Questions for the Record Submitted to
Assistant Secretary Ellen Sauerbrey
Senator Russell D. Feingold (#1)
Senate Committee on the Judiciary
January 16, 2007

Question:

In your testimony you said that you are looking "forward to working in any way that we can cooperate" with UNHCR on a regional conference to discuss displaced persons. While I understand other countries should be sharing the burden of Iraqi displacement, don't you think that the U.S. should be playing a leadership role at the conference given our responsibility for starting the war? If the United States is not playing a leadership role at the conference, will it support the conference recommendations?

Answer:

The United States welcomes UNHCR's call for an international conference. Developing viable solutions for Iraqi refugees and those displaced inside Iraq will require international cooperation and financial support. We are working with UNHCR to ensure the conference is successful. Any conference should provide countries in the region and the international donor community the opportunity to develop viable strategies to address the assistance and protection needs of these vulnerable populations. The U.S. Government intends to provide the leadership necessary to reach these goals.

Questions for the Record Submitted to
Assistant Secretary Ellen Sauerbrey
Senator Russell D. Feingold (#2)
Senate Committee on the Judiciary
January 16, 2007

Question:

UNHCR's budget shortfall limited its presence in Iraq and hence, the international community has limited information about the flow of refugees across borders or about the needs of internally displaced Iraqis. Is the President going to account for UNHCR's funding needs in his supplemental budget requests?

Answer:

Historically, the United States has been UNHCR's largest single donor and we expect to continue that tradition this year. The President's FY07 Supplemental request for Iraq will allow the U.S. to contribute our customary 25% of UNHCR's $60 million appeal.

Questions for the Record Submitted to
Assistant Secretary Ellen Sauerbrey
Senator Russell D. Feingold (#3)
Senate Committee on the Judiciary
January 16, 2007

Question:

Do you know what is happening to the refugees that are being turned away at the borders of the countries to which they were fleeing? How is this situation affecting the security situation in Iraq?

Answer:

UNHCR, ICRC and several NGOs are providing tents, blankets, heaters, water, food and medical care to Iraqis and others who have been refused entry to neighboring countries and remain at Iraq's border. In particular, our partners are assisting approximately 700 Palestinians who are stranded at the Al-Tanf crossing at the Syria-Iraq border. UNHCR has also counseled a group of Iranian refugees stranded at the Jordan-Iraq border about opportunities for protection and assistance that are present in northern Iraq.

Questions for the Record Submitted to
Assistant Secretary Ellen Sauerbrey
Senator Russell D. Feingold (#4a)
Senate Committee on the Judiciary
January 16, 2007

Question:

I am concerned that the United States has not adequately prepared a plan or strategy to address the displaced and refugee populations at the levels they have reached today. How is the United States immediately attending to the needs of this population?

How long will it take to have a comprehensive plan addressing resettlement and the needs of the internally displaced – one that effectively addresses the ethnic and religious diversity within this group – developed and implemented?

Answer:

The Secretary has created a Task Force on Iraq Refugees and Internally Displaced Persons headed by the Under Secretary for Global Affairs, Paula Dobriansky. While planning for the needs of IDPs and refugees has adapted to a changing situation, the task force will ensure coordination of USG efforts. We are working with our partners and regional governments to better assess needs and to target resources to the most vulnerable. We intend to contribute funds to the recently issued appeals of the UNHCR and ICRC and we are working closely with UNHCR to expand its ability to make resettlement referrals to the United States resettlement program this fiscal year.

Questions for the Record Submitted to
Assistant Secretary Ellen Sauerbrey
Senator Russell D. Feingold (#4b)
Senate Committee on the Judiciary
January 16, 2007

Question:

Is the State Department conducting planning in anticipation of changes to the number and movement of displaced and refugee populations in the event of a U.S. military withdrawal from Iraq?

Answer:

Our programs are designed to support the stabilization and reconstruction of Iraq while still providing protection and assistance to vulnerable Iraqi refugees and conflict victims. We believe the best solution is to create conditions that will enable displaced people to return to their homes. At the same time, we will continue to examine refugee and IDP trends in the region and work with the UN and other partners to prepare for other contingencies. Secretary Rice has asked for a full review of all existing USG refugee mechanisms so that we can determine how to address comprehensively the refugee problem in Iraq.

Questions for the Record Submitted to
Assistant Secretary Ellen Sauerbrey
Senator Russell Feingold (#1)
Senate Committee on the Judiciary
January 16, 2007

Resettlement

Question:

Mr. Gabaudan said in his testimony the UNHCR plans to resettle 20,000 Iraqi refugees in 2007. How many of those do you anticipate will be referred to the United States? How will you ensure that any Iraqis identified for resettlement will be expeditiously processed?

Answer:

UNHCR is committed to expanding its capacity to provide appropriate assistance to Iraqi asylum seekers, including referrals for third country resettlement. The agency has asked for donor assistance to expand essential registration activities so they can better identify vulnerable Iraqis in need of resettlement. While other resettlement countries have committed to accepting referrals of Iraqis, the U.S. program will likely be the recipient of the majority of the referrals.

Although the number of Iraqis UNHCR will refer in 2007 is still uncertain, we have received assurances that the agency will refer some 7,000 individuals in Turkey, Syria, Jordan, Lebanon and Egypt to the U.S. program within the next six to nine months, and additional cases thereafter.

Our existing processing infrastructure is well equipped to accommodate these additional referrals. We will expand our processing operations if needed in order to facilitate the timely processing of all cases referred to the U.S. program from these locations.

Questions for the Record Submitted to
Assistant Secretary Ellen Sauerbrey
Senator Russell Feingold (#2)
Senate Committee on the Judiciary
January 16, 2007

Resettlement

Question:

Do you have adequate staff and resources to expeditiously process the increased amount of refugees once they have been referred to you by the Department of Homeland Security (DHS)?

Answer:

Refugee cases are referred to the U.S. Refugee Admissions Program (USRAP) by UNHCR, U.S. embassies, and designated non-governmental organizations (NGOs). Once referred, Department of State-funded organizations prescreen the cases and prepare documentation in advance of DHS adjudication interviews.

The network of overseas processing centers funded by the Department of State is sufficiently resourced to handle a significant increase in refugee processing this fiscal year, and DHS has assured us that they will be able to schedule interviews for all cases we prepare this year.

Questions for the Record Submitted to
Assistant Secretary Ellen Sauerbrey
Senator Russell Feingold (#3)
Senate Committee on the Judiciary
January 16, 2007

Resettlement

Question:

Have you coordinated closely with the DHS to move forward on a resettlement program? Are you aware if DHS has adequate resources and staff to move forward on a resettlement program?

Answer:

The Department coordinates resettlement activities closely with DHS/USCIS and has discussed all aspects of our plan for enhancing resettlement options for Iraqi asylum seekers. USCIS has assured us that they will schedule interviews for all cases we prepare this year.

Questions for the Record Submitted to
Assistant Secretary Ellen Sauerbrey
Senator Russell Feingold (#4)
Senate Committee on the Judiciary
January 16, 2007

Resettlement

Question:

Have you begun to identify regions in the United States where large groups of refugees will be resettled?

Answer:

PRM maintains cooperative agreements with ten organizations, including nine private agencies and one state government agency, to provide initial resettlement services to arriving refugees. The Reception and Placement (R&P) agencies agree to provide initial reception and core services (including housing, furnishings, clothing, food, and medical referrals) to the refugees they sponsor. The R&P agencies maintain a nationwide network of nearly 350 affiliated offices where these initial resettlement services are provided.

The goals of the R&P program are: (1) to support maintenance of appropriate national capacity for the resettlement of refugees, in accordance with admissions ceilings determined annually by the President after consultation with Congress; (2) to ensure the ability to receive into the

United States, promptly after their approval, all refugees approved for admissions under provisions of the INA; (3) to ensure that all refugees approved for admission to the United States are provided with sponsorship and resettlement services appropriate to their personal circumstances; and (4) to assist refugees in achieving economic self-sufficiency in coordination with other refugee services and assistance programs authorized by the INA.

R&P agencies annually propose placement of refugees into communities conducive to the attainment of economic self-sufficiency and that promote community involvement, including coordination with ethnic and other community-based organizations and consultation with state and local public agencies involved in assisting refugees. The R&P network includes affiliates with varying capacity – some are prepared to receive more than 1,000 refugees in FY 2007, while others expect fewer than 100. Overall, the network has the capacity to receive and serve more than 60,000 refugees in FY 2007.

Questions for the Record Submitted to
Assistant Secretary Ellen Sauerbrey
Senator Russell Feingold (#5)
Senate Committee on the Judiciary
January 16, 2007

Resettlement

Question:

At the hearing, you said, "One of the reasons that you are seeing so few Iraqis that have come into the United States since 2003 is because of an enhanced security review that has been required that has made it very difficult for these Iraq refugees who have been referred to us by UNHCR to pass through the screening mechanism." Please specify the types of security mechanisms you are referring to.

Answer:

In the years following 9/11, Iraqi refugee cases in the resettlement pipeline underwent an enhanced security review instituted by DHS at the recommendation of an interagency panel reviewing the security of the U.S. refugee admissions program. The process virtually halted processing of Iraqis for several years thereafter. Although DHS determined in 2005 that the enhanced review was no longer required, awareness of this unique USG process had a significant impact on the numbers of Iraqis referred and admitted to the United States in recent years.

Questions for the Record Submitted to
Assistant Secretary Ellen Sauerbrey
Senator Russell Feingold (#6)
Senate Committee on the Judiciary
January 16, 2007

Resettlement

Question:

What percentage of the Iraqi refugee population being considered for resettlement to the United States would have to overcome the material support bar? Is the U.S. Government considering a waiver for any of these individuals? If so, will the Department of State, DHS and the Department of Justice coordinate efforts to ensure that any appropriate waiver of the material support bar would be applied expeditiously? Would a delay in applying the waiver increase the security risks for refugees who have been identified for resettlement? What is the U.S. Government prepared to do to minimize the security risks while it is considering a waiver?

Answer:

We are gearing up rapidly to begin processing larger numbers of Iraqi refugee cases in the U.S. Refugee Admissions Program, but to date are unable to predict the percentage of cases that is likely to encounter problems as a result of the INA 212(a)(3)(B) inadmissibility provisions. We anticipate that some cases will encounter difficulties with the material support inadmissibility provision. We will work closely with the Departments of Homeland Security and Justice to quickly identify such cases and to determine whether use of the waiver authority is appropriate in these cases.

It is also possible that we will encounter otherwise eligible Iraqi refugees who appear to be covered by other parts of the 212 inadmissibility, i.e. “engaging in terrorist activity.” At present, no “waiver” is currently possible for such cases. The Administration will shortly submit to Congress a proposal to amend the INA to expand the current inapplicability provision, thereby establishing discretionary authority to admit otherwise meritorious individuals who may fall within the provision’s ambit

The U.S. Refugee Admissions Program processing for Iraqis will at present take place outside Iraq, where applicants are outside the reach of the persecution upon which their refugee claims are based. We will try to ensure that any possible delay in processing resulting from deliberations over exercises of discretionary authority does not create any significant additional security risk or burdens for these Iraqis.