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At Least 10,000

A six-month progress report on U.S. resettlement of Syrian refugees

April 2016



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COVER PHOTO: Secretary Kerry views the Mrajeeb al-Fhood camp for Syrian refugees in Jordan (U.S. Department of State photo).

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Executive Summary and Recommendations

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. Halfway through the 2016 fiscal year, the Obama administration has resettled only 12.9% of the 10,000 it has agreed to resettle by September 30, 2016. On April 5, 2016 the State Department announced that 330 Syrian refugees were resettled in March 2016, bringing the total number of Syrians resettled so far this fiscal year to 1,285.

The recent death of an eleven-month-old baby in dire need of heart surgery, who was waiting in Jordan while his U.S. resettlement case was under consideration, underscores the need for timely and effective U.S. processing. The U.S. resettlement process is plagued by backlogs and staffing gaps which, left unaddressed, will make it difficult for the United States to meet its minimal commitment to resettle 10,000 Syrian refugees.

The conflict in Syria, which entered its sixth year in March 2016, has displaced more than 11 million people over the course of five violent and turbulent years. Over 4.8 million of these people have fled the country to neighboring states, straining the infrastructures of frontline refugee hosting states like Jordan, Lebanon, and Turkey.

The U.S. pledge to resettle at least 10,000 Syrian refugees this fiscal year 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. This pledge falls far short of the necessary U.S. leadership, 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.

Ryan Crocker, former U.S. Ambassador to Syria, Iraq, and Lebanon, has explained that, “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.” A bipartisan group of former U.S. national security advisors, CIA directors, secretaries of defense, state, and homeland security also pointed out in a December 2015 letter to Congress that “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 Secretaries of Homeland Security Michael Chertoff and Janet Napolitano, 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.), and former Secretaries of State Madeleine Albright and Henry Kissinger.

Writing in response to the efforts to block resettlement of Syrian and Iraqi refugees, these national security experts pointed out that refugees “are vetted more intensively than any other category of traveler” and cautioned that barring Syrian refugees “feeds the narrative of ISIS that there is a war between Islam and the West.” They urged the U.S. government to reject “this worldview by continuing to offer refuge to the world’s most vulnerable people, regardless of their religion or nationality.” A copy of their letter is attached as Appendix I to this report, and a document detailing the extensive vetting process for Syrian refugees is included as Appendix II.

At a global responsibility sharing high-level meeting on Syrian refugee admissions in Geneva

on March 30th, the United States affirmed its September 2015 pledge to resettle 10,000 Syrian refugees this fiscal year, but it did not announce an increase in the number of Syrian refugees it would commit to resettle over the next year.

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 (DHS) officers interviewing Syrian refugees in Jordan and Turkey has increased. Historically, many resettlement spaces are filled toward the end of the fiscal year, though departures to the United States are clearly well below anticipated goals. The United States still has another six months to bring the remaining 8,715 Syrian refugees to the United States.

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. Some of these processing challenges are outlined below, and detailed in a comprehensive report issued by Human Rights First in February 2016.¹ That report, based on research in Jordan, Lebanon, Turkey, and Egypt, 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.

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.

After World War II, the United States helped establish an international system grounded in the shared conviction that people fleeing persecution should never again be turned back to face horror or death. And since then, the country has often been a leader on refugee protection, and has been the global leader on refugee resettlement. In response to the Syrian refugee crisis, however, it has failed to lead. While the United States has been the largest donor to humanitarian appeals, a 2016 “fair share” analysis by Oxfam concluded that it had contributed only 76 percent of its fair share to humanitarian appeals for the Syria crisis and only 7 percent of its fair share of resettlement places to Syrian refugees.

In the absence of adequate support from other countries through aid and resettlement, Jordan, Lebanon, and Turkey imposed restrictions that prevent Syrians from fleeing their country. Syrian refugees are now largely denied entry to Lebanon and thousands have been blocked from crossing the border to safety in Turkey and Jordan. Not only do border restrictions that improperly block refugees violate international law, but they leave Syrians with no way to escape a country ravaged by violence, persecution, and terror.

While the resolution of the conflicts within Syria must occur before significant numbers of Syrian refugees can safely return home (and even then there will be many Syrian refugees who cannot safely return depending on the security, political, and human rights realities on the ground as well as the nature of their own past persecution), there is much that the United States and the international community should do to help Syria's refugees and support its allies.

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 humanitarian assistance, development investment, and resettlement commitments.

The president of the United States will host a conference on the global refugee crisis in September 2016. The U.S. ability to effectively lead 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. U.S. political leaders should work together in a bipartisan manner, restoring this country's long bipartisan tradition of protecting those who flee persecution.

To effectively lead this global initiative, the United States should:

1. **Work with other donor states to fully meet humanitarian appeals and significantly increase U.S. humanitarian aid and development investments in frontline refugee hosting states.** The United States and other donors should expand and replicate initiatives that increase opportunities for refugees to work and access education, while also supporting refugee hosting communities.
2. **Champion the protection of the rights of refugees, including their right to work, access education, and cross borders in order to escape persecution.** The U.S. president and secretary of state should press states to allow refugees to cross borders to access international protection, and should make clear that efforts to prevent terrorists from crossing borders must be accompanied by measures that assure refugees are permitted to cross borders. The United States should ensure that NATO actions, as well as any proposed “safe zone,” “no fly zone,” or similar endeavors, do not violate the human rights of refugees and migrants, including the right to flee persecution and seek asylum, and do not end up exposing civilians to dangers. UNHCR has cautioned that NATO’s mission in the Aegean Sea should not “undermine the institution of asylum for people in need of international protection.” Efforts to block people from crossing borders to secure protection often instead push them—and the smugglers who profit off migration barriers and human misery—to find other, sometimes riskier, routes.
3. **Address staffing and efficiency gaps to reduce backlogs and bottlenecks that hamper U.S. resettlement and Special Immigrant Visa (SIV) initiatives.**
 - **DHS should immediately increase staffing and resources to resolve the backlogged cases waiting their turn in “no decision” hold for review by DHS officials.** The Obama Administration and Congress should encourage and support this increase in staffing and resources.
 - **The president should direct DHS and U.S. security vetting agencies to increase staffing and resources to conduct follow up vetting inquiries in refugee and Special Immigrant Visa (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 non-governmental 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.
4. **The administration should substantially increase the U.S. resettlement commitment.** For fiscal year 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 interests. A bi-partisan group of former U.S. government officials with humanitarian and national security expertise recommended this level of commitment in September 2015, as did the U.S. Commission on International Religious Freedom in March 2016. This commitment would 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. Still, it would help push other countries to increase resettlement, visa, and other humanitarian admission places for Syrian refugees.
 5. **Appoint a high-level assistant to the president charged with refugee protection.** The world faces the largest refugee and

displacement crisis since World War II. The president should appoint a high level official to ensure strong U.S. leadership of efforts—across U.S. agencies—to address the global refugee crisis, advance the protection of refugees at home and abroad, and coordinate effective and timely U.S. resettlement and SIV processing. The ability to coordinate to assure refugee protection leadership globally and compliance with international legal standards will also be crucial given the engagement of the U.S. military, including participation in NATO’s mission in the Aegean Sea. This senior official should have staff, including legal staff versed in international refugee conventions and U.S. human rights and refugee protection obligations. This official should also be charged with mapping out a plan for effective transition of leadership on these matters to the next U.S. administration

The Global and Syrian Refugee Crisis

More than 60 million people are displaced in the world today—the highest numbers since World War II. Syrians account for the greatest number of these uprooted people. More than 2.7 million Syrian refugees have been registered in Turkey, which is hosting the highest number of Syrian refugees. More than 1.1 million are registered in Lebanon, which has prohibited the registration of any more refugees since May 2015. One out of four people in Lebanon is a Syrian refugee. About 638,000 Syrian refugees are registered in Jordan, though the Jordanian government has stated that as many as 1.4 million Syrian refugees are living in the country. For Jordan, even using the more conservative estimate of registered refugees, this means that at least one out of every ten people in the country is now a Syrian refugee.

In 2014 and 2015, the international community failed to fully meet appeals for humanitarian aid and resettlement for Syrian refugees. As detailed in Human Rights First’s February 2016 report, without sufficient support, the strain on the frontline refugee-hosting countries—including Jordan, Lebanon, and Turkey—increased sharply. Across the region, governments and relief agencies cut food assistance, access to medical care, and other essentials, deepening the suffering of refugees, who are generally prohibited from working legally in these states. In the absence of adequate responsibility-sharing by other countries, Jordan, Lebanon, and Turkey imposed restrictions that denied entry to Syrians and made it more difficult for those who had succeeded in fleeing to neighboring countries to remain in the region. Syrian refugees are now largely denied entry to Lebanon, while those already there are subject to onerous registration renewal requirements that leave many vulnerable to detention and deportation. Thousands of Syrians have been blocked from crossing the border to safety in Turkey and Jordan.

As conditions in—and access to—frontline countries has sharply declined, many Syrians embarked on dangerous journeys to Europe. The delays in U.S. resettlement, along with the other factors outlined in Human Rights First’s February 2016 report, have also contributed to the decision of some refugees, who have already waited years for a route to resettlement, to abandon their waits and try to reach Europe. Some refugees who were waiting for U.S. resettlement—including refugees who are already in the U.S. processing “pipeline”—have pulled out of the process or given up waiting, in some cases traveling on to Europe. Human Rights First received reports of these “no shows” or “pull outs” in connection with U.S. resettlement processing in Turkey primarily, but also in Jordan and Egypt.

More than one million refugees and migrants, including about 500,000 Syrians, traveled by sea to Europe during 2015. UNHCR reports that since 2014, 7,982 people have been reported missing or have died while crossing the sea in attempts to reach Europe. Data for refugees travelling by sea in January, February, and March 2016 indicated sharp increases from those months in 2015. On March 18, 2016, the European Union and Turkey struck a deal aimed at preventing Syrian refugees from reaching Europe by sea. This deal, which undermines access to asylum, will only add to the pressures on the countries surrounding Syria as it seeks to push ever greater responsibility for hosting Syria's refugees on to these states and Turkey in particular.

The U.S. Commitment on Resettlement of Syrian Refugees

“Nearly four centuries after the Mayflower set sail, the world is still full of pilgrims—men and women who want nothing more than the chance for a safer, better future for themselves and their families. What makes America is that we offer that chance. We turn Lady Liberty’s light to the world, and widen our circle of concern to say that all God’s children are worthy of our compassion and care. That’s part of what makes this the greatest country on Earth.”

—President Barack Obama, Thanksgiving Day, 2015

UNHCR has estimated that about 10 percent of the Syrian refugee population is extremely vulnerable and in need of resettlement. Given deteriorating conditions, UNHCR has also explained that the 10 percent target should be considered an important milestone rather than a

final goal. As the registered Syrian refugee population has, as of April 2016, grown to 4.8 million, at least 480,000 vulnerable Syrian refugees are now in need of resettlement to third countries. In its 2016 Syria Crisis Fair Share Analysis, updated in a March 2016 Briefing Note, Oxfam calculated that only 129,996 resettlement or other humanitarian admission spots had been pledged by the world’s richest governments—still 350,004 below the overall need level calculated to be 480,000.

The United States, long the global leader in resettlement, admitted only 105 Syrian refugees in fiscal year 2014 through resettlement and only 1,682 in fiscal year 2015. On September 8, 2015, Senator Lindsey Graham remarked that: “We should take our fair share. We are good people... I don’t see how we can lead the free world and turn our back on people that are seeking it. We should take the Statue of Liberty and tear it down if this is our response as a nation, just tear it down, because we don’t mean it anymore.”

A bipartisan group of former U.S. government officials, including ones with national security and humanitarian expertise, called on the United States in a September 2015 letter to resettle 100,000 Syrian refugees, over and above the worldwide refugee ceiling of 70,000. Such a commitment would, they said, “send a powerful signal to governments in Europe and the Middle East about their obligations to do more.” Christian and Jewish faith leaders have also called on the United States to resettle Syrian refugees. The Bipartisan U.S. Commission on International Religious Freedom, in a March 14, 2016 statement, 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.”

In September 2015 the Obama Administration committed to resettle 85,000 refugees from around the world during fiscal year 2016, including “at least” 10,000 Syrian refugees. The administration announced that U.S. resettlement would increase (for refugees from across the world) to 100,000 for fiscal year 2017. With respect to the commitment to resettle at least 10,000 Syrian refugees in fiscal year 2016, Secretary of State John F. Kerry said on September 20 that “I underscore the ‘at least’—it is not a ceiling, it’s a floor—of 10,000 over the next year from Syria specifically even as we also receive more refugees from other areas.” He noted that this step “is in keeping with the best tradition of America as a land of second chances and a beacon of hope.”

White House Press Secretary Josh Ernst called the increase - from about 1,500 Syrians resettled in 2015 to the higher 2016 fiscal year goal - a “significant scaling up of the commitment on the part of the United States to accept more Syrian refugees.” Senator Richard J. Durbin, Democrat of Illinois, called this a “step in the right direction” but urged that the “number has to be higher.”² Speaking of the plan to resettle at least 10,000 Syrian refugees in fiscal year 2016, Amy Pope, deputy assistant to the president from Homeland Security, affirmed in November 2015 that “[w]e remain steadfastly committed to that plan because it is consistent with our values and our national security.”³

In late 2015, following the terrorist attacks in Paris, the resettlement of Syrian refugees became the target of intense political debate in the United States. Some politicians and members of Congress pushed for a halt to resettlement of Syrian refugees, saying they questioned whether security vetting was adequate, some even proposed shutting out all Muslims. Human Rights

First researchers traveling in the region learned that this rhetoric was reverberating on the frontlines, sending the wrong message to U.S. allies in the region and to refugees themselves, some of whom gave up hope of waiting for resettlement and instead decided to make the dangerous journey to Europe.

In a December 2015 letter to Congress, a bipartisan group of former national security advisors, CIA directors, secretaries of state, defense, and homeland security affirmed that “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.” They also pointed out that refugees “are vetted more intensively than any other category of traveler” and cautioned that barring Syrian refugees “feeds the narrative of ISIS that there is a war between Islam and the West.” They urged the U.S. government to reject “this worldview by continuing to offer refuge to the world’s most vulnerable people, regardless of their religion or nationality.” A copy of their letter is attached as Appendix I to this report.

The United States government obtains significant amounts of information about, and rigorously vets, Syrian refugees resettled to the United States, as Human Rights First detailed in its February 2016 report. The vetting includes multiple interviews and involves numerous U.S. and international intelligence and law enforcement agencies, including the National Counterterrorism Center, the Department of Defense, and Interpol, which have extensive databases on foreign fighters, suspected terrorists, and stolen, false, and blank passports from Syria, Iraq, and elsewhere. The vetting and security clearance process is outlined in Appendix II to this report.

U.S. Progress and Lack of Progress Toward Meeting its Goal

“USCIS, in conjunction with the Department of State, is working hard to meet our commitment to admit at least 10,000 Syrian refugees by the end of this fiscal year. We will do this carefully, screening refugees in a multi-layered and intense screening process involving multiple law enforcement, national security, and intelligence agencies across the Federal Government.”

**–DHS Secretary Jeh Johnson,
February 11, 2016**

In order to meet its commitments, the United States must meet its goal of resettling 10,000 Syrian refugees by the end of the fiscal year, which falls on September 30, 2016. As of April 5—half way through the 2016 fiscal year—the United States had resettled only 1,285 Syrian refugees—12.9% of its fiscal 2016 goal.

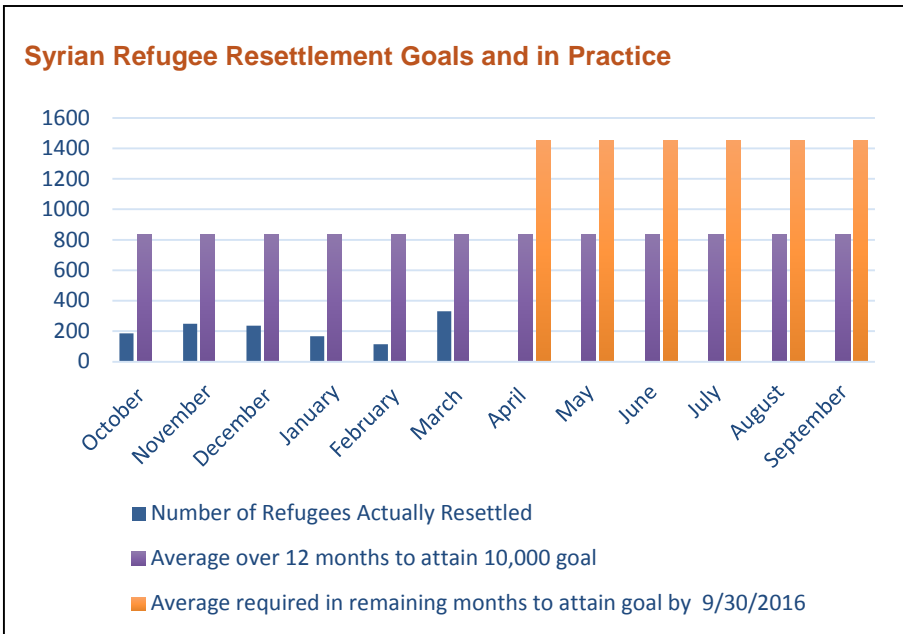
Across the region, U.S. resettlement processing centers and U.S. agencies (including the State Department’s PRM and DHS-USCIS) are working hard to try to meet the U.S. commitment to resettle Syrian refugees, and the number of DHS officers traveling to the region to interview Syrian refugees has increased. The U.S. Resettlement Support Centers have scaled up their processing and their support for larger DHS interview visits.

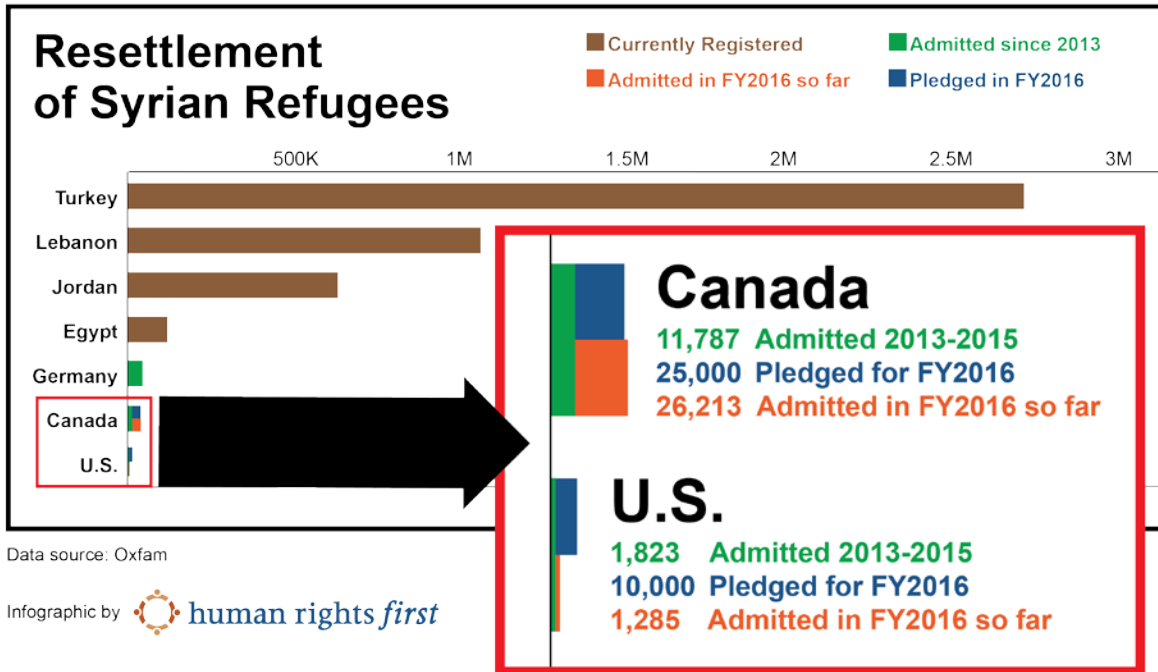
In early April 2016, the Department of State

announced that 330 Syrian refugees had been resettled to the United States in the month of March. In October 2015, 187 Syrian refugees were resettled, followed by 250, 237, 167, and 114 resettled in November, December, January, and February, respectively. While March represented the highest number resettled in any month in FY2016, and double the amount resettled in February, the progress still fell far short of the pace necessary to reach the goal by September 30, 2016.

These small numbers raise concerns about the administration’s ability to meet the 10,000 goal in the months to come. If resettlement numbers were to be distributed evenly over the year, an average of 833 Syrian refugees would need to be resettled per month, each month for twelve months, to reach the 10,000 goal. Given the extremely low numbers so far this year, in order to meet the 10,000 goal by the end of the fiscal year, an average of 1,452 refugees must be resettled in each of the six months to come.

Historically, resettlement spaces tend to be filled toward the end of the fiscal year, and many Syrian cases are already fairly far along in the U.S.





resettlement processing “pipeline.” There is still time to meet the “at least 10,000” goal set for the fiscal year, but significant improvements would need to be implemented. If the current pace of Syrian resettlement remains unchanged—with an average of only 214 Syrian arrivals per month—2,568 Syrian refugees will be brought to the United States during fiscal year 2016, leaving 75% of the U.S. goal unfulfilled.

As of mid-January 2016, DHS-USCIS reported that the U.S. resettlement program had received about 26,500 referrals of Syrian refugee applicants for consideration, mostly from Jordan and Turkey as well as some from Egypt. During calendar year 2016, UNHCR plans to submit roughly 20,000 Syrian refugees to the United States for resettlement consideration, with the substantial majority of these cases coming from Jordan and Turkey. As of March 2016, UNHCR reported submitting 32,369 Syrian refugees for resettlement consideration to the United States since 2013.⁴ Given lengthy U.S. resettlement

processing times, however the bulk of those Syrian refugees who are ultimately approved for resettlement will most likely not depart for the United States until subsequent U.S. fiscal years.

How does the United States Compare to Other Countries?

“The magnitude of this particular crisis shows us unmistakably that it cannot be business as usual, leaving the greatest burden to be carried by the countries closest to the conflict.”

–U.N. High Commissioner for Refugees, Filippo Grandi, at Syria Admissions and resettlement conference, March 20, 2016

UNHCR estimates that upwards of 480,000 Syrian refugees are currently in need of resettlement. As detailed in this report, the United States has only resettled 1,285 of the 10,000 it has pledged to resettle by the end of the U.S. fiscal year on

September 30. In total, only 3,158 Syrian refugees have been resettled to the U.S. during the five years since the conflict began in Syria. During this time, in addition to resettlement, the U.S. has granted 1,567 asylum applications from Syrians. These numbers pale in comparison to the numbers of Syrian refugees hosted by front line states—over 2.7 million are registered in Turkey, over 638,000 in Jordan, over 245,000 in Iraq, over 119,301 in Egypt, and over 1.1 million in Lebanon. The U.S. numbers also fall far below the contributions—albeit limited in some cases - made by other nations outside the region that have smaller populations than the United States.

In fall 2015, the Canadian government announced a plan to resettle 25,000 refugees as part of a #WelcomeRefugees campaign. Prime Minister Justin Trudeau personally welcomed the first group of refugees when they started arriving in December. Less than four months after it started this initiative, Canada has already met and exceeded that goal. As of April 5, 2016, 26,213 Syrian refugees have arrived in Canada since November 4th. The government plans to resettle at least 10,000 more this year.⁵

Germany was the first country in Europe to implement a humanitarian admissions program for Syrian refugees with special needs. In March 2013, Germany announced that it was providing up to 5,000 places for Syrian refugees, or half of the identified need at the time. Germany has since increased its admissions, with upwards of 42,000 Syrians admitted to Germany since 2013. Germany has increased its humanitarian admissions while also processing 245,332 Syrian asylum applications since the beginning of the war in Syria.

Similarly, Sweden—a country of just 10 million, only about 3% of the U.S. population—has received 106,954 Syrian asylum applications since the outset of the war. Brazil has issued 8,387 humanitarian visas to individuals affected

by the Syria crisis. This approach includes the ability to apply for refugee status once in Brazil. Switzerland has issued nearly 4,700 visas as part of a temporary extended family reunification program for Syrian refugees.⁶

What is Hampering the Process?

“USCIRF also calls on the U.S. government to allocate sufficient resources to the Department of Homeland Security and other agencies that conduct the rigorous individualized vetting of refugees being considered for resettlement in the United States, to allow them to expeditiously process applications and thoroughly conduct background checks in order to facilitate resettlements without compromising U.S. national security.”

–US Commission on International Religious Freedom, March 14, 2016

Despite significant efforts by U.S. government agencies and U.S. resettlement support centers to ramp up resettlement processing, a number of factors—primarily relating to understaffing—are unnecessarily delaying parts of the process, which, even without lengthy delays, typically takes 18 to 24 months to complete. The factors contributing to delays are detailed in Human Rights First’s February 2016 Report.⁷ These processing challenges include:

- Backlogs due to insufficient DHS staff to review several thousand cases on hold in which no decision has yet been made;
- Backlogs due to insufficient DHS and security vetting agency staff and prioritization to conduct follow-up inquiries on both refugee cases and cases of Special Immigrant Visa applicants who

worked for the U.S. military in Iraq and Afghanistan;

- Lack of space at the U.S. Embassy in Lebanon which has long impeded U.S. resettlement from Lebanon; and
- Insufficient capacity to expedite protection and resettlement for refugees facing imminent risks of harm, such as refugees threatened due to their sexual or gender identity or those facing grave medical threats.

Backlogs in No Decision Cases. After DHS officers conduct their lengthy interviews with Syrian refugees, a majority of these cases go into a limbo where they remain stuck in a backlog, with no decision made, often for extended periods of time, waiting their turn for time from a DHS officer to conduct additional review of the case. About 4,000 to 5,000 Syrian refugees were estimated to be in this no decision limbo as of January 2016. If additional DHS staff were dedicated to reviewing these cases in a prompt (and thorough) manner, the backlogs could be eliminated or significantly reduced. Effectively addressing this backlog would also assist in meeting U.S. resettlement goals and improving the efficiency of the process. As a result of the backlogs of cases waiting for review by DHS officers, the departure of refugees to the United States fell below anticipated goals.

Backlogs in Security Vetting. If DHS and the relevant security vetting agencies continue to hire or allocate additional staff, with strong expertise and training on the Middle East, and are directed to make completion of these cases a priority, this processing can move ahead in a timelier manner. As pointed out by former ambassador Ryan

Crocker—who contended with the backlogs delaying resettlement of Iraqis whose lives were at risk because of their work with the United States when he served as ambassador to Iraq under President George W. Bush—President Obama can address these backlogs “without weakening security by simply directing security agencies to devote more time and staff to the task.” In a March 2016 statement, the U.S. Commission on International Religious Freedom called on the U.S. government to “allocate sufficient resources to the Department of Homeland Security and other agencies that conduct the rigorous individualized vetting of refugees being considered for resettlement in the United States, to allow them to expeditiously

Continuing Backlogs in Resettlement of U.S. Affiliated Iraqis

Iraqi refugees and many Iraqis who worked with the United States military or other U.S. entities are also stranded in the region. Processing backlogs and challenges have also delayed the resettlement of Iraqis including those who have direct access to U.S. resettlement consideration because they worked with the U.S. military, contractors, non-governmental organizations, and media, as well as Iraqi refugees with U.S. family ties. About 50,000 Iraqis, many of whom have U.S. ties or have worked for the U.S. military and government, were waiting in a U.S. resettlement backlog as of early 2016. Many been waiting years to be brought to safety in the United States. The processing of these cases has been delayed by a number of backlogs, including the backlog of cases waiting for follow-up review by DHS or other security vetting staff. The American SAFE act, which passed the House of Representatives in December, would have, if enacted, further derailed the resettlement of these and other Iraqi refugees, as well as Syrian refugees.

process applications and thoroughly conduct background checks in order to facilitate resettlements without compromising U.S. national security.” It is certainly not in the security interests of the United States to have delays in security vetting, which would potentially delay identification of any individuals who might present a security threat to the United States or its allies in the region. Moreover, as numerous national security experts have confirmed (and as discussed later in this report), an effective resettlement initiative actually advances U.S. national security interests by supporting the stability of the region around Syria and U.S. allies.

DHS also needs additional staff resources and oversight support to address backlogged cases placed on Controlled Application Review and Resolution Program (“CARRP”) hold that are waiting their turn for review and resolution. For Syrian refugees, the broad CARRP categories are believed to cover many who do not actually present security threats—including, for example, pro-democracy advocates arrested by the regime and civilians forced to pay “taxes” to armed groups. Given the need to identify any real security threats, and the importance of moving ahead on cases where there is no threat, additional DHS staffing, resources, and oversight could help address some of this backlog.

Lack of Space Provided for DHS Resettlement Officers at U.S. Embassy in Lebanon. While the United States has restarted resettlement interviews in Lebanon, that resettlement effort will be minimal. The United States had previously suspended resettlement out of Lebanon during 2014 and 2015 “[d]ue to resource and space constraints” at the U.S. Embassy in Beirut.⁸

A number of DHS refugee corps officers travel to Jordan, Turkey, Lebanon, and other resettlement processing locations to conduct interviews, in what are called “circuit rides” to the region. During fiscal year 2016, the number of resettlement

interviews will be limited, with only a few fairly short circuit rides, one in February, one in May, one in July, and another in September. The circuit rides are anticipated to include only about 4 interviewing officers due to the Embassy’s lack of space for the officers. All in all, U.S. officers will likely handle a little over 200 cases on each visit, interviewing 500 people (as each case may include multiple family members), for a total of about 2,000 refugee interviews.

While DHS is making an effort to increase the size of its refugee officer circuit rides, there are still gaps between visits in some locations that can leave refugees waiting for months or longer for a DHS interview. In Turkey, circuit rides are now nearly continuous. DHS should increase the number of refugee officers for each circuit ride on a longer term steady basis in order to provide more continuous coverage, particularly in locations where there are longer periods of time between circuit rides. DHS must also address the staffing level deficiencies that face both the USCIS refugee corps and the Asylum Division. Given that the world is facing the largest refugee crisis since World War II, DHS and USCIS should take steps to increase the size of the refugee corps.

Lack of Sufficient Capacity to Expedite Resettlement. Across the region, Human Rights First has spoken with, and heard additional reports of, Syrian refugees who face imminent risks of harm and were in need of immediate protection and expedited resettlement processing. In some cases, these refugees faced risks of physical harm due to their sexual orientation or gender identity. In other cases, refugees who had been engaged in peaceful political, human rights, or humanitarian activities in Syria were threatened or targeted—in Turkey or in Lebanon—by individuals associated with militant or terrorist groups. Some are also facing grave medical threats, like the Syrian baby in need of heart

surgery who recently died while waiting in Jordan for the completion of the family's U.S. resettlement processing.

Prolonged processing and delays Prompt Pull-outs and No-shows. An additional factor that could hamper U.S. resettlement of Syrians is the decision of some families—who have already been struggling to survive for years in Turkey and other countries in the region—to pull out of the prolonged U.S. resettlement process, in some cases because they have given up hope while waiting and decided to take the dangerous trip to Europe. Aid workers and resettlement experts in the region report that some Syrian refugees referred to the United States for resettlement consideration have pulled out of the process or taken steps that result in their cases being pulled out of the process. The U.S. process takes nearly two years and often much longer to complete. In Turkey, as noted in Human Rights First's February 2016 report, an estimated 20 to 30 percent of cases in the U.S. resettlement pipeline had pulled out of the process or not shown up for interviews. While there are some similar reports in Jordan and Egypt, the numbers are much lower. With the steep cuts in aid and lack of access to work, Syrian refugees are increasingly unable to survive and support their families in frontline refugee hosting states. In some cases, one or more members of a family that was waiting for resettlement consideration have decided to risk the dangerous trip to Europe as they believe their family can't survive for another year or two. The complete lack of certainty as to how long the process may take in any particular case in the U.S. resettlement system, and the specter of disappearing into an adjudication delay of indefinite duration even after the interview, contribute to refugees' despairing of the process.

Resettlement— A Humanitarian and National Security Imperative

“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.”

—Bipartisan group of former U.S. National Security Advisors, CIA Directors, Secretaries of State, Defense and Homeland Security, and Retired Military Leaders, in a December 2015 letter to Members of Congress

Resettlement can be a life-saving solution for vulnerable refugees who are struggling to survive in frontline countries that host the overwhelming majority of refugees. Resettlement is also a tangible demonstration of responsibility sharing by countries outside the region, providing critical support to frontline refugee hosting states as they struggle under the strain of hosting large number of refugees. In addition, it can also be a tool for protecting other refugees—particularly if effectively leveraged—by encouraging frontline countries to continue to host the bulk of refugees and to allow additional refugees to cross into their countries to escape conflict and persecution.

Experts on the region have explained that a significant Syrian refugee resettlement initiative would help support the stability of these frontline refugee hosting states. As Ryan Crocker, former U.S. ambassador to Afghanistan, Iraq, Pakistan, Syria, Kuwait, 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, including Jordan, Lebanon, and NATO member Turkey, all of which are hosting large numbers of refugees. The infrastructure—water, sewage, medical care, and education—of these states is overwhelmed. A major resettlement and aid initiative can relieve that strain. But left unaddressed, the strain will feed instability and trigger more violence across the region, which will have negative consequences for U.S. national security.⁹

The bipartisan group of former high level U.S. national security leaders—including former Secretaries of Homeland Security Michael Chertoff and Janet Napolitano, 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.), and former Secretaries of State Madeleine Albright and Henry Kissinger—has also confirmed the importance of resettlement in advancing U.S. national security. They explained that “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.”

At a November 18, 2015 House Homeland Security Committee hearing, General Jack Keane (Ret.), former Chief of Staff and Vice Chief of Staff for the U.S. Army cautioned that:

Some of the voices that are out there are playing right into ISIS’s hands. When we talk about, ‘Let’s only take Christians,’ ... That’s what ISIS wants. ISIS wants fragmentation between Muslims and non-Muslims. That’s an irresponsible statement to make. We are a country with Muslims in it. Why wouldn’t we welcome Muslims and others from around the world, like we’ve always done, who are being persecuted? Come on, this is America! We can do this. We’re smart enough to figure out how to bring thousands of people into this country and make sure they’re not going to hurt us.

Matt Olsen, former director of the National Counterterrorism Center, has similarly 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,” and that the effort to block refugees “is actually adverse to our national security interest ... it really feeds into the ISIS message that we are at war with Muslims. It risks alienating Muslim American communities here, who are in the best position to identify and stop individuals who may be susceptible to ISIS propaganda and recruitment.” Michael Chertoff, former U.S. secretary of Homeland Security under the administration of George W. Bush also pointed out that resettling Syrian refugees has a positive national security impact, and with respect to efforts to block resettlement of Syrian refugees, warned that “You don’t want to play into the narrative of the bad guy. That’s giving propaganda to the enemy.”

Conclusion

Given the overriding humanitarian, human rights, foreign policy, and national security interests at stake, the United States should lead, working closely with European allies and other countries, a comprehensive response to the Syrian refugee crisis and the broader global displacement 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 meet—and significantly increase - its own resettlement commitments as well as continuing to provide increased humanitarian assistance and development investment. Such an effort would not only support U.S. humanitarian interests, it would also advance U.S. national security and foreign policy interests. ■

Appendices

Letter: National Security Leaders Oppose Halting Refugee Resettlement

Fact Sheet: Refugee Resettlement—Security Screening Information

December 1, 2015

Dear Senator/Representative,

We write to express our opposition to proposals that would effectively halt the resettlement of Syrian and Iraqi refugees in the United States following the terrorist attacks in Paris. We believe that America can and should continue to provide refuge to those fleeing violence and persecution without compromising the security and safety of our nation. To do otherwise would be contrary to our nation's traditions of openness and inclusivity, and would undermine our core objective of combating terrorism.

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. Those seeking resettlement are screened by national and international intelligence agencies; their fingerprints and other biometric data are checked against terrorist and criminal databases; and they are interviewed several times over the course of the vetting process, which takes 18-24 months and often longer.

Given the stringent measures in place, we are especially concerned by proposals that would derail or further delay the resettlement of Iraqis who risked their lives to work with the U.S. military and other U.S. organizations. These refugees were given priority access to U.S. resettlement under the Refugee Crisis in Iraq Act. The United States has a moral obligation to protect them.

We must remain vigilant to keep our nation safe from terrorists, whether foreign or homegrown, and from violence in all its forms. At the same time, we must remain true to our values. These are not mutually exclusive goals. In fact, 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.

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.

Sincerely,

(Names in alphabetical order)

Madeleine K. Albright
Former Secretary of State

Henry A. Kissinger
Former Secretary of State
Former National Security Advisor

Samuel R. Berger
Former National Security Advisor

General Richard B. Myers, U.S. Air Force (Ret.)
Former Chairman, Joint Chiefs of Staff

Zbigniew Brzezinski
Former National Security Advisor

Janet A. Napolitano
Former Secretary of Homeland Security

General George W. Casey, Jr., U.S. Army (Ret.)
Former Chief of Staff, U.S. Army

Leon E. Panetta
Former Secretary of Defense
Former Director, Central Intelligence Agency

Michael Chertoff
Former Secretary of Homeland Security

William S. Cohen
Former Secretary of Defense

Stephen J. Hadley
Former National Security Advisor

Chuck Hagel
Former Secretary of Defense

General Michael V. Hayden, U.S. Air Force (Ret.)
Former Director, Central Intelligence Agency

General James L. Jones, U.S. Marine Corps (Ret.)
Former National Security Advisor
Former NATO Supreme Allied Commander
Former Commandant of the Marine Corps

General David H. Petraeus, U.S. Army (Ret.)
Former Director, Central Intelligence Agency
Former Commander, U.S. Central Command

William J. Perry
Former Secretary of Defense

Brent Scowcroft
Former National Security Advisor

George P. Shultz
Former Secretary of State

Admiral James G. Stavridis, U.S. Navy (Ret.)
Former NATO Supreme Allied Commander
Former Commander, U.S. Southern Command

General John W. Vessey, Jr., U.S. Army (Ret.)
Former Chairman, Joint Chiefs of Staff

Refugee Resettlement - Security Screening Information

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

STAGE ONE: The U.N. High Commissioner for Refugees 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. 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. Only those who pass the U.N. assessment are referred to the United States for consideration. Refugees do not choose to be resettled or decide which country accepts them.

STAGE TWO: The U.S. government then conducts its own extremely rigorous screening process.

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:** DHS-USCIS officers interview refugees 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.
- **Enhanced Review for Syrian Cases:** DHS-USCIS has instituted additional layers of review for Syrian refugee applications. Before being scheduled for an interview with a DHS-USCIS officer (while the refugee is still abroad), Syrian cases are reviewed at DHS-USCIS headquarters. All cases that meet certain criteria are referred to the DHS-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 to inform lines of inquiry. This information provides case-specific context relating to country conditions and regional activity. DHS-USCIS reports that FDNS engages with law enforcement and intelligence community members for assistance with identity verification and acquisition of additional information.
- **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. In addition, expanded intelligence community support was added to the IAC process in July 2010, and recurrent vetting was added in 2015 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.
- **Additional Screening Checks on Entry:** 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 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 Terrorist Screening Center's Terrorist Screening Database.
- **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 detailed identity particulars of individuals provided by 52 countries. As of September 2015, Interpol's suspected terrorist database had more than 10,000 names. Further, Interpol's Stolen and Lost Travel Documents (SLTD) database includes details of nearly 54 million stolen, lost, blank, and other documents, including from Syria and Iraq.
- In addition to Interpol, the U.S. government maintains separate security and intelligence sharing relationships with countries in the region, facilitating checks on information gathered on refugees after leaving Syria.

Resettlement of syrian refugees advances the United States' national security interests and supports key U.S. allies.

“[R]esettlement 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.”

- letter to Congress from a bipartisan group of the nation's top national security experts.

“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.”

-Janet Napolitano and Michael Chertoff, former DHS secretaries

“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.”

-Ryan Crocker, former Ambassador to Syria, Lebanon, Iraq, Afghanistan, Pakistan, and Kuwait:

Endnotes

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