

**Written Statement of
Advancing Justice | AAJC**

The Current State of the U.S. Refugee Program

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Asian Americans Advancing Justice | AAJC (Advancing Justice) writes to express our strong support for the U.S. Refugee Program and to highlight the harm caused by the decimation of the program in recent years. We appreciate this opportunity to submit a written statement for today's hearing on the state of the U.S. Refugee Program. Advancing Justice | AAJC is the voice for the Asian American community – the fastest-growing population in the U.S. – fighting for our civil rights through education, litigation, and public policy advocacy. We serve to empower our communities by bringing local and national constituencies together and ensuring Asian Americans can participate fully in our democracy.

The U.S. has long been a leader in welcoming refugees and asylum seekers fleeing persecution and conflict. However, in recent years the program has been decimated. The ceiling on refugee admissions was slashed by more than half from 2017 to 2018, and only about half of the 45,000 refugees allowed were admitted in 2018.¹ The Presidential Determination for FY 2019 was 30,000² and in November, President Trump set the refugee admission ceiling for FY 2020 to 18,000³ refugees, the lowest in the history of the program. We urge the Administration to increase the Presidential Determination on the number of refugees welcomed to the U.S. We further urge Congress to step in and pass legislation to create a minimum annual floor on the number of refugees resettled through the U.S. Refugee Program. We strongly support the GRACE Act, which would establish that the maximum number of refugees admitted each fiscal year shall be no less than 95,000 and that the maximum number shall be treated as the numerical goal for refugee admissions for the applicable fiscal year.⁴

¹ "Inside the Numbers: How Immigration Shapes Asian American and Pacific Islander Communities," Asian Americans Advancing Justice, June 12, 2019, <https://www.advancingjustice-aajc.org/publication/inside-numbers-how-immigration-shapes-asian-american-and-pacific-islander-communities>)

² "Presidential Memorandum for the Secretary of State," The White House (The United States Government, October 4, 2018), <https://www.whitehouse.gov/presidential-actions/presidential-memorandum-secretary-state-13/>)

³ "Presidential Determination on Refugee Admissions for Fiscal Year 2020," The White House (The United States Government, November 1, 2019), <https://www.whitehouse.gov/presidential-actions/presidential-determination-refugee-admissions-fiscal-year-2020/>)

⁴ Lofgren and Zoe, "H.R.2146 - 116th Congress (2019-2020): GRACE Act," Congress.gov, May 15, 2019, <https://www.congress.gov/bill/116th-congress/house-bill/2146>)

I. The Refugee Crisis

The world is facing a global refugee crisis. As of June 2019, there were 70.8 million forcibly displaced people worldwide.⁵ This number is comprised of 41.3 million internally displaced persons (IDPs), 25.9 million refugees, and 3.5 million asylum-seekers. 57% of the United Nations Refugee Agency's (UNHCR) refugees come from Syria, Afghanistan and South Sudan due to civil war and ongoing conflict in their home countries. In 2018, half of the refugee population constituted children below the age of 18 which increased from 41% in 2009.⁶ Understanding the faces behind these statistics helps humanize those who are suffering and who we are languishing in refugee camps through cuts to the program.

According to the UNHCR, the Asia and Pacific region is currently home to 3.5 million refugees, 1.0 million IDPs and 1.4 million stateless people. Out of the top 10 origin countries for refugees admitted to the U.S. in FY 2018, four of them, Burma (Myanmar), Bhutan, Afghanistan, and Pakistan are from Asia.⁷ In Burma specifically, there are an estimated 500,000 refugees who have been experiencing ethnic, religious and political-based violence and persecution by the government and government supported actors. Burmese and Rohingya refugees, members of a stateless Muslim minority in Myanmar, began arriving in the U.S. around the turn of the century due to political, religious, and economic persecution. As of June 2017, Burmese refugees represented 23% of the 708,354 total refugees admitted since 2007—the largest ethnic group resettled to the U.S. over that decade. During the same time frame, Bhutanese refugees, most of whom were ethnic Nepalis fleeing discriminatory treatment by their government, were the third-largest resettled group at 13%.⁸ Other countries that have experienced mass refugee exoduses include Iraq, Iran, Afghanistan, and Syria. Since 2011, over 5.6 million Syrians have fled the devastating conditions of an ongoing civil war to nearby countries including Lebanon, Turkey, and Jordan.⁹

Refugees from Burma represented the fourth largest population group by country of origin and the population of displaced people worldwide stood at 1.1 million by the end of 2018.¹⁰ The vast majority of the refugees are women and children, including newborn babies as well as elderly people.¹¹ Most of the refugees have been hosted by Bangladesh, home to the 9th most populated

⁵ "Refugee Crisis," International Rescue Committee (IRC), accessed February 26, 2020, <https://www.rescue.org/topic/refugee-crisis>)

⁶ Angelica et al., "Global Trends - Forced Displacement in 2018 - UNHCR," UNHCR Global Trends 2018, accessed February 26, 2020, <https://www.unhcr.org/globaltrends2018/>)

⁷ "Fact Sheet: U.S. Refugee Resettlement," National Immigration Forum, January 25, 2019, <https://immigrationforum.org/article/fact-sheet-u-s-refugee-resettlement/>)

⁸ United Nations, "Rohingya Emergency," UNHCR, accessed February 26, 2020, <https://www.unhcr.org/en-us/rohingya-emergency.html>)

⁹ United Nations, "Syria Emergency," UNHCR, accessed February 26, 2020, <https://www.unhcr.org/en-us/syria-emergency.html>)

¹⁰ Angelica et al., "Global Trends - Forced Displacement in 2018 - UNHCR," UNHCR Global Trends 2018, accessed February 26, 2020, <https://www.unhcr.org/globaltrends2018/>)

¹¹ "Refugee Statistics," USA for UNHCR, accessed February 26, 2020, <https://www.unrefugees.org/refugee-facts/statistics/>)

city in the world¹², and nearly all refugees from Burma are hosted by countries in the region such as Malaysia, Thailand, and India.

Developing and middle-income countries are bearing the lion-share of the burden of the world's refugee crisis. Nations including Turkey, Pakistan, Bangladesh, and Jordan have hosted more than 84% of the world's refugees whereas the six wealthiest nations hosted fewer than 9%.¹³ In Jordan, 1 in 11 residents is a refugee and roughly 25% of the annual state budget has gone towards hosting them. Similarly, Kenya is hosting Somalis in the world's largest refugee camp. These nations who are undertaking most of the burden will not be able to sustain themselves without support from wealthier nations, such as the U.S., who have the capacity to help.

If the U.S. continues to close our borders to refugees and asylum seekers, we risk causing instability in other parts of the world and it would also impact "the security of U.S. missions in those regions."¹⁴ We must maintain an immigration system that is true to our American values, that protects immigrants from discrimination based on religious animus, and that extends humanitarian relief to individuals fleeing persecution, regardless of religion or country of origin.

II. The U.S. Refugee Program

The U.S. refugee and asylum programs aim to protect individuals fleeing violence and persecution in their countries of origin. For decades, the U.S. has led the global initiative to accept refugees and asylees by raising refugee quotas during periods of international conflict. Recognizing the Vietnam War's devastating human impact, Congress passed the Indochina Migration and Refugee Assistance Act in 1975, which allocated funds for Vietnamese and Cambodian refugees to be transported to the U.S. and for social and rehabilitation services for resettled individuals. The Act was amended a year later to include the resettlement of Laotian refugees. The impact was immediate: between 1975 and 1980, approximately 300,000 Southeast Asian refugees entered the U.S. through the attorney general's parole authority.¹⁵

Passed during this influx of refugees, the Refugee Act of 1980 created a "uniform and comprehensive policy to proactively address refugee admissions." In addition to removing the geographic and ideological limits on the definition of refugee established by the INA of 1965, the Act raised the annual refugee admissions ceiling, provided the first statutory basis for asylum, and founded the Office of Refugee Resettlement.¹⁶ The 21st century has witnessed no shortage of refugee admissions to the U.S. from Asia and the Middle East. Some flows stemmed from old

¹² "The World's Cities in 2018," Statistical Papers - United Nations (Ser. A), Population and Vital Statistics Report, March 2018, <https://doi.org/10.18356/c93f4dc6-en>

¹³ "Why Should America Take in More Refugees? Get the Facts on the Refugee Cap.," International Rescue Committee (IRC), January 24, 2020, <https://www.rescue.org/article/why-should-america-take-more-refugees-get-facts-refugee-cap>

¹⁴ Ibid.

¹⁵ Ruth Igielnik and Jens Manuel Krogstad, "Where Refugees to the U.S. Come From," Pew Research Center (Pew Research Center, February 3, 2017), <https://www.pewresearch.org/fact-tank/2017/02/03/where-refugees-to-the-u-s-come-from/>

¹⁶ "Refugee Timeline," USCIS, June 21, 2017, <https://www.uscis.gov/history-and-genealogy/featured-stories-uscis-history-office-and-library/refugee-timeline>

conflicts such as the Vietnam War. In 2004, nearly three decades after the Communist takeover of Laos, the U.S. government allowed 15,282 Laotian Hmong refugees, then living in a Thai refugee camp, to resettle in the country.¹⁷

III. The Decimation of the Refugee Program

One of the first acts of the Trump administration was to issue the President's promised "Muslim Ban" through an executive order banning the entry of nationals from several majority-Muslim countries and suspending refugee admissions. The refugee program was halted in 2017 with the first iteration of the Muslim Ban significantly lowering the number of refugees resettled to the U.S. and increasing family separation. The impact of the executive orders affecting Muslim and refugee communities has been profound: between 2016 and 2018, visas issued to people from most of the affected countries decreased dramatically, falling by as much as 90.8%. The ceiling on refugee admissions was slashed by more than half from 2017 to 2018, and only about half of the 45,000 refugees allowed were admitted in 2018.¹⁸ The Presidential Determination for FY 2019 was 30,000¹⁹ and in November, President Trump set the refugee admission ceiling for FY 2020 to 18,000²⁰ refugees, the lowest in the history of the program.

The Rohingya and Burmese refugee communities have been particularly harmed by the decimation of the Refugee Program. The impact of this decimation on the Rohingya has meant that between 2015-2016, approximately 7,000²¹ Rohingya refugees were admitted to the U.S., whereas under the Trump's administration the number decreased to less than 600²² in 2017. The Burmese American community has been growing in recent years due to years of refugee resettlement "protracted armed conflict, human-rights abuses, political repression, and national disasters".²³ Since Fiscal Year 2012, the largest nationality of refugees has come from Burma²⁴, and in the past 10 years, 1 in 4 U.S.-bound refugees have come from Burma.²⁵ These statistics also include

¹⁷ Monica Davey, "Decades After First Refugees, Ready for More Hmong," *The New York Times* (*The New York Times*, April 4, 2004), <https://www.nytimes.com/2004/04/04/us/decades-after-first-refugees-readying-for-more-hmong.html>

¹⁸ "Inside the Numbers: How Immigration Shapes Asian American and Pacific Islander Communities," *Asian Americans Advancing Justice*, June 12, 2019, <https://www.advancingjustice-aaajc.org/publication/inside-numbers-how-immigration-shapes-asian-american-and-pacific-islander-communities>

¹⁹ "Presidential Memorandum for the Secretary of State," *The White House* (*The United States Government*), accessed February 26, 2020, <https://www.whitehouse.gov/presidential-actions/presidential-memorandum-secretary-state-13/>

²⁰ "Presidential Determination on Refugee Admissions for Fiscal Year 2020," *The White House* (*The United States Government*), accessed February 26, 2020, <https://www.whitehouse.gov/presidential-actions/presidential-determination-refugee-admissions-fiscal-year-2020/>

²¹ Miriam Jordan, "Refugee Cutbacks Could Isolate Rohingya Children in the U.S.," *The New York Times* (*The New York Times*, September 22, 2019), <https://www.nytimes.com/2019/09/22/us/rohingya-refugees-us.html>

²² *Ibid.*

²³ Joyce Chia, "Key Issues for Refugees from Myanmar (Burma) - Refugee Council," *Refugee Council of Australia* (*Refugee Council for Australia*, January 25, 2019), <https://www.refugeecouncil.org.au/myanmar-burma/>

²⁴ Jens Manuel Krogstad, "Key Facts about Refugees to the U.S.," *Pew Research Center* (*Pew Research Center*, October 7, 2019), <https://www.pewresearch.org/fact-tank/2019/10/07/key-facts-about-refugees-to-the-u-s/>

²⁵ U.S. Department of State (*U.S. Department of State*), accessed February 26, 2020, <https://2009-2017.state.gov/j/prm/releases/statistics/index.htm>

730,000 Rohingya who fled Burma²⁶ due to violence that the United Nations human rights chief, Zeid Ra'ad al-Hussein, has called “a textbook example of ethnic cleansing.”²⁷ Refugees fleeing ethnic strife such as Pa Hu and Tin Lia, father and son, first escaped to Malaysia prior to gaining refugee status and coming to the U.S. and resettling in Iowa.²⁸ They still have family in Myanmar and relatives who escaped to Malaysia who they are seeking to have resettled in the U.S. but are facing multiple barriers to doing so. In addition to the decimation of the Refugee Program, the President recently expanded the Muslim Ban to include 6 additional countries including Burma. The Expanded Muslim Ban bars Rohingya and Burmese Americans who are lawful permanent residents or U.S. Citizens from sponsoring family members, closing another door on family unity. This community of resettled Rohingya in the U.S. includes young children in foster care who arrived alone and hope to reunite with family members through the refugee program or family sponsorship. The New York Times recently profiled Hefzur, a refugee in Michigan, who arrived in the U.S. around the age of 14 and had a difficult time adjusting into his foster family and being separated from his parents.²⁹ He felt guilty about his time in the U.S. away from his loved ones still facing violence at home and feared that his parents would be killed in Burma. Hefzur said, “My dream is to bring my family here. I’m afraid my mom and dad will die before I can touch them again.”³⁰ Once these youth become U.S. citizens and become 21 years old, they would typically be eligible to sponsor their parents to come immediately through the family-based visa system. However, the Muslim Ban will prevent anyone from sponsoring any family members who are Burmese nationals.

IV. Demystifying Security Concerns

The various iterations of the Muslim Ban, the Refugee Ban and decimation of the refugee program have been made under the false pretext of national security concerns. We know this because the national security justifications for the Muslim Ban were created after the original version of the Muslim Ban was drafted and in response to litigation. Additionally, the President and his advisors made many statements indicating that these policies were indeed the expression of the President’s campaign promise to create a “Muslim Ban” and his vision for a “total and complete shutdown of

²⁶ Hannah Beech, “Massacred at Home, in Misery Abroad, 730,000 Rohingya Are Mired in Hopelessness,” The New York Times (The New York Times, August 22, 2019),

<https://www.nytimes.com/2019/08/22/world/asia/rohingya-myanmar-repatriation.html?auth=login-google>

²⁷ Nick Cumming-bruce, “Rohingya Crisis in Myanmar Is 'Ethnic Cleansing,' U.N. Rights Chief Says,” The New York Times (The New York Times, September 11, 2017),

https://www.nytimes.com/2017/09/11/world/asia/myanmar-rohingya-ethnic-cleansing.html?rref=collection/sectioncollection/asia&action=click&contentCollection=asia@ion&module=stream_unit&version=latest&contentPlacement=5&pgtype=sectionfront

²⁸ “Inside the Numbers: How Immigration Shapes Asian American and Pacific Islander Communities,” Asian Americans Advancing Justice, June 12, 2019, <https://www.advancingjustice-aaajc.org/publication/inside-numbers-how-immigration-shapes-asian-american-and-pacific-islander-communities>

²⁹ Miriam Jordan, “Refugee Cutbacks Could Isolate Rohingya Children in the U.S.,” The New York Times (The New York Times, September 22, 2019), <https://www.nytimes.com/2019/09/22/us/rohingya-refugees-us.html>

³⁰ Ibid.

Muslims entering the U.S.”³¹ Finally, the President has made many other “dog whistle” statements about immigrants, refugees and people of color.

The U.S. government has a long history of using national security justifications to discriminate against and target Asian Americans, including Arab, Middle Eastern, Muslim, and South Asian (AMEMSA) communities. Often, these xenophobic policies have made their way into our immigration laws, just like the current Muslim Ban. The Chinese Exclusion Act of 1882, which prevented Chinese immigrants from coming to the United States for over 60 years and prevented existing Chinese immigrants from naturalizing,³² was the first major immigration law that prevented immigrants from entering the country or gaining citizenship based on ethnic and national origin.³³ In 1914, the federal government once again targeted Asian Americans when under the guise of national security it barred anyone born in a geographically defined “Asiatic Barred Zone” from entering the country.³⁴ The Act extended the exclusion formerly limited to the Chinese to all Asians and Pacific Islanders from Turkey and Saudi Arabia in the west to the Polynesian Islands in the east.³⁵ Finally, in 1924, with the passage of the Asian Exclusion Act, the government effectively ended all immigration from Asian countries.³⁶

These anti-Asian sentiments culminated in one of the darkest chapters of American history: the incarceration of 120,000 Americans of Japanese ancestry during World War II.³⁷ Whole families, including children, were rounded up, removed from their homes, and forced to live in detention centers under the pretext of national security based simply on their ancestry.³⁸ Americans of Japanese ancestry were targeted and incarcerated in federal detention centers without due process, while members of white ethnic groups with ancestry of countries that the United States was at war with were not detained.³⁹

The current vetting process for refugees is exhaustive and secure and it entails screenings from eight different federal agencies, six security database checks, a medical screening, and three in-person interviews over the course of approximately two years.⁴⁰ Additionally, refugees do not choose the country where they are resettled. The UN Refugee Agency recommends select countries for resettlement. Thus, the argument that decreasing the number of refugees is important

³¹Jessica Taylor, “Trump Calls For ‘Total And Complete Shutdown Of Muslims Entering’ U.S.,” NPR (NPR, December 7, 2015), <https://www.npr.org/2015/12/07/458836388/trump-calls-for-total-and-complete-shutdown-of-muslims-entering-u-s>)

³² Ibid.

³³ “THE WEST - Documents on Anti-Chinese Immigration Policy,” PBS (Public Broadcasting Service), accessed February 26, 2020, <https://www.pbs.org/weta/thewest/resources/archives/seven/chinxact.htm>)

³⁴ U.S. Department of State (U.S. Department of State), accessed February 26, 2020, <https://history.state.gov/milestones/1921-1936/immigration-act>)

³⁵ “Asiatic Barred Zone,” Immigration to the United States, accessed February 26, 2020, <https://immigrationtounitedstates.org/362-asiatic-barred-zone.html>)

³⁶ Ibid.

³⁷ “Removal of Japanese Aliens and Citizens From Hawaii to the ...,” The United States Department of Justice, accessed February 26, 2020, <https://www.justice.gov/sites/default/files/olc/opinions/1942/05/31/op-olc-supp-v001-p0084.pdf>)

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ “Refugees in America,” USA for UNHCR, accessed February 26, 2020, <https://www.unrefugees.org/refugee-facts/usa/>)

to our national security is without merit. A study by the New American Economy Research Fund has shown that refugee arrival is not correlated with increased crime or violence.⁴¹ The study used refugee resettlement data “to calculate the 10 cities in the US that received the most refugees relative to the size of their population between 2006 and 2015” and looked at the overall crime rates in those areas. The results showed that nine out of ten of the communities became considerably safer, “both in terms of their levels of violent and property crime” including places such as Southfield, Michigan, where violent crime dropped by 77.1%.⁴² The one city, West Springfield, Massachusetts, that saw an increase in crime was impacted by the opioid crisis and news articles found drug-related crime connected to the rise in violence. This was also “well underway before the most recent wave of refugees began arriving” and therefore was not correlated with the refugee population.⁴³

The U.S. refugee resettlement program is designed to help refugees achieve self-sufficiency quickly. In 2016, over 80 percent of refugees in the International Rescue Committee’s early employment program were economically self-sufficient within six months and data shows that entrepreneurship among refugees is nearly 50 percent higher than among people born in the U.S. Salam Bunyan and his family are a prime example of how refugees are contributing to the economy and creating jobs for Americans. Salam is a refugee from Iraq who was resettled by the International Rescue Committee in Boise, Idaho and through the support of the community, he opened a restaurant in the international market where he employed members of the community.⁴⁴ Anne-Marie Grey, the Executive Director and CEO of the USA for UNHCR says that, “Refugees are vulnerable people, but due to the generosity of the American people we are able to provide refugees with help and hope as they flee devastating circumstances and prepare them for independence in a new and permanent home.”⁴⁵

V. Conclusion

The U.S. has a responsibility to stay true to its values and stay true to the purpose of the Refugee Program which is to protect people fleeing violence and persecution in their countries of origin. The U.S. should resume a robust refugee resettlement program and continue to serve as a haven for people seeking refuge. Advancing Justice | AAJC urges the Committee Members to support the GRACE Act, which includes an annual floor on the number of refugees welcomed into the U.S..

⁴¹ “Is There a Link Between Refugees and U.S. Crime Rates?,” New American Economy Research Fund, accessed February 26, 2020, <https://research.newamericaneconomy.org/report/is-there-a-link-between-refugees-and-u-s-crime-rates/>

⁴² Ibid.

⁴³ Ibid.

⁴⁴ “An Iraqi Refugee Resettled in Idaho Creates Jobs for Americans,” International Rescue Committee (IRC), January 21, 2017, <https://www.rescue.org/article/iraqi-refugee-resettled-idaho-creates-jobs-americans>

⁴⁵ “Refugees in America,” USA for UNHCR, accessed February 26, 2020, <https://www.unrefugees.org/refugee-facts/usa/>