

Background

With the U.S. government welcoming hundreds of thousands of forcibly displaced people from Afghanistan, Ukraine, Venezuela, and elsewhere, companies have been stepping up to integrate refugees into their workforces by hiring them. A common question from HR and legal teams when hiring refugees is how they should tailor their background check procedures for applicants with refugee or similar legal statuses.

Tent recommends that, when hiring forcibly displaced people, companies limit the scope of their background check procedures to candidates' time in the United States. As background checks often cover five or ten years, this may include candidates' time outside the United States – this will present an acute challenge, as the very conditions that forced candidates to flee may preclude the completion of a background check (institutions that no longer exist, colleagues that been killed or forced to flee, etc). Instead, companies can rely on the U.S. government's comprehensive security vetting of forcibly displaced people to cover the person's experience before arriving in the U.S., and focus their background check only on the candidates' time in the U.S..

This resource provides companies with information on the rigorous and comprehensive vetting conducted by the U.S. government of forcibly displaced people in the U.S. Forcibly displaced people enter the U.S. under a variety of legal immigration pathways – including as refugees, asylum seekers, humanitarian parolees, Special Immigrant Visa (SIV) holders, and Temporary Protected Status (TPS) holders. This document provides an overview of the vetting for each of these legal pathways.

The vetting process for resettled refugees and SIV holders

- The U.S. government resettles refugees from abroad who are deemed in need of permanent resettlement in the U.S. due to vulnerable circumstances. Since 1980, the U.S. government has resettled more than 3 million people through the U.S. Refugee Admissions Program
- In 2006, Congress created a new “Special Immigrant Visa” program to resettle Afghan and Iraqi individuals employed by or on behalf of the U.S government or military who faced potential retaliation for their support of the U.S.
- For both refugees and SIV holders, the U.S. conducts a rigorous vetting process to determine whether to accept a person for resettlement. The vetting process takes approximately two years. Refugees and SIV holders undergo biographic and biometric checks, medical screenings, forensic document testing, and in-person interviews prior to arrival in the U.S., including being screened for the following information:
 - Biodata, including an individual's name, address, birth date, place of birth, etc.
 - Biometrics, including iris scans and fingerprints
 - Interviews to confirm initial information and identifying documents
 - Connections to known bad actors or any outstanding warrants/immigration or criminal violations
 - Photographs for identification purposes

- Written reference letters to confirm their status as a refugee or SIV holder. For SIV candidates, this letter must be from a General or Flag Officer in the chain of command of the U.S. Armed Forces unit the SIV candidate worked for in order to apply for a visa
- All resettled refugees and SIV holders are required to apply for a Green Card within a year of their arrival to the U.S., which triggers another set of vetting by the U.S. government

For more information on the vetting process for resettled refugees, please visit [this link](#).

For more information on the vetting process for SIVs, please visit [this link](#).

The vetting process for humanitarian parolees

- Humanitarian Parole is a temporary legal status granted to individuals for urgent humanitarian reasons. It has been the main immigration pathway the U.S. government has utilized to quickly resettle Ukrainians (through the Uniting for Ukraine program) and Afghans (through Operations Allies Welcome) fleeing conflicts in their home countries
- The U.S. government conducts background checks of humanitarian parolees before they enter the country. Applicants for parole undergo these checks in their home countries.
- An exception to this rule occurred with Afghan parolees who fled Afghanistan when Kabul fell to the Taliban in September 2021. Afghan parolees were vetted at U.S. military bases in the U.S., Europe, and Middle East as the rushed nature of their evacuation prohibited the U.S. government from enforcing their usual policy of conducting checks in the home country. The U.S. government conducted thorough security and immigration vettings for Afghan parolees at these bases.
- Humanitarian parolees must provide biometrics for a full background check, including the following:
 - Biodata, including an individual's name, address, birth date, place of birth, etc.
 - Biometrics, including fingerprints to run a full FBI criminal background check
 - Photographs for identification purposes

For more information on the vetting process for humanitarian parolees, please visit [this link](#).

For more information on the vetting process of Afghan parolees, please visit [this link](#).

The vetting process for asylum seekers, asylees, and TPS holders

- An asylum seeker is an individual who has left their country of origin and has formally applied for asylum in another country but is waiting for a determination. If they win their legal case for asylum in the U.S., they are known as an asylee.

What To Know About Background Checks and Vetting for Refugees in the U.S.



- TPS is an immigration status for individuals who are already in the U.S. on another visa and cannot safely return to their home country due to extraordinary circumstances. Examples of these circumstances include armed conflict or environmental disaster. The U.S. government grants TPS to individuals fleeing [specifically-designated countries](#)
- Asylum seekers are required to complete an application to apply for asylum within a year of arriving in the country. Each qualifying country for TPS has its own deadlines for both first-time applications and later renewals, if TPS is extended. Once an asylum seeker or TPS candidate completes their application, the U.S. government begins the screening and vetting process. This process typically takes six months. Asylum applications can only be approved if an individual completes the vetting process
- Asylum seekers and TPS candidates are interviewed and undergo a biometrics check to collect fingerprints, a photograph, and a signature. The U.S. government uses this information to conduct an FBI criminal background check. Background checks and security screenings cover the following information:
 - Criminal history
 - Links to organizations that may pose a threat to the U.S.
 - Travel history
 - Foreign activity
 - Immigration records
 - Any intelligence records that may refer to applicant personally
 - Potential fraud, including identity theft

For more information on the vetting process for asylum seekers and asylees, please visit [this link](#).

For more information on the vetting process for TPS holders, please visit [this link](#).