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U.S. REFUGEE POLICY IN THE ERA OF HOMELAND SECURITY: A COMPARATIVE GOVERNMENT ANALYSIS

by

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U.S. REFUGEE POLICY IN THE ERA OF HOMELAND SECURITY: A COMPARATIVE GOVERNMENT ANALYSIS

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ABSTRACT

U.S. immigration and refugee policy reform has stalled due to competing national narratives. Claims that refugees harm the U.S. economy and national security are in direct conflict with the country's historical national identity and values, and this is apparent in the public discourse. This thesis explores the validity of these claims and provides a comparative analysis with Canada and Germany, both of which are democratic Western societies facing similar issues. It answers the question of what U.S. policy makers can learn from the refugee policies of Canada and Germany and makes 11 recommendations for the United States based on this analysis. This thesis finds the claims that refugees negatively impact a country's economy and national security in the United States, Canada, and Germany to be unfounded. Basing U.S. refugee policy on unfounded claims harms U.S. standing and credibility in the international community as well as deprives it of the economic and safety benefits of admitting and properly integrating refugees into U.S. society.

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LIST OF ACRONYMS AND ABBREVIATIONS

BAMF	Federal Office for Migration and Refugees (Germany)
BKA	Federal Criminal Police (Germany)
BVOR	Blended Visa Office-referred Refugees
CEAS	Common European Asylum System
CIS	Center for Immigration Studies
DOS	U.S. Department of State
DHS	U.S. Department of Homeland Security
DREAM Act	Development, Relief, and Education for Alien Minors Act
EU	European Union
FY	fiscal year
GAR	government assisted refugees
GDP	gross domestic product
HHS	Health and Human Services
INA	Immigration and Nationality Act
IRCC	Immigration, Refugees, and Citizenship Canada
IRPA	Immigration and Refugee Protection Act
ISIS	Islamic State of Iraq and Syria
MRA	Migration and Refugee Assistance Act
ORR	Office of Refugee Resettlement
PSR	privately sponsored refugees
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
WRAPS	Worldwide Refugee Admission Processing System

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EXECUTIVE SUMMARY

Since the 20th century, America has seized opportunities to lead the international community and subsequently claim global power status and influence. It proved its military might in both world wars, and, for decades, it has championed human rights around the world. Although humanitarian policies often serve the country's self-interests politically, humanitarian actions also fulfill America's promise of a land of opportunity, rooted in its historical identity as an immigrant nation.[1] Currently, the United States faces several difficulties in the immigration sphere, especially when it comes to reforming its refugee policy to meet the demands of the current world.

The process for refugee resettlement in the United States is not necessarily broken, yet U.S. policy makers are unable to decide whom they wish to allow to go through that process and when. These selections are driven by political objectives and short-term thinking rather than by long-term strategy and careful employment of research and sound evidence. This thesis identifies the lack of clear and collective national strategic immigration plans or priorities as significant problems. In the absence of a national strategy and priorities, U.S. refugee policy lacks consistency, is subject to political discourse, and is often perpetuated without evidence. The failure of the United States to lead the response to the forced migration of Syrian war refugees challenges both its position as the global leader in humanitarian policies as well as aspects of its own national identity. Justification for this failure is found in the recent national discourse that has framed refugees, and immigration in general, as homeland security threats as well as a drain on the country's economy.

However, this thesis finds extensive research that shows refugees who resettle in the United States harm neither the local nor the national economies. Some evidence even suggests refugees may improve local and national economies. Refugees do face hurdles to economic integration upon initial arrival, which has some costs, but in the long-term, they perform on par with other immigrants and native-born people and contribute to the

[1] Eleanor Acer, *The Syrian Refugee Crisis and the Need for U.S. Leadership* (New York: Human Rights First, 2016), https://www.humanrightsfirst.org/sites/default/files/HRFSyrianRefCrisis.pdf.

economy. Although costs are certainly inherent in the resettlement of refugees, if the United States invests in social and economic integration, evidence suggests refugees have a net neutral or positive effect on the economy as do other immigrants.

Meanwhile, reports regarding the effects of refugees on United States national security are sparse. Despite the prevalence of claims about the homeland security threat posed by refugees, an extremely small number of terrorist plotters and serious criminals have entered the United States as refugees. Although the narratives about refugees and their threat to the prosperity and security of the United States have been confusing and contradictory, the evidence relating to the validity of these threats is clear. The United States' strength and status in the world comes from its military, wealth, and adherence to and promotion of moral ideals.[2] Ignoring the evidence when debating refugee policy is, therefore, not only counterproductive but also potentially dangerous to United States' maintenance of its status in the world.

This thesis provides a comparative analysis of the refugee policies in United States, Canada, and Germany, all liberal democracies facing similar immigration issues. It finds that claims that refugees negatively impact a country's economy and national security in Canada and Germany are also unfounded. Fears of economic and security collapses resulting from the massive influx of Syrian refugees to Germany, for example, have proven to be without merit. This analysis answers the question of what U.S. policy makers can learn from the refugee policies of Canada and Germany and makes 11 recommendations for the United States based on this analysis.

Although the negative claims about refugees are baseless, there remain significant challenges and outcomes that must be addressed in the country's refugee policy. First, policy makers must recognize and accept the narrative that refugees harm the U.S. economy and national security is baseless and promote these facts to the larger society. Other challenges of fiscal prudency and homeland security appear to have a common solution—effective integration. The successful integration of refugees into a host country's labor market and greater society accelerates those positive effects of their

[2] Bryce E. Yost, "Admitting Syrian Refugees: Is the Threat of Islamic State Infiltration Justified?" (master's thesis, Naval Postgraduate School, 2017), http://hdl.handle.net/10945/55562, 34.

migration as well as minimizes the risk and vulnerability of ostracized refugees falling prey to crime and extremist ideology.

These findings matter for several reasons. America and its allies generally accept that "the United States leads the world in three distinct areas: military strength, wealth, and adherence to and promotion of moral ideals."[3] Its strength and wealth have been demonstrated through its military strikes in Syria and giving $4.5 billion in humanitarian aid to the United Nations High Commissioner on Refugees (UNHCR) since the start of the Syrian crisis. [4] However, in its response to the Syrian crisis, the United States has failed to adhere to its role as a promoter of moral ideals.[5] American identity based on an immigrant heritage, the promise of a land of opportunity, and refuge for those fleeing dangerous and oppressive situations in their home countries are such ideas. Increasing the securitization of immigrants since the 9/11 terrorist attacks has made it difficult for the United States to adhere to its moral ideals. The relatively moderate action of the United States in accepting Syrian refugees under the Obama administration and its outward hostility and skepticism of refugees under the Trump administration thus far has threatened the United States' position in the international community by undermining its moral authority and leadership.

The U.S. reaction to the Syrian refugee crisis is comparatively weak when compared to the responses of Canada and Germany. Although the United States and Canada share a tradition of immigration, the two countries have responded differently to the Syrian refugee crisis.[6] Canada's strongly positive position toward refugees is a large reason for the increase in Canada's stature in the international community over recent years.[7] Though not without criticism, Germany has also strengthened its status on the

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[3] Ibid., 20–22.

[4] Ibid.

[5] Ibid.

[6] Melissa Carlier, "Explaining Differences in the Canadian and American Response to the Syrian Refugee Crisis," *Virginia Policy Review* 9, no. 2 (2016): 56–82.

[7] Jonathan Kay, "Why Canada's Refugee Policy May Actually Be Doing More Harm than Good," *National Post*, September 8, 2017, http://nationalpost.com/news/canada/jonathan-kay-why-canadas-refugee-policy-may-actually-be-doing-more-harm-than-good.

European continent, and indeed throughout the world, by taking in the largest number of refugees in Europe. Meanwhile, the United States has abandoned its adherence to its moral ideals, and in doing so, may be jeopardizing its wealth, security, and power. Soft power is particularly important in international relations, and many lawmakers and citizens fear recent restrictive U.S. refugee policy will erode this important power.[8] Therefore, widespread evidence and best practices in Canada and Germany both offer the United States the information and tools to regain this power, should policy makers have the will.

[8] Nahal Toosi, "Lawmakers Fear Trump Will Undercut America's 'Soft Power,'" *Politico*, November 13, 2016, https://www.politico.com/story/2016/11/trump-america-soft-power-231253; Meghan L. O'Sullivan, "How Trump Is Surrendering America's Soft Power," *Bloomberg View*, June 2, 2017, https://www.bloomberg.com/view/articles/2017-06-02/how-trump-is-surrendering-america-s-soft-power.

I. INTRODUCTION

A. PROBLEM STATEMENT

Since the 20th century, America has seized opportunities to lead internationally and subsequently claim global power status and influence. The United States secured its place as a global superpower following World War II, and its status was later reinforced with the end of the Cold War with the dissolution of the Soviet Union. In addition to commanding military might, the United States became a global advocate for human rights, leading the resettlement efforts of hundreds of thousands of Vietnamese refugees in the late 1970s and 1980s, for example. Although humanitarian policies often serve the country's self-interests politically, actions like this also fulfill America's promise of a land of opportunity, rooted in its historical identity as an immigrant nation.[1] Currently, however, the United States faces several difficulties in the immigration sphere, especially when it comes to its refugee policy. These challenges go to the heart of its identity as a global power and a nation of immigrants.

Recent national discourse has framed refugees, and immigration in general, as a serious homeland security threat, especially concerning the vulnerabilities associated with entry by foreign terrorist actors. The House Homeland Security Committee's *Terror Threat Snapshot* from September 2016 cites several cases of terrorist attacks in Europe committed by individuals believed to have posed as Syrian refugees and points to concerns of the ability of the United States to properly vet and screen potential refugees.[2]

Still, history shows immigrants are an integral part of the country. Their contributions to the U.S. culture and economy cannot be understated. The American struggle of staying true to its identity and economic drivers while addressing the threats presented by a deeply interconnected, globalized, and politically fragile world presents a

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[1] Eleanor Acer, *The Syrian Refugee Crisis and the Need for U.S. Leadership* (New York: Human Rights First, 2016), https://www.humanrightsfirst.org/sites/default/files/HRFSyrianRefCrisis.pdf.

[2] House Homeland Security Committee, "The ISIS Terror Threat in America," *Terror Threat Snapshot* (September 2016), https://homeland.house.gov/wp-content/uploads/2016/09/September-Terror-Threat-Snapshot.pdf.

challenge, compounded by the terrorist attacks of 9/11 and resulting heightened national security concerns. The post-9/11 wars in the Middle East have further increased the national insecurities surrounding the admission of immigrants as witnessed by the attempted ban of select nationalities by the Trump administration.

Syrian war refugees present a significant challenge to the U.S. refugee policy. To date, approximately 11 million refugees have fled Syria since their civil war began in 2011. Although that accounts for just 0.1 percent of the current world population, this massive forced migration has created serious response challenges for the international community. Additionally, it has facilitated the radicalization of the politics and policies in nations surrounding Syria, such as Turkey and Lebanon, and throughout the European Union (EU).[3] Such a mass migration and displacement strains the resources of those host countries not equipped to handle such a large and sustained influx of migrants. As a new wave of nationalism spreads throughout the world, as seen in Brexit, the 2016 U.S. presidential election, and in France, for example, scholars seek to understand the causes of these worldwide shifts. Whatever their cause, whether it be because of economic inequalities or the fear of terrorism, anti-immigrant sentiments appear pervasive in the current U.S. national discourse. For example, a poll by the Chicago Council on Global Affairs found that only 36 percent of U.S. voters supported admitting Syrian refugees into the country.[4] Meanwhile, an August 2016 poll by Pew Research Center found that 66 percent of registered voters who supported Trump cited immigration as a "very big" problem in the United States.[5]

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[3] Jamie Oppenheim, "SF State Experts Weigh in on Rise of Far-right Populism in Europe," *SF State News*, May 5, 2017, http://news.sfsu.edu/news-story/sf-state-experts-weigh-rise-far-right-populism-europe; Michael J. Koplow, "After Erdogan's Referendum Victory," *Foreign Affairs*, April 17, 2017, https://www.foreignaffairs.com/articles/turkey/2017-04-16/after-erdogans-referendum-victory.

[4] "Poll: Most Americans Oppose Admitting Syrian Refugees, Favor Limited Military Involvement to Combat ISIS in Syria," Chicago Council on Global Affairs, August 15, 2016, https://www.thechicagocouncil.org/press-release/poll-most-americans-oppose-admitting-syrian-refugees-favor-limited-military.

[5] Carroll Doherty, "5 Facts about Trump Supporters' Views of Immigration," Pew Research Center. August 25, 2016, http://www.pewresearch.org/fact-tank/2016/08/25/5-facts-about-trump-supporters-views-of-immigration/.

The failure of the United States to lead the response to the forced migration of Syrian war refugees challenges both its position as the global leader in humanitarian policies as well as aspects of its own national identity. A 2016 Oxfam international report found the United States contributed only seven percent of its "fair share" of refugee resettlement admission pledges, and 76 percent of its "fair share" of funding as compared to other wealthy, developed nations.[6] The report lists Canada, Germany, and Norway as contributing well over 100 percent of their fair share in both areas.[7] The domestic populist movement's success in the 2016 American presidential election suggests an increase in aid and support in this crisis is unlikely, and a reduction may be possible.

This thesis provides an understanding of the current U.S. response to refugees in the context of its current legal and political immigration framework. Refugee law remains largely unchanged since the passage of the Refugee Act of 1980. The last significant general immigration legislation was the Immigration Act of 1965, which eliminated country quotas and created admission classes. Since then, especially over the last two decades, many state and local governments have created their own immigration policies, some of which directly conflict with federal policy, to address particular needs that have arisen in the world. Sanctuary city policies are one such example of the national fragmentation and contradiction in policies and approaches to immigration. These contradictions, along with various current homeland security challenges, a historically established economy that relies on cheap labor, and the United States' position as a global leader, stress a system that already lacks a clear strategy. Reassessment and reform of the current immigration policy is required to ensure the United States retains its position of status, wealth, and democratic principles in an ever-changing global and domestic environment. Such reform is broadly supported among policy makers and the

[6] Alexandra Saieh et al., *Syria Crisis Fair Share Analysis 2016* (Oxford: Oxfam, 2016), https://www.oxfam.org/sites/www.oxfam.org/files/file_attachments/bn-syria-fair-shares-analysis-010216-en.pdf.

[7] Ibid.

public alike.[8] In fact, reform was a top priority for the past two administrations, but despite attempts throughout those 16 years, neither was able to achieve comprehensive immigration reform. Questions of security and economy presented challenges they could not be overcome, internally determining fixed immigration values, priorities, and updates.

However, the United States is not alone in confronting the question of settling refugees and new immigrants. Countries such as Germany and Canada face a similar situation. A comparative analysis of such countries in this thesis assists in imagining and determining possible refugee policy choices and approaches and may assist U.S. policy makers. Canada shares the continent and an immigration settlement history with the United States, and it has welcomed thousands of refugees since the Syrian conflict. Germany serves as a case study of a democratic European country forced to respond to refugee crises, particularly those refugees from the Syrian conflict. By examining refugee immigration policy in these countries, this thesis provides a unique analysis of a topic that is widely researched and remains an urgent issue. This work offers an understanding of how some countries in similar circumstances to that of the United States are addressing a clash between those who welcome refugees and those who are concerned about security and the loss of jobs to newcomers. It highlights potential policy options as well as formulates conclusions and guidance for application to the unique American experience and associated homeland security challenges. Policy makers should understand the relationships among refugees and crime, terrorism, the economy, international relations, and global power when considering a strategic plan for U.S. refugee policy.

B. RESEARCH QUESTIONS

- What can U.S. policy makers learn from the successes and failures of the refugee policies of Canada and Germany?
- Based on this analysis, what policy options could potentially succeed in the United States?

[8] Randal C. Archibold and Megan Thee-Brenan, "Poll Shows Most in U.S. Want Overhaul of Immigration Laws," *New York Times*, May 3, 2010, http://www.nytimes.com/2010/05/04/us/04poll.html; Alexander Burns, "Polls: Immigration Reform Popular," *Politico*, June 13, 2013, https://www.politico.com/story/2013/06/poll-huge-support-for-immigration-reform-092701.

- What should a strategic plan for a U.S. refugee policy be comprised of, considering international relations and foreign policy, crime and terrorism, and economic needs?

C. LITERATURE REVIEW

This thesis examines U.S. refugee policy and the needed reform through a comparative analysis of Canada and Germany, an understanding of the current U.S. immigration environment, and its history. Policy makers should understand the relationships among refugees and domestic issues, such as the economy, and international relations when considering a strategic plan for U.S. refugee policy. This literature review summarizes existing research findings in the areas of immigration and the economy, historical immigration and refugee policy, and the relationship between the United States and global human rights.

1. Immigration and the Economy

Scholars and think tanks have performed extensive research on the effect of immigration on various portions of the economy, often analyzing these effects through the study of wages and the costs of foreign workers, immigrants in general, to government. Various studies on immigration fail to support the assertion that immigration creates drastic sweeping costs or gains. For instance, Rowthorn conducted a complete and high-level analysis of the effect of immigration on the economy.[9] He finds no strong fiscal case either for or against continuous large-scale immigration.[10] Bodvarsson and Van den Berg also find that although economists tend to view immigration favorably, neither theoretical models nor their supporting evidence provide information sufficient for sound policy.[11] Additionally, Duleep notes, "despite extensive empirical research, there is still no decisive answer as to whether poorly educated immigrants hurt, help, or

[9] Robert Rowthorn, "The Fiscal Impact of Immigration on the Advanced Economies," *Oxford Review of Economic Policy* 24, no. 3 (2008): 561–581.

[10] Ibid.

[11] Orn B. Bodvarsson and Hendrik Van den Berg, *The Economics of Immigration: Theory and Policy* (New York: Springer-Verlag Berlin Heidelberg, 2009), 415–428.

have no significant effect on the employment and wages of poorly educated natives."[12] This ambiguity is largely due to the challenges inherent to this research topic. Immigrant workers of varying skills and national origins are not evenly distributed across the country. For example, local and regional economies can differ dramatically and present challenges in national decision making, such as achieving consensus on immigration policy. The national fiscal effects of immigration are difficult to characterize, but it is easier to do so for local economies.[13]

A 1991 study by Altonji and Card finds little evidence indicating a correlation between immigrants and the employment status of similarly low-skilled, native-born workers, it but does conclude an increase of immigrants within a population reduces the weekly earnings of low-skilled, native workers.[14] An earlier solo study by Card finds that in Miami during the early 1980s, there was virtually no effect of mass Cuban immigration on that local economy. Miami's labor market was able to absorb and adjust to the influx, possibly due to its experience with past immigration waves.[15] More recently, Harvard immigration economist George Borjas calculates that legal and illegal immigration reduces wages of native-born workers by $402 billion per year.[16] Borjas further finds that this loss is offset by the $437 billion per year increase in wages and/or profits for those who use immigrant labor.

Another study suggests illegal immigration has a positive impact on the U.S. economy, but when considering all fiscal impacts, illegal immigrants present a net fiscal

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[12] Harriet Orcutt Duleep, "US Immigration Policy at a Crossroads" (discussion paper no. 7136, Forschungsinstitut zur Zukunft der Arbeit, Bonn, 2013).

[13] Ethan Lewis and Giovanni Peri, "Immigration and the Economy of Cities and Regions" (working paper, National Bureau of Economic Research, Washington, DC, 2014), http://www.nber.org/papers/w20428.

[14] Joseph Altonji and David Card, "The Effects of Immigration on the Labor Market Outcomes of Less-skilled Natives," in *Immigration, Trade and the Labor Market*, ed. John M. Abowd and Richard B. Freeman (Chicago: University of Chicago Press, 1991), 201–234.

[15] David Card, "The Impact of the Mariel Boatlift on the Miami Labor Market," *Industrial and Labor Relations Review* 43, no. 2 (1990): 245–257.

[16] George Borjas, *Immigration and the American Worker* (Washington, DC: Center for Immigration Studies, 2013), https://cis.org/Report/Immigration-and-American-Worker.

cost, although this cost is unknown.[17] Conversely, Orrenius and Zavodny find the economy benefits overall from immigration although there are both winners and losers.[18] Lewis and Perri found that across a wide range of settings, research approaches, and geographic areas, immigration correlates with greater economic productivity and higher wages for native-born workers.[19]

Moreover, there is evidence that immigrants may be a net fiscal cost to society, yet other evidence suggests they may be a net fiscal gain. The variation could perhaps be explained by the findings of Blau and Mackie from the National Academies of the Sciences. They find immigrants have very little effect on wages and employment of native-born workers with any negative effects likely felt by existing immigrants or native-born workers without high school diplomas.[20] Furthermore, their research finds first-generation immigrants cost the government more than native-born people, and the U.S. children of those immigrants are strong economic contributors who help create an overall positive impact on the economy.[21] This finding is somewhat contrary to a 1995 report by the Organisation for Economic Cooperation and Development, which found migrants worldwide contribute more in taxes and socially than they receive in benefits as well as boost the working-age population.[22] Dealing with population demographic changes is very important in economies such as Japan, and soon in the United States, as their working-age populations shrink in relation to the older non-working population. The trouble with this global generalization is that it considers neither the host country's

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[17] Ramanujan Nadadur, "Illegal Immigration: A Positive Economic Contribution to the United States," *Journal of Ethnic and Migration Studies* 35, no. 6 (2009): 1037–1052.

[18] Pia M. Orrenius and Madeline Zavodny, "The Economics of U.S. Immigration Policy," *Journal of Policy Analysis and Management* 31, no. 4 (2012): 948–596.

[19] Lewis and Peri, "Immigration and the Economy of Cities and Regions."

[20] Francine Blau and Christopher Mackie, *The Economic and Fiscal Consequences of Immigration* (Washington, DC: National Academies Press, 2016), https://www.nap.edu/catalog/23550/the-economic-and-fiscal-consequences-of-immigration.

[21] Ibid.

[22] Kathleen Newland, "The Impact of U.S. Refugee Policies on U.S. Foreign Policy: A Case of the Tail Wagging the Dog?" in *Threatened Peoples, Threatened Borders: World Migration and U.S. Policy*, ed. Teitelbaum, Michael S. and Myron Weiner (New York: The American Assembly, 1995).

economic landscape nor its particular migrant populations and associated skills, which can be very contextual.

Empirical research examining the economic impact of refugee immigrants on the U.S. economy is sparse.[23] Kalena Cortes's work finds refugee immigrants in the United States, "have lower annual earnings upon arrival; however, their annual earnings grow faster over time than those of economic immigrants."[24] Similarly, a Migration Policy Institute report found that from 2009 through 2011, refugee men, "were more likely to work than their U.S.-born counterparts: 67 percent versus 60 percent … refugee women were as likely to work as U.S.-born women."[25] The report further found that in the year 2000, the income of refugees who have been living in the United States for 20 years was comparable to that of natives. It also found as of 2015, the average household income for long-term resident refugees was below the average for natives, indicating the environment for refugee integration into the economy has become more difficult after the Great Recession of 2007–2009.[26] These studies indicate there are several factors impacting the economic success of refugees to the United States, but they do not necessarily collectively work or earn less than economic immigrants or U.S.-born workers.

These studies focused on the immigrants rather than the effects of refugees on the larger U.S. economy. Those effects may be difficult to quantify because the number of refugees admitted into the country is relatively small as compared to the population of economic immigrants and the population of the United States in general. However, they do contribute to the overall discussion concerning refugees' potential fiscal contributions or withdrawals to the U.S. economy. Local effects may be easier to identify and

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[23] J. Edward Taylor et al., "Economic Impact of Refugees," *Proceedings of the National Academy of Sciences* 113, no. 27 (2016): 7449–7453.

[24] Kalena E. Cortes, "Are Refugees Different from Economic Immigrants? Some Empirical Evidence on the Heterogeneity of Immigrant Groups in the United States," *The Review of Economics and Statistics* 86 no. 2 (2004): 465–480.

[25] Randy Capps et al., *The Integration Outcomes of U.S. Refugees: Successes and Challenges* (Washington, DC: Migration Policy Institute, 2015), https://www.migrationpolicy.org/sites/default/.../UsRefugeeOutcomes-FINALWEB.pdf.

[26] Ibid.

understand. In 2013, Chmura Economics and Analytics published a report on the economic impact of refugees in the Cleveland, Ohio area for the 2012 calendar year. It found that while refugee services in the Cleveland area spent approximately $4.8 million in 2012, the economic activity of refugees in that area was estimated at $48 million.[27]

Therefore, the argument over immigration and its fiscal effects needs to be properly scoped. The research shows that nationwide and overall, immigration has either a positive or minimal effect on the U.S. economy. Any negative effects appear specifically to be in circumstances of first-generation immigrants only and on native-born workers with a high school education level or below. The consideration of economic migrants is woven throughout immigration policy, current and historical, albeit not necessarily based on the conclusions and consensus found in the research.

2. Historical U.S. Immigration and Refugee Policy

In 2015, the Panel on the Integration of Immigrants into American Society published a summation of historical immigration policy and law, which characterizes three general historical periods of U.S. immigration policy evolution. During the first century (approximately 1776–1875), immigration regulation rested firmly with states and localities.[28] As a result, there was wide variation in procedures and citizenship nationwide. From the end of the Civil War through much of the 20th century (1875–1970), immigration federalism began to take shape, and friction grew between the state and federal governments over control and regulation of immigration. This friction remains today. The 1965 Hart-Celler Act (and other civil rights laws) put the United States on an expansionary immigration trajectory starting in the 1970s, but it also served as the foundation for the increasingly complex immigration system of the 21st century.

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[27] Chmura Economics & Analytics, *Economic Impact of Refugees in the Cleveland Area* (Cleveland, OH: Chmura Economics & Analytics, 2013), http://www.hias.org/sites/default/files/ clevelandrefugeeeconomic-impact.pdf?_ga=1.191821354.1096693022.1449774105.

[28] Mary C. Waters and Marisa Gerstein Pineau, eds., *The Integration of Immigrants into American Society* (Washington, DC: National Academies Press, 2015), doi: 10.17226/21746.

An analysis by Jaggers, Gabbard, and Jaggers closely follows this timeline.[29] The authors find an open-door policy during the early years of the nation followed by the eras of regulation, restriction, liberalization, and most recently, devolution (starting after 9/11). The authors characterize devolution as the shift in immigration policy actions from the federal to state and local levels. Examples include both expansive and restrictive measures. For instance, the Maryland Dream Act expanded rights, offering education relief to undocumented immigrant children in Maryland, while the Arizona and Alabama passed legislation to restrict the services and employment available to undocumented immigrants in those states.

Contrary to this conventional wisdom, however, Abrams finds that in the early years of the nation-building, and in the 19th century specifically, the United States did in fact have restrictive and exclusionary immigration laws that were nonfederal in nature.[30] This was especially true for the Western territories that had not yet achieved statehood. Abrams makes an important distinction between this era and later periods by noting that the purpose of immigration was different during the expansion period than it was later when federal exclusionary regulation began. This point highlights the importance of understanding the purpose of immigration of a given time for any analysis.

Additional frameworks for immigration analysis involve the evaluation of legal and illegal immigration and the nexus between them. Several sources cite the 1942 Bracero program, whereby Mexican workers entered the U.S. labor market with temporary permits, as well as its implications and effects on illegal immigration.[31] For instance, Duleep states illegal migration from Mexico soared and became a problem only after the program ended.[32] Additionally, Duleep also argues that the real question over this debate is whether poorly educated immigrants harm the wages and employment of

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[29] Jeremiah Jaggers, W. Jay Gabbard, and Shanna J. Jaggers, "The Devolution of U.S. Immigration Policy: An Examination of the History and Future of Immigration Policy," *Journal of Policy Practice* 13, no. 1 (2014): 3–15.

[30] Kerry Abrams, "The Hidden Dimension of Nineteenth-Century Immigration Law," *Vanderbilt Law Review* 62 no. 5 (2009): 1354–1418.

[31] Duleep, "US Immigration Policy at a Crossroads."

[32] Ibid.

poorly educated Americans and that conflicting findings mirror the conflict, disagreements, and stalemates found in Congress with respect to immigration law and reform.[33] Similarly, Massey's research finds illegal immigration results from poor U.S. immigration policy.[34]

Following World War II, the United States emerged as more than a military powerhouse. It also led the effort to assist and support millions of Europeans forcibly displaced from their homes.[35] Immigration law expert Maurice A. Roberts provides an excellent high-level background of U.S. refugee legislation for the time following the end of the war and leading up to 1980.[36] In response to the millions of Eastern Europeans displaced as a result of World War II, the United States adopted its first emergency refugee program with the Displaced Persons Act of 1948.[37] The act expired in 1952 and was followed by several more ad hoc acts passed to address what was viewed as a temporary phenomenon, which did so outside general immigration laws. These include the Refugee Relief Act of 1953 and the Refugee-Escapee Act of 1957. Congress objected to the continued use of parole power (derived from in the Immigration and Nationality Act of 1952) as the mechanism for admitting large groups of refugees, creating the need and desire for the first statutory provisions governing the admission of refugees as part of permanent immigration law. These provisions were included in the Immigration Act of 1965. Despite changes, Congress could not foresee the amendment's failure to meet issues posed by refugees from Cuba and Indochina, for example, and the executive branch again exercised ad hoc parole authority to address an unforeseen need. The Refugee Act of 1980 was designed to meet the deficiencies disclosed by experiences with the prior law.

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[33] Ibid.

[34] Douglas S. Massey, "Chain Reaction: The Causes and Consequences of America's War on Immigrants" (Julian Simon Lecture Series, IZA Annual Migration Meeting, 2011), http://conference.iza.org/conference_files/amm2011/massey_d1244.pdf.

[35] "History, Legislative Authority, and Major Administrative Agencies," Refugee Council USA, accessed May 8, 2017, http://www.rcusa.org/history/.

[36] Maurice A. Roberts, "The U.S. and Refugees: The Refugee Act of 1980," *Issue: A Journal of Opinion* 12, no. 1/2 (1982): 4–6, http://www.jstor.org/stable/1166528.

[37] Ibid.

The Refugee Act of 1980 codified in U.S. law the country's 1968 ratification of the 1967 United Nations (UN) Protocol Relating to the Status of Refugees, and it formally created the U.S. refugee resettlement program.[38] Other immigration legislation followed, such as the Immigration Act of 1990, but this later legislation did not address refugees specifically.[39] While most scholars summarize U.S. refugee policy as previously described, Julian Lim argues this policy history narrative is overly Eurocentric and ignores admissions of refugee classes prior to World War II, citing as an example the admission of 522 Pershing Chinese refugees to the United States at the southern border in 1917 despite the current Chinese Exclusion Act.[40]

Refugee law allows for a generous amount of discretion by the executive branch. On an annual basis, the president consults with Congress and relevant federal agencies to designate nationality and processing priorities for refugee resettlement as well as to set annual ceilings on the total number of refugee admissions from throughout the world.[41] Immigration law attorney and published author Arnold Leibowitz highlights how this aspect of the Refugee Act as written makes refugee admissions an inherently political process.[42] Salehyan and Roseblum further explain, "it is widely recognized that the granting of refugee and asylum status is more than a humanitarian act and that doing so has important foreign policy implications."[43] By admitting refugees, the United States is forced to acknowledge human rights issues in the country of origin, presenting strategic international relations challenges.[44] More broadly, Lim states, "in contrast to refugee

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[38] Donald Kerwin, *The Faltering US Refugee Protection System: Legal and Policy Responses to Refugees, Asylum Seekers, and Others in Need of Protection* (Washington, DC: Migration Policy Institute, 2011), http://www.migrationpolicy.org/pubs/refugeeprotection-2011.pdf.

[39] "History of U.S. Immigration Laws," Federation for American Immigration Reform. accessed May 22, 2017, http://www.fairus.org/facts/us_laws.

[40] Julian Lim, "Immigration, Asylum, and Citizenship: A More Holistic Approach," *California Law Review* 101, no. 4 (2013): 1013–1077.

[41] "History, Legislative Authority," Refugee Council USA.

[42] Arnold H. Leibowitz, "The Refugee Act of 1980: Problems and Congressional Concerns," *The Annals of the American Academy of Political and Social Science* 467, no. 1 (1983): 163–171.

[43] Idean Salehyan and Marc R Rosenblum, "International Relations, Domestic Politics, and Asylum Admissions in the United States," *Political Research Quarterly* 61, no. 1 (2008): 104–121.

[44] Ibid.

law, which looks abroad to see who can be pulled in, immigration law looks inside the nation to see who should be kept out."[45] He also argues, "the two bodies of law are thus treated as embodying different legal and normative foundations, furthering divergent policy agendas, and relying on separate legal rules."[46]

The Center for Migration Studies' Executive Director Donald M. Kerwin argues that since the terrorist attacks of 9/11, security has driven immigration policy development but protection policies, such as those for refugees, have not kept pace.[47] Yet there is a clear need for such policies. In 2016, Dadush and Niebuhr found the major international implications of forced migrations are numerous, "from the risk of radicalization and political instability, to the spread of infectious diseases, and to the risk of collapse of the visa-free European Schengen zone."[48]

3. The United States and Human Rights in the World

Research reveals American government attitudes and actions toward international human rights issues are inconsistent. Andrew Moravcsik states, "U.S. efforts to enforce global human rights standards through rhetorical disapproval, foreign aid, sanctions, military intervention, and even multilateral negotiations are arguably more vigorous than those of any other country."[49] However, Bradley, Rubenfeld, and others point out that these efforts are often rhetorical. For example, the United States was significantly involved in establishing the UN and the first conventions on international rights, but for over a decade, it refused to join any of the major human rights and antigenocide conventions.[50] While both international and domestic issues of the times must be considered for context, Bradley argues this complicated U.S. relationship with human

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[45] Lim, "Immigration, Asylum, and Citizenship."

[46] Ibid.

[47] Kerwin, *The Faltering US Refugee Protection System*.

[48] Uri Dadush and Mona Niebuhr, *The Economic Impact of Forced Migration* (Washington, DC: Carnegie Endowment for International Peace, 2016), http://carnegieendowment.org/2016/04/22/economic-impact-of-forced-migration-pub-63421.

[49] Andrew Moravcsik, "The Paradox of U.S. Human Rights Policy," in *American Exceptionalism and Human Rights*, ed. Michael Ignatieff (Princeton: Princeton University Press, 2009), 147–197.

[50] Jed Rubenfeld, "The Two World Orders," *Wilson Quarterly* 27, no. 4 (2003): 22–36, http://archive.wilsonquarterly.com/essays/two-world-orders.

rights, and with treaties specifically, stems from the subtle features of the U.S. constitutional system.[51] Paul Kahn asserts that there is a deep and complex opposition between constitutional law and international law.[52] Separately, Bradley and Rubenfeld both contend U.S. ambivalence and reluctance to join major human rights conventions are rooted in the aversion to big government and government overreach.[53] Moravcsik supports this explanation, stating, "U.S. ambivalence toward international human rights commitments is not a short-term and contingent aspect of specific American policies. It is instead woven into the deep structural reality of American political life."[54] Glenn Mitoma, Assistant Professor of Human Rights and Education at the University of Connecticut, offers a slight variance in perspective, arguing U.S. constitutional law, politics, and civic society have all contributed to the United States' unique and contradictory relationship with international human rights.[55]

The characterization of the United States as ambivalent on human rights is supported in modern history as well. In 1992, former President Jimmy Carter challenged the United States government to do more to comply with international human rights laws, highlighting the nearly two decades of work to ratify the International Covenant on Civil and Political Rights, which establishes universal standards for the protection of basic civil and political liberties, making the United States the last industrialized democracy to join the UN Human Rights Committee.[56] Additionally, *The Economist* published an article in 2013 explaining the United States has failed to ratify the UN convention on children's

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[51] Curtis Bradley, "The United States and Human Rights Treaties: Race Relations, the Cold War, and Constitutionalism," *Chinese Journal of International Law* 9, no. 2 (2010): 321–344.

[52] Paul W. Kahn, *Speaking Law to Power: Popular Sovereignty, Human Rights, and the New International Order*, Faculty Scholarship Series (New Haven, CT: Yale Law School, 2000), http://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=1328&context=fss_papers.

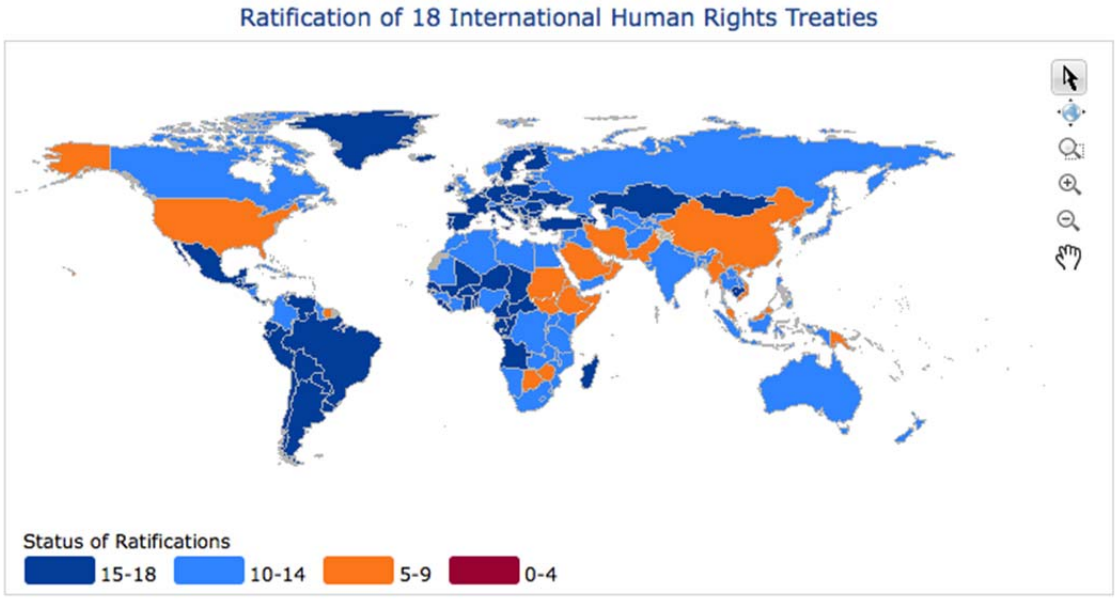
[53] Bradley, "The United States and Human Rights Treaties;" Rubenfeld, "The Two World Orders."

[54] Moravcsik, "The Paradox of U.S. Human Rights Policy."

[55] Glenn Mitoma, *Human Rights and the Negotiation of American Power* (Philadelphia: University of Pennsylvania Press, 2013).

[56] Jimmy Carter, "U.S. Finally Ratifies Human Rights Covenant," The Carter Center, June 28, 1992, https://www.cartercenter.org/news/documents/doc1369.html.

rights because some senators believed it would impinge on American sovereignty.[57] According to the UN Office of the High Commissioner for Human Rights, the children's rights convention went into force in 1990; the United States signed the convention in 1995 but has yet to ratify it.[58] Of the 18 international human rights treaties of the UN, the United States has ratified fewer than any other developed democratic nations in the world (see Figure 1).



Note: Click HERE for the application of the treaty to overseas, non-self-governing, and other territories.
Click HERE for the list of international human rights treaties and optional protocols.

Note: The boundaries and the names shown and the designations used on these maps do not imply official endorsement or acceptance by the United Nations. Final boundary between the Republic of Sudan and the Republic of South Sudan has not yet been determined. Dotted line represents approximately the Line of Control in Jammu and Kashmir agreed upon by India and Pakistan. The final status of Jammu and Kashmir has not yet been agreed upon by the parties.

Figure 1. Ratification of 18 International Human Rights Treaties.[59]

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[57] "Why Won't America Ratify the UN Convention on Children's Rights?" *The Economist*, October 7, 2013, http://www.economist.com/blogs/economist-explains/2013/10/economist-explains-2.

[58] "Office of the High Commissioner for Human Rights," United Nations High Commissioner for Refugees, accessed May 13, 2017, http://www.ohchr.org/EN/pages/home.aspx. Ratification means to be legally bound to the provisions.

[59] Source: "Status of Ratification Interactive Dashboard," United Nations High Commissioner for Refugees, accessed April 29, 2017, http://indicators.ohchr.org.

Despite criticism, the United States remains home to "the largest and most active community of nongovernmental organizations and foundations devoted to human rights promotion in the world today."[60] A Migration Policy Institute report found in 2013, the United States accepted two-thirds of the 98,000 refugees who were permanently resettled that year worldwide.[61]

These contradictions and competing frameworks are complicated by the relatively newly considered concept of soft power. Mitoma argues the "growing importance of the United States and the emergence of human rights as an organizing principle of the Second World War opened up a space for a new kind of transnational politics aimed at cultivating and channeling U.S. influence in the world."[62] The United States has now moved out of the Cold War and into the post-9/11 era. Wikan finds that despite evidence nations "prioritize security interests over adherence to international norms, there is no evidence that this has weakened the underlying HR [human rights] norms or disrupted the institutions of the HR regime" (body of international human rights laws).[63] As previously cited, however, the United States is legally bound to fewer international human rights laws than any other developed democracy. Conversely, Narjis Khan finds the normative meaning of human rights has been seriously undermined by various actions taken by the UN following 9/11.[64]

While there may be argument over the existence or extent of human rights violations by the U.S government on its citizens in the years following 9/11, there is little literature regarding its negative effect on the U.S. international human rights rhetoric.[65]

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[60] Moravcsik, "The Paradox of U.S. Human Rights Policy."

[61] Capps et al., *The Integration Outcomes of U.S. Refugees*.

[62] Mitoma, *Human Rights and the Negotiation of American Power*.

[63] Vilde Wikan, "How Has the Human Rights Regime Been Affected by 9/11 and the 'War on Terror'?" E-International Relations, August 30, 2015, http://www.e-ir.info/2015/08/30/how-has-the-human-rights-regime-been-affected-by-911-and-the-war-on-terror/.

[64] Narjis Khan, "The Hollowing of Human Rights in the Post 9/11 World," Islamic Human Rights Commission, December 20, 2016, http://www.ihrc.org.uk/publications/briefings/11819-the-hollowing-of-human-rights-in-the-post-911-world.

[65] Benedikt Goderis and Mila Versteeg, "Human Rights Violations after 9/11 and the Role of Constitutional Constraints" (working paper 425, University of Oxford, Oxford, 2009), https://www.economics.ox.ac.uk/materials/working_papers/paper425.pdf.

Paul Kahn asserts human rights law in the post-World War II and Cold War eras was, in large part, "a rhetorical project caught up in larger ideological battles."[66] Richard Falk contends that in recent years, the United States has championed human rights in rhetoric yet ignored and violated these same rights when they conflict with a desired national strategy and policy, especially following the 9/11 attacks.[67]

The challenge posed by reconciling contradicting international human rights rhetoric and actions is mirrored by the contradictions between the U.S. historical identity as an immigrant nation and it restrictive immigration policies. While Americans celebrate this national immigrant heritage, immigration also prompts concern for the preservation of a national identity.[68] Refugee policy is complicated by these contradictions, in addition to post-9/11 security concerns and America's complicated relationship with human rights on the international stage.

D. LITERATURE REVIEW SUMMARY

The United States has a unique historical relationship with human rights issues and actions. It has rhetorically championed human rights through the world and provided more economic aid than any other country, either multilaterally or directly. Yet it lags behind all other developed democracies in its ratification of human rights treaties. This may be due to the nature of the U.S. government structure, which renders even seemingly benign issues as deeply political. The setting is further complicated by sensitive international relations and the need to maintain important international ties as means of retaining global power. Not surprisingly, U.S. refugee policy is a highly politicized issue.

This literature review demonstrates the need to explore whether refugee policy should indeed be a political issue as well as what effects this policy has on the U.S. international standing of power. As a result of this inherent politicization, looking outside to other countries' refugee policies could be beneficial to U.S. policy makers. Existing

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[66] Kahn, *Speaking Law to Power*.

[67] Richard Falk, "The Power of Rights and the Rights of Power: What Future for Human Rights?" *Ethics & Global Politics* 1, no. 1-2 (2008): 81–96.

[68] Ariane Chebel d'Appollonia, *Frontiers of Fear: Immigration and Insecurity in the United States and Europe* (Ithaca, NY: Cornell University Press, 2012), 6.

literature analyzes the mass refugee migrations on several host countries, their policies, and the corresponding effects.

E. RESEARCH DESIGN

The object of this study is to find solutions to the challenges facing the United States regarding its refugee policy in the context of the world today. Despite many attempts, the United States has not initiated large-scale immigration reform since the 1960s (and on a smaller scale, since the late 1980s), despite the changing world. The government has failed to do so due to its inability to reconcile competing interests and narratives. This thesis first analyzes the two predominant themes in refugee policy discourse: the threats to the economy and to security. It then uses a comparative case study method to examine the evidence for the two claims in countries that face a similar situation in responding to displaced people and refugee mass migration. The two case studies are the current and recent refugee immigration policies of Canada and Germany. This thesis analyzes elements of these countries' refugee policies as well as their successes and failures. This study then considers whether these findings could be applied to the United States to help understand the flaws and successes in U.S. immigration policy as it relates to homeland security, as well as how to possibly overcome them. The selections are based on criteria of equal development, similar democratic institutions, and similar refugee pressures. The selected countries represent both the North American continent as well as Europe.

The measure of performance in each case study rests on consensus or lack of consensus among analytical and evaluative literature. Economic data and other evidence clearly linked to identified refugee policies of that country determined its policy success or failure within each country. This data came from economic and social science journals, government documents, and periodicals as well as public opinion surveys taken by organizations such as the Pew Center. This thesis considers the ability of the United States to take guidance and incorporate the refugee policies of other nation states into U.S. policy.

F. CHAPTER OUTLINE

Chapter II provides relevant background information pertaining to the refugee laws, policies, and programs of the United States and discusses national discourse and reform failures. Chapter III explores the economic and security implications of refugees in the United States. Chapter IV presents Canada and Germany as case studies of refugee policy approaches and their impacts. Finally, Chapter V concludes with some important recommendations.

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II. WHERE WE ARE: HISTORY OF U.S. AMERICAN IMMIGRATION

Immigration is a vast and dynamic domain; its law is complex and its history rich and storied. The immigration laws, policies, history, culture, and perceptions in the United States are intricately related to world events, domestic events, the political climate, the economy, and collective national values. With this understanding, Chapter II provides a summary of historical and current refugee law, policies, and practices in the United States, demonstrating the reactionary, improvised, and meandering nature of immigration policy in the United States. It also discusses the refugee resettlement and integration process as well as the prevailing discourse and claims regarding refugees and related policy. Additionally, this chapter offers a view into refugee laws and reform and shows that the process for refugee resettlement is not necessarily broken. Rather, the problem lies in the selection of whom the United States permits to enter that process, and when it chooses to do so. Historically, political objectives, short-term thinking, and, at times, ad hoc decision making have driven these selections. The process lacks long-term strategy and careful employment of research and sound evidence in such decisions.

A. REFUGEE LAW AND POLICY HISTORY SINCE WORLD WAR II

While immigration law and policy history in the United States as it applies to refugees is voluminous, most of the literature on the subject highlights several key legislative acts that shaped the current system. As discussed in Chapter I, Congress enacted the first significant refugee law and policy in the United States, the Displaced Persons Act of 1948, as an emergency response to the millions of Europeans refugees following World War II. The act expired in 1952, the same year the Immigration and Nationality Act (INA) of 1952, also referred to as the McCarran-Walter Act, passed. The INA was enacted at the beginning of the Cold War, a time characterized by the threat of communism; therefore, it largely reflected the belief that immigration was a threat to national security, as foreigners could be spies or introduce communist ideas into the

United States.[69] The INA reinforced existing discriminatory and restrictive quota systems first put in place in 1924, restricting the number of immigrant visas issued based on an applicant's national origin.[70] It is most notable for collecting and codifying many existing provisions of immigration law and reorganizing the structure of those laws.[71] The INA was virtually silent on refugees and asylum seekers, reflecting the reactive, temporary, and limited approach to refugee admissions. Although it has been significantly amended several times since its inception, the INA continues to serve as the basic body of immigration law in the United States.[72]

Following the expiration of the Displaced Persons Act in 1952, refugee policy continued on an ad hoc basis to address what was viewed as a temporary phenomenon and emergency, and it did so outside general immigration law.[73] For example, the Refugee Relief Act of 1953 expanded admissions to victims of national disasters and those fleeing communism abroad.[74] Later, the Hungarian Refugee Act of 1956, the Refugee-Escapee Act of 1957, and the Cuban Adjustment Program of the 1960s also provided for the immigration of persons fleeing communist countries.[75] While the acceptance of large numbers of refugees fleeing communist regimes was not without controversy, the interesting paradox is while the United States viewed immigrants as potential national security threats, the country viewed anticommunist refugees with less

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[69] Olivia B. Waxman, "What to Know About the 1952 Law Invoked by President Trump's Immigration Order," *Time*, February 6, 2017, http://time.com/4656940/donald-trump-immigration-order-1952/.

[70] James Philipp Walsh, "Governing the Divide: Institutions and Immigration Control in the United States, Canada and Australia" (PhD diss., University of California, 2011), ProQuest (UMI 3482034).

[71] "Immigration and Nationality Act," U.S. Citizenship and Immigration Services, last modified September 10, 2013, https://www.uscis.gov/laws/immigration-and-nationality-act.

[72] Ibid.

[73] Roberts, "The U.S. and Refugees," 4–6.

[74] Leibowitz, "The Refugee Act of 1980."

[75] History Office and Library, *Overview of INS History* (Washington, DC: U.S. Citizenship and Immigration Services, History Office and Library, 2012), https://www.uscis.gov/sites/default/files/USCIS/History and Genealogy/Our History/INS History/INSHistory.pdf.

skepticism.[76] Some scholars argue one of the United States' tactics in the Cold War was to encourage defectors from the Soviet Union and its allied regimes through the growth and expansion of the United States refugee apparatus.[77] Refugee policy has therefore never been strictly humanitarian in nature or motivation. Cavosie comments, "Countries hostile to the United States have invariably been accorded United States protection while equally worthy refugees from friendly countries have met with far less success."[78] Whenever the United States makes a decision to accept refugees from a particular country, it is making a political statement about that country's government, which may or may not be in the foreign policy interest of the United States.[79] In these ways, refugee admissions have been used, at least in part, as geopolitical tools. Given the ever-changing and shifting nature of geopolitics, it is not surprising that admission actions and policies have been reactive and inconsistent.

President Dwight D. Eisenhower established the precedent for using the executive parole designation power contained in the INA of 1952 for mass admissions of refugees.[80] In 1956, his administration broadly interpreted the parole authority granted to the attorney general by § 212(d)(5) of the INA to provide refuge to the Hungarian freedom fighters and permit them entrance collectively as refugees.[81] This provision allowed the president to permit otherwise inadmissible non-citizens entry into the United States based on "a compelling emergency or urgent humanitarian reason," and to do so en

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[76] "Refugee Policies—Refugees and the Cold War," *Encyclopedia of the New American Nation*, accessed October 29, 2017, http://www.americanforeignrelations.com/O-W/Refugee-Policies-Refugees-and-the-cold-war.html.

[77] Rebecca Hamlin and Philip E Wolgin, "Symbolic Politics and Policy Feedback: The United Nations Protocol Relating to the Status of Refugees and American Refugee Policy in the Cold War," *International Migration Review* 46, no. 3 (2012): 586–624.

[78] J. Michael Cavosie, "Defending the Golden Door: The Persistence of Ad Hoc and Ideological Decision Making in U.S. Refugee Law," *Indiana Law Journal* 67, no. 2 (1992): 411–439.

[79] Matthew E. Price, "Persecution Complex: Justifying Asylum Law's Preference for Persecuted People," *Harvard International Law Journal* 47, no. 2 (S2006): 413–466.

[80] Leibowitz, "The Refugee Act of 1980," 165; "Refugee Policies—Refugees and the Cold War."

[81] Leibowitz, "The Refugee Act of 1980," 165.

masse.[82] Under the provision, parolees are allowed to remain in the United States; however, they are not provided permanent resident alien or refugee status under the law.[83] Congress later passed legislation to designate parolees as refugees under the law.[84]

On July 21, 1961, seeking to secure support for current assistance programs for refugees, escapees, migrants, and other selected persons, and for any future programs as the need arose, President John F. Kennedy submitted a draft bill to Congress.[85] In response, Congress enacted the Migration and Refugee Assistance Act (MRA) of 1962, which authorized Congress to appropriate funds to provide certain assistance to refugees, principally those fleeing communist and Soviet Union-allied regimes.[86] The MRA of 1962 further provides the president authority to designate assistance funds to meet unexpected urgent refugee and migration needs.[87]

The Immigration Act of 1965, also known as the Hart-Celler Act, responded to criticisms that quota systems were racist and counter to American values by making significant amendments to the INA. This act removed national origin quotas and created admission classes, designating refugees as the seventh and last immigration preference category.[88] However, this formally brought refugees into the immigration preference

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[82] Nicole Ostrand, "The Syrian Refugee Crisis: A Comparison of Responses by Germany, Sweden, the United Kingdom, and the United States Executive Summary," *Journal on Migration and Human Security* 3, no. 3 (2015): 255–279; Adam B. Cox and Cristina M. Rodriguez, "The President and Immigration Law Redux," *Yale Law Journal* 125, no. 104 (2015): 104–225.

[83] "Refugee Policies—Refugees and the Cold War."

[84] Ibid.

[85] John F. Kennedy, "Letter to the President of the Senate and to the Speaker of the House Proposing Reorganization and Reenactment of Refugee Aid Legislation," The American Presidency Project, July 21, 1961, http://www.presidency.ucsb.edu/ws/?pid=8252.

[86] John F. Kennedy, "Statement by the President Upon Signing the Migration and Refugee Assistance Act," The American Presidency Project, June 28, 1962, http://www.presidency.ucsb.edu/ws/?pid=8738; "The Cuban Experience in Florida: Revolution and Exodus," The Florida Memory: State Library and Archives of Florida, accessed October 29, 2017, https://www.floridamemory.com/onlineclassroom/cuban-revolution/sets/law/.

[87] Refugees and Migration, 22 C.F.R § 2601 (1962), https://www.law.cornell.edu/uscode/text/22/2601?qt-us_code_temp_noupdates=0#qt-us_code_temp_noupdates.

[88] Pew Research Center, "Chapter 1: The Nation's Immigration Laws, 1920 to Today," in *Modern Immigration Wave Brings 59 Million to U.S., Driving Population Growth and Change Through 2065* (Washington, DC: Pew Research Center, 2015), http://www.pewhispanic.org/2015/09/28/chapter-1-the-nations-immigration-laws-1920-to-today/, 18–22.

system.[89] The INA of 1965 also attempted to somewhat restrict the president's parole powers, but presidents have continued to use this discretionary power successfully to set refugee agendas and admissions.[90]

In 1975, at the end of the Vietnam War, Congress enacted the Indochina Migration and Refugee Assistance Act to provide refuge for Southeast Asians displaced as a result of the war. Although as individuals they would have been eligible for admission under the seventh immigrant preference under the INA of 1965 for fleeing communist regimes, the magnitude of the number of those seeking refuge was so high that parole was the only available option for their admission.[91] In just a few years, annual admissions of Southeast Asian refugees exponentially increased with most admitted under the attorney general's ad hoc parole authority.[92] In fact, "parole programs for Indochinese refugees were authorized or extended by the Attorney General ten times between" 1975 and 1980, totaling approximately 360,000 refugee admissions.[93] The Refugee Act of 1980 was passed in response to this broad use of parole authority coupled with the congressional desire for participation in the decision-making process for refugee admissions beyond normal flow, and the need to address this continued refugee flow.[94] The act provided an official legal framework for refugee admissions, but it also maintained much of the ad hoc nature of those admissions and therefore only marginally increasing Congress's role and involvement in those decisions.[95]

The Refugee Act of 1980 remains the most substantial refugee legislation to date. Lee notes it aimed to "centralize refugee admissions by ending the executive branch's

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[89] Timothy J. Hatton, "United States Immigration Policy: The 1965 Act and its Consequences," *Scandinavian Journal of Economics* 117, no. 2 (2015): 347–368.

[90] Cox and Rodriguez, "The President and Immigration Law Redux."

[91] Leibowitz, "The Refugee Act of 1980," 165.

[92] Erika Lee, "A Nation of Immigrants and a Gatekeeping Nation: American Immigration Law and Policy," in *A Companion to American Immigration,* ed. Reed Ueda (Oxford: Blackwell Publishing, 2006), 5–35.

[93] Peter I. Rose, *Mainstream and Margins Revisited: Sixty Years of Commentary on Minorities in America* (New Brunswick: Transaction Publishers, 2017).

[94] Leibowitz, "The Refugee Act of 1980," 165.

[95] Jimmy Carter, "Refugee Act of 1980 Statement on Signing S. 643 Into Law," The American Presidency Project, March 18, 1980, http://www.presidency.ucsb.edu/ws/?pid=33154.

power to parole an unlimited number of refugees," as had been the previous practice.[96] The act amended the INA yet again, separating refugee admissions from overall immigrant quotas, expanding who may be considered a refugee, and setting up broad and thorough procedures for processing them.[97] In 1968, the United States became a party to the 1967 UN Protocol Relating to the Status of Refugees, and the Refugee Act of 1980 codified this as well as established the refugee resettlement program.[98] The act also amended the MRA of 1962 to establish small changes toward more uniform funding for refugee assistance.[99]

Although the Refugee Act of 1980 reigned in much of the executive parole power, U.S. presidents retain the ability to increase (or decrease) refugee admissions in exigent circumstances.[100] Executive power also includes setting the annual refugee admissions ceiling in consultation with Congress.[101] Under Title 8, §1157 (a)(2), of the U.S. Code,

> The number of refugees who may be admitted … in any fiscal year after fiscal year 1982 shall be such number as the President determines, before the beginning of the fiscal year and after appropriate consultation, is justified by humanitarian concerns or is otherwise in the national interest.[102]

This provision defines "appropriate consultation" as in-person discussions by designated cabinet-level representatives of the president with members of the House and Senate Committees on the Judiciary.[103] Specifically, the Departments of State (DOS), Homeland Security (DHS), and Health and Human Services (HHS) provide Congress a report on

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[96] Lee, "A Nation of Immigrants," 5–35.

[97] Pew Research Center, "Chapter 1: The Nation's Immigration Laws."

[98] United Nations High Commissioner for Refugees, *States Parties to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol*, accessed October 26, 2017, http://www.unhcr.org/uk/3b73b0d63.pdf.

[99] Refugee Act of 1980, Pub. L. No. 96-212, 94 Stat. 102 (1980). https://www.gpo.gov/fdsys/pkg/STATUTE-94/pdf/STATUTE-94-Pg102.pdf.

[100] Lee, "A Nation of Immigrants," 5–35.

[101] Jie Zong and Jeanne Batalova, "Refugees and Asylees in the United States," Migration Policy Institute, June 7, 2017, http://www.migrationpolicy.org/article/refugees-and-asylees-united-states.

[102] Annual Admission of Refugees and Admission of Emergency Situation Refugees, 8 C.F.R § 1157 (1980), https://www.law.cornell.edu/uscode/text/8/1157.

[103] Ibid.

behalf of the president with the annual recommended refugee admission limit consideration of refugee processing capabilities.[104]

Executive power can be used to either restrict or expand refugee admissions. For instances, the Obama administration increased the admission ceiling from 70,000 in fiscal year (FY) 2015 to 85,000 in FY 2016 and increased it further to 110,000 for FY 2017, marking the largest annual increases since 1990.[105] However, President Donald Trump's Executive Order 13780 on March 6, 2017, "Protecting the Nation from Foreign Terrorist Entry into the United States," reduced the FY 2017 ceiling to 50,000.[106] This was the lowest ceiling since the enactment of the Refugee Act of 1980.[107] A State Department briefing published the Trump administration's intent to cap refugee admissions for FY 2018 to an even more historic low of 45,000.[108] The ceiling limits the maximum admissions per year and is not a binding commitment.[109] The Trump administration's March 2017 revised executive order bans travel of refugees from six countries (Iran, Libya, Somalia, Sudan, Syria, and Yemen) to the United States unless they have established bona fide relationships to the United States.[110]

These executive orders and the legal challenges to them demonstrate that despite the intent of the Refugee Act of 1980, refugee policy in the United States remains ad hoc and inconsistent. Moreover, U.S. refugee policy continues to be dynamic, reactive, and somewhat subject to unilateral executive power. While the ability to respond with some

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[104] Kay Brown, *Refugee Resettlement: Greater Consultation with Community Stakeholders Could Strengthen Program* (GAO-12-729) (Washington, DC: Government Accountability Office, 2012).

[105] Zong and Batalova, "Refugees and Asylees in the United States."

[106] Exec. Order No. 13780 (2017), https://www.whitehouse.gov/the-press-office/2017/03/06/executive-order-protecting-nation-foreign-terrorist-entry-united-states. Press release.

[107] "U.S. Annual Refugee Resettlement Ceilings and Number of Refugees Admitted, 1980–Present," Migration Policy Institute, accessed October 15, 2017, http://www.migrationpolicy.org/programs/data-hub/charts/us-annual-refugee-resettlement-ceilings-and-number-refugees-admitted-united.

[108] "Background Briefing: U.S. Government Officials On the Refugee Cap for Fiscal Year 2018," U.S. Department of State, September 27, 2017, https://www.state.gov/r/pa/prs/ps/2017/09/274464.htm.

[109] Krishnadev Calamur, "How Many Refugees Will Trump Let In?," *The Atlantic*, September 26, 2017, https://www.theatlantic.com/international/archive/2017/09/refugee-numbers/541101/.

[110] Adriane de Vogue, "Supreme Court: Trump Admin Can Keep Travel Ban on Most Refugees," *CNN*, September 12, 2017, http://www.cnn.com/2017/09/12/politics/travel-ban-supreme-court-refugees/index.html.

flexibility to the threats and challenges of the day is important, this flexibility makes refugee policy to be extremely political, unilateral and unbalanced (strong in the executive balance), and disruptive to the continuity and effectiveness of refugee operations.

B. LIMITS AND DIFFERENCES IN TERMS: REFUGEE VERSUS ASYLEE

The Refugee Act of 1980 also established two paths for foreign nationals to seek and obtain refuge in the United States—as either a refugee or an asylee (or asylum seeker).[111] Both refugees and asylees are those people, "who are unable or unwilling to return to their country of origin or nationality because of persecution or a well-founded fear of persecution."[112] In the United States, the difference between a refugee and an asylee is largely a procedural one.[113] Refugees are physically located outside the country while asylum seekers are already present within U.S. borders at the time of application.[114] Although the president, with approval from Congress, sets the ceiling for refugee admissions annually, there is no ceiling for asylum claims and status.[115] This thesis considers both refugees and asylum seekers in its analysis and discussion but focuses primarily on policy and research specific to refugees.

C. THE REFUGEE RESETTLEMENT PROCESS

The refugee program and process is an inherently international one, requiring coordination, cooperation, and effort from many different nations, international bodies, and nongovernmental organizations. Even within the United States, multiple agencies and

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[111] "Fact Sheet: Asylum in the United States," American Immigration Council, August 22, 2016, https://www.americanimmigrationcouncil.org/research/asylum-united-states.

[112] Zong and Batalova, "Refugees and Asylees in the United States."

[113] Ilona Bray, "Asylee vs. Refugee: Application and Procedural Differences," AllLaw, accessed October 15, 2016, http://www.alllaw.com/articles/nolo/us-immigration/asylee-vs-refugee-application-procedural-differences.html.

[114] "Refugees and Asylum," U.S. Citizenship and Immigration Services, last modified November 12, 2015, https://www.uscis.gov/humanitarian/refugees-asylum.

[115] "How Many People Can Get U.S. Asylum?," AllLaw, accessed October 15, 2017, http://www.alllaw.com/articles/nolo/us-immigration/how-many-people-can-get-asylum.html.

entities share various responsibilities as they relate to the U.S. asylum and refugee program (see Figure 2). These include the DOS, DHS, and HHS.

United States Refugee Admissions Program (USRAP) Partners & their Roles

The USRAP is an interagency effort involving a number of governmental and non-governmental partners both overseas and in the United States.

The following agencies are involved in this effort:

- Department of State/Population, Refugees and Migration (PRM) – PRM has overall USRAP management responsibility overseas and has lead in proposing admissions ceilings and processing priorities.
- United Nations High Commissioner for Refugees (UNHCR) – UNHCR refers cases to the USRAP for resettlement and provides important information with regard to the worldwide refugee situation.
- Resettlement Support Centers (RSC) – Under cooperative agreement with the Department of State, RSCs consist of international organizations or non-governmental organizations that carry out administrative and processing functions, such as file preparation and storage, data collection and out-processing activities.
- Department of Homeland Security (DHS) – Within DHS, U.S. Citizenship and Immigration Services (USCIS) has responsibility for adjudicating applications for refugee status and reviewing case decisions; the Bureau of Customs and Border Protection (CBP) screens arriving refugees for admission at the port of entry.
- Department of Health and Human Services/Office of Refugee Resettlement (ORR) – ORR administers domestic resettlement benefits for arriving refugees.
- International Organization for Migration (IOM) – Department of State contractors serve primarily as the travel agent for the USRAP and the OPE in certain locations.
- Non-Governmental Organizations – Provide resettlement assistance and services to arriving refugees.

Figure 2. U.S. Refugee Admissions Program Partners and their Roles.[116]

Persons who are fleeing persecution in their home countries and wish to resettle in the United States generally follow a multistep process (see Appendix). Potential refugees

[116] Source: "The United States Refugee Admissions Program (USRAP) Consultation and Worldwide Processing Priorities," U.S. Citizenship and Immigration Services, last modified May 5, 2016, https://www.uscis.gov/humanitarian/refugees-asylum/refugees/united-states-refugee-admissions-program-usrap-consultation-worldwide-processing-priorities.

are referred primarily to the United States through the UNHCR.[117] In some cases, a U.S. embassy or designated nongovernmental organizations may refer a refugee applicant.[118] The UNHCR completes its own rigorous initial screening process to identify those refugees who meet the definition set forth under the 1951 Refugee Convention and are determined the most vulnerable and in greatest need of resettlement.[119] Less than one percent of the global refugee population meets these screening standards and is referred by the UNHCR.[120]

Resettlement support centers receive and process each referred case, conduct interviews, verify data, and gather and enter applicant information into the DOS's Worldwide Refugee Admission Processing System (WRAPS) for the security checks.[121] U.S. national security agencies screen the applicant based on the information provided in WRAPS. According to DOS, refugee applicants are screened more carefully than any other type of traveler to the United States.[122] DHS Citizenship and Immigration Services officers review the screening results, collect biometric data from the applicants, conduct in-person interviews, and adjudicate the cases. Officers conditionally approved those applicants adjudicated as refugees for resettlement pending favorable medical and security checks; while those are denied cannot appeal the decision but may request reconsideration based on new information.[123] If the results of biometric security checks and a medical examination are favorable, the applicant may complete a cultural

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[117] "U.S. Refugee Admissions Program," U.S. Department of State, accessed July 6, 2017, https://www.state.gov/j/prm/ra/admissions/.

[118] Ibid.

[119] Zane Schwartz, "How UNHCR's Refugee-Resettlement Process Actually Works," *Maclean's*, November 18, 2015, http://www.macleans.ca/news/world/how-the-unhcrs-refugee-resettlement-process-actually-works/.

[120] Amy Pope, "Infographic: The Screening Process for Refugee Entry into the United States," White House, November 20, 2015, https://obamawhitehouse.archives.gov/blog/2015/11/20/infographic-screening-process-refugee-entry-united-states.

[121] "U.S. Refugee Admissions Program FAQs," U.S. Department of State, January 20, 2017, https://www.state.gov/j/prm/releases/factsheets/2017/266447.htm.

[122] Ibid.

[123] "The Resettlement Process," Refugee Council USA, accessed October 2, 2017, http://www.rcusa.org/resettlement-process/.

orientation course, ranging in duration from several hours to several days.[124] The orientation is designed to teach refugees about U.S. culture, customs, and practices.[125] Domestic resettlement locations are identified and travel is planned. The originating RSC and the International Organization for Migration organize and arrange transport.[126] In general, the International Organization for Migration provides refugees travel loans to pay for transportation costs to the United States and refugees agree to pay back the interest-free loan starting six months after arrival.[127]

D. INTEGRATION

The resettlement process for refugees does not end after their cases have been positively adjudicated. Each refugee approved for admission by DHS is sponsored by one of nine domestic resettlement agencies operating under the Reception and Placement Program through a public-private cooperative agreement.[128] Representatives of these agencies meet weekly to review cases sent by resettlement support centers abroad to match each refugee's needs with appropriate local community resources or with family members, if applicable.[129] Together, these agencies have affiliates in 190 communities throughout the United States.[130] According to Refugee Council USA, each sponsoring agency is responsible for ensuring refugees receive, "food, housing, clothing,

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124 "Refugee Resettlement Process Overview," U.S. Committee for Refugees and Immigrants, accessed October 31, 2017, http://refugees.org/explore-the-issues/our-work-with-refugees/refugeeresettlementprocess/.

125 "The Refugee Processing and Screening System," U.S. Department of State, January 20, 2017, https://www.state.gov/j/prm/ra/266458.htm.

126 "The Reception and Placement Program," U.S. Department of State, accessed October 31, 2017, https://www.state.gov/j/prm/ra/receptionplacement/.

127 "Refugee Travel Loans Collection," United States Conference of Catholic Bishops, accessed October 31, 2017, http://www.usccb.org/issues-and-action/human-life-and-dignity/migrants-refugees-and-travelers/refugee-travel-loans-collection/index.cfm.

128 "Refugee Admissions Reception and Placement Program," U.S. Department of State, January 26, 2016, https://www.state.gov/j/prm/releases/factsheets/2016/251849.htm.

129 "The Reception and Placement Program."

130 Ibid.

employment services, follow-up medical care, and other necessary services" during the first 30–90 days after arrival.[131]

HHS' Office of Refugee Resettlement (ORR) largely provides integration services beyond the refugee's first 90 days in the United States. ORR

> provides time-limited cash and medical assistance to new arrivals, as well as support for case management services, English as a Foreign Language classes, and job readiness and employment services—all designed to facilitate refugees' successful transition to life in the U.S. and help them to attain self-sufficiency.[132]

However, these programs have faced difficultly in securing and maintaining adequate funding.[133] Individual states also provide some form of refugee assistance and receive programmatic oversight and guidance by ORR.[134]

Refugees receive work authorization immediately upon case approval and may apply for legal permanent residence after one year and U.S. citizenship after five years. DOS notes gaining employment quickly is important for a refugee's integration into society but acknowledges most refugees start in entry-level jobs, even if they possess high-level skills or education.[135] The burden for achieving successful and meaningful integration is generally placed on private and nongovernmental entities. Consequently, tracking, meaningful measures, and assessments of relative success of refugee integration is limited.

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[131] "Services Upon Arrival," Refugee Council USA, accessed October 26, 2017, http://www.rcusa.org/integration-of-refugees/.

[132] "Refugees," U.S. Department of Health and Human Services, Office of Refugee Resettlement, last modified January 28, 2016, https://www.acf.hhs.gov/orr/refugees.

[133] Anastasia Brown and Todd Scribner, "Unfulfilled Promises, Future Possibilities: The Refugee Resettlement System in the United States," *Journal on Migration and Human Security* 2, no. 2 (2014): 101–120.

[134] "Divisions—Refugee Assistance," U.S. Department of Health and Human Services, Office of Refugee Resettlement, October 3, 2012, https://www.acf.hhs.gov/orr/resource/divisions-refugee-assistance.

[135] "The Reception and Placement Program."

E. NATIONAL DISCOURSE AND CLAIMS

Immigration has been a controversial political issue in the United States throughout its history.[136] Various groups argue contradictory and competing narratives within and among themselves and over time. For example, while the United States collectively tends to reflect on periods of restrictive immigration policies with judgment while honoring the contributions of immigrants to the founding and development of the country, over the last 50 years a great majority of Americans have continued to tell pollsters that immigration levels should remain at or below their present levels.[137] In specific areas of immigration policy, however, public opinion polls reflect more varying and shifting attitudes. These polls find

> Americans regularly change their minds about immigration. While certain political and demographic subgroups are fairly constant in their opinions, overall attitudes can shift sharply in response to changes in the economy, fears of terrorism, organized media campaigns, the way the issue is framed and the centrality of the issue to debates in Congress.[138]

Perhaps one constant and universal view is that the United States is in need of immigration reform.[139]

Political scientists acknowledge the United States has historically resisted changes to immigration policies.[140] Despite efforts by both major political parties over the past quarter century to overhaul and improve the current immigration system, reform has

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[136] Daniel Griswold, "Immigrants Have Enriched American Culture and Enhanced Our Influence in the World," Cato Institute, February 18, 2002, https://www.cato.org/publications/commentary/immigrants-have-enriched-american-culture-enhanced-our-influence-world.

[137] "Immigration," Gallup, accessed October 31, 2017, http://news.gallup.com/poll/1660/immigration.aspx.

[138] E. J. Dionne, Jr., "Migrating Attitudes, Shifting Opinions: The Role of Public Opinion in the Immigration Debate," in *A Report on the Media and the Immigration Debate: Democracy in the Age of New Media* (Washington, DC: Brookings Institution, 2016), https://www.brookings.edu/wp-content/uploads/2012/04/0925_immigration_dionne.pdf.

[139] "CNN Poll: 88% of Americans Support Immigration Reform with a Path to Citizenship," *America's Voice*, September 7, 2016, http://americasvoice.org/press_releases/cnn-poll-88-americans-support-immigration-reform-path-citizenship/.

[140] Michael Jones-Correa and Els De Graauw, "Looking Back to See Ahead: Unanticipated Changes in Immigration from 1986 to the Present and Their Implications for American Politics Today," *Annual Review of Political Science* 16 (May 2013): 209–230.

proven elusive and difficult to achieve. Indeed, the last significant immigration reform occurred with the Immigration and Reform Act of 1986.[141] However, this is not due to a lack of trying. There have been several attempts at reform under the last two presidential administrations of Bush and Obama, but those attempts have ultimately failed. For example, the failure to pass the Development, Relief, and Education for Alien Minors (DREAM) Act during both administrations is largely attributed to congressional and political gridlock and disagreements over differing approaches to immigration.[142] So strong has the frustration and also the need for reform been that since the late 1980s state and local jurisdictions have responded to the federal inaction and deadlock with their own immigration policies.[143]

This inability to achieve reform is a consequence of major and pervasive opposing narratives in U.S. immigration discourse. American society generally holds many strong and opposing psychological narratives about immigrants and the immigration system.[144] Americans define their country as a nation of immigrants but simultaneously view immigrants as a threat to jobs and security.[145] The question of whether immigration is beneficial or detrimental to the economy persists.[146] Likewise, claims regarding the effects, if any, of immigrants on crime in the United States have abounded for much of the country's history and remain front and center in today's discourse.[147] Stephen Miller, President Trump's chief policy advisor, argues welcoming refugees is too costly and

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[141] Ibid.

[142] William A. Schwab, "The Dream Act: Nuts and Bolts," in *Right to DREAM: Immigration Reform and America's Future* (Fayetteville, AR: University of Arkansas Press, 2013), 81–97.

[143] Jones-Correa and De Graauw, "Looking Back to See Ahead;" Dale Krane, "The Middle Tier in American Federalism," *Publius: The Journal of Federalism* 37, no. 3 (2007): 453–77.

[144] Alexia Fernandez Campbell, "The Problem with Only Letting in the 'Good' Immigrants," *The Atlantic*, October 11, 2016, https://www.theatlantic.com/business/archive/2016/10/immigration-winners-and-losers/503435/.

[145] Peter Schuck, "The Great Immigration Debate," *The American Prospect*, Fall 1990, http://prospect.org/article/great-immigration-debate.

[146] "Is Illegal Immigration an Economic Burden to America?" ProCon, last modified January 24, 2017, https://immigration.procon.org/view.answers.php?questionID=000788.

[147] Julia Dahl, "How Big a Problem is Crime Committed by Immigrants?," *CBS News*, January 27, 2017, https://www.cbsnews.com/news/illegal-immigrants-and-crime-how-big-a-problem-is-crime-committed-by-immigrants/.

poses terrorism concerns.[148] In this way, refugee policy in the White House is currently driven by one extreme of these opposing narratives.

The combination of a post-9/11 United States with the Syrian war refugee crisis has perpetuated a contemporary claim that refugees pose a greater risk of terrorism and national security threats to the United States than native-born Americans.[149] Indeed, evidence suggests the 9/11 terrorist attacks significantly impacted U.S. cultural and societal views on security and immigrants.[150] The attacks created a strong political divide and gridlock between proponents of enforcement of immigration law and proponents of expanded benefits.[151] Reconciling these contradictory and competing narratives is challenging for both private citizens and policy makers alike.

Although most citizens and politicians seem to agree that reform is necessary, and despite some agreement on certain aspects such as addressing undocumented aliens, cohesiveness and agreement break down in the details of these broad ideas.[152] It is in this space where these competing narratives and discourse stake claim and become corrosive and divisive, hindering the ability to reform immigration. Seventy percent of voters in the 2016 presidential election reported immigration as a very important issue to them—the economy was first at 84 percent, and terrorism second at 80 percent.[153] These numbers are significant because the issues of the economy and terrorism are the two largest issues leveraged by politicians in the immigration debate. While debate over policy continues, the literature generally finds consensus in the answers to the questions about the economic and security implications of immigrants.

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[148] Julie Hirschfeld Davis and Somini Sengupta, "Trump Administration Rejects Study Showing Positive Impact of Refugees," *New York Times*, September 18, 2017, https://www.nytimes.com/2017/09/18/us/politics/refugees-revenue-cost-report-trump.html?mcubz=0.

[149] Evan Bonsall, "Are Syrian Refugees Really a Security Risk?" *Harvard Political Review*, December 11, 2015, http://harvardpolitics.com/united-states/syrian-refugees-really-security-risk/.

[150] Jaggers, Gabbard, and Jaggers, "The Devolution of U.S. Immigration Policy."

[151] Ibid.

[152] "Most Americans Agree on Immigration-Reform Approach, but Differ on Timing," Pew Research Center Fact Tank, June 28, 2013, http://www.pewresearch.org/fact-tank/2013/06/28/most-americans-agree-on-immigration-reform-approach-but-differ-on-timing/.

[153] "2016 Campaign: Strong Interest, Widespread Dissatisfaction," Pew Research Center, July 7, 2016, http://www.people-press.org/2016/07/07/4-top-voting-issues-in-2016-election/.

F. CHAPTER CONCLUSION

Like other areas of immigration law, refugee law developed on an ad hoc, as-needed basis. The United States has never definitively laid out its national strategic immigration plans or priorities. The competing narratives over the effect of immigrants on American society, throughout history and now, have likely made this a contentious and complicated task. Still, most Americans and elected representatives acknowledge and honor the importance of immigrants in building and sustaining the country, past and present. The purpose here is not to search for or provide an explanation for the historical and current U.S. refugee laws, policies, and attitudes but to acknowledge them when analyzing the problems facing the United States.

Immigration and refugee law, policy, and processes provide a basic understanding of how the system is designed to work and the legal boundaries within which it must operate. Nevertheless, the basis for these policies and programs is not predicated on empirical research, case studies, or data and statistics. The reactive history of refugee policy and executive actions show American refugee policy is inextricably linked to homeland security concerns as well as international relations—especially since the terrorist attacks of 9/11. A holistic analysis of the economic and security threat posed by refugees is required to answer the questions of how the United States compares to Canada and Germany in its approach to refugees and what the U.S. strategic plan for refugees should be.

III. EVALUATING THE CLAIMS: IMPLICATIONS OF REFUGEES ON U.S. ECONOMY AND SECURITY

The reasons for the unclear, ad hoc, and often contradictory U.S. refugee policy lie in confusing and contradictory national narratives regarding refugees. Although the American public and its elected representatives generally agree that immigration reform is overdue, attempts to achieve this reform have been unsuccessful. The government has yet to reach a consensus on the nature of reform and therefore has not enacted any immigration laws. Differences in fundamental understandings of the effect of immigration, and refugees in particular, on the United States have yet to be reconciled. This chapter focuses on the two most pervasive and consequential areas of disagreement among policy makers as they relate to refugee policy: the effects of refugees on the U.S. economy and on national security. Although consensus is often lacking in news media reports and political debates, research on the effects of refugees on the economy and national security is abundant and its findings consistent.

A. ECONOMY

Consideration of public finance and budgeting is crucial to public administration. Although the admission and resettlement of refugees into the United States is primarily a humanitarian program, an analysis of refugee policy should include an assessment and understanding of the fiscal implications of those policies. This is especially crucial when economic claims are cited as the basis for such policies. As previously discussed, discourse in the United States and around the world often cites the financial burden refugees place on nation states as cause to curb or limit refugee admissions.[154] As this work assumes the United States seeks to maintain its welcoming immigration and humanitarian legacy by continuing to accept refugees, it is prudent to look for ways to

[154] Miriam Valverde, "Estimating Costs of Refugee Resettlement in the United States, Assistance in Home Region," Politifact, September 21, 2017, http://www.politifact.com/truth-o-meter/article/2017/sep/21/refugee-resettlement-united-states-versus-assistan/; Steven A. Camarota, "The High Cost of Resettling Middle Eastern Refugees," Center for Immigration Studies, November 4, 2015, https://cis.org/Report/High-Cost-Resettling-Middle-Eastern-Refugees;

"Viewpoints: Impact of Syrian Refugees on Host Countries," *BBC*, August 24, 2013, http://www.bbc.com/news/world-23813975.

maximize the net positive fiscal benefits for the U.S. economy. This chapter identifies broad claims regarding refugees as they relate to fiscal costs and gains, it evaluates research on the economic and fiscal effects of refugees in the United States, and it discusses the implications.

1. The Claim: Refugees are Bad for the Economy

Refugees are humanitarian immigrants, requiring humanitarian programs. As with any humanitarian program, fiscal considerations cannot be avoided. The long-standing claim that refugees are a burden on a host country's economy has been invigorated by the recent mass displacement of Syrian refugees, and echoed by world leaders, including the United States. In his address to the UN General Assembly on September 19, 2017, President Trump argued refugees should be resettled near their home countries because from an economic perspective, 10 refugees in the Middle East could be helped for the cost of resettling one in the United States.[155] This claim is rooted in a 2015 report by the Center for Immigration Studies (CIS), a special interest organization advocating for lower immigration levels.[156] President Trump's statement led the news media to investigate and produce other reports, such as a 2017 HHS study that found refugees were net fiscal contributors to the United States.[157] However, President Trump's senior policy advisor, Stephen Miller, intervened to prevent the study from being published.[158] The CIS report was used to validate and perpetuate the narrative that refugees in the United States are a financial burden as well as to support predetermined domestic and foreign policy.[159] Though not to the egregious extent we see today,

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[155] Glenn Kessler, "President Trump's Claim that 10 Refugees Overseas Cost as Much as One in the U.S.," *Washington Post*, September 22, 2017, https://www.washingtonpost.com/news/fact-checker/wp/2017/09/22/president-trumps-claim-that-10-refugees-overseas-cost-as-much-as-one-in-the-u-s/?utm_term=.942659b91eb6.

[156] Camarota, "The High Cost of Resettling Middle Eastern Refugees."

[157] Laura Gault, "Trump's Own Study Shows Refugees Benefit U.S. Economy," *Human Rights First* (blog), September 19, 2017, http://www.humanrightsfirst.org/blog/trump-s-own-study-shows-refugees-benefit-us-economy.

[158] Ibid.

[159] Colum Lynch, "Trump to Cut Number of Refugees in U.S. by More Than Half," *Foreign Policy*, September 26, 2017, http://foreignpolicy.com/2017/09/26/trump-to-cut-number-of-refugees-in-u-s-by-more-than-half/.

refugees have been held hostage to political games before. In 1975, President Gerald Ford faced some political resistance to the resettlement of refugees from Indochina.[160] At the time, unemployment was high throughout the country, and states such as California initially resisted refugee resettlement, in part, on this basis.[161] It may also be worth noting that the governor of California at the time, Jerry Brown, was a Democrat, and Gerald Ford was a Republican.

Such examples of politicized immigration and refugee policy illustrate that objective empirical research is oftentimes omitted or suppressed from consideration when setting public policy for immigration and refugees. This omission is to the detriment of the United States and its people who are left with stalled reform, a lack of continuity in policies, and without an immigration and refugee strategy.

2. The Evidence

While research abounds in the field of immigration and economics, there is relatively little available research specifically concerning the effects of refugees on their host country economies. Many factors make appraising the economic impact of admitted refugees challenging. First, the sample size is relatively minor, as refugees make up a small proportion of all migrants.[162] Second, the mobile nature of this population, coupled with the uncertainty of duration and admission status in a host country, makes estimating and tracking refugees and asylum seekers difficult.[163] Moreover, research sampling presents other challenges to interpreting findings, such as consideration of how long each particular refugee has been living in the United States and what the general economic conditions were at the time and place of the refugee's arrival. Because states also maintain some economic data for refugees, tracking challenges may be exacerbated if a

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[160] "A Lesson in History: Resettling Refugees of Vietnam," *NPR*, January 14, 2007, http://www.npr.org/templates/story/story.php?storyId=6855407.

[161] Ibid.

[162] "World Migration in Figures," UN-DESA and OECD, October 3-4, 2013, https://www.oecd.org/els/mig/World-Migration-in-Figures.pdf.

[163] Organisation for Economic Co-operation and Development [OECD], "How Will the Refugee Surge Affect the European Economy?," *Migration Policy Debates*, no. 8 (November 2015), https://www.oecd.org/migration/How-will-the-refugee-surge-affect-the-European-economy.pdf.

refugee moves to a different state and their existing data becomes lost or incomplete. These are only some of the challenges in performing comprehensive economic refugee research on a large scale.

As discussed in Chapter I, overall immigration has a neutral or net positive effect on the U.S. economy. Research conducted on the economic effects of refugees in the United States generally finds similar and consistent results. Admitting and resettling new refugees require short-term expenditures. These government/public sector expenditures include providing food, housing, basic income support, healthcare, social services, and some sort of training and orientation classes for societal and integration into the labor market.[164] The extent to which these expenditures can be transformed into investments and yield a net positive for the host country's economy depends on how quickly refugees enter and integrate into the labor market.[165]

Research finds that over time, the fiscal effect of refugees on the U.S. economy is net positive. For example, a recent study found the average refugee is a financial drain on the government for their first eight years but becomes a net positive contributor to the economy by the ninth year and on.[166] Over a period of 20 years, the United States receives an average net fiscal benefit of $21,195 per refugee.[167] One reason why the CIS report is misleading is because it considered only refugees within their first five years. In fact, five years is the period elapsing before refugee income begins to sharply rise and those initial costs are offset.[168] This long-term positive momentum continues for subsequent generations. The children of refugees economically perform on par or better than other native-born workers. For example, in 1976, a large wave of Vietnamese "boat

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[164] OECD, "How Will the Refugee Surge Affect the European Economy?"; Marcel Fratzscher and Simon Junker, "Integrating Refugees: A Long-Term, Worthwhile Investment," *DIW Economic Bulletin* 5, no. 45/46 (2015): 612–617.

[165] OEDC "How Will the Refugee Surge Affect the European Economy?"

[166] William N. Evans and Daniel Fitzgerald, "The Economic and Social Outcomes of Refugees in the United States: Evidence from the ACS" (working paper, National Bureau of Economic Research, Washington, DC, 2017), https://leo.nd.edu/assets/240441/44914_w23498.pdf, 6.

[167] Ibid.

[168] New American Economy, *From Struggle to Resilience: The Economic Impact of Refugees in America* (New York: New American Economy, 2017), http://www.newamericaneconomy.org/wp-content/uploads/2017/06/NAE_Refugees_V5.pdf.

people" arrived in the United States seeking refuge.[169] Today, Vietnamese Americans, most of whom are second-generation refugees, have unemployment rates lower than the national unemployment rate.[170] Furthermore, Vietnamese American income is higher than the average American income.[171]

Research at the local level finds examples of similar positive economic effects from refugees. For advanced economies such as the United States, Chmura Economics and Analytics find, "once refugees have adjusted to their new life after resettlement, they can provide substantial contributions to the workforce and economic development in the long run at the regional level."[172] In May of 1980, approximately 125,000 refugees fled persecution in Cuba and arrived in Miami in small boats.[173] Although the influx added a significant seven percent to Miami's labor force, there was no effect on wages or unemployment rates, while the city's consumer base and labor force increased.[174] Additionally, a study of the economic impact of refugees in the Cleveland, Ohio area found that in 2012, an investment of $4.8 million in refugee aid services yielded $48 million in economic activity, a net fiscal gain of $43.2 million.[175] In St. Louis, Missouri, an influx of Bosnian refugees in the 1990s transformed the neighborhood of Bevo Mill from one of crime and abandoned buildings to a community with lower crime and unemployment rates than the general population.[176] St. Louis University found immigrants in this area earned approximately 25 percent higher incomes than native-born

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[169] Iver Peterson, "'Boat People' Reach Los Angeles after 3 Months," *New York Times*, January 23, 1979, http://www.nytimes.com/1979/01/23/archives/boat-people-reach-los-angeles-after-3-months-186000-now-in-us-ellis.html.

[170] "Refugees and the Economy: Lessons from History," Institute for New Economic Thinking, March 16, 2016, https://www.ineteconomics.org/perspectives/blog/refugees-and-the-economy-lessons-from-history.

[171] Ibid.

[172] Chmura Economics & Analytics, *Economic Impact*.

[173] "Refugees and The Economy: Lessons from History,"

[174] Ibid.

[175] "Economic Impact of Refugees in the Cleveland Area."

[176] "Muslim Refugees: Doing Just Fine," *The Economist*, December 19, 2015, https://www.economist.com/news/united-states/21684143-how-muslim-refugees-bosnia-transformed-corner-midwest-doing-just-fine.

Americans and surpassed local natives in likelihood of being entrepreneurs, skilled workers, and possessing advanced degrees.[177]

Researchers have reached similar conclusions at the state level. For instance, research for the period 1990 through 2012 found refugees in Tennessee were positive fiscal contributors for the state, generating $1.3 billion in tax revenues.[178] This generated revenue is almost twice as much as those refugees consumed in state-funded services.[179] In 2015, refugees in California contributed almost $2 billion in state and local taxes.[180] Places such as Miami, Cleveland, St. Louis, Tennessee, and California provide sound and compelling case studies that are important in developing informed refugee policy.

One concern over the admission of large numbers of refugees is that they will be a pervasive public burden over the course of their lives and residence in the United States. Indeed, the CIS report calls attention to refugees and welfare use.[181] Refugees' participation in social service programs, such as food stamps and welfare, declines as the length of their U.S residence increases—although refugees tend to initially rely more on these services than their native-born counterparts.[182] However, this tendency, when considered with the consensus of research on the short- and long-term effects of refugees on the U.S. economy, should not be misconstrued to mean refugees are pervasive welfare dependents, especially when they are well integrated into society.

While refugee participation in the labor market appears on par with other types of immigrants and U.S.-born workers, there may be some income gaps. When compared to nonrefugee immigrants, refugees may experience an earnings disparity likely due to

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[177] Ibid.

[178] Krista Lee, *A Study on the Federal Cost Shifting to the State of Tennessee As a Result of the Federal Refugee Resettlement Program for the Period 1990 through 2012* (Nashville, TN: Tennessee General Assembly, 2013), http://www.hias.org/sites/default/files/tn_report_federalcostshifting_refugeeresettlement.pdf.

[179] Lee, *A Study on the Federal Cost Shifting*."

[180] New American Economy, *From Struggle to Resilience*.

[181] Camarota, "The High Cost of Resettling Middle Eastern Refugees."

[182] Capps et al., *The Integration Outcomes of U.S. Refugees*.

differences in education, English language ability, and geographic residence.[183] However, these findings do not account for the refugees' length of residence in the United States, which has a marked effect on refugee economic performance. Interestingly, however, an analysis of 3.4 million refugees who arrived in the United States between 1975 and 2017 found refugees have a rate of entrepreneurship higher than that of other immigrants or native-born people.[184]

3. What it Means and Why It Matters

The economic story of refugees is far more complex and nuanced than the extremes claimed by political narratives. A growing body of objective research dispels the claim that refugees are fiscal drains on the United States. This research further finds that, in general, refugees contribute positively to the local and national economy with the length of time to achieve this as the varying factor.

Luckily, the United States has the ability to help both refugees and the nation's overall fiscal health. Realizing this ability begins with an acknowledgement of the research findings, their implications, and appropriate policies to leverage what scholars know about refugee economic performance and maximize the potential to benefit all parties. The initial fiscal expenditures of resettling refugees should be thought of as investments rather than costs. Because integration of refugees is crucial to their quick and successful economic performance, these initial investments should reflect this priority.

B. SECURITY

Scholars define securitization as "a process of social construction that pushes an area of regular politics into an area of security by resorting to a rhetoric of discursive emergence, threat and danger aimed at justifying the adoption of extraordinary measures."[185] While migration discourse always includes the discussion of real and

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[183] Phillip Connor, "Explaining the Refugee Gap: Economic Outcomes of Refugees versus Other Immigrants," *Journal of Refugee Studies* 23, no. 3 (2010): 377–397.

[184] New American Economy, *From Struggle to Resilience*.

[185] "Securitization of Migration," Canadian Association for Refugee and Forced Migration Studies, accessed November 3, 2017, http://rfmsot.apps01.yorku.ca/glossary-of-terms/securitization-of-migration/.

perceived threats to security, "security" had previously meant social security, rather than the terror- and crime-centric way national security is understood today.[186] Securitization of immigration began in the 1990s and rapidly accelerated and consolidated after the terrorist attacks of 9/11.[187]

1. The Claim: Refugees Are a Threat to National Security

The second general claim cited in refugee discourse is that admitting refugees from certain countries poses a significant threat to national security due to the risk of terrorism and other crimes. The argument is multipronged. It contends not all fleeing refugees are innocent victims (i.e., they may just be on the losing side), that terrorist groups have promised to infiltrate the United States through the refugee system, and that the current screening process is inadequate because the inability to always perform thorough security checks means legitimate refugees cannot be distinguished from terrorists.[188] The argument rightly claims the stakes are high as it only takes one terrorist to inflict massive harm, both physically and psychologically.

Many domestic and foreign tragedies are woven into this narrative. Attacks motivated by radical Islam ideology are pulled into refugee discourse without distinction as to the national origin of the perpetrators, their immigration status, or the modes of admission into the United States. The Islamic State of Iraq and Syria (ISIS) and Muslim extremist-linked terrorist attacks carried out domestically and internationally have deepened fears of refugees and serve to some as justification for restrictive immigration policies.[189] President Trump cited the 2015 San Bernardino shooting as a reason for his executive order travel ban (one of the perpetrators was American-born, and the other

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[186] Irina Ghughunishvili, "Securitization of Migration in the United States after 9/11: Constructing Muslims and Arabs as Enemies" (master's thesis, Central European University, 2010), http://www.etd.ceu.hu/2010/ghughunishvili_irina.pdf.

[187] d'Appollonia, *Frontiers of Fear*, 6.

[188] "National Security and Refugee Resettlement from 'High Risk' Countries," Federation for American Immigration Reform, July 2017, https://fairus.org/issue/national-security/national-security-and-refugee-resettlement-high-risk-countries.

[189] Sara McElmurry et al., *Balancing Priorities: Immigration, National Security, and Public Safety* (Washington, DC: Bipartisan Policy Center, 2016), http://cdn.bipartisanpolicy.org/wp-content/uploads/2016/10/Balancing-Immigration-National-Security-and-Public-Safety.pdf.

entered the United States with a fiancé visa).[190] In the immediate aftermath of the November 2015 Paris attacks and the 2016 Brussels bombings, while the events and investigations were still unfolding, politicians such as Donald Trump and Ted Cruz immediately responded with calls to close U.S. borders and stop the admission of refugees from certain countries.[191] Immediately following the shooting at the Pulse nightclub in Orlando in 2016, Trump reiterated his call for a ban on Muslims from entering the United States, despite that the shooter was American-born.[192] This demonstrates the power that leaders in government have in leveraging unrelated events into the narrative of their choosing. One should note the narrative of the risk posed by refugees is bipartisan. While the Obama administration increased the overall ceiling of refugee admissions, it also stated national security concerns prevented the administration from doing more.

2. The Evidence

Overall, research shows claims that refugees pose a clear and present threat to national security in terms of terrorism and crime is unsubstantiated.[193] For instance, refugee screening and vetting procedures are often cited as grave weaknesses that could be exploited by would-be terrorists.[194] However, as noted in Chapter I, refugees in fact undergo extensive screening procedures, first by the UNHCR and then by various U.S. agencies. Additionally, DOS screens refugees more carefully than any other type of

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[190] Sarah Parvini, Hailey Branson-Potts, and Paloma Esquivel, "For Victims of San Bernardino Terrorist Attack, Conflicting Views about Trump Policy in Their Name," *LA Times*, February 1, 2017, http://www.latimes.com/local/lanow/la-me-san-bernardino-trump-20170131-story.html.

[191] Brian Resnick, "The Science of Why People Fear Refugees after Terror Attacks—And What to Do About It," *Vox*, March 23, 2016, https://www.vox.com/2015/11/18/9757236/science-why-people-fear-refugees-syria.

[192] Tessa Berenson, "Donald Trump Pushes for Muslim Ban after Orlando Shooting," *Time*, June 13, 2016, http://time.com/4366912/donald-trump-orlando-shooting-muslim-ban/.

[193] Alex Nowrasteh, "Immigration and Crime—What the Research Says," *Cato at Liberty* (blog), July 14, 2015, https://www.cato.org/blog/immigration-crime-what-research-says.

[194] Patricia Zengerle, "Plan to Admit More Refugees Faces Stiff Opposition in Congress," Reuters, September 21, 2015, http://www.reuters.com/article/us-europe-migrants-congress/plan-to-admit-more-refugees-faces-stiff-opposition-in-congress-idUSKCN0RL1V320150921.

traveler to the United States.[195] The arrests of two refugees in Bowling Green, Kentucky, in 2009 are anomalies, as they were admitted to the United States despite their involvement in the insurgency in Iraq.[196] Although the two refugees were not planning an attack on United States soil, the case highlighted a vulnerability in the screening process, which resulted in several changes to patch the existing system.[197] While the lack of records and documentation for some refugees' countries of origin present challenges to the security screening process, refugees do undergo extensive scrutiny by U.S. security professionals before the admitting agency makes a decision on admission.[198] No system is perfect, and no system can predict who might later radicalize, which is why risk is an important consideration.

The UNHCR states refugees do not pose a risk to national security in the United States.[199] While the UNHCR obviously has a great stake in encouraging the proliferation and expansion of its refugee resettlement programs, this statement is also supported by numerous other sources. For example, since the terrorist attacks of 9/11, no refugees have caused a terrorism-related death in the United States.[200] An analysis of 161 countries for the years 2002–2012 found the number of refugees in a host country has little to no effect on the frequency or scale of a terrorist attack in that country.[201] Additionally, over the last 40 years, just 20 of the 3,250,000 refugees who entered the United States have been

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[195] "U.S. Refugee Admissions Program FAQs," fact sheet, U.S. Department of State, January 20, 2017, https://www.state.gov/j/prm/releases/factsheets/2017/266447.htm.

[196] *U.S. Homeland Security and the Threat from Syria and Iraq: Testimony before the Subcommittee on Counterterrorism and Intelligence*, 114th Cong. (2015) (statement of Seth G. Jones, RAND Corporation).

[197] Ibid.

[198] Bryce E. Yost, "Admitting Syrian Refugees: Is the Threat of Islamic State Infiltration Justified?" (master's thesis, Naval Postgraduate School, 2017), http://hdl.handle.net/10945/55562, 20–22.

[199] Lisa Schlein, "UNHCR: Refugees Pose No Threat to US National Security," *VOA*, January 29, 2017, https://www.voanews.com/a/unhcr-refugees-pose-no-threat-to-us-national-security/3697259.html.

[200] Eugene Kiely, "Refugees and Terrorism Investigations," FactCheck, March 10, 2017, http://www.factcheck.org/2017/03/refugees-and-terrorism-investigations/.

[201] David Randahl, "Terrorism and Refugees," *PAX et Bellum Journal* 3, no. 1 (2016): 46–55, http://paxetbellum.org/wp-content/uploads/2015/11/Pax-et-Bellum-Journal-Third-Edition-Spring-2016.pdf#page=50.

convicted of planning or carrying out a terrorist act.[202] This amounts to 0.00062 percent of all admitted refugees.[203] Furthermore, records indicate just three Americans have ever died as a result of terror attacks perpetrated by refugees.[204] These deaths occurred in the 1970s and were caused by Cuban refugees.[205] These attacks took place prior to the Refugee Act of 1980, which established systemic procedures for refugee admissions previously lacking.[206] While no loss of life is acceptable, these facts put the real risk refugees pose into perspective. The risk of fatalities in refugee-caused terrorist attacks in the United States is one in 3.6 billion per year.[207] For comparison, the annual fatality risk in the United States for cancer is one in 540, while Americans have a one in 8,200 chance of dying in a traffic accident and a one in 7,000,000 chance of death from lightning.[208]

Some critics argue that Americans live in a different world today, changed by the terrorist attacks of 9/11. However, the discourse surrounding the national security threat posed by refugees brought to the United States existed prior to 9/11. In the mid- to late-1990s, the global refugee crisis of that time assumed a place on the security agenda of governments worldwide.[209] Nevertheless, the United States has admitted over two million refugees since 1990, and there is very little correlation of that with crime rates.[210]

Despite sensationalized accusations that immigrants bring crime to the United States and its communities, evidence shows increases in immigrant populations are not

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[202] Uri Friedman, "Where America's Terrorists Actually Come From," *The Atlantic*, January 30, 2017, https://www.theatlantic.com/international/archive/201 7/01/trump-immigration-ban-terrorism/514361/.

[203] Alex Nowrasteh, *Terrorism and Immigration: A Risk Analysis* (Washington, DC: Cato Institute, 2016), https://object.cato.org/sites/cato.org/files/pubs/pdf/pa798_2.pdf.

[204] Friedman, "Where America's Terrorists Actually Come From."

[205] Ibid.

[206] Nowrasteh, *Terrorism and Immigration: A Risk Analysis*; Eric Levenson, "How Many Fatal Terror Attacks Have Refugees Carried Out in the U.S.? None," *CNN*, January 29, 2017, http://www.cnn.com/2017/01/29/us/refugee-terrorism-trnd/index.html.

[207] Nowrasteh, *Terrorism and Immigration: A Risk Analysis*.

[208] John Mueller and Mark Stewart, *Chasing Ghosts: The Policing of Terrorism* (New York: Oxford, 2016), Kindle ed., loc. 2854 of 9501.

[209] Robert Mandel, "Perceived Security Threat and the Global Refugee Crisis," *Armed Forces & Society* 24, no. 1 (1997): 77–103.

[210] *U.S. Homeland Security and the Threat* [Jones]; "Admissions and Arrivals," Refugee Processing Center, accessed November 3, 2017, http://www.wrapsnet.org/admissions-and-arrivals/.

associated with increases in crime.[211] As immigrant populations rose to historic highs in the 1990s, violent and property crime rates actually fell significantly.[212] The University of Texas found immigrant teens are much less likely to commit crimes and use drugs than U.S.-born teens.[213] In some cases, communities became safer with an increase in refugees.[214] For example, as previously mentioned, a study of the Bevo Mill neighborhood of St. Louis, Missouri, characterized by a large population of Bosnian refugees, experienced lower crime and unemployment rates than that of the greater population.[215] A broad study by New American Economy, a nonpartisan coalition for immigration reform, found that from 2006–2015 nine out of the 10 U.S. cities that received the greatest proportion of refugees to their existing population experienced a reduction in both violent and property crime, rather than an increase in crime.[216] Similarly, an analysis of data for Austin, Texas found no correlation between recent immigration and property crime.[217] Scholarly research of Chicago in the 1990s found increased immigration "predicted decreases in neighborhood homicide rates."[218] Finally, a study of crime and immigrants in New York City confirmed there is no evidence to support the claim that greater immigration rates correlate to greater crimes rates; in some cases, immigrants appeared to prevent crime.[219]

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[211] "Fact Check: Immigration Doesn't Bring Crime into U.S., Data Say," *PBS*, February 3, 2017, http://www.pbs.org/newshour/rundown/fact-check-immigration-doesnt-bring-crime-u-s-data-say/.

[212] Richard Stansfield, Scott Akins, Rubén G Rumbaut, and Roger B Hammer, "Assessing the Effects of Recent Immigration on Serious Property Crime in Austin, Texas," *Sociological Perspectives* 56, no. 4 (2013): 647–672.

[213] "Immigrant Teens Less Likely to Commit Crimes and Use Drugs, Study Finds," *UT News*, September 1, 2015, https://news.utexas.edu/2015/09/01/immigrant-teens-less-likely-to-commit-crimes-and-use-drugs.

[214] "Is There a Link Between Refugees and U.S. Crime Rates?," New American Economy, February 7, 2017, http://www.newamericaneconomy.org/research/is-there-a-link-between-refugees-and-u-s-crime-rates/.

[215] "Doing Just Fine; Muslim Refugees."

[216] "Is There a Link Between Refugees and U.S. Crime Rates?"

[217] Stansfield, "Assessing the Effects of Recent Immigration on Serious Property Crime."

[218] Robert J. Sampson, *Great American City: Chicago and the Enduring Neighborhood Effect* (Chicago: University of Chicago Press, 2012).

[219] Garth Davies and Jeffrey Fagan, "Crime and Enforcement in Immigrant Neighborhoods Evidence from New York City," *The Annals of the American Academy of Political and Social Science* 641, no. 1 (2012): 99–124.

National analyses of immigration and crime support local findings such as these. Using American Community Survey data, the Cato Institute found all immigrants, including illegal immigrants, are less likely to be incarcerated than native-born people, relative to their proportion of the population.[220] The American Immigration Council has also found young male immigrants are incarcerated at lower rates than other young males.[221] Some critics argue the preponderance of evidence refuting the claim that immigrants increase crime is flawed because immigrant crime is underreported to authorities.[222] While this may be possible, it is unknown to what extent it may be prevalent. Currently, there is no evidence suggesting any potential underreporting would be statistically significant enough to alter the findings that immigration in general is not related to greater crime rates.

3. What It Means and Why It Matters

Sixteen years have passed since 9/11. Much data has been collected, and findings are clear. Restrictive refugee policies based on national security threats are not only erroneous but also potentially damaging to United States' interests at home and abroad. In attempting to keep America safe from various threats, "the level of fear being expressed is leading to proposals for extreme 'fixes' that can do more harm than good."[223]

Despite the evidence, the claim that immigrants threaten American public safety persists. For example, President Trump's January 25, 2017 Executive Order, "Enhancing Public Safety in the Interior of the United States," mandated the creation of the Immigrations and Customs Enforcement Victims of Immigration Crime Engagement

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[220] Michelangelo Landgrave and Alex Nowrasteh, *Criminal Immigrants: Their Numbers, Demographics, and Countries of Origin* (Washington, DC: Cato Institute, 2017), https://object.cato.org/sites/cato.org/files/pubs/pdf/immigration_brief-1.pdf.

[221] Walter A. Ewing, Daniel E Martínez, and Rubén G Rumbaut, *The Criminalization of Immigration in the United States* (Washington, DC: American Immigration Council, 2015), https://www.americanimmigrationcouncil.org/sites/default/files/research/the_criminalization_of_immigration_in_the_united_states.pdf.

[222] Carl F. Horowitz, "An Examination of U.S. Immigration Policy and Serious Crime," Center for Immigration Studies, May 1, 2001, https://cis.org/Examination-US-Immigration-Policy-and-Serious-Crime.

[223] McElmurry et al., *Balancing Priorities*.

Office.[224] This action seeks to legitimatize the narrative that immigrants are a threat to public safety, despite preponderance of evidence to the contrary. The 2015 San Francisco murder of Kathryn Steinle allegedly by an undocumented immigrant (the case is in trial at the time of this writing) provided political fuel for an agenda of immigration restrictions, although such cases are few compared to cases involving American citizens, which are rarely publicized at this level. The unsupported claims that immigrants threaten public safety and that masses of terrorists are entering the country by posing as refugees are separate yet overlapping discourse and sentiment. While this analysis focuses on legal immigrants, primarily refugees, national discourse and policy only sometimes make these important distinctions.

While general immigration research is more prevalent than research explicitly focused on refugees, available evidence appears to have reached consensus for both refugees and immigrants in general as it relates to safety and security of Americans. Refugees and U.S. policy have suffered as a result of this immigration discourse and exaggerated responses to high-profile events. It is true that refugee resettlement is just one type of immigration—humanitarian immigration. However, refugees fall into the same trap that other immigrant classes do, namely differences among and between the groups is not often understood or acknowledged. As a result, refugee policy continues to be ad hoc, subject to shifting politics and public opinions. Refugee policy continues to be reactionary and subject to emotional appeals rather than sound factual appeals. As it is now, refugee policy is based on perpetuating factually inaccurate claims and irrelevant events.

C. CHAPTER CONCLUSION

Extensive research shows refugees who resettle in the United States harm neither the local nor national economy. Some evidence suggests refugees may actually even improve local and national economies. Upon initial arrival, refugees do face hurdles to economic integration, which has some costs, but in the long term, they perform on par

[224] "Victims of Immigration Crime Engagement Office," U.S. Immigration and Customs Enforcement, last modified September 18, 2017, https://www.ice.gov/voice.

with other immigrants and native-born people and contribute to the economy. Although costs are certainly incurrent in the resettlement of refugees, if the United States invests in social and economic integration, evidence suggests refugees have a net neutral or positive effect on the economy, as do other immigrants.

Reports regarding the effect of refugees on United States national security is sparse. There may be a relative lack of research because despite the prevalence of claims about the homeland security threat posed by refugees, an extremely small number of terrorist plotters and serious criminals have entered the United States as refugees. Although the narratives about refugees and their threat to the prosperity and security of the United States have been confusing and contradictory, the evidence relating to the validity of these threats is clear. The United States' strength and status in the world comes from its military, wealth, and adherence to and promotion of moral ideals.[225] Therefore, ignoring the evidence when debating refugee policy is not only counterproductive, it is potentially dangerous to United States' maintenance of status and power in the world.

[225] Yost, "Admitting Syrian Refugees" 34.

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IV. CASE STUDIES: CANADA AND GERMANY

A comparative examination of the effects of refugees on the economy and national security of Canada and Germany illustrates similar concerns and impacts as those experienced in the United States. Overall, immigration, and therefore, refugees in Canada have had little effect on wages and employment in the country. This is true for Canada, Germany, and the United States. Also in the United States and Canada, refugees have not posed a special or increased risk to national security, nor have they increased crime rates. In Germany, however, there appears to be a possible correlation between refugees and national security, but it is difficult to evaluate due to numerous complicated and intertwining variables as well as a lack of empirical research. Europe faces serious issues with radicalization, but do these problems transcend immigration status and nationality?

A. CANADA

Canada shares the legacy with the United States as a nation built by immigrants. It also shares a history of varying periods of restrictive and open immigration.[226] Yet there are differences as well, especially in regard to official immigration priorities, policies and approaches. According to some researchers, Canada has contributed more than its fair share of refugee funding and resettlement pledges to the international response to the Syrian refugee crisis.[227] This is in part because Canada views immigration somewhat differently than the United States does.[228] Therefore, it presents an interesting comparative case study for evaluating whether a relatively greater emphasis and priority

[226] Lindsay Van Dyk, "Canadian Immigration Acts and Legislation," Canadian Museum of Immigration at Pier 21, accessed April 29, 2017, http://www.pier21.ca/research/immigration-history/canadian-immigration-acts-and-legislation.

[227] Saieh et al., *Syria Crisis Fair Share*.

[228] Marisa Penaloza and John Burnett, "For a Stark Contrast to U.S. Immigration Policy, Try Canada," *NPR*, January 26, 2017, http://www.npr.org/sections/parallels/2017/01/26/511625609/for-a-stark-contrast-to-u-s-immigration-policy-try-canada.

for humanitarian immigrants has had negative, positive, or neutral effects on Canada's economy and national security. This chapter begins with a summary of key components of Canadian refugee law and policy. A discussion of Canada's refugee resettlement and integration programs further establishes an understanding of the country's refugee framework. Within this context, this chapter provides and discusses the evidence about the impact of refugees on Canada's economy and national security.

1. History of Refugee Law and Policy

The history of refugee admissions to Canada includes periods of exclusion as well as periods of inclusion. The Immigration, Refugees, and Citizenship Canada (IRCC), formerly Citizenship and Immigration Canada, cites many examples throughout Canada's history when it provided refuge to persecuted populations such as Quakers fleeing the American Revolution in the 1770s, Poles from Eastern Europe from 1830 to 1910, European Jews from 1870 to 1914, and Chilean refuges in the 1970s.[229] Other sources note that in the 1920s, Canada opposed the admission of World War I refugees on the grounds that stateless migrants could not be deported after admission.[230] Likewise, the country continued a restrictive policy toward refugees throughout World War II and in the following years.[231]

On June 4, 1969, Canada became party to both the UN 1951 Convention Relating to the Status of Refugees and 1967 Protocol Relating to the Status of Refugees.[232] Comparatively, the United States became a party to only the 1967 protocol and did so just one year prior to Canada.[233] The Immigration Act of 1976 established in law the goals of

229 "Canada: A History of Refuge," Government of Canada, last modified June 12, 2017, http://www.cic.gc.ca/english/games/teachers-corner/refugee/refuge.asp.

230 "Brief History of Canada's Responses to Refugees," Canadian Council for Refugees, April 2009, http://ccrweb.ca/en/brief-history-canadas-responses-refugees.

231 Ibid.

232 "States Parties to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol."

233 Ibid.

Canada's immigration policy.[234] It also formally designated refugees as a specific group of immigrants and codified the UN's refugee agreements.[235] This remained the case until 9/11.

Following the 9/11 terrorist attacks in the United States, Canada passed the Immigration and Refugee Protection Act (IRPA) in 2001, superseding the existing Immigration Act of 1976.[236] As part of the worldwide securitization of immigrants, this act expanded government authority for detaining and deporting immigrants suspected as security threats.[237] However, it also provided Canada clear and modern immigration legislation, which it had been lacking for decades.[238] IRPA formally stated the primary purpose of the refugee program is the humanitarian mission to save and protect lives and to uphold Canada's respect for human rights and freedoms of all humans.[239] Statements on security follow at the end of the section, perhaps indicative of how Canadians and the government view the refugee immigration mission as a moral duty. Comparatively, the United States has not significantly modernized its immigration or refugee legislation since the Refugee Act of 1980. Today, IRPA is Canada's guiding immigration legislation, much in the way that the INA is for the United States.

In 2012, Canada introduced significant changes to the refugee admission system and amended IRPA.[240] First, it created a second class of refugees based on designated countries of origin.[241] Under IRPA, the minister of the IRCC may designate some

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[234] Gerald E. Dirks, "Immigration Policy in Canada," *The Canadian Encyclopedia*, last modified June 29, 2017, http://www.thecanadianencyclopedia.ca/en/article/immigration-policy/.

[235] Ibid.

[236] "Immigration and Refugee Protection Act," Government of Canada, last modified November 2, 2017, http://laws-lois.justice.gc.ca/eng/AnnualStatutes/2001_27/FullText.html.

[237] Dirks, "Immigration Policy in Canada."

[238] "Immigration and Refugee Protection Act."

[239] "Refugee Law and Policy: Canada," Library of Congress, last modified June 21, 2016, https://www.loc.gov/law/help/refugee-law/canada.php#_ftn1.

[240] Ibid.

[241] Bronwyn Bragg, *A Guide to Canada's Changing Immigration Policy*, 1st ed. (Calgary, AB: Ethno-Cultural Council of Calgary, 2013), http://www.ecccalgary.com/wp-content/uploads/Immigration_Policy_Guide_06-13.pdf; Edward C. Corrigan, "Understanding the New Refugee Determination System in Canada," *Rabble.ca*, January 30, 2013, http://rabble.ca/news/2013/01/understanding-new-refugee-determination-system-canada.

countries "safe," whereby refugees fleeing one of these designated countries is required to follow a different claim process that does not include the right to appeal the final decision, nor does it provide access to work permits.[242] In general, the minister, in consultation with provincial governments, proposes refugee resettlement levels annually to the Parliament.[243]

After making some changes to enhance security authorities and mechanisms in the post-9/11 world, Canada has emerged as a world leader in immigration approach and policy.[244] Contrary to in the United States, in Canada, "immigration and refugee policies are planned and considered together."[245] Each year, Canada publishes IRCC departmental plans outlining the department's desired results as well as the plan and priorities to meet those goals.[246] These plans also contain expenditures, staffing, and other metrics to foster transparency.[247] The country has overwhelmingly decided that immigration is positive for its society and economy.[248] In 2013, 20 percent of the Canadian population was foreign born (compared to 13 percent of the U.S. population).[249] Today, immigrants come to Canada as one of three classes: economic immigrants (70 percent), family immigrants (18 percent), and humanitarian immigrants, or refugees (nine percent).[250]

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242 Bragg, *A Guide to Canada's Changing Immigration Policy*.

243 Government of Canada, "Country Chapter—CAN," in *UNHCR Resettlement Handbook* (Geneva: United Nations High Commissioner of Refugees, 2016), http://www.unhcr.org/3c5e55594.pdf.

244 Nicholas Kristof, "Canada, Leading the Free World," *New York Times*, February 4, 2017, https://www.nytimes.com/2017/02/04/opinion/sunday/canada-leading-the-free-world.html?mcubz=0.

245 Dirks, "Immigration Policy in Canada."

246 "Immigration, Refugees and Citizenship Canada Departmental Plan 2017–2018," Government of Canada, last modified March 9, 2017, http://www.cic.gc.ca/english/resources/publications/dp/2017-2018/dp.asp.

247 Ibid.

248 Catherine Porter, "Canada's Immigration System, Lauded by Trump, Is More Complex Than Advertised," *New York Times*, March 2, 2017, https://www.nytimes.com/2017/03/02/world/canada/immigration-trump.html?mcubz=0.

249 "Foreign-born Population," OECD Data, accessed November 11, 2017, https://data.oecd.org/migration/foreign-born-population.htm.

250 Bragg, *A Guide to Canada's Changing Immigration Policy*.

2. Refugee Resettlement and Integration

Similar to the United States, Canada's refugee program has two main components. Those individuals requiring protection while residing outside Canada fall under the Refugee and Humanitarian Resettlement Program, while those already physically present in Canada and seeking protection from external threats and persecution fall under the In-Canada Asylum Program.[251] For refugees in Canada, the Border Services Agency determines eligibility for the claim, and the Immigration and Refugee Board, an independent administrative tribunal, holds hearings and makes decisions on refugee matters.[252]

Refugees located outside Canada receive interviews by Canadian visa officers to determine their eligibility and admissibility.[253] In addition, refugees seeking resettlement in Canada must also undergo and pass a medical examination, criminal screening, and security screening.[254] A visa officer makes the final decision of acceptance or rejection based on the results of the screenings and interview.[255] Refugees outside Canada fall into one of three categories (in order of greatest number): government-assisted refugees (GARs), privately sponsored refugees (PSRs), and Blended Visa Office-referred refugees (BVORs) (see Table 1).[256]

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[251] "How Canada's Refugee System Works," Government of Canada, last modified April 3, 2017, http://www.cic.gc.ca/english/refugees/canada.asp.

[252] "How is a Refugee Claim Decision Made?," Settlement, last modified January 27, 2017, https://settlement.org/ontario/immigration-citizenship/refugees/basic-information-for-refugees/how-is-a-refugee-claim-decision-made/.

[253] Government of Canada, "Country Chapter—CAN."

[254] Ibid.

[255] Ibid.

[256] "Infographic Refugee Resettlement," Canadian Council for Refugees, August 2016, http://ccrweb.ca/en/infographic-refugee-resettlement.

Table 1. Types of Refugees in Canada.[257]

Government-assisted Refugees (GARs) are:	BVORs are:	Privately sponsored refugees are:
Referred by UNHCR	Referred by UNHCR	Named by sponsors
Processed and screened by Canadian visa officers	Processed and screened by Canadian visa officers	Processed and screened by Canadian visa officers
Supported financially for 12 months by the government of Canada (or Quebec)	Supported financially for 6 months by the government and 6 months by the private sponsor	Supported financially for 12 months by the private sponsor
Given settlement support by an NGO funded by the government	Given settlement support by the private sponsor	Given settlement support by the private sponsor

The Canadian government funds a settlement program delivered by provinces, territories, service provider organizations, and other partners and stakeholders.[258] They provide services such as language training, assistance in searching and applying for jobs, access to support services such as childcare and transportation, and so on.[259] The Canadian Orientation Abroad Program, funded by the IRCC, delivers a pre-arrival orientation for newcomers to Canada.[260] Once refugees are in Canada, the government provides essential services and income support funds to GARs for up to one year as part of the Resettlement Assistance Program.[261] Private entities, such as the Canadian Immigrant Integration Program and the Young Men's Christian Association, provide integration resources and assistance directly to refugees, both prior to and after arrival in

[257] Source: Ibid.

[258] "How Canada's Refugee System Works."

[259] Ibid.

[260] "Canadian Orientation Abroad," Canadian Orientation Abroad, accessed November 11, 2017, http://www.coa-oce.ca.

[261] "How Canada's Refugee System Works;" "Financial Help—Refugees," Government of Canada, last modified October 13, 2017, http://www.cic.gc.ca/english/refugees/outside/resettle-assist.asp.

Canada.[262] Financial and integration support, including reception and orientation, housing and financial support, and ongoing social support is provided to PSRs by their private sponsor(s).[263]

The Canadian private sponsorship model has been examined as a model for other countries, primarily because the engagement of citizens is believed to boost public support for resettling refugees and help those refugees integrate into society more easily and successfully.[264] In fact, UN High Commissioner Filippo Grandi praised this aspect of the Canadian refugee resettlement model.[265] Despite this praise, Canada announced it would reduce the limit of one type of these PSRs in 2017 to address an existing backlog.[266] Although highly praised, the PSR program does face some challenges, namely slow processing and restrictive rules for sponsored individuals.[267] For both government and privately sponsored refugees, language is the biggest obstacle to integration. Canada's *Rapid Impact Evaluation* report found the greatest challenge for refugees finding employment was learning one of Canada's official languages.[268] As of

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[262] "About Us," Canadian Immigrant Integration Program, accessed November 11, 2017, https://www.newcomersuccess.ca/about/.

[263] "Canada's Resettlement Programs," Organization for Security and Co-operation in Europe Parliamentary Assembly, accessed November 11, 2017, https://www.oscepa.org/documents/all-documents/winter-meetings/2017-vienna/reports-20/3479-special-report-on-canada-s-resettlement-programs-eng/file.

[264] Kathleen Harris, "'Extraordinary Initiative:' Canada's Private Refugee Sponsorship System Exported as Model for the World," *CBC News*, December 14, 2016, http://www.cbc.ca/news/politics/canada-refugees-privately-sponsored-global-initiative-1.3895704.

[265] Stephanie Levitz, "Canada's Refugee Effort Hailed as Model for World by Head of UN Agency," *CBC News*, March 21, 2016, http://www.cbc.ca/news/politics/un-refugee-private-government-sponsor-1.3501400.

[266] Bal Brach, "Canada Limits the Number of Privately Sponsored Syrian Refugee Applicants in 2017," *CBC News*, December 23, 2016, http://www.cbc.ca/news/canada/british-columbia/canada-limits-the-number-of-privately-sponsored-syrian-refugee-applicants-in-2017-1.3911172.

[267] "Infographic Refugee Resettlement."

[268] Immigration Refugees and Citizenship Canada, *Rapid Impact Evaluation of the Syrian Refugee Initiative* (Report No. E1-2016) (Ottawa, Ontario: Immigration Refugees and Citizenship Canada, 2016), http://www.cic.gc.ca/english/resources/evaluation/pdf/evaluation-syrian-refugee-initiative.pdf.

September 2016, Canada planned to spend up to $250,000 in funding for research into how to improve refugee integration, particularly for those from Syria.[269]

3. Economic Impact of Refugees: An Assessment

Overall, the effects of refugees on Canada's economy appear to be similar to those of refugees in the United States. In general, economists find immigration in Canada has a small impact on wages and employment rates.[270] As is the case for the United States, research regarding economic performance and impact of specifically refugees in Canada is limited. At the macroeconomic level, Canada expects current and new refugee participation in the labor market will stimulate the Canadian economy, which the government views as potentially beneficial for the well-being of all Canadians as wealth is spread throughout a nation.[271] In British Columbia, including the Vancouver area, Syrian refugees are projected to contribute as much as $563 million Canadian dollars in cumulative economic activity by the year 2035.[272]

In the long term, refugees perform at or near a level economically equivalent to native-born workers. It took refugees who settled in the early 1980s approximately 13 to 15 years to achieve national averages for earnings.[273] Other findings conclude refugees report average employment earnings at or near the Canadian-born average after 12 or more years of residence.[274] An analysis of the financial status of refugees residing in

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[269] Alex Boutilier, "Ottawa Studies Ways to Ease Syrian Refugee Integration," *Toronto Star*, September 29, 2016, https://www.thestar.com/news/canada/2016/09/29/federal-government-studies-syrian-refugee-integration.html.

[270] W. Craig Riddell, Christopher Worswick, and David A. Green, "How Does Increasing Immigration Affect the Economy?," *Policy Options*, November 2, 2016, http://policyoptions.irpp.org/magazines/november-2016/how-does-increasing-immigration-affect-economy/.

[271] Michelle Amri, "Accepting Refugees: Alternative Arguments for Canada," *Harvard Public Health Review* 7 (April 2016), http://harvardpublichealthreview.org/630/.

[272] *From Crisis to Community: Syrian Refugees and the B.C. Economy*, media release, Vancity, December 2, 2015, https://www.vancity.com/AboutVancity/News/MediaReleases/RefugeesBoostLocalEconomy-Dec2-15/Conflict-to-communities-Syrian-Refugee-Report.pdf.

[273] Arthur Sweetman and Casey Warman, "Canada's Immigration Selection System and Labour Market Outcomes," *Canadian Public Policy* 39, no. Supplement 1 (2013): 141–164.

[274] Don J. Devoretz, Sergiy Pivnenko, and Morton Beiser, "The Economic Experiences of Refugees in Canada" (working paper, IZA Discussion Paper Series, Forschungsinstitut zur Zukunft der Arbeit, Bonn, 2004), http://hdl.handle.net/10419/20323, 8.

Canada's six largest cities also finds their average financial status is equivalent to the rest of the population, but it may take up to 20 years to reach.[275] This finding indicates that, as is the case in the United States, refugee economic conditions generally improve with time to equal or near equal that of native-born workers, though the exact period may vary. In some cases, the period may be much shorter than typically expected. For example, from 1979 to 1980, approximately 60,000 Vietnamese boat people fled to and resettled in Canada.[276] A study of 1,300 of these refugees found that within 10 years, their unemployment rate was 2.3 percent lower than the Canadian average and that one in five had started a business.[277]

Local and regional assessments regarding economic impacts of refugees in Canada are sparse. There are some indications that immigrants may significantly benefit regional and local economies. In Halifax, for instance, where Lebanese refugees settled after fleeing the nation's civil war during the 1960s and 1970s, they are estimated to have created about 3.6 local jobs each.[278] Furthermore, each university-educated Lebanese immigrant in Halifax provides the province with more than $90,000 in net tax revenue over his or her lifetime.[279]

Refugees start at a lower economic base in Canada than other immigrants, but their rate of earnings growth can be higher.[280] After 10 years, earnings of refugees are comparable to those of other immigrant classes.[281] Over time, the annual earnings of

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275 "Research Finds Refugees Have Same Economic Success as Other Canadians, But It Takes Time," *CBC News*, April 4, 2017, http://www.cbc.ca/news/canada/british-columbia/refugees-canada-economy-1.4055809.

276 "Canada: A History of Refuge."

277 Daniel Tencer, "Syrian Refugees Will Boost Economy in Canada's Have-Not Regions, Experts Say," *Huffington Post*, November 26, 2015, http://www.huffingtonpost.ca/2015/11/26/refugees-economy-canada_n_8658076.html.

278 Tencer, "Syrian Refugees;" "Report: B.C. Bound Syrian Refugees to Boost Local Economy by $563 million," Vancity, December 2, 2015, https://www.vancity.com/AboutVancity/News/MediaReleases/RefugeesBoostLocalEconomy-Dec2-15/.

279 Halifax Partnership and the Canadian Lebanese Chamber of Commerce, *Economic Benefits of Immigration: The Impact of Halifax's Lebanese Community* (Halifax, Nova Scotia: Halifax Partnership and the Canadian Lebanese Chamber of Commerce, 2015), http://www.halifaxpartnership.com/site/media/Parent/The Impact of Immigration-Halifax Lebanese Community FINAL.pdf.

280 Sweetman and Warman, "Canada's Immigration Selection," 141–64.

281 Ibid.

refugees reach a level close to economic immigrants to Canada, in the $30,000 range.[282] When compared to nonrefugee immigrants, refugees tend to earn equal or more and have greater participation in the labor market, despite having less command of the English or French languages.[283] In addition, refugees arrive into Canada with more education than family class immigrants.[284] It is not clear whether this greater education negates the disadvantage of poor Canadian language skills or if other factors are at play. When compared to both native-born and other immigrant classes, refugee earnings indicate successful integration, yet data suggest refugees rely on social assistance (welfare, food stamps, etc.) at greater rates than nonrefugee immigrants.[285]

The minister of IRCC determines separate target admissions of GARs and PSRs on an annual basis.[286] Despite the praise for the private sponsorship refugee model, there does not appear to be conclusive evidence favoring PSRs over GARs in economic performance. Some studies have found PSRs, within six months after resettlement in Canada, earn as much as that of those in the skilled worker class.[287] Other research has found periods when GARs outperformed PSRs in terms of earnings and other periods when the inverse was true.[288] There may be evidence to suggest that PSRs may integrate and contribute to the Canadian economy more quickly than GARs. The Canadian government reported approximately half of the adult Syrian PSRs were employed while just 10 percent of Syrian GARs were.[289] It should be noted that these Syrian refugees have recently arrived. GARs receive up to one year of federal income assistance while

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[282] "Refugees Pay More Income Tax than Millionaire Investor Immigrants," *CBC News*, March 6, 2015, http://www.cbc.ca/news/business/refugees-pay-more-income-tax-than-millionaire-investor-immigrants-1.2984982.

[283] Daniel Hiebert, "The SpatialL to Entrepreneurship: Immigrant Entrepreneurs in Canada," *Journal of Economic and Social Geography* 93, no. 2 (2002): 187.

[284] Ibid.

[285] Devoretz, Pivnenko, and Beiser, "The Economic Experiences of Refugees in Canada."

[286] "Evaluation of the Resettlement Programs (GAR, PSR, BVOR and RAP)," Immigration, Refugees and Citizenship Canada, July 7, 2016, http://www.cic.gc.ca/english/resources/evaluation/resettlement.asp#toc4-2-1.

[287] Sweetman and Warman, "Canada's Immigration Selection System," 141–64.

[288] Devoretz, Pivnenko, and Beiser, "The Economic Experiences of Refugees in Canada."

[289] Immigration Refugees and Citizenship Canada, *Rapid Impact Evaluation*.

PSRs general commit to providing financial assistance to the refugees generally up to one year.[290] The majority of refugee admissions in Canada are GARs rather than PSRs. Consistently over time, the incidence of GARs requiring social assistance is greater than that of PSRs while the annual income of PSRs has consistently surpassed that of GARs—suggesting the requirement PSR programs provide integration and assistance to refugees greatly enhances and facilitates the refugees' economic establishment in Canada.[291]

Evidence suggests the economic prospects of refugees to Canada are very similar to those of refugees in the United States. Refugees in both countries tend to contribute more positively to that country's economy over time. Examples of the positive local economic effects of refugees can be seen in both countries. PSRs are unique to Canada.[292] PSRs are less costly to the government yet contribute to the economy at a level equal or superior to government sponsored refugees. PSRs are also often more quickly and effectively integrated into society and the labor market than GSRs. The United States does not currently have an equivalent program that both limits the government costs associated with resettlement while simultaneous maximizing the economic contribution potential of those refugees.

4. Security

Although the subject of refugees and national security in Canada is somewhat under researched, available evidence indicates the admission of refugees to Canada does not present a clear and present threat to the country's national security. Canada's Standing Committee on Citizenship and Immigration recently examined the nexus of 9/11 and immigration and found the correlation of refugees with security issues was

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[290] Pieter Bevelander and Ravi Pendakur, "The Labour Market Integration of Refugee and Family Reunion Immigrants: A Comparison of Outcomes in Canada and Sweden," *Journal of Ethnic and Migration Studies* 40, no. 5 (2014): 689–709.

[291] Steven Meurrens, "The Private Sponsorship of Refugees Program After Alan Kurdi," Policy Options, September 25, 2015, http://policyoptions.irpp.org/2015/09/25/the-private-sponsorship-of-refugees-program-after-alan-kurdi/.

[292] Jodi Kantor and Catrin Einhorn, "Who Else Can Sponsor a Refugee? The List is Limited, for Now," *New York Times*, June 30, 2016, https://www.nytimes.com/2016/07/01/world/refugees-private-sponsors.html.

erroneous.[293] This report was completed not long after 9/11 (in 2002), and perhaps not unexpectedly, this finding was accepted by some parliamentarians and rejected by others.[294] In the years since 9/11, however, government analysis has consistently arrived at the same conclusion. For example, the Canada Border Services Agency explored the potential national security concerns over Syrian nationals in Canada and found that Syrian refugees represent a relatively low security threat.[295] Canada's 2016 *Public Report on the Terrorist Threat to Canada* does not call out refugees among its list of threats.[296] Canada views extremist travelers differently. The report also addresses the Syrian migration crisis, but it describes the crisis as humanitarian in nature.[297] Each refugee receives a robust and layered screening before departing for Canada to ensure the "safety, security and health of Canadians and the refugees," and the government works to assist in the social, cultural, and economic integration of Syrian refugees to support community resilience.[298] Experts state Canada's refugee system has not been infiltrated for the planning or execution of a terrorist attack at any time in the previous 30 years.[299]

Despite the great amount of opinion pieces in the news media about refugees and their relationship to increased crime in Canada, not many scholarly or other research

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[293] Howard Adelman, "Canadian Borders and Immigration Post 9/11," York University, accessed November 11, 2017, https://yorkspace.library.yorku.ca/xmlui/bitstream/handle/10315/9730/Adelman-Canadian.borders.9-11.pdf?sequence=1&isAllowed=y.

[294] Ibid.

[295] Stewart Bell, "Syrian Refugees 'Represent Relatively Low Security Threat:' Declassified CBSA Report," *National Post*, February 9, 2017, http://nationalpost.com/news/canada/syrian-refugees-represent-relatively-low-security-threat-declassified-cbsa-report.

[296] Public Safety Canada, *2016 Public Report on the Terrorist Threat to Canada* (Ottawa: Public Safety Canada, 2016), https://www.publicsafety.gc.ca/cnt/rsrcs/pblctns/2016-pblc-rpr-trrrst-thrt/2016-pblc-rpr-trrrst-thrt-en.pdf.

[297] Ibid.

[298] Public Safety Canada, *2016 Public Report on the Terrorist Threat to Canada*.

[299] Genevieve Zingg, "A Game of Risk and Refugees: Do Syrian Refugees Pose a Significant Threat to National Security?," NATO Association of Canada, December 1, 2015, http://natoassociation.ca/a-game-of-risk-and-refugees-do-syrian-refugees-pose-a-significant-threat-to-national-security/.

works supports such claims.[300] For instance, the Canadian Council of Refugees and the UN High Commission for Refugees both state there is no evidence immigration causes crime; in fact, immigrants commit fewer crimes and are incarcerated less than native-born Canadians.[301] In fact, research illustrates that an increase in the immigrant population correlates with a two to three percent reduction in property crime rates.[302] Effects of this magnitude cannot be attributed to underreporting or a dilution in the criminal pool.[303] Immigration in Canada appears to reduce violent crime rates there as well. Data in 2006 from Statistics Canada found that in Toronto "the percentage of recent immigrants was inversely proportional to all types of violent crime."[304] Unfortunately, research directly related to refugee effects on Canada's crime rates, nationally and locally, is sparse. However, there is sufficient evidence for immigrants in general and the fact that refugees are a subset of this group indicate refugees as a whole have had no adverse effect on crime in Canada.

While evidence for both the United States and Canada finds refugees do not increase crime nor do they threaten national security, the two countries deviate in their decision making. U.S. refugee policy is driven by discourse this is not necessarily factually accurate. While Canada is not immune to competing narratives concerning refugees, its own official statistics and analysis support the research findings and is reflected in policy and strategy. Critics who ignore this evidence point to the refugee impacts on European nations as a warning of what troubles could befall the United States

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[300] Rick McConnell, Zoe Todd, and Wallis Snowdon, "Storm of Reaction to News Syrian Refugee Charged with Sex Assaults," *CBC News*, February 9, 2017, http://www.cbc.ca/news/canada/edmonton/syrian-refugee-west-edmonton-mall-sexual-assault-reaction-racism-1.3973831; Candice Malcolm, "The Real Legacy of Trudeau's Syrian Refugee Program," *Toronto Sun*, June 16, 2017, http://www.torontosun.com/2017/06/16/the-real-legacy-of-trudeaus-syrian-refugee-program.

[301] "Refugees Myths Facts," PowerPoint, Canadian Council of Refugees/UN High Commission for Refugees, accessed November 19, 2017, http://saisia.ca/images/RefugeesMythsFacts.pdf.

[302] Haimin Zhang, "Immigration and Crime: Evidence from Canada" (working paper, Canadian Labour Market and Skills Researcher Network, 2014), http://www.clsrn.econ.ubc.ca/ workingpapers/CLSRN Working Paper no. 135 - Zhang.pdf, 3.

[303] Ibid.

[304] Mathieu Charron, *Neighbourhood Characteristics and the Distribution of Police-reported Crime in the City of Toronto* (Ottawa, ON: Statistics Canada, 2009), https://www.statcan.gc.ca/pub/85-561-m/2009018/part-partie1-eng.htm.

and Canada if their refugee policy is not reformed. This is why an analysis of the impacts of refugees in Germany is so valuable.

B. GERMANY

Germany is also an important case study because it is a developed country facing similar issues regarding immigration and political opposition to immigration. It is also the largest recipient of refugees in the past 10 years in Europe. Germany has a much different settlement and immigration history than that of the United States and Canada. Its prominence on the world stage has varied, and its physical location in Europe makes it an interesting case study. Its membership in the EU makes it part of a suprastate, and its location on the continent has put it near the frontlines of the historic effects of the Syrian refugee crisis in a way the United States and Canada are not. Canada has the United States to its south, so a mass displacement of people has not directly affected that country. The United States has faced surges of asylum seekers at its southern border, but even at its peak, the refugee flow was only a fraction of what it has been in Europe. Under the leadership of Angela Merkel, Germany is at the forefront of refugee reception.

This section begins with a background summary of some key components of German refugee law and policy. A discussion of Germany's refugee resettlement and integration programs further establishes an understanding of the country's refugee framework. Within this context, this section provides and discusses the evidence about the impact of refugees on Germany's economy and national for purposes of understanding how increased refugee resettlement in the United Sates might affect the country.

1. History of Refugee Law and Policy

Germany has a unique refugee history. During World War II, it was responsible for the forced displacement of the greatest number of people yet to be seen modern history, yet it also accepted significant numbers of these refugees following the end of the

war.[305] In subsequent years, from 1945 to 1949, approximately 12 million refugees and displaced persons arrived in and across East and West Germany from throughout the continent.[306] Since the 1990s, Germany has welcomed more than two million refugees from Bosnia, Kosovo, Iraq, Afghanistan, and Somalia.[307] Germany is the largest destination country for permanent immigration flows among countries of the European Organisation for Economic Co-operation and Development countries.[308] Not surprisingly, Germany has the second highest foreign-born population in the world, second only to the United States.[309] However, Germany outranks the United States in terms of the immigrant ratio of the overall population. In 2016, 15.6 percent of people living in Germany were foreign-born, while in 2015, 13.5 percent of people living in the United States were foreign-born.[310]

Immigration in Germany is ruled by EU and international law, as well as by the domestic constitutional and statutory law.[311] The right to claim asylum is enshrined in Article 16a of the Constitution of Germany, or German Basic Law, drafted for the post-

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[305] Mike Bird, "Germany's History Explains Why It's So Accepting of Refugees—And Why It Wants Austerity for Greece," *Business Insider*, September 9, 2015, http://www.businessinsider.com /germanys-history-explains-why-its-so-accepting-of-refugees-and-why-it-wants-austerity-for-greece-2015-9?r=UK&IR=T.

[306] Susanne Sproer, "What Germany's Post-War Refugees Taught Us about Integration," DW, July 16, 2015, http://www.dw.com/en/what-germanys-post-war-refugees-taught-us-about-integration/a-18575558; Federal Office for Migration and Refugees, *The Impact of Immigration on Germany's Society* (Nurnberg, Germany: Federal Office for Migration and Refugees, 2005), https://www.bamf.de/ SharedDocs/Anlagen/EN/Publikationen/Forschungsberichte/fb01-einfluss-zuwanderung.pdf?__blob=publicationFile.

[307] Dan Vinton, "The New, Same as the Old: History, Refugees and Germany," *Foreign Affairs Review*, November 29, 2016, http://foreignaffairsreview.co.uk/2016/11/the-new-same-as-the-old-history-refugees-and-germany/.

[308] "Permanent Immigrant Inflows," OECD Data, accessed November 11, 2017, https://data.oecd.org/migration/permanent-immigrant-inflows.htm.

[309] "Germany: Second Largest Foreign-Born Population," *The Globalist*, February 28, 2017, https://www.theglobalist.com/where-immigrants-move-global-north-germany-united-states/.

[310] Phillip Connor and Jens Manuel Krogstad, "Immigrant Share of Population Jumps in Some European Countries," Pew Research Center, June 15, 2016, http://www.pewresearch.org/fact-tank/2016/06/15/immigrant-share-of-population-jumps-in-some-european-countries/; "U.S. Immigrant Population and Share over Time, 1850-Present," Migration Policy Institute, accessed November 11, 2017, http://www.migrationpolicy.org/programs/data-hub/charts/immigrant-population-over-time?width=1000&height=850&iframe=true.

[311] Axel Kreienbrink and Birgit Gößmann, *Migration, Integration, Asylum: Political Developments in Germany 2016* (Nuremberg, Germany: Federal Office for Migration and Refugees, 2017), https://ec.europa.eu/home-affairs/sites/homeaffairs/files/11a_germany_apr_part2_en.pdf.

World War II German government.[312] Germany's experience with the persecution of large number of minorities perpetuated by the Nazi Socialists made the inclusion of this right important to the country's post-war government.[313] This right was anchored in the 1951 UN Convention on Refugees.[314] Germany became party to the 1951 Convention in 1953 and party to the 1967 UN Protocol Relating to the Status of Refugees in 1969.[315] The prevailing legislative authorities governing refugee admissions and processing in Germany are the Asylum Act and the Residence Act.[316] The former "codifies the process and consequences of granting and denying asylum, whereas the Residence Act provides rules concerning the entry, stay, exit, and employment of foreigners in general."[317] Procedures and rules of asylum are stipulated in the Asylum Act,[318] which stipulates those granted asylum receive a temporary residence permit as well as social insurance benefits and integration services.[319] The Residence Act governs "residence, economic activity, and integration of foreigners into … Germany."[320]

The Asylum Seekers Benefits Act serves as the framework for asylum seeker claims for government assistance, such as payments for living costs and health care services.[321] This act "forms the legal basis for providing benefits to asylum seekers during the asylum procedure and to other foreign nationals whose residence is not permanent."[322] Germany's immigration system applies to people outside of EU

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312 "Refugee Law and Policy: Germany," Library of Congress, last modified June 21, 2016, https://www.loc.gov/law/help/refugee-law/germany.php.

313 Federal Office for Migration and Refugees, *The Impact of Immigration on Germany's Society*.

314 "Refugee Law and Policy: Germany."

315 "States Parties to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol."

316 "Refugee Law and Policy: Germany."

317 Ibid.

318 "Asylum Act," Federal Office for Migration and Refugees, accessed November 11, 2017, https://www.gesetze-im-internet.de/englisch_asylvfg/index.html.

319 Jennifer Allison, *German Asylum Law* (Cambridge, MA: Harvard Law School Library, 2016), http://www.aallnet.org/sections/fcil/research/Past-Programs/Docs-Vault/GermanAsylum.pdf.

320 Ibid.

321 Ibid.

322 Kreienbrink and Gößmann, *Migration, Integration, Asylum*.

countries.[323] While citizens and long-term residents of the EU are already permitted to reside and work in the country, the formal immigration system applies to individuals without EU citizenship.[324]

EU law also governs German refugee law and policies. In 2005, the EU established the Common European Asylum System (CEAS) for the purpose of ensuring minimum standards and protections across all member states.[325] Recent migration waves to Europe from the Middle East have tested the CEAS. For example, the Dublin Regulation states asylum requests by non-EU citizens should be made and processed by only one EU country—the EU country of first arrival.[326] This places an unfair burden on those countries on the exterior of the EU and along migration routes, and the regulation has been recognized as a significant problem in the structure of the CEAS.[327] Germany has suspended its adherence to the Dublin rules to accept and process claims from large numbers of Syrian refugees arriving at its borders.[328]

2. Refugee Resettlement and Integration

Similar to the United States and Canada, in Germany, refugees have two major options for legal protection. The first and most common path is for a refugee to request asylum from German authorities.[329] Arrival centers serve as the central entry point for

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[323] "Citizenship Pathways and Border Protection," Library of Congress, last modified September 15, 2016, https://www.loc.gov/law/help/citizenship-pathways/index.php.

[324] Ibid.

[325] "Understanding Migration and Asylum in the European Union," Open Society Initiative for Europe, last modified December 2016, https://www.opensocietyfoundations.org/explainers/understanding-migration-and-asylum-european-union.

[326] Annapaola Ammirati, "What Is the Dublin Regulation," Open Migration, December 8, 2015, http://openmigration.org/en/analyses/what-is-the-dublin-regulation/.

[327] "Refugee Law and Policy," Library of Congress, last modified June 8, 2016, https://www.loc.gov/law/help/refugee-law/index.php.

[328] Matthew Holehouse, Justin Huggler, and Andrea Vogt, "Germany Drops EU Rules to Allow in Syrian Refugees," *Daily Telegraph*, August 24, 2015, http://www.telegraph.co.uk/news/worldnews/europe/germany/11821822/Germany-drops-EU-rules-to-allow-in-Syrian-refugees.html.

[329] "Refugee Law and Policy: Germany."

this pathway.[330] The authorities determine which German state will be responsible for processing the application based on quotas for each state, established by taxes, and population figures.[331] An initial aid facility houses asylum seekers while this decision is made. This facility consists of police, a doctor, cafeteria, dorms, and it provides three meals a day, clothing, and hygiene items.[332] From there asylum seekers generally go to the reception center at a designated Federal Office for Migration and Refugees (BAMF) branch, which is responsible for providing accommodations and the initial stages of the asylum procedures.[333] There, a refugee is registered and receives food, board, and a stipend for personal expenses.[334] The regional BAMF office staff adjudicate asylum applications after conducting in-person interviews and reviewing documents and evidence.[335]

In 2012, Germany established a program for the acceptance and resettlement of refugees registered and recognized outside of the country by the UNHCR.[336] This is the second pathway for a refugee to obtain legal protection in Germany. The UNHCR first determines whether applicants can return to their home countries, settle in their first country of arrival, or should be resettled in another country.[337] German officials issue refugees they approve for resettlement a residence permit on humanitarian grounds, which permits them to work immediately in Germany.[338] Approved refugees may also

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[330] German Federal Office for Migration and Refugees, *The Stages of the German Asylum Procedure: An Overview of the Individual Procedural Steps and the Legal Basis* (Nürnberg, Germany: German Federal Office for Migration and Refugees, 2016), https://www.bamf.de/SharedDocs/Anlagen/EN/Publikationen/Broschueren/das-deutsche-asylverfahren.pdf?__blob=publicationFile.

[331] "Refugee Law and Policy: Germany."

[332] "How to Apply for Asylum in Germany," DW, September 23, 2015, http://www.dw.com/en/how-to-apply-for-asylum-in-germany/a-18723501.

[333] "Registration of the Asylum Application," Asylum Information Database, accessed November 17, 2017, http://www.asylumineurope.org/reports/country/germany/asylum-procedure/access-procedure-and-registration/registration-asylum.

[334] German Federal Office for Migration and Refugees, "The Stages of the German Asylum."

[335] Ibid.

[336] "Refugee Law and Policy: Germany."

[337] "Humanitarian Admission Programmes at Federal Level," Federal Ministry of the Interior, accessed November 19, 2017, http://www.bmi.bund.de/EN/Topics/Migration-Integration/Asylum-Refugee-Protection/Humanitarian-admission-programmes/Humanitarian-admission-programmes_node.html.

[338] Ibid.

claim social insurance benefits as well as suitable living accommodations with no time limit for benefits.[339]

In Germany, the integration of refugees and asylees into society is regarded as a responsibility of the federal, state, and local governments.[340] In 2016, in recognition of the importance and challenges of integration, Germany adopted the Meseberg Declaration on Integration as well as the Integration Act.[341] The declaration states,

> For successful integration it is indispensable that migrants learn German quickly, that they are swiftly integrated into training, tertiary studies and the job market, that they understand and respect the foundations on which German society is built, and that they respect the laws of the land.[342]

To facilitate this, the Integration Act amended several existing laws and provides for employment training, integration classes, and better placement and distribution of resettled refugee residences.[343]

3. Economic

Germany boasts the largest economy in Europe and the fourth largest in the world.[344] As a strong leader in the region and the world, Germany has taken aggressive action to meet the humanitarian needs created by the Syrian civil war by welcoming refugees and providing aid. Though not traditionally viewed as an immigrant-receiving country, over the last three decades, Germany has received the greatest share—30 percent—of all asylum applications in Europe.[345]

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[339] Ibid.

[340] Kreienbrink and Gößmann, *Migration, Integration, Asylum*.

[341] "Integration Act is a Milestone Says Chancellor," Federal Government, May 25, 2016, https://www.bundesregierung.de/Content/EN/Artikel/2016/05_en/2016-05-25-meseberg-gabriel-merkel-mittwoch_en.html;jsessionid=5DEEE71736515D0D3EFBFC1CCCE12E8B.s32t1.

[342] Ibid.

[343] Jenny Gesley, "Germany: Act to Integrate Refugees Enters into Force," Library of Congress, August 15, 2016, http://www.loc.gov/law/foreign-news/article/germany-act-to-integrate-refugees-enters-into-force/.

[344] "Gross Domestic Product 2016," World Bank World Development Indicators Database, April 17, 2017, http://databank.worldbank.org/data/download/GDP.pdf.

[345] Stefan Trines, "Lessons from Germany's Refugee Crisis: Integration, Costs, and Benefits," World Education Services, May 2, 2017, https://wenr.wes.org/2017/05/lessons-germanys-refugee-crisis-integration-costs-benefits.

Research finds more variation in the effects of refugees on the German economy than has been found for the cases of the United States and Canada. Experts from the International Monetary Fund expect the large numbers of Syrian refugees in Germany to increase aggregate demand and contribute to a moderate increase in gross domestic product (GDP).[346] This demand is fueled by the fiscal expansion associated with support to refugees as well as the expansion in labor supply as resettled refugees begin to enter the labor force.[347] Public budget expenditures for the admission and integration of refugees create short-term cyclical increases in financial markets.[348] In this way, public spending may act as a demand stimulus.[349] However, the demand resulting from a sharp rise of refugees to a host country may also lead to inflation.[350] Nevertheless, increased aggregate demand may stimulate development of local markets in those particularly high-demand areas, likely those with greater concentrations of refugees than others.[351] New refugees and other migrants can present "potential new markets and services that can revive local economies, and even boost incomes and national GDPs."[352]

Some critics warn new refugees obtaining work permits will flood the labor pool and lead to an increase in overall unemployment in host economies.[353] In 2015, Germany predicted this would be the case for 2016.[354] However, the German unemployment rate

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[346] Shekhar Aiyar et al., "The Refugee Surge in Europe: Economic Challenges" (discussion paper, International Monetary Fund, 2016), https://static.nzz.ch/files/9/7/1/RefugeesSDN_1.18679971.pdf, 11–15.

[347] Ibid.

[348] Tobias Hentze and Sandra Parthie, "Refugees Will Contribute to Growth in Germany," *EUobserver*, August 9, 2016, https://euobserver.com/opinion/133545.

[349] "How Will the Refugee Surge Affect the European Economy?"

[350] Adrian-Ioan Damoc, "Fortress Europe Breached: Political and Economic Impact of the Recent Refugee Crisis on European States," *Annals of the University of Oradea* 25, no. 1 (2016): 20–29.

[351] Ibid.

[352] Irina Ionescu and Larisa Luchian, "Economic Implications of the New Migration Wave in Europe," *Annals of the University of Oradea* 25, no. 1 (2016): 36–45.

[353] Mathis Wagner, "As Syrian Refugee Crisis Spreads to Europe, Lessons from Turkey," The Conversation, October 9, 2015, http://theconversation.com/as-syrian-refugee-crisis-spreads-to-europe-lessons-from-turkey-48428; "Refugee Arrivals to Push Up German Unemployment," Reuters, September 24, 2015, http://af.reuters.com/article/worldNews/idAFKCN0RO0TY20150924.

[354] "Refugee Arrivals to Push Up German Unemployment."

has been steadily falling, despite the admission of hundreds of thousands of refugees.[355] The country expects the number of unemployed persons to continue to decline in 2017, despite the addition of refugees joining the labor market.[356] Indeed, as of September 28, 2017, German think tanks reported the economy remained strong and is on track to see the unemployment rate decrease further.[357] This trend is likely explained by the existing German labor supply shrinking faster than the population due to aging.[358] Approximately 70 percent of asylum seekers are of working age—between 18 and 64 years old—resulting in a change in the age distribution of EU countries, such as Germany.[359] The increase in this refugee resettlement, particularly of younger and working age refugees, can boost local economies and lead to the creation of new jobs.[360]

In the long term, the economic performance of refugees resettled in Germany varies. Some forecasts suggest that after refugees have lived in Germany for five to 10 years, they will yield a net positive fiscal contribution to the country due to their contributions to corporate production and the demand stimulated by expenditures.[361] Analysis of data throughout several European countries has found the gaps in employment rates between refugees and native-born people decreases by about half approximately seven to 10 years after a refugee's arrival, decreases further 15 to 19 years after arrival, and nearly disappears 25 years after arrival.[362] However, one 2016 study

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[355] "Germany Unemployment Rate," Trading Economics, accessed November 11, 2017, https://tradingeconomics.com/germany/unemployment-rate.

[356] Ferdinand Fichtner et al., "Despite Uncertainty in the Global Economy, Germany is on a Solid Growth Path," *DIW Economic Bulletin* 7, no. 11 (2017): 125–126.

[357] Andrea Thomas, "Key Institutes: Germany Continues to Enjoy Robust Upswing," *Fox Business*, September 28, 2017, http://www.foxbusiness.com/features/2017/09/28/key-institutes-germany-continues-to-enjoy-robust-upswing.html.

[358] Organisation for Economic Co-operation and Development [OECD], *OECD Economic Surveys: Germany* (Organisation for Economic Co-operation and Development, 2016), http://www.oecd.org/eco/surveys/2016%20Germany%20survey%20-%20Overview%20in%20ENGLISH.pdf.

[359] European Commission, *An Economic Take on the Refugee Crisis: A Macroeconomic Assessment for the EU, Institutional Paper 033* (Luxembourg: Publications Office of the European Union, 2016), https://ec.europa.eu/info/sites/info/files/file_import/ip033_en_2.pdf.

[360] OECD, *OECD Economic Surveys: Germany*.

[361] Fratzscher and Junker, "Integrating Refugees."

[362] Christian Dustmann et al., "On the Economics and Politics of Refugee Migration" (working paper, Center for Economic Studies and Ifo Institute, 2016), http://hdl.handle.net/10419/147365, 26–27. Dustmann, Christian, Francesco Fasani, Tommaso Frattini, Luigi Minale, and Uta Schonberg.

found that after 20 years of residence in Germany, 59 percent of refugees were employed while 67 percent of other immigrants and 68 percent of nonimmigrants were employed.[363] In the EU, refugees resettled for three years or less are 50 percent less likely to be employed than those native-born, a large and significant gap that may be attributed to the legal restrictions on labor market participation frequently in place while a refugee's application is being processed.[364] One study suggests refugees arriving in Germany between 2014 and 2015 have not displaced native-born workers but have instead struggled to find jobs.[365] Thus, the economic implications of refugees on the German economy, from the short- to long-term, are significantly varied.

Refugees with low qualifications and limited German language skills could involve costs and potentially raise unemployment, especially if integration measures fail.[366] To help ensure this does not occur, Germany's 2017 annual economic report officially recognizes the challenge of labor market integration and cites the Integration Act and other significant funding allocated toward these integration efforts.[367] In addition to the challenges of language skills and qualification, the inability of asylum seekers to work while their cases are being adjudicated—a potentially long and lagging process—also presents a barrier to labor market integration. As discussed, increased immigration by refugees can delay the effects of the aging population on the German labor supply, although many refugees are not permitted to work within their first 15 months unless no suitable EU national worker is available.[368] Germany imparts several employment restrictions and regulations refugees must adhere to when attempting to integrate into the

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[363] Zerrin Salikutluk, Johannes Giesecke, and Martin Kroh, "Refugees Entered the Labor Market Later than Other Migrants," *DIW Economic Bulletin* 6, no. 34/35 (2016): 407–413.

[364] Dustmann et al., "On the Economics and Politics of Refugee Migration."

[365] Markus Gehrsitz and Martin Ungerer, "Jobs, Crime, and Votes—A Short-Run Evaluation of the Refugee Crisis in Germany" (working paper, IZA Discussion Paper Series, Forschungsinstitut zur Zukunft der Arbeit, Bonn, 2017), http://ftp.iza.org/dp10494.pdf.

[366] OECD, *OECD Economic Surveys: Germany*.

[367] "2017 Annual Economic Report," Federal Ministry for Economic Affairs and Energy, accessed November 11, 2017, https://www.bmwi.de/Redaktion/EN/Publikationen/annual-economic-report-2017-summary.pdf?__blob=publicationFile&v=9.

[368] OECD, *OECD Economic Surveys: Germany*.

workforce, and only after four years of residence are all restrictions lifted.[369] In the interim, as refugee cases are being processed, the German government must bear the costs of providing shelter, food supplies, medical care, counseling, and training.[370] However, once a refugee's request for asylum has been approved, he or she is permitted to obtain employment without restrictions.[371]

4. Security

The discussion surrounding the vulnerability of European refugee channels to foreign terrorists presents a very real threat. Germany faces significant challenges in understanding and addressing the national security threats posed by refugees. While Germany and Western Europe have suffered many terrorist attacks in recent years, peer-reviewed research regarding the threat of refugees to national security in Germany is still lacking. As terrorist attacks worldwide have increased since the Syrian civil war began, and Europe has experienced an exponential increase in refugees fleeing this conflict area, many acknowledge these two trends are not independent of each other.[372] However, the relationship between refugees and national security threats in Germany is neither well researched nor well understood.

In 2016, Germany suffered seven terrorist attacks, which killed 22 people and injured 112.[373] That same year, the interior ministry reported that approximately 280,000 refugees had sought protection in Germany, and 890,000 refugees arrived in 2015.[374]

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[369] Greta Hamann, "When Refugees Want to Work in Germany," DW, January 10, 2015, http://www.dw.com/en/when-refugees-want-to-work-in-germany/a-18737104.

[370] Ionescu and Luchian, "Economic Implications of the New Migration Wave in Europe," 36–45.

[371] Trines, "Lessons from Germany's Refugee Crisis: Integration, Costs, and Benefits."

[372] Erika Brady, "An Analysis of Patterns of Change Arising from the Syrian Conflict: Islamic Terrorism, Refugee Flows and Political Destabilization in Europe," *Journal of Terrorism Research* 8, no. 1 (2017): 53–67.

[373] Darren Boyle, "Germany's Year from Hell: How the Country Has Been Rocked by Seven Terror Attacks Leaving 22 Dead," *Daily Mail*, December 20, 2016, http://www.dailymail.co.uk/news/article-4052696/Germany-s-year-hell-country-rocked-seven-terror-attacks-leaving-22-dead.html.

[374] Lizzie Dearden, "Refugee Crisis: Number of Asylum Seekers Arriving in Germany Drops by 600,000 in 2016," *Independent*, January 11, 2017, http://www.independent.co.uk/news/world/europe/refugee-crisis-germany-asylum-seekers-numbers-drop-600000-in-2016-angela-merkel-syria-middle-east-a7521191.html.

Significant portions of the media, the public, and government officials throughout the world view Germany's frequency of attacks as a result of its open door policy with Syrian refugees.[375] For example, on July 24, 2016, two Syrian refugees carried out separate attacks, resulting in one dead and 20 wounded.[376] However, the problem of terrorism and mass attacks on civilians in Germany extends beyond this occurrence. On July 18, 2016, a 17-year-old Afghan refugee, who entered Germany as an unaccompanied minor in 2015, attacked passengers on a German train, seriously injuring three.[377] On July 22, 2016, an 18-year-old German-Iranian citizen opened fire on civilians at a shopping center in Munich, killing nine people and wounding more than 15.[378] On July 30, 2016, an Iraqi citizen living in Germany for over 15 years (and not a refugee) opened fire in a nightclub in Germany, killing one person and injuring four.[379] The December 2016 Christmas market attack is often cited in this discussion although it was actually perpetrated by a Tunisian refugee, who entered Europe in 2011—years before the Syrian crisis erupted.[380]

Although these attacks are unacceptable overall, the interpretation of what these attacks mean for refugee policy and national security in Germany varies. The 2017 EU *Terrorism and Situation and Trend Report* stated the influx of refugees to Europe from such conflict zones was expected to continue and highlighted that ISIS had exploited this

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[375] Jeanette Cwienk, "Don't Instrumentalize the Attack," DW, December 20, 2016, http://www.dw.com/en/dont-instrumentalize-the-attack/a-36851063.

[376] "Germany Attacks: What Is Going On?," *BBC*, December 20, 2016, http://www.bbc.com/news/world-europe-36882445.

[377] James Rothwell, Chris Graham, and Barney Henderson, "German Axe Attack on Train: Isil Claim Afghan Refugee Who Injured Four as One of its 'Fighters,'" *Daily Telegraph*, July 19, 2016, http://www.telegraph.co.uk/news/2016/07/18/german-train-axe-attack-many-injured/.

[378] Emma Graham-Harrison et al., "Munich Attack: Teenage Gunman Kills Nine People at Shopping Centre," *Guardian*, July 23, 2016, https://www.theguardian.com/world/2016/jul/22/munich-shopping-centre-evacuated-after-reported-shooting-germany.

[379] Tom Porter, "German Nightclub Shooting: One Dead," *Newsweek*, July 30, 2017, http://www.newsweek.com/gunman-opens-fire-german-nightclub-killing-one-and-injuring-four-643852.

[380] Alexander Gorlach, "Blaming Terrorist Attacks on Refugees Isn't Going to Make Europe Safer," *Huffington Post*, December 23, 2016, https://www.huffingtonpost.com/entry/berlin-attack-refugees-europe_us_585d298ce4b0eb5864860177.

flow to commit acts of terrorism, as evidenced by the 2015 Paris attacks.[381] However, none of the Paris attackers were Syrian refugees; in fact, all were identified as European nationals.[382] Despite the attention given to the vulnerability of refugee flows to ISIS infiltration, the new refugee modes of entry are not practical for terrorists to exploit. Both of the two major routes to the EU pose major obstacles, making it unlikely foreign terrorists would use these routes as a reliable means to enter the Schengen area.[383] The first is costly and dangerous, and the second puts would-be terrorists in Greece, which shares no borders with other Schengen countries, making further travel difficult.[384] Moreover, the ISIS advocates primarily for Muslims worldwide traveling to Iraq and Syria to fight there or to attack "infidels" in their own communities.[385] ISIS leaders have emphasized building their state in Iraq and Syria.[386] The recruitment of Westerners to the Middle East and the power to inspire vulnerable native-born Westerners may pose a greater threat to the national security of Germany than the risk of a terrorist entering the country by posing as a refugee.[387]

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[381] Europol, *European Union Terrorism Situation and Trend Report 2017* (The Hague, Netherlands: European Union Agency for Law Enforcement Cooperation, 2017), https://www.europol.europa.eu/sites/default/files/documents/tesat2017.pdf.

[382] Ishaan Tharoor, "Were Syrian Refugees Involved in the Paris Attacks? What We Know and Don't Know," *Washington Post*, November 17, 2015, https://www.washingtonpost.com/news/worldviews/wp/2015/11/17/were-syrian-refugees-involved-in-the-paris-attacks-what-we-know-and-dont-know/?utm_term=.76dc0c647620; Victoria Richards, "Paris Attacks: Eight Terror Suspects Named so Far Are Not Refugees and Have EU Passports," *Independent*, November 18, 2015, http://www.independent.co.uk/news/world/europe/paris-attacks-the-eight-terror-suspects-named-so-far-all-have-eu-passports-a6738821.html; Benjamin Oreskes, "Pence is Wrong: Syrian Refugees Didn't Commit the Paris Attacks," *Politico*, October 4, 2016, http://www.politico.com/blogs/2016-presidential-debate-fact-check/2016/10/pence-is-wrong-syrian-refugees-didnt-commit-the-paris-attacks-229150.

[383] Marco Funk and Roderick Parkes, "Refugees Versus Terrorists," *Issue Alert* 6 (2016), https://www.iss.europa.eu/sites/default/files/EUISSFiles/Alert_6_Refugees_versus_terrorists.pdf.

[384] Ibid.

[385] Daniel L. Byman, "Do Syrian Refugees Pose a Terrorism Threat?," Brookings Institution, October 27, 2015, https://www.brookings.edu/blog/markaz/2015/10/27/do-syrian-refugees-pose-a-terrorism-threat/.

[386] Daniel L. Byman, "Europe vs. America: Comparing the Terrorism Threat," Brookings Institution, April 5, 2016, https://www.brookings.edu/blog/order-from-chaos/2016/04/05/europe-vs-america-comparing-the-terrorism-threat/.

[387] Robert Singer, "Radicalization, Not Refugees, Is Europe's Challenge," *Huffington Po*st, accessed November 12, 2017, https://www.huffingtonpost.com/robert-singer/radicalization-not-refuge_b_8884814.html.

The 2015 Global Terrorism Index identified terrorism *as a cause* of refugee activity and internal displacement rather than *a result* of refugee movement.[388] Although concerns about links between terrorism and refugees are valid, fears are often exaggerated and the concerns misplaced.[389] For instance, these concerns overlook that "Europe already has a terrorism problem, and the bigger danger is that radicalized European Muslims will transform the Syrian refugee community into a more violent one over time."[390] A worldwide analysis found that for the period of 2002–2012 countries hosting large numbers of refugees are no more prone to terrorism than countries that do not.[391] These findings predate the rise of ISIS and the Syrian war, both of which have had a significant impact on world affairs and terrorism. In 2016, ISIS was "responsible for more attacks and deaths than any other perpetrator group."[392] However, more research is needed to understand the national security implications, if any, of refugees in Germany.

Germany has also struggled with the perception that the great increase in recent refugees has led to increased crime throughout the country. This is best exemplified by the reports of mass sexual assaults of women by refugees during New Year's celebrations in 2015 and 2016. Alleged mobs of refugees sexually assaulted over 1,000 women, but police reported these allegations were unsubstantiated.[393] Contrary to these claims, German police reported there were no attacks by mobs of refugees and accusations were unfounded.[394]

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[388] Institute for Economics and Peace, *Global Terrorism Index 2015: Measuring and Understanding the Impact of Terrorism* (New York: Institute for Economics and Peace, 2015), http://economicsandpeace.org/wp-content/uploads/2015/11/Global-Terrorism-Index-2015.pdf.

[389] Byman, "Do Syrian Refugees Pose a Terrorism Threat?"

[390] Ibid.

[391] Randahl, "Terrorism and Refugees."

[392] "National Consortium for the Study of Terrorism and Responses to Terrorism: Annex of Statistical Information," U.S. Department of State, accessed November 12, 2017, https://www.state.gov/j/ct/rls/crt/2016/272241.htm.

[393] "'Mass Sex Assaults' by Refugees in Frankfurt on New Year's Eve Were Made Up—Police," *RT*, February 15, 2017, https://www.rt.com/news/377411-migrants-not-assaulted-women-frankfurt/.

[394] Melissa Eddy, "Bild Apologizes for False Article on Sexual Assaults in Frankfurt by Migrants," *New York Times*, February 16, 2017, https://www.nytimes.com/2017/02/16/world/europe/bild-fake-story.html; "Mass Sexual Assaults by Refugees in Frankfurt 'Completely Made Up,'" *The Local*, February 14, 2017, https://www.thelocal.de/20170214/mass-sexual-assaults-by-refugees-in-frankfurt-completely-made-up.

Academic research regarding the impact of refugees on crime in Germany is sparse; however, the government of Germany tracks and reports some statistics related to immigrant crime. Germany's Federal Criminal Police Agency (BKA) reported that from 2014 to 2015, refugee crime in Germany increased 79 percent, but the crime rate is insignificant in proportion to the number of refugees.[395] The BKA also found the majority of individuals seeking asylum do not commit criminal offenses.[396] One short-term study found refugees arriving in Germany during the same time were related to marginal increases in criminal activity (related to drug offenses and fare-dodging), but there is little evidence suggesting large increases in crime occur directly following refugee flows.[397] The BKA further found in 2015 that refugees committed crimes at the same levels as native-born Germans.[398] At other times, the German government has found native-born Germans were more likely to commit crimes than migrants (consistent with similar findings in the United States and Canada).[399] In 2016, the German Interior Ministry reported suspected crimes by migrants increased by approximately 53 percent, though this figure includes refugees, asylum seekers, and illegal immigrants.[400] Based on such limited research and sources, and the challenge of accounting for such factors as length of residence, education, and income, it is difficult to confidently render a summary consensus on the crime threat and rates of refugees in Germany. Although the United States and Canada resettled approximately 79,000 and 22,000 refugees in 2016,

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[395] Kate Brady, "Report: Refugee-Related Crimes in Germany Increase Less Than Influx of Asylum Seekers," DW, February 17, 2016, http://www.dw.com/en/report-refugee-related-crimes-in-germany-increase-less-than-influx-of-asylum-seekers/a-19053227.

[396] Ibid.

[397] Gehrsitz and Ungerer, "Jobs, Crime, and Votes."

[398] "Report: Refugees Have Not Increased Crime Rate in Germany," DW, November 13, 2015, http://www.dw.com/en/report-refugees-have-not-increased-crime-rate-in-germany/a-18848890.

[399] "Police: Refugees Commit Less Crime than Germans," *The Local*, November 13, 2015, https://www.thelocal.de/20151113/police-refugees-commit-less-crimes-than-germans.

[400] Justin Huggler, "Migrant Crime in Germany Rises by 50 Per Cent, New Figures Show," *Daily Telegraph*, April 15, 2017, http://www.telegraph.co.uk/news/2017/04/25/migrant-crime-germany-rises-50-per-cent-new-figures-show/.

respectively, Germany received approximately 280,000 asylum seekers that same year.[401] Considering its land mass is smaller than both that of the United States and Canada, coupled with the hundreds of thousands of new arrivals from Syria, this understandably presents challenges not faced by the United States and Canada. While research in the United States and Canada clearly find no evidence refugees increase crime or threaten national security, research in Germany may be a bit more conflicting, but certainly it does not indicate narratives claiming refugees increase crime and terrorism in Germany are valid. In all three countries, discourse incorrectly tends to use refugees, immigrants, and even native-born people of non-European decent interchangeably when evaluating terrorism incidents and lessons learned.

C. CHAPTER CONCLUSION

Canada and the United States share a storied past of immigration. Both the states consist of periods where exclusionary attitudes shaped immigration policy as well as more welcoming periods. Unlike the United States, however, Canada established clear immigration priorities and goals. While Canada also experienced some of the populist backlash that has prevailed in the United States, the government has taken a different and more open approach toward Syrian refugees. In general, research demonstrates immigration in Canada has little effect on wages and employment in the country. Over time, refugees tend to experience economic success similar to that of native-born workers. This is also true in both the United States and Germany. Many scholars believed the large numbers of Syrian refugees entering Germany would increase unemployment, but overall unemployment in the country has actually declined, and the declining trend is expected to continue. Germany's aging population has created a need for more immigrant workers to sustain the social insurance programs. The populations of the United States

[401] Dearden, "Refugee Crisis: Number of Asylum Seekers Arriving in Germany Drops"; "Resettlement Data Finder," United Nations High Commissioner for Refugees, accessed November 12, 2017, http://rsq.unhcr.org/#Uyb9.

and Canada are aging at a significantly slower pace; therefore, the economic effects of hundreds of thousands of refugees entering Germany may not be replicable in the United States.[402]

Since the 1990s, Germany has been a targeted destination for many immigrants to and within Europe. Refugees in Germany have traditionally and overwhelmingly gained entry into the country through the asylum process, as opposed to the UNHCR resettlement program. This fact, along with the general higher frequency of terror attacks in Europe than in North America, has perhaps served as a fuel for concerns regarding refugees and national security in Germany. The issue of refugees and terrorism is often confused in Germany, as it is in the United States and Canada. In Germany, it cannot be said there is no risk or no correlation between immigrants, including refugees, and national security. However, the problem of terrorism faced by Germany and all of Europe appears to transcend immigration status and nationality, suggesting larger issues are at play. In both the United States and Canada, refugees and immigrants in general have posed no special or increased risk to national security, nor have they increased crime rates as illustrated by various reports.

The issue of how to effectively and successfully integrate refugees into both the labor market and society in general is paramount to all three countries. Evidence suggests that with proper integration, refugees contribute positively to their host country's economy more quickly. The added benefit of this labor market integration is the corresponding integration into greater society that comes along with it, in part through employment and its ability to prevent the opportunity for later radicalization.

[402] Bruce Stokes, "The Countries that Will Be Most Impacted by Aging Population," Pew Research Center Fact Tank, February 4, 2014, http://www.pewresearch.org/fact-tank/2014/02/04/the-countries-that-will-be-most-impacted-by-aging-population/.

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V. CONCLUSION AND RECOMMENDATIONS

Claims that refugees negatively impact a country's economy and national security in the United States, Canada, and Germany are unfounded. Fears of economic and security collapses resulting from the massive influx of Syrian refugees to Germany, for example, have proven to be without merit. Contrary to national discourse and the Trump administration's rhetoric, national security experts acknowledge, "Refugees have historically played … a critical role in ensuring U.S. economic prosperity and cultural diversity."[403] However, there remain significant challenges and outcomes that must be addressed in a country's refugee policy. First, policy makers must recognize and accept the narrative that refugees harm the U.S. economy and national security is baseless and promote these facts to the larger society. Other challenges of fiscal prudency and homeland security appear to have a common solution—effective integration. The successful integration of refugees into a host country's labor market and society accelerates those positive effects of their migration as well as minimizes the risk and vulnerability of ostracized refugees falling prey to crime and extremist ideology.

This matters for several reasons. America and its allies generally accept that "the United States leads the world in three distinct areas: military strength, wealth, and adherence to and promotion of moral ideals."[404] Its strength and wealth have been demonstrated through its military strikes in Syria and by giving $4.5 billion in humanitarian aid to the UNHCR since the start of the Syrian crisis. [405] However, the U.S. response to the Syrian crisis has failed to adhere to its role as a promoter of moral ideals.[406] American identity based on an immigrant heritage, the promise of a land of opportunity, and refuge for those fleeing dangerous and oppressive situations in their home countries are some of these ideals. Increasing the securitization of immigrants since the 9/11 terrorist attacks has made it difficult for the United States to adhere to its moral

[403] *U.S. Homeland Security and the Threat* [Jones].

[404] Yost, "Admitting Syrian Refugees," 20–22.

[405] Ibid.

[406] Ibid.

ideals. The relatively moderate action of the United States in accepting Syrian refugees under the Obama administration, yet its outward hostility and skepticism of refugees under the Trump administration thus far has threatened the United States' position in the international community by undermining its moral authority and leadership.

This struggle is just one piece of the greater immigration debate in the United States. This debate has competing narratives that stall reform and offer little room for negotiation or concessions. The U.S. reaction to the Syrian refugee crisis is comparatively weak when compared to the responses of Canada and Germany. Although, the United States and Canada share a tradition of immigration, the two countries have responded differently to the Syrian refugee crisis.[407] Canada's strongly positive position toward refugees is a large reason for the increase in Canada's stature in the international community over recent years.[408] Though not without criticism, Germany has also strengthened its status on the European continent and indeed throughout the world by taking in the largest number of refugees in Europe. Meanwhile, the United States has abandoned its adherence to its moral ideals, and in doing so, may have jeopardized its wealth, security, and power. Soft power is particularly important in international relations, and many lawmakers and citizens fear recent restrictive U.S. refugee policy will erode this important power.[409]

A. ECONOMIC FINDINGS

This thesis shows that several general economic findings are consistent across all three countries. In the short term, accepting and resettling refugees require state expenditures. However, these expenditures can sometimes act as a stimulus to the economy as a whole as a result of working refugees contributing to corporate production

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[407] Melissa Carlier, "Explaining Differences in the Canadian and American Response to the Syrian Refugee Crisis," *Virginia Policy Review* 9, no. 2 (2016): 56–82.

[408] Jonathan Kay, "Why Canada's Refugee Policy May Actually Be Doing More Harm than Good," *National Post*, September 8, 2017, http://nationalpost.com/news/canada/jonathan-kay-why-canadas-refugee-policy-may-actually-be-doing-more-harm-than-good.

[409] Nahal Toosi, "Lawmakers Fear Trump Will Undercut America's 'Soft Power,'" *Politico*, November 13, 2016, https://www.politico.com/story/2016/11/trump-america-soft-power-231253; Meghan L. O'Sullivan, "How Trump Is Surrendering America's Soft Power," *Bloomberg View*, June 2, 2017, https://www.bloomberg.com/view/articles/2017-06-02/how-trump-is-surrendering-america-s-soft-power.

and their contributions to higher aggregate demand.[410] Initially, new refugees earn less in wages and are employed less than other immigrant groups or native-born workers, although individual economic performance tends to increase the longer a refugee resides in their new country. Moreover, the impacts of refugees on the greater economy also trend net positive after a decade or two. Although the economic effects of refugees come as both benefits and challenges for the host country, the ability to capitalize on the advantages depends on how seamlessly refugees are integrated into the country's social and economic fabric.[411] Integration efforts, specifically those aimed at labor market integration, appear to be the single most significant and varying factor influencing the success and benefits of refugees to an economy in a developed and liberal democracy.

The first challenge to economic integration is related to the time it takes to process refugees. In all three countries featured in this thesis, refugees and asylum seekers cannot fully and legally enter the workforce until their claims have been approved. The time that may elapse during this process varies, and this time spent in status limbo hinders labor market integration and prolongs state assistance. Even with temporary status, companies may be hesitant to invest in refugees if they believe as employees they may be deported.[412] Therefore, it is imperative that refugee and asylum claims are processed quickly, so applicants can either be deported or, if granted protection in the United States, quickly enter the labor market.[413] Other unforeseen and unintended consequences of a lengthy or backlogged adjudication process are possible. Lengthy processes for refugees in Bulgaria in the 1990s, for example, created barriers to entering into the labor economy, which prompted many to enter black market and shadow economies.[414]

The second challenge and perhaps most frequently cited issue associated with barriers to refugee economic integration is limited language skills. Language proficiency

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[410] Fratzscher and Junker, "Integrating Refugees: A Long-Term, Worthwhile Investment."

[411] Damoc, "Fortress Europe Breached," 20–29.

[412] "Germany's Ongoing Project to Welcome Its Refugees," *Spiegel Online,* May 12, 2017, http://www.spiegel.de/international/germany/integrating-refugees-in-germany-an-update-a-1147053.html.

[413] Dustmann et al., "On the Economics and Politics of Refugee Migration."

[414] Damoc, "Fortress Europe Breached," 20–29.

is a critical skill needed for refugees to obtain and maintain work.[415] Additionally, language is the key with which greater social and economic opportunities can be unlocked.[416] In some ways, the United States and Canada may have an advantage over Germany because English is a common language in business and education around the world.[417] Still, comprehension and command of the host country language is rare among newly arrived refugees.

Even with appropriate language skills, refugees often lack possession of their professional credentials and certifications as a result of the dangerous situations that forced them to leave their homes. This lack of documentation may present further barriers to their attainment of professional work in their fields of expertise. A comprehensive strategic plan should find creative solutions to this problem. Additionally, creative ways to perpetuate refugees' own personal incentives to acclimate and integrate may further boost economic participation and contributions. The Organisation for Economic Co-operation and Development has stated, "Policies aimed at fostering labor market integration and optimizing migrants' economic contribution need to recognize that these individuals will only undertake costly investments in host country-specific human capital if they are likely to pay off over the life cycle."[418] If refugees do not perceive a likelihood of future permanent settlement in the host country, there is little incentive to invest in gaining new skills and meeting their economic potential.[419]

Governments should not minimize the importance of integration services and efforts. For Germany, failing to integrate large numbers of their refugee population could result in sustained net costs to the public sector, or at best, provide the economy

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[415] Hikmet Jamil et al., "Promoters and Barriers to Work: A Comparative Study of Refugees Versus Immigrants in the United States," *The New Iraqi Journal of Medicine* 8, no. 2 (2012): 19–28, https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4347467/.

[416] Albert Galiev and Sepideh Masoodi, "Language Barriers to Integration: A Canadian Perspective," *Forum for Inter-American Research* 5, no. 2 (2012), http://interamerica.de/volume-5-2/galiev-masoodi/.

[417] Randy Capps et al., "Integrating Refugees in the United States: Successes and Challenges of Resettlement in a Global Context," *Statistical Journal of the IAOS* 31, no. 3 (2015): 341–367.

[418] Dustmann et al., "On the Economics and Politics of Refugee Migration."

[419] Ibid.

unneeded low-skill labor.[420] These efforts also need to take place quickly to minimize costs and maximize both individual and overall economic benefits.[421] Additionally, better integration through resettling refugees in geographic areas and localities in need of their particular skills could help foster effective and long-lasting labor market integration. Indeed, economic efficiency dictates resettlement should take place where hosting costs are low and opportunity for labor market integration is high.[422] Refugees and their host countries can realize their full potential if refugees are free to go where their skills are in demand.[423]

B. SECURITY FINDINGS

There is little empirical research regarding the effects of refugees on host countries' public safety. In general, more data and analysis examining immigrant crime statistics were available than for threats to national security through terrorist attacks. This was true for all three countries. Individual and macro-level studies show immigration does not increase crime.[424] While most evidence clearly dispels the claim that refugees increase crime in their host countries and that they pose a threat to national security, studies in Germany have found contradictory evidence. In some years, immigrants and refugees have committed nonviolent crimes at a slightly greater rate than native-born Germans, while in other years native-born Germans committed more crimes than immigrants. This fluctuation is hardly a cause for concern, as the United States has a much higher crime rate than Germany.[425]

Recent discourse focuses on the terrorism threat posed by refugees. In 2015, terrorism expert Seth Jones testified before the United States House of Representatives

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[420] Trines, "Lessons from Germany's Refugee Crisis."

[421] OECD, *OECD Economic Surveys: Germany*.

[422] Dustmann et al., "On the Economics and Politics of Refugee Migration."

[423] "How Will the Refugee Surge Affect the European Economy?"

[424] Michael Tonry, *The Oxford Handbook of Crime and Criminal Justice* (Oxford: Oxford University Press, 2011), http://oxfordhandbooks.com/view/10.1093/oxfordhb/9780195395082.001.0001/oxfordhb-9780195395082, 386.

[425] C. Eugene Emery, Jr., "Donald Trump Says Germany Now Riddled with Crime Thanks to Refugees," Politifact, May 11, 2016, http://www.politifact.com/truth-o-meter/statements/2016/may/11/donald-trump/donald-trump-says-germany-now-riddled-crime-thanks/.

Committee on Homeland Security Subcommittee on Counterterrorism and Intelligence that "in most instances, a would-be terrorist's refugee status had little or nothing to do with their radicalization and shift to terrorism."[426] Yet the misconception that refugees pose a threat to national security persists in the United States. Brookings Institution Senior Fellow Daniel L. Byman warns the Trump administration's restrictive refugee policies and actions toward travel restrictions may result in an increase in terrorism against Americans as Muslims both home and abroad feel marginalized and victimized.[427] For those immigrants and refugees who are new arrivals to the United States, integration efforts are vital to the safety and security of the country.

Both Canada and Germany view the nexus between refugees and terrorism differently than the United States. From the months after 9/11 through the decade and a half since, the Canadian government has consistently found the juxtaposition of refugees with security issues is erroneous and that Syrian refugees pose a low security threat.[428] Canada's break with the United States in its refugee policy, specifically for Syrians, has poised itself to carry the mantle of world leadership as the United States enters a period of protectionism and nationalism.[429] When it comes to immigrants and security, the German government tends to view nationalism and xenophobia rather than the immigrants and refugees themselves as threats to national security.[430] This view is made that much more stark when considering Europe faces a larger terrorism problem than the United States.[431] Where current U.S. leadership fails to understand important differences, Canada and Germany both understand terrorism is not synonymous with immigrants, nor vice versa.

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[426] *U.S. Homeland Security and the Threat* [Jones].

[427] Daniel L. Byman, "Why Trump's Policies Will Increase Terrorism-And Why Trump Might Benefit as a Result," Brookings Institution, January 30, 2017, https://www.brookings.edu/blog/markaz/2017/01/30/why-trumps-policies-will-increase-terrorism-and-why-trump-might-benefit-as-a-result/.

[428] Adelman, "Canadian Borders and Immigration Post 9/11"; Bell, "Syrian Refugees."

[429] Uri Friedman, "Canada is Now Openly Questioning the Future of U.S. Leadership," *The Atlantic*, June 7, 2017, https://www.theatlantic.com/international/archive/2017/06/canada-trump-leadership/529353/.

[430] Anna Lindvall, "Have Refugees Become a Security Problem? A Comparative Study of Securitization in the United Kingdom and Germany," (bachelor's thesis, University of Gothenburg, 2015), 3, 30, https://gupea.ub.gu.se/bitstream/2077/42428/1/gupea_2077_42428_1.pdf.

[431] Byman, "Europe vs. America: Comparing the Terrorism Threat."

C. RECOMMENDATIONS FOR A STRATEGIC PLAN FOR IMMIGRATION

The examples and experiences of how Canada and Germany approach refugee policy provide meaningful lessons and evidence that the United States can use as guidance for its policy. These recommendations are as follows:

1. Like Canada, establish national immigration priorities and goals. Codify these priorities if possible.
2. Like Canada, consider refugees and immigration together as a whole, not separate issues.
3. Like Canada, consider use of privately sponsored refugee programs, especially for integration purposes.
4. Like Canada, provide an annual immigration report on plans and priorities that includes strategic outcomes, planned expenditures, priorities, staffing, and the like.[432]
5. Like Canada, shift to a multi-year approach for commitments to refugee populations to allow better planning and continuity with partners.[433]
6. Do what the Refugee Act of 1980 attempted but failed to do: reign in the unilateral power of the executive to set refugee priorities while providing for the ability to operate uninterrupted into the future and ensuring the United States maintains the freedom to quickly respond and adjust to new refugee needs worldwide.
7. Extend available aid for new refugees from 90 days to 365 days, the duration for which Canada provides aid.
8. Measure integration as a performance measure in program outcomes.[434]
9. Like Germany, require refugees to complete integrations services, including English language classes.
10. Resettling many more refugees as part of a counterterrorism approach. Reducing the time and number of refugees waiting in refugee camps could reduce terrorism worldwide and keep us safer by limiting the time and opportunity for desperate and vulnerable people to be radicalized.

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[432] "Report on Plans and Priorities 2016–2017," Immigration, Refugees, and Citizenship Canada, last modified April 26, 2016, http://www.cic.gc.ca/english/resources/publications/rpp/2016-2017/index.asp#a2.2.2.

[433] Government of Canada, "Country Chapter—CAN."

[434] Kay Brown, *Refugee Resettlement*, 31–33.

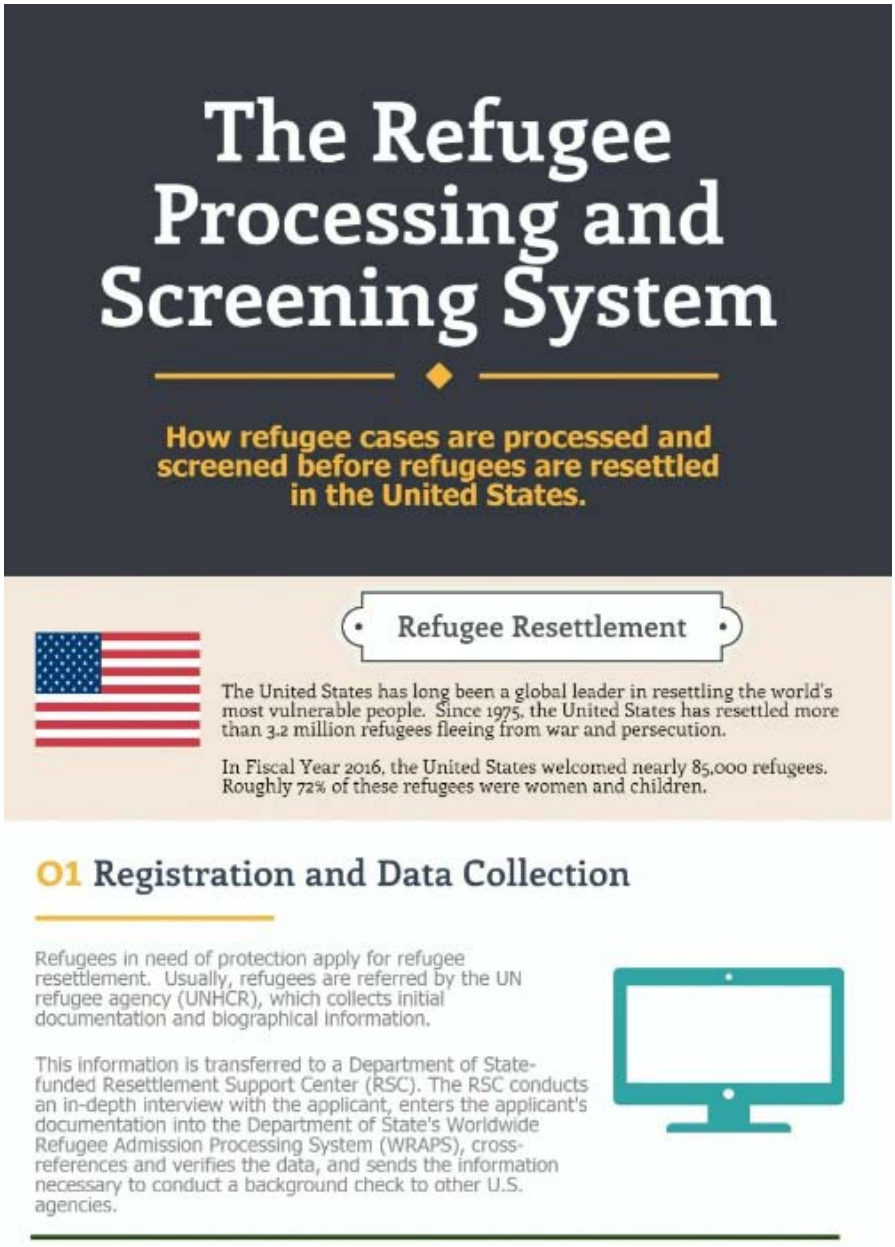
11. Streamline refugee process to reduce wait times and allow for refugee camps to accommodate more people in need.[435] This also helps reduce opportunity for radicalization in camps.

Refugee policy should be a part of any homeland security strategy but not because refugees threaten U.S. prosperity or national security; rather, because we live in a globalizing world wherein forced displacements due to conflicts across the world affect the United States both directly and indirectly. It is in our interest to ensure global stability to the greatest extent possible. By ignoring the evidence concerning refugee impacts on the economy and national security, U.S. leadership threatens its own homeland security and undermines U.S. credibility in the international community, and its power and influence that comes along with that credibility. For too long, U.S. policy makers have set refugee policy on an ad hoc basis, to the detriment of the United States and refugees alike. Implementation of a strategic plan for immigration faces the same challenges as immigration reform, yet the evidence and experiences of Canada and Germany offer several important and meaningful ways to improve U.S. refugee policy, as outlined in these recommendations.

[435] Zong and Batalova, "Refugees and Asylees in the United States."

APPENDIX. THE UNITED STATES REFUGEE PROCESSING AND SCREENING SYSTEM

This appendix contains a U.S. Department of State infograph, broken into pieces, which sums up the refugee screening and processing system in the United States.[436]



[436] Source: U.S. Department of State, "The Refugee Processing and Screening System (JPEG Version of Infographic)," January 20, 2017, https://www.state.gov/j/prm/ra/266459.htm.

02 Security Checks Begin

U.S. national security agencies, including the National Counterterrorism Center, FBI, Department of Homeland Security (DHS), the Department of Defense, and the Department of State, as well as the intelligence community, begin screening the applicant using the data transmitted from the RSCs.

The screening checks for security threats, including connections to known bad actors, and past immigration or criminal violations. For Syrian applicants, DHS conducts an additional enhanced review.

Refugees are screened more carefully than any other type of traveler to the U.S.

03 DHS Interview

Security screening results from each agency are transmitted back to DHS and the State Department. Specially trained DHS officers review initial screening results, conduct in-person interviews in the host country, and collect biometric data from the applicants.

The DHS interview confirms the information collected from the previous interviews conducted by the State Department's RSCs. Additional interviews are conducted as new information arises. With each interview, data is verified in person and in WRAPS.

If new information emerges during the interview, the information is entered into WRAPS and additional security checks are conducted. If inconsistencies emerge at any point, the case is put on hold until the inconsistencies are resolved. Once all interviews and checks are complete, DHS adjudicates the case, the decision is entered into WRAPS, and the process continues.

04 Biometric Security Checks

Fingerprints collected by U.S. government employees are stored in a DHS database and screened against:

- The FBI biometric database;
- The DHS biometric database, which includes watch-list information and previous immigration encounters in the U.S. and overseas; and
- The U.S. Department of Defense database, which includes fingerprints obtained around the world.

These fingerprint screening results are reviewed by DHS. Cases with any problematic results are denied. Otherwise, the process continues.

05 Cultural Orientation and Medical Check

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Cultural Orientation

Applicants complete a class designed to teach them about American culture, customs and practices.

Medical Check

All refugees approved by DHS undergo a medical screening to identify diseases of public health significance.

The results of the medical examination are entered into WRAPS. If a case is cleared after the medical check, the process continues.

06 Assignment to Domestic Resettlement Locations and Travel

Every week, representatives from each of the nine domestic resettlement agencies meet and review applicant information transmitted from the RSCs via WRAPS to determine where to resettle each refugee.

Once these placement decisions are made, the placement is recorded in WRAPS, and the refugee is notified of their destination.

The International Organization for Migration (IOM) books travel for the refugees.

Prior to entry in the U.S., applicants are subject to screening from U.S. Customs and Border Protection, and the Transportation Security Administration's Secure Flight Program.

Applicants with no security concerns continue their travel.

07 ARRIVAL IN THE U.S.
Applicants arrive in the United States, where representatives from nine domestic resettlement agencies welcome refugees at the airport and begin the process of helping them settle in to their new communities.
In Fiscal Year 2016, the U.S. welcomed 84,995 refugees from around the world.

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