

**PROPOSED REFUGEE ADMISSIONS**  
*for*  
**FISCAL YEAR 2006**

**REPORT TO THE CONGRESS**

SUBMITTED ON BEHALF OF  
THE PRESIDENT OF THE UNITED STATES  
TO THE  
COMMITTEES ON THE JUDICIARY  
UNITED STATES SENATE  
AND  
UNITED STATES HOUSE OF REPRESENTATIVES

IN FULFILLMENT OF THE REQUIREMENTS OF  
SECTION 207(e) (1)-(7)  
OF THE  
IMMIGRATION AND NATIONALITY ACT

**United States Department of State**  
**United States Department of Homeland Security**  
**United States Department of Health and Human Services**



## *INTRODUCTION*

This *Proposed Refugee Admissions for Fiscal Year 2006: Report to the Congress* is submitted in compliance with Section 207(e) of the Immigration and Nationality Act (INA). The Act requires that before the start of the fiscal year and, to the extent possible, at least two weeks prior to consultations on refugee admissions, members of the Committees on the Judiciary of the Senate and the House of Representatives be provided with the following information:

- (1) A description of the nature of the refugee situation;
- (2) A description of the number and allocation of the refugees to be admitted and an analysis of conditions within the countries from which they came;
- (3) A description of the plans for their movement and resettlement and the estimated cost of their movement and resettlement;
- (4) An analysis of the anticipated social, economic, and demographic impact of their admission to the United States;<sup>1</sup>
- (5) A description of the extent to which other countries will admit and assist in the resettlement of such refugees;
- (6) An analysis of the impact of the participation of the United States in the resettlement of such refugees on the foreign policy interests of the United States; and
- (7) Such additional information as may be appropriate or requested by such members.

In addition, specific reporting required by section 602(d) of the International Religious Freedom Act of 1998 (Pub. L. 105-292, Oct. 27, 1998, 112 Stat. 2787) (IRFA) on information about religious persecution of refugee populations eligible for consideration for admission to the United States and section 305(b) of the North Korean Human Rights Act of 2004 (Pub. L. 108-333, Oct. 18, 2004, 118

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<sup>1</sup> Detailed discussion of the anticipated social and economic impact, including secondary migration, of the admission of refugees to the United States is being provided in the *Report to the Congress of the Refugee Resettlement Program*, Office of Refugee Resettlement, Department of Health and Human Services.

Stat. 1287) on information about specific measures taken to facilitate access to the United States refugee program for individuals who have fled countries of particular concern for violations of religious freedoms, identified pursuant to section 402(b) of the IRFA, is included in this report.

## *FOREWORD*

Each year the President determines that the United States of America should admit refugees of special humanitarian concern for permanent resettlement. Resettlement of refugees is part of a proud American tradition of stepping forward to share responsibility for persons outside our borders - even when there is no legally binding obligation to do so. As has been the case for many years, the United States continues to play a global leadership role and extends resettlement opportunities to more refugees than all other countries combined. For some, we offer urgent protection from immediate persecution. For others in protracted, unresolved situations, we respond by providing a permanent durable solution.

Unlike other immigrants who have relatives or employers to help them adjust to new lives here, many refugees enter the United States without the support of family or friends. They must rely on the American people to support their transition. Experienced non-governmental agencies contract with the U.S. Government to provide initial support services and place arriving refugees in communities across the country where their chances for successful integration and early self-sufficiency are greatest. Civic leaders from coast to coast report that refugee resettlement benefits their communities both culturally and economically.

At the end of 2004, the worldwide refugee population stood at approximately 9.2 million – the lowest level in 25 years. In spite of recent outflows from countries such as Sudan, this represents a reduction of almost three million in just four years. It reflects the continuing and welcome trend toward resolution of several longstanding refugee situations. In 2004, some 300,000 African refugees returned to their home countries, including Sierra Leone, Eritrea, Angola, Rwanda, Burundi, Liberia, Sudan, and parts of Somalia. An even higher level of repatriation in Africa is expected this year. In the Near East/South Asia region over 1.1 million refugees – the vast majority of whom were Afghans and Iraqis – repatriated last year and almost 800,000 are expected to follow them in 2005.

Even in the context of a large-scale repatriation, however, there are always some members of the population who cannot return home. Special security, medical, or other compelling circumstances are often present that preclude the return of individual refugees in safety and dignity. Especially when local integration is not possible, resettlement may be the appropriate solution but must be approached in a manner that does not disrupt the overall repatriation effort.

Conducting resettlement processing under such circumstances requires careful planning and coordination among all involved parties. In recent years, as a result of such extra efforts, resettlement has proven to be an appropriate complement to repatriations in West Africa and South Asia. The program has offered resettlement to refugees from some 55 nations who were interviewed in 42 often remote locations this year.

Many refugees are in difficult situations that remain unresolved for many years. Consequently, we will continue to focus our efforts on protracted situations around the globe. Over 100,000 Bhutanese refugees in eastern Nepal remain caught up in a “standoff” as government officials in the region cannot agree on a plan of action. Most of this population has spent almost fifteen years in camps. A similar number of ethnic Burmese in Thailand have endured decades of uncertainty regarding prospects for return to Burma. Some 15,000 Burundi Hutus have resided in camps in Tanzania since 1972 with no prospects for either repatriation or local integration. Through several recent initiatives described in this report, the United States, along with other concerned members of the international community, has resolved to address these and other longstanding humanitarian problems.

During the current fiscal year, the program has consolidated gains and built upon work we have done since September 2001 to adjust the program in light of the complex circumstances of refugee resettlement in the twenty-first century. Security reviews have been completed for most cases that had been on hold since September 11, 2001, allowing many to travel to the United States. Medical issues, which had delayed the admission of a large group of Hmong Lao residing in Wat Tham Krabok in Thailand, were addressed clearing the way for the vast majority to move forward. The flow of Meskhetian Turks from Krasnodar Krai, Russia accelerated. A processing effort for Vietnamese in the Philippines commenced.

In 2005, we continued to work with the United Nations High Commissioner for Refugees (UNHCR) to strengthen the organization’s capacity to identify and refer to the United States over 20,000 refugees – either as individual cases or in groups. Department of State funding supported resettlement positions at UNHCR field offices in locations where the organization’s personnel resources were insufficient to handle the resettlement workload. It also funded short-term deployments of experienced NGO employees to fill temporary staffing gaps in other locations. The State Department has provided \$20 million in this targeted funding during the past seven years and continues to press for additional resettlement positions to be streamlined into UNHCR’s core budget to support this important activity.

Also in 2005, the State Department hosted its third regional training workshop for NGO humanitarian assistance workers on how to identify and refer refugees in need of resettlement. The workshop was held in Bangkok for representatives of NGOs working throughout Southeast Asia, and followed workshops held in the past two years in Africa. A targeted response team comprising representatives of USG agencies, international organizations, and NGOs visited Tanzania to assess the resettlement needs of longstanding refugee populations there. Another targeted effort involved the participation of an NGO representative to assist with processing of Meskhetian Turk refugees in the Russian Federation. In the United States, representatives of international and domestic resettlement and human rights organizations met frequently in regional working groups to exchange information on processing developments and caseload identification.

The most important new feature in the program this year is the formation of the Refugee Corps within the Department of Homeland Security. The Refugee Corps will be comprised of a cadre of U.S. Citizenship and Immigration Services (USCIS) officers dedicated to adjudicating applications for refugee status. Refugee Officers will be based in Washington, D.C., but will travel to overseas locations for up to fifty percent of the year. While on international temporary duty assignments, Refugee Officers will conduct interviews of applicants to determine eligibility for resettlement in the United States. While in Washington, officer assignments will support overseas operations, fraud deterrence and security, and training and quality assurance in the refugee program. By establishing such a corps, USCIS will gain increased flexibility to respond to the evolving U.S. Refugee Program. In addition, hiring permanent Refugee Officers will ensure greater consistency and quality of refugee adjudications.

Interest in joining the new corps has been impressive, both from inside and outside the government. From a pool of nearly 800 applicants, 40 individuals have been selected to comprise the first group of Refugee Officers. The Refugee Corps will be headed by a Director at the Senior Executive Service level, as well as managers to oversee the policy and operational aspects of the program. Development of a formalized training program and logistical support initiatives is also currently underway. FY 2006 will be the first full year of a functioning Refugee Corps.

A challenge that the Refugee Corps and the program as a whole will continue to face in FY 2006 is the issue of refugee applicants who have offered

material support to a terrorist group or terrorist activity. Legislative changes have substantially broadened the categories of activities that cause an individual to be found ineligible for admission based upon one of the terrorist grounds. This definition will likely have an impact on future processing of various refugee populations, as it already has on the Colombian program.

With these national security concerns in mind, the U.S. Refugee Program remains committed to fulfilling its humanitarian objectives. The Administration proposes in FY 2006 to admit 70,000 refugees to the United States. This reflects the President's continued commitment to this important program. The proposal allocates regionally 60,000 of the 70,000 ceiling based on current identified resettlement needs. The 10,000 unallocated numbers will be utilized in regions where additional needs are identified during the course of the year.

The American people can take justifiable pride in the global leadership role their country plays in providing assistance to and promoting durable solutions for the world's refugees. While the circumstances within which the U.S. program operates may change, the commitment does not. Refugee resettlement in the United States remains a dynamic undertaking that concurrently addresses the needs of large populations as well as the individual case in need of immediate attention. In the coming year, the Administration looks forward to resolving old problems and addressing new challenges. We remain grateful for the support we have received from the Congress and all of our partners in this critically important effort to make a difference in the lives of the world's refugees.

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## *I. OVERVIEW OF U.S. REFUGEE POLICY*

At the end of 2004, the estimated refugee population worldwide was 9.2 million, the lowest level in 25 years. While the decrease in the number of refugees is a very positive development, assistance to refugees continues to be an important foreign policy goal of the United States. The United States therefore makes financial contributions to international organizations, as well as to non-governmental organizations, that aid this effort. Under the authority in the Migration and Refugee Assistance Act of 1962, as amended, the United States contributes to the programs of the office of the United Nations High Commissioner for Refugees (UNHCR), the International Committee of the Red Cross (ICRC), the International Organization for Migration (IOM), and other international and non-governmental organizations that provide relief and assistance to refugees. This assistance is targeted to address immediate protection needs of refugees as well as to ensure that basic needs for water, sanitation, food, health care, shelter, and education are met. The United States continues to press for the most effective use of international resources directed to the urgent needs of refugees and internally displaced persons.

During FY 2005, the United States has continued to support major relief and repatriation programs throughout the world. Repatriation to countries including Afghanistan, Angola, Liberia, Burundi, and the Democratic Republic of Congo (DRC) has proceeded on a significant scale during FY 2005. UNHCR-supported repatriation to some locations in Sudan is scheduled to commence in late 2005.

Resettlement to third countries, including the United States, is considered for refugees in urgent need of protection as well as for those for whom other durable solutions are not feasible. In seeking durable solutions for refugees, the United States generally gives priority to the safe voluntary return of refugees to their homelands. This policy, recognized in the Refugee Act of 1980, is also the preference of the international community, including UNHCR. If safe voluntary repatriation is not feasible, other durable solutions are sought, including local integration in countries of asylum or resettlement in third countries. For many refugees, resettlement is the best, or perhaps only, alternative. Recognizing the importance of ensuring UNHCR's capacity to identify and to refer refugees in need of resettlement, the U.S. Government has provided some 20 million dollars

during the past seven years to expand the organization's resettlement infrastructure.

For many years, the United States was one of ten countries that worked with UNHCR on a regular basis to provide resettlement opportunities for persons in need of this form of international protection or durable solution. In 2004, UNHCR referred refugees to some 22 countries for resettlement. The majority (90%) was referred to the United States, Canada, and Australia. Smaller numbers of referrals were accepted by New Zealand, Chile, Brazil, and the traditional Western European resettlement countries (Norway, Sweden, Denmark, Finland, the Netherlands, Great Britain, and Ireland). In addition, Belgium, Benin, Burkina Faso, France, Germany, Italy, Pakistan, Spain, and Switzerland each accepted a few individuals. Argentina has committed to developing a small program during 2006. The European Union's official endorsement of refugee resettlement may generate additional interest in participation of European countries in coming years.

While the overall number of refugees referred by UNHCR and the percentage resettled by various countries fluctuate from year to year, the United States is committed to providing an opportunity for U.S. resettlement to at least 50% of all UNHCR referrals. We would like to see UNHCR make further strategic use of resettlement and expand the number of referrals it makes annually. In calendar year 2004, the United States resettled over 67% of the total number of UNHCR-referred refugees resettled in third countries (see Table IX).

U.S. law allows for the admission of persons of special humanitarian concern to the United States who can establish that they have suffered past persecution or have a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. The legal basis of the refugee admissions program is the Refugee Act of 1980, Pub. L. No. 96-212, § 201(b), 94 Stat. 103. With some modification, the Act largely adopted the definition of "refugee" in the 1951 United Nations Convention relating to the Status of Refugees, as amended by its 1967 Protocol. The U.S. definition (Section 101(a)(42) of the INA, as amended) is as follows:

The term 'refugee' means: (A) any person who is outside any country of such person's nationality or, in the case of a person having no

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

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

For purposes of determinations under this Act, a person who has been forced to abort a pregnancy or to undergo involuntary sterilization, or who has been persecuted for failure or refusal to undergo such a procedure or for other resistance to a coercive population control program, shall be deemed to have been persecuted on account of political opinion, and a person who has a well-founded fear that he or she will be forced to undergo such a procedure or be subject to persecution for such failure, refusal or resistance shall be deemed to have a well-founded fear of persecution on account of political opinion.

The foreign policy interests of the United States have been advanced by our willingness to work with first asylum and resettlement countries to address refugee issues. In some locations, the prompt resettlement of politically sensitive cases has helped defuse regional tensions. During the past few years, U.S. resettlement efforts in Africa, the Middle East, and East Asia have helped energize efforts by UNHCR and other countries to ensure that resettlement is accorded those in need and that first asylum is maintained for the larger population.

Refugees resettled in the United States contribute positively to the diversity and enrichment of our country. The U.S. program emphasizes the goal that refugees become economically self-sufficient as quickly as possible. Department of Health and Human Services-funded programs administered by individual states and the District of Columbia provide cash and medical assistance, training programs, employment, and other support services to arriving refugees. A variety of institutional providers perform these services, including the voluntary agencies that provide initial reception and placement services under cooperative agreements with the Department of State.

During its 25-year history, the U.S. Refugee Program has responded to changing refugee needs. Even before the events of September 11, 2001, the end of the Cold War had dramatically altered the context in which the U.S. refugee admissions program operates worldwide. Having shifted its focus away from large groups concentrated in a few locations, primarily refugees from Vietnam, the Former Soviet Union, and the former Yugoslavia, the program now offers resettlement to refugees of some 55 nationalities scattered around the world, interviewed this year in 42 often remote locations. Overseas processing efforts face numerous challenges. Security conditions for American personnel in refugee camps, the inadequacy of medical facilities required to conduct thorough medical screenings, and concern about program integrity--including fraud and corruption--are some of the issues facing the program.

The U.S. Refugee Program also continues to strive to achieve a balance between humanitarian commitments and national security concerns. Cases involving material support to a terrorist group or terrorist activity highlight the challenge of striking this balance. Legislative changes made in recent years have substantially broadened the categories of activities that would render an individual ineligible for admission under one of the terrorist grounds of inadmissibility. Under these provisions, an individual who provides money, food, shelter, or other assistance to an organization which engages in terrorist activities is inadmissible to the United States, even when the individual was compelled or coerced to provide such support under duress. This "material support" ground has already slowed Colombian processing considerably and other populations may be affected as well. The Departments of State and Homeland Security have been working closely in recent months to examine possible approaches to utilizing the discretionary non-applicability clause in this inadmissibility ground.

We have continued to address the issue of quality medical screening in numerous processing sites and enhanced the physical security arrangements at many others. While taking the necessary steps to improve our capacity to offer resettlement to those for whom it is appropriate, we have aggressively pursued every opportunity to extend the program's accessibility to those in greatest need. There have been many partners in this effort. For example, following our successful resettlement program for Lao Hmong in Thailand last year, we have obtained the agreement of the Royal Thai Government to commence processing of Burmese refugees in one of the camps along its border with Myanmar. We have engaged our voluntary agency and international organization partners in a successful joint "Targeted Response Team" (TRT) mission to Tanzania, which we expect will result in referral of a large group of Burundian refugees in that country. We have enlisted voluntary agency support in an additional TRT to assist with complicated cross-reference processing of the Meskhetian Turk population in Krasnodar Krai in the Russian Federation. In addition, we expanded our pilot non-governmental organization (NGO) referral initiative by providing training to NGO representatives working on refugee assistance projects in East Asia.

Domestically, the Department of State has worked with agencies participating in the Reception and Placement (R&P) program as refugee arrivals have increased to ensure that they were able to provide services according to established standards of care. Far fewer arriving refugees now have close family members living in the United States who are available to provide support and facilitate the integration process. When combined with the significant linguistic diversity, wide-ranging educational/employment histories of the refugee population and the persistent shortage of available affordable housing particularly in urban areas, resettlement agencies have had to adjust their practices to meet the increasing needs of refugees in the program.

**II. REFUGEE ADMISSIONS PROGRAM FOR FY 2006**

**Proposed Ceilings**

**TABLE I  
REFUGEE ADMISSIONS IN FY 2004 AND FY 2005,  
PROPOSED CEILINGS FOR FY 2006**

<b>REGION</b>	<b>FY 2004 ACTUAL ARRIVALS</b>	<b>FY 2005 ORIGINAL CEILING</b>	<b>FY 2005 REVISED CEILING</b>	<b>FY 2005 PROJECTED ARRIVALS</b>	<b>PROPOSED FY 2006 CEILING</b>
Africa	29,125	20,000	20,000	18,500	<b>20,000</b>
East Asia	8,079	13,000	13,000	12,000	<b>15,000</b>
Europe and Central Asia	9,254	9,500	*15,500	14,250	<b>15,000</b>
Latin America/Caribbean	3,556	5,000	*7,000	6,500	<b>5,000</b>
Near East/South Asia	2,854	2,500	*3,500	2,750	<b>5,000</b>
Unallocated Reserve		20,000	*11,000	0	<b>**10,000</b>
<b>Total</b>	<b>52,868</b>	<b>70,000</b>	<b>70,000</b>	<b>54,000</b>	<b>70,000</b>

\*A total of 9,000 numbers from the Unallocated Reserve was allocated as follows during the fourth quarter of FY 2005: 6,000 to Europe/Central Asia; 2,000 to Latin America/Caribbean; and 1,000 to the Near East/South Asia, as arrivals from each of these regions will exceed the original ceilings.

\*\*The 10,000 unallocated numbers for FY 2006 are funded under the President's FY06 budget request and will be used as needed only upon notification to Congress.

In addition to the proposed ceilings, the President specifies that special circumstances exist so that, for the purpose of admission under the limits established above and pursuant to section 101(a)(42)(B) of the INA, certain persons, if they otherwise qualify for admission, may be considered as refugees of special humanitarian concern to the United States although they are within their countries of nationality or, in the case of persons having no nationality, within the country in which such persons are habitually residing. The FY 2006 proposal recommends continuing such in-country processing for specified groups in Cuba, Vietnam, and the countries of the Former Soviet Union as well as for extraordinary individual protection cases



for whom resettlement is requested by a U.S. ambassador in any location in the world, with the understanding that significant public benefit parole will continue to be the solution to most such cases and that individuals will only be referred to the U.S. Refugee Program following concurrence by USCIS.

## **Admissions Procedures**

### **Eligibility Criteria**

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

- Meet the definition of “refugee” contained in the U.S. Immigration and Nationality Act;
- Be among those refugees determined by the President to be of special humanitarian concern to the United States;
- Subject to certain statutory exceptions and waivers, be otherwise admissible under the INA; and
- Not be firmly resettled in any foreign country.

While applicants who meet the above criteria may be admitted to the United States as refugees in the discretion of DHS, there is no entitlement to U.S. resettlement for these applicants. The admissions program is the legal mechanism for processing refugees who are among those classes of persons of particular interest to the United States. Applicants who fall within the priorities established for the relevant nationality or region are presented to USCIS for determination of eligibility for refugee status under Section 207 of the INA.

### **Worldwide Priority System for FY 2006**

The worldwide processing priority system sets guidelines for the orderly management and processing of refugee applications for admission to the United States within the established annual regional ceilings. These processing priorities are distinct from the issues of whether an applicant is legally admissible to the United States or meets the statutory “refugee” definition. Just as an applicant who may qualify as an admissible “refugee” has no affirmative entitlement to resettlement in the United States, assignment of a person to a particular processing priority only permits access

to apply to the admissions program and does not entitle that person to admission to the United States.

***Priority 1: Individual Referrals***

Priority 1 is reserved for individuals with compelling protection needs or those for whom no other durable solution exists who are identified and referred to the program by UNHCR, a U.S. Embassy, or a non-governmental organization (NGO). This processing priority is available to persons of any nationality.

***Priority 2: Group Referrals***

Priority 2 is used for groups of special humanitarian concern to the United States designated for resettlement processing. It includes specific groups (within certain nationalities, clans, or ethnic groups) identified by the Department of State in consultation with USCIS, non-governmental organizations (NGOs), UNHCR, and other experts. Some Priority 2 groups are processed in their country of origin.

***In-country processing programs included in Priority 2:***

Former Soviet Union

This Priority 2 designation applies to Jews, Evangelical Christians, and Ukrainian Catholic and Orthodox religious activists identified in the Lautenberg Amendment, Pub. L. No. 101-167, § 599D, 103 Stat. 1261 (1989), as amended (“Lautenberg Amendment”), with close family in the United States.

Cuba

Included in this Priority 2 program are human rights activists, members of persecuted religious minorities, former political prisoners, forced-labor conscripts (1965-68), persons deprived of their professional credentials or subjected to other disproportionately harsh or discriminatory treatment resulting from their perceived or actual political or religious beliefs or activities, and persons who have experienced or fear harm because of their relationship -- family or social -- to someone who falls under one of the preceding categories.

## Vietnam

This Priority 2 designation includes persons eligible under the former Orderly Departure Program (ODP) and Resettlement Opportunity for Vietnamese Returnees (ROVR) programs. It will be expanded during FY 2006 to permit consideration of individuals who, due to no fault of their own, were unable to access the ODP program prior to its cut off date. It also includes Amerasian immigrants, whose numbers are counted in the refugee ceiling.

### ***Groups of Humanitarian Concern outside the country of origin included in Priority 2:***

The admissions program will process several Priority 2 groups outside their country of origin and will continue to develop new Priority 2 groups during FY 2006, including Burmese in Tham Hin Refugee Camp in Thailand, Iranian religious minorities, primarily in Austria, and Meskhetian Turks in Krasnodar Krai, Russia.

Additional populations under active consideration for group designation in FY 2006 include Burundians in Tanzania and Bhutanese in Nepal.

### ***Priority 3: Family Reunification Cases***

In FY 2005, we continued to see improvements in integrity and efficiency in processing family reunification cases. Building on that progress, the P-3 program will continue its incremental expansion and during FY 2006 will be open to the largest number of eligible nationalities since 1999. The administration will continue to pursue refinements in program policy and procedures in order to consider further expansion over the course of the year.

In FY 2006, eligibility for a refugee interview is extended to nationals of certain countries who are the spouses, unmarried children under 21, or parents of persons admitted to the United States as refugees or granted asylum, or persons who are lawful permanent residents or U.S. citizens and were initially admitted to the United States as refugees or granted asylum. Eligible nationalities are developed following review of UNHCR's annual assessment of refugees in need of resettlement and ongoing repatriation

programs and opportunities. Eligible nationalities for FY 2006 are listed below.

Afghanistan  
Burma  
Burundi  
Colombia  
Congo (Brazzaville)  
Cuba  
Democratic People's Republic of Korea (DPRK)  
Democratic Republic of Congo (DRC)  
Eritrea  
Ethiopia  
Haiti  
Iran  
Iraq  
Ivory Coast  
Liberia  
Rwanda  
Somalia  
Sudan  
Togo  
Uzbekistan

Eligibility for interview will be established on the basis of an Affidavit of Relationship filed by the relative in the United States and reviewed by USCIS. All Priority 3 applicants must be located outside their countries of nationality or habitual residence and be able to establish a refugee claim independently. Anchor relatives in the United States may also file an I-730 Refugee/Asylee Relative Petition with USCIS to reunite derivative family members. Beneficiaries of an I-730 petition may be located in their country of origin and need not establish a refugee claim. Given these factors, the I-730, or "follow-to-join" process may often be considered the preferred method of reuniting spouses and unmarried children.

### **DHS/USCIS Refugee Adjudications**

Section 207(c) of the INA grants the Secretary of the Department of Homeland Security (DHS) authority to admit, at his discretion, any refugee

who is not firmly resettled in a third country, who is determined to be of special humanitarian concern, and who is admissible to the United States as an immigrant. The authority to determine eligibility for refugee status has been delegated to U.S. Citizenship and Immigration Services (USCIS). During FY 2005, USCIS created a new organizational design to restructure its Office of Refugee Affairs with the establishment of the Refugee Corps. The Refugee Corps will be staffed by USCIS officers dedicated to adjudicating applications for refugee status. The Refugee Corps will provide USCIS with additional resources, as well as increased flexibility, to respond to an increasingly diversified refugee admissions program. USCIS relies on Department of State missions overseas to assess the security environment at proposed circuit ride locations prior to committing to circuit ride travel.

### ***The Eligibility Determination***

In order to be approved as a refugee, an applicant must establish that he or she has suffered past persecution or has a well-founded fear of future persecution on account of race, religion, nationality, membership in a particular social group, or political opinion, as specified in Section 101(a)(42) of the INA. A USCIS officer conducts a face-to-face interview of each applicant. The interview is non-adversarial and is designed to elicit information about the applicant's claim for refugee status. The officer asks questions about the reasons for the applicant's departure from the country of nationality and problems or fears the applicant may have had or will have if returned to the country of nationality. In the in-country processing programs, the officer's questions focus on problems the applicant has had or fears having if he or she remains in his/her country of nationality. Background information concerning conditions in the country of nationality is considered, and the applicant's credibility and claim are assessed.

Under U.S. law, a person who has ordered, incited, assisted or otherwise participated in persecution on account of race, religion, nationality, membership in a particular social group, or political opinion is not a refugee. Likewise, an applicant who has been "firmly resettled" in a third country may not be admitted under INA § 207. Applicants are also subject to various statutory grounds of inadmissibility, including criminal, security, and public health grounds, some of which may be waived.

## *Actions on Admission*

Fingerprints of arriving refugees are taken at the port of entry if they were not taken prior to travel. Refugees are authorized for employment upon admission. After one year, a refugee is eligible to apply for adjustment of status to lawful permanent resident. Five years after admission, a refugee who has been granted lawful permanent resident status is eligible to apply for citizenship.

## **Processing Activities of the Department of State**

### *Overseas Processing Services*

In most processing locations, the Bureau of Population, Refugees, and Migration (PRM) in the Department of State engages an NGO, IOM, or U.S. Embassy contractors to manage an Overseas Processing Entity (OPE) to assist in the processing of refugees for admission to the United States. All of the OPEs pre-screen applicants to preliminarily determine if they qualify for one of the applicable processing priorities and to prepare cases for USCIS adjudication. The OPEs assist applicants with completing documentary requirements and schedule USCIS refugee interviews as appropriate. If an applicant is approved for resettlement, OPE staff guide the refugee through post-adjudication steps, including obtaining medical screening exams and attending cultural orientation programs. The OPE obtains sponsorship assurances, and, once appropriate security clearances are obtained, refers the case to IOM for transportation to the United States.

In FY 2005, NGOs worked under OPE contracts with PRM at locations in Austria, Kenya (covering East Africa) and Ghana (covering West Africa). International organizations (IOM and the International Catholic Migration Commission [ICMC]) support refugee processing activities in Egypt, Russia, Pakistan, and Turkey. U.S. Government contractors provide processing services in Cuba, Thailand, and Vietnam. Expanded resettlement plans in East Asia will result in the conversion of the contractor-operated OPE in Thailand to a full-scale regional OPE. In addition, PRM will solicit proposals for a regional OPE in Kathmandu. PRM will also host a workshop early in FY 2006 to provide refugee coordinators and processing staffs from overseas OPEs enhanced training on the role of the OPE, case screening and preparation, processing procedures,

interagency coordination, antifraud measures, and handling refugee cases in a professional, unbiased, and culturally sensitive manner.

### ***Cultural Orientation***

The Department of State strives to ensure that refugees who are accepted for admission to the United States are prepared for the significant life changes they will experience through resettlement by providing cultural orientation programs prior to departure for the United States. It is critical that refugees arrive with a realistic view of what their new lives will be like, what services are available to them, and what their responsibilities will be. Every refugee family receives *Welcome to the United States*, a resettlement guidebook developed with input from refugee resettlement workers, resettled refugees, and state government officials. *Welcome to the United States* is produced in ten languages: English, French, Spanish, Russian, Serbo-Croatian, Arabic, Somali, Vietnamese, Amharic, and Farsi. Through this book, refugees have access to accurate information about initial resettlement before they arrive. The material in *Welcome to the United States* is also provided in some locations in video format. In addition, the Department of State enters into cooperative agreements for one- to three-day pre-departure orientation classes for eligible refugees at sites throughout the world.

### ***Transportation***

The Department of State makes available funds for the transportation of refugees resettled in the United States through a program administered by IOM. The cost of transportation is provided to refugees in the form of a loan. Beneficiaries are responsible for repaying these costs over time, beginning six months after their arrival.

### ***Reception and Placement (R&P)***

PRM maintains cooperative agreements with ten organizations, including nine private voluntary agencies and one state government agency, to provide initial resettlement services to arriving refugees. The R&P agencies agree to provide initial reception and core services (including housing, furnishings, clothing, food, and medical referrals) to arriving refugees. These services are now provided according to standards of care developed jointly by the NGO community and U.S. Government agencies

in FY 2001, and implemented in FY 2002. The ten organizations maintain a nationwide network of over 375 affiliated offices to provide services.

The R&P agreement obligates the participating agencies to provide the following services, using R&P funds supplemented by cash and in-kind contributions from private and other sources:

- Sponsorship;
- Pre-arrival resettlement planning, including placement;
- Reception on arrival;
- Basic needs support (including housing, furnishings, food, clothing) for at least 30 days;
- Community orientation;
- Referrals to health, employment, and other services as needed;
- and
- Case management and tracking for 90-180 days, depending upon availability of anchor relatives.



**III. REGIONAL PROGRAMS**

**TABLE II  
PROPOSED FY 2006 REGIONAL CEILINGS BY PRIORITY**

<b><u>AFRICA</u></b>	
Approved pipeline from FY 2005	9,000
Priority 1 Individual Referrals	2,000
Priority 2 Groups	3,000
Priority 3 Family Reunification Refugees	6,000
	<b><u>Total Proposed: 20,000</u></b>
<b><u>EAST ASIA</u></b>	
Approved pipeline from FY 2005	3,000
Priority 1 Individual Referrals	2,000
Priority 2 Groups	10,000
	<b><u>Total Proposed: 15,000</u></b>
<b><u>EUROPE / CENTRAL ASIA</u></b>	
Approved pipeline from FY 2005	5,500
Priority 1 Individual Referrals	500
Priority 2 Groups	9,000
	<b><u>Total Proposed: 15,000</u></b>
<b><u>LATIN AMERICA / CARIBBEAN</u></b>	
Approved pipeline from FY 2005	2,500
Priority 1 Individual Referrals	150
Priority 2 Groups	2,300
Priority 3 Family Reunification Refugees	50
	<b><u>Total Proposed: 5,000</u></b>
<b><u>NEAR EAST / SOUTH ASIA</u></b>	
Approved pipeline from FY 2005	500
Priority 1 Individual Referrals	2,400
Priority 2 Groups	2,000
Priority 3 Family Reunification Refugees	100
	<b><u>Total Proposed: 5,000</u></b>
<b><u>UNALLOCATED RESERVE</u></b>	<b><u>10,000</u></b>
<b><u>TOTAL PROPOSED CEILING:</u></b>	<b><u>70,000</u></b>

In the following regional program overviews, a description of refugee conditions and religious freedom in each region is provided. In addition, prospects for voluntary repatriation, resettlement within the region, and third country resettlement are discussed.

## **AFRICA**

Fiscal year 2005 saw progress on several fronts for major refugee populations in Africa. With advances toward resolution of several long-term conflicts on the continent, UN-organized repatriations were underway in Angola, Liberia, Burundi, and Democratic Republic of Congo (DRC). Similar operations were being planned for Sudan, while some spontaneous returns were already underway. In all, some 290,000 African refugees returned to their countries of origin during FY 2004, and over 325,000 more are expected to repatriate during FY 2005. At the same time, continuing violence in eastern DRC, the Darfur region of Sudan, western Ethiopia, and Ivory Coast, along with new upheaval in Togo, have created new refugee flows or threatened refugees in their countries of first asylum. There are approximately 4 million “persons of concern” across the African continent, including 2.7 million refugees, about 25% of the worldwide population of refugees and asylum seekers.

The principle of first asylum is still honored by most African countries. Traditionally, refugees in Africa have been allowed to remain – and in many cases to integrate locally – until voluntary repatriation is possible. This tradition of tolerance has been challenged, however, from time to time in countries such as Tanzania, where successive waves of long-staying refugees strain the country’s willingness to host them. For the most part, the generosity displayed by African countries toward refugees and asylum seekers continues.

In fiscal year 2004, African refugee admissions reached a record 29,125. These numbers represented a sharp rebound from the limited numbers of the two previous years, and resulted largely from success in working through the backlog of cases created while new security and fraud screening measures were implemented post-9/11. In fiscal year 2005, with the backlog largely eliminated, the pace moderated somewhat, and we anticipate approximately 19,000 arrivals.

## *Religious Freedom*

In sub-Saharan Africa, people are generally free to practice their chosen religion. Religious tolerance is a generally accepted and widely practiced principle in many countries, though religious freedom is sometimes limited, particularly in the midst of ethnic and other conflicts. Ethiopia, with its rich Muslim and Christian traditions, is a good example of growing religious tolerance competing with intra-religious tension. The Government of Eritrea, however, has in recent years engaged in serious religious repression, shutting down independent Protestant churches and arresting hundreds of Protestant worshippers. Eritrea has also targeted Jehovah's Witnesses, banning their places of worship and imprisoning a number of worshippers. There are reports of persecution of Jehovah's Witnesses, related primarily to a government's desire to force compliance with state policies that Jehovah's Witnesses deem contrary to their faith.

There are also places where communal violence has been motivated by religious differences, such as in Nigeria. In northern Nigeria, non-Muslims have been adversely affected by certain social provisions associated with Sharia law, which has been adopted in some form by 12 states. In Sudan, Sharia has been the sole source of legislation and non-Muslims have been subject to government restrictions and societal pressures that inhibit the free exercise of religion. The new constitution adopted as part of Sudan's January 2005 Comprehensive Peace Agreement generally limits the application of Sharia to the north and recognizes the principle of freedom of religion throughout the country. Sudan continues to have a documented record of human rights abuses, and there have been some instances of preferential distribution of limited humanitarian assistance in an apparent attempt to convert the aid recipients to Islam.

Both Eritrea and Sudan are currently among the countries of particular concern as identified by the International Religious Freedom Commission. The U.S. admissions program continues to be available to Sudanese, Eritrean and other refugees who are victims of religious intolerance through UNHCR or Embassy referrals. Refugees from Eritrea and Sudan also have access to the program through the family reunification priority (Priority 3).

### ***Voluntary Repatriation***

Despite the number of protracted refugee situations throughout Africa, voluntary repatriation to a secure environment remains the most common and desirable durable solution. Close to 300,000 Sierra Leonean refugees have returned home in recent years, most through an organized UN repatriation program that was completed in 2004. Some Liberians spontaneously returned from Ivory Coast, Sierra Leone and Guinea, as well as other neighboring countries in 2004. The UN began facilitating voluntary repatriation in October 2004 to assist in the ongoing return of some 320,000 Liberian refugees. In Angola, some 300,000 refugees have returned home since 2002. Of the 150,000 remaining Angolan refugees (mostly in Zambia, DRC, and Namibia), most are expected to return home with UN assistance in 2005 with a small residual caseload returning in 2006. Some 270,000 Burundian refugees have returned home since 2002, more than 90,000 of them from Tanzania with UNHCR assistance last year alone. This operation will continue into 2007.

The UN is currently planning a large-scale organized repatriation to begin in late 2005 to assist some 550,000 Sudanese refugees return home from Uganda, Ethiopia, DRC, Kenya, and Egypt. (The 200,000 new Sudanese refugees from Darfur now in Chad are not expected to return home in the near term.) In the DRC, despite the signing of a peace accord in July 2003, instability and sporadic violence persisted in the east. While UNHCR was able to launch repatriation operations for 24,000 from the Republic of Congo (ROC), only limited spontaneous return was possible to eastern DRC. Depending on security conditions, UNHCR will work towards repatriation of Congolese to eastern DRC in 2006.

### ***Local Integration***

In the 1960s and 1970s, many African countries accepted significant numbers of refugees and provided them land to cultivate. In the years since, however, large refugee outflows combined with increased pressure on land in most African countries have resulted in African refugees' increasing confinement to refugee camps or settlements. Where some refugees had achieved de facto integration, such as in Ivory Coast, xenophobic attacks on foreigners have recently highlighted the fragility of such informal arrangements. Few African countries have offered formal, permanent integration of refugees, although there are some exceptions. Guinea is

reportedly ready to offer local integration to Liberians and Sierra Leoneans who are not willing or able to return. South Africa has allowed the permanent integration of a significant number of refugees, mostly from Mozambique. While the governments of Zambia, Uganda, and Kenya have expressed an interest in providing refugees with citizenship and local integration opportunities, draft legislation on these initiatives has thus far foundered due to lack of public support.

### ***Third Country Resettlement***

Resettlement in third countries outside the region is an essential durable solution for some African refugees. Third country resettlement is an important element of protection, given the political and economic volatility in many parts of Africa. With limited opportunities for complete, permanent integration in countries of asylum and often-protracted periods in refugee camps before voluntary repatriation becomes an option, the need for third country resettlement of African refugees will continue. In recent years, UNHCR has increasingly viewed resettlement as an important tool of protection and a durable solution for refugees in Africa. All resettlement countries, in particular the United States, Canada, and Australia, process refugees for resettlement from Africa, but the United States resettles far more than any other country.

### ***FY 2005 U.S. Admissions***

We anticipate admitting some 19,000 refugees from Africa in FY 2005. Four countries of origin (Somalia, Liberia, Sudan, and Ethiopia) account for the majority of refugee arrivals. Refugees of many other African nationalities are also being resettled in smaller numbers.

In the past two years, we have made great strides to improve efficiency in completing the enhanced security procedures instituted in the aftermath of September 11, particularly the Security Advisory Opinion (SAO) component, which so impacted arrivals from Africa. Thanks to improved coordination with intelligence and law enforcement agencies and the addition of new staff at the Department of State dedicated to processing refugee SAOs, delays caused by this enhanced security check were dramatically reduced in FY 2004 and 2005.

In addition, FY 2005 saw continued improvement in the security conditions in some processing locations, such as Kakuma Camp in Kenya, where USCIS officers conducted interviews almost continuously throughout FY 2005. The Dadaab refugee camp in Kenya was cleared for USCIS interviews in FY 2005, resulting in several important circuit rides. Circuit rides also increased in Ethiopia in FY 2005, including in several new locations. Although difficult security conditions persist in some locations, such as Yemen, refugee processing continues.

Finally, USCIS has continued to verify claimed family relationships between U.S. anchor relatives and refugee applicants in the P-3 caseload in order to address the historically high levels of relationship fraud in the African P-3 program. Through its Refugee Access Verification Unit (RAVU), USCIS has been able to screen out many fraudulent applications and has thereby increased the productivity and integrity of the adjudications overseas.

UNHCR's introduction of Project Profile to register all refugees worldwide is a major effort to combat fraud and facilitate refugee processing, which will have a positive impact on cases referred for resettlement.

### ***FY 2006 U.S. Resettlement Program***

The proposed number of African refugees to be admitted in FY 2006 is 20,000. This will allow the United States to respond to the resettlement needs of certain groups of African refugees, while realistically approaching the logistical and political realities of refugee processing in this complex working environment. PRM has actively engaged all appropriate offices within the Department of State, the voluntary agency community, UNHCR, and USCIS to help identify caseloads appropriate for resettlement that would likely qualify under U.S. law. As a result of these discussions, PRM has identified a number of groups for priority processing during FY 2006.

The estimate of 9,000 individuals in the pipeline of approved refugees who will likely arrive during FY 2006 includes P-1, P-2, and P-3 cases approved during FY 2005. Among these are Somali Bantu, Somali Benadir, and Somali Barawan from Kakuma and Dadaab camps in Kenya. Smaller numbers of Congolese, Burundians, and Rwandans will arrive from Mozambique, while some Somalis will also be resettled from Uganda.

Vulnerable Liberians from various countries in West Africa, many of whom have been displaced several times, will continue to arrive. Somali women-at-risk and Sudanese cases already in the pipeline will be resettled from Egypt.

PRM continues to work closely with UNHCR to strengthen its resettlement referral capacity in Africa. It is currently funding nine resettlement positions in six African countries: Ghana, Sierra Leone, Kenya, Ethiopia, Tanzania, and Egypt. In return, PRM anticipates an estimated target of 11,000 referrals from UNHCR in these countries during calendar year 2005 (many of whom will be processed in FY 2006).

In East Africa, we expect to begin processing of up to 15,000 Burundians in Tanzania, resulting in some arrivals during FY 2006. In addition, we are considering offering interviews to 1,700 ethnic Luba who fled the DRC to Zambia in 1993 and 400 Rwandan refugees in Zambia, both groups listed by UNHCR as being in need of resettlement due to lack of repatriation or local integration possibilities. While we do not anticipate a large group referral from Mozambique, we do expect increased individual referrals of vulnerable cases from Marratane Camp, a group identified by a Targeted Response Team mission.

In West Africa, with Liberian repatriation underway, we expect to process several small caseloads rather than any large groups. This includes a caseload of about 500 vulnerable Liberians in Nigeria, about 700 individuals of various nationalities in Ivory Coast, and a small group of 200 Nigerian Ogoni in Benin. Individual refugee referrals of particularly vulnerable cases are expected from Ghana, Cameroon, Gabon, and Guinea. We will also be examining the residual numbers of Sierra Leonean refugees throughout the region for possible resettlement, as repatriation has ended.

In Egypt, we expect fewer referrals of Sudanese than in previous years, given the progress of the peace process and UNHCR Cairo's decision last year to suspend new registrations for refugee status determinations (RSDs) for Sudanese. Cases in the UNHCR pipeline for resettlement will be referred for possible resettlement, and we have encouraged UNHCR to continue to refer vulnerable cases such as women at risk and individuals from the Darfur region. At the same time, we expect referrals of Somalis in Egypt to increase. Small numbers of Sudanese and Somalis will continue to be processed in Syria and Lebanon.

***Proposed FY 2006 Africa program:***

<b><i>Approved pipeline from FY 2005</i></b>	<b><i>9,000</i></b>
<b><i>Priority 1 Individual Referrals</i></b>	<b><i>2,000</i></b>
<b><i>Priority 2 Groups</i></b>	<b><i>3,000</i></b>
<b><i>Priority 3 Family Reunification Refugees</i></b>	<b><i>6,000</i></b>
<b><u><i>Total Proposed Ceiling</i></u></b>	<b><u><i>20,000</i></u></b>

***Possible Future Groups***

In addition to the 15,000 Burundi in Tanzania described above, we continue to consider the 4,000 ethnic Kunama (Eritrean) refugee population in Ethiopia and a group of some 1,700 ethnic Luba in Zambia for possible resettlement. We are currently working on the possible referral of a group of 1,000 Congolese Banyamulenge in Burundi who have particular protection concerns and a group of Eritreans in Saudi Arabia. We are also looking into the possibility of processing smaller groups of Somalis, Sudanese and Ethiopians from both Dadaab and Kakuma camps in Kenya based on UNHCR's recent registration efforts in those camps and resultant efforts to identify groups of particular vulnerability.

**EAST ASIA**

East Asian countries host a large and diverse refugee population and recent years have seen important developments for these groups, particularly involving the strategic use of resettlement as a durable solution.

Thailand continues to host the largest population of refugees in East Asia. More than 140,000 Burmese, mostly ethnic minorities, are recognized by UNHCR and live in nine Thai-administered refugee camps along the Thai-Burma border. UNHCR will complete a comprehensive registration of this population by the end of the summer. The United States plans to start resettlement processing from one of these border camps in the first quarter of FY 2006. Thailand also continues to host a number of Lao Hmong refugees. Although the United States resettled many Lao Hmong prior to 1995, none were resettled from 1995-2003. In FY 2004, the Thai Government requested that the United States offer resettlement interviews to



a population of some 15,000 Lao Hmong in Wat Tham Krabok. As of June 2005, about 5,000 Hmong from this group were still in Thailand in the final stages of processing. The vast majority will arrive by the end of the calendar year.

Since 2003, UNHCR Malaysia has operated the largest refugee status determination program in the world. As of February 2005, UNHCR had registered some 37,000 persons of concern. They include asylum seekers from Burma (mainly Chin, Rohingyas, and other Burmese Muslims) and Acehnese from Indonesia. Malaysia is not a party to the 1951 UN Convention Relating to the Status of Refugees. Arrest, detention, harassment, and deportation of asylum seekers have increased in 2005. UNHCR plans to use resettlement as a strategic tool for almost 8,000 of these refugees. As of May 2005, UNHCR had referred 300 Chin for resettlement in the United States and most of these cases will have been interviewed by USCIS by the end of FY 2005. UNHCR hopes to refer another 1,000 during the first quarter of FY 2006. The USG has urged UNHCR to increase the staffing of the Kuala Lumpur office to allow more referrals to be submitted while simultaneously assisting those refugees who will not be resettled.

As of July 2005, there were about 540 Vietnamese Montagnards under UNHCR protection in Cambodia. (Cambodia is the only country in Indochina to have ratified the 1951 UN Convention.) In January 2005, UNHCR and the Governments of Cambodia and Vietnam signed a Memorandum of Understanding (MOU) of issues pertaining to durable solutions for this group of Montagnards. The MOU facilitated third country resettlement and some voluntary repatriation. Local integration is not an option. UNHCR continues to deal with issues such as the refusal of a number of Montagnards to accept offers of third country resettlement and limited access to monitor returnee conditions in the Central Highlands of Vietnam.

In 2005, the USG and the Government of Vietnam agreed to resolve outstanding humanitarian resettlement issues through a program in which the United States would receive new applications from Vietnamese citizens who might have been eligible under three categories of the former Orderly Departure Program (ODP) for consideration for resettlement to the United States. This process is open only to those who were unable to apply or who were unable to complete the application process before the ODP closed on

September 30, 1994. The United States will formally announce this program later this year. We do not know how many individuals will apply or how many will be approved.

Over 19,000 Burmese Muslim Rohingyas remain in two UNHCR camps in southern Bangladesh. More than 200,000 of this group repatriated to Burma over the past ten years. UNHCR continues to facilitate repatriation of those who wish to return to their homes and provides protection and support after they have returned.

In April 2004, the governments of the United States and the Philippines announced plans to consider a group of almost 2,000 Vietnamese who have long resided in the Philippines for resettlement in the United States. The U.S. Refugee Program is now processing these cases. USCIS will interview all cases in August and September 2005, and most of those approved should travel to the United States in the early part of FY 2006. The Philippine Government has agreed to make efforts to regularize the status of those not approved for the U.S. program. Other governments have offered to resettle those with close family ties to their respective countries.

As reflected in the North Korean Human Rights Act (NKHRA), the United States is very concerned about the human rights situation of North Koreans both inside the DPRK and in certain neighboring countries. We continue to press for improvements in ongoing consultations with governments, international organizations and NGOs. Resettlement of North Koreans in the United States is available in cases where this solution is deemed appropriate.

### ***Religious Freedom***

While many governments in East Asia permit freedom of worship, religious believers face serious persecution in some countries. The DPRK severely restricts religious freedom, including organized religious activity, except that which is supervised tightly by officially recognized groups linked to the Government. While the DPRK Constitution provides for "freedom of religious belief," genuine religious freedom does not exist.

The situation in other countries such as China, Vietnam, and Laos is also troubled. While the constitutions of these countries ostensibly provide for freedom of religion, these governments restrict or repress activities of

religious organizations in practice. Many independent religious activities are either prohibited or severely restricted, and dissenters face possible physical mistreatment or imprisonment. Despite dramatic increases in religious observance in China, the government continues to harass and interfere with unregistered religious groups, most notably the unofficial Catholic churches loyal to the Vatican, Protestant "house churches," some Muslim groups, Buddhists loyal to the Dalai Lama, and the Falun Gong spiritual movement. There are many cases of arrest, imprisonment, and alleged torture of religious believers in China. In Laos, we have seen modest improvements in religious freedom; however, problems remain, particularly in Savannakhet and Attapeu Provinces, where Christians periodically have been detained or asked to renounce their faith. The DPRK, China, and Burma remain "Countries of Particular Concern" (CPCs) with respect to religious freedom.

Vietnam was designated a CPC for the first time in September 2004. Subsequently, Vietnam has made progress on many religious freedom issues, and the USG and GVN signed a Religious Freedom Agreement in May 2005. Vietnam has banned the practice of forced or coerced renunciations of faith, released a number of prominent prisoners of concern and begun to register and permit the reopening of churches that had previously been closed. A new Ordinance on Religion took effect in November 2004 and implementation regulations, released in March 2005, increase the latitude and protection for religious belief and practice. While these are all positive developments, the USG will continue to closely monitor religious freedom issues in Vietnam.

Nationals of the DPRK, China and Burma have access to the U.S. refugee admissions program through Priority 1 individual referrals. In addition, the United States continues to operate in-country Priority 2 processing for Vietnamese refugees. Certain Burmese will also be processed in FY 2006 under Priority 2. Burmese and North Korean (new for FY 2006) refugees also have access to processing through the family reunification priority (Priority 3).

### ***Voluntary Repatriation***

The pace of repatriation of the Rohingyas in Bangladesh remains slow. A small number of Vietnamese Montagnards in Cambodia have

chosen to repatriate although UNHCR international staff are not yet allowed to monitor their return.

### ***Local Integration***

Countries in the region are traditionally reluctant to integrate refugees or even to grant temporary asylum. Nevertheless, the success of the U.S. resettlement program for Lao Hmong from Wat Tham Krabok and the U.S. plan to interview the Vietnamese in the Philippines, has elicited pledges from both governments to address the status of individuals found ineligible or who are otherwise unable to resettle abroad. Similarly, the Government of Malaysia has been somewhat receptive to the efforts of UNHCR and the USG to find a local solution for the Rohingyas and the Acehese.

### ***Third Country Resettlement***

The United States and other resettlement countries, including Australia, Canada, New Zealand, and the Nordic countries, continue to process refugee cases from East Asia referred by UNHCR. In FY 2005, the United States processed UNHCR-referred refugee cases in Thailand, Cambodia, Indonesia, Malaysia, and China. The United States also continues to administer an in-country refugee admissions program in Vietnam, managed by the Refugee Resettlement Section at the U.S. Consulate General in Ho Chi Minh City.

### ***FY 2005 U.S. Admissions***

We expect to admit some 12,000 refugees from East Asia in FY 2005. The majority -- more than 9,000 -- are Lao Hmong from Wat Tham Krabok in Thailand. Another 1,300 urban Burmese referred by UNHCR in Thailand are expected to arrive in FY 2005. We also expect some 750 individuals to arrive from Vietnam and more than 260 Montagnards from Cambodia.

Due to serious fraud concerns, Amerasian processing was suspended in 2003 while the Department of State developed new guidelines for the processing of this small residual population. The new guidelines were released in 2004, but there is now a backlog of about 500 cases with the Refugee Resettlement Section in Ho Chi Minh City. The Consulate is working through this backlog as quickly as possible.

The McCain-Davis amendment, which provides an opportunity for refugee admission for certain sons and daughters of Vietnamese admitted to the United States as refugees, was extended during FY 2005. There were some 1,500 persons pending interview in this category at the time of the extension. All pending cases will be interviewed by the end of FY 2005.

***FY 2006 U.S. Resettlement Program***

We propose an admissions ceiling of 15,000 for East Asia for FY 2006. The number includes over 9,000 Burmese refugees in the Tham Hin camp as well as the those within the group of 1,400 urban Burmese whose processing was delayed in FY 2005 because they were moved to the border camps. We also intend to resettle larger numbers of eligible members of the Burmese Chin population located in Malaysia. We will be developing criteria for resettlement of some number of Tibetan refugees in Nepal. We will resettle some Vietnamese through the Humanitarian Resettlement program in Vietnam, although it is difficult to predict their number. We will resettle those Vietnamese in the Philippines who are eligible, but the exact number depends on the outcome of USCIS adjudications late in FY 2005. Finally, we will resettle that portion of the 1,500 McCain-Davis Amendment cases that are not able to travel by the end of FY 2005. To accommodate anticipated increased admissions from the region, we are planning to expand our processing capacity during 2006 by opening regional OPEs in Bangkok and Kathmandu.

***Proposed FY 2006 East Asia Program:***

<b><i>Approved pipeline from FY 2005</i></b>	<b><i>3,000)</i></b>
<b><i>Priority 1 Individual Referrals</i></b>	<b><i>2,000</i></b>
<b><i>Priority 2 Groups (including HR)</i></b>	<b><i>9,800</i></b>
<b><i>Priority 3 Family Reunification</i></b>	<b><i>200</i></b>
<b><u><i>Total Proposed Ceiling</i></u></b>	<b><u><i>15,000</i></u></b>

***Possible Future Groups***

Depending on the success of the resettlement program for Burmese refugees in Tham Hin, we will pursue further resettlement of Burmese from

other camps along the border. We are also considering the possibility of resettling Burmese Chin refugees in India.

## **EUROPE AND CENTRAL ASIA**

The situation for refugees and displaced persons in Europe and Central Asia offers a complicated good news/bad news picture. Since the demise of the Soviet Union, important steps have been taken by many nations in Eastern Europe, as well as Central Asia, in the direction of democratization, rule of law, civil rights, and tolerance. For example, Estonia, Latvia, and Lithuania are functioning democracies, and each of these governments generally respects the human rights of its citizens, including freedom of speech, press, and religion. In general, the nations that once comprised the Soviet Union have for over a decade demonstrated a wide divergence of both political progress and economic growth. That said, nations such as Belarus, Turkmenistan, and Uzbekistan continue to lag far behind others in undertaking any significant progressive reforms. In some areas of democratization, rule of law, and civil/human rights, these and other nations in the region are actually becoming more repressive. Failing economies continue to plague them. Of greater significance, however, are authoritarian regimes in several of these nations that attack and undermine civil society by persecuting journalists, crushing legitimate opposition, restricting freedom of religion, and violating human rights. Russia, while achieving certain basic elements of democracy and progress on many market economy reforms, has not done enough to discourage attacks against dark-skinned foreigners, immigrants, and refugees within its borders.

UNHCR reported that in early 2005, some 5 million individuals were either asylum seekers, refugees, internally displaced persons (IDPs), or otherwise “of concern” throughout the region. Most had fled conflicts outside the region, such as in Afghanistan, but persons allegedly experiencing persecution within the countries of the Former Soviet Union are also included. Furthermore, even those nations pursuing more liberal, democratic governance have been slow or reluctant to recognize, protect, and integrate refugees and at-risk individuals. Although UNHCR has been working with many of these governments on asylum processes and refugee protection laws, this work has produced limited results.

Although diminishing in number, nationals of the countries of the former Yugoslavia continue to be represented among the population of

asylum seekers in Europe. While both the human rights situation and repatriation opportunities continue to improve, neither is ideal—particularly for returning minorities.

Since 1989, the U.S. refugee admissions program has accepted applications from certain religious minorities in the nations that made up the Former Soviet Union who also have close family ties to the United States. Under the Lautenberg Amendment, Jews, Evangelical Christians, and certain members of the Ukrainian Catholic or Ukrainian Orthodox Churches benefit from a reduced evidentiary burden when seeking eligibility for refugee status.

In addition to those eligible under the Lautenberg Amendment, individuals of all nationalities throughout the region may be referred for Priority 1 processing.

### ***Religious Freedom***

Freedom of religion has varied widely in the former republics following the breakup of the Soviet Union. Most states regulate religious groups and activities to some degree, following the Western European model of establishing so-called “traditional” religions that enjoy privileges sometimes denied to other, newer religious groups. These same states sometimes view other groups as “dangerous sects and cults.” Many states have enacted restrictive legislation to govern the activities of foreign missionaries, especially those from Protestant or “nontraditional” denominations. In many cases, registration with state bodies was required, not only to establish a group as a legal entity able to rent or own space, but in some cases to hold religious services, a practice which is inconsistent with the right to freedom of religion. In many central European countries, onerous membership and legal requirements restrict new religions from enjoying the privileges of traditional religions, such as the right to appoint military and prison chaplains and receive state subsidies.

Restitution of religious properties seized in Communist and even Nazi times is frustratingly slow and inconsistent.

Anti-Semitic statements by elected officials, demonstrations by extremist groups, and vandalism against cemeteries and monuments have been reported, most often in the western successor states, such as Russia and

Belarus. In addition, attacks on individuals, synagogues and other places where religious groups gather have been reported in Russia. In the Caucasus and Central Asian states, the remaining small Jewish communities enjoy reasonably amicable relations with their Muslim compatriots. Jewish communities from Azerbaijan in the Caucasus to Bukhara and Tashkent in Uzbekistan report societal and governmental support. In contrast, anti-Semitic acts, including attacks on Jewish individuals and leaders, have continued to occur in Russia, notwithstanding the energetic condemnation of such acts by President Putin. Police investigation of these incidents, usually described as mere “hooliganism,” has been lax. On the other hand, observant Muslims across Europe and the Former Soviet Union have complained of being treated as potential Islamic extremists. This treatment may consist of legal prohibitions against wearing clothing or beards marking one as an observant Muslim in certain public contexts, frequent requests for identification documents in Russia and Ukraine or detentions and arrests in Central Asia, including the possibility of torture in Uzbekistan.

Religion and ethnicity are closely intertwined in the Balkans, so it is often difficult to identify acts as primarily religious or primarily ethnic in origin. Persecution on ethnic/religious grounds was a significant factor in both the Bosnia and Kosovo resettlement efforts. The refugee admissions program has provided protection for persecuted Muslims, Catholics, and Orthodox Christians, as well as individuals of other religious minorities and mixed marriages. We will continue to work with UNHCR, non-governmental organizations, human rights groups, and U.S. missions to identify victims of religious persecution for whom resettlement is appropriate.

### ***Voluntary Repatriation***

In the former Soviet republics, the U.S. resettlement program considers applications for refugee status from individuals who meet the criteria for the Lautenberg Amendment while still in their countries of origin. For these cases, voluntary repatriation is not an option.

Voluntary repatriation is also not an option for Meskhetian Turks and other de facto stateless populations. With the dissolution of the Soviet Union, their former homes are now in new countries with new citizenship laws that do not currently provide them with any legal status.



International efforts are being made to repatriate Afghans and citizens from certain African nations, such as Angola, because of changing country conditions and increased stability in their home nations. We continue to accept referrals of at-risk Afghans, Africans, and others in the region who are unable to repatriate.

The rate of ethnic minority returns to the Balkans declined during 2004, but should increase over the next two to three years, as the Balkan governments have resolved to help refugees and internally displaced persons find durable solutions pending a solution for Kosovo. While the international community continues to support efforts to create favorable conditions for the return of minorities in the region, inter-ethnic violence in Kosovo in March 2004 showed that more needs to be done to ensure the security and safety of minorities and to encourage additional returns.

### ***Local Integration***

Since the Presidential Determination establishing refugee admissions program levels each year allows for the in-country processing of nationals of the countries that were formerly republics of the Soviet Union who meet the criteria of the Lautenberg Amendment, integration in the country of first asylum is not applicable for those cases.

Local integration is always considered for third country nationals identified as refugees by UNHCR. Given the xenophobic policies of most governments in the region, however, local integration is generally not a viable option. There are also particular difficulties in local integration of those who entered Russia from other former Soviet republics before 1992. Although legally entitled to Russian citizenship, many remain unable to receive passports and regular legal status.

### ***Third Country Resettlement***

The United States and other resettlement countries continue to accept immigrants and refugees from the region. Jewish emigration to Israel continues, with some 10,400 individuals availing themselves of this opportunity in 2004. UNHCR has referred and will continue to refer to the United States, Canada, and other resettlement countries a number of at-risk individuals fleeing various forms of persecution within the region, as well as Afghan and African refugees who are unable to repatriate.

### ***FY 2005 U.S. Admissions***

In FY 2005, we estimate 14,250 admissions from Europe and Central Asia, a significant increase from the 9,254 arrivals from the region last year. The majority of FY 2005 admissions from the region will be Meskhetian Turk refugees processed in Krasnodar Krai, Russia. Religious minorities processed under the Lautenberg Amendment from countries of the Former Soviet Union also constitute a significant portion of the caseload, although the number applying for this program continues to decline each year. During FY 2005, circuit rides took place to process refugees in Almaty, Ashgabat, Baku, Belgrade, Bishkek, Bratislava, Chisinau, Frankfurt, Kiev, Skopje, Tashkent, Tblisi, and The Hague.

Approximately 60 refugees from the former Yugoslavia will be admitted during FY 2005. Family reunification programs for Bosnian refugees were phased out during FY 2001, but some residual cases registered before the cut-off dates were processed and arrived in the United States during FY 2005.

In February 2004, we began a program for interested and eligible Meskhetian Turks who have resided without legal status in the Krasnodar Krai region of Russia since the early 1990s. An initial group of 85 Meskhetian Turks was resettled in FY 2004, and we anticipate resettling some 9,500 by the end of FY 2005. Arrivals will continue through FY 2006.

### ***FY 2006 U.S. Resettlement Program***

The proposed FY 2006 ceiling for refugees from the region is 15,000. It includes a significant number of individuals who will be in the final stage of admissions processing at the end of FY 2005, as well as new cases approved in FY 2006. Priority 2 includes both Meskhetian Turks and individuals processed under Lautenberg guidelines in the Former Soviet Union.

***Proposed FY 2006 Europe & Central Asia Program:***

<b><i>Approved pipeline from FY 2005</i></b>	<b><i>5,500</i></b>
<b><i>Priority 1 Individual Referrals</i></b>	<b><i>500</i></b>
<b><i>Priority 2 Groups</i></b>	<b><i>9,000</i></b>
<b><u><i>Total Proposed Ceiling</i></u></b>	<b><u><i>15,000</i></u></b>

***Possible Future Groups***

Processing of the Meskhetian Turks will continue through FY 2006. The success with this group may lead to the consideration of other minority groups long resident in Russia or other countries in the region that are unable to obtain citizenship or normal legal status. With the impending change to Russian residency laws, the U.S. Refugee Program may reevaluate the previous Priority 2 program for certain Baku Armenians in the Moscow region. We also anticipate processing a small group of Uzbek refugees in Romania.

**LATIN AMERICA AND THE CARIBBEAN**

According to UNHCR, as of January 1, 2005, the number of refugees, asylum seekers, and other people of concern in Latin America and the Caribbean totaled over 2.9 million. The ongoing conflict in Colombia generated the most significant numbers of refugees and IDPs in the region. UNHCR reports that there are approximately 46,000 Colombian asylum seekers in the region and over two million internally displaced persons in Colombia. Periods of political upheaval in Haiti contributed to some population displacement in the Caribbean. Several countries in the region with significant refugee populations, such as Venezuela, Panama, the Dominican Republic, and Peru, are developing asylum processes with assistance from UNHCR.

The number of Colombian asylum seekers in Ecuador continues to rise. There were 475 asylum requests in Ecuador in 2002. As of April 2005, there were 31,000 Colombian refugees and asylum seekers in Ecuador. In Panama, there are approximately 1,500 Colombians recognized with official temporary status and another 10,113 Colombian asylees in Costa Rica. In Venezuela, the number of Colombians “of concern” to UNHCR is believed

to be as high as 270,000. Venezuela has granted asylum to 244 Colombians since the establishment of their Refugee Eligibility Commission in August 2003.

In response to the dangers faced by certain professions, including police, lawyers, judges, and others in Colombia, the United States began a P-1 resettlement program in 2002 to resettle Colombians referred by the U.S. Embassy in Bogotá. As instability continued, we expanded the program. We now also interview Colombians referred for resettlement consideration by UNHCR in Ecuador and Costa Rica. As of April 2005, a total of 930 Colombian refugees have been resettled in the United States.

In FY 2005, UNHCR referrals of Colombians to the U.S. program dropped significantly as a consequence of the “material support” definition within the terrorist grounds of inadmissibility. Many Colombian refugee applicants have made payments or provided other forms of assistance to armed guerilla or paramilitary groups as a form of protection tax or “vacuna,” often made under the threat of harm to themselves or their families. The Departments of State and Homeland Security are examining possible approaches to utilizing the discretionary non-applicability clause found in 212(d)(3)(B)(i) of the INA. A positive resolution may result in the resumption of larger numbers of UNHCR referrals, given the continuing instability and violence in Colombia.

The situation in Haiti remains fragile, but some Haitian migrants have begun repatriating voluntarily. The United States continues to support UNHCR’s efforts in the Caribbean to help governments address the needs of Haitian and other asylum seekers and would welcome referrals from UNHCR to the U.S. program. The United States will pursue with UNHCR and NGO colleagues cooperation with Caribbean countries, including the Dominican Republic, for referral of appropriate cases for interview.

### ***Religious Freedom***

In Latin America, religious freedom is widely recognized and enjoyed. The key exception is Cuba, where the government engages in efforts to monitor and control religious institutions, including surveillance, infiltration, harassment of clergy and church members, evictions from and confiscation of places of worship, and preventive detention of religious activists. The Cuban government also uses church registration as a

mechanism of control; by refusing to register new denominations, it makes religious minorities vulnerable to charges of illegal association. The U.S. refugee admissions program offers resettlement to Cubans persecuted for religious activities.

### ***Voluntary Repatriation***

Although UNHCR considers repatriation for Colombian refugees, given the political turmoil in Colombia, as well as the violence from non-state actors, very few refugees can consider repatriation as a durable solution at present. Additionally, UNHCR is also assisting Haitians who are currently in Jamaica and Cuba who choose voluntary repatriation.

### ***Local Integration***

In the recent past, local integration has been the most suitable solution to regional refugee problems in Latin America. In recent years, however, third country resettlement has become an important durable solution for those who face physical risks and have urgent protection needs.

The Governments of Ecuador and Costa Rica have tried to maintain liberal asylum policies to allow Colombians in need of protection to obtain asylum and integrate locally. As more refugees have fled to these countries, however, living conditions for Colombians have deteriorated as asylum seekers wait longer for status determinations and find themselves unable to gain the right to work. Additionally, some Colombian asylum seekers in Ecuador and Costa Rica have begun to experience continued persecution by Colombian insurgent groups operating in these countries. For asylum seekers in Venezuela and Panama, the situation is worse, as those governments are reluctant to receive Colombian refugees and lack the necessary procedures to grant them refugee status. Many Colombians in need of protection who enter these countries irregularly must hide in remote border areas or in the shantytowns of larger cities.

PRM is currently supporting UNHCR's efforts to assist the Dominican Republic to develop its system for making refugee status determinations for the benefit of Haitian and other asylum seekers.

### *Third and In-Country Resettlement*

The U.S. Government continues to operate an in-country refugee resettlement program in Cuba. Under the U.S.-Cuba Joint Communiqué of September 9, 1994, the United States is committed to approving at least 20,000 Cubans for lawful migration to the United States each year. The refugee admissions component of that overall number is managed through an in-country program. Traditionally, Cuban refugee admissions had averaged approximately 2,500 per year. Following 9/11, the number of actual refugee admissions fell, due in large part to delays caused by increased security measures. Since then, we have taken measures to ensure that all Cubans eligible for consideration have access to the program and that approved cases travel as soon as possible. These improvements have increased the number of applications received and in FY 2005 admissions from Cuba will total over 6,000.

Cubans currently eligible to apply for admission to the United States through the in-country program include the following:

- (1) Former political prisoners;
- (2) Members of persecuted religious minorities;
- (3) Human rights activists;
- (4) Forced labor conscripts (1965-68);
- (5) Persons deprived of their professional credentials or subjected to other disproportionately harsh or discriminatory treatments resulting from their perceived or actual political or religious beliefs; and
- (6) Persons who have experienced or fear harm because of their relationship – family or social – to someone who falls under one of the preceding categories.

Canada and the United States offer resettlement to at-risk Colombian refugees in the region for whom resettlement is the only appropriate durable solution. Canada also operates an in-country humanitarian program in Colombia through which many Colombians are resettled each year. Currently, the United States accepts referrals from the U.S. Embassy in Bogotá or from UNHCR and processes these cases in Ecuador or Costa Rica.

The United States also facilitates the resettlement to other countries of Cuban and Haitian migrants who are interdicted by the U.S. Coast Guard or who enter Guantanamo Naval Base illegally and are found by USCIS to have a well-founded fear of persecution or torture if repatriated. From 1995 through 2005, such Cuban and Haitian migrants have been resettled to twelve different countries, mostly within the region, with a small number going to Europe, Australia, and Canada.

***FY 2005 U.S. Admissions***

We anticipate resettlement of 6,750 refugees from Latin America and the Caribbean during FY 2005. Cubans comprise the overwhelming majority of refugees resettled from the region. Historically, most Cuban admissions have been former political prisoners and forced labor conscripts who served sentences in the 1960s and 1970s. The program was expanded in 1991 to include human rights activists, displaced professionals, and others with claims of persecution. The expanded criteria remain in effect today.

In FY 2005, we expect just over 300 Colombian refugees to be admitted to the United States, significantly fewer than originally anticipated. Should the material support issue be resolved in the future to allow for the non-application of that inadmissibility ground, Colombian refugee admissions will likely increase as normal processing activities resume.

***FY 2006 U.S. Resettlement Program***

The proposed 5,000 ceiling for Latin America and the Caribbean for FY 2006 will include Cuban refugees eligible for the in-country Priority 2 program, a small number of UNHCR-referred Priority 1 Colombians, as well as a small number of Priority 3 family reunion cases.

***Proposed FY 2006 program for Latin America and the Caribbean:***

<b><i>Approved pipeline from FY 2005</i></b>	<b><i>2,500</i></b>
<b><i>Priority 1 Individual Referrals</i></b>	<b><i>150</i></b>
<b><i>Priority 2 In-Country Cubans</i></b>	<b><i>2,300</i></b>
<b><i>Priority 3 Family Reunification refugees</i></b>	<b><i>50</i></b>
<b><u><i>Total Proposed Ceiling</i></u></b>	<b><u><i>5,000</i></u></b>

### *Possible Future Groups*

As noted above, the U.S. admissions program hopes to expand resettlement opportunities for Colombian refugees in the region, both in terms of increased referrals and additional interview locations.

### **NEAR EAST AND SOUTH ASIA**

Despite the changed conditions in Iraq and Afghanistan, which have expanded the possibilities for refugee repatriation, the Near East/South Asia region remains host to some 7.9 million refugees, primarily Afghans, Palestinians, and Iraqis. Few countries in the region are parties to the 1951 UN Convention relating to the Status of Refugees and/or its 1967 Protocol. Nonetheless, to their credit, host governments generally continue to tolerate the presence of refugees.

UNHCR, the International Committee for the Red Cross (ICRC), the United Nations Relief and Works Agency (UNRWA), and other humanitarian organizations work with refugees in the region. Some countries have provided long-term protection, mainly to Palestinians, Afghans, and some African nationals.

Despite the voluntary return of a large number of Afghan refugees, Pakistan continues to host much of the remaining Afghan population, which has been resident there for many years. Other countries in the region have provided long-term asylum for Tibetan, Bhutanese, Sri Lankan, and Iraqi refugees. With continued development of an Iraqi governing structure, it is hoped that the majority of Iraqi refugees will ultimately be able to return to Iraq. Refugees identified by UNHCR for third country resettlement include Afghans in Pakistan, Iran, and India; Afghans and Iranians in Turkey; and some particularly vulnerable Iraqis in various locations.

### *Religious Freedom*

Persecution of religious minorities is common in certain countries in the Middle East and South Asia. In Pakistan, blasphemy laws and other Islamist legislation have been used to target religious minorities, including Shi'as, Christians, Hindus, and Ahmadis. Sectarian violence between majority Sunnis and minority Shi'as have claimed over 100 lives in the past two years. In India, state and local government responses to extremist



violence against religious minorities, particularly Muslims, are often inadequate. In Saudi Arabia, Muslims who do not adhere to the officially sanctioned version of Islam can face severe repercussions, and the minority Shi'a Muslim and Ismaili communities are subject to official discrimination. Public worship by non-Muslims is prohibited. In several countries in the region, the conversion of a Muslim to another religion is viewed as a criminal act. In Iran, particularly severe persecution of minority religions continues to be reported.

The U.S. refugee admissions program provides access to refugees who suffer religious persecution in a variety of ways. In addition to the Priority 2 program for Iranian religious minorities, the U.S. program accepts UNHCR and Embassy referrals of religious minorities of various nationalities in the region. The Specter Amendment enacted in 2004 establishes that Iranian religious minorities designated as category members may benefit from a reduced evidentiary standard for determining a well-founded fear of persecution. Iranian refugees may also gain access to the program through the family reunification priority (Priority 3). Nationals of any country, including countries of concern such as Saudi Arabia, may be referred to the U.S. program by UNHCR or a U.S. Embassy for reasons of religious or political persecution and will be interviewed under Priority 1.

### ***Voluntary Repatriation***

Since the fall of the Taliban, voluntary repatriation to Afghanistan has proceeded on a massive scale, both with and without UNHCR assistance. UNHCR estimates that well over 3.5 million Afghan refugees have returned to Afghanistan since UNHCR began assisting repatriation in 2002, almost all of them from Pakistan and Iran. However, this massive and somewhat haphazard repatriation has taxed the capacities of Afghanistan to absorb further refugee returns, and there is little expectation that the three million Afghans still in Pakistan will all return. In UNHCR's view, the repatriation of Afghans has reached a new stage, and such large-scale returns are unlikely to continue. UNHCR's assessment is that the continuing migration of Afghans in both directions across the Afghan-Pakistani border is part of a larger process of economic and social migration that has been occurring for centuries. Most Afghans who stay in Pakistan are no longer seeking refuge from violence or persecution; they are, rather, seeking economic opportunities, fleeing poverty, or visiting family. UNHCR is working with the Government of Pakistan and the international community to develop

policies and programs to expedite further returns to the extent possible and to manage the population of Afghans that may remain in Pakistan for the longer term.

Given the continuing political reforms in Iraq, it is hoped that the majority of the Iraqi refugees located throughout the Middle East and Europe will soon be able to return home, although the security situation will remain an important consideration in repatriation.

### ***Local Integration***

Few countries in the region offer local integration to refugees. In 2002, UNHCR and the Governments of Pakistan and Afghanistan signed a Tripartite Agreement that provides for the orderly, voluntary return of Afghan refugees residing in Pakistan through March 2006. UNHCR is discussing shifting its focus away from assistance to Afghan refugees in South Asia in favor of a more broad-based development plan for the region. The key to successfully transitioning from short-term humanitarian maintenance to long-term development is acceptance by the governments of Afghanistan and Pakistan that they are best served by accepting managed migration across their border. Progress has been made in this area: some within the government of Pakistan have publicly acknowledged that some Afghans in Pakistan are likely to stay. The majority of Afghans who repatriated in the last few years were relatively recent refugees who fled the Taliban. The Afghans remaining in Iran and Pakistan are thus the “hard cases,” those who left Afghanistan in the early years of the Soviet invasion. They have deeper roots in Pakistan and Iran, and fewer ties back to Afghanistan. A sizeable percentage of them have in fact never even lived in Afghanistan. Many of these Afghans are thus unlikely to ever return to Afghanistan.

India does not have a clear national policy for the treatment of refugees, and UNHCR has no formal status there. India recognizes and aids certain groups, including Tamils and Tibetans, in 130 settlements throughout the country. It permits UNHCR to assist other groups, primarily Afghans, Iranians, Somalis, Burmese, and Sudanese. Many Tibetans and Sri Lankan Tamils in India are permitted to work and receive social benefits.

### *Third Country Resettlement*

The absence of legal protection for asylum seekers in the region leaves many refugees at risk of mistreatment in the country of refuge or refoulement to their country of origin. The situation is especially precarious for Iranians and Iraqis, who are often viewed with suspicion or hostility in neighboring countries.

In 2004, UNHCR continued its attempts to reduce the backlog of asylum seekers awaiting status determinations in the Middle East. Principal resettlement countries operating in the region include the United States, Sweden, Canada, Norway, Australia, Finland, Denmark, and New Zealand. UNHCR considers family reunification, protection issues, and vulnerability in countries of first asylum when determining which individuals to refer to resettlement countries.

Historically the United States has resettled Iranian, Iraqi, and Afghan refugees from the region. With repatriation now a reality for Afghans, and a real possibility for many Iraqis, we expect to process only those vulnerable refugees who cannot return to their homes from those countries.

UNHCR estimates that there are between 750,000 and 1,000,000 expatriated Iraqis in the region, of which some 32,000 are individually known to UNHCR in some capacity. About 29,000 of these currently benefit from temporary protection regimes in Syria (15,800), Jordan (12,500), Lebanon (500) and Turkey (1,400). Later in 2005, UNHCR is expected to resume refugee status determinations for certain Iraqi cases in the region.

Middle Eastern and South Asian refugees in most of Europe avail themselves of the asylum systems of the countries in which they are located. In Vienna, however, certain Iranian religious minorities (Baha'is, Zoroastrians, Jews, Mandaeans, and Christians) may be processed for U.S. resettlement using special procedures authorized by the Government of Austria. We also process Iranian Baha'i in Turkey through special procedures involving fast-track refugee status determination and referral by UNHCR.

***FY 2005 U.S. Admissions***

In FY 2005, PRM has continued its efforts to streamline security name check procedures introduced in the aftermath of September 11. Current estimates are that we will admit some 2,000 refugees from the region in FY 2005. This total will include 1,700 Iranians processed in Austria and Turkey and several hundred additional refugees processed in Pakistan and elsewhere in the region. A small number will also be processed in Russia and Central Asia.

Mid-way through FY 2005, the United States resumed active processing of Iraqi cases, which had been on hold since 9/11. Several hundred approved cases long awaiting final decision have been cleared for travel and have begun to arrive. In addition, the U.S. program is once again open to receiving new referrals of vulnerable Iraqi cases.

The United States continues to resettle Iranian religious minorities through programs in Turkey and Austria. We are actively evaluating possible additional processing sites for Iranian religious minorities to expand access for those who are not able to access processing in Austria or Turkey.

***FY 2006 U.S. Resettlement Program***

The proposed regional ceiling for refugees from the Near East and South Asia for FY 2006 is 5,000 and includes primarily vulnerable Iraqis, Afghans and Iranian religious minorities. It also includes some 500 approved refugees who will not have completed processing by the end of the fiscal year.

***Proposed FY 2006 Near East/South Asia program:***

<b><i>Approved pipeline from FY 2005</i></b>	<b><i>500</i></b>
<b><i>Priority 1 Individual Referrals</i></b>	<b><i>2,400</i></b>
<b><i>Priority 2 Groups</i></b>	<b><i>2,000</i></b>
<b><i>Priority 3 Family Reunification refugees</i></b>	<b><i>100</i></b>
<b><i><u>Total Proposed Ceiling</u></i></b>	<b><i><u>5,000</u></i></b>

The notional breakdown of this caseload is as follows: 2,000 Iraqi individual referrals (from throughout the region), 1,000 Afghan referrals (from Pakistan and the Former Soviet Union), and 2,000 Iranian religious minority applicants (from Turkey and Austria).

### ***Possible Future Groups***

Possible future groups under consideration from this region include Bhutanese refugees in Nepal and Iraqi refugees throughout the region (anticipating resumption of UNHCR referrals to the U.S. program and focusing in particular on Chaldo-Assyrians and Mandaeans). We are looking at populations of Iranian Kurds in Turkey and Jordan. We are gathering information on groups of Afghans in the Former Soviet Union and India as well as the various refugee populations in Libya.

**TABLE III  
RELIGIOUS FREEDOM**

**RESETTLEMENT ACCESS FOR REFUGEES FROM COUNTRIES DESIGNATED BY  
THE DEPARTMENT OF STATE AS OF PARTICULAR CONCERN\***

<b>COUNTRY OF CONCERN</b>	<b>PRIORITY 1</b>	<b>PRIORITY 2</b>	<b>PRIORITY 3</b>
Eritrea	X		X
Sudan	X		X
China	X		
Burma	X	X	X
Vietnam	X	X	
DPRK	X		X
Iran	X	X	X
Saudi Arabia	X		

*\* Countries designated in September 2004 in accordance with the International Religious Freedom Act of 1998 (Pub. L. 105-292, Oct. 27, 1998, 112 Stat. 2787) (IRFA).*

## *DOMESTIC IMPACT OF REFUGEE ADMISSIONS*

The demographic characteristics of arrivals from the 15 largest source countries (which contributed 98% of FY 2004 arrivals into the United States) illustrate the variation among refugee groups. (See Table IV.) Median age ranged from 12 years for arrivals from Laos to 33 years of age for arrivals from Cuba. The median age for all refugees resettled in FY 2004 was 20 years. Fifty-five percent of refugees from Liberia were female. Fifty-two percent of refugees from the Former Soviet Union were female, and between fifty-one and forty-nine percent of refugees from Former Yugoslavia, Somalia, Cuba, Laos, and Viet Nam were female. Males were proportionately the majority of refugees from several other countries, namely, Sudan (61%), Burma (55%), and Ethiopia (55%), while the remaining countries are represented by a range of 45% to 54% of the total.

Considerable variation among refugee groups can be seen among specific age categories. Arrivals under the age of five varied from a high of 24% of the Laotians to a low of 3% of those from Ethiopia. Arrivals of school-age children (five to 17 years of age) varied from a high of 41% for Afghans to a low of 19% for Cubans. Arrivals of working-age (16 to 64 years of age) varied from 78% for Iranians to a low of 40% for those from Laos. Arrivals of retirement-age (65 years or older) varied from a high of 6% for arrivals from the Former Soviet Union to a low of less than 1 percent from Burma, Sudan, and Colombia. For all arrivals, 14% were under the age of five, 30% were of school age, 58% were of working age, and 3% were of retirement age. (See Table V.)

During FY 2004, 78% of newly arrived refugees resettled in 16 states. California (13%) resettled the largest number of refugees, followed by Minnesota (11%), Texas (6%), New York (6%), Washington (5%), Florida (5%), Georgia (4%), Arizona (4%), and Wisconsin (3%). Massachusetts, Pennsylvania, Ohio, Virginia, Illinois, Oregon, and North Carolina resettled just under 3% of newly arrived refugees. Table VI presents arrivals by state of initial resettlement for FY 2004.

In FY 2004, the 15 largest source countries contributed over 98% of arrivals into the United States. Because of the changing world situation, the number of refugees admitted and the distribution of admissions vary somewhat from last year's figures. Refugee countries of origin included Somalia (25 percent of all refugees in FY 2004, 6 percent of all refugees in

FY 2003), the former USSR (17 percent of all refugees in FY 2004, 31 percent of all refugees in FY 2003), Liberia (13 percent of all refugees in FY 2004, 10 percent in FY 2003), Laos (11 percent in FY 2004, 0.1 percent in FY 2003), Sudan (7 percent in FY 2004, 7 percent in FY 2003), Cuba (6 percent in FY 2004, 1 percent in FY 2003), Ethiopia (5 percent in FY 2004, 6 percent in FY 2003), Iran (3 percent in FY 2004, 9 percent in FY 2003), Burma (2 percent in FY 2004, 1 percent in FY 2003), Sierra Leone (2 percent in FY 2004, 5 percent in FY 2003), Vietnam (2 percent in FY 2004, 5 percent in FY 2003), Afghanistan (2 percent in FY 2004, 5 percent in FY 2003), Colombia (1 percent in FY 2004, 1 percent in FY 2003), the Democratic Republic of Congo (1 percent in FY 2004, 1 percent in FY 2003), and the Former Yugoslavia (1 percent in FY 2004, 9 percent in FY 2003). Table VII presents arrivals by country of origin for FY 2004.



**TABLE IV**  
**MEDIAN AGE AND SEX FOR REFUGEE ARRIVALS FY 2004**

<b>COUNTRY OF ORIGIN</b>	<b>RANK (# OF ARRIVALS)</b>	<b>MEDIAN AGE</b>	<b>% FEMALE/ % MALE</b>
All Countries Combined		20.0	49.4 / 50.6
Somalia	1	17.0	50.1 / 49.9
Former Soviet Union	2	24.0	51.7 / 48.3
Liberia	3	17.0	55.1 / 44.9
Laos	4	12.0	48.8 / 51.2
Sudan	5	23.0	38.9 / 61.1
Cuba	6	33.0	48.8 / 51.2
Ethiopia	7	20.0	45.1 / 54.9
Iran	8	26.0	47.6 / 52.4
Burma	9	26.0	45.0 / 55.0
Sierra Leone	10	21.0	48.2 / 51.8
Vietnam	11	29.0	48.8 / 51.2
Afghanistan	12	18.0	46.4 / 53.6
Colombia	13	25.0	46.0 / 54.0
Congo (DROC)	14	17.0	47.6 / 52.4
Former Yugoslavia	15	30.0	50.1 / 49.9
All other Countries	--	20.0	47.8 / 52.2

**TABLE V**  
**SELECT AGE CATEGORIES OF REFUGEE ARRIVALS FY 2004\***

COUNTRY OF ORIGIN	UNDER 5 YEARS	SCHOOL AGE (5-17)	WORKING AGE (16-64)	RETIREMENT AGE (= OR > 65)
All countries combined	14.0	30.0	58.1	2.6
Former Soviet Union	12.7	27.0	57.9	6.3
Liberia	14.8	35.6	53.5	1.4
Former Yugoslavia	7.0	20.0	73.0	3.1
Iran	4.9	20.5	78.2	2.0
Sudan	15.1	21.9	65.6	0.7
Somalia	16.9	33.2	53.5	1.8
Ethiopia	2.8	23.2	82.0	1.0
Viet Nam	13.6	19.8	66.9	1.3
Afghanistan	6.2	40.7	59.3	1.9
Sierra Leone	4.4	26.8	72.8	2.2
Cuba	7.8	19.2	69.4	6.2
Colombia	8.5	27.3	65.0	0.9
Laos	23.5	38.3	39.7	2.5
Congo (DROC)	14.3	37.9	53.5	1.1
Burma	10.8	24.4	67.9	0.3
All Other Countries	14.1	29.9	59.3	0.3

\*Totals may exceed 100% due to overlapping age categories.

*Source: Department of Health and Human Services, Office of Refugee Resettlement FY 2004 preliminary unreconciled refugee arrival data.*

**TABLE VI**  
**REFUGEE ARRIVALS BY STATE OF INITIAL RESETTLEMENT, FY 2004**

State	Refugee Arrivals	Amerasian Arrivals	Total	% of Total Arrivals
Alabama	74	4	78	0.15%
Alaska	42	0	42	0.08%
Arizona	1,990	0	1,990	3.80%
Arkansas	19	0	19	0.04%
California	6,708	2	6,710	12.80%
Colorado	798	0	798	1.52%
Connecticut	409	0	409	0.78%
Delaware	9	0	9	0.02%
District of Columbia	64	0	64	0.12%
Florida	2,832	5	2,837	5.41%
Georgia	2,136	5	2,141	4.08%
Hawaii	24	0	24	0.05%
Idaho	361	0	361	0.69%
Illinois	1,400	0	1,400	2.67%
Indiana	454	0	454	0.87%
Iowa	456	5	461	0.88%
Kansas	137	0	137	0.26%
Kentucky	676	0	676	1.29%
Louisiana	318	1	319	0.61%
Maine	187	0	187	0.36%
Maryland	928	0	928	1.77%
Massachusetts	1,515	0	1,515	2.89%
Michigan	1,030	0	1,030	1.96%
Minnesota	5,826	0	5,826	11.11%
Mississippi	4	0	4	0.01%
Missouri	915	2	917	1.75%
Montana	7	0	7	0.01%
Nebraska	487	0	487	0.93%
Nevada	317	0	317	0.60%
New Hampshire	561	0	561	1.07%
New Jersey	687	0	687	1.31%
New Mexico	78	0	78	0.15%

State	Refugee Arrivals	Amerasian Arrivals	Total	% of Total Arrivals
New York	3,022	1	3,023	5.77%
North Carolina	1,107	0	1,107	2.11%
North Dakota	222	0	222	0.42%
Ohio	1,434	0	1,434	2.74%
Oklahoma	92	0	92	0.18%
Oregon	1,374	4	1,378	2.63%
Pennsylvania	1,514	1	1,515	2.89%
Puerto Rico	6	0	6	0.01%
Rhode Island	313	0	313	0.60%
South Carolina	142	3	145	0.28%
South Dakota	325	0	325	0.62%
Tennessee	925	0	925	1.76%
Texas	3,361	0	3,361	6.41%
Utah	771	0	771	1.47%
Vermont	235	0	235	0.45%
Virginia	1,413	0	1,413	2.70%
Washington	3,014	0	3,014	5.75%
West Virginia	0	0	0	0.00%
Wisconsin	1,668	0	1,668	3.18%
Wyoming	0	0	0	0.00%
<b>TOTAL</b>	<b>52,387</b>	<b>33</b>	<b>52,420</b>	<b>100.0%</b>

*Source: Department of Health and Human Services, Office of Refugee Resettlement FY 2004 preliminary unreconciled refugee arrival data.*

Note: Arrival figures do not reflect secondary migration.

**TABLE VII**  
**REFUGEE ARRIVALS BY COUNTRY OF ORIGIN, FY 2004**

<b>Country of Origin</b>	<b>Total Refugee and Amerasian Arrivals</b>	
	<b>Number</b>	<b>%</b>
AFGHANISTAN	910	1.74%
ANGOLA	21	0.04%
BURKINA FASO	3	0.01%
BURMA	1,054	2.01%
BURUNDI	273	0.52%
CAMBODIA	3	0.01%
CENTRAL AFRICAN REPUBLIC	23	0.04%
CHAD	3	0.01%
CHINA	3	0.01%
COLOMBIA	568	1.08%
CONGO (BR)	70	0.13%
CONGO (DROC)	525	1.00%
COSTA RICA	5	0.01%
CUBA	2,954	5.64%
DJIBOUTI	5	0.01%
ECUADOR	5	0.01%
EGYPT	5	0.01%
ERITREA	116	0.22%
ETHIOPIA	2,668	5.09%
FORMER SOVIET UNION	8,780	16.75%
GABON	1	0.00%
GERMANY	2	0.00%
GHANA	2	0.00%
GUINEA	13	0.05%
HAITI	17	0.03%
INDIA	3	0.01%
INDONESIA	5	0.01%
IRAN	1,769	3.37%
IRAQ	65	0.12%
IVORY COAST	17	0.03%
KENYA	273	0.52%

Country of Origin	Total Refugee and Amerasian Arrivals	
	Number	%
KUWAIT	13	0.02%
LAOS	5995	11.44%
LEBANON	2	0.00%
LIBERIA	7,047	13.44%
MADAGASCAR	1	0.00%
MALAYSIA	1	0.00%
NEPAL	2	0.00%
NIGERIA	6	0.01%
PAKISTAN	12	0.02%
POLAND	2	0.00%
ROMANIA	3	0.01%
RWANDA	175	0.33%
SAUDI ARABIA	3	0.01%
SIERRA LEONE	1,021	1.95%
SOMALIA	13,019	24.84%
SRI LANKA	1	0.00%
SUDAN	3,448	6.58%
TANZANIA	1	0.00%
THAILAND	9	0.02%
THE GAMBIA	3	0.01%
TOGO	32	0.06%
UGANDA	8	0.02%
UNKNOWN	11	0.02%
VIETNAM *	1,000	1.91%
YEMEN	7	0.01%
FORMER YUGOSLAVIA	445	0.85%
ZIMBABWE	2	0.00%
<b>TOTAL</b>	<b>*52,420</b>	<b>100.00%</b>

*Source: Department of Health and Human Services, Office of Refugee Resettlement FY 2004 preliminary unreconciled refugee arrival data.*

\*Arrivals from Vietnam include 33 Amerasians.

**TABLE VIII**  
**ESTIMATED COSTS OF REFUGEE PROCESSING, MOVEMENT, AND**  
**RESETTLEMENT**  
**FY 2005 ESTIMATE AND FY 2006 BUDGET REQUEST**  
**(\$ MILLIONS)**

<b>AGENCY</b>	<b>ESTIMATED FUNDING FY 2005 (BY ACTIVITY)</b>	<b>ESTIMATED FUNDING FY 2006 (BY ACTIVITY)</b>
<b>DEPARTMENT OF HOMELAND SECURITY</b>		
<i>United States Citizenship and Immigration Services</i>		
<b>Refugee Processing</b>	<b>20.3</b>	<b>21.5</b>
<b>DEPARTMENT OF STATE</b>		
<i>Bureau of Population, Refugee, and Migration</i>		
<b>Refugee Admissions</b>	<b>171.8*</b>	<b>223.0</b>
<b>DEPARTMENT OF HEALTH AND HUMAN SERVICES</b>		
<i>Administration for Children and Families, Office of Refugee Resettlement</i>		
<b>Refugee Resettlement</b>	<b>484.4**</b>	<b>571.1**</b>
<b>TOTAL</b>	<b>676.5</b>	<b>815.6</b>

\* Includes FY 2004 carry forward of \$4.3 million and \$3.9 million in recoveries.

\*\* Does not include costs associated with the Transitional Assistance for Needy Families (TANF), Medicaid, or SSI programs. ORR's refugee benefits and services are provided to Asylees, Cuban and Haitian Entrants, certain Amerasians from Vietnam, victims of a severe form of trafficking who have received certification or eligibility letters from ORR, and certain family members who are accompanying or following to join victims of severe forms of trafficking, and some victims of torture. None of these additional groups is included in the refugee admissions ceiling.

**TABLE IX**  
**UNHCR Resettlement Statistics by Resettlement Country**  
**CY 2004**  
**Departures**

<b>RESETTLEMENT COUNTRY</b>	<b>TOTAL</b>	<b>PERCENT OF TOTAL RESETTLED</b>
United States	28,253	67.26%
Canada	5,279	12.57%
Australia	3,933	9.36%
Sweden	1,645	3.92%
Norway	859	2.00%
Finland	727	1.73%
Denmark	379	0.90%
Great Britain	272	0.60%
Netherlands	252	0.50%
New Zealand	107	0.25%
Brazil	75	0.18%
Belgium	74	0.18%
Ireland	64	0.15%
Chile	26	0.06%
Other*	63	0.14%
<b>TOTAL</b>	42,008	100%