

# Senate Testimony

## **The Impact of ISIS on the Homeland and Refugee Resettlement**

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Chairman Johnson, Ranking Member Carper, and distinguished members of the committee, on behalf of the Foundation for Defense of Democracies, it is an honor to appear before you to discuss the Islamic State's (IS) impact on Syrian refugee resettlement in the United States.

In the aftermath of the Paris attacks, there has been much discussion about the security challenges associated with admitting Syrian refugees. I offer several overarching conclusions that I will discuss at greater length in this testimony:

- If a jihadist group like IS wants to place terrorists in the United States through the current refugee resettlement program, **the risk is very low, though it is non-zero.**
- **The biggest barrier to terrorist operatives entering the United States in this way is the selection process rather than the screening process.** The existing selection process for admitting refugees into the United States is rigorous and time-consuming, and the odds are significantly against any one refugee's admission: only 10,000 of an estimated 2.1 million Syrians registered by UNHCR will be admitted. Further, the United States privileges the "most vulnerable" refugee populations in its admission process, a cohort that includes single mothers, children, and individuals with medical needs but excludes populations—like teenage and young adult males—that are most likely to be infiltrated by violent extremist groups. This makes it difficult for extremist groups to plant operatives in the admitted refugee population. Moreover, the resettlement process for refugees entering the United States takes 18 to 24 months on average.<sup>1</sup> However, the refugee screening process is highly unlikely to uncover an operative who can be considered a "clean skin" (someone connected with a jihadist organization whose connections to the group are not known by American intelligence), and the U.S.'s intelligence penetration into Syria is limited.
- **A significant expansion of the Syrian refugee resettlement program in the U.S. would increase the risk of militant infiltration.** Significantly increasing the number of Syrian refugees who will be resettled might expand the parameters of the selection process beyond "most vulnerable" populations, and could make the infiltration of operatives in this manner more attractive to militant groups.
- **IS views the refugee outflows from Syria as a major challenge to the legitimacy of its caliphate,** and the group has exhorted Syrian refugees to return. At the same time, it is in IS's interest to create a backlash against Syrian refugees in Europe or the United States, which would then allow militant organizations to recruit from within the ranks of disaffected refugee populations. A backlash could also deter future waves of refugees from leaving Syria. Such a move is central to IS's playbook.
- It is **counterproductive for U.S. governors to publicly announce their opposition to admitting refugees into their states.** Governors do not have control over where refugees are placed, but this hard line marginalizes refugee populations even before

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<sup>1</sup> U.S. Department of State, "U.S. Refugee Admissions Program," n.d., available at <http://www.state.gov/j/prm/ra/admissions/>.

they arrive, and creates the perception that they are not welcome, thus complicating and threatening integration and assimilation processes. While it is their prerogative to express their legitimate concerns to the Obama administration, the very public announcements that have been made recently are counterproductive.

### **The Islamic State's Strategic Outlook Toward Refugees**

The iconic images of thousands of Syrians fleeing their homes for Europe are terrible publicity for IS. IS has sought to foster the perception that the caliphate is a refuge and safe haven for Muslims from across the world; this narrative is essential to the group's foreign fighter recruitment efforts. But the refugee crisis directly undercuts this narrative. If Syrians choose to flee for thousands of miles rather than joining the caliphate next door or remaining in it, the caliphate's political legitimacy is called into question. Prospective foreign fighters may be less inclined to join IS after witnessing the flood of refugees into Europe, and hearing horror stories about life in the caliphate.

IS has utilized its propaganda apparatus in an effort to dissuade Syrians from fleeing to Europe.<sup>2</sup> Between September 16 and 19, IS media outlets released twelve videos addressing the refugee crisis. IS's strategy in this propaganda blitz was twofold: underscore the dangers of life in Europe for refugees while painting the caliphate as a safe haven for Muslims. One theme that emerged in this propaganda was the idea that Muslim refugees who flee to Europe will suffer oppression at the hands of secular and Christian governments, and will be forced to abandon their faith.<sup>3</sup> IS also warned of the dangerous journey to Europe, in one video montage incorporating the image of Aylan Kurdi, the young Syrian refugee who washed up dead on a beach in Turkey as his family was attempting to travel to Greece.<sup>4</sup> Another theme that pervaded IS's refugee propaganda was that the caliphate was preferable to Europe. IS juxtaposed the experiences that refugees would encounter in Europe with images and videos portraying the caliphate as an Islamic utopia, where refugees are cared for and all Muslims can find religious salvation.<sup>5</sup>

While IS sees the Syrian refugee crisis as a challenge to its legitimacy, it also perceives strategic opportunities. One possibility is that IS may attempt to embed militants into refugee populations. In January 2015, an IS supporter released a short article that discussed opportunities for IS militants to use migrant and refugee flows from Libya to gain entry to Europe.<sup>6</sup> Further, an al-Qaeda operative who had served time in prison in Italy before being extradited to his home country of Tunisia was arrested in October 2015 after traveling from Libya to the Italian island

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<sup>2</sup> Aaron Zelin has compiled a comprehensive list of IS propaganda statements related to refugee. The statements cited in this testimony are drawn from his list. See Aaron Zelin, "The Islamic State on Refugees Leaving Syria," *Jihadology*, November 14, 2015; Aaron Zelin, "Targeting Europe's Refugees Is Not the Answer," Washington Institute for Near East Policy, November 16, 2015.

<sup>3</sup> "Would You Exchange What is Better for What is Less," Wilayat Salah al-Din, September 16, 2015.

<sup>4</sup> "And [He] Will Replace You With Another People," Wilayat Halab, September 18, 2015.

<sup>5</sup> See, for example, "Messages from the Muslims to the Displaced Peoples [Going] to the Abodes of the Unbelievers," Wilayat al-Furat, September 17, 2015.

<sup>6</sup> See discussion in Charlie Winter, *Libya: The Strategic Gateway for the Islamic State* (London: Quilliam Foundation, 2015).

of Lampedusa.<sup>7</sup> Placing operatives among the Syrian refugees would advance IS's strategic objectives. IS believes that if it can drive a wedge between Muslim populations in Europe and the rest of European society, it can present itself as a protector of European Muslims, thus building its base of support in Europe. This strategic logic is clearly articulated in issue seven of *Dabiq*, IS's English-language online magazine, in which IS predicts that jihadist attacks in Europe will "compel the crusaders to actively destroy the grayzone," forcing Muslims in the West to make one of two choices: "apostatize and adopt the [infidel] religion" or migrate to the caliphate to "escape persecution from the crusader governments and citizens."<sup>8</sup> This strategy—in which the group carries out attacks to accelerate societal schisms, then steps in to defend the group against whom its attacks triggered discrimination—is one that IS utilized to great effect in Iraq in the mid-2000s. During that period, IS's predecessor, al-Qaeda in Iraq, launched attacks against Shia populations in order to trigger revenge killings against Iraqi Sunnis.

It now appears that the passport of a Syrian citizen that had been stamped in Greece, Serbia and Croatia—three typical way-stations for refugees making the trip to western Europe—was on one of the Paris attackers in an effort to incite anti-refugee backlash.<sup>9</sup> (It is possible that IS planted a stolen or forged passport on one of the attackers, and as of this writing its authenticity has not been determined.)

### **Refugee Selection and Screening Policies**

It would be easier for IS or another jihadist group to infiltrate operatives into Europe than the United States. As previously noted, the biggest barrier to terrorist operatives entering the United States in this way is the refugee selection process rather than the screening process. Indeed, it is important not to overstate the efficacy of the screening process, something many observers have done.

The United States has a set of layered policies in place for selecting and screening refugees. The selection process is highly rigorous, with many refugees being selected from "most vulnerable" populations, a category that includes children, single mothers, torture victims, and people with special medical needs.<sup>10</sup> Meanwhile, the screening process involves multiple checks across several agencies for security and medical concerns. This multi-stage screening process means that it takes a long time—18 to 24 months—for refugees to enter the United States, which means that any attempt to infiltrate operatives in this way must be undertaken with a fair amount of advance planning. Though this multi-stage screening system lessens the probability that malevolent actors will gain entrance into the United States, the efficacy of screening fundamentally depends on the quality of U.S. intelligence about the Syrian refugee population.

In response to the refugee crisis sweeping Europe, the Obama administration recently announced that it would increase the number of refugees from around the world that the United States will permanently resettle, from 70,000 per year to 100,000 by 2017. This plan allows the

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<sup>7</sup> Francesco Viviano, "Lampedusa, su un Barcone Terrorista di Ritorno," *La Repubblica*, November 8, 2015.

<sup>8</sup> "The Extinction of the Grayzone," *Dabiq* issue 7, February 2015.

<sup>9</sup> "Syrian Passport by Stadium Stolen or Fake, A.F.P. Reports," *New York Times*, November 17, 2015.

<sup>10</sup> Gardiner Harris, David Sanger and David Herszenhorn, "Obama Increases Number of Syrian Refugees for U.S. Resettlement to 10,000," *New York Times*, September 10, 2015.

admission of 85,000 refugees in 2016 and 100,000 refugees the following year.<sup>11</sup> The White House also recently announced plans to admit at least 10,000 Syrian refugees in 2016—a significant increase over the approximately 1,500 Syrians expected to be resettled in the United States in 2015.<sup>12</sup> The administration announced plans to open additional refugee screening centers in Iraq and Lebanon.<sup>13</sup>

The selection process for refugee resettlement in the United States is markedly different from the process in Europe. Whereas Europe has little choice but to temporarily harbor, and process the asylum requests of, refugees and migrants who wash up on its shores, the U.S.'s geographic distance from conflict zones in the Middle East and North Africa allows it to implement a rigorous selection process. This process represents the greatest obstacle to jihadist penetration of the refugee resettlement program.

Approximately 75 percent of refugees who are screened by the U.S. are first vetted and then referred by the United Nations High Commissioner for Refugees (UNHCR).<sup>14</sup> Many refugees that the UNHCR refers for resettlement come from populations labeled as the “most vulnerable.” Of the Syrian refugees who have been admitted thus far, more than half have been children. Moreover, just two percent of Syrian refugees who have been admitted are considered to be “single men of combat age.”<sup>15</sup> UNHCR's preference for referring “most vulnerable” populations presents an obstacle for militant organizations seeking to infiltrate the refugee resettlement program. Unlike in Europe, where all refugees who request asylum must be temporarily housed until their requests are processed, IS and other militant groups have no control over who is selected for the U.S. refugee resettlement program.

The duration of the resettlement process is another obstacle for militant groups. Though resettling refugees can take as few as eight weeks in special circumstances, the process takes 18 to 24 months on average.<sup>16</sup> Though IS and al-Qaeda plan external operations months in advance, this lag time does create obstacles for any militant organization seeking to strike the U.S. through the refugee resettlement program. There are more efficient ways to infiltrate the United States.

Though the refugee selection process presents a major obstacle to militant infiltration, the screening process is far from infallible even though it involves multiple checks. To be admissible, a refugee must pass a series of security and medical checks.<sup>17</sup> A Department of State Resettlement Service Center (RSC) compiles personal data and background information for the security check process.<sup>18</sup> Some refugees go through an additional review, a Security Advisory

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<sup>11</sup> Michael R. Gordon, Alison Smale, and Rick Lyman, “U.S. Will Accept More Refugees as Crisis Grows,” *New York Times*, September 20, 2015.

<sup>12</sup> Harris et al., “Obama Increases Number of Syrian Refugees for U.S. Resettlement to 10,000.”

<sup>13</sup> “U.S. to open new screening centers for Syrian refugees – State Department,” Reuters, November 6, 2015.

<sup>14</sup> U.S. Department of State, “Background Briefing on the Mechanics of the United States Refugee Admissions Program,” September 11, 2015, available at <http://www.state.gov/r/pa/prs/ps/2015/09/246843.htm>.

<sup>15</sup> Laura Koran, “How Do Syrian Refugees Get into the U.S.? Explaining the Process,” CNN, November 17, 2015.

<sup>16</sup> U.S. Department of State, “U.S. Refugee Admissions Program,” n.d., available at <http://www.state.gov/j/prm/ra/admissions/>.

<sup>17</sup> U.S. Department of State, “Background Briefing On the Mechanics of the United States Refugee Admissions Program,” September 11, 2015.

<sup>18</sup> The various steps of the refugee settlement process are outlined in U.S. Committee for Refugees and Immigrants, “Security Screening of Refugees Admitted to the United States: A Detailed, Rigorous Process,” n.d., available at

Opinion, which is conducted by law enforcement and intelligence agencies. (Presumably, those who are flagged as potentially posing a more severe security threat are selected for this advisory opinion.) Candidates for refugee status are also fingerprinted and interviewed in person by a U.S. Citizenship and Immigration Services officer. A medical screening is completed, mostly to check for infectious diseases such as tuberculosis. Finally, a second interagency security check is completed before the refugee's departure to verify that all information remains correct, and that there are no relevant additions since the process began. After these security and medical checks have been completed and analyzed, a refugee be admitted to the United States.

However, a significant limitation to the screening process is that it is only as good as the data that the United States can gather within Syria. Top law enforcement and intelligence officials have said that the U.S. has significant intelligence gaps with regard to Syrian refugees.<sup>19</sup> The biggest concern for the intelligence community is a “clean skin,” an individual connected with a jihadist organization whose connections to the group are not known by American intelligence or law enforcement agencies. As FBI assistant director Michael Steinbach said, “You have to have information to vet. Databases don’t [have] the information on those individuals, and that’s the concern.”<sup>20</sup> Thus, while the selection process significantly reduces the chance of terrorists entering the United States through the refugee resettlement program, we should understand that **the screening process would be unlikely to identify militant operatives**. Thus, a significant expansion of the resettlement program for Syrian refugees would pose risks.

### **Assessing the Security Risks Associated with Refugees Entering the United States**

The overall risk associated with admitting refugees into the U.S. in current numbers is low but non-zero due to the obstacles to selection highlighted in the previous section. There are also some risks apart from the direct infiltration of operatives. For example, refugee populations may not fully assimilate into American society, and may be vulnerable to recruitment by violent extremist groups or local street gangs.

There are several cases of refugees who have been involved in terrorist activities in the United States, though these cases are relatively few and the risks should not be exaggerated. In May 2011, Waad Alwan and Mohanad Hammadi, two Iraqi refugees who had been resettled in Kentucky, were arrested in a sting operation and charged with attempting to provide arms to al-Qaeda in Iraq (the group that would later become IS). In talks with an undercover informant, the men discussed the possibility of carrying out attacks domestically. Both Alwan and Hammadi are believed to have been involved in the Sunni insurgency in Iraq before coming to the United States: Hammadi even boasted to an undercover operative that he had planted IEDs in Iraq, while

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[www.rcusa.org/uploads/pdfs/Refugee%20resettlement%20-%20step%20by%20step%20USCRI.pdf](http://www.rcusa.org/uploads/pdfs/Refugee%20resettlement%20-%20step%20by%20step%20USCRI.pdf). Obviously, I assess the rigor of the process differently than does the U.S. Committee for Refugees and Immigrants, but its description of the steps involved is accurate.

<sup>19</sup> See Evan Perez, “Intelligence Gaps Pose Challenge for Syrian Refugee Screening,” CNN, October 8, 2015. Perez quotes NCTC director Nicholas Rasmussen, who explained that “the intelligence picture we’ve had of this conflict zone isn’t what we’d like it to be,” and that “you can only review against what you have.”

<sup>20</sup> Justin Fishel and Mike Levine, “U.S. Officials Admit Concern over Syrian Refugee Effort,” ABC News, February 12, 2015.

Alwan told the same operative that he had killed U.S. soldiers with a sniper rifle.<sup>21</sup> Both men were admitted into the United States despite having been detained in Iraq due to suspicions about their involvement in insurgent activities.<sup>22</sup> The cases of Alwan and Hammadi exposed significant flaws in the refugee screening process, and screening procedures were improved in subsequent years.<sup>23</sup>

Tamerlan and Dzhokhar Tsarnaev, the brothers responsible for the Boston Marathon bombing, were refugees. They arrived in the United States after their parents received refugee status in 2002.<sup>24</sup> Tamerlan was 15 and Dzhokhar was 8 at the time they came to America. They would subsequently radicalize and carry out their notorious attack.

Al-Shabaab and Islamic State recruiting in Minneapolis and St. Paul illustrates a different type of security threat associated with resettling refugee populations from conflict zones—one that relates not to domestic terrorism but to foreign fighter networks.<sup>25</sup> From 2007 to 2009, more than 20 Somalis from the Minneapolis area, many of them teenagers and young adults who had grown up in the United States, traveled to Somalia to join al-Shabaab, which utilized the Ethiopian invasion in 2006 as an opportunity to rally the Somali diaspora.<sup>26</sup> This group included Shirwa Ahmed, a naturalized American citizen who, in October 2009, became the first American suicide bomber in an attack in the Puntland region.<sup>27</sup> Other members of this community were involved in fundraising for Shabaab.

Though distinct from the above instances due to the differences between the admission of refugees and asylum seekers, several jihadists involved in terrorist activities in the United States used asylum applications to remain in the country. Mir Aimal Kansi, who shot and killed two CIA employees and wounded three more in a January 1993 attack outside the agency's Langley headquarters, entered the U.S. illegally but applied for asylum, and was later allowed to stay in the country under a general immigration amnesty. Omar Abdel Rahman applied for political asylum to delay his deportation.<sup>28</sup> Ramzi Yousef, a key leader of the 1993 World Trade Center attack, "asked for asylum and was released pending a hearing," and organized the attack while his asylum application was still pending.<sup>29</sup> Various gaps in the asylum process that allowed these

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<sup>21</sup> Carrie Johnson, "Terrorism Case Exposes Gaps in Refugee Screening," NPR, June 8, 2011.

<sup>22</sup> James Gordon Meek, Cindy Galli and Brian Ross, "Exclusive: U.S. May Have Let 'Dozens' of Terrorists into Country As Refugees," *ABC News*, November 20, 2013.

<sup>23</sup> Evan Perez, "Intelligence Gaps Pose Challenge for Syrian Refugee Screening," CNN, October 8, 2015 (noting that officials said "the U.S. has vastly improved its screening procedures after failures in the vetting of Iraqi refugees in recent years," but that there are significant intelligence gaps with respect to Syria).

<sup>24</sup> Peter Finn, Carol Leonnig and Will Englund, "Tamerlan Tsarnaev and Dzhokhar Tsarnaev Were Refugees from Brutal Chechen Conflict," *Washington Post*, April 19, 2013.

<sup>25</sup> The Somali community in Minneapolis-St. Paul originally came to the area "as legal refugees, largely." Jason DeRusha, "Good Question: Why Did Somalis Locate Here?," WCCO (Minneapolis), January 19, 2011.

<sup>26</sup> Andrea Elliott, "A Call to Jihad, Answered in America," *New York Times*, July 11, 2009.

<sup>27</sup> Bob Drogin, "Young Men Vanish into Somalia, Stirring Fears of Terrorist Recruitment," *Los Angeles Times*, January 18, 2009.

<sup>28</sup> Ted Conover, "The United States of Asylum," *New York Times*, September 19, 1993.

<sup>29</sup> Daryl Fears, "Bill Shifts Burden to Asylum-Seekers," *Washington Post*, May 1, 2005. Both Kansi and Yousef exploited an asylum process that, at the time, allowed any migrant who applied for asylum to receive a work permit while his claim was being investigated. Following Kansi's attack, the United States eliminated asylum seekers' ability to do so.

individuals to remain in the United States were addressed in subsequent years, and in 2005 Congress passed the Real ID Act, which imposed stringent requirements for asylum seekers.

### **Policy Options Associated with Refugee Resettlement**

Syrian refugee resettlement poses only a minimal security risk to the United States as presently constituted. However, there are several things legislators and officials should consider to address security and other concerns:

1. Discussion of refugee admission should not occur without recognizing that **the United States has failed to meet its basic obligations to foreign nationals who assisted U.S. efforts in Iraq and Afghanistan**. This should change. Only a fraction of the Afghans who served U.S. military efforts, including as interpreters or contractors, have been admitted into the United States.<sup>30</sup> Emerson Brooking and Janine Davidson note that “when American servicemen rotate away,” their “translators remain—often becoming top-priority targets for reprisal attacks.”<sup>31</sup> The United States has a fundamental obligation to the men and women who worked with us in Iraq and Afghanistan, risking their lives and their families’ lives. It is in our moral and strategic interest to admit the individuals who assisted American efforts as soon as possible, and that should not be seen as separate from the present discussion.
2. On the topic of particularly vulnerable populations, it is appropriate for legislators to **demand answers about why the Obama administration reportedly does not intend to designate IS’s treatment of Christians as an act of genocide**.<sup>32</sup> It is absolutely right for the administration to classify IS’s treatment of Yazidis as genocidal, but Christians have also been subjected to IS’s genocidal policies.
3. The United States can adopt a **data-driven approach to assessing the reliability of refugees’ background stories**. American and European agencies can develop a database allowing officials to cross-check the accounts that Syrian refugees provide to investigators with open-source data, intelligence reports, and accounts from activist groups like the Syrian Observatory for Human Rights. The centerpiece of this dataset would be a comprehensive catalogue of significant activities (SIGACTS) involving state and non-state actors in Syria that would enable intelligence officials to corroborate refugees’ reports related to their flight from Syria. Using this database, officials could identify factual inaccuracies in refugee statements.
4. Policymakers should understand that **because the biggest barrier to militant entry through refugee resettlement is the selection process rather than the screening process, significant expansion of the number of refugees admitted increases the**

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<sup>30</sup> Peter Cobus, “Where the Grave Isn’t Free: One Afghan Interpreter’s Trials of U.S. Resettlement,” *Voice of America*, April 22, 2015.

<sup>31</sup> Emerson Brooking and Janine Davidson, “Why is a Comedian the Only One Talking About the Plight of Afghan Interpreters?,” *Council on Foreign Relations*, October 23, 2014.

<sup>32</sup> See discussion in Michael Isikoff, “U.S. Weighs ‘Genocide’ Label for IS in Iraq—and More than a Word May be at Stake,” *Yahoo News*, November 12, 2015.

**security concerns.** This is because the biggest reasons that risks are low are a) the low percentage of refugees being admitted, and b) the focus on admitting “most vulnerable” populations. The odds will shift as more Syrian refugees are resettled into the United States.

5. Politicians, government officials and thought leaders should recognize that **signaling strong distaste in advance of Syrian refugees’ arrival is counterproductive from a national security standpoint.** At the same time, the administration fails to create a sound environment for discussing these issues if it meets expressions of concern about security with hectoring, condescension, and accusations. We all have an interest in having a real discussion free of grandstanding on any side of the issue.
6. The **United States has a strong interest in repairing its disastrous policy toward Syria,** which cannot be considered separate from the refugee issue. Numerous news reports, quoting U.S. officials, show that Syrian rebel factions that have received arms, training, and funding from the CIA are collaborating on the battlefield with Jabhat al-Nusra—al-Qaeda’s Syrian affiliate—in places like Idlib province.<sup>33</sup> Regardless of the fact that some CIA-supported rebel factions describe their collaboration with Nusra as an “uncomfortable marriage of necessity,” the fact remains that weapons the CIA distributes to rebels in Syria are consistently ending up in Nusra’s hands, and CIA-backed rebels have helped Nusra make gains.<sup>34</sup> Fourteen years after the 9/11 attacks, there is no justification for the United States to aid an al-Qaeda affiliate. Legislators should demand to know how and why this has happened, and should call for the administration to end all support that it knows will help al-Qaeda affiliates. Syria has enough refugees. Let’s not make more.

Thank you again for inviting me to testify today. I look forward to answering your questions.

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<sup>33</sup> See, e.g., Ken Dilanian, “Officials: CIA-Backed Syrian Rebels Under Russian Blitz,” Associated Press, October 10, 2015.

<sup>34</sup> Anne Barnard and Karim Shoumali, “U.S. Weaponry Is Turning Syria Into Proxy War with Russia,” *New York Times*, October 12, 2015.