

EXECUTIVE SECRETARIAT

ROUTING SLIP

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SUSPENSE _____
 Date

Remarks To 17: Executive Registry received attached too late for your use at today's PCC meeting on refugees. Please advise if further dissemination is required.

STAT _____

 Executive Secretary

ER 89-3056/1

10 Aug 89
 Date

3637 (10-81)

Larry Sandall



S/S 8918439
United States Department of State

Washington, D.C. 20520

ER-89-3056/1

August 9, 1989

UNCLASSIFIED

MEMORANDUM TO:

MR. BRENT SCOWCROFT
National Security Affairs
Advisor
The White House

MR. ROGER PORTER
Assistant to the President
for Economic and Domestic
Policy Development
The White House

MR. CARNES LORD
Assistant to the Vice President
for National Security Affairs
Old Executive Office Building

COLONEL GEORGE P. COLE, JR.
Executive Secretary
Department of Defense

MR. ROBERT S. ROSS, JR.
Executive Assistant to the
Attorney General
Department of Justice

MR. JAMES BUCK
Acting Commissioner
Immigration and Naturalization
Service

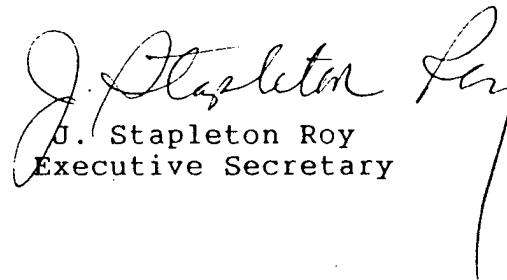
MS. ALETHA R. OWENS
Executive Secretary
Department of Health
and Human Services

MR. FRANK HODSOLL
Executive Associate Director
for National Security and
International Affairs
Office of Management and Budget

MR. H. LAWRENCE SANDALL
Executive Secretary
Central Intelligence Agency

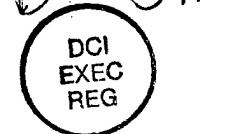
SUBJECT: PCC Meeting on U.S. Policy on Refugees

Please transmit the attached paper to principals of the Policy Coordinating Committee on refugees.


J. Stapleton Roy
Executive Secretary

Attachments:
As stated

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B.413 IR




UNITED STATES COORDINATOR
FOR REFUGEE AFFAIRS
WASHINGTON, D.C. 20520

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August 8, 1989

TO: Policy Coordinating Committee Participants

FROM: S/R - Jewel Lafontant
Chairperson
PCC on Refugees

A handwritten signature in cursive script, appearing to read 'JL', written in black ink.

SUBJECT: PCC on Proposed Refugee Admissions for FY 1990

Enclosed is a discussion paper for the meeting of the Policy Coordinating Committee on Refugees scheduled for 10:00 A.M. on Thursday August 10, 1989 in the Department of State's Operations Center Conference Room (7516).

The purpose of the meeting is to develop a proposal for FY 90 refugee admissions levels for the President's submission to the Congress. Please ensure that representatives of your agency who will be attending the meeting have a copy of the paper.

Please direct your questions or comments to Ada Adler (647-2804) and let her know who will represent your office at the meeting.

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POLICY COORDINATING COMMITTEE

MEETING ON PROPOSED REFUGEE ADMISSIONS FOR FY 1990

August 10, 1989

DISCUSSION PAPER

ISSUE FOR DECISION

What level of refugee admissions should the Executive Branch propose for FY 1990 during the consultations with the Congress?

BACKGROUND

Section 207 (8 U.S.C. 1157) of the Immigration and Nationality Act requires that the President determine, after consultations with the Congress and before the beginning of the fiscal year, the number and allocations of refugees to be admitted to the United States.

The Executive Branch will consult with the Senate and House Judiciary Committees in mid-September on the proposed levels of admissions as the basis for these consultations.

In order to develop an Executive Branch position to submit to the President for his approval so that he may authorize the consultations to begin, the Policy Coordinating Committee on Refugees will meet on Thursday, August 10.

The Presidential Determination sets the number of refugee admissions authorized in light of humanitarian, foreign policy, domestic impact, budgetary and other concerns. Actual utilization of the numbers depends on access to persons in need of resettlement, their eligibility for admission as refugees, and our ability to move them once approved.

Presidential Determination 89-2 of October 5, 1989 authorized the admission of 94,000 refugees for Fiscal Year 1989 (including 4,000 numbers to be part of the Private Sector Initiative). Presidential Determination 89-15, signed on June 19, 1989, authorized an increase in refugee admissions for FY 89 to 116,500 in order to accommodate the additional refugees from Eastern Europe and the Soviet Union. Federal funding was authorized for a total of up to 112,500 admissions with the remaining 4,000 numbers to be part of the Private Sector Initiative program.

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ISSUES FOR FY 90

Each of the principal agencies involved in refugee admissions has been invited to submit a proposed admissions or position paper in advance of the PCC meeting. Papers have been received but as of August 8, none of the agencies has submitted a consultations level.

The admissions ceiling which the PCC proposes to the President will be an indication of our best estimate of the need for U.S. resettlement. It will reflect concerns of private voluntary organizations and representatives of state and local governments. The recommendations of the private voluntary agencies are shown in Table 1.

CONTINUING HUMANITARIAN NEEDS

The total world refugee population is in excess of 14 million. For the vast majority of this population, resettlement abroad is not viable; but there remain significant numbers in each region for whom third country resettlement is the only feasible durable solution.

AFRICA

The ceiling for admissions of refugees from Africa for FY 89 was 2,000. At the end of June, 1,014 refugees had been admitted to the United States; there were some 700 approved Africans awaiting departure, most of whom were Ethiopians in Khartoum. The coup in the Sudan which put a hold on refugee departures and the difficulty the Intergovernmental Committee on Migration (ICM) has had in getting airline seats contribute to the delay in movement. Unless transportation can be arranged in the next few weeks, 700 INS approved cases will be carried over to FY 90.

The political oppression in Ethiopia is likely to continue to generate the largest number of refugees applying for admission from any single African country and will add to the backlog. In addition, there is a need to provide resettlement opportunities for refugees from South Africa in tenuous first asylum situations and for African refugees in other parts of the world, especially Europe. The need for third country resettlement would be significantly greater were it not for the willingness of many refugee-receiving nations in Africa to renew their commitments to provide first asylum as well as long term settlement.

Resettlement needs for this region would appear to justify a ceiling above the FY 89 level.

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TABLE 1
REFUGEE ADMISSIONS

REGION	FY89	FY 90 CONGRESS. REQUEST	(000) FY90 VOLAG PROPOSAL
AFRICA	2,000	2,000	5,000
EAST ASIA, FIRST ASYLUM	28,000	25,000	29,500
EAST ASIA, ODP	12,000	11,500	15,000
EASTERN EUROPE	6,500	6,500	20,000
SOVIET UNION	43,500	16,000	56,000
LATIN AMERICA/ CARIBBEAN	3,500	3,500	5,000
NEAR EAST/ SOUTH ASIA	<u>7,000</u>	<u>6,500</u>	<u>10,000</u>
SUB-TOTAL	102,500	71,000	140,500
AMERASIANS	<u>10,000</u>	<u>13,000</u>	<u>20,000</u>
TOTAL	112,500	84,000	160,500
PSI	4,000	4,000	

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EAST ASIA, FIRST ASYLUM

The flow of Vietnamese refugees to countries of first asylum continues unabated. Over 70,000 refugees entered first asylum in the region during the first nine months of the fiscal year. This compares with 50,000 for all of FY 88 and 23,000 for FY 87.

In addition, under the terms of the Comprehensive Plan of Action (CPA) which was adopted at the International Conference on Indochinese Refugees in June, the United States made a commitment to consider for admission over the next three years, up to 22,000 refugees from the pre-cut off refugee population.

We need to maintain a high ceiling in order to encourage broad participation in this international effort.

EAST ASIA, ODP

The ODP program is at the heart of USG efforts to deal with the needs of legitimate refugees from Vietnam. Over the past year, the United States has resumed processing cases in Ho Chi Minh City. At the present time, we are processing some 3,000 cases per month.

The use of worldwide standards for refugee adjudication has led to a reduction in the use of refugee numbers for the regular ODP program. There has been a recent agreement with the Vietnamese for the resettlement of former reeducation center detainees most of whom should qualify for refugee numbers. The total number of persons who spent time in reeducation, and their family members who would be eligible to apply for resettlement with them are estimated at over 100,000. Processing is likely to begin this Fall.

All these factors lead to the conclusion that the total need for FY 90 will be about the same as that in FY 89.

AMERASIANS

Although Amerasian admissions do not count against the ceiling of refugee numbers, they require USG admissions and resettlement funds from the refugee program. Therefore, it seems prudent to establish a separate ceiling for them in FY 90. The SRV is now cooperating with us in presenting Amerasians for adjudication. Thus, we would anticipate that the need this coming fiscal year would be higher than in the current year.

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EASTERN EUROPE

There are some 24,000 Eastern Europeans presently registered for the U. S. admissions program, the vast majority of whom are Polish. Hungarians comprise the next largest group. Recent favorable political developments in Hungary and Poland have called into question the practice of registering all Poles and Hungarians in Western Europe who choose to apply for the U.S. program. Although those countries seem to have undergone radical political and social reforms, the permanency of these reforms remains uncertain. There are some 4,000 Eastern European refugees who have been approved by the INS and should be admitted early in FY 90. In addition, there are significant new numbers of Romanian refugees who should be considered for admission.

Resettlement needs in this region would justify an increase in the ceiling of 6,500 for FY 89.

SOVIET UNION

The liberalization of emigration restrictions has resulted in a dramatic increase in the numbers of Soviet Jews, Evangelical Christians and others who are now leaving their country. Currently, Soviet Jewish emigration is at its highest level since 1980. The number of applications by other Soviets, principally Armenians, has risen even more dramatically: from about 200 annually in the mid-80's to over 5,000 a month during the current year. Included in the current group of emigres are persons who have been denied exit permission for as long as 20 years on the grounds that the person involved or a family member had access to state secrets. Denial on the grounds of secrecy prevented an entire family from emigrating. Increasing numbers of people from this group are now being permitted to leave the country. This is expected to continue into the next fiscal year. FY 89 approval rates do not provide a reliable basis for projecting FY 90 admissions needs.

Resettlement needs in this region would appear to justify a ceiling at least as high as that in FY 89 of 43,500.

LATIN AMERICA AND THE CARIBBEAN

We are committed under the Migration Agreement of 1984 to admit at least 3,000 ex-political prisoners and their families from Cuba each year. A reduction in this ceiling could be interpreted by the Government of Cuba and by Cuban-Americans as a sign of waning of the U.S. commitment to the Migration Agreement, thereby jeopardizing normal immigration and the return of the Mariel excludables.

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The Administration also needs to consider the Central Americans at risk. There are Nicaraguans in third countries and former Nicaraguan guardsman in their own countries recently released from prison who need to be considered for admission.

There is also a possibility that Panama and Haiti may generate refugees seeking to flee political persecution. In addition, El Salvador, unable to protect all its nationals from persecution by non-government groups, will generate a small number of refugees who will need resettlement in the United States.

Resettlement needs for this region would appear to justify an increase in the ceiling over the 3,500 level of FY 1989.

NEAR EAST/SOUTH ASIA

Despite first asylum assurances for Afghan refugees in the region, and the prospects of repatriation for others, there are Afghans who will qualify for and need resettlement because of political reasons.

In addition, Iraqi and Iranian refugees, particularly those fleeing religious persecution, will need resettlement opportunities. Factional conflicts could produce new refugee flows and new demands for resettlement. Applications from Iranians in Western Europe, in Pakistan, in Iraq and in India are expected to continue at a high level. At the present time, the UNHCR sees third country resettlement as the only solution to most Iranian cases because repatriation and regional resettlement are not viable.

Although few Iraqi Kurds have applied for refugee status, the number is expected to increase and the UNHCR may recommend additional numbers for U.S. resettlement.

Resettlement needs for this region would justify an increase in the ceiling of 7,000 for FY 89.

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PRIVATE SECTOR INITIATIVE

This initiative continued during FY89. Under the Cuban American National Foundation's private sponsorship program, 733 refugees were admitted by the end of FY 88 and some 1400 more are expected to enter by the end of FY 89. Two additional privately-funded sponsorship projects were approved during FY89: one for the Federation of Zoroastrian Associations of North America for refugees from Iran; and the other for the Vietnamese Resettlement Association, which hopes to resettle long-stayer Vietnamese refugees as part of the Geneva agreement. The Association is also looking at a parallel program to assist in the admission and resettlement of the U.S. share of non-refugee longstayers. Less than 100 Zoroastrians and less than 50 Vietnamese will enter by the end of FY 89.

All the basic costs of admission and resettlement in the three programs were paid by the private sector. After some on scene monitoring in Miami and both formal and informal reporting, we have no reason to believe that any Federal, state or local government funds have been expended in the Cuban program. Except for recent problems in securing continuing catastrophic medical coverage at a price individual sponsors can afford, the program has been running smoothly.

As the Initiative has become better known this year, the number of inquiries about it has greatly increased, but almost all of those with serious interest are discouraged by the potential costs of providing health coverage. Some general resolution of this problem will be needed if the program is to attract the substantially increased private resources we need. In the meantime, however, the three current program administrators believe they can continue using early employment with medical coverage, short-term insurance that can be extended if required, and pro bono health care.

In light of the continued interest in the program and the potential for its expansion in the future, it would appear desirable to allocate somewhat increased numbers for the program this year.

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BUDGETARY CONSIDERATIONS

As Tables 2 and 3 make clear, we face a serious funding shortfall in FY 90. The State Department FY 90 budget submission was predicated on an admissions ceiling of 84,000 fully funded refugees. It is now clear that this ceiling will be inadequate to meet resettlement needs. The FY 90 request for admissions is \$72 million less than the level of resources available to fund admissions in FY 89 (see table 2). Since admissions for FY 89 will be below the ceiling, as much as \$15 million in FY 89 funds may be available to fund admissions in FY 90 (the FY 89 supplemental appropriation was no year money). There will still be a sizeable budgetary shortfall, however, if the FY 90 admissions ceiling is set at the FY 89 level of 112,500.

The shortfall is serious for assistance as well as admissions. The two major multilateral assistance agencies, UNHCR and ICRC, are in the midst of financial crises that threaten many vital ongoing programs. The United States has been unable to maintain its traditional show of support in the face of a doubling of the number of refugees in the 80's nor has it been able to respond positively to emergency funding appeals by these two organizations. Furthermore, new opportunities for solutions in South and East Asia as well as growing needs in Africa require that the assistance budget for FY 90 be above the FY 89 level. At present it is \$36 million below the 1989 level, which is itself the lowest of the decade.

The final FY 90 appropriations legislation could have an additional impact on the availability of funds for admissions and assistance. Although the House of Representative appropriated the full \$370 million the Administration requested, it transferred \$21.9 million from the MRA account to the HHS budget. Further it earmarked \$25 million for refugees to Israel, a \$5 million increase over the Administration's request. These measures serve to increase the shortfall. On the other hand, the House provided \$50 million in ERMA funds, an increase of \$40 million over the Administration's request.

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Table 2
State Department Budget
Migration and Refugee Assistance

	FY 89	FY 90 (Request)
Administration	8,000	8,000
Refugee Admissions	228,684+	156,500
Refugee Assistance	211,850*	175,200
Refugees to Israel	28,000	20,000
Other	<u>12,600</u>	<u>10,300</u>
TOTAL	489,134	370,000

+Includes \$3.7 million in ERMA funds

*Includes \$23.5 million in ERMA funds

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HHS will also face budget issues under the proposed ceiling. The Administration's FY 90 budget request for the domestic refugee program is based on a projected flow of 84,000 refugees to the United States in FY 90. The budget request also proposed to reduce the duration of Federal refugee funding to the States for cash and medical assistance for needy refugees from the current 24 months after a refugee's arrival in the United States to 15 months. The proposed 15 month policy, if accepted by the Congress, does not affect the eligibility of needy refugees for assistance but means that more of the costs of refugee assistance will be borne by the States and less by the Federal Government.

If the admissions ceiling is raised above 84,000, additional funds would be needed for assistance to States if the Administration should wish to maintain the 15-month budget policy. States already object to the 15-month proposal and would object more strongly if a higher refugee admissions ceiling, not accompanied by additional Federal funds, were to result in a further reduction in the Federal share of refugee costs.

Therefore the Administration must weigh the degree which increases in refugee admissions resulting from high priority and humanitarian and foreign policy considerations will need to be accompanied by increased Federal grants-in-aid to the States for assistance and services to refugees.

The Consultations with the Congress are supposed to focus on the next year's admissions numbers and are not a hearing on the budget. Nevertheless, the Administration's witnesses must be prepared to explain to the Congress how we intend to meet any budgetary shortfall that arises in light of admissions levels above those projected in the FY 90 budget as well as increased assistance requirements.

CONTROL NO. _____

REFS: ER 3056-89

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