REFUGEE COUNCIL USA

July 13, 2020

The Honorable Michael Pompeo
Secretary of State
2201 C Street NW
Washington, DC 20230

Dear Secretary Pompeo,

With the passage of national security legislation on June 30th, China threatens the autonomy of Hong Kong and the lives and freedoms of its people. Many Hong Kong residents, including pro-democracy leaders and protesters, are no longer safe in their own homes. As you have rightfully stated, this new law and its implementation are Orwellian. In the past three years, thousands have already fled Hong Kong to seek safety and now even more remain in Hong Kong fearing for their future.

As a coalition that promotes protection and welcome for refugees, asylees, asylum-seekers, and other forcibly displaced populations, Refugee Council USA encourages the Trump administration to find ways to help people impacted by the situation in Hong Kong. This includes, but is not limited to, utilizing the US Refugee Admissions Program (USRAP) to resettle those who are in harm's way and do not have other options for protection, and ensuring that refugees from Hong Kong are granted asylum should they flee to the United States. But in order for any Hong Kong resettlement program to be successful, the administration must operate the USRAP in good faith, including by setting a robust Presidential Determination in Fiscal Year 2021.

RCUSA urges the administration to utilize the USRAP as it was intended to be used, as a tool of protection, both for Hong Kong residents and other refugees in need of resettlement. We are committed to the protection of displaced persons around the world who are persecuted, including individuals impacted by the situation in Hong Kong. We support the many calls from elected officials on both sides of the aisle for the United States to welcome refugees from Hong Kong and recognize the protection needs of Hong Kong residents. We likewise affirm that the protection needs of the people of Hong Kong should be considered alongside the equally critical needs of other refugees from China and around the world. We are deeply

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Center for Applied Linguistics

Center for Migration Studies

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International Refugee Assistance Project

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Islamic Relief USA

Jesuit Refugee Service USA

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concerned by the dire circumstances of refugees from Syria, Somalia, Burma, the Congo, Venezuela, and others around the world who have been waiting for protection, in some cases for decades. Thus, the admission of refugees from Hong Kong should be in addition to the Presidential Determination on refugee admissions.

During the last several years, the refugee admissions cap has plunged from the historic average of 95,000 to 18,000, the lowest level in the history of the program. This Fiscal Year, fewer than 8,000 refugees have been resettled in the United States. Refugees who were approved for resettlement years ago are languishing in camps and urban situations, still waiting for safety as well as reunification with their loved ones. RCUSA urges the administration to return the USRAP to historic norms and strengthen its capacity, which will be essential to implementing any resettlement program for refugees from Hong Kong and responding to emerging needs like this in the future.

The definition of a refugee is someone who has fled their country due to persecution based on their ethnicity, nationality, religion, political opinion, or social group. Resettlement is a last resort for refugees who cannot safely return to their home country nor safely remain in the country to which they initially fled. Fewer than one-percent of refugees will ever be resettled to a third country. The USRAP was created under the Refugee Act of 1980 with broad bipartisan support, in order to solidify a public-private partnership with capacity to respond to situations in which people are persecuted and without avenues for protection, including populations of particular humanitarian concern to the United States. The USRAP continues to maintain bipartisan support, as demonstrated by bipartisan [resolutions](#), [letters](#), and the bipartisan [Congressional Refugee Caucus](#).

There are significant challenges to resettling refugees from Hong Kong. The United States continues its moratorium on refugee arrivals in light of COVID-19, and international travel is extremely limited. In addition, US Citizenship and Immigration Services (USCIS), the Department of Homeland Security agency which conducts in-person interviews with refugees being considered for US resettlement, is in the process of furloughing a large portion of its staff. These challenges are on top of an already lengthy and arduous vetting process required for all refugees, including biometric and biographic checks; interagency intelligence sharing; screenings against multiple domestic and international terrorist and criminal databases; background investigations by the FBI, Department of Defense, State Department, and National Counterterrorism Center; and in-person interviews. In-country processing, evacuations, chartered flights, bringing refugees to a location outside of Hong Kong for processing, and alternative pathways to protection should all be considered in light of these challenges and the sensitive diplomatic situation. Fortunately, the USRAP has dealt with similar realities in the past and, with the leadership of the State Department's Bureau of Population, Refugees, and

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Migration, has been able to navigate them to bring people to safety, including in the cases of [Amerasians resettled from Vietnam in the 1980s](#), [Kurds fleeing Saddam Hussein in the 1990s](#), and [refugees from Kosovo in the early 2000s](#).

The most important steps that the administration can take to prepare for and operationalize refugee resettlement from Hong Kong are to set the Fiscal Year 2021 Presidential Determination, required under law by September 30, 2020, for at least 95,000 refugees to restore the USRAP to historic norms; and to rebuild USRAP capacity. The administration has dismantled the USRAP's international processing capacity, and, due to the administration's drastic cuts to refugee admissions, more than [100 resettlement offices](#) have had to close their programs - a stark ⅓ of all resettlement offices in the United States.

Also, in order to ensure that refugees fleeing Hong Kong are granted asylum in the United States, and not improperly denied, banned or turned away, the administration should immediately withdraw its regulations and policies that ban, block and deny asylum to refugees, including bans or proposed rules that deny asylum to refugees who transit other countries on their way to the United States and deny asylum to people who fled "brief detentions," repeated threats not yet carried out, or persecution deemed not sufficiently "extreme."

These policy and programmatic changes, in addition to creative thinking regarding mechanisms for the resettlement of refugees from Hong Kong, are essential to meeting the humanitarian and foreign policy objectives of international protection. We look forward to working with the administration and Congress to meet these objectives.

Yours truly,

Danielle Grigbsy
Interim Executive Director
Refugee Council USA (RCUSA)

RCUSA is a diverse coalition advocating for just and humane laws and policies, and the promotion of dialogue and communication among government, civil society, and those who need protection and welcome. Individual RCUSA members do not all address all refugee-related issues, nor do all individual members approach common refugee-related issues identically.