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*FAIR is a nonprofit public interest organization working to end illegal immigration and to set levels of legal immigration that are consistent with the national interest.*



October 21, 2015

The Honorable Brian Babin  
 United States House of Representatives  
 316 Cannon House Office Building  
 Washington, DC 20515

Dear Congressman Babin:

I am writing to thank you for your efforts as a United States Congressman to bring accountability to our refugee resettlement program. Although Immigration and Nationality Act (INA) Section 207 gives the Executive Branch broad discretion regarding refugee admissions, that should not mean the program is exempt from review.

Your bill, the Resettlement Accountability National Security Act (H.R. 3314), will lead to a necessary—and long overdue—review of the refugee resettlement program. H.R. 3314 temporarily freezes alien admissions under INA Section 207 while the Comptroller General studies the costs of the refugee program on Federal, State, and local governments. Only after Congress reviews the report and votes to reauthorize the refugee resettlement program, can the Obama administration resume admitting aliens under the program.

Your bill is important because our laws give refugees special treatment compared to other aliens that allows them to immediately access taxpayer funded benefits. First, the ground for inadmissibility that an alien not be a public charge (i.e., depend on public assistance) is waived when determining eligibility for refugee status. (INA § 207(c)(3); INA § 212(a)(4)) Additionally, refugees are not subject to limitations on accessing federal benefits program. In 1996, Congress attempted to restrict alien eligibility for benefits programs through the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). Through PRWORA, only a “qualified alien” is eligible for “federal public benefits” and refugees are statutorily defined as qualified aliens. (*See* 8 U.S.C. § 1611; 8 U.S.C. § 1641(b)(3)) Similarly, qualified aliens must generally wait five years before they are eligible for any “Federal means-tested public benefit.” (8 U.S.C. § 1613) However, refugees are statutorily exempt from the five-year waiting period meaning they are immediately eligible for all “Federal means-tested public benefits.” (*Id.* at § 1613(b)(1)(A))

Given the broad access refugees are allowed to taxpayer funded benefits, it is essential to know the extent to which they are utilized. Your bill would provide the answer to this important question by requiring the Comptroller



General to calculate the annual reliance by refugees on major benefits programs: Medicare, Medicaid, Social Security disability insurance, SNAP (food stamps), and Section 8 rental assistance. Additionally, H.R. 3314 requires the Comptroller General to provide the number and percentage of aliens who are still receiving benefits after being admitted to the U.S. for 2, 5, and 10 years.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan Stein', with a stylized flourish at the end.

Dan Stein  
President