



American-Arab Anti-Discrimination Committee

May 25, 2016

VIA ELECTRONIC MAIL

Committee on the Judiciary
U.S. House of Representatives
2138 Rayburn House Office Building
Washington, DC 20515

Dear Representative:

I am writing to you on behalf of the American-Arab Anti-Discrimination Committee (ADC), the country's largest Arab-American organization. ADC is committed to protecting civil rights, promoting mutual understanding, and preserving the Arab cultural heritage. ADC has protected the Arab-American community for over thirty five years against defamation, discrimination, racism, and stereotyping. ADC has a vigorous commitment to immigration reform and refugee resettlement. ADC respectfully takes this opportunity to voice our serious concerns to the Judiciary Committee on HR 5203, Visa Integrity and Security Act of 2016.

HR 5203 is inherently discriminatory and attempts to suggest that identity alone makes immigrant and non-immigrants inherently a security threat. The imposition of discriminatory hurdles on refugees and other immigrants from Iran, Iraq, Libya, Somalia, Syria, Sudan, and Yemen is extremely problematic. This bill would once again single out and target persons based solely on their national origin, family ancestry, and perceived religious beliefs automatically for extra scrutiny.

In the aftermath of the hastily passage of the Visa Waiver Program Terrorist Travel Prevention Act, we learned that the discriminatory prohibitions of dual nationals based on identity alone was improper, ineffective and counterproductive, and would not actually increase security. We know that the SAFE Act HR 4038, which intends to require a unanimous certification process of each Iraqi and Syrian refugee by the Secretary of the U.S. Department of Homeland Security, Director of the Federal Bureau of Investigation, and Director of National Intelligence would effectively shut down the refugee process.

HR 5203 will effectively shut down the refugee process by creating more unnecessary bureaucratic paperwork and loopholes where the departments would likely certify that a person is not a security threat. Security Advisory Opinions are intended to provide heightened security screening and review depending upon the particular facts of an application, not based on the identity of a person. This is extremely problematic where the largest refugee populations in immediate need are from these designated countries of Iran, Iraq, Libya, Somalia, Syria and Sudan. HR 5203 is a product of xenophobia and will amount to the United States abandoning its responsibility to the international community in the global refugee crisis.



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The creation of insurmountable burdens for refugees to apply for admission to the United States is counterproductive to the purpose of the refugee system. The purpose of the refugee status is to provide a safe haven swiftly, not allow “red tape” to keep individuals at the front doors of their captors. Remember the “red tape” and categorization of Jews as “at risk,” “radicalized,” and “security threat” was a factor that contributed to the genocide of millions of Jews. In response to the Holocaust, the 1951 Refugee Convention was enacted. The current refugee process takes anywhere from 18 to 24 months to review. No refugee process should take over 2 years because it defeats the purpose of the refugee status, and now HR 5203 effectively elongates the process. Security Advisory Opinion reviews can take anywhere from months to years to complete. HR 5203 will exorbitantly delay this current processing time and fail to protect those fleeing persecution.

ADC also has serious concerns on HR 5203 new burdensome procedures to prevent visa applications from being approved until the review of individuals’ social media postings and mandated DNA testing and collection. These procedures implicate civil liberties concerns on use and retention of DNA, unwarranted collection monitoring of travelers that can chill political and unfavorable speech, and arbitrary denials of visa applications and immigration benefits.

ADC strongly urges the Judiciary Committee and Congressional Members to oppose HR 5203. Blanket discrimination against our communities does not keep us safe and security checks

Respectfully,

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