



**STATEMENT OF THE HEBREW IMMIGRANT AID SOCIETY
PRESENTED BY MELANIE NEZER**

**AT THE PUBLIC HEARING OF THE BUREAU OF POPULATION, REFUGEES, AND
MIGRATION, DEPARTMENT OF STATE**

REGARDING THE U.S. REFUGEE PROGRAM FOR FISCAL YEAR 2010

Thursday, July 9, 2009

HIAS is proud to be here today as a representative of the American Jewish community and as a partner of the U.S. government in rescuing and welcoming refugees through the U.S. Refugee Admissions Program.

HIAS would like to congratulate the U.S. government, as well as the United Nations High Commissioner for Refugees (UNHCR), for their tireless efforts to continue to strengthen the global resettlement regime. We note that the U.S. Refugee Admissions Program is now rescuing more refugees from more places than it has since 2001. We would also like to reaffirm our support for the USRAP's efforts to make it clear to the world that the United States continues to be a refuge for those who have fled religious persecution through Priority Two programs for religious minorities in Iran, Iraq, and the former Soviet Union.

We would particularly like to thank PRM and the government of Austria for their successful efforts over the last year to substantially increase the number of authorized visas for Iranian religious minorities to reduce the waiting time for travel to Vienna to participate in the US Refugee Admissions Program. However, HIAS remains troubled that although the format for denial notices has been changed, from what we have seen to date, it appears that USCIS continues to fail to meet the statutory requirement of the Lautenberg Amendment that denials of Jewish and Evangelical applicants in the FSU and religious minorities from Iran be explained to the "maximum extent feasible." We welcome recent indications from USCIS that it intends to provide greater transparency in refugee decisions worldwide, but suggest that this begin in Moscow and Vienna without delay.

At the same time, the success in resettling more refugees, combined with the ongoing economic crisis, has exposed some weaknesses of the system. Refugee integration in the U.S. is as volatile as the economy, with little safety net and great focus on early employment. HIAS is very pleased that the previous Congress and Administration temporarily restored the safety net for some disabled and elderly refugees by increasing the eligibility period for SSI to 9 (and in some

cases 10) years after admission. We urge this Administration to fight to make this extension permanent, in addition to enhancing the safety net for newly arrived refugees.

Among the greatest heroes in our U.S. Refugee Resettlement Program are the local community volunteers and professionals who do so much with so little to welcome and integrate refugees. In recent months, these dedicated individuals have been struggling to prevent refugees from slipping into homelessness and poverty. The time has come for an external review of the domestic resettlement program. The program must be reformed to better cope with the diverse refugee populations of today and better insulate newly arrived refugees from severe financial volatility. The U.S. Refugee Admissions Program is in urgent need of more resources and fresh approaches.

UNHCR has made it clear that resettlement could be a useful tool to help address “protracted refugee situations” where refugees languish in camps for years. However, as David Martin noted in his 2005 report commissioned by PRM, the U.S. Refugee Admissions Program is poorly positioned to address protracted refugee situations. Many refugees who cannot return home have been out of their country for so long that they cannot articulate their fear of return and therefore are ineligible for resettlement to the U.S. David Martin suggested a statutory change which would allow the State Department to designate groups of humanitarian concern to the U.S. whose members would only be required to establish group membership and admissibility to be eligible for resettlement. We urge PRM to support such a change.

HIAS is very proud of its work this year with UNHCR, the Israeli Ministry of the Interior, and USCIS in the intensive program launched to train the nascent Israeli asylum corps in refugee status determinations. We are disappointed, however, that the June 2009 UNHCR Global Needs Assessment indicates that UNHCR seeks to resettle only 500 Sub-Saharan refugees out of Egypt. The flow of thousands of African refugees making the dangerous trek across the Sinai continues unabated. Once in Israel, these refugees cite extreme danger in Egypt and a lack of resettlement opportunity there as the basis for their plight. We urge UNHCR and the U.S. to strategically employ resettlement out of Egypt to discourage refugees from risking their lives by remaining in Egypt or making the journey across the Sinai.

Also this year, HIAS helped re-unite a 5 year old Darfuri girl named Wesal with her parents, who had not seen her in three years. Wesal’s case exposed several problems with the U.S. Refugee Admissions Program that must be addressed.

First, although Wesal was the child of asylees, she was ineligible to join her family as the beneficiary of an I-730 petition. DHS regulations require that the children of refugees and asylees can be reunited with their parents only if they were conceived prior to the grant of asylum or admission as a refugee. Although DNA tests showed that Wesal was daughter of her asylee parents, she was ineligible to join them under current family reunification regulations and was initially denied humanitarian parole. DHS should change the regulations to prevent refugee families from being needlessly separated, and Congress should amend the law to ensure this does not happen again.

Even when the I-730 is an option, the I-730 process is subject to long delays as the application is processed through the USCIS Service Center, the National Visa Center, and the consulate overseas. The process can take years. The Departments of State and Homeland Security should commit to reforming the I-730 process so that it works to efficiently reunite families torn apart by war and persecution.

As the daughter of an asylee, the girl could have been eligible for P-3 processing for refugee status. However, P-3 processing has been suspended as relationship-fraud issues are addressed. We urge PRM to ensure that the OPEs and UNHCR inform and remind refugees that they must declare all family relationships and that these relationships may be subject to DNA testing. We also urge PRM to make all nationalities eligible for P-3 processing once it is restored.

HIAS could have tried to do an NGO referral for Wesal. However, while UNHCR claims to encourage referrals from its implementing partners in the field, it has issued no clear guidance regarding how this process should work. As a result, in most places, NGO referrals to UNHCR are seldom made and even more seldom acted upon in a reasonable time frame. The United States should do more to facilitate an effective NGO referral process to the US Refugee Admissions Program and encourage UNHCR to develop clear referral guidelines.

Refugee resettlement is a reflection of our country's most cherished values that is carried out in partnership by UNHCR, the United States government, and the voluntary agencies. We can work in partnership to make it work much better. Let's commit to that without further delay.