

**NO WAY HOME, NO WAY TO ESCAPE:
THE PLIGHT OF IRAQI REFUGEES AND OUR
IRAQI ALLIES**

HEARING

BEFORE THE

**COMMISSION ON SECURITY AND
COOPERATION IN EUROPE:
U.S. HELSINKI COMMISSION
ONE HUNDRED ELEVENTH CONGRESS**

SECOND SESSION

JULY 22, 2010

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JULY 22, 2010

COMMISSION ON SECURITY AND COOPERATION IN EUROPE,
Washington, DC.

The hearing was held from 2:30 to 4:00 p.m. EST, 385 Russell Senate Office Building, Washington, DC, Senator Benjamin Cardin (D-MD), Chairman, Commission on Security and Cooperation in Europe, presiding.

Commissioners present: Senator Ben Cardin, Chairman, Commission on Security and Cooperation in Europe; Hon. Alcee Hastings, Commissioner, Commission on Security and Cooperation in Europe; Hon. Chris Smith, Commissioner, Commission on Security and Cooperation in Europe; and Hon. Jim McDermott, Commissioner, Commission on Security and Cooperation in Europe.

Witnesses present: Eric P. Schwartz, Assistant Secretary Population, Refugees, and Migration, U.S. Department of State; L. Craig Johnstone, President Ad Interim, Refugees International; Kirk Johnson, Founder and Executive Director, The List Project to Resettle Iraqi Allies; and Michael A. Newton, Professor of the Practice of Law, Vanderbilt University Law School.

**HON. BENJAMIN CARDIN, COMMISSIONER,
COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

Mr. CARDIN. Well, good afternoon everyone and welcome to the Helsinki Commission on the plight of the Iraqi refugees and our Iraqi allies. The hearing titled, “No Way Home, No Way to Escape” describes the situation of hundreds of thousands of Iraqi refugees still languishing in neighboring countries, particularly Jordan and Syria more than seven years after the beginning of the war.

Our Iraqi allies—those who have risked their lives to work for our government in Iraq, including alongside our military as interpreters—face uncertain and threatening futures as forces are redeployed. At a time when our country’s attention has turned to the conflict in Afghanistan, we must not forget Iraqis who continue to suffer as refugees and those Iraqis who are threatened for helping us.

Time is of the essence. The refugees become more desperate by the day, as what resources they had are becoming exhausted. They are not permitted to work in their host countries and most feel that

the current situation in Iraq remains too unstable to afford real security.

The attacks near Baghdad last Sunday that killed 48 people and wounded more than 40 others are a grim reminder that violence is still a real part of the everyday life in Iraq. Since January of this year, more than 1900 Iraqi civilians have been killed, 3800 wounded in violent attacks according to the Iraq Body Count Project.

By the end of next month, the United States will have withdrawn half of its 100,000 troops in Iraq. Military bases will be closed, including those where many of our Iraqi employees have been living due to the death threats from terrorists who see them as collaborators and traitors. Many other U.S.-affiliated Iraqis currently live in hiding in order to continue to work in country. All of these Iraqi allies are targeted for assassination by organizations like al-Qaida in Iraq and will systematically be hunted down as the military withdraws.

The United States has increased funding for humanitarian assistance to Iraqi refugees, providing more than \$500 million since fiscal year '09. The number of Iraqis resettled in the United States has also increased dramatically over the past several years, greatly assisted by the opening of an office in country processing in Baghdad.

Nevertheless, I understand the average processing time for most applications for resettlement is one year. And those seeking SIVs are even more frustrated. The SIV legislation enacted in 2007 provides for 5,000 visas each fiscal year through 2012, which carry over any unused allotment. Yet to date only 2145 special immigrant visas have been issued to their Iraqi principal applicants. Looking at the length of time to take advantage of these programs, it is totally inadequate knowing the urgency that Iraqis will have for their safety as the United States continues to withdraw its military forces.

We have a distinguished panel of witnesses here today who will address these critical issues. The first panel will be Honorable Eric Schwartz, the Assistant Secretary of State for Population, Refugees and Migration. Our second panel features Ambassador L. Greg Johnstone, interim president of Refugees International, Mr. Kirk W. Johnson, founder and executive director of the List Project to Resettle Iraqi Allies and Michael A. Newton, Esq., professor of the practice of law at Vanderbilt University Law School and the former brigade judge advocate with the U.S. Army Special Forces.

With that, let me first turn to my cochairman, Congressman Hastings.

**HON. ALCEE HASTINGS, COMMISSIONER,
COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

Mr. HASTINGS. Thank you very much, Mr. Chairman. Senator, if you will permit me, you did identify some, a few of our visitors and guests. And we're grateful to all of you. But I would also ask that we be mindful that Ambassador Mustafa from Syria is in the audience with us. I visited Syria and saw a significant number of Iraqi refugees in Syria, as I have, in Jordan and in Lebanon and Egypt and even in Sweden and elsewhere.

Thank you for convening this very timely hearing. Sadly I recall making the same comment about timeliness during the commission's April 2008 hearing, Sen. Cardin, on Iraqi refugees. Sadder still, as you've indicated, hundreds of thousands of Iraqi refugees remain stranded, primarily in Jordan and Syria. I might add, there are a significant number that are also internally displaced in Iraq.

Furthermore, there are hundreds of thousands of displaced children. What does this mean for the future of Iraq? I'm deeply concerned about the many Iraqi children who have been forgotten, who are not attending school either in Iraq or in host countries in the region. Some of these children have not been in school for three or four years. The world needs to pay close attention to this. We need to make certain that these children are adequately taken care of because extremist groups will stop at nothing to take advantage of this vulnerable population, which will have long-term ramifications for Iraq, the region and the rest of the world.

At the beginning of the 111th Congress, I introduced House Resolution 578, the Iraqi Refugee and Internally Displaced Persons Humanitarian Assistance or Resettlement and Security Act of 2009. Initially the legislation that I fostered was carried on the Senate side by former commissioner, now Secretary of State Hillary Clinton. I was very pleased in the legislation more recently filed that Sen. Cardin and the late Sen. Kennedy sponsored the legislation here in the United States Senate. This legislation addresses the crisis and a potential security breakdown resulting from the mass influx of Iraqi refugees into neighboring countries and the growing internally displaced population in Iraq and also facilitates the resettlement of Iraqis at risk. Unfortunately, there has been a shift in focus in Congress toward Afghanistan and Pakistan and further away from Iraq.

Considering that this is the largest displacement of individuals in the Middle East since 1948, it is a crisis that today still demands our immediate attention and is one we cannot ignore. Our government must, in my opinion, redouble its efforts to ensure effective humanitarian assistance for the displaced, expedite the resettlement process for those who want to come to our country, work with the government of Iraq to ensure that it provides for the needs of its displaced citizens, and encourage the international community to do its share to alleviate this regional crisis.

I had a very spirited and helpful conversation with President Assad in Syria about what Iraq needs to do for Iraq refugees. In May, I successfully offered an amendment to the National Defense Authorization Act for 2011 that addresses the plight of Iraqis who have worked for the United States in Iraq and whose lives have been placed in grave danger for their service.

Under the status of forces agreement signed in November of 2008, there is not one mention of Iraqis who have worked with the United States, which I find to be most unsettling. And while the December 2011 date for withdrawal of our troops seems far away, there is another benchmark of August the 31st, 2010, when nearly 50,000 troops will be withdrawn from Iraq, which will limit our ability to protect U.S.-affiliated Iraqis at risk. These brave Iraqi persons have risked their lives to work alongside our troops, alongside our diplomats, alongside our aid workers to help build a more

stable and democratic Iraq. As the chairman has indicated, all U.S.-affiliated Iraqis are considered traitors and are marked for assassination by terrorist groups in Iraq. Many have made the ultimate sacrifice for their work.

The United States can't turn its back at this critical juncture. We must put in place a plan to ensure that those Iraqi allies who have helped our country are protected. Turning our backs now would be fatal for our Iraqi allies and would set a negative precedent for other theaters of war, in particular, as I have mentioned, Afghanistan, where we need to win the loyal collaboration and hearts and minds of the population.

This past May marked a turning point in that the number of troops in Afghanistan exceeded those in Iraq for the first time since 2003. Reports now suggest that Afghans working as interpreters for the United States are increasingly facing the same lethal risks endured by our Iraqi employees. We will be hard-pressed to find more help in Afghanistan if the United States is seen as quick to abandon its friends.

In my visits, along with our tremendous staff that have done amazing work in this regard and the list of organizations and countless others without mentioning everybody in this room, I have come across, as have you, situations that remind of us of our immense responsibilities.

The more poignant one took place in Lebanon when I had the opportunity at UNHCR to visit with women particularly who were helping other women in Lebanon during this refugee crisis. I came across a lady and her son. Her son had been kidnapped in Baghdad. Her husband was working in Syria. Time went by. The kidnapers wanted a tremendous amount of money. A Christian organization helped them to raise some of the money. The father got home from Syria three or four days later and when he got home, he submitted himself in return for the boy being released. The boy was released and the money was continued to be sought. Ultimately, the father was beheaded and his head was thrown into the family yard. The mother then was thought to have caused it because she did, in fact, go to the authorities. And so the dead man's family accused her of causing the problem and she had to flee Baghdad and wound up first in Egypt and then in Lebanon. On that day, I gave that boy a \$100 bill. I talked about it and it was written about in the Wall Street Journal. The only reason I didn't give him a \$1000 was that I didn't have it. I felt that I was as responsible for his plight as anybody else. I just tell that story because of its poignancy.

Thank you for letting me take the time, Senator. I am very passionate about this. I have spent a considerable amount of time along with our tremendous staff and you and your staff in making sure that this issue is addressed appropriately by our government. I thank you and I look forward to hearing from the distinguished witnesses that you have identified.

Mr. CARDIN. Congressman Hastings, we appreciate not only your leadership but your passion on this issue. It is desperately needed. Congressman McDermott.

**HON. JIM McDERMOTT, COMMISSIONER,
COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

Mr. McDERMOTT. Thank you, Senator. I didn't come here to make a speech, I came to hear people talk about an issue than I care about.

I recently had a case in my office of a young woman who was a translator for the embassy and got out, but all her family was left in Iraq. I have spent a lot of office time getting that family first to Syria and then finally into the United States. It has not been an easy road. And when I see those kinds of situations, I think about a reporter in Seattle who told me many, many years ago—he was a Special Forces officer in Korea—that when things changed in Korea, we walked away and left a lot of people who helped our soldiers. I'm very frightened that what may happen in this process as we leave Iraq is that an awful lot of people are going to be left vulnerable to an experience that we put them into. We asked them to help us, they did and then we paid them back by walking away. That's not right and that's why I came to hear what was going on.

Mr. CARDIN. Well, we very much appreciate your participation. Let me acknowledge that we do have in the audience many of our Iraqi allies and we welcome them very much to the committee room. And we very much express our appreciation.

With that, Secretary Schwartz, we'd be glad to hear from you.

**ERIC P. SCHWARTZ, ASSISTANT SECRETARY POPULATION,
REFUGEE, AND MIGRATION, U.S. DEPARTMENT OF STATE**

Mr. SCHWARTZ. Chairman Cardin, Cochairman Hastings, Rep. McDermott, I'm very pleased to have the opportunity to appear before you to discuss our commitment to finding solutions for displaced Iraqis. As President Obama has stated, the United States has a strategic interest and a moral responsibility to sustain assistance and to promote protection for this population. The president has also said when he was here in this institution that we have an obligation to keep faith with those Iraqis who have kept faith with us.

This issue is among and has been among my most important priorities as assistant secretary. I want to affirm to members of the commission that while our military may be drawing down, our concern for and our commitment to the humanitarian and the protection needs of displaced Iraqis will remain robust. We will sustain significant levels of overseas humanitarian assistance inside and outside of Iraq, which amounted last year to almost \$400 million. My bureau spent about \$300 million, nearly a quarter of our worldwide refugee assistance budget. Within the region, those monies helped more than 200,000 Iraqi refugees who are registered with the U.N. high commissioner for refugees and an undetermined number who are not.

And while the number of individuals fleeing Iraq, thankfully, has decreased significantly, the food, the education and the health needs of Iraqis in neighboring countries has actually increased due to personal assets that are being depleted.

Our funds will also help Iraqis displaced within the borders of Iraq, some 1.6 million of whom were displaced by sectarian violence

following the Samarra mosque bombing in early 2006, in addition to the displaced who were there before. And while new internal displacements, also thankfully, have also diminished, these people remain very vulnerable and need food and relief items, they need livelihood programs and they need assistance in accessing public benefits that are available.

We are working very closely with the Iraqi government, with our international partners to encourage conditions for safe and sustainable return and reintegration of both the internally displaced and the refugees. But let me hasten to add that returns must be voluntary. That being said, they have been ongoing. Returns have been ongoing. From 2008 until May of this year, there were nearly half a million voluntary returns of IDPs and refugees, which the vast majority of returnees being internally displaced persons.

Beyond all of these efforts, we will continue to engage directly with international organizations, with NGOs and with displaced persons in Iraq and refugee populations and officials outside of Iraq to ensure that we are making our best efforts to meet the needs of refugees and displaced persons. One of my trips as assistant secretary was to Iraq, Jordan and Syria last fall. My deputy, Kelly Clements, returned from the region last week or a couple of weeks ago. And this remains an issue of the highest importance to us.

We'll continue to press other donors to provide assistance. I have met with officials of more than 15 governments to press the case, though I have to be honest and say it's an uphill battle. I think that it's likely that we will continue to provide the lion's share of aid to the displaced in the years to come.

And we will continue to urge Iraqi officials to do more to assist the displaced and the refugees. In fact, over the last year, the Iraqi government appointed a senior coordinator for displacement, they increased the budget for the Ministry of Displacement and Migration and they increased their returnee grants by about 50 percent. These are all good signs and will encourage the new government to do even more.

Finally and critically, we will sustain and strengthen our efforts at U.S. resettlement. We believe that the most appropriate, durable solution for the vast majority of Iraqis will be return to a safe and a stable Iraq. But we know—we know that Iraqis, some Iraqis will never be able to return and that third-country settlement will need to remain a viable option for many of them.

Our Iraqi resettlement program is now the largest refugee resettlement program in the world. And about one quarter of all of the refugees whom resettle in the United States come from Iraq. We have improved the efficiency of the in-country refugee resettlement program. That is the program that resettles Iraqis directly from Iraq, not from neighboring countries. And this year we expect to triple the number of refugees who will be resettled through this mechanism.

We have doubled the size of our refugee and internally displaced affairs office in Baghdad over the past two years, so that it is now the largest U.S. refugee coordination office in the world.

And finally, it's vital that Iraqis are provided sufficient support when they get here to enable them to become productive members in their new communities. In January of this year and with the

strong support from within the Congress, I authorized a doubling of the one-time per capita grant that we provide to refugees to address the challenges they face during their first 30 to 90 days in the United States.

This was the largest increase by far in the more than three-decade history of our refugee resettlement program. It won't eliminate the enormous challenges faced by new arrivals, nor will it address the longer-term adjustment needs that are addressed by the Department of Health and Human Services, but it will help to ensure that incoming arrivals have a roof over their heads and have sufficient provisions for their first months in the country.

In a detailed report on Iraqi resettlement that I have reviewed very carefully, one of the witnesses in your forthcoming panel, Kirk Johnson, notes that our department has taken, and I quote, "laudable steps towards bringing allies out of Iraq." And I was deeply gratified by that characterization. But I also took very careful note of the recommendations in that report and in other reports about what more we can and should be doing in terms of current and future responses. And I assure you that we will review carefully each and every one of those recommendations.

In closing, I want to thank you for your interest, your commitment, your actions on behalf of Iraqi displaced and refugees and for your support for the activities that assist and protect these vulnerable populations. I'd be very happy to respond to your questions.

Mr. CARDIN. Secretary, thank you very much for your testimony. Before turning to questions let me acknowledge the presence of the ranking Republican member, Congressman Chris Smith and turn to him if he has any opening comments.

**HON. CHRIS SMITH, COMMISSIONER,
COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

Mr. SMITH. Thank you very much, chairman. First, I want to welcome our very distinguished assistant secretary for PRM, Eric Schwartz, who, over many years, I know I and my staff have worked very closely with him. I just want to thank him publicly for the tremendous work he has done over the course of a lifetime. It's been an honor to work with you, Mr. Secretary.

Last week, I met with Gewargis Sliwa, His Beatitude, the Metropolitan of Iraq and Russia of the Assyrian Church of the East. He told my staff and I, very calmly, that some 69 churches have been bombed in recent years, 800 Christians killed including clergy. He went on to talk about how there is a rising tide of violence perpetrated against people of the Christian faith. He also spoke in great length about the trafficking situation and that many of those who do flee find themselves very quickly put into a trafficking situation when they get into Syria. Perhaps during the course of the Q&A, you could speak to that.

I'm always concerned that whether it be in refugee camps, whether they be with the borders around them or makeshift refugee camps, traffickers are always on the prowl looking for individuals to devour and send out to or abuse right in country. So I would hope you could speak to that. And again, I want to thank you for your leadership. It has been extraordinary. This Republican has a great deal of respect for you.

Mr. SCHWARTZ. Thank you.

Mr. SMITH. Chairman.

Mr. CARDIN. Congressman Hastings.

Mr. HASTINGS. Thank you very much, Mr. Chairman. Mr. Chairman, may I make a most unusual request and ask your consideration of same. I know that Secretary Schwartz is probably on limited time, but I also know that we're going to begin votes on the House side in about 20 minutes. With your permission and if Secretary Schwartz would agree that we hear the other witnesses so that we have an opportunity to hear them, I would forgo any questioning so that I do have an opportunity to hear them. I don't know whether that's feasible.

Mr. CARDIN. Let me see if I can move quickly and we'll try to move this along. First, let me acknowledge Secretary Schwartz. I agree with you, our first priority is to deal with the displaced individuals and the refugees to return to Iraq in a safe environment. I have been to both Syria and Jordan with the Helsinki Commission and we visited the refugees and we know the plights.

I really want to compliment both the Jordanian and the Syrian governments. They have done what I think has been reasonable. Could they do more? Absolutely. But where the leadership is needed is not just with the United States, but with the Iraqi government. And if I have one complaint, it is that I don't believe this has been a high enough priority of the Iraqi government itself in dealing with the refugee issues. I would just urge you to continue to urge the government to pay more attention to the return of displaced individuals and refugees. I think that's a critically important part.

Secondly, in regards to the visa programs that allow Iraqis to come to the United States, I worked very closely with my former colleague Sen. Kennedy in developing not only the special immigrant visas, but also the payments so to be more convenient for those who helped our country to find refuge here. I guess my question to you is that there could have been as many as 15,000 settled under the SIVs. In reality, I believe it's a little over 2100. The question is, why hasn't there been more issuance of the special immigrant visas?

I also know that there was a directive that came out of the consulate that restricted the use of the SIVs to direct hires—contractors and subcontractors—excluding employees of other U.S. entities and government-funded organizations. I don't recall that being in the legislation and I would welcome your thoughts as to why the numbers aren't higher than the 2100.

Mr. SCHWARTZ. Well, first let me address your second question first: the issue of how expansive the SIV authority is. The issue you raised has been raised in a couple of the reports that we've looked at and the policy you describe in terms of how it's restricted has been a policy that's been in effect for several years. I think the issue bears examination, and I think it merits review.

The SIV issue will have certainly more than a colorable claim in the refugee program. The refugee program administratively is just easier to navigate. That may be one of the reasons why the SIV program is undersubscribed. There are also requirements in the SIV program because the legislation essentially grafted Iraq onto

an existing U.S. government program. There are a series of requirements that have created a certain slowness in the process, such as a chief of mission letter requirement.

We have taken a lot of actions to try to expedite this process, to make it go faster. But it remains an undersubscribed program. I think it is an issue that we need to look at and to figure out where there are ways we can make it easier and quicker. We may need the help of the Congress on this because some of these requirements are legislative. We just couldn't get around them without legislative fixes.

Mr. CARDIN. We look forward to working with you on that. We know we've done some programs to try to expedite this. We particularly appreciate the presence within country, which makes life a lot easier on the immigrant issue. Let me just remind you that in 1996 we had an airlift of Iraqis in the Kurdish community because of the urgent safety issues.

I am concerned with the redeployment of U.S. troops and the closing of military facilities that we could have some urgent issues that will not await the niceties of the bureaucratic forms and may require some urgent responses. Is that under consideration and do you need congressional support in order to be able to implement such a plan if it becomes necessary?

Mr. SCHWARTZ. Well, Sen. Cardin, I think the more congressional interest we have on this issue, from my perspective, the better.

We take very seriously concerns expressed by many that there will be increased reprisals against Iraqis who have worked for us in Iraq. We currently have a range of robust resettlement and visa programs that benefit Iraqis, as you know. I think we need to bolster them and strengthen them and increase contingent capacity in neighboring countries. We need to do all of that and think about ways that adapting these programs to changes in circumstances to enhance capacity to move people who are at imminent risk because we have capacity, but it's limited. At the same time, we do need to look at options for the kind of contingencies that your question addresses.

Mr. CARDIN. Good. There's significant congressional support for measures being taken if the circumstances require it. We have a strong obligation to protect the Iraqis that are at risk. I would just urge you to keep us informed and to have those types of plans available.

Mr. SCHWARTZ. Certainly.

Mr. HASTINGS. Senator I'm going to forgo, but I would want to submit questions and ask the secretary if he would get back to us with those answers.

Mr. SCHWARTZ. I'd be happy to and I also want to say before you go, Congressman, that I deeply appreciate your dedication and interest in this issue. I looked at your legislation very carefully. I think, again, my general proposition on this is the more engagement we have from the Congress, the happier I am.

Mr. CARDIN. Congressman Smith.

Mr. SMITH. The U.S. Commission on International Religious Freedom released its 2010 report on April 29th and it noted, quote, "Despite the overall drop in violence in the country, violence against religious minorities and their religious sites continued in

'09 and 2010, particularly in the northern disputed areas." The report further stated that the vast majority of displaced religious minorities within Iraq have gone to Nineveh, where there has been a pattern of violence against religious minorities prior to elections and obviously, it's an ongoing problem.

Could you speak to that issue? I was in Baghdad several years ago and met with a group of Christians who had the same complaint then as they do now, that the government does not provide adequate protection, that many of their people were put into flight. They get a knock on the door and they're told, you be gone by tomorrow or your house and your life will be destroyed. And they pack up and they leave. So while we try to deal with, obviously, refugees and IDPs as they cluster or as they go across borders, stopping that in the first place seems to be the highest priority in terms of mitigating this terrible situation.

Mr. SCHWARTZ. I couldn't agree with you more, Congressman Smith. Let me start from the area that I know, which is the refugee and displaced perspective, which is, yes, we see that a very high percentage of those who are in fear of persecution from Iraq do come from communities of religious minorities. And that is a great source of concern and these are populations which we are seeking to find protections solutions and assistance solutions for.

I think the issue of stopping persecution before it happens has got to be and is a subject of discussion and dialogue between our government and the government of Iraq. The more we press for reconciliation and policies of tolerance and respect for democratic principles, the greater over time the provision of rights to these communities will be, but it has to be a critically important part of our conversation with Iraqi authorities. And with your permission, I'd like to get back to you with more on that for the record.

Mr. SMITH. If you could. I was struck by Metropolitan Sliwa who made the comment that when people visit his house now, there is a room that used to be the guestroom that's adjacent to the street and he has nobody sleep there because of so many bomb attacks. The targeting is, I believe, getting worse. So if you could get back, that would be very much helpful.

The UNHCR issued a statement recently that about a hundred people have been forcibly returned from four European countries.

Mr. SCHWARTZ. What it's about is our European friends have somewhat different perspectives on this issue than we do. We believe that all returns to Iraq at this point should be voluntary. That includes—of course, anyone who is deemed to fear persecution, under no circumstances should that person be returned, but our position is broader than that:

At this point, despite the encouraging signs that we see in Iraq—and as I said before, we've seen the numbers of displaced people leaving has diminished and we applaud that and that's encouraging. But despite that, we think that all returns to Iraq at this point should be voluntary. We have a different perspective on this issue than some of our European friends.

Mr. SMITH. And finally, money-wise, how much unmet need is there in terms of providing for the IDPs and the refugees?

Mr. SCHWARTZ. Well, let me get back to you on that for the record. But Samantha Power, my counterpart at the National Secu-

riety Council and senior director for multilateral affairs and human rights, and I hosted a big meeting with governments here in Washington to press the case for providing humanitarian assistance. We continue to provide the lion's share of responses to UNHCR appeals. And we'll continue to do so. But it shouldn't be that way. Other governments need to be doing more. Since they're not, UNHCR appeals and other appeals tend to be undersubscribed and we're doing everything we can not only to do far more than our fair share, but to encourage others to do more.

Thankfully, the Congress has been very generous. We're probably the only bureau in the government that the Congress for whatever reason decides, we need more money than we ask for. The support for the humanitarian role of U.S. foreign policy from the Congress has been incredibly important to the work of the department on these issues.

Mr. SMITH. As you know, the UNHCR itself always in its requests goes for what it thinks it can get rather than what it absolutely needs.

Mr. SCHWARTZ. Well, let me just say something about that too because it's relevant to the budget issue generally. That has traditionally been true, but our encouragement, UNHCR has moved towards needs-based budgeting as opposed to what it thinks it can get. As a result, their budget requirement now is much larger. It's gone from something like 2 (billion dollars) to \$3 billion dollars. We applaud that because even if it's not fully funded, we think an international humanitarian organization has an obligation to say what the requirements are. But that has created great stresses for our budget because, you know, their budget has increased by a third, but it is definitely the way to go.

Mr. SMITH. That's good. Thank you so much.

Mr. CARDIN. Congressman McDermott? Secretary Schwartz, thank you very much. Now, there may be some written questions and I would appreciate if you would respond to those timely.

Mr. SCHWARTZ. Thank you, Sen. Cardin. I would be remiss if I didn't thank you for your extraordinary efforts on behalf of this population.

Mr. CARDIN. Thank you very much. We appreciate your work and your dedication. I know it's a tough area.

Mr. SCHWARTZ. Thank you.

Mr. CARDIN. Thanks for being so concerned. We'll now turn to our second panel, which will consist of Ambassador L. Craig Johnstone and from the president of Refugees International, Mr. Kirk W. Johnson, founder and executive director of the List Project to Resettle Iraqi Allies and Michael A. Newton, professor of law at Vanderbilt University Law School. Please make yourself comfortable.

Ambassador Johnstone, we'd be glad for you to begin.

**L. CRAIG JOHNSTONE, PRESIDENT AD INTERIM,
REFUGEES INTERNATIONAL**

Mr. JOHNSTONE. Thank you very much. Mr. Chairman, I have submitted my written remarks for the record and I just would like to make a few personal observations on the issue we have before us here today. I am here as a member of the board of directors of

Refugees International, standing in as the president of the organization pending the imminent, I hope, replacement of our former president.

And therefore, I come to you only temporarily in this position, but I have not, at all, temporary with respect to the issue of refugees as a whole or the issues in Iraq individually. I first testified before the U.S. Congress on refugee issues 45 years ago, almost to the day, which is both shocking to me and maybe even a little bit disturbing.

I now am here representing Refugees International. I don't know how much you know about the organization, but Refugees International was set up at the impetus of Lionel Rosenblatt after he and I went AWOL from the State Department. We both worked in Henry Kissinger's office in 1975 just before the fall of Saigon.

In order to take out the people who had worked for us in Vietnam during the time that we had been there—each of us having spent some five years in Vietnam—we went to Vietnam because the state of planning to take care of the people who worked with and around the U.S. government there was appalling—absolutely appalling. Very, very little had been done on their behalf. In fact, I would characterize the U.S. government attitude towards the Vietnamese employees of the U.S. government at that time as one of callous disregard. And we were shocked by that. We also went because we believed that the United States had a residual humanitarian obligation not just to the people who worked with us, but to the Vietnamese people as a whole as a consequence of our participation in the war.

I will tell you that I remain, to this day, upset by how poorly we did in planning for the fall of Saigon. But I will also tell you that I am intensely proud of how the American people responded to the fall of Saigon once it began to take place, welcoming people into their homes across all 50 states, the U.S. government mobilized in exceptional ways past, you know, all kinds of provisions went into effect that allowed us to deal with the problem.

Because of the lack of planning, we left a lot of people behind. But I must say, to this day, I am incredibly proud of the magnificent job that our country did in being responsive to the Vietnamese crisis once we began to mobilize on it. It was marvelous, fantastic and quite frankly, I think it was something that would happen in America. And I think we can all take great pride in that.

We face an analogous situation in Iraq. We are leaving the country, as you have pointed out. We have a lot of people that have been associated with us and maybe even more importantly, to some extent, we have millions of people who have been displaced by this war—a million-and-a-half internally and at least a half-a-million outside of Iraq who have been displaced by this war and who are living in absolutely horrible circumstances.

Not all of them, but many, many of them in absolutely horrible circumstances. When I visit some of the settlements in Iraq, the squatter villages, there's no running water, there is no electricity. There is open sewage. People are living under cardboard. And we're not talking, here, about people who are used to living in that kind of deprivation before.

We are talking about people who constituted a middle class that is not unlike that which we have in the United States before. And today, they are living in absolutely terrible circumstances. And almost to a person, when I ask the questions in these places in Iraq, when I ask the questions of people, do you have sanitation? The answer is no. Do you have water? No. Do you have sufficient food to eat? The answer is no. Do you have any prospects of a job? The answer is no.

So what can we do to help, I say. It's really a middle class that has been tortured down into a subsistence living in Iraq. And we're finding the same situation, sometimes less difficult, in Syria and Jordan, less difficult because the international organizations have more access to the people there and therefore can provide a basic modicum of services.

But even there, it is totally insufficient. Women are being forced into prostitution. People are going into begging. The difficulties that they are facing are extraordinary. The government of Syria, the government of Jordan have done absolutely spectacular jobs trying to deal with this enormous influx of people. I think you have to give credit where credit's due.

There have been shortcomings in how the government of Iraq has handled the refugee issue, though I think they've done materially better with respect to the internally displaced people within Iraq, it still is hopelessly inadequate. So we have this analogous situation. The important message, I think, for us today, is as we disengage from this conflict, we cannot disengage from our humanitarian obligations. We have a special obligation in this case and we need to step up to it.

We stepped up to it too late in Vietnam in many respects, but we did step up to it and we need to be sure that we are ready this time and we step into it in a timely way and that we leave the situation honorably. And I think it'll go a long way toward helping us, you know, come to terms with the situation that we have faced in Iraq.

In practical terms, what does it mean? It means we have to ensure that we have adequate funding. The U.N. appeals for the refugees and internally displaced in Iraq have come to a little over 700 million. The U.S. has an obligation as it has tried to do in the past, of meeting at least 50 percent of that appeal. It's not currently on track to be able to meet that 50 percent this year. But it's coming close and I commend the U.S. for everything that it has done, but it could do more and should do more to be able to meet the requirements of these refugee situations. As Assistant Secretary Schwartz pointed out, the rest of the world is not doing its part at all.

It's a pittance, what some of the other countries are contributing and that increases the burden on us. It would be easy to say, well, you know, they should do more. But the fact is, they're not and this is a situation that is a special situation for us. So ensuring that we have adequate funding, I think, is one of the things that needs to be done.

Secondly, we need to get the people who are working on the issue, particularly within Iraq, out of the Green Zone. The problem in Iraq today—and it's a problem that affects both the U.S. side as well as the U.N. side, but in particular, the U.N. side—is that the

security restrictions on travel within Iraq are so stringent, that people are not able to get out to actually see for themselves what is taking place and to work the issues where the issues actually are. We need to break this. It's particularly true of the U.N. organization. That is to say, the U.N. has a lot of very capable people in Iraq who are trying to get the job done right, but they are restricted in terms of how they travel. At Refugees International, we travel around Iraq. We visit the same places where the people are and we do it without the same kind of security restrictions that the U.N. puts on itself or that the U.S. puts on itself.

Are our people so different? They're not. They're the same people, in fact, the same kind of people. They're humanitarian workers who want to get the job done and who go out there and yes, they do take a certain level of risk in doing it. It comes with the territory of humanitarian work in crisis situations.

The U.N. is not in Iraq and the U.S. is not in Iraq on the humanitarian side to keep itself secure. It is in Iraq to service a humanitarian need and it needs to pay a lot of attention to the issue of security. I don't deny that for a moment. But we need to put a little bit of pressure on the U.N. and need to look at ourselves at what we can do to improve the access that people have to the humanitarian need within Iraq itself.

We need to keep the numbers up as well on the resettlement in the United States. I testified before the U.S. Congress, back when I was the deputy high commissioner for refugees at the United Nations I was asked, do you think the U.S. is going to be able to meet its target of 16,000 resettlements? And the answer was yes, I was sure that the U.S. would because a commitment had been made. It didn't look like it was possible, but it was done. And I commend the United States for that. But those numbers are still too low and quite frankly, we're now approaching the age when we need those numbers to come up in order to be able to service what are going to be increased demands as the U.S. withdraws its forces from Iraq.

I think, to give a nod to the two people who will speak after me whom I think will address this issue in much greater detail; we need to be especially mindful who associated themselves with us during the course of the Iraq war. These people are at extraordinary risk. We need to take every measure that we possibly can to ensure that they can leave Iraq and that they can be resettled adequately in the United States.

I guess in sum, I would say, simply, I've been there; I've done it; I've seen it in Vietnam. I know that the American people can respond. When Lionel and I got back to the United States after our rescue mission to Vietnam, we were first fired and then rehired and then received commendations from Secretary Kissinger. And having been through that emotional rollercoaster, he did say one thing in the course of our citation and that was he thought that we had salvaged a small measure of our honor in Vietnam. I don't think that was so appropriate for us, but I think it was very appropriate for the overall effort that U.S. put into place after the Vietnam War to resettle Vietnamese refugees in the United States. I would say the same thing applies for Iraq in doing the right thing

with respect to the humanitarian responsibilities in Iraq, we will have salvaged our honor in Iraq. Thank you.

Mr. CARDIN. Thank you for your testimony. I appreciate it very much. Mr. Johnson.

**KIRK JOHNSON, FOUNDER AND EXECUTIVE DIRECTOR,
THE LIST PROJECT TO RESETTLE IRAQI ALLIES**

Mr. JOHNSON. Chairman Cardin and Hastings, ranking members, I thank you for the opportunity to address you today and for the attention that you're giving to an issue that despite popular perceptions, increases in importance with each passing day of withdrawal.

Let me begin with the obvious. We are leaving Iraq. By the end of next month, we will have reduced our military footprint to roughly 50,000 troops. Hundreds of bases and outposts throughout the country are being dismantled. Our young men and women serving there are redeploying. The blast walls are coming down, the tanks and Humvees shipping out.

We are in the thick of what the Pentagon has declared the largest movement of troops and materiel since our departure from Vietnam. The logistics operations underway are staggering—tens of thousands of troops have been reassigned to support that effort, which is so advanced that the Pentagon apparently has the capacity to track a coffeepot on its long journey home.

Impressive as this might be, it ignores a fundamental oversight in our nation's withdrawal strategy. There are no serious contingency plans to evacuate the thousands of Iraqis who've worked for the U.S. and lived alongside our troops and civilian officials as interpreters, engineers and advisors. As we shutter our bases, these Iraqis are being cut loose to run the gauntlet of a refugee resettlement process which typically takes a year or more. This process will not work quickly enough when it is needed most.

Since my return from Iraq, I've been trying to help thousands of Iraqis who fled the assassin's bullet. They have been tortured, raped, abducted and killed because they worked for America. My organization, the List Project, assists these imperiled Iraqis in navigating the straits of the winding U.S. refugee resettlement bureaucracy.

Although it is the largest single list in existence of U.S.-affiliated Iraqis, at several thousand names, our list is only a reflection of a much larger community. It is likely that thousands have already been killed as traitors or agents of America.

I have a separate list which documents hundreds of assassinated interpreters who worked for just one contractor, a small but gruesome glimpse. And while I once thought that the dark years of Iraq's 2006-to-2008 civil war were the bleakest for these Iraqis who have helped us, I am increasingly concerned that the worst days are yet ahead.

Now, Secretary Schwartz has outlined a number of significant steps forward that the State Department has taken in the past few years. To be sure, we have gone from a program that admitted one or two refugees a month, to one or two thousand a month now. Unfortunately, however, the vast majority of Iraqis admitted here are not those who have assisted the U.S. A recent GAO assessment

puts the figure of resettled Iraqi allies at less than 10 percent of the whole.

Why is this? Why, after our work which has mobilized tens of thousands of pro-bono hours from the nation's top law firms, are only a few hundred out of the 19,000 Iraqis admitted to the U.S. last year from my list? I wake up each morning struggling to make sense of this.

I speak today not to dwell on the perceived successes and failures of recent history, however, but rather to focus on the next 16 months, the final months of the war. This coming period has the shuddering potential to overshadow any of the positive strides we've made in the past few years, and if we numb ourselves to the lessons of history, our withdrawal will be unjust, and bloodily so.

This is not conjecture. I have lost many former colleagues to assassination, and the steady grind of murder continues apace in today's Iraq, despite the misperceptions that the surge has pacified the country. The Islamic State of Iraq, the umbrella organization which is composed of numerous insurgent and terrorist groups, including al-Qaida in Iraq, just released its own plans in a strategic document published out of Fallujah.

Their manual proceeds with chilling simplicity. Quote, "Step one, nine bullets for the traitors and one for the crusaders. Step two, cleansing and step three, renewed targeting." They are practical, stating that this cannot be accomplished within one or two months, but requires continuous effort.

Those who believe this group's threats have been rendered hollow by the surge might reflect upon the hundreds of Iraqis that have been slaughtered in the past several weeks by bombings and assassinations throughout the country. Upon a recent string of attacks that killed another hundred Iraqis, the Islamic State of Iraq's minister of war declared that what is happening to you nowadays is just a drizzle.

We know where this road leads. When British forces drew down from southern Iraq just two years ago, militias conducted a systematic manhunt for their former Iraqi employees. Seventeen interpreters were publicly executed in a single massacre, their bodies dumped throughout the streets of Basra.

This predictable churn of violence against those who collaborate with an occupying power has been repeated again and again through history, coursing through the lands of Iraq, Vietnam, Algeria, Europe, all the way back to our own soil, when British loyalists were hunted by American militias after the Revolutionary War.

In Vietnam, an examination of President Ford's declassified NSC transcripts reflect an administration that did not seriously turn its attention to the plight of the South Vietnamese who aided the U.S. until the final weeks of the war, by which point it was surely too late.

Now, my colleague, Ambassador Johnstone, has humbly understated his service to our nation in the final days of the Vietnam War. He and Lionel Rosenblatt recognized that the South Vietnamese who had risked their lives in the service of America were about to be abandoned. They holed up in a hotel room, posing as French businessmen, and conducted an unofficial underground rail-

road to spirit out our embassy employees who would surely be primary targets upon our departure.

For such efforts, they were rewarded with an arrest warrant issued by the embassy, as sure a sign there is that, in the absence of leadership, our nation's moral compass is easily shattered. Our refugee policy that emerged in those final hours reflected a Darwinian cruelty. Whoever was persistent and strong enough to break through the gates at our embassy could have a seat on one of the few choppers remaining.

We eventually did the right thing, by admitting hundreds of thousands of Vietnamese refugees to our country, but not before too many were lost to assassination and reeducation camps and not before we suffered a horrendous blow to our nation's image.

What ensued in those early morning hours on the rooftops of Saigon, as desperate Vietnamese clamored beneath departing helicopters, would be rebroadcast by Al-Jazeera throughout 2005, when I worked for the USAID in Baghdad and Fallujah. My Iraqi colleagues were demoralized by the footage, and asked us if the same would happen to them when we left.

Depressing as this history is, it is not inevitable. The U.S. is not evacuating, but withdrawing, a distinction which provides us with an opportunity to avoid the mistakes of the past. There are many encouraging precedents to build upon.

After the bloodletting in Basra, for instance, the British responded by airlifting its surviving Iraqi staffers directly to a RAF base in Oxfordshire, England, whereupon they were offered asylum. Indeed, each of America's principal coalition partners—Britain, Poland, Denmark—has honored its moral obligation to endangered Iraqi employees through airlifts to military bases.

We have employed the Guam Option, as we've discussed today, routinely in our own history. Secretary Schwartz himself was intimately involved in the '96 Operation Pacific Haven, which airlifted 7,000 Iraqis to Guam in a matter of weeks. We must ensure that he has the tools to do so again.

In a war that has presented few silver bullet solutions, this comes close. We can save the lives of those who've helped us, while maintaining security as processing occurs on a remote base. We cannot make the mistake of thinking that the systems currently in place will work quickly enough for those Iraqis who are cut loose in the coming months.

The implication for inaction extends well beyond Iraq. Each of us in this room has strong opinions about how the war in Afghanistan, now the longest war in our nation's history, should be prosecuted. Wherever you stand, however, there are no strategies that do not involve reliance upon Afghan civilians in many capacities similar to how we've employed Iraqis.

If we allow the thousands of Iraqis who have risked their lives to help us to perish, or to spend the coming years in hiding, in peril, in flight, in waiting, we are fools to think that we can expect support from Afghans.

But the urgency of this situation demands frankness. Nobody's ever won an election by admitting refugees to our country. The fulfillment of such moral and strategic obligations serves the nation, not any particular constituency. In doing so, we raise our status as

a country that is still capable, even amidst our struggles, of honoring our principles by protecting our friends against those who wish to spill their blood.

President Obama once summoned the words of Martin Luther King when talking about the need to end the war in Iraq and I quote, "In this unfolding conundrum of life and history, there is such a thing as being too late." Let us hope that he and his administration embrace these words as they bring this war to a close and thank you for the opportunity to address you this afternoon.

Mr. CARDIN. Thank you for your testimony, Mr. Johnson. Mr. Newton.

**MICHAEL A. NEWTON, PROFESSOR OF THE PRACTICE OF LAW,
VANDERBILT UNIVERSITY LAW SCHOOL**

Mr. NEWTON. Thank you, Mr. Chair. It's a great a privilege to be here and I would offer to submit a written statement.

Mr. CARDIN. Your written statement is made part of the record.

Mr. NEWTON. Thank you, sir. Sir, I'm a graduate of the U.S. Military Academy and I served in uniform for more than 21 years and I would add my voice to those that have already said, today, that our obligation and our responsibility to our Iraqi friends and allies is a moral and a strategic imperative.

I believe that we have every obligation to protect them, to respect them, to help them and at our present rate, we're not meeting those obligations in a way that we're capable of doing. This hearing today represents, I think, a beacon of hope for those Iraqis whom we all know and we have worked with. And I respect the leadership and the vision to convene this hearing.

I would also respectfully submit that the focus of this hearing ought not to be on our shortcomings, but on the way ahead as we begin a concrete glide path, I would strongly urge that specific planning and specific implementation of specific responsibilities to help specific Iraqis cannot be relegated to an inconvenient afterthought.

It has to be a central focus and part of the planning, and today, from my observations and my experience, it is not. We can do better and we should do better and I believe we have a moral imperative to do better. In that context, if you remember any—one single thing that I have to say, it is this, that a successful process in strategy for assisting Iraqis, in my view, needs to be a robust inter-agency process that fully integrates all stakeholders.

We've heard, today, of course, from the distinguished assistant secretary in PRM at State. He's been very busy. There are stakeholders in the Department of Defense. There are stakeholders in Homeland Security. I strongly believe that the failure to include a systematic planning may very well have strategic consequences.

And to summarize, our government has to work together so that things don't fall apart. And again, at present, we are not. I do hope that this hearing leads to both an increased awareness, but also a unified and a swift congressional response. And I will conclude my testimony by offering four of what I see is four very specific, very concrete mechanisms, some of which require statutory assistance to move forward.

As has been observed in the very recent past, we've seen a specific focus on targeted assassinations, targeted killings of our Iraqi friends and those who worked with us. And particularly, any American service member or woman who has served in Iraq has legendary stories. American lives have been saved in so many examples by these friends and allies.

We owe it to them to assist them rather than simply turning our backs upon them. Within the last three days, it was in a reported account of a translator who was murdered by his own son. And the reported quote was, "Everybody hated him because he worked for the Americans."

These targeted reprisals indicate that the concerns that have been expressed today are not just theoretical concerns. They're very real. They're very tangible. But I would also offer the hopeful caveat that the suffering that we foresee is foreseeable, but not inevitable. We can, in fact, mobilize resources from this great country to do better and to do more.

As a quick aside, I will tell you—let me pause to admit that this also comes from the wellspring of personal experience—my book on the trial and execution of Saddam Hussein is called "Enemy of the State." It is the definitive account of the trial of Saddam.

In the dedication, in the forward page, as follows—it says and I quote, "To Riyadh and to John and to all those who have suffered at the altar of freedom and human dignity." Neither Riyadh, an Iraqi, nor John, the American, who are named are fictitious individuals. They're real individuals, but they're emblematic of so many thousands of others who have suffered and sacrificed.

Riyadh was the most distinguished, noble translator in the embassy working with the Iraqi judges preparing the trial. He was threatened. He was told, as so many other Iraqis were, don't wear your uniform clothes. Don't hide. Blend in. Because of his leadership and his perspective, he was one of the most respected Iraqis. He didn't follow that advice. He wanted to set the example for those who were watching him, so he wore his work clothes. He carried himself with pride and a great sense of distinguished presence. The Iraqis followed him; they looked up to him.

On my second trip to Iraq, he pulled me aside—literally, grabbed me by the elbow, pulled me aside—he said, Newton, be very careful. It is more dangerous today than it was the last time you were here. And within 48 hours, he was murdered on his doorstep, literally, as he left to go to work. And as I say, he is emblematic of so many others. We could spend a great amount of time telling you concrete illustrations.

So the focus has to be, what can we do and what should we? We know what we should do. The focus has to be, what can we do? One thing is clear and I want to reiterate it, that we need much, much greater integration of effort and mutual support between the Departments of State and Defense and Homeland Security.

At present, there are delays and there are inefficiencies which no single agency can address, nor should address. And I firmly believe that with the coordinated efforts of our government, we can, in fact, make great strides in addressing this problem. And to reiterate, I do believe it's a moral and a strategic imperative that does, as has already been pointed out, have implications for our current

counterinsurgency operations in Afghanistan and in other parts of the world.

So Mr. Chair, let me conclude with four specific recommendations. Number one: As a first priority, the amendment offered by the distinguished co-chair, Mr. Hastings, needs to become the law of the land. That amendment would require the Department of Defense to compile a consolidated report—the database of information, if you will, which, in fact, is resident within the Department of Defense—of which individuals have, in fact, worked alongside us, which individuals have suffered, which individuals have sacrificed and therefore, which individuals within Iraq are the most in danger.

Despite the laudable, the tremendous logistical planning, the compartmentalization of the refugee issue, at present, leaves us in a hauntingly similar position to where we were in 1975. And I so appreciate Ambassador Johnstone's sentiment in that regard. This is a preventable crisis. As I said before, it is foreseeable but not inevitable. So step one, the Hastings amendment needs to become the law of the land.

Step two: I do believe that we need to empower the Department of Defense to capitalize on its efficiencies. To that end, the Hastings report within DOD is a necessary first step. But I also believe that within the Department of Defense, there should be a consolidated focal point of expertise, to consolidate the expertise, to help cut through the interagency bureaucracy that, at present, prevents Iraqis from knowing where to go and who to turn to.

Just one small example, the process of getting a chief-of-mission letter: The urgency of that may very well be felt within DOD channels. And in my experience there are many people at the lower levels of DOD who know the sacrifices, who know the people who have sacrificed and who desperately want to help them because they're bonded by fire.

They've ridden in the same vehicles. They've walked the same patrols. They've talked to the same people. They've been under fire by the same enemy. They desperately want to help. And at present, within DOD channels, there is no office; there is no focal point to help. Conversely, from outside DOD, there is no single focal point for other agencies to coordinate or to make synergy of efforts. And I believe that we can and should fix that.

Also, secondly, a designated focal point within DOD would also give a focus point of expertise to be able to push expertise out to the combatant commanders and I think that's a really important need.

Thirdly, the corollary to a focal point for administrative and logistical purposes is a designated funding stream. We were very successful in the surge. The surge was not just a surge of people; it was a surge of ideas. And one of the most critical tools on the ground, at the tactical level—as you well know, Mr. Chairman—was the commander's emergency response fund: a quick, focused mechanism at the tactical level for a local, tactical commander to focus on immediate needs that were a priority to the immediate local population.

I believe that in this context, a local tactical commander in the military chain of command should have exactly the same type of

legislative statutory authority. It may very well be nothing more complex than bulletproof windows in a car or hotel accommodations. But at present, there's no streamlined funding authority at the tactical level for commander's emergency response, to assist the translators that are under danger.

Food, whatever the need, they're best equipped to do it—to meet that need—but at present, they have no ability to meet that need. As a corollary, I do believe that the focal point within DOD should have a designated funding stream to allow it to do its job, on the larger scale, for the same kinds of reasons and for the same kind of moral imperative.

And lastly, I do believe that there needs to be a focused inter-agency ability to synergize the efforts of our government with the tremendous willingness and the tremendous capacity of our local civil societies. As has been pointed out in Operation Pacific Haven, that succeeded with a great deal of support from the local population. There are volunteers; there are university groups; the List Project work at the local level.

There are churches; there are community organizations that will do heroic things to help these people once they're on the ground and once they're safe, but they can't do it without the assistance of the government to get them here, to get them to safety. As has been pointed out, this window of opportunity represents a fortuity—one of the rare fortuities, frankly—where our strategic interest straight, directly aligns with our moral imperatives.

We cannot let this opportunity slip away. And to reiterate, it's our moral duty to stand by those who have stood by our men and women in uniform. I deeply believe that. And I do believe that a focused and revitalized national effort to save our Iraqi allies will, in the long run, save American lives, both in Iraq and in Afghanistan and in other theaters.

I thank you so much for taking the time from your busy schedules to attend and for your leadership and your vision in calling for this hearing. I'm honored to know so many wonderful Iraqis who have suffered so much to share their needs with you today and I welcome your questions.

Mr. CARDIN. Well, first let me thank all three of our witnesses. I think the advice that you have given us is very, very valuable. There's clearly a willingness in this country to step up to our responsibility as it relates to those who helped us in Iraq. There's certainly a willingness in this country to deal with the refugee issue internationally. America's always been in the forefront.

But there doesn't seem to be the type of planning that Ambassador Johnstone said we should have learned from Vietnam, in trying to know the numbers, know the consequences, plan for this in an orderly way. I'm interested whether any of you have reliable numbers that you think represent Iraqis who helped America that are at risk, and who have a desire to seek refuge here in the United States. Does anyone have those? Now, I know you have lists, Mr. Johnson.

Mr. JOHNSON. I think this underscores the urgency of getting Rep. Hastings's amendment through because that's one of the first things that it calls upon the U.S. government to get at. The estimates that I've seen range between 40,000 and 120,000 Iraqis who

have helped us. I personally have received appeals from several thousand.

The other relevant fact here is that when the British offered two things to the remaining Iraqi staffers: Either we'll put you on an airplane next week to come to the U.K. and we'll give you asylum, or we'll give you something on the order of, like, 10 or \$15,000. There was a buyout. And to my understanding, only roughly 10 percent of the Iraqis that worked for the Brits availed themselves of the airlift.

It's hard for me to say whether or not the same percentages would hold with those who have helped us, but I know that out of the gates we have authorization to bring 25,000 Iraqis over who have helped us. And we're nowhere close to exhausting that limit. So part of me thinks we ought to just, at least, use those up before we start exploring beyond it.

Mr. CARDIN. We understand the Hastings Amendment would give us at least some objective information from the Department of Defense to figure out where we go from there. Does either one of the other two have any numbers that you think differ from that, or is that within the ballpark of what we should be planning?

Mr. JOHNSTONE. I think there isn't really a solid ballpark to be had. And I think those are as good numbers as we're going to get for right now. I think once the Hastings Amendment passes, we'll do much better. But I want to underline the fact that U.S. involvement in Iraq has not just touched the lives of the people who have worked with us. I think we have a special responsibility to them; there's no question in my mind on that. It's an issue very close to my heart.

But we have destroyed the lives, in the course of all the military activity that was precipitated by our actions in Iraq, of about 2 million people. And it's 1.5 million people whose lives have been destroyed within Iraq because they've been forced to move from their neighborhoods with the outbreak of sectarian violence, et cetera, and another half million or more outside of Iraq.

And we need, in our moral obligations, I think, to give priority to those who have worked with us, but not to neglect also the people who have been displaced as a result of the military actions in Iraq during the course of the war. That's part of our moral obligation. I just want to underline that as we conclude this particular session, that we not neglect the people that are suffering the very, very most in Iraq.

Mr. CARDIN. I'm going to get to the refugee issue, but let me stick, if I might, to those who may well wish to come to the United States. One of the frustrating parts is that there are these so-called background checks that need to be done on people who come to America.

And Ambassador Johnstone, you've been involved in this. It's my understanding that there's already been security background done on people who have had a close relationship with the United States in Iraq. So we already know something about the people who helped us. Am I right about that?

Mr. JOHNSTONE. That certainly is right. The U.S. government does not employ employees, or even the organizations that work with the U.S. government without checking into their backgrounds.

Mr. CARDIN. So is that information routinely made available when an individual wishes to come to the United States under these programs? Or do they do duplicate and do new checks that, perhaps, could have been expedited by just using the material that's already available, the files already available?

Mr. JOHNSTONE. I can speak to the issue of refugees. And let's not confuse the fact that most of the people who are coming to the United States, who had been associated with the United States, do not come under the exceptional programs that have been developed.

They come under refugee programs. That information is being shared with the UNHCR, with IOM, with the people who are doing the basic background checks on people who are designated to potentially come to the United States and for whom a decision needs to be made.

So that information is being done. And I think that that process has become far more expeditious than it has been in the past. In fact, I would say that of all of the programs that exist in the world for refugees, none move faster on the refugee track than the refugees currently fleeing Iraq, or even internally displaced people within Iraq.

Is it good enough? Of course it's not good enough. It could be better. But it is moving well. What is not moving nearly as fast—and in fact, I think, Secretary Schwartz pointed out the fact that it is a much slower process to avail yourself of the programs that were designed specifically to help there.

Mr. CARDIN. Why is it taking so long under the special programs?

Mr. JOHNSTONE. Well, I'm not the right guy to ask because I haven't had to handle the special program.

Mr. CARDIN. My point is that it looks like it's restricted to those who have had direct involvement to the United States. We would have had a background check on those individuals.

Mr. JOHNSTONE. I would have thought so as well and I don't understand it. It seems to me that that should be something that could be expedited very quickly and I suspect that, when the day comes, will be expedited, but will it be in time? Because I think we do have a way of breaking through bureaucratic hurdles when it reaches crisis levels, but that's often too late to be able to solve the problem for everyone.

Mr. NEWTON. Mr. Chair, let me add, I think your insight is exactly right, which is one of the reasons why it's so disturbing to me that we have a gap between DOD assets and the assets that are processing special immigrant visas. I hear from service members all the time that are frustrated at the delays and the inefficiencies.

One of the things that we did, as has been referenced, in Operation Safe Haven was, we took about a two-year process and we reduced it, for those Kurdish refugees, to between 90 and 120 days. And the task-force commander, at the conclusion of that operation, said, I hope that the lessons that we've done today serve as a model for future operations. And we've lost that.

And what made that operation work successfully was the integration between State resources and DOD, that communication—exactly what you're talking about. For example, a refugee who did

have all those background checks and knows that it's resident in such-and-such commander's files in such and-such unit—he has no idea, no way to get to that. So he has to start all over again. And it does create inefficiencies.

Mr. CARDIN. Well, that's something we're going to try to overcome because I mean, it makes no sense that there's delays. Let me transition into Iraq's government's help, here. And let me start first with those who helped the United States. It seems to me that if your 10-percent number is accurate—I don't know whether it would be 10 percent or 15 percent or 20 percent—still, the majority that have assisted the United States, for whatever reasons, will want to remain within Iraq.

Mr. JOHNSON. It's really difficult to tell. I can only speak for those who are desperately trying to get out, but what I do know is that the lethal stigma that these Iraqis have incurred by working with us is harbored within the government of Iraq as well. I know of Iraqis who have left their work with the U.S. government—let's say in the education or health sectors—and they've gone to that relevant ministry and tried to apply for work. And in doing so, they've exposed that they worked for the U.S. and they've received threats as a result.

And keep in mind that a lot of these ministries, for much of the last few years, have been run as, you know, fiefdoms for the different sects within Iraq. I don't see the government of Iraq as a great ally in terms of protecting the Iraqis who have helped us. And I think they have an incredible obligation to work with us on facilitating returns and protecting the other IDPs, but I would never bank on the Iraqi government to protect those who have been serving our Marines and diplomats.

Mr. CARDIN. So what should the United States be doing in order to change that? If, as a practical matter, most of the Iraqis who assisted us are going to remain in Iraq, what should we be doing to make sure that those who helped us, who want to stay in Iraq, have the best chance of some degree of protection within the Iraqi system? What should the U.S. be doing?

Mr. JOHNSON. I think the cold reality is that with every soldier and Marine that comes home, every day our ability to shape the situation on the ground in Iraq decreases. You'll remember that one of the central dimensions of the surge was the reliance upon the Awakening. We funded roughly 100,000, most of them former Sunni insurgents, to basically flip and fight al-Qaida. And they're seen as one of the central reasons for the success in Iraq.

There is now a systematic campaign underway to hunt and kill those Sahwa, or Awakening, members.

Most of them are fleeing across the state borders. They're going to Sweden and other countries and they're asking us for help. We're not taking up the Awakening cause at this point.

But if we look just at their plight, which are potentially comparable numbers, We've not been able to provide protection. And we've certainly made a lot of requests to the government of Iraq to ensure that these Awakening members are integrated into Iraqi society, but it hasn't happened.

Mr. CARDIN. Well, I would just suggest that there will be a continuing U.S. presence in Iraq for many years to come. I don't know

of anyone who's suggesting that we want to isolate Iraq, from the point of view of our involvement. We're absolutely removing our combat troops, but I expect there'll be significant U.S. involvement.

I know that our government has raised frequently the issue of the internally displaced people and their safe return to their communities. Quite frankly, I think, without the international community raising this issue as frequently as it has been raised, the progress that has been made to date would not have been as much.

Not that we don't have a long way yet to go—we still have a long way to go—but it hasn't been a top priority for the Iraqi government. I would think it should be, but it has not been a top priority for the Iraqi government. So I guess my point is, how do we get the Iraqis to pay more attention to the crisis they have in their own country, with so many people being displaced by the war who have not been able to return to their homes?

Mr. JOHNSTONE. Well, I think we're talking here about all of the facets of diplomatic persuasion that you can bring to bear. That is to say, from jawboning the issue all the way through to withholding funding for programs that the Iraqis want if they do not live up to their obligations.

And it isn't hopeless, in the sense of jawboning. And I think we have seen some progress lately because quite frankly, it's inherently in the interest of the government of Iraq to resolve both the internally displaced people issue, as well as the refugee issue, in a favorable way to the government of Iraq.

I think to close their eyes to the presence of Iraqis outside of Iraq—which is essentially what they've done—is very shortsighted. They need to reintegrate these people into Iraq. They represent a wealth of capabilities and they're needed by Iraqi society. And we just have to keep hammering these points home and hope that we will end up with a leadership in Iraq, ultimately, that is responsive to these requirements.

Mr. CARDIN. When I was in Syria about a year ago, there were a significant number of Iraqi refugees who were traveling back and forth between Syria and Iraq. Is that continuing; does anyone know? Are there refugees who do return home, but cross back over the border for safety, but need to do it for economic reasons? Is that still taking place?

Mr. JOHNSTONE. Yes.

Mr. NEWTON. I've heard anecdotal evidence of that, sir.

Mr. JOHNSTONE. There's no question about it and it's particularly prevalent between Iraq and Syria.

Mr. CARDIN. And then my last question is on the international community. It seems to me that much more could be done by the international community. We've had the representatives from the refugee services from the international organizations and we've talked to them.

And they're trying to do what they can, but the number of countries that have really stepped up here have been rather small, as far as their financial contributions, here—outside of the region and outside of the United States. Am I correct in my observations, or is this an issue which really needs to be resolved by the United States and Iraq, principally?

Mr. JOHNSTONE. You're certainly correct in your observations, but unfortunately, I suspect, in the final analysis we're not going to be as successful as we would want to be or as we should be with respect to getting other countries to step up to their obligations. We have allies that were allies of ours going into Iraq in the first place who have not stepped up to their obligations.

And I have spoken with them all. And sometimes the argument is, well, we did our part and now we are withdrawing and we don't want anything more to do with this issue—very blind to the humanitarian responsibilities. Other cases, where it hasn't been an ally of ours, they'll say this was a U.S. war and the U.S. should pick up the costs associated with it.

I hear every imaginable argument from others, but I must say, it is extremely disappointing to see how little support the rest of the international community has given to the Iraqi refugee and displaced person issue.

Mr. NEWTON. I agree, Mr. Chairman. Let me also add that sometimes we inadvertently mischaracterize the need in saying, these are refugees. Therefore, they have nothing. Their human capital is going to be an ultimate net drain on your society. In fact, in my experience, in my observations from working with these people, these really are many of the best and brightest.

They're patriotic; they're hardworking; they're courageous. They have moral principles. They want to plug in and take care of their families. They're a net positive for society and I think it's in part how we frame the debate. They have much, much to offer both to other societies and, in fact, to the fabric of United States culture.

Mr. CARDIN. Oh, and I agree with you completely. And you're absolutely correct and we should underscore that point. Because where it is looked at as a cost factor, it could be turned into an asset factor. Having met with the governments of Jordan and Syria on this issue, it's a cost issue for their budgets.

And they don't see this as a permanent population in their country and therefore, they look at it as a responsibility that's been thrown upon them without the participation of the international community and without any game plan on the long-term impacts. But you're correct. From the point of view where you have permanent placement in other countries, or the assistance to get people back to their homes, it's going to be an economic plus. There's no question about that.

Let me, again, thank our three witnesses. This is a continuing interest to the commission. I've been told that the amendment offered by Mr. Hastings is working its way through the Congress and that there have been, at least, indicators of support from the committee chairs of the committees of jurisdiction. So we will obviously be following that bill very carefully.

I couldn't agree more with our witnesses: The first thing we need to do is get the numbers and have a reliable number, so we all can work on that. Then it's a little bit easier to get areas of responsibility, or focal points or funding flows that you have suggested all need to be part of that. But we need to know the type of numbers that we're talking about and whether the programs and resources are currently adequate in order to deal with that.

And we thank you all for your leadership on this area. And with that, the Helsinki Commission will stand adjourned. Thank you all very much.

[Whereupon, at 4:00 p.m., the hearing was adjourned.]



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