



International Refugee
Assistance Project



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Rebuilding the U.S. Refugee Program for the Future

22 Recommendations for 2022

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Executive Summary

Refugees seeking resettlement to the U.S. experience major barriers that cause delays, confusion, and, ultimately, a failure to fairly adjudicate their claims for protection. **This report by the International Refugee Assistance Project (IRAP) offers 22 recommendations to address current challenges and improve the refugee resettlement program in 2022 and onwards.**

The proposals include several of the goals set forth by President Biden in his February 4, 2021 executive order relating to refugees (the “Refugee EO”) and can help the Biden administration meet its commitment to resettle 125,000 refugees in Fiscal Year 2022 (FY22). Importantly, though, this report urges the Biden administration to look to the *future* of resettlement. Improving the capacity, efficiency, and transparency of USRAP this year will ensure the program can continue to be a life-saving protection tool for refugees, advance U.S. strategic interests overseas more fully, and strengthen the resiliency of local communities across the country.

Recommendations at a glance:

- **Expand Adjudication Capacity** by onboarding additional refugee officers; scheduling regular circuit rides in advance of Fiscal Year 2023 (FY23); eliminating backlogs; addressing family reunification; and expanding private sponsorship, domestic capacity, and access for climate-displaced people.
- **Enable Efficient Interview and Vetting Processes** by expanding the use of video technology; reversing harmful and ineffective vetting practices; and establishing oversight mechanisms and high-level coordination of all aspects of USRAP.
- **Ensure Due Process and Transparency** by publishing reviews, reports, and policies relevant to refugee processing and allowing access to counsel for key aspects of refugee processing.

I. Introduction

Since 1980, a wide range of government agencies and non-governmental agencies have worked to resettle over three million people through the U.S. Refugee Admissions Program (USRAP). Forty years later this valuable program is now facing an uncertain future.

After years of Trump administration policies designed to obstruct refugee protection, establishing a stronger, more resilient refugee program urgently requires reforms and additional resources at every stage of the resettlement process. Even before 2016, USRAP applicants experienced bureaucratic red tape that caused lengthy unjust delays and denials. Programs and services for refugees resettled in the United States have been underfunded for years. Intentional xenophobic Trump administration policies to dismantle USRAP, such as discriminatory suspensions, historically low admissions ceilings, extreme vetting, and pullback from domestic resources, worsened these problems. Refugee admissions have plummeted to the lowest level in history,¹ almost 100,000 refugees have pending cases,² and resettlement agencies are simultaneously building back their resources while working with the U.S. government to resettle over 95,000 Afghans through Operation Allies Welcome.³

The program has now become so burdened with delays that it is at risk of no longer fulfilling its mandate, which is to offer humanitarian protection and advance U.S. interests globally.⁴

In 2022, the Biden administration has an opportunity to go beyond simply undoing the harmful policies of the past four years. It must invest in bold, transformational reform for the broken USRAP. President Biden has taken initial steps in this direction. In February 2021, President Biden issued the Refugee EO outlining concrete steps for his administration to take to improve refugee resettlement.⁵ President Biden also set the Fiscal Year 2022 refugee resettlement target at 125,000.⁶

1 "U.S. Annual Refugee Resettlement Ceilings and Number of Refugees Admitted, 1980-Present," Migration Policy Institute, accessed, December 22, 2021, <https://www.migrationpolicy.org/programs/data-hub/charts/us-annual-refugee-resettlement-ceilings-and-number-refugees-admitted-united>.

2 "Report to Congress on Proposed Refugee Admissions for Fiscal Year 2022," U.S. Department of State, Sept. 20, 2021, <https://www.state.gov/report-to-congress-on-proposed-refugee-admissions-for-fiscal-year-2022/>.

3 "Afghanistan Relocation and Resettlement Update," U.S. Department of State, December 13, 2021, <https://www.state.gov/afghanistan-relocation-and-resettlement-update/>.

4 *Refugee Act of 1980*, Pub. L. No. 96-212, 94 Stat. 102 (1980).

5 "Executive Order 14013 of February 4, 2021, Rebuilding and Enhancing Programs to Resettle Refugees and Planning for the Impact of Climate Change on Migration." <https://www.federalregister.gov/documents/2021/02/09/2021-02804/rebuilding-and-enhancing-programs-to-resettle-refugees-and-planning-for-the-impact-of-climate-change>.

6 U.S. Department of State, "The Presidential Determination on Refugee Admissions for Fiscal Year 2022," <https://www.state.gov/the-presidential-determination-on-refugee-admissions-for-fiscal-year-2022/>.

Unfortunately, the promise of these actions has gone unfulfilled - stymied by a lack of political will and follow-through, insufficient leadership from the White House in facilitating interdepartmental coordination, and the consequences of the poorly-planned U.S. withdrawal from Afghanistan. While the U.S. faces significant hurdles in scaling up domestic and overseas capacity to process and welcome thousands of Afghan allies who fled or are attempting to flee after the Taliban takeover of Afghanistan, general USRAP admissions and processing have been sidelined.⁷ In November 2021, the Department of State (DOS) paused travel bookings for most non-Afghan refugees until January.⁸ At the time of this report's writing, the pause on resettlement for non-Afghans was still in effect. This reality demonstrates the urgent need for President Biden to make good on his commitments to refugee protection to avoid similar fallout from unforeseen crises in the future, including those related to climate change.⁹

At the start of this new year, IRAP urges the administration to take the necessary steps to rebuild a robust refugee program in 2022 and for the years to come. While the administration continues refugee processing for the remaining seven months of this fiscal year, it must also look ahead to FY23. Specifically, federal agencies should take steps now so that refugee resettlement meets and exceeds expectations for FY23. Advanced planning by the White House, Department of Homeland Security (DHS), and DOS, coupled with implementing the recommendations detailed below will ensure that President Biden's aspirational goals, and the United States' commitment to human rights, are realized.

Finally, while this report primarily focuses on reforms to overseas refugee processing, IRAP recognizes the acute need for the administration to bolster and expand domestic refugee resettlement capacity, particularly as it relates to staffing, expanding the local offices of resettlement agencies, and securing housing for newly arrived refugees. The U.S. government must rapidly strengthen refugee reception capabilities across the country. The administration and Congress should continue to infuse resources to existing refugee resettlement agencies and develop innovative models for expanding private and community sponsorship of refugees.

Only by simultaneously addressing every stage of refugee resettlement will the administration be able to create a resilient and robust USRAP that can withstand and respond to the growing number of refugees in need of resettlement around the world for decades to come.

7 Danilo Zak, "Explainer: The Refugee Resettlement Backlog and How to Rebuild the Pipeline," National Immigration Forum, November 15, 2021, <https://immigrationforum.org/article/explainer-the-refugee-resettlement-backlog-and-how-to-rebuild-the-pipeline/>.

8 Camilo Montoya-Galvez, "U.S. curtails refugee admissions to focus on resettling Afghan evacuees," CBS News, November 16, 2021, <https://www.cbsnews.com/news/afghan-evacuees-resettling-us-curtails-refugee-admissions/>.

9 "Executive Order 14013 of February 4, 2021, Rebuilding and Enhancing Programs to Resettle Refugees and Planning for the Impact of Climate Change on Migration," see Section 6.

II. Expand Adjudication Capacity

Overview

The United Nations High Commissioner for Refugees (UNHCR) estimates that there are currently 26.4 million refugees worldwide and that 1.4 million of those refugees are in need of resettlement.¹⁰ The U.S. received tens of thousands of Afghan referrals to USRAP in 2021, and tens of thousands of refugees from other countries have been awaiting resettlement interviews and approval for years. To meet these urgent protection needs and to realize its resettlement goals in FY22 and FY23, the Biden administration must first increase the number of refugees it considers for admission, including from regions that have been previously underrepresented.

The likely multi-year limbo status of the tens of thousands of Afghans referred to USRAP via the recently announced Afghan Priority 2 (P-2) refugee program¹¹ serves as a stark reminder of what can happen when ambitious refugee goals are not met with effective and innovative operational plans. The following section outlines the resources and reforms necessary to operationalize a strong program that does not leave refugees in a vulnerable and uncertain position for years.

1 Hire and Train Additional DHS Refugee Officers

The entire administration, per the Refugee EO,¹² must coalesce around the hiring and training of additional DHS refugee officers and other adjudication-related personnel, including Refugee Access Verification Unit (RAVU) staff. This should include efforts to provide necessary infrastructure to support the new hires, including additional office space, teleworking options, and plans to expedite hiring and clearance screening. Robust staffing ensures the U.S. can conduct an increased number of refugee interviews and adjudicate more cases.

2 Schedule Additional and Regular Circuit Rides

With additional refugee officers, U.S. Citizenship and Immigration Services (USCIS) must **schedule additional and regular circuit rides** to complete refugee interviews in FY22. In planning for circuit rides in FY23, USCIS should schedule circuit rides for the first quarter to avoid a moratorium or gap in processing. USCIS and DOS should be flexible and creative in scheduling circuit rides to reach refugees in locations that have not previously been visited.

10 "Global Trends: Forced Displacement 2020," UNHCR, June 2021, <https://www.unhcr.org/60b638e37/unhcr-global-trends-2020>.

11 "U.S. Refugee Admissions Program Priority 2 Designation for Afghan Nationals," U.S. Department of State, August 2, 2021, <https://www.state.gov/u-s-refugee-admissions-program-priority-2-designation-for-afghan-nationals/>.

12 "Rebuilding and Enhancing Programs To Resettle Refugees and Planning for the Impact of Climate Change on Migration."

3 Expand Resettlement Support Centers

The DOS's Bureau of Population, Refugees, and Migration (PRM) should increase its resources while also **investing in additional and existing Resettlement Support Centers (RSCs)**, including **establishing a RSC in Pakistan** to facilitate resettlement access for the large number of Afghan refugees in the region and **establish additional RSCs in Latin America** to increase processing capability. Expanding RSCs will allow for an increased USCIS footprint overseas to interview and process refugees.

4 Open International Offices

International offices provide critical support for resettlement processing, including for Follow-to-Join (FTJ) family reunification cases. USCIS should **open new or reopen previously closed international offices** in locations where the consistent deployment of USCIS resources would be particularly valuable, such as New Delhi and Amman.

5 Prioritize Family Reunification Cases

In the Refugee EO, President Biden stated that reunifying families is in the national interest and family reunification has long been a central aspect of U.S. immigration.¹³ The reality is refugee families face extreme backlogs in both the FTJ and Priority 3 (P-3) processes and families continue to be separated.¹⁴

Reforms to the refugee family reunification process should include:

- Immediately prioritizing staffing and resources to identify and remove bottlenecks to expedite existing FTJ and P-3 cases;
- USCIS must take operational control of the FTJ program to streamline the application process, and remove the two-year filing deadline;
- USCIS should ensure adequate RAVU staffing to process P-3 applications in a timely manner;
- USCIS must reform the marriage standard to recognize family units even if not legally recognized in their host country due to legal restrictions on, for example, same-sex, interfaith, or camp-based marriages.

13 "Rebuilding and Enhancing Programs To Resettle Refugees and Planning for the Impact of Climate Change on Migration."

14 "Families in Limbo: What the Biden Administration Can Do Now to Address Unreasonable Delays in Refugee and Asylee Family Reunification," IRAP, March 2021, <https://refugeerights.org/wp-content/uploads/2021/03/FTJ-Report-FINAL-1.pdf>.

6 Reform the Central American Minors Refugee and Parole Program

USCIS and PRM expanded the CAM program last year¹⁵ and should continue to invest in reforms to the program to ensure its success. Reforms could include:

- Reduce processing times by adequately funding CAM processing work;
- Reduce financial barriers to participation in the CAM program;
- Promote applicant safety by creating formal case expedite and safe shelter protocols and moving in-person processing closer to applicants;
- Support CAM parolee integration in the U.S. by ensuring that CAM parolees are eligible for Office of Refugee Resettlement and Reception and Placement services.

7 Address the Cases of Priority 2 (P-2) Direct Access Program for Iraqi and Syrian Beneficiaries of Form I-130

USCIS and PRM **should address the lack of information around the status of Priority 2 (P-2) Direct Access Program for Iraqi and Syrian beneficiaries of Form I-130 Petition for Alien Relative cases.** Rather than let applicants wait without any information about their case, the administration should be transparent about the status of this program and any investigations related to it, and it should commit to expediting the adjudications of applicants.

8 Expand NGO Referrals

Around the world, NGOs have direct engagement with vulnerable refugees who would benefit from resettlement, but who face practical or logistical barriers to resettlement through the traditional pathway of UNHCR identification.¹⁶ PRM should **expand NGO direct referrals for USRAP** and bring the system to scale through training, capacity-building, and funding for local NGOs.

9 Expand DOS Embassy Referrals

In addition, DOS should facilitate additional embassy referral capacity. DOS should continue to regularly issue cables reminding **embassy posts of their authority to make Priority 1 (P-1) referrals** to USRAP. DOS should also dedicate resources and training to adding embassy staff with clear roles related to making P-1 referrals.

15 "Central American Minors (CAM) Refugee and Parole Program," U.S. Citizenship and Immigration Services, last modified September 14, 2021, <https://www.uscis.gov/CAM>.

16 Melonee Douglas, Rachel Levitan, and Lucy W Kiama, "Expanding the Role of NGOs in Resettlement," *Forced Migration Review*, 54 (February 2017): 34-37, <https://www.fmreview.org/resettlement/douglas-levitan-kiama>.

10 Eliminate Backlogs

The administration can expand capacity and access to USRAP by focusing first on backlogs. While the exact number of applicants awaiting adjudication or who are at various stages of the resettlement process is not publicly available, estimates put the backlog at tens of thousands of individuals. This recommended prioritization will help the administration meet its current and upcoming resettlement goals in FY22 and FY23. PRM and USCIS should **add resources to identify existing red tape and clear the lengthy backlogs** of applicants, as was mentioned in the Refugee EO.¹⁷ Importantly, thousands of refugees could be relieved of the limbo status they have experienced in the past several years. Specific populations that should be prioritized include:

- Applicants who had been previously interviewed before 2020;
- FTJs and P-3 family reunification cases;
- Iraqi Direct Access Program applicants.

11 Increase Domestic Capacity

Attention to domestic capacity is urgently needed to ensure that the administration can scale resettlement in FY22 and FY23. **PRM and the Department of Health and Human Services' (HHS) Office of Refugee Resettlement should take steps to increase capacity across the network of resettlement agencies.** Reforms could include providing additional funding for staffing, housing, and integration services for refugees and reforming the funding structure to ensure guaranteed funding for resettlement agencies at the beginning of the fiscal year.

12 Expand Private Sponsorship

To capitalize on public support and expand access to refugee resettlement,¹⁸ DOS, DHS, and HHS **should launch an initial iteration of a private sponsorship program for refugees in early 2022 and make such a program permanent in FY23.** A private sponsorship program would enable groups of individuals and organizations to directly engage in resettlement by sponsoring a refugee who they either identify or are matched with.¹⁹

Such a program would build on the recently-created Sponsor Circle Program for Afghans,²⁰ which allows community sponsor groups, or “sponsor circles,” to identify or be matched with an Afghan

17 “Rebuilding and Enhancing Programs To Resettle Refugees and Planning for the Impact of Climate Change on Migration.”

18 “Report to Congress on Proposed Refugee Admissions for Fiscal Year 2022,” U.S. Department of State, Sept. 20, 2021, <https://www.state.gov/report-to-congress-on-proposed-refugee-admissions-for-fiscal-year-2022/>.

19 “Recommendations for Private Sponsorship Design in an Expanded Community Sponsorship System,” IRAP, June 10, 2021, <https://refugeerights.org/wp-content/uploads/2021/06/Recommendations-for-Private-Sponsorship-6-2021.pdf>

20 “Launch of the Sponsor Circle Program for Afghans,” U.S. Department of State, Oct. 25, 2021, <https://www.state.gov/launch-of-the-sponsor-circle-program-for-afghans/>.

family who has been paroled into the United States as part of the U.S. evacuation of Afghanistan, and then to provide the equivalent of resettlement assistance as they welcome the family into their community.

A permanent private sponsorship program in FY23 should ramp up the “identification” or “naming” component, through which sponsors can nominate the refugee(s) abroad whom they would like to sponsor. Importantly, privately-sponsored cases should be additional to the number of refugees set by the annual Presidential Determination to arrive through traditional USRAP.

13 Enhance Protection for Climate-Displaced People

The Refugee EO demonstrates the Biden administration’s commitment to increasing protection for climate-displaced people.²¹ As the White House’s Report on the Impact of Climate Change on Migration recognizes, “the accelerating trend of global displacement related to climate impacts is increasing cross-border movements,” and the United States needs to “adjust U.S. protection mechanisms to better accommodate people fleeing the impacts of climate change.”²² Reforming USRAP to protect climate-affected refugees could include:

- Leveraging DOS’ relationship with UNHCR to advocate for a resettlement referral criterion based on exposure to climate risks and disasters;
- Allowing sponsors in a permanent private sponsorship to name climate-affected refugees, expanding access to the program for these individuals;
- Assessing opportunities to adjust USRAP to better serve climate-displaced people as part of the work of an interagency process to develop protection mechanisms for those displaced by climate change, per the White House’s Report on the Impact of Climate Change on Migration.²³

III. Enable Efficient Interview and Vetting Processes

Overview

Tens of thousands of refugees referred to USRAP remain stuck in bureaucratic processes that have taken years; many are languishing in dangerous conditions while they wait with little information about the status of their resettlement case. Similarly, thousands of refugees already in the U.S. have been waiting years for reunification with their spouses or children who remain

21 “Rebuilding and Enhancing Programs To Resettle Refugees and Planning for the Impact of Climate Change on Migration.”

22 “Report on the Impact of Climate Change on Migration,” [The White House, October 2021, https://www.whitehouse.gov/wp-content/uploads/2021/10/Report-on-the-Impact-of-Climate-Change-on-Migration.pdf](https://www.whitehouse.gov/wp-content/uploads/2021/10/Report-on-the-Impact-of-Climate-Change-on-Migration.pdf).

23 Ibid.

abroad. **The administration must speed up interviews and screening processes** to review applicants in a timely and responsible manner. Commitment to increase staffing and resources to streamline these processes will enable the administration to better meet its FY22 goals and be prepared to increase resettlement in FY23.

While agencies involved in refugee resettlement face significant operational challenges due to the COVID-19 pandemic and the lingering impacts of detrimental Trump administration policies, these challenges are not insurmountable. By employing modern technology such as video technology, revisiting flawed current vetting processes, and investing in additional staff, the agencies will be able to craft solutions to ensure the program operates at capacity and can fulfill the mission of the resettlement program. The following section outlines reforms that will improve adjudication processes and timelines and will benefit both refugee officers and refugees themselves.

14 Utilize Video Technology

USCIS must continue to expand the strategic deployment and refinement of video technology to complement and supplement in-person refugee interviews. Video technology has several strategic advantages, and the Refugee EO states it should be employed.²⁴

Given the realities of COVID-19 travel restrictions and the reduced overseas footprint, USCIS has already begun to expand video technology usage. The Secretary of State's²⁵ recent decision to delegate staff from PRM to USCIS to conduct refugee interviews over video is a positive step toward increasing the use of this technology as well.

Video technology should continue to supplement the traditional circuit ride model. For example, it can be used in emergency expedited cases, for less complex circumstances (like re-interviews or FTJ cases), and to conduct interviews in locations rarely visited by a circuit ride. Video technology could also provide significant cost savings in staff travel and lodging and reduce the carbon footprint by limiting air and ground transport.

15 Reverse Harmful Extreme Vetting Practices

Extreme vetting measures put in place with limited oversight or accountability have caused unnecessary delays and denials for refugees seeking safety in the U.S.²⁶ Such measures continue to serve as a primary roadblock for refugee applicants. The Refugee EO directed that security

24 "Rebuilding and Enhancing Programs To Resettle Refugees and Planning for the Impact of Climate Change on Migration."

25 U.S. Secretary of State, Notice, "Delegation by the Secretary of State to the Assistant Secretary of State for Population, Refugees, and Migration; Facilitating USCIS VTC Interviews of Refugee Applicants," *Federal Register* 86, no. 520 (December 1, 2021): 68295, <https://www.govinfo.gov/content/pkg/FR-2021-12-01/pdf/2021-26100.pdf>

26 "Debunking 'Extreme Vetting': Recommendations to Build Back the U.S. Refugee Admissions Program," IRAP, June 2021, <https://refugeerights.org/wp-content/uploads/2021/06/Vetting-Report-2020-v6-REVISED-JUNE-2021-1.pdf>.

vetting must be improved so it does not cause unreasonable delays in admissions while simultaneously protecting national security.²⁷ All agencies involved in refugee vetting, including the DOS, DHS, the Federal Bureau of Investigation (FBI), and their vetting partners, must collaborate to **reverse inefficient and burdensome vetting processes**. The vetting agencies must:

- Review the sources of existing backlog issues and make modifications that will resolve the backlogs due to burdensome vetting;
- Revisit the Security Advisory Opinion (SAO) thresholds for all refugees, including for FTJ beneficiaries, and reconsider the types of refugee applicants requiring an SAO check;
- Create more efficient processes for gathering biometric data, such as expanding the reuse of already obtained biometric data or expanding the ability to collect biometric data where there is not a formal consular or USCIS presence;
- Reverse the USCIS policy that requires USCIS officers to interview minor derivatives separately from primary applicants to increase efficiency and lessen trauma impact on children;
- End reliance on flawed tools such as bulk communications matching and social media vetting.

16 Develop Innovative Staffing Methods

Refugees are interviewed in person by trained USCIS Refugee Corps officers who travel on circuit rides to conduct the interviews. This system could be vastly improved to speed up adjudication timelines and streamline operations for the Refugee Corps. **USCIS should institutionalize reformed systems for interviewing applicants**. Reforms could include the following:

- International and Refugee Affairs Division (IRAD) could create a systematic process to assign officers based on experience and complexity of cases;
- IRAD should station more Refugee Corps officers overseas full time. This would allow officers to utilize region-specific expertise, increase capacity to adjudicate cases, and provide more stability to officers. DOS could support this by allowing officers to be stationed at embassies. Additionally, DOS could delegate staff to support interviews.

27 “Rebuilding and Enhancing Programs To Resettle Refugees and Planning for the Impact of Climate Change on Migration.”

17 Expand Use of Pattern and Practice Determinations

USCIS should **expand the use of pattern and practice determinations** and enact policies that adopt positive precedent on cases regarding persecution through domestic violence and gang violence, consistent with the recent vacatur of *Matter of A-B-* and *Matter of L-E-A-*.²⁸

18 Streamline Technology

While PRM and USCIS are rolling out new systems to track refugee applications and admissions, troubleshooting technical challenges as they arise will be critical so that new technology does not delay resettlement. **The government should deploy a U.S. Digital Service team** to analyze the current application, vetting, and adjudication process. A U.S. Digital Service team could then propose improved means of coordination among the varied technologies used by all agencies involved in refugee vetting and adjudication. The DOS should also reinstate the agency's Digital Team to provide critical support for streamlining public-facing and internal USRAP reporting and processing.

19 Establish High-level Oversight and Coordination

To advance all the multifaceted reforms in USRAP, the administration must have committed high-level leadership. **The administration should assign a high-level White House staff member** who is empowered to provide regular oversight and coordination over all agencies and vetting partners involved in USRAP, per the Refugee EO.²⁹ Additionally, **DOS and DHS must designate a senior-level employee** to review and reform current policies.

20 Institute Regular Oversight

The National Vetting Center, USCIS, PRM, and any other agency involved in refugee vetting, including the intelligence agencies, should work collaboratively under the high-level White House leadership to **establish oversight mechanisms** to ensure vetting is completed in a manner consistent with the mission of the refugee program.

With oversight and evaluation measures in place, all agencies responsible for vetting must **regularly evaluate current processes and focus efforts to streamline security processing to reduce undue delays**. When new screening measures come into place, the National Vetting Center and all relevant screening agencies must test them and ensure they are material to eligibility and do not unreasonably delay adjudication. Such oversight efforts will ensure that vetting is effective and will not cause unmerited delays in processing for refugees awaiting resettlement.

28 U.S. Department of Justice, *Memorandum for the Civil Division re: Impact of Attorney General decisions in Matter of L-E-A- and Matter of A-B-*, by Vanita Gupta, Associate Attorney General, June 16, 2021, <https://www.justice.gov/asg/page/file/1404826/download>.

29 "Rebuilding and Enhancing Programs To Resettle Refugees and Planning for the Impact of Climate Change on Migration."

IV. Ensure Due Process and Transparency for Applicants

Overview

Refugees should not have to wait years for a decision on their applications, especially when it means keeping families separated. However, the reality for refugee applicants is that USRAP is debilitated by extremely lengthy backlogs and opacity. The Refugee EO included significant commitments to increasing data collection, reviewing current processes, and public-facing reporting.³⁰ The administration must follow through on these commitments.

Significant changes to transparency, public reporting, and adjudication timelines will ensure USRAP is functioning as required by law and will provide refugee applicants with fairer treatment. The following section includes recommendations that will increase public understanding about refugee vetting and will provide refugees with basic information and support relevant to their case.

21 Publish Reviews, Reports, and Policies

The National Vetting Governance Board should **make public, as feasible in regards to classified information, the report about the current refugee security vetting process.** Required by the Refugee EO, this report was tasked with making recommendations to increase the efficiency, fairness, and effectiveness of vetting.³¹ As the National Vetting Center begins vetting USRAP applications, **it should also continue to engage with stakeholders** about this process and what it may mean for refugee applicants.

DOS and DHS should **make public the report requested by the Refugee EO on fraud detection measures** and any action taken regarding reforms to the adjudication process.³²

Also, under the Refugee EO, agencies involved in USRAP must **regularly publish key policies and procedures** including the DOS's Overseas Processing Manual, Standard Operating Procedures, and Program Announcements, and USCIS's policy and procedures manuals, lesson plans, and training materials, and National Vetting Center policies on government websites.³³

PRM should ensure its new refugee case processing system, called START, **enables customizable data reporting** from its website for public use. Such data is helpful for refugee resettlement agency planning and increases general public transparency about the program.

30 "Rebuilding and Enhancing Programs To Resettle Refugees and Planning for the Impact of Climate Change on Migration."

31 Ibid.

32 Ibid.

33 Ibid.

22 Ensure Fair and Transparent Processing to Improve Efficiency

USCIS should initiate **rulemaking procedures to establish basic procedural guardrails** to invest in USRAP's resiliency and efficiency. The following reforms would improve efficiency for both refugees and adjudicators by trimming down unnecessary exchanges that can happen when an applicant is navigating a complex system on their own. These reforms for transparency are also included in the Refugee EO.³⁴ Proposed rules should:

- Allow access to counsel for key aspects of refugee processing, including allowing refugees' counsel to be present during interviews, including for CAM applicants;
- Establish a process that will allow refugees access to their case files in a timely manner;
- In case of a denial, provide an individual with specific information about the reason for denial so that applicants can adequately address issues in a request for review of their application.

V. Conclusion

The U.S. recently marked forty years of providing refugees a new, safe start through refugee resettlement. Now is the time to invest in ensuring a strong USRAP for the next forty years looking ahead. **The Biden administration must add resources and implement reforms immediately to build back a functioning and more effective USRAP.** In the Refugee EO, President Biden boldly committed his administration to take such measures. Yet nearly a year later refugees seeking resettlement are still facing delays, separation from family, and little information about the status of their case.

The administration can and should implement the reforms outlined in this report. The three primary points in the USRAP process that should be prioritized for reform are capacity, adjudications, and due process. In addition to reforming overseas processing, the administration must prioritize rebuilding the domestic network capacity to welcome resettled refugees. These networks must be expanded to successfully assist resettled refugees to achieve economic self-sufficiency and integrate into their new communities.

All government agencies involved in resettlement, under the leadership of a high-level White House staff member, must commit to improving resettlement capacity, modernizing the interview process, ensuring due process, erasing lengthy backlogs, and strengthening the network welcoming refugees in their new communities. These multifaceted recommendations must be addressed simultaneously for the Biden administration to resettle refugees in FY22, be prepared to increase admissions in FY23, and ensure a healthy and resilient program for the future.

34 "Rebuilding and Enhancing Programs To Resettle Refugees and Planning for the Impact of Climate Change on Migration."