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STATEMENT OF

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BEFORE THE
SUBCOMMITTEE ON IMMIGRATION, REFUGEES AND INTERNATIONAL LAW
HOUSE JUDICIARY COMMITTEE

ON

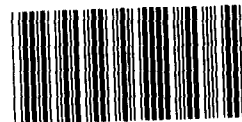
ROLE OF THE U.S. COORDINATOR FOR REFUGEE AFFAIRS

Mr. Chairman and members of the Subcommittee:

We are pleased to appear today to discuss the work we now have underway at the Committee's request concerning the roles and functions of the Office of the U.S. Coordinator for Refugee Affairs. We also will provide information on the status of our ongoing review of the State Department's monitoring and auditing of the refugee reception and placement program.

OFFICE OF THE U.S. COORDINATOR
FOR REFUGEE AFFAIRS

Since the establishment of the Coordinator's Office, GAO has had ongoing work in the areas of international assistance and domestic resettlement of refugees. This work has touched on the responsibilities, functions, and effectiveness of the Coordinator's Office. In our testimony before your Subcommittee last year, we expressed concern about the fragmented Federal management of the resettlement program and recommended changes



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in Federal agency domestic resettlement responsibilities. We felt these recommendations, coupled with a strong provision that the Departments coordinate their activities, could lead to a more streamlined system dealing with the complex area of refugee resettlement.

During this current review, we have further examined the roles and functions of the Coordinator's Office and discussed the effectiveness of the Office with those Federal, State, international, and private agency officials who are directly responsible for providing assistance to refugees and who are affected by the activities of the Office. Our comments today are based on the results of this and prior work.

A program that has an impact on the responsibilities of several Federal, State and private agencies requires well-coordinated actions. Indeed, all groups we contacted in conjunction with our current review spoke strongly of the continued need for Federal coordination of the many issues related to refugee assistance and resettlement. We have noted, however, a number of problems related to the operations of the Coordinator's Office which, we believe could adversely affect ongoing management as well as coordination of the refugee program.

For this Office to be more effective, its mandate and authority should be clarified, specifically its (1) domestic and international policymaking roles and authority and (2) relationship to the Departments of State and Health and Human Services, Immigration and Naturalization Service, and others charged with implementing U.S. refugee programs.

COORDINATION OF U.S. REFUGEE PROGRAM

The Coordinator's Office was created as part of an overall effort to develop refugee policy and help eliminate the ad hoc manner in which Federal agencies managed refugee programs. It was recognized that such programs required improved planning, policy formulation, budgeting and, above all, coordination. The Office was to serve as the focal point within the Federal system for all refugee programs.

There is a general consensus that consultation and coordination throughout the refugee field has improved over the past 3 years and a Federal refugee focal point is still needed. Generally, officials believe that the domestic resettlement process would be adversely affected without such a coordinating mechanism.

The Coordinator's Office has conducted a series of meetings over the past year with Federal, State, local, and voluntary agencies to promote this coordination. The meetings were used to discuss Office proposals, future developments in refugee policy, and resettlement problems. There is general agreement that the intent of these meetings is good and that they should be continued. At the same time, there is also general agreement that the planning of these meetings can be improved. For example, many attendees believed there was no systematic or structured approach to many of the recent meetings--agendas were vague, discussions general, and speakers and attendees selected at the last minute. Some attendees were concerned that the

meetings were a forum for policy proposals by the Coordinator's Office to cut funding for refugee programs. Some voluntary agency officials are unsure about the utility of the meetings, since the responsibilities and authority of the Coordinator's Office in relation to the responsible Federal agencies are not clear.

REFUGEE POLICY DEVELOPMENT AND
COORDINATOR'S OFFICE AUTHORITY

Implementation of the legislative mandate requiring the Coordinator to develop an overall U.S. refugee admission and resettlement policy has proved to be extremely difficult and controversial. Overall, interpretation of policymaking responsibilities remains an issue of contention between the Coordinator's Office and the Federal agencies charged with program implementation. Also, the Office lacks the authority and resources to implement or enforce policy. The question remains: Is the Coordinator the senior refugee official ultimately responsible for establishing U.S. refugee policy or is he responsible only for ironing out policy differences between agencies and providing them with general guidance?

The scope of the Coordinator's mandate to develop policy is widely interpreted. The Coordinator's Office has argued that the Coordinator is the senior U.S. refugee official responsible for developing and implementing policy while providing policy guidance and budget direction to the operating agencies.

On the other hand, operating agency officials generally interpret the Coordinator's policy-related responsibilities primarily as providing general policy guidance and coordinating with the agencies. They do not see the Coordinator's Office having implementation responsibilities. While the Coordinator's Office has become more involved in proposing policy changes, agency officials are concerned that it is becoming increasingly involved in operational matters which are outside of its mandate.

At hearings before the House Foreign Affairs Committee in March 1982, the Coordinator testified that his authority to change and develop U.S. refugee policy comes from his ability to recommend, argue, and convince. His ability to implement policy comes almost exclusively from the working relationship developed with the agencies and, to date, the Coordinator's Office has not been successful in gaining acceptance for proposed policy changes--particularly in the domestic resettlement area. Coordinator's Office officials have commented that some budget approval or sign-off authority over the funding of agency programs would be helpful in gaining acceptance of the Coordinator's refugee policies.

To assist in developing policy, the Coordinator has recently initiated a Senior Interagency Group for Refugee Policy to be chaired by the Coordinator. This Group is to assist and advise the President and the heads of the concerned Federal agencies on refugee issues. The implementing directive (May 13,

1983) charges the Group to "review and assist in the development of" refugee policy. It appears that this Group generally will serve the same purpose, have similar levels of agency staff representation, and be given the same responsibilities as the Interagency Committee on Refugee Affairs, which was established by President Carter in 1979 and which ceased to function in 1980.

In testimony before your Subcommittee last year, we cited the need to clarify the Coordinator's fundamental responsibilities as part of overcoming the existing "fragmented" management structure of the refugee program. The Coordinator has agreed that a clarification of his responsibilities is needed.

The differing interpretations by the Coordinator's Office and the Federal agencies of their respective policymaking roles and responsibilities are straining current working relationships and hampering effective policy formulation between these offices. A clearer definition of the Coordinator's Office policymaking roles, responsibilities, and commensurate authorities is needed.

UNCLEAR REPRESENTATION AND NEGOTIATION RESPONSIBILITIES

In the past, the Coordinator's Office has been perceived by many as part of the Department of State because it is located in and receives extensive administrative support from the Department. A lack of clarity has also existed as to the working relationship between the Office of the Coordinator and the Bureau for Refugee Programs within State. The location of the

Coordinator's Office within the Department, coupled with unclear and overlapping operational responsibilities of the Office and the Bureau, continues to affect the working relationships between the two.

Although responsible to the President, the Coordinator operates under the direction of the Secretary of State in carrying out his mandate to represent and negotiate refugee matters with foreign governments and international organizations. The Secretary has further delegated to the Coordinator some of his responsibilities under the Migration and Refugee Assistance Act of 1962, as amended, including responsibility for the overall direction, coordination and supervision of interagency refugee and migration activities. Thus, the Coordinator has responsibilities within the Department of State which are not equivalent to his responsibilities with respect to other Federal agencies--specifically, the Department of Health and Human Services and Immigration and Naturalization Service.

While the Coordinator is generally responsible for negotiating, providing overall direction, and coordinating international refugee programs, the State Department's Bureau for Refugee Programs is responsible for implementing overseas refugee programs and administering the reception and placement agreements for initial resettlement services to refugees. The Bureau's responsibilities include policy analysis, program assessment and evaluation, and management of the programs.

Since its inception, the Bureau has been charged with managing and funding U.S. international refugee programs, many of which are operated through international organizations such as the United Nations High Commissioner for Refugees and the International Committee of the Red Cross. Bureau officials contend that they are ultimately accountable for the effective implementation of these programs, including negotiations with the international organizations. They further contend that the Coordinator's Office mandate to also negotiate with international organizations overlaps the Bureau's operational responsibilities.

The problems associated with the varying interpretations of who should represent U.S. refugee interests and programs overseas are not new. The extent and scope of each office's operational functions in this area remains unclear and the issue should be resolved. Respective operational roles, including the extent to which each office represents and negotiates with international organizations and foreign governments, should be clarified.

As noted, these problems may be compounded by the physical location of the Coordinator at the Department of State. As you know, the Office receives some of its staff and all of its funding, administrative, communication, and legal support from the Department. Further, staffing decisions are ultimately made by State's Office of the Under Secretary for Management. The Coordinator is also assigned the title of Ambassador-at-Large and

reports to the Secretary of State. We believe, and the Bureau and the Coordinator's Office also recognize, that the current organizational structure is awkward.

IMPLEMENTATION OF OTHER
PROVISIONS OF THE MANDATE

We have noted in prior work a number of areas where the Coordinator's Office has not carried out its mandate. In part, this was due to the broad nature of the mandate and Office staff limitations. There was limited Coordinator involvement in the budget formulation process and little activity relating to oversight of agency regulations and procedures. We have also noted the lack of both an operating plan and a clear statement of goals, objectives and strategies.

Generally, Coordinator activity in these areas has not improved. The Office still has not fulfilled its responsibility to design an overall budget strategy and to provide agencies with budget policy guidance. There is no formal, systematic flow of budget information between the Coordinator's Office and the Federal agencies. Limited staff, coupled with a lack of authority over and direct input to the agencies' budget process makes fulfillment of this mandate unrealistic.

Also, we again were unable to identify much oversight and review activity over agency regulations and procedures by the Coordinator's Office. The current operating plan provides no systematic assessment of needs or comprehensive statement of goals and objectives nor does it outline Federal, State, or private sector responsibilities and inter-relationships. According

to the Office, such a plan will be prepared "within the next few months."

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I will now briefly discuss our ongoing review of the Department of State's monitoring of the voluntary agencies' use of Federal funds in implementing the initial U.S. reception and placement program. In our 1982 congressional testimony and/or subsequent report on refugee resettlement, we noted that the Department of State had not:

1. Required program proposals from voluntary agencies, as required by the Refugee Act, before awarding funding.
2. Clarified the services that the voluntary agencies were to provide.
3. Performed financial and program monitoring of voluntary agency performance.

In response to the Refugee Assistance Amendments of 1982, we are now making our first assessment of the Department's monitoring and auditing of the voluntary agencies' use of Federal funds provided for the initial reception and placement program.

The Refugee Bureau has taken some important steps this past year to strengthen its management of the program in each of the above areas. For example, they have requested and evaluated voluntary agency program proposals, clarified services to be provided, and conducted field monitoring and prepared internal reports on voluntary agency performance. The Director of the

Refugee Bureau elaborated on them in his testimony before your Subcommittee on June 9.

Most of the actions taken by the Bureau are too recent for us to assess their effectiveness in terms of improved services to refugees and strengthened program management. However, we have examined the Bureau's approaches to monitoring and noted where improvements can be made. We believe standards, or criteria, are needed to determine which voluntary agency proposals are appropriate. We also believe attention should be given to several important components of monitoring activities including submission of the Bureau's monitoring reports to the voluntary agencies including assessments of performance and problems, and recommendations. Agency responses should also be documented, including corrective actions planned. We further believe that to the extent possible, problems noted are to be representative of operations in general. These matters have been discussed with officials of the Bureau for Refugee Programs who concurred with our suggestions and plan to incorporate them in their next negotiating sessions with the voluntary agencies.

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This concludes my statement, Mr. Chairman. We would be happy to respond to any questions.