

Statement for the Record of Refugee Council USA

Submitted to

Senate Appropriations Committee

Hearing on

“Review of the President’s Emergency Supplemental Request for Unaccompanied Children and Related Matters”

July 10, 2014

Ms. Chairwoman, and Members of the Committee, thank you for the opportunity to submit written testimony regarding President Obama’s emergency supplemental request to address the influx of unaccompanied immigrant children arriving at our southern border.

Refugee Council USA is a coalition of 20 non-governmental organizations committed to refugee and asylee protection and welcome.

The tragic phenomenon of children arriving alone at our borders is unfortunately not a new one. In 2002, Congress designated the Office of Refugee Resettlement (ORR) within the Department of Health and Human Services as the federal agency responsible for these children after they have been transferred from the Department of Homeland Security’s care. ORR’s mandate also includes providing programs and assistance to resettled refugees, asylees, Cuban-Haitian entrants, special immigrant visa recipients, and victims of trafficking and survivors of torture. It is ORR’s responsibility to provide care to these unaccompanied children while family tracking efforts are made and then following their release to foster care or a sponsor while their immigration status is determined. Furthermore, the bipartisan 2008 Trafficking Victims Protection Reauthorization Act (TVPRA) further codified U.S. commitment to protecting vulnerable children arriving at our borders alone, ensuring that children from non-contiguous countries cannot be returned home without a full review of their case. Many of these children are fleeing violence, persecution, poverty and/or abuse in their countries of origin, and many, though not all, could subsequently qualify for various forms of refugee protection, child protection, and immigration relief under U.S. law.

Until fiscal year 2011, arrivals of these unaccompanied children averaged between 6,000-8,000 each year. However, in fiscal year 2012, arrivals doubled to roughly 14,000 and then nearly doubled again in fiscal year 2013 to almost 25,000 children. Arrivals in fiscal year 2014 are estimated to be between 60,000 and 90,000 and it is estimated that as many as 127,000 could arrive in fiscal year 2015. The vast majority of these children come from Guatemala, El Salvador, and Honduras. While traditionally the majority of arriving children have been teenage boys, the children arriving now are increasingly younger and there is also an increasing number of girls making the journey. Also, an increasing number of children are victims of trauma that they suffered in their home countries and/or on their journeys through transit countries.

There are several factors influencing the increase in arrivals. In March 2014 the United Nations refugee agency (UNHCR) published a report that found that of the 404 unaccompanied children they interviewed, 58% of these children may have bona fide international protection claims. While the reasons for departure were often complex and overlapping, many of these children spoke of fleeing significant violence, gangs and other abuse from countries in which the governments have not offered meaningful protection to their citizens, often allowing murders and violent crimes to be committed with impunity. These factors, among others, are also causing dramatic increases in asylum applications throughout the region. UNHCR has documented a 712% increase in the number of asylum applications from citizens of these three countries in Mexico, Panama, Nicaragua, Costa Rica and Belize, combined, from 2008 to 2013.

These unexpected increases in child arrivals over the last three years have significantly strained ORR's limited budgetary resources. In addition to caring for these vulnerable children, as stated previously ORR is the federal government agency responsible for providing vital services to resettled refugees, asylees, Cuban-Haitian entrants, special immigrant visa recipients who assisted the U.S in Iraq and Afghanistan, victims of trafficking, and victims of torture. Funding to serve all these vulnerable groups has not significantly increased over the last decade to address their increasing diversity and number, much less for inflation.

In fiscal year 2012 ORR was forced to reprogram more than \$115 million from services to these groups to address the unanticipated increased needs of unaccompanied children. Since then, these already underfunded refugee programs have continued to face repeated threats of significant budget gaps as the levels of unaccompanied children continued to increase beyond budgeted projections. Fortunately, through the bipartisan support of Congress and communities around this country, baseline funding for refugee services has thus far largely stayed intact. For that we are extremely grateful.

However, on June 20th, World Refugee Day, ORR notified Congress of their intent to reprogram \$94 million of fiscal year 2014 funds for refugee services to programs for unaccompanied children due to a lack of sufficient funds for the UAC programs. The devastating loss of these services will mean that far fewer refugees are able to obtain employment services to quickly find jobs and establish self-sufficiency; many survivors of torture and trauma will be unable to access mental health services; elderly refugees will be unable to naturalize and maintain their benefit eligibility; and, refugee children will lack the tutoring and after school programs needed to help them integrate into schools. These cuts will also have an enormous impact on the states and local communities that welcome refugees, eroding years of progress in building a successful nationwide refugee resettlement program and impacting our ability to successfully welcome future refugee arrivals.

Refugee resettlement is a key component of our foreign policy and our commitment to international responsibility sharing. The United States is the global leader in refugee resettlement, providing roughly 70,000 individuals fleeing persecution and violence every year the chance at a new life. Countries around the world look to the United States' example in how we respond to refugee crises. How we respond to the current challenges before us will not just impact the lives of these vulnerable children seeking refuge in our country, or the thousands of refugees that are already part of our communities and beginning new lives here- it will impact

our standing in the world as a country that respects due process, human rights, and the ability to seek protection.

As the Senate Appropriations Committee considers the President's emergency supplemental appropriations request, we recommend the following:

1. ORR's funding in the supplemental must be directed to ensure all populations under its care are adequately served.

ORR has borne the brunt of this growing humanitarian crisis for too long, and ORR must receive additional funds in FY 14 to ensure that it is able to serve all of the populations that fall under its mandate. RCUSA supports the \$1.8 billion request for HHS in the requested supplemental.

In addition, Congress should establish and fund a contingency fund for ORR, as requested in the fiscal year 2015 administration budget request, to address future unexpected flows in the UAC program and in any other of ORR's other mandated populations, so that funding for refugee services remain intact.

2. This emergency supplemental must avoid the intertwining of emergency funding needs with policy decisions.

This is an emergency situation that requires an emergency response. Without additional funding for ORR, refugees and other vulnerable groups and the communities that welcome them across the country will face significant impacts, and needed relief must not be tied up by larger policy decisions.

Additionally, the immigration policy decisions to reduce due process for children under consideration will have weighty negative consequences. They thus must be considered carefully and deliberately on their own.

3. The wellbeing of vulnerable children must remain the driving force behind our policy response.

Congress, and the U.S. government, must not roll back critical protections established in the bipartisan 2008 TVPRA. These protections were set up to ensure the most vulnerable among us, children, are not sent back to their countries of origin where they could face significant harm.

We must keep our borders open to children fleeing to us for refuge and we must maintain a full, fair, and individualized due process for all those seeking protection. Anything less would be inconsistent with our nation's values.