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Duncan Hunter
U.S. House of Representatives
50th District, California

October 4, 2018

Aaron Calkins
Chief, Legislative Affairs
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, 4th floor
Washington, D.C. 20529

Dear Mr. Calkins:

As you know, agencies involved in the refugee and asylum screening process can face immense challenges in confirming the identity and life history of applicants seeking asylum and refugee status. In August of this year, a suspected member of the Islamic State in Iraq named Omar Ameen was accused and arrested for the killing of an Iraqi police officer. The suspect was arrested in Sacramento, California, where he was living since being admitted to the U.S. as an Iraqi refugee and after going through the rigorous admissions process and lengthy background check that the Department of State (DoS) and the United States Citizenship and Immigration Service (USCIS) utilize when vetting all prospective refugees.

The information that has been released so far describes Omar Ameen as being a member of Al Qaeda (since 2004) and later the Islamic State, and his terrorist activity list includes planting roadside bombs, robbing supply trucks and kidnapping drivers in addition to the June 2014 killing of the Iraqi police officer. Ameen had left Iraq with his family in 2012 and traveled to Turkey where they applied for refugee status; they were granted admission to the U.S. in November 2014. His return to Iraq after applying for refugee status in Turkey should have, had it been known, been a significant red flag or cause for concern when conducting the background check.

It is imperative that the agencies that operate the U.S. Refugee Admissions Program have all the tools available to properly evaluate applicants. It has come to my attention that while USCIS has the general authority to require and collect biometrics from any applicant to the program, it does not have the authority to retrieve data from personal devices, even if consent is given. I believe that the regulations should be updated to include such data, especially when dealing with refugees and asylum seekers from high risk areas. Biometrics collected by USCIS and DoS are run against both the Automated Biometric Identification System (IDENT, maintained by the Department of Homeland Security) and the Integrated Automated Fingerprint Identification System (IAFIS, maintained by the FBI) to screen for any criminal activity, but this does not provide the full picture.

To ensure the success of the newly expanded extreme vetting measures that were put into effect in October 2017, I request that the USCIS authorize the use of digital forensics tools to examine the devices of applicants. Such authority would provide the agencies with the ability to rapidly and easily extract subsets of data from mobile phones and scan that data against a watch list of known persons of interest or key words or places that have a history of concern.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Duncan Hunter", with a large, stylized initial "D" and a long, sweeping horizontal stroke at the end.

Duncan Hunter
Member of Congress



**U.S. Citizenship
and Immigration
Services**

November 19, 2018

The Honorable Duncan Hunter
U.S. House of Representatives
Washington, DC 20515

Dear Representative Hunter:

Thank you for your October 4, 2018 letter regarding the U.S. Refugee Admissions Program (USRAP). I appreciate your taking the time to suggest ways to further enhance the screening of applicants through the use of digital forensics tools.

Since the inception of the USRAP, USCIS and other processing partners have consistently reviewed the USRAP and implemented enhancements to its security vetting and program integrity in order to carry out the mission and safeguard the United States. In light of the screening enhancements implemented subsequent to the admission of the Omar Ameen referenced in your letter, we believe that he would not be admitted if he were to apply today.

As you note, over the past year, agencies involved in the USRAP have instituted new vetting procedures. These aim to close security gaps and take a more risk-based approach to refugee admissions. The new measures are part of the Administration's ongoing efforts to intensify screening and vetting for all persons seeking to travel to the United States, and to keep nefarious and fraudulent actors from exploiting the refugee program.

The enhancements are an additional layer of security for the American people and take account of evaluated intelligence and identified gaps in screening and vetting operations. Some of the enhancements include:

- Expanded data collection in the application process to improve the vetting.
- Expanding the category of applicants subject to Security Advisory Opinions and other enhanced vetting protocols like social media vetting.
- Providing additional or expanded training and guidance for interviewing officers, including, among other subjects:
 - Grounds of inadmissibility related to criminal activity such as drug offenses, drug trafficking, prostitution, alien smuggling, and torture, as well as fraud and misrepresentation;
 - Assessing the credibility of applicants consistent with the approach mandated for asylum cases in the REAL ID Act; and

- The use of discretion, to include adverse factors that do not relate to national security, such as public safety issues.

These and other steps in development will enable the U.S. Government to better ensure the safety of the American people while focusing limited resources on those applicants most likely to qualify for admission as refugees. We will certainly take your recommendation into account as we continue to review and identify practices to continuously increase integrity of all immigration benefit processing.

Thank you again for your letter and interest in this important matter. Should you require additional assistance, please have your staff contact my office at (202) 272-1940.

Sincerely,

FOR THE DIRECTOR



Aaron L. Calkins
Chief