

Refugee Council USA appeals to National Security Council on 'material support' issue

February 13, 2006

Mr. Stephen Hadley
Assistant to the President for National Security Affairs
National Security Council
Washington, DC

Dear Mr. Hadley:

I write on behalf of the Refugee Council USA – a coalition of nineteen organizations committed to the protection of refugees – to express profound concern that the U.S. refugee program, which rescues thousands of persecuted individuals each year, may be substantially curtailed if our government does not quickly resolve the issues surrounding “material support” to terrorists as a bar to admission under our immigration law. If this situation is not resolved immediately, over 13,000 refugees will be left to suffer in difficult and often dangerous situations. We would greatly appreciate an opportunity to meet with you to further discuss this issue.

We share the President’s view that the U.S. refugee program reflects our finest humanitarian tradition. But we are dismayed that the material support provision, which is now a part of our immigration law, is operating to bar many whose fault was to have resisted the tyranny and oppression which made it necessary for them to flee and seek refugee status in the first place. As we understand it, the material support provision is intended to exclude from protection those who make common cause with terrorists. But the overly broad definitions of “terrorist organization” and “material support” have in practice worked to exclude from protection victims of terrorism whose very struggle to be free now makes them inadmissible to the United States. This is surely not the intention of the provision. However, without a refinement of the concept of “material support” to focus on perpetrators rather than victims of terrorism and repression, refugees – and the U.S. refugee program which serves them – will be further endangered.

As the provision is currently being interpreted, a number of refugee groups such as Hmong refugees who were ardent supporters of our government forty years ago are now in danger of being excluded from the U.S. refugee program. Likewise, groups of Burmese whose right to practice Christianity was denied by an oppressive military regime are now being excluded from the U.S. refugee program. In addition, Colombian refugees who were forced to pay ransom or who under extreme duress provided other forms of assistance to armed groups have been barred from access to refugee protection. We are concerned that the indiscriminate application of an ill-defined material support standard could exclude other vulnerable refugees in need of U.S. protection.

We understand that the Department of Homeland Security (DHS) is now assessing how the material support standard should be applied to refugees and asylum seekers. However, DHS’s interpretation of the material support provision, and the delay in implementing a waiver for refugees in appropriate cases, not only impairs the U.S. refugee program but cripples the ability of the United Nations High Commissioner for Refugees (UNHCR) to respond to the mandate to protect some of the world’s most vulnerable persons.

A resolution of this issue is urgently needed. Without it, the U.S. refugee program cannot

asylum will continue to be denied the protection they need and deserve, in violation of the Refugee Convention and Protocol.

Further, we are aware that the material support statute requires inter-agency agreement between DHS, the Department of State and the Department of Justice on how a solution will be implemented. Yet there appears to be no intermediary within the Administration to negotiate between the various agencies, and no timeline has been set for a final resolution. We urge you to actively intervene and ensure that the agencies tasked with coming up with a solution do so immediately.

We would greatly appreciate an opportunity to meet with you to more fully discuss this crucial humanitarian issue. Please contact Jana Mason, Deputy Director, Government Relations, International Rescue Committee at telephone: 202-822-0166 ext. 18 to schedule a meeting. We look forward to hearing from you.

Sincerely yours,

C. Richard Parkins
Chair, Refugee Council USA

Director, **Episcopal Migration Ministries**

On behalf of the following agencies:

Angela Colaiuta, Washington Representative
Center for Victims of Torture

Joseph Roberson, Director
Church World Service/Immigration and Refugee Program

Tsehay Teferra, Ph.D., Executive Director
Ethiopian Community Development Center

Neil Greenbaum, President & CEO
Hebrew Immigrant Aid Society

Elisa Massimino, Washington Director
Human Rights First

Robert Carey, Vice President for Resettlement
International Rescue Committee

Fr. Kenneth Gavin, S.J., National Director
Jesuit Refugee Service/USA

Dr. Pary Karadaghi, Executive Director
Kurdish Human Rights Watch, Inc.

Ralston H. Deffenbaugh Jr., President
Lutheran Immigration and Refugee Service

Migration and Refugee Services/United States Conference of Catholic Bishops

Doua Thor, Executive Director
Southeast Asia Resource Action Center

Lavinia Limón, President
U.S. Committee for Refugees and Immigrants

Carolyn Makinson, Executive Director
Women's Commission for Refugee Women and Children

R. Timothy Ziemer, Rear Admiral, USN (ret.)
Executive Director of Programs
World Relief

http://www.episcopalchurch.org/3687_72117_ENG_HTM.htm