Transatlantic Lessons in Refugee Policy: Comparing Refugee Law, Policy and Programs of the United States and Germany

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Currently there are 65.3 million people around the world who have been displaced due to persecution, conflict, human rights violation and war. Of that number, 21.3 million were classified as refugees under the United Nations High Commissioner for Refugees mandate (UNHCR) and registered as a refugee by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

The purpose of this paper is to question, compare and evaluate the current programs and policies in the US and Germany that guide the admission and resettlement of refugees. Since the end of World War II, Germany and the United States have been among the world’s largest recipients of migrants and refugees. The US is the largest single-state donor of humanitarian aid for crisis in Syria, and Germany has accepted the largest number of Syrian refugees among industrialized states outside of the region.

In 2012, the number of refugees skyrocketed due to the civil war and conflict in Syria. The Syrian refugee crisis has forced over 5 million Syrians to flee the country and has displaced more than 6 million within the country. Germany and the US have both responded to this crisis by increasing protection to Syrians through resettlement and asylum policies. Levels of protection and aid by Germany and the US is modest compared to Syrians neighboring countries such as Turkey, Lebanon, Jordan, Egypt and Iraq. These countries have been forced to close their borders to refugees because of the massive amount they have already taken in. In many cities, basic social services such as water, health care, housing, sanitation, food and electricity

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1 “UHHCR Global Trends Report,” (June 20, 2016) http://www.unhcr.org/statistics
2 Ibid
have been strained. By the end of 2014, nearly one in every five people living in Lebanon was a Syrian refugee. The international community has pledged to resettle and admit 224,694 refugees since the start of the Syria crisis, which amounts to only about 5% of the total populations of refugees in Syria’s neighboring countries. The UN High Commissioner for Refugees, Antonio Guterres recognizes that, “the economic, social, and human cost of caring for refugees and the internally displaced is being borne mostly by poor communities, those who are least able to afford it. Enhanced international solidarity is a must if we want to avoid the risk of more and more vulnerable people being left without proper support.” Germany and the US can both do more to share the burden of caring for refugees, and the best way to start that process is by strengthening the resettlement policy of each nation to best protect the most vulnerable refugees.

There are two main ways for Syrians to access protection under refugee status outside of the region, one is by traveling to a state and claiming asylum there. The other is being selected as a refugee for resettlement from the country of first asylum. Refugees can also seek temporary protection, which has recently become more popular in Germany. Temporary protection grants the right to remain in a country for a limited time due to the risk of persecution in a person’s home country. Temporary protection is usually granted to large groups of people in the event of a mass influx of people who are unable to return home.

US goals are to resettle and protect the most vulnerable refugees and integrate refugees into the economy. Current US policy is successful at assimilating refugees quickly into the US economy to make them self-sufficient. However, these same policies struggle to protect the most

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vulnerable refugees. They do not accommodate for the increasing diversity of refugees, the security screening process for terrorism is painstakingly severe, and conflicting policy goals between organizations cause needless suffering for refugees. The US could improve the lives and well-being of refugees as well as the well-being of the communities that refugees are a part of by increasing funding to resettlement programs, decreasing the intensity of security screens, improving coordination between agencies, expanding cultural orientation sessions and by improving public opinion towards refugees.

Currently in Germany, the Alternative for Germany Party (AfD) has been gaining support. The AfD was founded in 2013 as an anti-euro party, but since then, it has turned its platform focus to refugees and Islam. Party leader Frauke Petry has been calling to reintroduce permanent border controls and completely shut the external borders with the EU.\(^1\)\(^0\) Petry claims that refugees are taking advantage of the system in Germany and sees refugees from the Middle East as degrading to German culture.\(^1\)\(^1\) In the US, President Trump has argued that refugees coming to the US from the Middle East are a Trojan horse for terrorists to sneak in. Both of these beliefs may be considered extreme, but they represent a public fear about the safety of accepting refugees, uncertainty over the expense of refugees, and a tendency to place blame on refugees for problems in each country. To best assess the validity behind these beliefs, we need to explore how the current policy on refugee admissions and resettlement is working, and we need to better understand what reasons, if any, there are to take in refugees.

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\(^1\)\(^1\) Ibid.
Firstly, accepting refugees, especially from the Middle East, actually helps protect the US and Germany from terrorist attacks. Leaving refugees in camps in the Middle East will only increase the chance of their radicalization. Some refugees who are left in camps choose to join or support terrorist organizations in order to get out of the poor camp conditions. ISIS, does not want refugees leaving Syria so accepting those refugees is also taking a stand against ISIS.

One common criticism to accepting more refugees is that they strain the economy, and drain a nation’s valuable money and resources. However, a case study in Cleveland actually shows that refugees have the opposite effect. In 2012, refugee service agencies in Cleveland, Ohio spent about 4.8 million dollars to help assimilate refugees and make them self-sufficient. As a result, the city netted a 48 million dollar return because refugees “are more likely to be entrepreneurial and enjoy higher rates of successful business ventures compared to natives.” Americans should not take for granted that refugees will be a drain on federal, state and local resources, because refugees want to contribute back to the society that welcomed them in. Refugees provide an increase in population, an increased demand for housing, goods and services, and they boost the economy via their employment and entrepreneurship. This activity also generates substantial tax revenue that the government would otherwise not benefit from. Refugees do need initial assistance from the government and NGO’s, but they repay that initial investment in their lives by working hard and innovating in their communities.

When considering refugee policy, nations should also consider their moral obligation to care for refugees. As humans in the US or Germany, we are fortunate enough to have been born

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13 “Economic Impact of Refugees in the Cleveland Area,” Chmura Economics and Analytics. October 2013. 4
14 Ibid., 9.
15 Ibid., 34.
into a world that is not torn apart by civil war. However, if we were, we would need other
countries to take us in and care for us. The world was rocked by the horrific photo of the lifeless
body of a 3-year-old boy, Alan Kurdi, who washed up on a shore in Turkey in 2105. It is within
the power of Germany and the US to decrease the frequency of tragedies like this. Antonio
Guterres, recognized that, “We can’t deter people fleeing for their lives. They will come. The
choice we have is how well we manage their arrival, and how humanely.”16 It is up to the US and
Germany to decide how much help they can give refugees and how they can structure their
programs to best meet their goal towards refugees.

It is necessary to remind ourselves why welcoming refugees into the US is important
before we complete the policy evaluation. Not only do Germany and the US have a duty to the
international community to share the responsibility of a major humanitarian crisis, but each
nation can also benefit from accepting refugees and welcoming them into the population.
Refugee resettlement policy is successful when it best helps refugees assimilate themselves,
establish themselves and become self-sufficient. To approach this policy evaluation, we must
have a clear idea of what it looks like for a policy to be a success and what it looks like for a
policy to fail. This paper will analyze, critique and evaluate refugee admissions and resettlement
programs in the United States and Germany. By outlining the strengths and weaknesses of the
policy, I will then provide some recommendations on how to improve and strengthen refugee
policy in the US. The current US Refugee Resettlement program is successful at helping the
majority of refugees reach self-sufficiency, however, the system fails to protect the most
vulnerable refugees.

**Who is a Refugee?**

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Anyone moving from one country to another is considered a migrant. However, someone specifically fleeing war or persecution is considered a refugee. The UNHCR defines a refugee as “someone who has been forced to flee his or her country because of persecution, war, or violence. The have a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership in a particular social group. Most likely, they cannot return home or are afraid to do so. War and ethnic, tribal and religious violence are leading causes of refugees fleeing their countries.” Refugees are defined and protected by international laws that do not include protections for other types of migrants. Immigrants typically move to new countries in search of jobs, opportunities, family connections or different climates. There are migrants who engage in tourism, follow sports teams or musical bands, or who move between countries seasonally for work. None of these classes of migrants receive as much protection under international laws as refugees. The 1951 Refugee Convention and its 1967 Protocol as well as the 1969 OAU Refugee Convention serve as the cornerstone to modern refugee protection. Now, the United Nations High Commissioner on Refugees (also known as the UN Refugee Agency) serves at the request of the UN to assist in the voluntary repatriation, local integration or resettlement into a third country of refugees.

The first migration event in Germany since World War II occurred between 1955 and 1973. Approximately 2.6 million guest workers from Turkey, Italy, Greece and Spain moved to Germany to participate in the manufacturing boom that Germany was experiencing. The next major event took place beginning in the 1990s when 438,190 applications for asylum were filed. Many of whom were emigrants from former Soviet states. The immense immigration, social and

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17 “What is a Refugee?” UNHCR website. http://www.unrefugees.org/what-is-a-refugee/

economic pressures from this influx convinced the national government to create the Asylum Compromise of 1992, which denied asylum applicants from nations that were “safe third countries.”

In the early 2000s, Germany began to develop immigration policy that would prepare it to take many more people to maintain its vibrant economy. This was a policy shift that was moving forward in Germany, but almost nowhere else in Europe at the time. More people were migrating than ever before, and Germany realized that walling itself off was not a solution that would help their economy. So, a shift also happened in the public narrative on migration. Policymakers worked to persuade the public that there are benefits to migration when properly managed. As a result, when the German Marshall Fund of the United States surveyed citizens from Germany, the United Kingdom, Spain, Italy, and France on whether they agreed that “there are too many immigrants in this country,” the Germans said “no,” most frequently.

In October 2015 and March 2016, Asylum Packages I and II were introduced to amend the Asylum Law. These amendments gave authorities the power to deport refugees who commit serious crimes, fast-track the deportation process for applicants from safe third counties, and link the right to welfare to registration in the municipal reception centers which forces refugees to stay at the center they were assigned to.

On the other hand, the US has a long history of providing help and assistance to displaced persons who are fleeing persecution and violence in their home countries. After World War II, the US led the efforts to help displaced persons, which led to more refugees finding permanent homes in the US than in any other country. This included mainly Jews and other Europeans who were fleeing the ravages of warfare. Part of US solutions were to resettle 250,000 displaced persons in the US, thereby

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19 Ibid.
creating the Displaced Persons Act of 1948. Congress passed this legislation to standardize the
definition of a displaced person, and to again increase the amount of refugees the US would accept to
400,000 Europeans. However, President Truman considered this bill "flagrantly discriminatory," and
"wholly inconsistent with the American sense of justice" because it discriminated against some Catholics
and people of Jewish faith with provisions that excluded more than 90% of Jews in Europe. Still, US
leadership of refugee assistance continued throughout the Cold War era, resettling refugees from
Southeast Asia, the Soviet Union, Cuba, Hungary, Poland, Yugoslavia, Korea and China. Most of these
refugees were assisted by private ethnic and religious non-profit organizations which formed the basis
for the public-private partnership that defines the refugee resettlement efforts in the US today.

Then, in 1975, the US was faced with hundreds of thousands of Vietnamese refugees
fleeing after the fall of Saigon. These refugees were resettled through a temporarily funded ad
hoc task force which prompted Congress to pass the Refugee Act of 1980. This act
standardized federally-supported resettlement services for refugees, it included the United
Nations definition of a “refugee”, and it led to the creation of the Office of Refugee and
Resettlement at the Department of Health and Human Services. Since the foundation of the
program, the US has resettled more than three million refugees from nations such as the
Democratic Republic of Congo, Darfur, Bhutan, Syria, Iraq, and Afghanistan, as well as more
than 60 other nationalities. Currently, the US Refugee Admission Program is suspended.

President Trump signed “Executive Order: Protecting the Nation from Foreign Terrorist Entry
into the United States” on January 27, 2017. This order suspends the USRAP for 120 days,
during which the Secretary of State, the Director of National Intelligence and the Secretary of

23 “History of the US Refugee Resettlement Program,” Refugee Council USA http://www.rcusa.org/history/
26 “History of the US Refugee Resettlement Program,” Refugee Council USA http://www.rcusa.org/history/
Homeland Security will review the USRAP application and adjudication process. This review process is taking place in order to adjust the security screening refugees go through to “determine what additional procedures should be taken to ensure that those approved for refugee admission do not pose a threat to the security and welfare of the United States.” President Trump has also indefinitely suspended the entry of Syrians as refugees to the US until he determines that “sufficient changes have been made to the USRAP to ensure that admission of Syrian refugees is consistent with the national interest.” The secretaries of State and Homeland Security may jointly agree on exceptions to this order on a case-by-case basis when the admission of such refugees is in the national interest. Finally, President Trump has lowered the refugee admissions ceiling for Fiscal Year 2017 from President Obama’s proposed 110,000 to 50,000. The USRAP has been suspended before in its history in order to review security measures. After the terrorist attacks on September 11th, 2001, the Bush administration suspended refugee resettlement for three months.

When the refugee admission and resettlement programs were fully operational, policy and procedures were very structured and defined by law. There are over 300 local sites run by US resettlement agencies that settle refugees into local communities. The main government players at the federal level are the Bureau of Population, Refugees and Migration (PRM) (section of the Department of State); U.S. Citizenship and Immigration Services (USCIS) (section of the Department of Homeland Security); and the Office of Refugee Resettlement (ORR) (section of the Department of Health and Human Services). The PRM is responsible for the transportation and initial reception and integration of refugees, the US funding to the UNHCR and other

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30 Ibid.
31 Ibid.
overseas programs to assist refugees. The USCIS is responsible for making individual refugee status determinations abroad, conducting security clearances for processing, and adjusting refugee status to permanent resident or citizen. The ORR allocates federal funding to the state and local programs that assist refugees, it overseas programs for unaccompanied minors and foster care for refugees, and it funds special programs for refugee social services.

The Refugee Act of 1980 outlines who is eligible to qualify as a refugee to the US. These qualifications require that any refugee must be of a special humanitarian concern to the US as determined by the President. This means they must fall into one of the designated nationality categories of refugee that the President chooses. Refugees of a non-designated nationality must have a UNHCR, NGO or US embassy referral to even be considered for resettlement. Refugees must also be not firmly resettled in a third country, and be otherwise admissible under US laws. Finally, to qualify as a refugee, individuals must meet the definition of a refugee as laid out in Section 101(a)(42) of the Immigration and Nationality Act (INA):

“The term refugee means (A) any person who is outside any country of such person’s nationality or, in the case of a person having no nationality, is outside any country in which such person last habitually resided, and who is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion, or (B) in such special circumstances as the President after appropriate consultation (as defined in section 207(e) of this Act) may specify, any person who is within the country of such person’s nationality or, in the case of a person having no nationality, within the

33 Ibid.
country in which such person is habitually residing, and who is persecuted or who has a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. The term “refugee” does not include any person who ordered, incited, assisted or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion.”

This definition includes anyone who has been forced to abort a pregnancy, undergo involuntary sterilization, or who has been persecuted for a resistance to a coercive population control program. These cases are considered as persecution for political opinion under the determinations of the Act.

There are also special refugee provisions that aim to aid refugees of a certain group. In FY1990, the “Lautenberg Agreement” was passed as a provision of the Foreign Operations Appropriations Act. This empowered the Attorney General to outline categories for which former Soviet and Indochinese could be admitted into the US will less evidence to prove their refugee status. To be eligible under this agreement, individuals must have close family residing in the US, and individuals must prove that they are part of a group that has credible fear for persecution. On the other hand, the INA requires that individuals establish well-founded fear of persecution on an individual basis. In FY2004, the Lautenberg Amendment was expanded with the “Specter Amendment,” which includes categories for Iranian nationals for whom less evidence is also needed to provide refugee status.

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34 INA § 101(a)(42).
Refugee allocations and priorities are determined after an annual consultation between Congress, the President, and the DOS, DHS, and HHS. This is how the refugee ceilings for each region are set by the President. In fiscal year 2016, President Obama decided to admit 85,000 refugees from around the world. About 34,000 would come from the Near East and South Asia, with at least 10,000 from Syria. 25,000 refugees would come from Africa, 13,000 from East Asia, 4,000 from Europe and 3,000 from Latin America and the Caribbean. This leaves 6,000 of unallocated reserve spots to be allocated to regional ceilings as needed in emergent situations. Under these ceilings, Congress is allowed to transfer unused admissions from one region to another if there is a need for greater admissions.37 In the last ten years, the number of refugees from the Near East and South Asia have increased to become the largest source of refugees to the United States.

![Refugee Arrivals by Processing Region FY2006 - FY2015](image)

*Figure 1 Source: US Department of State*

Not noted in the table above is the drastic change in refugee allocations from FY2001 to FY2002 after the terrorist attacks on September 11, 2001. In FY2001, refugee admissions were

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37 “Presidential Determination on Refugee Admissions for Fiscal Year 2016,” Office of the Press Secretary to the White House. (September 29, 2015).
at about 70,000, but in FY2002, actual refugee admissions were at a historic low of 27,131. In the aftermath of the attacks, refugee admissions were briefly suspended, and enhanced security measures for refugees were put into place. However, in years after, refugee admissions and allocations did increase back to normal levels.

Once the allocations are set for each region, refugees from those regions are evaluated based on a system of priorities. Priority One (P-1) refugees are referred by the UNHCR, a US embassy, or a designated NGO. They are people who face compelling security or medical concerns, therefore of the highest priority to the US and regional allocations do not restrict this priority group. Priority Two (P-2) refugees include refugees who are of special humanitarian concern to the US which is selected and defined by the Department of State. Currently, this priority group includes persons from the former Soviet Union region, Cube, Democratic Republic of Congo, Iraq, Iran, Burma, Bhutan, and minors from Honduras, El Salvador, and Guatemala. Priority Three deals with family reunification cases, which is limited to designated nationalities. P-3 only includes spouses, unmarried children under the age of 21, and parents of refugees or asylum seekers who have been admitted to the US. The P-3 program was suspended from October 2008 to October 2012 because of the high levels of fraud. The P-3 priority group resumed in 2012 with new DNA requirements to verify parent-child relationships. Only refugee applicants who fall into one of these three priority groups are eligible for admission to the US, but eligibility does not guarantee admission.


Refugees may be eligible under the priority system, but they can be excluded for different reasons. Health-related issues such as contagious diseases, drug abuse, and mental or physical disorders can disqualify refugees for admission. Up until 2010, the HIV virus was grounds for exclusion, although it was possible to apply for a waiver. Any health-related disqualifications can be overcome if the problem has been treated or upon waiver by the Secretary of Homeland Security. While in poor conditions in refugee camps or resulting from incomplete medical care prior to resettlement, refugees are often faced with a variety of acute and chronic diseases. High rate of tuberculosis, malaria, hepatitis, intestinal parasites, and nutritional deficiencies are not uncommon among refugees, and these can lead to disqualification from the application process, or greatly delay a refugee’s application. Criminal activity is also grounds for exclusion from the US refugee program. Crimes of “moral turpitude,” prostitution, aggravated felonies, persecution, torture, drug-trafficking, or multiple criminal convictions will disqualify refugee applicants. Refugees may also be excluded for polygamy, smuggling, previous deportations, and the misrepresentation of facts during their application process. In certain cases of inadmissibility, waivers are granted for humanitarian purposes, family reunification purposes, or for reasons that are in the public interest, however, the DHS has the sole ability to grant such waivers.

Finally, the most common reason for exclusion is based on security grounds. Refugees accused of espionage, terrorist activity, membership in totalitarian or Communist parties, or Nazi affiliation will be denied entry to the US. The DHS also reserves the right to deny admission to

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any refugee who would “pose a serious security threat” at their discretion.\textsuperscript{44} The Patriot Act of 2001 and the REAL ID Act of 2005 significantly lowered the threshold of how apparent a refugee’s support of terrorist activity has been lowered, making it easier and more common for refugees to be rendered inadmissible.\textsuperscript{45} Under current grounds, a refugee is considered to engage in terrorist activity if they give any material support, such as a safe house, transportation, communications, or funds to a terrorist organization knowingly, or “reasonably should [have] known.”\textsuperscript{46}

\textbf{Selection Process}

The selection process for refugees in Germany and the US are strikingly different, mostly because of the difference in circumstance. In the US, refugees are carefully selected from refugee centers across the globe, and they are admitted in limited numbers based on the allocations set by the President for each region. In Germany, there is not explicit legal basis or standardized format for refugee resettlement and selection. Refugees are admitted onto German territory by Section 23 of the Residence Act, enabling the Federal Government and regional government (governments of the individual Länder) to admit foreigners. Resettled refugees are not admitted as refugees or granted refugee status just by entering German territory. Asylum seekers must first contact migration authorities to start the application. This can happen at the border or any place in the country. Then, the refugee is sent to the nearest \textit{Erstaufnahmerichtung}, initial reception center.\textsuperscript{47} There, refugee status and resettlement is awarded after a 3-4-month process that

\textsuperscript{44} “Resettlement with Comprehensive Solutions,” UNHCR Resettlement Handbook, Country Chapters: USA. July 2011, revised October 2014. 5.
\textsuperscript{46} INA section 212(a)(3)(B).
contains BAMF interviews, health screens, security checks and biometric data collection.\footnote{48 “Germany,” \textit{European Resettlement Network}, (2013). http://www.resettlement.eu/country/germany} These refugee reception centers are the cornerstone to the efficiency of Germany’s admissions process because they combine several steps of the process into one central location. Refugees are able to register, live, and receive medical screenings in the same place as where the BAMF interviews, and collects and records data. Reception centers centralize data collection as well as provide a place where refugees who are new to the country and unfamiliar with the language can go to for help.

However, in Germany, refugees are not selected on this dossier basis that examines the documents and backgrounds of refugees to determine qualifications. BAMF examines submissions made by the UNHCR and organizes selection missions to interview those refugees. Legal and physical protection needs are the biggest factors in the selection decision. Other special protection needs such as being a member of a persecuted minority, refugees with special needs, victims of torture or trauma, and single female heads of households. Germany also considers how well applicants are likely to integrate. They consider levels of education, professional experience, work experience, religious affiliation, family connections, and language knowledge.\footnote{49 Ibid.} Germany does consider the need to preserve the family unit, and like the US, strives to reunite families. If refugee status is approved, then a temporary residence permit is given, which entitles refugees to social welfare, child benefits, child-raising benefits, integration allowances, language courses and other forms of integration assistance.\footnote{50 “Asylum and refugee policy in Germany,” \textit{Federal Ministry of the Interior website}. http://www.bmi.bund.de/EN/Topics/Migration-Integration/Asylum-Refugee-Protection/Asylum-Refugee-Protection_Germany/asylum-refugee-policy-germany_node.html} In 2016, Germany accepted more 800,000 refugees into its borders under temporary protection or refugee status.
Asylum seekers are allowed to stay in Germany under the Asylum Act and Residence Act if they are seeking protection from political persecution or international protection. Political persecution is defined as persecution that causes specific violations of individual rights and excludes the individual from the “general peace framework of the state unit.” A refugee is someone who “owing to a well-founded fear of being persecuted for reasons of race, religion, or nationality.”\(^5\)

Asylum seekers from safe third countries (EU, Norway, Switzerland) are sent back and not allowed.

In most cases, when refugees are applying for resettlement in the US, the application process takes place in the country of temporary asylum where the refugee is residing with a US Refugee Screening Center (RSC). RSCs prescreen applicants to determine if they fall into the processing priorities and are of a qualifying nationality to be eligible as a refugee to the US. The first step in the application process with the RSC is to submit case documentation so the RSC can create case files for the DHS/USCIS. Applicants must submit a variety of documents to support their claims of refugee status. Documents required may include country condition reports, death certificates, baptismal certificates, prison records, arrest warrants, or any membership cards to political parties.\(^5\)

Also statements or letters from government officials, union or political party leaders, family, or friends are sometimes required to better understand the conditions the refugee fled and to conduct biographic security checks by the DHS. Documents are then reviewed by the DHS to check for authenticity. However, refugees are often unable to produce satisfactory documentation due to the circumstances of their flight. In these cases, credible testimony may be enough to establish the eligibility of a refugee for resettlement.

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Refugees are subject to the highest level of security checks of any traveler to the US. The National Counterterrorism Center/Intelligence Community, FBI, DHS and State Department all screen the candidate and look for information that would mean the individual is a security risk, any connections to bad actors, or any outstanding warrants (whether they be criminal or immigration violations).\textsuperscript{53} Syrian refugees are required to undergo an enhanced screening (the details of which are classified), which is referred to USCIS Fraud Detection and National Security Directorate for review.\textsuperscript{54} This screening process is repeated anytime new information is provided, even if it just an old phone number or different name. This intense screening process means that refugees are often stuck in host countries or refugee camps for many months, waiting for their security screens to be completed.

Every refugee that comes to the US is first interviewed by a DHS officer. The RSC schedules interviews within their regions and prepare refugees for the interview process. Interviewing officers of DHS/USCIS are specially trained for interviews which are non-adversarial and conducted face-to-face.\textsuperscript{55} These interviews combined with the case documentation are in place to meet INA requirements that applicants must prove their individual case of “well-founded fear,” regardless of nationality, circumstance or classification in a priority category. Some processing locations have interviewers permanently stationed, others schedule interviews with DHS officers who travel on a circuit through different regions of the world. Once a case is approved by the DHS interviewer, fingerprints are collected and submitted for a biometric security check.\textsuperscript{56} There is no formal procedure for appealing the denial of refugee

\textsuperscript{54} Ibid.
status, but applicants are allowed to submit a Request for Review of their case to the DHS if additional evidence becomes available.\textsuperscript{57}

The processing time of refugee claims varies greatly from region to region and is effected by the availability of DHS interviewers, RSC processing capabilities, and the type of security checks administered. The average time from the initial UNHCR referral to arrival in the US as a refugee takes about 18-24 months.\textsuperscript{58} Depending on the circumstances, emergency cases may be expedited, which takes an average of 16 weeks. However, US capacity to resettle emergency cases is limited by the strict security checks, the mandatory face-to-face interview, and the protocols for checking for detecting tuberculosis.\textsuperscript{59}

Once refugees are pass the medical examinations and security checks and are adjudicated by the DHS officer, they are then conditionally approved for resettlement in the US. The final step before full approval is for the RSC to request sponsorship assurance to the Refugee Processing Center of the DOS, which coordinates with the nine national refugee resettlement agencies. Once an agency confirms the refugee, that means they are ready and willing to make all the necessary arrangements at the local level to resettle the refugee.\textsuperscript{60} After approval is granted, refugees enter the US within six to twelve months. Travel is coordinated by the International Organization for Migration (IOM), who will provide interest-free loans to refugees to pay for the cost of their transportation. Before refugees leave, they take part in a pre-departure orientation which seeks to explain the significant cultural and life changes they will experience in moving to the US. For certain groups, brief video presentations are played that feature the

experiences of other recently resettled refugees of the same ethnic group. Each family also receives a *Welcome to the United States* guidebook that was developed by refugee resettlement workers with input from resettled refugees and state government officials.\(^6^1\) Despite these efforts, by the time most refugees are arriving in the US, they are significantly underprepared for the lifestyle that awaits them. Refugees receive little to no language training before arriving in the US, and they are often unaware that their vocational skills may not transfer smoothly over. However, refugees who take part in any level of cultural orientation have higher rates of employment than those who do not.\(^6^2\)

**Resettlement Process**

In the US, individuals who are granted entry as refugees must be sponsored by one of the nine sponsoring agencies that have a Cooperative Agreement with the Department of State. These agencies are: Church World Service, Ethiopian Community Development Council, Episcopal Migration Ministries, HIAS, The International Rescue Committee, Lutheran Immigration and Refugee Service, U.S. Committee for Refugees and Immigrants, United States Conference of Catholic Bishops/Migration and Refugee Services, and World Relief.\(^6^3\) A Cooperative Agreement means that federal agencies provide assistance to the partner along with a great deal of participation and oversight by the agency in the process. This sponsoring agency is then responsible for providing services to the refugee for the first 30-90 days in the US, including food, housing, clothing, employment counseling, language training and medical care. During this period, the DOS provides sponsoring agencies with $1,925 per refugee to cover basic

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\(^6^3\) “History of the US Refugee Resettlement Program,” Refugee Council USA. http://www.rcusa.org/history/
needs and services. Of that amount, at least $925 must be spent on each refugee, and up to $200 can be transferred to a more vulnerable refugee. This federal funding is only able to provide for a portion of the resources that refugees need, the sponsoring agency is responsible for raising additional funds themselves. Shortly after arriving, the sponsoring agency also provides community orientation, which helps to educate the refugee on their position in that particular community, and it shows them what resources they have access to as a refugee.

In Germany, after refugees register, they are first housed at reception centers. Then, refugees are relocated based on a quota system that allocates refugees to each of the 16 states (Lands) according to a fixed percentage. Refugees may be allocated to any municipality within a federal state, where they are usually required to stay at least six months.

In the US, sponsoring agencies also provide employment-related training, which aims to make refugees self-sufficient by providing job orientation, job referral, placement, follow-up, English language training and employability assessment services which include aptitude and skills testing. Vocational training is not provided by sponsoring agencies, but they provide refugees with information about the availability of it and the cost. Refugees are also able to send their children to public school where they learn English and integrate into the population. ORR supports this integration by providing school grants to refugee impacted areas, enabling those schools to better support refugee children.

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66 Ibid.
68 Ibid.
In Germany, the BAMF offers Dual Vocational training to refugees. These courses offer practice, on-the-job experience alongside theoretical elements provided by a school. Programs are usually two to three years, and are a mix of time in a classroom and time at a company. Applicants for this dual system generally need a lower-secondary education at minimum. There are over 400 different vocational training programs for refugees and training fairs are organized in many towns that advertise the diverse opportunities through Dual Vocational training.

Those chosen for resettlement in Germany are not given refugee status, rather, they are granted temporary residence permit. These permits vary by state, and their period of validity ranges between 12 months and 3 years, and must be renewed annually after the expiration date. After holding their residency permit for 5 years, refugees are eligible to apply for permanent residency. Permanent residency is granted dependent on how secure a refugee’s livelihood is, access to adequate housing, paying state pension (or a comparable private scheme), demonstrating adequate knowledge of the German language, legal and social system by passing a language test and orientation tests. The test for naturalization can be taken as early as after 6 years of legal and habitual residence for residents who are self-supporting.

The final steps of the Refugee Resettlement program in the US is the transition from Refugee Status to Legal Permanent Resident. One year after arrival, refugees are required to adjust their status, and five years after arrival, they are eligible to apply for US citizenship if they

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have continuously lived in the US for that period of time.\footnote{\textit{Services Upon Arrival},” Refugee Council USA. http://www.rcusa.org/integration-of-refugees/} This adjustment of status takes place through the DHS Citizenship and Immigration Services.

On August 6, 2016, the newest laws regarding refugee resettlement and integration came into place in Germany. The Integration Act and the Regulation on the Integration Act amend several laws to provide for more training and better settlement assignments.\footnote{Jenny Gesley, “Germany: Act to Integrate Refugees Enters into Force,” \textit{Library of Congress.} (August 15, 2016.) http://www.loc.gov/law/foreign-news/article/germany-act-to-integrate-refugees-enters-into-force/} Germany sees the most successful integration as turning refugees who receive social benefits to members of the community who put a great deal back into society.\footnote{\textit{Integration Act to support and challenge.” The Federal Government.} (2016). https://www.bundesregierung.de/Content/EN/Artikel/2016/07_en/2016-05-25-integrationsgesetz-beschlossen_en.html} The German workforce and population growth depend on migrant workers, so in refugee resettlement, Germany is forced to play the long game. They need refugees to integrate successfully so they can maximize their contributions to society. However, the German government also recognizes that not all refugees who come to Germany make attempts to integrate, learn the language, take advantage of opportunities or give back to society. Some refugees are even responsible for criminal offenses. In December of 2016, the rape and murder of a medical student in Germany was widely publicized because the accused was an Afghan refugee. The national and international interest in this case only added on to the growing distrust of refugees because of the widespread sexual harassment cases from migrants in Cologne at the New Year’s Eve celebration, and from terrorist attacks in the summer of 2016.

Germany has recognized the problem that these highly publicized events have created. The German public which has been so welcoming to migrants is becoming suspicious and distrustful towards the idea of refugees. In response, the Integration Act and the Regulation on the Integration Act has declared that those refugees who [per the Federal Government Website],
“refuse to take an integration course or who do not meet their duties to cooperate will have their benefits curtailed.”\textsuperscript{75} This method of integration helps the refugees who show potential and willingness to integrate, while providing greater incentive to those who are more hesitant to integrate. The Germans dub the basic idea behind this new legislation the “support and challenge” (\textit{Fördern und Fordern}).

Just like the US, Germany also provides integration classes to its refugees. However, where the US offers these classes over-seas as a one to five-day pre-departure orientation, Germany offers these classes to refugees as they are integrating into German society. These integration courses consist of a language and an orientation component. The language course consists of 600 hours of instruction and the orientation course consists of about 60 hours.\textsuperscript{76} They encompass and explain a range of topics including the workplace, childrearing, television and radio, and shopping. Also, participants learn more about writing letters and emails, interviewing for a job, and dealing with administrative offices. German culture and politics are explained, fundamental German values are outlined, and participants are introduced to some basic norms on how people live and interact in Germany every day.\textsuperscript{77} The courses are even specialized to have separate courses tailored to women, parents, young adults (up to 27), and other groups. This way participants can learn more about society as it is related to them.

\textbf{Strengths of Refugee Policy}

The most important strength of the USRAP is that most refugees integrate into the US labor market and society successfully over time. Data gathered regarding employment rates,
median household income, and their use of welfare all show that the longer most refugees are living in the US, the better off they are.

Employment Rates in Germany and US

In the US, the main goal of the ORR is that refugees will be self-sufficient as soon as possible. In order for that to happen, there is a big push for refugees to quickly obtain employment upon arrival. In fact, during 2009-2011, 67% of male refugees were working, compared to only 60% of US born males. Overall, refugee women were just as likely as US born women to work during 2009-2011. Female refugees from Vietnam, Liberia, Ukraine and Russia are all higher employed than the average female within US boarders. With these high overall employment rates, refugees are able to move towards self-sufficiency.

In Germany, refugees have contributed to lower unemployment rates and increased output. Germany’s aging population and extremely low birthrates cause around 300,000 people to leave the workforce each year. Regardless, in 2016, employment rose by an average of 36,000 per month. The Bundesbank in Germany call for unemployment to fall from 6.1% in 2017 to 5.8% in 2018.

Receiving Welfare in US

Refugees come to the US with often nothing except their own mind, their language and their experiences. Whatever education they received in their home country is typically worth less in the US, and without strong English skills, it is hard for refugees to advance in any job position. In 2009-2011, refugees were equal with non-refugee immigrants in terms of how likely

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80 Ibid.
each was low income. 44% of refugees were likely to be low-income and 43% of other immigrants were likely to be low-income compared to the US born population where only 33% were likely to be low-income.\textsuperscript{81} Again though, the percent of refugees living in low-income households decreased as refugees lived in the country longer. The newest refugees were the poorest, while the older refugee populations had more financial security.

Refugees also can qualify for monetary assistance to help pull them above their low-income. Refugees were more likely to receive food stamps, cash welfare, or public health insurance benefits than non-refugee immigrants and US born. Refugees were 13% more likely to live in a household that receives food stamps.\textsuperscript{82} They were also twice as likely to receive Temporary Assistance for Needy Families. As seen in the figures below, refugees use of food stamp programs, cash welfare, and public health insurance decreased the longer refugees lived in the US. The figure shows that the longer refugees are living in the US, the less dependent they are on welfare systems, which is another testament to the success the resettlement program is having on refugee lives. If refugees were as dependent on the welfare system and government support 20 years after resettlement as they were upon arrival, which would mean the resettlement program was failing.

\textit{High Integration Course Enrollment in Germany}

Since the passing of the Act on the Acceleration of Asylum Procedures on October 20, 2015, the Germany refugee system has seen changes. One significant change was that the Federal Employment Agency agreed to assume the costs for integration and language courses for

\textsuperscript{82} Ibid.
refugees whose applications are likely to be approved. Germany saw an increase in the number of refugees in German integration courses as a result of the amendments to the Integration Act and the Regulation on the Integration Act that came into effect on August 6, 2016. These laws provide for more integration classes, vocational training, employment opportunities and permanent settlement permits for refugees. Refugees’ benefits are curtailed if they choose not to cooperate and take integration courses which has led to a 70% in integration course enrollment.

**Challenges of Refugee Policy**

*Growing Diversity of the US Refugee Population*

Since the Refugee Act of 1980, USRAP has switched its focus from large-scale populations of special interest to the US, to smaller numbers of refugees from more diverse locals in order to resettle the most vulnerable populations instead of the easiest.

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This figure highlights the significant difference in the amount of diversity among refugee nationality to the US in the last 35 years. The shift in nationalities does not even account for the diversity among ethnic groups and socioeconomic groups within each nationality. Many Iraqi refugees who came to the US in 2000 were from Kurdish regions, but by 2010, there were just as many coming in from Baghdad. Differences in ethnicity and economic background can greatly vary the types of services that each group needs. This shift has increased processing costs as the US has had to spread itself into more regions. This also has made the refugee program less relatable to legislators and the public. In the past, refugees who came to the US were fleeing circumstances that were well known to the public. Now, more refugees are coming from

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situations that Americans know and care less about which decreases public compassion for refugees.  

Another challenge that comes from this increased diversity is that less refugees have family or a support system in the US. When a refugee has family and friends they can live near or with, they automatically have a support system, which lessens the burden of the US government and sponsoring agencies to support those refugees. More free-case refugees are being admitted to the US, which is only increasing the burden of support. In response, the government has had to shift some policies to accommodate the increased processing and support service costs. Assistance offered to refugees for extended periods of time has decreased as the government has had to bear more of the burden of supporting newer refugees. For example, the Hmong refugees who were resettled in the US 30 years ago had about three years-worth of support from their sponsoring agency. Today, support for recent arrivals lasts about eight months. That is survivable for refugees who live with or near their family and friends, but for refugee groups like the Somali Bantu, who had no family or community on which to depend, eight months is not enough assistance.  

Another challenge of accommodating an increase in diversity comes with the growth of diversity in languages. In 2006 there was just over 100 different languages spoken among incoming refugees. By 2013, there were over 160 different languages. The increasing language diversity means that the sponsoring agencies and US government agencies must broaden their

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88 Ibid.
language base. More material must be translated for refugees, more translators hired to help with interviews, and more language services must be available upon arrival to the US.

Security Screening for Terrorism in US

One of the primary contributing factors to the lengthy process of applying for refugee status in the US is the thoroughness of security screenings. To pass all the security checks, individuals must be cleared by the DOS after they run names, aliases, places of birth, nationalities and other data through their Consular Lookout and Support System name-check system (CLASS).\(^{90}\) Certain refugees are chosen to receive Security Advisory Opinion reviews that are based on classified data (including nationality, age, gender) that has been in place since 9/11. Delays from SAO reviews are too common, and a challenged that the current system needs to fix. Most cases clear within five to seven weeks, but it can take months to review other cases. The greatest delays come when a refugee applicant has the same or a similar name to someone in the government database. This most affects refugees with common names or from areas with poor systems of birth records. These delays usually take anywhere between six months and a year to straighten out, valuable time for a refugee waiting to be resettled.\(^{91}\) In 2009, 53% of Iraqi refugees approved for resettlement had not yet been able to leave for the US because they were waiting to be cleared by SAO review.\(^{92}\)

According to laws laid down by the INA, Patriot Act and the Real ID Act, the grounds of inadmissibility based on “terrorist activity” has been greatly expanded. Individuals can be excluded from admission if they had knowingly, or “reasonably should [have] known,” provided

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\(^{91}\) Ibid.

any material support to a terrorist organization or activity.\textsuperscript{93} The INA defines terrorist organizations as including groups that have not been formally designated as terrorists by the DOS or DHS, defined as a “Tier III” organization. This definition is unable to provide distinctions between groups that are fighting oppressive regimes and between terrorists who are engaging with civilians and noncombatants. Also, there are very loose definitions on what consists as a group—“two or more individuals, whether organized or not”. If a refugee is accused of helping one of these groups in any material way, then they are inadmissible as refugees to the US.

Consider Miguel, a poor farmer from Columbia. He lived in an area controlled by a rebel group that was considered a foreign terrorist organization. The terrorists threatened to hurt Miguel and his family if they did not pay “taxes” to the rebel group. The family paid the rebels, but when demands escalated, Miguel and his family fled to Ecuador for protection. The UNHCR recognized Miguel as a refugee, and he was referred to the US for resettlement. However, the US denied Miguel admission to the US because he paid “taxes” to a terrorist group, which is akin to providing material support to terrorist organizations.\textsuperscript{94}

There are exemptions and waivers that can take place when situation’s like Miguel’s occur. However, these waivers require proof, which is difficult to obtain as a refugee with no resources. Miguel supported those terrorists under great duress, and when he tried to escape, he was punished for trying to protect himself and his family. This law does not just effect poor individuals. Refugee resettlement in the US has been denied to women who were raped and

\textsuperscript{93} INA section 212(a)(3)(B).
enslaved by militias in Liberia because the law does not consider intent, level of support, or the type of regime opposed.\textsuperscript{95}

On the other hand, many argue that the intense level of security checks that the INA requires is actually a strength of the current USRAP. A State Department spokesman told the Washington Post that out of the 785,000 refugees who have been resettled in the US since 9/11, “only about a dozen – a tiny fraction of one percent of admitted refugees – have been arrested or removed from the US due to terrorism concerns that existed prior to their resettlement in the US.”\textsuperscript{96} This means that the security checks are doing their job by not allowing terrorists to take advantage of our refugee program to gain entry to the US. However, this could also mean that terrorists are not trying to use our refugee system to enter the country. Security checks on refugees are more intense and thorough than any other security checks to foreign travelers.

Conflicting Policy Goals in US

With several different offices of government having a hand in the USRAP, there are challenges that come from differences in opinion and goals for the program. The Department of States Bureau of Population, Refugees, and Migration (PRM) is primarily concerned with what refugees to bring into the US, how they affect foreign policy, and their main goal is to resettle the most vulnerable refugees from a diverse group of refugees.\textsuperscript{97} The Department of Health and Human Services’ Office of Refugee Resettlement is more focused on the domestic effects of integrating refugees into US culture and economy and promoting self-sufficiency.\textsuperscript{98} A problem

arises because as the refugee population becomes more diverse and more vulnerable, it requires more resources from the ORR to integrate those refugees and help them achieve self-sufficiency.

When the ORR lacks the funds to best help this new, diverse range of refugees, they must find ways to compensate. One way they do this is by focusing on quick employment rather than long-term sufficiency and integration. As a result, refugees lack the time needed to acclimate to their new life and they end up in a job that is inappropriate for their skill set. Once refugees are in a job, it is very difficult for them to gain access to supportive services that would improve their long-term prospects.99 Also, with an increased amount of vulnerable refugees, there come increased medical needs that have become a lesser priority than employment. The scars of trauma, loss, and injury play an important role in the adjustment of refugees and their ability to thrive in a challenging environment.100 Economic support of refugees is important, but it cannot be in place of all other support. In order for refugees to adjust to life in the US long term, they need longer and deeper support in the beginning.

The effects of this quick employment plan are evident in comparing refugee income with that of a US born worker. Recent refugees’ incomes have dropped compared to those of the US born.101 This suggests that income gains by early refugees are no longer being enjoyed by recent refugees. Refugees arriving to the US between 1995 and 2000 had a median income that was 62% of US born income. Refugees arriving between 2007 and 2011 had median incomes that were only 42% of the US born income.102

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100 Ibid.
102 Ibid.
Limited Infrastructure in Germany

Germany takes in tens of thousands of refugees per week. Their population size is just under 81 million, and their population density is 235 people per square mile. In the US, population size is almost 324 million, with population density of 84 people per square mile. Ten thousand refugees entering Germany is a much bigger strain on their current resources, space and infrastructure. In order to keep up with the rapidly expanding population, Germany has had to get creative with housing refugees. Some Germans take refugees into their own homes. Aircraft hangars, former offices of the Stasi, school gymnasiums, closed army barracks, and even

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an ex-Nazi labor camp have all been commandeered to house refugees.\footnote{Kate Connolly, “Refugee crisis: Germany creaks under strain of open door policy,” \textit{The Guardian}. (October 8, 2015).} Some cities have begun seizing vacant commercial property from owners as emergency measures to build temporary refugee shelters.

This scramble to find housing for refugees has left many citizens bitter over the sacrifices they have to make. Many people criticize Chancellor Angela Merkel’s decision to open the border to refugees because they do not believe Germany can take in any more people. Merkel has stuck to her commitment to continue accepting refugees, but she has had to also been pleading to the EU to take more responsibility in the refugee crisis. Merkel has also been forced to stem the flow of refugees through amendments to its “open door policy”\footnote{Paul Hockenos, “The Political Price of Merkel’s Migrant Policy,” \textit{The Atlantic}. (September 14, 2106).}

\textit{Dublin Cases in Germany}

Another challenge that the German refugee program faces is the Dublin system requirements. The Dublin system, adopted in 2003, determines which EU countries are responsible for examining asylum applications. Dublin requirements are in place to protect asylum seekers from being herded from one country to another and to prevent refugees from applying for asylum in multiple countries at once. Typically, in whichever country a refugee first applies for asylum is the country that is then responsible for the refugee and their application.\footnote{“Country Responsible for asylum application (Dublin),” \textit{European Commission: Migration and Home Affairs}. (March 3, 2017). https://ec.europa.eu/home-affairs/what-we-do/policies/asylum/examination-of-applicants_en} This creates challenges for Germany who has the most asylum seeker applications of Western Europe. When asylum seekers apply for status in Germany, they become Germany’s responsibility and other nations in the EU can deport them back to Germany. Germany already
has hundreds of thousands of refugees, and because of Dublin Regulations, it is challenging for refugees to leave Germany in search of less crowded countries.

**Recommendations**

*Increase Funding*

There have been hardly any increases in funding over the last years despite increases in the cost of accepting refugees and the growing size of resettled populations. ORR’s budget increased sharply in 2013 to accommodate a rise in unaccompanied children crossing the US-Mexican border, but funding for refugee populations has been relatively flat for the last 25 years.\(^{108}\) Federal funding only accounts for just over one-third of the total service and material cost per case required to meet cooperative agreement guidelines.\(^{109}\) To best be able to serve refugees and ensure that they are able to integrate and contribute to society, funding needs to be increased, especially among the most vulnerable refugees.

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Protect Refugees from Overbearing Security Screens

Steps have been taken to ensure that the administration had the right to exempt individuals with no actual connection to terrorism from suffering wrongfully under the broad definitions of the INA security screening regulations. However, the use of unreviewable discretionary waivers is not a sustainable solution to the problems found in the over-broad definitions of terrorism in the INA. The definitions of “terrorist organization” and “terrorist activity” are currently being applied to anyone who at any time used armed force as a non-state actor or gave support to those who did. This includes Iraqis who supported the overthrow of Saddam Hussein, Eritreans who fought for independence from Ethiopia, and Sudanese who
fought against President Al-Bashir’s forces. This application also includes individuals who were conscripted or kidnapped as child soldiers and includes people who gave support under duress. The INA definition of “terrorist activity” should be limited to the use of armed force against civilians and noncombatants. The “Tier III” organization definition should be disregarded, and any individuals’ cases who were denied admission to the US because of interactions with “Tier III” groups, should be reviewed and reconsidered for admission to the US.

There also needs be a more sensible legal interpretation of what constitutes “material support.” Material support should be limited to support that is quantitatively significant (that level to be determined by the DHS), and support that measurably will lead to further terrorist activity. Routine commercial transactions cannot constitute material support, and the material support should not include support given to children or under coercion. The purpose of terrorist screening required by the INA are to prevent terrorists from entering the country through immigration, not to discriminate against the already vulnerable population that terrorist groups have hurt.

The US can also work to improve security checks to reduce the delays in the application and resettlement process. Security vetting agencies need to have enough staff to process enough applications to meet the refugee ceilings the President puts in place. Also, any duplicate background checks in the screening process need to be eliminated to save time and resources. There also need to be more communication with refugees who are denied acceptance on security grounds. To help minimize the mistaken denials, USCIS should provide refugees with the

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information on why their application was denied so they can submit a meaningful request for review.

**Improved Coordination Between Agencies**

Refugee resettlement efforts are coordinated between three different government agencies and nine sponsoring agencies. This overly bureaucratic system makes it easy for cases to fall through the cracks, and refugees to suffer as a result. The differences in policy and outcome goals of the different organizations can sometimes be conflicting, and the entire program would function smoother if coordination between the agencies improved.

There also needs to be a better system of sharing information between the agencies. PRM needs to ensure that resettlement projections are passed on to the sponsoring agencies in advance so they can prepare communities and adjust services accordingly. Agencies also need to communicate better with refugees about decisions affecting them. In Lulea, Sweden, refugee voices are heard through immigration councils, which allows for a more refugee-centric resettlement program. In this model, refugees are able to communicate best what services they are in need of, and how the community can best support them.

In Germany, the reception centers provide a central location for refugees to gather, ask questions, voice concerns, and seek assistance. Reception centers also are focal points for NGO’s, religious groups, and government agencies to collaborate on refugee assistance. The US may not create these reception centers to house, interview, and register refugees who come to the US, but the US could create refugee centers in each state (or begin in major cities). These centers would provide a headquarters for agencies to offer or advertise services to refugees. Through

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these centers, refugees could meet other refugees who are more experienced in assimilating to the US and would be able to offer invaluable advice on how to adjust to a new life.

Expanded Cultural Orientation

The current orientation system should be expanded to best use the time before refugees come to the US. One of the biggest barriers to integration, social and economic mobility, and a sense of belonging in the US is the language barrier between refugees and the rest of the US population. This challenge effects the health status of refugees when they are unable to access health care services or communicate effectively with health care providers. Social challenges are just as dangerous to refugees who cannot learn English. Refugee families who have young children that are able to learn English are able to survive because these children often translate for them in everyday situations. However, these refugee parents are not able to form meaningful relationships with people in their communities who do not speak their language. The German system requires 600 hours of language training which helps refugees integrate and not face additional barriers in a new country. Refugees even struggle to communicate with their case workers from the sponsoring agencies that provide short and long term assistance to the refugees. The assumption is that as refugees live in the US and come in contact with Americans, over time they will learn the language. However, it actually happens the other way around, and refugees cannot be expected to learn English simply through contact with English speakers. Language skills are needed before meaningful contact can be made, and that will improve refugee language fluency and well-being.¹¹²

Instead of a 1 to 5 day cultural orientation and video, the orientation could be expanded to include language and vocational training, more similar to the system in Germany. Orientation

could include extensive and specific information on the community they are joining. By having the orientation take place over several weeks, refugees would have more time to process the information, ask questions and prepare themselves for the change. Refugees who have already gone through the resettlement process and officials who oversee the process have said that the orientation system as it is now needs improvement. The volume and content of the information provided is overwhelming, highly variable, and often forgotten upon arrival.\footnote{Donald Kerwin, “The Faltering US Refugee Protection System: Legal and Policy Responses to Refugees, Asylum Seekers, and Others in Need of Protection,” European University Institute & Migration Policy Institute. May 2011.}

Even just slight introductions to the English language would help refugees. Language classes are available for refugees through many different churches or NGO’s, but refugees often are unaware they have access to such services. In addition, the majority of refugees do not regularly access health services, and those who do, language and communication affect all stages of the health care process, from making an appointment to filling out a prescription.\footnote{Meghan Mooris, “Healthcare Barriers of Refugees Post-Resettlement,” Journal of the Community of Health (2009), 2.} Language knowledge is essential to the integration and successful resettlement of refugees. Germany has found a way for the government to incentivize language training for refugees, the US needs to follow their success and do more to help provide or show refugees how to access language training.

\textit{Increase public opinion}

Germany has an incredibly high public opinion of welcoming refugees into their country. According to a study commissioned by Amnesty International, “more than half of respondents in Germany (56%) said they would accept refugees in their neighborhood, and a further one in 10
would welcome them into their home. Almost all Germans (96%) said they would accept refugees into their country, with only 3% saying they would refuse them entry.”

Increasing public opinion of refugees in the US would help increase funding and decrease the public demand for increased security checks. Over the last few years, Germany has seen millions of citizens going out to welcome refugees as they enter the country. The US has seen protests and states who refuse to admit refugees. Recently however, Germany has seen a public backlash to refugees. This is due to a number of reasons related to the challenges that the refugee program has faced. Germany has been unable to accommodate the massive number of refugees that have entered the country. The disorganization and strain on Germany has angered many citizens who have turned to support anti-immigration political parties. Still, the US can learn from the positive public opinion that Germany originally had toward refugees.

Germany was not always welcoming to refugees. In the 1990’s, right-winged Germans burned down refugee camps and were applauded by many ordinary people. However, since then, German attitudes have changed. German academics often look to Germany’s history to explain the attitude shift. Many of the regulations from the Geneva Refugee Convention in the middle of the twentieth-century stem from bad experiences of Jewish refugees fleeing the Holocaust. This attitude, combined with an intentional effort on the part of the government to educate voters about immigration and refugees has been the main causes of the shift in public opinion. In 1999, automatic citizenship was granted to children of migrants born on German soil and in 2005, migration laws were simplified. Even the German press had been sympathetic to

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117 Ibid.
118 Ibid.
the refugee cause. Tabloids were even printing information sheets in Arabic for refugees to help guide them to available services and assistance. Germany was able to shift public opinion once, it will be able to do so again.

Conclusion

The most important first step in reaching stronger, more efficient, sustainable and supportive refugee policy will be to increase education on refugees, the situations they are fleeing, and how they are really impacting the US. Many people in the US do not even differentiate between refugees and immigrants from the Middle East. Of the 65.3 million people in the world who are displaced due to conflict, persecution, human rights violations or war, this year the US has committed to helping 0.07% of that population find a home to resettle to.

A new smartphone app has risen in Germany called Yallah Deutschland. This app was created to fill a gap between refugees and their German hosts during a time when each group is struggling to reconcile their differences. The app aims to answer viewer questions and tackle issues that affect each group. Through short articles and videos, Yallah addresses racial stereotypes, explains why so many Berliners have pet dogs, talks about ways to find affordable housing, and discusses the dark sides of refugees dealing with depression while they are trying to resettle.119 This app aims to provide a social platform for refugees to voice their opinion in a medium that is easily accessible to other Germans. It helps educate Germans on what it is like to be a refugee in Germany, the challenges and the things that help most.

The US Refugee Admissions Program is currently serving refugees, but there are many way in which it can improve to better their lives and therefore better the lives of all Americans. In light of the current political climate in the United States, it is important to remember the

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119 Stephanie Boland, “Yallah, the app that is helping German citizens and refugees understand each other,” NewStatesman. (February 23, 2016).
benefits that come from accepting refugees, as well as the moral obligation we have to help those in need. The US can further its foreign policy goals by gaining political capital from admitting refugees. The US resettlement programs can help to check unrest in host states of refugees, and give the US more credibility with its rivals, especially in Syria. Refugees strengthen democracy, contribute to the economy, and work hard to build a new life for themselves and integrate with society.

USRAP successfully integrates refugees into the US economy, making them self-sufficient. However, this system does not protect the most vulnerable refugees in the resettlement process. An increasing diversity of refugees, an exceptionally severe security screening for refugees, and conflicting policy goals for the resettlement of refugees are all challenges the current system is facing. As a result, many refugees are unable to reach their full potential in the US, which has negative impacts on society. Refugees contribute to and build economies, they strengthen democracy, and they provide political leverage for the US. For the US to improve the lives of refugees, steps should be taken to increase funding to resettlement agencies, decrease the intensity of security screens, improve the coordination between agencies, and to expand the pre-departure orientation session.

This evaluation has also revealed the complexity of the US Refugee Admissions and Resettlement Program. The program is influenced by three different governmental branches, the Department of State, Department of Health and Human Services and the Department of Homeland Security. Also, the President decides how many refugees to allow in the country, and Congress has the power to amend and write refugee legislation. There are also the nine resettling agencies who work with the government and more local agencies to assist the refugees in their transition. The resettlement program has many players, and is an example of the benefits of a
partnership between the government and the private sector. As special as this partnership is, there is still much work to be done to improve the well-being of refugees.

Refugees make their communities better economically and politically, but also socially and culturally. They bring a new perspective, a new way of life, and a past filled with hardship. Amazingly, despite their past, refugees are an example of resilience, and they embody the American spirit of hard work. There have been many refugees who were well-known and gave back to our country. But there have also been countless teachers, nurses, soldiers, volunteers, and public servants who were refugees. In fact, just this past election, Ilhan Omar, a former refugee and Muslim, was elected as the first Somali-American lawmaker in the US. ¹²⁰ She wants to promote justice, restoring hope, zero waste and renewable energy. Omar came to the US 21 years ago, only speaking Somali. As she went through the school system, her English improved, and she built a life for herself. Now she is giving herself to her community, to speak on their behalf, and to shape a better future.

Germany’s refugee programs have shown how vital public opinion is to the success of such programs. When policy goals are to integrate refugees, people of the nation must be willing to accept them for who they are. Germany has seen millions of its citizens step up to take personal responsibility to help the massive number of refugees flowing into their borders. Refugee programs will never flourish as only top-down programs, designed to push refugees into a population that is hostile towards them. Those types of programs will still help refugees get out of refugee camps, but that does not make them automatically better. In hostile communities, refugees will receive less assistance, be afraid to leave their home to buy food or go to work to

take any steps to integrate themselves. Refugees are already living in a foreign country often without a large family support network, where they are unfamiliar with the language, culture and customs. They need everyday support from welcoming neighbors who will give them a chance to start a new life.

Improving the refugee system would help more refugees flourish in the US. They want to give back to a nation that took them in when they needed help, and they want to live successful lives. Improving this system will take time, money, effort from the many parties who are involved in the resettlement program. People will need to change their views on refugees, and accept that they are not terrorists, Islamic extremists, or enemies of the US. Helping refugees will help our own country and communities in the end as refugees work hard and better those around them. It is a hard path moving forward, to change perceptions on who refugees are, and the benefits of helping them. Now, after better understanding the resettlement and admissions program, we know what systemic reforms need to be made to their transition time. Couple those changes with a change of American hearts to welcome, support and encourage refugees in their communities, refugees will thrive, and their communities will thrive.
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