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## **Statement of the American Immigration Lawyers Association**

**Submitted to the Senate Committee on Homeland Security and Governmental Affairs**

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“The Impact of ISIS on the Homeland and Refugee Resettlement”**

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The American Immigration Lawyers Association (AILA) is the national association of immigration lawyers established to promote justice and advocate for fair and reasonable immigration law and policy. AILA has over 14,000 attorney and law professor members.

The world is witnessing the largest refugee crisis since World War II, with an estimated 60 million people currently forcibly displaced from their homes due to war, civil conflict, and persecution who are seeking safety either within their countries or in other countries. By itself, the civil war in Syria has forced over 4 million Syrians to flee as refugees into neighboring countries, and within Syria, nearly 12 million people are displaced internally.

Following the violent, tragic attacks in Paris and Beirut last week, some of our nation’s leaders are calling for the suspension of the U.S. refugee resettlement program or a ban on Syrian refugees. These refugees are fleeing exactly the kind of terror that unfolded last week and deserve international protection from persecution. We urge Congress not to pass legislation that would impose such restrictions on the U.S. refugee program which saves thousands of lives every year.

The U.S. refugee program already has a rigorous security screening process. Before being selected and brought to the U.S., refugees undergo screening that involves multiple agencies, checks with government intelligence and security databases, and in-person interviews—a process that typically takes two years or more. This process minimizes the risk that someone intending to do harm would ever enter the U.S. through the refugee program. In fact, not a single reported act of terrorism has been committed on U.S. soil since the refugee program was begun in 1975.

### **Protecting Syrian refugees**

Each day, thousands of Syrians make the terrifying decision to flee having borne witness to the destruction of their homes and neighborhoods, and the senseless killing of their family, friends, and neighbors. According to the U.N., more than half of all Syrian refugees are under the age of 18. Children fleeing this horrible violence are at risk of falling ill, becoming malnourished, and being abused and exploited. The perils of remaining in Syria are so great that many risk

everything to make the dangerous journey to safety. In 2015, more than 2,500 refugees have died in the Mediterranean trying to attempt the journey.

On September 10, 2015, the Obama Administration pledged to resettle 10,000 Syrian refugees for the fiscal year 2016. This was a welcome step, but only an initial step that must be followed by a more comprehensive plan to protect the millions in need. Other smaller and less affluent countries across the Atlantic are hosting far greater numbers of Syrian refugees, with a total of about 4 million being hosted in Turkey, Lebanon, Jordan, and Iraq. Several European countries have stepped up as well, most notably Germany, which committed to accepting 35,000 Syrian refugees, in addition to Syrian asylum seekers.

The United States has the capacity to resettle at least 200,000 refugees in a single year. In 1980, the U.S. government accepted over 200,000 Vietnamese refugees, and in other years, similarly high numbers from Cuba, Northern Iraq, and Kosovo.<sup>1</sup> Our nation has always been a beacon of hope for those fleeing persecution and oppression, and we should accept far more than the 85,000 total refugees planned for the next year. AILA calls upon our nation's leaders to increase our resettlement of refugees worldwide to 200,000 for the current fiscal year beginning October 1, 2015. Of that total number, 100,000 should be refugees from Syria.

### **Rigorous security and background checks for refugees**

Some commentators have recommended that the United States place additional restrictions on the refugee resettlement program to ensure national security and public safety. Since the terrorist attacks of September 11, 2001, the U.S. government has implemented a detailed and rigorous security screening process for all refugees who are candidates for resettlement to the United States. These security protocols are extremely rigorous, and it is unnecessary for Congress to mandate additional measures.

First, refugees are referred to the U.S. by the UNHCR, a U.S. embassy, or a trained non-governmental organization. Refugees then undergo a series of biometric and investigatory background checks, including collection and analysis of personal data, fingerprints, photographs, and other background information, all of which is checked against government databases. All refugees must also appear for a detailed interview by trained DHS personnel. Where any security concerns exist, refugees must undergo additional screening by way of a Security Advisory Opinion, which requires clearance from multiple U.S. law enforcement and intelligence agencies before resettlement may be approved.

### **Stopping fearmongering against Muslims**

In the media and public discourse, a dangerous sentiment against those of Muslim faith is taking hold. Some have suggested that the U.S. refugee resettlement program should exclude Muslims outright or prioritize other religious groups. Such a change to our laws and traditions would be a terrible mistake. Restricting refugee protection to certain faiths would be inconsistent with U.S. and international asylum law which do not discriminate against any religious group. Exclusion of Muslims from the U.S. resettlement program would leave thousands of people who have suffered horrific violence and persecution at the hands of ISIS or other warring factions without

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<sup>1</sup> The United States resettled 111,000 Vietnamese refugees in 1979 and then doubled that number to 207,000 in 1980.

humanitarian protection. We call upon Congress to demonstrate leadership by speaking out against the scapegoating of any group during this time of crisis.

AILA supports efforts to increase the capacity of DHS and the Department of State to process security and background checks for Syrian and other refugees so they can be efficiently cleared for resettlement. It is imperative that our country take the lead when responding to the global refugee crisis, and not close its doors to Syrian and other refugees. We should be setting a benchmark for the rest of the world. The United States has a proud history as a global humanitarian leader, one that has protected refugees from every part of the world. We must not retreat from this legacy when confronted with these recent violent attacks. Instead we must demonstrate the strength of our beliefs and renew our commitment to humanitarian protection worldwide.