



# U.S. International Refugee Assistance: Issues for Congress

**Rhoda Margesson**

Specialist in International Humanitarian Policy

January 3, 2003

Congressional Research Service

7-5700

[www.crs.gov](http://www.crs.gov)

RL31689

**CRS Report for Congress**

*Prepared for Members and Committees of Congress*

## Summary

The United States is the largest national contributor to international humanitarian assistance programs for refugees. Traditionally, it contributes to refugee appeals both to alleviate the suffering of innocent victims and out of concern that refugee flows can lead to instability in countries or regions important to U.S. foreign policy interests. The United States is also the largest resettlement country. The money for humanitarian assistance and some of the costs of resettlement in the United States is authorized under the Migration and Refugee Assistance (MRA) account of the Department of State Authorization bill and appropriated in the Foreign Operations Appropriations bill. Though not the topic of this report, the bulk of assistance for refugees who resettle in the United States is authorized and appropriated in the Labor, Health and Human Services (HHS) legislation. This report discusses the size of the U.S. international refugee assistance budget and its allocation between humanitarian assistance and admissions.

With the end of the Cold War, U.S. refugee policy began to evolve to reflect changes taking place in the international arena. The nearly exclusive anti-communist focus began to shift as conflicts among nations moved away from the constraints of superpower politics and toward a more complex array of internal disputes. These new conditions led to a change in the nature of refugee emergencies and in the types of programs that the United States and the international community provide for refugees and other people forced to flee their homes. In addition, it resulted in a tremendous increase in the number of people needing assistance. These factors also influenced the continuing debate between the Administration and the Congress and within the Congress about the U.S. role with regard to refugees.

The MRA is part of the foreign aid appropriation, and because humanitarian emergencies are growing in number, complexity, and size, it faces enormous budget pressures, both from traditional foreign assistance programs and from newly emerging national priorities. While refugee assistance enjoys considerable support, Congress and the Administration face the difficult task of funding humanitarian needs within a constrained budget. For the last several years, with the exception of FY1999, the appropriation for the MRA account has remained at about \$700 million.

P.L. 107-115, signed into law on January 10, 2002, appropriated \$705 million for the MRA and \$15 million for the Emergency Refugee and Migration assistance (ERMA) for FY2002. The President requested \$705 million for MRA and \$15 million for ERMA for FY2003. The Senate Committee on Appropriations (S.Rept. 107-219) recommended \$782 million for the MRA and \$32 million for ERMA, whereas the House Appropriations Committee (House Rept. 107-663) recommended \$800 million for the MRA and \$20 million for ERMA. P.L. 107-228, to authorize appropriations for the Department of State for FY2002 and FY2003, was enacted on September 20, 2002. This report will be updated periodically.

## Contents

|  |    |
|--|----|
| Introduction .....   | 1  |
| Background .....   | 1  |
| Expanding Needs of Refugees Worldwide.....                       | 1  |
| The Changing Nature of Refugee Situations.....                   | 3  |
| From One War to Another.....                                     | 3  |
| The Plight of IDPs .....   | 3  |
| Complicating Factors Exacerbated by War.....                     | 3  |
| Seeking Assistance in Failed States .....                        | 4  |
| Humanitarian Assistance as a Tool for War .....                  | 4  |
| Challenges of Resettlement.....                                  | 5  |
| Civilian and Military Roles in Humanitarian Assistance.....      | 5  |
| Addressing the Causes of Refugee Flight .....                    | 5  |
| International Response .....                                     | 6  |
| The Role of UNHCR.....   | 6  |
| The Role of UNRWA .....  | 7  |
| Overview of U.S. Refugee Assistance.....                         | 7  |
| USAID .....  | 8  |
| Office of Foreign Disaster Assistance (OFDA) .....               | 8  |
| Food For Peace (FFP) .....                                       | 8  |
| Office of Transition Initiatives (OTI).....                      | 8  |
| Department of Defense .....                                      | 8  |
| Office of Humanitarian Assistance and Peacekeeping.....          | 8  |
| Department of State.....   | 9  |
| Bureau of Population, Refugees and Migration (PRM).....          | 9  |
| U.S. Funding for MRA and ERMA.....                               | 9  |
| Migration and Refugee Assistance (MRA) Account.....              | 9  |
| Overseas Refugee Assistance.....                                 | 9  |
| Refugees to Israel.....  | 10 |
| Refugee Admissions.....  | 10 |
| Administration .....   | 10 |
| Emergency Refugee and Migration Assistance (ERMA).....           | 12 |
| U.S. Contribution to UNHCR .....                                 | 12 |
| The Debate in Congress.....                                      | 14 |
| Refugee Admissions.....  | 14 |
| Finding Funds for Emergency Assistance .....                     | 14 |
| Improving the Efficiency of International Refugee Programs ..... | 15 |

## Tables

|   |    |
|---|----|
| Table 1. Migration and Refugee Assistance ..... | 11 |
| Table 2. ERMA Appropriations and Drawdown ..... | 12 |

## **Contacts**

|                                  |    |
|----------------------------------|----|
| Author Contact Information ..... | 15 |
|----------------------------------|----|

## Introduction

There are over 12 million refugees worldwide, included in the total of close to 20 million individuals characterized as “people of concern.”<sup>1</sup> The result is a continuing increase in costs and expenditures required to address the problem. While the global trend suggests that the numbers of refugees may have stabilized in recent years, the ebb and flow of population movements remain largely dependent upon external events and usually require an immediate response. Two major factors influence U.S. decisions to aid refugees: (1) an American bipartisan tradition of humanitarian concern for suffering people and (2) a concern that refugee flows can lead to instability in countries important to U.S. foreign policy. U.S. assistance takes the form of aid to refugees in their countries of asylum and admission to the United States for some refugees of special concern. The problem for Congress is how to respond programmatically to refugee needs in a way that satisfies both the American tradition of providing assistance and U.S. budgetary limitations. This report examines the problem, and the response over time by Congress and the executive branch. It also considers the role of the international community through the United Nations High Commissioner for Refugees (UNHCR).<sup>2</sup>

## Background

Before reviewing the U.S. financial assistance to refugees, this report will examine the evolution of the refugee problem worldwide and briefly review the international response to it.

## Expanding Needs of Refugees Worldwide

UNHCR,<sup>3</sup> established by the U.N. General Assembly in 1950 and made operational in 1951, is mandated by the United Nations to lead and coordinate international action for the worldwide protection of refugees and the resolution of refugee problems. UNHCR’s initial mission was to help resettle European refugees after World War II, and its mandate reflects this history. UNHCR became the institutional mechanism for the implementation of the 1951 Convention relating to the status of refugees. This Convention established the definition of a refugee and the organizational tasks and responsibilities of the international community toward refugees.<sup>4</sup> However, the definition of a refugee was not universal; the 1951 Convention allowed states to limit the definition of refugees to those created by events occurring in Europe prior to 1951.

When international and intergovernmental refugee organizations were established in the 1950s and 1960s, their mandates were fairly specific and defined refugees as persons who fled their country in response to persecution on the basis of race, religion, ethnic or social group, or

---

<sup>1</sup> The term “people of concern” is used by the United Nations High Commissioner for Refugees (UNHCR) to include not only those fleeing across borders (refugees), but also returned refugees, asylum seekers, internally displaced persons (IDPs) and returned IDPs. IDPs are individuals uprooted within their country but not necessarily given protection and assistance under humanitarian law. UNHCR extends assistance to certain groups not protected under the UNHCR mandate by grouping them as part of the broader definition “people of concern.”

<sup>2</sup> This report replaces an earlier CRS Issue Brief IB89150 and will be updated periodically.

<sup>3</sup> See UNHCR website for further information: <http://www.unhcr.org>.

<sup>4</sup> See the 1951 United Nations Convention Relating to the Status of Refugees. Under the 1951 Convention and the 1967 Protocol which followed, contracting States agreed to cooperate with UNHCR and facilitate its supervisory function.

political opinion. While refugee situations did not always conform to these definitions, they usually could be accommodated within the mandates of the humanitarian relief agencies. Refugee emergencies usually did not receive worldwide media attention. There was little news coverage of the hardships faced by refugees in their exile. Refugee assistance was also provided in a relatively safe setting because humanitarian assistance was given with the agreement of the host government involved.

In response to subsequent large refugee movements that increasingly occurred outside of Europe, the time and geographical limits of the 1951 Convention were eliminated with the 1967 Protocol, to which the United States is a party.<sup>5</sup> Furthermore, the UN General Assembly passed resolutions requesting that UNHCR not only help refugees, but also provide assistance to asylum seekers, returnees, and those displaced within the borders of their own countries; these many groups make up the “people of concern” to UNHCR.

The number of refugees in camps around the world increased steadily as a result of the conflicts that erupted after the end of the Cold War, straining the regular budgets of the agencies that assist them. But the numbers displaced by warfare or other manmade disasters within the borders of their own countries grew even more. These internally displaced persons (IDPs), such as those in Sierra Leone, Bosnia, or Chechnya, currently outnumber traditional refugees.

According to UNHCR, the number of people of concern declined from a record 27 million in 1995 to 19.8 million by January 2002. This figure included approximately 12 million refugees (persons who fled from their country), 462,700 returnees (people returning to their country but not fully resettled), 940,800 asylum seekers, 5.3 million IDPs, 241,000 returned IDPs, and another million others of concern.<sup>6</sup> UNHCR estimates that an additional 20-25 million may be displaced for political or other reasons from their homes, with the majority receiving little or no international assistance. The number of refugees and displaced persons in Africa numbered 20,000 in 1989. Today there are more than six million refugees, IDPs and returnees in Africa. Much of the increase in numbers of refugees and displaced is blamed on the rise in ethnic conflict unleashed after the Cold War.

Changing circumstances in refugee producing countries have also altered the international response and created greater pressure to act. Increasingly, refugee problems are part of longstanding political disagreements within countries rather than between nations. Resolving them may require the unified action of many governments, if not the U.N. Security Council, and raises the sensitive issue of the limits of a sovereign government’s freedom to repress or harm its own citizens. International consensus is difficult and often takes years to achieve. In the interim, humanitarian suffering and destruction continues in the affected countries. Where the underlying issues remain unresolved, humanitarian assistance is often the only course which can be agreed upon.

Within the last decade and a half, new kinds of humanitarian situations have become increasingly common and in fact make up the bulk of international disaster situations. In addition, the long-held, generally agreed doctrine that nations should not meddle in the internal affairs of other

---

<sup>5</sup> The 1967 Protocol removes the geographical and time limitations written into the original Convention under which mainly Europeans involved in events occurring before January 1, 1951 could apply for refugee status.

<sup>6</sup> For example, stateless citizens, such as those from the former Soviet Union who have not been able to obtain citizenship in any of the former republics, are assisted by UNHCR.

countries, unless invited to do so, has begun to be questioned. This has placed humanitarian aid workers in increasingly dangerous situations and has led to an increased military role for the United Nations and its member states in activities that range from providing security to delivering aid. These and other factors have driven up the cost and sometimes reduced the effectiveness of humanitarian assistance.

## **The Changing Nature of Refugee Situations**

The typical profile of the refugee situation is quite different today from that of post-World War II, and as a result humanitarian needs have changed as well. Specifically, new challenges include:

### **From One War to Another**

Refugees often flee to areas that are also at war. The situation in Rwanda/Burundi/Democratic Republic of Congo are current examples. Refugee and humanitarian aid workers attempting to help these victims of war have themselves become victims of conflict.

### **The Plight of IDPs**

IDPs are people driven from their homes by warfare but not crossing an international border and thus not becoming “convention” refugees. For decades these IDPs suffered from lack of international attention even though their compatriots who fled to another country often received humanitarian aid as refugees. Examples of this situation today are Afghanistan, the Balkans, Chechnya, Sudan, and Sierra Leone. One response to the growing numbers of people in this type of situation has been a broadening of the UNHCR activities or area of responsibility. In October 1992, UNHCR donor nations approved an expansion of the UNHCR role to include assistance to the millions of people displaced within their own countries by war and/or famine resulting from war. This change made UNHCR responsible for nearly twice as many needy people almost overnight, although in fact the agency had been assisting many of them previously with informal donor support. In other cases, such as the current situations in Colombia and Afghanistan, people are prevented from fleeing warfare because surrounding countries close their borders and UNHCR and other humanitarian agencies must assist them in extremely difficult and dangerous situations. Former U.S. Ambassador to the United Nations Richard C. Holbrook made the plight of IDPs a special concern of his.<sup>7</sup> Both the U.N. Secretary General and the U.N. High Commissioner for Refugees have also called for increased attention to IDPs.

### **Complicating Factors Exacerbated by War**

Persons in need may be victims of a combination of a refugee emergency and a natural disaster, which may be exacerbated by warfare. Drought in Ethiopia/Eritrea and Afghanistan while warfare continues are current examples. Other situations include farmers who cannot farm because of warfare or minefields, leading to food shortages and lack of livelihood, or families unable to maintain sanitation due to lack of water and waste systems, posing increased risks to health. The

---

<sup>7</sup> See Ambassador Richard C. Holbrooke, United States Permanent Representative to the United Nations, Humanitarian Affairs Segment, Economic and Social Council on Internally Displaced Persons, Statement July 20, 2000 available at: [http://www.un.int/usa/00\\_095.htm](http://www.un.int/usa/00_095.htm) and Ambassador Richard C. Holbrooke, United States Permanent Representative to the United Nations, *National Journal* Interview, September 5, 2000.

needs of these people have been served by the international agencies that respond to natural disasters, by the refugee relief agencies, as well as by the humanitarian agencies, such as the International Committee of the Red Cross (ICRC), which respond to civil conflict situations. To address problems of program overlap among the international agencies and the lack of clear mandate by any one agency to help, the United Nations Secretary General Kofi Annan in December 1991 created the U.N. Department of Humanitarian Affairs. Although it was somewhat successful in coordinating the international response to all disasters, either manmade or natural, Annan abolished it under his 1997 reorganization plan and established instead a U.N. Emergency Relief Coordinator in the Office for the Coordination of Humanitarian Affairs (OCHA), thereby raising the level of attention paid to humanitarian assistance.

### **Seeking Assistance in Failed States**

Humanitarian emergencies occurring in countries without a functioning government make it difficult for relief agencies to get assistance to victims of civil war. In these situations, issues such as visas, shipping clearance, use of roads and airport facilities, water, and power cannot be addressed centrally. Nor can the issues of protection of aid workers or aid supplies be resolved. In addition, warring political factions often insist on separate negotiations concerning all facets of providing assistance. In the cases of Somalia and Liberia, the international community attempted to restore order through the introduction of foreign military forces.

### **Humanitarian Assistance as a Tool for War**

In some internal wars civilians, and the humanitarian agencies who try to help them, are specifically attacked in order to change the outcome of the war. Humanitarian aid personnel have been the targets of various factions in a number of countries. Their protection has become an area of increasing concern to the United Nations. Between January 1, 1992, and June 2002, 214 civilian U.N. employees were killed, and dozens more were wounded, some in deliberate, premeditated armed attacks.<sup>8</sup> If UN contractors from non governmental organizations (NGOs) are included, the numbers are much higher. The recent U.N. response has been to use U.N. peacekeeping forces to assist in providing humanitarian aid and protecting aid workers. Deputy U.N. Secretary-General Louise Frechette called on governments to address these deaths in the following ways: conduct vigorous investigations and punish the guilty; ratify the two international conventions which address protection of international personnel; provide additional funding to international agencies specifically for improved security; and use whatever government influence is available to bring irregular forces under better control and discipline.<sup>9</sup> In one report to the General Assembly on this topic, U.N. Secretary General Kofi Annan calls for the expenditure of \$30 million per year to protect civilian staff in conflict situations. In his report, he states that only nine headquarter professionals and 60 field security officers are responsible for managing a security system to protect 70,000 staff and dependents at 150 duty stations.<sup>10</sup> In May 2002, Annan appointed Mr. Tun Myat as full-time security coordinator. Other changes, including replacement of the current method of funding security officers, are expected to take place.<sup>11</sup>

---

<sup>8</sup> Summit on Staff Security, ORG/132, June 11, 2002.

<sup>9</sup> Remarks of Deputy Secretary-General Louise Frechette at the annual Summit on Staff Security, June 11, 2002.

<sup>10</sup> "Annan to seek 30 million dollars a year for staff security," by Robert Holloway, *Agence France-Presse*, October 20, 2002.

<sup>11</sup> Remarks of Deputy Secretary-General Louise Frechette at the annual Summit on Staff Security, June 11, 2002. In (continued...)



## Challenges of Resettlement

The repatriation of refugees to a homeland that has been devastated by war and dotted with land mines presents formidable obstacles to resettlement. International donors have recognized the need to provide rehabilitation to these countries as well as the usual short-term repatriation assistance, but the rehabilitation funding has not always been made available. This assistance may include a very wide range of activities such as help in the election of a new government, mine-clearing, establishment of banking and commercial facilities, and other non-traditional humanitarian assistance programs. Kosovo and East Timor are the most recent examples of countries that received such help. Cambodia, Mozambique, Angola, and El Salvador can be included as well. This rehabilitation often involves foreign military personnel and civil servants, as well as humanitarian assistance personnel and usually continues for years. UNHCR has also been required to return refugees involuntarily to countries where they may still face danger because the asylum country forces them back across the border.

## Civilian and Military Roles in Humanitarian Assistance

Increasingly, the roles of humanitarian agencies overlap with military assistance, as in Kosovo in 1999. Former UNHCR High Commissioner Ogata expressed concern over attempts to bypass humanitarian agencies in high visibility crises, instead using military or other newly-created governmental entities. She noted that military involvement has sometimes undermined coordination among civilian humanitarian agencies and may create the perception, in the eyes of the combatants, that refugees are parties to the conflict.<sup>12</sup> U.N. Secretary General Annan has also cautioned against mixing military and humanitarian actions. He stressed that no government should fear that accepting humanitarian aid will lead to military intervention.<sup>13</sup> The use of military forces in humanitarian assistance emergencies raises other thorny issues, such as how much force should be used, and whom or what they should protect: refugees, humanitarian aid workers, or pallets of aid supplies?<sup>14</sup>

## Addressing the Causes of Refugee Flight

The causes of refugee flight are varied but generally involve violation of the human rights of certain people and their persecution based on race, religion, nationality, membership in a particular social group or political opinion. However, many believe the underlying cause of refugee flight is more basic: conflict, poverty, underdevelopment, overpopulation, and environmental degradation. There is widespread agreement that prevention is the best way to

---

(...continued)

addition, it should be noted that to improve security to its personnel, the United Nations established at the end of 2001 a new Emergency and Security Service program. Each U.N. agency pays a portion of the costs. For example, UNHCR will pay \$2 million for this program, as well as another \$7 million for other security programs. UNHCR has included the costs of these programs in its budget appeal for CY2003. See 2003 Global Appeal, UNHCR, p. 51: <http://www.unhcr.ch>.

<sup>12</sup> "UNHCR: Ogata Warns Against Bypassing Refugee Agencies," UN Wire, October 4, 1999.

<sup>13</sup> See report "Protecting Civilians in Armed Conflict: Towards a Climate of Compliance," by U.N. Secretary-General Kofi Annan, September 1999.

<sup>14</sup> For a more in-depth discussion of these issues, see *NATO and Humanitarian Action in the Kosovo Crisis* by Larry Minear, Ted van Baarda, and Marc Sommers, Occasional Paper #36, Humanitarianism and War Project at Tufts University, Medford, MA. <http://hwprojecttufts.edu>.

address refugee flows. President Clinton created the new position of Under Secretary for Global Affairs to allow the Department of State to focus more attention on the underlying causes of refugee flight. The Clinton Administration also reorganized the Bureau of Refugee Programs to include population and migration, in order to consolidate all departmental responsibility for these related matters. The Office of Transition Initiatives (OTI) was also created as a part of a reorganized USAID humanitarian emergency response capability. The office assists to countries recovering from disasters in moving toward self government, sustained development, and permanent resettlement.

## **International Response**

There are many international actors involved in addressing the worldwide problems presented by refugees and IDPs. These include the United Nations, other international organizations (IOs), intergovernmental agencies, NGOs, and private or religious groups (PVOs). Two international agencies of particular importance in dealing with international refugees are the UNHCR and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

### **The Role of UNHCR**

UNHCR has three main functions. First, it provides legal protection to those who fall within its mandate. Governments establish procedures to determine who is a refugee and his or her rights in accordance with their own legal systems. UNHCR offers advice and non-binding guidelines to these governments. In countries which are not party to international refugee treaties but request UNHCR assistance, UNHCR may determine refugee status and offer its own protection and assistance. The core rights accorded to refugees are acceptance of asylum seekers at the border, non-forced repatriation (non-refoulement), protection of their safety, access to fair and efficient procedures for determination of refugee status, the same rights and basic help provided any other foreigner who is a legal resident, and appropriate lasting solutions concerning their status.

Second, UNHCR seeks permanent solutions to refugee situations. In general, there are three solutions for refugees: 1) voluntary repatriation, 2) local integration in the country of first asylum, and 3) resettlement from the country of first asylum to a third country. UNHCR prefers voluntary repatriation, whereby refugees return to their home countries. If repatriation is impossible, the UNHCR seeks to locally integrate the refugees and, if this is impossible, then seeks to resettle the refugees in a third country.

Refugees and IDPs returning home are also assisted by UNHCR. These repatriations often require follow-on rehabilitation of agricultural land and infrastructure to ensure that the refugees can survive in homelands devastated by war. Although in the long run repatriation is the best and least expensive solution, in the short run it is often more expensive and dangerous than maintaining refugees in camps. Additional complications may make the expense even higher.<sup>15</sup> In many recent

---

<sup>15</sup> For example, between November 1996 and January 1997, warfare around and in the camps where Rwandan refugees were sheltered in Zaire created an unstable environment. Attempts to drive refugees from the camps by various factions, periods of prohibited contact with the aid agencies, and the need to return many of them quickly to Rwanda all contributed to a required UNHCR need for \$114 million for repatriation and reintegration of refugees to Rwanda alone for 1997. This amount did not include the many millions more that were spent by other agencies such as United Nations Development Program (UNDP), United Nations Children's Fund (UNICEF), and the World Health (continued...)

cases, UNHCR has been urged to repatriate refugees in a short period of time so that they can participate in elections in their homeland. At the same time, refugees remaining in exile must be offered care and support to ensure that they are not coerced into returning to a situation where their lives will be endangered.

Third, UNHCR also coordinates assistance from numerous NGOs that provide emergency humanitarian relief to refugees, including shelter, food, and health care.

## The Role of UNRWA

The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), established in 1949, provides relief assistance and programs for Palestinian refugees.<sup>16</sup> With a lack of resolution to the conflict between Israelis and Palestinians, UNRWA's mandate has been renewed ever since it began operations in 1950 and is currently extended to June 2005. In keeping with its mission, through all phases of events taking place in the Middle East, it has provided food, housing, clothing, basic health and education services to over 3.9 million Palestine refugees. Its role as provider to one group of refugees over 50 years is unique and continues to be important in the evolving situation in the Middle East.

UNRWA is a subsidiary organ of the United Nations; its chief officer reports directly to the General Assembly. It is governed by an Advisory commission of which the United States is a member.

## Overview of U.S. Refugee Assistance

Within the U.S. government, three agencies provide some form of international refugee assistance. The U.S. Agency for International Development (USAID) and the Department of Defense (DOD) receive funds under the broader category of "humanitarian assistance." The State Department also has specific programs dedicated to addressing refugee issues. The next section will review briefly the roles of each agency. Each is guided by specific legislative authority, including but not limited to the Foreign Assistance Act of 1961, as amended, the Migration and Refugee Assistance Act of 1962, as amended, and the Refugee Act of 1980, as amended. How Congress funds U.S. refugee assistance will be addressed later in the report.<sup>17</sup>

While humanitarian assistance is assumed to consist of urgent food, shelter, and medical needs, the U.S. Government agencies providing such support can expand or contract the definition of humanitarian assistance in response to circumstances. Funds may be used to deliver the service required directly or provided as grants to IOs, foreign governmental agencies, NGOs, and PVOs, which in turn provide the assistance.

---

(...continued)

Organization (WHO) for activities to rehabilitate both the nations and the people who had been victims of war.

<sup>16</sup> The UNRWA was established by United Nations General Assembly resolution 302 (IV) of December 8, 1949.

<sup>17</sup> Specific legislation includes Title II of PL 480 (Food for Peace) appropriated through the Department of Agriculture and administered by USAID; Section 416 (b) of the Agricultural Act; Department of State Emergency Refugee and Migration Account; and Title 10, Section 2551 of the Foreign Assistance Act and the current Foreign Operations appropriations bill. For further information on these sources, please refer to Lois McHugh, *International Disasters: How the United States Responds*, CRS Report RS20622, July 6, 2000.

## **USAID**

USAID has three offices that administer U.S. humanitarian aid some of which goes directly to refugee assistance:

### **Office of Foreign Disaster Assistance (OFDA)**

As part of the Bureau of Humanitarian Response (BHR), it is responsible for the provision of non-food humanitarian assistance. Most of its activities are carried out through IOs, NGOs and PVOs; it often provides assistance through Disaster Assistance Response Teams (DARTs).

### **Food For Peace (FFP)**

FFP under PL 480 and Title II (including Title II/World Food Program) provides relief and development food aid which does not have to be repaid and includes an emergency and private assistance donations program. In addition, Section 416 (b), managed by the U.S. Department of Agriculture, allows for the donation of surplus U.S. agricultural commodities held by the Commodity Credit Corporation (CCC.)

### **Office of Transition Initiatives (OTI)**

OTI provides post-disaster transition assistance, which includes mainly short-term peace and democratization projects with some attention to humanitarian concerns (e.g. community projects such as housing, electricity, water) but not emergency relief.<sup>18</sup>

## **Department of Defense**

### **Office of Humanitarian Assistance and Peacekeeping**

DOD's mandate is to provide "transportation of humanitarian relief and for other humanitarian purposes worldwide"<sup>19</sup> using funds up to the amount appropriated by Congress every year.<sup>20</sup> It provides humanitarian support to stabilize emergency situations (as opposed to a military mission which focuses on security, military deployments, force protection) and deals with a range of tasks from provision of food, shelter and supplies, medical evacuations, disaster preparedness, coordination with U.S. contractors, and camp construction. P.L. 99-145, as amended (Title 10 U.S. Code, Section 2547) authorizes donation of excess non-lethal supplies under the Denton Program.<sup>21</sup>

---

<sup>18</sup> Other departments within USAID may provide some form of refugee assistance, but it is unclear how much. For example the aid program Support for East European Democracy Act of 1989 (SEED) allocates resources to address women's health, child survival, trauma counseling and social welfare, and demining, activities which may well be considered by some to be issues relevant to refugees.

<sup>19</sup> P.L. 102-484, as amended (Title 10, Section 2551.)

<sup>20</sup> Assessment often coordinated with OFDA.

<sup>21</sup> The Denton Program allows DOD to provide transportation of privately donated humanitarian cargo to foreign countries on military aircraft on a space-available basis.

## **Department of State**

### **Bureau of Population, Refugees and Migration (PRM)**

PRM<sup>22</sup> deals with problems of refugees worldwide, conflict victims, and populations of concern to UNHCR (now extended to IDPs). Assistance includes a range of services from basic needs to community services to tolerance building and dialogue initiatives. Key programs include refugee protection (asylum issues, identification, returns, tracing activities) and quick impact, small community projects.<sup>23</sup>

## **U.S. Funding for MRA and ERMA**

### **Migration and Refugee Assistance (MRA) Account**

MRA funding is authorized in the legislation governing the Department of State and appropriated in the Foreign Operations Appropriation legislation. (In addition, under the provisions of the Refugee Act of 1980, the House and Senate Judiciary Committees provide oversight of refugee admissions and assistance through a required annual consultation with the Administration.) Because humanitarian emergencies are growing in number, complexity, and size, MRA funding faces enormous budget pressures, both from traditional foreign assistance programs and from newly emerging national priorities. Moreover, the worldwide refugee situation in general has put donor nations under increasing pressure to provide more funds.

The MRA includes four major components:

### **Overseas Refugee Assistance**

Aid to refugees consists almost entirely of contributions to IOs and to private voluntary organizations working under the direction of such organizations in caring for refugees outside the United States. A small amount, approximately 3%, is provided directly to private voluntary organizations or to governments of first asylum countries. The primary international agencies include UNHCR and the UNRWA. In the FY2003 request, the Administration separated out (within Overseas Assistance) funding for migration. These funds are expected to support efforts to promote orderly migration and provide protection to vulnerable migrants, including victims of trafficking. Funds are expected to go mainly to the International Organization for Migration (IOM). The United States also contributes to the International Committee of the Red Cross (ICRC), a private international humanitarian organization that acts as an intermediary in situations of armed conflict.<sup>24</sup>

---

<sup>22</sup> When there is functional or programmatic overlap between USAID and PRM, they coordinate with each other and define partners. Traditionally, PRM provides funds for UNHCR and other multilateral actors; USAID creates bilateral arrangements with NGOs.

<sup>23</sup> Further detail about the ERMA and MRA funding will be provided in the next section.

<sup>24</sup> Unlike other IOs, the United States contributes to the regular budgets of these refugee agencies through the Migration and Refugee Assistance appropriation rather than out of the International Organization and Programs appropriation. UNHCR is also funded outside the IO account.

## Refugees to Israel

The United States provides funding through a grant to the United Israel Appeal to help finance the resettlement of Jewish refugees in Israel.

## Refugee Admissions

Funding is provided to cover the costs of screening and processing refugees for admission to the United States; medical examinations; language training; cultural orientation; care and maintenance until they arrive in the United States; and transportation loans for travel to the United States. It also includes reception and placement grants to cover initial resettlement in the United States. (The bulk of the domestic costs of refugee resettlement in the United States is appropriated in the HHS authorization and appropriation legislation.)<sup>25</sup>

## Administration

This category includes the costs of personnel and operating expenses for the State Department Bureau of Refugee Programs, including PRM.

**Table 1** shows amounts appropriated and how it was allocated for the last few years.

---

<sup>25</sup> For information on refugee admissions costs and appropriations, see CRS Report RL31269, *Refugee Admissions and Resettlement Policy*, by (name redacted).

**Table 1. Migration and Refugee Assistance**  
(thousands of \$)

|                                    | FY1999                 | FY2000                       | FY2001                       | FY2002<br>Estimate | FY2003<br>Request |
|------------------------------------|------------------------|------------------------------|------------------------------|--------------------|-------------------|
| <b>Refugee Admissions</b>          | \$142,360 <sup>a</sup> | \$92,900                     | \$92,854                     | \$92,000           | \$105,000         |
| <b>Overseas Refugee Assistance</b> |                        |                              |                              |                    |                   |
| East Asia                          | 18,456                 | 15,485                       | 21,223                       | 15,800             | 15,500            |
| Africa                             | 144,235                | 154,847                      | 190,900                      | 195,600            | 195,600           |
| Near East                          | 97,963                 | 108,250                      | 106,959                      | 103,400            | 103,400           |
| South Asia <sup>b</sup>            | 27,475                 | 29,879                       | 35,840                       | 45,500             | 45,500            |
| W. Hemisphere                      | 14,713                 | 16,486                       | 13,626                       | 15,000             | 14,700            |
| Europe                             | 310,083 <sup>a</sup>   | 57,692                       | 104,153                      | 88,000             | 77,000            |
| Multiregional Activities           | 67,215                 | 73,286                       | 58,569                       | 57,700             | 56,600            |
| Migration <sup>c</sup>             | —                      | —                            | —                            | 16,000             | 15,700            |
| <b>Subtotal</b>                    | <b>680,140</b>         | <b>455,925</b>               | <b>531,270</b>               | <b>537,000</b>     | <b>524,000</b>    |
| <b>Other Activities</b>            |                        |                              |                              |                    |                   |
| Refugees to Israel                 | 70,000                 | 60,000                       | 59,868                       | 60,000             | 60,000            |
| <b>Administration</b>              | 13,470                 | 13,800                       | 15,010                       | 16,565             | 16,565            |
| <b>Total</b>                       | <b>\$905,970</b>       | <b>\$622,625<sup>d</sup></b> | <b>\$699,002<sup>e</sup></b> | <b>\$705,565</b>   | <b>705,565</b>    |

- a. P.L. 106-31, the FY1999 Emergency Supplemental Appropriations Act included funds for Kosovo and appropriated \$266 million for this account to be available until September 30, 2000. Of this amount, \$225.5 million was allocated to assistance in the regions, \$40 million to resettlement in the United States, and \$0.5 million to administrative expenses. In FY1999, \$97.9 million was obligated and \$166.6 million was carried forward to FY2000. The FY1999 Supplemental Appropriation is discussed in CRS Report RL30083, *Supplemental Appropriations for FY1999: Central America Disaster Aid, Middle East Peace, and Other Initiatives*, by nae redated.
- b. In addition to the \$45.4 million appropriated for south Asia in FY2002, \$100 million was available from the Emergency Response Fund (P.L. 107-38).
- c. In FY2001, funds for Migration activities (\$14.5 million) were included within the individual Overseas Assistance regions. Beginning in FY2002, they were combined into a new Overseas Assistance category.
- d. Of the \$622.6 million appropriated in FY2000, \$21.0 million was not made available until September 30, 2000. This amount is included in the FY2000 column of the chart above.
- e. Of the \$698.46 million appropriated in FY2001, \$6.9 million was carried forward into FY2002 as follows: Overseas Assistance East Asia (\$771,000), Overseas Assistance Europe (\$256,000), Overseas Assistance South Asia (\$2.7 million), Multiregional Activities (\$390,000), and Refugee Admissions (\$2.8 million). These funds are included in the FY2001 column of the chart above.

Since the early 1990s, U.S. refugee expenditures have increased substantially. The MRA budget grew from \$449.7 million in FY1990 to nearly \$671 million in FY1996, then leveled out at \$650 million annually until FY1999. At the same time, special appropriations for refugee emergencies and expenditures for humanitarian programs in other accounts also increased. Refugee activities in the Balkans brought considerable pressure to bear on the account beginning in FY1999. Both Congress and the President have attempted to keep refugee expenditures in the foreign aid budget level since that time partly because of budget pressures to reduce the entire International Affairs budget function (function 150), of which refugee assistance is a piece, and also because of other

new or growing emphases in the foreign aid program. Refugee needs in general are difficult to predict as is the funding required, making planning for future expenditures difficult.

P.L. 107-115 was signed into law on January 10, 2002 and appropriated \$705 million for the MRA and \$15 million for ERMA for FY2002. For FY2003, the President requested \$705 million for the Migration and Refugee Assistance account. The Senate Committee on Appropriations (S.Rept. 107-219, on S. 2779) recommended \$782 million for MRA and \$32 million for ERMA; the House Appropriations Committee (H.Rept. 107-663, on H.R. 5410) recommended \$800 million for the MRA and \$20 million for ERMA. Authorization legislation enacted as P.L. 107-228, authorizes \$820 in each of FY2002 and FY2003 for the MRA.

## Emergency Refugee and Migration Assistance (ERMA)

Because refugee emergencies occur at unpredictable intervals, the United States established ERMA in 1962. This account is a no year account which may be drawn upon at the President's discretion without fiscal year limitations. It is replenished through additional appropriations as necessary. The fund is available until spent<sup>26</sup> and provides wide latitude to the President in responding to refugee emergencies. Emergencies lasting more than a year come out of the regular Migration and Refugee Account through PRM. The President must report the drawdown of this fund to Congress. **Table 2** shows appropriations for, and drawdowns in, ERMA in response to refugee emergencies in recent years. The appropriation for FY2002 was \$15 million and the FY2003 request is also \$15 million.

**Table 2. ERMA Appropriations and Drawdown**  
(millions of \$)

| Fiscal Year | 1994 | 1995 | 1996 | 1997 | 1998 | 1999               | 2000 | 2001 | 2002 |
|-------------|------|------|------|------|------|--------------------|------|------|------|
| Approp.     | 79.3 | 50.0 | 50.0 | 50.0 | 50.0 | 195.0 <sup>a</sup> | 12.5 | 15.0 | 15.0 |
| Drawdown    | 81.0 | 35.0 | 22.0 | 53.0 | 57.0 | 85.0               | 40.0 | 82.0 | 25.0 |

a. P.L. 106-31 appropriated an additional \$165 million for ERMA for FY1999 in response to the Kosovo emergency. This is in addition to the \$30 million appropriated in the regular appropriation.

## U.S. Contribution to UNHCR

The total budget of the UNHCR tripled in the early 1990s as a result of increasingly complex humanitarian situations. The calendar year (CY) 2002 budget was \$1.05 billion. The CY2003 budget appeal is \$876.5 million, although it is likely that this number will be increased through supplemental requests to cover new emergencies. Raising money in a timely fashion has become increasingly difficult for the international agencies, both for humanitarian assistance programs and for repatriation programs. Since many countries earmark their funds for specific programs, the shortages are not spread evenly to all the humanitarian emergencies or even to all programs in a country. Other disaster agencies have similar patterns of uneven expenditures. The UNHCR has expressed concern that the continuing failure of donors to meet the funding needs of the

<sup>26</sup> Governed by P.L. 103-326, the maximum amount is \$100 million. Authorized in sections 2 and 3 or P.L. 87-510 of the Migration and Refugee Assistance Act of 1962, as amended.



humanitarian aid programs means that UNHCR has not been able to meet the very real needs of refugees, returnees, and IDPs. The high level of contributions of rich nations to the Kosovo crisis and lack of contributions to African crises have established what is described by some as a double standard. Although UNHCR receives donations from a large number of governments, inter-governmental organizations, private voluntary agencies and individuals, nearly 95% of the funds contributed come from 15 donors—fourteen industrialized countries and the European Commission. The U.S. government is the largest contributor to UNHCR, providing at least 25% of all contributions. U.S. funding to UNHCR comes through two channels: a small portion for administrative expenses comes from U.N. assessed dues through the Commerce, Justice, and State appropriation, and voluntary contributions through the Foreign Operations appropriation. In FY2002, the U.S. voluntary contribution to UNHCR was \$255 million.

Until U.S. FY2003 funding has been appropriated, programs will continue to operate at FY2002 funding levels. A key concern is whether UNHCR will receive adequate contributions from the United States in FY2003. The State Department's Population, Refugees, and Migration Bureau expects to have refugee needs equal to FY2002 and there could be a significant shortage in refugee program funding, including funding to UNHCR. Any additional funds would depend on the possibility of a supplemental appropriation (with a likely delay in funding of UNHCR programs).

Since 1999, UNHCR's annual budget has seen shortfalls, which have resulted in cutting planned programs.<sup>27</sup> Since UNHCR relies primarily on voluntary contributions, it depends on the annual generosity of its donors and cannot anticipate from year-to-year how much money will be available nor how much it will have to spend. Some pledged contributions are also late. These problems create a general cash availability crisis. In February 2002, UNHCR froze its administrative budgets. As of June 30, 2002, only \$678 million had been received as income, which led to an 11% decrease in planned programs. The UNHCR annual budget was cut in Calendar Year (CY) 2002 from just over \$800 million to \$710 million. According to UNHCR, these funding shortfalls have most seriously affected programs in Africa, as well as in Thailand, Papua New Guinea, and the Caucasus.<sup>28</sup>

While UNHCR continues to encourage contributions from additional governments, the small number of donors, in addition to earmarking contributions for particular refugee situations or programs, has led to problems funding refugee emergencies. The unpredictability of global conflicts also contribute to UNHCR's financial difficulties. UNHCR cannot fully anticipate the extent and costs of new refugee emergencies. During CY2002, UNHCR had to make a supplemental appeal to fund new emergency needs in Afghanistan, Macedonia, East Timor, Liberia, Angola, and Zambia, as well as the new programs to protect U.N. personnel. For CY2003, UNHCR has made another supplemental appeal. UNHCR has introduced new mechanisms to improve its funding flows, including the creation of an operational reserve to cover some emergencies and other unexpected costs.

---

<sup>27</sup> 2002 *Global Appeal*, p. 16.

<sup>28</sup> Some European countries have contributed new funds. "More money trickles in for U.N. refugee agency after urgent appeal," *Agence France-Presse*, October 25, 2002.

## The Debate in Congress

Recent debate in Congress over the refugee budget has included both the funding issues facing all the programs in the foreign aid account and the policy differences that arise both between the Administration and the Congress and within Congress over U.S. refugee policy.

### Refugee Admissions

The number of refugees admitted to the United States for resettlement is set every year in consultation between the Administration and Congress. This is a requirement of the Refugee Act of 1980, as amended. The initial costs of resettling refugees in the United States are financed through the MRA. The number of refugees admitted dropped during the Clinton Administration from 113,000 admitted in FY1994 to 70,000 in FY1997. The Clinton Administration expected to continue these reductions based on fewer admissions from the former Soviet Union and Southeast Asia. Refugees located in camps throughout Southeast Asia that the United States pledged to accept under the Comprehensive Plan of Action (CPA, a 1989 international agreement to address the refugee crisis in Southeast Asia), have mostly been admitted. Most of the Amerasians and former political prisoners have also been admitted to the United States. The number of Soviet Jews and Evangelicals admitted also continues to fall.

Some members of Congress do not support this reduction in refugee admissions. The FY1998 resettlement ceiling was raised to 83,000 largely at the urging of Congress. The actual number admitted in FY1998 was 77,080. (The FY1999 ceiling was raised in mid year to 91,000 to include Kosovars who were added on an emergency basis and the FY2000 admission level of 90,000 continued to reflect that resettlement need.) Actual figures show the FY1999 total as 85,525; FY2000 admissions came to 73,147. For FY2001, 69,304 refugees were admitted (with a ceiling of 80,000) and by contrast, following the terrorist events of September 11, 2001 and greater security concerns, in FY2002 only 27,113 were admitted. The ceiling established for FY2003 is 70,000.<sup>29</sup>

### Finding Funds for Emergency Assistance

The cost of responding to refugee and humanitarian emergencies has risen. Pressure on the Foreign Affairs budget, the 150 account, caused by rising emergency costs, has led to concerns about the bilateral development assistance programs. In the last few years, many of the private voluntary agencies working in the development field, as well as U.N. and U.S. development specialists have expressed concern that the rising costs of emergency assistance are reducing the amount of money available for development assistance.

Several approaches have been used to address the growing need for refugee assistance and the anticipated growth in refugee repatriation needs without further draining the development aid accounts. For example, in response to the need to help Kurdish refugees displaced after the

---

<sup>29</sup> For information on refugee admissions policy, see CRS Report RL31269, *Refugee Admissions and Resettlement Policy*, by (name redacted). For further information on admission issues, see CRS Issue Brief IB10103, *Immigration Legislation and Issues in the 107<sup>th</sup> Congress*, by (name redacted); CRS Report RS20836, *Immigration Legislation in 106<sup>th</sup> Congress*, by (name redacted). For information on allowances for victims of trafficking, see CRS Report RL34317, *Trafficking in Persons: U.S. Policy and Issues for Congress*, by (name redacted) and (name redacted).

Persian Gulf War in 1991, Congress transferred interest on money from the Persian Gulf Regional Defense Fund and Defense Cooperation Account, two funds established to channel contributions from other countries to counterbalance U.S. Iraqi war expenses. A supplemental appropriation in FY1994 provided assistance for the Rwanda emergencies. Supplemental legislation enacted in the Spring of 1999 (P.L. 106-31) reimbursed the agencies and provided new funding for aid both in Central America and the Caribbean, for natural disaster response, and to pay for humanitarian assistance to Kosovo. The Administration requested an FY2000 supplemental to meet the continuing needs in Kosovo and most recently in the FY2002 supplemental request for Afghanistan.<sup>30</sup>

## **Improving the Efficiency of International Refugee Programs**

Meeting the growing need for humanitarian assistance to refugees in other countries within a constrained budget can also be helped by improving the effectiveness and efficiency of international refugee organizations. The Clinton administration emphasized the need for efficiency in the U.N. refugee agencies. Consolidation of humanitarian assistance programs, which partly address refugee issues, was one of the Department of State's suggestions for U.N. reform. In the United Nations, OCHA now issues consolidated appeals for major humanitarian emergencies. These appeals simplify donations and eliminate overlap and competition among the agencies included such as UNHCR, UNICEF, World Food Program (WFP), and WHO.<sup>31</sup>

## **Author Contact Information**

(name redacted)  
Specialist in International Humanitarian Policy  
#redacted#@crs.loc.gov, 7-....

---

<sup>30</sup> For information and discussion of Supplemental appropriations between FY1999 and FY2002, see CRS Reports by (name redacted) on this topic by fiscal year.

<sup>31</sup> UNHCR has also approached the information technology industry to add its talents and tools to help refugees. During the Kosovo crisis, UNHCR received assistance from Microsoft, Compaq, Hewlett-Packard, Canon, Kingston Technology, Security World Ltd, and ScreenCheck B.V. in the development of a computerized refugee registration and documentation kit. The kit will be adapted to other refugee situations.

## EveryCRSReport.com

The Congressional Research Service (CRS) is a federal legislative branch agency, housed inside the Library of Congress, charged with providing the United States Congress non-partisan advice on issues that may come before Congress.

EveryCRSReport.com republishes CRS reports that are available to all Congressional staff. The reports are not classified, and Members of Congress routinely make individual reports available to the public.

Prior to our republication, we redacted names, phone numbers and email addresses of analysts who produced the reports. We also added this page to the report. We have not intentionally made any other changes to any report published on EveryCRSReport.com.

CRS reports, as a work of the United States government, are not subject to copyright protection in the United States. Any CRS report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS report may include copyrighted images or material from a third party, you may need to obtain permission of the copyright holder if you wish to copy or otherwise use copyrighted material.

Information in a CRS report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to members of Congress in connection with CRS' institutional role.

EveryCRSReport.com is not a government website and is not affiliated with CRS. We do not claim copyright on any CRS report we have republished.