

Testimony of

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before

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concerning

Refugee Resettlement Admissions Program for FY 1998

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Mr. Chairman and Members of the Subcommittee:

Good afternoon. I am pleased to appear before you today to discuss the proposed United States refugee resettlement admissions program for FY 1998 and the work accomplished by the Immigration and Naturalization Service (INS) during FY 1997.

As the decision maker on the individual cases under the U.S. refugee program, INS has a critical responsibility to ensure that we identify those individuals who have been persecuted or would have a well-founded fear of persecution if they were to remain in or be returned to their homelands. This responsibility presents INS with an ongoing challenge, one that has grown in recent years as the U.S. refugee program has sought to respond to ever more complex refugee and migration flows.

Over the last several years, the U.S. refugee program has developed an increasingly stronger partnership with organizations outside the U.S. government. By identifying populations at risk within these complex migration situations, the United Nations High Commissioner for Refugees (UNHCR) has helped us to create a refugee program that is more responsive to those at risk around the world, regardless of their nationalities or ties to the United States. Our coordination with nongovernmental organizations (NGOs) also has been instrumental in reaching refugees who previously did not have access to U.S. resettlement opportunities. We strongly support this development and are aware of its significant workload implications, requiring us to respond to a significantly more diverse refugee caseload, both in terms of nationality and location.

Last month, INS announced the opening of 13 new overseas offices and assignment of

47 additional officers as part of a new initiative called Operation Global Reach. Although the primary focus in our new offices will be efforts to counter the threat of international migrant trafficking, the expansion of INS' overseas presence affords us an opportunity to be more responsive to the world's refugees. All of the newly assigned officers received special training in refugee issues and will be prepared to process individual refugee cases that may need immediate attention. In addition, this initiative frees our staff in traditional refugee processing sites to be more specialized and to devote greater attention to refugee activities. A good number of newly selected officers destined to posts with significant refugee processing workloads were drawn from the domestic asylum corps.

The integration of asylum officers into our overseas refugee processing activities has been a positive step toward meeting our obligations under the U.S. refugee program's evolving workload, as well as our migration-related responsibilities. The temporary assignment of domestic asylum officers to supplement INS staffing in Africa, Vietnam, and Europe, as well in the Cuban migration programs, has been an essential element in INS' ability to meet our commitments during FY 1997. The asylum officers have brought much training and expertise to our overseas program. In return, they have had the opportunity to work in environments much closer to the refugees' flight from persecution and have gained a new appreciation for the life-changing character of the decisions they make.

Today, I look forward to describing for you a wide range of INS overseas accomplishments. I would like to begin with our in-country refugee program in Vietnam where processing under the Resettlement Opportunity for Vietnamese Returnees (ROVR) is currently underway.

At the time of last year's consultations, INS was preparing for its role in the ROVR program. As you know, ROVR offers a final U.S. resettlement opportunity to certain Vietnamese nationals who returned or volunteered to return to Vietnam from first asylum camps between October 1, 1995, and June 30, 1996. As many as 14,000 Vietnamese returnees are eligible to apply for ROVR consideration.

In March, INS conducted special training of asylum officers selected to conduct interviews under the ROVR program. In April, one team member traveled to Vietnam to process the first 52 ROVR applicants issued exit permission by the Vietnamese government. On July 14, three officers traveled to Vietnam to interview approximately 250 ROVR cases. Although these officers will return to the United States when they have completed the processing of these 250 cases, INS stands ready to send another interview team to Vietnam once the Vietnamese government issues exit permission to additional ROVR applicants.

Meeting our ROVR commitments has not, however, kept INS from responding to our other refugee processing obligations in Vietnam. During FY 1997, INS officers stationed in Bangkok have continued to make circuit rides to Vietnam to interview refugee applicants under other subprograms of the Orderly Departure Program (ODP). INS remains ready to interview any ODP eligible applicants who receive exit permission from the Government of Vietnam.

Outside Vietnam, INS interviews of Vietnamese refugee applicants have been virtually completed. During FY 1997, the U.S. refugee program has worked closely with the United Nations High Commissioner for Refugees (UNHCR) to resolve, where possible, remaining cases of Vietnamese in first asylum countries. The most public of these

coordinated efforts has been the processing of 184 Nung in Hong Kong which occurred in the days just preceding the return of the former British colony to Chinese control. Under difficult circumstances, INS interviewed 32 Nung who had served with U.S. Special Forces during the Vietnam War. These 32 Nung together with 152 of their family members were approved for U.S. resettlement. During June, INS officers in Hong Kong also processed approximately 80 additional UNHCR-referred Vietnamese for refugee resettlement and parole.

I would like to turn now to a region of the world much closer to home, the Caribbean. During FY 1997, INS has focused a great deal of attention on Caribbean migration flows and I want to comment today on the programs now operating with respect to Cuban migrants.

Under the migration agreements signed with Cuba on September 9, 1994, and May 2, 1995, the United States continues to work toward our goal of establishing a safe, legal, and orderly migration flow out of Cuba. For more than 2 years, we have witnessed the successful interaction of the policies and programs established by these agreements. The enhanced legal migration opportunities provided by the September 9 agreement give potential migrants, even those without family ties to the United States, the chance to realize their dreams of coming to this country legally. The May 2 policy of direct return for Cuban migrants interdicted at sea or arriving directly at Guantanamo Bay continues to be a powerful deterrent to irregular departures from Cuba.

In support of the May 2 policy of direct return, INS continues to assign asylum officers to the Guantanamo Bay naval base and aboard Coast Guard cutters. This specially-trained cadre of officers provides migrants interdicted at sea or arriving directly at Guantanamo the opportunity to express any fears they may have about being returned to

Cuba. Those migrants found to have protection concerns are not returned to Cuba. Instead the U.S. Government seeks resettlement opportunities for them outside the United States. To date, INS has trained 80 asylum officers to consider Cuban migrant claims. Officers participating in the Cuban interdiction program rotate through 30 day assignments either at Key West or in Guantanamo.

Now I would like to turn for a moment to the expanded migration opportunities available to Cuban nationals in Havana. As you know, the September 9, 1994, agreement commits the United States to facilitating the legal migration of at least 20,000 Cubans annually. We are now in our third year of processing under this agreement and will, once again, meet our migration goals prior to the end of the fiscal year. As was the case in FY 1996, 15,000 migrants will be approved in Havana for travel to the United States, while the remainder of the 20,000 migrant total will be made up by 5,000 Cuban migrants previously paroled into the United States from Guantanamo Bay under the May 2, 1995 agreement.

To expand migration opportunities for Cubans, INS and consular staff have worked in close coordination at the U.S. Interests Section in Havana, with INS supplementing our permanent Havana staff with temporary duty asylum officers during much of FY 1997. As of the end of June, INS and Department of State had processed 10,600 Cuban migrants under the September 9 agreement. Included in this total are approximately 3,300 travel-ready approved refugee applicants, nearly 4,800 individuals offered parole under the Special Cuban Migration Program (SCMP) or Cuban lottery, 2,000 preference immigrant visa beneficiaries and 540 attached family members offered parole. INS officers have also approved an additional 1,300 refugee applicants who are not yet travel ready.

The success of the current Cuban interdiction program and the enhanced legal migration programs in deterring irregular Cuban boat departures is borne out by the continued low number of migrants interdicted at sea by the Coast Guard. Between May 2, 1995 and June 30, 1997, the U.S. Coast Guard has interdicted only 771 Cuban migrants attempting to immigrate to the United States. An additional 126 migrants arrived directly at Guantanamo during this period. As we reported last year, Cuban interdiction rates are at their lowest since the late 1980s.

In Africa, INS continues to view the U.S. refugee program's partnership with the UNHCR as an ongoing success in opening the U.S. refugee program to persons at risk. In this, the second year in which the majority of African refugees admitted to the United States will be UNHCR referrals, the African refugee caseload has proven to be even more diverse than anticipated. As evidence of the program's increasing responsiveness to this evolving and critical caseload, we note that twenty nationalities are represented in the refugee caseload being processed by teams of U.S. caseworkers and INS officers. We have already approved for admission applicants from Ethiopia, Liberia, Somalia, the Sudan, and 15 other nations representing the geographical reach of Sub-Saharan Africa.

Moving briefly to the Middle East, I want to take this opportunity to note another INS processing accomplishment in FY 1997 -- the interview of thousands of Iraqi Kurds on Guam between September 1996 and April 1997. When conditions deteriorated in northern Iraq last summer and no third country site could be found for refugee processing, the United States moved 6,500 Iraqi Kurds who had been working for the U.S. Government, or U.S.-based or U.S.-funded relief organizations directly to the United States, i.e., Guam, where they were processed for asylum. As part of the multi-agency response to this crisis, INS quickly detailed

more than 20 officers to Guam to conduct asylum interviews prior to the resettlement of these individuals in the continental United States.

While the preferred U.S. response to this population would have been to process them for refugee status in a third country, this was not an option. With no third country processing site available, the real danger facing these individuals made it necessary to use the Attorney General's parole authority to support their successful evacuation from Iraq. We at INS are proud to have been a part of this extraordinary humanitarian effort.

Elsewhere in the U.S. refugee program, INS has also committed significant resources to refugee processing needs. In Europe, we have made the processing of Bosnian refugees a FY 1997 priority, detailing a series of domestic asylum officers to supplement our overseas refugee processing staff. This detail of additional INS officers has allowed us to be responsive to the increased numbers of Bosnian refugee applicants applying to the U.S. refugee program in Europe, particularly in Germany, following the signing of the Dayton Peace Accords.

During FY 1997, INS has also participated with the Department of State, the United Nations High Commissioner for Refugees (UNHCR) and a range of voluntary agencies in increasing Bosnian refugees' access to the U.S. refugee program. At the conclusion of our discussions, the State Department announced a mid-year expansion of those groups of Bosnians who may register directly for refugee interviews, i.e., without seeking a UNHCR referral. As of January 1, Bosnians of all ethnicities may directly apply to the U.S. refugee program if they fall under one of the following categories: former detainees who were held on account of ethnicity or political or religious opinion; victims of torture or systematic

violence against members of targeted ethnic groups by governmental authorities or quasi-governmental authorities in areas under their control; surviving spouses of civilians who would have been eligible under these criteria if they had not died or disappeared in detention or as a result of torture or violence; and persons in mixed marriages of any ethnic background. Any Bosnian with close relatives in the United States may also register directly for the U.S. refugee resettlement program.

In Moscow, INS interviews refugee applicants from the former Soviet Union, who are scheduled at the rate of 4,000-4,500 each month. As has been the case for most of the program's history, the vast majority of these applicants fit within one of the Lautenberg Amendment categories established by P.L. 101-167 in November 1989: Soviet Jews, Evangelical Christians, Ukrainian Catholics and Ukrainian Orthodox. Individuals who fall under one of these categories are determined to have a well-founded fear of persecution if they assert a fear of persecution and a credible basis for their concern.

By the end of FY 1997, INS Moscow will have interviewed more than 350,000 Soviet refugee applicants over the course of the in-country program. Currently approximately 38,000 approved refugee applicants are in the Moscow "pipeline" for travel to the United States.

Before I conclude my remarks, I want to acknowledge the recent contribution of the Commission on Immigration Reform to the ongoing discussion of the goals and structure of the U.S. refugee admissions. We at INS have read the Commission's report, "U.S. Refugee Policy: Taking Leadership," with great interest. The report's insights and recommendations have provided us with much to consider and discuss with our partners in the U.S. resettlement

program.

In closing, the Immigration and Naturalization Service supports the worldwide refugee admissions ceiling of 78,000 and the respective sub-ceilings proposed by the President in the "Report to the Congress on Proposed Refugee Admissions for Fiscal Year 1998."

Thank you. I will be pleased to answer any questions you may have.