

U.S. REFUGEE ADMISSIONS FOR FISCAL YEAR 2000:

**Department of State
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and
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FOREWORD

The annual Congressional consultations on refugee admissions, held on September 24 and 29 provided an opportunity for the Congress and the Administration to focus on the domestic and international implications of U.S. refugee policy, and mark the culmination of a many-faceted consultative process for FY 2000.

During the course of the current fiscal year, Administration officials have had periodic discussions with Members and staff of the House and Senate Judiciary Committees, the Senate Foreign Relations Committee, the House International Relations Committee, the House and Senate Appropriations Committees and other interested Congressional committees. In addition, we have received input from representatives of state and local governments, public interest groups, private voluntary organizations, mutual assistance associations, the United Nations High Commissioner for Refugees and other organizations concerned with refugees. Our regional program officers have traveled extensively throughout their regions to assess first-hand the condition and resettlement needs of refugees across the globe.

The Administration is committed to strengthening the effectiveness of U.S. refugee admissions and assistance programs consistent with domestic and international concerns. The task of balancing these concerns has become increasingly challenging because of the sizable number of refugees requiring assistance in an era of budgetary constraints. Nevertheless, the United States remains, by a wide margin, the largest resettlement country in the world, while at the same time significantly contributing to life-sustaining assistance programs which have an impact on millions of refugees, displaced persons, and victims of conflict.

This document describes the U.S. Refugee Admissions Program for FY 2000.

I. REFUGEE ADMISSIONS PROGRAM FOR FY 2000

A. OVERVIEW OF U.S. REFUGEE POLICY

Resettlement in third countries, including the United States, is considered for refugees in urgent need of protection, refugees for whom other durable solutions are not feasible, and refugees able to join close family members. In seeking durable solutions for refugees, the United States gives priority to the safe, voluntary return of refugees to their homelands. This policy, recognized in the Refugee Act of 1980, is also the preference of the United Nations High Commissioner for Refugees (UNHCR). If safe, voluntary repatriation is not feasible, other durable solutions are sought including resettlement in countries of asylum within the region and resettlement in third countries.

In mid-1998, the United Nations High Commissioner for Refugees estimated the world's population of refugees and asylum seekers to be 13 million. Persons displaced within their own countries by war, famine and civil unrest exceed that number totaling some 7 million. The United States works with other governments and international and non-governmental organizations to protect refugees, displaced persons, and conflict victims and strives to ensure that survival needs for food, health care and shelter are met.

Under the authority contained in the Migration and Refugee Assistance Act of 1962, as amended, the United States contributes to the international activities of the UNHCR, the International Committee of the Red Cross (ICRC), the International Organization for Migration (IOM), and other international and private organizations which provide ongoing relief and assistance to refugees, displaced persons, and conflict victims. The United States has been instrumental in mobilizing a community of nations to work through these organizations to alleviate the misery and suffering of refugees throughout the world. We continue to press for the most effective use of international resources directed to the urgent needs of refugees and displaced persons. During FY 1999, the United States has supported major relief and repatriation programs in Africa, Europe, Central America, Southeast Asia, South Asia and the Near East.

The United States considers for admission as refugees persons of special humanitarian concern who can establish persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. The legal basis of the refugee admissions program is the Refugee Act of 1980 which embodies the American tradition of granting refuge to diverse groups suffering or fearing persecution. The Act in essence adopted the definition of "refugee" contained in the 1951 United Nations Convention Relating to the Status of Refugees and its 1967 Protocol. The definition, which may be found in Section 101(a)(42) of the Immigration and Nationality Act (INA), as amended, is as follows:

“The term ‘refugee’ means: (A) any person who is outside any country of such person's nationality or, in the case of a person having no nationality, is outside any country in which such person last habitually resided, and who is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of, that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion, or (B) in such circumstances as the President after appropriate consultation (as defined in section 207 (e) of this Act) may specify, any person who is within the country of such person's nationality or, in the case of a person having no nationality, within the country in which such person is habitually residing, and who is persecuted or who has a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

The term ‘refugee’ does not include any person who ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion.

For purposes of determinations under this Act, a person who has been forced to abort a pregnancy or to undergo involuntary sterilization, or who has been persecuted for failure or refusal to undergo such a procedure or for other resistance to a coercive population control program, shall be deemed to have been

persecuted on account of political opinion, and a person who has a well-founded fear that he or she will be forced to undergo such a procedure or be subject to persecution for such failure, refusal or resistance shall be deemed to have a well-founded fear of persecution on account of political opinion.”

With regard to refugees resettled in the United States, the U.S. Government aims to promote economic self-sufficiency as quickly as possible, limiting the need for public assistance and encouraging refugees to contribute to the diversity and enrichment of our country as have previous newcomers. Federally-funded programs administered by individual states and the District of Columbia have provided cash and medical assistance, training programs, employment and other support services to many refugees upon arrival. A variety of institutional providers have performed these services, including private voluntary agencies who also provide initial reception and placement services under cooperative agreements with the Department of State. All of these benefits are intended for short-term utilization during a refugee's transition to becoming an independent, contributing member of the national economy and of American society.

TABLE I
REFUGEE ADMISSIONS IN FY 1998 AND FY 1999
AND CEILINGS FOR FY 2000

REGION	FY 1998 ACTUAL	FY 1999 CEILING	FY 1999 ACTUAL	FY 2000 CEILING
Africa	6,888	13,000	13,038	18,000
East Asia	10,854	10,500	10,204	8,000
Europe				
Former Yugoslavia	30,842	25,000	24,486	17,000
Kosovo Crisis Refugees (supplemental appropriation)	-0-	13,000	14,156	10,000 ⁽¹⁾
NIS/Baltics	23,535	23,000	16,922	20,000
Latin America/Caribbean	1,627	2,250	2,110	3,000
Near East/South Asia	3,311	4,250	4,078	8,000
Unallocated Reserve	-0-	-0-	-0-	6,000 ⁽²⁾
Total	77,057	91,000	85,006	90,000

- (1) 10,000 Kosovo crisis refugees may be admitted in FY 2000 provided that existing resources from the 1999 Kosovo Emergency Supplemental are available to fund the cost of their admission.
- (2) Unallocated reserve of 6,000 funded numbers, to be used in regions where the need for additional numbers develops and only upon notification to Congress.

The President, in response to the humanitarian needs of refugees and in consultation with Congress, established for FY 2000 an admissions ceiling of 90,000 refugees, which includes a special allocation for 10,000 refugees relating to the Kosovo conflict, for permanent resettlement in the United States. Implementation of this ceiling is dependent on full funding of the Administration's FY 2000 \$660 million budget request for the Migration and Refugee Assistance (MRA) account. It also assumes the use of funds appropriated in the Kosovo supplemental appropriations bill for the resettlement of the 10,000 refugees relating to the Kosovo conflict. Allocations within this ceiling are shown in Table II below:

TABLE II
CEILINGS
FOR REFUGEE ADMISSIONS IN FY 2000

REGION OF ORIGIN	CEILING
Africa	18,000
East Asia	8,000 ⁽¹⁾
Europe	
Former Yugoslavia	17,000
Kosovo Crisis Refugees	10,000 ⁽³⁾
NIS/Baltics	20,000
Latin America/Caribbean	3,000
Near East/South Asia	8,000
Unallocated Reserve	6,000 ⁽²⁾
TOTAL	90,000

- (1) This figure includes Amerasians and their family members who enter as immigrants under a special statutory provision but receive the same benefits as refugees.
- (2) These numbers to be used in regions where the need for additional numbers develops and only upon notification to Congress. This unallocated reserve will only be available if Congress appropriates the full \$660 million requested by the Administration for the FY 2000 Migration and Refugee Assistance (MRA) account.

- (3) Up to an additional 10,000 Kosovo crisis refugees may be admitted in FY 2000 provided that existing resources from the 1999 Kosovo Emergency Supplemental are available to fund the cost of their admission.

The President determined, after appropriate consultation with Congress, that special circumstances exist so that, for the purpose of admission under the limits established above and pursuant to section 101(a)(42)(B) of the INA, certain persons, if they otherwise qualify for admission, may be considered as refugees of special humanitarian concern to the United States even though they are still within their countries of nationality or habitual residence. The nationalities proposed for in-country processing for FY 2000 are persons in Cuba, Vietnam and the NIS/Baltics.

In addition to the proposed admission of refugees from abroad, the Immigration and Naturalization Service (INS) is authorized to adjust to the status of permanent resident alien 10,000 persons who have been granted asylum in the United States and have been in the United States for at least one year, pursuant to Section 209(b) of the Immigration and Nationality Act.

In the regional descriptions which follow, an overview of refugee-generating conditions is provided. In addition, opportunities for voluntary repatriation, resettlement within the region, and third-country resettlement are noted.

B. RESETTLEMENT NEEDS IN FY 2000

1. AFRICA

A recent UNHCR Africa Fact Sheet reports that there are some 3.3 million refugees in Africa, dispersed among many countries. African refugees comprise about one quarter of the world's refugee population. Historically, the flow of refugees throughout Africa has been fluid, with people moving in large numbers. Individual nations have been both refugee generating and receiving countries. For many years, African countries have honored the principles of first asylum. Refugee populations were allowed to cross into neighboring countries and received protection and assistance, without encountering threats of refoulement. They were permitted to remain until repatriation was possible. There have been several serious incidents over the past few years, however, that indicate that this tolerance may be lessening.

As a result, the African refugee resettlement program has grown steadily over the past ten years. As there continue to be large numbers of refugees in Africa, we believe the FY 1999 level of African resettlement should be substantially increased in FY 2000. An increase in the number of refugees resettled, to 18,000, would enable the U.S. to resettle those most in need.

In FY 1999, significant developments include the official registration of the JVA sub-office in Dakar by the government of Senegal, a major increase in processing in Cairo, and the addition of three significant P-2 groups: mixed Hutu-Tutsi families from camps in Tanzania, Nigerian Ogonis from Benin, and Togolese pro-democracy activists in Benin. Several other P-2 designations are likely to be announced before the end of FY

1999, although actual admission to the U.S. for these groups is unlikely to occur until FY 2000.

Voluntary Repatriation

Over the past few years, many of Africa's long-standing refugee populations have returned home. In 1996 and 1997, 1.2 million Rwandans returned from Burundi, Zaire and Tanzania. In 1997 and 1998, refugees began returning to Ethiopia, Eritrea, Somalia, Mauritania, Mali, Togo, and Liberia. Although repatriation to Sierra Leone appeared likely in 1997, the new outbreak of hostilities in 1998, followed by the escalation of violence in early 1999, caused massive renewed refugee flight from Sierra Leone. If the recently signed peace agreement in Sierra Leone holds, it should lead to significant repatriation in the future. The situation in Sudan remains volatile and unsafe for repatriation, so the 400,000 or more Sudanese refugees in neighboring countries have no prospect for return at this time. Most Somali refugees will be unlikely to be able to return in safety soon, with the exception of some from northern Somalia.

Resettlement within the Region

While African nations historically have provided first asylum for refugees, most countries have not been willing to offer permanent resettlement. The expectation that refugees would eventually return home eased government's decisions to grant first asylum protection. There is increasing concern, however, that this generous spirit of hospitality may be waning. Indefinite first asylum without threat of refoulement had previously approached conditions of local integration. This may no longer be the case.

Burkina Faso and Benin are two notable recent exceptions to the negative trend. Both countries have offered permanent resettlement of African refugees. In fact, by the end of 1998, both countries had resettled small numbers, as has the Republic of South Africa. In Burkina Faso and South Africa, UNHCR's resettlement trust fund facilitated resettlement.

Third Country Resettlement Outside the Region

Third country resettlement outside of Africa will remain a necessary and important component of refugee protection and assistance for African refugees for the foreseeable future. Continuing ethnic tensions and fighting, human rights abuses, competition for resources, political upheaval and change, religious intolerance, and the easy availability of modern weaponry can all be expected to generate refugees. Resettlement outside the region can become necessary for the protection of some refugees or when repatriation (or local integration) is not an option. In other cases, refugees have been so severely traumatized by past persecution that return home is not possible. Especially in the final resolution of refugee situations, third country resettlement plays a key role for residual populations who cannot return home safely for security or other reasons.

The U.S. resettlement program for African refugees accepts considerably more people per year than the combined total of all other resettlement countries. While less able to respond to emergency situations involving individual cases, the U.S. program can

and does address the resettlement needs of larger groups. In this way, the U.S. program and the programs of other countries that accept far fewer refugees but in an expeditious manner, are complementary.

U.S. Admissions Program

Coordination for most refugee admissions processing in Africa is done by the U.S. Embassy in Nairobi, assisted by a Joint Voluntary Agency (JVA) and the International Organization for Migration (IOM). As noted above, the JVA sub-office in Dakar was officially recognized by the government of Senegal this year. The sub-office has begun to handle an increasing load of West African processing. Processing takes place all over sub-Saharan Africa on the basis of circuit-rides that call for careful coordination among UNHCR (identification of refugees for processing and logistical support on site), JVA (case preparation), INS (adjudication), and IOM (medical screening and travel arrangements). In previous years, the bulk of U.S. admissions processing for African refugees was conducted in Kenya, but in FY 1998, the balance shifted dramatically, and the program now reaches across the continent.

The U.S. program also processes many African refugees in Cairo. In FY 1998 and again in FY 1999 this element of the program has expanded significantly, primarily to address the needs of Sudanese and some Somali refugees in Egypt. UNHCR has referred the majority of the cases, the Embassy in Cairo works with IOM to prepare and process cases, and INS adjudicators adjudicate the cases on a circuit ride basis.

FY 1999 Program

The U.S. admissions program for FY 1999 included a ceiling of 13,000 admissions from Africa. The program continues to be extremely diverse both in terms of nationalities admitted to the U.S. and processing locations. In FY 1998, African refugees were admitted to the U.S. from nineteen nationalities processed in over 20 locations. The program is showing similar diversity and reach in FY 1999.

In FY 1999, large numbers of refugees have gone through pre-INS processing, and the INS has sent numerous TDY missions to Africa to adjudicate cases. However, in a number of countries, the medical clearance process has shown weaknesses when confronted by the increased numbers. PRM is working with IOM to overcome these problems.

Another striking feature of FY 1999 has been the enormous increase in P-3 applications filed (over 11,000 individuals in the first quarter). The expansion of eligible countries from five in FY 1998 to eighteen in FY 1999 led to this dramatic expansion in the number of applicants.

Processing Priorities for FY 2000

There is a ceiling of 18,000 African refugees for FY 2000. This takes into account both an assessment of the resettlement need in Africa and the management aspects of expanding the program responsibly and effectively. As in previous years, the population resettled in

FY 2000 will be diverse and scattered over the continent. Continued emphasis will be placed on both Priority One and Priority Two referrals into the program, with Priority Three access available to close relatives of certain nationalities.

All nationalities will continue to be eligible for Priority One processing when referred to the U.S. program by UNHCR or a U.S. Embassy. Priority Two designations will continue on an ongoing basis as discrete groups with unifying characteristics are identified and found to be in need of resettlement. Due to changing conditions, the list of nationalities with Priority Three eligibility is under review.

Religious Freedom in Africa

For the vast majority of countries in sub-Saharan Africa, religious freedom and peaceful coexistence are the rule, even where other conflicts hold sway. For example, Ethiopia and Eritrea both have large Muslim as well as diverse Christian populations, yet, except for minor problems, the religious freedom of all groups is respected in both countries. The exception to the rule is Sudan, where the longest ongoing civil war in the world has a very significant religious dimension. The breakdown in the 1980s of the autonomy agreement that had given eleven years of peace to Sudan was closely related to the rise of a militant brand of Islam in the dominant north of the country and subsequent attempts to impose Sharia law on all Sudanese, including Christians. In areas controlled by the North, access to early education, as well as other social services, has been made far easier for Muslims than for Christians and others. The North has conducted or tolerated attacks on civilians, indiscriminate bombing raids, and slave raids on the South, all with a religious as well as an ethnic dimension. In the North, where many of the four million internally displaced Sudanese (mostly Southerners) live, harassment and persecution of Christians, including arrests of clergy on apparently trumped-up charges, and refusal to issue building permits for churches and church-related buildings is the rule rather than the exception.

The U.S. admissions program has in recent years increased its focus on these Sudanese victims of religious discrimination and persecution in Egypt, Ethiopia, and Kenya. The refugee processing program in Cairo was expanded last year with these refugees as the primary beneficiaries. The same is the case with the placement of an American Junior Professional Officer (JPO) to support UNHCR resettlement efforts in Ethiopia. Currently, plans are under way to resettle a group of several thousand young Sudanese refugees now in camps in Kenya.

2. EAST ASIA

First Asylum

The Comprehensive Plan of Action for Indochinese refugees (CPA) was established in 1989 and was concluded on June 30, 1996 in Indonesia, Malaysia, the Philippines, Singapore, and Thailand, and on June 30, 1997 in Hong Kong. The CPA was created as a multilateral framework to resolve the outflow of thousands of people, primarily from Vietnam, to other countries in Southeast Asia and to Hong Kong. Its fundamental principles were to save lives by discouraging clandestine and unsafe

departures, to preserve first asylum, to ensure humane treatment, and to support regular departure programs.

There are 997 Vietnamese asylum seekers in Hong Kong, who had been determined to be refugees, but, due to excludable conditions (i.e. drug abuse and criminal conviction), are ineligible for admission to the United States under U.S. law. The status of this group is unresolved, but we expect that they may be permitted to remain and will be integrated locally. In addition, there are 600 CPA screened-out Vietnamese boat people. It is expected that this group will eventually be returned to Vietnam. Some 1,500 Vietnamese screened-out boat people remain in the Philippines. Although the Government of the Philippines has not made an official determination, it appears likely that this group will be permitted to remain in the Philippines and integrate locally as well.

As of March 31, 1999, about 1,200 Lao asylum seekers remained in a camp in Thailand. In 1997 the Royal Thai Government (RTG) initiated a final re-screening of this population and notified camp residents of the results during the first half of 1998. Only 137 of this population were found to be refugees in need of continued protection. UNHCR referred 50 screened-in Lao to the U.S. for consideration. All but two of these cases were approved and have departed for the U.S. The two ineligible cases were found excludable due to drug abuse. Those determined not to be refugees will become subject to Thai jurisdiction.

Thailand currently hosts some 115,500 Burmese ethnic minorities and students in encampments along its border with Burma, as well as about 500 Burmese students/dissidents in the Burmese Center, the Burmese refugee processing site located in Ratchaburi province. In addition, there are about 900 Burmese students/dissidents in the Bangkok area who are recognized by UNHCR as “persons of concern.”

Thailand hosted up to 78,000 Cambodian refugees who arrived immediately following the outbreak of fighting in Phnom Penh on July 5, 1997. The majority of these refugees lived in several camps located along the Thai-Cambodian border. Except for about 150 Cambodians UNHCR believes are still in the Bangkok area, all of these Cambodian refugees have now returned to their homes in Cambodia. The last camp for Cambodian refugees closed in March 1999. UNHCR assisted the majority of these refugees to return to their homes and is providing reintegration assistance to the returnees.

Voluntary Repatriation

Under the CPA, asylum seekers who were found not to be refugees as defined in the 1951 UN Convention Relating to the Status of Refugees and its 1967 Protocol were not eligible for resettlement and were eventually expected to return to their countries of origin. More than 111,000 screened out Vietnamese asylum seekers have returned to Vietnam from first asylum camps in

Southeast Asia and Hong Kong. The majority, (approximately 95,000), returned voluntarily. UNHCR monitors returnees in Vietnam, and no evidence of a policy or pattern of persecution or discrimination against these repatriates has been documented.

In March 1996, the Vietnamese government agreed, in principle, to cooperate with the U.S. government on a new resettlement opportunity for certain Vietnamese migrants. This initiative, referred to as the Resettlement Opportunity for Vietnamese Returnees (ROVR), was designed to offer a final chance at resettlement in the United States to eligible Vietnamese who were then still in first asylum camps in Hong Kong and Southeast Asia or who had recently returned to Vietnam. Under ROVR, any Vietnamese who was in a first asylum camp as of October 1, 1995, who either returned to Vietnam between October 1, 1995 and April 22, 1996, or who was in camp as of April 22, 1996 and applied for voluntary repatriation and registered for ROVR by June 30, 1996 was eligible to be considered for a resettlement interview with the U.S. Immigration and Naturalization Service upon return to Vietnam. ROVR was announced and registration began in the first asylum camps on April 22, 1996 and continued through June 30, 1996. Some 9,000 individuals registered to participate in ROVR and an additional 4,500-5,000 who had returned between October 1995 and April 1996 were also eligible for consideration.

Since September 1980, a UNHCR program has facilitated the voluntary repatriation of more than 27,000 Lowland Lao, Hmong and other Highlanders from Thailand. There are several reception centers for returnees in Laos, and UNHCR monitors the returnees to ensure their safety.

Resettlement in the Region

The willingness of countries in the region to resettle refugees or even to grant temporary asylum is constrained by security and economic concerns, as well as cultural, religious, and political sensitivities. It now appears likely that the Philippines and Hong Kong will integrate some 2,800 Vietnamese migrants who were not resettled under the CPA.

On several occasions over the last few years, Thailand has pushed Burmese refugees back across the border into Burma. The Thai government, unfortunately, fears another situation like that created with Vietnamese, Laotians, and Cambodians after 1975.

Third-Country Resettlement

After the inception of the CPA in 1989, the United States resettled some 17,000 or 34% of the remaining pre-cutoff population and some 13,000 or 39% of the post-cutoff screened-in population (out of 33,000 total screened-in). Between 1980 and 1989 -- prior to the CPA -- the U.S. resettled some 162,000 Vietnamese from first-asylum countries.

A number of other countries also resettled significant numbers of Indochinese asylum-seekers as part of the CPA. The primary participants were Australia, Canada, and France, all of which have resettled well over 100,000 people each since 1975. Belgium, Denmark, Germany, Italy, Japan, the Netherlands, New Zealand, Norway, Sweden, and Switzerland have also each resettled thousands during the same period. It is worth noting, however, that the U.S. alone has resettled over 940,000 Indochinese refugees since 1975, a total which surpasses all other third-country resettlement combined.

U.S. Admissions

Until recently, the U.S. refugee admissions program in Southeast Asia consisted of two basic parts: admissions from first asylum countries to which refugees fled and admissions through in-country processing in Vietnam under the Bangkok-based Orderly Departure Program (ODP). From 1989 through June 30, 1997, admissions of Vietnamese and Lao refugees from first asylum countries was carried out in accordance with the CPA. ODP officially closed September 30, 1999. The remaining caseload is now handled by the Refugee Resettlement Section of the U.S. Consulate in Ho Chi Minh City.

Under ODP, some 506,000 Vietnamese refugees, immigrants, and parolees have been admitted to the U.S. including nearly 166,500 persons under the Former Reeducation Camp Detainee subprogram, 89,514 under the Amerasian subprogram, nearly 15,000 under the ROVR program, and some 237,000 under family reunification and other subprograms. In recent years, family reunification has been accomplished through the issuance of immigrant visas by Consular Officers working under ODP. ODP issued approximately 1,500 immigrant visas per month.

The Amerasian immigrant program was an integral part of ODP in 1999. This program admitted Amerasians along with qualifying family members for resettlement in the U.S. Although the "Amerasian Homecoming Act" of 1987 designated Amerasians as a special class of immigrant, they are accorded refugee benefits and are therefore included in the refugee admissions ceiling for consistency with the budgetary process. Large-scale processing of the Amerasian caseload was completed in 1993, although direct registration and processing of the small number of remaining qualified applicants continues in Ho Chi Minh City.

The U.S. and Vietnam agreed on a framework for implementing ROVR on January 23, 1997. Based on the terms of the agreement between the two governments, the U.S. submitted lists of applicants and possible applicants to the Vietnamese government, which is now in the process of contacting all persons on the lists and informing them of their eligibility to pursue a resettlement interview with the U.S. The Vietnamese government originally agreed to issue exit permits to all those who expressed interest in pursuing a ROVR interview and who also met general exit permit criteria under Vietnamese law. Both sides agreed in January 1997 to seek a flow of about 1,500 persons interviewed per month beginning in April 1997, and continuing to the end of the program. However, the Vietnamese government was unable to process applicants for exit permission quickly enough to reach this number, and interviews began very slowly. In October 1997, Vietnam announced that it was taking steps to accelerate procedures to clear ROVR applicants for interview. These new procedures have resulted in the clearance for interview of some 20,000 of the estimated 20,850 currently eligible for consideration under the program. We expect to complete ROVR interviews in 2000.

FY 1999 Program

Initially the FY 1999 allocation for East Asia was 9,000. After consulting with Congress, the final ceiling was 10,500.

Over the past nearly twenty years, the Administration, the Congress, and the refugee advocacy community have worked together to provide refugee resettlement and immigration opportunities for more than 500,000 Vietnamese. It has been a very successful partnership, with the result that we intend to bring to conclusion ODP operations in Bangkok by the end of this fiscal year. Any remaining ODP caseloads will be processed out of the new Refugee Resettlement Unit (RRU) that we established at our consulate in Ho Chi Minh City in January 1999. We are in the process of restructuring our refugee processing in Vietnam with the goal of providing resettlement opportunities for individuals who have recently experienced persecution or threats of persecution. We are making the transition from the ODP program to the new program carefully. We fully intend to meet our commitments to those who have sought our protection under the programs of the ODP.

In this spirit, we recently devised a plan for re-initiating processing of the non-interviewed cases of former U.S. Government employees. In November 1996, the USG suspended further processing of this caseload after the Vietnamese government informed us that they would no longer issue exit permits to these individuals because the approval rate had dropped to below five percent. In late-1998, we reviewed the 1996 decision and determined that we made a commitment to these individuals to provide them the opportunity to present their refugee claims and that we still owed them this opportunity. We intend to ensure that these cases are processed expeditiously and that the applicants are given every opportunity for a fair and equitable adjudication of their claim.

FY 2000 Program

The admissions ceiling for East Asia for FY 2000 is 8,000.

First Asylum: Direct resettlement from first asylum countries is not expected to exceed 1,000 and would include Burmese, Chinese, Vietnamese (the last few from first asylum countries) and Lao.

Projected admissions for FY 2000 under the in-country program in Vietnam are 7,000, which will consist of a final group of former reeducation camp detainees and eligible family members, Amerasians and accompanying family members, residual ROVR applicants and eligible family members, former USG employees, and other cases.

Religious Freedom in East Asia

The U.S. admissions program processes refugee cases referred by UNHCR and U.S. Embassies, including those claims based on persecution due to individual religious beliefs. Over the past several years, we have worked closely with UNHCR to strengthen the referral process. The major U.S. resettlement program in the region is the in-country program for Vietnamese. Historically, the program for Vietnamese has focused on persons who were persecuted because of their pre-1975 association with the U.S. In the future, the focus will be on individuals who are currently experiencing persecution. The Vietnamese constitution and SRV government decrees provide for freedom of worship; however, the Government significantly restricts those organized activities of religious organizations that it defines as being at variance with state laws and policies. Most independent religious activities are either prohibited or severely restricted. For example:

all Catholic seminary students must be approved by the government and are limited to 500 students; all Buddhist monks are required to work under a party-controlled umbrella organization; and Protestant ethnic Hmong are harassed for distributing bibles and other religious literature in northern villages.

FY 2000 Processing Priorities

All nationalities will continue to be eligible for Priority One processing when referred to the U.S. program by UNHCR or a U.S. Embassy. Completion of processing of previously eligible caseloads, including reeducation detainees, former USG employees, ROVR, and others.

3. EUROPE

Refugee admissions from Europe come from two large resettlement programs: one for refugees from the Newly Independent States and the Baltics and one for refugees from the former Yugoslavia. The programs are discussed below individually.

FORMER SOVIET UNION/NEWLY-INDEPENDENT STATES AND BALTICS

Deterioration in economic conditions in Russia was mirrored in most other countries of the NIS as a result of economic interdependence. While political and press freedom thrived in Russia and relatively free and fair elections were completed in other NIS and Baltic countries, elections in other republics were manipulated by the parties in power with the press and media restricted or threatened. Politically-motivated murders in Russia and other countries continue including kidnapping and murder of international aid workers. The nations which once comprised the Soviet Union now show a wide divergence of progress in achieving democracy, rule of law, economic growth and tolerance which now need to be judged on a country-by-country basis.

Freedom of religion similarly varies from country to country and within regions in Russia. While most evangelical churches have been registered and permitted to practice freely, some still have problems with recalcitrant local authorities who object to "foreign" groups and foreign missionaries. Several ugly incidents of anti-Semitic statements by elected officials, demonstrations by neo-Fascist groups and at least one attack on a synagogue raised the level of concern for the safety of Jews in Russia.

Third-Country Resettlement

In addition to the United States, Germany, Canada and Australia continue to resettle immigrants and refugees from the countries of the newly-independent states and Baltics. Soviet Jews continue to emigrate to Israel, with figures for 1998 estimated at 42,500.

U.S. Admissions

Refugee admission processing for the FSU Program is carried out in Moscow for groups identified in the Lautenberg Amendment: Jews, Evangelical Christians and certain members of the Ukrainian Catholic and Orthodox Churches. Nearly all the FSU refugees

now being interviewed have family ties to the U.S. and are being processed as family reunification cases. The backlog of cases in this program has been eliminated, and all eligible cases are scheduled for appointment within five to six months of the date of application. Eligible new applications average 1,000 to 1,200 cases per month. In FY 2000 the Department of State and U.S. Immigration and Naturalization Service hope to conduct circuit rides to process at other locations some applicants for whom travel to Moscow may be difficult. The Department of State also anticipates receiving a number of referrals from the U.N. High Commission for Refugees for third-country nationals identified as persons of concern who are stranded in countries of the former Soviet Union for whom resettlement in another country is the only durable solution. These anticipated referrals follow upon extensive work with FSU country governments to assist them in meeting their obligations under the 1951 Geneva Convention and its 1967 Protocols for the many asylum-seekers who have reached those countries.

FY 1999 Program

The U.S. admitted 16,922 refugees from the NIS/Baltics in FY 1999. This number included some long-approved cases that have failed to travel will do so when contacted as to their continuing interest in emigration to the U.S.

FY 2000 Program

The U.S. will admit up to 20,000 refugees from the NIS/Baltics during FY 2000.

Processing Priorities for FY 2000

Eligibility criteria for the program in FY 2000 are as follows: all nationalities will be eligible for Priority One. Persons who were nationals of the NIS/Baltics prior to September 2, 1991, will be eligible for Priority Two processing in-country.

Religious Freedom in the NIS/Baltics

Freedom to worship and choose among confessions varies widely in the countries of the Newly-Independent States and Baltics. Nearly all countries have religion laws that require groups to register in order to conduct financial business and own property. Obstruction or delay of registration, usually by local officials, frustrates some confessions perceived as "foreign" or as "cults". In some countries, adherence to a particular faith is associated with the state or ethnic group and carries the additional burden of displaying patriotic loyalty. In other states authorities are suspicious of religious groups who are perceived as having political agendas and organizations. In the Baltics and Kyrgyzstan the registration of a wide variety of religious groups takes place with reasonable requirements and no evidence of petty obstruction. In those and several other countries, central authorities encourage and support interfaith dialogue and tolerance as official government policy.

FORMER YUGOSLAVIA

Nationals of the countries of the former Yugoslavia constitute the primary population of asylum-seekers in Europe outside the former Soviet Union. Recent Serb

offensives against ethnic Albanians in Kosovo have displaced hundreds of thousands, driving many of them to seek asylum in neighboring countries and Western Europe. In April 1999 the United States announced a commitment to provide temporary protection for up to 20,000 Kosovar Albanians in FY 1999 under the refugee admissions program as part of a multinational humanitarian evacuation program to alleviate pressure on Macedonia. International efforts focused on providing humanitarian assistance to Kosovars and sustaining the capacity of first-asylum countries to take in refugees while we resolved political and military efforts through the conflict.

UNHCR estimates that more than 330,000 refugees from the Bosnian conflict remain without durable solutions. UNHCR urged asylum countries to continue temporary protection for many refugees who come from areas where they would be in the ethnic minority until they can return in safety and security. Several Western European countries, notably Germany and Switzerland, continued to pressure Bosnians to return or seek third-country resettlement. This pressure includes threats of deportation, and some 3,000 Bosnians have been deported since 1996, including some who came from areas where they would be in the ethnic minority.

Voluntary Repatriation

An estimated 602,000 refugees and displaced persons have returned to their homes since the Dayton Peace Agreement was signed in December 1995. Some 96,300 of those were people who returned to areas where they were in an ethnic minority. UNHCR estimates repatriation of another 85,000 refugees in 1999. Although many obstacles continue to deter the return of minorities to their pre-war homes, minorities now are returning in increasing numbers to areas that were ethnically cleansed during the war. The U.S. Government continues to place high priority on eliminating these obstacles and facilitating voluntary return.

Resettlement in the Region

Countries in Western Europe reported hosting more than 100,000 Kosovar asylum-seekers even before the March offensive against the Albanian population in Kosovo. The international community offered to accept more than 135,000 Kosovars to reduce pressure on Macedonia. A number of European countries, including Norway, Sweden and Denmark, have regularized the status of most Bosnians who were in their country under temporary protection and granted them permanent or long-term residence. In other European countries such as Germany and Switzerland, in spite of dramatically reduced numbers of Bosnians, there is unwillingness to permit those displaced by the Bosnian conflict to remain permanently. Asylum laws in Germany and certain other European countries do not recognize non-state agents of persecution, which has rendered many of the Bosnian "civil war refugees" ineligible to apply for asylum. These groups are therefore subject to forcible repatriation if they do not leave voluntarily.

Third-Country Resettlement

In addition to resettlement in the United States and the countries of Western Europe, Australia and Canada resettle refugees from the countries of the former

Yugoslavia. Third-country resettlement efforts continue for those refugees from earlier conflicts in the former Yugoslavia who cannot return in safety and security. Many countries shared in the humanitarian evacuation effort for Kosovar refugees in Macedonia, some offering temporary protection, while others offered more permanent solutions. The international community remains steadfast in its determination to ensure conditions in Kosovo that permit refugees to return, and the priority has been to provide emergency relief and first asylum, rather than durable solutions.

U.S. Admissions

The U.S. admissions program for refugees from Eastern Europe focuses on vulnerable refugees who cannot return home safely or remain in first asylum. The United States provides Temporary Protected Status to individuals from Kosovo of both Albanian and Serbian ethnicities who were in the United States as of June 9, 1999.

Bosnians with close family members in the United States and certain groups considered likely to be at risk remain eligible to apply directly for resettlement processing. In addition, UNHCR refers other refugees from the former Yugoslavia who are in need of third-country resettlement. While the admissions program initially accepted mainly Bosnian Muslims, Bosnians of all ethnicities have been eligible since FY 1997. UNHCR referrals also include Croatian Serb refugees from Croatia's formerly Serb-majority area of the Krajina and from Eastern Slavonia.

FY 1999 Program

The U.S. admitted 39,000 refugees from the former Yugoslavia during FY 1999, including some 12,000 from Germany, over 8,000 from Croatia and 14,000 Kosovars from Macedonia and Albania. We also admitted close to 4,000 refugees processed in the Federal Republic of Yugoslavia and have an additional 3,700 individuals referred by the UNHCR awaiting interviews when conditions permit. In addition, smaller numbers of priority cases are being admitted from Switzerland, Austria and other countries.

FY 2000 Program

The Balkan refugee population requiring resettlement in FY 2000 and beyond will depend on the overall prospect for returns in the former Yugoslavia, the availability of continued protection in countries of first asylum, and the pressure those governments exert on refugees to repatriate. As a measure of the importance the United States continues to attach to the humanitarian needs of this population and others from the former Yugoslavia, the President authorized 17,000 admissions from the former Yugoslavia during FY 2000. In addition, we will admit up to an additional 10,000 refugees relating to the Kosovo conflict, provided that existing resources from the 1999 Kosovo Emergency Supplemental are available to fund the cost of their admission. We urge countries which have provided temporary protection to support UNHCR's comprehensive strategy on repatriation and returns, which includes continued protection for vulnerable refugees, including many who originate in areas where they would be in the ethnic minority.

While we cannot predict what the coming months will bring in the Balkans, we anticipate on the basis of experience that there will be the need for resettlement of some individual Kosovar Albanians and members of other vulnerable ethnic groups, including Serbs and Roma, displaced as a result of the Kosovo conflict. Some refugees will not be able or willing to return even with international assurances of their safety.

Religious Persecution in Eastern Europe

Persecution on religious grounds has been a significant element in both the Bosnia and Kosovo resettlement efforts. The refugee admissions program has provided access to protection for persecuted Muslims, Catholics, and Orthodox Christians, as well as a few individuals of other religious minorities. In addition, while most persons in Europe who fled religious persecution in other regions of the world claim asylum in Europe, some victims of persecution have successfully sought access to the U.S. refugee admissions program. We will continue to work with UNHCR, faith-based non-governmental organizations, human rights groups, and U.S. missions to identify victims of persecution for whom resettlement is appropriate.

Processing Priorities for FY 2000

All nationalities (and ethnicities) will be eligible for Priority One referrals from UNHCR or Embassies. Bosnians of all ethnic groups are eligible for Priorities Two and Three. Given the dynamic situation in the Balkans, the need for continued Priority Four processing for Bosnians as well as requirements for various other ethnic groups from the former Yugoslavia have recently been reviewed. Registration for Priority Four processing for Bosnians will cease on November 1, 1999.

Under Priority Two, Bosnians eligible to apply for admission to the United States include the following:

- 1) Former detainees who were held on account of ethnicity or political or religious opinion;
- 2) Victims of torture or systematic violence against members of targeted ethnic groups by governmental authorities or quasi-governmental authorities in areas under their control;
- 3) Surviving spouses of civilians who would have been eligible under these criteria if they had not died or disappeared in detention as a result of torture or violence; and
- 4) Persons in mixed marriages of any two ethnicities of the former Yugoslavia.

4. LATIN AMERICA AND THE CARIBBEAN

Voluntary Repatriation

Voluntary repatriation remains a durable solution for most refugees in the region. In the past several years, refugees have returned to Guatemala from Mexico and to Haiti from the Dominican Republic.

Resettlement in the Region

The U.S. assists with the resettlement of Cuban migrants found by INS to have refugee claims from Guantanamo to other countries in the region and, occasionally, in Europe. To date, about 74 Cubans have been resettled from Guantanamo to third countries.

U.S. Admissions

Almost all refugee processing in the region is done in Cuba. Historically, the majority of Cuban admissions have been, and remain, political prisoners and forced labor conscripts, most of whom served their sentences in the 1960's and 1970's. The program was expanded in 1991 to include human rights activists, displaced professionals, and others. The expanded criteria remain in effect today. In addition to in-country processing, any Cubans outside Cuba referred to the U.S. by UNHCR or by an Embassy under Priority One may also be considered for resettlement.

Cubans eligible to apply for admission to the U.S. through the in-country program under Priority Two include the following:

- (1) Former political prisoners;
- (2) Members of persecuted religious minorities;
- (3) Human rights activists;
- (4) Forced labor conscripts (1965-68);
- (5) Persons deprived of their professional credentials or subjected to other disproportionately harsh or discriminatory treatments resulting from their perceived or actual political or religious beliefs;
- (6) Others who appear to have a credible claim that they will face persecution as defined in the 1951 UN Convention Relating to the Status of Refugees and its 1967 Protocol.

FY 1999 Program

In FY 1999, we admitted approximately 2,110 refugees from Latin America. The vast majority (over 2,000) were Cubans. The actual number was lower than it might have been, due to the continued imposition by the Cuban government of high exit fees for those previously approved and to the availability of other legal means of emigration, such as the parole lottery program. Oppression by the Cuban government generally is subtler than during the period immediately following the revolution. However, crackdowns against human rights continue to occur despite increased international attention paid to human rights in Cuba following the Pope's visit last year. The trial of four prominent rights activists in March underscores the willingness of the government to use harsh means to suppress dissident opinion.

All refugee admissions are counted towards the U.S.-Cuba Bilateral Migration Agreement of September 9, 1994, which provides for the approval of at least 20,000 Cubans annually for legal admission to the U.S. The balance of those admitted are immigrants or parolees.

FY 2000 Program

We propose a ceiling for FY 2000 for Latin America and the Caribbean of 3,000 refugees, representing no change from the FY 1999 program. Virtually all will be admitted via in-country processing in Havana. The number remains constant despite the likely deficit in admissions in FY 1999 because we expect to initiate payment of exit fees through expanded IOM travel loans for those refugees least able to raise the necessary money. Up to 1,000 refugees will be eligible for this benefit, the same number that should have benefited from the 1996 Richardson Agreement, in which Cuba agreed to lower exit fees for those most in need of relief. Unfortunately, Cuba only allowed the reduced fees during FY 1997 and has refused to renew the agreement, despite repeated requests from the U.S.

Religious Freedom in Latin America

In Latin America generally, religious freedom is widely recognized and enjoyed. Even in Cuba, the sole remaining non-democratic government in the region, freedom of worship generally is unrestricted, although religious groups are limited in other activities (source: *Final Report of the Advisory Committee on Religious Freedom Abroad*). In July 1992, the Cuban government removed references to atheism (“scientific materialism”) as the basis for the Cuban state. Despite relaxing restrictions against religion, however, some groups continue to be under pressure. Jehovah’s Witnesses and, to a lesser extent, Seventh Day Adventists, may be targets for governmental oppression because of their refusal to serve in the military or to join obligatory state organizations. Individuals of other denominations also may be singled out for harassment or arrest depending on the content of their statements or the nature of their activities which the government may view as “enemy propaganda.” Despite these obstacles to religious expression, however, church attendance has grown in recent years.

Processing Priorities for FY 2000

All nationalities are eligible for Priority One processing. In addition, Cubans are authorized in-country processing under Priority Two.

5. NEAR EAST AND SOUTH ASIA

Although this region has the largest number of the world's refugees, few countries in the region are signatories to the 1951 UN Convention Relating to the Status of Refugees and/or its 1967 Protocol. In spite of this fact, for most Palestinians or Afghan refugees, countries in the region have provided some degree of long-term protection. Countries in the region have also provided long-term asylum for Tibetan, Bhutanese and Sri Lankan refugees. The majority of the refugees identified for third-country resettlement by UNHCR are therefore Iraqis and Iranians. These refugees, mostly religious and ethnic minorities, have sought refuge in Pakistan, Saudi Arabia, Turkey, Jordan, Syria and other neighboring countries.

Voluntary Repatriation

Continued conflict between the Taliban and other factions, the Taliban's policies discriminating against women and girls, and the uncertain security environment caused by the Taliban's protection of Usama bin Ladin have caused new outflows of Afghans

and dramatically reduced the ability of U.N. organizations to monitor repatriation of Afghan refugees. Iran has also repatriated some 20,000 Afghans who they claim are mostly economic migrants.

Resettlement in the Region

Many countries in the region have been generous with long-term asylum, but few offer permanent resettlement or residence to refugees from neighboring countries. Pakistan has given refugee status only to Afghans. Yemen is a signatory to the 1951 U.N. Convention and its 1967 Protocol, although few of the refugees who seek asylum there are from other countries of the Middle East.

Third-Country Resettlement

The lack of asylum legislation and legal protections for asylum-seekers in the region leaves many refugees at risk of refoulement. The situation is often even more precarious for Iranians and Iraqis, who may be viewed with suspicion or hostility by neighboring countries. In these cases, resettlement outside the region may be the only option, and can help maintain the availability of first asylum.

UNHCR, with U.S. funding and secondments of staff from non-governmental organizations, has undertaken a project to reduce the backlog of refugees awaiting status determinations in the Middle East; most of the refugees will need to be resettled in third countries. Principal resettlement countries besides the United States are Sweden, Canada, Norway, Australia, Finland, Denmark and New Zealand. In 1998, according to UNHCR, these countries resettled more than 7,000 refugees from the Middle East and South Asia. UNHCR considers family reunification, protection issues and vulnerability in first-asylum when determining which individuals to refer to resettlement countries. In recognition of the increased vulnerability of Afghan women caused by restrictive Taliban measures and deterioration in security in first-asylum, the United States and other countries have offered resettlement on a priority basis to those individuals identified as at risk by UNHCR and embassies in Pakistan.

U.S. Admissions

The admissions program for the Middle East and South Asia resettles mostly refugees from Iran and Iraq, as well as Afghan women-at-risk. The Iranians and Iraqis are dispersed throughout the region and Europe, and relatively few are located in refugee camps. Most of the refugees from the region are referred to the United States by UNHCR, although those eligible can apply directly for interview where INS has refugee processing offices, as in Athens, Rome, Frankfurt or Vienna. INS conducts interview trips to Turkey, Pakistan, Syria and Jordan to interview individuals referred by UNHCR. UNHCR also facilitates scheduling of interviews for refugees in these countries directly eligible for the U.S. admissions program.

FY 1999 Program

The FY 1999 ceiling for the Near East and South Asia was 4,250 and actual admissions totaled 4, 078. UNHCR referred approximately 1,500 in Syria, Jordan and

Turkey; some 900 Iranians and Iraqis in Pakistan, as well as almost 400 Afghan women-at-risk and accompanying family members. Small numbers were also being processed elsewhere.

FY 2000 Program

A ceiling of 8,000 admissions has been established in FY 2000 for refugees from the Near East and South Asia. The United States supports UNHCR's efforts to use resettlement to provide protection for refugees in the region deemed at risk or in need of a durable solution. We welcome referrals from UNHCR particularly of refugees who are persecuted religious minorities, those at risk because of association with the United States, and women at risk. Refugees eligible for Priorities Two and Three may apply directly at INS offices which handle refugee processing. In Syria and Jordan, UNHCR will facilitate interviews for persons already eligible for U.S. resettlement consideration in Priorities Two and Three in order to focus on protection and referral of individuals who would not otherwise be eligible for resettlement.

Religious Persecution in the Near East and South Asia

Persecution of religious minorities is common in certain countries in the Middle East and South Asia. Iranian refugees who belong to religious minorities (Bahais, Jews, Zoroastrians, Christians) are able to apply directly for U.S. resettlement where refugee processing is available. In addition, UNHCR and U.S. Embassies in the region facilitate access to the U.S. refugee admissions program for individuals of other nationalities who claimed persecution on religious grounds. We will continue efforts to improve access to refugee processing through dialogue with faith-based non-governmental organizations and human rights groups who may identify victims of religious persecution in the region. UNHCR has also addressed religious persecution issues in several regional workshops to increase the sensitivity of protection and resettlement officers to victims of religious persecution.

Processing Priorities for FY 2000

All nationalities are eligible for processing under Priority One. Iranians who belong to persecuted religious minorities will be eligible for Priority Two. Iranians and Iraqis will also be eligible for Priority Three.

6. UNALLOCATED RESERVE

Included in the FY 1999 admissions program was an unallocated reserve of 2,000 funded admissions that was used. Given the uncertainty surrounding final resolution of various ethnically driven issues in the Federal Republic of Yugoslavia and other developing situation, in FY 2000 the President has authorized an unallocated reserve of 6,000 funded numbers.

II. PLANS FOR MOVEMENT AND RESETTLEMENT

A. ADMISSIONS PROCEDURES

1. ELIGIBILITY CRITERIA

Applicants for refugee admission to the United States must meet all of the following criteria:

- (1) Meet the definition of a refugee contained in the Immigration and Nationality Act;
- (2) Be among those refugees determined by the President to be of special humanitarian concern to the United States;
- (3) Be otherwise admissible under United States law; and,
- (4) Not be firmly resettled in any foreign country.

Although a refugee may meet the above criteria, the existence of the U.S. refugee admissions program does not create any entitlement for that person to be admitted to the United States. The admissions program is a legal mechanism for admitting refugees who are among those classes of persons of particular interest to the United States. Applicants who meet the criteria specified above and who fall within the priorities established for the relevant nationality or region, are presented to the INS for determination of eligibility for admission under Section 101(a)(42) of the INA.

2. THE WORLDWIDE PRIORITY SYSTEM

The worldwide processing priority system sets guidelines for the orderly management and processing of refugee applications for admission within the established annual regional ceilings. The priority system has been revised several times during this decade to reflect trends in the world-wide refugee resettlement caseload and to make it more responsive to evolving needs.

The issues of whether a person meets the definition of a refugee under U.S. law and the priority that person may be assigned for consideration of his case are separate and distinct. Assignment of an individual to a particular processing priority does not reflect any judgment as to whether that individual ultimately will qualify for admission to the U.S. as a refugee, although it may reflect an assessment of the urgency of the need for resettlement. Just as qualifying for refugee status does not confer a right to resettlement in the United States, assignment to a particular priority does not entitle a person to admission to the United States as a refugee.

Since FY 1997, a member of any nationality may be referred to the U.S. program by the UNHCR or a U.S. Embassy under Priority One. This reflects the fact that small numbers of many nationalities are found among the group of refugees that UNHCR determines to be in need of resettlement. The U.S. intends that its resettlement program should be flexible and available to any Priority One refugee -- regardless of nationality -- referred to it for consideration.

**U.S. REFUGEE ADMISSIONS PROGRAM
ELIGIBILITY for REFUGEE PROCESSING PRIORITIES FY 2000**

*P-1 PROCESSING: ALL NATIONALITIES are ELIGIBLE.			
NATIONALITIES	P – 2⁽¹⁾	P – 3	P – 4
Angolans		X	
Bosnians⁽²⁾	X	X	X
Burmese	X		
Burundians		X	
Congolese (Brazzaville)		X	
Congolese (DROC)		X	
Cubans	X		
Eritreans		X	
Ethiopians		X	
Former Soviet Union⁽³⁾	X		
Guinea Bissauans		X	
Iranians	X	X	
Iraqis		X	
Rwandans		X	
Sierra Leoneans		X	
Somalis⁽⁶⁾		X	
Sudanese		X	
Togolese		X	
Vietnamese⁽⁵⁾	X		

Notes:

- * The UNHCR or U.S. Embassies may refer members of any nationality group -- not only those listed in the table above -- for consideration of admission to the United States under Priority 1 (P-1). (For certain nationalities -- Libyans, Palastinians, and North Koreans -- prior consultation with DOS and INS Washington will be required.)
- (1) See explanation of groups of special concern under Priority 2 (P-2).
- (2) As of November 1, 1999, registration for Priority 4 Bosnian processing will be closed.
- (3) While all persons who were nationals of the former Soviet Union prior to September 2, 1991 are eligible to be considered for refugee processing by establishing a well-founded fear of persecution, Jews, Evangelical Christians, and Ukrainian Catholic and Orthodox religious activists may establish refugee status

for U.S. admission by asserting a fear of persecution and asserting a credible basis of concern about the possibility of such persecution. (Lautenberg Amendment).

- (4) In January 1998, the USG implemented a P-2 processing program for Africa. In this program, specific and identifiable groups in designated locations will become eligible for resettlement processing. The first group was a caseload of Burundian and Rwandan families of Hutu/Tutsi mixed marriages located in a UNHCR protection camp in Tanzania. Also designated were a group of Ogoni refugees from Nigeria and a group of Togolese refugees in Benin. Other groups will also be designated for P-2 processing will follow.
- (5) Certain ROVR applicants and Vietnamese who were members of certain category groups identified by the INS in 1983 may establish refugee status for U.S. admission by asserting a fear of persecution and asserting a credible basis of concern about the possibility of such persecution. (Lautenberg Amendment). Registration for consideration under the regular programs of the Orderly Departure Program ended on September 30, 1994.
- (6) Given the backlog of an estimated 35,000 P-3 applications for Somalis, the filing of new affidavit of relationship will be suspended in FY 2000 while existing cases are addressed and the situation in the region is reviewed.

DESCRIPTION OF U.S. REFUGEE PROCESSING PRIORITIES FY 2000

PRIORITY ONE: UNHCR or U.S. Embassy identified cases: persons facing compelling security concerns in countries of first asylum; persons in need of legal protection because of the danger of refoulement; those in danger due to threats of armed attack in an area where they are located; persons who have experienced recent persecution because of political, religious, or human rights activities (prisoners of conscience); women-at-risk; victims of torture or violence; physically or mentally disabled persons; persons in urgent need of medical treatment not available in the first asylum country; and persons for whom other durable solutions are not feasible and whose status in the place of asylum does not present a satisfactory long-term solution. As with all other priorities, Priority One referrals must still establish a creditable fear of persecution or history of persecution in the country from which they fled.

PRIORITY TWO: Groups of Special Concern:

Africa: Specific groups (within certain nationalities) as identified by the Department of State in consultation with NGOs, UNHCR, INS, and other area experts. Only those members of the specifically identified groups are eligible for processing. Each group will be selected based on its individual circumstances.

Bosnia: Former detainees who were held on account of ethnicity or political/religious opinion; persons of any ethnic background in mixed marriages; victims of torture or systematic and significant acts of violence against members of targeted ethnic groups by governmental authorities or quasi-governmental authorities in areas under their control; surviving spouses of civilians who would have been eligible under these criteria if they

had not died in detention or been killed as a result of torture or violence. (Effective Jan. 1, 1997.)

Burma: Certain members of ethnic minorities who have actively and persistently worked for political autonomy; certain political activists engaged in the pro-democracy movement.

Cuba: In-country, emphasis given to former political prisoners, members of persecuted religious minorities, human rights activists, forced-labor conscripts, persons deprived of their professional credentials or subjected to other disproportionately harsh or discriminatory treatment resulting from their perceived or actual political or religious beliefs or activities, dissidents, and other refugees of compelling concern to the United States.

Iran: Members of Iranian religious minorities.

Former Soviet Union: In-country, Jews, Evangelical Christians, and certain members of the Ukrainian Catholic or Orthodox churches. Preference among these groups is accorded to those with close family in the United States.

Vietnam: In-country, former reeducation camp detainees who spent more than three years in detention camps subsequent to April 1975 because of pre-1975 association with the U.S. government of the former South Vietnamese government; certain former U.S. Government employees and other specified individuals or groups of concern; persons who returned from first-asylum camps in Southeast Asia on or after October 1, 1995 who qualify for consideration under the Resettlement Opportunity for Vietnamese Returnees (ROVR) criteria. Completion of the processing of any residual ODP cases registered and determined eligible for consideration prior to the beginning of FY 2000.

PRIORITY THREE: Spouses, unmarried sons and daughters, and parents of persons lawfully admitted to the United States as permanent resident aliens, refugees, asylees, conditional residents, and certain parolees; the over 21 year old unmarried sons and daughters of U.S. citizens; and parents of U.S. citizens under 21 years of age. (Spouses and unmarried sons and daughters under 21 of U.S. citizens and the parents of U.S. citizens who is 21 or older are required by regulation to be admitted as immigrants rather than as refugees.)

PRIORITY FOUR: Grandparents, grandchildren, married sons and daughters, and siblings of U.S. citizens and persons lawfully admitted to the United States as permanent resident aliens, refugees, asylees, conditional residents, and certain parolees. (Currently open only to Bosnians and without regard to ethnicity. As of November 1, 1999, registration for Priority 4 Bosnian processing will be closed.)

3. INS REFUGEE PROCESSING

Section 207 of the Immigration and Nationality Act (INA) grants the Attorney General authority to admit, at her discretion, any refugee who is not firmly resettled in a third country, who is determined to be of special humanitarian concern, and who is

admissible to the United States as an immigrant. This authority has been delegated to the Immigration and Naturalization Service (INS).

In overseas refugee processing, INS has the statutory role of decision-maker, determining who meets the requirements for refugee status and is otherwise admissible to the United States, under U.S. law.

INS Overseas Operations

INS overseas offices are administered by three District Offices in Bangkok, Mexico City, and Rome. One of their major responsibilities is refugee processing. The percentage of time each office devotes to this activity depends on its refugee workload, as well as the staffing pattern in the office. Overseas staffing is augmented by temporary duty personnel from domestic asylum offices to conduct refugee processing. Circuit rides to process refugees are arranged as needed by the INS overseas offices having geographic jurisdiction.

Case Presentation to INS

Refugee processing procedures prior to INS eligibility interviews vary. Some applicants are referred to the United States Refugee Program (USRP) for resettlement consideration by officials of the United Nations High Commissioner for Refugees (UNHCR). Other applicants are eligible to apply for the USRP directly. These include persons of nationalities designated as being of special humanitarian concern, and persons or groups identified under processing priorities as eligible for resettlement consideration. Generally, voluntary agency or Joint Voluntary Agency (JVA) representatives conduct pre-screening interviews and prepare cases for submission to INS. This involves completing the required forms and compiling other necessary documents. In in-country refugee processing programs, applicants usually register their interest in resettlement in the U.S. by mailing completed preliminary questionnaires to the appropriate processing entity. These include the Orderly Departure Program for Vietnamese; the Washington Processing Center for nationals of the NIS and the Baltics; and the U.S. Interests Section for Cubans.

The Eligibility Determination

Eligibility for refugee status is decided on an individual, case-by-case basis. A personal interview of the applicant is conducted by an INS officer. The interview is non-adversarial and is designed to elicit information about the applicant's claim for refugee status. Questions are asked about the reasons for the applicant's departure from the country of origin, political or religious beliefs or activities, and problems or fears the applicant may have had or will have if returned to his/her home country.

The determination of a well-founded fear of persecution requires assessing both objective and subjective elements of an applicant's claim. Conditions in the country of origin are taken into consideration and the applicant's credibility is assessed.

Persecution is the most difficult element of the refugee definition to analyze and apply. While there is no universally accepted definition of the term "persecution," it

normally includes a threat to life or freedom, or other serious human-rights abuse. Discrimination in the treatment of various groups is not, *per se*, persecution but an accumulation of discriminatory measures may involve such a significant denial of opportunities to participate in a society that it constitutes a threat to freedom. Economic hardship is not itself a basis for eligibility for refugee status, but persecution may take the form of economic reprisal such as a denial of the opportunity to work.

Under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), the definition of “refugee” was expanded to include persons who have resisted, been subjected to, or have a well-founded fear of being subjected to coercive population control measures.

Post-Interview Processing

After the INS interview, an applicant found eligible for refugee status must have a medical examination, security name check, and receive a sponsorship assurance. A refugee admission number deducted from the annual ceiling is allocated. Transportation arrangements generally are made through the International Organization for Migration (IOM) and the refugee signs a promissory note, promising repayment of the cost of airfare.

At the U.S. port of entry, INS admits a refugee to the United States and authorizes employment. After one year, a refugee is eligible for adjustment of status to lawful permanent resident. Five years after admission, a refugee is eligible to apply for citizenship via naturalization.

B. THE RESETTLEMENT PROCESS

1. OVERSEAS PROCESSING

The Department of State enters into cooperative agreements with private voluntary agencies - sometimes referred to as Joint Voluntary Agencies or “JVAs” – as well as the International Organization for Migration (IOM) to assist in the processing of refugees for admission to the United States. (In a few locations where such arrangements are not feasible or are unwarranted due to insufficient volume, refugees are processed by U.S.G. contract staff directly out of the Embassy.) These agencies pre-screen applicants to determine if they fall within the applicable processing priorities and otherwise appear eligible to be scheduled for an INS refugee interview. In some cases, individuals who appear to qualify for immigration to the U.S. are also advised of those procedures. In addition, prior to interview, they assist the applicant in completing the documentary requirements of the program. If approved, processing staff guide the refugee through post-adjudication steps such as obtaining medical exams and sponsorship assurances. In FY 1999, voluntary agencies are working under contract to the Department of State at locations in Thailand, Vietnam, Spain, Pakistan, Turkey, Greece, Austria, Germany, Italy, Kenya, Senegal, and Croatia. IOM processes refugees in Egypt, Macedonia, the Former Yugoslavia and Moscow.

2. OVERSEAS CULTURAL ORIENTATION

The Department of State strives to ensure that refugees who are accepted for admission to the United States are prepared for the significant changes they will experience during resettlement. It is critical that refugees arrive with a realistic view of what their new lives will be like, what services are available to them, and what their responsibilities will be. The goal of pre-departure orientation efforts is to ensure that all refugees receive such information before departure. Every refugee family receives *Welcome to the United States*, the resettlement guidebook written in 1996 by refugee resettlement workers and resettled refugees, working in conjunction with Federal and State government officials. *Welcome to the United States* is produced in a number of refugee languages. Through this book, all refugees have access to a basic core of consistent and accurate information about resettlement before they arrive. The material in *Welcome* is also available through a series of videos. In addition, the Department of State enters into cooperative agreements for pre-departure orientation for eligible refugees at selected sites throughout the world.

3. TRANSPORTATION

The Department of State makes available funds for the transportation of refugees resettled in the United States through a program administered by the International Organization for Migration (IOM). The cost of transportation is provided to refugees in the form of a loan. Beneficiaries are responsible for repaying these costs over time after they arrive in the U.S.

4. INITIAL RECEPTION AND PLACEMENT

The Department of State has entered into Cooperative Agreements with the ten private voluntary agencies that provide initial resettlement services to refugees during their first 90 days in the United States, and oversight of “free cases” (those without relatives in the United States) for six months. The voluntary agencies received \$740 per capita in FY 1999, which was to be used along with cash and in-kind contributions from private and other sources to provide the following reception and placement services:

- Sponsorship;
- Pre-arrival resettlement planning;
- Reception on arrival;
- Basic needs support for 30 days;
- Community orientation; and
- Health, employment, and other necessary counseling and referral services.

III. DOMESTIC IMPACT OF REFUGEES

A. DEMOGRAPHIC IMPACT

The demographic characteristics of arrivals from the 12 largest source countries (which contributed over 99 percent of FY 1998 arrivals into the U.S.) illustrate the variation among refugee groups. Median age ranged from 18 years for arrivals from Liberia to 29 years for arrivals from Cuba. The median age for all refugees in FY 1998

was 27 years compared to 35 for the U.S. population. With the exception of Haiti, the proportion of female and male refugees (49 and 51 percent, respectively) was similar to the proportion of females and males in the U.S. (51 and 49 percent, respectively). See Table III below.

TABLE IV
MEDIAN AGE AND SEX FOR REFUGEE ARRIVALS*

COUNTRY OF ORIGIN	RANK (# OF ARRIVALS)	MEDIAN AGE	% FEMALE/ % MALE
Yugoslavia (former)	1	26.5	47.8 / 52.2
USSR (former)	2	27.3	52.0 / 48.0
Cuba (1)	3	29.1	47.7 / 52.1
Vietnam	4	26.9	46.9 / 53.1
Somalia	5	19.3	47.8 / 52.2
Liberia	6	18.4	52.2 / 47.8
Iraq	7	24.8	43.6 / 56.4
Iran	8	26.7	47.2 / 52.8
Sudan	9	19.7	43.1 / 56.7
Haiti (2)	10	26.4	32.5 / 67.5
Nigeria	11	21.0	49.2 / 50.8
Ethiopia	12	19.5	45.2 / 54.8
All other Countries	--	22.4	46.4 / 53.6

* Totals may be less than 100% due to incomplete data.

Considerable variation among refugee groups can be seen among specific age categories. Arrivals under the age of five varied from a high of 15 percent for Sudanese to a low of 1 percent of Haitians. Arrivals of school age (five to 17 years of age) varied from a high of 39 percent for Liberians to a low of 15 percent for Haitians. Arrivals of working age (16 to 64 years of age) varied from a high of 88 percent for Haitians to a low of 55 percent for Liberians. And arrivals of retirement age (65 years of age or older) varied from a high of 9 percent for arrivals from the former USSR to a low of zero percent for Ethiopians, Haitians, and Nigerians. For all arrivals, approximately 9 percent were under the age of five, approximately 25 percent were school age, approximately 66 percent were of working age, and approximately 3 percent were of retirement age. See Table IV.

(1) Includes Entrants and Parolees.

(2) Includes Entrants.

TABLE V
SELECT AGE CATEGORIES FOR REFUGEE ARRIVALS*

COUNTRY OF ORIGIN	UNDER 5 YEARS	SCHOOL AGE (5-17)	WORKING AGE (16-64)	RETIREMENT AGE (= OR > 65)
Yugoslavia (former)	9.7	25.1	67.5	1.3
USSR (former)	9.7	26.9	57.7	9.3
Cuba (1)	6.3	19.0	76.0	0.7
Vietnam	7.3	23.3	72.2	1.2
Somalia	11.9	34.5	58.5	1.7
Liberia	9.2	38.8	55.2	3.5
Iraq	9.9	26.9	65.2	1.2
Iran	4.9	26.1	71.1	2.7
Sudan	14.6	31.2	59.0	0.3
Haiti (2)	1.2	15.4	88.1	0.0
Nigeria	11.8	29.3	64.2	0.0
Ethiopia	6.9	35.6	69.7	0.0
All Other Countries	11.2	30.9	62.3	0.7

* Totals may exceed 100% due to over-lapping age categories.

B. GEOGRAPHIC DISTRIBUTION

During FY 1998, 76 percent of newly arrived refugees resettled in 14 States. Florida (18 percent) resettled the largest number of refugees, followed by California (11 percent), New York (9 percent), Washington (7 percent), Texas (6 percent), Illinois and Georgia (4 percent), Arizona, Missouri, Pennsylvania, Michigan, and Massachusetts (3 percent), followed by Oregon and Kentucky (2 percent). Table 1 presents arrivals by State of initial resettlement for FY 1998. In FY 1998, the 12 largest source countries contributed over 99 percent of arrivals into the U.S. They included the former Yugoslavia (34 percent), the former USSR (26 percent), Cuba (17 percent), Vietnam (12 percent), Somalia (3 percent), Liberia, Iraq, and Iran (2 percent), Sudan and Haiti (1 percent), followed by Nigeria and Ethiopia (less than 1 percent). Table VIII presents arrivals by country of origin for FY 1998.

Florida resettled more Cubans (84 percent) and Haitians (86 percent) than all other States combined. Florida also resettled the second largest number of arrivals from the former Yugoslavia (7 percent) behind Illinois (9 percent). California resettled more arrivals from the former USSR (22 percent), Vietnam (24 percent), Iran (46 percent), and Ethiopia (25 percent) than any other State. New York resettled more Liberians (21 percent) than any other State and resettled the second largest number of arrivals from the former USSR (20 percent) and Iran (8 percent). Texas resettled more Somalis (13 percent), Sudanese (18 percent), and Nigerians (18 percent) than any other State and resettled the second largest number of Vietnamese (14 percent). Michigan resettled more Iraqis (27 percent) than any other State. Arizona and Tennessee resettled the second largest number of Iraqis (7 percent). Georgia resettled the second largest number of Somalis (8 percent). Kentucky resettled the second largest number of Cubans (3 percent). Minnesota resettled the second largest number of Liberians (14 percent). Missouri resettled the second largest

RESETTLEMENT COUNTRIES WITH ANNUAL QUOTAS	SOUTH-EAST ASIA/ OTHER	CPA VIET-NAMESE	CPA LAO	MIDDLE EAST/ SW ASIA	AFRICA	EUROPE, INCLUDING FORMER YUGO-SLAVIA	LATIN AMERICA	TOTAL	PERCENT OF TOTAL ADMISSIONS
Australia	36	19	0	869	1,141	1,684	0	3,749	18.0
Canada	49	14	0	1,195	854	128	3	2,243	11.0
Denmark	0	1	0	457	289	4	0	751	3.0
Finland	0	5	0	251	54	1	0	311	1.0
Netherlands	0	6	0	79	35	113	0	233	1.0
Norway	14	3	0	657	171	20	0	865	4.0
New Zealand	0	4	0	136	666	0	0	806	4.0
Sweden	10	0	0	1,312	132	31	5	1,490	7.0
Switzerland	0	0	0	10	14	0	0	24	.0
United States	193	10	0	1,570	5,097	3,127	0	9,997	47.0
Other*	2	118	0	469	210	32	7	838	4.0
TOTAL	304	180	0	7,005	8,663	5,140	15	21,307	100

* Mainly to France, Japan, Ireland, and the United Kingdom

Source: United Nations High Commissioner for Refugees

Link to: Chart - Report to Congress FY 2000