

Testimony of

The Honorable James Ziglar

February 12, 2002

Mr. Chairman and Members of the Subcommittee:

I am pleased to be here today to testify about U.S. refugee policy. I first want to acknowledge the leadership and long history of support for refugees exhibited by both you, Mr. Chairman, and Senator Brownback. It is a record of dedication to an important cause.

Mr. Chairman, it was Ronald Reagan who said, "It's the great life force of each generation of new Americans that guarantees America's triumph shall continue unsurpassed into the next century and beyond." And part of that triumph has been America's enduring commitment to protect those who face religious or political persecution. Whether it is Albert Einstein and fellow scientists fleeing the Nazis, or Intel chairman Andy Grove escaping communism, or the "Lost Boys" of Sudan running from oppression in Africa, America has remained committed to freedom and offering that freedom to others. I share that commitment and pledge to do everything within my power as INS Commissioner to keep America's door open to those who must escape political or religious persecution.

I know there are concerns that the ceiling of 70,000 refugees set by the President for this fiscal year simply cannot be met because of the late start in processing and the new security enhancements put into place as a result of the terrorist attacks of September 11. That is why I announced on February 1st that we have designed a realistic business plan to address this issue. I realize that meeting the 70,000 ceiling will be a difficult task, that we must overcome logistical barriers, and that we need, to a great extent, to rely on excellent interagency cooperation, but I believe this is so important that we must try. And that is why INS and the State Department, with the help of the Domestic Policy Council and National Security Council, have been working closely together on this issue. I intend to continue working closely on refugee matters with Assistant Secretary Gene Dewey and other key individuals in the Administration, as well as with Members of Congress and with religious and relief organizations.

The events of September 11 had a significant and immediate effect on our refugee program. The need to address a range of security concerns resulted in significant processing delays. Out of concern for the safety of our officers, we were forced to curtail the circuit rides by INS officials interviewing refugees. In addition, refugee travel to the United States was suspended while security enhancements for the refugee program were reviewed and developed. Those heightened security measures were adopted, following approval by the Homeland Security Council, in November. Immediately thereafter, the President authorized the admission of up to 70,000 refugees during FY 2002, and refugee travel to the United States resumed, albeit on a limited basis.

Throughout this difficult period, INS worked steadily to ensure that refugee processing resumed as quickly and as smoothly as possible. We are back at work and remain committed to our humanitarian mandate of providing protection and resettlement opportunities for refugees. I am pleased to report that 12 INS officers are on the ground in Africa and interviews will begin this week in Nairobi and Accra. Other INS officers are already interviewing refugee applicants in Zagreb, Moscow, and Vienna. Additional officers will be deployed to Islamabad, Cairo, and Belgrade in coming weeks. While this is good news, more needs to be done. Toward that end, INS has developed an action plan to enhance refugee processing activities overseas:

" First, INS will increase financial resources devoted to refugee processing. INS will select and train a significant number of additional officers who will be available for refugee details by March. INS will also fund overtime to lengthen the workday or workweek, allowing INS to increase its interview capacity at overseas processing locations.

" Second, in close cooperation with the Department of State, INS will seek out safe and secure interview settings at all refugee processing posts overseas -- a challenge in the post-September 11 world. For instance, because of security concerns, less space has been made available in Moscow for INS interviews. We are working to try and fix that.

" Third, there are many bona fide refugees who never get in to see an INS officer. I believe that current U.S. government processes and criteria used to identify the pool of applicants eligible for INS refugee interviews needs to be revisited. Therefore, I am directing my staff to work with the Department of State, the NGO community and other refugee advocates to identify additional mechanisms for identifying individuals who are of humanitarian interest to the United States. That is why I am proposing an organized effort to allow U.S. nongovernmental organizations to refer individuals for interviews with INS officers in the field. Those individuals still must pass the legal standard for a refugee, but these referrals would significantly and fairly bring to our attention a larger pool of individuals who are of potential humanitarian or foreign policy interest to the United States.

" Fourth, while the designation of Priority Two categories (specific groups of humanitarian concern within certain nationalities) is primarily the responsibility of the Department of State, INS pledges to work with our processing partners to identify new vulnerable populations appropriate for resettlement consideration.

" Finally, the action plan identifies ways that the INS can accommodate greater numbers of refugee arrivals to the United States. New fingerprinting requirements at Ports-of-Entry have resulted in our request to the International Organization for Migration to schedule no more than 35 refugees per flight. While space constraints at Ports-of-Entry now designated to receive refugees preclude increasing this number, I have directed my staff to explore the possibility of designating additional ports for refugee arrivals.

These measures -- increasing the number of officers available to conduct refugee interviews, ensuring work space for officers, expanding the workday or workweek, increasing the pool of applicants eligible for INS interviews, and accommodating more refugee arrivals at Ports of Entry -- will give us the tools to increase the number of refugee applications processed. All of

these initiatives to maximize refugee admissions numbers during FY 2002 involve a number of players that are working to attain these goals -- the Department of State, the United Nations High Commissioner for Refugees, the International Organization for Migration, and the various agencies that assist in refugee processing overseas and receiving refugees in the United States.

Mr. Chairman, as I have said before: The terrorist attacks of September 11 were caused by evil, not by immigration. These tragic events have forced us to re-evaluate the way we live and think, and the way we function as a government. We can and will protect ourselves against people who seek to harm the United States, but we cannot judge immigrants - or refugees -- by the actions of terrorists. Our Nation must continue its great tradition of offering a safe haven to the oppressed and persecuted.

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