

**NEGLECTED RESPONSIBILITIES: THE U.S.  
RESPONSE TO THE IRAQI REFUGEE CRISIS**

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**JOINT HEARING**  
BEFORE THE  
SUBCOMMITTEE ON  
THE MIDDLE EAST AND SOUTH ASIA  
AND THE  
SUBCOMMITTEE ON INTERNATIONAL  
ORGANIZATIONS, HUMAN RIGHTS, AND OVERSIGHT  
OF THE  
**COMMITTEE ON FOREIGN AFFAIRS**  
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## **NEGLECTED RESPONSIBILITIES: THE U.S. RESPONSE TO THE IRAQI REFUGEE CRISIS**

**TUESDAY, MARCH 11, 2008**

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON THE MIDDLE EAST  
AND SOUTH ASIA, AND  
SUBCOMMITTEE ON INTERNATIONAL  
ORGANIZATIONS, HUMAN RIGHTS, AND OVERSIGHT,  
COMMITTEE ON FOREIGN AFFAIRS,  
*Washington, DC.*

The subcommittee met, pursuant to notice, at 2:10 p.m. in room 210, Cannon House Office Building, Hon. Gary L. Ackerman (chairman of the subcommittee) presiding.

Mr. ACKERMAN. The subcommittees will come to order. First, I would ask unanimous consent that Representatives Welch, Lofgren, and Waters be permitted to participate, although not being members of the committee, to sit in and participate as if they were members of the committee. Is there any objection? So ordered.

Almost a year ago, the Middle East and South Asia Subcommittee held a hearing on the Iraqi refugee crisis, and we learned several disturbing things. We learned that the administration was doing next to nothing to assist those Iraqis who put their lives in jeopardy in order to assist the United States in our efforts in Iraq. Not only wasn't the administration helping them, they didn't even know how many Iraqis actually worked for us, so they naturally had no idea how many people needed our help.

We learned that the administration was woefully unprepared to process refugees referred to us by the United Nations High Commissioner for Refugees. We learned that it took up to 5 months to process a refugee referral. We learned that the United States had the capacity to process merely a few hundred refugees a month, but wasn't working anywhere near even that limited capacity.

We learned that we were telling Iraqis seeking our assistance and protection to flee to a safe place like Syria, imagine that, because we weren't processing at-risk populations inside of Iraq. We learned that the need for refugee assistance was so great that Congress ultimately had to take the lead in providing an additional \$150 million to address it.

So our two subcommittees have reconvened today in the hope that the administration will be able to tell us all sorts of good news, such as that it has provided the protection necessary to those Iraqis who risk their lives for us, translators, guides, intel providers. We hope to learn the administration has worked out the bureaucratic kinks between the Departments of State and Homeland

Security, and that the United States is now efficiently processing refugees referred to us. We hope to hear that it takes far less than 5 months to process a refugee case, and as a result the administration is on target to meet the President's goal and the administration's assurance of resettling 12,000 refugees this fiscal year, and that the administration has established a mechanism to process at-risk populations of Iraqis inside of Iraq so they don't have to flee to a neighboring country to receive our assistance. We hope. But, alas, I don't believe that our hopes will be fulfilled.

I don't want to leave the impression that nothing has happened over the past year. Many things have. Congress increased to 500 and then to 5,000 the number of special immigrant visas available to Iraqis who worked for the United States. Congress also expanded the types of employment that would be eligible. Congress provided new authorities to the administration for processing refugees and required that the Secretary of State establish a mechanism for processing Iraqi refugees in Iraq. As I mentioned, Congress provided an additional \$150 million.

So Congress has been very aggressive in dealing with this crisis. I wish I could say the same for the administration.

To its credit, the administration has appointed senior officials from State and Homeland Security to oversee the coordination of U.S. efforts, and the administration has issued the full component to 500 special immigrant visas available under the earlier law. But, according to the Washington Post, the administration has stopped processing those visas, even though Congress raised the ceiling to 5,000. Now, I understand that we expanded the types of employment eligible for such visas and that guidelines need to be issued for these newly eligible employees. But it seems to me, if there are still Iraqis who need visas and they qualified under the old law, they would qualify under the new law. So I don't understand why the administration is not processing them, unless that was never their intention and all along they were willing to talk a good game but leave these people high and dry.

In terms of refugee resettlement, the administration resettled 1,608 during all of Fiscal Year 2007, about 134 a month, or four or five a day, not a particularly robust number. Five months into Fiscal Year 2008, the administration has resettled 1,876 refugees, about 375 a month. Much better, but still well below what would be needed to reach the President's stated goal of 12,000 refugees settled during this year.

In order to reach that goal, the administration would have to triple the number of refugees processed each month. If you ask me, that is a tall order for an administration that always seems to be coming up short. Part of the problem is the Department of State is still puzzling over how to process at-risk populations inside of Iraq. The internal debate has been going on for a year now.

The State Department testified last year that they were examining this possibility. The Iraqi Refugee Crisis Act gave the Secretary 90 days to come up with a plan for processing inside of Iraq. The clock is running, and I hope our witnesses today can tell us that they will meet the reporting deadline and that such processing will begin promptly thereafter. Paralysis by analysis is just another name for failure.

All of us understand that 9/11 changed a lot of things, and one of those things is that the United States needed to be much more careful about who gets into our country. The Departments of State and Homeland Security approached the questions of refugee processing and resettlement with different perspectives and imperatives, but the idea, as I understand it, of appointing Ambassador Foley and Ms. Scialabba to their respective positions was to remove the bureaucratic impediments that previously hindered our Nation's ability to respond to the crisis. Judging from the results over the last year, I don't think the problem has been solved.

The only person in the executive branch who can make all the agencies march in the same direction is the President, yet I can't remember President Bush speaking about the refugee crisis or the need of the United States to respond aggressively to it, except in passing. The last refugee crisis he spoke of directly was in New Orleans. Perhaps he thinks this one is going just as well.

It is precisely the lack of Presidential leadership on this issue that led me to propose during the conference on the Iraqi Refugee Crisis Act that Congress create a White House level coordinator with the authority to resolve the disputes between agencies that have decidedly different interests. I think the results show how unfortunate it is that my proposal was not included in the final agreement. I am sure that Ambassador Foley and Ms. Scialabba are doing their best, but as long as they report to different Cabinet Secretaries instead of one official managing the issue for the President, I fear that our efforts to help Iraqi refugees will continue to stagnate in the administration's bureaucratic swamp.

I still think, actually I very strongly assert, that the President needs one official to ride herd on this issue, and I will continue to push for that as Congress continues additional legislation to address the crisis.

At the hearing last year, one of our witnesses noted that the U.S. response to the refugee crisis could be the first step toward rehabilitating the image of the United States in the Middle East and indeed globally. Here we are a year later. At a minimum, I would say we have yet to seize that moment.

Ranking Member Rohrabacher.

[The prepared statement of Mr. Ackerman follows:]

PREPARED STATEMENT OF THE HONORABLE GARY L. ACKERMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK, AND CHAIRMAN, SUBCOMMITTEE ON THE MIDDLE EAST AND SOUTH ASIA

The subcommittees will come to order. Almost a year ago, the Middle East and South Asia subcommittee held a hearing on the Iraqi refugee crisis and we learned several disturbing things. We learned that the Administration was doing next to nothing to assist those Iraqis who put their lives in jeopardy in order to assist the United States in our efforts in Iraq. Not only wasn't the Administration helping them, they didn't even know how many Iraqis actually worked for us, so they naturally had no idea how many people needed our help. We learned that the Administration was woefully unprepared to process refugees referred to us by the United Nations High Commissioner for Refugees. We learned that it took up to 5 months to process a refugee referral. We learned that the United States had the capacity to process merely a few hundred refugees a month but wasn't working anywhere near even that limited capacity. We learned that we were telling Iraqis seeking our assistance and protection to flee to a safe place—like Syria—because we weren't processing at risk populations in Iraq. And we learned that the need for refugee assistance was so great that Congress ultimately had to take the lead in providing an additional \$150 million to address it.



So we have reconvened today in the hope that the Administration will be able to tell us all sorts of good news: that it has provided the protection necessary to those Iraqis who risked their lives for us; that the Administration has worked out the bureaucratic kinks between the Departments of State and Homeland Security and that the United States is now efficiently processing refugees referred to us; we hope to hear that it takes far less than 5 months to process a refugee case and as a result the Administration is on target to meet the President's goal and the Administration's assurance of resettling 12,000 Iraqi refugees this fiscal year; and that the Administration has established a mechanism to process at risk populations of Iraqis inside of Iraq so that they don't have to flee to a neighboring country to receive our assistance. But alas, I don't believe our hopes will be fulfilled.

Now, I don't want to leave the impression that nothing has happened over the past year. Many things have. Congress increased to 500 and then to 5000 the number of Special Immigrant Visas available to Iraqis who worked for the United States. Congress also expanded the types of employment that would be eligible. Congress provided new authorities to the Administration for processing refugees and required that the Secretary of State establish a mechanism for processing Iraqi refugees in Iraq. And as I mentioned Congress provided an additional \$150 million. So Congress has been very aggressive in dealing with this crisis.

I wish I could say the same for the Administration. To its credit the Administration has appointed senior officials from State and Homeland Security to oversee the coordination of U.S. efforts and the Administration has issued the full compliment of 500 Special Immigrant Visas available under the earlier law. But according to the Washington Post, the Administration has stopped processing those visas, even though Congress raised the ceiling to 5,000. Now, I understand that we expanded the types of employment eligible for such visas, and that guidelines need to be issued for these newly eligible employees, but it seems to me that if there are still Iraqis who need visas and they qualified under the old law, they would qualify under the new law, so I don't understand why the Administration isn't processing them. Unless that was never their intention and all along they were willing to talk a good game, but leave these people high and dry.

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Part of the problem is the Department of State is still puzzling over how to process at risk populations inside of Iraq. This internal debate has been going on for a year now. The State Department testified last year that they were examining this possibility. The Iraqi Refugee Crisis Act gives the Secretary 90 days to come up with a plan for such processing inside of Iraq. The clock is running and I hope our witnesses today can tell us that they will meet the reporting deadline and that such processing will begin promptly thereafter. Paralysis by analysis is just another name for failure.

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Mr. ROHRABACHER. Thank you very much. This is the second hearing that I have actually been in on this specific subject; Chairman Delahunt had a hearing earlier this year. And it is a significant issue. According to the United Nations High Commission on Refugees, there are approximately 4.5 million people who have been displaced either externally or internally. You have a significant number living in Iraq who they themselves have been displaced by the vicious Saddam Hussein dictatorship. Those people who are refugees outside of Iraq, many of them were displaced of course during the time that Saddam Hussein was being thrown out. Those people are living in Syria, Jordan, Lebanon, and elsewhere. And those countries are not rich countries and, unfortunately, they are not the oil rich countries of the Middle East, they are countries who struggle with limited budgets, and especially the Government of Jordan, which is trying to play a very, very constructive role in that part of the world, and has been handicapped with costs of about \$2.2 billion these last 3 years in order to help the refugee situation there that is a result of our Iraq operations.

So we recognize that the war that has been ongoing in Iraq has been a burden to some very positive regimes in countries like Jordan, and there are people who are displaced. And let me just note now that there has been some progress made. Sometimes with my good friend, Chairman Ackerman, it is always the glass is half full or the glass is half empty, depending on the point of view. And I think that there has been some very good progress that has been made.

Last month, the Iraqi Parliament agreed on a plan to reemploy Baathists who had lost their jobs after Saddam Hussein was removed, and that is in an attempt at reconciliation. In another attempt, they just recently passed a law through Parliament in Iraq that gives amnesty to thousands of jailed Sunnis. Both of these actions by the Iraqi Government are a step toward bridging the divide there in their country which has led to these refugees fleeing. So it is incremental progress.

At the same time, we have seen dramatic progress on the ground in Iraq. The turmoil and the bloodshed that was out of control a year ago now has not disappeared but seems to have been reduced, and seems to be in a situation now that is permitting Iraq to move forward.

Now, with those things, let me just note, with the progress that I have just stated, I don't think it is the time that we should be accelerating our refugee efforts. The fact is that now is the time that we should be calling on the refugees from Iraq to go home. The best way that we can help the people of Jordan who are suffering under the burden of having displaced Iraqis there is for the displaced Iraqis to go home. It is not the job of the people of the United States to subsidize the existence and subsidize the living standard of refugees in Jordan or anywhere else if they have the

option of going home. And I would suggest that we have reached that threshold now; that it is time for us, rather than to increase our refugee efforts, we should instead be redoubling our efforts to convince these people that now is the time to go back and to play an active role in Iraq, and then to do our best to make sure that the Government of Iraq continues on the path of stability and a path of where they are going to have a peaceful situation and perhaps economic growth, that these refugees could actually help build that type of society.

Mr. ACKERMAN. There will be no audible or demonstrable utterances from our visitors.

Mr. ROHRABACHER. Thank you. So I would suggest that, for example, when I was recently in Iraq I visited some of the camps in northern Iraq where there were refugees who were Kurdish refugees; and the Kurdish refugee camps that I visited in northern Iraq in Kurdistan were occupied by people that had been displaced by Saddam Hussein. And the people who I interviewed were not interested in leaving the refugee camp because they would have had to pay for rent on the outside, even though the Kurdish Government was opening their arms to these people saying, now become part of our new Kurdistan. And yet, because there was a subsidy situation going on, people have a hard time breaking dependency.

We should not let that happen to millions of people who are now in Jordan and elsewhere if they have the option of going back to Iraq, if indeed the Iraqi Government has said, if you were associated with Saddam Hussein you will be given amnesty. If you in some way were running from the fact that there was a Sunni versus Shiite blood-letting that was going on 2 or 3 years ago, you didn't want your families to be hurt, the level of violence now has reached a point where those people can go back to their homes and not fear that same type of slaughter that was happening at that time.

So I am afraid the discussion of expanding what we do for refugees, other than simply providing them transportation back to Iraq, is something that we should have been discussing 2 and 3 years ago, but it is long after the need reached its peak. And I would suggest that that is a much better alternative than simply now spending more money, which would create long-time dependency on people who should be considering a visit home.

Thank you very much.

Mr. ACKERMAN. Thank you, Mr. Rohrabacher.

Now, we are pleased to recognize the distinguished co-chairman for this joint hearing, the chairman of the Subcommittee on International Organizations, Human Rights, and Oversight, Chairman Bill Delahunt of Massachusetts.

Mr. DELAHUNT. Thank you, Mr. Ackerman.

I am going to pause for just a moment before I read my statement, because I think my good friend and colleague from California's remarks, although well-intentioned, don't really describe what the reality is in Iraq. And I am just going to note the excerpt or take an excerpt from the testimony, the written testimony of Ambassador Foley, who I knew from Haiti. It is good to see you, Ambassador. From Haiti to Iraq, well done. And this is Ambassador Foley's remarks about what is happening in Iraq, what the reality

in Iraq truly is despite what we hope for. I think we all agree that we would hope that the Iraqis could go home; however, this is his words, Ambassador Foley's words:

“There was a brief upsurge in returns to Baghdad in November and December 2007, which the Government of Iraq tried to encourage and extend by providing cash assistance and bus transportation from Damascus. However, when it became clear that as many as 70 percent of the approximately 46,000 returning refugees during that period were unable to return to their homes, and that basic services, shelter, education, health, were still lacking, the stream of returns soon dwindled.”

I am sure that the Ambassador is accurate in his description, and I think we have got to deal with what the reality is. And the reality is, for many displaced Iraqis, internally displaced and living outside of Iraq, they cannot return. They would presumably hope to return, but the conditions do not exist for their return.

Former Secretary of State Powell was right when he told President Bush prior to the invasion that “you are going to be the proud owner of 25 million people. You will own all of their hopes, aspirations, and problems. You will own it all.”

He calls this the Pottery Barn rule: You break it, you own it. Well, we own it; and it is a desperate humanitarian crisis with profound consequences if not urgently and sufficiently in terms of resources addressed.

There are more than 4.5 million Iraqis who are today either refugees outside of Iraq, or so-called IDPs, internally displaced persons, primarily as a result of the sectarian cleansing that has occurred in Iraq over the past 5 years. And that is why they can't go home, because they would be killed.

I would submit that this sad reality imposes a moral responsibility on both the administration and the Congress, for we cannot deny that the invasion of Iraq was the proximate cause of this human tragedy. So, our response should be timely, decisive, and fully resourced, not simply because it is right and reflects our values, but it will prevent, in my opinion, further erosion of how we are viewed in the Middle East. And that is important.

Put aside our values in what we are as a people, it is in our self-interest to prioritize the issue and act accordingly, because, as the State Department's own Advisory Group on the Public Diplomacy for the Arab and Muslim World has found, and this is their language, “hostility toward the United States makes achieving our policy goals far more difficult.”

So if you are really concerned about terrorism and you want to limit and prevent continuing acts of terrorism, it is in our national interests to step up, and there should be a realization that what we do, or what we don't want, rather, is to repeat what occurred in Afghanistan when, after the Soviets were defeated, we ignored that country and, as we later learned, much to our peril. We just simply cannot allow a breeding ground for terrorism to fester in the Middle East that will haunt us for generations to come. And, I would suggest, these vast numbers of refugees will produce the terrorists of the future unless they are treated in a way that is respectful and dignified and humanitarian.

And let's be clear; it is going to cost money. Estimates vary between \$1.5 billion and \$2 billion. But we should remind ourselves that this thing is less than 1 week's worth of war in Iraq and represents a significant investment, as I indicated earlier, in our national security.

By my estimates, about \$106 million has been given to various U.N. appeals for Iraqi refugees. Unfortunately, that amount is woefully deficient. The UNHCR in our briefing last week, that was chaired by Mr. Ackerman and myself, announced that they would need almost \$500 million just to meet the needs of the most desperate refugees this year. That means that there is an immediate shortfall of around \$392 million. And, as I indicated, that is just about 1 week's worth of military expenditures.

Now, where is the Iraqi Government on this issue? They have agreed to contribute \$25 million to this crisis. That is embarrassing. That is embarrassing to that government. Ambassador Foley indicated in his written testimony that diplomatic pressure had to be brought to bear, or at least he suggested that, to get the Iraqi Government to come up with \$25 million for their own citizens. And we are talking about reconciliation and movement as a nation?

At the same time, the Washington Times on January 30th indicated that increased Iraqi oil revenues stemming from high prices and improved security are piling up in the Federal Reserve Bank of New York. Out of \$10 billion budgeted for capital projects in 2007, only 4.4 percent had been spent by August, according to official Iraqi figures reported in January by our Government Accountability Office.

A quarterly report released by the United States Special Inspector General for Iraqi Reconstruction says: Rising production and high prices could produce an even greater revenue windfall for Iraq this year, according to the Associated Press.

Well, \$10 billion. This is simply unacceptable. And it is up to the Iraqi Government to do what they ought to do and take the necessary steps to ensure that their citizens are brought home, are provided for out of that \$10 billion plus that is currently sitting in New York in the Federal Reserve Bank.

I yield back.

Mr. ACKERMAN. Mr. Fortenberry.

Mr. FORTENBERRY. Thank you, Mr. Chairman, for holding this hearing today. And in the context of our concern for Iraqi refugees and internally displaced persons, I would like to focus my remarks on the situation of religious minorities in Iraq, including the Baha'is, Christians, Jews and Yezidis. You may be interested to know there are several thousand Iraqi refugees in Nebraska, my home State, and Lincoln is the home to an estimated 500 Yezidis, representing one of the largest Yezidi populations in the United States.

The Yezidi community has a unique significance as an ancient Iraqi indigenous community whose origins reportedly date back to Mesopotamia. The community is particularly vulnerable to attack and persecution because of its religious beliefs. As you may recall, suicide bombers killed hundreds of Yezidis in northern Iraq in August 2007.

I was compelled by the plight of these persons and other religious minorities in Iraq to request a congressional hearing examining their status, and I appreciate the chairman including this as a part of the hearing today, and whether or not the new Iraqi Government is equipped to protect them.

While I have been following the issue of Iraqi's religious minorities for several years, the need to assess the vulnerability of these populations was brought into stark relief by the atrocious and unresolved kidnapping of Archbishop Paulos Faraj Rahho of Mosul just several weeks ago which led to the brutal murders of several other ordained members of this faith community.

While this is a particular heinous example of premeditated violence against innocent civilians, it is my understanding that most of the Iraq Christian community is fleeing the country as well, and other minority faith communities are also struggling to survive and retain their cherished traditions that have long enriched the historical tapestry in Iraq.

While many of our discussions on Iraq appropriately address issues relevant to the nation's Shia, Sunni, and Kurdish populations, little has been said about significant minority populations which may be disproportionately vulnerable to sectarian violence and targeting by militants. According to the Department of State, there has been discrimination against Christians and non-Muslim minorities. Iraq's Jewish community is now virtually nonexistent, and the persecution of religious minorities by terrorists and criminal elements appears to be pervasive.

Mr. Chairman, I look forward to exploring with our witnesses today the status of the minority community, as mentioned, and to what extent our refugee support mechanisms are poised to monitor such vulnerable populations and address their needs. I would also appreciate the assessment of our witnesses of United States efforts to work with the Iraqi Government to protect such populations. And, as the Iraqi Government pursues the issues of national reconciliation, I believe we must make it a priority to reduce the vulnerability of minority faith communities who attempt to live without intimidation and to live in peace.

Thank you, Mr. Chairman.

Mr. ACKERMAN. Thank you, Mr. Fortenberry.

Mr. Costa.

Mr. COSTA. I appreciate the comments that were made from my colleagues this afternoon, and I believe as was articulated by a number that this refugee is a big, big problem, and, if left unattended, it will fester. And, I would associate myself with the comments of Mr. Delahunt, that I think it will breed future terrorists in the region if you give people no hope. And we certainly have raised an expectation level.

I just came back from Iraq last weekend, and Afghanistan. And while certainly, to be sure, certain progress has been made with regards to the reduction of violence, I am concerned that we don't have a similar political surge that is accompanying the military surge, where you see, in the case of Anbar Province and in the Kurdish area, where there is some level of stability that can support reconstruction and investment.

The government told us that their budget they passed last month was \$38 billion. As was alluded, their current revenues seem to forecast with oil revenues that they could have as much as \$60 billion this year. Clearly, the government and the Parliament related to us that they will go back in the next month or 2 to determine how they spend the extra money.

My question, and I don't know if we want to start with Ambassador Foley, is, Where do you think that money can best be spent? When you break down the need to get money out to the provinces, realizing that there is a level of corruption that we are dealing with here, to not only get reconstruction activity done, but if they have an additional \$12 billion or more to spend, how much of that should be leveled for the issue with these resettlement of these refugees? Mr. Foley, do you want to begin and anyone want to comment?

I am sorry, these are statements. We will save that for the Q&A time period. But to all the members, frankly, it is the frustrating part. And, Mr. Chairman, thank you for your comments. But the fact is that if the political surge doesn't accompany the military surge, all this will be for naught and, frankly, I look forward to the comments by the witnesses to see where in fact they believe we need to focus in this current time period.

Mr. ACKERMAN. Thank you very much.

Mr. Inglis.

Mr. INGLIS. Mr. Chairman, I will forego, in hopes of getting quickly to these witnesses before these next votes.

Mr. ACKERMAN. Thank you, Mr. Inglis.

Mr. Welch.

Mr. WELCH. I will be brief. I really appreciate the invitation to join you in your focus on this issue.

I traveled to Iraq with Congressman Inglis. And whether you thought that the decision to go to war was the right one or the wrong one, I think there is common agreement that we have a moral responsibility to deal with some of the consequences that have occurred. And when I look ahead, no matter what policy it is we want to pursue, there is a lot more suffering in store for the people of Iraq. And the question when we get to it that I would be very concerned about is we have made some progress, as was mentioned, but the goal is very short of where I think it needs to be.

Twelve thousand Iraqi refugees, when we know that whatever happens and even under the best of scenarios there is going to be a lot more displacement in Iraq, because there are going to be in that society folks who are going to be on the losing side. They are going to need places to go, and the United States in my view should be as generous and open with its borders as we were after Vietnam. And what I will be very interested in hearing are comments about whether our goal of 12,000 is far short of what the need is.

So, Mr. Chairman, thank you. I yield the balance of my time.

Mr. ACKERMAN. There being no further members who wish to be recognized, we will now move to our panel.

Ambassador James Foley is senior coordinator of Iraqi refugee issues in the Department of State. Immediately prior to that appointment, Ambassador Foley was deputy commandant and inter-

national affairs adviser at the National War College. Ambassador Foley served as Ambassador to Haiti from 2003 to 2005, and as deputy permanent representative to the United Nations and other international organizations in Geneva from 2000 until 2003.

A career member of the Foreign Service, Ambassador Foley has served as deputy spokesman for the State Department and as political adviser and speechwriter for former Secretary Lawrence Eagleburger. The Ambassador is a graduate of the State University of New York at Fredonia, the Institute of Political Studies in Paris, and the Fletcher School of Law and Diplomacy. And we welcome you, Ambassador Foley.

Ms. Lori Scialabba is senior adviser to the Secretary of Homeland Security for Iraqi refugee affairs. Prior to her current position, Ms. Scialabba was associate director for refugee asylum and international operations at U.S. Citizenship and Immigration Services. She previously served in various leadership roles at the Department of Justice, including as chairwoman of the Board of Immigration Appeals in the Executive Office of Immigration Review, deputy general counsel for former Immigration and Naturalization Service, and as a trial attorney for the Office of Immigration Litigation in the Civil Division.

Ms. Scialabba received her undergraduate degrees from the University of Maryland and her juris doctorate from Memphis State University, and we welcome Ms. Scialabba.

Mr. Steven A. "Tony" Edson is deputy assistant deputy of state for visa services at the Department of State. Before his current appointment, Mr. Edson was serving as managing director of visa services and senior adviser for strategic planning to the visa services directorate from 2001 to 2005. Mr. Edson also served as consul general at the U.S. Embassy in Jakarta. Mr. Edson joined the Foreign Service in 1981, and has been posted in Tokyo, Bangkok, and Mumbai.

Mr. Edson received a B.A. from the University of Kansas, a master's in management from Chulalongkorn University in Bangkok, and a master of science from the National War College. And welcome to you, Mr. Edson.

Ambassador Lawrence Butler assumed the position of deputy assistant secretary of state in the Bureau of Near Eastern Affairs in January 2007. Ambassador Butler has previously served as the principal deputy high representative for Bosnia and Herzegovina from March 2005 to January 2007. Before that, he was Ambassador to Macedonia. Ambassador Butler joined the Foreign Service in 1976, and is a member of the Senior Foreign Service. Ambassador Butler served as deputy chief of mission in Copenhagen and Dublin, as acting chief of mission in Belgrade, and various other positions in Europe and South America, as well as positions in the Department and on the staff of the National Security Council.

The Ambassador earned a B.A. from Bowdoin College. We welcome Ambassador Butler.

Mr. Gregory Gottlieb is the senior deputy assistant administrator of USAID's Bureau for Democracy Conflict and Humanitarian Assistance. He recently served for 3 years as the deputy director of the Office of U.S. Foreign Disaster Assistance, and prior to that served for 3 years as deputy director of USAID's Office of Transi-



tion Initiatives. Mr. Gottlieb has also served in Kenya, Sudan, Ethiopia, and Malawi.

Mr. Gottlieb holds a J.D. from Loyola College School and a master of public administration from Harvard University. And welcome to you, Mr. Gottlieb.

I have introduced the witnesses in that order on purpose, the idea being that Ambassador Foley can provide the committee with an overview of the situation, Ms. Scialabba can discuss Homeland Security's role in the processing of Iraqi refugees, and Mr. Edson can speak specifically to special immigrant visas. We will then hear from Ambassador Butler regarding the minority communities in Iraq, and Mr. Gottlieb concerning IDPs and our assistance to them.

Without objection, the written statements of each of our witnesses will be entered into the record. And, Ambassador Foley, we will begin with you. If you could keep your remarks limited because a vote is being announced presently; and after your presentation the subcommittees will break for the votes and then return. Please begin.

**STATEMENT OF THE HONORABLE JAMES B. FOLEY, SENIOR COORDINATOR, IRAQI REFUGEE ISSUES, U.S. DEPARTMENT OF STATE**

Ambassador FOLEY. Chairman Delahunt, distinguished members of the committee, it is an honor to appear before you today. Mr. Chairman, thank you for allowing me to testify before you today.

Secretary Rice appointed me 5 months ago to the position of Senior Coordinator because she was not satisfied with the pace of the U.S. Government's resettlement efforts on behalf of the most vulnerable Iraqi refugees. The charge she gave me was to identify and overcome obstacles to reaching our goal of resettling 12,000 Iraqis in the United States this fiscal year. She believed that my appointment and that of my counterpart, Lori Scialabba, would facilitate the kind of interagency cooperation necessary to meet this goal.

I welcomed this assignment. I have long felt the United States had a moral obligation, as others have said, to resettle vulnerable Iraqis, especially those who have worked for us or are otherwise threatened because of their association with the United States.

This is only part of our wider obligations to create the conditions inside Iraq that will permit some 2 million Iraqi refugees to return home, as most surely wish to do. In Iraq, as with other refugee situations around the world, third country resettlement is an option for the most vulnerable and the persecuted. Thus, what we are aiming to do is to resettle Iraqis who will not be able to go home even when security conditions allow the overwhelming majority to do so.

Shortly after taking this assignment, it became apparent to me there were two main obstacles we had to overcome. First, the fact that we were unable to access potential Iraqi refugees at all where they were in the greatest danger; namely, inside Iraq. Second, the fact that we could not access Iraqi refugees where they were in the greatest numbers; namely, inside Syria. So I set myself immediately to addressing these two challenges. Let me briefly describe what we have done.

First, thanks to the improving security situation in Iraq, we were able to reach early agreement with the Department of Homeland Security to begin in-country processing of Iraqi employees of the U.S. Embassy as requested by Ambassador Crocker. Close to 100 Iraqis, including employees and their families, are now being processed in Baghdad for resettlement in the United States. This was a modest but important breakthrough, because it positions us now to move rapidly toward implementation of a full-scale effort, as mandated under the Refugee Crisis in Iraq Act.

Second, in late October I traveled to Syria to negotiate a return of Homeland Security interviewers who had been denied visas for a good portion of 2007.

Our bilateral relationship with Syria is a difficult one, but I believe there was recognition on both sides that it was important for us to cooperate in addressing the humanitarian needs of Iraqi refugees. I saluted Syria for its generosity in hosting over 1 million Iraqis, and I am grateful for the agreement that we reached that allowed the resumption of our resettlement program in Damascus. To be sure, it is a restrictive agreement under which it is still very difficult for us to process refugees expeditiously as we can elsewhere in the region, but at least there is now hope for Iraqi refugees in Syria who have been referred to our program by UNHCR.

Third, I worked closely with the UNHCR to ensure we would have sufficient referrals in multiple locations by the end of this April to ensure we could process and could interview enough Iraqi refugees to enable us to reach our 12,000 arrivals goal by September 30.

Throughout last year and into early this year, our resettlement efforts were outpaced by UNHCR referrals, but that gap is closing rapidly and will disappear in the next months, particularly in Jordan. We are indeed grateful to UNHCR for its superb, indispensable cooperation, and for the really Herculean efforts of their personnel to produce so many referrals for us in such a compressed time frame.

Fourth, State and Homeland Security worked productively together to establish an increasingly robust program of Homeland Security circuit rides to key locations throughout the Middle East that will keep pace with UNHCR referrals and that can produce 12,000 arrivals of refugees this fiscal year.

The foundation for the program is the capacity of our pre-screening entities—we call them OPEs—throughout the region. The key OPEs were nonexistent in these countries at the beginning of 2007. They were only fledgling through the second half of last year. But now that the OPEs can process efficiently in most places and that Homeland Security can interview Iraqi refugees in all places, our program can operate at a much higher volume.

The result of these efforts is that we moved from roughly 2,800 interviews of Iraqi refugees to 5,600, a doubling this quarter; in other words, by the end of this month. The volume will grow to 8,000 interviews in the third quarter alone. In other words, we have built up the pipeline to produce the number of arrivals we need to reach our goal. Monthly arrival numbers today are the result of the capacity that we had to conduct interviews in 2007. The numbers are now moving in the right direction: 245 arrivals in De-

ember, 375 in January, 444 in February. But they are far short of where we expect them to be a few months from now.

In sum, 12,000 remains our goal, and I am here to tell you it can be achieved. I am not in the position to guarantee we will reach it. In the past 5 months we have strengthened every link in the chain, but some links remain weak. Our processing ability in Syria is the most fragile link, but not the only one. But what I can guarantee is that we are doing everything we can to put ourselves in a position to succeed.

Finally, I can report that the Department of State is fully committed to processing many of the most vulnerable Iraqi refugees where they are located; namely, inside of Iraq. That, of course, is mandated under the recently enacted Refugee Crisis in Iraq Act. It is something Ambassador Crocker earnestly has promoted and it is something that is rendered possible by the improvement of the security situation in Iraq. To be sure, in-country processing on a large scale poses daunting challenges both from a logistical and a security perspective. We have to stand up an overseas processing entity of the kind it took much of 2007 to establish in Jordan under vastly different conditions.

Security will continue to be an issue above all for the Iraqi applicants themselves, but I want to assure the committees that it is our intention to move as fast as possible. Our goal is to establish an overseas processing entity in Baghdad and begin processing Iraqis in Baghdad in the next several months.

Mr. Chairman, thank you again for this opportunity. I look forward to answering your questions.

[The prepared statement of Mr. Foley follows:]

PREPARED STATEMENT OF THE HONORABLE JAMES B. FOLEY, SENIOR COORDINATOR,  
IRAQI REFUGEE ISSUES, U.S. DEPARTMENT OF STATE

Chairman Ackerman, Chairman Delahunt, and distinguished members of the Committees, it is an honor to appear before you today to discuss the plight of Iraqi refugees and what the United States is doing to meet their humanitarian needs. I welcome the opportunity to describe the efforts the Administration is taking to provide humanitarian assistance to displaced Iraqis, both in neighboring countries of first asylum and for populations inside Iraq. The Administration shares your concern about the current situation facing Iraqi refugees and internally displaced persons (IDPs), and is committed to helping improve conditions for them in countries of first asylum, providing assistance to the neediest individuals, and seeking durable solutions for all of them. We continue to work closely with host governments in the region, the United Nations High Commissioner for Refugees (UNHCR), the International Committee of the Red Cross (ICRC), and non-governmental organizations (NGOs). In keeping with both international norms and past experience, it is the primary responsibility of the international community to provide assistance and protection to refugees in the region until such time as it is safe for them to return home. At the same time, we are also actively pursuing resettlement to the United States for the most vulnerable, including Iraqis who are in danger because of their close association with U.S. efforts in Iraq, who should have this important form of international protection.

I would first like to touch on our efforts to assist displaced Iraqis, both inside Iraq and in other countries in the region. UNHCR estimates that 4.5 million Iraqis are currently displaced: 2.5 million internally and 2 million in Iraq's neighboring countries, severely straining host governments' ability to provide basic social services. For now, these numbers have leveled off. Jordan began gradually to limit access to Iraqis at the land border and the international airport in early 2007, and by summer, it had effectively closed its border to Iraqi asylum-seekers. Syria did much the same in September when it announced a visa requirement for Iraqis entering Syria. Jordan's borders remain closed to Iraqis, with the exception of government officials, business travelers and others with specific needs or objectives. The Syrian border

is somewhat less strictly regulated; UNHCR estimated that in December, some 1,500 Iraqis per day were crossing from Iraq to Syria, with 500 per day moving in the other direction, from Syria to Iraq, yielding a net inflow into Syria of about 1,000 per day. These numbers represent all categories, including commercial traffic and temporary visitors; many are probably asylum-seekers, but not all.

There are no reliable independent estimates of the number of Iraqis in Syria and Jordan. The humanitarian community has not been given permission by either the Jordanian or Syrian governments to conduct a precise survey or census of Iraqi refugees and both governments have, at different times, offered different estimates of Iraqis in their territory. A Norwegian NGO, FAFO, conducted a survey in Jordan last year and, after negotiations with the government of Jordan, estimated that 450,000 Iraqis were present in the country (a decline from the previous estimate of 750,000 Iraqis in Jordan). Some in the humanitarian community believe that host governments are using inflated estimates of Iraqis to leverage increased humanitarian assistance. UN High Commissioner for Refugees Antonio Guterres recently explained that UNHCR, having registered 214,000 refugees in Jordan and Syria and having developed other sources of information, has sufficient data to target the neediest refugees for appropriate assistance and protection programs. As a result, UNHCR is not focusing on the overall numbers but, correctly, in our view, on how many Iraqis are in need of assistance and delivering that assistance to them.

Based largely on estimates provided by the host countries and other general estimates, UNHCR has estimated the number of Iraqis in countries in the region as follows: Syria, 1.2 to 1.4 million; Jordan, 450–500,000; Lebanon, 50,000; Egypt, 20–40,000; Turkey, 5–10,000; Iran, more than 57,000; Gulf States, more than 200,000. As I will explain below, we understand that these estimates include many Iraqis who left Saddam Hussein's Iraq prior to 2003. Those living in both Iran and the Gulf States are not recognized as refugees by host governments, receive no international assistance, and appear to be self-supporting. The majority of Iraqis recognized as refugees cannot realistically expect a durable solution to their plight other than to return to Iraq when circumstances permit. Jordan and Syria, hosting the great majority of refugees, have emphasized publicly that Iraqis will not be allowed to resettle permanently in those countries. Additionally, High Commissioner Guterres recently informed us that he has received affirmation from both countries that they will not forcibly expel Iraqis. UNHCR, whose mission includes resettlement of the most vulnerable refugees to third countries, does not expect to refer to resettlement countries more than 25,000 applicants in calendar year 2008. It is unclear how Iran and the Gulf States will treat the many Iraqi migrants in their countries over the longer term.

Within Iraq, the most recently published survey by the International Organization for Migration (IOM) states that there are 2.5 million displaced persons, of which 1.3 million were displaced after the Samarra al-Askari Mosque bombing of February 2006. However, new displacements have fallen significantly, from over 14,000 individuals in September 2007 to just a few hundred in December, and that trend seems to be continuing in the first two months of 2008.

Indeed, many displacements of persons within Iraq are not the result of the events of the last several years, but go back to Saddam Hussein's Arabization and anti-Kurd campaigns of the 1990's and before. It is fair to assume that many of those who have been in displacement for ten years or more have created stable lives in their new homes, do not need assistance, and may not want to uproot again and return to their former homes. In contrast, IOM surveys show that the majority of post-February 2006 IDPs are in need of shelter, food, and employment. Sixty percent say they want to return to their homes (with another 20% wanting to move to another location), and 20% express a desire to remain in their current location.

Iraqi refugees outside of Iraq and IDPs share many common features. They left their homes in fear of their lives for largely the same reasons: sectarian violence, lawlessness, terrorist activity and military operations. In fleeing, both refugees and IDPs generally took with them what wealth they could, but many were unable to sell their homes or other property. Most refugees and IDPs do not currently have regular work and are forced to subsist on savings or remittances from family members in Iraq or elsewhere. Many refugees and IDPs find their resources dwindling, affecting all aspects of their lives, from education and medical care to the size of the apartment they can rent, to the amount of food that can be put on the table.

International organizations and NGOs report that among refugees and IDPs alike, the most critical problem is increasing impoverishment. I mention these similarities because at some point in the future, conditions in Iraq may become sufficiently safe and stable so that large numbers of refugees and IDPs will decide to return to their homes. We cannot predict when those conditions will prevail and are not urging refugees or IDPs to return to their homes on any particular schedule. Indeed, the deci-

sion to return is that of the refugee and IDP, and they should be able to make that choice voluntarily and free of duress. In this respect, Iraqi refugees and IDPs seem relatively well informed about conditions in Iraq and will base their decisions on a wide range of information. For example, there was a brief upsurge in returns to Baghdad in November and December 2007, which the Government of Iraq tried to encourage and extend by providing cash assistance and bus transportation from Damascus. However, when it became clear that as many as 70% of the approximately 46,000 returning refugees during that period were unable to return to their homes, and that basic services (shelter, education, health) were still lacking, the stream of returns soon dwindled.

We are working closely with our partners to plan for this contingency; High Commissioner Guterres, during a recent visit to Baghdad, stated that UNHCR would partner with the Government of Iraq (GOI) to assess the potential for large-scale returns and the policies and programs necessary to accommodate them. We will work closely with UNHCR, the GOI, and other current and potential partners to ensure that policies, organizations, and plans are in place if and when large-scale returns do commence.

In the meantime, the Department of State and USAID will play a major role in providing life-sustaining support to refugees and IDPs. In 2007, State and USAID programmed more than \$171 million to assist displaced Iraqis. PRM's overall contribution of \$123 million in 2007 funded UNHCR programs in Jordan, Syria, Lebanon and Iraq; IOM and other IO programs in Iraq; and NGO operations in Jordan, Syria and Lebanon. 2007 was a building year for refugee assistance programs; in the previous year, we funded only one NGO to assist Iraqi refugees, but in the course of 2007, we supported 10 new NGOs and programmed \$18.5 million for health, education, and other life-sustaining projects. At our encouragement, UNHCR teamed with UNICEF to issue a \$130 million appeal for educational programs for Iraqi refugees; we quickly contributed \$39 million (30%) to the appeal to ensure that Iraqi children would be able to enroll in school or benefit from educational programs outside of school. We also urged UNHCR, WHO and UNICEF to combine their health appeals for Iraqi refugees into a single joint appeal of \$85 million, toward which we contributed \$23 million. Within Iraq, our contributions to ICRC and UNHCR enabled those organizations to stand up a network of international and local NGOs in all 18 of Iraq's governorates. These interventions should complement the ongoing efforts of USAID's Office of U.S. Foreign Disaster Assistance (OFDA), which has provided more than \$250 million in humanitarian assistance to IDPs and vulnerable host communities since 2003, with life-sustaining support, including water, sanitation, hygiene, health care, food and non-food commodities, and livelihood assistance.

Although refugee and IDP populations have not grown significantly so far in 2008, we expect the needs of these existing populations to intensify with the passage of time. As noted earlier, many refugees and IDPs, especially those displaced after the Samarra mosque bombing in February 2006, fled without being able to fully liquidate their assets, especially their homes. While many were able to sustain themselves and their families for a time in Jordan, in Syria, in other neighboring countries, or in new neighborhoods in Iraq, they are inexorably depleting their resources. Iraqis without residence permits in Jordan, Syria, Lebanon, Egypt and Turkey are prohibited from working. Most Iraqi refugees do not have residency permits and while many do work surreptitiously, their jobs tend to be marginal and poorly paid. Within Iraq, IOM estimates that 60% of IDPs are unemployed. As the resources of Iraqi families shrink, they can no longer afford vital services: school fees, prescription drugs, clothing, taxi or bus fare, a varied diet, and even rent (often the biggest single expense). Impoverishment often brings social ills, from family violence to child labor to prostitution. As UNHCR and NGOs in the field report, the caseload of vulnerable and needy Iraqi refugees and IDPs is expanding even as the rate of displacement falls.

The Administration is thus grateful that Congress recognized this continuing, growing need and provided \$200 million in emergency funding to the Migration and Refugee Assistance Account, of which \$149.4 million will support Iraq-related humanitarian programs. In addition, \$110 million was provided in emergency funding to the International Disaster Assistance (IDA) account, of which \$80 million is planned for Iraq assistance. To date, the Department has made \$125.9 million of MRA funding available to international partners for Iraq programs. We will use much of the remaining funds to support expanded NGO programming and expect to issue a call for proposals this week. In addition, in January we programmed \$20 million in reprogrammed ESF funding to the joint UN health appeal for Iraqi refugees. Additionally, in January USAID's Bureau for Democracy, Conflict, and Humanitarian Assistance (DCHA) programmed \$26 million in IDA funding to five

NGO's delivering services to IDPs in Iraq. DCHA also programmed \$36 million from P.L. 480 Title II ("Food for Peace") to the World Food Program for emergency food packages to refugees in Syria and IDPs in Iraq. Out of the Department's \$145.9 million pledged contributions, PRM will contribute \$95.4 million toward UNHCR's \$261 million 2008 appeal, including \$12.4 million earmarked for health programs; \$5 million to World Food Program operations in Syria; \$13 million to the UNICEF and WHO portions of the UN health and education appeals; and over \$32 million to other international organizations. In total, the USG will contribute \$208 million in humanitarian assistance for displaced Iraqis in the first half of FY 2008, approximately \$37 million more than our total assistance in FY 2007. These early funding actions have allowed us to front-load support for the programs of our implementing partners that assist refugees and IDPs, who usually do not get contributions from other donors until later in the year. This ensures that life-sustaining programs can be continued and expanded as necessary without interruption. These efforts, while critical, will not alone suffice to meet the increasing needs of Iraqi refugees, conflict victims, and IDPs for the entirety of 2008. Humanitarian partners have estimated overall 2008 needs of over \$900 million. We would be grateful for early Congressional consideration of the FY 2008 supplemental funding request in order to support these requirements.

We have also conducted a very energetic diplomatic program in parallel with and in support of our monetary contributions to humanitarian assistance and protection. In 2007, the Department of State vigorously sought to persuade Jordan and Syria to create more humanitarian space for Iraqi refugees themselves and for the UN and NGO agencies trying to deliver assistance. Former PRM Assistant Secretary Ellen Sauerbrey visited Jordan and Syria in April, and I followed suit with a visit to Jordan and Syria in October. PRM Acting Assistant Secretary Samuel Witten just returned from consultations with senior leaders in Jordan and Lebanon in which he expressed the U.S. Government's appreciation for the positive actions by those governments in connection with the displaced Iraqis currently living in those countries. In February, Under-Secretary Paula Dobriansky traveled to Baghdad where she met with OFDA field officers, implementing partners, representatives from the Ministry of Migration, and a select group of Baghdad IDPs.

We have augmented our staff and deployed them in the region frequently to support our embassies. Our efforts have born fruit, with, for example, Jordan lifting restrictions that had prevented Iraqi children lacking residency documentation from attending public school. Both Jordan and Syria have made firm commitments to High Commissioner Guterres that they would not arbitrarily expel or refoule Iraqi refugees, and Lebanon has permitted all Iraqis registered with UNHCR to remain in the country on renewable visas. In addition, in October I visited Baghdad to assist Ambassador Crocker's efforts to persuade the Iraqi Government to support its citizens abroad and take concrete steps to prepare for refugee and IDP returns within Iraq. One of the results of our diplomatic engagement with Iraq was the GOI's commitment to transfer \$25 million to Jordan, Syria and Lebanon to assist Iraqi refugees. We are urging the GOI to provide substantially more. The Department has also actively encouraged other donors to support the humanitarian needs of displaced Iraqis. Later this month, I will depart on a trip that will include stops in the Gulf and in Europe to continue our engagement with donors (and potential donors).

The U.S. Refugee Admissions Program (USRAP) is another important aspect of our response to Iraqi refugee needs in the region. In February 2007, UNHCR announced its intention to refer 20,000 Iraqis to resettlement countries during the calendar year, with over half of that number to the U.S. Refugee Admissions Program (USRAP). At the time UNHCR decided to start referring Iraqis for resettlement, the U.S. Government had virtually no refugee processing infrastructure in the two major asylum countries, Syria and Jordan. Neither country had been a location where UNHCR and the United States had collaborated on resettlement operations, and neither UNHCR, the host countries, the United States nor any other resettlement country, had in-country staff or facilities in place to process resettlement requests. Immediately after UNHCR's decision to refer cases to the United States, however, we took the steps needed to establish processing operations in both countries, hired and trained local and international staff, and prepared thousands of cases for presentation to adjudicators from the Department of Homeland Security. Since the expansion of our program began less than a year ago, the USRAP has received close to 20,000 referrals of Iraqis. The DOS OPE's have prepared for interview and DHS/USCIS officers have interviewed over 11,000 individuals.

While the USRAP receives the majority of its refugee resettlement referrals from UNHCR, our program has sufficient flexibility to provide access to vulnerable Iraqis through other mechanisms as well. The U.S. Embassy in Baghdad began referring

Iraqis associated with the U.S. efforts in Iraq to the refugee resettlement program early last year and continues to do so. We also established a program whereby Iraqis who worked as direct-hire employees of the U.S. Mission in Iraq or on a full-time basis as interpreters with the USG or MNF-I have direct access to the USRAP in Egypt and Jordan. Last year, Department of State and DHS staff conducted a training workshop for NGOs in the region to instruct and empower them to refer particularly vulnerable cases to the USRAP for consideration. Last December, PRM and DHS also established direct access for Iraqi beneficiaries of approved I-130 immigrant visa petitions, both current and non-current. I-130 petitions may be filed by U.S. citizens or lawful permanent residents on behalf of eligible family members.

"The Refugee Crisis in Iraq Act," included in the FY 2008 Defense Authorization Act and enacted January 28 of this year, creates new categories of Iraqis who are eligible for direct access to the USRAP. These include direct-hire employees of the U.S., employees of certain entities receiving U.S. funds, and employees of a U.S.-based media organization or NGO, as well as certain family members of those employees and certain individuals with family members in the U.S. Iraqis who were engaged as Locally Employed Staff (LES) or who worked on a full-time basis as interpreters with the USG or MNF-I continue to be eligible for direct access, as they were under the previous guidelines. Individuals who believe they meet these criteria may contact our Overseas Processing Entity (OPE) in Amman and Cairo, operated by the IOM, in order to initiate the process. The Act also extends refugee resettlement benefits to special immigrants from Iraq.

In addition to the new groups being processed pursuant to the recent legislation, our OPEs are already processing certain individuals who had access to the USRAP through the previously existing P-2 designation for Iraqi beneficiaries of approved I-130 petitions. This encompasses all Iraqis, including members of a religious or minority community who have close U.S. citizen or lawful permanent resident family members in the United States who have successfully petitioned for the Iraqi refugee applicants' eligibility to immigrate to the United States, and is thus broader than the group granted direct access to refugee processing based on having close family members in the U.S. under the Act.

At present, we are only able to offer direct access to our program in Jordan and Egypt, but we intend to expand this to other countries in the future. Due to host government policy or regulations in Syria and Turkey, however, we are only able to process individuals referred by UNHCR and anticipate that we will be unable to offer direct access to the USRAP in those countries.

This new legislation also mandates in-country refugee processing for certain categories of Iraqis associated with the United States. PRM and DHS have already begun processing a small group of direct-hire Embassy employees and members of their families in Baghdad, and approved refugees should begin to travel to the United States in April. PRM, IOM and Embassy Baghdad staff are also moving forward on establishing a permanent OPE facility in Baghdad, which will be necessary to provide in-country processing for an expanded P-2 program for Iraqis. We have the full support of our Embassy, as well as DHS, to implement this aspect of the legislation. Indeed, the authority provided under the law along with the improved security situation give us a unique opportunity to resettle hitherto unreachable Iraqis in country facing grave danger because of their employment by or association with the United States.

The Department of State is committed to reaching the Administration's goal of admitting 12,000 Iraqi refugees during the current fiscal year. Monthly arrivals so far this fiscal year are low, and we have a challenging road ahead of us, but we are doing everything possible to ensure success. Our fiscal year arrivals through March 6 are 2,023. Monthly arrivals will fluctuate and we never anticipated that we would admit 1,000 Iraqis per month; the goal is for the fiscal year as a whole. Expanding processing for Iraqis involved many actors beefing up their capacity throughout the region: UNHCR, our OPEs, and the State Department. We are now able to prepare large numbers of referrals and support the large DHS/USCIS circuit rides that will produce substantially higher numbers of monthly arrivals later in the fiscal year. One reason our arrivals to date have remained low was that DHS was not permitted to adjudicate cases in Damascus for five months last year. The Syrian Government allowed DHS to resume interviews in November 2007 after an agreement was reached following my trip to Damascus. We appreciated this decision, and accepted a framework that places significantly higher burdens on UNHCR. We indeed commend UNHCR for stepping forward to help us resume refugee processing in Syria. Nonetheless the preceding hiatus reduced the pool of approved Iraqis who would now be moving to the U.S. had they been interviewed according to schedule.

In order to reach our goal by September 30, we have a robust OPE and DHS/USCIS interview schedule for the second and third quarters. USCIS officers cur-

rently in the region will conclude interviews of over 8,400 Iraqis by the end of March, and we expect USCIS to interview another 8,000 Iraqis by the end of June. However, success will depend on continued and even improved cooperation among many actors. It is important for agencies to complete the necessary security checks on Iraqi refugees in a thorough but expeditious manner and to approve Iraqis who are eligible for exemption from the material support bar expeditiously. Of particular concern are the challenges we face in expanding the capacity of our Overseas Processing Entity, the International Organization for Migration, in Damascus. The framework agreed upon to restore processing in Syria has allowed DHS to resume interviews, but the limits that the Syrian Government continues to place on OPE staffing constrict both the size of the caseload and the speed with which it can be processed.

I have often been asked why we do not simply shift our efforts to other countries since we face so many challenges in Syria. We have indeed expanded refugee processing in Jordan, Turkey, Egypt, and Lebanon and will continue maximum processing of individuals referred to us by UNHCR, as well as those who are eligible for direct access consideration. However, registrations, while continuing in Jordan, have slowed considerably. Only about 52,000 Iraqis have currently registered for UNHCR protection in Jordan, and many of them are not pursuing resettlement in the United States or any other country. As a result, while we are still processing for resettlement thousands of Iraqis in Jordan, the future potential is much greater in Syria, where the logistical challenges are also greater. In summary, greater cooperation by the Syrian government is essential for the effective processing of the greatest number of the most vulnerable Iraqis in need of durable solutions.

Another challenge we face is that applicants often apply when they are still undecided about the decision to resettle permanently. Iraqis drop out at various stages in the process, including individuals who simply do not appear for their pre-screening appointment, their USCIS interview or their medical appointment. In addition, there are a certain number of individuals who have been referred to us by UNHCR whom we cannot locate, either because they have moved or even returned to Iraq. And finally, there are a number of approved Iraqi refugees who do not appear for their flights to the United States, either because they have not completed the exit clearance process in their country of first asylum or because they have changed their minds about permanent resettlement to the United States. In sum, despite our outreach and robust cooperation with UNHCR and host government authorities, many displaced Iraqis who could pursue some or all of the steps toward resettlement either do not make themselves available for the crucial steps in our process or ultimately choose not to be resettled.

Given the large numbers of Iraqi refugees, the U.S. and other third country resettlement programs will play an important role in the international community's overall effort to meet Iraqi refugee needs. However, only a small percentage of refugees worldwide are referred for third country resettlement by UNHCR. This statistic is true with respect to displaced Iraqis in the same way it is the case in displacement situations around the world. As a result, while offering resettlement as robustly as we can in often difficult operating environments, our preponderant responsibility is to provide protection and assistance to refugees in their countries of first asylum.

Chairman Ackerman and Chairman Delahunt, we appreciate your interest in Iraqi refugee issues and look forward to working closely with you as we continue to expand protection for Iraqi refugees, conflict victims, and IDPs, and ensure that the vulnerable among them receive assistance, access to social services, and, for the most vulnerable of all, the opportunity to resettle to a third country. Thank you for the opportunity to address the Committee. This concludes my testimony. I would be happy to answer any questions you may have.

Mr. ACKERMAN. Thank you, Ambassador. The committee will stand in recess until the call of the chair, which he intends to do immediately following the vote on the floor.

[Recess.]

Mr. ACKERMAN. We will resume, beginning with the testimony of Ms. Scialabba.



**STATEMENT OF MS. LORI SCIALABBA, SPECIAL ADVISER TO  
THE SECRETARY OF HOMELAND SECURITY FOR IRAQI REF-  
UGEEES, U.S. DEPARTMENT OF HOMELAND SECURITY**

Ms. SCIALABBA. Good afternoon, Chairman Delahunt, Chairman Ackerman, and members of the subcommittees. And thank you for the opportunity to appear before you to testify.

Part of the refugee program's humanitarian mission is to offer resettlement in the United States to especially vulnerable Iraqi refugees who are unable to return to Iraq due to persecution. My office is responsible for interviewing refugee applicants and determining whether they are eligible for resettlement in the United States.

I would like to assure the subcommittees that USCIS is committed to working with the Department of State and other program partners to meet the administration's goal of admitting 12,000 Iraqi refugees this fiscal year. Meeting this goal is a top priority for the agency, and our officers are working tirelessly to interview and adjudicate the cases necessary to reach this target. However, that being said, there are certain variables critical to the program's success that do lie outside the U.S. Government's control.

In a relatively short period of time, all refugee program partners have substantially increased their capacity to process cases in the Middle East, building the infrastructure to support a large-scale operation where it previously did not exist. Overseas processing entities collect the basic biographical information from all applicants, including educational, work, and military service history, and interview the principal applicant regarding the refugee claim.

Prior to OPE pre-screen, the majority of applicants are interviewed by the United Nations High Commissioner for Refugees. USCIS's role in the refugee processing is to interview and adjudicate the applications for refugee resettlement, perform certain security checks, apply the material support exemption authority when necessary and warranted, and approve eligible cases once all necessary steps have been completed. The OPE then completes the resettlement outprocessing.

As you can see from the brief description I have given, multiple organizations are involved in the refugee admissions process.

Today I would like to share with you the steps that we are taking to marshal our resources, make part of our process as efficient as possible, and I would also like to share with you some of the obstacles that the program faces.

USCIS is working to maintain a current and timely interview schedule. Since spring 2007, USCIS officers have interviewed Iraqis primarily in Jordan, Syria, Egypt, Turkey, and Lebanon. We have teams of adjudicators in the region today and are scheduled to field teams on almost a continuous basis in the coming months. We expect to complete more than 8,400 Iraqi interviews during the first half of the fiscal year. We are currently working with State Department to put together a schedule of up to 8,000 interviews for Iraqi refugee applicants during the third quarter of this year. Given current approval rates, we estimate that achieving this volume of interviews would keep the United States on track to admit 12,000 Iraqi refugees by September 30.

USCIS and the Department of State share responsibility for conducting background checks on all Iraqi refugee applicants. Security

checks are rigorous, and no case is finally approved until results have been received and analyzed. Under regular refugee processing procedures, USCIS would not interview an applicant until interagency security checks coordinated by the Department of State have cleared; but given our desire to expedite the Iraqi caseload, USCIS has agreed to conduct interviews while interagency security checks are still pending. This has enabled numerous cases to be interviewed and moved more quickly than if we waited for the interagency security checks to clear.

Generally, USCIS receives responses to our initiated fingerprint checks after 2 to 4 weeks. The process runs concurrently with DOS outprocessing steps, such as obtaining medical clearances and sponsorship assurances. Because we have been able to institute this process of completing several steps concurrently, the total processing time for Iraqi cases is significantly less than it is for other refugee groups worldwide. We have also exercised the Secretary's discretionary exemption authority to admit hundreds of Iraqi refugees who otherwise would have been barred from admission under the material support-related ground of inadmissibility. To allow as many qualified individuals as possible to travel this fiscal year, we have devoted additional resources to reviewing material support cases that may be eligible for the duress exemption.

Refugee resettlement is a complex, multistep process involving a large number of players, all integral to the success of the program. We cannot control all of the variables in this complex process that can affect refugee admissions, factors such as the number of Iraqi refugees coming forward to UNHCR for registration, the desire of Iraqi refugees to resettle in the United States, the overall pace of registration and prescreening, applicants failing to appear for prescreening interviews, USCIS interviews or flight departures, as well as the continued cooperation of host governments to allow us to process in the region and other factors such as background clearances, medical issues, and resettlement outprocessing.

I would like also to take this time to update you on the progress being made to implement the Refugee Crisis in Iraq Act, which was signed into law 6 weeks ago. In-country processing, as Ambassador Foley mentioned, has begun. USCIS and the State Department agreed to a process up to 100 locally employed staff and their immediate family members in Baghdad who are at risk of persecution based on their association with the U.S. Government.

We must proceed with the utmost attention to ensuring the safety and security of both resettlement personnel and in-country refugee applicants. With this in mind, DHS, Department of State, Embassy Baghdad and IOM are seeking ways to increase our capacity and efficiency in Baghdad. Interviewing and adjudicating Iraqi cases has been and will continue to be a top priority for USCIS. We look forward to continuing our positive and close working relationship with our State Department colleagues and other partners in carrying out the humanitarian mission of admitting Iraqi refugees to the United States.

Once again I would like to thank you for giving me the opportunity to testify, and I would be happy to answer any questions.

[The prepared statement of Ms. Scialabba follows:]

PREPARED STATEMENT OF MS. LORI SCIALABBA, SPECIAL ADVISER TO THE SECRETARY OF HOMELAND SECURITY FOR IRAQI REFUGEES, U.S. DEPARTMENT OF HOMELAND SECURITY

Good afternoon members of the Subcommittees and thank you for the opportunity to appear before you to testify about the work that the Department of Homeland Security's (DHS) U.S. Citizenship and Immigration Services (USCIS) is conducting to protect Iraqi refugees through the U.S. Refugee Admissions Program (USRAP). My name is Lori Scialabba, and I am the Associate Director of the Refugee, Asylum, and International Operations Directorate at USCIS. I also serve as the Senior Advisor to Secretary Chertoff for Iraqi refugees. Part of the refugee program's humanitarian mission is to offer resettlement in the U.S. to especially vulnerable Iraqi refugees who are unable to return to Iraq due to persecution. My office is responsible for interviewing refugee applicants and determining if they are eligible for resettlement in the United States.

I would like to assure the Subcommittees that USCIS is committed to working with the Department of State (DOS) and other program partners to meet the Administration's goal of admitting 12,000 Iraqi refugees to the U.S. in FY 2008. Meeting this goal is a top priority for the agency, and our officers are working tirelessly to interview and adjudicate the cases necessary to reach this target.

The Administration as a whole is also devoting the resources needed to process and resettle 12,000 refugees from Iraq. We are working closely and cooperatively with DOS to assess progress towards meeting the goal and to identify ways to facilitate and streamline processing. In the relatively short time span of the past year, all refugee program partners have substantially increased their capacities to process cases in the Middle East, building the infrastructure to support a large-scale operation where it previously did not exist. That being said, achieving the 12,000 annual admissions target remains an ambitious goal for the Administration, and certain variables critical to the program's success lie outside the U.S. government's control.

USCIS' role in refugee processing is to interview and adjudicate the applications for refugee resettlement, perform certain security checks, apply the material support exemption authority when necessary and warranted, and approve eligible cases once all necessary steps have been completed. Under established protocols, USCIS does not interview refugee applicants until they are prescreened by one of DOS' Overseas Processing Entities (OPE). OPEs collect basic biographical information from all applicants, including educational, work, and military service history, and interview the principal applicant regarding the refugee claim. In addition, even prior to OPE prescreening, the majority of applicants are interviewed by the United Nations High Commissioner for Refugees (UNHCR). As you can begin to see from this brief description, multiple organizations are involved in the refugee admissions process. Today, I would like to share with you the steps we are taking to marshal our resources and make our part of the process as efficient as possible. I will also share with you some of the obstacles that the program faces.

First and foremost, USCIS is working to fulfill its commitment to process Iraqi refugees by maintaining a current and timely interview schedule. Since spring 2007, USCIS officers have interviewed Iraqis primarily in Jordan, Syria, Egypt, Turkey, and Lebanon. We have teams of adjudicators in the region today, and we are scheduled to field teams on a nearly continuous basis in the coming months as cases become ready for interview. We expect to complete more than 8,400 Iraqi interviews during the first half of the fiscal year. We are working with DOS to put together a schedule of up to another 8,000 interviews for Iraqi refugee applicants during the third quarter. Given current approval rates, we estimate that achieving this volume of interviews would keep the United States on track to admit 12,000 Iraqi refugees by September 30th.

USCIS and DOS share responsibility for conducting background checks on all Iraqi refugee applicants. Security checks are rigorous and no case is finally approved until results have been received and analyzed. In addition to the Department of State database, those of the intelligence and law enforcement community are also researched. OPEs initiate name checks at the prescreening stage and USCIS conducts fingerprinting at the time of interview. Under regular refugee processing procedures DHS would not interview an applicant until the interagency security checks coordinated by DOS had cleared. Given the desire to expedite the Iraqi caseload, USCIS has agreed to conduct interviews while interagency name checks are still pending. This has enabled numerous cases to be interviewed and moved more quickly than if we had waited for the security checks to clear before the interview. Generally, USCIS receives biometric responses to the USCIS initiated security checks within two to four weeks after the interview. The process also runs concurrently with other out-processing steps, such as obtaining medical clearances and sponsor-

ship assurances. Because we have been able to institute this process of completing several steps concurrently, on average the total processing time for Iraqi cases is significantly less than for other refugee groups worldwide.

We have exercised the Secretary's discretionary exemption authority to admit hundreds of Iraqi refugees who otherwise would have been barred from admission under the material support-related ground of inadmissibility. USCIS officers have encountered many Iraqi refugee applicants who have paid ransom in order to secure the release of kidnapped family members. This ransom was generally paid from family funds or money given by friends, extended family or neighbors. We have determined that many of these refugees are eligible for consideration for an exemption to the material support inadmissibility provisions because such material support was provided under duress. To allow as many qualified individuals as possible to travel this fiscal year, we have devoted additional resources to reviewing material support cases that may be eligible for duress exemptions.

Refugee resettlement is a complex, multi-step process involving a large number of players, all integral to the success of the program. We have had excellent cooperation among these partners to get the Iraqi program to the point it is today. However, given that this is a complicated process involving multiple entities and individuals, we cannot control all the variables that can affect refugee admissions. A variety of factors may affect the program, including the number of Iraqi refugees coming forward to UNHCR for registration, the desire of Iraqi refugees to resettle in the United States, the overall pace of registration and prescreening, applicants failing to appear for prescreening interviews, USCIS interviews or flight departures, continued cooperation of host governments to allow us to process in the region, and other factors such as background clearances, medical issues, and resettlement out-processing.

I would also like to take this time to update you on the progress being made to implement the Refugee Crisis in Iraq Act, which was signed into law just six weeks ago. USCIS is working with interested DHS components, DOS and the National Security Council to determine how best to implement these new provisions. Together with DOS, we have already begun to implement the Priority 2 group for religious minorities with close family members in the United States by building on a pre-existing Priority 2 group for Iraqi beneficiaries of I-130 immediate relative petitions. Moreover, Iraqi applicants who are direct-hire employees of the U.S. Government in Iraq or an organization or entity closely associated with the U.S. mission in Iraq or of a U.S.-based media organization, or nongovernmental organization are being encouraged to contact the DOS implementing partner—International Organization for Migration (IOM)—to access this program.

In-country processing in Iraq has begun. USCIS and DOS have agreed to process up to 100 Locally Employed Staff (LES) and their immediate family members in Baghdad who are at risk of persecution based on their association with the U.S. government. The first group of referrals from Embassy Baghdad includes 31 LES and their immediate family members. These applicants are currently being prescreened by DOS' OPE, and USCIS officers will travel to Baghdad next week to interview the applicants. Approved cases will receive expedited processing through the remainder of the resettlement process. Expansion of in-country refugee processing in Iraq beyond these initial referrals will involve significant coordination among a variety of partners. We must proceed with the utmost attention to ensuring the safety and security of both resettlement personnel and in-country refugee applicants. With this in mind, DHS, DOS, Embassy Baghdad and IOM are seeking ways to increase capacity and efficiency. Finally, USCIS Domestic Operations and DOS are in discussions regarding how best to expand Special Immigrant Visa processing, which is a distinct program, separate and apart from refugee processing.

Interviewing and adjudicating Iraqi cases has been and will continue to be a top priority for USCIS. We are committed to working with DOS and other program partners to meet the Administration's goal of admitting 12,000 Iraqi refugees to the U.S. in FY 2008. As a component agency of the Department of Homeland Security, USCIS remains vigilant of our mission to preserve national security. We must continue to provide protection to qualified refugees from Iraq and elsewhere around the world while upholding that mission. While fulfilling these dual goals may be challenging, they are not at odds with one another. The efficient and timely execution of the protocols we have established for processing Iraqi refugees confirms this. We look forward to continuing our positive and close-working relationship with our State Department colleagues and our other partners in carrying out the humanitarian mission of admitting Iraqi refugees to the United States.

Once again, I would like to thank you for giving me the opportunity to discuss our efforts and I welcome any questions that you may have.

Mr. ACKERMAN. Thank you very much.  
Mr. Edson.

**STATEMENT OF MR. STEPHEN A. "TONY" EDSON, DEPUTY ASSISTANT SECRETARY FOR VISA SERVICES, BUREAU OF CONSULAR AFFAIRS, U.S. DEPARTMENT OF STATE**

Mr. EDSON. Thank you, Chairman Ackerman and Mr. Delahunt and distinguished members of the committees, for providing me this opportunity to appear before you to discuss the special immigrant visa programs that the Bureau of Consular Affairs oversees on behalf of the Department of State.

These are visa programs and are therefore separate from the refugee programs administrated by the Bureau of Population, Refugees and Migration.

The Department appreciates the consideration that Congress has shown for the men and women who have assisted the United States Government in our efforts in Iraq and Afghanistan. The two special immigrant visa programs created an expedited process for these workers to immigrate to the United States. We are acutely aware of the debt that the U.S. owes to these men and women whose work was done at considerable personal risk, and we are doing our utmost to see that this debt is paid.

The special immigrant visa, or SIV, programs for Iraqis and Afghans provide immigrant status and, in an unprecedented development for visa programs, resettlement assistance to the recipients. The Bureau of Consular Affairs has moved quickly to work out procedures with our colleagues in the Bureau of Population, Refugees and Migration, which administers resettlement benefit programs for refugees, to allow these SIV recipients access to those benefits.

The initial SIV program for Iraqis and Afghans, already in operation for a year, is based on section 1059 of the National Defense Authorization Act of Fiscal Year 2006, which was enacted in January 2006 and originally authorized up to 50 Iraqi and Afghan interpreters and translators working for the United States military to receive special immigrant visas each fiscal year.

Last year Congress amended the program, allowing 500 principal applicants in Fiscal Year 2007 and Fiscal Year 2008, and expanding it to cover translators and interpreters beyond those working for the military to those working for the U.S. Government under Chief of Mission authority.

The State Department efforts to issue special immigrant visas to translators and interpreters accelerated immediately with changes in the law that shifted the scale of that effort from 50 to 500 visas in June 2007. We quickly built a robust system to meet the additional workload for the coordinated efforts of our domestic and overseas operations and the cooperation of our colleagues in the Department of Homeland Security.

The Department of State, working closely DHS, issued all of the visas Congress authorized for Fiscal Year 2007, and we will meet that same goal this fiscal year. We expect to reach the 500-case limit under the law with currently scheduled cases in the next few weeks. I can report with confidence that we now have in place an operation that has experience with applicants, sponsors and stake-

holders, and which is ready to take on the new challenges posed by the newly adopted SIV legislation.

Unfortunately, as you mentioned, Mr. Chairman, we have received approved petitions under this translator and interpreter SIV program that cannot yet be scheduled for visa interviews this fiscal year under the congressionally established cap of 500.

The second SIV program was enacted as part of the Defense Authorization Act of Fiscal Year 2008, signed into law just 6 weeks ago on January 28. Section 1244 of this legislation authorizes 5,000 special immigrants visas for Iraqi employees and contractors each year for the next 5 years. This provision creates a new category of special immigrants separate from the interpreter and translator program for Iraqi nationals who provided faithful and valuable service to the United States Government while employed by or on behalf of the United States Government in Iraq for not less than 1 year after March 2003, and who have experienced ongoing serious threat as a consequence of that employment.

We are working closely with DHS to implement section 1244 provisions as quickly as possible, while meeting the security screening requirement it imposes, and we are determined likewise to make this program a success.

Thank you again for holding this hearing and allowing me to speak to you today. These are important programs and issues, and I am, of course, happy to answer your questions.

[The prepared statement of Mr. Edson follows:]

PREPARED STATEMENT OF MR. STEPHEN A. "TONY" EDSON, DEPUTY ASSISTANT SECRETARY FOR VISA SERVICES, BUREAU OF CONSULAR AFFAIRS, U.S. DEPARTMENT OF STATE

Thank you, Chairmen Ackerman and Delahunt and distinguished members of the Committees for providing me this opportunity to appear before you to discuss the Special Immigrant Visa programs that the Bureau of Consular Affairs oversees on behalf of the Department of State. These are visa programs and are therefore, separate from the refugee programs managed by the Bureau of Population, Refugees and Migration and covered in the testimony presented by Ambassador Foley.

The Department appreciates the consideration that Congress has shown for the men and women who have assisted the U.S. Government with our efforts in Iraq and Afghanistan. The two Special Immigrant Visa programs create an expedited process for these workers to immigrate to the United States. We are acutely aware of the debt that the United States owes to these men and women whose work is done at great personal risk, and we are doing our utmost to see that this debt is paid. Our record to date is a demonstration of our dedication to making SIV programs succeed.

The SIV programs for Iraqis and Afghans provide immigrant status, and in an unprecedented development for visa programs, resettlement assistance to the recipients. The Bureau of Consular Affairs has moved quickly to work out procedures with the Bureau of Population, Refugees and Migration (PRM), which administers resettlement benefit programs for refugees, to allow these SIV recipients access to benefits.

The initial SIV program for Iraqis and Afghans, already in operation for a year, is based on Section 1059 of the National Defense Authorization Act for Fiscal Year 2006, Public Law 109-163, ("Section 1059"), which was enacted in January 2006 and originally authorized up to 50 Iraqi and Afghan interpreters and translators working for the U.S. military to receive SIVs each fiscal year.

Last year, Congress amended the program, allowing 500 principal applicants in FY 2007 and FY 2008 and expanding it to cover interpreters and translators beyond those working for the Military to those working for the US Government under Chief of Mission authority. State Department efforts to issue SIV visas to translators and interpreters accelerated immediately with changes to the law that shifted the scale of the effort from 50 to 500 visas in June of 2007. We quickly built a robust system to meet the additional workload through the coordinated efforts of our domestic and

overseas operations. The domestic role falls to the National Visa Center, which receives the approved Special Immigrant Visa petitions from the U.S. Citizenship and Immigration Service, reaches out to beneficiaries with instructions, advises beneficiaries on the statutorily required documentation and forwards petitions ready for processing to overseas posts. The overseas role is taken by our Embassies abroad, which communicate with applicants, schedule appointments, work with host governments to ensure applicants can reach our Embassies, appropriately vet each case and issue the visas.

The Department of State, working closely with DHS, issued all of the visas Congress had authorized for FY 2007. We carefully monitored issuance of the 500 available visas and accelerated appointments so that all of the numbers would be used. In the final days of the fiscal year we knew we would be very close to the goal, but issuing all 500 was not a certainty. Using the best estimates we could devise we scheduled sufficient appointments to ensure that all would be used. Domestic operations in the Bureau of Consular Affairs were continued throughout the final weekend of the fiscal year, as our Middle East posts operate on the U.S. weekend, to monitor number usage and guarantee that any demand for available numbers was instantly met. We were surprised to learn on the first normal workday of the FY 2008 that, despite our best estimates, we had actually issued slightly more than 500 visas.

Given the extraordinary work on SIV issuances last fiscal year, I can report with confidence that we now have in place an operation that has experience with applicants, sponsors and stakeholders and which is ready to take on the new challenges posed by the newly adopted SIV legislation. As stated earlier, we met the statutory quota for visas under this program in FY 2007, and we will meet it again this Fiscal Year. As a result, the National Visa Center (NVC) expects that we will reach the 500 limit with the currently scheduled cases very soon. Unfortunately, NVC also has received approved cases under this translator and interpreter SIV program that cannot be scheduled for visa interviews this fiscal year under the Congressionally-established cap of 500. For those admitted after December 26, 2007, refugee benefits are available and we are attempting to make this information available to them even if they have already arrived in the U.S. Those Iraqi translators or interpreters under the original SIV program who are unable to obtain one of the 500 visas authorized for principal applicants for FY 2008 under section 1059 may reapply for SIV status under Section 1244. However, the law does not allow Afghan translators or interpreters this reapplication option; those Afghan translators or interpreters with cases still pending when the 500 Section 1059 visas allocated have been exhausted have no alternative but to wait for one of the 50 SIVs authorized for FY 2009 or a subsequent year unless they qualify under another employment or family based category or apply for refugee status.

The second SIV program was enacted as part of the Defense Authorization Act for Fiscal Year 2008, Public Law 110-181, which was signed into law six weeks ago, on January 28, 2008. Section 1244 of this legislation ("Section 1244") authorizes 5,000 special immigrant visas for Iraqi employees and contractors each year for the next five years and provides refugee resettlement benefits to Iraqis who are granted SIV status and their families refugee resettlement benefits. This provision creates a new category of SIVs, separate from the interpreter and translator program, for Iraqi nationals who have provided faithful and valuable service to the USG while employed by or on behalf of the USG in Iraq for not less than one year after March 20, 2003, and who have experienced ongoing serious threat as a consequence of that employment.

We are working closely with DHS to implement Section 1244 provisions as quickly as possible while meeting the security screening requirements it imposes and we are determined to achieve the goal Congress has set. Implementation of the new SIV program is complex because the environment in which this work must be done is challenging and changing. NVC and several U.S. Embassies in the Middle East where Iraqi applicants may apply, including Baghdad, have been active participants in preparing for the implementation of the new program. With improvements in the security situation in Iraq, we are now working to make the U.S. Embassy in Baghdad a post that can issue SIVs. We will do what we can and what we must to get this job done. We will use the resources we have, expand them where necessary, and assign new ones as required.

Risks for the applicants and our staff who process these cases are real. Constant attention to changing political and security realities is needed to keep these programs on track. We have adjusted to changes in the availability of travel documents, and pushed the Iraqis to make changes in that area which have made them more widely available. We have monitored the ability of Iraqis to travel to nearby countries and intervened with concerned governments to keep opportunities open.

We have responded to calls from our Embassy in Baghdad to give them a greater role in visa processing. We are carefully tracking the translator-interpreter visa pipeline and are preparing information for beneficiaries that will keep them up-to-date about visa availability. The Department will continue to work on all of these issues as the expanded SIV program unfolds. We will continue to do our best to achieve the goal Congress has set.

Thank you again for holding this hearing and allowing me to speak to you today. These are important programs and issues. I am happy to answer your questions.

Mr. ACKERMAN. Ambassador Butler.

**STATEMENT OF THE HONORABLE LAWRENCE BUTLER, DEPUTY ASSISTANT SECRETARY, BUREAU OF NEAR EASTERN AFFAIRS, U.S. DEPARTMENT OF STATE**

Ambassador BUTLER. Chairman Ackerman, Chairman Delahunt, Ranking Member Rohrabacher, distinguished members of the committees and subcommittees, let us get right down to it very quickly. The land that is present-day Iraq is home to the world's first known civilization and has been home to numerous people since then. Some of them, like the Assyrians, the Yezidis and Sabean-Mandaeans, continue to live in Iraq today. Iraq's tapestry of history, cultures and peoples are cherished by its peoples, and it is an asset that we, the American Government and the Iraqi Government, are working to preserve.

This has not been easy. The violence the country has witnessed in the past couple of years has affected all Iraqis, leading to displacements, threats and deaths. Iraq's religious and ethnic minority communities are not immune from the violence.

The Department of State places a high priority on minority issues and is committed to working with minority leaders and the Government of Iraq and Iraq's provincial governments to safeguard the future of Iraq's minority communities. In January of this year, the State Department named Dr. Richard J. Schmierer as Special Coordinator for Iraq's Minority Communities. He has created a working group which includes officials from the State Department, the Agency for International Development, and the Department of Defense to focus on issues faced by religious minority communities there.

Dr. Schmierer and others and I meet with to discuss concerns with clerical and secular representatives of the Sabean-Mandaean community, Yezidi spiritual and community leaders, and representatives of the Chaldo-Assyrian groups present here in the United States, as well as with individuals. I personally have traveled to meet with Chaldean representatives in the Detroit and Los Angeles areas in just the past 5 months.

In Iraq, officials from our Embassy as well as our Provincial Reconstruction Team representatives in Ninewa meet regularly with the representatives of the religious and minority groups to discuss issues confronting their communities and to see how we can best help them address their concerns.

Ninewa Province is home to the largest numbers of these communities, and our PRT has frequent interaction with their communities and leaders. These meetings provide unique opportunities of dialogue between the U.S. Government and the minority communities, and we make it a priority to maintain this unfiltered dialogue.



In the meetings, the leaders and representatives of the minority groups often express urgent concerns about their safety, security, humanitarian and development assistance for the communities, and the role and voice in Iraqi politics.

Please permit me to address each of these concerns. Security is paramount. A safe and secure Iraq is one of the primary goals of the United States Government and the Government of Iraq, and in the past 6, 7 months, we have seen dramatic improvements in the security not just in Baghdad, but in the surrounding provinces as well. As we know, the security situation in Iraq countrywide was significantly different 2 years ago. While it is true that in some cases religious minorities, including many Christian communities, were targeted due to their religion, in general even those in the majority nationally found themselves targeted in communities where they were in the minority. In short, Shi'a residing in Sunni majority areas were threatened and vice versa.

Fortunately, the security situation has improved as some of the accelerance for sectarian violence has been eliminated, primarily by taking the fight to al-Qaeda and taking them out of Anbar Province.

Sadly, acts of violence still occur. Some minority groups have called for creation of additional local citizen watch groups known as Sons of Iraq, which have had success in other places in improving local security. We have advised minority groups interested in this idea to work directly with the Department of Defense and the Iraqi Ministry of Interior. Any efforts toward the creation of local security forces for minority communities must proceed with the awareness that the United States Government and the Government of Iraq are working on plans to transition existing members of the Sons of Iraq groups to civilian employment or recruitment and assimilation into the Iraqi Security Forces. Iraq's long-term security is best assured when there is one unified national security structure with forces loyal to the state.

On the humanitarian development side, in November 2007 we submitted to the Congress a report describing the assistance we are providing to an area in northern Ninewa Province known as the Nineveh Plain region. The region is composed primarily of two districts, Al-Hamdaniya and Tilkaif, which are predominantly Christian. I want to emphasize that U.S. Government assistance is not tracked nor distributed based on ethnic identity or religious affiliation. Rather, assistance is targeted to regions and areas on the basis of need.

Our report last year found that Al-Hamdaniya and Tilkaif received approximately \$31.3 million in USG funds for the period of 2004 to 2007. We continue to monitor very closely the needs in Ninewa to assure that all areas receive appropriate levels of assistance.

On the political side, these are minorities in a country with a relatively new government which is focused on struggling to establish security. Under these circumstances—and I am speaking as somebody who has served in Bosnia and 10 years ago worked on the Northern Ireland peace accords—minority groups must engage proactively and energetically in the political area in order to have

their voices heard. We play a facilitating role by channeling their concerns to appropriate government officials.

The biggest success we have seen is at the local level—the biggest success combined with frustrations is that some minority areas are frustrated with their local councils not being adequately representative or responsive to their needs. The Agency for International Development's Community Action Program, which has enjoyed tremendous support from the Congress, works to address these concerns by connecting communities to their local elections to carry out agreed projects. Provincial councils, which are scheduled to take place by the end of the year, will provide a more lasting solution as local populations will have the opportunity to vote for members, their representatives within the provincial council. We are working with government leaders in Iraq to ensure that the elections happen as soon as possible in a fair and transparent manner.

We want Iraq to maintain its legacy and not lose the diversity of its peoples and culture, and we are working with the Iraqi Government and people to preserve this diverse and very rich tapestry.

Thank you. I am happy to take your questions.

[The prepared statement of Mr. Butler follows:]

PREPARED STATEMENT OF THE HONORABLE LAWRENCE BUTLER, DEPUTY ASSISTANT SECRETARY, BUREAU OF NEAR EASTERN AFFAIRS, U.S. DEPARTMENT OF STATE

Chairman Ackerman, Chairman Delahunt, and distinguished members of the Committees, thank you for providing me the opportunity to testify today on Iraq's minority communities.

The land that constitutes present-day Iraq, an area historically known as Mesopotamia, was home to the world's first known civilization and has been called home by numerous peoples since then. Some of them, like the Assyrians, Yezidis, and Sabean-Mandaeans, continue to live in Iraq today. These communities have been living in this area for centuries. Iraq's richness in history, cultures, and peoples is cherished by the Iraqi people and is an asset that the Government of Iraq and the United States Government are working to preserve.

Preserving Iraq's communities has not been easy. The violence that the country has witnessed in the past couple of years has affected all Iraqis, leading to displacements, threats, and, in some cases, deaths. Iraq's religious and ethnic minority communities have not escaped the violence and, at times, have become targets themselves.

The Department of State is committed to working with minority leaders, the Government of Iraq, and Iraq's provincial governments to safeguard the future of Iraq's minority communities. The Department places a priority on minority issues. In January 2008, in connection with language included in the omnibus appropriations bill, the Department named Dr. Richard J. Schmierer as Special Coordinator for Iraq's Minority Communities. Dr. Schmierer, a Senior Foreign Service Officer of the rank Minister-Counselor, is the Director of the Department's Office of Iraq Affairs. Dr. Schmierer has created an intra-departmental working group that also includes Department of Defense officials to focus on issues faced by religious minority communities in Iraq.

Dr. Schmierer, other Department officials, and I meet and discuss concerns with clerical and secular representatives of the Sabean-Mandaean community, Yezidi spiritual and community leaders, and representatives of Chaldo-Assyrian groups in the United States, as well as representatives of individual Chaldean and Assyrian groups. I personally have met with Chaldean representatives in the Detroit and Los Angeles areas in the past four months.

In Iraq, officials from our Embassy and our Provincial Reconstruction Team (PRT) in Ninewa meet regularly with representatives of religious and ethnic minority groups to discuss issues confronting their communities and try to address their concerns. Ninewa province is home to large numbers of Chaldeans, Assyrians, Yezidis, and Shabaks, and our PRT has frequent interaction with these communities and their leaders.

These meetings provide open channels of dialogue between the USG and minority communities, and we make it a priority to maintain this unfiltered dialogue. In these meetings, leaders and representatives of minority groups often express urgent concerns about their safety and security, humanitarian and development assistance for their communities, and their role and voice in Iraqi politics. I would like to address each of these concerns in turn.

#### SECURITY

A safe and secure Iraq is one of the primary goals of the USG and the Government of Iraq. In the past several months, we have seen dramatic improvements in security in Baghdad and surrounding provinces. As we know, however, the security situation in the country was significantly different two years ago. In February 2006, the al-Askariya mosque was bombed in Samarra. The destruction of this revered Shi'a holy site sparked a deadly spiral of sectarian and generalized violence that persisted well into 2007. This violence affected all Iraqis, irrespective of their ethnic or religious background. While it is true that in some cases religious minorities, including many Christian communities, were targeted due to their religion, in general, even those in the majority nationally often found themselves targeted in communities where they were in the minority. Thus, Shi'a residing in Sunni majority areas were threatened, and vice versa.

The violence led to large-scale displacements throughout the country, and caused many to take refuge outside of Iraq. Many members of the Christian communities in Baghdad and southern Iraq moved north, or left the country altogether. The Sabean-Mandaean community, once concentrated south of Baghdad, is now scattered in pockets along eastern Iraq. Movements of members of these communities, as well as of Sunni and Shia Iraqis, have changed the sectarian make-up of neighborhoods in Baghdad and other parts of the country.

Fortunately, since last fall the security situation has been improving in Iraq. However, acts of violence do still occur, including against minority communities. In August 2007, for example, bombings of Yezidi villages in northern Ninewa province by al-Qaida claimed over 300 lives and left more than 700 people wounded. The Iraqi government, Coalition Forces, and USG implementing partners took immediate action to provide assistance and relief to the affected villages. In early January, bombings struck several Christian churches. The Government of Iraq issued a statement condemning the bombings. Just ten days ago a Chaldean Archbishop was kidnapped. All of these incidents occurred in or around Mosul, which is currently the epicenter of the struggle to expel al Qaeda from Iraq.

Some minority groups have called for the creation of local security forces for their communities. Local citizen watchgroups, known as Sons of Iraq, have had success in improving local security in some areas of the country. We have advised minority groups interested in this idea to work through the Department of Defense and the Iraqi Ministry of Interior. Any effort towards the creation of local security forces for minority communities must proceed with the awareness that the USG and GoI are working on plans to transition members of existing Sons of Iraq groups to civilian employment or to recruitment into Iraqi security forces. Iraq's long-term security will be best assured when there is one unified national security structure in the country with forces loyal to the Iraqi nation. Long-lasting security for minority groups can only be achieved as current gains in security become more permanent. To that end, the USG continues to work with Iraqi security forces to build their capabilities and effectiveness.

#### HUMANITARIAN AND DEVELOPMENT ASSISTANCE

Some of the minority groups with whom we have met have expressed concerns about the level of humanitarian and development assistance reaching members of their communities in Iraq. In November 2007, the Department submitted to Congress a report describing the assistance that we are providing to an area in northern Ninewa province known as the Nineveh Plain region. This region is comprised primarily of two districts, Al-Hamdaniya and Tilkaif, which are predominately Christian. Before I quote from the report, I would like to note that USG assistance is not distributed or tracked based on ethnic identity or religious affiliation. Rather, assistance is targeted to areas and regions on the basis of need.

Our report last year found that "of the nine districts in Ninewa Province, Al-Hamdaniya and Tilkaif rank fourth and fifth in total assistance received and fourth and sixth respectively in per capita assistance received." These two districts received approximately \$31.3 million in USG funds for the period 2004-2007.

We continue to monitor needs in Ninewa to ensure that all areas receive the appropriate level of assistance. USAID is working in the Ninewa Province to carry out

a number of programs through our implementing, NGO partners. Several of USAID's most prominent and comprehensive programs are being implemented in Ninewa Province, including: National Capacity Development, which builds the capacity of the Government of Iraq to deliver public services; the Community Action Program, which strengthens links between communities and their government; the Community Stabilization Program, which employs and/or provides job training skills to young men to reduce incentives to participate in sectarian violence; and humanitarian assistance to the most vulnerable in Ninewa.

In addition, our creative and courageous PRT in Ninewa is not only encouraging minority communities to submit community-level project proposals for funding consideration under a variety of programs, but also working with leaders and organizations in these communities to develop ideas and initiatives.

#### POLITICAL

Minority groups are also legitimately concerned about their place in the dynamic political scene in Iraq, both nationally and locally. As minorities in a country with a relatively new government focused on establishing security, these groups must engage proactively and energetically in the political arena in order to have their voices heard. The USG plays a facilitating role by channeling their concerns to appropriate Iraqi government officials. The national government is sensitive to the concerns of minority communities. For example, Prime Minister Nouri al-Maliki has offered to work with Iraqi Christian leaders to channel assistance to Christian communities.

At the local level, some minority communities are frustrated that their local councils are not adequately representative or responsive to their needs. USAID's Community Action Program works to address these concerns by connecting communities with their local councils to carry out agreed upon projects. The USAID program helps to address immediate needs. Provincial elections, however, will provide a more lasting solution, as local populations will have the opportunity to vote for members of their provincial councils. The USG is strongly encouraging the Iraqis to hold provincial elections in 2008 and is working with GoI leaders to ensure they happen as soon as possible in a fair and transparent manner.

Iraq, the "Cradle of Civilizations," has nurtured many peoples throughout its history. We want to see Iraq maintain its legacy and not become bereft of the diversity of its peoples and cultures. We are working with the Iraqi government and Iraqi people to preserve this great and diverse society.

Mr. ACKERMAN. Thank you very much.  
Mr. Gottlieb.

#### **STATEMENT OF MR. GREG GOTTLIEB, SENIOR DEPUTY ASSISTANT ADMINISTRATOR, BUREAU FOR DEMOCRACY, CONFLICT AND HUMANITARIAN ASSISTANCE, U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT**

Mr. GOTTLIEB. Thank you, Chairman Ackerman, Chairman Delahunt, Ranking Member Rohrabacher, and members of the subcommittee, for your continued support for USAID and for the opportunity to appear before you today.

Let me start by expressing my appreciation for the tireless work of USAID-funded partners in Iraq. The working environment for humanitarians is extremely difficult. International aid workers, local staff and their families face threats, kidnappings and killings. Although many aid agencies left Iraq in 2003 out of safety concerns, those who remain in country and continue to provide aid have done so through creative community networking and perseverance, and they are to be commended for their efforts.

Nearly 2.5 million Iraqis are displaced within Iraq's borders, including 1.2 million displaced following the February 2006 bombing of the Al-Askari Mosque in Samarra.

According to a 2007 assessment by the International Organization for Migration, shelter remains the most costly and highest priority need for IDPs, followed by employment and food. Sixty per-

cent of IDPs have secured rented housing, but escalating rents are straining household budgets. As for the remainder of Iraqi IDPs, 20 percent rely on host families, and another 20 percent have found shelter in public buildings.

Within individual governorates, additional priority needs vary, but needs most consistently identified are access to clean water, food, legal services, and health care, as well as the need for education and employment opportunities.

Since Fiscal Year 2003, USAID, through our Office of U.S. Foreign Disaster Assistance (OFDA), has contributed more than \$254 million in humanitarian assistance to vulnerable populations in Iraq. In Fiscal Years 2007–2008, OFDA obligated more than 63 million through 5 international partners, providing assistance to nearly a half a million IDPs in all 18 of Iraq's governorates.

USAID's Food for Peace offices allocated \$25 million to the World Food Program to provide emergency food packages to refugees in Syria and IDPs in Iraq. And just this month an additional \$11 million was provided for IDPs, and Food for Peace is considering further assistance in the coming months.

From the delivery of temporary shelter and winterization supplies and cash-for-work infrastructure rehabilitation programs to the creation of child-friendly spaces and the deployment of mobile health teams, USAID-funded programs strive to assist the most vulnerable. Through our implementing partners we continue to facilitate the economic development of IDPs in host communities through the construction of marketplaces, establishment of enterprise spaces, and support to small businesses.

Our programs are tailored to the needs identified at the community level. For example, we are supporting vocational training programs for electricians, welders and information technology specialists. The need to support the host communities whose infrastructure is often overtaxed is met with improvements to health, water and sanitation facilities.

It should be noted that consistent with the USAID's IDP policy, we continue to address the long-term development needs of IDPs with an eye toward mitigating new cycles of national instability and population displacement.

Finally, USAID remains committed to building the capacity of the Government of Iraq, particularly the Ministry of Migration, in an effort to find durable solutions to the ongoing displacement crisis at local, regional, and national levels.

Although USAID-funded programs continue to meet immediate and longer-term needs of IDPs, preparations for the eventual return of IDPs to their home communities must be strengthened and expanded. The IDP and refugee communities of origin are woefully unprepared to absorb and meet the needs of the refugees and IDPs who will eventually return home. While the numbers of returnees today is small, estimated by Iraq's Ministry of Migration to be around 30,000 families, preparation for their eventual return is essential.

With the limited number of international aid agencies on the ground in Iraq, it is imperative that we have a heightened U.N. profile to not only implement humanitarian aid programs, but also to take the lead in coordinating countrywide activities that may

identify humanitarian needs. As I said earlier, there are nearly 2.5 million Iraqis displaced in their own country, and USAID remains committed to providing appropriate and targeted support to these IDPs and their host communities. We are prepared to respond to their needs to the best of our ability with the resources that have been allocated to us.

I would be happy to answer any questions you may have.  
[The prepared statement of Mr. Gottlieb follows:]

PREPARED STATEMENT OF MR. GREG GOTTLIEB, SENIOR DEPUTY ASSISTANT ADMINISTRATOR, BUREAU FOR DEMOCRACY, CONFLICT AND HUMANITARIAN ASSISTANCE, U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT

Thank you Chairman Ackerman and Chairman Delahunt, Ranking Member Pence and Ranking Member Rohrabacher, and Members of the Subcommittees for the opportunity to appear before you and to discuss USAID's provision of humanitarian assistance to Iraqi internally displaced persons (IDPs).

Despite a decrease in violence, slowing displacement rates, and limited returns in 2007, displacement within Iraq remains a serious humanitarian crisis and demands a significant and targeted response. The humanitarian condition of displaced Iraqis continues to deteriorate, as coping mechanisms diminish, and the potential for new displacement remains a concern. Moreover, many Iraqi returnees face enormous difficulties in home communities which are unable to provide basic services for health, shelter, security, and economic needs.

In short, Iraq's IDP and refugee crisis is deepening and will require a continued and targeted response from the U.S. Government and the international humanitarian community as a whole. Our response must address the specific needs of the current IDP caseload, while maintaining the capacity to respond rapidly to new displacement and emergency needs. In addition, the U.S. government must continue to assist in building the capacity of the Government of Iraq. For IDPs and returnees, this means a significant commitment must be made to the Ministry of Migration (MoM).

Before I delve into the specifics of the USAID's program to assist Iraqi IDPs, I want to give you a bit of context with regard to working conditions for our partners. Killings, kidnappings, and threats against international aid workers, local staff, and their families are commonplace. Many aid agencies have opted to leave Iraq since 2003 as a result of this violence. But those who have remained and continue to provide aid have done so through creative networking and perseverance. Building strong relationships with local leaders, both governmental and religious, has created an environment of partnership and trust in many areas of the country. Even so, on a day to day basis, our partners risk their own personal safety to provide assistance on behalf of the United States government and the American people to Iraqis in need.

#### CURRENT SITUATION

Although displacement has leveled off in recent months, the crisis remains severe as reflected by the current IDP caseload. The humanitarian community estimates that nearly 2.5 million Iraqis are displaced within Iraq's borders, including 1.3 million displaced following the February 2006 bombing of the Samarra Al-Askari Mosque. An additional 2 million Iraqis have sought refuge in neighboring countries. More than 65 percent of the IDP population originates from Baghdad, nearly 20 percent are from Diyala Governorate, and a majority of the balance fled from Anbar, Salah al-Din, and Ninewa governorates.

In December 2007, the International Organization for Migration (IOM) conducted a needs assessment of families affected by the February 2006 Samarra bombing. For the majority of displaced families, shelter remains the highest priority need, followed by employment and food. Approximately 20 percent of IDPs reported seeking shelter in abandoned public buildings or other informal settlements with no clean water or electricity. An additional 20 percent of displaced families have moved in with relatives or host families, often resulting in overcrowding and severe strains on resources. The remaining 60 percent reside in rented houses or apartments. However, finances have dwindled as rent prices continue to rise, and renters now struggle to afford food, essential items, and services. The absence of livelihood opportunities in host communities exacerbates the problem.

Regarding access to food, the United Nations Development Program (UNDP) reported that in 2004, nearly 96 percent of all Iraqis received food from the govern-

ment-run public distribution system (PDS). However, in 2007, only 22 percent of IDPs reported regular access to food rations, and 60 percent reported not receiving any food assistance since becoming displaced. The most frequently reported obstacle to PDS access is insecurity, which both prevents distribution in areas of displacement and hinders the transportation of food across national and governorate borders.

Finally, the Government of Iraq and the humanitarian community are extremely concerned that resources are not in place to absorb and meet the needs of refugees and IDPs should they return to their communities of origin en masse. A limited number of returns have occurred to date, although it is difficult to measure precisely as not all returnees are registering with the MoM, or other sources, such as local councils. In 2007, the MoM reported that improved security had allowed an estimated 6,000 families to return to Baghdad. MoM estimates that nearly 30,000 families have returned countrywide.

#### HUMANITARIAN NEEDS

In general, large scale displacements tend to overwhelm local water, sanitation, health, and general infrastructure. UNICEF reports that only one in three Iraqi children under the age of five has access to safe drinking water. According to IOM surveys, displaced families in Iraq consistently identify shelter, food, and employment as priority needs. In addition, displaced families, particularly the most vulnerable groups, require immediate emergency relief supplies and ongoing access to safe and protective areas. However, within individual governorates, priority needs vary. For example, in Anbar Governorate, nearly 80 percent of IDPs reported access to water as the priority, while in Ninewa Governorate approximately 96 percent identified legal services as a high priority. Among IDPs surveyed in central and southern governorates, IOM identified access to healthcare as a priority need, with eleven percent of IDPs unable to access health care and 34 percent unable to access needed medication.

Regarding Iraqi returnees, only 49 percent own property in habitable condition, 30 percent live in improvised shelters, 14 percent are renting, and 6 percent are living with relatives. The remainder live in improvised shelter. Upon returning, 65 percent of assessed individuals reported urgently needing food, 64 percent need cooking fuel, 53 percent essential non-food items, 51 percent health care, and 46 percent sanitation services. An additional concern, according to the Government of Iraq's Minister of Migration, is that a majority of expected returnees will find their homes occupied by others.

#### USAID RESPONSE

Since FY 2003, USAID—through our Office of U.S. Foreign Disaster Assistance (OFDA)—has contributed more than \$254 million in humanitarian assistance to vulnerable populations in Iraq. In fiscal years 2007–08, OFDA obligated more than \$63 million through five international partners providing assistance in the health, water/sanitation, livelihoods, relief commodities, food supplements, and shelter sectors. These programs reached nearly 500,000 IDPs in all 18 of Iraq's governorates.

USAID has also programmed \$25 million from P.L. 480 Title II—USAID's Food for Peace—to the World Food Program for emergency food packages to refugees in Syria and IDPs in Iraq. In March 2008, FFP has programmed an additional \$11 million in P.L. 480 assistance to the WFP for IDPs in Iraq and is considering further assistance in the coming months.

In addition to addressing immediate relief needs, USAID's humanitarian programs include activities to protect water points, create employment opportunities, and repair damaged infrastructure. USAID/OFDA's FY 2007–08 funding also supports initiatives to create safe areas for displaced women, and children and to conduct rights-awareness trainings. In Baghdad, one implementing partner rehabilitated a local structure which now serves as a safe area addressing the psycho-social needs of more than 100 children through recreational and educational activities.

Our democracy and governance activities in Iraq also incorporates the needs of IDPs into programming, and USAID continues to assist in building local capacity to deliver vital services that will impact and benefit areas with high numbers of IDPs. Consistent with the USAID IDP Policy, addressing the long-term development needs of IDPs helps to mitigate the risk of new cycles of national instability and population displacement.

Examples of USAID-funded activities benefiting IDPs include the following:

In Erbil, Muthanna, and Wassit governorates, one of USAID's partners is implementing an emergency response and early recovery program addressing the needs of nearly 80,000 IDPs. The program provides the delivery of winterization supplies,

cash-for-work activities focused on rehabilitation of infrastructure, creating child-friendly spaces, and providing shelter assistance to as many as 3,600 IDP families.

In Ta'mim, Salah ad Din, Diyala, Sulaymaniyah, and Erbil governorates, another partner is providing community-based recovery assistance, which includes psychosocial activities for vulnerable IDPs, particularly women and children. This partner also is working with the Directorate of Health in Kirkuk to facilitate the operation of mobile health teams which provide medical services to IDP families throughout Ta'mim governorate.

A third USAID partner implements health, water, sanitation, and hygiene activities for 40,000 IDP families in 10 out of Iraq's 18 governorates, and provides emergency relief supplies to nearly 27,000 newly displaced families across 13 governorates. Another USAID-funded program is improving maternal and child healthcare at the household level through training and education, benefiting more than 381,000 IDPs in six governorates. USAID funding also continues to increase access to potable water for nearly 56,500 IDP families in eight governorates.

USAID/OFDA partners continue to facilitate the economic development of IDPs and host communities through the construction of marketplaces and the establishment of enterprise spaces. In Al-Rusafa, Baghdad, an OFDA partner established a sewing factory in a building recently renovated by the U.S. Army, creating employment for 126 women from the IDP and host communities.

The USAID/OFDA Iraq Humanitarian Assistance Program also includes an emergency response initiative designed to distribute food items to the most vulnerable IDP and host community families. NGO implementing partners conduct frequent community-based surveys to identify the most affected displaced families. The USAID/OFDA food distribution system fills the gap left by the World Food Program (WFP) distribution system and the Government of Iraq public distribution system (PDS).

In addition to funding humanitarian assistance activities, the U.S. Government remains committed to building the capacity of the Government of Iraq in an effort to find durable solutions to the ongoing displacement crisis at local, regional, and national levels.

Specifically, USAID's humanitarian assistance program aims to strengthen the capacity of the MoM to monitor the movement and plans of IDP families, and to coordinate with local authorities, communities, and relief organizations to assess needs and create appropriate programming for each target population, as well as to facilitate safe returns and successful transitions.

#### THE WAY AHEAD

Although USAID's partners continue to meet the immediate needs of IDPs, and create medium-term and long-term solutions to address the protection and economic needs of IDPs, preparations for the eventual return of IDPs to home communities must be strengthened and expanded. In this regard, USAID and the State Department will work to strengthen the capacity of the MoM in order to prepare and implement adequate responses to the return of IDPs and refugees.

Along these lines, the U.S. Government is making every effort to increase in-country engagement with the UN. Following the 2003 bombing of UN headquarters in Baghdad, the UN pulled its operations back to Amman. The UN has recently stepped up its efforts and presence in Iraq. We are encouraged by this trend, and should encourage it to do more. With a limited number of international aid agencies on the ground in Iraq, it is imperative that we have a heightened UN profile not only to implement humanitarian aid programs, but also to take the lead in coordinating country-wide sectoral activities. The UN's increased presence will also send a strong message to the greater humanitarian aid community that it is possible to operate in the current environment.

USAID remains committed to providing targeted and appropriate support to IDP and host communities by encouraging its partners to engage local communities, national authorities, and other relief organizations, to ensure that interventions are tailored to the needs of each community. USAID will continue to support its partner's efforts to provide timely relief assistance and basic services for suddenly displaced persons, and create durable solutions for settled IDPs.

USAID is prepared to respond to needs of the Iraqi IDPs with existing resources and partners and plans to continue responding with additional resources to be obligated by the end of calendar 2008. Thank you for the opportunity to address the Subcommittees. This concludes my testimony. I would be happy to answer any questions you may have.

Mr. ACKERMAN. Thank you all for your opening statements.



Let me begin with Ambassador Foley and focus for the moment on those Iraqis who have helped us. How many such people are there?

Ambassador FOLEY. Mr. Chairman, those are statistics that we are in the process of gathering. I would be happy to take the question and get you the answer for the record. But the fact is that government agencies right now are putting those numbers—

[The information referred to follows:]

WRITTEN RESPONSE RECEIVED FROM THE HONORABLE JAMES B. FOLEY TO QUESTION ASKED DURING THE HEARING BY THE HONORABLE GARY L. ACKERMAN

Our mission in Iraq currently employs approximately 107 Locally Employed Staff (LES) country-wide and another 1,572 Iraqis work for State and USAID contractors country-wide. There are an additional 233 Iraqi LES employees who formerly worked for our mission in Iraq. The Department of Defense (DOD) should be consulted for specific information on the number of Iraqis employed by DOD or through contractors.

Mr. ACKERMAN. Do you remember saying that at our last meeting? Or somebody did from—we were told exactly what you just said.

Ambassador FOLEY. Well, I can tell you how many people have worked for the Department of State and—

Mr. ACKERMAN. What is that?

Ambassador FOLEY. In rough numbers it is in the 300s. I have the exact number here. Right now it is a little more than 100. So we know that the numbers of employees of the Department of State, of USAID, both direct hire and contractors, are in the thousands; in other words, under 10,000. They are in the thousands. The numbers of employees of the Defense Department, these would be mostly contractors, are certainly in the tens of thousands. But the Department of Defense will be providing that information.

As you know, under the Refugee Crisis in Iraq Act, the different government agencies are under remit to produce databases and to tally those numbers up. So I can give you certainly the ballpark estimates of currently employed as I just did.

Mr. ACKERMAN. And how many of them processed?

Ambassador FOLEY. We have processed—all together we have interviewed, USCIS has interviewed, 11,800 Iraqi refugees.

Mr. ACKERMAN. That have worked for us?

Ambassador FOLEY. No, no. These are the overall figures.

Mr. ACKERMAN. How many have you interviewed that worked for us that have indicated that, for whatever reason, they have to leave?

Ambassador FOLEY. I will have to give you that specific figure for the record to the extent that we can establish it, because, Mr. Chairman, most of the Iraqis that we process for admission to the United States refugee program are referred by the United Nations under 11 separate criteria. One criterion for referral from UNHCR is indeed association with international efforts, with employment with the coalition forces and the like. So a certain percentage of referrals come from UNHCR in that category.

Also we receive direct referrals of Iraqis who were employed by us or associated with us directly from our Embassy in Baghdad, and we receive those, and we can tally those numbers for you if you would like.

[The information referred to follows:]

WRITTEN RESPONSE RECEIVED FROM THE HONORABLE JAMES B. FOLEY TO QUESTION  
ASKED DURING THE HEARING BY THE HONORABLE GARY L. ACKERMAN

To date, we have processed through the U.S. Refugee Admissions Program an estimated 1,700 Iraqis who have claimed USG affiliations, of whom some 350 individuals have been approved by DHS and have arrived in the United States. Another 700 individuals have been approved by DHS but have not yet traveled to the United States. Most of the remaining Iraqis in our program with claimed USG affiliations are pending DHS interview.

Mr. ACKERMAN. Well, we have tallied the list that the subcommittee staff has just placed before you. There are 1,000 names sitting in front of you right now of Iraqis who have worked for us, according to the List Project that I think you might be familiar with.

I understand this list has been presented to you before, and of the 1,000 names that are on this specific list, only 40 have been processed. Could you explain that?

Ambassador FOLEY. Well, I am not sure that the facts are as such.

Mr. ACKERMAN. Okay. Help us with the facts.

Ambassador FOLEY. We have indeed cooperated with those who put the list together. They brought us names at different stages. We compared them to the list that we have. We have a service called "ref questions" where we entertain inquiries from Iraqis in the region inside Iraq; those indeed who have been associated with us, so we can compile information, and we can begin to enter them into our caseload. We can begin to process them if they can access our program.

The difficulty—excuse me, Mr. Chairman—is the fact that we were not able to operate refugee processing inside Iraq—that is the chief limitation—until this point, when, as I indicated in my opening statement, we are moving to do just that.

Mr. ACKERMAN. Well, the reason that we couldn't process them inside of Iraq is a problem of our creation because we did not want to process them inside of Iraq; were not prepared to process them inside of Iraq, and did not process them inside of Iraq, and just wished the problem would go away, and sent them elsewhere. So it is not the fault of these people that you didn't process them or we did not process them. It is to our shame that we did not, I believe.

But inasmuch as you have had the list and now have the list, I fail to understand why 40 people, if that number is accurate—or have they all been processed and found ineligible for whatever reason, and you could tell us what those 960 reasons might be?

Ambassador FOLEY. Yes, sir. First I would say, though, that indeed it is not the fault of the Iraqis whom we want to help that we have not been able to process them inside of Iraq. To my understanding, we have not processed refugees anywhere in the world inside a war zone—

Mr. ACKERMAN. We processed 50,000 refugees within Kosovo and thereabouts and admitted them into the United States under President Clinton's special order during the time of war.

Ambassador FOLEY. Yes, we did, but we processed them in Macedonia. We processed them outside of Kosovo, outside of the war zone.

The difficulty has been to access these Iraqis inside of Iraq, and with the improved security situation, we are planning to stand that up. We have started doing that to a modest scale, but we plan to scale it up substantially now. I can answer your question about the list, though, if you allow me to continue.

Mr. ACKERMAN. Please.

Ambassador FOLEY. As I said, we have been in contact with those who have been compiling the list, and we found that many of the names on the list we already had in our system. We found names that were not in our system, that we did not have in our system. This is an ongoing dialogue. There are probably new names that we are not familiar with, but at the same time we are receiving such information from multiple sources, including through our own communications facility that I mentioned. And so it is an ongoing, iterative process. But the fact is that until now, we have had to process them in neighboring countries, and we are hoping now to be able to process them, if we can scale up our processing entity this year, inside Iraq.

Mr. ACKERMAN. I keep hearing about adding lists and putting people on lists and making lists, but nothing gets done with the list. It is almost like you are in the computer list data business; politicians keep just making lists. But if you don't do anything with them—the mission here is to help refugees. We do not seem to be helping many at all, do we?

Ambassador FOLEY. Well, to the extent that we have the capacity to do so, we have been doing so. As I indicated, many of the people on the list have been in our system. Some of them are being processed, have been processed. The main difficulty for many of them is how to access our program. As you may know, Mr. Chairman, last year—

Mr. ACKERMAN. They have difficulty accessing the program?

Ambassador FOLEY. Yes.

Mr. ACKERMAN. These people all found us on the Internet.

Ambassador FOLEY. I am sorry; to access our processing program. They can access us by communication, but in terms of our ability to process them as refugees, they had to have been in one of the neighboring countries.

Mr. ACKERMAN. That is a shame.

Ambassador FOLEY. That has been impossible for many, indeed.

Mr. ACKERMAN. That was a tremendous discouragement for them. And my view is that was the whole reason was to discourage them. But now that we have taken a new look at that, I don't understand why these lists are not moving.

Ambassador FOLEY. Well, I must say, Mr. Chairman, that I agree with you fully that it is to these Iraqis that we have our highest obligation.

Mr. ACKERMAN. But when they came to you and told—came to us and told us that their lives were in danger because they served as interpreters, or turned people in, or gave the U.S. information as to where the bad guys are hiding, and now they have targets on their back, why didn't we assist them to go to other countries?

Why didn't we tell them to run for their lives, the Syrians would help you, that great bastion of democracy and human rights? I thought it was we who had the great heart.

Ambassador FOLEY. Of course, that is where the bulk of the refugees did go to.

Mr. ACKERMAN. I know they did. That is where we have been sending them. We did not help them get to Syria.

Ambassador FOLEY. No, we certainly did not. They went there on their own. But unfortunately, last year we were unable to interview them in Syria for 4 or 5 months. Now we are able, and that is why our numbers of those we are interviewing, those who arrived in the U.S., are going up substantially.

Mr. ACKERMAN. I don't want to prolong my time, but I don't understand. You interview somebody. How long does an interview take? I interview people, too. I seem to interview more people for a job in my office than you do for your refugees. I don't have that many positions.

Ambassador FOLEY. I would turn to my colleague from Homeland Security to tell you about the interview process itself, but the interview is one part of a multistep process that involves, as you know, security vetting, and outprocessing as well. It is a process that takes as much as 8 to 10 months around the world that we have compressed significantly in the case of Iraqis.

Mr. ACKERMAN. I seem to recall under President Ford, who some people thought was inefficient maybe or bungling or whatever, it took him a half a year to process about 130,000 refugees and get them here and provide for them and relocate them. Did he have some magic formula? I mean, what is happening? I don't understand what is happening. It seems to me that if I did not want people here, I would find deliberate ways to throw sand in the gears and come up with reasons, putting them on lists, processing them, and questioning them and vetting them. That is all important, but it shouldn't take forever to get a couple of people.

Ambassador FOLEY. I agree with you, Mr. Chairman. This is exactly the direction we need to be moving in.

Mr. ACKERMAN. I don't want people to agree with me. I would like to see results. We have helped to create a mess. At best we should help clean up our mess. We owe it to these people, if nothing else.

Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you, Mr. Chairman.

And obviously I have some very fundamental disagreements with some of the premises on which the discussion we are having today seems to rest. I do not believe that helping people who have been positive to the United States and helpful to the cause of democracy in Iraq, helping them leave the country and come here would either be good for us or good for them, and especially not good for Iraq.

Mr. Chairman, if you would like to see a stack of people requesting to come to the United States, just put the word out that people who have in some way helped the United States in Iraq will then immediately be eligible to immigrate to the United States, and you will find that stack of books, those applications, reach hundreds of feet into the air, because you will have a vast migration out of Iraq to our country for people who would love to live here. And certainly

they are wonderful people who would like to live here, especially the ones who have helped us, but the last thing we want to do is to have people who are friendly to democracy and friendly to a stable government and prosperity and educated people from Iraq moving here in large numbers at a time when they are needed to build a new, thriving Iraq.

And so the premise that we are not helping them and they are not able to move here, I don't think that that is a fault of the administration at all. I think that we should be encouraging them to go back to Iraq and build a prosperous and stable Iraq.

[Disruption by protesters in the audience.]

Mr. ACKERMAN. Excuse me. You are here as guests of the process. We want to have transparency and have the public witness with full transparency, but this is not an audience participation exercise. This is a hearing open to the public.

Mr. ROHRABACHER. Thank you, Mr. Chairman, for demanding a certain level of courtesy that needs to be enforced, it seems, at some times here on Capitol Hill.

I certainly, as a humanitarian, believe that emergency aid to people who are in at that moment—whose life is at risk is certainly something that humanitarians and decent people will do, and we will do our share of that no matter where it is, whether it is a tsunami in Indonesia or whether it is Iraq.

But this idea that we now—and again, even the talk of doing this now is so late in the game that it is going to make a situation worse than it is already. At a time when things are getting better in Iraq, for us to be expanding a refugee effort that will create more dependency and intransigence on the part of refugees where they are from moving is exactly the opposite result of what we want.

We have heard today from a gentleman, Mr. Edson, who I think—which one of you gentleman was active in Bosnia? Okay. Well, if the United States were to simply have said that anyone in danger from—who wants to leave can come to the United States, what kind of refugee situation would we have had in Bosnia? I mean, we did not permit everybody who was in the danger in Bosnia to come to the United States. We helped with resettlement, restructuring, but we kept people there. If we would have announced open borders to anyone who was in danger, that would have been—actually the situation would have been made worse in Bosnia. People who offered the most stability would have left.

Let me note that as we move forward with this discussion, that there is a major difference between Vietnam and Iraq. The fact is in Vietnam, yes, we left in defeat. And, of course, there are those who are advocating a policy of precipitously leaving, and no matter what that does to the long-term chance of stability, let us get going right now. And I can respect the humanitarian impulse that leads to that type of demand, but there are results that come from that action. And the results from that action, Mr. Chairman, is, again, the stacks of people waiting to immigrate into our country and causing havoc in the neighboring countries. That stack would reach a half a mile into the air of people who are in need of us letting them immigrate into our country if we followed a precipitous policy of withdrawal before stability comes to Iraq.

So let me just note, I am not, you know—I don't always find fault—the chairman and I have a thing about the glass being half full or half empty. And I will have to admit that I often see it half full when the chairman sees it half empty. I am proud of what the United States has done. But correct me if I am wrong, but the United States, as compared to the oil-rich Arabs who are nearby to Iraq, haven't we done our lion's share as compared to what the Saudis and others have done to help these refugees?

Mr. ACKERMAN. If the gentleman would yield to me.

Mr. ROHRABACHER. Certainly.

Mr. ACKERMAN. Not to quibble with the distinguished gentleman from California, but I think we both find it flattering that most of the world would like to come to this country because of the values that we have and the opportunities that we provide. But it seems to me the whole issue of refugees is a humanitarian one, and refugees by definition are people who have a well-founded fear of persecution or their lives being taken if they return to or remain in their homeland.

It also seems to me sometimes we have particular obligations specifically to certain people. Certainly the gentleman and I stood shoulder to shoulder demanding in the old days that the Soviet Jews be allowed to leave the Soviet Union, and demanded their right to migrate and even to come to this country, and they were welcomed. Certainly we have a policy for Cubans demanding freedom, escaping from harsh times or tough circumstances or political persecution, and grant them refugee status once they arrive on our shores. Those were not necessarily circumstances created entirely by ourselves, and neither is Iraq. But certainly we bear major responsibility for the disruption and displacement of people both internally and in the neighboring countries, and we have a specific obligation, in the minds of some, that those who risk their very lives to do things that were, of course, in their own interests in the long run, but certainly immediately risk their lives to save our troops, to show them where and why and how, and lead them in the right directions, that others knew about, who now find themselves and their families threatened, murdered, attempted murders, murders committed upon them and their families because people know who they are, and we know who many of them are, in that case I think we have a specific obligation.

Mr. ROHRABACHER. Reclaiming my time, those are exactly the people we need to be leaders in a new Iraq and not immigrants to the United States. We need those people who are brave enough to stand courageously against the tyrants there, the Islamic fundamentalists or whoever they are, who are the gangsters who are murdering people in their neighborhoods. We need to keep the good and decent people there and try to give them as much support as we can.

And we have in the last year, of course, had a policy that seems to be more successful than it was. And it seems to be at a time like this to suggest that we are going to open up the door to immigration for the good people to come to the United States instead of facing the conflict there would have a dramatically negative impact on them, the war, the people of Iraq in every category.

Let me say I think that it is time for us to be making sure that we lay the groundwork for American withdrawal. And that is a very fundamental and, I would say, sincere demand of not only people who are fervent about it and passionate about it, but those of us who support the concept of what we were trying to do there. The time has come now to let the Iraqis start taking over their own defense, for us to be withdrawing in a responsible way, and part of that withdrawal is not making people more comfortable in refugee camps in Jordan. Now is the time we should be attracting them back, saying, you will not be maintained in Jordan. You must go back, and instead our efforts should be focused almost totally on relocation back to Iraq.

And one last element of this, and that is my Democratic colleagues early on in this conflict proposed that the Iraqi people eventually pay for America's efforts to liberate them from Saddam Hussein and create a more stable Iraq. I believe that that should also include the efforts that we have to bring economic progress and humanitarian efforts to help those people in desperate circumstances. In about 10 years, if we are successful, Iraq will be one of the—per capita—will be one of the richest countries of the world, richer than the people of the United States per capita, because of their massive oil reserves. There is no reason for us as Americans to have to expend all of our capital. We should be giving them a bill at the end, and we should be planning our withdrawal. And we have given them their chance, and now we should make sure that the refugees, the good guys, are given an incentive to go back and participate in that and not subsidizing their exit from that country.

Thank you, Mr. Chairman.

Mr. ACKERMAN. I thank the gentleman, who makes a very compelling argument on the side of the ledger that says that refugees should stay in place back where they would like—from whence they would like to depart because they have contributions to make to democracy and rebuilding their own country. I presume it was the argument made by the Comanches and the Apaches. And the Pilgrims, feeling the compelling notion of democracy was strongly desirable, did not heed that argument.

Chairman Delahunt.

Mr. DELAHUNT. Thank you, Mr. Ackerman. I would just like to respond to my ranking member.

Mr. ACKERMAN. Mindful that there are 9 minutes left to the vote. We could resume with yourself when we come back. Please continue.

Mr. DELAHUNT. You know, I share his disappointment in the oil-rich Arab nations not making a significant contribution to the resolution of this crisis, but I would also note it was not those rich Arab oil-rich nations that invaded Iraq, and I suspect that that would be their response if somehow they were being represented here today. And those two Arab nations that I think we must acknowledge are making a substantial contribution clearly are among the poorest in the Middle East.

It is my understanding that somewhere between 450,000 and 500,000 refugees from Iraq are in Jordan. It is not a wealthy country. And from what I understand, those Iraqis that currently are

in Jordan are middle-class Iraqis who have some of their own resources.

And then we have Syria. Now, we are not supposed to say anything positive about Syria. It is not chic. But the Syrians, which I guess are associate members of the Axis of Evil Club, are hosting some 1.2–1.5 million Iraqi refugees. And again, it is my understanding that those are mostly Shi'a and represent the poorest elements of Iraqi society.

And I guess that what we have to say about these Arab societies is that they are really serving humanity well. There are several million between Jordan and Syria who, it would appear at least, are given some hospitality under the most difficult situations, and clearly it must be a substantial burden on their economies. Let us recognize that. And neither one of those countries, at least as far as I am aware, invaded Iraq.

As I said earlier when I quoted General Powell, former Secretary of State Powell, we own it. We own it.

And the truth—and I would like to pose this as a form of a question, because the ranking member indicates that we want them to stay there. And I am not talking about the discrete group that assisted the United States, because I think we have a special obligation to them. But from what I understand from your testimonies, plural, is that many of them would like to go back home, but they cannot because of the sectarian cleansing that transpired over the last 3 or 4 years, and they know if they return home, they are putting themselves at personal risk and that of their families. There is no home to go back to.

I would ask one of you to respond. Ambassador Foley, am I misstating the reality?

Mr. ACKERMAN. If the Chair may, we will give the witnesses time to think about that very probing question. We will recess for the three votes that are pending, resume with Chairman Delahunt followed by Mr. Fortenberry and Ms. Waters, who was given unanimous consent to participate fully with the committee. Until then the Chair announces that we will stand in recess.

[Recess.]

Mr. DELAHUNT [presiding]. There is going to be another vote shortly, so I felt the need to come and seek the answer to my question. We will try to do it in rotation, and I apologize for the inconvenience and am grateful for your indulgence.

Do you remember the question? I know you must, Ambassador Foley, because it was directed at you.

Ambassador FOLEY. Thank you, Mr. Chairman.

The question was, do we think that the Iraqi refugees outside of Iraq and the region wish to go back to Iraq or are they able to go back to Iraq? I think it was perhaps both. We do believe that that is the wish of the overwhelming majority, as you can imagine, that they would want to go home. And, as I said in my prepared remarks, I believe it is equally our moral obligation to make conditions in Iraq such that they can go home; and yet those conditions are not ripe, we believe, for a large-scale return.

Now this has to be an individual decision by the refugee himself or herself. It has to be a voluntary decision. And we believe that the refugees will have a good sense of when conditions will permit



a return. I think you indicated there was a spate of returns—or maybe you were quoting from my own prepared remarks.

Mr. DELAHUNT. Brilliant remarks.

Ambassador FOLEY. Thank you. And, yes, there were 40,000, 50,000 who did go back in the late fall last year.

Mr. DELAHUNT. Let me interrupt you here, because I think we are in agreement. But, as you are aware, there has been, unfortunately, a spike in violence in February; and as we read reports coming from Iraq, there has been even this week a number of suicide bombings and other indicia of a trend upwards in violence.

Presuming that that trend continues—if you disagree with that premise, note it. But presuming that there is a trend toward more violence, what will that do in terms of the refugee situation? I would surmise that it would exacerbate it and make our collective task that much more difficult.

Ambassador FOLEY. I will answer briefly, but I am going to turn to Ambassador Butler to really address the assessment of the State Department and the administration of the current security situation in Iraq.

Just to finish, though, the point about the refugees and their potential return, we believe that it is vital that the refugees who are in the region receive enough assistance that they remain secure and protected where they are. And you alluded to this. The burden on the United States and on the international community is an important one to ensure that refugees, many of whom—you alluded to the fact that many of the middle class, at least with Jordan, had come with resources and are depleting those resources. So their needs are going to increase.

We see this burden going up, and the administration is prepared to meet that burden. But I want to tell you, though, that I am myself going to be hitting the road in the next weeks and going to some of the capitals that you mentioned to seek burden sharing, if you will.

It has been 5 years since the start of the war, and everyone has a stake in the stability of the region, and those with means we believe ought to play a role. But certainly the role of the United States will remain considerable.

I think I would like to turn to Ambassador Butler, though, to address your questions.

Ambassador BUTLER. If I could just for a moment, recalling the State you are from, for the record, correct the pronunciation of Massachusetts' first governor, as in Bowdoin, my alma mater.

Mr. DELAHUNT. An outstanding school. Not quite a Middlebury, but an outstanding school.

Ambassador BUTLER. We are working on it. It was most unfortunate—the basketball game last week.

Our stated intention—and we saw this realized during last year—was to stem the flow of refugees; and we achieved this through improvement in the security situation throughout the country, particularly in Anbar.

The question you posed, the hypothetical: If there was a return to the kinds of violence we saw immediately post 2006 and when al-Qaeda succeeded to blow up the Golden Dome Mosque, that certainly would be an unexpected reversal of the trends that we have

seen. And the uptick in violence for February we believe is not indicative that there is a change in the reflection curve, that it is going to get worse. What we are seeing is al-Qaeda's continuing efforts to provoke intra-sectarian violence through smaller suicide attacks.

We have not seen an indication of new IDPs or new refugees as a result of the violence we have seen in February. We have not seen a continued flow back from the neighbor countries. And, clearly—and you have been out there, as have many of your colleagues, in the region on your travels—this is a very different refugee externally displaced population than we associate with other areas.

They are not living in tents. After Vietnam, you had tens of thousands of people who were fleeing a regime they did not want to be part of. This isn't the case in Iraq. They were not fleeing the regime. They were fleeing the sectarian violence. They were fleeing the kinetic activities.

Mr. DELAHUNT. But isn't the issue, Ambassador, how do we go about or is it possible to reverse sectarian cleansing? Have we permanently reconfigured Iraq? Or has Iraq—not we have done it, but has Iraq permanently been reconfigured in the dislocation of the various communities? It is a mammoth—absolutely mammoth undertaking.

Ambassador BUTLER. If you look at the demographics, clearly, the ethnic makeup or the sectarian makeup of the neighborhoods in Baghdad has changed from where it was 2 years ago. Will this be permanent or not, I can't answer that question. But I can draw on our experience in places like Bosnia, where we had Bosniacs and Croates who did not go back to where they left during the war and had to find and did find homes elsewhere.

This is going to be a mammoth challenge to the Government of Iraq, and you are absolutely right about this one. And I also agree with what you just said: We own the problem. We are going to have to be part of the solution to help mobilize the resources for resettling, finding the housing, and the sustainable economy, which is what Ryan Crocker and his team and David Petraeus and his team are doing out there together.

Mr. DELAHUNT. Here is my concern, and I am looking at it from a public diplomacy perspective. In the Islamic world, the approval rating for United States is abysmal. I think that is probably best evidenced by the fact that President Bush has to fly into the Green Zone, and Mr. Ahmadinejad drives in and literally the red carpet is rolled out, and he is welcomed in a public venue.

But putting that aside, if the conditions as we know them to exist in terms of refugees is not addressed, will the United States suffer further erosion of how we are viewed in that part of the world?

And let's really be frank with each other. You know, 7 percent of Muslims approve of al-Qaeda. They do not embrace al-Qaeda. Overwhelmingly, they find attacks on civilians offensive. Seven percent. And yet better than a majority believe it is okay to attack an American—an American Foreign Service Officer. And what concerns me is, unless we go forward with great vigor, we are going to almost institutionalize and not have a chance to recoup our good

standing, if you will, with consequences to our national security, as the Department of State's own report indicates.

Agree or disagree?

Ambassador BUTLER. I think how the Middle East views the United States will be very much shaped by their perception of our willingness to stay the course, to stay engaged, to deal with refugees, to deal with security, to work positively with the Government of Iraq to see this project forward.

If we were to disengage, if we were to abandon refugees, if we were to abandon Iraq, I think the neighboring countries and the region would draw their own assessments, and it would not be positive.

Mr. DELAHUNT. I understand, Ambassador, that you have a time schedule; and I also understand that Mr. Fortenberry has questions regarding specific communities. I bring that to the attention of Mr. Ackerman, and I will yield my time. I have a number of other questions, but I will defer them to when you are here again. Good luck.

Mr. ACKERMAN. Thank you, Chairman Delahunt.

Now we will go indeed to Representative Fortenberry, a very active member of our committee who has a deep interest in this subject and specifically ethnic and religious minorities.

Mr. FORTENBERRY. Thank you again, Mr. Chairman, for holding this hearing; and thank you all for your patience.

I do want to return to the subset of the question I had asked earlier or alluded to in my earlier comments. Before I do that, however, I think what you all were witnessing here is a very great policy debate as to how we move forward responsibly in Iraq to rapidly stabilize the country that will achieve multiple objectives, including a potential drawdown of our troops, I hope an opportunity for the future of Iraqis, as well as the opportunity for people to either return there and rebuild their lives or make some new contribution in a new community from afar for those who just simply no longer find it possible because of the great danger they may face or because of the severe dislocations.

In that regard, let me again return to the question of minority populations; and, Ambassador Butler, if you would like to expand on this.

I think it is important to understand, first of all, what the current numbers are—historical numbers as well as current numbers—of minority populations. And when I say “historical numbers,” numbers that were of Yezidis, Christians, Baha'is, other faith communities that were present pre-Saddam or had to flee into exile because of Saddam and then also the dislocations that have occurred to those communities during this protracted period of war.

The second part of that—and I will refrain for a moment and let you answer this—but it is going to talk about the frameworks for protection, reintegration, and the future opportunity, given that we want to encourage a pluralistic society that respects these minority entities, the framework that you laid out as to whether or not that is adequate to address the future of these populations.

Ambassador BUTLER. Thank you, Congressman. I am going to have to take the question in terms of specific numbers back and

have my folks look at it. I am reasonably confident that we will be able to provide historical numbers.

[The information referred to follows:]

WRITTEN RESPONSE RECEIVED FROM THE HONORABLE LAWRENCE BUTLER TO QUESTION ASKED DURING THE HEARING BY THE HONORABLE JEFF FORTENBERRY

Accurate figures on the Yezidi population prior to 2003 are not available, in part due to the "Arabization" campaign of the 1970s, which forced Yezidis to identify themselves as Arabs and also in part due to Saddam Hussein's Anfal offensive in the late-1980s in the north, which displaced Yezidis from their towns and villages. Moreover, there has not been a complete census taken of Iraq's population since October 1987.

Post-2003 estimates of the Yezidi population in Iraq have often been said to be between 500,000 and 700,000. In an October 2005 report, the UNHCR estimated that approximately 550,000 of the 800,000 Yezidis worldwide lived in Iraq. Of those 550,000, 75 percent live in the Iraqi mountains near the Syrian border known as Jebel Sinjar, 10 percent live in the Kurdish administered areas of Erbil, Dohuk, and Suleymaniye, and 15 percent live in the Shiekhan region, near Mosul.

Mr. FORTENBERRY. It seems to be a hard number to pin down, and that is why I ask it.

We have done some ourselves; and, just roughly, it appears there are 1 million Christians still in the country, 600,000 Yezidis, several other large minority religious populations. But to understand that in the historical context as well as those who may have fled and are in refugee camps because of Saddam's persecution as well as those who have left because of the current climate and then the opportunity for them to reintegrate into those societies, I think it is important for us to get a real handle on this, because this could represent up to 10 percent of the population in the country.

Ambassador BUTLER. And, clearly, in the pre-2003 period, millions of Iraqis left the country. Many of them were refugees in the region. And I believe in the post-2003 period you had something like—and I am talking globally—something like 400,000 refugees from the region return to Iraq.

And then, of course, we have very, very large Iraqi communities of all the religious groups, minority groups that you just mentioned here in the United States, in Canada, and you find them throughout Europe as well.

I think historically we would be able to get back to you and give you the best numbers available to us in terms of what it was as a baseline. I don't think any of us would be able to give you anything that would be closer than a rough approximation based on contacts with the communities on what they think or what our folks on the ground think might still be in Iraq and where they might be. The country hasn't had a census for a long time and probably won't have one until sometime next year.

Mr. FORTENBERRY. I recognize it is a very fluid situation. But, at the same time, if we can quantify this, I think it will be helpful to answering the next set of questions as to the current framework for allowance of these communities to return to their ancestral traditions, have protections under the law, be integrated into society in the sense that they will have the privileges as the rest of society will, the framework of the civil institutions so that their rights are protected as minorities.

In that regard, you mentioned that you have formed a special coordinator for Iraq's minority communities. An organic security

movement apparently has sprung up called Sons of Iraq. I don't know if that is primarily Christian communities. Talk about them assimilating into the larger security forces of the Iraqi military.

How realistic is that, again, given some of the persecutions that these communities have felt? And I understand it is very difficult to quantify it at this point. How realistic, as well as what is a trajectory or pathway that we can help assure that this can occur, so that, again, the continuity of those communities can continue, the opportunity for people to return there can be available and, again, having them take their rightful place in a new Iraq that hopefully celebrates again pluralism and allows persons—all persons there rights and privileges and dignities that we tend to take for granted in our society but nonetheless want to see in the interest of protection of all human rights.

Ambassador BUTLER. Congressman, I can state categorically that we agree with the broad construct of what you proposed or how you envision a way forward. I can't talk about how we got to where we are or with certainty about what will happen or what Iraq will look like 10 years from now. However, with representative democracy, with market-oriented economics and with the kind of security situation that is improving in the direction that General Petraeus and his troops have taken in the past year, the last piece of what we can do right now requires your help, and this is the provincial reconstruction team network that we have throughout Iraq.

We have a team that is responsible for Ninevehs based in Mosul. They are one of the bases up there whose responsibility it is to engage with the provincial government, but also get out to the districts and talk about the two districts, especially the Chaldean and Syrian districts where we find larger numbers of these persons; work with their community leaders to plug into USAID programs, the community assistance project that we have talked about, give them access to small- and medium-sized enterprises, help them be financially economically sustainable and get to provincial elections.

These are three things that I see as laying the framework that enables these communities to not just survive, but to flourish and continue sustain themselves without exaggerated fears of religious persecution.

Al-Qaeda right now—and this is going to be a challenge for the Nineveh Plains area. Al-Qaeda has been largely flushed from Anbar, thanks to the Sons of Iraq which started as the concerned local citizens units, worked with the Sunni tribes joining forces with us against al-Qaeda. You are absolutely right about the majority of Muslims not supporting, not agreeing with al-Qaeda; and they took on al-Qaeda and did not take on us.

Al-Qaeda is now up in the Mosul area. It is the last urban area that they operate in. The Iraqi security forces—and this is under Prime Minister al-Maliki—has given instructions to his Army and his police to take the lead, working with us, to take the fight to al-Qaeda in the Mosul and Nineveh Plains area and remove that threat to the Yizidis, to the Chaldean Assyrians, to Baha'is, to the Sabean Mandeans, and to the ordinary Sunnis, Shias, and Kurds who live up there. This is the way forward, and it is the most promising way, with no guarantees.

Mr. FORTENBERRY. When you were referring to Sons of Iraq, I thought you were referring to it in the context of some of the, again, religious minorities forming special security arrangements for themselves, rather than the larger awakening movement that has occurred. So you might want to go back and address that. And then, again, you also talked about you don't track support based upon religious faiths or ethnicity.

But given the peculiar circumstances that exist there—and you asked for our help and I am trying to flush this out in a constructive manner, flush this out in a way that is constructive as we move forward regarding provincial reconstruction teams—would it be appropriate to perhaps sensitize in the region you are referring to or others where, again, special populations have existed, have hung on, are trying to rebuild, who have a focused either security initiative around and, again, that ethnic population or that religious face—again, given the peculiar circumstances they find themselves in, in addition to providing economic opportunity, so that we are not making a Western assumption and we are not imposing a Western paradigm on a country that has in some ways tended to segregate along these ethnic lines.

And before it can fully integrate, a person can fully integrate into the fullness of what it means to be a new Iraqi in this new emerging government, are there peculiar special security arrangements as well as economic arrangements that need to undergird those minority communities so that they are not lost?

Ambassador BUTLER. Thank you for the opportunity to clarify.

When I referred to the Sons of Iraq, this is a broader term for these neighborhood groups.

We have been approached a number of times by the Christian community and other communities about wanting special security arrangements for their villages and areas. One of the suggestions we have made to them is to encourage them to go to Multi-National Force—Iraq—Major General Hertling, that would be his division up there—to talk about their assistance in setting up what has been—which starting in Anbar but replicated in Shia areas around Baghdad and further south: Their eyes on their neighborhoods.

Most of them have the equipment around. It is a question of getting them organized and providing them funding, understanding we do have a longer-term vision of assimilating them and transitioning them into larger Iraq security structures. Or when the security situation no longer requires it, that they are not there anymore, meaning they can move into regular economic activities, which is one of the challenges.

For Anbar, it was very specific in the sense that we needed to dry up the well of potential insurgents—and CLCs have done that brilliantly—and take the fight to al-Qaeda.

For the villages, for the religious minorities that you are referring to, what they need is improved security that they can rely upon.

The Yizidis, after the tragic, horrific bombings that hit them in August of last year, got security from the Iraqi Government; and we have not seen or heard of a repeat of the violence directed at them that we saw at that point.

The Assyrians, they are a larger community, spread out over a larger area. It is going to require a little more creative thinking about how to help them feel more secure, not just psychologically but in a physical sense. And this is where the PRTs, together with the brigades that are up there, can assist in this, but only if they have got the resources and the ability to go around. Because I know they have got the willingness. I was in Mosul 3 weeks ago talking to them specifically about these issues. We share the same concern, and we are finding creative ways to get there.

Mr. FORTENBERRY. That is helpful, as long as we know at least there is a sensitivity to that.

But I think this hearing is important to continue to raise the fact that there might again be peculiar circumstances regarding these communities that don't allow—that aren't fitting the larger movements of national reconciliation that we tend to focus primarily on, and understandably so. And they might have again particular needs to allow for that transition into assimilation. And by that we don't mean necessarily a diminishment of their historical cultural religious contexts but, nonetheless, an assimilation into a broader society that exercises movement, speech, rights like we are hopeful to see in a new Iraq.

Thank you, Mr. Chairman.

Mr. ACKERMAN. Thank you for your major contribution to the hearing. I regret that 70 or so years ago, certainly before Saddam Hussein, there wasn't a Congressman Fortenberry to look out for the interests of minority populations in so many places in the world such as Iraq.

I will just make an historic note that I think it was about 70 years ago there was a thriving, flourishing Jewish community that numbered some 700,000 in Baghdad alone. And I believe it was Mark Twain who coined the phrase and likened New York City to Baghdad on the subway because of the thriving merchant community that both cities enjoyed, lending so much to the culture and success and richness. I am afraid, in the case of Iraq, having had nobody protecting or looking after the interests of minority communities, I suspect that that community might be gone forever.

Which, if I might make a point before turning to Ms. Jackson Lee, knowing that two of our witnesses have to leave, there was a major difference in perspective between some of us, in which I count myself and my good colleague, Mr. Rohrabacher from California, on how we see refugees and what our responsibilities might be. With Mr. Rohrabacher making a claim, which is a legitimate point of view, that Iraq would be better off, as would other countries, if their refugees stayed in place. Because so many of them are of the intelligentsia. They are well-educated. They are more mobile, who have so much to add to their culture and society. And myself, who believes that all that being probably very true, that people have a right to make determinations for themselves as to where they can move about, especially populations that are under severe threat and do have a right. And we have a responsibility in particular to those refugees, especially in this case with the Iraqis.

The administration expresses themselves in terms that would indicate that they would agree with me and those who share that view, but their actions are more supportive of a position that would

endorse the ends that Mr. Rohrabacher would like to see. And I don't know if that is because that is the real end that they desire but want to put a better face on it and have some doubts about refugees migrating and what our responsibilities are, or indeed the bureaucracy is just too slow in effectuating what the administration wants to really do. And I would pose this just to our two Ambassadors, knowing they have to leave, and then we will turn to Ms. Jackson Lee.

Ambassador FOLEY. Thank you, Mr. Chairman.

I think that for the colleagues that I work with in the State Department, our colleagues in USCIS and Homeland Security, I think there is a very deep commitment to resettling vulnerable Iraqis; and the State Department Bureau of Population, Refugees, and Migration, these are people who do this for a living and are passionately committed to it.

As I indicated, we spent a good deal of time scaling up the capacity in the region to process large numbers, and now we are starting to harvest that effort. And, as I testified, the numbers of our arrivals will be going up substantially.

In terms of the ability, however, to process Iraqis inside Iraq, we haven't been able to. And now, thanks to the improved security, we think we can do it. We are planning to do it. We are eager to do it. So I think you will see in the course of the months to come that we stand up the processing entity in Baghdad and start to interview Iraqis who are, frankly, stuck inside of Iraq who need resettlement.

But, ultimately, we firmly believe that human beings, Iraqis anywhere around the world, have a right to safety and that those who have to flee violence have every right to do so and those who need to be resettled in third countries ought to be resettled in third countries.

However, the percentage of those refugees around the world who are resettled in third countries is, historically and traditionally, a very small percentage; and, as I said in my prepared remarks, we believe our obligation is to resettle those who cannot go back even when everyone else can go back.

Thank you.

Mr. ACKERMAN. Ambassador Butler.

Ambassador BUTLER. Mr. Chairman, you brought me back to a moment in the Veterans Day weekend of 1982, when I was traveling through the mountains of Romania. We ran into a 20-year-old Romanian who found out I was an American diplomat living in Bulgaria and asked if he couldn't get in the trunk of my car and couldn't I get him out of Nicolae Ceausescu's Romania. And my first reaction was, of course I am going to help you. And then I thought, Who is going to oppose Ceausescu? Who is going to lead the revolution that eventually materialized about 7 years later?

As Ambassador Foley just said, we are fully committed to helping the most vulnerable populations. Those people who have risked their lives and whose lives are genuinely in danger because of their association with us deserve our help. Other vulnerable populations that can't go back to where they came from deserve our help. We are committed as an agency, as the interagency to doing everything



we humanly can to get them out of harm's way and help them re-settle with dignity.

The majority of the Iraqi EDPs consider themselves externally displaced persons, as opposed to refugees. And this isn't like Vietnam in 1974 or 1975, where people were fleeing a regime they did not want to live under, many because of their affiliation with us, others because they abhorred communism. Iraq is not a place where there is going to be a losing side and a winning side who will extract punishment on others. This is a country which has experienced horrible sectarian and ethnic violence that has been accelerated by al-Qaeda and other outside actors, which is settling down. It is settling down because of the hard work of General Petraeus and his troops and the hard work of Ambassador Crocker and his people around the country. We have seen the results of that.

We have an obligation to the vulnerable populations that need to leave, that want to leave, as well as to work with the Iraqi Government to make it possible for everybody who can and wants to, to return home. We will continue working with you, and we count on your support, whether it is for the religious minorities or whether it is the larger populations who find themselves in Jordan, Syria, Lebanon, Egypt, or even further.

Mr. ACKERMAN. Have we identified people who we think we would rather have staying there to fight and rebuild their society and therefore not viewing them as vulnerable as they think they are?

Ambassador BUTLER. I do not think that we ought to be in the business of making lists of people who ought to stay behind, but we are in the business of changing the circumstances on the ground so that those who want to stay behind can stay behind. It is my experience, and I think for those of who traveled to Iraq, that 99 out of 100 Iraqis, if not higher, do not want to leave their country. It is huge to be uprooted and pulled out of your home, away from your family, and be dropped into some other place and have to learn a new language and new ways. That has been my experience everywhere we have been.

They want to go home. They are staying in the neighborhood. UNHCR, USAID, others are doing just incredibly humane actions to help sustain these populations for the day when they can return to Iraq in safety and in dignity.

Mr. ACKERMAN. Ms. Jackson Lee.

Ms. JACKSON LEE. I guess I will add my comments to both of my colleagues.

I respect the fact that two of our witnesses have to leave, and I will try to be responsive to that. I have heard that said on the record. But I want to thank the chairman and Chairman Delahunt for using a provoking word, "neglected" responsibilities. And I really think, as we have spoken to a number of advocacy groups in nongovernmental organizations, that they really do think that we have neglected those individuals who have served the United States in the course of this conflict.

I would also suggest that there is a military phrase—and I don't know who used it first—but if you break it, you own it. And I am not suggesting that the government of Saddam Hussein was not

horrific, but many believe in the region and certainly in Iraq that we broke it.

I have gone to Iraq a number of times; and I remember when now Deputy Secretary Negroponte, I believe, was the Ambassador and we sat down with a group of women. This was some years ago, and I have been back since then. And those women said, "I can't send my children to school. I have to drive them to school. I don't know if they are going to come back."

So, in a sense, we have created the predicament, albeit the high goals that we were attempting to achieve; and I say that to all of you because I think the onus, the burden is much higher.

When I served as the ranking member on the Subcommittee on Immigration on Judiciary, we would meet with first Secretary Powell and then Secretary Rice, and our numbers were always down. It was always difficult to try and see the light at the end of the tunnel. So I want to maybe probe this a little bit more, and first going to Ambassador Foley and Ambassador Butler. And I think my colleagues who are with Department of Homeland Security know that I sit on Homeland Security Committee.

But my question is, when you speak of what we have achieved, it seems as if you cite as the government my good friend Ambassador Crocker and General Petraeus. What is the Maliki government doing to stabilize the circumstances for Iraq's people? How do they either help facilitate or obstruct efforts of those Iraqis who are in Iraq—and I know we are speaking of those who have also been displaced outside of Iraq—to leave if they desire to leave?

Why is the burden or at least this burden of security that you mentioned that things are safer now because of Ambassador Crocker and General Petraeus? I am, frankly, disappointed in that. I was hoping it was safer because the Maliki government was standing up.

But what role do they have with these individuals that want to be relocated? These are also still their citizens even if they are in Syria. Do they have an office that addresses this question? Do they work with the various entities in the United States? Ambassador Foley?

Ambassador FOLEY. Congresswoman, I can speak to the question of the Iraqis outside the country, the refugees. This came up a bit earlier in the hearing when Chairman Delahunt talked about the need for the Iraqi Government to step up and help care for its citizens that happened to be forced to live outside the country; and I didn't have the opportunity to respond at the time, but your question gives me that opportunity.

We agreed wholeheartedly. This is, first and foremost, a responsibility of the government that, as Chairman Delahunt indicated, has increased resources available to it. And when I was in Baghdad in the fall, I met with the government, I met with the foreign minister to really press home the case that the Government of Iraq needed to play its considerable role.

A year ago, the government pledged \$25 million in support to the neighboring countries hosting nearly 2 million Iraqi fellow citizens, and it took the better part of 8 to 10 months for some of that pledge to be redeemed. It has not all been redeemed.

I found it interesting when I did meet with the Foreign Minister in Baghdad that he himself regarded that pledge of \$25 million as somewhat nominal, given the magnitude of the needs, given the resources the government had, given what was at stake for the government in not only helping its citizens abroad but being seen to help its citizens abroad.

So I can only agree with you and your colleagues who underscore this point. It is a high priority for Ambassador Crocker in Baghdad. We still have, I think, a persuading job to do to make sure that the Government of Iraq meets its responsibilities in this regard.

Thank you.

Ms. JACKSON LEE. Ambassador Butler?

Ambassador BUTLER. The government of Nouri al-Maliki, as Chairman Delahunt noted earlier, is not a resource-deprived government. Their budget for this year is \$48 billion, with a prospect of it going as high as possibly 60, depending on where the price of oil ends up.

The government's focus has been on providing security and the restoration of essential services. Earlier in the hearing, we certainly heard comments about lack of water and lack of electricity. These are the things that go to the heart of being able to sustain any population. In some cases, it might be precipitated why some people chose to leave the country as opposed to stick around with no running water, no electricity when life has got to be better someplace else. That is one challenge.

The improvement in security has been contributed to in a major way and is not yet fully recognized by the improved performance and numbers of the Iraqi Army who are increasingly getting better and I am certain you will hear more about that when General Petraeus comes back to testify early next month.

So focusing on getting the IMF projects a 7 percent increase in the economy for the coming year. And that is not all generated by oil exports. There is a lot of economic activity. So this is the sustainable piece for a population which numbers in the 26- to 27- to 28-million range that we have to round because we don't have accurate counts.

Now, on the refugees, I am going to be very blunt here and say that the Maliki government is challenged in terms of mobilizing resources and focusing on it to support Iraqis outside of the country. That \$25 million that they pledged a year ago in Geneva for their refugee communities is not fully disbursed yet, as Ambassador Foley has indicated. We continue to urge the government to follow through on this one, and they will have to get themselves organized to create the conditions for the return of the displaced persons, both internally as well as externally.

This is going to be a challenge. They have a long way to go, and there not a lot positive I can say about what they have accomplished up until now, other than, with improved security and with an economy which is rebounding from where it was, there is no excuses not to dig into it. It is one of the things that Ambassador Crocker has on his agenda, as does President Bush, when they talk to the government to help them.

As the old expression is, when you are up to your tailbone in alligators, it is hard to remember what your mission is. Well, as the

alligators get fewer, they now remember their mission is to lower the swamp or, in the case of the south, actually raise the swamp. Which is one of the successes.

The Marsh Arabs, which is another endangered group of people that Saddam Hussein went after, after 1991, hundreds of thousands of them have returned home as the marshes have been re-flooded. This is a major success of my friends at USAID to restore this very, very unique population, which is also very important economically to the country.

So we acknowledge the challenges ahead and we expect that we will be able to report progress over time.

[Additional information follows:]

ADDITIONAL WRITTEN INFORMATION PROVIDED BY THE HONORABLE LAWRENCE BUTLER TO QUESTION ASKED DURING THE HEARING BY THE HONORABLE SHEILA JACKSON LEE

In 2007, the Government of Iraq pledged to provide \$25 million to assist Iraqi refugees in Syria, Jordan, and Lebanon. The Iraqi government has delivered \$15 million to the Syrian government and \$2 million to the Lebanese government. The Iraqi and Jordanian governments have been engaged in discussions on the mechanism through which the \$8 million allocated by Iraq for assistance to refugees in Jordan will be disbursed. In bilateral meetings leading up to the Neighbors Working Group on Refugees held in Amman, Jordan on March 18, both governments committed to finalizing the terms of the transfer of the \$8 million very soon.

The GOI is also expecting to make a significant contribution to the World Food Program. GOI officials agree that their government needs to increase assistance for displaced Iraqis. In a February meeting in Baghdad with Under Secretary for Democracy and Global Affairs Paula Dobriansky, senior GOI officials agreed that the Iraqi government needs to do more for its vulnerable citizens displaced abroad. During the recent Refugees Working Group meeting in Amman, Iraq expressed appreciation to host countries and reassured them that the GOI would provide whatever it can to assist its citizens abroad.

Ms. JACKSON LEE. I don't believe that pouncing on either Ambassador Foley or yourself is going to get me where I would like to go, but let me pounce on the Maliki government and say thank you for your honesty. I think it is shame on them. Because they do have the GNP, at least the resources. And to not even be able to get the \$25 million disbursed to those refugees outside the country—because we have heard the complaints from Syria and Jordan, two oversaturated areas, and I assume there may be some other areas. And to think that the Maliki government again is in the spotlight of not standing up, which means I don't know when we will be able to transition any safety net to them, which again goes to our responsibility of all the folk who have sacrificed by being translators and otherwise.

Let me just quickly go to Ms. Scialabba.

Mr. ACKERMAN. If the Chair might interject for a moment, but Ambassadors Butler and Foley have each extended the time. And I don't know if you can stay any longer or—you can. Thank you very much.

Ms. JACKSON LEE. Thank you, Mr. Chairman. Because I will answer your question about the children.

But, in any event, I am disappointed that DHS is slow in ratcheting up, didn't have the necessary resources. Is it a question of the President's budget to be able to address the question of individuals who have, I think at least minimally, been vetted if they have been traveling and vetted with our military as translators and

maybe working for the Embassy or other services that they have given? Are we going to be able to get a report from you that says we have cleared all those particular requests?

Ms. SCIALABBA. Are you referring to special immigrant visa petitions?

Ms. JACKSON LEE. All those who have been in the service of the United States is who I am focusing on.

Ms. SCIALABBA. There are several categories of that. The special immigrant visa petitions that we currently have, I think DHS is current with what they have adjudicated. I think part of the problem is that, subsequent to that adjudication, a visa has to be issued; and up to this point there have been limitations on the number of visas that have been available. The State Department issued all 500 of the visas that were available last year.

Ms. JACKSON LEE. Is that the capping by Congress?

Ms. SCIALABBA. Yes. And this year we will also issue—

Ms. JACKSON LEE. If Congress issued a larger number, you would be able to have the resources to move them quickly?

Ms. SCIALABBA. We adjudicated the petitions, yes. It would be up to State Department to issue the visas.

Ms. JACKSON LEE. But I am trying to understand, if that cap was raised, DHS is in the position to meet that increased volume?

Ms. SCIALABBA. Yes.

Ms. JACKSON LEE. Let me quickly go to this question of children. And maybe USAID—and I know you have done some work. This is displaced children or refugee children. I understand that there are displaced persons inside Iraq that are not necessarily categorized as refugees trying to leave. The conditions of children I understand are even more dastardly in terms of being able to go to school, feeling secure, and a combination of refugee children versus displaced. Does anyone want to comment on the numbers of displaced children, some of whom may be designed to leave out of Iraq?

Mr. GOTTLIEB. We don't really have a number of kids that we think want to leave the country. I think you are right in describing the situation where there are many children who want to go to school that have a difficult time going to school, probably because schools are sometimes occupied by IDPs themselves, sometimes for security reasons, sometimes for lack of other facilities. So I can tell you that one of the things that we have been trying to do, particularly around schools, is to provide sanitation and water so that kids can go there.

We have also been rehabilitating schools, trying to fix them, put in desks, so that when the conditions are right for kids those schools are available for them.

The other thing that we are trying to do for kids in neighborhoods—particularly kids that, shall I say, have been sort of brutalized by the violence, we are setting up in a number of places, sort of what we call safe play zones, that is, places where kids can come and feel safe. And we have supplied art supplies and other things so that kids can sort of be kids. And, also, it is a psychosocial setup for them, because people that are art teachers can help them, people that are psychologists.

Ms. JACKSON LEE. Are they in areas outside the Green Zone or inside the Green Zone? Outside of Baghdad?

Mr. GOTTLIEB. They are in all 18 governorates. When you look at our programs, our partners reach into all parts of the country. I can't tell you exactly that in every district in which we work we have one of these facilities. But a number of these places, a number of the governorates, we have these types of programs.

Ms. JACKSON LEE. Well, this is the government speaking, so they are not going to have the numbers that the United Nations has offered about displaced children; and I assume you are not going to have numbers of refugee children. What I have heard is, frankly, that children are the most burdened and the most desperate, some with families and some without.

But, as I conclude—I know I could pursue this even more, but I would just simply indicate that the reputation that we are getting, although we may get individual success stories, 500 that have been processed, is that these people who are either outside of Iraq or have been internally displaced are suffering somewhat because of our inertia or our failed efforts at pressuring the Maliki government to standing up.

You gentlemen and lady, of course, I don't sense any lack of sincerity on your part. But I would say to you that it is a spiraling downward trend, if you will, of our success stories. I think it is imperative. If there is anything that I would like to convey is that the Maliki government is not doing what it should be doing. It is not standing up. It is not helping to clear away this massive numbers of confusion inside their country—and I call those displaced persons—thereby helping to either suggest to refugees that they could even come home or are they helping those countries that the refugees find themselves in.

So I would hope the message would go back to Secretary Rice that we are concerned; and, frankly, I would hope that I could get something in writing in particular as to when, in fact, the Maliki government will finish paying on its compensation to those that it promised and whether or not there will be another 25 million. I, frankly, believe that what they have promised in that conference is not enough and they need to do more; and I would appreciate if I could get a response back in writing.

I do want to thank USAID for their work not only in Iraq but in Afghanistan, but we are focused on what you are trying to do in Iraq. Again, if the government is not collaborating with you—we are not the government. Ambassador Crocker is not the government. General Petraeus is not the government. And all this does and all this does is says to members that the 100-year representation that had been made publicly by a candidate for President is really what you are aiming to do, is have us there for 100 years, because we don't have a government that is taking care of its people. And I think this hearing suggests that, and I hope that you take the very strong message back that enough is enough. And I thank you for your service and your commitment.

Mr. ACKERMAN. Thank you very much.

What is it that this Congress can provide to make the President's goal of 12,000 refugees processed within a year and resettled within a year possible? Is there something that we haven't done or

could do to make that happen? And are we going to see that happen? I don't want to have another hearing where somebody winds up saying, well, you didn't give us this or that or we needed something else.

Ambassador FOLEY. Mr. Chairman, if I may, I would hark back to my statement at the beginning of the hearing that we believe that we actually have the means and the plan in place to produce the requisite number of interviews of Iraqi refugees to be able to move 12,000 this fiscal year.

It is challenging. There are, as I said, a few weak links in the chain that we don't control. We don't have an ideal processing situation in all places. But I am confident that we are doing everything we can in order to meet that goal, and I am not sure that it is at this stage a question of resources or a lack of resources.

I would say, though, in one respect that resources will play a role, and that has to do with the new legislation that does create a broad number, increased number of SIVs per year, 5,000 per year. The legislation also provides refugee benefits to special immigrant visa recipients, and that I think has been estimated to be around \$48 million that would come out of our current refugee admissions account, and that ought to be funded, in our view.

Thank you, Mr. Chairman.

Mr. ACKERMAN. I have a certain skepticism with fully appreciating the answers and the good intentions and hopefulness of being able to fulfill what the answers express. But when you have the capability and actually are able to process all of that, that doesn't translate into refugees being resettled.

Are we going to hear that Homeland Security couldn't clear all these people or any of these people or most of these people? I mean, I have cases in my office that are immigration cases that have nothing to do with Iraq or the Middle East, people from anywhere else in the world of countries that have a much more normal, if I could use that word, profile where people are waiting years and years and years to be cleared, some of whom I know personally. It has nothing to do because their first name was similar to the first name of somebody else and they were born in the same year that is on some list. And it just seems to me that we are not moving any of these.

So are we going to have that come back to us as the answer when we say how come, of the 12,000 people that the President pledged to have here, can't get here because of something else?

Ms. SCIALABBA. Mr. Chairman, that has not been the case with this population. We have been able to interview the cases as they have become ready for us to interview. At this point, since the beginning of the program, we have approved 7,422 refugees for resettlement; and, at this point, 3,559 have been admitted. That indicates there are still 4,000 in the pipeline to be resettled already, and we are continuing with State Department to plan for rigorous interview schedule in the third quarter. We expect to interview another 8,000 Iraqis at that point.

We haven't had problems keeping the individual schedule staffed, and we haven't had significant problems with background checks or clearances either. Right now, I think we have a total of

45 cases on hold for fingerprint security check reasons, and that is all out of the entire population that we have been processing.

Mr. ACKERMAN. I think I know the answer to this question, but I have to ask it of you for the record.

In your testimony, you talk about the Department's application of waivers to those who might have been otherwise denied, the situation of people who paid money for ransom of their relatives to get them freed of terrorist groups. And then the claim was made that they fell into the category of providing sustenance to the terrorists, when, of course, these people weren't looking to cooperate with terrorists. They were just looking to get their relatives free from the terrorists. Is it my understanding that that problem has been resolved?

Ms. SCIALABBA. It has been resolved. And most of those are duress cases, and we are exercising the exemption for material support provided for under duress in those cases.

Mr. ACKERMAN. What about those who solicited the money?

Ms. SCIALABBA. That is not considered to be solicitation. Collecting money to pay a ransom for a family member is considered to be material support under duress. We had some issue over whether that would be the interpretation, but that is the interpretation that we have taken.

Mr. ACKERMAN. Mr. Edson, in your testimony, you described efforts to make the U.S. Embassy in Baghdad a post that can issue special immigration visas. Where are you in that process? And once the process has been established, how many SIVs will be you be able to issue?

Mr. EDSON. Thank you, Mr. Chairman.

We have processed to completion and issued a handful now—I believe it is under five or six—with family members. We have a resource plan for Baghdad timed to coordinate with the startup of the new program, the 5,000 Program, and the move into the new building so that they could begin processing as many as practical—we are estimating, 1,500 perhaps. We are simultaneously keeping an eye on resources in Amman, Damascus, and other posts in the region, because with the special immigrants we do initial processing through the National Visa Center here in the United States. We can communicate with these applicants by e-mail so that they can actually in the end apply for a visa at the place that is most convenient for them or most possible for them to physically get to for the visa interview.

Mr. ACKERMAN. And, Mr. Gottlieb, in your testimony you note that a majority of returnees find that their homes have been occupied by others. What happens to the returnees in that instance? And does the Ministry of Migration have the capacity to provide or find housing for these families or for the families that they displace when they reclaim their property?

Mr. GOTTLIEB. Mr. Chairman, most people—I think I said about 60 percent of, at least, IDPs are in what we call rented housing. What we saw for returnees, though, was that only about half found their property in habitable condition. So for a lot of people who are returning, they are finding their houses either not in a condition in which they can live or, for many others, that others are inhabiting those places.



If I can describe a little bit more of the picture, though. I think that what we have seen because of the splits between communities, those that had resources have moved into houses that they could rent or an apartment or something. Twenty percent, the ones that are most vulnerable, are in some kind of public building, the ones who have the least services; and those are the ones we have targeted, mostly.

What concerns us, however, is that those who are renting, and because of the difficulty of employment in Iraq, many of those families are using up their resources on rent; and rents are going up. So we are trying to watch what is happening with that population, because we anticipate that we may have to serve more folks who can no longer afford to rent and may have to abandon those places.

So for those who return, if they have exhausted their resources, the government has tried to have some limited programs where they provide, for instance, to those that came in December I think it was \$800. But the number of families was very small that they actually were able to target with that money, and now that that has dried up there are very few returning now. So the government does have a program. It has just been very, very limited.

Mr. ACKERMAN. Let me, in the interest of mercy, if nothing else, say that this very distinguished panel has earned the gratitude of a very aggressive and interested pair of two subcommittees of the Congress. You have exhibited much patience through, as everything else in this room was going on, our passage of three suspension bills, tabling one motion to bring up the privileges of the House, beating back three motions to adjourn, and the adding and swearing in of a new Member of Congress from Illinois. That patience is greatly appreciated as we try to juggle our responsibilities.

I say, in their absence, I am very proud of our subcommittees for their keen interest in this very important matter; and I speak for all of the members of our entire committee when I thank each and every one of you for the job and the efforts that you put forth. Our prodding and criticism are offered only in the intent of spurring you on to greater heights and being able to more quickly and efficiently achieve the goals that we have collectively set, that the President has cited, and to try to restore some of the good word, goodwill, and good image of our country.

We stumbled a lot with our own people in Katrina, and nobody could say that anybody did that on purpose. And we have had a lot of unprecedented—some to be expected, others not to be anticipated—problems that we have faced and still face in Iraq and Afghanistan and someday elsewhere, I am, unfortunately, sure. But we have to learn from those things. But we have good people working collectively on our behalf, and five of the best ones among them are before the committees today.

The witnesses are dismissed with the thanks of the committee.  
We stand adjourned.

[Whereupon, at 6:08 p.m., the subcommittee was adjourned.]

## A P P E N D I X

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### MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE SHEILA JACKSON LEE, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF TEXAS

Thank you, Mr. Chairman, for convening today's important hearing. As we approach the fifth anniversary of the 2003 U.S. invasion of Iraq, the number of displaced Iraqis has reached an unprecedented level. I would also like to take this opportunity to welcome our distinguished panel of witnesses, the Honorable James B. Foley, Senior Coordinator, Iraqi Refugee Issues, U.S. Department of State; the Honorable Lawrence Butler, Deputy Assistant Secretary, Bureau of Near Eastern Affairs, U.S. Department of State; Lori Scialabba Special Adviser to the Secretary of Homeland Security for Iraqi Refugees, U.S. Department of Homeland Security; Greg Gottlieb, Senior Deputy Assistant Administrator, Bureau for Democracy, Conflict and Humanitarian Assistance, U.S. Agency for International Development; and Stephen A. "Tony" Edson, Deputy Assistant Secretary for Visa Services, Bureau of Consular Affairs, U.S. Department of State. I look forward to your informative testimony.

Mr. Chairman, it is estimated that there are over 4.5 million Iraqis displaced, either within their own nation or as refugees in neighboring countries. Though the Bush Administration repeatedly cites signs of movement toward political reconciliation, most experts agree that Iraq's major communities remain sharply divided. While one in five Iraqis has been displaced, neighboring countries have begun to increase restrictions on refugees. Meanwhile, the ever-increasing sectarian violence is causing immense daily challenges for Iraqis. In addition to the millions already displaced, an Iraqi Red Crescent Organization predicts an additional 80,000 to 100,000 persons are displaced each month. Iraq has become a humanitarian disaster, and one that continues to get worse every day.

Mr. Chairman, the enormous number of displaced Iraqis is both a serious problem in itself, and a symptom of ongoing violence and instability in Iraq. I believe that it is important that we address *both* of these serious issues, that we work to meet the needs of those already displaced, and to prevent further displacement by working to create a more secure environment within Iraq.

National reconciliation is a crucial component of any effort to stabilize Iraq, and to halting the sectarian warfare and violence that continues to drive people from their homes and livelihoods. Despite President Bush's assertions that a surge in the number of U.S. troops in Iraq would create time and space for the Iraqi government to address many of the serious issues facing the country, recent months have not seen significant progress toward the cessation of sectarian divisions and fighting. The Administration has pointed to recent developments, including the February 13, 2008 passage by the Iraqi parliament of both an amnesty law and a law stipulating the power of provincial councils as evidence of progress toward political reconciliation. However, I would like to point out that none of these actions will move Iraq closer to stability until they are actually implemented, which remains to be done.

Mr. Chairman, so long as sectarian violence continues unabated, the pattern of population displacement too will continue to accelerate. Recent studies by the International Organization for Migration (IOM) found that IDPs tended to be from mixed-sect neighborhoods, and that they were displaced to homogenous areas. More than 70% had fled from Baghdad. Reconciliation will not only help halt the displacement, but it will also allow the Iraqi government to build their capacity to provide security, as well as basic services, for those returning to their homes.

As my colleagues are aware, Iraq's neighbors have absorbed over 2 million refugees since 2003; men, women, and children who leave their homes and livelihoods behind in an attempt to flee the violence and instability in their homeland. The

largest numbers of those displaced have ended up in Jordan or Syria, both of which have encountered severe difficulties in stretching meager resources to meet the needs of a largely unwanted refugee population. Both Syria and Jordan have estimated that the total annual cost of accommodating Iraqi refugees is up to \$1 billion respectively. As the Iraqi refugee community remains in these nations, and rapidly depletes its resources, the burden on the host countries will only increase. UNHCR has estimated that the number of vulnerable Iraqis will swell as existent coping mechanisms fail, savings are exhausted, assets sold, and the generosity of host communities reaches its limit. Harsh living conditions may lead to the spread of child labor, prostitution, and dropping out of school, as well as the potential for impoverished and disenfranchised refugees to join fringe or extremist groups.

This flood of refugees has severe humanitarian consequences; it also carries the potential for causing long-term disruption of the geopolitics of the Middle East. Many displaced Iraqis have indicated their intention to never return to their home country, raising serious questions of what their status and participation will be in their new countries. Even those who do return, according to a UNHCR survey released in November 2007, do so for financial or visa reasons, rather than a sense that the security situation in Iraq has improved.

Iraqis living in neighboring countries also face serious social challenges, discrimination, restricted access to jobs and social welfare, and lack of health care and education. To further complicate the situation, Syria, Jordan, and Lebanon, the three nations that host the largest populations of displaced Iraqis, are not state parties to the 1951 United Nations Convention on the Status of the Refugees, making the work of UNHCR more difficult and eliminating the formal protections for refugees afforded under international law. States in the region have been largely tolerant of Iraqi populations, but have not afforded them specific entitlements or rights.

Meanwhile, Iraqis continue to be displaced. At least ten of the eighteen Iraqi governorates have tried to place entry restrictions on their internal borders, in an attempt to keep out Iraqis fleeing other regions. Threats, abductions, and assassinations continue, and, when coupled with poor access to health care, social services, education, and employment, create a bleak picture of life in Iraq. Those who, due to religious belief, political or tribal affiliation, or association with U.S. forces are targets for violence are under particular threat.

Mr. Chairman, in addition to the difficulties awaiting displaced Iraqis in the region, the United States has not fulfilled its responsibility to address the Iraqi refugee crisis. According to Refugees International, in January 2008 only 375 Iraqis were resettled in the United States, continuing a trend of U.S. failure to meet its resettlement targets. In September 2007, the State Department announced its aim to resettle 12,000 Iraqi refugees by the end of the fiscal year. In FY 2008, however, the U.S. has only resettled 1,432 refugees; in 2007, the U.S. resettled only 1,608, despite the referral of 15,477 Iraqis to the U.S. by the UN Refugee Agency. The State Department's Senior Coordinator for Iraqi Refugee Issues, Ambassador James Foley, has seen fit to, in recent weeks, stress that the goal of 12,000 is no guarantee that that number of refugees will actually be resettled.

I am particularly appalled that, in the midst of this enormous refugee crisis, the President's FY 2009 budget request includes deep cuts for refugee programs. The Administration's request of \$764 million for refugee assistance would represent a cut of \$260 million, or 25.4%, in comparison with last year's totals, and would likely require expanded funding to be appropriated through a supplemental request. With the increasing number of refugees globally, and ongoing conflicts not only in Iraq but also in Sudan, Afghanistan, Somalia, and elsewhere producing ever-growing numbers of people fleeing violence and instability, it is extremely irresponsible that the Bush Administration plans to decrease funding for refugees.

Mr. Chairman, despite repeated calls for increased admissions of Iraqi refugees, the Administration's budget proposal holds the line on spending for refugee resettlement, and would likely fund admissions for only 60- to 80,000 refugees worldwide. Having recently spent time on the ground with refugees living in camps in Darfur and Chad, I would like to see the budget figures represent the reality of the global refugee situation. I do not believe the President's budget request positions our nation to help to meet the needs of the growing number of people displaced by conflict, poverty, disaster, or other extreme circumstances, particularly those in Iraq.

Mr. Chairman, it is absolutely vital that we work, together with the Iraqi government and people as well as the rest of the international community, to ensure secure passage for those refugees who choose to return home. As not all of those driven out by the conflict will be able to return safely and in dignity, I believe that we must also expand the opportunities for resettlement and support the regional countries that are generously providing for refugees within their borders.

I look forward to the testimony of our distinguished panelists, and to further engagement with my colleagues on this important issue. Thank you, Mr. Chairman. I yield back the balance of my time.

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WRITTEN RESPONSES FROM MS. LORI SCIALABBA, SPECIAL ADVISER TO THE SECRETARY OF HOMELAND SECURITY FOR IRAQI REFUGEES, U.S. DEPARTMENT OF HOMELAND SECURITY, TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE GARY L. ACKERMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK, AND CHAIRMAN, SUBCOMMITTEE ON THE MIDDLE EAST AND SOUTH ASIA

*Question:*

*The Administration has committed to bringing into the United States some 12,000 vulnerable Iraqi refugees in FY 2008. At the annual refugee consultation, Secretary Rice and senior DHS personnel indicated that we would see about 1,000 refugee admissions per month in order to reach that goal. Yet for the entire first quarter of FY 2008, the Administration was able to admit only 1,432 refugees, well short of the 4,000 planned for that quarter.*

*What is being done to ensure that both agencies work toward this goal?*

*Response:*

Monthly arrivals fluctuate, and we did not anticipate that we would admit 1,000 Iraqis a month; the 12,000 goal is for the fiscal year as a whole. The Department of Homeland Security's U.S. Citizenship and Immigration Services (USCIS) and the Department of State (DOS) coordinate daily at the staff-level to work to achieve this important goal. In addition, the departments hold biweekly meetings at a senior level—between Ambassador James Foley and Special Advisor Lori Scialabba—to assess progress towards meeting the 12,000 Iraqi refugee admissions goal for FY 2008. These meetings are used to identify ways to facilitate and streamline processing to meet the target admissions number.

The biggest step USCIS is taking to achieve this goal is maintaining a current and timely interview schedule. Since spring 2007, USCIS officers have interviewed Iraqis primarily in Jordan, Syria, Egypt, Turkey, and Lebanon. USCIS is also adapting its circuit-ride planning and staffing model to meet changing needs and conditions. USCIS has teams of adjudicators in the region today and is scheduled to field teams on a nearly continuous basis in the coming months as cases become ready for interview. USCIS is working with DOS to prepare a schedule of up to another 8,000 interviews for Iraqi refugee applicants during the third quarter.

*Question:*

*What was the resettlement goal for fiscal year 2006 and to what extent did the U.S. government meet this goal? Was it 7,000?*

*Response:*

The Fiscal Year 2006 Annual Report to Congress on Refugee Admissions and Presidential Determination do not set "resettlement goals" *per se* but rather set an overall admissions ceiling and establish regional allocations. For FY06, the regional allocation was 5,000 for the Near East/South Asia, a region that includes but is not limited to Iraq. Two hundred and two (202) Iraqis were admitted in FY 2006. When the annual report was written, the U.S. government had anticipated that the UN High Commissioner for Refugees (UNHCR) would begin referring a larger number of Iraqi refugees to the US Refugee Admissions Program in FY06, but that increase in UNHCR referrals did not appear until FY07. In FY 2007, 1,608 Iraqi refugees were admitted to the U.S., and others continue to be processed and admitted in FY 2008.

*Question:*

*Ms. Scialabba and Ambassador Foley have both stated that DHS plans to interview 8,000 Iraqi refugees in the third quarter of this year—that's 8,000 interviews between April and June.*

*If DHS has the capacity to interview 8,000 Iraqis in three months, why are you planning to wait to do this until the end of the fiscal year? Why not attempt to bring more refugees in earlier?*

*Response:*

We are working to resettle these refugees as soon as practicable, given the steps necessary before USCIS becomes involved. USCIS' role in refugee processing is to interview and adjudicate the applications for refugee resettlement, perform certain

security checks, apply the material support exemption authority when necessary and warranted, and approve eligible cases once all necessary steps have been completed. Under established protocols, USCIS does not interview refugee applicants until they are prescreened by one of DOS' Overseas Processing Entities (OPE). OPEs collect basic biographical information from all applicants, including educational, work, and military service history, and interview the principal applicant regarding the refugee claim. In addition, even prior to OPE prescreening, the majority of applicants are interviewed by the United Nations High Commissioner for Refugees (UNHCR). As previously stated, as UNHCR and OPEs increase their capacity to refer and prescreen more cases, more cases will be interviewed by USCIS officers.

*Question:*

*As noted in a recent Washington Post article, the special immigrant visa (SIV) program for Iraqi and Afghan translators reached its 500 person cap in February 2008. As a result, there are hundreds of translators with approved petitions who are left out in the cold. It is my understanding that DHS and State have recently determined that recently-enacted legislation—which provides an additional 5,000 visas for Iraqis who have worked with the U.S. government—will not be available until Fiscal year 2009.*

*Will you support us in passing legislation to ensure those 5,000 visas are available now and that persons who have approved petitions under the old program can be rolled over into the new program?*

*Response:*

Section 1244(c) states that the number of visas available “may not exceed 5,000 per year for each of the five fiscal years beginning after the date of the enactment of this Act.” Since the first fiscal year beginning after January 28, 2008—the date of enactment—is fiscal year 2009, beginning Oct. 1, 2008, the plain language of this statute authorizes visas beginning next fiscal year. It is also the case that the specific statutory requirements for section 1244 petitions are different from those under the preexisting section 1059 translator program in a number of ways, rendering it impossible simply to use section 1244 numbers for approved section 1059 petitions absent statutory revision. We would support legislation moving the effective date of section 1244 into the current fiscal year and authorizing the use of available section 1244 numbers for approved section 1059 petitions affected by the section 1059 cap. USCIS was immediately responsive to requests from committee staff for technical drafting advice on this subject on March 7, 2008. We understand that Senator Kennedy introduced S. 2829 on April 8, 2008 to address this matter. However, we would very strongly urge Congress to include in this legislation a section 1244 equivalent to the technical fix for section 1059 enacted last year permitting section 1059 petitioners to adjust status in the United States notwithstanding section 245(c)(7) of the Immigration and Nationality Act; section 1244 contains no such provision currently, which renders beneficiaries under section 1244 ineligible to adjust status if they have been paroled into the United States or otherwise are not in a nonimmigrant status. We would also note the present disparity in eligibility for refugee and other public benefits between otherwise similarly situated Iraqi (8-month eligibility) and Afghan (6-month eligibility) special immigrants as a subject Congress may wish to address in corrective legislation relating to section 1244.

*Question:*

*Congress recently made Iraqis who enter the U.S. as special immigrants, rather than as refugees, eligible for Reception and Placement (R & P) benefits. This is important because Iraqis who have previously entered without these benefits (including those who have worked with our forces in Iraq) have faced substantial hardships upon their arrival. DHS has yet to agree to procedures issued by the State Department for the issuance of these benefits.*

*Could you explain why there has been a delay in coming to agreement on these procedures?*

*Could you give us a timetable for coming to an agreement?*

*Response:*

We are unaware of any issue or matter that is pending at DHS relating to DOS procedures for refugee benefits for the Iraqi or Afghan special immigrants made eligible for these and other public benefits for eight or six months, respectively, by recent legislation. USCIS has been communicating with DOS on a continuous basis in reference to the implementation of this law. USCIS has responded rapidly and thoroughly to requests for technical assistance from the Department of Health and Human Services (HHS) in promulgating guidance to implement these provisions for

HHS programs, and we would be pleased to provide similar assistance to DOS or any other involved agency upon request.

*Question:*

*For years, hundreds of applications for permanent residence filed by refugees and asylees living in this country have been placed on hold because of the “material support” and other related bars to admission. Legislation was recently enacted giving you the authority to waive such bars for deserving individuals. Nevertheless, DHS has recently started denying the long-pending applications without any consideration of whether the applicants are deserving of waivers under this new authority or previously existing authority.*

*Why has DHS resisted the creation of an application process by which deserving individuals may apply for such waivers?*

*Response:*

A working group of USCIS, ICE, and the Executive Office for Immigration Review (EOIR) representatives has been diligently examining the most effective process for the identification and presentation to USCIS of cases appropriate for consideration of the Secretary’s exemption authority. The possibility of creating an application process was considered, but it was determined that an application process would not be the most effective way to proceed. Many applicants are unrepresented, and there is a possibility that many such applicants would be disadvantaged by an application process. Instead, it was determined that a process requiring consideration of the availability of and eligibility for an exemption in every case is a more effective means to implement this authority. This process would be coupled with a robust training effort and quality assurance process. As always when making a determination on a case, USCIS will consider all evidence submitted by or on behalf of the applicant.

Initial proposals for the consideration of additional exemptions are being reconsidered in light of the changes resulting from the Consolidated Appropriations Act (CAA), and USCIS, ICE, and EOIR are looking to move forward to establish this process. In the interim, on March 26th, USCIS issued a directive for all USCIS adjudications programs to hold all denials of certain categories of cases that could be affected by the amended exemption authority. In addition, USCIS were directed to review all cases denied on or after December 26, 2007 (the effective date of the CAA) to identify, reopen, and hold, any cases that fall within the new hold categories. USCIS has taken swift action toward completing this review by April 30, 2008. Individuals whose cases are reopened as a result of this review will receive a notice to that effect.

*Question:*

*How do you intend to implement the new waiver authority so that all deserving individuals may be considered for waivers?*

*Response:*

As stated previously, DHS is currently considering several groups and categories of cases as possible candidates for additional terrorist-related inadmissibility provision exemptions under the new legislation. While working to implement fully the new legislation, including identifying categories of cases for additional discretionary exemptions, USCIS has placed a hold on denials of cases falling within certain categories that could benefit from this new authority.

*Question:*

*DHS has suggested that the above individuals who have had their applications denied because of “material support” or other related issues may file motions to reopen, but such motions come with a hefty fee and are subject to a 30-day deadline. Most of these applicants are refugees and asylees with limited resources and little access to legal counsel. In addition, the denial letters being issued to them do not provide information regarding the possibility of reopening their cases. Instead, the letters state that there is no possibility of appeal.*

*Will DHS commit to reopening cases sua sponte for individuals who are statutorily eligible for available waivers so that they can be considered for such waivers?*

*Response:*

USCIS has initiated a review of all cases denied or referred on or after December 26, 2007, on the basis of a terrorist-related ground of inadmissibility. Cases that were denied on or after that date and that fall within any of the hold categories will be reopened on a Service motion and placed on hold. Applicants whose cases are reopened will receive notice of the Service action. USCIS adjudicators have been

instructed to give favorable consideration to any motions to reopen or reconsider, as well as to any accompanying fee waiver requests, filed by applicants whose cases were denied on or after December 26, 2007, that could benefit from the expanded exemption authority or that involved one of the 10 groups granted relief by the CAA. For cases in which jurisdiction has not vested with the Executive Office for Immigration Review, USCIS will also consider requests to reopen or reconsider decisions issued before the CAA's enactment to determine whether the change in law may now benefit the applicant.

*Question:*

*What guidance is being issued to officers in the Refugee Corps regarding the application of "material support" waivers? For example, when DHS authorized waivers for persons who had provided material support under duress to the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN), how was the implementing information relayed to the adjudicating officers?*

*Response:*

On May 24, 2007, the USCIS Deputy Director issued signed instructions to all USCIS adjudicators on the implementation of the exemptions for material support provided to certain Tier III (undesignated) terrorist organizations or provided under duress to a Tier III terrorist organization. This memo also required all USCIS adjudicators to receive specialized training on the terrorist inadmissibility grounds in general and the material support ground in particular.

On August 8, 2007, the Refugee Affairs Division issued specific instructions for processing refugee applications (I-590s) involving material support to all USCIS officers adjudicating or reviewing refugee cases involving material support, consistent with the general instructions provided in the May 24, 2007 memorandum.

On September 6, 2007, DHS authorized USCIS to consider the April 27, 2007 exemption authority with respect to material support provided under duress to the Revolutionary Armed Forces of Colombia (FARC) and USCIS issued a memo to adjudicators with this information. On December 18, 2007, DHS authorized USCIS to consider the April 27, 2007 exemption authority with respect to material support provided under duress to the National Liberation Army of Colombia (ELN). On March 10, 2008, DHS authorized USCIS to consider the April 27, 2007 exemption authority with respect to material support provided under duress to the United Self-Defense Forces of Colombia (AUC). This information was transmitted to adjudicators through the Material Support Working Group and broadcast messages to USCIS employees. These authorizations were shared with the public as well through outreach to community-based and non-governmental organizations and through publication of the authorization documents to the USCIS internet site. (See [http://www.uscis.gov/files/pressrelease/FARCAuth\\_6Sept07.pdf](http://www.uscis.gov/files/pressrelease/FARCAuth_6Sept07.pdf); [http://www.uscis.gov/files/nativedocuments/ELN\\_Auth\\_18Dec07.pdf](http://www.uscis.gov/files/nativedocuments/ELN_Auth_18Dec07.pdf); [http://www.uscis.gov/files/nativedocuments/AUC\\_Auth\\_10Mar08.pdf](http://www.uscis.gov/files/nativedocuments/AUC_Auth_10Mar08.pdf)).

*Question:*

*Given the changes in the law, some refugees who were previously denied admission under this bar could be admitted under the new law, but have no knowledge of this and no way of knowing how and when to reapply.*

*Is USCIS planning to review previously denied cases to re-adjudicate them, since they already have in their files all the information necessary to do so?*

*If not, has there been any discussion of informing previously denied refugees of their right to reapply under the new law? If not, why not?*

*Response:*

As previously stated, USCIS has initiated a review all cases denied or referred on or after December 26, 2007, on the basis of a terrorist-related ground of inadmissibility. Cases that were denied and that fall within any of the hold categories will be reopened on a Service motion and placed on hold. Applicants whose cases are reopened will receive notice of the Service action. USCIS adjudicators have been instructed to give favorable consideration to any motions to reopen or motions to reconsider, as well as any accompanying fee waiver requests, filed by applicants whose cases were denied on or after December 26, 2007, that could benefit from the expanded exemption authority, or that involved one of the 10 groups granted relief by the CAA. For cases in which jurisdiction has not vested with the Executive Office for Immigration Review, USCIS will also consider requests to reopen or reconsider decisions issued before the CAA's enactment to determine whether the change in law may now benefit the applicant.

The USCIS Refugee Affairs Division is working with its DOS partners to identify refugee cases denied overseas that would be appropriate for re-presentation to USCIS given the changes made by the CAA and USCIS' new hold policy.

*Question:*

*At a press conference on January 11, 2007, it was announced that DHS would consider exemptions from the "material support" and other bars for asylum seekers and others in the domestic asylum/immigration context. Over a year after that announcement, DHS and DOJ have still not set up a process by which asylum seekers can apply for waivers, or for others whose cases have been pending before the immigration courts, the Board of Immigration Appeals or the U.S. federal courts.*

*When will DHS announce this process?*

*What provision will be made for cases that have already been denied on material support grounds before the process was implemented?*

*Response:*

Immigration judges and the Board of Immigration Appeals do not have the authority to exempt terrorist-related provisions of the Act. A working group of representatives from USCIS, Immigration and Customs Enforcement, and the EOIR is diligently examining the most effective process for the identification of and presentation to USCIS of cases in removal proceedings that are appropriate for exemption consideration.

*Question:*

*What percentage of Iraqi refugee cases placed on hold eventually receive approval, and what percentages of these cases are denied?*

*Response:*

As of April 11, 2008, there are 237 Iraqi cases on hold for material support. Some of these cases include instances of material support under duress to a Tier I or Tier II organization, which require additional steps before they can be finally adjudicated.

USCIS adjudicators have encountered many Iraqi refugee applicants who describe paying ransom in order to secure the release of kidnapped family members. Many of these individuals are eligible for consideration of an exemption to the material support inadmissibility provisions, since such material support was provided under duress. USCIS has approved exemptions for over 230 such cases, which may include a principal applicant and family members.

In order to allow as many qualified individuals to travel this fiscal year as possible, USCIS has agreed to devote additional resources to reviewing material support cases that may be eligible for duress exemptions. We have allocated overtime funds to allow officers to process material support exemptions outside of regular work hours.

We do not currently track the percentage of Iraqi refugee cases placed on hold that eventually receive approval or denial. Cases may be on hold for multiple reasons and different hold reasons clear at different points in time. However, it is possible to say that most cases that are conditionally approved (on hold pending clearance of security name checks and fingerprints) are eventually approved for resettlement.

*Question:*

*What steps are you taking to identify cases in removal proceedings that should be considered for waivers in light of the new legislation and under previously existing waiver authority?*

*Response:*

As previously stated, for applicants who are in removal proceedings, although immigration judges and the Board of Immigration Appeals do not have authority to exempt terrorist-related provisions of the Act, a working group of representatives from USCIS, Immigration and Customs Enforcement, and the EOIR is diligently examining the most effective process for the identification and presentation to USCIS of cases in removal proceedings that are appropriate for exemption consideration.

*Question:*

*We understand that DHS is currently taking the position that the provision of medical aid by refugees, including medical workers who have been kidnapped by armed groups, constitutes "material support." One of these cases involves a Nepalese medical worker who was kidnapped by Maoist rebels and forced at gunpoint to treat injured rebels.*

*What is the basis for this position?*



*Does this position not conflict with longstanding principles of medical ethics, not to mention the Geneva Convention?*

*Response:*

The issue of whether the provision of material support under 212(a)(3)(B)(iv)(VI) includes the provision of medical assistance is currently in litigation before the Board of Immigration Appeals, and is an issue that has been raised by several NGOs. Accordingly, USCIS has placed all cases involving this issue on hold, except in cases that may be considered for an existing duress-based exemption.

*Question:*

*Your testimony points out that you expect to complete interviewing 8,400 Iraqi refugees in the first 6 months of this fiscal year and that you expect another 8,000 to be interviewed during the third quarter of the fiscal year. What steps remain after the interviews have been conducted until a refugee has been resettled and how long do these remaining steps usually take?*

*Response:*

With actual data now available, USCIS can report that it interviewed over 8,700 Iraqi refugee applicants in the first half of the fiscal year. Several steps remain post-interview before an “approved” refugee can travel to the United States. First, USCIS must receive the results of fingerprint checks, which typically takes two to four weeks. This process runs concurrently with DOS out-processing steps, such as obtaining medical clearances and sponsorship assurances. DOS estimates that those steps normally take 2–3 months. In some cases, other steps may be required, such as completion of a Security Advisory Opinion (DOS) or adjudication of a “hold” for material support or other reasons (USCIS). Refugees are also scheduled for cultural orientation classes, obtain exit permission from the host government, and are booked for airline flights. Since DOS’ Overseas Processing Entities (OPEs) are responsible for coordinating refugee travel once all out-processing steps have been completed, DOS would be in the best position to provide the Committee with statistics on the average time between the USCIS interview and admission to the United States.

*Question:*

*Would you describe the issues that are delaying the implementation of the special immigrant visa program authorized by section 1244 of the Defense Authorization Act and when do you think these issues will be resolved?*

*Response:*

DHS is working expeditiously in cooperation with the Department of State (DOS) to fully implement section 1244. Section 1244 as currently written does not authorize any grants of special immigrant status under this provision until October 1, 2008. To implement, appropriate guidance will be provided to our adjudicators and it will be necessary to modify the I–360 immigrant self-petition form, which requires compliance with the requirements of the Paperwork Reduction Act. Guidance to the public will be provided via the USCIS website and other appropriate means. Section 1244 petitioners require thorough review and approval from the DOS Chief of Mission or designee prior to approval of the petition.

As previously noted, there are two implementation issues that would benefit from a legislative solution. First, as noted, the current statutory language does not make immigrant visas available until October 1, 2008. Second, section 1244 does not authorize the grant of adjustment of status to beneficiaries who may already be in the United States, but who may be ineligible for adjustment under section 245(a)(7), either because they were paroled or because their nonimmigrant admission has expired.

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WRITTEN RESPONSES FROM MR. GREG GOTTLIEB, SENIOR DEPUTY ASSISTANT ADMINISTRATOR, BUREAU FOR DEMOCRACY, CONFLICT AND HUMANITARIAN ASSISTANCE, U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT, TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE GARY L. ACKERMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK, AND CHAIRMAN, SUBCOMMITTEE ON THE MIDDLE EAST AND SOUTH ASIA, AND THE HONORABLE BILL DELAHUNT, A REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF MASSACHUSETTS, AND CHAIRMAN, SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS, HUMAN RIGHTS, AND OVERSIGHT

*Question:*

*The International Organization for Migration reported that IDPs tend to be from mixed neighborhoods, but are displaced to homogenous ones. That is, displacement is undoing mixed religious orientation in communities at a time when the country is trying desperately to overcome sectarian violence.*

- *Is this trend harmful to Iraq's stabilization?*
- *Is the United States doing anything to deter this polarization?*
- *If sectarian violence worsens, will the fighting spill over into neighboring states?*

*Response:*

According to USAID/OFDA's Humanitarian Advisor in Baghdad, the de-homogenizing of Iraq's neighborhoods could ultimately harm Iraq's stabilization insofar as those displaced from their homes will maintain a claim to former properties and challenge the right of any new family to reside in the structures. At the same time, if the emergence of sectarian homogeneous neighborhoods takes on a degree of permanence, it could have a stabilizing effect in that there is physical separation between fighting factions. However, the issue of proper compensation for real property will be the main complicating factor.

The ongoing "surge" represents an attempt by the U.S. to deter the polarization of neighborhoods, and, indeed, internal displacement has slowed to a trickle in 2008. U.S. policy is also similar to that of the Government of Iraq (GoI), reinforcing the principle that internally displaced persons (IDPs) should have the right to return to their original homes. The U.S. is working with the GoI to create a formal IDP policy. Once adopted, a major conference on the resolution of the IDP and Refugee crisis will be held.

USAID's Humanitarian Advisor does not believe that fighting will spill over into neighboring states at this point. The current animosity between the sects and ethnic groups has a particularly Iraqi history dating back to events before Iraqi independence. Blood feud and revenge killing are linked to more recent events including the former regime's attacks against Shia populations following the first Gulf War, the Anfal policies of the previous regime in the north of Iraq, and the current low intensity civil war. External forces, such as al-Qa'ida, exploit conditions of instability to foment violence, weaken the social order, and create conditions for inserting their political agenda. Neighboring states may support sectarian struggles inside of Iraq, but would not tolerate a wider escalation.

*Question:*

*As the security situation improves and refugees return to Iraq, how are property disputes being handled so those returning do not end up displaced?*

*Response:*

The issue of preventing secondary displacement is being widely discussed by the Government of Iraq but no resolution has been reached yet. The U.S. Institute of Peace (USIP) is planning to hold a conference in the next month or two on this issue. Currently, property claims are treated as a matter of civil and criminal law and are considered a matter for the police and local courts. The Iraq Property Claims Commission is only concerned with property issues pre-2003.

*Question:*

*Since 2004, registration for Iraq's public distribution system and voting have been linked, making it difficult for families that move to access their rations. The UN recently reported that 78 percent of IDPs cannot regularly access food rations. Refugee and IDP advocates have noted that difficulty accessing the PDS disastrously compounds food insecurity and hunger for internally displaced Iraqis. In January of 2008 the government of Iraq cut the food basket in half and in June it will slash the program so that it reaches far fewer Iraqis.*

- *What impact have the current reductions in the PDS basket had on the internally displaced in Iraq?*
- *How many Iraqis received food from the public distribution system in 2003? How many receive rations today? How many will receive rations when the planned reductions take place in June?*
- *The U.N. estimates that 1/4 of Iraqi children under five are chronically malnourished. Has anyone analyzed the effect of cutting the public distribution system on child and infant malnutrition? On adult malnutrition?*
- *Why has the Iraqi government decided to cut the public distribution system? Do you know of opposition within the Iraqi government to this decision? What will replace the PDS?*

*Response:*

The International Organization for Migration (IOM) estimates that the Public Distribution System (PDS) is used by 25 to 40 percent of Iraqis to supplement their daily food intake. As of November 2007, 60 percent of internally displaced persons (IDPs) reported that they had not received any food assistance since they were displaced. Of those who did receive food assistance, 24 percent received it from humanitarian organizations, 19 percent from religious charities, 5 percent from regional authorities, and 5 percent received it from national authorities. Since most PDS rations have been incomplete for the past four years, a reduction in the ration may have less than expected effect given that full rations are rarely provided.

In 2003 the entire population of Iraq was eligible for food rations. It is questionable how much the PDS was distributed in the Kurdish Northern Regions, as they existed in a semi-autonomous state with their own currency.

According to the U.N. Food and Agriculture Organization, both the 2004 U.N. World Food Program Baseline and the 2006 Food Security and Vulnerability Analysis in Iraq have suggested that low protein intake and low micronutrient intake caused by inadequate dietary diversity is a cause of the current levels of stunting among Iraqi children and a manifestation of serious food insecurity. USAID/OFDA is not aware of any analyses of the impact of reduced PDS distributions on malnutrition rates.

In recent conversations with the UN country team, it was mentioned that recently, District Administrative Councils were given the ability to streamline the registration process so internally displaced persons (IDPs) can change their PDS registration and access financial stipends (see below). This is seen as a positive move however most IDPs are reluctant to officially change their PDS registrations as they must first stop their former food basket before they can receive a food basket at their new location, and there is no guarantee when the new food basket will begin.

The Government of Iraq (GoI) also has implemented monetary initiatives that would give IDPs the financial ability to purchase food. The first initiative, which started around October 2006, was a one-time 100,000 Iraqi Dinar (about \$80.00 USD) payment to 15,000 displaced families in Baghdad. Although the initiative has been underway for over a year, fewer than 10,000 families have received payments.

The second initiative, which started in the spring of 2007, was a one-time payment of one million Iraqi Dinars (about \$800.00 USD) for displaced families who return to their homes in Baghdad. The initiative, which allocated enough funds for 5,000 returning families, was funded by the Council of Ministers and distributed by the Governor's office in cooperation with the Baghdad Provincial Council and the Ministry of Migration (MoM). To date, about 4,000 mostly Shia families have received the payment. Baghdad Governor Hussein Ali Tahan has reportedly announced that the rest of the payments in this allocation will go to Sunni families. Payments have been halted for the last 5 months due to allegations of corruption. It remains unclear if the Council of Ministers will allocate more funds to provide payments to displaced families returning to Baghdad.

The third initiative is a 6-month temporary salary of 150,000 Iraqi Dinars per month (for a total of 900,000 Iraqi dinars, or about USD \$735 for about 140,000 IDP families who registered their displacement between March 2006 and July 1, 2007). MoM officials indicate that 56,000 Baghdad families will receive the salary, which will be disbursed at branch offices of the Rafidain and Rasheed Banks in three lump sums (the first will be 150,000 Iraqi Dinars; the second 300,000 dinars; and the third 450,000). The first payment is still being distributed and MoM officials say they are not sure when the second and third payments will occur.

*Question:*

*Is there a sentiment among Iraqi government officials that refugees are traitors? If refugees and IDPs are not helped, could Iraq face a growing animosity from its own people?*

*Response:*

USAID/OFDA's Humanitarian Advisor in Baghdad noted that there is no information that refugees are considered traitors. However, there could be some resentment if refugee returnees are seen as receiving special favor and cash awards for returning, while those who remained in Iraq and suffered hardship and faced daily peril are not recognized and compensated in some fashion. Overall, the Humanitarian Advisor indicated that this issue is not of major concern at the moment.

Over two million internally displaced persons (IDPs) in Iraq, who are among the most vulnerable citizens, can become a destabilizing factor. Poverty and despair, especially in a country where the population, especially in larger cities, is exhibiting signs of lasting psychological trauma, can be a fertile recruiting ground for insurgents and extremists.

*Question:*

*What are current plans for building management capacity at the Ministry of Migration (MoM)?*

*Response:*

Since 2006, the International Organization for Migration (IOM), with funding from the Department of State's Bureau for Populations, Refugees, and Migration (State/ PRM), and the NGO International Medical Corps, with funding from OFDA, has been working with the Ministry of Migration (MoM) (formerly the Ministry of Displacement and Migration) to build national capacity to address the needs of displaced populations in Iraq. USAID's Tatweer program is also evaluating MoM right now for possible involvement. OFDA hopes to provide additional support to MoM's provincial offices in FY 2008.

OFDA recently sponsored a workshop on Displaced Persons in Iraq. Together with MoM representatives, workshop participants identified the following five priority areas for strengthening assistance to Iraq's displaced and vulnerable populations: 1) Improve MoM capacity to coordinate and respond; 2) Improve information management; 3) Increase provincial level engagement; 4) Provide humanitarian work space; and 5) Improve coordination.

*Question:*

*According to UNHCR, 11 out of Iraq's 18 provinces do not accept IDPs from other provinces due to a lack of resources. How capable is the Government of Iraq in providing support to its IDP population? How much has the GoI spent on IDPs?*

*Response:*

The Government of Iraq (GoI) has limited capacity to provide support to its internally displaced persons (IDP) population. The Iraq Red Crescent Organization does provide assistance to IDPs, but it is generally considered to be an inconsistent organization and has noted problems in complying with internationally recognized standards for humanitarian assistance. In each province there are Protection and Assistance Centers funded through the Office of the U.N. High Commissioner for Refugees (UNHCR) that are designed to assist IDPs in legal matters, changing their Public Distribution System (PDS) registration and getting registered as IDPs in order to receive available assistance.

According to the U.N. country team, the District Administrative Councils (DACs) across Iraq will be given the authority to streamline the PDS registration process, allowing IDPs to transfer PDS ration cards upon relocating. In October 2006, the GoI outlined an initiative to make a one-time \$80 payment to 15,000 displaced families in Baghdad. However, fewer than 10,000 families have received payment. In the first half of 2007, the Baghdad Governor's office, funded by the Council of Ministers and in cooperation with the Baghdad Provincial Council and the MoM, made a one-time payment of \$800 to 4,000 displaced Shia families who returned home to Baghdad. An additional 1,000 payments will go to Sunni families. Payments have been halted due to allegations of corruption.

According to MoM officials, 140,000 families, including 56,000 from Baghdad, who registered as displaced within a specified time period will receive a six month temporary salary equivalent to \$735 per month. The first of three lump sum disbursements are being distributed, but it remains unclear when the second and last payments will be made. The Ministry of Trade and the Ministry of Planning and Development Cooperation have formed a food security unit to analyze and monitor food security conditions in Iraq.

*Question:*

*For example, press reports indicate that 300 IDPs were recently given one week to evacuate a former military compound in Babil province by the Iraq Ministry of De-*

*fense. When the Government of Iraq evicts families from a government installation such as a previously unused military installation, does it find/provide replacement accommodations?*

*Response:*

USAID/OFDA's Humanitarian Advisor in Baghdad does not know whether the Government of Iraq provides replacement accommodations for evicted families.

*Question:*

*You note that the Iraqi Ministry of Migration estimates that some 6,000 families have returned to Baghdad and some 30,000 have returned country-wide. What kind of conditions do these returnees face and is the Ministry of Migration equipped to assist them?*

*Response:*

Returning families to Baghdad receive 1,000,000 Iraqi Dinar (approximately \$800). Families face a range of conditions from empty houses to occupied houses to destroyed houses. The Government of Iraq's Ministry of Migration is not equipped or designed to assist internally displaced persons (IDPs) and Refugees to obtain additional housing. Current estimates indicate that, regardless of the IDP situation, Iraq has an existing housing shortage of approximately three million units. Investment in the housing sector is urgently needed.

*Question:*

*You also note that a majority of returnees find that their homes have been occupied by others. What happens to the returnees in that case? Does the Ministry have the capacity to provide or find housing for these families?*

*Response:*

The Ministry of Migration does not have the capacity to provide or find houses for returnees whose homes have been occupied. However, the Ministry is working with other institutions, including the Interim Follow up Committee for National Reconciliation, to address this issue. The issue of occupancy of homes is considered a civil and criminal matter and is dealt with by local police and courts. Various informal mechanisms through local leaders also exist to address property issues. For example, occasional property exchanges occur. However, these are outside of official Government of Iraq mechanisms.

