

Testimony of
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STATEMENT OF

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DEPARTMENT OF STATE

REGARDING A HEARING ON

"OVERSIGHT OF U.S. REFUGEE ADMISSIONS AND POLICY"

BEFORE THE

SENATE JUDICIARY COMMITTEE
SUBCOMMITTEE ON IMMIGRATION, BORDER SECURITY AND CITIZENSHIP

SEPTEMBER 27, 2006

I am pleased to participate in this afternoon's public hearing on the President's refugee admissions program for FY 2007. The Administration is committed to maintaining a robust admissions program as an integral component of our effort to promote the President's freedom agenda and to champion human dignity globally. Though FY 2006 has been a challenging year, there is much good news to report about this important humanitarian program.

Among the best news is the fact that the worldwide population of refugees is at its lowest level in 26 years - with just under 9 million in the care of UNHCR. Millions of Liberians, Afghans, Sudanese, Burundians and others have been able to return to their homelands or have found permanent refuge in asylum locations.

FY 2007 Proposed Refugee Admissions Number

The President has proposed that the United States admit up to 70,000 refugees in FY07. We would allocate 50,000 of the refugee numbers among regions based on existing or identified caseloads. The unallocated reserve of 20,000 numbers would be used as we identify additional refugee populations for processing. I have recently visited three refugee hosting countries in South and Southeast Asia - Bangladesh, Malaysia and Thailand - and saw clear evidence of the need to extend the reach of our program to thousands of refugees who require resettlement to end the limbo of unsatisfactory and unresolved protracted situations.

We enter the year with a healthy number of refugees in advanced stages of resettlement processing. We are already working with our overseas partners to process several large new populations for the program such as Burundians in Tanzania, Eritrean Kunama in Ethiopia, and vulnerable Congolese in Burundi. The Humanitarian Resettlement program in Vietnam for those who were unable to apply to the Orderly Departure Program is now underway, and the first people accorded status under this program arrived in the United States in September. While the international community is making some, albeit slow, progress in achieving agreement on durable solutions for the 100,000 Bhutanese in Nepal, we hope that the coming year will end this decade-long stalemate and produce concrete results.

Highlights and Challenges

The program continues to target diverse populations of refugees throughout the world. We are on track to admit some 41,500 refugees representing over 60 nationalities this year. Interagency cooperation has never been more vital to the successful implementation of this program. The Refugee Corps at the Department of Homeland Security's Citizenship and Immigration Services is working closely with Department of State personnel to adjudicate the applications of those provided access to our program in more than 50 locations.

We continue to lead the world in refugee resettlement, accepting over 60% of the individuals referred by UNHCR in 2005 and admitting more refugees each year than all other resettlement countries combined. Through multilateral and bilateral efforts and bilateral representations, we have supported UNHCR in promoting the expansion of countries engaged in resettlement. Brazil, Chile, Argentina, Spain, Ireland and the United Kingdom are some of the nations that have joined in this important humanitarian work in recent years. We also continue to promote UNHCR's enhanced ability to identify and refer refugees for resettlement by working with them to ensure that field offices have the resources necessary to carry out this important task.

Our collaboration with NGOs is a critical part of our program. We have solicited and received ideas and benefited from the research of NGO colleagues regarding resettlement needs and priorities. We have also implemented a mechanism to allow NGOs engaged in refugee assistance overseas to refer compelling cases.

I am also pleased to report that, having overcome some significant obstacles, this year, we admitted the first nine North Korean refugees since the passage of the North Korean Human Rights Act. While we expect that most North Koreans seeking refuge will continue to resettle in the Republic of Korea, we are pleased to contribute to this humanitarian effort and are working to ensure that more will be admitted here in the coming year.

It is clear that the program has felt the impact of post September 11 expansions in the scope of terrorism-related inadmissibility provisions of the Immigration and Nationality Act (INA).

As a result, the Departments of State, Homeland Security and Justice have been engaged in efforts to exercise the inapplicability provision contained in the INA. This means that these amendments do not apply to refugee applications of individuals who pose no security threat to the United States and who we would otherwise wish to approve. In consultation with the Secretary of Homeland Security and the Attorney General, the Secretary of State has twice

invoked what has been referred to as the "inapplicability authority," that is, the authority not to apply to particular groups or individuals the INA provision barring those who provide material support to groups that are deemed "terrorist organizations" under the expanded definition in the law. The exercise of the inapplicability authority benefited Burmese Karen refugees in Thailand who supported groups that share US goals and pose no security threat to the US. We continue to review other populations for similar consideration and expect additional refugees will benefit from similar use of this authority in the near future.

Although Secretarial exercise of the inapplicability authority allows us to make significant progress in reaching some populations in need of resettlement, it does not provide the flexibility required in all refugee cases. For example, Cuban anti-Castro freedom fighters and Vietnamese Montagnards who fought alongside U.S. forces have been found inadmissible on this basis, as have Karen who participated in resistance to brutal attacks on their families and friends by the Burmese regime. The Administration will continue to seek solutions for these groups and to further harmonize national security concerns with the refugee admissions program.

The President's FY07 budget request would support 70,000 admissions and we urge Congress to fund the President's full request. Without a healthy appropriation, we will be unable to offer resettlement to thousands of refugees who are in desperate need of our help.

Conclusion

The Refugee resettlement program is an enormously important foreign policy tool. Its use can also promote acceptance of other durable solutions: repatriation and local integration. We are doing our best to ensure the program is flexible and that we provide access to refugees for whom resettlement is the appropriate durable solution. It is the Administration's view that important national security concerns and counter-terrorism efforts are compatible with our historic role as the world's leader in refugee resettlement. We will continue to seek opportunities to strengthen these two important policy interests. We look forward to working with you and other concerned members of the Senate and House of Representatives to restore the necessary balance between national security concerns and our nation's legacy as a refuge for the persecuted. The United States' Refugee Admissions program has always been and remains a wonderful reflection of who we are as a people; generous, compassionate and immensely proud of our cultural diversity. As President Bush has said

"All who live in tyranny and hopelessness can know: the United States will not ignore your oppression, or excuse your oppressors. When you stand for your liberty, we will stand with you."

Thank you for your continued support of this important program. I look forward to your questions.