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S. HRG. 103-545

# U.S. REFUGEE PROGRAMS FOR 1994: ANNUAL REFUGEE CONSULTATIONS

## HEARING

BEFORE THE

COMMITTEE ON THE JUDICIARY

UNITED STATES SENATE

ONE HUNDRED THIRD CONGRESS

FIRST SESSION

ON

EXAMINING THE U.S. REFUGEE RESETTLEMENT ADMISSIONS PROGRAM  
FOR FISCAL YEAR 1994 AND THE ROLE OF THE IMMIGRATION AND  
NATURALIZATION SERVICE IN THE PROGRAM

RECEIVED

SEPTEMBER 23, 1993

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Serial No. J-103-29

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U.S. GOVERNMENT PRINTING OFFICE  
WASHINGTON : 1994

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Chief of Documents, Congressional Sales Office, Washington, DC 20402  
ISBN 0-16-044384-9



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# U.S. REFUGEE PROGRAMS FOR 1994: ANNUAL REFUGEE CONSULTATIONS

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THURSDAY, SEPTEMBER 23, 1993

U.S. SENATE,  
COMMITTEE ON THE JUDICIARY,  
*Washington, DC.*

The committee met, pursuant to notice, at 2:30 p.m., in room SD-226, Dirksen Senate Office Building, Hon. Edward M. Kennedy presiding.

Also present: Senators Metzenbaum, Simon, Thurmond, Simpson, Grassley, Specter, and Cohen.

Staff present: Jerry M. Tinker, staff director and Richard W. Day, minority chief counsel of the Subcommittee on Immigration and Refugee Affairs.

## OPENING STATEMENT OF HON. EDWARD M. KENNEDY, A U.S. SENATOR FROM THE STATE OF MASSACHUSETTS

Senator KENNEDY. The committee will come to order. It is an honor to welcome Secretary of State Warren Christopher to the Judiciary Committee. In light of the dramatic developments taking place in the world today, we are especially grateful to the Secretary for taking time to meet with us this afternoon for our annual consultation on refugee admissions into the United States.

All of us wish Secretary Christopher well in meeting his important foreign policy responsibilities. He is one of the Nation's outstanding public servants, and it has been a privilege to work with him in his past incarnations in the State Department and the Justice Department. We have great confidence in his ability and judgment, and so does President Clinton. Clearly, he is on a tight schedule today and we have agreed to expedite our hearing to accommodate him, and I have asked all the Senators to limit the opening statements to 3 minutes and they will hopefully do so.

As Deputy Secretary of State in President Carter's administration, Secretary Christopher was the lead-off witness in this committee's original hearing in March 1979 on the landmark bill that is still the foundation of our refugee policy today, The Refugee Act of 1980.

I might say, Mr. Secretary, in looking through this big volume on the legislative history of the act, you are the first one here on page 6 and your comments then, as I know today, have importance to us on refugee issues.

So Secretary Christopher has a distinguished background in refugee issues and we are delighted to have his guidance and counsel today.

The extraordinary changes taking place in the world also have immense effect on the plight of refugees, the homeless, and millions of other displaced persons in many different lands. The challenges before us have rarely been greater. The way we deal with them has major consequences for international peace and stability. The collapse of communism has brought freedom to millions, but for many others it has unleashed a firestorm of repressed ethnic hatreds and violent nationalism. We know that war creates refugees, and as we are sadly learning, so does peace.

As a result, the resources and capabilities of the United States and other countries, the United Nations, and all international relief organizations have been stretched to the breaking point, and it is these issues and concerns that we will be discussing today. I look forward to the Secretary's testimony and to the administration's proposals for refugee admissions into the United States in the coming year.

I might add, Mr. Secretary, even though there has been a significant reduction in our overall foreign aid budget, the amounts that are being focused on refugees and refugee assistance have had a modest increase, which I think is important.

My good friend and colleague, Senator Simpson, I was pointing out that Secretary Christopher testified in 1979 on the Refugee Act, and so he has had an enormously distinguished public career, but he also has had a great interest in the issues of refugees.

Senator Simpson?

Senator SIMPSON. Mr. Chairman, that is very true, and that was my first year on the Judiciary Committee and you were the chairman. You were very helpful to me in my activities with the committee, and I remember distinctly the Refugee Act. At that time, I knew very little of the subject, and then I think it must have been your work putting me on the Select Commission, which was one of the most grotesque jobs I had ever had. [Laughter.]

Senator KENNEDY. I have got some other assignments for you, too.

Senator SIMPSON. I know that.

#### **OPENING STATEMENT OF HON. ALAN K. SIMPSON, A U.S. SENATOR FROM THE STATE OF WYOMING**

Senator SIMPSON. And I do know this; I do know what Senator Kennedy has done on the issue of immigration and refugee matters for many years. He has been a great supporter and help to me when I was chairman, even though there may have been times when he did not support it with a vote; but he was always there with his helpful counsel, and I mean that and I appreciate it.

To you, sir, it is wonderful to have you here. I have always had great admiration and regard for you, gained over many years, and I have shared that with you on many occasions and in many forums. It was indeed 15 years ago when you appeared representing the Carter administration to present legislation which became the Refugee Act. It was the creation of Senator Kennedy and the able man who sits at his right, Jerry Tinker, who has been a staff assistant of extraordinary dimension through the years.

Our good friend, Dick Clark, was also heavily involved in that at the time and participated at the hearing as the first coordinator for



refugee affairs. In his testimony—I looked back at that, too—he noted that the new legislation defined a refugee as “someone outside his or her country who is unable or unwilling to return to that country because of a well-founded fear of persecution,” something we obviously seem to have forgotten.

He also noted that the administration’s legislation then provided for a “more or less predictable flow or normal flow of refugees each year,” and he said that the “normal flow” allowed the admission of up to 50,000 refugees annually. Senator Thurmond noted at that hearing that that was a substantial increase over the annual quota of 17,400 refugees in our law at that time. I guess to paraphrase that cigarette ad, we have come a long way, Mr. Secretary, from that.

For the 15th consecutive year, the administration is asking for admissions well in excess of the “normal flow,” about 2½ times as many this year, and about 85 percent of them will come from within their own country of nationality, not outside—an extraordinary departure. It appears to me that our refugee program has become for the most part an immigration program in refugee clothing, and with refugee funding, which is, of course, what keeps them from going into immigration.

Don’t misunderstand me, please. I firmly believe we should accept our share of the world’s refugees who must have third-country resettlement and meet the test of a well-founded fear, and I believe our share is probably substantially larger than any other country’s. But we have allowed our program to turn into an immigration program, while at the same time the U.N. High Commissioner for Refugees has difficulty finding resettlement opportunities for the few thousand refugees who she believes really do meet the test and need to find a new place to live, and the ones who truly must flee their homelands for their safety or their freedom. So I look forward to the hearings.

Ambassador Zimmermann, it is nice to see you. I know of your skills and diplomatic abilities and have learned of that over the years. And to the rest of the panel, Ms. Limon, Ms. Sale, you are not unknown to me in your work in this area and we thank you for your participation. Hopefully, we can get to some of the serious concerns and deal with them openly as we must.

I thank the Chairman very much.

Senator KENNEDY. Thank you very much.

Senator Simon?

Senator SIMON. Thank you, Mr. Chairman. I am just going to leave my remarks until we get to the question period.

Senator KENNEDY. Senator Cohen?

#### **OPENING STATEMENT OF HON. WILLIAM S. COHEN, A U.S. SENATOR FROM THE STATE OF MAINE**

Senator COHEN. Thank you, Mr. Chairman. I may not be able to stay for the entire hearing. I will take this opportunity to say I have worked with Secretary Christopher in other capacities. He has made an enormous contribution to this country and continues to do so in his present capacity.

One of the questions I would raise, if I am able to remain throughout the hearing, deals with Iraqi prisoners, those who

fought during the war on the side of Iraq who either defected or who were captured and retained as POW's in Saudi Arabia. My understanding is roughly 1,000 of the Iraqi soldiers and their families have been admitted to this country as refugees.

Last month as we debated the defense authorization bill, an amendment was offered, a sense of the Senate resolution, that would proscribe the admission of these Iraqi soldiers as refugees. It would condition admission upon the State Department or the President certifying that the individuals, number one, cooperated with the United States following their defection or their capture and, number two, were not guilty of war crimes.

I would like to know either through the testimony or through an answer submitted for the record as to whether or not the State Department supports such restrictions and would, in fact, propose such restrictions in their regulatory process. It is something that I am concerned about and I think the American people are concerned about.

One of the things that caused us to get into the war in the first instance was the report of the atrocities being committed by the Iraqis of rape, pillage, plunder and the kind of barbarism that the whole civilized world is revolted by. To the extent that any of these individuals had engaged in that conduct, it seems to me, notwithstanding the fact they may have difficulties going back to Iraq to face Saddam Hussein, they ought not to be granted status as refugees in this country. I hope to pursue this during the course of the question and answer period if I am here, Mr. Chairman.

Senator KENNEDY. Senator Thurmond?

#### **OPENING STATEMENT OF HON. STROM THURMOND, A U.S. SENATOR FROM THE STATE OF SOUTH CAROLINA**

Senator THURMOND. Thank you, Mr. Chairman. Mr. Chairman, the hearing today concerns the issue of how many refugees this country should admit during the next fiscal year.

Our Nation has a long and proud tradition of accepting refugees from other countries who are fleeing persecution. On the other hand, the American people do not expect their generosity to be abused. Based on contacts with large numbers of upset American citizens from across the country, it appears that public support is diminishing for current refugee and immigration policies because of severe problems with the asylum process, as well as the large amount of illegal immigration.

Americans are deeply concerned because of the view that the immigration system encourages fraud by allowing unqualified aliens to circumvent our laws and readily enter our country simply by claiming asylum. Whether from inadequate staffing or loose procedures, arriving aliens are not given an immediate hearing on unsubstantiated claims for asylum. Instead, they generally are released into our communities, given permission to work, and simply asked to return months later for a hearing.

Not surprisingly, very few ever show up for their asylum hearings. In an effort to address this problem, I am a cosponsor of S. 667, the Port of Entry Inspections Improvement Act. This bill was authored by Senator Simpson, who deserves our thanks for his tire-

less work in this area. In addition, the administration has proposed legislation to address this vital issue.

The other primary problem is the flood of illegal aliens. Action must be taken to sharply reduce this illegal flow, including increased enforcement along our borders. There is growing public sentiment that reductions should be made in the amount of legal immigration and refugees admitted if we are unable to stop the influx of illegal immigrants.

Mr. Chairman, I look forward to hearing from the witnesses today and, in particular, our distinguished Secretary of State, Mr. Warren Christopher, and thank them for their time and effort in being here.

Thank you, Mr. Chairman.

Senator KENNEDY. Thank you very much. At Senator DeConcini's request, I will submit for the record his statement, since he is unable to be here this morning.

[The prepared statement of Senator DeConcini follows:]

#### PREPARED STATEMENT OF SENATOR DECONCINI

Mr. Chairman, I am pleased to participate in our annual refugee consultations with the administration, and I welcome our distinguished witnesses.

As you may recall, during last year's consultation hearings I addressed one of the most pressing refugee problems in the world—the conflict in the former Yugoslavia, and in Bosnia-Herzegovina in particular. Tragically, the number of refugees and displaced persons from this war torn country has increased dramatically since that time. Today, there are more than two million persons, over half the population of Bosnia-Herzegovina, forced from their homes due to ethnic cleansing, at least one million of whom have fled the country altogether.

In 1992, as co-chairman of the Helsinki Commission, I traveled to Macedonia and Croatia and met with refugees and released detainees from Bosnia-Herzegovina. Their stories documented organized, systematic and premeditated war crimes perpetrated against innocent civilians, including children.

These include willful killings, rape, forced impregnation, abuse of civilians in detention centers, deliberate attacks on noncombatants, ethnic cleansing through forcible expulsion and mass killings, and torture of prisoners. Some of these atrocities continue to this day. The horrors of Bosnia have gone on for far too long.

Will these refugees and displaced persons ever be able to return to their homes? Are we going to insist on the forced repatriation of the victims of ethnic cleansing? If not, are we working on a comprehensive plan with our allies to resettle those who have no homes to return to?

I look forward to hearing from the witnesses on what we are doing in response to this crisis that only continues to escalate.

#### WELCOME TO WITNESSES

Senator KENNEDY. Mr. Secretary, I just want to mention—you probably are already aware—that the President has introduced legislation on asylum reform on July 27, and we are going to have the hearing on Doris Meissner next week, who will be the next INS Commissioner, and we will be dealing with these larger immigration and asylum issues.

The Attorney General herself has indicated that she was looking forward to both the nomination of Ms. Meissner and her own testimony here, when we will have a chance to go into this. Also, the Attorney General has indicated a willingness to come up and visit with the committee on the issue of asylum reform. There is great interest in it, and we know of the paramount responsibility that the Justice Department has in this area. Senators are obviously

going to inquire whatever way they want, but we did want you to know at least what our order of business is on that issue.

We want to welcome Ambassador Warren Zimmermann, who is Director of the Bureau of Refugee Programs of the Department of State. He has appeared before this committee and assisted us many times before. We are delighted to welcome you back.

Ms. Chris Sale is the Acting Commissioner of the Immigration and Naturalization Service, and Ms. Lavinia Limon is the new Director of the Office of Refugee Resettlement in the Department of Health and Human Services. She comes to that position after long experience of work with voluntary agencies and local authorities involved in refugee resettlement. We welcome all of you.

We would ask the Secretary to make what comments he would.

**STATEMENT OF HON. WARREN M. CHRISTOPHER, SECRETARY OF STATE; ACCOMPANIED BY WARREN ZIMMERMANN, DIRECTOR, BUREAU FOR REFUGEE PROGRAMS, DEPARTMENT OF STATE; CHRIS SALE, ACTING COMMISSIONER, IMMIGRATION AND NATURALIZATION SERVICE; AND LAVINIA LIMON, DIRECTOR, OFFICE OF REFUGEE RESETTLEMENT, DEPARTMENT OF HEALTH AND HUMAN SERVICES**

Secretary CHRISTOPHER. Mr. Chairman, members of the committee, thank you for your comments, Mr. Chairman and members. I do indeed have a deep interest in the refugee problem, and I am thus particularly pleased to appear before the committee today to outline the President's proposal for the admission of 120,000 refugees to the United States in the next fiscal year.

The committee has already received a report which is required by statute that provides detailed information about refugee admissions, as required by the act. It is our hope that the 1994 refugee admissions program will receive the broad bipartisan support from the Congress that it has received in the past.

Before turning to the refugee programs, Mr. Chairman, I would like to comment briefly on the past year's worldwide refugee situation and the future direction of U.S. refugee policy. Late last night, I shortened my remarks considerably, but I will make a few before turning to your questions.

**WORLD REFUGEE SITUATION**

Positive changes in several parts of the world have reduced the push factor—that is, the conditions that impel people to leave their countries—and increased the pull factor—that is, conditions that cause people to return home. In Cambodia, a major repatriation effort directed by the UNHCR resulted in the return of about 370,000 persons from the camps along the Thai-Cambodian border. An internationally sanctioned election in May in Cambodia will enable the repatriated refugees to rebuild their society, a most unusual and desirable turn of events.

In Afghanistan and Central America, many refugees continue to return home. Following a political settlement in Mozambique, upwards of 200,000 refugees have returned home in the past year.

To turn to future events that might be very promising, for the first time in almost 2 years there is hope that respect for human rights and democracy will be restored in Haiti. When implemented,

the Governor's Island accords, together with the resumption of economic development, will help put an end to the despair that has caused so many Haitians to leave their country.

As we all know, the prospects for peace in the Middle East have never been brighter. The agreement signed in Washington a week ago last Monday is a major step in a process that will address the needs of the Palestinian refugees. We are only at the beginning and much work remains to be done, but the foundations have been firmly laid. It is now the responsibility of the United States and the rest of the international community to help the Palestinians and the Israelis to continue the peace process.

On the other hand, Mr. Chairman, genuine human tragedies in the former Yugoslavia and the Horn of Africa are creating hundreds of thousands of refugees. In Bosnia-Herzegovina, we continue our efforts to assist the more than 4 million displaced persons and refugees in that area. The United States has contributed over \$350 million to that relief effort, more than any other single country. We continue to look for ways and means to increase that assistance.

We are very concerned about the shortage of both funding and food for the U.N. agencies working in the former Yugoslavia. Under almost any scenario, the problems of food and shelter will be a major challenge to the international community this winter. We are encouraging action by other nations, especially European countries, which we believe have a special responsibility for providing humanitarian aid in this region.

#### MIGRATION PRESSURES

In addition to these widely publicized conflicts, there is an overall migration of persons around the world as a result of a number of factors—population pressures, poverty, environmental degradation, and many other factors. While seeking to aid refugees, we must be resolute in our efforts to improve conditions at home so as to make it possible for would-be migrants to opt to remain where they are. This administration's determination to spur economic growth through such international trade programs as the Uruguay Round and NAFTA will help; so will our work on global issues such as population and environment.

I would stress, Mr. Chairman, that while legal immigration enriches our country, it is also important to reduce illegal immigration. The President has already taken significant steps and has placed before Congress, as you say, proposals to address illegal immigration to the United States in a more effective manner.

Improvements include increasing border control resources, improving visa issuance procedures, repatriating illegal and criminal aliens, and increasing criminal penalties for alien smuggling which lies at the heart of a number of these problems, especially the recent problems with Chinese immigrants. At the same time, we will seek to ensure genuine protection for real refugees who are fleeing persecution.

#### ESCALATION IN REFUGEE-NEEDS

Ten years ago, there were approximately 8 million refugees worldwide. Now, it is estimated there are about 18 million. Ten

years ago, most of those assisted had crossed an international border to become refugees, as Senator Simpson said. Now, many populations receiving assistance are displaced persons still within their own national borders. This complicates relief efforts and also creates security problems for U.N. and NGO personnel engaged in relief in such dangerous places as Bosnia and Somalia.

In responding to large-scale refugee emergencies, we believe two objectives must be pursued simultaneously; first, humanitarian assistance and protection for those in need and, second, seeking durable solutions, especially conflict resolution and repatriation when conditions permit. We must recognize that third-country resettlement, while an appropriate means in many instances, is not a realistic alternative for the great majority of the world's nearly 18 million refugees.

As reported to this committee last year, current trends indicate that the number of persons requiring permanent resettlement in the United States should decline significantly in the next few years unless there are major unexpected developments. By year end, we will have met the commitment to resettle in the United States all known and eligible Amerasian children and their families from Vietnam. Within the next 2 years, we anticipate that all eligible Vietnamese reeducation prisoners—that is, those interned more than 3 years because of their association with the United States—will have entered the United States.

We also expect within the next 2 years we will need to bring the Soviet refugee admissions program into conformity with emerging realities in the Soviet Union, a better rationalization of that program. In the future, the United States will continue, though perhaps on a smaller scale, to resettle our fair share of those refugees who have no alternative but to be resettled.

#### IRAQI REFUGEES

I would like to address for a moment the recent expressions of concern in the Congress and in the press about the resettlement of Iraqi refugees in the United States, the question raised by Senator Cohen.

Contrary to some press reports, no one is resettled in the United States without demonstrating a well-founded fear of persecution. Many of these Iraqi refugees have credible accounts of torture and abuse. Many of the Iraqi draftees held little enthusiasm for the war and fled their country early on, sometimes at the behest of the allied forces. These deserters actively opposed the regime and formed the core of freedom fighters who refused to participate in the invasion of Kuwait and fought to overthrow Saddam in March of 1991. Many themselves were members of persecuted ethnic and religious minorities.

We fully recognize that Members of Congress want to be reassured that our Government will not resettle Iraqi soldiers who took up arms against our country. We are prepared to explore additional safeguards to ensure against entry into the United States of those whose activities might have been inimical to U.S. interests.

However, all available evidence, including a just completed review of several hundred recent cases, indicates that all accepted applicants were deserving beneficiaries of our humanitarian effort.

I understand that these refugees were vetted in Saudi Arabia by four different groups, each of them looking to determine whether or not they were justified for entry into the United States. Those who failed to meet our rigorous criteria were not admitted for resettlement. It is an honorable policy that we are following here, one that we believe is in full accord with American traditions.

I think it is relevant for me to say that, as I understand it, Senator Cohen, we sent back to Iraq about 75,000 of the POW's that might have fit the category that you were talking about. If there is time, we will be glad to discuss this further, and Ambassador Zimmermann is highly expert in this field and perhaps can follow more detailed questions if you have them.

#### 1994 REFUGEE ADMISSIONS

The President's proposal for fiscal year 1994 permits the admission of 120,000 refugees, as you know, Mr. Chairman, a reduction of 2,000 from the current fiscal year. I am pleased to report that as part of this year's consultations, improved high-level coordination exists between the State Department and the Department of Health and Human Services so as to ensure that sufficient funds will be available to cover the costs of the resettlement of all 120,000 refugees, a really important step because it was, I think, quite undesirable to bring these refugees into the country and then put them at the mercy of State governments, or at least at the expense of State governments.

Since 1990, separate regional ceilings, as the committee knows, have been used for the former Soviet Union and for Eastern Europe. However, given the crisis in the former Yugoslavia and the need for maximum flexibility this year, we propose to recombine these ceilings for fiscal 1994.

We propose that the 120,000 admissions for next year be divided as follows: East Asia, 45,000; the former Soviet Union and Eastern Europe, 55,000; Near East and South Asia, 6,000; Africa, 7,000; Latin America and the Caribbean, 4,000. In addition, we have included an unallocated reserve of about 3,000 numbers, up from 1,000 numbers last year. This reserve could, after consultation with Congress, be used in regions where the allocated numbers prove during the course of the year to be insufficient.

#### CHANGES IN THE REFUGEE PROGRAM

In connection with next year's program, I want to note very briefly that we initiated or improved several refugee admission programs mostly for Haitians and Bosnians. The week after President Clinton's inauguration, a technical team composed of State Department, INS, and congressional staff traveled to Haiti to determine ways to enhance in-country refugee processing. That effort was in support of the President's commitment to expand viable alternatives to perilous boat departures. Based upon the team's recommendations, significant improvements to the program were made.

We doubled processing capacity, streamlined the procedures, opened two new processing centers, and expanded access to those Haitians who had been interdicted by the Coast Guard. Our policy

toward Haitian immigrants and refugees is under continual review and we will consult with Congress closely as this situation unfolds. It is a very dynamic situation, as you know, at the present time.

As I stated earlier, the United States is committed a significant amount of money and material to help the Bosnians who are displaced within Bosnia or who have become refugees beyond its borders. We continue to believe that assistance in place should be the primary focus. However, we also believe that it is necessary to admit certain groups who have special humanitarian needs or concerns. While we hope there will be a peace agreement that will allow the Bosnians to return home, we also recognize that with very little warning this program may have to be expanded further.

Mr. Chairman, in conclusion, the refugee program has enjoyed broad bipartisan support over the years. This is a great American tradition of providing refuge to the persecuted. The tradition goes back to the founding of our Nation and links generations of Americans to one another. It reinforces our democratic values and is indeed a very important part of our national identity. Under President Clinton's leadership, this very important and noble tradition will continue.

Thank you, Mr. Chairman, and I will be glad to try to respond, along with my colleagues, to any questions that you may have.

[The prepared statement of Ms. Limon and the Report to Congress on Proposed Refugee Admissions for Fiscal Year 1994 follow:]

[EDITOR'S NOTE: Another report, entitled "World Refugee Report," a report submitted to the Congress as part of the consultations on fiscal year 1994 refugee admissions to the United States, prepared by the Bureau for Refugee Programs, Department of State, July 1993, is retained in committee files and may be obtained from the U.S. Department of State.]

PREPARED STATEMENT OF LAVINIA LIMON ON BEHALF OF THE OFFICE OF REFUGEE RESETTLEMENT ADMINISTRATION FOR CHILDREN AND FAMILIES, DEPARTMENT OF HEALTH AND HUMAN SERVICES

Mr. Chairman and Members of the Committee, I am pleased to have this opportunity to present the views of the Department of Health and Human Services in this consultation on refugee admissions for fiscal year 1994.

As you know, this Administration has proposed authorizing up to 121,000 refugee admissions in fiscal year 1994, of which 120,000 would be publicly funded and 1,000 would be contingent on private sector funding.

Further, the Administration requested \$420 million for fiscal year 1994 in order to accommodate this proposed ceiling without the need to reduce the duration of the special programs of refugee cash assistance and refugee medical assistance—known as RCA and RMA—below the current eligibility period of a refugee's first 8 months in the U.S. This Administration takes very seriously the domestic component of refugee resettlement, as indicated by our fiscal year 1994 Budget request. Our request is an 85 percent increase over that of the Bush Administration for fiscal year 1993, and is ten percent higher than the enacted fiscal year 1993 amount (despite lower than expected resettlement numbers). Congress is now completing action on the fiscal year 1994 request.

State and local governments, voluntary agencies, refugee mutual assistance associations, and other participants have done an excellent job over the years in helping refugees to become self-supporting and productive members in our society. It is important to note that the majority of refugees who arrived in the United States since 1975 have become employed and self-sufficient, a testimony to refugee resilience and hard work. Dependence on public assistance for prolonged periods is a problem only in a few States where large refugee populations have resettled, either initially or through secondary migration. In effect, refugee resettlement in this country has worked remarkably well.



Continuing budgetary pressures and changing characteristics of the refugee population, however, now require those of us in the refugee resettlement field to step back and reassess how we have done business. We must examine whether changes are needed in the refugee program to ensure that appropriate flexibility exists to respond to shifting circumstances while at the same time providing a stable program of assistance and services to refugees to enable timely self-sufficiency.

Over the next several months, the Office of Refugee Resettlement will be meeting with State and county officials, voluntary agencies, mutual assistance associations, and others throughout the country to examine the program and its responsiveness to different populations with differing needs. We are committed to a program for refugees that will maximize program effectiveness at reduced cost. We are convinced that there is no single approach that will be appropriate in all circumstances, and will be exploring different approaches. We hope to work with Congress to achieve an improved program that is able to respond effectively to a changing, and often unpredictable, world refugee situation.

That concludes my opening statement, Mr. Chairman. I would be pleased to try to answer any questions that the Committee may have.

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REPORT TO THE CONGRESS

ON

PROPOSED REFUGEE ADMISSIONS

FOR FISCAL YEAR 1994

SUBMITTED WITH THE WORLD REFUGEE REPORT  
ON BEHALF OF THE PRESIDENT OF THE UNITED STATES  
TO THE COMMITTEES ON THE JUDICIARY,  
UNITED STATES SENATE AND  
UNITED STATES HOUSE OF REPRESENTATIVES,  
IN FULFILLMENT OF THE REQUIREMENTS OF  
SECTION 207 (E) (1)-(7)  
OF THE  
IMMIGRATION AND NATIONALITY ACT

The Department of State  
The Department of Justice  
and  
The Department of Health and Human Services

September 1993

THE REPORT TO THE CONGRESS ON PROPOSED REFUGEE ADMISSIONS AND ALLOCATIONS FOR FISCAL YEAR (FY) 1994 is submitted in compliance with Section 207(e) of the Immigration and Nationality Act (INA). The Act requires that before the start of the fiscal year and, to the extent possible, at least two weeks prior to Consultations on refugee admissions, members of the Committees on the Judiciary of the Senate and the House of Representatives be provided with the following information:

- (1) A description of the nature of the refugee situation;
- (2) A description of the number and allocation of the refugees to be admitted and an analysis of conditions within the countries from which they came;
- (3) A description of the proposed plans for their movement and resettlement and the estimated cost of their movement and resettlement;
- (4) An analysis of the anticipated social, economic, and demographic impact of their admission to the United States;
- (5) A description of the extent to which other countries will admit and assist in the resettlement of such refugees;
- (6) An analysis of the impact of the participation of the United States in the resettlement of such refugees on the foreign policy interests of the United States; and
- (7) Such additional information as may be appropriate or requested by such members.

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## FOREWORD

The annual Congressional consultations on refugee admissions provide a unique opportunity for the Congress and the Administration to focus on the domestic and international implications of the U.S. refugee policy, and mark the culmination of a many-faceted consultative process for FY 1994.

Administration officials had periodic discussions with Members and staff of the House and Senate Judiciary Committees, the Senate Foreign Relations Committee, the House Foreign Affairs Committee, the House and Senate Appropriations Committees and other interested Congressional committees. Interagency meetings which included representatives from bureaus of the Department of State including the Bureau for Refugee Programs and the Bureau for Human Rights and Humanitarian Affairs, the Department of Justice's Immigration and Naturalization Service, the Department of Health and Human Service's Office of Refugee Resettlement, the Office of Management and Budget, and the National Security Council were regularly convened. In addition, consultations were held with representatives of state and local governments, public interest groups, private voluntary organizations, mutual assistance associations, and other organizations concerned with refugees.

The Administration is committed to strengthening and implementing the U.S. refugee admissions and assistance policy consistent with domestic and international concerns within a humanitarian framework. The task of balancing these concerns has become increasingly difficult because of growing numbers of refugees and constrained budgets. Nevertheless, we continue to admit select numbers to our country as refugees. At the same time, we contribute to life-saving assistance programs which impact on millions of the world's refugees who are not eligible for our admissions program.

This document presents the President's admissions proposals for FY 1994. It is intended to initiate the Congressional consultations process set out in Section 207 of the Refugee Act of 1980 and to elicit responses from the House and Senate Judiciary Committees and others interested in refugee policies and programs. After receiving the views of the Congress, the President will determine refugee admissions levels and allocations for FY 1994.

## I. PROPOSED REFUGEE ADMISSIONS PROGRAM FOR FY 1994

### A. OVERVIEW OF U.S. REFUGEE POLICY

In the resolution of refugee problems, the United States gives highest priority to the safe, voluntary return of refugees to their homelands. This policy, embodied in the Refugee Act of 1980, is also the first priority for the United Nations High Commissioner for Refugees (UNHCR). If safe, voluntary repatriation is not feasible, settlement in countries of asylum within the region is sought as the next preferred alternative. Often, however, political differences, lack of economic resources to support large numbers of additional people, or ethnic, religious or other deep-rooted animosities prevent this option from being exercised. Finally, consideration is given to resettlement in third countries, including the United States.

The United States considers for admission persons of special humanitarian concern who can establish persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. The legal basis of the refugee admissions program is the Refugee Act of 1980 which embodies the American tradition of granting refuge to diverse groups suffering or fearing persecution. The Act adopted, for the purpose of our refugee admissions program, the definition of "refugee" contained in the United Nations Convention and Protocol relating to the Status of Refugees. The definition which may be found in Section 101 (a) (42) of the Immigration and Nationality Act (INA), as amended by the Refugee Act, is as follows:

"The term "refugee" means (A) any person who is outside any country of such person's nationality or, in the case of a person having no nationality, is outside any country in which such person last habitually resided, and who is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of, that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion, or (B) in such circumstances as the President after appropriate consultation (as defined in section 207 (e) of this Act) may specify, any person who is within the country of such person's nationality or, in the case of a person having no nationality, within the country in which such person is habitually residing, and who is persecuted or who has a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. The term "refugee" does not include any person who ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion."

The estimated world population of refugees and externally displaced persons is over 17 million; persons displaced within their own countries by war, famine and civil unrest may equal that number. The United States works with other governments, and international and private organizations to protect refugees and displaced persons and strives to ensure that survival needs for food, health care and shelter are met. Under the authority contained in the Migration and Refugee Assistance Act of 1962, as amended, the United States contributes to the international activities of the UNHCR, the International Committee of the Red Cross (ICRC) and other international and private organizations which provide ongoing relief and assistance for refugees and displaced persons. The United States has been instrumental in mobilizing a community of nations to work through these and other organizations in alleviating the misery and suffering of refugees throughout the world.

The United States, aware that more than 75 percent of the world's refugees are women and young children, recognizes the special needs of these vulnerable groups, particularly in the areas of protection and assistance. The United States supports the UNHCR and other relevant international, governmental and non-governmental organizations in their efforts to involve refugee women in implementing programs on their own behalf, and also supports the assigning of women officers to positions where they can impact favorably on the protection and well-being of women and children refugees.

We continue to press for the most effective use of international resources directed to the urgent needs of refugees and displaced persons. During FY 1993, the United States supported major relief programs in Africa, Central America, Southeast Asia, South Asia and the Near East, including the Gulf region. Contributions for these funds were made through organizations including the UNHCR, the United Nations World Food Program (WFP), the ICRC, the United Nations Children's Fund (UNICEF), and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA). This support averted further human tragedy and helped sustain life by providing food and other assistance to meet the basic human needs of refugees. Details are provided in the World Refugee Report.

With regard to refugees resettled in the United States, the U.S. Government aims to promote economic self-sufficiency as quickly as possible, limiting the need for public assistance and encouraging refugees to contribute to the diversity and enrichment of our country as previous newcomers have done. To this end, short-term English language and cultural orientation programs for certain groups of refugees have been established overseas to initiate the process of adapting to our complex society. Particular attention is paid to the health of refugees to ensure that communicable diseases are controlled before entry into the United States. Federally funded programs administered by the States have provided cash and medical assistance, training programs, employment and other support services to many refugees soon after arrival in the United States. A variety of institutional providers have performed these services, including private voluntary agencies who also perform initial reception and placement services under cooperative agreements with the Department of State. All of these benefits are intended for short-term utilization during a refugee's transition to an independent, contributing member of the national economy and of American society.

TABLE I

## REFUGEE ADMISSIONS IN FY 1992 AND FY 1993

<u>REGION</u>	<u>FY 1992 ACTUAL</u>	<u>FY 1993 CEILING</u>	<u>ESTIMATED FY 1993 ARRIVALS THRU 7/93</u>	<u>TOTAL FY 1993 ANTICIP.</u>
Africa	5,491	7,000	3,831	7,000
East Asia	51,848	51,000 ++	42,380	51,000
Eastern Europe	2,886	2,725 ++	1,474	2,725
Latin America/ Caribbean	2,924	4,500***	3,252	4,500
Near East/South Asia	6,844	7,000	5,886	7,000
Former Soviet Union	61,298	49,775 ++	40,451	49,775
Former Soviet Union/ Eastern Europe*				
UNALLOCATED RESERVE	0**	0***		
PSI	853	10,000	251	500
TOTALS	132,144	132,000	97,525	122,500

\*Former Soviet Union and Eastern Europe ceilings are being combined in FY-94.

\*\*1,000 numbers allocated to Near East/South Asia in FY-92.

\*\*\*1,000 numbers allocated to Latin America/Caribbean in FY-93.

++ 1,000 numbers in original ceiling reallocated from East Asia to Eastern Europe. 225 numbers in original ceiling reallocated from Former Soviet Union to Eastern Europe.



The President proposes to respond to the humanitarian needs of refugees by establishing for FY 1994 an admissions ceiling of 121,000 refugees for permanent resettlement in the United States. Proposed allocations within this ceiling are shown in Table II below:

TABLE II

## PROPOSAL FOR U.S. REFUGEE ADMISSIONS IN FY 1994

<u>AREA OF ORIGIN</u>	<u>PROPOSED CEILING</u>
Africa	7,000
East Asia	45,000 *
Former Soviet Union/Eastern Europe	55,000
Latin America and the Caribbean	4,000
Near East and South Asia	6,000
Unallocated Reserve	<u>3,000</u>
<u>SUB-TOTAL</u>	<u>120,000</u>
Private Sector Programs	1,000
<u>TOTAL</u>	<u>121,000</u>

\* This figure includes Amerasians and their family members who enter as immigrants under a special statutory provision but receive the same benefits as refugees.

The President also proposes to specify that special circumstances exist so that, for the purpose of admission under the limits established above and pursuant to section 101(a)(42)(B) of the INA, certain persons, if they otherwise qualify for admission, may be considered as refugees of special humanitarian concern to the United States even though they are still within their countries of nationality or habitual residence. The proposed designations for FY 1994 are persons in Cuba, Haiti, Vietnam and the former Soviet Union.

In addition to the proposed admission of refugees from abroad, the Immigration and Naturalization Service (INS) will be authorized to adjust to the status of permanent resident alien 10,000 persons who have been granted asylum in the United States and have been in the United States for at least one year, pursuant to Section 209 (b) of the Immigration and Nationality Act.

In the regional descriptions which follow, an overview of refugee-generating conditions is provided. In addition, voluntary repatriation, resettlement within the region, and third-country resettlement opportunities are mentioned. There is also reference to refugee resettlement by countries other than the United States. More detailed information and statistics on these subjects are found in the companion World Refugee Report.

## B. RESETTLEMENT NEEDS IN FY 1994

### 1. AFRICA

The countries of Africa provide refuge to some six million refugees. Neighboring countries experiencing civil unrest often house each other's citizens: there are Ethiopian refugees in Sudan and Sudanese refugees in Ethiopia; Rwandan refugees in Burundi and Burundi refugees in Rwanda; Liberian refugees in Sierra Leone and Sierra Leonean refugees in Liberia; Mauritanian refugees in Mali and Malian refugees in Mauritania; and so on. These refugees often place a burden upon fragile infrastructures. An extensive drought in southern Africa in 1992 placed an even greater strain on the countries of Malawi, Zambia and Zimbabwe which together host almost one and a half million refugees, mostly Mozambican.

In 1992, the most notable change in refugee populations in Africa was the dramatic outflow of Somalis into Kenya. Renewed fighting in Liberia in October 1992 reversed prospects for return of Liberian refugees from the Cote d'Ivoire. Anarchy in eastern Sierra Leone caused an additional 80,000 to cross the border to Liberia, while continued war in southern Sudan resulted in 70,000 fleeing to neighboring countries. Political turmoil in Zaire led to 15,000 crossing the border to Uganda. The fragile peace accord in Angola which had resulted in spontaneous repatriation of some 100,000 Angolans from Zaire was broken in late 1992, halting a UNCHR-led repatriation process.

#### Voluntary Repatriation

On the positive side, the presence of U.N. forces in Somalia to protect food deliveries has resulted in such a measure of security in some areas that UNHCR has resulted in the repatriation in 1993 of the rural nomadic Somalis now in camps in northern Kenya. Peace negotiations between the warring factions in Mozambique have enabled UNHCR to plan for massive voluntary repatriation in the coming year. Plans are also being made for repatriation of refugees in Sudan to Ethiopia and Eritrea.

#### Resettlement within the Region

The generosity of the African people and governments in granting extended refuge to neighbors in distress has continued despite growing social and economic burdens on these developing nations. In view of the status of refugee populations in Africa, still greater international efforts in enhancing self-sufficiency of refugee groups are needed.

#### Third-Country Resettlement

Despite the usually generous asylum policies found within Africa, there are refugees who require resettlement outside the region. They are, generally, either political dissidents who are not welcome in neighboring countries, or urban refugees not easily assimilated into the predominantly rural economies of countries of asylum, or vulnerable refugees identified by UNHCR as needing permanent resettlement. UNHCR has predicted a need for third-country resettlement for 10,730 African refugees in 1993. Most of these refugees are likely to be resettled in the United States and Canada, with smaller numbers going to Australia, Scandinavia and Western Europe.

## U.S. Admissions

**Proposed Ceiling.** The proposed ceiling for Africa is 7,000 - the same ceiling as authorized for FY 1993.

Regarding FY 1993, a penultimate group of approximately 1,500 Ethiopian refugees will arrive from the Sudan this year. In Kenya, the Joint Voluntary Agency (JVA) doubled its staff this year to allow processing in camps outside of Nairobi, which should result in 4,500 admissions of (mainly) Somalis and some Ethiopians. The JVA in Sierra Leone is processing for admission about 750 Liberians in FY 1993. Admission of about 250 Africans of other nationalities from Nairobi and other processing posts around the world is anticipated.

The refugee processing situation in Africa in FY 1994 will change somewhat. Most of the Ethiopian refugees accepted by the United States will have traveled to the United States in FY 1993, leaving only about 500 to be admitted in early FY 1994. All known eligible Liberians under the current program will have been interviewed and most admitted to the United States in FY 1993, with only about 200 remaining to be admitted in FY 1994. With the processing of these caseloads nearly completed, the JVA's in both Khartoum and Freetown are scheduled to close at the end of FY 1993. The anticipated phase-out of the above two programs is anticipated to be offset by resettlement needs for refugees from Somalia, Sudan and Zaire. In FY 1994 the Department of State estimates a need for 4,500 admission numbers for Somalis and 2,500 for other nationalities, requiring a ceiling of 7,000.

**Proposed designated nationalities for FY 1994 are:** Liberians, Somalis, Sudanese and Zairians. UNHCR-led repatriation programs for Ethiopians/Eritreans and Mozambicans, coupled with a paucity of applications from Mozambicans, suggest that the removal of these nationalities from the list of designated nationalities for FY 1994 is appropriate. Liberians would remain a designated nationality and applications will be handled on a case-by-case basis through UNHCR after the closure of the JVA in West Africa. Liberian processing would continue to be limited to Priorities One through Three to provide resettlement opportunities to those in imminent danger and those who have worked for the United States government, and to reunite immediate families.

In light of the volatile political and ethnic circumstances in many African countries, processing posts in Africa are authorized to process, without prior Washington approval, nationals of any African country referred to the United States program by UNHCR (except for Ethiopians and Eritreans, who require Washington approval prior to processing). We propose to maintain this practice. Additionally, the United States is a participant in a special UNHCR program to resettle vulnerable refugees, particularly those with security, medical or psychological problems. We approved approximately 50 cases in FY 1993 and expect a similar number in FY 1994. Most of these cases have been of African nationality, notably Somali.

**Proposed processing priorities for Africans are as follows:** Liberians would be processed only in Priorities One through Three. Somalis would be processed worldwide in Priorities One through Five. Sudanese and Zairian applicants applying at African posts are eligible in all six priorities. At non-African posts, only those applicants in Priorities One through Five who arrived in their country of asylum prior to July 1, 1988 have been considered and this would continue in FY 1994.

## 2. EAST ASIA

### First Asylum

There are still over 110,000 Indochinese asylum seekers in first asylum camps in Southeast Asia and Hong Kong, including almost 80,000 Vietnamese and about 35,000 Lao (mostly Hmong). Thailand also hosts over 70,000 Burmese ethnic minorities and students in encampments along its border with Burma, as well as about 2,500 Burmese student/dissidents in the Bangkok area recognized by UNHCR as "persons of concern."

The past year has been marked by a continued drop in boat arrivals in the Association of South East Asian Nations (ASEAN) countries. From January through June 1993 there were only 23 arrivals in Southeast Asian countries (Indonesia) and 32 in Hong Kong. While the pace of new arrivals in FY-1993 slightly exceeds that of FY-1992, when a total of only 58 Vietnamese arrived in all first asylum countries, the number of arrivals remains negligible when compared to the more than 20,000 boat people who arrived in 1991.

Vietnamese and Lao asylum seekers are processed under the provisions of the Comprehensive Plan of Action (CPA) adopted by over 50 nations at the International Conference on Indochinese Refugees (ICIR) in Geneva in June 1989. The CPA reaffirms both the practice of first asylum and international commitments to generous resettlement policies. The CPA calls for the expansion of legal emigration and institutes a screening program to identify bonafide Vietnamese refugees. With the exception of Malaysia and Singapore, the right of boat people to arrive on shore and seek asylum is recognized by the Southeast Asian nations and Hong Kong.

In Thailand, the 370,000 displaced Khmer previously encamped along the Thai-Cambodian border have all been repatriated to the interior of Cambodia in a UNHCR-orchestrated operation begun in March 1992. As of June 1993, only 218 remained in a refugee processing center in Thailand awaiting final processing for United States immigrant visas or parole. In addition, there were 548 "boat" Khmer in a camp in Indonesia. However, since Cambodia is not part of the CPA, resettlement countries generally have not been granted access to Cambodians who arrived by boat in Indonesia or Malaysia.

### Voluntary Repatriation

Under the terms of the CPA, asylum seekers who do not have valid refugee claims will not be processed for third-country resettlement. Instead, they are encouraged to return voluntarily to Vietnam under a UNHCR program. As of June 30, 1993, more than 30,000 persons had voluntarily returned to Vietnam from Hong Kong and almost 13,000 persons had voluntarily returned from the first asylum camps in ASEAN countries. Voluntary returnees are monitored by the UNHCR in Vietnam.

Since September 1980, a UNHCR voluntary repatriation program has existed to facilitate the return of ethnic Lao, Hmong, and other highlanders to Laos from Thailand. More than 14,000 persons have returned since the inception of the program, with 3,000 repatriating in 1992. There are several reception centers for returnees in Laos, and UNHCR monitors the returnees to ensure their safety.

## Resettlement in the Region

In East Asia, willingness to settle Indochinese refugees or even to grant temporary asylum is constrained by security and economic concerns, as well as cultural, religious, and political sensitivities. At the ICIR, the ASEAN states made it clear that they expected all Vietnamese asylum seekers either to be resettled in third countries outside the region or to return to Vietnam.

### Third-Country Resettlement

Under the CPA, resettlement countries agreed to resettle, over a three-year period, all Vietnamese asylum seekers who arrived in countries of first asylum prior to a specific cutoff date (mid-March 1989 for Southeast Asia and mid-June 1988 for Hong Kong). Over 99 percent of these roughly 50,000 pre-cutoff date persons have already been resettled or have been approved for resettlement. The United States also agreed to resettle up to 50 percent of the screened-in cases in the region and has been processing these cases. Unaccompanied minors in the post-cutoff date population are being reviewed by special committees in each first asylum country which determine what is in the best interest of each child in terms of resettlement or return.

### U.S. Admissions

**Proposed East Asia Ceiling.** The proposed admissions ceiling for East Asia for FY 1994 is 45,000.

In FY 1993 there was one admissions ceiling for East Asia for both first asylum and Orderly Departure Program cases which totaled 52,000. However, in March 1993 this was reduced by 1,000, to 51,000, through the reallocation of unneeded numbers to provide resettlement admissions numbers for the newly established Bosnian admissions program. We anticipate that approximately 12,000 first asylum refugees and 39,000 ODP refugees (including 11,000 Amerasians) will be admitted from East Asia by the end of FY 1993.

For FY 1994, the first asylum and ODP ceilings will again be combined for a single East Asia ceiling of 45,000. Within this combined ceiling, priority will continue to be given to meeting United States commitments to accept first asylum refugees under the CPA. First asylum admissions needs are expected to be about 9,000, of which up to 7,000 would be for Hmong from the camps in Thailand and the remaining 2,000 for Vietnamese and Burmese. Moreover, there will be enough flexibility in the overall East Asia ceiling to accommodate unexpected fluctuations in the need for resettlement among these groups. With the expected resettlement in FY 1994 of the relatively small residual number of Vietnamese refugees from the first asylum camps in Southeast Asian countries and Hong Kong who have been screened in under the CPA, our processing of the Vietnamese first asylum caseload should be virtually complete.

### Orderly Departure Program (ODP)

The total estimated refugee admissions for FY 1994 under ODP is 36,000 – about 30,500 former detainees, 3,500 Amerasians, and 2,000 others.

**Released Reeducation Detainees Program.** The United States remains firmly committed to the release and resettlement of those who have been detained in "reeducation centers" in Vietnam because of their association with the United

States or the former South Vietnamese Government. An agreement creating a program for United States resettlement of released detainees was successfully negotiated in July 1989 and implemented in October 1989. By the end of FY-1993, almost 79,000 former detainees (including family members) will have been admitted since the inception of the program. Plans are to admit 30,500 persons during FY-1994.

**Amerasian Program.** The Amerasian immigrant program is an integral part of the ODP. The United States plans to provide resettlement opportunities for all Amerasians in Vietnam along with their close family members who wish to come here. Amerasians are processed for resettlement under a separate bilateral program with procedures similar to that of the regular ODP. Legislation passed in December 1987 designated a special class of Amerasian immigrant. To date, more than 82,000 Amerasians and accompanying family members have been admitted into the United States. ODP admissions in FY 1993 will include 11,000 Amerasian immigrants and accompanying family members, who are admitted as immigrants but are included in the refugee admissions ceiling for consistency with the budgetary process. Large-scale processing of the Amerasian caseload was completed in 1993, although registration and processing of additional qualified applicants will continue indefinitely.

**Designated Nationalities.** In FY 1993, Vietnamese, Lao, and Burmese are designated nationalities of particular concern to the United States. Under the CPA, Vietnamese in first asylum countries who are screened in are processed in Priorities One through Five. Lao are processed in Priorities One through Five. In addition, the United States is processing certain qualified Burmese students/dissidents in Priorities One through Six who are referred by UNHCR, arrived in Thailand between March 15, 1988 and May 1, 1992, and have a well-founded fear of persecution due to pro-democracy activities in Burma. Consideration of these nationalities for refugee admission is authorized without referral of specific cases to Washington. On a case-by-case basis, other nationalities, such as Chinese, will continue to be processed with prior approval from the Department of State and INS headquarters in Washington. While the special humanitarian parole/immigrant visa program for border Khmer in Thailand ended in FY-1992, Cambodians with current immigrant visa petitions can apply for their visas at the consular section of the United States Mission in Phnom Penh.

### 3. LATIN AMERICA AND THE CARIBBEAN

#### Voluntary Repatriation

The installation of stable and democratically elected governments, the difficulties of life in refugee camps and regional peace efforts have reduced to a trickle the number of persons fleeing their home countries and have spurred voluntary repatriations of refugees in the region. In October 1992 agreement was reached for the orderly return, under UNHCR auspices, of 43,000 Guatemalan refugees living in Mexico. In El Salvador, the signing of peace accords in January 1992 permitted over 4,800 refugees to return voluntarily that year, while virtually eliminating new outflows. Further, by mid-1992, most recognized Nicaraguan refugees had returned home.

#### Resettlement in the Region

Most host governments do not encourage permanent resettlement, largely because of their own depressed economic situations. Ethnic and national rivalries also make

local resettlement difficult. However, various Central American governments, as well as the Mexican government, have demonstrated the forbearance necessary to make first asylum protection work. The region has been moving away from housing displaced persons in refugee camps towards local integration with greater refugee self-sufficiency. Several countries in the region offered asylum to limited numbers of Haitians who had fled Haiti by boat. However, most of these individuals chose to return to Haiti.

### Third-Country Resettlement

While third-country resettlement has not been the preferred option for most Central American refugees, it has been the predominant solution for the Cubans fleeing repression by the Castro regime. Since the revolution in 1959, over one million Cubans have fled that country. The vast majority have resettled in the United States, but Venezuela, Peru, Spain, and to a lesser extent, other countries of Latin America and Western Europe have been quite generous in granting temporary or permanent asylum to Cuban refugees.

UNHCR does not generally refer Central American refugee cases for third-country resettlement, believing that most will eventually be able to repatriate, as is currently occurring, or will resettle within the region.

### U.S. Admissions

**FY 1993.** We anticipate that close to 3,000 Cubans and 1,300 Haitians will be admitted under this ceiling during FY 1993. With the doubling of the processing capacity, the establishment of two processing centers outside of Port-au-Prince, and our goal of processing expeditiously all likely targets of persecution, the number of approved Haitian refugees admitted clearly will exceed the 1993 estimated total of 500 by several hundred. Thus, after consulting with Congress, it was determined that the use of the 1,000 unallocated reserve was warranted for Haitian refugees.

**Proposed FY 1994 Ceiling.** For FY 1994 the admissions ceiling proposed for Latin America and the Caribbean is 4,000 persons, up from the FY 1993 ceiling of 3,500. The proposed FY 1994 admissions numbers will be available for processing of Cubans and Haitians.

**Haitian Admissions.** In February 1992, an in-country refugee processing program was established in Haiti. It expanded significantly in June 1992 following the Executive Order permitting the interdiction and direct repatriation of Haitians attempting to reach the United States illegally by boat. A further expansion of the program occurred in January 1993 when refugee processing capacity was doubled and, again in the spring when regional processing centers were opened in Les Cayes and Cap Haitien. Although any Haitian may apply for refugee status through the in-country program, priority for processing is given to those persons who are likely targets of persecution, such as former political prisoners, those who hold or held leadership positions in political human rights or religious organizations, held sensitive positions in the Aristide government, or are prominent in fields that may be targeted. In third countries, processing of Haitians is limited to Priority One.

**Cuban Admissions.** Under the bilateral Migration Agreement between the United States and Cuba, the United States has agreed to accept up to 3,000 refugees from Cuba each year. The Cuban admissions program was originally designed for former long-term political prisoners. However, by 1991 the resettlement needs of this population had largely been addressed, and eligibility requirements were expanded



In FY 1993, the admissions program focused on specific groups identified as being of compelling concern to the United States. This focus will be continued in FY 1994. These specific eligible groups are: (1) former political prisoners; (2) members of persecuted religious minorities; (3) human rights activists; (4) forced labor conscripts during the period 1965-1968; and, (5) persons deprived of their professional credentials or subjected to other disproportionately harsh or discriminatory treatment resulting from their perceived or actual political or religious beliefs or activities, dissidents and other refugees of compelling concern to the United States. In third countries, funded priority one Cubans may be processed if they fled Cuba before November 20, 1987.

**Designated Nationalities.** In FY 1993, Cubans, Haitians, El Salvadorans and Guatemalans were designated nationalities and authorized in-country processing. In FY 1994, Cubans and Haitians continue to be designated nationalities and authorized for in-country processing.

#### 4. NEAR EAST AND SOUTH ASIA

Almost nine million refugees and displaced persons reside in the countries of North Africa, the Near East and South Asia, including three and a half million Afghans and nearly three million Palestinians. This is a decline of nearly three million refugees (mostly Afghans) since December 1991. On the down side, however, 1992 saw new outflows into the region, notably over 200,000 Burmese into Bangladesh, some 70,000 Tajikistanis into Afghanistan, about 70,000 Bhutanese into Nepal, and 80,000 Somalis into Egypt, Yemen and the United Arab Emirates. Other sizeable populations (Sahwaris in Algeria, Sri Lankan Tamils in India, Iraqis in Iran and Saudi Arabia, and Palestinians in Israel, Jordan, Lebanon and Syria) have remained fairly stable.

##### Voluntary Repatriation

In the early fall of 1992 UNHCR organized a successful repatriation into the northern Iraq security zone of nearly 18,000 Iraqi Kurds in Turkey who had fled the chemical attacks in 1988. Many Iraqi refugees from the Gulf War previously in Turkey, Jordan and other countries bordering Iraq left countries of first asylum in 1992, either resettling in third countries or returning to Iraq. The 250,000 persons who fled to Saudi Arabia as a result of the Gulf War also either returned to their countries of origin or moved on, leaving only 28,000 Shi'ite civilians and former Iraqi soldiers in a refugee camp. Unfortunately, the voluntary repatriation of about one million Afghans in mid to late 1992 which began after the fall of the Najibullah regime slowed to a trickle as fighting in Kabul between rival mujahedin groups continued throughout the year. Under a joint Indo-Lankan plan, approximately 30,000 Sri Lankan Tamils returned to Sri Lanka, where UNHCR provided assistance.

##### Resettlement in the Region

Few countries within the region are willing to offer permanent resettlement to refugees from neighboring countries, but many have been generous with long-term asylum. Over the years, Pakistan and Iran have offered asylum to over four million Afghans who are permitted to engage in many economic activities and are not restricted to their camps. Several countries in the Near East have extended work permits to Palestinian, Iranian and Afghan refugees and displaced persons for long periods of time. Most of the Iraqis in Turkey are permitted to remain without threat of deportation. However, many live under difficult conditions and are unable to obtain

permanent residence. Saudi Arabia does not intend to provide permanent resettlement to Iraqis presently residing within its territory. Iranians appear to have the most difficulty in obtaining resident status in countries of first asylum or other countries in the region.

### Third-Country Resettlement

While third-country resettlement is not the preferred solution in most cases, it is the only option for certain refugees at risk in countries of first asylum. UNHCR considers Iraqis in Saudi Arabia and Kuwait to be particularly at risk, in addition to non-mandate refugees in Jordan, Lebanon, Cyprus and India. UNHCR has predicted a need for third-country resettlement for 11,785 Near Eastern refugees in 1993, plus an additional 18,000 slots in future years for the Iraqi refugees in Saudi Arabia. Many of these refugees are likely to be resettled in the United States, with sizeable numbers also going to Scandinavia, Canada, Australia and Western Europe.

### U.S. Admissions

**Proposed Ceiling.** The proposed FY 1994 admission ceiling for the Near East is 6,000, down from the 7,000 ceiling for FY 1993.

The Afghan admissions program, for which interviews were completed in FY 1992, will see the last 1,200 arrivals in FY 1993. Approvals of Iranian refugees have declined slightly this fiscal year, so that we expect about 1,200 Iranian admissions in FY 1993. The resettlement of Iraqi Kurds who fled chemical attacks by the Baghdad government in 1988 was largely completed in FY 1992. 1,300 Iraqi refugees from the 1990-91 Gulf War are being resettled in the United States in FY 1993 from Turkey. 2,000 Iraqis in Saudi Arabia have been approved and are being readied for departure. In addition, there is a considerable number of applications from Iraqis at processing posts in Europe, with about 1,300 persons expected to be admitted in FY 1993. We thus expect to fully utilize the 7,000 Near East/South Asia ceiling for FY 1993.

For FY 1994, we anticipate continued admissions of Iranians (primarily religious minorities) at a level of approximately 1,500 arrivals. The processing of Iraqi refugees in Turkey is nearly complete, with UNHCR having arranged the resettlement or repatriation of nearly all Iraqis in camps in Turkey during FY 1993. We expect perhaps 500 more Iraqi admissions from Turkey in FY 1994. There are still 28,000 Iraqis in refugee camps in Saudi Arabia, and we plan to participate in a UNHCR-led multi-country resettlement effort by admitting up to 3,000 of them in FY 1994. Applications from Iraqis in Europe should continue in FY 1994, with numbers estimated at 1,000 admissions. We, therefore, anticipate a need for 6,000 numbers for refugees from the Near East/South Asian region in FY 1994.

Designated nationalities for FY 1994 are Iranians and Iraqis. On a case-by-case basis, nationals of other countries may be processed with prior approval from Washington. Iraqis may be processed in priorities one through five and Iranians in priorities one through four (including the expanded definition of priority four).

## 5. FORMER SOVIET UNION AND EASTERN EUROPE

Since 1990, separate regional ceilings have been used for the former Soviet Union and for Eastern Europe. However, given the dramatic humanitarian crisis in the former Yugoslavia and the need for maximum flexibility in refugee admissions processing for Bosnians, we propose to recombine these two ceilings for FY 1994.

### Former Soviet Union

Within the past year, the 15 republics of the former Soviet Union have continued to wrestle with the difficult process of political and economic reform. Although the new republics have pledged to ensure freedom of emigration, and some steps have been taken in this direction, full freedom of emigration has not yet been achieved.

Rising nationalism and ethnic tension continue to contribute to an unstable situation for ethnic and religious minorities in certain republics of the former Soviet Union. Violent ethnic conflicts have flared up in several of the republics, particularly Tajikistan, Georgia, and Azerbaijan. Some ethnic groups which had dispersed throughout the former Soviet Union are now seeking to return to their traditional homelands. Other persons seek to migrate within and between republics in response to political instability and difficult economic conditions.

### Eastern Europe

In many countries in Western Europe the proportion of asylum-seekers coming from Eastern Europe has decreased as democratic reforms have taken hold. Notable exceptions to this trend were persons fleeing conflicts in the former Yugoslavia and Romanians seeking economic opportunity. Both of these groups constituted large portions of the asylum-seeking populations in nearly every country of Western Europe. Large numbers of Albanians seeking economic opportunities also remain in some European countries. Most other Eastern European asylum-seekers, however, are now found ineligible for refugee status since they can return to their homes without fear of persecution. Several countries are contemplating large-scale repatriation efforts linked to economic development projects in the home countries and assurances from governments that repatriates will not be persecuted. Germany has already concluded an agreement with Romania to permit the repatriation of thousands of Romanians determined to be economic migrants.

### Third-Country Resettlement

In addition to the United States and Western Europe, Australia and Canada have resettled Eastern Europeans, and Israel has resettled Soviet Jews. Between FY 1975 and FY 1992, nearly 115,000 refugees from Eastern Europe, and 320,000 refugees from the former Soviet Union, resettled in the United States.

### U.S. Admissions

**FY 1993.** In FY 1993, the admissions ceiling for the former Soviet Union was set at 50,000 and the ceiling for Eastern Europe at 1,500. The Eastern Europe ceiling subsequently was raised to 3,500 through the reallocation of 1,000 numbers from the former Soviet Union program and 1,000 from the East Asian ceiling, to allow for the establishment of a Bosnian refugee admissions program. It subsequently became clear

that not all of the additional numbers would be used in Eastern Europe, so 775 numbers have been returned to the Soviet ceiling. As of July 31, 1993, 40,451 Soviets and 1,474 persons from Eastern Europe had been admitted to the United States as refugees.

**Proposed FY 1994 Ceiling.** The proposed ceiling for FY 1994 for the former Soviet Union and Eastern Europe is 55,000.

**Former Soviet Union Admissions:** The admission numbers for the former Soviet Union will continue to be used by groups identified in the Lautenberg Amendment; i.e., Jews, Evangelical Christians, Ukrainian Catholics and Orthodox, as well as other individuals of concern - particularly refuseniks. The vast majority of Soviet refugees now interviewed have family ties to the United States.

There are currently some 85,000 applications on file which meet our Soviet program's eligibility criteria and are awaiting scheduling. Approximately 5,000 interviews per month are scheduled. The rate of new applications received now averages 5,000-8,000 per month, of which approximately 25% meet the program's eligibility criteria.

**Eastern Europe Admissions.** Democratic changes in Eastern Europe have narrowed this program significantly. During FY 1993, only Bosnians have been eligible to apply for the U.S. refugee program. Continued fighting in the former Yugoslavia, and in Bosnia-Herzegovina in particular, will continue to generate refugees in need of resettlement in the United States. Persons from Bosnia-Herzegovina of special humanitarian concern to the United States, and therefore eligible to submit refugee applications, are: (1) vulnerable Bosnian Muslims referred for resettlement by UNHCR, such as former detainees, torture victims, and women victims of violence, as well as others; (2) Bosnian Muslim relatives of United States citizens, lawful permanent resident, asylees and refugees; and, (3) parents and siblings of minor United States citizen children who have been displaced as a result of the fighting in Bosnia-Herzegovina. On a case-by-case basis, non-Muslim vulnerables referred by UNHCR can be considered. As developments in the former Yugoslavia unfold, adjustments in these processing criteria are likely to be necessary.

The United States goal remains to encourage conditions in Bosnia-Herzegovina that will ultimately permit large-scale repatriation. Nonetheless, even with substantial return to Bosnia, conditions in the region may ultimately require additional resettlement efforts. This, combined with enhanced United States efforts to identify individuals of special humanitarian concern under current processing priorities, may require increased United States resettlement numbers. Therefore, in FY 1994 we are structuring the program as flexibly as possible to allow for expanded refugee admissions for Bosnians.\* We also anticipate a small number of admission of Eastern European Visas 93 recipients (i.e., spouses and children of previously admitted refugees), who will be primarily from Albania and Romania.

**Designated Nationalities.** For FY 1994, eligible persons who were nationals of the former Soviet Union prior to September 2, 1991, and nationals

\* Under admission program priorities, the Administration is prepared to allocate up to 10,000 resettlement numbers for this purpose. If allocation of these numbers or higher numbers is considered from outside the regional ceiling, the Department of State will consult with Congress.

of Bosnia-Herzegovina, will be designated for refugee admission. The former Soviet Union will be designated for in-country processing.

#### 6. UNALLOCATED RESERVE

In designing the FY 1993 admissions program, the Administration included an unallocated reserve of 1,000 numbers which could be used for refugees anywhere in the world. We are using the numbers under this ceiling for the admission of Haitians. Given the current uncertainties surrounding refugee situations and resettlement needs in many locations (e.g., Bosnia-Herzegovina and Haiti), as well as the desirability of maintaining sufficient flexibility to react to emergencies, we propose increasing this unallocated reserve in FY 1994 to 3,000 numbers.

#### 7. PRIVATE SECTOR INITIATIVE (PSI)

The PSI is a joint private and public venture in which the basic costs of admitting and resettling refugees are paid for by the private sector. Since the first proposal under this program was approved in 1988, the vast majority of refugees admitted under PSI have been Cuban. In FY 1992 some 853 PSI refugees were admitted and we anticipate approximately 400 in FY 1993. We are proposing an FY 1994 PSI ceiling of 1,000.

## II. PROPOSED PLANS FOR MOVEMENT AND RESETTLEMENT

### A. ADMISSIONS PROCEDURES

#### 1. Eligibility Criteria

Applicants for refugee admission into the United States must meet all of the following criteria:

- The applicant must meet the definition of a refugee contained in the Immigration and Nationality Act;
- The applicant must be among those refugees determined by the President to be of special humanitarian concern to the United States;
- The applicant must be otherwise admissible under United States law; and
- The applicant must not be firmly resettled in any foreign country.

Although a refugee may meet the above criteria, the existence of the U.S. refugee admissions program does not create any entitlement for that person to enter the United States. The admissions program is a legal mechanism for admitting a refugee when the applicant is among those persons of particular interest to the United States.

With respect to persons applying overseas for admission to the United States as refugees, an initial review is performed to evaluate cases based on U.S. national interests, the refugees' situation in temporary asylum, the conditions from which they have fled, and other humanitarian considerations. Applicants who meet the criteria specified above and who fall within the priorities established for the relevant nationality or region, are presented to the INS for determination of eligibility for admission under Section 101(a)(42) of the INA.

#### 2. The Worldwide Priorities System

The worldwide priorities system sets guidelines for the orderly management of refugee admissions into the United States within the established annual regional ceilings.

The issue of whether a person is a refugee under U.S. law, and the priority to which a refugee should be assigned for resettlement are separate and distinct. Assignment to a particular priority does not make that individual either more or less a refugee although it may reflect an assessment of the urgency of the need for resettlement. Indeed, refugees could well be qualified for the resettlement program of another country. Just as qualifying for refugee status does not confer a right to resettlement in the United States, assignment to a particular priority does not entitle a person to acceptance into the United States refugee program.

The U.S. refugee priorities system sets guidelines for the orderly management of refugee admissions into the United States within the established annual regional ceilings and is subject to change during the fiscal year.

#### Refugee Processing Priorities - FY 1993

**Priority One.** Compelling concern/interest: exceptional cases of (a) refugees who are in immediate danger of loss of life and for whom there appears to be no alternative to resettlement in the United States, or (b) refugees of compelling concern to the United States such as former or present political prisoners and dissidents.

**Priority Two.** Former U.S. Government (U.S.G.) employees: refugees employed by the U.S.G. for at least one year prior to the claim for refugee status. This category also includes persons who were not official U.S.G. employees, but who for at least one year were so integrated into U.S.G. offices as to have been in effect and appearance U.S.G. employees.

**Priority Three.** Family reunification: refugees who are spouses, unmarried sons, unmarried daughters, or parents of persons in the United States. (The status of the anchor relative in the United States must be one of the following: U.S. citizen, lawful permanent resident alien, refugee, asylee or member of certain groups of public interest parolees).

**Priority Four.** Other ties to United States: (a) Refugees employed by U.S. foundations, U.S. voluntary agencies or U.S. business firms for at least one year prior to the claim for refugee status; (b) Refugees trained or educated in the United States or abroad under U.S.G. auspices;

**Priority Four (Iran and Cuba).** In addition to (a) and (b) above: (c) Refugees who have served in positions of leadership or played a conspicuous role within a religious denomination whose members are subjected to discrimination, including the clergy, prominent laymen, those who have served in denominational assemblies, governing bodies or councils; (d) Refugees who because of their minority religious affiliations have been deprived of employment, have been driven from their homes, have had their business confiscated or looted, have been denied educational opportunities available to others similarly situated in the same area, or have been denied pensions that would otherwise be available; and (e) Refugees who have become targets of persecution because of a perceived identification with the United States or the other nations of the West (including Israel).

**Priority Four (East Asia).** In addition to (a) and (b) above: (f) Persons previously in the civil service or armed forces of the former governments of Indochina who were associated with U.S.G. policies or U.S.-supported programs; (g) Persons who played a meaningful role in the social, economic, political, religious, intellectual, or artistic life of the former societies of Indochina, including such persons as professors, philosophers, monks, or other transmitters of the cultural traditions of these societies.

**Priority Five.** Additional family reunification: refugees who are: (a) married sons or married daughters of persons in the United States; (b) unmarried siblings of persons in the United States; (c) married siblings of persons in the United States; (d) grandparents of persons in the United States; (e) grandchildren of persons in the

United States; or (f) more distantly related individuals who are part of the family group and dependent on the family for support. (The status of the anchor relative in the United States must be one of the following: U.S. citizen, lawful permanent resident alien, refugee, asylee, member of certain groups of public interest parolees, temporary resident alien, or conditional resident.)

**Priority Six.** Otherwise of special humanitarian concern: other refugees whose admission is in the national interest.

### 3. INS Refugee Processing

Section 207 of the Immigration and Nationality Act (INA) grants the Attorney General the authority to admit, at her discretion, any refugee who is not firmly resettled in a third country, who is determined to be of special humanitarian concern, and who is admissible to the United States as an immigrant. This authority has been delegated to the Immigration and Naturalization Service (INS).

In both overseas refugee processing and domestic asylum proceedings, INS has the statutory role of decision maker, determining who meets the requirements for refugee status.

#### INS Overseas Operations

The INS' overseas offices have a variety of responsibilities administered by three District Offices located in Bangkok, Mexico City, and Rome. The overseas officer corps currently consists of 21 officers in the Bangkok District, including suboffices in Manila, Singapore, Seoul, and Hong Kong; 13 officers in the Mexico City District, including suboffices in Monterrey, Guadaluajara, Ciudad Juarez, Tijuana, and Port-au-Prince; and 20 officers in the Rome District, including suboffices in Frankfurt, Vienna, Athens, Moscow, London, Nairobi, and New Delhi.

One of the most important responsibilities of INS' overseas program is refugee processing. The percentage of time each office devotes to this activity depends on the refugee workload, as well as the staffing pattern and priorities within the office. The permanent staff are augmented by temporary duty personnel from stateside offices, as needed. Circuit rides to processing posts are arranged by the office having geographic jurisdiction over the post.

In February 1993, 15 overseas Immigration Officers attended a 3 week refugee and asylum training course which included instruction on U.S. and international refugee law, interviewing techniques, writing skills, human rights, and country conditions. More than 70 career INS officers from domestic programs who may be selected for temporary refugee processing assignments overseas, also completed the training, as did newly-hired Asylum Officers.

#### Case Presentation to INS

A refugee applicant generally proceeds through the following steps before his interview with an INS officer: an applicant is determined to be in need of protection and resettlement by the United Nations High Commissioner for Refugees (UNHCR); he or she is referred to a Voluntary Agency (VOLAG) or Joint Voluntary



Agency (JVA) for pre-screening; if the applicant is of a nationality of special humanitarian concern and within a processing priority eligible for U.S. consideration, the VOLAG or JVA prepares the case for submission to INS by assisting the applicant in filling out a request for refugee status, a biographic information form, and other documents.

### The Eligibility Determination

Eligibility for refugee status is decided on an individual, case-by-case basis.

A personal interview of the applicant is held by an INS officer. The interview is non-adversarial and is designed to elicit information about the applicant's claim for refugee status. Questions are asked about the reasons for the applicant's departure from his country, his political or religious beliefs or activities, and problems or fears having to do with the authorities in his home country.

The determination of a well-founded fear of persecution requires judging both objective and subjective elements of an applicant's claim. Conditions in the country of origin are taken into consideration and the applicant's credibility is assessed.

Persecution is the most difficult element of the refugee definition to analyze and apply. There is no universally accepted definition of the term "persecution," but it includes a threat to life or freedom. Discrimination in the treatment of various groups is not, *per se*, persecution but at times an accumulation of discriminatory measures may involve such significant denials of opportunities to participate in society that it constitutes a threat to freedom. Economic hardship is not itself a basis for eligibility for refugee status but persecution may take the form of economic reprisals, such as denial of the opportunity to work.

### Post-Interview Processing

After the interview, an applicant found eligible for refugee status must have a medical examination and receive a sponsorship assurance. A refugee admission number, subtracted from the annual ceiling, is allocated. Transportation arrangements are made through the International Organization for Migration (IOM) and the refugee signs a travel loan, promising repayment of the cost of airfare.

At the U.S. Port of Entry, INS admits a refugee to the United States and authorizes employment. After one year, a refugee is eligible for adjustment of status to lawful permanent resident. Five years after admission, a refugee is eligible for naturalization.

### Asylum Issues

In FY 1991, the INS implemented the 1990 final rule on asylum, which established not only a specialized corps of Asylum Officers, but an entirely new organizational structure for processing asylum applications.

Regional Asylum Offices were opened at seven sites around the United States with a newly-hired corps of 82 Asylum Officers. During FY 1992, the Asylum Officer Corps was expanded to 150 Officers to handle the increasing workload. The regional offices were located in Arlington, VA; Chicago, IL; Houston, TX;

Los Angeles, CA; Miami, FL; Newark, NJ; and San Francisco, CA. The asylum program is administered from these seven locations, under the direction of INS Headquarters.

When the Asylum Offices opened on April 2, 1991, they had inherited a backlog of more than 114,000 applications for asylum. During FY 1991, approximately 60,000 asylum applications were filed; in FY 1991, this number increased to more than 103,000 applications. Part of this increase has been due to the December 1990 settlement in the case of American Baptist Churches v. Thornburgh. Under the terms of the settlement, INS will provide asylum interviews to approximately 50,000 Guatemalans and 200,000 Salvadorans over the next several years.

During much of FY 1992, trained Asylum Officers were detailed to the U.S. Naval Base at Guantanamo Bay, Cuba to pre-screen Haitian migrants interdicted by the U.S. Coast Guard. During this operation, the Asylum Officers conducted nearly 36,600 interviews of Haitian migrants. However, the details of officers to Guantanamo Bay left the Asylum Offices, at times, with fewer than half of the authorized staff.

The Resource Information Center was mandated by the 1990 final rule. The Center was established with the Headquarters Asylum Division to provide Asylum Officers with easily accessible information on the human rights conditions in refugee producing countries of origin. The Center provides country profile reports as well as periodic "Alerts" on new or evolving situations of direct interest and impact on the work of the Asylum Officers.

Section 209 (b) of the INA permits the adjustment of status of persons granted asylum in the United States who have been in the United States as refugees for at least one year and who continue to qualify as refugees. Up to 10,000 asylees may adjust each year to lawful permanent resident status.

## B. THE RESETTLEMENT PROCESS

### 1. VOLUNTARY AGENCY PROCESSING

The Department of State contracts with private voluntary agencies -- sometimes referred to as Joint Voluntary Agencies or "JVAs" -- to assist in the processing of refugees for admission to the United States. These agencies pre-screen applicants to determine if they fall within the applicable processing priorities and otherwise appear eligible to be scheduled for an INS refugee interview. In some cases, individuals who appear to qualify for immigration to the U.S. are also advised of those procedures. In addition, prior to interview, they assist the applicant in completing the documentary requirements of the program. If approved, voluntary agency staff guide the refugee through post-adjudication steps such as obtaining a medical clearance and sponsorship assurance.

In FY 1994, Voluntary agencies will be under contract to the Department of State at processing locations in Thailand, the Philippines, Malaysia, Hong Kong, Turkey, Austria, Germany, Italy, Greece, Sierra Leone, Kenya, Saudi Arabia and Croatia

## 2. OVERSEAS LANGUAGE TRAINING AND CULTURAL ORIENTATION

The Department of State strives to ensure that refugees who are accepted for admission to the United States are as well prepared as possible for the significant changes they will experience during resettlement. In support of this principle, the Bureau for Refugee Programs operates pre-departure training and orientation programs for eligible refugees at selected sites around the world.

In East Asia, the Bureau funds English-as-a-Second-Language and Cultural Orientation (ESL/CO) programs in Thailand and the Philippines. At these sites adult Indochinese refugees participate in a 20-week program consisting of ESL/CO, and Work Orientation. A special program for 11 to 16 year olds, Preparation for American Secondary Schools (PASS), includes instruction in English, American Studies, basic math, and school orientation. In the Philippines, a program for 6 to 11 year olds, Preparing Refugees for Elementary Programs (PREP), also provides instruction in English, basic math, and school skills.

In FY 1993 about 20,000 Indochinese refugees, including Amerasians departing Vietnam under the Orderly Departure Program, are expected to complete this training.

In Africa, the Bureau conducts a short orientation program in Kenya which provides services primarily to Ethiopian and Somali refugees enroute to the United States.

In FY 1993, a pilot ESL program was also conducted in Kenya.

## 3. HEALTH SERVICES

The Office of Refugee Health (ORH), in the Office of the Assistant Secretary for Health, Department of Health and Human Services (HHS), is the focal point for all activities of the U.S. Public Health Service in refugee health. The ORH, in conjunction with the Office of Refugee Resettlement (ORR), develops health and mental health policy and identifies problem areas and solutions. Public Health Service agencies active in refugee matters include the Substance Abuse and Mental Health Services Administration, the Centers for Disease Control, and the Health Resources and Services Administration.

Close and regular consultative relations are maintained with the Department of State (DOS), Department of Justice, HHS's Office of Refugee Resettlement, State and local health departments, and with international organizations such as the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM)

Routine U.S. Public Health Service refugee operations include:

- Monitoring the quality of medical examinations provided to refugees in Southeast Asia and worldwide, through on-site visits and training conference;
- Inspection of each refugee at the U.S. port of entry;

- Notification of local health departments of each refugee's arrival, with expedited notification of cases requiring special follow-up; and
- Recognizing that the medical problems of refugees, while not necessarily constituting a public health hazard, might adversely affect their successful resettlement and employment, the Office of Refugee Resettlement will provide about \$2.86 million to State and local health agencies through an interagency agreement with the Public Health Service.
- Administration of a domestic preventive health program which provides for refugee health assessments locally following resettlement.

#### 4. INITIAL RECEPTION AND PLACEMENT

Under Reception and Placement (R&P) program cooperative agreements administered by the Bureau for Refugee Programs, twelve private voluntary agencies are responsible for providing initial resettlement services to refugees during their first 90 days in the United States and oversight of "free case" refugees (those without relatives in the United States) for six months. Voluntary agencies receive per capita funding (\$630 in FY 1993), which is to be used along with cash and in-kind contributions from private and other sources. Refugee reception and placement services include:

- Sponsorship;
- Pre-arrival resettlement planning;
- Reception;
- Basic needs support for 30 days;
- Counseling and orientation; and
- Health, employment, and other necessary referral services.

In FY 1993 the Bureau's on-site monitoring of the Reception and Placement program included in-depth reviews of refugee resettlement in eight states. As a result of the monitoring, strengths and weaknesses of voluntary agency programs have been identified, and where needed, corrective action has been recommended.

In FY 1993 the domestic resettlement program will have witnessed large-scale arrivals of Soviets, and Amerasians and reeducation ex-detainees exiting Vietnam through the Orderly Departure Program. Most arriving refugees join family already resident in the United States.

#### 5. TRANSPORTATION

The Department of State funds the transportation of refugees resettled in the United States through a program administered by the International Organization for Migration (IOM) which includes funding for international and domestic airfares, IOM processing, medical screening, communications, documentation, and transit accommodations where required. The cost of the airfares (over 80 percent of this total) is provided for refugees in the form of a loan; loan beneficiaries are responsible for repaying these costs over time after resettlement. Funds provided for transportation loans and related services cover most refugees resettled in the United States. Amerasian immigrants receive services provided to refugees. Other immigrants enter the United States on prepaid tickets.

## 6. ONGOING DOMESTIC RESETTLEMENT PROGRAMS

For FY 1994, the Administration's proposed budget for refugee domestic resettlement is \$420.1 million.

The purpose of the domestic resettlement program is to provide assistance and services to refugees in order that they may obtain employment and achieve economic sufficiency at the earliest possible date. Federal resettlement assistance to refugees is provided primarily through a State-administered refugee resettlement program funded by the Office of Refugee Resettlement (ORR), a component agency of the Administration for Children and Families (ACF) in the Department of Health and Human Services. States administer the provision of cash and medical assistance and social services to refugees and maintain legal responsibility for the care of unaccompanied refugee children in the State.

Refugees may apply for and receive public assistance, such as Aid to Families with Dependent Children (AFDC) and Medicaid, the same as American citizens. To assist needy refugees who do not meet the categorical requirements of these programs, special refugee cash assistance (RCA) and refugee medical assistance (RMA) are also made available. Single refugees, childless couples, and some two-parent families are the primary beneficiaries of these two programs. For FY 1994, the Administration has proposed \$284.4 million for transitional and medical assistance for needy refugees during their first few months after arrival in the U.S. These funds are requested to provide cash and medical assistance to eligible refugees, including unaccompanied minors, under both the State-administered programs and voluntary agency programs.

For FY 1994, the Administration has proposed \$80.8 million for a broad range of social services to refugees. As in past years, ORR will allocate 85 percent of the social service funds to States on a formula basis according to their proportion of all refugees who arrived in the U.S. during the past three years. The remaining 15 percent of social service funds will be awarded on a discretionary basis for initiatives designed to reduce welfare dependency in States with large numbers of refugees on welfare and to address the needs of special populations who experience particular difficulty adjusting to life in the U.S.

In addition, special funds for services to refugees in counties which are impacted by high concentrations of refugees and high welfare utilization rates are provided by ORR through the targeted assistance program. For FY 1994, the Administration has proposed \$49.4 million for this program, with most funds allocated for employment services which directly enhance refugee employment potential, have specific employment objectives, and are designed to enable refugees to obtain jobs within not more than one year. Ten percent of the total appropriated funds are awarded competitively for projects aimed at reducing welfare dependency in highly impacted localities.

### III DOMESTIC IMPACT OF REFUGEES

#### A. DEMOGRAPHIC IMPACT

##### I. Population Composition

Refugee arrivals as a whole tend to be somewhat younger than the total U.S. population. The median age for refugees arriving in FY 1992 was 26.8 years, compared with 28.1 years for all immigrants to the U.S. and 33.5 years for the total U.S. population. Median age varied from a high of 36.2 for refugee arrivals from the former Soviet Union and 32.5 years for Cubans to the very low figures of 12.7 years for Laotians and 17.0 years for Liberians. About 59 percent of Laotian refugee arrivals and 55 percent of Liberian arrivals were under age 18, while the proportion under age 18 from several countries, including Vietnam, the former Soviet Union, Cuba, Ethiopia, and Iraq, were in the 25 to 27 percent range (approximating the U.S. total population figure).

In 1992, about 64 percent of the U.S. total population was of working age (age 16 through 64). The average for all refugees admitted in FY 1992 was only slightly higher (about 67 percent). The proportions of refugees from most countries either exceeded the U.S. average or were within a few percentage points of that figure. Only two refugee populations (Laotians with 42 percent and Liberians with 54 percent) had proportions that were considerably below the average for the U.S.

Only eight percent of FY 1992 arrivals were of retirement age (65 years or older). This proportion was greatly skewed by the arrivals from the former Soviet Union, which comprised almost one-half of the FY 1992 total. The elderly accounted for 15 percent of Soviet arrivals, almost double the proportion of all FY 1992 arrivals, but only slightly higher than the proportion for the U.S. population (13 percent). In eight of the 12 largest refugee source countries, elderly refugees comprised less than three percent of the arrival population (Albania, Ethiopia, Iraq, Laos, Liberia, Romania, Somalia, and Vietnam).

Because these nationality groups differ from each other in their background characteristics, any change in the source countries of the refugee flow means a corresponding change in the demographic impact of the refugee population.

#### B. GEOGRAPHIC DISTRIBUTION

During FY 1992, 73.1 percent of newly arrived refugees and Amerasians were resettled in ten States. The ten leading resettlement States received 71.6 percent of the FY 1991 placements (Table III). The most notable trend is the rise from 14.4 to 20.2 percent in the proportion of refugees resettling in New York coupled with the decreasing share going to California. The California proportion fell from a high of 45.6 percent in FY 1988 to 28.9 percent in FY 1991 and 25.3 percent in FY 1992. Much of this change occurred because large numbers of Soviet Armenians who arrived in FY 1988 and settled near relatives in the Los Angeles area have been replaced by Soviet Jews settling in New York and other cities in the East.

Together, California and New York receive more than 45 percent of all newly arriving refugees. Table IV displays the number of refugee arrivals in every State during FY 1992 and the percent of total arrivals by State. Generally, refugee communities in areas of current resettlement will continue to grow with admission of additional family reunification cases. As Table V shows, the geographic distribution of the Indochinese refugees is now well established, with nearly 40 percent living in California and the rest distributed widely.

The residential distribution of the more than 492,000 refugees who have arrived from areas outside Southeast Asia since FY 1980 is different from that of the Indochinese. This has tended to diffuse the impact of refugee arrivals upon local communities. Large numbers of these other refugees have been resettled in cities in the Northeast and the Midwest.

Table VI shows the placement locations of the non-Indochinese refugees who arrived during the most recent ten fiscal years. California resettled the largest number, almost 101,800, with New York in second place at almost 101,200 and growing rapidly. The percentages in this table show the wide variation in ethnic composition of States' refugee populations. Among the States with the largest refugee populations, Florida, Illinois, Michigan, New Jersey, and New York have majorities of non-Indochinese refugees.

As the ethnic composition of the arriving refugee population shifts in response to new needs, so will the geographic placement patterns of the new arrivals. In FY 1992, 46 percent of the arrivals were Soviets, compared with only 34 percent during FY 1991. Most other refugee groups arrived in lower proportions than in FY 1991, with only nations in conflict (Iraq, Liberia, and Somalia) showing sharp increases. In general, States that were slated to receive large numbers of Soviet refugees saw their FY 1992 arrivals rise above expectations, and the rest saw arrivals fall below expectations.

TABLE III  
 REFUGEES AND AMERASIANS:  
 NEW ARRIVALS IN TEN LEADING STATES IN FY 1991 AND FY 1992

State	FY 1992		State	FY 1991	
	%	Number		%	Number
California	25.3	33,249	California	28.9	32,778
New York	20.2	26,601	New York	14.4	16,300
Texas	4.5	5,918	Texas	5.1	5,831
Washington	4.1	5,421	Florida	4.9	5,609
Florida	4.0	5,321	Washington	4.2	4,777
Illinois	3.9	5,083	Illinois	3.5	3,947
Pennsylvania	3.2	4,222	Massachusetts	3.0	3,402
Massachusetts	3.2	4,185	Pennsylvania	3.0	3,382
Maryland	2.4	3,142	Georgia	2.3	2,608
Georgia	<u>2.4</u>	<u>3,124</u>	New Jersey	<u>2.3</u>	<u>2,604</u>
<u>TOTAL</u>	<u>73.1</u>	<u>96,266</u>		<u>71.6</u>	<u>81,238</u>

Source: Office of Refugee Resettlement



TABLE IV  
REFUGEES AND AMERASIANS:  
ARRIVALS FROM ALL COUNTRIES BY STATE IN FY 1992

<u>State</u>	<u>Number</u>	<u>%</u>	<u>State</u>	<u>Number</u>	<u>%</u>
Alabama	311	0.2	Nevada	305	0.2
Alaska	81	0.1	New Hampshire	213	0.2
Arizona	1,520	1.2	New Jersey	2,896	2.2
Arkansas	71	0.1	New Mexico	389	0.3
California	33,249	25.3	New York	26,601	20.2
Colorado	1,135	0.9	North Carolina	887	0.7
Connecticut	1,217	0.9	North Dakota	477	0.4
Delaware	64	a/	Ohio	2,330	1.8
Dist./Columbia	1,100	0.8	Oklahoma	354	0.3
Florida	5,321	4.0	Oregon	2,496	1.9
Georgia	3,124	2.4	Pennsylvania	4,222	3.2
Hawaii	336	0.3	Rhode Island	443	0.3
Idaho	305	0.2	Rhode Island	144	0.1
Illinois	5,083	3.9	South Carolina	278	0.2
Indiana	350	0.3	South Dakota	278	0.2
Iowa	808	0.6	Tennessee	1,309	1.0
Kansas	700	0.6	Texas	5,218	4.5
Kentucky	640	0.5	Utah	565	0.4
Louisiana	811	0.6	Vermont	263	0.2
Maine	157	0.1	Virginia	1,987	1.5
Maryland	3,142	2.4	Washington	5,421	4.1
Massachusetts	4,185	3.2	West Virginia	46	a/
Michigan	2,682	2.0	Wisconsin	1,874	1.4
Minnesota	2,754	2.1	Wyoming	71	a/
Mississippi	44	a/	Other b/	43	a/
Missouri	2,065	1.6			
Montana	83	0.1			
Nebraska	791	0.6			
			<u>TOTAL</u>	<u>131,611</u>	<u>100.0</u>

a/ Less than 0.1 percent. Percentages do not add to total due to rounding of figures.

b/ Includes Territories and unknown States not shown separately.

TABLE V  
INDOCHINESE REFUGEES  
ESTIMATED CUMULATIVE STATE POPULATIONS a/  
INCLUDING ENTRIES FROM 1975 THROUGH SEPTEMBER 1992

<u>State of Residence</u>	<u>Estimated Total</u>	<u>% of Nat'l Total</u>	<u>State of Residence</u>	<u>Estimated Total</u>	<u>% of Nat'l Total</u>
Alabama	3,600	0.4	Nevada	2,800	0.3
Alaska	100	b/	New Hampshire	1,200	0.1
Arizona	9,000	0.9	New Jersey	9,500	0.9
Arkansas	3,500	0.3	New Mexico	2,600	0.3
California	409,800	39.9	New York	36,000	3.5
Colorado	13,800	1.4	North Carolina	8,000	0.8
Connecticut	9,000	0.9	North Dakota	1,100	0.1
Delaware	400	b/	Ohio	13,500	1.3
D. of Columbia	2,600	0.3	Oklahoma	10,100	1.0
Florida	17,200	1.7	Oregon	22,200	2.2
Georgia	14,500	1.4	Pennsylvania	31,600	3.1
Hawaii	8,500	0.8	Rhode Island	7,900	0.8
Idaho	2,000	0.2	South Carolina	2,700	0.3
Illinois	31,000	3.0	South Dakota	1,100	0.1
Indiana	4,700	0.5	Tennessee	7,600	0.7
Iowa	11,300	1.1	Texas	76,900	7.5
Kansas	11,900	1.2	Utah	10,000	1.0
Kentucky	3,700	0.4	Vermont	700	0.1
Louisiana	16,800	1.6	Virginia	26,100	2.5
Maine	1,800	0.2	Washington	47,800	4.7
Maryland	12,000	1.2	West Virginia	400	b/
Massachusetts	32,200	3.1	Wisconsin	18,500	1.8
Michigan	14,100	1.4	Wyoming	200	b/
Minnesota	37,700	3.7	Guam	300	b/
Mississippi	2,000	0.2	Other	c/	b/
Missouri	9,500	0.9			
Montana	1,100	0.1			
Nebraska	3,700	0.4	<u>TOTAL</u>	<u>1,026,900</u>	<u>100.0</u>

a/ Adjusted for secondary migration through 9/30/92, rounded to the nearest hundred. Not adjusted for births and deaths in the U.S. These figures do not include the 56,000 Amerasian immigrants and accompanying family members that have arrived since FY 1988.

b/ Less than 0.1 percent

c/ Fewer than 100.

Source: Office of Refugee Resettlement

TABLE VI  
 NON-INDOCHINESE REFUGEES: ARRIVALS BY STATE  
 DURING FY 1983 - FY 1992 a/

States	Non-Indo- chinese Arrivals	Percent of State's Arrivals	States	Non-Indo- chinese Arrivals	Percent of State's Arrivals
Alabama	356	14.4%	Nevada	1,702	55.6%
Alaska	205	50.9%	New Hampshire	848	48.5%
Arizona	4,154	36.2%	New Jersey	11,598	68.6%
Arkansas	207	14.8%	New Mexico	761	30.6%
California	101,765	37.9%	New York	101,197	84.7%
Colorado	3,358	38.6%	North Carolina	1,281	18.0%
Connecticut	5,686	55.7%	North Dakota	991	56.4%
Delaware	226	67.9%	Ohio	7,746	59.5%
Dist./Columbia	2,315	36.3%	Oklahoma	583	12.7%
Florida	24,398	72.1%	Oregon	6,857	47.6%
Georgia	5,172	32.7%	Pennsylvania	14,040	52.0%
Hawaii	80	2.6%	Rhode Island	1,775	38.1%
Idaho	1,757	62.3%	South Carolina	301	30.1%
Illinois	23,748	67.1%	South Dakota	1,290	75.0%
Indiana	1,405	50.3%	Tennessee	2,418	30.7%
Iowa	880	13.1%	Texas	11,476	23.9%
Kansas	860	14.0%	Utah	1,776	26.1%
Kentucky	840	21.2%	Vermont	848	56.3%
Louisiana	410	6.1%	Virginia	5,479	31.8%
Maine	1,366	53.2%	Washington	12,035	37.0%
Maryland	10,023	62.1%	West Virginia	80	27.5%
Massachusetts	14,039	44.9%	Wisconsin	1,799	15.5%
Michigan	10,207	63.8%	Wyoming	99	67.3%
Minnesota	4,287	19.5%	Other	143	94.7%
Mississippi	64	6.3%			
Missouri	5,311	46.4%			
Montana	331	51.6%			
Nebraska	1,159	29.0%	<u>TOTAL</u>	<u>411,732</u>	<u>46.7%</u>

a/ The source of these data is the ORR Data System. Data on non-Indochinese refugees by State are not available before the end of FY 1983.

Source: Office of Refugee Resettlement

### C. SECONDARY MIGRATION

Secondary migration is the term used to describe movement by refugees from the location where they were initially resettled upon arrival in this country to some other place. A number of explanations for secondary migration by refugees have been suggested: employment opportunities, the pull of an established ethnic community, more generous welfare benefits, better training opportunities, reunification with relatives, or a congenial climate.

ORR has developed a system based on reports from the States for compiling and maintaining data on secondary migration. These data are important not only for general program planning, but also for the accurate computation of formulas for distribution of funds to States. Results of the State reports are contained in ORR's Annual Reports to the Congress.

Almost every State experienced both gains and losses through secondary migration in FY 1992. On balance, eleven States gained net population through secondary migration. The largest net gain was the State of Washington, with net in-migration of 2,872. North Carolina, with strong in-migration and little out-migration, recorded a net gain of 1,261. California and New York recorded the largest net losses due to migration, 626 and 543, respectively.

Another gauge of the effect of migration (other than the magnitude) is the proportion of the refugee population currently served by States who are secondary migrants. For all States combined, the average was only about eight percent. For California, only about four percent of refugees currently served initially resettled in another State. The comparable figure was only about two percent in New York. In other States, secondary migrants were a large proportion of the service population, particularly in Arkansas (46 percent), Mississippi (45 percent), North Carolina, and Iowa (both with about 33 percent). Other States with a significantly larger than average proportion of their service population who are secondary migrants include Washington and South Dakota (19 percent), Kansas (18 percent), Oklahoma and Texas (15 percent), and Louisiana (14 percent).

### D. ECONOMIC IMPACT

The net economic effect of refugees in the U.S. derives ultimately from their contribution to the American economy and from the Federal, State, and local government taxes they pay. In the short term, the primary question is whether or not refugees are obtaining employment which enables them to become self-supporting members of American society. ORR conducts an annual survey of Southeast Asian refugees who have come to the U.S. during the five previous years. The most recent of these surveys was conducted in October 1992 and included 598 refugee households that agreed to be interviewed. Results from the survey indicate that the labor force participation rate (those working or seeking work) for refugees 16 or older was 37 percent, compared to an equivalent rate of 66 percent for the overall U.S. population.

As in previous years the labor force participation of refugees varied with length of residence in the U.S. The most recent (1992) arrivals had a labor force participation rate of 33 percent, while the 1991 arrivals had a labor force participation rate of 37 percent.

The 1992 survey also provides data on unemployed refugees (those who are in the labor force, but not working). Late in 1992, the overall U.S. unemployment rate was 7.2 percent, while the unemployment rate for refugees of working age was 16 percent. Significant changes in unemployment occur for refugees over time. In late 1992, the unemployment rate for refugees who arrived in 1991 was 19 percent. The unemployment rate of refugees who arrived the year before was 14 percent, while the rate for those who arrived in 1987 was six percent.

#### IV. ESTIMATED COSTS OF REFUGEE MOVEMENT AND RESETTLEMENT

The Federal agencies which incur major program costs for the admission and resettlement of refugees in the United States are the Department of State, the Department of Health and Human Services and the Department of Justice's Immigration and Naturalization Service.

The Department of State provides funding for: (a) processing of refugees abroad to identify those persons who may be eligible for the U.S. refugee admissions program; (b) ESL/CO/VO programs for refugees overseas; (c) medical examinations and transportation assistance through the International Organization for Migration; (d) initial reception and placement services in the United States through cooperative agreements with voluntary agencies.

The Department of Health and Human Services has primary responsibility for the domestic resettlement of refugees. Under the Refugee Act of 1980, eligible refugees may receive support services designed to facilitate their successful settlement.

The Immigration and Naturalization Service has responsibility for and bears the costs of determining eligibility for U.S. refugee resettlement.

The estimated costs of services provided by the Department of State, the Department of Health and Human Services and the Immigration and Naturalization Service are based on the Administration's FY 1994 budget request for the funded admission of up to 120,000 refugees.

It is not possible to provide accurate cost data on refugee utilization of other Federal programs because statistics do not account for refugees separately from the general population. Because of the significance of the AFDC, Medicaid, and Supplemental Security Income programs, however, an estimate based on the best available information concerning refugee utilization of these programs has been made

TABLE VII  
ESTIMATED COSTS OF REFUGEE PROCESSING,  
MOVEMENT AND RESETTLEMENT  
FY 1994 ESTIMATE\*  
(\$ Millions)

AGENCY	Estimated Funding
<b>DEPARTMENT OF STATE: Bureau for Refugee Programs</b>	
Refugee Processing	22.13
Language/Orientation Programs Overseas	17.40
Transportation	102.88
Reception & Placement	<u>78.36</u>
Subtotal	220.77
<b>DEPARTMENT OF HEALTH AND HUMAN SERVICES ADMINISTRATION FOR CHILDREN AND FAMILIES: Office of Refugee Resettlement</b>	
Transitional and Medical Services	284.38
Employment Services	80.80
Targeted Assistance	49.40
Preventive Health	5.47
Subtotal	420.05
<b>OTHER HHS</b>	
Family Support Payments to States	54.61
Medicaid	21.99
Supplemental Security Income	<u>23.84</u>
Subtotal	100.44
<b>DEPARTMENT OF JUSTICE: Immigration and Naturalization Service</b>	
Refugee Processing, Initial Interviewing and Other Considerations of Applicants	8.95
Soviet Processing	<u>6.17</u>
Subtotal	15.12
<u>GRAND TOTAL</u>	<u>756.38</u>

\*Figures are based on the Administration's budget request for FY 1994, for the funded admission of up to 120,000 refugees. At the time this report was prepared, Congress had not completed action on this request.

Senator KENNEDY. Thank you very much. Just to remind our colleagues, the Secretary has to depart at 3:30 and I see six of us here, so we will take 5 minutes and then the rest of the panel will remain for whatever time that we might want.

I want to just comment, Mr. Secretary, on the sensitivity to the Amerasian children which we were not very sensitive to in the early years following the Vietnam War, and second those "political re-education" inmates now being released. We took over a million refugees from Vietnam, but in many instances the people that were the most committed in trying to help and assist American service people were left behind in 1975 and put in jail. If there are any people we owe some responsibility to, it is those political prisoners who have been released and whose lives would be threatened in Vietnam.

#### SITUATION IN BOSNIA

There are three areas that I would like to try and cover very quickly. One is the issue of Bosnia. We know that the U.N. High Commissioner continues to report harassment of humanitarian workers. Lack of security continues to hamper relief convoys. Relief workers have been killed or they remain in grave danger. Relief supplies remain piled up in warehouses. Apparently, the most recent humanitarian success in Bosnia has been turning on the water for Sarajevo.

The prospect for ratification of the current agreement by the Muslim parliament will be in question next week, and as I understand it, the European nations, especially Britain and France, are urging the Muslims to ratify it. Is the United States urging the Muslims to ratify it as well or is there a possibility that the recent agreement could be renegotiated and include some additional land?

Secretary CHRISTOPHER. Mr. Chairman, the United States believes that the solution to this problem at the present time lies in the area of a negotiated settlement. The problem has a long and, in many ways, horrible history, but where we are now, we think that a negotiated settlement would be the best result.

When President Izbekovich of Bosnia was here a few days ago, the President and I met with him and we told him that we respected whatever judgment he would make about that. We indicated to him that he would have the support of the United States to implement an agreement if he entered into one, subject to various conditions, such as the fact that it was entered into in good faith and that the implementation would be through NATO.

But I think in response to his request, we indicated that we would be prepared to implement it, but we did not, Mr. Chairman, intend to, nor did we put any pressure on him to reach the conclusion. The United States has said that it would respect the decision of the parties, and I think that it can only be up to President Izbekovich and his parliament and the other leaders of that country as to what conclusion they want to reach.

We have indicated to both the Serbs and the Croatians that we hope they will show maximum flexibility in recognizing the reasonable requests of the Bosnian Government so as to bring this humanitarian tragedy to an end. As far as additional flexibility, it is a very dynamic situation at the moment. I think the negotiations



continue even as they move into next week's possible vote in the parliament.

There are several areas where President Izbekovich is pressing for additional concessions—one, an outlet to the sea; second, additional territory in the east. I have some hope that both the Croats and the Serbs will show enough flexibility so that an agreement can be reached. If an agreement is not reached, and it certainly will not be a perfect agreement if it is, but if it is not reached, we are in for a very tragic winter.

#### PROSPECTS FOR U.S. ACTION IN BOSNIA

Senator KENNEDY. Well, if the violence continues, are we prepared to use military action to protect U.N. relief operations, particularly this coming winter?

Secretary CHRISTOPHER. Mr. Chairman, I think we are still prepared to act within the context of the NATO resolution which the United States took the lead in fostering, and that is that if there is continued strangulation of Sarajevo, if there is strangulation of the other safety areas in Bosnia, or if there is interference with the relief efforts or if we are requested to provide troops, NATO forces will be used pursuant to that resolution. But I would caution that there are fairly stiff conditions to the use of NATO air power, and I think we would use it only in conjunction with a decision taken by NATO. It would not be a unilateral act by the United States.

#### PAN AM 103 TERRORIST CASE

Senator KENNEDY. On the Pan Am 103 issue, it is the fifth anniversary of that atrocity coming up this December, and the current sanctions against Libya have clearly failed, although efforts are underway to strengthen them. As you know, many of us in Congress feel that the sanction most likely to have an impact on Libya is an oil embargo. More than half of the Senate is on record supporting that step. President Clinton has said on several occasions that he would support an international oil embargo if lesser sanctions fail. Is that still the administration's plan?

Secretary CHRISTOPHER. Mr. Chairman, we are anxious to strengthen the sanctions. At the present time, the United Nations, through its Secretary General, has asked for a brief period of time to try to bring the Libyans into compliance. That time expires on the 1st of October. If they are not in compliance with the resolution at that time, if they have not turned the two individuals over for prosecution either in Scotland or the United States, we will press very hard for more sanctions in the United Nations.

I believe those sanctions are likely to take the form of an embargo on certain oil equipment which could be important to Libya, as well as the freeze of certain assets. In this situation, we have been negotiating with our allies, Britain and France, to get their agreement on the sanctions because we really need their support for any kind of sanctions that are imposed. So at the present time, we are trying to stiffen the sanctions in the area of an asset freeze, as well as certain oil-producing equipment.

## ISRAEL-PLO AGREEMENT

Senator KENNEDY. Well, the equipment is of some value, but I don't think it replaces the total oil embargo. Just quickly, Mr. Secretary—my time is about to expire—on the Israeli-PLO agreement, could you give us some insight about what kind of arrangements might emerge for the return of the Palestinian refugees both in terms of the West Bank and Gaza and what steps the administration is prepared to take in that process?

Secretary CHRISTOPHER. Yes, Mr. Chairman. The refugees have been a constant subject of discussion in the bilateral tracks between the Israelis and the Palestinians. It has also been a major subject of the so-called multilateral discussions between the 30 nations who have been particularly involved in this.

Perhaps even more relevant, the declaration of principles between the Israelis and the Palestinians have a special paragraph on the refugees. The refugees are a subject to be treated in the so-called final status negotiations, which do not begin for 2 years, but that subject is very much on the mind, I think, of all the people involved, but it is not anything that will be resolved immediately.

I would think that if there is a resolution that permits the refugees to return, there will be many who will want to return, but it is almost impossible at this point to estimate the size of those numbers. That particular issue has been, by the parties—that is, by the Palestinians themselves and the Israelis—reserved for final status negotiations.

Senator KENNEDY. Thank you, Mr. Secretary.  
Senator Simpson?

## “REFUGEES” FROM THE FORMER SOVIET UNION

Senator SIMPSON. Thank you, Mr. Chairman. Mr. Secretary, we put on the books an amendment called the Lautenberg amendment, which was to simply presume that anyone from the Soviet Union was a refugee, in a sense. Now, in this allocation proposal, we have 55,000 listed for the former Soviet Union and Eastern Europe, and I think we all know that things have changed dramatically since we first passed the Lautenberg amendment.

So my question, is what is the nature, if you can tell us, of the persecution of Evangelicals, Catholics, Jews, and Orthodox Christians in Russia. What are they experiencing today?

Of course, so the public will know, this is the key to what refugee status is all about, a person fleeing persecution or having a well-founded fear of persecution based on race, religion, national origin, or membership in a political or social organization. We must stick with that definition, which is the U.N. definition and our definition, or change that definition.

My question is, isn't it true that many of these refugees have continued to live safely in that country, in Russia, for a number of years since first applying for refugee status? I think this is a very critical thing when there are so many real, real refugees around the world, and I just want to be sure that we have our hearts open and are ready to receive those who are really fleeing political persecution. Could you tell me?

Secretary CHRISTOPHER. Senator Simpson, I would say the situation in the Soviet Union is rapidly changing in the direction of greater freedom and less persecution. As you know, there is in-country processing in the Soviet Union and all of those who are permitted to enter the United States must meet the very severe tests that you have mentioned.

That kind of persecution has diminished, but it is not ended in the Soviet Union. It is possible to live in a country and yet be subjected to threats of that persecution which justify entry into the United States. But as I said in my statement, I think, Senator, that situation is in the process of changing, is being rationalized, and I would expect over the next couple of years to have quite a dramatic change in that if the conditions of growing freedom persist in the Soviet Union. But the events of the last few days, I think, are a reminder to us that it is a very volatile situation there and we cannot be certain that that situation has come to a happy ending at this point.

Senator SIMPSON. Well, certainly, we have put our faith and strength in the leader of Russia, so we must think that things are going quite well there, I would think.

Secretary CHRISTOPHER. Senator, I think that the events of the last few days have shown the strength of President Yeltsin. His decision to have an elected parliament, I think, is a reflection of his belief in democracy. The news today that he will have a presidential election, or there will be an open presidential election next year, I think is a confirmation that he has a deep belief in democracy and is willing to subject himself, as well as others, to the ballot box, which is where those decisions ought to be made. So we have got a good deal of confidence in that. On the other hand, the issue remains open and needs to be followed very closely.

Senator SIMPSON. Well, I hope you will because refugee determination is a very serious type of thing. It should not be something that we lightly give, and certainly it should be done on a case-by-case basis—I have always said that—and not under some presumption for a block of persons, some who are persecuted and some who are not, and who claim refugee status and don't come, or come to a different country or go to several other countries before they get here. That is a very critical thing.

The Lautenberg amendment required us to presume Russians are refugees, but it did not require the Department to admit as a refugee a single person from Russia. I think it doesn't require that you allocate nearly 50 percent of the refugee admissions to that area, and I hope you can help us address that issue without any smattering of ugliness, which is sometimes present in discussions of this issue.

My time is expired. Well, your time had hardly started when— [Laughter.]

Senator KENNEDY. Go ahead, go ahead.

Senator SIMPSON. Who handed me this? Was this—are you handing me this? [Laughter.]

#### ABUSE OF AMERASIAN PROGRAM

One more issue, Amerasian children. Just quickly, we were all right here—Ted Kennedy, myself, Howard, Strom Thurmond. We

worked; we had hearings. We worked hard on an Amerasian bill. We were told then, and I remember all the testimony, there were possibly 25,000 Amerasian children in Vietnam. It turned out that for every Amerasian child, there were three or four accompanying relatives who had purchased that status in many cases, and it has become an extraordinary disruption. We have admitted now 83,000 people. Amerasian children are not children anymore, and the system was gimmicked.

Could you please tell me how we got to that point? I understand the program was fraught with fraud. We have now admitted, as I say, 83,000. We were told there were 25,000. Will the program really conclude next year, or will the groups hold it open forever, and what has now been done about the fraud that was so vivid in the program?

Secretary CHRISTOPHER. Senator, the program will end next year, and I hope you don't think I am diverting to one of my colleagues the hardest of the questions, but most of that happened before my watch and I wonder if I could ask Ambassador Zimmermann to comment.

Ambassador ZIMMERMANN. Well, it happened before my watch, too, but I will comment. [Laughter.]

Senator SIMPSON. Has anybody been watching? [Laughter.]

Ambassador ZIMMERMANN. There has clearly been a lot of fraud in this program and we are devoting a lot of resources to cut it out. Legislation did provide that the Amerasian people could bring with them family members, and that is, I think, the largest reason why there was a much larger group that came than were the original Amerasians.

But as the Secretary said, while this has not been a fraud-free program, it is a program that is ending and it is a program to which we have a large moral commitment to bring these people to the United States. I have had a chance, as I am sure you have, Senator, to see them resettled in the United States, and that is one of the great success stories, I think. So with all the problems we have had, I think when we bring the program to a close it will be seen as a very successful one and one that did us proud.

Senator SIMPSON. Thank you, Mr. Chairman.

Senator KENNEDY. Senator Metzenbaum?

## **OPENING STATEMENT OF HON. HOWARD M. METZENBAUM, A U.S. SENATOR FROM THE STATE OF OHIO**

### **CONSIDERING A REFUGEE REPAYMENT PLAN?**

Senator METZENBAUM. Mr. Secretary, in the refugee consultations in 1988, I had proposed that we make all of refugee resettlement costs reimbursable to the U.S. Government. In effect, it would be a refugee repayment plan. It costs us money to resettle refugees and it seems to me it is not unreasonable to expect those costs to be repaid.

Now, after considerable study, we determined that the proposal wasn't practicable at that time, but I must say I am still interested in the costs of resettlement to the American taxpayer. In 1988, the cost of resettlement was roughly \$7,000 per refugee. My question is I don't know whether that is still a reasonable figure or not,

whether it is a correct one or an accurate one, but whether or not you think there is any possibility of getting a program together so that the refugees that we admit would have an obligation to repay those dollars to the American taxpayers.

Secretary CHRISTOPHER. Senator, it is certainly, in theory, a very attractive program, and a great many of the refugees are very successful. But I think that the program, once again, would have a great practical difficulty in following the refugees, waiting until they had reached a sufficient status of prosperity so they could pay it back. I think there would continue to be great practical difficulty in it.

The pattern for refugees—and I don't want to pose as a great expert on this, but it takes probably a decade for them to reach a level of income and prosperity that would make it feasible to repay their resettlement costs. So while in theory it seems attractive, I think my own instinct about it is that there remains considerable practical difficulty.

Senator METZENBAUM. I would like to urge, Mr. Secretary, that we at least explore that subject. Not all, of course, could repay. Many of them could repay out of their pocket change, and I think if they could, we ought to try to get the money back.

Secretary CHRISTOPHER. Senator, we will look at that again. Thank you, sir.

#### RUSSIAN IMMIGRATION LAW?

Senator METZENBAUM. Has the Russian Parliament adopted their immigration law as yet? They were going to, but then we didn't hear anything more about it.

Secretary CHRISTOPHER. I am afraid I can't answer that question. Can you, Ambassador Zimmermann?

Ambassador ZIMMERMANN. I am sorry. Could you repeat it, Senator?

Senator METZENBAUM. Pardon?

Ambassador ZIMMERMANN. Could you repeat the question?

Senator METZENBAUM. Yes. The Russian Parliament was in the process of passing an immigration law, and then things seemed to be slowed down for obvious reasons. My question is has that law ever been enacted?

Ambassador ZIMMERMANN. I don't know the answer to that.

Secretary CHRISTOPHER. We will supply it to you, Senator.

Senator METZENBAUM. I would appreciate it if you would supply it to the Chair and the rest of the members of the committee.

Secretary CHRISTOPHER. We certainly will.

#### REFUGEES IN GERMANY

Senator METZENBAUM. This question is not specifically with respect to the refugee problem, but the situation with respect to refugees in Germany is shocking. Surely, a majority of Germans are fair-minded and tolerant people. Yet, the wave of terror against guest workers and refugees conjures up memories of a much worse time, and it poses a risk to the refugees and ultimately it poses a risk to Western stability.

I have spoken on the Senate floor about the silence of the German Government on this violence, and I frankly don't think Bonn has done enough. The largest step was to change the German Constitution to limit entry of non-Germans. What are the U.S. plans, should the German violence against outsiders continue, and do you think this matter has relevance to Western security?

Secretary CHRISTOPHER. Senator, on your last point I think the way the Germans treat the refugees in their country is very important not only to other countries, but to the Germans themselves. I have talked with Chancellor Kohl about this. I have talked with the Foreign Minister, Klaus Kinkel, about it, and I can assure you they are very concerned about the reputation that the Germans have and the German Government has with respect to the treatment of its refugees. They deplore these ugly incidents just as much as we do.

Not by any way of explanation or justification, but the number of refugees that the Germans have taken is just an enormous number. Their open refugee policy requiring them to take all who want to enter has flooded their country with refugees and it has given them some very tense issues throughout their country.

Indeed, the intolerance of refugees is a worldwide phenomenon and is reaching crisis proportions in many countries. It has to be sternly resisted, but from my contacts with the top German leaders, Senator, I want to assure you of their deep concern about this matter.

Senator METZENBAUM. Thank you.

#### HEARING SCHEDULE

Senator KENNEDY. For the members here, we are going to have a series of votes starting at 3:30, so I might suggest that each person maybe ask one question of the Secretary. He is going to have to leave at 3:30. We have got about 12 minutes. So if that is an agreeable way of proceeding, it is not terribly satisfactory, I think, for all of us, but I think—

Senator COHEN. Could the record indicate that the excesses of Senator Simpson have caused this compression of time for the rest of us? [Laughter.]

Senator KENNEDY. So if we could, we will each ask a question. If the vote is delayed, we will just continue that until the Secretary has to leave.

Senator Thurmond?

#### FUTURE OF U.S. REFUGEE PROGRAM

Senator THURMOND. Secretary Christopher, the number of refugees worldwide seems to be increasing, while the number of refugees proposed for admission into the United States has been reduced from last year. That is correct, isn't it?

Secretary CHRISTOPHER. Yes, sir, although it is largely steady at about 120,000, Senator.

Senator THURMOND. Your written statement indicates that, if necessary, you are prepared to expand the refugee program. Is it likely that there will be a need to increase the number of refugees

admitted into the United States, and what is the maximum number of refugees that you would favor admitting?

Secretary CHRISTOPHER. Senator, I would hope that the decline in numbers from Vietnam and perhaps from the Soviet Union or Eastern Europe might give us some room to respond to needs from other parts of the world. I wouldn't be prepared to commit to any larger number at the present time. Part of the reason for that, Senator, is I think it is very important that we have the financial resources to take care of those whom we admit.

I think the new policy this year of making sure that HHS has enough funds for the resettlement of refugees admitted is a very desirable policy and should be continued. So I hope we can have some flexibility in the numbers by reason of the dropping of the numbers from Vietnam, both the Amerasians and those Vietnamese who aided us.

The 120,000 number is about 2½ times what was regarded at least at one time as the normal number. So I would not say at the present time, Senator, that I foresee a great increase in that number, but it will certainly be up to the President and up to the Congress if there is an exigent situation that causes us to recommend a larger number.

Senator KENNEDY. Senator Simon?

#### **OPENING STATEMENT OF HON. PAUL SIMON, A U.S. SENATOR FROM THE STATE OF ILLINOIS**

Senator SIMON. In writing, I would be interested in getting your response to S. 618 that Senator Riegle is the chief sponsor of and Senator Kennedy and I are cosponsoring. Also, in writing, the African numbers where we have one of the worst refugee problems—their portion at 7,000 is, frankly, a very small portion. I would be interested in your reaction.

#### **DECLINE OF FOREIGN STUDENTS IN THE UNITED STATES**

The night before last, I took the little green book, the INS fact book, and I noticed in 1991 students coming into the United States from abroad were 282,000; in 1992, 241,000, a drop of 41,000. I don't have any projections for 1993. I have consistently felt that one of the great assets to our country abroad are those who study here. Is this drop in numbers of students a policy decision, and why this sudden fairly dramatic drop in foreign students? Mr. Secretary, I assume that maybe should be addressed to Ms. Sale or someone else.

Secretary CHRISTOPHER. Thank you, Senator.  
Ms. Sale?

#### **STATEMENT OF CHRIS SALE**

Ms. SALE. Thank you, Mr. Secretary. It is not a change in policy. I would have to go back and look at the subordinate numbers on a country-by-country basis to give you a better analysis, Senator, and we would be happy to submit that for the record. It is simply a compilation of the numbers we processed rather than any specific change in policy. It could be that world conditions simply put a hole in how many people were coming in, but I would have to give you a country analysis on that.

## [Prepared statement of Ms. Sale follows:]

## PREPARED STATEMENT OF CHRIS SALE ON BEHALF OF THE U.S. IMMIGRATION AND NATURALIZATION SERVICE

Mr. Chairman and Members of the Committee: Good morning. I am pleased to have the opportunity to discuss with you the proposed United States refugee resettlement admissions program for fiscal year 1994 and the role of the Immigration and Naturalization Service (INS) in the program.

Fiscal year 1993 has been a year of challenges and changes for INS. Today, I would like to report how we have faced some of the new demands.

Let me begin with Haiti. In February 1992, INS and the Department of State established an in-country refugee processing program in Haiti. Haitians at risk of persecution were afforded opportunity for U.S. resettlement without having to face the potential dangers of the sea. Initially, the program was limited to exceptional cases of refugees in immediate danger and refugees of compelling concern to the United States, including former Aristide government officials, leaders of national and regional political movements, human rights activists, and members of professions that might be targets of persecution.

Following the May 24, 1992, Executive Order which resulted in the termination of Guantanamo screening of Haitians, the program was expanded to permit any Haitian who might fear persecution to apply for U.S. refugee resettlement.

Consistent with President Clinton's January announcement of enhanced refugee processing in Haiti, we expanded and improved the program. Additional refugee processing facilities were established in Les Cayes and Cap Haitien to make the program more accessible to Haitians in remote areas and additional measures were implemented to ensure the quality and consistency of refugee adjudications.

With procedures in place to expedite the processing of those Haitians believed to be at risk and to ensure applicants a full and fair opportunity for their claims to be considered, we believe that the in-country program provides a viable means for Haitians to seek the protection of the United States.

Let me now turn from our newest in-country program to our established programs, beginning with Cuba. After having completed the processing of long-term political prisoners, we expanded our program to permit other likely targets of persecution to apply for refugee status consideration in Havana. As with other populations, we take first those persons who had received or were threatened with the most serious persecution. The caseload now includes Cubans who are former political prisoners, dissidents, religious and human rights activists, members of persecuted religious minorities, forced labor camp conscripts, and persons deprived of their professional credentials or subjected to disproportionately harsh or discriminatory treatment resulting from their actual or perceived political or religious beliefs or activities. Our quarterly interview trips to Havana have been very productive; during June of 1993, the most extensive circuit ride ever, nearly 2,000 Cubans were approved for admission to the United States. The expanded parameters, along with a declining economic and political situation in Cuba, have resulted in increased interest in the program.

As we enter the final stages of our program in the former Soviet Union, we are encouraged by signs that democracy is taking hold and that many former Soviets now have a greater degree of freedom at home. While the political and economic reforms are in progress, we continue to interview refugee applicants from the former Soviet Union and, under the Lautenberg amendment, extended through the end of fiscal year 1994, category approval rates in Moscow continue to exceed 95 percent. The vast majority of applicants interviewed in Moscow during fiscal year 1993 fit into one of the four identified categories: Soviet Jews, Evangelical Christians, Ukrainian Catholics and Ukrainian Orthodox. Their claims are adjudicated in accordance with the legislation's directive that a well-founded fear of persecution is established by an assertion of a fear of persecution and assertion of a credible basis for concern.

The INS workload in the Orderly Departure Program (ODP) in Vietnam consists largely of former re-education camp detainees. Projections are that almost 26,000 refugees in this category will be admitted to the United States during fiscal year 1993. We will increase the interview rate of former detainees during the coming year with the hope of completing interviews of eligible applicants by the end of fiscal year 1995. As for the family reunification subprogram of the ODP, we support plans for a transition to normal immigrant visa processing in Vietnam when relations between our countries are normalized.

During the year, we continued to work closely with the Department of State in responding to the needs of a number of other refugee populations. At last year's



hearing, the previous Administration reported with satisfaction that democratic changes in Eastern Europe had allowed us, for the first time, to find there was no need to designate any nationalities in the region as being of special humanitarian concern to the United States. Tragically, events in the former Yugoslavia created a new refugee flow and persons from Bosnia-Herzegovina were added to the list of those eligible to apply for U.S. resettlement. We at INS have moved quickly to interview this new population and have made expeditious circuit rides to various sites to process former detention camp inmates, Bosnian Muslims with relatives in the United States, and other vulnerable Bosnians referred by the United Nations High Commissioner for Refugees (UNHCR).

In first asylum countries in East Asia, we are finishing our interviews of the Vietnamese caseload and continuing to process Hmong and Burmese in Thailand.

The United States continues to be part of an international effort to resettle Iraqis who fled their country for Saudi Arabia following the Gulf War.

All cases referred to INS for resettlement consideration have been found by the UNHCR to be refugees in need of resettlement. Although some of the Iraqis have been military deserters, all of those approved by INS for refugee status fully satisfied the requirements of law and were found to have a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. The majority of the Iraqis who have been interviewed in Saudi Arabia, both civilians and former military, participated in the uprising in southern Iraq following the end of the war. Other Iraqis are interviewed at various refugee processing posts.

In Africa, we have completed all Ethiopian processing in the Sudan and have interviewed all of the eligible caseload of Liberians in West Africa. We continue to interview large numbers of Somalis in Kenya, giving priority to those with U.S. ties. We are pleased to note that our efforts in Africa will result in the admission of nearly 7,000 refugees from the region.

The year ahead may present challenges not yet revealed to us. We at INS wish to assure you that we stand ready to respond.

We endorse the overall refugee admissions ceiling of 121,000 and the regional ceilings, as proposed by the President. These ceilings reflect the need for refugee resettlement in the United States and demonstrate America's historic concern for easing the human suffering of refugee populations.

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

Senator SIMON. I would appreciate having that.

Thank you, Mr. Chairman.

Senator KENNEDY. Thank you very much.

Senator Grassley?

## OPENING STATEMENT OF HON. CHARLES E. GRASSLEY, A U.S. SENATOR FROM THE STATE OF IOWA

### EXTENT OF ANTI-SEMITISM IN RUSSIA

Senator GRASSLEY. I will have questions to submit in writing, but now, I'd like to follow upon the discussion which took place between you and Senator Simpson. I happen to agree with much of what was said about change in the former Soviet Union, but all the change hasn't been for the good. So could you describe for me the nature and extent of anti-Semitism that exists in the former Soviet Union, at least from your perspective?

Secretary CHRISTOPHER. Yes. My understanding is, Senator, that there continues to be pockets of anti-Semitism in the Soviet Union, and I am sorry to say that there is also some in Eastern Europe. Before you came in perhaps, Senator, I said that this year we are going to combine the categories of the former Soviet Union and Eastern Europe, and anti-Semitism has reared its ugly head in some of the countries of Eastern Europe as well as a continuation in the Soviet Union, so those ugly problems are not behind us.

Senator GRASSLEY. Just a little comment on the nature and extent. I mean, you said there are pockets. That may be the answer to the extent part of it, but the nature of it, as you see it?

Secretary CHRISTOPHER. Well, it so often springs from long, historical reasons, just a hostility that has grown up over the years, but a good deal of it is economically based. In instances where there is success on the part of the Jewish individuals in a particular area, especially where there is great hardship on the part of the others, that turns the population against them. I would say that phenomenon seems to be more—I have seen more reports of that in Eastern Europe than I have in the former Soviet Union. I think in the former Soviet Union my understanding of it is it is largely historical.

Senator GRASSLEY. Thank you, Mr. Chairman.

Senator KENNEDY. Senator Cohen?

#### INVOLVEMENT IN BOSNIA

Senator COHEN. Thank you, Mr. Chairman. Mr. Secretary, I was going to ask you a question about the program that I believe the State Department funds for the International Organization for Migration, the IOM, dealing with the evacuation of women and children who are injured in the war in the former Yugoslavia. I will submit that question for the record.

I just would like to make a comment, if I could, Mr. Chairman. A Washington Post story yesterday indicated that you are personally involved in the drafting of a Presidential decision directive that would consider putting U.S. forces under a U.N. command for peace-keeping missions in that area. I would simply recommend to you that you come before the Congress, or urge the President to come to the Congress, for consultations and support before any such action is taken in that country.

Senator KENNEDY. Thank you. Senator Specter, we have a vote on. The Secretary has to leave at 3:30, so if you had one question or—

Senator COHEN. Could I just inquire whether silence is assent?

Secretary CHRISTOPHER. I didn't want to interrupt, but, Senator, we certainly are prepared to do consultations with respect to that Presidential decision memorandum. Indeed, I think some are commencing this very day. We understand the responsibilities for consultation and we will be going about it on a very urgent basis.

#### IRAQI REFUGEES

I wanted to avoid having me be responsible, as you suggested Senator Simpson was for the prolongation of this, but since I am talking, I might mention to you in response to one of your earlier questions that the Iraqi soldiers who are coming here fall into two categories from our standpoint, Senator.

First, there are people who were in the uprising against Saddam or they were members of groups like the Kurds or the Shiites who had been persecuted by Saddam, and I think we have been trying very hard to screen out the kinds of individuals that you indicated who fought against us in the war. So we are pretty conscious of the

factors that you mentioned and I wanted to add that to my prior answer.

Senator COHEN. Are you also using Kuwaiti intelligence to verify their roles?

Secretary CHRISTOPHER. I am not sure that we are using Kuwaiti intelligence, but I will reply to you on that more fully. A number of different organizations, including the Red Cross and much U.S. information, has been involved in the screening process.

Senator KENNEDY. Senator Specter?

**OPENING STATEMENT OF HON. ARLEN SPECTER, A U.S.  
SENATOR FROM THE STATE OF PENNSYLVANIA**

WAR CRIMES TRIBUNAL

Senator SPECTER. Thank you, Mr. Chairman. I regret my late arrival. I had other commitments. I will submit a series of questions for the record, but in the couple of minutes left between now and 3:30, I would like to ask the Secretary about a matter which is on the front burner of the U.N. unrelated to the refugee issue, except indirectly, on the war crimes tribunal.

The foreign aid bill which is on the floor now has \$3 million to aid on the gathering of evidence which already is growing cold. The administration has already been in support of the war crimes tribunal, and I know that the Secretary and the administration are doing what they can to push the matter ahead.

The question I have relates to an international criminal court which would be on a permanent basis and would deal with matters like international terrorism and international drug-dealing. I would be interested to know how far along the administration is on formulating a policy there and what might be expected by way of administration support for a permanent international criminal court.

Secretary CHRISTOPHER. Senator, we have, as you indicate, been very anxious to see the creation of a war crimes tribunal for the former Yugoslavia, and we have been devoting a good deal of resources and attention to that endeavor. I am glad to say that an American was recently appointed as one of the judges on that court.

As a general philosophical matter, Senator, I am in favor of the concept that you mentioned and we are continuing to study it. We will be focusing our attention, though, I would have to say, in the next few months on trying to get the war crimes tribunal fully staffed and begin to collect the evidence which, as you properly indicate, may be disappearing if we don't do that very promptly.

But I would like to see in the longer term, as a philosophical matter, that there be a general criminal court of that kind which would have a powerful effect, I hope, on individuals who might take the kind of action which subjects them to a war crimes tribunal. For us to have to create one ad hoc brings a number of problems. On the other hand, the creation of one with a general jurisdiction, I think, is a long-term project, and I would hesitate to see the importance of establishing one for the former Yugoslavia held up while we sought the broader relief.

Senator SPECTER. I thank the Secretary for the comment. Senator Dodd and I have succeeded with resolutions recently, and

some of our activities go back for some 7 years. There is a very strong sense that had there been an international criminal court, a terrorist like Abu Abbas might have been turned over to such a court, where Egypt and then Italy and Yugoslavia refused to do so. On Latin American drug dealers, countries like Colombia will not turn over drug dealers to the United States, so I appreciate the statement.

Senator Dodd and I were hoping that the President might find a line or two in his U.N. speech to give a very strong United States push to the war crimes tribunal and perhaps to the concept of an international criminal court.

#### CONCLUDING COMMENTS

Senator KENNEDY. Mr. Secretary, we have about 3 minutes left before our time expires on the vote and then we have a series of votes. We know you have to absent yourself. We are very, very grateful to you for your presence.

I would invite questions to the other members of the panel. I think we are going to have a series of votes. If there is the desire of other members, we will reschedule the other panel members at the convenience of the members of the committee or submit questions to the panel. I know you have to be excused.

Secretary CHRISTOPHER. We will be glad, Mr. Chairman, to respond to questions in writing.

Senator KENNEDY. Senator Simpson?

Senator SIMPSON. I just want to thank you very much, and I do want to direct some questions in writing, and particularly to Ms. Limon, about the refugee resettlement issues and dependency rates in California because you indicate in your testimony that things are going pretty well in the Nation, but they aren't going very well in California and California is where they all go, so they can't be going too well in the Nation either. So if you could give me some responses to that, thank you very much, Mr. Chairman.

Senator KENNEDY. We have 100 Tibetans in Massachusetts and there isn't one on welfare or unemployment compensation. It has been one of the very moving, successful stories, as it has been in other places.

We will all submit questions. Mr. Secretary, we are grateful to you.

Secretary CHRISTOPHER. Thank you very much.

[Whereupon, at 3:34 p.m., the committee was adjourned.]

# APPENDIX

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## EXCHANGE OF CORRESPONDENCE RELATIVE TO THE CONSULTATIONS AND PRESIDENTIAL DETERMINATION ON THE ADMISSION OF REFUGEES FOR 1994

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United States Department of State

Washington, D.C. 20520

September 20, 1993

Dear Mr. Chairman:

I know that members of the Subcommittee continue to be interested in the progress being made on Indochinese refugee issues. Jerry Tinker had informed us that one of the goals of his trip to Bangkok was to look into the timetable for completing processing of Vietnamese under the Orderly Departure Program (ODP). Since Jerry unfortunately was unable to make the trip, I thought the Subcommittee might find useful the following update on ODP

In June of this year, we completed interviews of Vietnamese Amerasians seeking admission to the United States under the Mrazek Amendment. These individuals had all been included on lists prepared by the Socialist Republic of Vietnam (SRV). As is often the case when the end of a program approaches, the percentage of applications adjudicated in which fraud was present increased dramatically. In order that U.S. admission remain available to the small number of true Amerasians in Vietnam who may in the future wish to seek admission to the U.S., we are discussing with the SRV the modalities of direct registration until such time as a U.S. consular presence is reestablished in Vietnam.

Former reeducation camp detainees comprise the single largest refugee group processed under ODP, with some 26,000 admissions expected this fiscal year. We estimate that some 70,000 former prisoners and accompanying family members who meet the eligibility requirements - at least three years in reeducation - remain in Vietnam. Under current plans, the last members of this group will be

admitted to the U.S. by the end of 1995. Interviews of a small group of former employees of the U.S. Government or U.S. companies in Vietnam who are eligible for the program number some 1 - 2,000 annually and should also be completed within this timeframe.

Regarding the immigrant visa processing function which ODP has performed for several years, it is our intention that this responsibility will be assumed by a U.S. Consulate once one is established inside Vietnam. Currently it is difficult to predict when this step will be taken.

I hope that this provides a useful summary of our progress in resolving our outstanding commitments to Vietnamese groups of particular concern to the United States.

Sincerely,



Warren Zimmermann  
Director  
Bureau for Refugee Programs

The Honorable  
Edward M. Kennedy, Chairman,  
Subcommittee on Immigration and Refugee Affairs,  
Committee on the Judiciary,  
United States Senate.

United States Department of State

Washington, D.C. 20520

OCT 8 1993



Dear Mr. Chairman:

I am pleased to provide you a copy of Presidential Determination No. 94-1, signed and dated October 1, 1993, entitled "Determination of FY 1994 Refugee Admissions Numbers and Authorizations of In-Country Refugee Status Pursuant to Section 207 and 101(a)(42), respectively, of the Immigration and Nationality Act, and Determination Pursuant to Section 2(b)(2) of the Migration and Refugee Assistance Act, as Amended". The Department of State has taken steps to have this Determination published in the Federal Register.

The Administration greatly appreciated the bipartisan cooperation received from your Office and the Committee during the consultations process. We look forward to working with you to address the issues raised during the consultations and to continuing the productive relationship we have enjoyed in advancing the important U.S. national interest in assisting refugees worldwide.

Sincerely,

A handwritten signature in cursive script that reads "Wendy R. Sherman".

Wendy R. Sherman  
Assistant Secretary  
Legislative Affairs

Enclosure: Presidential Determination No. 94-1

The Honorable  
Edward M. Kennedy, Chairman,  
Subcommittee on Immigration and Refugee Affairs,  
Committee on the Judiciary,  
United States Senate.

JOSEPH R. BIDEN, JR., DELAWARE, CHAIRMAN

EDWARD M. KENNEDY, MASSACHUSETTS  
 EDWARD M. METZENBAUM, OHIO  
 DENNIS DECONCINI, ARIZONA  
 PATRICK J. LEAHY, VERMONT  
 HOWELL HEFLIN, ALABAMA  
 PAUL SIMON, ILLINOIS  
 HERBERT KOHL, WISCONSIN  
 DIANNE FEINSTEIN, CALIFORNIA  
 CAROL MOSLEY BRAUN, ILLINOIS

ORRIN G. HATCH, UTAH  
 STROM THURMOND, SOUTH CAROLINA  
 ALAN K. SIMPSON, WYOMING  
 CHARLES E. GRASSLEY, IOWA  
 ARLEN SPECTER, PENNSYLVANIA  
 MARK BROWN, COLORADO  
 WILLIAM S. COHEN, MAINE  
 LARRY PRESSLER, SOUTH DAKOTA

CYNTHIA C. HOGAN, CHIEF COUNSEL  
 CATHERINE M. RUSSELL, STAFF DIRECTOR  
 MAURE A. DESLER, IMMIGRATION STAFF DIRECTOR  
 SHARON PROST, IMMIGRATION CHIEF COUNSEL

## United States Senate

COMMITTEE ON THE JUDICIARY  
 WASHINGTON, DC 20510-6275

September 27, 1993

The President  
 The White House  
 Washington, D.C. 20500

Dear Mr. President:

Under the provisions of The Refugee Act of 1980 (P.L. 96-212), members of the Committee on the Judiciary have now consulted with your representative, Secretary of State Warren Christopher, on the proposed admissions of refugees for fiscal year 1994.

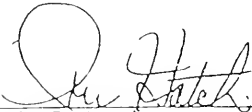
We are particularly gratified that your Administration has taken steps necessary to assure that funding for the resettlement of refugees more accurately matches the numbers to be admitted. As you probably know, over the past several consultations the Committee has expressed its concern over the continuing high level of refugee admissions accompanied by a failure to provide funding levels adequate to meet the resettlement needs of the refugees admitted.

This said, we remain concerned that current funding levels -- approximately eight months of federal reimbursement -- still fall short of actual needs. We would urge the Administration to move towards an assistance program of at least 12 months, through reforms and other savings like those envisioned in the refugee reauthorization bill this Committee reported favorably to the Senate in the 102nd Congress (S. 1941, Report 102-316, July 2, 1992).

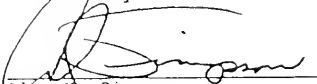
In addition, the Committee is gratified to learn of the Administration's commitment to end the "pipeline" of in-country processing which has developed over recent years -- to shift this flow to more appropriate immigrant-related preferences -- and to reserve refugee admission numbers for those truly in need of immediate resettlement to avoid persecution or threat to life and safety. The Committee will continue to monitor progress in this area over the coming year.

The Committee continues to support the objectives of our Nation's program to assist refugees of "special humanitarian concern" to the United States, and we accept your proposals to do so during the coming fiscal year.

With best wishes,

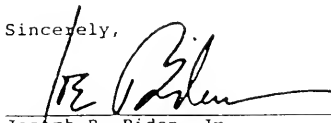


Orrin G. Hatch  
 Ranking Member  
 Committee on the  
 Judiciary

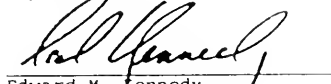


Alan K. Simpson  
 Ranking Member  
 Subcommittee on Immigration  
 and Refugee Affairs

Sincerely,



Joseph R. Biden, Jr.  
 Chairman  
 Committee on the  
 Judiciary



Edward M. Kennedy  
 Chairman  
 Subcommittee on Immigration  
 and Refugee Affairs



## THE WHITE HOUSE

WASHINGTON

October 1, 1993

Presidential Determination  
No. 94-1

## MEMORANDUM FOR THE SECRETARY OF STATE

SUBJECT: Determination of FY 1994 Refugee Admissions Numbers and Authorizations of In-Country Refugee Status Pursuant to Section 207 and 101(a)(42), Respectively, of the Immigration and Nationality Act, and Determination Pursuant to Section 2(b)(2) of the Migration and Refugee Assistance Act, as Amended

In accordance with Section 207 of the Immigration and Nationality Act ("the Act") (8 U.S.C. 1157), and after appropriate consultation with the Congress, I hereby make the following determinations and authorize the following actions:

The admission of up to 121,000 refugees to the United States during FY 1994 is justified by humanitarian concerns or is otherwise in the national interest; provided, however, that this number shall be understood as including persons admitted to the United States during FY 1994 with Federal refugee resettlement assistance under the Amerasian immigrant admissions program, as provided below.

The 120,000 funded admissions shall be allocated among refugees of special humanitarian concern to the United States as described in the documentation presented to the Congress during the consultations that preceded this determination and in accordance with the following regional allocations; provided, however, that the number allocated to the East Asia region shall include persons admitted to the United States during FY 1994 with Federal refugee resettlement assistance under Section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1988, as contained in Section 101(e) of Public Law 100-202 (Amerasian immigrants and their family members); provided further that the number allocated to the former Soviet Union shall include persons admitted who were nationals of the former Soviet Union, or in the case of persons having no nationality, who were habitual residents of the former Soviet Union, prior to September 2, 1991:

Africa.....	7,000
East Asia.....	45,000
Former Soviet Union/Eastern Europe.....	55,000
Near East/South Asia.....	6,000
Latin America/Caribbean.....	4,000
Unallocated (funded).....	3,000

The 3,000 unallocated federally funded numbers shall be allocated as needed. Unused admissions numbers allocated

to a particular region within the 120,000 federally funded ceiling may be transferred to one or more other regions if there is an overriding need for greater numbers for the region or regions to which the numbers are being transferred. You are hereby authorized and directed to consult with the judiciary committees of the Congress prior to any such use of the unallocated numbers or reallocation of numbers from one region to another.

Pursuant to Section 2(b)(2) of the Migration and Refugee Assistance Act of 1962, as amended, 22 U.S.C. 2601(b)(2), I hereby determine that assistance to or on behalf of persons applying for admission to the United States as part of the overseas refugee admissions program will contribute to the foreign policy interests of the United States and designate such persons for this purpose.

The 1,000 privately funded admissions are not designated for any country or region and may be used for refugees of special humanitarian concern to the United States from any region provided that private resources are available to fund the reasonable cost of their admission and resettlement.

An additional 10,000 refugee admissions numbers shall be made available during FY 1994 for the adjustment to permanent resident status under Section 209(b) of the Act (8 U.S.C. 1159(b)) of aliens who have been granted asylum in the United States under Section 208 of the Act (8 U.S.C. 1158), as this is justified by humanitarian concerns or is otherwise in the national interest. An estimated 7,000 aliens were granted asylum during FY 1993 under Section 208 of the Act.

In accordance with Section 101(a)(42) of the Act (8 U.S.C. 1101(a)(42)) and after appropriate consultation with the Congress, I also specify that, for FY 1994, the following persons may, if otherwise qualified, be considered refugees for the purpose of admission to the United States within their countries of nationality or habitual residence:

- a. Persons in Vietnam.
- b. Persons in Cuba.
- c. Persons in Haiti.
- d. Persons in the former Soviet Union.

You are authorized and directed to report this Determination to the Congress immediately and to publish it in the Federal Register.

*William J. Clinton*

cc: The Attorney General  
The Secretary of Health and Human Services

## QUESTIONS AND ANSWERS

QUESTIONS FOR SECRETARY OF STATE WARREN CHRISTOPHER SUBMITTED BY  
SENATOR KENNEDY

*Question 2:* Amerasian "Pipeline" from Vietnam: What total number of aliens under the Amerasian program (Amerasians and family members together) will be processed in fiscal year 94 and in fiscal year 95? What date has been fixed to terminate this program?

*Answer:* The bulk of Amerasian interviews were completed in March 1993. However, as it can take three to six months after the interview for an approved case to depart Vietnam, and because until this month all Amerasian cases have been enrolled in a five month ESL/CO course in the Philippines en route to the U.S., most of those approved in fiscal year 93 will not arrive in the U.S. until fiscal year 94. 11,675 Amerasians and family members were admitted in fiscal year 93. We are projecting only about 3,500 admissions under the program in fiscal year 94, mostly of persons approved in fiscal year 93. Large-scale processing of this caseload has been completed, and we anticipate admitting no more than a few hundred persons under this program in fiscal year 95.

However, no date has been set for the "termination" of the Amerasian program, per se, as there is no expiration date set in the legislation creating the program. We are exploring alternate methods for registration of Amerasians in this program whereby prospective applicants will not have to go through SRV officials, in order to ensure that ODP is as accessible to the remaining caseload as possible. It is possible that we could have a few hundred admissions per year for several more years via this scaled-down system.

*Question 3:* Broadening the Geographic Reach of the U.S. Refugee program: What are the Department's thoughts about the shape of the refugee program for the future? Have you considered working more closely with UNHCR and using consular officers to broaden the reach of the program?

*Answer:* We agree wholeheartedly with the observation that the refugee resettlement program must evolve to meet changing needs. As the Indochinese and Former Soviet Union programs begin to wind down and move toward immigrant visa operations over the next few years, we will be able to divert resources to processing more diverse groups of refugees around the globe. To this end, we already have begun working with UNHCR to assist vulnerable refugees in need of resettlement, especially in Africa, and are working to make our refugee officers and cooperating voluntary agencies more flexible in resettlement operations. Further, an interagency review process already has been initiated within the government to explore changes in refugee policies needed to meet new developments in the world refugee situation.

A useful step toward making the resettlement program more flexible and responsive to the needs of vulnerable refugees in far-flung locations would be authorizing consular officers to adjudicate refugee applications where INS officers are not stationed and cannot visit in a timely fashion, as is proposed in S. 1197. The Department supports this proposal, and the Bureau for Consular Affairs and for Refugee Programs are ready to work together to perform this important function.

QUESTIONS FOR SECRETARY OF STATE WARREN CHRISTOPHER SUBMITTED BY  
SENATOR SIMPSON

*Question:* There has been a lot of controversy lately about the resettlement of Iraqi refugees in the United States. I've had many letters from Wyoming asking why the U.S. would even consider providing refugee benefits to Iraqis who had fought against Americans in the Persian Gulf War.

In your testimony you said that these Iraqi refugees have documented "credible accounts of torture and abuse" and that it is unlikely that any Iraqi refugee resettled in the U.S. has ever taken up arms against the U.S.

Please provide a more detailed description of who these refugees are, what types of persecution they justifiably fear, and what is the breakdown of those admitted—how many are former Iraqi soldiers, accompanying family members, religious minorities, or other identifiable categories.

*Answer:*

## HOW THE REFUGEES CAME TO BE IN SAUDI ARABIA

Towards the end of the Gulf War in March 1991, thousands of military deserters and civilians rose up against Saddam Hussein in various cities throughout southern Iraq. The uprising ("intifada"), which had been encouraged by the U.S., failed after

three weeks when outside assistance did not materialize and, according to the refugees, because of Saddam's superior forces and reported use of chemical weapons. About 9-10,000 defeated Iraqi rebels then fled to the safety of Coalition lines. They were taken by Coalition Forces into Saudi Arabia and interned with about 79,000 Iraqis taken in battle during Desert Storm and earlier line-crossers and deserters from Desert Shield. All were arbitrarily designated "enemy prisoners of war" (EPWs) and held in Artawiyah, a former prison camp, in Saudi Arabia.

After the cease fire, the International Committee of the Red Cross (ICRC) arranged for the repatriation of 75,000 of the inmates of the camp. All 9-10,000 rebels refused to repatriate for fear of reprisals by the Saddam regime, as did 4,000 ex-soldiers. Faced with an unprecedented number of Geneva Convention Category III internees ("prisoners of war") who refused repatriation, the ICRC reasoned that the "intifada EPWs" could be recategorized as Geneva Convention Category IV "displaced civilians," and that these EPWs should never have been listed as "EPWs" in the first place. EPWs who refused to repatriate were declared to be "displaced persons" in late August 1991 and the United Nations High Commissioner for Refugees (UNHCR) subsequently recognized them as refugees.

During the "intifada" uprising, about 22-25,000 civilian families fled to Coalition Forces for safety. They were given refuge in the southern Iraqi city of Safwan. When Coalition Forces withdrew from southern Iraq, Saudi Arabia reluctantly agreed to accept the 22-25,000 Iraqi civilian refugees. (King Fahd had received a personal request from President Bush, delivered by Secretary of State Baker, to accept these people, on a temporary basis, until the expected imminent fall of Saddam.) They were transported by U.S. military forces to a makeshift camp at Rafha, a town in northern Saudi Arabia near the Iraq border.

#### HOW THE REFUGEES ARE BEING RESETTLED

The Government of Saudi Arabia expended millions of dollars in building a camp at Rafha, equipped with hospitals, clinics, schools and a branch of the university. Upon its completion in late 1992, the former "EPWs" were moved from their spartan quarters at Artawiyah to Rafha. The initial camp population at that point was about 35-39,000 refugees, as follows:

- 22-25,000 civilians.
- 9-10,000 rebels.
- 4,000 ex-soldiers.

In early 1992, when it had become clear that conditions in Iraq precluded the safe return of many of these Iraqis, UNHCR concluded that other solutions, such as resettlement in third countries, must be found. The U.S. responded immediately by offering resettlement to a small group of high-risk refugees who had been helpful to the U.S. military in the waning days of the war. There was also some resettlement of Iraqi refugees to Iran and some voluntary and involuntary repatriation, so that by May 1992 the camp population was about 32,000.

UNHCR has continued its resettlement campaign with increased efforts beginning in August 1992. By July 1993, there were 28,000 refugees remaining in Rafha. With expected reductions due to resettlement, the camp population should be down to about 23,500 by the end of 1993. During fiscal year 92 and fiscal year 93, the U.S. has resettled a total of about 3,000 Iraqis from Rafha. Other countries participating in the resettlement effort include Sweden, Denmark, Norway, Iran, Finland, the U.K., Australia, Pakistan and Syria. Barring changes inside Iraq, UNHCR expects continued resettlement will be needed for this group in 1994 and beyond.

#### WHO IS THE U.S. TAKING AND HOW MANY

In fiscal year 92, the U.S. resettled 3,442 Iraqi refugees worldwide. The majority of these were civilians processed in Turkey, Athens and other European posts. Only 956 were from the camps in Saudi Arabia, and of these only 300 were Iraqi rebels, ex-soldiers, and their family members. (We do not have a breakdown of their military service.)

In fiscal year 93 the U.S. has admitted about 4,600 Iraqis under refugee criteria. The breakdown is:

Some 2,500 are civilians processed in Turkey, Greece and other European countries.

Approximately 1,470 are civilians from refugee camps in Saudi Arabia. These are mostly Shiites who fled after the failed uprising against Saddam Hussein in the south of Iraq. 453 are ex-soldiers who left their military units inside Iraq before being mobilized to the Kuwaiti front and who then hid inside Iraq. None

of them ever went to Kuwait. 425 of these also participated in the rebellion against Saddam following the ceasefire in March 1991.

A further 80 ex-soldiers were ethnic and religious minorities (Assyrian Christians, Chaldean Catholics, Kurds, Turkomen and others) who believed Saddam was pursuing a plan to exterminate such groups.

110 are family members accompanying the ex-soldiers.

For fiscal year 94, UNHCR has asked the U.S. to take 3,000 Iraqi refugees from Saudi Arabia. We have no objection to the spirit of the Sense of the Senate Resolution, that is, prohibiting soldiers who fought U.S. troops from being admitted to the U.S. as refugees. We believe that our admission of Iraqi refugees already meets that general criterion. Although we have admitted as refugees Iraqis who were soldiers between August 2, 1990 and February 29, 1991, to our knowledge none of them ever fired on U.S. troops. However, some Iraqi refugees are reporting that their reception in this country is being adversely affected by the sentiment behind the resolution.

Nonetheless, we advised the U.N. High Commissioner for Refugees Mrs. Ogata on August 31 of the depth of Congressional concern over this issue and asked that UNHCR consider whether it could refer Iraqi ex-soldiers to other resettlement countries, instead of the U.S. However, we believe that some applicants who may have been members of the Iraqi military between the dates contained in the Senate resolution may qualify for refugee admission to the U.S. based on a well-founded fear of persecution, and we prefer to leave INS free to determine on a case-by-case basis whether an applicant meets U.S. admission criteria.

The FBI has also expressed its concern over the admission of Iraqis who served in Saddam's military who may be potential terrorists. Each approved refugee over the age of 16 undergoes a routine FBI security check before arrival in the U.S., and we understand that the FBI has made arrangements to selectively interview Iraqis refugees from Saudi Arabia upon their arrival by charter flight at JFK.

#### TYPES OF PERSECUTION THEY JUSTIFIABLY FEAR

Following are eight case histories of Iraqi refugees, some of whom were former soldiers, who have been resettled in the U.S. Most have been detained, imprisoned, tortured, had family members executed, or fear reprisal for participation in the March 1991 failed uprising.

Case A is a 31-year-old married medical technician. He is not sure if his wife is alive. He is an Assyrian Christian. In 1973 his uncle was executed by the Iraqi government for his anti-government political views. In 1983 he was detained, questioned, and tortured by the government for refusing to join the Popular Army. He was released but did not join the Popular Army. In 1984 he was again detained by the government for refusing to join the Popular Army. A's brother was imprisoned by the government from 1984 to 1989 for involvement in anti-government political activities. His brother was tortured while in prison. A was forced to join the Iraqi army in November 1987 fearing that the government would kill his brother if he did not join. While in the army A served as a medical technician. In March 1990 his commanding officers ordered him to monitor executions (checking bodies to make sure that the persons executed were dead). He refused and was imprisoned in a military facility until June 1990 and then released back into his position as a medical technician. In late August 1990 his unit was mobilized to Kuwait. A declares that as a medical professional dedicated to healing people he could not participate in the invasion of Kuwait. After crossing the Iraqi border into Kuwait he took the first opportunity to escape from the Iraqi army. This was September 2, 1990. He crossed into Saudi Arabia and sought refuge. In June 1991, while in a refugee camp, he was interviewed by Voice of America. He described the horrors of living in Iraq and denounced Saddam Hussein. He fears that if he were returned to Iraq he would be killed by the government for his previous political opinions and activities and his defection at the time of his mobilization to Kuwait.

Case B is a 23-year-old single construction worker. He is a Kurd. In March 1988 Saddam Hussein ordered the bombing of B's Kurdish village. Illegal chemical weapons were used. All of B's immediate family, his parents, three brothers and sister, were killed after suffering the tortuous effects of mustard gas. B survived. He had just turned 18 years old. Outraged at the Iraqi government's killing of his family and the attempt to exterminate the Kurds, B openly criticized the government. For his political opposition he was imprisoned by the government for 10 months and tortured. He was released from prison and forced to join the army under threat of death. He served as a private. His unit was ordered to Kuwait in January 1991. In opposition to the invasion and because of the suffering of his people, B deserted from his unit in early February 1991. He made his way to Hafer Al Baten, Saudi

Arabia, where he sought refuge with Coalition Forces. He believes he will be executed by the Iraqi government if he returns to Iraq.

Case C is a 45-year-old married female. She is accompanied by two of her five children, ages 16 and 10. During the uprising her husband and three of her sons, age 19 (in hiding from the draft), age 17, and age 14 went out to join the rebels fighting in the city. She remained at home with her 16-year-old daughter and 10-year-old son. As the uprising began to fail they did not return. She went out to look for her husband and children. C found her 14-year-old tied to a fence crucifixion style and shot to death. A sign had been placed next to his body by government forces stating that this was an example of what would happen to all anti-government rebels. Fearing that the government knew of her family's participation in the uprising, C decided to give up her search for the other missing family members and to seek refuge for herself and her remaining children with Coalition Forces. She was brought to Saudi Arabia in April 1991. She fears she will be executed if she returns to Iraq. She believes her husband and other two sons are dead.

Case D is a 37-year-old male. He is married and believes his wife and his four children, ages 7, 6, 4, and 2 to be alive. In 1980 D along with his father and brother were imprisoned without trial by the Iraqi government for their anti-government political opinions. D was held for five years. Throughout his imprisonment he was tortured—beatings, electric shock, and extraction of three of his fingernails. In 1985 he was released from prison but his father and brother remained imprisoned, their location unknown. Upon his release D was forced to join the army. He served as a private. During his three-week home leaves every six weeks to two months he would support his family by doing electrical jobs. D deserted from the army upon the invasion of Kuwait and went into hiding. He participated in the anti-government uprising hoping to free his country from Saddam Hussein. When it failed he escaped with one brother and two cousins who also participated in the uprising. They sought refuge with Coalition Forces assisting the rebels and were brought to Saudi Arabia in April 1991. D has not seen his wife and children since the uprising. The whereabouts of his imprisoned father and brother are still unknown, but D believes them to be dead. D fears that he will be executed if he returns to Iraq for his participation in the anti-government uprising.

Case E is a 23-year-old single male. He was drafted into the Iraqi army in July 1988 and served as a private until December 1989. From December 1989 to March 1991 E was imprisoned in a military intelligence detention facility for withholding information about his brother's political opposition party activities. His brother had been detained and executed in 1987 by the government for suspicion of being an opposition party member. E was released from the military detention facility by anti-government rebels during the uprising. E participated in the uprising and when it failed sought refuge with Coalition Forces. He was brought to Saudi Arabia in April 1991. E is afraid to return to Iraq. He believes he will be executed by the government for his participation in the anti-government uprising and his family's history of political opposition.

Case F is a 43-year-old married medical technician. He is accompanied by his 34-year-old wife, their two sons, ages 15 and 5, and his brother age 22. His wife is a primary school teacher and his brother is an auto mechanic. In 1973 one of his brothers was executed by the government for writing anti-government poetry. In 1979 F was drafted into the army where he served in the medical corps as a private. In 1979 he was arrested for writing an anti-government tract and imprisoned. While in prison he was tortured by electro-shock, hung from the ceiling upside down for long periods of time, and had acid poured on his hands and right leg (he has acid burn scars). He was released after four years in 1983 and was forced to join the army until his discharge in 1989. In January 1991 F was recalled to the army for service in Kuwait but he did not report as ordered. During the uprising, F and his brother drove an ambulance and broadcasted anti-government literature on the ambulance loudspeaker. They fought against the Iraqi army as it entered the city. When the bombing became too severe F fled with his wife, children, and brother to seek refuge with Coalition Forces. They were brought to Saudi Arabia in April 1991. F and his family believe they will be executed by the government if they return to Iraq. Friends told him that they had seen his photograph posted by the government and that he was sentenced to death for participation in the uprising. One of his wife's brothers who participated in the uprising was detained by the army and is presumed to be dead.

Case G is a 26-year-old single male electronic technician. In May 1986 he was drafted into the army and served as a private until he deserted in July 1990. G deserted from the army because he feared he would be killed by the government. Prior to his desertion he was routinely interrogated and beaten by his commanding officers because they wanted information about the anti-government political activities

of two of his cousins. These two cousins had been executed by the government in 1988 for their political activities. G went into hiding until his three-week participation in the anti-government uprising. When the uprising failed he sought refuge promised by Coalition Forces. He was brought to Saudi Arabia in April 1991. G is afraid to return to Iraq because of his participation in the uprising and because of his cousins' executions. He believes he will be executed if he returns. Case H is a 38-year-old married civil engineer. He is accompanied by his 38-year-old wife and their four children ages 9, twins 7, and 4. In 1980 H was drafted into the army and served in the rank of private as a surveyor until 1990. He hated being in the army. In 1982 his brother was executed by the government for making an anti-government joke in college. In 1989 another brother was executed for deserting the army. His brother had deserted for anti-government political reasons. His family was constantly under surveillance by government authorities because of their anti-government political views. In January 1991 H was again drafted for military service but refused to report for duty and hid. He participated in the anti-government uprising for three weeks. When the uprising failed he and his wife and children fled seeking protection with Coalition Forces. They were brought to Saudi Arabia in May 1991. H believes he and his family will be executed for his participation in the uprising.

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QUESTIONS FOR SECRETARY OF STATE WARREN CHRISTOPHER SUBMITTED BY THE  
SENATE JUDICIARY COMMITTEE

*Question 1:* (a) Does the administration feel that significant anti-Semitic activity persists in the former Soviet Union?

*Answer:* Unlike the Soviet Government, the central governments of the new independent states (NIS) of the former Soviet Union (FSU) do not officially support anti-Semitism. Russian officials have denounced anti-Semitism publicly on several occasions, most notably following publication of a virulently anti-Semitic article in *Pravda* on May 6, 1993. Similarly, the Russian Government has ended the Soviet Government's prohibition of emigration by Jews. Record numbers of Jews have left the FSU in recent years, including approximately 100,000 during 1992. The Russian Government is working with us to develop bureaucratic and legal mechanisms that will guarantee the right of free emigration to all Russian citizens.

At the same time, anti-Semitic views are still held by many individual citizens of the NIS. Over the past year, we have received scattered reports of cemetery desecrations and synagogue vandalism committed by individuals. During the events of late September and early October in Moscow, many of President Yeltsin's opponents voiced anti-Semitic slogans. Newspapers opposed to President Yeltsin have also carried anti-Semitic articles. While we have not been able to confirm any reports of Jews being singled out as targets of violence, we are concerned that such attacks could occur if economic conditions worsen and Jews are identified as scapegoats. In addition, ethnic conflicts in Georgia, Nagorno-Karabakh, Tajikistan, and Russia's Northern Caucasus aggravate ethnic prejudices, thereby increasing the likelihood of violence and other forms of discrimination against Jews and other minority groups.

We have repeatedly stressed the importance of fighting anti-Semitism and all forms of discrimination in our contacts with NIS governments. While these governments have voiced their agreement with our message, it will take time to build tolerance in societies in which anti-Semitism is deeply embedded.

*Question 1:* (b) Is there anti-Semitic activity by provincial and local governments or state-owned factories? Will you not reduce numbers until this is resolved?

*Answer:* While national governments in the NIS no longer sponsor anti-Semitism, many citizens of the NIS, including officials of factories and provincial and local governments, continue to hold anti-Semitic views.

In fiscal year 94 the refugee admissions program for former Soviets will function as it does currently, with approximately 50,000 admissions expected. Once the existing backlog of qualified cases has been eliminated, and barring any significant deterioration in conditions for those groups in the FSU, we expect that this program will move in the direction of normal immigration.

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QUESTIONS FOR SECRETARY OF STATE WARREN CHRISTOPHER SUBMITTED BY  
SENATOR GRASSLEY

*Question 2:* Does the Administration intend to continue to require persons interviewing for refugee status in the Former Soviet Union to travel to Moscow for their interview?

*Answer:* All refugee interviews in the Former Soviet Union will continue to be conducted in Moscow. Neither the Department of State nor the INS is in a position to

devote more people or funding to this already large program. Establishing new offices would draw down seriously on finite resources and would have the effect of diminishing and slowing down processing in Moscow. In addition, the number of cases from the other republics is relatively small. For more than a year we have been expediting departures from the "hot" republics such as Georgia, Tajikistan and the other Central Asian republics.

*Question 3:* Does the Administration believe that notifying prospective refugees by mail of their interview dates is hindered by the civil strife in the former Soviet Union?

*Answer:* The Washington Processing Center (WPC) advises applicants and their relatives in the U.S. of the interview dates three months in advance. We know that many relatives in the U.S. notify their family members in the former Soviet Union directly of their interview dates.

While we have received indications that mail delivery in some of the most turbulent areas is not always dependable, we do not believe that there are many persons who are unaware of their interview dates. There has been no change in the "no show" rate over the past several years, and the vast majority of the applicants, who are from Russia and the Ukraine, receive mail without hindrance.

*Question 6: (a)* Are refugees having difficulty in applying for refugee status at ODP?

*Answer:* Persons meeting the processing criteria for the regular, Amerasian, and former re-education camp detainee sub-programs of the Orderly Departure program in general do not appear to be facing any unusual difficulties in applying for refugee status. This is not to say, of course, that prospective applicants do not sometimes experience obstacles and delays in working through the SRV side of the system. However, once they appear on an SRV list of persons approved for the program, the process goes forward smoothly. In some instances, such as that of a Vietnamese Montagnard woman applicant who was prevented from entering the ODP processing site, ODP officers have intervened with the SRV side to resolve the matter. We continue to press the SRV side for unhindered access by qualified Montagnards to ODP. Further, we succeeded this year in negotiating a revision of procedures whereby 30 percent of the former reeducation camp detainee applicants interviewed by ODP each month will be proposed for interview by the U.S. side on a "longest-held, first-processed" basis, rather than selected through the traditional SRV list method.

*Question 6: (b)* Do refugees applying for refugee status at ODP have difficulty in finding out whether their files are complete and ready for review?

*Answer:* It appears that the process by which ODP proposes a case for interview to the SRV side, and the SRV working group in turn notifies the applicant, is working reasonably well, allowing for vagaries in the SRV mail system or applicants having moved from their addresses of record. In addition, refugee applicants and their families are able to write to ODP in Bangkok for status reports, and the Bureau for Refugee Programs in Washington, with its link to the ODP data base, also provides a telephone information service to provide up-to-date case status reports to families and Congressional offices.

*Question 7:* What measures can be done to improve ODP to make sure refugees are given a fair and thorough review?

*Answer:* We are satisfied that each case already is given every consideration, including a fair and thorough review.

*Question 8:* What criticisms have been made internally about ODP?

*Answer:* Actual processing under ODP is going quite smoothly, with a regular exchange of information and observations between ODP/Bangkok and the Department which results in modifications to operations as needed. Thus, there is little "internal criticism," per se, of the process. On the other hand, there exists some debate over long-term plans for ODP, with some believing that eligibility criteria should be broadened to include more persons, but with most understanding that it is necessary for the program to evolve over the next year into an immigration program consistent with Department of State standards. To this end, the Department, in coordination with INS, already has begun to take steps to plan for the eventual transition of the family reunification program of ODP into an immigrant visa program.

*Question 9:* If a Vietnamese suffered an entire year in a reeducation camp would he or she be eligible to be admitted as a refugee?

*Answer:* No. The former reeducation detainee program requires that the applicant have been detained for at least three years. Some 80,000 persons already have been admitted under this program. Our experience is that this was the minimum time served by mid-level ARVN officers (captains and up) and pre-1975 civil servants. Even by limiting the program in this manner, we estimate that there are about 70,000 applicants, including family members, remaining to be interviewed. The only persons with only one year of reeducation time who are eligible at this time for the



program are those who also were employed by the U.S. Government or a U.S. private organization for at least one year, or who received training in the U.S. under USG auspices.

*Question 11:* There has been a great deal of discussion about the Iraqi refugees recently admitted into the U.S. Recently the Senate passed a resolution questioning this policy of admitting former Iraqi soldiers as refugees and you mention them in your opening statement.

You stated that "many" of these refugees were politically persecuted or were resistance fighters. (a) What percentage of those admitted were in these categories? (b) How many more will be admitted? (c) Could they have been admitted into the U.S. without providing refugee benefits? (d) Were there any agreements made formally or informally with foreign governments which resulted in the Executive Branch proposal to admit Iraqi refugees? If so, what were those agreements?

*Answer:*

(A) WHAT PERCENTAGE WERE POLITICALLY PERSECUTED OR WERE RESISTANCE FIGHTERS?

All persons admitted to the U.S. under Section 207 of the Immigration and Nationality Act have been determined by the Immigration and Naturalization Service, based on individual personal interviews of all persons over the age of 16, to meet the definition of "refugee" contained in Section 101(a)(42) of the same Act, which is quoted below:

The term "refugee" means (A) any person who is outside any country of such person's nationality \* \* \* and who is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of, that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion \* \* \*. The term "refugee" does not include any person who ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion.

All Iraqi refugees admitted to the U.S. have experienced persecution or have a well-founded fear of persecution. Secretary Christopher stated in his testimony before the Senate Judiciary Committee on September 23 that, in addition, many have credible accounts of torture and abuse. Eight such case histories are attached. Also, the deserters actively opposed the regime and many of them participated in the failed uprising in March 1991. Many of those who deserted or surrendered were members of persecuted ethnic or religious minority groups. Statistics follow:

4,600 approximate number of Iraqi refugees admitted to the U.S. in fiscal year 93;

2,041 number of Iraqi refugees admitted from Saudi Arabia in fiscal year 93;

533 number of Iraqi refugees from Saudi Arabia who were ex-soldiers, of whom:

453 deserted inside Iraq before being mobilized to Kuwait, with 425 participating in the failed uprising; and

80 deserted inside Kuwait, all of whom were members of persecuted ethnic or religious minority groups (Assyrian Christians, Chaldean Catholics, Kurds, Turkomen and others) and who believed Saddam was pursuing a plan to exterminate such groups.

Therefore, 26 percent of the Iraqis admitted from Saudi Arabia were former soldiers, 80 percent of whom were resistance fighters, 5 percent experienced general political persecution, and 15 percent were members of persecuted ethnic or religious minorities.

(B) HOW MANY MORE WILL BE ADMITTED?

Most Iraqis who fled the Gulf War into Turkey have already been resettled in third countries, and many who fled into Europe have been offered asylum or are awaiting interviews from resettlement countries (including the U.S.). The largest residual population of Iraqi refugees for whom there is no alternative to resettlement is in Saudi Arabia. The United Nations High Commissioner for Refugees has asked the United States to resettle 3,000 Iraqi refugees from Saudi Arabia in fiscal year 94, and has received pledges from other countries to resettle up to 3,600 more. Including applicants from Turkey and Europe, we expect to resettle about 4,500 Iraqis in the U.S. as refugees in fiscal year 94.

Assuming that the percentage of civilians to soldiers in fiscal year 94 is similar to that in fiscal year 93, about 780 of those resettled from Saudi Arabia may be former soldiers. They will have the same history of persecution and meet the same rigorous criteria as those admitted in fiscal year 93. Because fewer Iraqis will be admitted from Turkey and Europe, the percentage of former soldiers to the total population of Iraqi refugee entrants will increase, from 12 percent in fiscal year 93 to 17 percent in fiscal year 94.

#### (C) PROVISION OF REFUGEE BENEFITS

Persons already in the U.S. who have a well-founded fear of persecution should they return to their country may apply for asylum. Aliens outside of the U.S. may apply for visas to visit temporarily, usually for a stay of up to six months. Or they may apply for immigrant visas if they fit certain employment or family criteria. Refugee benefits are not available to any of the above persons.

By law [8 CFR 207.1(d)], "any applicant for refugee status who qualifies as an immediate relative or special immigrant shall not be processed as a refugee unless it is in the public interest \* \* \*. An applicant who may be eligible for classification under section 203(a)(1), (2), (3), (4), (5), (6), or (7) of the [Immigration and Nationality] Act, and for whom a visa number is now available, shall be advised of such eligibility but is not required to apply [for the immigrant visa]." None of the Iraqis in Saudi Arabia admitted as refugees qualified as an immediate relative or special immigrant. Of the 1,037 approved by INS in fiscal year 92 (not all arrived in fiscal year 92), 71 fell into a family immigrant category for whom a visa number was not available. Of the 2,144 approved by INS in fiscal year 93 (not all arrived in fiscal year 93), 68 fell into a family immigrant category for whom a visa number was not available. Therefore, there was no alternative but for admission as a refugee, which entitles the entrant to receive refugee benefits.

#### (D) AGREEMENTS WITH FOREIGN GOVERNMENTS

There were no agreements, formal or informal, with any foreign governments which resulted in the admission of Iraqi refugees to the U.S. Iraqi has been a designated nationality for the U.S. refugee program since the passing of the Refugee Act of 1980. From fiscal year 80 through the end of fiscal year 93, we have admitted close to 14,000 Iraqis into the U.S. as refugees, most of whom were Iraqis Christians or Kurds with relatives in the U.S. Refugee admissions numbers and nationalities are set annually after consultation with Congress and are not the result of agreements with foreign governments.

Near the end of the Gulf War, Coalition Forces received thousands of civilians and resistance fighters fleeing the failed uprising and thousands of Iraqi soldiers who had surrendered. At the end of the war when the Coalition Forces withdrew out of southern Iraq, most of the soldiers were repatriated. As it was not safe to leave the civilians and resistance fighters in Iraqi territory, President Bush asked King Fahd of Saudi Arabia if he would offer them temporary refuge in the Kingdom. King Fahd agreed, and about 9-10,000 resistance fighters and about 4,000 soldiers who refused to repatriate were sent to a former prison camp at Artawiyah, while about 22-25,000 Iraqi civilians were housed near the border town of Rafha.

When it became obvious that the refugees' stay would be longer than anticipated, the Saudi Government expended millions of dollars in constructing a modern refugee camp near Rafha with facilities such as air-conditioned houses, schools, clinics, university extensions and a hospital. When Artawiyah was closed, the resistance fighters and soldiers (all of whom has been determined by ICRC to have civilian status and by UNHCP to be refugees) were relocated to Rafha. One year after the end of the War, as hopes for a change of regime in Iraq faded, the UNHCR began seeking resettlement opportunities for all the Iraqis in Saudi Arabia. As part of a multi-country effort, the U.S. has pledged its participation.

All Iraqi refugees admitted from Saudi Arabia meet the same rigorous INS and FBI criteria as Iraqis admitted from other areas, which are the same criteria used worldwide for refugees of any nationality. There is no special agreement to resettle Iraqi soldiers in the U.S. as refugees.

#### QUESTIONS FOR SECRETARY OF STATE WARREN CHRISTOPHER SUBMITTED BY SENATOR DECONCINI

*Question:* How many refugees from Bosnia-Herzegovina have been admitted into the United States? Why is the number so small, especially compared to other countries?

*Answer:* In fiscal year 93, nearly 1,900 Bosnians were admitted as refugees, the largest number from any country in Eastern Europe. The U.S., international community, and the Government of Bosnia-Herzegovina oppose the large-scale resettlement of Bosnian refugees at this time, lest it indicate an acquiescence to ethnic cleansing. The U.S. admissions program is therefore designed to assist those groups of special humanitarian concern to the U.S. As the program was expanded in the middle of fiscal year 93, the admissions figure represents admissions for only a six month period. Our admissions program for fiscal year 94 has sufficient flexibility to increase the number of Bosnian refugees resettled in the U.S., if necessary.

Unlike most other countries, the U.S. refugee admissions program offers permanent resettlement to Bosnians. Most other countries have only offered temporary safe-haven and expect the hundreds of thousand Bosnian refugees located there to return home once conditions permit. U.S. law, on the other hand, does not provide for the temporary admission of refugees.

*Question:* Where do we process those (Bosnian) refugees that want to come to the United States? Have we informed people at refugee centers that refugee slots remain open? If not, why?

*Answer:* Bosnian refugees may be processed at any of the designated refugee processing posts in Europe. These posts are: Athens, Belgrade, Frankfurt, Istanbul, Madrid, Rome, Vienna, and Zagreb. On an exceptional basis, refugees can also be processed at other posts in Europe.

The admissions program for Bosnians is designed to meet the needs of persons of special humanitarian concern to the U.S. who require resettlement here. The U.S. therefore accepts refugee applications from vulnerable Bosnian Muslim refugees referred by UNHCR such as former detainees, women victims of violence, torture victims, and other individuals identified by UNHCR as requiring resettlement in the U.S. (On a case by case basis, non-Muslim vulnerables referred by UNHCR will also be considered.) In addition, we include in our resettlement program: a) vulnerable Bosnians in mixed-marriages of any ethnic group referred for resettlement by UNHCR; b) Bosnian Muslim relatives of persons lawfully and permanently residing in the U.S.; and c) parents and siblings of minor U.S. citizen children who have been displaced by the conflict in Bosnia-Herzegovina. UNHCR refers cases identified as vulnerable to the U.S. program, voluntary agencies publicize the program inside Croatia, and the Department of State has made announcements so that relatives in the U.S. are aware of the program.

*Question:* It is my understanding that there are three basic categories of Bosnians that can be admitted as refugees, but that one of them—Bosnians with close relatives in the United States—must be Muslims. This assumes that Bosnian Croats and Serbs can seek permanent refuge in neighboring states. Doesn't this policy go against our notion of Bosnia-Herzegovina being a multi-ethnic state? This assumes that Croats and Serbs from Bosnia-Herzegovina, especially those who have supported keeping the country together, have any real affinity with Croatia or with Serbia, states which invaded their country?

*Answer:* The permanent resettlement of refugees in third countries, including the United States, is generally considered to be the least desirable durable solution to a refugee situation. At this time, the U.S., the international community led by UNHCR and the government of Bosnia-Herzegovina oppose the large-scale resettlement of Bosnian refugees, lest it send a signal of acquiescence to ethnic cleansing. The Administration does believe, however, that there are distinct groups of special humanitarian concern to the U.S., such as the Bosnian Muslim relatives of persons in the U.S., which do require resettlement here.

It is generally agreed that the Bosnian Muslim population has been the target of the greatest abuse during the conflict in Bosnia-Herzegovina. Muslim refugees in Croatia and Serbia are in a qualitatively different position than either Bosnian Serbs or Bosnian Croats, who are able to live in those countries in greater safety and dignity.

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QUESTIONS FOR SECRETARY OF STATE WARREN CHRISTOPHER SUBMITTED BY THE  
SENATE JUDICIARY COMMITTEE

*Question: Genocide:* Why has the State Department only been willing to call what has happened in Bosnia-Herzegovina "tantamount to genocide?" Is this a legalism to avoid the requirement to take stronger action under the Genocide Convention? What is the difference between genocide and what has happened in Bosnia-Herzegovina?

*Answer:*

- The 1948 Convention on the Prevention and Punishment of the Crime of Genocide defines "genocide" as specific acts including killing and causing serious harm to members of a national, ethnic, racial or religious group with the intent to destroy, in whole or in part, the group as such.
- There is no question that killing and other specified acts have been perpetrated against Muslims, because they are Muslims, by the Bosnian Serbs.
- But determining which specific acts constitute genocide and which constitute other sorts of hateful attacks, including various actions whose perpetrators LACKED the broad intent to destroy a particular group, is a very complex legal issue that must be addressed on a case-by-case basis.
- According to the Convention, only specific acts can be defined as genocide. Therefore it is improper to refer to wanton violence in Bosnia in general as genocide.
- We have been examining the legal ramifications of possible genocide findings for specific acts for some time. We are not adopting a legalistic stance, but rather a responsible and prudent one, when we study the situation thoroughly before levelling a charge of "genocide" in a give case.
- The Genocide Convention obliges signature states to take appropriate measures if genocide has been found to have occurred.
- With other nations, we are taking steps in the War Crimes Tribunal to bring those who have committed atrocities, possibly including genocide, to justice.
- Thus we are not ducking our obligations under the Genocide Convention by attempting to arrive at an accurate, clear decision on which cases fit the description of genocide as defined in the Convention.
- We owe it to the victims of conflicts where genocide has been occurred, including the Holocaust, to make sure we use the term in the most judicious manner.

*Question: War Crimes Amnesty:* Will anyone at an international tribunal, including the Serb leadership sitting at the negotiating table, be amnestied from facing charges of responsibility for ordering or committing war crimes? Will the United States steadfastly block any effort to grant such amnesties to Radovan Karadzic and Slobodan Milosevic?

*Answer:*

- The United States believes that all persons involved in war crimes activities should be held responsible for their actions.
- The Security Council has determined that those who committed serious violations of international humanitarian law in the former Yugoslavia should be held individually responsible for their actions, and has given the United Nations Ad Hoc War Crimes Tribunal jurisdiction over these crimes. The United States would oppose any attempt to restrict the Tribunal's jurisdiction. This includes any attempt to restrict jurisdiction over persons responsible for such crimes, whether or not they hold high office or positions of power.
- Any agreement among the parties to grant amnesty to war criminals would not be binding on the Tribunal, which was given its authority by the Security Council.

*Question: Utility of Continued Geneva Negotiations:* The United States wants an agreement that is fair and embraced by the Bosnian leadership. Do you seriously believe that the Geneva negotiations can produce such an agreement and that the Bosnians are not under pressure to accept an agreement they know is neither fair, just or likely to bring genuine peace?

*Answer:*

- We believe that the diplomatic process, as opposed to more fighting, offers the Bosnian people the only chance for a settlement to the conflict that can end the killing and suffering and build a framework for reconciliation.
- The Bosnian Parliament rejected the territorial arrangements proposed in the most recent peace plan. The Bosnian government was apparently unwilling to approve a settlement that would force it to give up substantial areas lost through ethnic cleansing.
- We respect the decision of the Parliament and have no intention of trying to force the Bosnian government to accept a settlement it regards as neither viable nor equitable.
- The international community, through the UN Security Council, has implemented a series of far-reaching sanctions against the Serbian government for its role in supporting aggression against Bosnia.
- We have informed the Serbs that there can be no movement toward moderating these sanctions—which have devastated the Serbian economy—until a settlement is reached in Bosnia and the international community sees that it is being implemented.

- We continue to urge the parties to work to achieve a viable and equitable settlement that is acceptable to all sides in this tragic conflict.

*Question: Implementation:* Is the United States committed to supporting a peace settlement directly through the inclusion of American forces in an enlarged peace-keeping operation? Will this be under NATO or UN supervision? How many people are we talking about?

*Answer:*

- The U.S. is not committed to enlarging the current UN peacekeeping operation. In the event a negotiated settlement is reached among all the parties, and if certain conditions—including Congressional support—are met, we would propose that the UN to turn over all military aspects of enforcement to NATO. The UN would manage non-military aspects of the implementation process and monitor other provisions of the peace accord such as the human rights situation, constitutional agreements, police issues, etc.
- The military operation would use established NATO command and control arrangements, linking political authorities to field commanders through the NATO chain of command. This asserts NATO and U.S. leadership in the military operation. NATO military commanders would cooperate closely with, but not take orders from, UN civilian personnel.
- On the questions of the overall number of troops and operational plans, I refer you to the Department of Defense. In this regard, however, I note that it would not be appropriate for the United States to provide more than half the implementation force.

*Question: Lift and Strike:* Can you explain how American interests are better served by the negotiated settlement plan on the table than by stopping the aggression with NATO air strikes and lifting the arms embargo? From the point of view of saving American lives, would it not be safer to have several hundred Americans, at most, peacemaking from the air, than tens of thousands attempting peacekeeping from the ground? Why did we not more forcefully push our preference for more decisive actions?

*Answer:*

- A viable and equitable negotiated settlement, accepted by all the parties, offers the best chance to end the conflict with a minimum additional loss of life. The United States will not participate in an implementation force unless, *inter alia*, the parties have demonstrated that they are seriously committed to implementing a peace accord.
- The United States did push the Security Council to lift the arms embargo and authorize air strikes, but a majority of the Council's members, including nations with thousands of troops on the ground in the former Yugoslavia, strongly disagreed with this approach.

*Question: CSCE Expulsions:* Since the CSCE Missions were expelled from Serbia and Montenegro at the end of July, conditions in the three regions where they worked have deteriorated, especially in Kosovo and Sandzak. Albanian and Muslim activists, for example, have been arrested. What are we, other countries, and the CSCE doing to try to get Missions back into these places? Can pressure be placed on the Belgrade regime to permit their return?

*Answer:*

- The activities of the CSCE Long Duration Missions in Kosovo, Sandzak and Vojvodina ceased July 30 because the "FRY" government refused to extend them except upon terms that were unacceptable to the international community. The CSCE organized an ad hoc "watch group" in Vienna to monitor the situation, and the Belgrade embassies of CSCE participating states met to discuss how they could assume some of the activities of the expelled CSCE monitors. Delegations from Belgrade embassies of CSCE states have visited each of the regions, as have other American and European diplomats. Reports from visits to the regions are forwarded to the CSCE.
- The Swedish chair of the CSCE has approached the "FRY" numerous times, most recently on the margins of the UN General Assembly, to seek the resumption of the activities of the Long Duration Missions. "FRY" Foreign Minister Jovanovic asserted that normalization of international relations with Serbia continues to be a precondition for readmitting the missions. We and the CSCE reject such linkage. There are absolutely no signs of any intent by the "FRY" to relent.

*Question: Banja Luka Abductions:* On September 10, several prominent Muslims in the Banja Luka region of Bosnia were abducted by Serb forces, including a Dr. Muharem Krzic, and have reportedly been beaten or tortured. They were among

those who have worked closely with the international negotiation efforts in Geneva. What can be done to secure their release?

*Answer:*

- Ambassador Jackovich has approached Bosnian Serb leader Radovan Karadzic to verify this information and express our concerns about the safety and welfare of Dr. Krzic. We will continue to press the Bosnian Serbs and Serbs for information on the whereabouts of Dr. Krzic and his group. We deplore the wanton acts of brutality that have characterized the Bosnian conflict.

*Question:* Can you provide us with an update on the smuggling problem? Are more smuggling ships on the way?

*Answer:*

—Our diplomatic and law enforcement efforts have made some initial progress in deterring Chinese alien smuggling. China has responded to our requests by cracking down on smugglers. Mexico has repatriated over 800 Chinese migrants. Hong Kong arrested a major smuggling gang leader at the FBI's request.

—However, the problem has not gone away. Interdictions of small groups of Chinese attempting to cross the U.S.-Mexican border indicate undetected vessel offloads in Central America. We also continue to receive reports of boats being readied in Asian ports and of large groups of Chinese waiting in third countries for the smugglers to move them to the United States.

—Analysis of smugglers' operations indicates they are diversifying routes, vessel types, crews and registry flags to avoid detection. In view of the enormous profits, limited risks, and unlimited numbers, maritime smuggling of Chinese is likely to increase.

*Question 5: Non-immigrant visas for 2nd preference:* When will the Department of State forward its opinion of Senate bill 618, a bill concerning the creation of a new nonimmigrant visa category which would permit spouses and children under the age of 21 of legal permanent aliens to wait in the U.S. for their immigrant visas to become available? Can the Department estimate the number of cases that this might involve? What steps does the Department believe will be necessary to adequately implement this proposal?

*Answer:* The Department's report on Senate bill 618 is pending clearance by the Office of Management and Budget. As you may be aware, this procedure implements a long-standing requirement that proposed comments by a particular Department or other elements of the Executive Branch on pending legislation must be coordinated by OMB. As soon as that process is complete, the Department will transmit its comments to Subcommittee Chairman Kennedy.

There are about 960,000 applicants registered in the immigration classification that would benefit from enactment of this provision. The Department estimates that approximately 220,000 of them would promptly apply for nonimmigrant visas once the provision became effective.

The surge of applications by beneficiaries of this provision could temporarily disrupt orderly operations at a number of visa-issuing offices, and would require substantial use of temporary duty personnel. The overall, continuing workload burden would depend upon the extent to which the visa officer would be required or permitted to inquire into the facts of each case, a question which is not answered by the bill as written.

*Question:* In August 1992, UN Security Council Resolution 770 was adopted, calling for "all necessary measures" to be taken to ensure the delivery of humanitarian aid. Why have we tolerated the blocking of such deliveries by Serb and Croat forces?

*Answer:* The Administration is very concerned with the delivery of humanitarian aid to Bosnia and continues to work with our European allies and the UN to seek workable solutions to the many problems we face in this effort. Where convoys have been blocked by the parties to the conflict, and not by other unavoidable situations such as snow or fighting on the road ahead, both UNPROFOR and UNHCR leadership have felt that negotiation and constant pressure on the warring parties to accede to the safe passage of humanitarian assistance convoys are the best ways to get food, shelter, and medical items to those in need. The joint declaration by the combatants on November 18th which UNHCR Ogata secured to permit the delivery of humanitarian assistance was in keeping with this strategy. Confrontation with the combatants could invite deadly, random attacks or ambushes, or even worse, the total refusal to allow aid through.

The United States Government has taken very seriously Resolution 770's call upon states to take all measures necessary to facilitate the delivery of humanitarian assistance. As of November 29th, the U.S. has flown 1,202 airdrop missions over

Bosnia and 2,297 airlift flights into Sarajevo, and since 1991 has provided \$435,780,469 in humanitarian assistance.

### STATISTICAL SUMMARY OF REFUGEE ADMISSIONS TO THE UNITED STATES SINCE 1975

PAGE 1  
As of September 30, 1993

U.S. DEPARTMENT OF STATE  
BUREAU FOR REFUGEE PROGRAMS  
Summary of Refugee Admissions  
Fiscal Year 1993

RUN DATE: 10/28/93

COUNTRY OF CHARGEABILITY	FY 1993 REFUGEE ADMISSIONS CEILING	FY TOTAL ADMITTED INTO U.S. AS OF RPT	ADMISSIONS BY MONTH																
			OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT					
AFRICA	7,000	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
BURUNDI		2,765	17	135	125	324	39	183	9	176	0	432	638	0	0	0	0	0	505
ETHIOPIA		2	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0
GHANA		961	0	0	51	38	36	117	117	2	5	13	67	464	0	0	0	0	0
LIBERIA		1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
MALAWI		7	0	0	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0
RWANDA		2,753	29	0	143	0	102	51	51	115	536	532	1,126	68	0	0	0	0	68
SOMALIA		8	0	0	0	0	0	0	0	0	0	0	0	8	0	0	0	0	8
SOUTH AFRICA		244	1	0	0	6	6	7	25	2	6	2	156	39	0	0	0	0	39
SUDAN		24	0	0	8	0	0	5	5	0	0	1	5	0	0	0	0	0	5
UGANDA		199	0	0	0	43	0	68	10	0	20	3	42	13	0	0	0	0	13
ZAIRE		2	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	2
ZAMBIA		2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL AFRICA	7,000	6,969	47	135	336	362	226	482	217	295	749	982	2,030	1,108					1,108
EAST ASIA	51,000																		
1ST ASYLUM		94	5	6	11	15	0	22	4	5	3	12	7	4					4
BURMA		22	5	5	0	0	0	0	0	1	0	1	3	0					0
CAMBODIA																			
LAOS		6,741	478	47	1,244	286	210	1,013	419	137	965	549	221	1,172					1,172
HIGHLAND		226	48	8	8	0	60	7	4	0	0	6	6	85					85
LOWLAND		6,967	526	55	1,252	286	210	1,073	426	141	965	549	227	1,257					1,257
SUBTOTAL LAOS		4,162	132	372	344	209	393	571	261	448	494	288	195	455					455
VIETNAM																			
ODP		11,556	947	691	1,664	499	1,748	1,476	1,064	748	586	942	294	897					897
AMERASIAN IMMIGRANT REFUGEE		27,057	909	3,268	1,687	1,074	2,017	3,310	2,837	2,416	3,090	2,310	2,535	1,604					1,604
TOTAL EAST ASIA	51,000	49,858	2,531	4,397	4,958	2,083	4,368	6,452	4,592	3,759	5,138	4,102	3,261	4,217					4,217
EASTERN EUROPE	2,725																		
ALBANIA		458	49	13	147	4	70	12	0	44	3	60	27	29					29
BOSNIA		1,887	0	0	3	0	136	0	0	1	293	358	248	848					848
BULGARIA		34	0	11	6	3	9	0	0	5	0	0	9	0					0
CZECHOSLOVAKIA		3	0	0	1	0	0	0	0	2	0	0	0	0					0
POLAND		54	11	1	3	2	2	8	2	0	8	3	9	3					3
ROMANIA		215	13	32	7	24	4	19	53	15	18	8	0	4					4
TOTAL EASTERN EUROPE	2,725	2,651	73	57	167	33	232	39	55	67	322	429	293	884					884

Summary of Refugee Admissions  
Fiscal Year 1993

RUN DATE: 10.18.93

COUNTRY OF CHARGEABILITY	FY 93 REFUGEE ADMISSIONS INTO U.S. AS OF RPT	ADMISSIONS BY MONTH											
		OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT
FORMER SOVIET UNION	49,775	4,792	4,082	5,082	5,353	3,103	3,906	4,430	3,201	3,689	2,852	4,373	3,732
DIRECT	48,595	0	3	4	1	4	2	6	0	1	1	4	6
NON-DIRECT	32	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL FMR SOVIET UNION	49,775	4,792	4,085	5,086	5,354	3,107	3,908	4,436	3,201	3,690	2,853	4,377	3,738
LATIN AMERICA	4,500	0	0	0	0	1	0	0	0	0	0	0	0
COLOMBIA	1	0	0	0	0	0	242	175	295	269	102	134	317
CUBA	2,814	0	329	256	242	453	0	1	0	0	0	0	0
EL SALVADOR	1	0	0	0	0	0	0	0	0	0	0	0	0
HAITI	1,307	0	49	31	43	42	88	129	134	179	208	202	202
NICARAGUA	1	0	0	0	0	0	0	1	0	0	0	0	0
VENEZUELA	2	0	0	0	0	2	0	0	0	0	0	0	0
TOTAL LATIN AMERICA	4,126	0	378	287	285	498	330	306	429	448	310	336	519
NEAR EAST/SOUTH ASIA	7,000	167	208	205	155	305	111	36	14	1	19	6	6
AFGHANISTAN	1,233	32	225	208	77	156	115	36	106	86	67	27	10
IRAN	1,161	74	441	304	52	56	647	45	600	809	512	997	68
IRAQ	4,605	0	1	0	0	0	0	0	0	0	0	0	0
SYRIA	1	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL NEAR EAST/SOUTH ASIA	7,000	273	875	717	284	517	873	133	720	896	598	1,030	84
PRIVATE SECTOR INIT. PSI CUBANS	10,000	0	0	0	201	36	14	0	0	0	0	0	0
TOTAL PRIVATE SECTOR INIT.	10,000	0	0	0	201	36	14	0	0	0	0	0	0
UNALLOCATED RESERVE													
TOTAL UNALLOCATED RESE	0	0	0	0	0	0	0	0	0	0	0	0	0
GRAND TOTAL	132,000	7,716	9,927	11,551	8,602	8,984	12,098	9,739	8,471	11,243	9,274	11,327	10,550



U.S. DEPARTMENT OF STATE  
BUREAU FOR REFUGEE PROGRAMS  
Summary of Refugee Admissions  
Cumulative

Fiscal Year	Area									PSI	TOTAL
	Africa	Asia	Eastern Europe	Soviet Union	Latin America	Near East Asia					
1975	0	135,000	1,947	6,211	3,000	0	0	0	0	0	146,158
1976	0	15,000	1,756	7,450	3,000	0	0	0	0	0	27,206
1977	0	7,000	1,755	8,191	3,000	0	0	0	0	0	19,946
1978	0	20,574	2,245	10,688	3,000	0	0	0	0	0	36,507
1979	0	76,521	3,393	24,449	7,000	0	0	0	0	0	111,363
1980	955	163,799	5,025	28,444	6,662	0	0	0	0	0	207,116
1981	2,119	131,139	6,704	13,444	2,017	0	0	0	0	0	159,252
1982	3,326	73,522	10,780	2,756	602	0	0	0	0	0	97,355
1983	2,648	39,408	12,083	1,409	668	0	0	0	0	0	61,681
1984	2,747	51,960	10,285	715	160	0	0	0	0	0	71,113
1985	1,953	49,970	9,350	640	138	0	0	0	0	0	68,045
1986	1,315	45,454	8,713	787	173	0	0	0	0	0	62,440
1987	1,994	40,112	8,606	3,694	315	0	0	0	0	0	64,828
1988	1,588	35,015	7,818	20,421	2,497	0	0	0	0	733	76,487
1989	1,922	45,680 *	8,948	39,553	2,605	0	0	0	0	1,550	107,238
1990	3,494	51,611 *	6,196	50,716	2,309	0	0	0	0	3,009	122,326
1991	4,424	53,486 *	6,855	38,661	2,237	0	0	0	0	1,789	112,811
1992	5,491	51,848 *	2,886	61,298	2,924	0	0	0	0	882	132,173
1993	6,969	49,858 *	2,651	48,827	4,126	0	0	0	0	251	119,482
TOTAL	40,945	1,136,957	117,996	368,154	46,433	0	0	0	0	8,214	1,803,527

\* Includes Amerasian Immigrants

INDOCHINESE REFUGEE ACTIVITY  
Monthly Report For September 1993

COUNTRIES OF ASYLUM/RPCS	LAST MONTH'S POPULATION	THIS MONTH'S POPULATION	ADDITIONS TO 1ST ASYLUM	THIS MONTH'S REDUCTIONS				OTHER	RPC TRANSFERS US CASELOAD	IVs, NIVs, AMCIts, Pars TO US
				TO U.S.	3RD COUNTRIES	3RD VOLUNTARY REPATRIATION	RELOCATION			
1ST ASYLUM										
HONG KONG	38,847	37,167	90	76	145	1,456	0	0	0	2
MACAU	10	10	0	0	0	0	0	0	0	0
INDONESIA- VN	11,495	10,886	22	146	319	152	0	1	0	10
INDONESIA- KHMER	544	544	3	0	0	4	0	0	0	0
MALAYSIA	8,448	8,205	14	101	61	84	0	0	0	11
PHILIPPINES	5,895	5,778	0	20	315	0	0	0	0	0
SINGAPORE	91	91	2	0	0	0	0	0	0	0
JAPAN	767	906	0	0	0	0	0	0	0	0
KOREA	0	0	0	0	0	0	0	0	0	0
TAIWAN	142	142	0	0	0	0	0	0	0	0
OTHER	0	0	0	0	0	0	0	0	0	0
THAILAND - KHMER	115	94	0	0	0	14	0	0	0	87
THAILAND - HIGHLANDERS	24,785	22,758	149	25	11	90	0	10	1,779	3
THAILAND - LAO	4,079	3,937	11	0	0	161	0	0	1	3
THAILAND - VIETNAMESE	11,603	11,141	72	112	85	291	0	2	0	14
SUBTOTAL THAILAND	40,582	37,930	232	137	96	556	0	12	1,780	107
TOTAL 1ST ASYLUM	106,822	101,661	363	480	936	2,252	0	13	1,780	130
RPCS										
BATAAN - KHMER	0	0	0	0	0	0	0	0	0	0
BATAAN - HIGHLANDERS	0	0	0	0	0	0	0	0	0	0
BATAAN - LAO	0	0	0	0	0	0	0	0	0	0
BATAAN - VIETNAMESE	8	8	0	0	0	0	0	0	0	0
BATAAN - ODP	2,744	2,140	0	0	0	0	0	0	0	0
SUBTOTAL BATAAN	2,752	2,148	0	0	0	0	0	0	0	0
PHANAT NIKHOM - KHMER	0	0	0	0	0	0	0	0	0	0
PHANAT NIKHOM - HIGHLANDER	3,264	3,896	1,779	1,147	0	0	0	0	0	0
PHANAT NIKHOM - LAO	93	9	1	85	0	0	0	0	0	0
PHANAT NIKHOM - VIETNAMESE	0	0	0	0	0	0	0	0	0	0
SUBTOTAL PHANAT NIKHOM	3,357	3,905	1,780	1,232	0	0	0	0	0	0
TOTAL RPCs	6,109	6,053	1,780	1,232	0	0	0	0	0	0
GRAND TOTAL	112,931	107,714	363	1,712	936	2,252	0	13	1,780	130

Arrivals in the RPCs are not added down as this would result in double addition; ODP activity is not included in this report

INDOCHINESE REFUGEE ACTIVITY  
Fiscal Year 1993

COUNTRIES OF ASYLUM/RPCs	POPULATION AS OF 09/30/92	THIS MONTH'S POPULATION	FISCAL 93 ADDITIONS	FISCAL YEAR REDUCTIONS			OTHER	RPC TRANSFERS US CASELOAD	IVs, NIVs, AMCTs, HFs, TO US
				TO U.S.	3RD COUNTRIES	REPATRIATION			
1ST ASYLUM									
HONG KONG	49,538	37,167	1,419	367	1,328	10,751	0	747	190
MACAU	20	10		0	8	0	0	2	0
INDONESIA- VN	15,642	10,886	297	1,320	1,756	1,692	0	39	0
INDONESIA- KHMER	688	544		0	0	148	0	3	0
MALAYSIA	10,693	8,205	194	857	682	1,107	0	6	0
PHILIPPINES	7,918	5,778	0	654	2,041	176	0	0	0
SINGAPORE	89	93	5	3	0	0	0	0	0
JAPAN	774	906	3	0	57	0	0	0	0
KOREA	0	0	1	0	150	0	0	0	0
TAIWAN	142	142	0	0	0	0	0	0	0
OTHER	0	0	0	17	0	0	0	0	0
THAILAND - KHMER	9,228	94	93	8	81	6,916	0	6	1
THAILAND - HIGHLANDERS	37,006	22,756	2,262	326	56	2,033	0	139	7,962
THAILAND - LAO	15,170	3,937	138	11	84	1,571	0	11	148
THAILAND - VIETNAMESE	13,439	11,141	2,934	911	614	3,587	0	9	0
SUBTOTAL THAILAND	64,843	37,930	5,427	1,256	835	14,107	0	165	8,111
TOTAL 1ST ASYLUM	150,347	101,661	7,353	4,474	6,857	27,981	0	962	8,301
RPCs									
BATAAN - KHMER	0	0	0	0	0	0	0	0	0
BATAAN - HIGHLANDERS	0	0	0	0	0	0	0	0	0
BATAAN - LAO	0	0	0	0	0	0	0	0	0
BATAAN - VIETNAMESE	81	8	17	30	109	0	0	0	0
BATAAN - OOP	8,391	2,140							
SUBTOTAL BATAAN	8,472	2,148	17	30	109	0	0	0	0
PHNAT NIKHOM - KHMER	13	0	1	14	0	0	5	0	0
PHNAT NIKHOM - HIGHLANDER	2,682	3,896	7,962	6,415	0	0	227	106	0
PHNAT NIKHOM - LAO	77	9	148	215	0	0	1	0	0
PHNAT NIKHOM - VIETNAMESE	0	0	0	0	0	0	0	0	0
SUBTOTAL PHNAT NIKHOM	2,772	3,905	8,111	6,644	0	0	233	106	0
TOTAL RPCs	11,244	6,053	8,128	6,674	109	0	233	106	0
GRAND TOTAL	161,591	107,714	7,353	11,148	6,966	27,981	233	1,068	8,301

Arrivals in the RPCs are not added down as this would result in double addition; OOP activity is not included in this report

INDOCHINESE REFUGEE ACTIVITY  
Cumulative Since April 1975

COUNTRIES OF ASYLUM/RPCS	THIS MONTH'S POPULATION	ADDITIONS SINCE APRIL 1975	REDUCTIONS SINCE 4/75			RELOCATION	OTHER	RPC TRANSFERS US CASELOAD
			3RD COUNTRIES	VOLUNTARY REPATRIATION	3RD COUNTRIES			
1ST ASYLUM								
HONG KONG	37,167	219,856	52,324	74,823	33,718	0	4,207	16,389
MACAU	10	7,678	2,427	3,966	0	0	576	868
INDONESIA- VN	10,886	125,784	44,465	45,873	3,913	0	215	20,382
INDONESIA- KHMER	544	1,888	0	50	1,335	0	9	15
MALAYSIA	8,205	258,480	90,874	106,430	2,517	0	219	48,963
PHILIPPINES	5,778	54,137	11,275	23,267	436	0	40	16,091
SINGAPORE	1,933	35,259	5,732	21,127	5	0	10	7,831
JAPAN	906	4,228	3,069	5,497	0	0	1	7,354
KOREA	0	4,401	8	361	0	0	2	135
TAINAN	142	38	2	41	0	0	1	20
OTHER	0	40,857	3,292	28,718	0	0	14	1,017
THAILAND - KHMER	94	250,978	50,472	79,182	13,081	41,172	472	97,198
THAILAND - HIGHLANDERS	22,758	182,412	54,057	22,242	6,610	0	3,713	62,321
THAILAND - LAO	3,937	195,649	72,252	49,451	8,293	1,000	3,358	51,038
THAILAND - VIETNAMESE	11,141	161,864	38,530	49,257	8,076	0	527	55,578
SUBTOTAL THAILAND	37,930	790,903	215,311	200,132	36,060	42,172	8,070	266,135
TOTAL 1ST ASYLUM	101,661	1,539,509	428,779	510,285	77,984	42,172	13,364	378,200
RPCS								
BATAAN - KHMER	0	3,958	4,562	0	0	0	0	0
BATAAN - HIGHLANDERS	0	2	82	0	0	0	0	0
BATAAN - LAO	0	10,400	11,464	0	0	0	0	0
BATAAN - VIETNAMESE	8	43,434	47,321	1,979	0	12	1	0
BATAAN - ODP	2,140	0	0	0	0	0	0	0
BATAAN - Prior to FY 87	2,148	166,790	158,905	5,087	0	0	138	0
SUBTOTAL BATAAN	2,148	224,584	222,334	7,066	0	12	140	0
SUBTOTAL GALANG	0	55,501	50,651	4,669	0	0	146	0
PHANAT NIKHOM - KHMER	0	3,192	3,792	7	0	15	0	0
PHANAT NIKHOM - HIGHLANDER	3,896	52,226	50,728	7	0	981	106	0
PHANAT NIKHOM - LAO	9	9,731	10,383	0	0	41	0	0
PHANAT NIKHOM - VIETNAMESE	0	3,402	2,240	0	0	21	0	0
PHANAT NIKHOM -Prior FY 87	0	24,200	21,518	0	0	0	181	0
SUBTOTAL PHANAT NIKHOM	3,905	92,751	88,661	14	0	1,058	287	0
TOTAL RPCS	6,053	372,836	361,646	11,749	0	1,070	573	0
VIETNAMESE TO U.S. IN 1975	0	124,547	123,003	0	1,547	0	0	0
OTHER TO U.S. IN 1975	0	12,000	12,000	0	0	0	0	0
VN TO CHINA IN 1977 / 1979	0	263,000	0	263,000	0	0	0	0
GRAND TOTAL	107,714	1,939,056	925,428	785,034	79,531	43,242	13,937	378,200

Monthly Report For September 1993

ETHNIC GROUP	ARRIVALS IN 1ST ASYLUM	THIS MONTH'S REDUCTIONS				TRANSFER TO RPCs
		TO U.S.	3RD COUNTRIES	VOLUNTARY REPATRIATION	RELOCATION OTHER	
KHMER	3	0	0	18	0	0
LAO - Highlanders	149	1,172	11	90	0	1,779
LAO - Lowlanders	11	85	0	161	0	1
TOTAL LAO	160	1,257	11	251	-0	1,780
VN- 1st Asylum	200	455	925	1,983	0	0
RPC	0	0	0	0	0	0
TOTAL VIETNAMESE	200	455	925	1,983	0	0
GRAND TOTAL	363	1,712	936	2,252	0	1,780

Note: Orderly Departure Program figures are reported separately.

Fiscal Year 1993

ETHNIC GROUP	ARRIVALS IN 1ST ASYLUM	REDUCTIONS FOR FY 93				TRANSFER TO RPCs
		TO U.S.	3RD COUNTRIES	VOLUNTARY REPATRIATION	RELOCATION OTHER	
KHMER	100	22	81	7,064	5	9
LAO - Highlanders	2,262	6,741	56	2,033	227	245
LAO - Lowlanders	138	226	84	1,571	1	11
TOTAL LAO	2,400	6,967	140	3,604	228	256
VN- 1st Asylum	4,853	4,132	6,636	17,313	0	803
RPC	0	30	109	0	0	0
TOTAL VIETNAMESE	4,853	4,162	6,745	17,313	0	803
GRAND TOTAL	7,353	11,151	6,966	27,981	233	1,068

Note: Orderly Departure Program figures are reported separately.

INDOCHINESE REFUGEE ACTIVITY  
Departures to U.S. and Third Countries  
(Excluding Orderly Departure Program)  
Monthly Report For September 1993

To	From	Hong Kong	Indonesia	Japan	Macau	Malaysia	Philippines	Singapore	Thailand (Vietnamese)	Thailand (Other)	Other	RPCs	Total
Australia		8	95	0	0	42	39	0	39	11	0	0	234
Belgium		0	0	0	0	0	0	0	0	0	0	0	0
Canada		59	175	0	0	6	59	0	28	0	0	0	327
Denmark		0	1	0	0	0	3	0	0	0	0	0	4
France		0	7	0	0	8	0	0	10	0	0	0	25
FRG		0	0	0	0	3	0	0	0	0	0	0	3
Italy		0	0	0	0	0	0	0	0	0	0	0	0
Japan		15	35	0	0	0	8	0	0	0	0	0	58
Netherlands		6	0	0	0	2	0	0	8	0	0	0	16
New Zealand		0	0	0	0	0	0	0	0	0	0	0	0
Norway		0	2	0	0	0	3	0	0	0	0	0	5
Sweden		0	0	0	0	0	110	0	0	0	0	0	110
Switzerland		0	1	0	0	0	93	0	0	0	0	0	94
United Kingdom		56	1	0	0	0	0	0	0	0	0	0	57
Other		1	2	0	0	0	0	0	0	0	0	0	3
Total 3rd Ctry		145	319	0	0	61	315	0	85	11	0	0	936
Total US		76	146	0	0	101	20	0	112	25	0	1,232	1,712
Grand Total		221	465	0	0	162	335	0	197	36	0	1,232	2,648

INDOCHINESE REFUGEE ACTIVITY  
Departures to U.S. and Third Countries  
(Excluding Orderly Departure Program)  
Fiscal Year 1993

To	From	Hong Kong	Indonesia	Japan	Hacau	Malaysia	Phillip- pines	Singa- pore	Thailand (Vietnamese)	Thailand (Other)	Other	RPCs	Total
Australia		198	911	0	5	333	409	0	303	55	0	0	2,214
Belgium		0	0	0	0	1	1	0	1	6	0	0	9
Canada		341	592	4	3	223	984	0	193	52	0	0	2,392
Denmark		0	6	0	0	10	18	0	2	0	0	0	36
France		108	27	0	0	33	27	0	71	9	0	0	275
FRG		5	9	0	0	8	1	0	2	0	0	0	25
Italy		0	0	0	0	0	0	0	0	0	0	0	0
Japan		43	85	53	0	20	70	0	9	81	0	0	361
Netherlands		13	16	0	0	4	92	0	9	0	0	0	134
New Zealand		29	0	0	0	19	0	0	0	3	150	0	201
Norway		6	5	0	0	0	17	0	6	0	0	109	143
Sweden		7	6	0	0	0	178	0	4	1	0	0	196
Switzerland		1	4	0	0	7	235	0	5	0	0	0	252
United Kingdom		534	3	0	0	3	8	0	5	14	0	0	567
Other		43	92	0	0	21	1	0	4	0	0	0	161
Total 3rd Ctry		1,328	1,756	57	8	682	2,041	0	614	221	150	109	6,966
Total US		367	1,320	0	0	857	654	3	911	345	20	6,674	11,151
Grand Total		1,695	3,076	57	8	1,539	2,695	3	1,525	566	170	6,783	18,117

INDOCHINESE REFUGEE ACTIVITY  
Departures to U.S. and Third Countries  
(Excluding Orderly Departure Program)  
Cumulative Since April 1975

To	From	Hong Kong	Indonesia	Japan	Macau	Malaysia	Philippines	Singapore	Thailand (Vietnamese)	Thailand (Other)	Other	RPCs	Total
Australia		9,974	20,714	661	606	48,105	5,960	3,057	15,273	27,449	3,709	593	136,101
Belgium		221	188	132	5	514	117	365	150	2,038	842	9	4,581
Canada		26,046	16,023	654	2,192	33,602	6,805	1,615	12,309	35,904	7,434	150	142,734
Denmark		1,532	296	62	66	759	283	1,091	506	84	201	13	4,893
France		2,371	2,724	80	76	7,059	3,183	3,500	3,865	69,569	12,996	3,633	109,056
FRG		2,629	2,510	34	12	4,320	1,616	3,010	1,491	3,973	584	4,111	24,290
Italy		112	28	5	4	784	56	1,039	154	739	180	1	3,102
Japan		460	193	2,490	9	247	463	36	157	1,212	0	0	5,267
Netherlands		1,063	360	44	4	1,802	890	2,036	591	722	261	56	7,829
New Zealand		880	599	39	31	1,771	360	109	512	5,547	493	24	10,365
Norway		854	375	229	21	679	477	1,350	720	229	62	3,054	8,050
Sweden		1,306	775	1	496	1,506	1,143	290	329	109	6	4	5,965
Switzerland		737	614	72	94	2,836	631	1,780	930	2,182	762	22	10,660
United Kingdom		15,159	104	112	179	674	413	1,011	1,300	131	1,032	16	20,131
Other		11,479	420	882	171	1,772	870	838	10,970	987	263,558	63	292,010
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Total 3rd Ctry		74,823	45,923	5,497	3,966	106,430	23,267	21,127	49,257	150,875	292,120	11,749	785,034
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Total US		52,324	44,465	3,069	2,427	90,874	11,275	5,732	38,530	176,781	138,305	361,646	925,428
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Grand Total		127,147	90,388	8,566	6,393	197,304	34,542	26,859	87,787	327,656	430,425	373,395	1,710,462



Detention Camps

CAMP	LAO	HIGHLAND	KHMER	VIETNAMESE	TOTAL
HONG KONG					
* CHI MA WAN	0	0	0	202	202
* HIGH ISLAND	0	0	0	4,191	4,191
* KAI TAK NORTH	0	0	0	241	241
* NEI KMO	0	0	0	507	507
* NEW HORIZONS DEP CTR	0	0	0	7	7
* TAI A CHAU	0	0	0	7,616	7,616
* VICTORIA REMAND CEN.	0	0	0	370	370
* WHITEHEAD	0	0	0	22,014	22,014
* NEW HORIZONS DEP CTR	0	0	0	159	159
* PHANAT PROCESSING	0	0	0	1,835	1,835
* VICTORIA REMAND CEN.	0	0	0	25	25
* SUBTOTAL	0	0	0	37,167	37,167
INDONESIA					
GALANG - 1ST ASYLUM	0	0	544	10,886	11,430
JAPAN					
JAPAN	0	0	0	906	906
MACAU					
KAHO	0	0	0	10	10
MALAYSIA					
CHERAS	0	0	0	138	138
SUNGEI BESI	0	0	0	8,067	8,067
* SUBTOTAL	0	0	0	8,205	8,205
PHILIPPINES					
BATAAN ODP	0	0	0	2,140	2,140
BATAAN RPC	0	0	0	8	8
PALAWAN	0	0	0	3,819	3,819
PRIC	0	0	0	1,196	1,196
RRIC	0	0	0	1,763	1,763
* SUBTOTAL	0	0	0	7,926	7,926
SINGAPORE					
SINGAPORE	0	0	0	93	93
THAILAND					
PHANAT NIKHOM RPC	9	3,896	0	0	3,905
* CHIANG KHAH	0	2	0	0	2
* NAPHO	0	1,084	0	0	1,084
* NONG SAENG	2	386	0	0	388
* PHANAT PROCESSING	0	0	0	0	0
* SIKHUI	0	0	0	1,761	1,761
* CHIANG KHAM	0	0	0	7,329	7,329
* CHIANG KHAM	0	8,062	0	0	8,062
* NAPHO	3,713	5,235	0	0	8,948
* NONG SAENG	0	31	0	0	31
* PHANAT PROCESSING	222	7,956	94	2,051	10,325
* SUBTOTAL	3,946	26,654	94	11,141	41,835
TAIWAN					
TAIWAN	0	0	0	142	142
GRAND TOTAL	3,946	26,654	638	76,476	107,714

INDOCHINESE REFUGEE ACTIVITY  
The Orderly Departure Program  
Monthly Report For September 1993

RUN DATE: 10/28/93

No Subprogram Classification	Arrivals			Refugees to U.S.			Non-Refugees to U.S.					Total Opp to U.S.	Other Third Country Refugee	
	From Vietnam	In RPCs	From Bangkok	From RPCs	Subtotal Refugees	Amer- Asian IVs	IVs	MIVs	AMCITs	Pars	Subtotal Non-Refs			
Regular Subprogram	1,464		122		122			41		512	1,343	1,465		
Family Reunification	54		6		6			1		40	48	54		
Former USG Employees	20							10		10	20	20		
Others														
Subtotal (of whom are Khmer)	1,538		128		128			807	52	552	1,411	1,539		4
Asian American Subprogram	84	84					213		1		214	214		
Amerasian Children	216	197					684				696	696		
Accompanying Relatives							897		1	12	910	910		
Subtotal	300	281												
Re-Education Camp Subprogram	307		295		295			13		23	13	308		
Former Re-Ed Prisoners	1,218		1,181		1,181			17			40	1,221		
Accompanying Relatives								30		23	53	1,529		
Subtotal	1,525		1,476		1,476			837	52	587	2,374	3,978		4
TOTAL (of whom are Khmer)	3,363	281	1,604		1,604		897		1					

ODP Refugees in Bataan at the end of current month: 2,140

INDOCHINESE REFUGEE ACTIVITY  
The Orderly Departure Program

Report for Fiscal Year 1993

No Subprogram Classification	Arrivals		Refugees to U.S.			Non-Refugees to U.S.					Total ODP to U.S.	Other Third Country	Other Reduct		
	From Vietnam	In RPCs	From Bangkok	From RPCs	Subtotal Refugees	Amer-Asian IVs	IVs	NIVs	AMCITs	Pars				Subtotal Non-Refs	
Regular Subprogram	17,945														
Family Reunification	1,114		1,687		1,687										
Former USG Employees	315		450		450										
Others			27		27										
Subtotal (of whom are Khmer)	19,374	8	2,164		2,164										
Asian American Subprogram	1,345	1,313													
Amerasian Children	3,922	3,587	11		11	2,641	2		1	116	2,644				
Accompanying Relatives	5,267	4,900	11		11	8,915	7		1	116	9,038				
Subtotal						11,556	9		1	116	11,662				
Re-Education Camp Subprogram	5,419		5,138		5,138										
Former Re-Ed Prisoners	20,557		19,744		19,744										
Accompanying Relatives			24,882		24,882										
Subtotal	25,976		27,057		27,057	11,556	10,241		1	8,048	30,061				
TOTAL (of whom are Khmer)	50,617	4,900	27,057		27,057	27,057	10,241		1	8,048	30,061		199		9



Cumulative

	Arrivals			Refugees to U.S.			Non-Refugees to U.S.					Total ODP to U.S.	Other Third Country	Other Reeduc	
	From Vietnam	In RPCs	From Bangkok	From RPCs	Subtotal Refugees	Amer-Asian IVs	IVs	NIVs	AMCITs	Pars	Subtotal Non-Refs				
No Subprogram Classification From APC FY85 - Present Prior to October 84 *	25,963		15,659		15,659		211 7,900			3	214 7,900	214 23,559	91,276 45,093	93 11	
Regular Subprogram	146,606	37,050	12,709	32,202	44,991		74,190	402		36,915	111,507	156,498			
Family Reunification	4,411		1,551		1,551		901	5		1,316	2,222	3,773			
Former USG Employees	2,187		504		504		605	17		651	1,273	1,777			
Others															
Subtotal	153,204	37,050	14,764	32,282	47,046		75,696	424		38,882	115,002	162,048			
Asian American Subprogram	21,864	17,535	419	87	506		150	6	90	3	19,015	19,521			
Amerasian Children	59,170	49,987	772	4,259	5,031		48,904	5		235	49,436	54,467			
Accompanying Relatives	81,034	67,522	1,191	4,346	5,537		67,670			90	68,451	73,988			
Subtotal															
Re-Education Camp Subprogram	16,682	14	14,977	76	15,053		1,543	1		95	1,639	16,692			
Former Re-ED Prisoners	65,089	48	60,453	264	60,717		2,284			1,186	3,470	64,187			
Accompanying Relatives	81,771	62	75,430	340	75,770		3,827	1		1,281	5,109	80,879			
Subtotal	341,972	104,634	7,044	36,968	144,012		88,076	436	90	40,404	196,676	340,688	136,369	104	
TOTAL															

\* Data prior to 10/84 is approximate.



ISBN 0-16-044384-9



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