

**U.S. Commission on International Religious Freedom
Hearing on Religious Freedom and Women's Rights in Iran
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My name is Kate Meyer and I am a Litigation Staff Attorney at the International Refugee Assistance Project. IRAP is a global legal aid and advocacy organization working to create a world where refugees and all people seeking safety are empowered to claim their right to freedom of movement and a path to lasting refuge.

I am honored to be here today to speak about the importance of the Lautenberg Program, which has historically been a lifeline for persecuted Iranian religious minorities to safely resettle as refugees in the United States. I will also speak about recent vetting changes that ensnared IRAP's clients and threatened the program. I will conclude by offering recommendations to ensure that the program remains a viable pathway for Iranian religious minorities going forward.

Nothing speaks to the importance of this program more powerfully than the experience of one of IRAP's clients, who I will refer to as Jane Doe. Her complete statement for the record is available on the USCIRF website. Jane is an Iranian Christian woman who applied to come to the U.S. with her husband, daughter, and parents through the Lautenberg Program in 2016. Jane explained why she decided to flee Iran, stating:

"In Iran, my family and I faced discrimination from the Islamic Republic government for being Christian. The government security and religious police broke the windows of my husband's restaurant many times, and we were falsely accused of selling unclean products in front of our customers. We were also cast off from society. At my job as a Secretary, I was forced to eat alone because my colleagues believed I would contaminate their food. At public clinics I was refused medical treatment because of my religion. The situation got worse once I had my daughter, who I knew would grow up in a gender segregated environment there. I feared that she would suffer without her father being present for many occasions in her life like I had as a child."

The Lautenberg Amendment was enacted by Congress in 1989 to facilitate refugee admission of persecuted religious minorities from certain countries in just these circumstances, with an initial focus on Jews and certain Christian minority groups from the former Soviet Union. The Lautenberg Amendment lowered the bar for evidence that applicants are required to show in order to be eligible for refugee status. In 2004, Congress added Iranian religious minorities to these protections through the Specter Amendment. Since its inception, approximately 30,000 individuals belonging to Iranian religious minorities have resettled in the United States under the Lautenberg-Specter Amendment in what has become known as the "Lautenberg Program." The Lautenberg Program has historically enjoyed bipartisan support and Congress has consistently reauthorized both the Lautenberg and Specter Amendments.

Lautenberg applicants typically have a U.S. based relative sponsor their applications—in Jane’s case, her uncle in the U.S. was her family’s sponsor. Because the United States does not have an embassy in Iran, Lautenberg applicants who pass initial screening are granted a short visa to travel to Vienna, Austria to complete processing of their applications. Jane’s uncle deposited thousands of dollars to cover the living expenses of her and her family in Vienna for the few months that applications are typically under review. Until 2016, applicants usually stayed in Vienna for only a few months to finish processing and the program enjoyed a nearly 100% success rate of applicants being approved for admission to the U.S. Jane believed that she too would only stay in Vienna for a short time, just like many others in her family and community had done before.

In 2017, Jane’s family was given approval letters and had travel booked to the U.S. But when the family was on the way to the airport, they got a call that their flight was canceled. They had already given up their apartment in Vienna and had to return to their building to sleep on the hallway floor. After many more months of waiting without an explanation, Jane was told that her parents could go to the United States sooner if they separated their cases, and they very reluctantly agreed to do so.

Then, in February 2018, Jane and nearly 100 other Iranians in Vienna received denials of their Lautenberg applications. This left Jane and the group stranded, terrified of being forcibly returned to Iran yet shut out of the United States. She stated:

“We were devastated, and the time that we spent waiting in Vienna—six years in total—was very painful. Our short visa to Austria expired, leaving us without permission to work, proper health insurance, or source of financial support for ourselves and our daughter. We were warned to stay at home or risk being arrested and deported to Iran, and had to apply for asylum in Austria after the United States turned its back on us.”

These denials were unprecedented for the historically successful program, and IRAP subsequently filed a class action lawsuit challenging the denials. Through that litigation it came to light that a new vetting technique for refugees from a list of predominantly Muslim-majority countries had ensnared Jane and this group of applicants.

Refugees are required to share a large amount of personal information with the U.S. government in their applications, including any phone numbers and email addresses that they have used for the past 10 years, as well as contact information of people in the United States—often family members—with whom they intend to reunite. IRAP believes that the FBI vetted this information and automatically labeled as a security threat any refugee whose communication records matched with those in the government’s vast bulk database, even though the database includes records of entirely innocent people caught up in the U.S. government’s mass surveillance capabilities. This extreme vetting led to a steep, unfair increase in security denials and needlessly ensnared refugees seeking a safe place to live.

A settlement agreement reached in the IRAP lawsuit required the government to reassess this group’s refugee applications under fair standards. As of this month, more than 70 individuals –

nearly all of the Lautenberg applicants who the U.S. had erroneously labeled a “security threat” – have now reunited with their family in the U.S.

Jane’s case was one of those re-examined and approved under the settlement agreement, and she was reunited with her parents this winter in time for Christmas. But their long-awaited reunion has also highlighted the toll that the last six years has taken. She stated:

“Now that we are together again, it is bittersweet to reflect on what we lost during the years apart. My parents have aged, and I am overcome with emotion when I think of the hardships they endured without us to support them. I had secured a job in the United States when I was first scheduled to travel, and while I kept the offer alive for some time afterwards eventually it disappeared. We feel very happy to be reunited but the trauma and despair of our journey remains with all of us who were stranded for so long.”

I would like to offer three recommendations to the Commission to ensure that the Lautenberg Program remains a viable pathway for Iranian religious minorities:

1. The first recommendation is that the Biden Administration should restart robust refugee resettlement for Iranian religious minorities through the Lautenberg Program. While the situation is improving for the applicants in Vienna covered by the settlement agreement, it has still not been resolved for the program as a whole, which has been frozen since February 2017. There are still thousands of applicants in Iran, where conditions have continued to deteriorate, who are registered for the program and are waiting for their applications to be considered.
2. The second recommendation is for the Biden Administration to commit to improving refugee vetting to increase efficiency and provide more effective security reviews, so that future refugee applicants will not be forced to remain in dangerous situations or end up separated from family members while seeking safety. Refugee applications should not be denied solely based on unreliable or immaterial evidence, and officers should review vetting information on a case-by-case basis to ensure fairness and common sense. In Executive Order 14013, the Biden Administration ordered a reexamination of the refugee vetting process affecting this population. We hope that the Administration will reevaluate refugee vetting practices that needlessly ensnare those trying to find a safe place to live with their families and practice their religion.
3. The third recommendation is for USCIRF to continue to champion the Lautenberg Program. We are grateful that the Commission has consistently recommended that Congress should vote to reauthorize the Lautenberg Amendment. We also appreciate that Commission voiced concern over the mass denials of Lautenberg applications in 2018 and highlighted the dire situation for religious minorities in Iran. We urge the Commission to continue to uplift the United States’ commitment to religious freedom as a foreign policy priority.