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HUMAN RIGHTS FIRST
COMMENTS ON
FY 2017 REFUGEE ADMISSIONS PROGRAM
(Public Notice 9528)
May 19, 2015

Human Rights First is an independent advocacy organization that challenges the United States to live up to its values and provide global leadership on human rights. Grounded in the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, we have worked since 1978 to promote fundamental human rights and to ensure protection of refugees' rights. Human Rights First has conducted extensive research and advocacy on refugee protection and refugee resettlement, and has issued two reports on the need for U.S. leadership to address the Syrian refugee crisis—one in November 2013 and another in February 2016—and issued a report recently on U.S. progress in resettling Syrian refugees.¹

In Fiscal Year 2016, the President established the ceiling for refugee admissions into the United States at 85,000 refugees, including “at least 10,000” Syrian refugees. For reasons outlined below—including to advance U.S. national security interests and provide global leadership on refugee resettlement—the U.S. government should, in addition to resettling roughly 75,000 refugees from other countries, significantly increase its resettlement of Syrian refugees in FY 2017, aiming to resettle 100,000 Syrian refugees over that year.

To provide effective leadership, and encourage other countries to do more, the United States must also address the backlogs and bottlenecks that hinder the effective processing of resettlement cases and contribute to substantial delays and inefficiencies in the program.

Resettlement of Syrian Refugees Advances U.S. National Security and Humanitarian Interests

As a bipartisan group of former U.S. national security advisors, CIA directors, and secretaries of Defense, State, and Homeland Security pointed out in a [December 2015 letter](#) to Congress, “resettlement initiatives help advance U.S. national security interests by supporting the stability of our allies and partners that are struggling to host large numbers of refugees.” This group included former National Security Advisor Stephen Hadley, former CIA Directors General Michael Hayden, U.S. Air Force (Ret.) and General David Petraeus, U.S. Army (Ret.), former Secretaries of Homeland Security Michael Chertoff and Janet Napolitano, and former Secretaries of State Madeleine Albright and Henry Kissinger. As this group concluded, “refugees are victims, not perpetrators, of terrorism. Categorically refusing to take them only feeds the narrative of ISIS that there is a war between Islam and the West, that Muslims are not welcome in the United States and Europe, and that the ISIS caliphate is their true home. We must make clear that the United States rejects this worldview by continuing to offer refuge to the world’s most vulnerable people, regardless of their religion or nationality.”

Ryan Crocker, former U.S. Ambassador to Syria, Iraq, and Lebanon, has explained, “A U.S. initiative to resettle Syrian refugees in the United States affirmatively advances U.S. national security interests. Increased resettlement and aid helps protect the stability of a region that is home to U.S. allies.” As Ambassador Crocker explains, “A bold initiative—one that includes significant increases in resettlement and aid—will advance U.S. national security by alleviating the strains on refugee-hosting states and safeguarding the stability of a region that is home to key U.S. allies. While the United States is the largest donor of humanitarian assistance, American leadership cannot be defined simply by how large a check we write. We must also lead by example, and our allies in the Middle East and Europe need to see that we are truly sharing in the responsibility of hosting refugees.” In a [comprehensive report](#) issued by Human Rights First in February 2016, based on research in Jordan, Lebanon, Turkey, and Egypt, the organization detailed the ways in which resettlement is crucial for supporting U.S. allies and the stability of the states surrounding Syria, as well as helping vulnerable individual Syrian refugees.

As multiple national security experts have explained, Syrian refugees are more rigorously vetted than any other category of traveler to the United States. The bipartisan group of former U.S. national security advisors, CIA directors, secretaries of defense, state, and homeland security, in their December 2015 letter, that Syrian refugees “are vetted more intensively than any other category of traveler.” Former DHS Secretaries Janet Napolitano and Michael Chertoff have assured, “The process that is currently in place is thorough and robust and, so long as it is fully implemented and not diluted, it will allow us to safely

admit the most vulnerable refugees while protecting the American people. Fortunately, these goals are not mutually exclusive.” Matt Olsen, former director of the National Counterterrorism Center, has stressed that the vetting process for Syrian refugees is “the most thorough and rigorous of...any vetting process that we apply to any group of travelers who are seeking to enter the country.”

The United States Must Lead in Syrian Resettlement to Press Other Nations to do More

The U.S. pledge to resettle at least 10,000 Syrian refugees this FY 2016 amounts to only about 2 percent of the Syrian refugees in need of resettlement, and just 0.2 percent of the overall Syrian refugee population of 4.8 million in the region around Syria. Given the scale of the crisis, the overall resettlement needs—which exceed 480,000—and the impact of the crisis on U.S. allies, regional stability, and U.S. national security interests, this pledge falls far short of necessary U.S. leadership. This low level pledge is particularly damaging given the U.S. history of global leadership on resettlement. If the leader is not willing to lead, what kind of signal does that send to other nations?

The United States should substantially increase its commitment to resettle Syrian refugees. For FY 2017, the U.S. government should, in addition to resettling refugees from other countries, aim to resettle 100,000 Syrian refugees, a commitment more commensurate with both the American tradition of leadership and U.S. national security (as outlined above). A bi-partisan group of former U.S. government officials with humanitarian and national security expertise has recommended that the United States resettle 100,000 Syrian refugees, over and above the worldwide refugee ceiling. In a September 2015 letter, they stressed that this level of resettlement “would be a responsible exercise in burden-sharing that would help to alleviate the suffering of vulnerable refugees most in need of resettlement. Moreover, this kind of leadership is in our nation’s best traditions and would send a powerful signal to governments in Europe and the Middle East about their obligations to do more.” In testimony before the Senate Committee on Foreign Relations on May 17, 2016, former Ambassador to Syria Robert Ford recommended that the United States take more Syrian refugees and aim to resettle 100,000, noting that these and other steps would help the United States from a national security standpoint as well as help to address the horrible humanitarian situation.

In March 2016, the Bipartisan U.S. Commission on International Religious Freedom called on the United States to “increase the number of Syrians accepted for resettlement to 100,000, subject to proper security vetting and a prioritization based on vulnerability, in order to aid those in the greatest peril, demonstrate U.S. leadership, and show support for governments in the Middle East and Europe that are hosting millions of refugees.”

This commitment level would still be miniscule compared to that of Jordan, Lebanon and Turkey, and would amount to just over 2 percent of the overall Syrian population hosted by these and other states in the region and only about 20 percent of the overall resettlement need, already estimated to exceed 480,000. This commitment would still fall far short of the U.S. fair share level of 170,779.² Still, it would help push other countries to increase resettlement, visa, and other humanitarian admission places for Syrian refugees.

The lack of effective resettlement or other orderly routes to protection also has significant consequences. As detailed in Human Rights First's February 2016 report, based on research in Jordan, Lebanon and Turkey, the lack of sufficient orderly resettlement efforts, along with the lack of effective regional protection and lack of adequate aid, drove many Syrian refugees to embark on dangerous trips to Europe. In Turkey primarily, and also in Jordan and Lebanon, Human Rights First researchers heard reports that refugees who had been struggling to survive for years in exile lost hope in waiting longer for potential resettlement and decided to instead take the dangerous trip to Europe. The need for effective resettlement or other orderly admission routes for Syrian refugees is more important than ever, particularly in the wake of the European Union's March 2016 deal with Turkey, which will—in addition to undermining access to asylum—only increase the pressures on frontline refugee hosting states as the deal aims to return refugees and migrants to Turkey and prevent them from traveling onwards from Turkey to Europe.

At the September 2016 Leaders Summit on Refugees, to be hosted by the United States, the United States will seek firm and explicit commitments from governments to provide additional resettlement or other pathways for refugees in need of international protection. The United States, long the global leader in refugee resettlement, is particularly well placed to encourage states to increase their resettlement and admissions commitments. However, U.S. commitments to resettle Syria refugees have—so far—fallen far short of the necessary leadership level.

The United States should lead a comprehensive global effort to successfully address the crisis. In order to effectively lead, to press other states to do more, and to advance U.S. national security and foreign policy interests, the United States must significantly increase its own resettlement commitments in FY 2017, in addition to taking other steps to improve protections for refugees, and to increase humanitarian assistance and development investment.

The U.S. ability to effectively lead at the September 2016 conference and beyond will be undermined if it has been unable to meet its commitment to resettle 10,000 Syrian refugees and if it does not announce a significant commitment to increase its own resettlement of Syrian refugees over the next year. If it can truly lead in this area, it will be better able to

encourage other states to resettle or provide other humanitarian protection to many more Syrian refugees—not only saving lives, but also supporting the stability of front-line refugee hosting states.

The United States Must Continue to Address Backlogs, Staffing Gaps and Efficiency Gaps Hampering Resettlement

In September 2015, Secretary of State John F. Kerry announced that the United States would resettle “at least 10,000” Syrian refugees during the 2016 fiscal year, a modest pledge given the scale of the Syrian refugee crisis and the capacity of the United States. U.S. resettlement processing centers and U.S. government agencies are working hard to try to meet U.S. goals for admitting Syrian refugees, and the number of Department of Homeland Security officers interviewing Syrian refugees in Jordan and Turkey has increased. Historically, many resettlement spaces are filled toward the end of the fiscal year.

However, U.S. processing of resettlement cases, as well as processing of Special Immigrant Visa (SIV) applications from individuals who worked with the U.S. military, has been hampered by bottlenecks, backlogs, and staffing gaps which are undermining American leadership and the ability of the United States to meet its humanitarian, protection, and foreign policy objectives.

Halfway through FY 2016, the Obama administration had resettled only 12.9% of the 10,000 it has agreed to resettle by September 30, 2016. On May 3, 2016, the State Department announced that 451 Syrian refugees were resettled in April 2016, bringing the total number of Syrians resettled so far this fiscal year to 1,736.

Last month, Human Rights First released a [report](#) detailing the slow progress the Obama Administration has made toward its goal of resettling at least 10,000 Syrian refugees by September 30, 2016. The report outlines how U.S. processing of resettlement cases, as well as processing of SIV applications from individuals who worked with the U.S. military, have been hampered by bottlenecks, backlogs, and staffing gaps, making it difficult for the United States to meet its minimal commitment to resettle 10,000 Syrian refugees. Addressing these backlogs, as detailed in the report, would not undermine the security of the process; rather it would strengthen the integrity of the process which includes [extensive security vetting](#).

The United States must continue to ramp up efforts to address staffing and efficiency gaps to reduce backlogs and bottlenecks that hamper U.S. resettlement and SIV initiatives including:

- DHS should continue to increase staffing and resources to resolve the backlogged cases waiting their turn in “no decision” hold for review by DHS officials and should improve training, guidance and oversight relating to these processes.
- The president should direct DHS and U.S. security vetting agencies to continue to take steps to increase staffing and resources to conduct follow up vetting inquiries in refugee and SIV cases so that the completion of security clearance vetting is not unnecessarily delayed due to lack of sufficient staffing. Congress should encourage and support increases in staff and resources. These backlogs undermine the reputation of these programs and the country’s ability to meet its commitments to U.S. allies and refugee hosting countries, as well as its ability to protect vulnerable refugees and people facing grave risks due to their work with the United States. Addressing backlogs would strengthen the effectiveness and integrity of U.S. processing and would not undermine security.
- The U.S. Embassy in Lebanon should move ahead without delay on plans to expand capacity to host U.S. resettlement interviewers and processing. The president and secretary of state should make clear this expansion—and the accommodation of increased resettlement interviews in the meantime—is a top priority.
- DHS should increase the size of the USCIS Refugee Corps and build on recent initiatives to conduct larger, more continuous, circuit rides to the region to minimize processing gaps and meet U.S. targets.
- The State Department and U.S. Resettlement Program should enlist and leverage trained and trusted nongovernmental organizations to refer vulnerable refugee cases for U.S. processing and encourage UNHCR to work closely with experienced nongovernmental organizations that can assist in identifying and preparing cases. The State Department should continue to help expand UNHCR capacity to identify and refer cases for U.S. resettlement consideration.
- The U.S. Resettlement Program should move ahead robustly with priority processing for Syrian refugees with approved I-130 family petitions, engage with countries where U.S. processing occurs to assure that those with U.S. family ties can cross borders to actually access U.S. processing, and expand priority access to Syrian refugees (and their respective spouse and children) with relatives (at least spouses, children whether over or under 21 and whether married or unmarried, parents and siblings) in the United States who have any kind of lawful immigration status in the United States or have an application for such status pending.

- The Departments of State and Homeland Security should continue to improve capacity to expedite resettlement, while conducting necessary security vetting for particular individuals facing imminent risks of harm, such as, refugees facing dire medical threats and refugees facing harm due to their sexual or gender identities.

The United States Should Continue to Resettle Refugees from All Countries, including in Central America

The United States should also continue to resettle refugees from around the world—including from Africa and Asia, as well as from Iraq and from Central American countries. The United States has a strong obligation to many Iraqis who continue to face dangers due to their work with the U.S. military, U.S. government, U.S. non-governmental organizations and U.S. based media. Many Iraqi refugees remain stuck in resettlement backlogs as well. The recent announcement by the Kenyan government that it intends to close refugee camps hosting Somali and Sudanese refugees, who cannot in many cases safely return to their countries, underscores the critical need for resettlement of African refugees—to both protect vulnerable refugees and to provide critical support to front-line refugee hosting states in Africa.

In addition, the United States should work with countries in Central America to set up effective resettlement procedures for some refugees who have fled from the Northern Triangle countries—El Salvador, Guatemala and Honduras. To that end, the United States should open its Central American Minors (CAM) refugee processing program to children from the Northern Triangle countries who have fled to other countries in the region, such as Mexico and Costa Rica. The United States must also address deficiencies in the CAM program, broaden the eligibility criteria for petitioning relatives in the United States to include non-parental adult relatives who are lawfully present, and ensure that in-country processing is not used to undermine asylum. In addition, the United States should establish a humanitarian immigration program to reunify children within their countries in the Northern Triangle with lawfully present parents and adult relatives in the United States without the requiring child applicants to establish a well-founded fear of persecution in their country of origin.

¹ Human Rights First. “At Least 10,000: A six-month progress report on U.S. resettlement of Syrian Refugees” (April 2016), *available at* <http://www.humanrightsfirst.org/sites/default/files/HRFReportAtLeastTenThousand-final.pdf>; *see also* “The Syrian Refugee Crisis and the Need for U.S. Leadership” (February 2016), *available at* <http://www.humanrightsfirst.org/sites/default/files/HRFSyrianRefCrisis.pdf>; “Refuge at Risk: The Syria Crisis and U.S. Leadership” (November 2013), *available at* <http://www.humanrightsfirst.org/wp-content/uploads/HRF-Syrian-Refugees-Jordan-Turkey-final.pdf>.

² Oxfam. “Syria Crisis Fair Share Analysis 2016” (February 2016), *available at* <https://www.oxfam.org/en/research/syria-crisis-fair-share-analysis-2016>.