

RETHINKING U.S. REFUGEE POLICY

An NPG Forum Paper
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The Trump administration recently announced a number of changes in the nation’s refugee policy. They include a lower cap on refugee admissions, restricting the UN’s roll in selecting refugees, and allowing state and local governments to opt out of the program altogether.

Welcome changes, to be sure, but relative to NPG’s goal of reducing U.S. population, it’s too little, too late.

Since 1975 about 3.5 million refugees have settled in the U.S. Two years after their arrival they can petition to have immediate family members – spouses, children, and parents – join them as legal immigrants. Refugees themselves are required to apply for U.S. citizenship within one year of arrival. As naturalized citizens, they can petition to have other family members enter as legal immigrants.

This chain migration process – by which one generation of refugees spawns future generations of legal immigrants – has been part of U.S. immigration policy since the 1965 Immigration Act. That law was

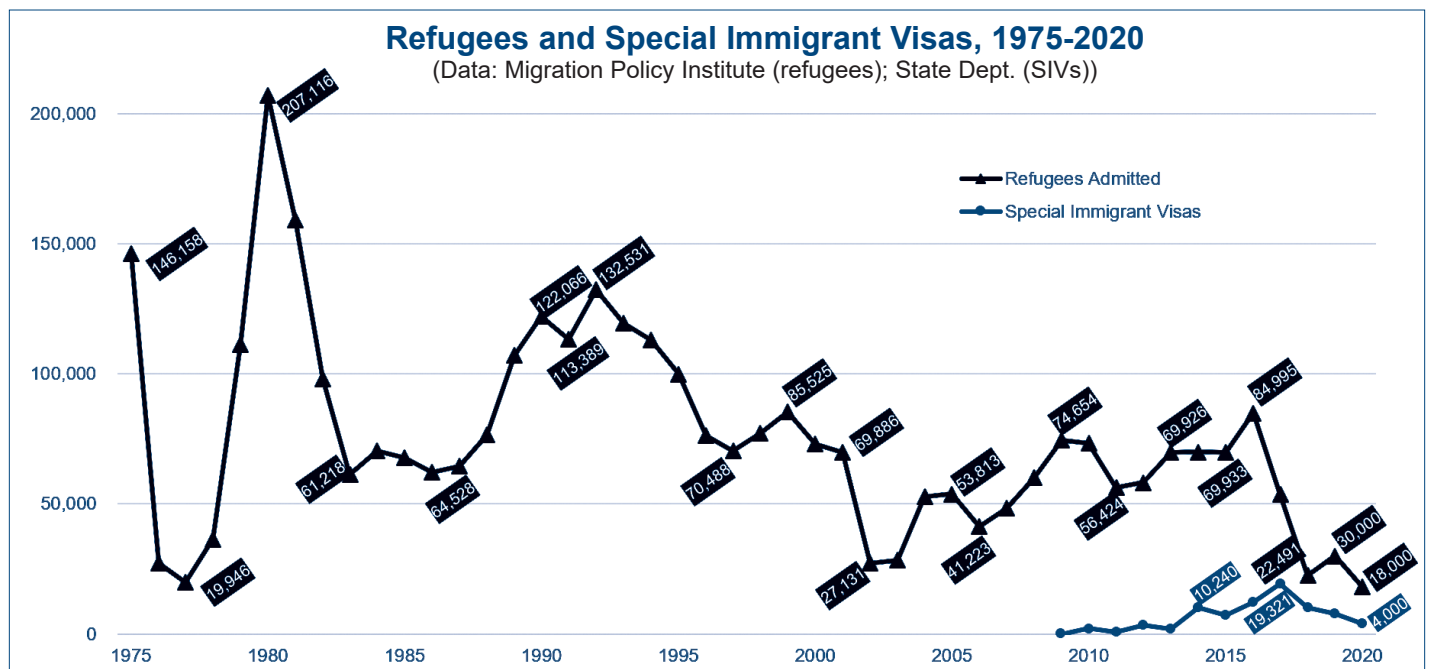
supposed to cap legal immigration at about 200,000 per year, but the cap is waived for immigrants with relatives already in the U.S.

Over time, those 3.5 million refugees can generate a legal immigration influx many-times that size. Like compound interest, its impact is imperceptible at first, but at some point accelerates uncontrollably. That point may have arrived: about 44% of all legal immigration to the U.S. in 2015 was attributable to spouses and children in the country –i.e., chain migration.¹

So while the President, with great fanfare, slashes the annual refugee cap, refugees already here – aided and abetted by federal refugee bureaucracies and resettlement non-governmental organizations (NGOs) – set the long-term trajectory of U.S. population growth.

Did we say “Over time?” Well, for many refugee groups, the time is now.

Take the Vietnamese, for example.



Total refugee admissions peaked in 1980, fueled mainly by Vietnamese fleeing post-war chaos in their country. With normalization of relations, the refugee inflow collapsed: less than 100 Vietnamese refugees per year have been admitted since 2011, with a low of 10 reached in 2018. Yet today – decades after the war - legal immigration from Vietnam remains high, as post war refugees are still sponsoring family members. (Nearly 300,000 Vietnamese obtained Legal Permanent Resident status over the 2010 to 2018 period.)

Similarly, after averaging 40,000 to 60,000 per year following the collapse of the Soviet Union in 1990, the number of communist bloc refugees fell to 426 in 2008. Over this period, however, an average of roughly 30,000 individuals from Russia, the Ukraine, and other components of the former Soviet Union were granted LPR status each year.

Iraq could be next. After averaging 14,100 per year from 2009 to 2017, the Iraqi refugee inflow fell to 140 in 2018. Is a wave of Iraqi immigrants about to break here?

Bottom line: the U.S. refugee program has all the earmarks of a population time bomb. It's time to consider alternatives. We have one in mind.

Since 2009 Special Immigrant Visas have been granted to citizens of Iraq and Afghanistan who work alongside the U.S. military in war zones. Visa holders include translators, drivers, doctors, engineers, and intelligence specialists who provide the street smarts vital to the success of U.S. troops.

Compared to legal immigrants and refugees, their numbers are small.

Since peaking in 2017, SIV issuance has shriveled. Only 4,000 are authorized for FY2020.

By law SIV applications must be processed within nine months, but it often takes years. The backlog of SIV applicants stranded abroad runs in the tens of thousands. Those left behind face reprisals, even death, for their allegiance to this country.

Apparently, the State Department does not have enough resources to vet SIV applicants and refugees in a timely manner. Replacing the current refugee program with an SIV only regime could help fix this problem.

Coming to America, 2010-2019

FY	Legal immigrants	Refugees	SIV Admissions
2010	1,042,625	73,311	2,108
2011	1,062,040	56,424	719
2012	1,031,631	58,238	3,312
2013	990,553	69,926	1,902
2014	1,016,518	69,987	10,240
2015	1,051,031	69,933	7,226
2016	1,183,505	84,994	12,269
2017	1,127,167	53,716	19,321
2018	1,096,611	22,491	10,230
2019	NA	30,000	7,774

Data sources: DHS (legal immigrants); MPI (refugees); State Department (SIV Admissions)

The case for a more robust SIV program is laid out below.

NEEDED: A REFUGEE PROGRAM FOR FOREIGNERS WHO HELP OUR ARMED FORCES OVERSEAS

The U.S. military operation that ended with the death of ISIS leader Abu Bakr al-Baghdadi in October succeeded largely because of accurate intelligence provided by an inside informant. As a member of al-Baghdadi's inner circle, our mole lived in the ISIS compound located in Syria. He provided its location, a room-by-room floor plan, as well as DNA samples of the ISIS leader that matched those already on hand, enabling certain identification of the corpse. According to U.S. officials, the Syrian national defected because al-Baghdadi had killed one of his relatives.

This person was present at the raid. He left with the attacking U.S. forces, and was then extracted from the region, with his family, two days later. Our undercover informant is expected to receive **"...some, if not all, of the \$25 million bounty the U.S. had placed on al-Baghdadi."**²

This is an extreme example of what goes on daily in war zones around the world. The U.S. military employs locals for their native language skills, cultural knowledge, and personal networks in order to acquire information that would be otherwise unavailable.

When these foreign-nationals work in war zones they risk imprisonment or death. If the American military presence is large, it can offer them and their families some protection. But when the troops leave, protection can give way to retribution.

Weary of “endless war,” the Trump Administration is looking to withdraw forces currently deployed in Syria, Iraq, and Afghanistan. Simultaneously, the immigration bureaucracy is putting the brakes on SIV applications in the name of curbing immigration at home. Viewed separately, both goals are laudatory, but taken together they present what one former U.S. intelligence officer has called “... **an ethical disaster, signaling an American lack of trustworthiness that would plague American national security efforts for decades.**”³

In September David Petraeus, a retired general and former director of the Central Intelligence Agency, wrote to President Trump supporting an expanded refugee resettlement program — especially for people who had served American military and intelligence agencies in their native countries.⁴

The need to resettle foreign agents extends beyond war zones. Petraeus warns that foreigners employed by the Defense Department, with a presence in more than 70 countries; by the Peace Corps, in over 60; by the U.S. Agency for International Development in over 100, and by every embassy, are at risk.⁵ (Corresponding data for the CIA are not published.)

These are civilian agencies, but among their foreign hires are individuals who serve as the eyes and ears for the U.S. military. In other words, they are our local spies. Like their American counterparts, they take on dangerous missions and face near certain death if caught by terrorist groups. In addition to the serious risks they face, they have few options to escape if things turn against them.

The fiercest proponents of foreign agent resettlement are not top brass like Petraeus, but GIs who get to know them personally while fighting alongside them in war zones.

Men like Marine reconnaissance officer Ben Wormington and “Ted,” his Iraqi-born translator.⁶

Originally from northern Iraq, Ted learned English watching shows like “Cheers” and “Seinfeld.” When insurgents threatened him for talking to Americans,

he fled to Syria for a year, returning in 2007 to sign-up as an interpreter. This meant Ted, who chose his interpreter name out of a fondness for the actor Ted Danson, began working with the Marines at a very deadly stage of the war.

His first posting was with Wormington’s unit.

“I had no idea what Marine recon was,” Ted recalled to author Paul Klay.⁷ With barely any training but attached to an aggressive, elite unit, Ted soon found himself under fire.

“Ted soon proved his own bravery. During a platoon-wide operation, his unit exchanged fire with insurgents, one of whom signaled he’d like to surrender. Since captured insurgents could yield critical, time-sensitive intelligence, Ted ran through enemy fire to the house and conducted an interrogation that, according to the commendation written by his battalion commander, helped ‘decisively end the engagement.’”⁸

Around this time Ted heard of a new program offering Special Immigrant Visas (SIVs) for interpreters who worked with the U.S. military. The program was seen as a small-scale version of a long-standing American notion that you can earn the title “American” by fighting for America.

Interpreters are essential links between U.S. soldiers and the local troops they train, the neighborhoods they patrol, and the intelligence sources they depend on. ISIS has made severing that link a priority. **“Nine bullets for the apostate, one for the Crusader,”** was the slogan of an early ISIS strategy, emphasizing killing Muslim collaborators over American soldiers.⁹ That is why they have gunned down interpreters, kidnapped and beheaded them, killed their cousins and fathers and friends.

But the program had a second, more practical purpose: to prove that America was a trustworthy partner in the wars we’re currently fighting.

Ted’s career as an interpreter ended abruptly in 2010, when an on-the-job back injury left him bed ridden for months without support or medication. Shortly afterward ISIS began taking territory, and the State Department removed nonessential staff and discontinued refugee processing for six months. Since security clearances have an expiration date, this created a cascade effect: applicants who had

been cleared had to redo their vetting process at a time when there were fewer personnel to conduct interviews, and applications were spiking because people who had worked with Americans were under increased threat.

“He’s like a Marine to me,” said Wormington, who fought alongside Ted, **“A Marine that we’ve left behind. If they stamped his passport, I would pay for his flight and his family would live in my house in Omaha.”**¹⁰

Unfortunately, official Washington does not share Wormington’s concern. The Special Visa Program for interpreters has been allowed to shrink from 745 admissions in FY 2018 to 646 in FY 2019.¹¹ Another visa program, designed specifically for Iraqi translators who risked their lives for the U.S. military, went from 325 to just two per year after the change in administrations.¹²

This prompted a March 8 letter from 32 members of Congress to the administration complaining about the low processing of visas.¹³ This echoed earlier complaints from the Pentagon that delays would harm national security.

Meanwhile, Ted lives under constant threat in an area of Iraq controlled by militias. Not even his children know about his past, because a slip of the tongue could mean his life.¹⁴

SIV DELAYS ENDANGER US ALL

Ted is one of the lucky ones. His years of service as an interpreter to the U.S. military are well documented. He has been re-interviewed, his security clearance renewed. **“I think I’ve got a chance. I did my interview. Just medical, and then I’m out of here.”**¹⁵

But interpreters like Ted are fairly rare. Most foreign operatives hired in war zones are intelligence officers. Their undercover relationship with the American government prevents them from proving their employment, a requirement for an SIV application. **“Moreover,”** writes Phillip Caruso, **“their inevitable contacts with terrorists, insurgents and criminals would most likely disqualify them from any visa — even though those ties were directed by the United States government and despite the strict vetting they had undergone.”**¹⁶

The person who exposed al-Baghdadi’s whereabouts in Syria probably would not have qualified for an SIV before subsequent events proved him reliable.

Even interpreters, drivers, mechanics, and other locals serving alongside our soldiers daily for years can find it difficult to obtain an SIV. **“All visa applicants are required to provide a slew of documents to the U.S. embassy in their home country, then complete in-person interviews and medical and security screenings. It’s an arduous process and one that occurs despite the fact that locals working for the U.S. government have usually already passed background checks. From fiscal years 2007 to 2017, SIVs made up roughly 1 percent of all U.S. immigrant visas granted, according to the Pew Research Center.”**¹⁷

A lawsuit filed in the U.S. on behalf of Afghan and Iraqi SIV applicants alleges **“inordinate and unreasonable delays”** in vetting and adjudicating applications.¹⁸ The litigants are asking federal courts to issue an order (called “mandamus”) that would require the government to act on grounds that inaction puts lives at risk.

That the problem needs fixing should be obvious to Americans on the right and the left. How can we leave these people hanging? The lawsuit cites **“...a failure of the interagency process...,”** a high falutin’ term for what is more commonly called a “turf war” between two entrenched bureaucracies. The suit names officials in the State Department and the Department of Homeland Security as defendants. Both agencies are involved in different stages of the SIV eligibility process.

There is more at work here than bureaucracy. Before 2018 delays were caused primarily by a lack of visas. That is not the case now: The Trump administration approved 4,000 SIVs for Iraqi interpreters in FY2020. If past is prologue this will not change anything. **“We’ve seen instances where there are not visas available and delays imposed because there’s a visa shortage,”** Betsy Fisher, the policy director for International Refugee Assistance Program (IRAP), said in a 2018 interview. **“But now there are visas available and we’re still seeing delays. The various reasons we might expect don’t apply here.”**¹⁹

The inescapable conclusion: the administration is discouraging immigration even in the case of people who put their lives on the line for Americans.

“It’s one thing to admit a Muslim refugee fleeing violence..” writes Paul Klay, **“But to ban someone who has already fought and sacrificed for America, who has served in combat alongside elite military units in a time when only a fraction of Americans serve at all, is a much greater threat — not only to our national security, but to that sense of ourselves and our ‘Americanness’ that rears up in times of war.”**²⁰

The immigration bureaucracy is too small, and too slow, to adequately vet conventional (non-war) refugees and SIV applicants. Replacing the current refugee program with a smaller, well staffed, SIV regime would go a long way to resolving this problem.

WINNERS AND LOSERS

The current refugee program is 40 years old. Replacing it with a smaller alternative like Special Immigrant Visas is in the national interest. But the transition will hurt some groups and help others.

Our take on the biggest winners and losers:

THE BIGGEST LOSER: THE REFUGEE INDUSTRY

“The refugee program, too, will take years to rebuild. The plunge in admissions caused a plunge in funding to the nine resettlement agencies, which have closed more than 100 offices around the country since 2016. That’s a third of their capacity...Because the application process is so lengthy, even if a new administration raises refugee admissions on day one, it would take as long as five years before increased numbers of people actually make it to the United States...”

- Rachel Morris, *Trump Got His Wall After All*, Huffington Post, November 24, 2019.

Ms. Morris, inadvertently we’re sure, focuses attention on the most burdensome feature of the 1980 Refugee Act: The establishment of a federally subsidized refugee program.

Prior to 1980 NGOs defrayed the entire cost of resettlement with private funds. The 1980 Act authorized federal funding for refugee resettlement.

Those tax dollars support two federal bureaucracies, and a slew of private NGOs dedicated to administering the U.S. refugee program. This arrangement, often referred to as a public-private partnership, has influenced refugee policy more than any other aspect of the law.

An expensive refugee assistance industry, focused more on protecting and expanding its share of public funding than helping refugees or the communities in which refugees settle, is the predictable result of the 1980 Act.

Two federal agencies enable this abuse of power:

The Bureau of Population, Refugees, and Migration, in the State Department, supports a major share of the UN High Commissioner for Refugees budget. (UNHCR is the agency that, since 1980, determines exactly who meets the refugee definition and, therefore, where our refugees come from.) Some of this money is supposedly used to expand the capacity of countries outside the U.S. to absorb refugees, potentially reducing the share of refugees coming here. As recently as 2016, two-thirds of all refugees resettled by UNHCR came to the U.S. Only after the Trump administration slashed our refugee intake did our share of UN refugees fall - to 35% in 2019.²¹

The Office of Refugee Resettlement (ORR) enrolls refugees in welfare programs when they enter the country. It can take 30 days or more before refugees actually receive welfare benefits. Not to worry: Since 1980 the ORR has paid NGOs a hefty grant to help bridge the gap between resettlement and welfare eligibility. From 1980 to 2000 the Reception and Placement Grant (RPG) was \$900 per refugee. In 2010 the RPG was doubled, to \$1,800. Today it is \$2,075 per refugee. About \$1,125 must be spent on the refugee, leaving \$925 available for staff salaries, office space – and lobbying Congress for further refugee increases.²²

A NGO refugee resettlement industry, dependent on federal contracts, is the result. Groups like Human Rights First, World Relief, the Hebrew Immigrant Aid Society (HIAS), Lutheran Immigration and Refugee Services (LIRS), Amnesty International, and Episcopal Migration Ministries have strong presences in Washington. Collaborating with the State Department and the UNHCR, they push to have

more refugees placed in America, bringing more federal monies flowing into their coffers.

“Refugee Ponzi Scheme” may be a better term than “Refugee Industry.” It captures the financial incentives driving these NGOs. Their job consists of little more than signing refugees up for welfare and then moving on to the next revenue-generating warm body (they are paid by the head).

David Robinson, a former director of the State Department’s Refugee Bureau, writes this about the refugee component of Catholic Charities: **“The federal government provides about 90 percent of its collective budget,”** and its lobbying umbrella **“wields enormous influence over the administration’s refugee admissions policy. It lobbies the Hill effectively to increase the number of refugees admitted for permanent resettlement each year.... If there is a conflict of interest, it is never mentioned...The solution its members offer to every refugee crisis is simplistic and the same: Increase the number of admissions to the United States without regard to budgets.”**²³

Total RPG spending in FY2016 came to \$277.8 million – more than double the amount spent five years earlier. (We should point out that the SIV program has its own NGO. Founded by an ex-Marine after several tours of duty in Afghanistan, No One Left Behind has helped settle more than 6,000 Afghani SIV holders in the Sacramento area. Its original funding came from a GOFundMe account.)²⁴

Once a refugee program gets started, it is nearly impossible to stop. The Vietnamese resettlement program was finally closed in the late 1990s, more than twenty years after the Vietnam War’s end. But in 2006, despite the normalization of diplomatic relations with Vietnam (which presumably means the Vietnamese were not persecuting anyone), it was officially re-opened at the behest of refugee advocacy groups. Nearly 100,000 Vietnamese applied for refugee status when the latest refugee program was announced.²⁵

One of the largest resettlement agencies, HIAS, was created at the turn of the 20th century to help Russian Jews escape persecution. The organization thrived through its first half century, and experienced a revival in the 1980s and 1990s when hundreds of thousands of Jews fled the former Soviet Union.

There are no Jewish refugees today. Virtually every Jew has freedom of movement, and the vast majority live in democratic societies. Instead of declaring “mission accomplished,” HIAS simply adopted a different mission. Today it is one of the largest contractors for Sudanese, Kenyan, and Ugandan refugees.

While technically “nonprofits,” these NGOs are quite profitable. Staff salaries usually account for more than half their total budgets, with managers pulling down salaries well into 6 figures. Staff members who may have come to Washington to do good, ended up doing well – at public expense.

THE BIGGEST WINNER: REFUGEES ALL OVER THE WORLD

The Trump Administration has decided it will resettle only 18,000 refugees during fiscal year 2020, down from 30,000 the prior year, and a fraction of the 85,000 Barack Obama offered refuge to in 2016.

A little perspective, please. Resettlement is just the tip of the refugee iceberg, and as such it should not be the sole metric used to evaluate U.S. humanitarian efforts on behalf of refugees.

UNHCR puts the world refugee population at 26 million, with 1.2 million of them deemed in need of resettlement outside their home country. The agency referred only 81,337 for resettlement in 2018 – 0.3% of all refugees, and 7% of those in need of resettlement. If the U.S. were to take in all of the latter, it would make barely make a dent in the problem.

Despite its expansive definition of what constitutes a “refugee,” UNHCR does not advocate large-scale refugee resettlement. UN officials know that even if rich countries were generous to the point of putting their national and economic security at risk, they could never admit more than a fraction of the refugee population. So humanitarian efforts should be concentrated where they can help the most people: in the camps near the home country and in clearing barriers for refugees to go home.

This is in sync with the current administration’s policy. **“Proximity help and working towards the safe and voluntary return of refugees,”** writes Nayla Rush, **“have been the focus of the Trump administration since day one.”**²⁶

Economic efficiencies derived from local resettlement are massive. The Center for Immigration Studies has calculated that it costs 12-times more to resettle a Syrian refugee in the U.S. than it does to care for the same refugee in neighboring Turkey, Jordan, or Lebanon. (The five year cost of resettling one Middle-Eastern refugee here is conservatively estimated at \$64,000, while UN figures indicate \$5,300 is needed to provide for the same person in his native region.)²⁷

True humanitarians – people desirous of helping the most people in need – should push for resettling fewer refugees here and more abroad.

Then there is the matter of fairness. Under current policy we choose refugees for resettlement from amongst those vetted and referred to us by UNHCR. The UN personnel assigned this task are often citizens of the countries where they are working, usually in poor regions of political and economic unrest.

Placement in a rich country's refugee pool is a very hot ticket for their clients. Temptations abound.

Nayla Rush connects the dots: **“At a time when stories about alleged corruption in refugee resettlement at the UNHCR are being published, and widespread reports of UNHCR staffers accepting bribes from refugees in order to refer them for resettlement in a Western country are being documented, the United States is right to reassess its total reliance on this UN agency.”**²⁸

By terminating UNHCR as a factor in refugee policy we level the playing field for all refugees.

SUMMARY

In a time of “endless war” the American people are woefully ignorant of the needs of their military. Our troops in war zones rely on locals to translate, repair equipment, and provide intelligence about the deployment of indigenous military forces. They take on extremely dangerous operations, and face death if apprehended by terrorists or troops of the nation in which they are deployed.

Since 2009 Special Immigrant Visas have been issued specifically to enable these loyal locals to enter the U.S. as refugees. In its zeal to cut refugee admissions, which we applaud, SIV issuance has stalled, creating a situation fraught with danger. This paper presents the rationale for a strong SIV

program, and identifies the biggest winners and losers from replacing the current refugee program with an SIV only regime.



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