

November 25, 2015

Donna Duvin, Executive Director
International Rescue Committee
6500 Greenville Avenue, Suite 500
Dallas, TX 75206

Dear Executive Director Duvin:

Texas has a proven record of providing humanitarian assistance to refugees fleeing persecution. Texas accepts approximately 10 percent of all refugees resettled in the United States — more than any other State. In 2014, twenty-eight refugees were settled in Texas per every 100,000 Texans. Compare this to sixteen in California per 100,000 residents; seventeen in Florida per 100,000 residents; and twenty in New York per 100,000 residents. Texas has shouldered its share in supporting refugees from around the world.

As you know, until recently the United States was unable to accept more than a few hundred Syrian refugees per year because federal law excluded any refugees who had provided material support to a terrorist organization. 8 U.S.C. § 1182(a)(3)(B). In order to increase the number of Syrian refugees to 10,000 this year, the President unilaterally exempted Syrian refugees from that ban. See Exercise of Authority Under Section 212(d)(3)(B)(i) of the Immigration and Nationality Act, 79 Fed. Reg. 6913 (Feb. 5, 2014).

In a recent letter to my agency, the Governor noted that this unprecedented increase in Syrian refugees has caused many in the security community to raise alarm. The Governor's letter quotes federal security officials such as the Director of the FBI, who recently told Congress that the federal government cannot conduct effective security checks on Syrian nationals. FBI Director Comey testified that “we can query our database until the cows come home, but nothing will show up because we have no record of them.” The Governor's letter cites other officials as well. The Assistant Director of the FBI Counterterrorism Division echoed Director's Comey's concerns, explaining that his “concern is in Syria, the lack of our footprint on the ground in Syria, that the databases won't have information we need. So it's not that we have a lack of process, it's that there's a lack of information.” The Director of National Intelligence summed up the worries of these federal counterterrorism experts: “I don't, obviously, put it past the likes of ISIL to infiltrate operatives among these refugees.”

The Governor has advised me that his foremost obligation is to keep citizens safe. The Governor believes that accepting refugees from Syria is incompatible with an absolute commitment to the safety of Texans because the President has shown the Governor no willingness to improve the security screenings of refugees from Syria, despite the abundant evidence that the screenings are ineffective. Governor Abbott has responded by calling for a temporary halt to resettlement of any further refugees in Texas until concerns about the effectiveness of security screenings are addressed. I urge you to cooperate with the State of Texas, as required by law, as we work

together to implement Governor Abbott's efforts to keep our doors open to refugees while at the same time keeping Texans secure.

As you are aware, the Texas Health and Human Services Commission (HHSC) communicated to you and other resettlement agencies regarding the state's concerns regarding the resettlement of certain Syrian refugees. Many of your fellow organizations expressed a willingness to work with the state to identify alternative outcomes for refugees from Syria who might otherwise relocate to Texas. However, we have been unable to achieve cooperation with your agency.

Specifically, your agency insists on resettling certain refugees from Syria in the near future. I must ask that you fulfill your statutory duty to conduct your activities "in close cooperation and advance consultation" with the State of Texas pursuant to section 1522 of Title 8 of the United States Code. If you remain unwilling to cooperate with the state on this matter, we strongly believe that a failure to cooperate with the State on this matter violates federal law and your contract with the state.

Rather than continue on your current path, in violation of the Governor's directive, please contact my office no later than Monday, November 30, so that we can, indeed, work together "in close cooperation" as required by federal law. My state refugee coordinator, Cecile Young, can be reached at (512) 428-1971.

Failure by your organization to cooperate with the State of Texas as required by federal law may result in the termination of your contract with the state and other legal action.

Sincerely,

Chris Traylor, Executive Commissioner