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My Turn: Halting Refugee Admissions is Misguided

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THE FORUM

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MY TURN

Halting refugee admissions is misguided

And it won't make nation, world any safer

By ERIN CORCORAN

For the Monitor

On Dec. 12, 1938, in a survey by Student Opinion Surveys of America, college students were asked whether the United States should offer a haven in this country for Jewish refugees from Central Europe, and 68.8 percent of student surveyed said no. This opinion mirrored U.S. foreign policy at the time.

In May 1939, the St. Louis, a German transatlantic liner carrying 937 passengers, most of them Jews fleeing from the Third Reich, requested permission to disembark in Florida after being turned away by Cuba. The U.S. government refused the request and on June 6, 1939, the St. Louis sailed back to Europe where about half of the passengers perished in the Holocaust. Unfortunately, rejecting refugees fleeing persecution is still the politically expedient thing to do.

In the aftermath of terrorist attacks in Paris, state governors from more than 25 states, including the governor of my state, New Hampshire, have stated that they are shutting down their borders and not allowing Syrian refugees to live in their states. While their

pronouncements carry no legal weight, because state governors don't have the authority to decide whether to admit refugees into the United States (that is the president's prerogative), they are misguided and morally reprehensible.

In addition, members of the U.S. House of Representatives have introduced a bill that will be debated on the House floor Thursday that requires additional processes for Syrian refugees to be admitted to the United States. The requirements of this bill would effectively shut down the resettlement program for Syrian refugees for a significant amount of time. Such legislation is unnecessary because refugees already go through the most extensive background check processes in this country.

Refugees who are admitted through the U.S. State Department resettlement program are subject to a rigorous and thorough 13-step multi-layered, interagency security screen process.

First, the United Nations High Commissioner for Refugees must determine that a



A Syrian man kisses his daughter on Monday shortly after disembarking from a dinghy at a beach on the Greek island of Lesbos. They crossed the Aegean Sea from the Turkish coast.

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person qualifies for refugee status under international law. Then the U.N. must conclude that this refugee meets one of the criteria for resettlement and refer the individual case to a referral support center, contracted through the U.S. State Department. This center gathers the refugee's personal data and background information for security clearances. The refugee then undergoes several security clearances, including enhanced interagency security checks, all while the refugee waits in a refugee camp.

In addition, certain refugees then undergo another security review called a Security Advisory Opinion, which is positive security clearance from a number of U.S. law enforcement and intelligence agencies. The refugee is then fingerprinted and interviewed individually and in person by a DHS officer. After the refugee has been approved by DHS, the refugee then must undergo a medical examination, and be placed with a sponsor agency that will assist the refugee upon arrival in the United States.

Prior to final departure, a refugee must clear a second interagency security check. Finally, when the refugee arrives at one of the five U.S. airports designated for refugee admissions, a customs and border patrol officer will review the refugee's documents and

conduct additional security checks to ensure the arriving refugee is the same person who was screened and approved for admission to the United States abroad.

A person wanting to commit acts of terror in the United States is not going to languish in a refugee camp for years and undergo an extensive background check that takes anywhere from six months to several years to complete. Categorically denying protection to refugees does nothing to enhance our security; it does, however, undermine our reputation as world leader in protecting human rights.

The United States has both an international and a domestic obligation to not return refugees to a place where they will face harm based on political opinion, race, religion, nationality or membership in a particular social group. President Obama, in honoring these obligations, agreed to accept 10,000 Syrian refugees into the United States through the U.S. resettlement program. This humanitarian gesture signaled to Europe that the international community would protect these refugees.

Over 3 million refugees have fled Syria to escape horrific violence and to protect their children. Since the civil war began, more than 240,000 people have been killed,

including 12,000 children. One million more have been wounded or permanently disabled. Children are being forced to serve as fighters, human shields and support roles for warring parties. They are fleeing the same violence and harm that the terrorists exacted on innocent individuals in Paris.

State governors publicly refusing to provide protection to refugees who have been vetted through a rigorous security process and members of Congress attempting to shut down refugee resettlement of Syrian refugees is hauntingly reminiscent of nations turning away the passengers of the St. Louis. Denying safe haven to the persecuted does not make this country or this world any safer.

(Erin Corcoran is a professor of law at the University of New Hampshire School of Law. Her research is on immigration law with a focus on protecting non-citizens through systemic changes to the immigration system, including providing government funded non-attorney legal representation, professionalizing the immigration prosecutors' office and requiring best practices for adjudicating claims of unaccompanied minors seeking immigration relief. She serves on the New Hampshire Supreme Court's Access to Justice Commission.)