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ONE HUNDRED FOURTEENTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON THE JUDICIARY

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October 27, 2015

The Honorable Barack Obama  
President of the United States  
1600 Pennsylvania Ave., NW  
Washington, DC 20500

Dear President Obama:

I write regarding your plan to admit 10,000 Syrian refugees to the United States during Fiscal Year 2016. Such a policy seems ill-conceived considering numerous statements by security officials within your Administration about the current lack of ability to properly vet potential refugees for admission to the United States.

Most recently, FBI Director James Comey conceded at a hearing before the House Judiciary Committee that even with a decade of intelligence and forensic evidence available to us in Iraq, the U.S. still admitted Iraqi nationals as refugees who were terrorist threats. And while he noted that the vetting of refugees has improved, the reality is that with a conflict zone like Syria where there is "dramatically" less information available to use during the vetting process, Director Comey could not "offer anybody an absolute assurance that there's no risk associated with" admitting Syrian nationals as refugees.<sup>1</sup>

Director Comey also testified at a separate congressional hearing that "we can only query against that which we have collected, and so if someone has never made a ripple in the pond in Syria in a way that would get their identity or their interest reflected in our database, we can query our database til the cows come home, but ... nothing will show up, because we have no record on that person."<sup>2</sup>

And Department of Homeland Security Secretary Jeh Johnson essentially conceded the same when he noted that "it is true that we're not going to know a whole lot about a lot of these

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<sup>1</sup> *Oversight of the Federal Bureau of Investigation*, Hearing Before the H. Comm. on the Judiciary, 114<sup>th</sup> Cong. (2015) (oral statement of James B. Comey, Director, Fed. Bureau of Investigation).

<sup>2</sup> Melanie Hunter, *FBI Director Admits U.S. Will Have No Basis to Vet Some Syrian Refugees*, CNS News, (Oct. 21, 2015), <http://www.cnsnews.com/news/article/melanie-hunter/fbi-director-admits-us-will-have-no-basis-vet-some-syrian-refugees>.

Syrians...” and stated that agencies involved in the vetting process are “committed to doing the best we *can* and as deliberately as we *can* (emphasis added)...”<sup>3</sup>

Director Comey also testified in the Senate on October 8, 2015, stating, “my concern there is there are certain gaps ... in the data available to us.” He then noted that “there is risk associated of bringing anybody in from the outside, but specifically from a conflict zone like that [Syria].”<sup>4</sup>

Even officials within U.S. Citizenship and Immigration Services (USCIS), the agency responsible for processing the refugee applications and ensuring the requisite background checks are performed, have acknowledged the difficulty in proper vetting. In fact, on October 1, 2015, Acting Associate Director for the USCIS Fraud Detection and National Security Directorate (FDNS), Matthew Emrich, admitted to the Senate Judiciary Committee’s Subcommittee on Immigration and the National Interest that the government of Syria does not have any databases that the U.S. government can access to run security checks.<sup>5</sup>

Assistant Director of the FBI Counterterrorism Division Michael Steinbach testified before Congress in February that “the concern is in Syria, the lack of our footprint on the ground in Syria, that the databases won’t have the information we need. So, it is not that we have a lack of process, it is there is a lack of information.” And he went on to say that “you are talking about a country that is a failed state, that is—does not have any infrastructure so to speak, so you—all of the data sets, the police, the intel services that normally you would go and seek that information don’t exist.”<sup>6</sup>

I am disturbed that U.S. refugee policy could again be used as a mechanism to enter the U.S. by foreign nationals who want to do us harm. We must prevent even one American from being harmed by Syrian refugees resettled in the U.S, and thus we must take the concerns of security officials seriously.

Were you aware of the concerns of high-ranking security officials in your Administration regarding the lack of ability to properly vet potential refugees from Syria prior to directing Secretary of State John Kerry to admit 10,000 Syrian refugees during FY 2016? If not, what changes will you now make to that directive? If so, why did you, and why do you continue to ignore the very legitimate concerns expressed by your security officials?

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<sup>3</sup> *Worldwide Threats and Homeland Security Challenges*, Hearing Before the H. Comm. on Homeland Security, 114<sup>th</sup> Cong. (2015) (oral statement of Jeh Johnson, Secretary, U.S. Department of Homeland Security).

<sup>4</sup> Julian Hattem, *FBI Chief: ‘Gaps’ Remain in Screening Syrian Refugees*, The Hill, (Oct. 8, 2015), <http://thehill.com/policy/national-security/256399-gaps-persist-for-screening-syrian-refugees-officials-say>.

<sup>5</sup> *Oversight of the Administration’s FY 2016 Refugee Resettlement Program: Fiscal and Security Implications*: Hearing Before the S. Comm. on Judiciary, Subcomm. on Immigration and the National Interest, 114<sup>th</sup> Cong. (2015) (oral statement of Matthew Emrich, Act. Assoc. Dir., Fraud Detection and National Security Directorate, U.S. Citizenship and Immigration Services).

<sup>6</sup> *Countering Violent Islamist Extremism: The Urgent Threat of Foreign Fighters and Homegrown Terror*, Hearing Before the H. Comm. on Homeland Security, 114<sup>th</sup> Cong. (2015) (oral statement of Michael Steinbach, Asst. Dir. Counterterrorism Division, Fed. Bureau of Investigation).

Based on the concerns raised by security officials within your Administration at the agencies relevant to conducting security checks, I request that you rescind your directive to Secretary Kerry to admit 10,000 Syrian refugees during Fiscal Year 2016, and that your Administration not admit any Syrian refugees until such time that a security check process is implemented that will ensure no refugee is admitted who is a terrorist or is likely to be a terrorist.

Thank you in advance for your prompt response.

Sincerely,

A handwritten signature in black ink that reads "Bob Goodlatte". The signature is written in a cursive, flowing style with a large initial "B".

Bob Goodlatte  
Chairman  
House Committee on the Judiciary

Cc: John Conyers, Jr.