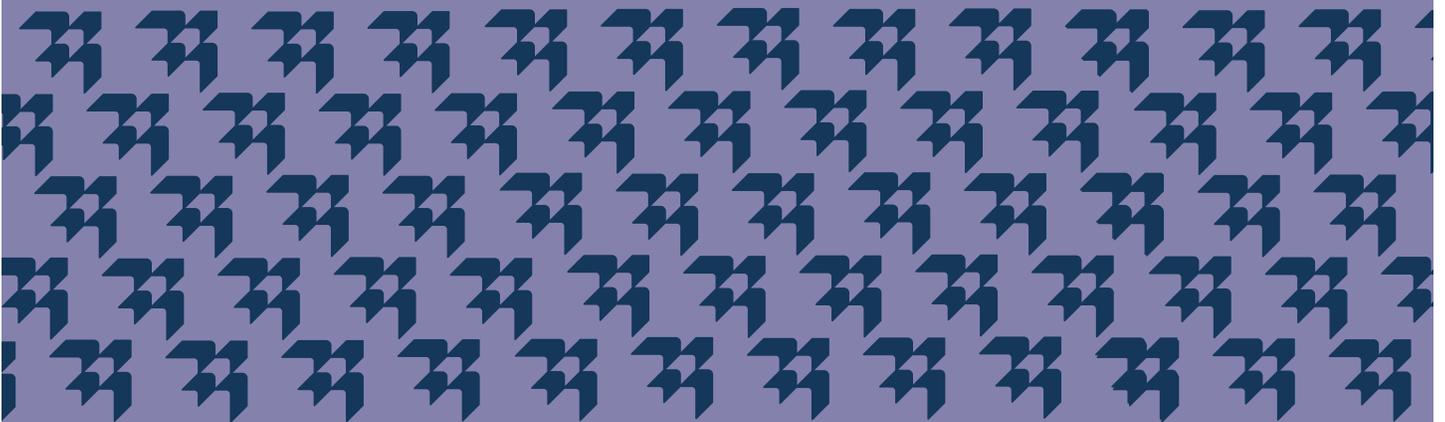


Understanding U.S. Security Screening for Asylum and Refugee Programs



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The U.S. asylum system and refugee resettlement program, which process people seeking refugee protection either in the United States or those seeking to be resettled to the country, entail rigorous security vetting for applicants to be approved. Both required detailed interviews with U.S. Citizenship and Immigration Services (USCIS) officers or immigration court hearings, as well as extensive security and intelligence vetting. As described below, biometric and biographical vetting is conducted with the Federal Bureau of Investigation (FBI), the Department of Defense, the National Counterterrorism Center, and other databases that include intelligence agency and terrorist watchlist information. No individual may be granted asylum or resettled to the United States as a refugee until this interagency vetting process is complete.

Vetting During the Asylum Process in the United States

People seeking protection undergo security vetting when they first arrive in the United States and during the asylum application process. Before people are released from government custody to live in the United States and pursue their immigration case, immigration officers run each person's biographic and biometric data through federal agency databases, screen information provided by law enforcement, check immigration and criminal history, verify identity, and confirm that documents are authentic. These security processes apply to both people who present at a U.S. port of entry and those who enter land borders between ports of entry.

Once a person submits an asylum application, they must pass background, identity, and security checks by government agencies, including the FBI, before they can be granted asylum. They must additionally testify and present evidence in support of their asylum claim, establish credibility to an adjudicator, prove that they are not subject to statutory security bars, and overcome other hurdles.

Security Processing Of Asylum Seekers Before Release Into The United States

Under [U.S. law](#), any person may apply for asylum, whether they enter the United States at an official port of entry across the country, or enter between ports of entry along our land borders. Regardless of how a person arrives in the United States, immigration officials conduct security vetting before releasing them to pursue their immigration case.

When an individual arrives at a port of entry or is encountered by immigration officials after entering the United States, Customs and Border Protection (CBP) Office of Field Operations or Border Patrol officers collect each person's biographic data, fingerprints, photographs, and in some cases DNA samples. [Officers check](#) the individual's biographic and biometric data against Department of Homeland Security (DHS) and other government databases, including the Department of Defense, Department of State, FBI, federal, state, and local law enforcement and investigative agencies, as well as foreign intelligence obtained through data sharing agreements. Under [U.S. law](#), all agencies that store or use intelligence or terrorism information must share information with other government agencies. Security checks include:

- [Checking](#) each person's biometrics against a watchlist of known or suspected terrorists, criminals, and people who have violated immigration laws. This watchlist [includes](#) warrants from federal, state, local, tribal, and international law enforcement agencies;
- [Screening](#) all law enforcement records to determine any criminal history, including the [National Crime Information Center](#), the United States' central database maintained by the FBI for tracking crime-related information;
- [Verifying](#) through biometrics checks that the person is not using a fraudulent identity and that their identification documents are authentic;
- [Reviewing](#) previous interactions with immigration officials, such as border crossing history;
- In cases where a DNA sample is obtained, [submitting](#) and running the sample through the FBI's DNA database;

Based on these security checks, officers determine whether to permit the person to enter the United States and whether to detain or release them from detention during their immigration proceedings. Those who are released may be subject to surveillance such as ankle monitors, monitoring through a smart phone application, and check-ins with Immigration and Customs Enforcement (ICE). In some cases, people are transferred to ICE custody and detained until they can show that they are not a flight risk or danger to the public. During their detention, ICE may conduct further security vetting.

After Release Into The United States, Extensive Security Vetting During The Asylum Application Process

Two executive agencies decide asylum cases: the DHS U.S. Citizenship and Immigration Services Asylum Office and the Department of Justice immigration court. People seeking protection must apply for asylum to the agency that has jurisdiction over their case, which depends on their circumstances, including how they arrived in the United States. After filing an asylum application, they are required to undergo security, identity, and background checks and cannot be granted asylum until this process is complete. Additionally, in order to grant asylum, an adjudicator must determine that the person has testified credibly, has presented evidence sufficient to qualify for asylum, and is not barred from asylum by any security or other bars under U.S. law.

Background, identity, and security checks: When an individual applies for asylum, USCIS collects their biographic information and schedules them for an appointment to submit fingerprints and a photograph. USCIS [sends](#) each person's biographic information and fingerprints to the FBI for a background and security check. USCIS also enrolls their biographic and biometric data in a DHS-wide system to screen it against federal agency and law enforcement databases, including checking the person's information against a watchlist of known or suspected terrorists, criminals, and people who have violated immigration laws, verifying identity, and reviewing the authenticity of the applicant's documents.

The asylum officer or immigration judge may only grant asylum once these security checks are complete. For applications before the immigration court, ICE attorneys monitor the security screening process and report the outcome to the immigration court. ICE may also conduct its own identity, background, and security checks to confirm that there are no national security or fraud concerns.

The USCIS [Fraud Detection and National Security Directorate \(FDNS\)](#) investigates asylum cases that are flagged for fraud, national security, or public safety concerns. FDNS conducts vetting via both government systems as well as open source and publicly available information.

USCIS often conducts recurring security screenings for asylum cases pending before both USCIS and the immigration court and is working to expand these screenings in response to a 2024 [report](#) by the DHS Office of the Inspector General.

These include automatic alerts when negative information about an application is received, including through the FBI's terrorism watchlist, as well as affirmative recurring screenings for terrorism and national security concerns.

Additional screening and requirements at the time of adjudication:

- **Credibility assessment:** during an asylum interview or hearing, an asylum applicant has the burden to establish credibility in order to be granted asylum. Under the [Real ID Act of 2005](#), the adjudicator may require the applicant to present evidence that corroborates their testimony or grant asylum based on testimony alone provided that it “is credible, is persuasive, and refers to specific facts sufficient to demonstrate that the applicant is a refugee.” An adjudicator may consider the totality of the circumstances in assessing credibility, including their demeanor, the plausibility of their account, and any inconsistencies in the record.
- **Statutory security bars:** an applicant must prove that they qualify for asylum under U.S. law, including that they are not subject to any bars to asylum. The [asylum application](#) requires a person to answer questions, under penalty of perjury, that are intended to determine whether the bars apply to them. During an interview or hearing, the adjudicator questions the applicant about the bars, also under penalty of perjury, and may require additional evidence to establish that the bars do not apply. For instance, U.S. law [prohibits](#) a grant of asylum to a person who has:
 - engaged in or assisted in or incited the persecution of others;
 - has been convicted of a particularly serious crime in the United States;
 - has committed a serious non-political crime abroad;
 - engaged in terrorist activity, including providing any material support to a terrorist organization;
 - is a representative of a foreign terrorist organization; and
 - otherwise poses a threat to the security of the United States.

- **Supervisory review in USCIS cases:** USCIS asylum officers may not grant asylum until a USCIS supervisor has reviewed the officer’s decision.
- **Potential cross-examination and appeal by ICE in immigration court:** asylum applicants in immigration court face an adversarial process where the ICE attorney plays a role similar to a prosecutor in a criminal case. The ICE attorney may argue that the applicant is not eligible for asylum and may cross-examine the applicant and their witnesses. If ICE disagrees with the immigration judge’s decision to grant asylum, they may appeal the decision for review by the Board of Immigration Appeals.

Vetting of Resettled Refugees

The process that refugees undergo in order to be deemed eligible for resettlement in the United States is robust and thorough. They are vetted more intensively than any other category of traveler, and this vetting is conducted while they are still overseas.

Every refugee that steps foot on American soil has undergone a [stringent multi-agency, multi-step screening process](#) that typically takes 18-24 months. The State Department, the Department of Homeland Security, the National Counter-terrorism Center, and the FBI each utilize multiple information databases and biometric screening information when determining whether a refugee is destined for the United States—and not all are.

Before these screenings even take place, the vast majority of refugees must first receive an official designation from the United Nations to be referred to a resettlement country. They have no control over what country they are designated to. Being resettled at all is a statistical improbability for a refugee. Last year the world resettled less than one half of one percent of the 42.7 million refugees in need, [according to UNHCR](#).

The United States screens and vets refugees more stringently than any other group allowed to enter the country:

REGISTRATION: The U.N. High Commissioner for Refugees (UNHCR) first registers refugees, interviews them, takes biometric data and background information as part of a “Refugee Status Determination” or RSD: a process for determining whether a person seeking international protection is a refugee under international, regional, or national law. The vast majority of these refugees have been living in frontline refugee-hosting countries for years, struggling to survive, and UNHCR has data from years of regular interactions with these refugees.

REFERRAL: Only those who pass the U.N. assessment are referred by UNHCR to the U.S. Refugee Admissions Program (USRAP) for consideration, or one of the other 28 resettlement countries. Refugees do not choose to be resettled or decide which country accepts them.

Under legislation passed by the U.S. Congress, Iraqi and Afghan nationals who have been employed by or on behalf of the U.S. government can apply directly to the USRAP without being referred by UNHCR. This process is called the Special Immigrant Visa (SIV) Program. U.S. embassies, U.S.-based family members, specially trained and approved NGOs, and select sponsorship groups also refer a small number of cases directly to USRAP.

USRAP SCREENING: Upon referral, the U.S. government then conducts its own extremely rigorous screening process. All referred refugees and SIV applicants undergo the same rigorous security screening process which typically takes 18 to 36 months.

A Resettlement Support Center (RSC), contracted by the U.S. Department of State (DOS), conducts a preparatory interview and compiles the refugee's personal data and background information for the security clearance process and the U.S. Citizenship and Immigration Services (USCIS) in-person interview.

More Specifically, The U.S. Refugee [Vetting Process For Refugees](#) Includes The Following Elements As [Outlined By Department Of Homeland Security Officials](#):

- **Department of Homeland Security Interviews:** Highly trained DHS-USCIS officers conduct in-person interviews with refugee applicants as well as their accompanying relatives to determine whether or not they can be approved for resettlement to the United States. These interviews occur while refugees are still abroad. To prepare, refugee officers receive specialized training and intelligence briefings that include comprehensive instruction on fraud detection, interviewing techniques, credulity analysis, and current country conditions. They will consider the applicant's credibility and whether their testimony is consistent with country conditions information, other relevant interviews, and supporting information. Based on the interview and information in the case file, the officer will determine whether they qualify for resettlement and are otherwise admissible under U.S. law. If the necessary criteria is met, the applicant will be conditionally approved until all security and medical checks have been received and cleared.

- **Consular Lookout and Watch List Check:** Biographic checks are conducted against the State Department’s Consular Lookout and Support System (CLASS)—including watch list information.
- **Security Advisory Opinions from Intelligence and Other Agencies:** DHS seeks Security Advisory Opinions (SAOs) from a number of law enforcement and intelligence agencies for cases that meet certain criteria.
- **National Counterterrorism Center Checks with Intelligence Agency Support:** Interagency checks, known as “IAC’s,” are conducted with the National Counterterrorism Center (NCTC) for all refugee applicants within a designated age range, regardless of nationality. The IAC process includes recurrent vetting so that any intervening derogatory information identified after the initial check has cleared but before the applicant travels to the United States will be provided to DHS.
- **DHS and FBI Biometric Checks:** Fingerprints are screened against the vast biometric holdings of the FBI’s Next Generation Identification system, and are screened and enrolled in DHS’s Automated Biometric Identification System (IDENT). Through IDENT, the applicant’s fingerprints are screened not only against watch list information, but also for previous immigration encounters in the United States and overseas—including cases in which the applicant previously applied for a visa at a U.S. embassy.
- **Department of Defense Biometric Screening:** Biometric screening is also conducted through the Department of Defense (DOD) Automated Biometric Identification System (ABIS). ABIS contains a variety of records, including fingerprint records captured in Iraq. ABIS screening now covers all refugee applicants who fall within prescribed age ranges.
- **Interpol:** The vetting process—including the CLASS and IDENT systems—checks against international intelligence community holdings from Interpol. Interpol’s Foreign Terrorist Fighter database includes 135,000 names. Further, [Interpol’s Stolen and Lost Travel Documents \(SLTD\)](#) database includes details of nearly 138 million records of stolen, lost, blank, and other documents.

- **Medical Screenings:** Refugees conditionally approved for resettlement are required to undergo medical screenings conducted by the International Organization for Migration or a physician designated by the relevant U.S. Embassy. This screening ensures that the applicant does not have any communicable diseases that could pose a public health threat, and, as such, prohibit his or her admission to the U.S.
- **Additional Screening Checks on Arrival to the United States:** When they travel to the United States, refugees are subject to screening conducted by DHS-U.S. Customs and Border Protection's (CBP) National Targeting Center-Passenger and the Transportation Security Administration's Secure Flight program in the airport prior to their admission to the United States, as is the case with all individuals traveling to the United States regardless of immigration program. In addition, CBP manages the TECS database, which is an information-sharing platform allowing CBP officers to check against a range of connected databases upon an individual's arrival, including information from Interpol and the FBI administered Terrorist Screening Center's Terrorist Screening Database.



About Human Rights First: Human Rights First is a nonprofit, nonpartisan international human rights organization founded in 1978 to address the lack of legal protection for refugees and asylum seekers. We work alongside human rights defenders, hold human rights abusers accountable, fight for the conditions that uphold democracy, and provide tools that bring the power of AI and advanced technologies to justice and human rights movements.

Human Rights First is based in Los Angeles, New York, and Washington D.C.

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