[MUSIC PLAYING]

NINA MOINI: Refugees who come to the United States go through extensive vetting before they're allowed into the country. But in Minnesota, immigrant advocate organizations have noticed a growing number of cases in which the federal government is trying to revoke the refugee status of some people who have already been admitted, in some cases years ago. It's a continuation of Operation PARRIS, a federal operation claiming to target fraud in the refugee program.

Here to explain why and how some of Minnesota's refugees are experiencing this is Rachel Kohler. She's the immigration services supervising attorney at the International Institute of Minnesota. Rachel, thanks for being on the program. We appreciate it.

RACHEL KOHLER: Thank you so much for having me, Nina.

NINA MOINI: So I understand you and your colleagues have said you've already noticed some of your refugee clients that have been receiving a letter called a notices of intent to terminate refugee status. Can you tell us a little bit about what is the context of-- content of those letters, and when did you start noticing your clients receiving them?

RACHEL KOHLER: Thank you so much. So, yes, we have about-- at the International Institute of Minnesota, we have about 750 pending adjustment of status or green card applications for refugees. Of the numbers that we have pending, we received seven notices of intent to terminate, and we've received four actual terminations. That obviously impacts more than just the seven. It impacts their families as well. As you know, Operation PARRIS started in January, and we started receiving these notices of intent to terminate around springtime so around April or May.

NINA MOINI: So it doesn't sound like that many people have gotten them. Do you have a sense for why these folks are getting these notices?

RACHEL KOHLER: That's a great question, and I wish I had a more specific answer. It does seem to be a bit random from what we've seen. These aren't necessarily people who received earlier PARRIS interviews. Some of them have, but others have not. And so we are still looking to see what the pattern or the reason why these particular refugees have been targeted.

NINA MOINI: But just to clarify, again, from these people that you all personally these clients of yours. You have no reason to believe any of them are involved in any type of immigration fraud.

RACHEL KOHLER: No. And, in fact, I would say a lot of the notices of intent to terminate that we're seeing are addressing credibility concerns or concerns of fraud that could in theory be explained by the fact that our clients have experienced extreme trauma. They get interviewed multiple times and may have memory issues. They've lived in multiple countries. They're working with different interpreters. There's a lot of reasons why these inconsistencies may be happening that don't actually impact a person's credibility or impact fraud allegations.

NINA MOINI: How common has it been historically for someone's refugee status to be revoked? Have you heard much of this type of thing where the federal government takes that status back?

RACHEL KOHLER: I've been practicing for 10 years, and I've never seen this. And many of the practitioners that I've spoken to have never seen this historically. This is extremely rare.

NINA MOINI: What kinds of things is the government pointing to as grounds for terminating someone's refugee status at this point? I know you mentioned there can just be errors made sometimes if there are barriers to communication or other things going on, but what are some of the hard reasons that someone would look into this? What would be something bad that someone-- a way that someone would commit fraud?

RACHEL KOHLER: So that's right. Some of it seems to just be inconsistencies across interviews of which they've attended multiple interviews through the refugee process. So this could include failure to disclose prior marriages or failure to disclose children, timelines that aren't consistent between interviews, statements made through interpreters that aren't consistent.

We've also seen allegations related to terrorism and material support for terrorism, which also can include allegations of just living in an area controlled by an armed group or having family relationships with people who were presumed to have a terrorist connection. The struggle is when they're stating that they're terminate-- their refugee status is being termination-- terminated based on these inconsistencies, they're making allegations that this means that their credibility in general is at question regardless of the fact that the things that they're pointing to aren't necessarily material to the refugee claim.

NINA MOINI: The question of intent is not really something that they're looking into if they're finding discrepancies through the refugee program.

RACHEL KOHLER: It doesn't seem to be that way although certainly they're targeting refugees who were resettled under the Biden administration. They're pointing out issues with the refugee program that have existed since its initial inception and not necessarily things that were impacted over those particular years. So it's hard. I think it's easy to interpret what the intent may have been.

NINA MOINI: What do you say to people who say, look, it's no secret the Trump administration says way too many people were let in under the Biden administration? They're going through everything with a fine tooth comb. They have said this.

They have said basically tough if someone didn't follow procedure, that intent doesn't matter, that they're going to try to deport and make sure people here have really no inconsistencies. So they're viewing this as really cracking down and just being really by the book. What do you say to people who say this is just how this administration is planning to do it and they're having success with it and that a lot of people are choosing to self-deport?

RACHEL KOHLER: Sure. I have a lot that I could say about that generally, but I'll focus in on specifically the refugee community and say that these are the immigrants who have been vetted the most extensively, that they've had to attend multiple interviews overseas, that they have gone through background checks, that they have gone through health-related checks, that they were admitted by customs and border patrol when they entered. These are the people who have followed the law, followed the rules, and done exactly what was asked of them, and so now that this administration is starting to reinterpret different things that have been on the books and in the law for a long time now they're being punished.

NINA MOINI: Another aspect of these notice letters is shortening the time given for refugees to respond to the letter, going from 30 days to 10. Can you paint a picture of how this is going to impact people's abilities to respond effectively?

RACHEL KOHLER: This is an incredibly concerning development. It was already concerning when the timeline was 30 days. In order for refugees to respond, they need to understand their initial refugee claim, many of which were in times of extreme trauma and stress and didn't know what was being asked of them at the time, didn't know that definition of a refugee. They were just responding to questions being asked by refugee officials abroad.

And so now they're being asked to defend their refugee claim when they may not have a good understanding of what it was initially. We as practitioners, as representatives, and advocates, we're being asked to respond when we may have an incomplete understanding of the record, And it was difficult enough to try to work through these issues and get the information we need to respond within the 30-day time frame. We were already sounding the alarm about that time frame, so now the 10-day time frame makes it near impossible to respond in an effective way.

NINA MOINI: So what are you doing then with the clients that you mentioned earlier? It was like a handful or around a dozen people and their families.

RACHEL KOHLER: Yes, so the International Institute of Minnesota is committed to representing and responding to notices of intent to terminate for the clients we're representing in their green card applications. We're attempting to represent everyone that we've resettled, but it's very difficult. And even if you do mount a very hefty thorough response, that isn't necessarily a guarantee that USCIS isn't going to terminate their refugee status anyway. And so we're making sure that we're letting our clients know what the possible risks of responding, of not responding to these notices of intent to terminate, and then what could happen after that. So clients can be as prepared as possible for what's coming.

NINA MOINI: Generally speaking just before I have to let you go, Rachel, how are things going at the International Institute now? We're almost a year it will-- in December, it will have been a year since the start of Operation Metro Surge or it built over time. But it's almost been a year. And I wonder how your services are doing overall given differences in interpretations of laws and the crackdown type of approach that we've been talking about.

RACHEL KOHLER: Thank you so much for that question. It has been a challenge I will say that we've been practicing with refugees and asylees for decades if not longer. And we've become accustomed of what we need to do to best represent to best support these clients. And now it seems like everything is being turned on its head.

Laws aren't being followed the way that we believe they should be followed. Things are being interpreted differently, and we are needing to adjust our services and our supports to best support and represent our clients. So I would say we're busy, we are staying nimble, and we're doing-- and we're adjusting services and doing what we have to do to best respond to the people impacted.

NINA MOINI: Rachel, thanks so much for your time. We really appreciate it. Thanks for checking in.

RACHEL KOHLER: Thank you so much for having me.

NINA MOINI: That was Rachel Kohler, immigration services supervising attorney at the International Institute of Minnesota.