

COMMENTS OF ROBERT J. CAREY ON BEHALF OF REFUGEE COUNCIL USA
AT THE PUBLIC HEARING OF THE BUREAU OF POPULATION, REFUGEES, AND
MIGRATION, U.S. DEPARTMENT OF STATE
REGARDING THE U.S. REFUGEE PROGRAM FOR FISCAL YEAR 2010

July 9, 2009

Refugee Council USA appreciates the opportunity to offer testimony on the fiscal year 2010 U.S. Refugee Admissions Program. We have long valued the unique public-private partnership that this program represents.

IMPORTANCE OF RESETTLEMENT

The U.S. Refugee Admissions Program stands at a crossroads. Nearly thirty years after the Refugee Act of 1980, we find that the admissions program has not kept pace with changing refugee populations or the needs of refugees who are resettled to the United States. The program was originally designed for a largely homogeneous population of refugees from Southeast Asia and the former Soviet Union. Today it has an expanded mandate to resettle the most vulnerable populations, including women, children, the disabled, elderly, and stateless refugees.

Resettlement is a valuable method of protecting people who are forced to live as refugees for a protracted period of time. When repatriation is not viable and the conditions are not ripe for local integration, resettlement can serve a dual role. Resettlement offers lasting protection for those individuals eligible to be resettled. It also can prompt hosting countries to explore other options with the remaining refugee population. For example, after UNHCR resettled Burundian refugees who had been living in Tanzania since 1972, the Tanzanian government moved to discuss other options for the remaining population, including local integration, national registration, and possible citizenship. RCUSA is hopeful that the U.S. government will consider resettlement of refugees from Eastern Sudan, in part to help unblock that protracted situation.

FUNDING CRISIS

Under the Cooperative Agreement with the voluntary agencies, the U.S. State Department currently provides \$900 for every refugee resettled, with \$450 to be spent directly on behalf of the refugee. These payments are often made for security deposits, rent for the first month, and other vital "start up" payments. Resettlement affiliates stretch these funds, recruit volunteers, and request lightly-used donated furnishings. Several recent studies (from Lutheran Immigration and Refugee Services, the International Rescue Committee and Church World Service) have found the Reception and Placement Grant to be insufficient for covering refugee needs and does not reflect the true cost of resettlement. The studies acknowledge the difficult economic climate the country currently faces, while also highlighting that the R&P Grant hasn't been adequately adjusted in many years. A doubling of the R&P Grant to \$1800 would be a more accurate reflection of the government's share in responsibly resettling a refugee.

The resettlement agencies that assist refugees during the initial reception and extended resettlement period work tirelessly to ease their transition. For years, refugees have been able to find employment and become self-sufficient. The current economic crisis, however, has made the task of securing a job much more challenging. This is especially true for particularly vulnerable populations, including female-headed households, survivors of torture, and the elderly. We welcome new Assistant Secretary Eric Schwartz's interest in reviewing this grave situation. In addition, the Department of State should convene regular planning meetings with the Office of Refugee Resettlement to ensure that the protection of resettled refugees does not end upon their arrival in the U.S.

RECENT IMPROVEMENTS

Many populations in need of resettlement remain in challenging and dangerous situations, but recent actions by PRM have helped to address this. RCUSA appreciates a recent PRM pilot program conducted in Chad to initiate resettlement of refugees from Darfur. Based on this experience, PRM has learned lessons that should help access this population. PRM's efforts to overcome logistical and security challenges are much appreciated by RCUSA, and we look forward to seeing a fully-operational resettlement effort from Chad take form in FY 2010.

In addition, RCUSA would like to thank PRM and DHS for overcoming the considerable security and logistical challenges in accessing and interviewing Palestinian refugees in the Al-Waleed camp in Iraq.

RCUSA would also like to praise PRM and their partners within the U.S. Citizenship and Immigration Services for their strong and on-going efforts to even out the arrival flow of refugees. Particularly in these economic conditions, a smooth arrival pattern greatly helps resettlement affiliates plan and assist incoming refugees. Both consistent circuit rides and anticipating potential transportation challenges, such as the rainy season near the Thai-Burma border, are effective pro-active strategies for which we thank our government partners. We look forward to the continued focus on ensuring that twenty-five percent the FY 2010 Presidential Determination refugees arrive in each fiscal quarter.

AFFIDAVIT OF RELATIONSHIP (AOR) ISSUES

Once settled in the United States, a refugee or asylee is eligible to file an Affidavit of Relationship (AOR) to facilitate the reunion with their immediate family members, defined as their spouse, parents, and unmarried children under 21. This family reunification program under Priority 3, will hopefully be reinstated in late summer/early fall of this year. RCUSA remains concerned with some provisions in the revised AOR form. Specifically, the denial of relationships which were created after a refugee/asylee received their status (i.e. a child conceived after refugee/asylee status was granted to the principal applicant) is troubling for our members. Individuals benefit greatly from the strength and support of being reunited with their family members, and to exclude the reunification of these cases is unethical and harmful to refugees. In this vein, RCUSA also strongly advocates the expansion of the P-3 program to include all nationalities.

Another provision within the revised AOR form is the potential for applicants to undergo DNA testing. While it is not clearly stated in the form, it has been our understanding that the cost of this DNA testing will be borne by the principal applicant. With legally-binding DNA tests costing an average of \$400 per test, an adult refugee wishing to reunite with her parents and three minor children would be expected to pay \$2000. This has problematic consequences in creating a class-based reunification system. This policy also runs counter to the UNHCR Note on DNA Testing to Establish Family Relationships in the Refugee Context, which recommends that the state requesting DNA testing also cover the cost of such tests and related counseling on unexpected outcomes.

DATA ON REFUGEES

I would like to make another recommendation that is important to many RCUSA members. When refugees are interviewed by Overseas Processing Entities (OPEs), a wealth of information is captured regarding the refugee's educational background, medical conditions, and employment history. Unfortunately, much of this information has not been successfully transferred to the resettlement agencies in the U.S. A complete transfer of this data would enable resettlement affiliates and receiving communities to better plan for arrivals, and provide the most comprehensive, supportive services possible for newly arriving refugees. Additionally, the request for proposals process for the management of OPEs should strive to be conducted in a transparent, equitable and unbiased manner.

CONCLUSION

There have been many instances of collaboration and information sharing between the RCUSA members and PRM this past year, and the Council appreciates the cooperation of PRM senior leadership and staff in acknowledging and examining problems affecting the U.S. Admissions Program. I would like to single out the excellent work of Sam Witten in serving as Acting Assistant Secretary for over 18 months. The Council remains committed to the partnership and hope our testimony will be used to help develop refugee admissions goals for FY2010. We stand ready to work with you to reform the U.S. resettlement program, to ensure the protection of refugees does not end with their arrival in the U.S., and to actively pursue new means of making the program more generous and accessible.