits and flag cases for possible visa revocation. We have visa information-sharing agreements under which we widely disseminate our data to other agencies that may need to learn whether a subject of interest has, or has ever applied for, a U.S. visa.

The Department of State has broad authority to revoke visas, and we use that authority widely to protect our borders. Cases for revocation consideration are forwarded to the Department of State's Visa Office by embassies and consulates overseas, NTC, NCTC, and other entities. As soon as information is established to support a revocation (i.e., information that surfaced after visa issuance that could lead to an ineligibility determination, or otherwise indicates the visa holder poses a potential threat), a "VRVK" entry code showing the visa revocation, as well as lookout codes indicating specific potential visa ineligibilities, are added to CLASS, as well as to biometric identity systems, and then shared in near-real time (within approximately 15 minutes) with the DHS lookout systems used for border screening. As part of its enhanced "Pre-Departure" initiative, CBP uses VRVK records, among other lookout codes, to recommend that airlines not board certain passengers on flights bound for the United States. Every day, we receive requests to review and, if warranted, revoke visas for aliens for whom new derogatory information has been discovered since the visa was issued. The Department of State's Operations Center is staffed 24 hours a day, 7 days a week, to address urgent requests, such as when a potentially dangerous person is about to board a plane. In those circumstances, the Department of State can and does use its authority to revoke the visa immediately.

Revocations are typically based on new information that has come to light after visa issuance. Because individuals' circumstances change over time, and people who once posed no threat to the United States can become threats, continuous vetting and revocation are important tools. We use our authority to revoke a visa immediately in circumstances where we believe there is an immediate threat, regardless

of the individual's location, after which we will notify the issuing post and law enforcement or immigration stakeholders. We are mindful, however, not to act unilaterally, but to coordinate expeditiously with our National security partners in order to avoid possibly disrupting important investigations. In addition to the hundreds of thousands of visa applications we refuse each year, since 2001, the Department has revoked approximately 122,000 visas, based on information that surfaced following visa issuance, for a variety of reasons. This includes approximately 10,000 visas revoked for suspected links to terrorism.

GOING FORWARD

We face dangerous and adaptable foes. We are dedicated to maintaining our vigilance and strengthening the measures we take to protect the American public and the lives of those traveling to the United States. We will continue to apply state-of-the-art technology to vet visa applicants. While increasing our knowledge of threats, and our ability to identify and interdict those threats, the interagency acts in accordance with the rules and regulations agreed upon in key governance documents. These documents ensure a coordinated approach to our security as well as facilitating mechanisms for redress and privacy protection.

We are taking several measures to confront developing threats and respond to the despicable terrorist attacks in Paris and San Bernardino.

With our interagency partners, particularly DHS, we conducted a thorough review of our K-visa process. As we constantly do, we analyzed our current K-visa processes, including security vetting, to identify areas where we could improve. We are further exploring and implementing several adjustments and recommendations, especially in regard to our processing of applicants from countries of concern. These adjustments and recommendations include, but are not limited to, working with the Department of State's Diplomatic Security Service to explore assigning additional Regional Security Officers in direct support of consular sections and visa adjudications; working with DHS to explore expanding the use of ICE's PATRIOT screening in certain countries of concern where it is not already present; and taking another opportunity to review prior K-visa adjudications and our internal standard operating procedures to determine what we can learn and use to inform our processes and training.

Additionally, we are working closely with DHS and the interagency to explore and analyze the use of social media screening of visa applicants. In addition to learning from our DHS colleagues, we began a pilot exploration of social media screening at 17 posts that adjudicate K-visa applications and immigrant visa applications for individuals from countries of concern. We expect to learn a great deal from this pilot and are confident we will have a much better understanding of the implications of using social media vetting for National security and immigration benefits. At the same time, we continue to explore methods and tools that could potentially assist in this type of screening and potentially provide new methods to assess the credibility of certain information from applicants. We believe these endeavors will provide us insights to continue to ensure the visa process is as secure, effective, and efficient as possible.

Information sharing with trusted foreign partners is an area that has seen significant development in recent years. For example, "to address threats before they reach our shores," as called for by the President and the Prime Minister of Canada in their February 4, 2011, joint declaration, *Beyond the Border: A Shared Vision for Perimeter Security and Economic Competitiveness*, the Departments of State and Homeland Security have implemented arrangements for systematic information sharing with Canada. The established processes provide for nearly real-time access to visa and immigration data through matching of fingerprints, as well as through biographic name checks for information that an applicant previously violated immigration laws, was denied a visa, or is a known or suspected terrorist. Canadian officers currently access the U.S. records of Syrian nationals seeking refugee resettlement in Canada, among other populations of visa and immigration applicants.

As part of our long-term strategic planning to improve efficiency and accuracy in visa adjudications, while ensuring we can meet surging visitor visa demand, we are investigating the applicability of advanced technology in data analysis, risk screening, and credibility assessment. Keeping abreast of high-tech solutions will help us reduce threats from overseas while keeping the United States open for business.

I assure you that the Department of State continues to refine its intensive visa application and screening process, including personal interviews, employing analytic interview techniques, incorporating multiple biographic and biometric checks, and interagency coordination, all supported by a sophisticated global information tech-

nology network. We look forward to working with the committee staff on issues addressing our National security in a cooperative and productive manner.

Chairman McCAUL. Thank you, Secretary Bond.

I now recognize myself for questioning.

I think the most important mission as I look at the Department's mission, it involves travel and it involves identifying threats and keeping bad people and bad things outside the United States, keeping them from coming into this country.

We are here today primarily as a result of the San Bernardino shooting and the fact that Malik, a Pakistani foreign national, was granted a visa, came into the United States, and then it was divulged that her social media had not been reviewed prior to coming into the United States or as part of the visa application process, something as fundamental—that really any employer, before they hire someone, that I am aware of, check—is someone's social media, and that we seem to have this antiquated system that we want to bring now into the 21st Century when it comes to something so vitally important as the Nation's security.

I understand that there is nothing derogatory on her Facebook account. I think that is worth mentioning. But, Mr. Taylor, your predecessor, Mr. Cohen, raised this as an issue as well, that the Department was not looking at social media.

It is my understanding that since that time there have been 3 pilot programs launched looking specifically at the Syrian refugee program. It is important to note that since May more than 40 suspected jihadists have been caught entering Europe through the Syrian refugee process. Many, if not all, had links to ISIS.

So I guess my first question is, and I think mainly to our Homeland Security witnesses, is—and I understand there are 10.5 million visa applicants per year. It is an enormous number. There are hundreds of thousands of refugees. But when we look at the 10,000 Syrian refugees I think the American people are most concerned with, and the Congress, can you tell us now, in light of the San Bernardino shooting, what are we doing with respect to the admittance of those 10,000 Syrian refugees into the United States? Are we checking their social media accounts?

Mr. Taylor.

Mr. TAYLOR. Thank you for the question, sir. I think Director Rodriguez can address that specific question. But I would like for the record to be clear that Mr. Cohen's suggestion that there was a prohibition on the use of social media in the Department of Homeland Security is false. We have had policy in place since 2012, and, to date, there are 33 instances within the Department where our components are using social media.

The challenge the Secretary recognized was that we were not doing it comprehensively as a Department. As you know, one of his big pushes has been to organize Departmental information in a way that complements the various missions of our components. That is what our task force is focused on: How can we organize ourselves to use this in a most effective way across all of the missions that the Department performs?

Director Rodriguez.

Chairman McCAUL. I want to give you the opportunity to respond, because that has been made a big deal in the media.

Mr. TAYLOR. Yes, sir.

Chairman MCCAUL. When was the task force formed?

Mr. TAYLOR. My task force was formed on the 15th of December. The policy in the Department was written in 2012 that authorized the use of social media across the components.

Mr. RODRIGUEZ. So, at this point, with respect to the Syrian refugee stream, we are reviewing social media in those cases where there are existing flags of concern. We are building as quickly as we can to build to a point where we would, in fact, be screening the entire body of Syrian refugee applicants.

As we bring new resources on-line, we are prioritizing those areas where we detect the greatest risk. I think we hopefully discussed some of that yesterday in the Classified briefing.

I think it is important, as we talk about social media, to place it in the right context of the overall screening that we do. It is one tool among a battery of tools that we use in order to screen individuals. So it is used in conjunction with the information that we derive from intelligence databases. It is used in conjunction with the multiple interviews that are conducted of these individuals before they are granted admission. Particularly important to recognize that those interviews are done with the benefit of intense briefing to our officers, based on both Classified and non-Classified sources, on the country conditions to a great degree of granularity that exist in the countries from which they are coming, whether we are talking about Syria or Iraq.

The other thing I want to emphasize is we are not only going to be talking about Syria as we bring this capability on but also Iraq. If we look at the history of the individuals who have been arrested for terrorist plots, there is more of a history, certainly, of individuals having terrorist plots—

Chairman MCCAUL. My time is expiring, but—and in those cases, where we did have intelligence, we brought in terrorists.

Mr. RODRIGUEZ. Again, that is why the importance—and I would like an opportunity to answer that at some other point. That is why the importance of the Interagency Check, which was not used in the same manner at the time of the—

Chairman MCCAUL. I understand all of that. This is about social media. When the director of the FBI testified here, and the Secretary of Homeland, they raised concerns about the lack of databases to query to properly vet.

So my question again is: Are we checking the social media for the 10,000 Syrian refugees that we are bringing into the United States?

Mr. RODRIGUEZ. Yeah, no, and that is what I was meaning to address at the beginning. We are doing that in cases of flags of concern. We are adding resources quickly so that we use that, in fact—

Chairman MCCAUL. But not all of them.

Mr. RODRIGUEZ [continuing]. Over the entire body of—

Chairman MCCAUL. Just the high-risk? Or all of them?

Mr. RODRIGUEZ. Right now. Then we are going to be moving to covering the entire population.

Chairman MCCAUL. Which leads me to my next question. So these visa security units where ICE is located in the embassy,

these are really the high-risk countries. It seems to me you don't quite have the capability yet on the—we get the algorithms to check the social media. But my recommendation would be that this be expanded, the social media checking and vetting, not just to the 10,000 Syrian refugees but to all the visa security units across the globe.

Mr. TAYLOR. Sir, that is our intent, to be as comprehensive as we can in capability to allow the maximum amount of vetting against that particular data set for the purposes of our Department's mission.

So it is not limited—we have started with the K-1s and the refugees because that is a starting set, but the longer-term plan is to apply that capability against all of the vetting responsibilities that we have.

Chairman MCCAUL. Well, you certainly have my strong support for that expansion. Anything we can do to help you, let us know.

Mr. TAYLOR. Yes, sir.

Chairman MCCAUL. With that, I will recognize the Ranking Member.

Mr. THOMPSON. Thank you, Mr. Chairman.

Taking off on your line of questioning, Mr. Kubiak, relative to the visa security programs, we historically have had 6—there were 6 new high-risk visa-issuing ports authorized, bringing it to 26. Now, it is my understanding that in the 2016 omnibus appropriation it did not provide adequate funding to operate the expanded number of visa security programs.

If we are mandating, as Congress, for you to do more and don't provide money, how are you going to expand that visa security program?

Mr. KUBIAK. Thank you for the question.

The funding that we were provided in fiscal year 2015 also was accompanied by an ability to carry some of that money over into fiscal year 2016. So we have been very judiciously using the money and reappropriating the money around the globe to cover off on the larger threats as we see them developing. So we are able to use some of the money that Congress gave us in 2015 in 2016 for that expansion and to continue the expansion of VSP and the enhancements of the PATRIOT screening and vetting process as we move forward.

Obviously, we are always able to do more with more, and so, for future appropriations, we are always looking for the way to expand the VSP program. But for now, we are fine for 2015 and 2016 as we move forward.

Mr. THOMPSON. Because you are able to use the prior year's funding to support the present year's mission?

Mr. KUBIAK. Yes, sir. That was an important enhancement that Congress gave us last year, was to be able to carry over that funding.

Mr. THOMPSON. General Taylor, following that line of questioning with respect to the platforms for social media and other things that there is interest on this committee, have we identified the resources to complete those projects related to establishing the new platforms on social media?

Mr. TAYLOR. Sir, that is a part of our charter, to develop an investment strategy around that capability. This committee has been very supportive of certainly I&A's efforts at using data within DHS. That funding has been very useful for us in moving that forward. But we don't know yet what the exact amount will be, and once we have that completed, we will get it through the process and get it back up to the Hill.

Mr. THOMPSON. Well, can you kind-of talk to us a little bit about whether or not you have identified the personnel necessary to carry out that mission? Are we going to have to depend on outside contractors to complete that mission?

Mr. TAYLOR. You know, sir, my experience in this is that at the beginning we probably won't have enough capability on board in the Government to do this robustly and that we will have to do some contracting, particularly for linguists, when one is talking about social media. All social media is not in English, so we need language skills and those sorts of things, which are more readily available initially in the private sector.

But long term, I think we will build a capability that mirrors our Department's responsibility to review this type of data and do so with Government employees that are trained and able to do it. But my sense is the initial investment will be heavily contractor.

Mr. THOMPSON. Thank you.

Ms. Bond, for the record, there has been some discussion about the San Bernardino individual, Malik's Facebook page. In a public setting, can you kind-of clarify whether or not the presence or the lack of derogatory information was on her social media?

Ms. BOND. Sir, to my knowledge, there was nothing that was publicly accessible that indicated jihadist or other threatening beliefs. I don't believe there was anything on a Facebook page or something else that one would have been able to find.

Mr. THOMPSON. Thank you.

I yield back, Mr. Chairman.

Chairman McCAUL. The Chair recognizes Mr. Smith from Texas.

Mr. SMITH. Thank you, Mr. Chairman.

Secretary Bond, let me return to the subject of Syrian refugees. What percentage of Syrian refugees are males overall?

Mr. RODRIGUEZ. Yeah, actually, I think I should take that question.

Mr. SMITH. Okay. Director Rodriguez, then.

Mr. RODRIGUEZ. Yeah, I believe that it's a minority of the—

Mr. SMITH. The U.N. High Commissioner for Refugees says 62 percent are male.

Mr. RODRIGUEZ. Well, are we talking about ones that we have actually admitted to the United States, or are we talking about the overall refugee stream? Because normally what is referred to the United States, most typically, are family units.

Mr. SMITH. Okay. Let's go by admitted Syrian refugees. What percentage are males and what percentage are males of military age, whether they are connected to families or not?

Mr. RODRIGUEZ. I don't have that specific data in front of me, but I can make it available to this committee.

Mr. SMITH. Okay. Well, let me tell you what I think the answer is. According to the U.N. High Commissioner for Refugees—that is

the source for 62 percent are male. Your own data says about 25 percent are males of military age, whether they are connected to families or not.

Do you have any reason to believe that that is not the case?

Mr. RODRIGUEZ. I have no reason to believe that that is not the case. I would like to get you the exact figures based on our experience, but I have no reason to think that that is not the case.

Mr. SMITH. The State Department tries to, I think, skew the data a little bit, and they say only 2 percent are males connected to families. But if you leave off the "connected to families," it suddenly expands to about a quarter are males of military age. If you don't find any problem with that, that is good.

Let me go to Secretary Taylor for a second.

Secretary Taylor, what percentage of Syrian refugees are you unable to conduct any background check involving third-party or independent data? In other words, what percentage of Syrian refugees in effect have a clean slate except for what they themselves tell you?

By the way, I don't mean by "clean slate" that they are innocent of any wrongdoing. I am just saying, what percentage are you unable to conduct any kind of a background check involving independent data?

Mr. TAYLOR. We are able to conduct a background check on 100 percent of—

Mr. SMITH. Right. That wasn't my question. I know you conduct background checks. I am just saying, what percentage are you able to vet that have independent, third-party data that you have access to?

Mr. TAYLOR. Sir, I am not sure I understand.

Perhaps, Director Rodriguez, you would—

Mr. RODRIGUEZ. Yeah. I think the essence of your question, Congressman, is, when we query the various databases that both General Taylor and I have described, what percentage of those individuals don't show up on those databases at all.

Mr. SMITH. Right. Again, meaning blank slate, you have no information on them—

Mr. RODRIGUEZ. Right.

Mr. SMITH [continuing]. Whatsoever.

Mr. RODRIGUEZ. I have described to you the cases where individuals are in those databases because there is derogatory information about them on those databases, and you are asking what portion. Happily, actually, a very large portion don't have derogatory information about them. I think your question is—

Mr. SMITH. Oh, no, I am not—yeah, my question—

Mr. RODRIGUEZ. No, no. But do we have—

Mr. SMITH. When you have no information about somebody, what percentage of Syrian refugees fall into that category?

Mr. RODRIGUEZ. Well, we generally do have information that is beyond just what that individual provides. In other words, we are checking also against country conditions. We are—

Mr. SMITH. I know. Again, let me go to my question, and I hope you will answer it. What percentage of Syrian refugees do you have no independent data on?

Mr. RODRIGUEZ. A large percentage do not have derogatory information in those databases. There is other documentation that they present in just about every case.

Mr. SMITH. Okay. I know they don't have any derogatory, but I am saying—you are finding nothing. A large percentage, you have no information about, one way or the other. You assume, because you have no information, that there is nothing derogatory. Is that right?

Mr. RODRIGUEZ. We have other sources of information in order to check the veracity of the information that they are giving us in the interview context.

Mr. SMITH. Okay. By "information," I am not talking about general country conditions. I am talking about on that specific individual. Are you saying that in most cases you have no third-party, independent data?

Mr. RODRIGUEZ. Part of what—it depends on what you are calling third—in other words, it is true, most of them will not appear in the databases because they have done nothing wrong—

Mr. SMITH. Right.

Mr. RODRIGUEZ [continuing]. In those cases.

Mr. SMITH. But if they had done—

Mr. RODRIGUEZ. We do have—

Mr. SMITH. You don't know for sure whether they have done something wrong or not. Is that correct?

Mr. RODRIGUEZ. Is—

Mr. SMITH. There is no way to guarantee that they don't have something in their background that would be suspicious.

Mr. RODRIGUEZ. We can never 100 percent eliminate risk in anything that we do in this life. That is a truth. The fact is that we do have a very intensive process to mitigate risk in this particular case.

Mr. SMITH. Right. But, again, I think the answer to my question is that you said the great majority are individuals about whom you have no specific independent data about.

Mr. RODRIGUEZ. We have other documentation with which to check the information that they are giving us in their interviews. That is really the point that I am trying to make, sir.

Mr. SMITH. Yeah. I guess I am saying, again—and I don't hear you contradicting it—yes, you don't have any negative, but I am saying you don't have any information whatsoever on a majority of them.

Mr. RODRIGUEZ. No, we do, because the individuals bring extensive Government—often bring extensive Government documentation. We interview multiple family members; we interview multiple members of communities. So there is actually a benchmark with which to test the information that they are giving us in interview. I think that is a critical fact here.

Mr. SMITH. Right. But, again, that is general information. It is not necessarily about that specific individual.

Mr. RODRIGUEZ. It is both general information and specific information about that individual, about that individual's community, about that individual's family unit.

Mr. SMITH. But, again, you said most you have no specific information about that is negative, shall we say.

Mr. RODRIGUEZ. That is correct. That is correct.

Mr. SMITH. But, again, you don't know whether there could be something else out there that is negative that you don't have access to.

Mr. RODRIGUEZ. Certainly if they are——

Mr. SMITH. Okay.

Mr. RODRIGUEZ [continuing]. If they are not in the—if the derogatory information about them is not in the databases, then, yeah, we wouldn't know it unless we got it some other way.

Mr. SMITH. Okay. That is what I am looking for.

Thank you, Mr. Chairman.

Chairman McCAUL. Thank you, Mr. Smith.

Mr. Keating is recognized.

Mr. KEATING. Thank you, Mr. Chairman.

I would like to thank all of you for your service to our country and helping us keep us safe.

I did have a question, and it is a really important—I think the Ranking Member was going down this line of concern by the committee, and that is the resource concern.

One of the things that I wanted to ask, I guess, Assistant Secretary Bond or anyone else who could answer this is the fact that we are reviewing social media now, but do we have enough linguists available to do the job right now? I have a concern that, resource-wise, we are not there yet. Could you address that? Is that a problem of resources for you?

Ms. BOND. In terms of our ability to vet documents, social media, other information that is in the local language or in another language, for the most part our consular officers are trained in the language of the country where they are working, and we also have local employees who are, you know, fluent in the language and often assist with interpretation and other things.

If need be, we would be able to hire additional people. In the case of the State Department's consular work, we are fee-funded, and we would be able to find the resources if we needed to amp them up.

Mr. KEATING. Well, I thought we are expanding in those areas beyond the pilots. So if we are, is there enough in the pipeline?

Ms. BOND. Let me ask the colleagues from DHS to talk about their programs.

Mr. RODRIGUEZ. From the perspective of USCIS in, for example, the social media screening, as we increase the capabilities in that area, we do have access to language assistance contracts in whatever the relevant languages might be.

I think you understand that our funding model is fundamentally different than everybody else at this table. The work we do with respect to refugees and asylees, that the resources for that are drawn from the fees that we collect from fee-paying immigrants, be they naturalizing citizens, green card holders——

Mr. KEATING. All right. Let me just rephrase it then. Do you have enough linguists? Forget about your ability to get——

Mr. RODRIGUEZ. We have access to enough linguists——

Mr. KEATING. For the expansion?

Mr. RODRIGUEZ. In the near term, we do have——

Mr. KEATING. What about——

Mr. RODRIGUEZ [continuing]. Enough linguists.

Mr. KEATING [continuing]. If we are planning an expansion, which is what I am hearing, do you have enough that you are getting in the pipeline now for this expansion, or is there going to be a clogging of that?

Mr. RODRIGUEZ. What we are building right now, yes, we do have access to enough resources. We are assessing what our long-term needs are going to be, Congressman, to directly answer the question I know you are trying to ask.

Mr. KEATING. Thank you.

I had a question too—I mean, there is a difference, you know, with the refugees that are coming in; they don't have the same Constitutional rights that an American has. So along the lines, Assistant Secretary Bond, with the interview process, I am curious, have you tried to incorporate technology into that process, in terms of lie detection and other issues, for this? Were those things implemented at all in the interview process?

Because we use those in our country, you know, if there is a waiver of someone's—and I was a district attorney before, you know, doing investigations, and we incorporate those things here. Are they being incorporated as part of your vetting process?

Ms. BOND. Sir, if you are asking specifically about the interviews of the refugees, that is a program that is—again, we all keep going back to our friend, Mr. Rodriguez, but it is his agency that does those interviews. I can answer questions with respect to the—

Mr. KEATING. Okay. I should probably—Mr. Rodriguez. I am sorry. Thank you.

Mr. RODRIGUEZ. Yeah. I think your question is do we have enough resources for—

Mr. KEATING. No. It is, are you incorporating technological devices and equipment that are pretty advanced now, in terms of lie detection, as part of that process?

Mr. RODRIGUEZ. Yeah, I would not talk about the specifics of how we use technology in an open hearing, sir. I would be happy in a closed setting to describe what we are doing, what we are thinking about doing, but I would not venture into that area in this setting.

Mr. KEATING. Okay. I can understand the Classified side. However, the person that—I understand it, but I think you are being a little broad in not answering the question. Because the people that are going through it are going to know that it is there, so it is not going to catch people by surprise. But we will go there and—

Mr. RODRIGUEZ. So, yeah, I mean—

Mr. KEATING [continuing]. I will do that Classified.

Mr. RODRIGUEZ [continuing]. Do we use polygraphs in the refugee setting? The answer is no, more directly. Again, there are other things that I think you would want to know about that I would not try to discuss here. But if your direct question is: Are we using polygraphs? The answer is no.

Mr. KEATING. Okay. Thank you.

I just wanted to quickly, in a few seconds—the time frame for moving some of these pilots for the social media review in these critical areas, can you give us just an idea, a time frame when you would be able to expand and how much in the future?

Mr. RODRIGUEZ. Right now, we are conducting manual vetting. In other words, we are literally just going into Facebook and Google and other sources to identify the social media information. That is very slow-going.

So, in the short term, we are going to be focusing adding as quickly as we can just for the Syrians as soon as possible so we cover as much of that 10,000 that we are seeking to admit this year as we can.

Longer term, we are looking for technological solutions that will permit us to look at that more broadly. I don't know what the time line is going to be for actually identifying and deploying those technological solutions more broadly.

Mr. KEATING. Okay. Well, thank you. My time is up. Thank you again for your service.

Chairman MCCAUL. If I could just add to that, in our Visa Waiver bill, we did put that the Department needs to look at these new technologies for truth detection, if you will.

Mr. Rogers from Alabama.

Mr. ROGERS. Thank you.

Mr. Taylor, back in October, we had Director Comey from the FBI here, and he was asked if he could tell us with a high degree of certainty that he, through the vetting process, could assure us that ISIL would not be able to move some of their terrorist members into our countries through these refugee movements. He basically said, no, that the problem was we didn't know what we don't know.

Here we are, 4 months later, and, to my knowledge, we are still in that same situation. So why are you insisting that we continue to visit this topic of these 10,000 refugees?

Mr. TAYLOR. Well, sir, I believe there are two questions. I will ask Director Rodriguez to answer the question on the refugee screening, which is more in his line. But I believe what Director Comey was referring to was the data that he had available within the FBI and within the intelligence community about this particular population.

We know a lot more today about this population than we did when he testified back in October, and we continue to learn every day. That is our system. I wouldn't want to go specifically into how that knowledge base grows, but it grows every day. It has grown since 9/11. I would welcome the opportunity in a closed session or another session to speak to that capacity.

Mr. ROGERS. Well, it grows because we had a lot of room for improvement. The problem is we still can't say with a high degree of certainty that they won't be able to sneak ISIL members in through those groups.

I have to tell you, Mr. Rodriguez, I have been here—this is my 14th year to be honored to serve in Congress. I haven't heard an opening statement from a witness I disagree with more than yours. I don't know why in the world you think that we should have a sense of urgency to accept these refugees, moral or otherwise. The fact is the refugees who have left Syria are no longer in danger. Our moral obligation is to help make sure they have a place to stay, health care, food until we can get them safely back into their country.

We have millions of them in Lebanon, Jordan, Turkey. I can understand why you think we would want to be good Americans, like we always are, very generous Americans, and help them in those areas. But why should we move them into our country? I can't understand why you think that is necessary.

You know, one of the things that came up in the hearing when Director Comey was here was we had a group of refugees that came up through South America, through Mexico, and came to our Southern Border and turned themselves in, wanted asylum. Now, those people weren't in danger. They were looking for economic opportunity. That is what I think is happening with a lot of these people. It is happening in Western Europe, as well. These people are not—once they are out of Syria, they are not looking for safety anymore; it is all about economic security.

I had the Ambassador from Romania in my office this morning, along with a member of parliament. I asked them—because they were talking about the migration issues have really upset Western Europe and Eastern Europe. I asked them, I said, well, have you all had a problem with refugees in Romania? He started laughing. He said, we are way too poor. The only refugees that have come to Romania were there by accident, and once they realized they were in Romania, they left and went to Germany or someplace with economic opportunities.

So tell me why we are focused on this instead of removing Bashar al-Assad from power so these people can go back home? Why are we not working on helping the refugees stay in their neighborhood, in encampments or in cities, and bringing them to our country, where we know ISIL intends to use them to kill us?

Mr. RODRIGUEZ. So I think an important starting point for this discussion is the fact that since September 11, we have admitted 785,000 refugees, 128,000 of those have come from Iraq, a number of them have come from other places where there is, in fact, an active terrorist threat, Somalia, other parts of North Africa. Not a single one of them has actually ever engaged in an active attack on the homeland. There have been plots that have been disrupted by U.S. law enforcement.

Mr. ROGERS. What percentage of that number has happened in the last few months since Paris, and since we have had the problem, the attempted attack in Berlin, the attack in San Bernardino? You are conflating this into a completely different picture. The world has changed dramatically over the last several months, and you know that. We now have to be focused on where ISIL is and the efforts they are using to get people into this country now. I agree, we are a country of immigrants, we have had a great, rich history with immigrants, but we have a new dynamic right now, and that is not relevant, what you are describing is not relevant to this dynamic.

Mr. RODRIGUEZ. Well, I guess, Congressman, where you and I do actually disagree, and I appreciate your highlighting the disagreement, is I do not believe that refugee admission is purely a moral and humanitarian undertaking. It is that, but it is much, much, much more. Has a critical strategic National security and foreign policy role.

If we are not seen as offering opportunity to the very victims of ISIL and al-Nusra, then we will have—we will have given away a vital part of the battlefield. We have——

Mr. ROGERS. Why do we owe them opportunity?

Mr. RODRIGUEZ. I am sorry?

Mr. ROGERS. Why do we owe them opportunity?

Mr. RODRIGUEZ. Because right now, those individuals are displaced. They may be safe over the short term. There are 400,000 children who are not in school.

Mr. ROGERS. We can provide them an opportunity for safety in their neighborhood, in Turkey, in Jordan, in those areas. We don't have to have them in our country to make sure they stay safe, well-fed, and cared for.

Mr. RODRIGUEZ. That is certainly one reason why the numbers that we are taking are relatively small compared to the overall number who are in refugee status, and it is something that we are doing alongside the other English-speaking countries that have made commitments to accept refugees, the other European countries that have made commitments. That is also critical. We need to work with our allies to deal with this problem together. We cannot place ourselves in a posture where we are saying it is their problem and not ours.

That, in my mind, actually does have a National security implication if we do not look at it that way, but I understand. That is a point on which you and I disagree, sir.

Mr. ROGERS. Thank you, Mr. Chairman.

Chairman MCCAUL. The Chair recognizes Mr. Langevin.

Mr. LANGEVIN. Thank you, Mr. Chairman. I want to thank the panel for your testimony today and the work you are doing to protect the American people.

General Taylor, Secretary Bond, you have both highlighted some processes that the Federal Government is implementing or has already implemented to tighten screening of these applicants and refugees, and I think we can all agree that this is a—this is vital to ensure that security reviews are as thorough as possible and thorough enough to flag any applicant with derogatory information in Government databases. However, I remain concerned about applicants for whom there is no U.S. source intelligence, but for whom there may be intelligence from our partners.

Do you share these concerns? What barriers remain to free flow of information between counterterrorism agencies here and those abroad, particularly in Europe, which I know have stricter or different privacy laws that we have that may restrict that information sharing, and we have had testimony, both in Classified and open sessions expressing that concern, but what can we do to remove them?

Mr. TAYLOR. Congressman, thank you very much for that very pertinent question. I think I would start out with the legislation that recently passed in December, which has strengthened the Visa Waiver program to include the HSPD-6 requirements for information sharing, which not all countries in Visa Waiver were—had an HSPD-6 agreement with the United States. By the end of this year, all countries will have that agreement, and I think that

strengthens the intelligence and law enforcement exchange that is so vital to this global problem.

The one thing that has been crystal clear to me is that terrorists do not honor borders, they do not honor law enforcement, they move anywhere that they believe they can move with impunity, and the way in which information sharing allows our governments and our allies to be more effective in spotting those movements, and so that exchange is rich, it is continuing and I sense a new sense of urgency in our partners, particularly in Europe, to collect the data that is necessary to protect their country, and in collecting the—their country's collecting that data, to make that data available to U.S. authorities on a reciprocal basis.

Mr. LANGEVIN. So under the agreements that you say is going to be in place by the end of the year, you are confident that that takes care of all of the problems, that there would be no—

Mr. TAYLOR. Oh, no, sir.

Mr. LANGEVIN [continuing]. Information sharing on the European side, that they need to change their laws in any way to accommodate more robust intelligence sharing?

Mr. TAYLOR. All I can say is we have made it very clear to our partners in the Visa Waiver program that a necessary ingredient in that agreement for Visa Waiver is that we have an information-sharing agreement, and that we are insisting on it. That begins a process. It is not an end game, but—you know, these relationships grow over time, but the framework for those relationships will be in place with all of the countries that we currently have Visa Waiver agreements with.

Mr. LANGEVIN. Thank you. Secretary Taylor, in your testimony, you state that the Department recognizes the technological advances and the evolving nature of the threat environment require you to continuously reevaluate and improve our screening and vetting process. Can you further elaborate on how you are evaluating, and how you are going to enhance the way the Department elicits information from applicants, identifying new kinds of data that might be valuable, and developing new methods to efficiently incorporate this data in the Department's systems?

Mr. TAYLOR. Well, I would answer that in two ways: First, this committee has been very supportive of the initiative of the Secretary to create a DHS data framework, and for that framework to be effective in sharing data across all of our components as opposed to just individual components, which is a big step towards how we organize ourselves to use information that may be available in one component that is not available in another. So that is the first step.

The second step is these issues are becoming much more complicated. In many cases, components will solve their initial issue that they want to do with social media, but not solve a more broader issue. So what we have—our task force is designed to create really a center of excellence for vetting in the Department where we are continually striving to look for new techniques, tools, processes that help us get better at this, not at a suboptimal level in our components, but as a Department, and that is our goal going forward.

Mr. LANGEVIN. Yeah. I think it is essential to be nimble and to recognize this technology, especially changes so rapidly that we are

doing everything we can to incorporate those new capabilities into our vetting system to——

Mr. TAYLOR. That is our—that is the Secretary's direction, and we are moving with all deliberate speed.

Mr. LANGEVIN. Very good.

Thank you, Mr. Chairman. I yield back.

Chairman MCCAUL. Mr. Duncan from South Carolina.

Mr. DUNCAN. Thank you, Mr. Chairman.

I want to refute one thing that Mr. Rodriguez just said. There hadn't been an act of terror, I won't refute it, but I want to applaud law enforcement for actually stopping the acts of terror that could have been committed by refugees that have been granted refugee status in the country. January 7, Texas and California, prime examples of Iraqi refugees granted refugee status in this country, 2006, 2009, whatever the year was. Law enforcement got it right. They actually stopped it, and I applaud them for that.

I thank your men for your service, but the glaring example that I just mentioned shows that if you don't vet refugees coming into this country, the potential, the possibility of an act of terror happening on U.S. soil from someone that comes from Iraq or Syria is real.

Last week, back in the district, I had an opportunity to testify before the South Carolina State Senate, possibly the first time a United States Congressman has ever testified in the general assembly of South Carolina, myself and Congressman Mick Mulvaney, on the Syrian refugee issue. South Carolina does not want unvetted Syrian refugees to locate in their State, but yet the Obama administration continues to try to make that happen.

Since the Syrian civil war broke out, the numbers I have are 2,693 Syrian refugees have been admitted into this country. For the record, 53 of those were Christian, 33 were non-Muslim, the remaining of those were Muslim.

Mr. Chairman, I would like to submit for the record my testimony in the South Carolina Senate last week.

Chairman MCCAUL. Without objection, so ordered.

[The information follows:]

TESTIMONY BEFORE THE SC SENATE GENERAL COMMITTEE BY CONGRESSMAN JEFF DUNCAN (SC-03)

JANUARY 27, 2016

Chairman Bryant and Members of the General Committee, I want to thank you for inviting me to testify before you today on an issue that is concerning to me and that poses a grave threat to our National security—the refugee resettlement program.

The United States has been and will continue to be a compassionate Nation. We have a long and proud history of welcoming those fleeing oppression and persecution in their home nations. However, the safety of our citizens must be our No. 1 priority. We must be compassionate, but we must also remain cognizant of the threats against our country and our citizens. Americans should not be put at risk, nor should we sacrifice our National security in that name of compassion. Especially when abuse of the refugee resettlement program is a known tactic of terrorist groups, keeping Americans safe should be our No. 1 priority.

In light of the recent attacks by Islamist extremists around the world and in our country, I believe that the refugee resettlement program should be paused, not only for those coming in from Syria, but from any country with strong ties to terrorism—countries that are a terrorist sanctuary or safe haven. Most recently what comes to mind are the two Iraqi-born refugees arrested in Houston, Texas and Sacramento,

California. One refugee came into the United States via the refugee resettlement program in 2012 and left to fight in Syria with various terrorist groups only to come back to the United States in 2014 and settle in California. The Houston-settled refugee came to the United States in 2009 and is believed to have been radicalized within the States. He was arrested for providing material support to ISIS. This is precisely why we cannot be too careful when it comes to our National security. It is unacceptable that we are unable to monitor those coming into the United States and leaving the States to fight for terrorism. Until we can ensure that our citizens are safe, the refugee resettlement program should be halted.

In February 2015, Assistant Director of the FBI's Counterterrorism Division, Michael Steinbach, testified before the House Homeland Security Committee on which I serve. Mr. Steinbach was very blunt and honest when it came to the threat here at home of those who have fought with terrorist groups overseas such as ISIS and then come to the United States: "We don't have it under control . . . it's not even close to being under control." Additionally, Steinbach said that the databases on the ground in Syria just do not have the information needed to properly vet refugees coming into the United States. According to Steinbach, it's impossible to screen out terrorists that could be hiding among refugees. They are a "population of concern." U.S. National Intelligence Director James Clapper has stated that ISIS infiltrating the refugee process is a "huge concern of ours." Most recently, in October of 2015, FBI Director James Comey testified before our committee and said that our vetting process of refugees will not identify a terrorist who willfully avoids the obvious checks in place to identify them; in fact, through one of the only means we have to identify the threats—state documents of fallen, warring, or distrustful countries. Furthermore, he says that the records on people in Syria are lacking. "You can only query what [information] you've collected. We can query our databases until the cows come home, but . . . nothing will show up because we have no record on that person." Even with decades of information on Iraqi refugees, we still cannot screen out potential terrorists, as seen with the arrest of the 2 Iraqi refugees in 2009 in Kentucky and the arrests made just this year. How then can we be sure that with so little information on Syrian refugees that terrorists are being screened out? The answer is simple: We cannot. When our top National security officials admit statements like these, and terrorists are being arrested already in the States that entered through the resettlement program, and then the President says that the United States will accelerate the resettlement of Syrian refugees in fiscal year 2016 to admit 10,000 refugees into the States, I see a President who is more concerned with his legacy than he is with the safety of American citizens and our National security.

Another area of resettling Syrian refugees that is deeply concerning is how readily available fake Syrian passports have become. Fake passports are of course not a new issue, but because so many countries have said that they will accept more Syrian refugees, the demand for Syrian passports have increased. In Paris, one of the attackers had a fake Syrian passport. The *Washington Post* has reported extensively on the thriving black market for Syrian passports. People from Egypt, Iran, India, Albania, Somali, Kosovo, Pakistan, and Tunisia have all falsely identified as Syrian to attempt to gain entry into Europe or the United States. When President Obama announces that the process for admitting Syrian refugees will be expedited, we are essentially laying out a welcome mat for terrorists to enter the United States by simply obtaining a fake passport. I have provided a copy of that article for your convenience.

As a Member of the House Homeland Security Committee, I am working with my colleagues in order to ensure the safety of the Third District, South Carolina, and the United States. In early October last year, I cosigned a letter led by Representative Schweikert from Arizona requesting more information from the administration on the vetting process of refugees. As of today, we have yet to receive a response. Furthermore, I am a cosponsor of Representative Babin's legislation which would pause the resettlement of refugees within the United States until Congress passed a joint resolution giving the Department of Homeland Security (DHS) the authority to resume the program. I am also a cosponsor of Representative Poe's bill which prohibits the Office of Refugee Resettlement from resettling any refugee in a State whose government has communicated to the Office that the State government does not consent to such resettlement. This would include South Carolina.

In November of last year, by a vote of 289–137, the House passed the American Security Against Foreign Enemies Act introduced by the Chairman of the Homeland Security Committee, Michael McCaul. While this bill is not the final solution, it is a good first step in the right direction. Under this legislation, background checks of refugees are strengthened, the resettlement process is slowed down, and account-

ability and Congressional oversight is increased on refugees entering the United States. This legislation now awaits a vote in the Senate.

The issue of keeping our country safe and not putting American lives at risk is of great concern to me and many of my colleagues in Congress. I have heard from many of my constituents and I share their concerns. It is because of their feedback and our concern for South Carolina and the United States that I have introduced legislation along with my friend and colleague, Senator Cruz, that would empower States to use their Tenth Amendment authority to opt out of the National refugee resettlement process. Under our legislation, the Federal Government must notify States of its intent to place refugees within their borders and allows Governors to reject that resettlement if a Governor believes that refugee poses a security threat.

I applaud the work that you have done and continue to do to protect the citizens of South Carolina. When the President is more concerned about his accomplishments rather than safeguarding our National security, more of the burden rests on the States to ensure the safety of its citizens. I believe that S. 997, a bill regarding refugees and voluntary resettlement organizations, takes significant steps to ensure the safety of South Carolina. National security officials admit that our vetting process is not adequate; significant risks remain; Syrian refugees are a population of concern. I am supportive of any legislation that slows down to process for encouraging refugees to be resettled in South Carolina and gives ample time for the public's concerns to be not only heard but acknowledged. Until these concerns and threats are mitigated, we have an obligation to take these necessary steps to protect American citizens.

Ensuring the safety and security of the American people is a continuous responsibility and of utmost importance. We must be constantly vigilant. The President has yet to lay out a clear strategy to combat ISIS, and continues to show a complete lack of seriousness to the complex and destructive dangers lurking in the threat of an unaccountable vetting process. When our Government fails to combat Islamist extremism—an ideology that goes directly against our values and ideals as Americans—but instead opens the doors for refugees potentially infiltrated by terrorists to come into the United States, you at the State and local level must take a stand against this irresponsible policy and ensure that our States are safe.

Once again, thank you for inviting me to testify here today. May God continue to bless South Carolina and may God bless America.

Mr. DUNCAN. Thank you.

In 2011 or 2012, Mr. Chairman, you and I traveled to Afghanistan, and there, at a forward operating base, we met a gentleman that was assisting the United States military as a translator. His name was Hollywood. After we left, we were contacted by a former Member of Congress, Charles Djou from Hawaii, who served with that unit at that forward operating base, knew Hollywood well, saw him want to pick up a gun and fight the Taliban, who was threatened by the Taliban for being an interpreter for this country. Charles Djou asked us, former Congressman Djou asked us to assist Hollywood with coming into this country under the asylum program for interpreters that help our country.

It took over 2 years for this gentleman, who was verified by the general of the Third Army 10th Mountain Division, who was verified by the unit that he assisted, who had Members of Congress writing letters for him, who had General Petraeus, for goodness sakes, had met the gentleman and vouched for him, took 2 years to get that gentleman here under that program. We scrutinized his background, but we are going to allow unvetted Syrian refugees from an area that ISIS, who has declared war on the United States, whether we have declared war on them or not, has said they will infiltrate that refugee program and also exploit the migration program in Europe, and that is a whole other topic, of foreign fighter flow, of Visa Waiver program, of Schengen, of the ability for someone who has a long-term vision to get into Europe and eventually come into this country under those programs, but we are going to allow unvetted Syrian refugees into this country?

These policies of the Obama administration put Americans at risk, because we don't know who is coming into that country by allowing unvetted Syrian refugees.

You guys can say we are doing the best job we can, we are vetting, but Director Comey refutes that. He said we are trying to do better, we got it on testimony, but we are not very good at it. We can't tell you that we have vetted these folks, because the information isn't available. The records have been destroyed, they have been stolen. Someone from Syria can travel into Turkey, and for \$600, buy a new identity, a new passport.

So Mr. Chairman, I appreciate us continuing to raise awareness of this issue with Syrian refugees. I am amazed that an administration that wants to expand background checks for law-abiding American citizens exercising their Second Amendment Constitutional rights will refuse to do the background checks necessary on possibly Syrian refugees.

With that, Mr. Chairman, I yield back.

Chairman MCCAUL. I thank the gentleman. The Chair recognizes Mrs. Torres from California.

Mrs. TORRES. Thank you, Mr. Chairman. I want to begin by asking—I would like to ask unanimous consent for statements from a coalition of faith-based and advocacy groups to be entered into the record.

Chairman MCCAUL. Without objection, so ordered.
[The information follows:]

STATEMENT OF THE AMERICAN-ARAB ANTI-DISCRIMINATION COMMITTEE

FEBRUARY 3, 2016

INTRODUCTION

I am writing to you on behalf of the American-Arab Anti-Discrimination Committee (ADC), the country's only National Arab-American organization. ADC has a long history of supporting the human and civil rights of all Americans and opposing racism, discrimination, and bigotry in any form. ADC was founded by former U.S. Senator James Abourezk in 1980. Today, ADC is the largest grassroots Arab-American civil rights and civil liberties organization in the United States. ADC is non-profit, non-sectarian, and non-partisan, with members in every State of the United States. ADC routinely works with a broad coalition of National organizations and Government agencies to address immigration, refugee, and humanitarian crisis in the Middle East and Arab region. ADC respectfully takes this opportunity to provide a statement for the record to U.S. House Homeland Security Committee hearing entitled *Crisis of Confidence: Preventing Terrorist Infiltration Through U.S. Refugee and Visa Programs*.

STATEMENT

The passage into law of the Visa Waiver Program Improvement and Terrorist Travel Prevention Act is a poor reflection of America, and the fundamental rights and principles we are obligated to respect, protect, and defend. The ideal aim of strengthening the security of our Nation does not equate to shutting down our borders, abandoning our American values, and turning our backs on human beings in need because of their National origin, ethnicity, and/or religion. Isolation and discrimination has never been and should never be the solution.

National origin and dual citizenship alone does not predicate a National security threat. It is not black and white, nor simple to suggest that the bill just requires individuals to get a visa. The bill is not just a visa requirement, it is discriminatory. Section 3 imposes a mandatory bar to all persons whom are dual citizens of Syria, Iraq, Sudan, and Iran is blatant profiling on its face. Only nationals of particular countries regardless of whether they have traveled to a terrorist support country or not, have to meet additional requirements they would not otherwise have to go through if they were not Arab. There is no separate assessment and/or security re-

view done that determines that specific person on a case-by-case basis is a security threat, non-related to their identity, place of birth, or country of National origin.

Historically immigration programs with sweeping powers to exclude people based on nationality, race, ethnic origin, or religion have proven to be ineffective. In 2002, the U.S. Government established the special-registration program under National Security Entry-Exit Registration System (NSEERS) requiring heightened registration and scrutiny of people in the United States who came from mostly Arab and Muslim countries. NSEERS was initially portrayed as an anti-terrorism measure which required male visitors to the United States from 25 Arab and Muslim countries to be fingerprinted, photographed, and questioned by immigration officers. Many whom complied with registration were arbitrarily detained and deported. NSEERS proved to be an ineffective counter-terrorism tool, and has not resulted in a single known terrorism-related conviction. We also should not forget the detrimental ramifications of blanket immigration exclusion and discrimination against Asians with the Chinese Exclusion Act.

Our Governmental agencies—the U.S. Department of Homeland Security (DHS), the Federal Bureau of Investigations (FBI), the Department of Defense (DOD), and the National Counterterrorism Center (NCTC) have the capacity to properly screen visa holders and refugees and prior to entrance into the United States.¹

The United States has a rigorous security vetting system for refugees. The United States selects refugees for protected status that are living outside of war-torn/armed conflict areas, mainly women, children, and torture victims whom have fled for their lives to U.N. refugee camps and resided in refugee camps for years. Refugees undergo multiple levels of rigorous security checks by all our Federal immigration and intelligence agencies immediately prior to their entry into the United States even after status approval. DHS conducts several security checks and interviews overseas to make sure refugees meet the legal definition for a refugee—requiring demonstrable proof that were persecuted or feared persecution in their home country. Plus additional strenuous security provisions have been put in place for a 2-year special screening and examination of each refugee application.²

The United Nations Refugee Agency also has a robust vetting process. The United Nations Refugee Agency conducts an extensive vetting process that can take several months to a year with multiple levels of clearances before the U.S. vetting and security checks process even begins. Strict security measures implemented include mandatory biometrics—eye scans and fingerprinting, collection of all biographical data, fact and corroboration in-person interview checks and extensive identity research through inter-Government intelligence and criminal databases.

“Empirically, historically, we don’t see terrorists trying to embed people in refugee flows exactly because they are so highly vetted,” agreed Gary Shiffman, former chief of staff for Customs and Border Protection at DHS and the CEO of Giant Oak, a company that analyzes large data sets to help address terrorism and crime problems.³ Congress must uphold its responsibility to help the millions of human beings that have fled for their lives and many whom have died trying to escape indiscriminate violence, on-going civil war, rape, torture, and death. We are undisputedly facing a global refugee crisis.

Congressional actions that contradict and/or attempt to undermine the purpose and existence of the refugee program to save human lives, through measures to effectively shut down the refugee program and/or engage in National origin and/or religious profiling of refugee applications must be prohibited. Refugee status is granted and/or extended to provide temporary protection in the United States for all persons subjected to persecution or in fear of persecution based on a protected characteristic including religion and national origin. The United States cannot pick and choose based upon a person’s race, national origin, or religion whether to grant refugee status. How can we single out and treat people differently who are seeking protection for the exact same reason?

CONCLUSION

All refugees fear terrorism as much if not more than Americans, like any human being. Refugees are the daily targets and victims, suffering immense direct persecution by terrorists. We cannot allow and perpetuate the automatic exclusion of legiti-

¹See U.S. Refugee Admission Program, <http://www.state.gov/j/prm/ra/admissions/index.htm>.

²Elise Foley, Refugee Screenings Are More Intensive Than Some Politicians Would Have You Think, Huff Post, Nov. 17, 2015, http://www.huffingtonpost.com/entry/refugee-screening-processsyrians_564b55ece4b045bf3dtDece7.

³Rachel Oswald, GOP, Democrats Gear Up to Clash Over Refugee Program, CQ NEWS, Nov. 12, 2015.

mate visa holders based upon their national origin, ethnicity, and/or religion. The reactionary Government actions following the Pearl Harbor attack—Japanese internment camps and 9/11—arbitrary detention and surveillance of Arabs—are cautionary tales that we must heed to now and remember that we cannot let fear erode respect and protection of civil and human rights.

STATEMENT OF CHURCH WORLD SERVICE

FEBRUARY 3, 2016

As a 70-year old humanitarian organization representing 37 Protestant, Anglican, and Orthodox communions and 33 refugee resettlement offices across the country, Church World Service urges the committee to affirm the importance of the current U.S. refugee resettlement program, which has the most robust National security and screening procedures in the world. CWS urges all Senators to reject any proposals that would stop, pause, or otherwise hinder, refugee resettlement or put at risk vital funding for refugee protection overseas and resettlement in the United States.

To be considered a refugee, individuals must prove that they have fled persecution due to their nationality, ethnicity, religion, political opinion, or membership in a particular social group. Refugees face 3 options: Return to their home country, integrate in the country to which they first fled, or be resettled to a third country. For the millions who are unable to return home due to significant threats to their safety and rejection by the country to which they first fled, resettlement is the last resort. Indeed, resettlement saves lives and also helps encourage other countries to provide durable solutions for refugees within their borders, including local integration. While less than 1 percent of the world's estimated 19.5 million refugees are resettled to a third country, the United States is 1 of 28 countries that resettles refugees.¹ The U.S. Refugee Admissions Program (USRAP) is a public-private partnership that helps rescue refugees who have no other means of finding safety, prioritizing refugees who are especially vulnerable. Of the Syrian refugees who have been resettled in the United States, 77 percent are women and children.²

Security measures are intrinsic to the integrity of the U.S. refugee resettlement program, which is the most difficult way to enter the country. All refugees undergo thorough and rigorous security screenings prior to arriving in the United States, including but not limited to multiple biographic and identity investigations; FBI biometric checks of applicants' fingerprints and photographs; in-depth, in-person interviews by well-trained Department of Homeland Security officers; medical screenings; investigations by the National Counterterrorism Center; and other checks by U.S. domestic and international intelligence agencies. In addition, mandatory supervisory review of all decisions, random case assignment, forensic document testing, and interpreter monitoring are in place to maintain the security of the refugee resettlement program. Syrian refugees are also undergoing iris scans to confirm their identity, and must affirmatively prove that they are not affiliated with a terrorist group.³ As a result, refugees are the most vetted individuals to travel to the United States. Visa processing for other populations is separate and different than the resettlement process.

In January 2016, the Department of Justice announced the arrest of 2 Iraqi men, Aws Mohammed Younis Al-Jayab in Sacramento, California and Omar Faraj Saeed Al Hardan in Houston, Texas.⁴ While neither of the accused have been charged with attempting to commit any terrorist activities within the United States⁵, Al-Jayab was indicted for providing false statements in a terrorism investigation⁶ and Al Hardan was charged with making false statements to U.S. officials, unlawfully pro-

¹United Nations High Commissioner for Refugees. Resettlement. 2016. <http://www.unhcr.org/pages/4a16b1676.html>.

²"Myths and Facts: Resettling Syrian Refugees," U.S. Department of State. <http://www.state.gov/r/pa/prs/ps/2015/11/250005.htm>.

³Dara Lind, "The US is so paranoid about Syrian refugees that it's letting barely any in." Vox. Nov. 16, 2015. www.vox.com/explainers/2015/11/16/9745318/syrian-refugees-us-isis.

⁴Dara Lind, Two Iraqis who came to the US as refugees arrested on terrorism charges: what we know. Vox. Jan. 8, 2016. <http://www.vox.com/2016/1/8/10735906/iraqi-refugees-isis-terrorism>.

⁵Dara Lind, Two Iraqis who came to the US as refugees arrested on terrorism charges: what we know. Vox. Jan. 8, 2016. <http://www.vox.com/2016/1/8/10735906/iraqi-refugees-isis-terrorism>.

⁶Compl. at ¶¶ 5–16, *United States v. Al-Jayab*, No. 2:16-MJ-1 (E.D. Cal. Jan. 6, 2016). <http://www.justice.gov/opa/file/811696/download>.

curing immigration status, and providing “material support” to ISIL.⁷ CWS condemns the actions of these 2 individuals, and applauds the diligent work of the FBI and law enforcement agencies in bringing these individuals to justice. These individuals are in no way representative of refugees resettled in the United States, who continuously contribute to our society and communities, and we cannot blame an entire group of people for the actions of 1 or 2 individuals. Refugees are the most scrutinized group of travelers to enter the United States. The Department of Homeland Security continually works to strengthen the security screening process, including the addition of new interagency checks in 2011 that now run constantly while a case is being considered. Refugees also undergo additional rounds of security reviews when they apply for lawful permanent residency after 1 year of arriving in the United States and when they apply for citizenship after 5 years.

As a Nation, we must grapple with the fact that terrorist groups are attempting to recruit American youth from all walks of life, ethnicities, and statuses into their ranks, and this must be stopped. Most individuals who have been recruited are U.S.-born citizens. There are community-based programs that engage and educate youth about these dangers and have effectively dissuaded many young people from joining terrorist groups. These programs are central to protecting young people and preventing terrorist recruitment on our soil, and should be supported and replicated across the country. This is an issue that is bigger than refugees or immigrants, and we as Americans all need to face it together.

Meanwhile, Syria is experiencing the worst humanitarian crisis the world has seen in 20 years, with approximately 4 million refugees and 8 million internally displaced persons. Roughly three-quarters of those displaced are women and children. Lebanon, Jordan, Turkey, Iraq, and Egypt currently host more than 3 million Syrian refugees. This crisis is complex and requires a variety of solutions, including refugee resettlement, which plays a strategic role in alleviating pressure on host countries in the region, demonstrating international leadership, and providing durable solutions and opportunities for a new life for vulnerable populations fleeing persecution. The United States has a proud tradition of welcoming refugees and such leadership is needed now more than ever.

CWS calls on Congress to support resettlement as a lifesaving program and affirm the need to increase the resettlement of Syrian refugees during this time of crisis. We call on our elected officials to stand with the millions of Americans across the country who are donating to help refugees abroad and volunteering to welcome refugees in their communities. CWS stands committed to working with both chambers of Congress and the administration to resettle refugees as part of the implementation of our foreign policy and humanitarian responsibilities to provide safety to vulnerable refugees from Syria and beyond.

STATEMENT OF DISCIPLES REFUGEE & IMMIGRATION MINISTRIES

FEBRUARY 3, 2016

As a North American Christian faith movement of over 600,000 which was birthed on the American frontier, our heritage of congregations assisting refugees goes back more than over 75 years. We are grateful to be part of a faith tradition that has spoken again and again of our key faith value of welcoming the stranger despite religious or cultural background. Since WWII, the Christian Church (Disciples of Christ) in the United States and Canada has worked through our Disciples Home Missions office of Refugee & Immigration Ministries, in partnership with Church World Service, to resettle over 40,000 refugees in the past 6 decades.

Now, in these days when our world is facing the worst humanitarian crisis since the end of World War II, we re-affirm strongly our readiness to continue to embrace refugees, and to welcome them without exclusion. We are ready to do so because we are called to love our neighbor as ourselves. Indeed, in light of the reality of over 60 million displaced persons and 20 million refugees in the world, we strive for a greater goal of hospitality—one which our history has shown is attainable through strong public-private partnerships.

We believe that, just as the United States admitted over 650,000 European refugees during WWII, and between 100,000–200,000 Southeast Asian refugees for over a decade and a half after the Vietnam War, we are capable now to safely admit even greater numbers of refugees fleeing violence. We recognize that the multiple existing levels of refugee security screenings mean refugees are the most heavily scrutinized of all arrivals into the United States. As 1 of 28 countries which resettles refugees,

⁷ [Illegible as provided to the committee].

we are grateful for each of these security screenings pre-arrival; including many biographic and identity screenings, FBI biometric checks of fingerprints and photos, detailed interviews with trained DHS officers, medical screenings, identity research through the National Counterterrorism Center, as well as additional domestic and international intelligence checks.

Syrian refugees likewise undergo additional iris screenings and tests to determine their non-affiliation with any terrorist group. This amount of security is appropriate and of greatest importance. Additionally, for U.S.-born and foreign-born youth in the United States, we emphasize the continuing need for youth programs which educate youth about the dangers of affiliating with any efforts of recruitment into terrorist activities. Yet, we remind Congress that the arrests of 2 Iraqi men in January 2016 from Houston and Sacramento are not characteristic of the tens of thousands of refugees who consistently contribute to the economic and social fabric of our communities.

In our international partnerships in mission, we have consistently observed families struggling desperately to stay together, and even to remain alive, because of the spiral of violence in their homelands. We commend the U.S. commitment of \$4.5 billion to the region. Yet, as we encourage other international communities to increase their contributions, we advocate for the United States to offer additional humanitarian aid to counter root causes in the Middle East, where the majority of refugees remain. Together with multiple faith partners, we urge that a negotiated solution to the Syria crisis be made a top U.S. diplomatic priority, and that armed involvement of partners must cease, together with provision of arms, and training of opposition groups.

We see many Christians, Muslims, Jews, and families of other faiths persecuted. As we support relationships of peace and solidarity across religious divides internationally, in our own Nation we must counter anti-Muslim sentiment at every turn—allowing us to offer protection to refugees in great need. By so doing, we will welcome opportunities for relationship with hard-working doctors, lawyers, teachers, business owners, coaches, pastors, imams. There is a moral challenge directly before us. Our congregations are constantly expressing their willingness to help house, teach English, mentor, employ, and surround the world's most vulnerable people—and we are ready to continuing to partner in welcoming all who come to our shores.

STATEMENT OF FRANCISCAN ACTION NETWORK

FEBRUARY 3, 2016

Franciscan Action Network, a national organization of Franciscan men and women, professed religious and lay persons, supports the United States refugee resettlement program and urges all legislators to reject any proposals that would stop or hinder resettlement of refugees in the United States. FAN also supports H.R. 4380, the bipartisan Equal Protection in Travel Act of 2016.

To achieve refugee status, individuals must prove that they have fled persecution due to their nationality, ethnicity, religious, political opinion or membership in a particular social group. Images and stories of refugees from Syria fleeing violence and persecution appear in U.S. media almost every day, and the United States is 1 of 28 countries that resettles refugees. Of the Syrian refugees that have been resettled in the United States, 77 percent are women and children.

The Department of Justice announced the arrest of 2 Iraqi men in January, for providing false statements in a terrorist investigation, though neither was charged with attempt to commit terrorist activities in the United States. Their actions are to be condemned, but they do not represent the majority of refugees resettled in our country. Refugees are the most vetted group of travelers to the United States, undergoing a stringent scrutiny process which the Department of Homeland Security continually works to strengthen.

Syria is experiencing one of the worst humanitarian crises the world has seen in modern history with at least 4 million refugees and 8 million internally displaced persons trying to escape violence, persecution, and even hunger. Most of these are women and children. FAN urges Congress to support resettlement as a life-saving program.

FAN also supports the Equal Protection in Travel Act of 2016 (H.R. 4380), bipartisan legislation to repeal the travel restrictions targeting dual nationals included in the Fiscal Year 2016 Omnibus Appropriations Act passed in December, 2015. These changes to the U.S. Visa Waiver program were a reaction to the November 2015 terrorist attacks in Paris and discriminate against dual nationals of Iran, Iraq, Sudan, and Syria solely due to their ancestry and not to any decision or action on

their part. Such discrimination violates American values and tradition. FAN commends the bipartisan group of legislators who introduced the Equal Protection in Travel Act of 2016 to repeal these travel restrictions for dual nationals and strongly urges Congress to pass this legislation.

STATEMENT OF YASMINE TAEB, LEGISLATIVE REPRESENTATIVE FOR HUMAN RIGHTS & CIVIL LIBERTIES, FRIENDS COMMITTEE ON NATIONAL LEGISLATION

FEBRUARY 3, 2016

Chairman McCaul, Ranking Member Thompson, and Members of the committee: I am honored to submit this testimony for the record on behalf of the Friends Committee on National Legislation.

Quakers are challenged to answer that of God in all people and therefore called to act with openness to all refugees, regardless of their country of origin or religion. The Friends Committee on National Legislation (FCNL) calls on Congress to treat refugees with the same dignity and respect and urges the committee to support the U.S. refugee resettlement program.

Since 1943, FCNL has lobbied Congress to prevent war, protect vulnerable populations, and support effective, principled policies to help build a more peaceful world. Perhaps the most vulnerable population today is those who are displaced world-wide—approximately 60 million people and the highest numbers since World War II. Syrian refugees seeking resettlement world-wide total nearly 4.6 million with another 8 million internally displaced. Turkey, Lebanon, Jordan, Iraq, and Egypt are currently hosting 4.45 million Syrian refugees while the United States has been able to resettle only around 2,000. Of the Syrian refugees who have resettled in the United States, 77 percent of them are women and children.¹

FCNL urges Members of Congress to reject any proposals that would stop, pause, or obstruct refugee resettlement in the United States. The United States has a history of welcoming refugees and immigrants. Since 1975, the United States has successfully resettled more than 3 million refugees. The United States has the most secure, vetted, and robust refugee screening process in the world, which involves the Department of Homeland Security, the FBI, the Department of Defense and multiple intelligence agencies. The entire vetting process, which includes biometric and investigatory background checks, fingerprints, photographs, and in-person interviews, takes 18 to 24 months. Syrian refugees also undergo iris scans to verify their identities and must prove that they are not affiliated with any terrorist group.

As a faith community, FCNL urges Members of Congress to speak up and speak out against derogatory, inflammatory, and fear-mongering rhetoric about refugees; it has no place in response to any humanitarian crisis. FCNL unequivocally opposes any legislation or proposal that prioritizes Christian refugees at the expense of Muslim refugees and individuals from other faiths resettling in the United States. It is our responsibility as Americans to welcome those most in need, offer refuge, and lift up our shared humanity.

People around the United States are ready and willing to welcome refugees into their homes, communities, and hearts. Higher walls do not make our communities safe or thriving; building stronger bridges does. We are called as people of faith to work in community with and answer that of God in each person—we ask that Congress do the same and welcome refugees with open hearts and minds.

STATEMENT OF HIAS

FEBRUARY 3, 2016

Throughout our history, America has been defined by our generosity toward those who seek a safe haven from oppression. Welcoming refugees honors both our country's history and reflects the deeply-held American and Jewish tradition of offering a chance at a new beginning to those who seek safety and freedom. Once given that opportunity, refugees and asylees become active and productive members of American communities.

National security and resettling refugees are not mutually exclusive. Refugees are subject to the highest level of security checks of any other population applying to enter the United States. The U.S. Refugee Admissions Program can offer safety and

¹Myths and Facts: Resettling Syrian Refugees, U.S. Department of State, November 25, 2015, <http://www.state.gov/r/pa/prs/ps/2015/11/250005.htm>.

maintain our position as a global humanitarian and resettlement leader while still protecting the United States from possible threats.

HIAS, the global Jewish nonprofit that protects refugees, is deeply committed to preserving refugee resettlement in the United States. The Jewish community has been disheartened by attempts by Congress to pause or shut down refugee resettlement in the name of National security. This concern was reflected in the attached letter signed by nearly 1,300 rabbis from across the country urging legislators to preserve the U.S. refugee resettlement program. The history of this program has shown its effectiveness in providing safety to refugees while keeping out those that seek to cause harm. The existing security vetting measures that are in place for refugees are extensive, intricate, and immensely effective.

Most refugees are chosen based on vulnerability and referred by the United Nations to the United States. Most refugees do not choose where they are resettled. Once a refugee is referred to the United States for resettlement, his or her biographic and biometric data is collected. Highly-trained officers conduct in-depth interviews with to confirm the refugee's identity and eligibility for resettlement. All of the refugee's information is then compared to U.S. law enforcement and intelligence databases. The process usually takes between 18 and 24 months. If there is doubt about a refugee's story or intentions for coming to the United States, that person is not admitted. Before refugees arrive they are provided with cultural orientation designed to help them better understand the United States and to help them cope with potential challenges.

As new security concerns emerge, changes are made to the screening process to address them. Most recently, an additional layer of review was added for all Syrian refugees. The Department of Homeland Security oversees this "enhanced review," which may result in the case being referred to the Fraud Department at U.S. Citizenship and Immigration Services (USCIS) and the National Security Directorate.

Resettlement does not only benefit the refugees, who are often the victims of terrorism, but it also provides value to U.S. security. Maintaining our proud legacy of resettling refugees in the United States undermines the rhetoric of ISIS that says the West and Islam are at war and that Muslims are not welcome. Refugee resettlement also helps to provide stability to important allies in the region like Jordan in Turkey who are hosting millions of refugees.

In the aftermath of World War II, when the price for keeping doors closed to refugees due to fear was made starkly clear. In 1939, the United States refused to let the *S.S. St. Louis* dock in our country, sending over 900 Jewish refugees back to Europe, where many died in concentration camps. We could not tell the difference between an actual enemy and the victims of an enemy. We can learn from our mistakes, continue to improve our systems, and make use of the tools available to keep our country safe without sacrificing protection of the most vulnerable.

STATEMENT OF LUTHERAN IMMIGRATION AND REFUGEE SERVICE

FEBRUARY 3, 2016

Lutheran Immigration and Refugee Service (LIRS) appreciates the opportunity to submit its views on the United States Refugee Admissions Program. As the national organization founded by Lutherans to serve uprooted people, LIRS is committed to helping those who have been forced to flee their homes find protection. Following God's call in scripture to uphold justice for the sojourner, LIRS serves as a leader in calling for the protection of vulnerable migrants and refugees, including children and families from Syria.

For over 75 years, LIRS has worked to welcome over 500,000 refugees to the United States on behalf of the Evangelical Lutheran Church in America, the Lutheran Church-Missouri Synod and the Latvian Evangelical Lutheran Church in America. In fiscal year 2015, LIRS and its refugee resettlement network partners welcomed over 10,500 refugees to their new communities and empowered them to build new lives.

Resettlement in a third country is considered a durable solution and a last resort for only a small fraction of the world's most vulnerable refugees. LIRS is proud to be 1 of 9 organizations that partners with the Federal Government, particularly the Department of State's Bureau of Population, Refugees, and Migration (PRM) and the Department of Health and Human Services' Office of Refugee Resettlement (ORR) to be a part of this solution.

The United States Refugee Admissions Program (USRAP) that is located within the Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) agency continually achieves its dual mission to offer resettlement

opportunities to eligible refugees while safeguarding the integrity of the program and the United States' National security. To protect U.S. National security, DHS provides advanced training to its refugee adjudicators on security protocols, fraud detection, and fraud prevention. In addition, each refugee considered for resettlement in the United States goes through a multi-layered screening process before coming to the United States. These processes include multiple biographic and biometric checks by U.S. security vetting agencies which are routinely updated, in-person interviews with trained adjudication's officers and "pre-departure" checks. No case is finally approved until results from all security checks have been received and analyzed.

To add unnecessary security screening mechanisms to this already robust process would needlessly harm individuals who need protection by delaying their resettlement. "Sadly, the Syrian refugee population includes severely vulnerable individuals: Women and girls at risk, survivors of torture and violence, and people with serious medical needs or disabilities," said Linda Hartke, LIRS president and CEO. "LIRS and our national network stand ready to do what it takes to welcome into U.S. communities the most vulnerable Syrian refugees who cannot return home or integrate in the countries currently hosting them."

The U.S. Refugee Admissions Program offers refugees safe haven and a chance at a new life, while also bringing tangible benefits to the communities that welcome them. Having endured incredible hardship and unimaginable horrors in their home countries, refugees often spend years exiled in host countries once they flee, awaiting the opportunity to rebuild their lives. Once they are resettled in a third country, refugees routinely become engaged and productive community members, contributing economically, socially, and spiritually to our communities. The support of welcoming communities, congregations, volunteers, employers, schools, foster families, and others makes resettlement a successful public-private partnership. The Federal Government, particularly PRM and ORR, and State governments play a vital role.

In the case of Syrian refugees, the conflict continues to worsen and host countries in the region are increasingly strained and unable to offer benefits or stability. Desperate refugees are risking their lives and the lives of their entire families making dangerous journeys over land and sea to reach safety. Hundreds of thousands have arrived in Europe with the hope of a permanent solution. While most citizens in affected countries in the European Union have reacted with welcome, some governments are choosing to close and militarize their borders to keep refugees out. It is against this backdrop that LIRS and our partners will continue to call on the administration to resettle Syrian refugees. In response to past global crises, the United States has led the effort to resettle hundreds of thousands of refugees—a tiny fraction of those who are displaced—and America has always been better and stronger as a result. With the support of local churches and communities, our Nation has the capacity to continue to welcome these vulnerable refugees into the United States.

STATEMENT OF MOST REVEREND EUSEBIO ELIZONDO, M.Sp.S., AUXILIARY BISHOP OF THE ARCHDIOCESE OF SEATTLE, WA, CHAIRMAN, U.S. CONFERENCE OF CATHOLIC BISHOPS COMMITTEE ON MIGRATION

FEBRUARY 3, 2016

I am Reverend Eusebio Elizondo, M.Sp.S., auxiliary bishop of Seattle, Washington, and chairman of the United States Conference of Catholic Bishops' Committee on Migration (USCCB/COM). I would like to thank Chairman Michael McCaul (R-TX-10th), Ranking Member Bennie Thompson (D-MS-2d), and committee Members for the opportunity to comment on the important issue of safe and secure refugee resettlement.

Since its inception, the U.S. refugee program has enjoyed bi-partisan support as a life-saving, humanitarian program, a proud expression of U.S. values as a refugee and immigrant nation and as a world leader in addressing humanitarian crises. It has also been recognized as a good example of a fiscally responsible public-private partnership that invests in America's future by building refugee newcomers' capacity of resilience and self-reliance, enabling refugees to support themselves and their families and give back to their new communities. It also helps to contribute to the strategic security and economic security of the primary refugee host countries by sharing hosting responsibility—often resettling the most vulnerable refugees to the United States.

Regarding safety and security, before, and especially since, September 11, 2001, including due to frightening moments such as the Paris attacks, Congress has been

vigilant, as it should be, about maintaining the safety and security of the U.S. resettlement program. This testimony will detail security bars to U.S. refugee protection, particularly those involving crime or terrorism. It will also detail how compliance with these bars are maintained through numerous and arduous interviews, administrative reviews, security checks, and background checks built into the refugee resettlement screening process by the Departments of State, Justice, and Homeland Security. In the testimony, we will also show how fiscally sound, safe, and secure resettlement fits in to the overall comprehensive humanitarian response to the worldwide refugee crisis, in general, and the Syrian crisis, in particular. USCCB/MRS has prepared a 2-page summary of the rigorous screening process. See *Rigorous Screening of Refugees Resettled to the United States* by USCCB/MRS.

A delegation from the United States Conference of Catholic Bishops' Committee on Migration (USCCB/COM) travelled to the Syria region in October 2012 and completed a report titled, "Mission to the Middle East: A Report of the U.S. Conference of Catholic Bishops on Syrian Refugees." We also traveled to the region more recently and released a report in January 2015 entitled, "Refuge and Hope in the Time of ISIS: The Urgent Need for Protection, Humanitarian Support, and Durable Solutions in Turkey, Bulgaria, and Greece." Between 2012 and 2015, we have seen more than a 7-fold increase in the number of Syrian refugees fleeing to neighboring host countries. There were 550,000 Syrian refugees in the region when we visited in 2012. That number is now over 4.5 million, with half of them being children and three-quarters of them being women and children.

With the coming of ISIS we have also witnessed an enormous increase in the number of ethnic and religious minorities fleeing persecution. The conflict has also spread into Iraq, displacing some 3.2 million people in that country, as well, according to UNHCR. Mr. Chairman, I ask that the report of those trips be included in the hearing record. In this current statement, I will integrate and update our observations and recommendations from those reports.

Mr. Chairman, in my testimony today regarding the U.S. resettlement program USCCB/COM will provide further details regarding the following recommendations. We urge that the United States:

- Conduct U.S. resettlement in a safe, secure, and timely manner.
- Resettle to the United States 100,000 refugees from around the world in fiscal year 2017.
- Resettle an additional 100,000 Syrian refugees in the near future.
- Encourage the Department of State (DOS) to focus especially on the most vulnerable refugees, including unaccompanied refugee minors (URMs), other children at risk, women at risk, refugees with serious health concerns, the elderly, victims of torture and/or trauma, those with affiliations with the U.S. Government or U.S.-based NGOs, media, and companies; members of persecuted minority ethnic and religious groups; and refugees in immediate danger.
- Increase U.S. resettlement of vulnerable non-Syrian refugees in the region, such as Iraqis, and urge other nations to do likewise and thereby share the refugee protection responsibility with the neighboring host countries.

Further, Mr. Chairman, we recommend that resettlement be integrated into a comprehensive approach to the Syria crisis and urge that the United States:

- Work with other governments to obtain a cease fire, initiate serious peace negotiations, provide increased impartial humanitarian assistance and allow safe passage for this assistance within Syria and Iraq, especially for internally displaced people (IDPs), and establish a peace that builds inclusive societies in Syria and Iraq that protect the rights of all its citizens, including majority ethnic and religious groups and also minority ethnic and religious groups, including Christians, enabling all the refugees who want to to return to their homeland in the future with safety and dignity.
- Provide more U.S. support and encourage more international humanitarian and development support for refugees in the region, especially children, for their basic necessities of life, immediate protection, primary and secondary education, and systems that lay the groundwork for durable solutions, including employment for adults; and provide host countries additional housing, food, water, sanitation, health, education, and transportation infrastructure to allow them to host these large numbers of refugees.
- Encourage host countries in the region to maintain secure border and migration enforcement policies and practices but at the same time assure policies and practices that enable Syrians and other refugee groups (such as Iraqis) to safely flee from Syria and Iraq to find protection and humanitarian care without improper rejection at the borders, deportation, or arbitrary detention in poor conditions.

I. CATHOLIC SOCIAL TEACHING

The Catholic Church is a migrant and refugee church. The Catholic Church in the United States, for example, is made up of more than 58 ethnic groups from throughout the world, including Europe, the Middle East, the Near East, Asia, Africa, and Latin America.

We have a long history of protecting refugees, unaccompanied children and victims of human trafficking—both in the advocacy arena and in welcoming and integrating immigrants and refugees who continue to build up our Nation as one that embraces ethnic diversity while sharing common values. The work of the USCCB's Committee on Migration is carried out by Migration and Refugee Services (USCCB/MRS), which is the largest U.S. refugee resettlement agency, resettling 1 million of the 3 million refugees who have come to our country since 1975. It is a National leader in caring for unaccompanied refugee and migrant children and victims of human trafficking, working with over 100 Catholic Charities across the United States to welcome and serve refugees and unaccompanied refugee and migrant children.

The U.S. Catholic Church also relates closely with the Catholic Church in countries throughout the world, where our world-wide Catholic communion serves the needs of the most marginalized regardless of nationality, ethnicity, race, or religious affiliation. We serve many refugees, internally displaced persons, and many refugee host nations straining under the large migration of people fleeing persecution and war. The Church's deep experience in combating poverty and forced migration and their root causes in the Middle East and throughout the world also includes the work of, among others, Catholic Relief Services (CRS), the official overseas relief and development agency of the U.S. Catholic bishops, the International Catholic Migration Commission (ICMC), of which USCCB is the largest member, Caritas International, Jesuit Refugee Services (JRS), and the Catholic Near East Welfare Association (CNEWA).

The Catholic Church's work of assisting all migrants everywhere stems from the belief that every person is created in God's image. In the Old Testament, God calls upon his people to care for the alien because of their own experience as aliens: "So, you, too, must befriend the alien, for you were once aliens yourselves in the land of Egypt" (Deut. 10:17–19). In the New Testament, the image of the migrant is seen in the life and teachings of Jesus Christ. In his own life and work, Jesus identified himself with newcomers and with other marginalized persons in a special way: "I was a stranger and you welcomed me" (Mt. 25:35). Jesus himself was an itinerant preacher without a home of his own, and as noted above, a refugee fleeing to Egypt to avoid persecution and death (Mt. 2:15).

In modern times, popes over the last 100 years have developed the Church's teaching on migration, teaching that has been frequently applied by church leaders. Pope Pius XII reaffirmed the Catholic Church's commitment to caring for pilgrims, aliens, exiles, refugees, and migrants of every kind, affirming that all peoples have the right to conditions worthy of human life and, if these conditions are not present, the right to migrate.¹

In our joint pastoral letter, *Strangers No Longer: Together on the Journey of Hope, A Pastoral Letter Concerning Migration*, January 23, 2003, the U.S. and Mexican Catholic bishops call for nations to work toward a "globalization of solidarity." "Refugees and asylum seekers should be afforded protection. Those who flee wars and persecution should be protected by the global community." No. 99. Also, "[b]ecause of their heightened vulnerability, unaccompanied minors require special consideration and care" No. 82.

During his first papal trip, Pope Francis defended the rights of refugees and migrants, traveling to Lampedusa, Italy, to call for their protection. He decried the "globalization of indifference" and the "throwaway culture" that leads to the disregard of those fleeing persecution in order to seek refuge or a better life. Regarding Syrian refugees drowning at sea as they flee the crisis, he later exhorted the international community, "We cannot allow the Mediterranean to become a vast cemetery!" He urged solidarity with refugees and cooperation among the nations to address this challenge.

In his recent trip to the United States in September 2015 Pope Francis further applied that important teaching in his speech to Congress, "Our world is facing a refugee crisis of a magnitude not seen since the Second World War. This presents us with great challenges and many hard decisions . . . We must not be taken aback by their numbers, but rather view them as persons, seeing their faces and listening to their stories, trying to respond as best we can to their situation. To re-

¹ Pope Pius XII, *Exsul Familia* (On the Spiritual Care of Migrants), September, 1952.

spond in a way which is always humane, just, and fraternal. We need to avoid a common temptation nowadays: to discard whatever proves troublesome. Let us remember the Golden Rule: 'Do unto others as you would have them do unto you' (Mt 7:12)."

Regarding the important matter of security, the focus of this hearing, another of Pope Francis' observations goes to the heart of the U.S. refugee program, "If we want security, let us give security."

II. OVERVIEW OF THE WORLD-WIDE REFUGEE CRISIS AND SYRIAN REFUGEE CRISIS

According to the United Nations High Commissioner for Refugees (UNHCR), the world has hit an all-time high of nearly 60 million people forcibly displaced by war and persecution. Some 19.5 million of these forcibly displaced people are refugees. Half of the refugees are children. The growing number of displaced people and refugees across the world is caused by some 15 armed conflicts.

The Syrian conflict has created the largest number of internally displaced people (IDP) and refugees. It deserves the full attention and mobilization of the international community. The armed conflict has continued to escalate across Syria and has spread into Iraq. It has brought on-going large-scale destruction, human suffering, and death inside the country and threatens destabilization of the whole region. The size, scope, rapid growth, and complexity of Syria's forced migration are reasons for deep concern. With the brutal conflict and ever-growing forced migration, there is a serious lack of livelihood, shelter, food, water, sanitation, education, health care, and protection inside Syria and in neighboring countries that host Syrian refugees.

As is often the case in refugee situations, the protection, humanitarian support, and pursuit of durable solutions for Syrians is important for humanitarian reasons but also as part of a strategy for maintaining the stability of the host countries and the region. This requires responsibility sharing from the international community both through generous assistance to support refugees in the host countries and also by providing refuge outside of the region for some of those fleeing the crisis. Fiscally sound, safe, and secure refugee resettlement plays a relatively small, but important, role in the overall strategy to address the Syria crisis and other refugee crises around the world. Before detailing the role of safe and secure resettlement, we want to describe the overall challenge that the Syria crisis presents to the international community.

The conflict has led to the forced displacement of some 50% of the Syrian population, including 7.6 million internally displaced people (IDPs), with some 12.2 million of all Syrians being in dire need of humanitarian help.² This constitutes a 30% increase in dire humanitarian need in 1 year and illustrates the deteriorating nature of this situation.

Over 4.59 million Syrian refugees have been forced to flee their country, with over 1.069 million seeking refuge in Lebanon, 635,000 in Jordan, 2.5 million in Turkey, 245,000 in Iraq, 118,000 in Egypt, and over 813,500 who have fled to Europe and applied for asylum.³ Besides the increase of Syrian refugees to neighboring countries, those countries also host large refugee populations of non-Syrians, including, for example, some 200,000 Iraqis in Turkey, according to UNHCR.

One UNHCR official in Turkey explained to the USCCB/COM delegation the impact of the refugee arrivals there over the last 4 years, "It began as a migration emergency, became a protracted refugee situation, and is now a social crisis for our country." Almost 30% of Lebanon's population is made up of Syrian refugees; and some 10% of Jordan's population. Although very high, those numbers alone do not capture the challenge for host nations and communities. During the first 2 days of USCCB/COM's most recent trip to Turkey, some 130,000 Syrian Kurds fled from ISIS in Kobane, Syria, into southern Turkey, where Turkey generously provided them protection and humanitarian care. An enormous additional humanitarian and refugee protection challenge arises because over 80% of Syrian refugees in the region are so-called urban refugees who reside outside of camps, seeking refuge in widely-dispersed local communities.

Some 75% of the Syrian refugees are women and children. Many, especially women and girls, face serious problems with gender-based and sexual violence in Syria and also often in the host countries. UNHCR reports that around half of the

²Syria Complex Emergency Fact Sheet No. 5, March 31, 2015, accessed May 19, 2015, at http://www.usaid.gov/sites/default/files/documents/1866/syria_ce_fs05_03-31-2015.pdf

³Syrian Refugee Regional Response, accessed February 1, 2016, <http://data.unhcr.org/syrianrefugees/regional.php>.

refugees are children, with 75% of them less than 12 years old.⁴ Some 60% do not attend school, including 80% in Lebanon and more than 50% in Jordan.⁵ Only 30% of Syrian, urban refugee children attends school in Turkey. This is due both to lack of education infrastructure and also because of widespread child labor—a strategy Syrian families have had to resort to for family survival. USCCB/COM also heard disturbing accounts of young girls resorting to early marriage and bride-selling as a means of survival.

The most vulnerable refugees are unaccompanied children. UNHCR has so far identified 3,760 unaccompanied refugee minors (URMs) among the refugees in Lebanon and Jordan.⁶ The USCCB/COM delegation saw indications of many more than that during their recent trips. These are children alone in the world whose parents have died, or children who have been separated from their parents.

We turn last to the vulnerability of some Syrian minorities. While 75% of people in Syria⁷ and 90% of registered refugees fleeing from Syria are Sunni Muslims,⁸ there are also several ethnic and religious minority groups, including Christians and Yazidis, who are at risk as well. Christians make up an estimated 10% of the Syrian population, totaling about 2.2 million.⁹ These are among the most ancient and venerable Christian communities in the world that have a history of peaceful coexistence with their Muslim neighbors. They long to remain in Syria.

A growing number of ethnic and religious minorities from both Syria and Iraq are now fleeing as a result of ISIS violence. Besides the ethnic Kurds from Syria described above, the USCCB/COM delegation met many refugees during their trip who were fleeing religious persecution. Iraqi Christians had fled to Turkey from villages near Mosul, Iraq. They reported that they, as Christians, were given an ultimatum by ISIS to convert, pay a penalty for being Christian, or die. They understood the seriousness of the threat when the severed head of one of their noncompliant Christian neighbors was left on his doorstep. “I fled my country for Jesus Christ,” explained one middle-aged man. “I left so I could freely follow Jesus.” The delegation also met a young Syrian Christian convert seeking refuge in Bulgaria whose whole family had been killed after he explained to ISIS fighters why he had converted to Christianity. My fellow Bishop Oscar Cantú, chairman of USCCB’s Committee on International Justice and Peace, rightly called religious persecution the “crisis within a crisis” in recent Senate testimony.¹⁰

III. RECOMMENDATIONS

We commend the peoples and governments of the refugee host countries for their generous welcome of their Syrian brothers and sisters.

We commend the donor countries of humanitarian assistance led by the United States, U.N. agencies led by UNHCR, nongovernmental organizations, and other humanitarian actors. Yet with the escalating brutality of the conflict in Syria, the continued reports of crimes against humanity by the Syrian government and ISIS, and the thousands of Syrians fleeing for their lives every week, an even greater effort is needed.

We urge a comprehensive approach to addressing the crisis that recognizes the important role that humanitarian interventions play in addressing the safety and security of the situation. As you will note, we urge a still modest, but much more significant, role for U.S. resettlement as part of the solution. Up to now, the United States has resettled only some 2,000 Syrians.

Mr. Chairman, we will provide details now of our 3 sets of recommendations for Congress—the first regarding safe and secure resettlement for the most vulnerable refugees, the second regarding the need for peace that builds inclusive societies in Syria and Iraq, and the third regarding the need for taking a comprehensive approach by including sufficient humanitarian and development support for the refugees and host countries.

⁴ UNHCR, *The Future of Syria: Children in Crisis*, December 2013, p. 9.

⁵ Assistant Secretary Anne Richard, Testimony, December 10, 2013.

⁶ UNHCR, *The Future of Syria: Children in Crisis*, December 2013, p. 9 (2440 URMs in Lebanon, 1320 in Jordan).

⁷ USCIRF, *Special Report Protecting and Promoting Religious Freedom in Syria*, April 2013, p. 1 (available at www.uscifr.gov).

⁸ USCIRF, Fact Sheet Syria; Syria’s Refugee Crisis and its Implications, July 2013, p. 1 (available at www.uscifr.gov).

⁹ USCIRF, *Special Report: Protecting and Promoting Religious Freedom in Syria*, April 2013, p. 1 (available at www.uscifr.gov).

¹⁰ Testimony by Bishop Oscar Cantú, Chairman of the Committee on International Justice and Peace on behalf of the United States Conference of Catholic Bishops before the Subcommittee on State, Foreign Operations, and Related Programs of the Committee on Appropriations of the United States Senate, March 11, 2015.

A. Increase U.S. refugee resettlement of the most vulnerable refugees and encourage other resettlement nations to do so as well.

International refugee protection has 3 durable solutions to refugee situations: Voluntary repatriation in safety and dignity back to one's home when peace comes, local integration into the host country, and safe and secure resettlement to a third country. In most refugee situations and in the case of Syria, voluntary repatriation is the most viable solution for the vast majority of refugees. To make this possible, the international community needs to support neighboring host countries to be able to safely and humanely host refugees until peace arrives. A peace that builds inclusive societies in Syria and Iraq would enable all the refugees in neighboring countries, including refugees who are part of the Sunni majority and also ethnic and religious minorities, to be able to pursue voluntary return to their home countries. Such return is very important to most of the refugees. For example, for many Catholic and Christian leaders and Catholic and Christian communities forced to flee from Syria and Iraq, it would be a cherished opportunity to return and rebuild their ancient communities and maintain the vital and important role of Christianity in a region that is traditionally diverse both in ethnicity and religion. For some refugees, with the permission of the host countries, they will be able to pursue the second durable solution and make a new life permanently in the neighboring host countries.

For a very small percentage of the refugees, especially the most vulnerable and those most victimized and traumatized, the most viable and humane durable solution is resettlement to a location outside the region.

Resettlement of the most vulnerable refugees is a strategic, complementary measure to robust humanitarian support for refugees in host countries. Through it, the United States, a nation of immigrants and refugees, often demonstrates solidarity with refugees and host countries in far-away crises like Syria's. It is strategic for the most vulnerable refugees because removing them from danger keeps their vulnerable situation from becoming catastrophic. It is strategic for host nations because it often removes vulnerable people who otherwise cause a disproportionate drain on the host's already strained resources. It is strategic for the overall crisis because it shares the responsibility and spurs other nations to act—either to provide aid or to agree to do resettlement or another durable solution. The United States generally resettles as many refugees as all other resettlement countries in the world combined. The U.S. Conference of Catholic Bishops urges the United States to make meaningful and strategic use of resettlement for the most vulnerable Syrian and Iraqi refugees.

Among the most vulnerable in Syria and other refugee situations are unaccompanied refugee minors (URMs) whose parents have died or who are separated from their parents. There is a great risk that many other URMs, as urban refugees, will not be identified at all and their needs will go unnoticed by the overwhelmed host government and international staff. There is a strong need for community-based systems to identify vulnerable, at-risk refugees, especially unaccompanied children, to screen them, to provide protection and care, and to prepare for resettlement or whatever durable solutions is in each child's best interest. URMs who are part of the Syria crisis and other URMs around the world should receive "best interest determinations" (BIDs) and on-going support from social workers.

I must also call attention to some members of religious minorities from Syria and Iraq as being among the most vulnerable refugees. As described earlier, it continues to be the hope and plan for many Catholic and Christian refugees to return home in the future. But for others, their vulnerability, trauma, and loss is such that the most viable and humane durable solution for them is resettlement outside the region. Other at-risk groups for whom resettlement is most viable include women and children at risk, refugees with serious health concerns, the elderly, victims of torture and/or trauma, those with affiliations with the U.S. Government or U.S.-based NGOs/media/companies; members of other minority persecuted groups, and refugees in immediate physical danger.

Mr. Chairman, before turning to recommendations regarding resettlement, we want to focus on maintaining the security and integrity of the refugee program, a goal that we share with this subcommittee. The U.S. resettlement program is a public-private partnership between the refugees and the local communities that welcome them. The local Catholic Charities of dioceses across the country and other community resettlement affiliates work with thousands of volunteers from churches and the community to help refugees build new lives. They help establish refugees and their families with jobs and enrollment in schools, English language classes, and in some cases counseling and care to heal from their traumas. Building resilience and self-reliance are the hallmarks of the refugee programs whereby refugees

build relationships within their new communities, heal, find work, support their families, and contribute to their communities.

Before, and especially since, September 11, 2001, Congress has been vigilant about barring bad actors from U.S. asylum and refugee protection, particularly those involved in crime or terrorism. Among other bars, asylum or refugee protection in the United States cannot be granted to anyone who has persecuted others, been convicted of a particularly serious crime in the United States or a serious, non-political crime in another country, engaged in terrorist activity, been a member of a terrorist organization, or otherwise posed a security threat to the United States.

Compliance with these bars are maintained through numerous and arduous interviews, administrative reviews, security checks, and background checks built into the refugee resettlement screening process.¹¹ Initially, most resettlement cases first involve a UNHCR refugee determination interview process that screens out individuals who have no grounds for refugee protection or who have committed heinous actions that fall under the exclusion clauses of the 1951 Refugee Convention. UNHCR (or sometimes the U.S. Embassy or a trained staff from a nongovernment organization) refers the refugee applicant to a Resettlement Support Center (RSC) overseen by the U.S. Department of State (DOS), where detailed biographical and personal information is gathered that will be used for in-person interviews by the Department of Homeland Security (DHS) and for security and background checks. DOS submits the names of all refugees through the Consular Lookout and Support System (CLASS). Further security checks are done through U.S. interagency checks that have been conducted since 2010. If needed, a Security Advisory Opinion (SAO) is submitted to U.S. intelligence and law enforcement agencies. When DHS arrives for in-person interviews, they take fingerprints and photos that are run through certain U.S. Government databases. If the person demonstrates grounds for asylum and no security problems, DHS grants a conditional approval, pending final security and medical screening. Prior to departure, another U.S. interagency security check is conducted. If the person passes, he/she travels to the United States where another check is done by Customs and Border Protection (CBP) at the Port of Entry. If any of these checks reveal information that disqualify the person, that ends their ability to be admitted to the United States as a refugee. At the point of applying for legal permanent residency another round of security and background checks is conducted for refugees.

At the point of applying for U.S. citizenship another round is conducted. If above described security problems are revealed, they will bar the person from gaining the status they seek and subject the person to removal. As is clear from the arduous process, DOS and DHS have put in many layers of security to help assure the security and integrity of the program that both provides a new life to deserving refugees and assures the safety of the U.S. communities that welcoming them. Despite Congress' best intentions, Republicans and Democrats alike have noted that certain U.S. security provisions create the unintended consequence of keeping certain deserving refugees from securing resettlement in the United States. For U.S. resettlement of Syrians and Iraqis and for virtually any other refugee population that is fleeing an armed conflict, the set of overly-broad U.S. immigration law provisions that bar entry to the United States, so-called TRIG (terrorism-related inadmissibility grounds). While having a laudable goal, TRIG provisions have been written and applied in such an overly-broad way that they have delayed or barred admission of many deserving refugees who have no connection to terrorism. Under the provisions, if a country has an armed, nongovernmental opposition group fighting against the government, that group is deemed to be involved in "terrorist activities." It does not matter if the opposition includes noble freedom fighters supported by the U.S. Government to fight against a brutal regime that the U.S. condemns. If someone is a member, solicits funds, or provides material support for the armed opposition group, or has a parent or spouse so involved, that person is barred from entering the United States. It does not matter if the person never violated any rules of war or criminal laws or has a neutral, nonmilitary role in the community such as providing humanitarian assistance or health care or retail sales. It does not matter that the person poses no danger or threat to our country. In Syria's refugee crisis, there are armed opposition groups fighting against the Syrian government, a government that the United Nations has condemned for committing crimes against humanity. The

¹¹ "Security Screening of Refugees Admitted to the United States: A Detailed, Rigorous Process," U.S. Committee for Immigrants and Refugees, accessed May 19, 2015, at <http://www.rcusa.org/uploads/pdfs/Refugee%20resettlement%20step%20by%20step%20USCRI-.pdf>; "Bars & Security Screening in the Asylum & Refugee Process," *Human Rights First*, accessed May 19, 2015, <http://www.humanrightsfirst.org/wp-content/uploads/HRF-Security-Safeguards.pdf>.

opposition groups include some who have received nonmilitary aid from the U.S. Government. Because of these and other aspects of the Syrian crisis, the overly broad and unfair application of the TRIG provisions pose a serious impediment for the resettlement of Syrians unless the administration uses its exemption powers. These are measures painstakingly drawn up by a multi-agency, high-level team from the Departments of Homeland Security, State, and Justice. They are also meant to be carefully, judiciously applied during the resettlement screening process. DHS officials have told us that exemptions tailored to the Syrian crisis have been completed and are awaiting the final authorization.

Mr. Chairman, to facilitate the small but crucial role of resettlement in addressing the massive humanitarian refugee crisis caused by the Syrian conflict, we urge the United States to:

- Assure that U.S. resettlement is done in a safe, secure, and timely manner by:
 - Maintaining the rigorous security and background checks in the resettlement process while assuring that Congress appropriates and the administration, through DHS and other security screening agencies, allocates sufficient resources and staff to increase the number of people for whom security checks can be diligently conducted, thereby speeding up the process for refugees facing significant risks.
 - Increasing the nongovernmental and community capacity to identify and screen the most vulnerable urban refugees in host countries, including URM, to meet their immediate protection and humanitarian needs, and to prepare for their durable solutions;
 - Increasing UNHCR's capacity for refugee status determination, resettlement, and BIDs; and for U.S. Resettlement Support Centers' refugee and URM processing capacity;
 - Facilitating Best Interest Determinations (BIDs) for the 3,760 unaccompanied refugee minors identified in Jordan and Lebanon and for all URM identified in the region, and use BIDs to pursue their short-term protection and durable solutions;
 - Increasing DHS's capacity to do circuit rides to the region to interview Syrian and other refugees for potential resettlement; and
 - Allowing Syrians with noncurrent visa petitions to receive refugee interviews while maintaining the same strict security processing measures (this was one of the successful strategies to increase Iraqi resettlement).
 - Urge DHS, in consultation with DOS and DOJ, to proactively and expeditiously remove unjust impediments to U.S. resettlement by fully authorizing the discretionary authority to grant exemptions from TRIG provisions of U.S. immigration law currently awaiting approval at DHS and by judiciously interpreting the meaning of the "material support" bar.
- Resettle to the United States 100,000 refugees from around the world in fiscal year 2017.
- Resettle 100,000 additional Syrian refugees in the near future.
- Encourage DOS to focus especially on the most vulnerable refugees, including unaccompanied refugee minors (URMs), other children at risk, women at risk, refugees with serious health concerns, the elderly, victims of torture and/or trauma, those with affiliations with the U.S. Government or U.S.-based NGOs, media, and companies; members of persecuted minorities, refugees in immediate danger.
- Increase U.S. resettlement of vulnerable, non-Syrian refugees in the region, such as Iraqis, and urge other resettlement nations to do the same, and thereby further share the burden with host countries.

B. Pursue an inclusive peace in Syria.

While resettlement is the main focus of this hearing, it is very important to also recognize the other elements that contribute to a holistic response to the crisis. During a public appearance on August 25, 2013, Pope Francis denounced and called for an end to the "multiplication of massacres and atrocious acts" in Syria. Later, Pope Francis urged "the international community to make every effort to promote clear proposals for peace without further delay, a peace based on dialogue and negotiation, for the good of the entire Syrian people. May no effort be spared in guaranteeing humanitarian assistance to those wounded by this terrible conflict, in particular those forced to flee and the many refugees in nearby countries." Mr. Chairman, we urge Congress to:

- Work with other governments to obtain a cease fire, initiate serious peace negotiations, provide increased impartial humanitarian assistance and allow safe passage for this assistance within Syria, especially for internally displaced people (IDPs), and establish a peace that builds inclusive societies in Syria and

Iraq that protect the rights of all its citizens, including majority populations as well as minority ones, making safe and dignified voluntary return a viable future option for most refugees.

C. Support host countries to maintain generous protection and humanitarian care for refugees, especially children.

Given the huge influx of refugees, international support and special vigilance are needed to maintain border and migration enforcement and asylum policies that safeguard refugee protection and related humanitarian care for Syrians and also for Iraqis, and other refugees, while also maintaining the safety and security of the refugee host countries.

Beyond maintaining access to protection beginning at the border, there are enormous political and logistical challenges involved in protecting and serving the 80% of Syrians who are urban refugees. When refugees reside in camps, the international community generally partners with host nations to create the camps' infrastructure and service delivery system parallel to that of local communities, with refugees and communities remaining insulated from one another. With urban refugees, the international community partners with the host country and local communities to expand local infrastructure and services and facilitates face-to-face interactions, problem solving, conflict resolution, and collaboration between the local communities and refugees.

Lack of housing continues to be a chronic issue for Syrian urban refugees, most of whom were hard-working, middle-class people when they fled the conflict. Some fortunately still live with host families or friends. Others who lived in apartments—often 4–5 families per apartment—have already spent down what savings they had, and with few jobs, have insufficient money for rent. They, as well as new arrivals, are forced to find shelter in abandoned or unfinished buildings, or to create settlements of makeshift tents provided by NGOs. Many are also fleeing onward on dangerous maritime routes to seek refuge in Europe and beyond, with thousands losing their lives at sea. This dangerous onward migration has escalated alarmingly over recent months. Mr. Chairman, regarding the neighboring countries who host Syrian refugees, we urge Congress to:

- Encourage host countries in the region to maintain secure border and migration enforcement policies and practices but at the same time refugee protection policies and practices that enable Syrians and other refugee groups (such as Iraqis) to safely flee from Syria and Iraq to find humane protection and care without improper rejection at the border, deportation, or arbitrary detention in poor conditions.
- Provide additional U.S. support and encourage more international humanitarian and development support for refugees in the region, especially children, for their basic necessities of life, immediate protection, primary and secondary education, and systems that lay the groundwork for durable solutions, including employment for adults; and provide host countries additional housing, food, water, sanitation, health, education, and transportation infrastructure to allow them to host these large numbers of refugees.

CONCLUSION

Mr. Chairman, thank you for the opportunity to share our observations and recommendations.

RIGOROUS SECURITY SCREENING OF REFUGEES RESETTLED TO THE UNITED STATES¹

Refugee situations are traditionally resolved through three durable solutions: Voluntary repatriation whereby refugees flee to nearby countries and when peace comes they voluntarily return home in safety and dignity, local integration whereby the neighboring host country allows refugees to permanently settle as full-fledged members of the host country, and, resettlement whereby refugees are rigorously screened in neighboring host countries and referred to distant resettlement countries. Resettlement is a life-saving solution for a small percentage of refugees worldwide (less than 1/2 of 1 percent). They are often the most vulnerable refugees. The

¹See U.S. Committee for Refugees and Immigrants' *Security Screening of Refugees Admitted to the United States: A Detailed, Rigorous Process*, Human Rights First's "Bars and Screening in the Asylum & Refugee Process," and the Department of Homeland Security's "United States Refugee Admissions Program." We thank USCRI. We used their framework and careful analysis to help lay out and detail the screening process and also benefited from the backgrounders of DHS and HRF.

United States has a proud tradition of taking over half of the world's resettled refugees. These are the stages of the rigorous U.S. resettlement screening process:

STAGE 1 UNHCR REFUGEE STATUS AND EXCLUSION DETERMINATION

For most refugees, the United Nations High Commissioner for Refugees (UNHCR) determines whether the person seeking refuge qualifies as a refugee, that is, as someone forced to flee because of a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion. At this stage, UNHCR generally registers the refugee, collects identifying documents, biographical information, and biometric data (e.g., for Syrians they conduct iris scans), and interviews the applicant. Even if the person meets the high standard of the refugee definition, UNHCR reject them if they disqualify due to the "exclusion clauses" of the refugee convention for having committed certain serious, odious acts or serious crimes described in the clauses.

STAGE 2 REFERRAL TO THE UNITED STATES FOR RESETTLEMENT

A refugee who meets the refugee definition and has no exclusion bar may be eligible to be considered for resettlement to the United States only if he/she also falls within preference categories for U.S. resettlement. These categories include people with extreme vulnerabilities, characteristics of special concern to the United States, or immediate family member ties in the United States. UNHCR, a U.S. Embassy, or a trained Non-Governmental Organization may refer individuals if they meet both the refugee definition and the resettlement criteria.

STAGE 3 RESETTLEMENT SUPPORT CENTER CASE PREPARATION

The U.S. Department of State contracts with Resettlement Support Centers (RSC) in several refugee host countries around the world. The RSC interviews those who have been referred, organizes their on-site processing, orients them to the process, and prepares their files. The RSC gathers each refugee's personal data and background information for the security clearance process and to present the case to the Refugee Corp of the U.S. Citizenship and Immigration Services of the Department of Homeland Security (DHS/USCIS) in preparation for each in-person interview.

STAGE 4 SECURITY SCREENING—CONSULAR LOOKOUT & SUPPORT SYSTEM

Using the information gathered by the RSC, the State Department checks the names of all the refugees that have been referred for U.S. resettlement through the Consular Lookout & Support System (CLASS) data base. CLASS contains extensive watch-list information.

STAGE 5 SECURITY SCREENING—SECURITY ADVISORY OPINION

If needed, there is an additional security review known as a Security Advisory Opinion (SAO). If subject to an SAO review, an applicant can proceed with the U.S. resettlement process only if there is positive clearance from several U.S. law enforcement and intelligence agencies.

STAGE 6 SECURITY SCREENING—INTER-AGENCY CHECKS

The National Counterterrorism Center (NCTC) carries out Inter-Agency Checks (IAC) on applicants who meet the minimum age requirement. Since the IAC is a "recurrent vetting" process, NCTC will notify DHS/USCIS of any negative information about the applicant up until travel to the United States.

STAGE 7 SECURITY SCREENING—SYRIA ENHANCED REVIEW

Refugees from Syria who are referred to the United States for resettlement receive additional screening known as Syria Enhanced Review. A Refugee Affairs Division Officer at DHS/USCIS headquarters conducts this review prior to a Syrian refugee being interviewed by DHS/USCIS. If the review triggers fraud or security concerns, it is further referred to DHS's Fraud Detection and National Security Division (FDNSD) for further review. FDNSD conducts research of public and Classified sources related to the person's case, compiling a report that the interviewing officer can use in preparation for the interview.

STAGE 8 DHS IN-DEPTH, IN-PERSON INTERVIEW

All refugee applicants are interviewed by the Refugee Corp of DHS/USCIS. A trained Refugee Corp officer travels to the refugee host country, and conducts an in-depth, face-to-face interview with each refugee applicant being considered for re-

settlement and any accompanying family members over age 14. Based on the refugee's case file, the interview, and extensive country of origin information and other information available to DHS, the DHS/USCIS officer will determine if the individual qualifies as a refugee and is admissible under U.S. law.

STAGE 9 DHS DETERMINATION

The DHS/USCIS determines whether the individual meets the refugee definition and meets extensive U.S. admission requirements, including overcoming numerous bars triggered by criminal or terrorist activities. They determine whether the person meets the resettlement criteria. They also determine whether the person is barred as someone firmly resettled in the refugee host country. If the applicant meets this rigorous test, the officer conditionally approves the resettlement request, submitting it to the U.S. Department of State to finalize. The conditional approval does not become an approval unless and until the person has been cleared through all security checks (Stages 4, 5, 6, 7, and 10).

STAGE 10 SECURITY CLEARANCE PROCEDURE—THREE U.S. GOVERNMENT AGENCY BIOMETRIC CHECKS

At the time of the DHS interview, U.S. Government staff take fingerprints and photographs of all refugees applying for resettlement (who meet the minimum age requirement). DHS/USCIS coordinates vetting the fingerprints against biometric databases of the Departments of Defense and Homeland Security and the Federal Bureau of Investigation.

STAGE 11 MEDICAL SCREENING

The U.S. Government requires that all refugee applicants approved for resettlement undergo medical screening. Medical personnel are from the International Organization for Migration (IOM) or are designated by the local U.S. Embassy. They screen for communicable diseases that might prohibit the refugee's admission to the United States.

STAGE 12 MATCHING REFUGEES WITH A VOLUNTARY AGENCY

Each refugee is assigned to a Voluntary Agency in the United States, such as the United States Conference of Catholic Bishops' Migration and Refugee Services (USCCB/MRS). USCCB/MRS works in partnership with local Catholic Charities and Catholic Social Service partners across the country to receive and place refugees, to help them build resilience and self-sufficiency, and to work side-by-side with local communities and States to build safe, welcoming communities for locals and newcomers alike. Over the 35 years of the U.S. resettlement program over 160 of 195 U.S. Catholic dioceses have joined to welcome refugees through this life-affirming public-private partnership.

STAGE 13 CULTURAL ORIENTATION

The RSCs or other designated trainers provide cultural orientation to refugees after they are approved for U.S. resettlement. The cultural training helps them prepare for their travel to America and their new life here.

STAGE 14 ADMISSION TO THE UNITED STATES

When a refugee arrives at a U.S. airport designated as a port of entry for refugee admissions, the DHS Customs and Border Protection (DHS/CBP) officer reviews the refugee's documentation and conducts two additional security checks against the National Targeting Center Passenger Program and the Transportation Security Administration's Secure Flight Program. This assures that the arriving person is the same as the refugee who was screened and approved for U.S. admission and resettlement.

STATEMENT OF LAVINIA LIMÓN, PRESIDENT AND CEO, U.S. COMMITTEE FOR REFUGEES AND IMMIGRANTS (USCRI)

FEBRUARY 3, 2016

Chairman McCaul and honorable committee Members, on behalf of the U.S. Committee for Refugees and Immigrants (USCRI), a National non-profit organization serving refugees and immigrants with a network of over 90 agencies and offices

across the Nation, I submit our testimony in support of and to provide information on the U.S. Refugee Resettlement Program.

For over 100 years, USCRI has protected the rights and addressed the needs of persons in forced or voluntary migration world-wide and supported their transition to a dignified life. We help the uprooted by facilitating and providing direct professional services and promoting the full participation of migrants in community life. USCRI is proud to do this work in the United States because our country is a world leader in providing protection to people who need it. The United States has a long history of showing compassion for victims of persecution, and that is what we must continue to do.

The global refugee crisis requires strong leadership and the United States will inherently make a statement by our presence or absence. We must remember that for many vulnerable refugees, such as torture survivors, women at-risk, and those with complex medical situations, resettlement may be the only option. We must not let fear of terrorist acts cloud our judgment and make us turn our backs on children and families who desperately need our protection. We must not forget our own country was founded by refugees fleeing religious persecution.

USCRI understands the consequences of terrorist acts because we have seen them first-hand in our work with refugees fleeing terrorist persecution. It is important to remember that those who have sought refuge in Europe and the Middle East are also the victims of the brutal actions of ISIS. USCRI shares the committee's interest in maintaining the security of the refugee program as our network of agencies and staff work with refugees every day. However, given the current vetting system for refugees referred to the United States for resettlement, we firmly believe that the program can continue without risking our National security.

A SOLUTIONS-BASED APPROACH

Based on USCRI's experience, we have the following recommendations:

- Support the U.S. Refugee Resettlement Program as a safe, humanitarian, and foreign policy operation.
- Increase funding for the Department of Homeland Security to maintain the integrity of security checks.
- Increase support for the Office of Refugee Resettlement to enhance the integration of newly-arrived refugees.

CONTINUE THE U.S. REFUGEE RESETTLEMENT PROGRAM BECAUSE IT IS SAFE

As the former director of the Federal Office of Refugee Resettlement, I am familiar with the security checks that refugees must undergo prior to their arrival to the United States and am confident that our vetting system works. Unlike the current situation in Europe, the United States gets to choose which refugees we admit. Refugees coming in through the U.S. Refugee Resettlement Program must pass through a rigorous, multi-layered review aimed at ensuring they will not pose a security risk to our country.

The screening process includes an in-depth, in-person interview by a highly-trained Homeland Security officer. In addition, refugees must pass highly rigorous background checks, including biographic and biometric investigations. Information on a refugee is run through Department of State, Department of Homeland Security, Federal Bureau of Investigation, Department of Defense, and National Counterterrorism Center databases. The security screenings occur at multiple points in the process and there is on-going, recurring vetting. In addition, Syrian refugees referred to the United States for resettlement must pass through enhanced review procedures implemented by U.S. Customs and Immigration Services (USCIS). Prior to entry, refugees must pass a health screening to ensure they do not have a contagious medical condition. Finally, upon arrival at a U.S. port of entry for refugee admissions, a Customs and Border Protection Officer will review the refugee's documentation and conduct additional security checks. If there is doubt about whether an applicant poses a security threat, he or she will not be admitted to the United States.

Less than 1 percent of refugees are resettled world-wide. There are more than 4 million Syrian refugees, and the United States has resettled a little over 2,700 Syrian refugees since the Syrian civil war began in 2011. While our resettlement impact has been small, it has demonstrated to other countries the importance of making opportunity for those who cannot return home.

USCRI commends President Obama for his leadership in continuing to support the resettlement of refugees. USCRI stands with the President's statement that:

"The people who are fleeing Syria are the most harmed by terrorism. They are the most vulnerable as a consequence to civil war and strife. We do not close our hearts

to these victims of such violence and somehow start equating the issue of refugees with the issue of terrorism.”

INCREASE FUNDING FOR THE DEPARTMENT OF HOMELAND SECURITY TO MAINTAIN THE
INTEGRITY OF SECURITY CHECKS

Providing the Department of Homeland Security with increased funding for refugee security screening would allow it to maintain the reliability of the system while reducing inefficiencies in the current process.

Beginning in 2011, additional security checks were implemented for refugees seeking admission to the United States. The additional measures have resulted in severe disruptions in refugee travel, unclear and erroneous results, and a “looping” effect where some checks expire while refugees wait in line for the next step in the process. This has made it nearly impossible for many refugees to travel, exposing them to further harm as they wait. Under the current system, there are 3 to 6 different biometric and biographic security checks performed depending on the applicant’s age, gender, and country of nationality. The administration should consolidate security checks to eliminate the looping effect caused as checks expire while others are being conducted. A comprehensive biographic and biometric check acceptable to all agencies would improve efficiency, processing, and the protection of refugees.

In addition, in instances where one individual’s security checks are holding up a family or cross-referenced case, the individual should be informed in order to make realistic decisions about the family’s future. Finally, increasing the number of USCIS interview officers would improve efficiency while allowing the system to maintain its comprehensive nature.

INCREASE SUPPORT FOR THE OFFICE OF REFUGEE RESETTLEMENT TO ENHANCE
INTEGRATION

Resettled refugees make significant economic and cultural contributions to their new communities. An increase in funding for the Office of Refugee Resettlement (ORR) to ensure adequate, stable, and sustainable resources and programming for newly-arrived refugees will only increase the ability of refugees to contribute to our Nation.

Specifically, increased funding would allow ORR to further encourage and equip refugees for naturalization by increasing the number of civic engagement programs and access to English language training. Congress should also strongly consider funding the Matching Grant Program at higher levels. The Match Grant program enables refugees and other eligible individuals to become self-sufficient without resorting to Federal or State assistance programs. A variety of other programs support newcomers but are without sufficient or secure funding. This includes Ethnic & Community-Based Organizations, Preferred Communities, Elderly Programs, Home Childcare, Refugee Agricultural Partnership, Microenterprise, Individual Development Account, Cuban-Haitian, Technical & Training Assistance, and School Impact grants.

THE NEED TO ACT

As a Nation of immigrants, we know better than most the importance of providing hope and opportunity to those fleeing persecution, and we expect our Government to continue to demonstrate leadership on this issue. As outlined above, our security screening process for refugees is incredibly thorough. Thus, we cannot let fear immobilize us and excuse inaction when refugees are in need of life-saving protection.

I welcome any questions or opportunity to meet to discuss the program and our recommendations further. Thank you for your time and consideration.

STATEMENT OF ANDREA CRISTINA MERCADO AND MIRIAM YEUNG, CO-CHAIRS, WE
BELONG TOGETHER

FEBRUARY 3, 2016

Chairman McCaul, Ranking Member Thompson and Members of the committee, we are Andrea Cristina Mercado and Miriam Yeung, co-chairs of We Belong Together. Thank you for the opportunity to submit testimony for inclusion in the record for today’s hearing.

We Belong Together is a campaign co-anchored by the National Domestic Workers Alliance and the National Asian Pacific American Women’s Forum to mobilize women in support of common-sense immigration policies that will keep families together and empower women. We Belong Together was launched on Mother’s Day

in 2010 and has exposed the dangerous impact of immigration enforcement on women and families, advocated for comprehensive immigration reform legislation and campaigned President Obama to take Executive Action to improve the broken immigration system.

Women make up over half of all immigrants in our country today and it is estimated that there are over 5 million undocumented women in the United States. Over the past year, tens of thousands of women and children have fled gender-based violence and gang recruitment in Central America and sought refuge in the United States. Currently, Syria is experiencing a humanitarian crisis with 4 million refugees fleeing the country and 8 million internally-displaced persons. Over 75% of these refugees are women and children and more than half are under the age of 18.

Immigrant women who are community leaders, mothers, workers, and survivors of gender-based violence continue to get ensnared in the over-funded and punishing immigration enforcement system. Across the country, immigrant women who lead our campaign have looked to National, State, and local officials for humane solutions that honor the dignity and human rights of migrants.

We urge the United States to act as a true global leader and offer protection to refugees and treat all migrants within our borders with fairness and dignity—this would include those seeking protection at our borders as well as admitting refugees from Syria and around the world. This committee should ensure that growing anti-immigrant and anti-Muslim sentiment do not guide policy decisions—this would be un-American, inhumane, and dishonorable to the dignity of migrants seeking safety and protection in the United States.

Mrs. TORRES. Thank you.

So Mr. Rodriguez, Mr. Taylor, thank you so much for the briefing that we received yesterday, making yourselves available to us to brief us in a Classified setting. So I want to make sure that I understand this process. As you know, I have been very involved in the refugees that were placed in my home city. I have had meetings with them about the interview process and asked them directly from their perspectives as to what was their experience. Two families, very young children, and one has a male that was, I think, 15 or 16 years old when they started the process. He is 19 now, 19, 20 now.

Now, social media, for a 3-year-old, obviously that 3-year-old, unless it is an American 3-year-old, like my 1-year-old grandson, may not have a social media account, may not have a social media presence, right? So when we ask you to check all 10,000 of those through a social media process, that could be impossible. Is that—can you explain that process to me?

Mr. TAYLOR. I don't think it would be impossible. There may not be a social media presence—

Mrs. TORRES. Right.

Mr. TAYLOR [continuing]. For all 10,000 of those individuals, but the capacity to determine that is something that is certainly within—where we are trying to drive towards—

Mrs. TORRES. Right.

Mr. TAYLOR [continuing]. For the future.

Mrs. TORRES. So the male, the young male explained to me that for every one appointment, interview appointment that the family had, he had 2 or 3 additional appointments. Cell phone records, phonebooks, any information that he could provide to the Department was asked at—in very different meetings to ensure that he was telling the truth or to verify that he wasn't giving different types of statements.

Mr. Rodriguez, that interagency check that you were beginning to explain earlier, can you provide a little bit more detail—

Mr. RODRIGUEZ. Sure.

Mrs. TORRES [continuing]. Information on that?

Mr. RODRIGUEZ. Sure. I think the example you are citing, and I am assuming that that was a refugee interview overseas, but it may have been some subsequent activity here in the United States.

Mrs. TORRES. No. It was overseas.

Mr. RODRIGUEZ. It illustrates the point that I was trying to make to Congressman Smith, which is, we don't just hear what the person has to say. Where there are reasons to, we go beyond and look for documentation that either helps us explore issues that may exist or help us corroborate information that is presented in the testimony.

Speaking specifically about the interagency check, and I am not at liberty in an open setting to talk about everything that sort of sits behind that check, everything that is queried as part of that check, but the point of the interagency check is it gives us a one-stop place to access all intelligence holdings, all law enforcement holdings that could carry and, in fact, in some cases, have carried derogatory information about an individual. So that is—

Mrs. TORRES. I don't have a whole lot of time. I do want to ask you: Is it in the best interests of the United States to have a robust process there overseas rather than closing that process that would possibly encourage more Syrian refugees to take on a path to come through our Southern Border and present themselves, knowing that once they are here, they are here and we have to deal with them at our border?

Mr. RODRIGUEZ. I think that is one—another critical point, which is, we can either have an orderly internationally-based system of migration where we are working together with our allies and create an actual opportunity for permanent resettlement, or we can have hundreds of thousands and millions of people who are displaced without any prospect of immediate settlement, meaning their kids don't go to school, they don't have any kind of economic security. That will have consequences for the entire world if we allow that to happen.

Mrs. TORRES. Thank you. My time has expired and I yield back.

Chairman MCCAUL. Mr. Barletta from Pennsylvania.

Mr. BARLETTA. Thank you, Mr. Chairman.

Director Rodriguez, my constituents in Pennsylvania are worried about their safety when they hear that the refugees are coming into the Commonwealth, because they simply don't trust the vetting process. To be honest with you, I have a lot of concerns too, and here is why: Here in this committee, according to former FBI Assistant Director Tom Fuentes, our human—and this is his quote—Our human resources in Syria are minimal, and we don't have a government we can partner with, and that is a key thing.

No. 2, National Counterterrorism Center Director Nicholas Rasmussen explained that the intelligence picture that we have had of this Syrian conflict zone isn't what we would like it to be; you can only review data which you have.

No. 3, FBI Assistant Director Michael Steinbach said that the concern in Syria is that we don't have the systems in place on the ground to collect the information. All of the data sets, the police,

the intel services that normally you would go and seek that information from don't exist.

No. 4, FBI Director James Comey said: We can query our databases until the cows come home, but nothing will show up, because we have no record of that person. We could only query what we—what you have collected.

My question to you is: Can you confirm to us today that not one single refugee who doesn't show up on our databases is admitted into the United States?

Mr. RODRIGUEZ. I think that is the point that I was—if you don't show up on the databases, it means there isn't derogatory information. It means we don't have—

Mr. BARLETTA. Well, that is not true. I don't think anybody here believes that. I don't think any—we have no database to check doesn't mean that there is no history, we have no records or we cannot count on the Syrian government to give us that database, so that doesn't mean that nothing exists—

Mr. RODRIGUEZ. We—

Mr. BARLETTA [continuing]. It means that we just don't have any database to collect that information. I don't think anybody here believes that.

Mr. RODRIGUEZ. Well, I think one of the key parts that I have been trying to—

Mr. BARLETTA. This is why—this is why the American people don't trust us allowing people in here, because they don't think we are getting a straight story.

Mr. RODRIGUEZ. I think I—if I had a couple moments to describe the entire process, which is a lengthy process that—

Mr. BARLETTA. No. I would like you to answer my question first. Can you confirm today that not one single refugee from Syria will be admitted into the United States if they don't show up on a database? Can you confirm today that not one person will be allowed in?

Mr. RODRIGUEZ. If they don't—there are people who have been admitted who haven't shown up on databases.

Mr. BARLETTA. Okay.

Mr. RODRIGUEZ. That doesn't mean we don't take other steps—

Mr. BARLETTA. That doesn't mean—that doesn't mean—

Mr. RODRIGUEZ [continuing]. That there are other things we do to satisfy ourselves that the person we are admitting does not pose a threat. So I think you need to hear how the whole process works before focusing on one element of the process as—

Mr. BARLETTA. See, it only takes one person. Doesn't—doesn't take an army. Your family, my family, every single person here's family, that family is the most important people in the world to you. It only takes one person.

I don't think we should allow one single refugee into the United States if we cannot confirm factually that we have checked the database and we can confirm that that person does not possess an intent or a threat to the American people. I want to go on, because I—I got the answer I wanted there.

You know, I have been saying since I have been in Congress that—and I know sometimes I sound like a broken record, that the 9/11 Commission Report taught us many times that the best weap-

on that terrorists have is a valid travel document, because terrorists want two things: They want to get into the country, and then they want to stay here just long enough to carry out their mission. More than 40 percent of illegal immigrants that are present in this country came here legally and they have their visa expire, and then they never left, and we can't find them. You know, if your State is home to an international airport, I believe you are a border State.

Of approximately 400 individuals who have been convicted in the United States as a result of international terrorism-related investigations conducted from September 2001 through March 2010, approximately 36 were visa overstays. I don't believe there is a strong enough deterrent to—for anyone who wants to overstay their visa, and that is one reason I introduced a bill of visa overstay, which brings the visa overstay laws in line with current law for crossing a border unlawfully, makes them parallel, making it a crime to overstay your visa, and there is more of a deterrent.

Under Secretary Taylor, would you agree that tougher penalties and clarity in the law will help agents perform their jobs? Do you think we need to have a tougher deterrent than we—than exists right now for those who are thinking of overstaying their visa?

Mr. TAYLOR. Sir, at this point, what I would say is that the Department, for the first time in history, produced a visa overstay report that had been asked for from this Congress for many years. This is an area of great concern to our Secretary, and he has directed CBP and ICE to work on potential solutions that would deter individuals from wanting to overstay their invitation to our country.

I am not in a position today to tell you what that is going to look like, but I know that that direction has been given, and I am sure the Secretary will be happy to address that issue once he has had a chance to have his team consult on it.

Mr. BARLETTA. Thank you. Thank you, Mr. Chairman.

Chairman MCCAUL. Mr. Perry from Pennsylvania.

Mr. PERRY. Thank you, Mr. Chairman.

Gentlemen, lady, thank you very much for your time here today.

Mr. RODRIGUEZ, can you tell us the last time you read the National Security Strategy?

Mr. RODRIGUEZ. I am not sure I have read the National Security Strategy. I will acknowledge that.

Mr. PERRY. Okay. So I am looking at your resume here, which was provided to us, and I am assuming it is correct. It goes back to 1997. I see that you spent some time in Pennsylvania, but I don't see any foreign—any service in—in foreign countries or with the State Department or whatever. The reason I bring this up, as I listened to your opening statement, I found it breathtaking that you lecture and suggest to the United States Congress, the representatives of people, that this refugee program is a vital part of foreign policy and National security.

While I appreciate your opinion in that, that is wholly out of your purview, sir. Your job as director is to carry out the policies therein prescribed. So while you are trying to impose a narrative on America through its representatives and make us somehow feel

bad that we don't agree with you, I just want to say for the record, you seem completely out of your lane in that regard.

With that, I am looking at Privacy Policy for Operational Use of Social Media. Are you familiar, sir?

Mr. RODRIGUEZ. Yes, sir.

Mr. PERRY. Okay. So if I go to D, Rules of Behavior, No. 5, it says, respect the individual's privacy settings, and access only information that is publicly available unless the individual whose information the employee seeks to access has given consent to access it.

Can you tell us how this policy enhances to the fullest extent capable the security and safety of the United States?

Mr. RODRIGUEZ. That—that is a generalized social media use policy that you are talking about. In fact, we are, as part of the work that we are—when we are querying social media, we are querying without the active consent of the individual. We are extensively querying the social media accounts.

Mr. PERRY. So is this policy going to change?

Mr. RODRIGUEZ. Well, this is the—sort of the ordinary baseline that you are looking at. In fact, there are—

Mr. PERRY. But shouldn't the ordinary baseline, even considering Mr. Barletta's questioning regarding databases and information that we don't have where we are relying on many systems, but arguably, on the fidelity of the individual themselves, shouldn't the policy—shouldn't the default setting be that we are going to check everything, and we will make exceptions when we don't need to check everything, because it seems to me the default setting is we give all these people the benefit of the doubt unless we find something derogatory.

Mr. RODRIGUEZ. I think there is a more significant practical issue here, which is all we can access, all we have the technological tool to access is the public-facing statements that individuals make. We—we do not have a way to reach private—

Mr. PERRY. We understand that, but the policy says—as a matter of fact, if I go further into this policy, which is Privacy Policy Guidance Memorandum, January 19, 2007. I am assuming you are familiar. Right? It says here that it is—under this policy, DHS components will handle non-U.S. persons' information held in mixed systems in accordance with the Fair Information Practices as set forth in the Privacy Act, thereby giving people that wish to come to this country that we know little about, the same rights as every American citizen.

Mr. RODRIGUEZ. Yeah. That is one document among a series of policies that govern what we are doing. Again—

Mr. PERRY. So which policy countervails this one?

Mr. RODRIGUEZ. Well, we can certainly walk you through that. It is an extensive—

Mr. PERRY. Do you know what—

Mr. RODRIGUEZ. Well, it is an extensive set of both policies and practices that we have that have been issued in particular in the last year, which give us proactive authorization to look at social media accounts as part of our security vetting for people we are admitting.

Mr. PERRY. But is that the default setting or is that the exception, based on this policy from your agency?

Mr. RODRIGUEZ. I guess what I am telling you is what we are doing, which I think is the most important thing. We can parse what the policies say. What we are doing is we are looking—when we are looking at social media, we are looking at it—

Mr. PERRY. You just said—

Mr. RODRIGUEZ [continuing]. And—

Mr. PERRY. Hold on a second. When we are looking at social media. So I picture myself, not as you; you are the director. I am one of the folks out in the field looking at policy statements, and this is my job and it says, well, I have to treat all these people that I don't know anything about, don't know the culture, don't know the language, could be a terrorist, like every American citizen unless I—do I call you and say—

Mr. RODRIGUEZ. Yes—

Mr. PERRY [continuing]. Hey, I am not sure about this one?

Mr. RODRIGUEZ. But that is not what we are doing. What I am telling you is we are looking with the appropriate linguistic support, we are looking at these accounts right now without necessarily seeking the specific consent of the individual.

Mr. TAYLOR. Congressman, if I might—

Mr. PERRY. Yes, sir.

Mr. TAYLOR [continuing]. Follow on from the director. This policy was written in 2012.

Mr. PERRY. Correct.

Mr. TAYLOR. It was promulgated by our privacy office. It was not promulgated as a part of a broader DHS strategy for the use of social media in our—in our operations across the Department.

One of the responsibilities the Secretary has given to my task force is to rewrite our policy to bring it up to current standards, to make it—

Mr. PERRY. When can we expect that, and what is the interim guidance? If you don't mind, Mr. Chairman. What is the interim guidance? What do agents in the field at this time, what is their guidance, and when can we expect the change—

Mr. TAYLOR. Agents in the field today have 33 clear policy pronouncements, and I can get those for you, by their components that outline their day-to-day use of social media. My intent is to have a policy before the Secretary within the next month, it is on my—my shopping list of things that I have got to get done. But this policy was written in 2012 as a baseline for how the Department would use social media. Certainly, the environment and the technology has changed significantly—

Mr. PERRY. Yes.

Mr. TAYLOR [continuing]. Since that policy was written, and that is why the Secretary wants a comprehensive—

Mr. PERRY. I look forward to that information.

Mr. TAYLOR. Yes, sir.

Mr. PERRY. Thank you.

Chairman MCCAUL. Mr. Katko from New York.

Mr. KATKO. Thank you, Mr. Chairman.

We have had a robust discussion about the things you are doing to enhance the vetting process for refugees and for people coming

into this country in general. I want to flip it on the head a bit and talk about what we should be doing, because I think in this instance especially, when it matters to National security, we need to strive for perfection at all times, and that is why, General, I was very heartened by your comments when you said that you are constantly rechecking the process as to how we can get better, because that is exactly the attitude we need to have.

So I just have one pointed question for you and then I have got a secondary question that is more general, and the question for you is, in enhancing the vetting process for mining the public access to the internet, how much input are you getting from the private sector? I ask that because in my role as Chairman of the Subcommittee on Transportation Security, it has become apparent to me that Homeland Security in general and TSA in particular do not do a good job—a good enough job of looking at what is going on in the private sector. Necessity is the mother of invention. There are a lot of good ideas out there. I think sometimes Homeland Security's procurement process is somewhat insular and it is preventing you from getting the ideas that are out there, and I give you one example.

There are public companies that do a terrific job with creating algorithms that they use in the private sector to mine the public—to access public sources over the internet to vet people, and we are not doing that on the Homeland Security level, and I think we need to. So with that, I will just ask you that question.

Mr. TAYLOR. Thank you very much for the question, sir. It is really a part of the charter I have been given by the Secretary and our task force, not only to look at best in class within our Department and within the Government, but best in class in the private sector. To that end, we have announced an industry day at the end of February where we are going to invite folks from across the private sector to come in and tell us what is—what they are doing, how they are doing it, and how that might help us with the mission that we have set forth.

So we recognize—as you know, I came back to Government from the private sector, where there is a lot of innovation, and we should exploit that innovation as we move forward in this effort, and that will be a big part of what we do.

Mr. KATKO. Well, I applaud that, and I would like to hear you—have you report back to us what you are doing in that regard, because that is somewhat of a sea change from how they viewed it in the past, and, you know, sticking with the same vendors and same old ideas you are comfortable are not how we are going to solve this problem or get better at this.

Mr. TAYLOR. It is not innovation.

Mr. KATKO. Right.

Mr. TAYLOR. So we will be happy to come back—

Mr. KATKO. Right.

Mr. TAYLOR [continuing]. As the task force develops.

Mr. KATKO. I appreciate it. By the way, I take it all 4 of you agree that mining the public sources of the internet is wholly appropriate when trying to keep our country safe. Is that correct? I think you all agree with that.

Mr. TAYLOR. Absolutely.

Mr. KATKO. I just note for the record that everyone is nodding their head, and that is—and I am glad to hear that.

Now, with respect to—switching gears a bit. We have talked a lot about the Kentucky incident where an Iraqi individual slipped through the cracks and then plotted some terrorism activity here in the United States before they were caught and arrested and convicted, and, obviously, that is of huge concern. Then we also heard about, not so much in refugee process, but a more recent case of Tashfeen Malik, where we just didn't find out how radicalized she was before she got here.

So obviously there are gaps, there are problems. So instead of telling me what you have done, tell me what you have learned from those two cases—and I just throw it out to anybody—what you have learned from those 2 cases that you can do better, because in both of those cases, we missed—missed them, and one was particularly a refugee process, the Kentucky case. Tashfeen Malik was a visa case, and in both cases, we missed it. Now, I am not criticizing. Tell me what we can do to make it better?

Mr. TAYLOR. Sir, I—and I think it has been clear from the Members of the committee, everyone that sits at this table understands, personally and professionally, the challenge that we face in terms of protecting this country from folks that would do her harm. Our process is very clear. Every failure becomes an opportunity to learn; every failure becomes an opportunity to develop new tactics, techniques, and procedures and to go back and examine it, just as we did in the private sector. When we had failures, we go back and we take a look and improve. Every day the system is evolving.

Every day, because everyone in this business today, understands that the American standard is it only takes one, and we don't want that one to happen; unfortunately a couple have, but our process is not to say, we got it; the process is to critically examine what we do, why we did it, why the failure occurred, and adjust our processes and procedures to address that.

Mr. KATKO. So tell me what—in these 2 particular cases, if someone can answer me in particular, what did you learn from those two cases?

Mr. TAYLOR. We learned that, potentially, we should have—in the Malik case, which is why we are looking at the K-1's and social media, that perhaps we didn't explore as many sources as we could have explored, although her private social media would not have been available, and so we have begun the process of developing a system to do that.

In the Kentucky case, we have gone back to look at the vetting and the sources that we use for vetting, and they were not as extensive as they needed to be. Since the—that case came to light, we have significantly enhanced the screening processes that are used in our intelligence and law enforcement partners for that purpose.

So in each case, we do a deep dive in terms of the—what the failure was, figure it out, and adjust processes appropriately.

Mr. KUBIAK. I would just like to also point out that we aren't just learning from the incidents in the United States, but we are constantly evaluating those instances as they occur around the world and partnering with our foreign law enforcement counterparts. So

in the instance of Paris, we were involved through our attaché offices in scrubbing the information that was being shared from law enforcement about the attackers and were able to make significant contributions back to that, while also tightening our own defenses. I would be happy to give some much greater detail in a Classified setting so we don't divulge methods and tactics in an open forum. But it is not just waiting for an event to occur in the United States, but it is proactively through law enforcement and through our law enforcement capabilities adjusting our tactics as the world evolves.

Mr. TAYLOR. Sir, I would add one more thing. Every week, I chair or co-chair with the Secretary our Counterterrorism Advisory Board. Every morning, I meet with the Secretary on new intelligence that has come in, and through the CTAB, we challenge our components based upon intelligence, based upon what is changing, what have we done differently. It is the first time in the history of our Department that we have had—and every component head sits at the table for accountability from our Secretary.

So we have developed a counterterrorism posture that says intelligence is changing, we need to change, and we need to understand how that intelligence changes our defenses, and we do that on a weekly basis. It is why we have changed aviation security, lots of other things going forward. That has been at the direction of the Secretary.

Mr. KATKO. Thank you.

Thank you for your indulgence, Mr. Chairman.

Chairman MCCAUL. Mr. Donovan from New York.

Mr. DONOVAN. Thank you, Mr. Chairman. I thank each of you for what you are doing to protect our country.

All the testimony we heard today was about reevaluating and improving our screening process with the visa applicants. I am concerned with another significant gap in our security, and maybe we could talk about that a little bit. It has been publicly reported that there are probably hundreds of thousands of stolen Syrian passports, some of which are actually blank, and it is suspected that these documents are in the hands now of the Islamic State.

We have heard about our counterparts in the European countries saying that there is a real industry in selling these false documents or stolen documents, and at least 2 of the attackers in Paris apparently had false Syrian passports and they entered the European Union through Greece with them.

This proliferation of genuine documents used maliciously by groups like ISIS present a real challenge for our screening process. I was just wondering, is the information that is being reported confirmed, is that the information that you are dealing with as well, because we are getting reports from the press about it, and if it is, what are each of your agencies doing to deal or combat, address that issue?

Mr. TAYLOR. Sir, I would ask Mr. Kubiak to address that. I think the specifics are probably handled in a close—closed setting as opposed to this venue.

We are concerned about any false documents that could be used to move anywhere in the world, and—but we have systems to—that we are working with from an international perspective to address

that particular issue you outline more fully, but I would like to do that in a closed session.

Mr. DONOVAN. Thank you.

Mr. RODRIGUEZ. Yeah. If I may just jump in before Mr. Kubiak. We are aware of the issue you are describing. I wouldn't say much more in this setting, but what I do want to say is that is a critical and well-developed component of our screening, and that as situations arise, we take specific steps with respect to those situations, like the one you just described, and that is all, again, I would say, in an open setting.

But I essentially want to communicate that we are on it, and we can talk about it in greater depth in a different environment.

Mr. KUBIAK. Thank you for your question. Fraudulent documents are a critical part of the ICE investigative mandate as we look at all illicit travel and illicit finance that funds illicit travel as it occurs around the globe.

ICE has, and has had for a number of years, one of the world's most renowned forensic laboratories, which specializes specifically and is located not far from here if any of you would like to take a tour or get a view of it. It has immense capabilities that are supplied to the United States Government, to CBP, to our State Department colleagues, to CIS and to others on evaluating false documents, recording lost and stolen documents, like the ones that you are referencing, and promulgates that and shares that information, legitimate travel documents, with other countries so that we are able to up our defenses and know what the current entry documents are and how the fraudulent documents, either fake or stolen real, are used in this network to supply criminals and terrorists potentially, travel networks and travel capability.

Happy to give you—because it is such a big part of what we do, happy to give you a much more significant briefing in a Classified setting if we can.

Mr. DONOVAN. Secretary Kubiak, you just mentioned how we share that information with our allies. Are our allies, the European Union, are they sharing their information with us as well?

Mr. KUBIAK. Yes. So it is a broad question, because types of information, and, again, we could get into that in a different setting, but, yes, on passport requirements, we are getting information quite regularly from foreign governments that says this bank of passports are stolen or this is a compromised or this is a false document that we have identified and utilized, and here is information that we have about others that may be similar, and we are sharing that back and forth around the globe.

Some countries more so than others, obviously, and some more robustly than others, but, yes. Again, we can include that in a briefing for you as well.

Mr. DONOVAN. Ms. Bond, I didn't want to leave you out if there was anything you needed to add.

Ms. BOND. No. Only to add that we do work very closely on this, and also participate in reporting any lost or stolen U.S. passports, for example. Once that is reported to us, we make sure that it is immediately registered with INTERPOL so that it is available to other nations and, of course, across the interagency.

Mr. DONOVAN. Thank you, Mr. Chairman. I yield back.

Chairman MCCAUL. Mr. Hurd from Texas.

Mr. HURD. Thank you, Mr. Chairman. Thank you to the panel. I just want to start off by saying the men and women that make up your organizations, I recognize the difficult task they are charged with, I recognize the environment in which they operate, and they should be commended for their hard work. Sometimes we get askew on policy, but the men and women in your organizations are trying to do everything to keep us safe.

Director Kubiak, what is a special interest alien? Can you explain that in very—as short period as you can?

Mr. KUBIAK. Sir, we use—we talk about individuals from other countries. So typically now what I refer to is an individual not from Western—the Western Hemisphere who is coming in through, when we talk about smuggling networks, into the United States.

Mr. HURD. When you talk about refugees, are you including asylum seekers in that category?

Mr. KUBIAK. I would defer to Mr. Rodriguez on that specifically.

Mr. HURD. It is not a trick question, Mr. Rodriguez. I just want to be clear on the terms that we are using.

Mr. RODRIGUEZ. Yeah. No. The—a refugee is an individual who is abroad who is making a claim for protection; an asylee is making a protection under the same basic legal construct, but they are doing it from—

Mr. HURD. But they are doing it here, and that is where I would like to focus my 3½ minutes on.

Can you describe the difference between the vetting that goes on between asylum seekers and refugees, because my understanding is a refugee overseas is going to a number of refugee camps sponsored by the UNHCR, they go through about a year of vetting, then State Department does vetting, then DHS does vetting.

Those asylum seekers that are showing up, who is doing the vetting of that asylum seeker if they are coming from one of the countries where they are designated as a special interest alien?

Mr. RODRIGUEZ. Yeah. That is a key point. It depends on what country, the answer to your question depends on what country they are from. When they are from the countries of particular concern, virtually all of the process ends up being the equivalent of the process that occurs overseas in terms of the kinds of interviews, the preparation for the interviews, the kinds of checks that are done. However, in that situation, it is often a joint undertaking between us and our partners at ICE, and also our partners at Customs and Border Protection, a lot of that depending on how it is we encounter the individual: Do we encounter them at the port of entry or is a situation in the interior?

Mr. HURD. That person that is seeking asylum, where are they when you are going through that process?

Mr. RODRIGUEZ. They could—again, they could be—well, where are they meaning—I think your question is are they in the community? That is—

Mr. HURD. Are they in a detention facility? Are they released on their own recognizance to a family member or someone in the community while you are doing your vetting?

Mr. RODRIGUEZ. Depending on the facts and circumstances, it could be any of the above. If they are at a port of entry, that is

something that Immigrations and Customs Enforcement makes a determination as to whether that individual will be released or not. My understanding is they don't do it if there is any concern in that case about doing it.

Mr. HURD. How long does that vetting process take, average? I know every case is different. Are we talking 2 weeks, are we talking 2 months, are we talking a year?

Mr. RODRIGUEZ. I would not attempt to get—to give an actual. I think it incredibly variable depending on the country, the nature of the case, the composition of the family. It can be incredibly variable. So I don't think I would be able to give you any kind of credible average time. I don't know if Mr. Kubiak has anything he would add to that.

Mr. KUBIAK. No. That is correct. It is very specific to the circumstances of the individual, the situation that they have arrived in the United States, and then what—what process they are going to undergo next.

Mr. HURD. So you all are saying that the level of vetting of asylum seekers is on par with the level of vetting that a refugee goes through?

Mr. RODRIGUEZ. That the tools we use are just about the same tools that we use overseas. Again, in a different setting, we can go into detail as to how that is done.

Mr. HURD. Great.

Ambassador Taylor, it is always a pleasure to see you. Are you getting enough intelligence on human smuggling organizations or human trafficking kingpins in places like Ecuador, Brazil, Colombia, Panama, Guatemala, and Mexico, because those are the networks that are going to be facilitating folks from the countries that are going to try to do us harm, to take advantage of our asylum program?

Mr. TAYLOR. I am getting significant intelligence through our ICE organization and from the intelligence community. It is not perfect information, but certainly it is an area of very high priority for us in terms—

Mr. HURD. On the National intelligence priority framework, do you think that human smuggling is high enough on that list?

Mr. TAYLOR. I wouldn't say that it needs to be high enough on that list. It needs to be a high focus for our Department. Whether it is on the priorities framework or not, it is the bread and butter of what we do. And—

Mr. HURD. Amen.

Mr. TAYLOR [continuing]. So we have focused on that to a great extent. Much of the intelligence about migration and that sort of thing comes from our law enforcement partners, from CBP and from ICE, that goes into the IC. So it is our responsibility. We are working hard on better understanding that phenomenon and interdicting as appropriate.

Mr. HURD. Good copy.

I yield back, Mr. Chairman.

Chairman McCAUL. Thank you. Mr.—Ms. McSally from Arizona.

Ms. MCSALLY. Thank you, Mr. Chairman. Thank you for your testimony and the work that you are doing to try and keep our country safe. I have heard a lot of discussion, I know some of this

you can't answer in this setting, of things that are being discussed or debriefed or best practices, things that are about to be put into place. I realize, well-intentioned, but there is also bureaucratic barriers, right, to moving things quickly. I have often said, you know, ISIS is moving at the speed of broadband while we are moving at the speed of bureaucracy. You know, some of those are challenges that you all deal with as you are trying to move things forward.

But just to be clear, and I know you don't want to get into details, have we made changes to the K-1 program since the Malik case in San Bernardino? Like, are there changes now in place—you can tell us what those changes are Classified, but do we currently have changes in place based on what we learned from the failures in that case?

Mr. RODRIGUEZ. I wouldn't say—I would say that the case made us look at the process all over again, and we identified new opportunities to do better.

Ms. MCSALLY. But is there something changed now or are we still—

Mr. RODRIGUEZ. Yeah. No, no. That is—

Ms. MCSALLY [continuing]. Looking at it?

Mr. RODRIGUEZ [continuing]. That is one of the things I want to drive at. So our—and then I am going to turn it over to Assistant Secretary Bond. Our primary sort-of lever in that process is at the time that the individuals seek green cards, and so what we are doing, we are going to use it for K-1, but, frankly, we are going to look at this really across all immigration categories, is how we more strategically use the interviews that we conduct when we give green cards.

Ms. MCSALLY. Yeah. So—and I don't want to spend a lot of time on that, because we have talked about it already. Again, I—what we are doing or going to do versus has something changed today.

Mr. RODRIGUEZ. No. That is something that is different now.

Ms. MCSALLY. Okay.

Mr. RODRIGUEZ. So we are going to be—we are going to be using those more intensively in a more strategic and targeted way with enhanced lines of questioning to target the kinds of issues that I know we are worried about.

Ms. MCSALLY. Okay. Great. Thank you. I want to reference, it is a little bit off the main topic of the terrorism, but, again, also challenges in bureaucracy of the IG report that came out a couple weeks ago about, again, just information sharing not happening related to human trafficking victims being trafficked into the country using our legal systems, that the IG report identified 17 of 32 instances where known human traffickers used work and the K-1 visa process to bring victims into the country legally, because information sharing between organizations wasn't what it needed to be.

Two hundred seventy-four individuals, I am reading out of the IG report, subjected to ICE human trafficking investigations who successfully petitioned USCIS to bring 425 family members and fiancées into the United States. They are using the legal system, human traffickers, to bring victims into the United States or family members.

We marked up a bill yesterday to try and close these gaps, but has something changed since this IG report in place now to fix these issues? This is a travesty.

Mr. RODRIGUEZ. Yeah. One, we embrace the recommendations that were made in the IG report. Long before the report was issued, we were doing things to make sure that Mr. Kubiak's agency, my agency, are communicating in order to be able to each other do our jobs best. So that is—that is the state of affairs as we speak. I am sure Mr. Kubiak can speak to that as well.

Ms. MCSALLY. Well, and also just one more question again about known challenges that we have had. In the aftermath of the Boston bombers, one of the individuals arrested from Kazakhstan, I am sure you are familiar with this, didn't have an I-20, a current I-20, he was on a student visa, but he actually left the United States and then came back in, and he was let in. The finding was because CBP Officers at inspection stations did not have access to ICE's Student Exchange Visitor Information system.

So, again, this is information sharing within one organization where the CBP guys checking him when he came in didn't have access that he didn't have a current I-20 on file.

Has that been—these are all just, like, stovepipe information-sharing things. So has that been fixed?

Mr. KUBIAK. I would have to get back to you on that specific incident.

Ms. MCSALLY. Well, I am just saying in general, like, daily now are those—does CBP now have access to that SEVIS system?

Mr. KUBIAK. So the SEVIS system—

Ms. MCSALLY. Yeah.

Mr. KUBIAK [continuing]. The AFIS system, which is driven primarily by CBP and a little bit of the biometric exit issue that we talked about yesterday are connected and working together. So I would have to get little more detail specifically on what happened in that instance that prevented that, but I would be happy to get back to you on that.

Ms. MCSALLY. Yeah. Please do. Again, it is a broader question of we have just got, you know, bureaucracy and stovepipes and information sharing that we have got to figure out how to speed that up. So we have got known cases, whether it is the traffickers here or—you know, or the one associated with the Boston bombing, where we have identified where information wasn't being shared. Have we fixed that for the long haul? If you need to get back to me, that is great.

Mr. KUBIAK. I will get you an answer.

Ms. MCSALLY. I yield back.

Ms. BOND. May I just add one thing to the question that you asked about the—what has happened as a result of the K-1 review, because that was very much a joint operation and we were looking at our piece of the K-1. So I do want to say that there—there have been some actions that have already been taken, and, you know, not huge dramatic, but we spoke to the posts that handle the largest numbers of fiancée cases, got their SOPs and reviewed some of the standard things that they do working on these cases in high volume, and have shared those ideas out broadly to other posts and said adopt these ideas too. They will make you more efficient, they

will help you to ensure you are not overlooking anything in the process. So that is an example of something that has already taken place as a result of the review.

Mr. KATKO [presiding]. Thank you, Ms. McSally.

The Chair now recognizes the gentlewoman from Texas. Excuse me.

Ms. JACKSON LEE. Let me thank the Chairman and Ranking Member, and to all the witnesses for your presence here today. I know my colleagues have been extensive in their questioning, and so I will partly be engaging in some of my comments.

For those of us who have been consistent and untiring supporters of immigration and immigration reform and the values of this Nation that from my early upbringing centered around that magnificent lady in the New York Harbor, the Statue of Liberty. As a child, that is what I grew up on, and I understood this Nation to be a refuge and to be a land of opportunity. Certainly, living in the skin that I live in, I have seen moments of those of us who live here experiencing a separate and segregated life. The questions of liberty and justice and opportunity have been a question for Americans. So I understand some of the angst that has been exhibited by Americans who may feel that jobs have been lost or security has been jeopardized.

I have always said that the privilege I have of serving, not only in this Congress, but in this committee, which I take very seriously, even more, we are the front lines of security of this Nation, and it is our job to counter the negative, the angry, and the wrongheadedness of some public officials who want to condemn the very entity of which this country has been based, a land of immigration and immigrants and a land of laws. You all are the holder of this responsibility, along with the duty of protecting this Nation.

So I am going to, having been in the Judiciary Committee and leaving for another committee as we speak, I am just going to ask all 4 of you to take the context of what I said, that this is a land of immigrants, and the question of recognizing the concern of the security question.

I will start with you, Secretary Taylor. You were here before and you were dealing with the social media. So each of you will tell me what you are doing for those 2 points, securing the Nation, you may want to weave in the social media context how—that we are seriously using that as a tool so that we can do right by those who legitimately come to this country for the values of this Nation, and get those, and I mean get those who come to do us harm.

Secretary Taylor.

Mr. TAYLOR. Yes, ma'am. I would be happy to start.

First and foremost, the mission of our Department and every person in our Department is to stop people who want to come to our country to harm our citizens or our way of life. It is how we have organized our screening and vetting. It is how we have built our partnerships with the intelligence community and law enforcement community. As you mentioned, we understand that our use of social media has not been as effective as it needs to be, which is why I am leading a task force to add that piece of information to our screening and vetting.

One of your other colleagues had asked about how we adjust, because the enemy is adjusting as we speak in terms of tactics, techniques, and procedures. It is our everyday focus on how what we are doing mitigates the risks that we are seeing from intelligence and other activity. That is what we do every day. It is our solemn responsibility to this country. The Secretary has announced from the day he started on the 23rd of December, 2013, that counterterrorism is the top priority of our Department and every official in our Department.

Ms. JACKSON LEE. Thank you. Mr. Rodriguez.

Mr. RODRIGUEZ. Yes. We are—we have had a number of robust tools in place and we are fine-tuning and refining those tools as we go along to ensure that any of the actually millions of people who we screen each year do not pose a threat to National security, to public safety. We use a series of tools. One of them is the interviews by very highly-trained officers, in particular, refugee officers, and we are always seeking to refine their training, not only their training, but their preparation for the specific environment that they are addressing.

So if it is a refugee officer that is interviewing Syrians, we make sure that they are steep in the country conditions in Syria. That, alongside all of the technological and intelligence tools that we both use and fine tune as we continue to do our work.

Ms. JACKSON LEE. Mr. Kubiak.

Mr. KUBIAK. Ma'am, thank you for the question. I outlined what we did for—we are doing overseas with the visa security unit earlier, so I would just like to take a moment just to say that the key thing that we, that ICE brings to our National—DHS's National Security Strategy is to identify those networks and those criminal organizations that are seeking every day a new way to exploit the security of the Nation's borders and working globally to be able to circumvent that security and those protocols that we have to move illicit goods and illicit people and illicit finance both into and out of the United States, whether it is to support terrorist—finance to support terrorist networks overseas, to obtain critical technologies or weapons in the United States and export them to other places, or whether it is to smuggle people and goods into the United States for nefarious purposes or criminal purposes.

Really, our role is to identify those networks for the Department, to attack those networks, because you can try and stop and defend at the border and—but the goal is to push those borders out so that we protect the homeland by being abroad, and that we are identifying that entire network and identifying it, disrupting it, and dismantling it as we move through, and then gaining that intelligence so we can continue to harden our defenses.

Ms. JACKSON LEE. Thank you.

Mr. KUBIAK. We can't ensure everything.

Ms. JACKSON LEE. Secretary Bond.

Ms. BOND. Yes. In the course of reviewing and assessing each visa application, the consular officers are part of a team, really. We often talk about the officer who does the interview, but that person is not working alone. Part of what we do is a very careful pre-screening review of applications in order to identify questions in the file and focus the time of the interview in the most valuable

way, but in every office, we also have a unit specifically for fraud prevention. When an officer has a concern about a case, they can review that case for what you could call a deeper dive by the fraud prevention team that will be looking into things.

We do use social media in cases where we believe that that—that that will give us the information we need to resolve questions that we might have, and along with our colleagues at DHS also looking at how we can make broader and effective use of social media, too.

But we really invest in the staff to ensure that they are thoroughly trained to take on the responsibilities that they have in terms of personally interviewing and assessing the qualifications of every single visa applicant that comes to the window.

Mr. KATKO. Thank you, Ms. Jackson Lee.

Ms. JACKSON LEE. Let me just thank you, Mr. Chairman, and the Ranking Member, I always do that, and just say that I want us to remain a country of immigrants and laws and to keep our values that we have had that have built this country. I yield back.

Mr. KATKO. Thank you, Ms. Jackson Lee.

The Chair now recognizes the gentleman from Texas, Mr. Ratcliffe.

Mr. RATCLIFFE. Thank you, Mr. Chairman. I thank the witnesses for being here today, for your testimony, and for the work that you do every day to support the primary role of the Federal Government, that being to provide for the common defense and to keep America safe from evolving threats.

Right now, the evolving threats from radical Islamist jihadists are constantly on the minds of the nearly 700,000 Texans that I represent, and for good reason. The terrorist attacks in Paris and in San Bernardino and in other places prove that those extremists intend to exploit, if possible, both the refugee and the visa processes to carry out mass killings against innocent people here in the United States and abroad.

So I know you would agree with me we need to utilize every tool in our arsenal to ensure that the people coming to the United States, whether it is through the refugee program or through—or on a visa, that they are properly vetted, and in that regard, we all fulfill our obligation with respect to the Federal Government fulfilling its primary role to keep our citizens safe.

So let me start and ask you a question, Under Secretary Taylor. Following the San Bernardino attack, there seemed to be a lot of confusion about whether or not under current policy, DHS immigration officials are allowed to review open-source social media when considering visa applications. I say that, your predecessor, John Cohen, was on record as saying during that time period, immigration officials were not allowed to use or view social media as part of a screening process.

Now, following that, a spokesperson for DHS came out and said that the Department had begun 3 pilot programs to include social media in vetting. Then following that, the President came out and, I think in an effort to clarify, said that, and I will quote—Our law enforcement intelligence professionals are constantly monitoring public posts, and that is part of the visa review process.

So help me out, help this committee out here. What is the current policy across the board with respect to DHS immigration offi-

cials' authorization to use social media as part of the vetting process for visa applicants?

Mr. TAYLOR. Thank you for the question, Congressman. First let me, as I mentioned earlier in this hearing, Mr. Cohen's suggestion that the Secretary or any Department official had prohibited the use of social media by any official in the Department as of 2014 was just not true. We have had a policy in place since 2012. There are 33 instances to date where social media is being used by our components for the purpose of complying with their mission requirements.

The one thing that we learned after San Bernardino, and why the Secretary asked me to take a review of all the social media use within our Department, was that our efforts were not as robust as they needed to be, and that we needed a comprehensive methodology within the Department for the application of social media—the use of—vetting of social media for our mission.

We are involved in that task force today. We have made recommendations to the Secretary in terms of how we plan to proceed, and I have a—a work stream that I have promised to execute that will get us at a better place in terms of where we are, but there was no prohibition—

Mr. RATCLIFFE. Okay.

Mr. TAYLOR [continuing]. As of 2014 for any official in the Department for the use of social media.

Mr. RATCLIFFE. So let me ask you, you say it has been part of the policy since 2012, it is being used. Is it allowed or is it required under that policy?

Mr. TAYLOR. Under the policy from 2012, it set forth a framework established by our privacy organization in terms of how components should—

Mr. RATCLIFFE. I am just trying to get at is it always used every—are we—

Mr. TAYLOR. I wouldn't say—

Mr. RATCLIFFE [continuing]. Using it as part of the process or is it just a tool that—

Mr. TAYLOR. I think what we have learned is that it is not comprehensively used, and part of that is the technology.

Mr. RATCLIFFE. Don't you think it should be?

Mr. TAYLOR. Absolutely.

Mr. RATCLIFFE. Okay.

Mr. TAYLOR. That is where we are leading.

Mr. RATCLIFFE. So part of your recommendation is that it is going to be required?

Mr. TAYLOR. In a center of excellence for the Department to ensure standardized effective social media use across our missions.

Mr. RATCLIFFE. Okay. If the Chairman will indulge me, I want to follow up with respect to that same issue as it applies to refugees. The FBI director testified before this committee and said something to the effect that if someone never makes a ripple in a pond in Syria, you know, we can vet our database till the cows come home, but it is not going to help us, because nothing is going to show up.

So I understand that we have a robust vetting system in place when people are in the database, but Secretary Johnson and Direc-

tor Comey both have testified before this committee that they lack the on-the-ground intelligence in places like Syria to confidently vet individuals.

So, Director Rodriguez, how does USCIS incorporate social media as part of vetting into the refugee admission program?

Mr. RODRIGUEZ. What we are doing right now, and these efforts are focused on Syrians, is that in those cases in which there are flags of—elements of concern in the case, we do a social media review in those cases to further develop and determine whether there is any information in social media, which helps us resolve that case, either derogatory information that would lead possibly to a denial or that would satisfy us that the individual was okay.

What we are building toward in very quick order, including what the necessary both training and linguistic capacity to do this kind of review, is to use that across, not only all Syrians, but also across all Iraqis as well. That is—we will—we will start deploying that capacity. As we start hiring and training folks, we will be doing that in very short order.

More importantly, we are going to be looking at using social media across all other immigration categories as well. A lot of that work is already done by Assistant Secretary Bond's folks at the consular level. We are looking at using—when we see people, for example, at the time of adjustment, there may be opportunities to do that work further at that stage as well.

Mr. RATCLIFFE. Okay. My time has expired, but just so I am clear, right now what you are saying is it is allowed only if there is a red flag?

Mr. RODRIGUEZ. No. It is being done. It is allowed in a much broader category, and we are authorized to build as quickly as we can do it in a much broader category. So I would view it as more active and directed rather than as merely permissive.

Mr. RATCLIFFE. Okay.

Mr. RODRIGUEZ. That is—

Mr. RATCLIFFE. But, again, not required?

Mr. RODRIGUEZ. Not in all cases, only because we need to bring that capacity on-line as fast as we can.

Mr. RATCLIFFE. Chairman, I appreciate your indulgence for the time, and I yield back.

Chairman MCCAUL. The Chair recognizes the Ranking Member.

Mr. THOMPSON. Thank you very much. Let me thank the witnesses for what I think was excellent testimony before the committee.

Mr. Rodriguez, one thing that I think would—the record would need to reflect, is USIS's role in the refugee program. There were a lot of questions about it, but in the process of the questions, I never felt that you got a chance to answer. So can you give us the role that you play in this refugee process?

Mr. RODRIGUEZ. Sure. I think the key starting place is that we are one of a multitude of agencies that are involved in the process. It starts with the U.N. High Commission on Human Rights that first refers the cases to the State Department, who, in turn—and who, at that point, it is—the first round of security checks are initiated by the State Department. Both UNHCR and State Department conduct both information gathering and interviewing.

We do the actual screening, meaning all that information that was gathered by UNHCR and also by the State Department is reviewed by our officers. We conduct an interview based on our knowledge of the country conditions, of the countries where these individuals are coming from. We sift through the results of those background checks in order to use that for interviewing purposes. Where we do look at social media, we use that as a resource.

The burden is on the refugee, that is kind of—that is a critical point, to demonstrate to us that, No. 1, they qualify as a refugee, and that they are not inadmissible, for example, because they are a terrorist or they are aligned with terrorist organizations.

Then the case goes back to the State Department that conducts both a medical screening and a cultural orientation. The database checking is going on a continuous basis from the first time the State Department initiates those checks right up until and beyond the time that those individuals are admitted to the United States. So if new derogatory information arises about those individuals, that pops, we learn about it, Customs and Border Protection learns about it, State Department learns about it, so that we can take appropriate action in those cases.

We then see those individuals again, assuming that they are admitted, assuming we have not denied them for some reason, we see them again at the time that they apply for adjustment of status.

Mr. THOMPSON. Thank you. Thank you, Mr. Chairman.

Chairman MCCAUL. I thank the Ranking Member.

Let me just close by saying that I commend the Department in the wake of San Bernardino for forming this task force in light of the 2012 policy. I know, General Taylor, you have taken some criticism, but moving forward, you know, it is the right thing to do to come up with the modern day of social media and make sure that is part of the vetting, screening process. To the rest of the witnesses, I know it is not always a comfortable process and it is not always painless, but it is our democracy and this is the voice of the American people asking you questions, and I want to thank all of you for your patience and for your testimony here today.

The record will be open for 10 days. Members may have additional questions. Without objection, the committee stands adjourned.

[Whereupon, at 12:31 p.m., the committee was adjourned.]

APPENDIX

QUESTIONS FROM HONORABLE BARRY LOUDERMILK FOR THE DEPARTMENT OF HOMELAND SECURITY

Question 1a. Recently, U.S. intelligence confirmed that over 6,600 suspected ISIS fighters have passports from Western countries. Are you all aware of this?

Answer. We are aware. The DHS Office of Intelligence and Analysis works closely with its partners in the intelligence community to analyze travel migrations of foreign terrorist fighters.

Question 1b. If so, what are you doing to ensure these ISIS fighters do not “legally” come into our country on stolen Western passports?

Answer. In response to the threat posed by the Islamic State of Iraq and the Levant (ISIL), other terrorist groups, and violent extremists, the Department of Homeland Security (DHS) continually refines border and travel security operations, focusing resources on the greatest risks, and extending security measures outwards, so that threats can be interdicted before they reach the homeland. DHS employs a layered approach to fraudulent document detection that begins when a traveler plans a trip to the United States until their actual arrival.

Together with United States Government agencies and other partners, DHS adds and utilizes terrorism-related information in the National Counterterrorism Center’s Terrorist Identities Datamart Environment (TIDE). If stolen passport information is linked to a specific Known or Suspected Terrorist, that information is included in TIDE as well. DHS is also participating in an interagency effort led by the Terrorist Screening Center to explore options to address the broader issue of blank, issued, or illegitimately-obtained passports that may have a nexus to terrorist organizations, such as ISIL.

U.S. Customs and Border Protection (CBP) screens against the Department of State’s (DOS) Consular Lost and Stolen Passport database (CLASP) for U.S. passports as well as the DOS Consular Lookout and Support System (CLASS) for foreign lost and stolen passports. CBP also screens against INTERPOL’s Stolen Lost Travel Document Database (SLTD), which serves as a watch list of lost and stolen passports, visas, and identity documents for INTERPOL’s approximately 190 member countries.

DHS develops and strategically deploys resources to detect, assess and, as necessary, mitigate threats, such as those posed by foreign terrorist fighters, at every stage along the international travel sequence. CBP’s Pre-Departure Targeting Program uses a layered enforcement strategy to prevent terrorists and other inadmissible aliens from boarding commercial aircraft bound for the United States. Three key components of the Pre-Departure Targeting Program are the Immigration Advisory Program, the Joint Security Program and the Regional Carrier Liaison Groups. CBP leverages all available advance passenger data including, Passenger Name Record data, Advanced Passenger Information System data, previous crossing information, intelligence, law enforcement information, and open-source information, to identify and mitigate potential threats. CBP uses rule-based targeting to identify possible foreign terrorist fighters and their travel routes.

Question 2a. Back in October, this committee held a hearing on World-wide Threats and Homeland Security Challenges, where I asked DHS Secretary Johnson, NCTC Director Rasmussen, and FBI Director Comey about the refugee crisis. These questions were never answered, so I would like to re-ask them:

There have been varying data reports on the ratio of men to women and children coming into our borders. Most of the statistics I have come across indicate that the majority of Syrian refugees are predominately males, while a small percentage remains women and children. Is this true?

If so, what is the ratio of Syrian refugee men to women and children?

Answer. The Department of State’s statistics relating to Syrian refugee cases indicate the following:

- Approximately 53 percent of the Syrian caseload is male and 47 percent is female.
- A total of 306 individuals—less than 2 percent of the total caseload—are single males with no cross-referenced cases, and no relatives or friends in the United States.
- Fifty percent of the Syrian refugees are children 18 years or younger.
- Only 2.5 percent of the Syrian refugees are children over the age of 60.

The United States welcomed 1,682 vulnerable Syrian refugees in fiscal year 2015, prioritizing admitting the most vulnerable Syrians, particularly female-headed households, children, survivors of torture, and individuals with severe medical conditions. Military-aged males unattached to families comprise only an approximate 2% of Syrian refugee admissions to the United States to date. In each instance, these individuals are only admitted United States in cases in which no security concerns are identified that prevent admissibility—a process which pays additional attention to the relatively rare unattached, military-aged male applicant to the U.S. Refugee Admissions Program.

Question 2b. As we welcome an additional 10,000 Syrian refugees in fiscal year 2016 alone, how are you and your partner agencies planning to monitor admitted refugees to ensure violent extremists have not infiltrated their ranks?

Answer. The refugee security screening and vetting process has been significantly enhanced over the past few years. Today, all refugees undergo the highest level of security checks. These checks involve, but are not limited to, the National Counterterrorism Center, the FBI's Terrorist Screening Center, the Department of Homeland Security, the Department of State, and the Department of Defense. All refugees, including Syrians, are admitted only after successful completion of this stringent security screening regime.

Of the 3 million refugees admitted to the United States since 1975, very few have been found to pose a National security concern. The vast majority of refugees go on to lead productive lives, receive an education, and work hard. Some serve in the U.S. military and undertake other forms of service for their communities and our country.

After 1 year, refugees are required to apply for permanent residence and this process requires additional security and National security checks, as well as a thorough case review by U.S. Citizenship and Immigration Services.

Question 3c. Is the United States prioritizing Christian refugees, who are focal persecution targets in Syria?

Answer. Our emphasis is on admitting the most vulnerable Syrians—particularly survivors of violence and torture, those with severe medical conditions, and women and children—in a manner that is consistent with U.S. National security.

Refugee status is determined based upon an individual's claim of persecution or well-founded fear of being persecuted. These criteria can apply to all Syrians seeking protection in the United States, including victims of torture and members of the Christian community.

