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United States Senate

COMMITTEE ON THE JUDICIARY
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March 24, 2016

The Honorable Anne C. Richard
Assistant Secretary of State
Bureau of Population, Refugees, and Migration
Department of State

The Honorable Robert Carey
Director
Office of Refugee Resettlement
Department of Health & Human Services

Dear Assistant Secretary Richard and Director Carey,

The United States resettles more refugees each year than any other nation.¹ Since 2011, more than 330,000 refugees have arrived in the United States.² My home state of Texas welcomed over 34,000 during that period—more than any other state.³ The refugee resettlement program is a testament to the extraordinary compassion and generosity of the American people.

The program, however, does not come without significant costs to the nation, especially the communities where the refugees are resettled. A recent study of Middle Eastern refugees, for instance, found that, on average, each refugee cost taxpayers an estimated \$64,370—or \$257,481 per household—in the first five years.⁴ These costs not only include expenses for processing refugees, assistance for newly arriving refugees, and aid to communities receiving the refugees, but welfare costs as well.⁵ It is estimated that 91% of Middle Eastern refugees receive food stamps, and 68% receive cash assistance.⁶

Although all taxpayers share in the costs, some costs are borne disproportionately by the communities where the refugees are resettled. It has been reported that there are at least 82 refugee resettlement communities—or so-called “preferred” or “seed” communities—where

¹ American Immigration Council, An Overview of U.S. Refugee Law and Policy, <http://www.immigrationpolicy.org/just-facts/refugees-fact-sheet>.

² See Refugee Processing Center, <https://www.wrapsnet.org/>.

³ *Id.*

⁴ Karen Zeigler & Steven A. Camarota, Center for Immigration Studies, *The High Cost of Resettling Middle Eastern Refugees* (Nov. 2015), <http://cis.org/High-Cost-of-Resettling-Middle-Eastern-Refugees>.

⁵ *Id.*

⁶ *Id.*

refugees are resettled on a regular basis.⁷ Many of these communities are in rural areas that are least equipped to handle the unique challenges of absorbing refugees from around the world.⁸

While refugees can certainly benefit these communities, there is no question that, according to a 2012 Government Accountability Office report on refugee resettlement, they “also stretch the resources of local service providers, such as school districts and health care systems.”⁹ The GAO identified several challenges that resettlement communities face:

- lack of mental health resources for refugees who have experienced trauma;
- strain on service provider budgets due to the costs of interpreter services;
- declining school district performance because of the limited English proficiency of refugee students; and
- pressure on local social services due to refugees who are unemployed and live in poverty.¹⁰

It is my understanding that these challenges have caused some communities to request moratoriums on refugee resettlement, but the requests were not always granted.¹¹

I am concerned that the federal government and the voluntary agencies that administer the resettlement program have been abusing the generosity and good will of resettlement communities by funneling refugees to those communities without adequate consultation and advance notice. Federal law requires such consultation, and yet in its 2012 report, the GAO found that “few” voluntary agencies “consulted relevant local stakeholders.”¹² While some voluntary agencies at least took into account “community capacity, such as housing availability,” in determining where to place refugees, others “prioritize[d] local agency capacity, such as staffing levels.”¹³ The GAO also found that the Bureau of Population, Refugees, and Migration (“PRM”) failed to provide sufficient guidance on how to ensure adequate consultation between voluntary agencies and the resettlement communities.¹⁴ This, of course, is unacceptable.

Based on input that my staff has received from resettlement community stakeholders in Texas, I am concerned that the issues identified by the GAO in 2012 have not been adequately addressed. To assist Congress in understanding the nature and scope of the problem, please provide the following information:

⁷ Abraham H. Miller, *Where Refugees Are Resettled*, The Washington Times (Mar. 10, 2016), <http://www.washingtontimes.com/news/2016/mar/10/abraham-h-miller-syria-refugees-likely-end-up-on-w/?page=all#pagebreak>.

⁸ *Id.*

⁹ Government Accountability Office, *Refugee Resettlement: Greater Consultation with Community Stakeholders Could Strengthen Program* 18 (July 2012), <http://www.gao.gov/assets/600/592975.pdf>.

¹⁰ *Id.* at 17-20.

¹¹ *Id.* at 24.

¹² *Id.* at What GAO Found.

¹³ *Id.*

¹⁴ *Id.*

1. Describe in detail the process by which the federal government determines where refugees will be resettled in the United States. Provide copies of all relevant policy guidance.
2. According to its 2012 report, the GAO found that “most public entities such as public schools and health departments generally said that voluntary agencies notified them of the number of refugees expected to arrive in the coming year, but did not consult them regarding the number of refugees they could serve before proposals were submitted to PRM.”¹⁵ What has PRM done to address this problem and to ensure that state and local government officials, including mayors, school district superintendents, and local health officials, have a say in the number of refugees who are resettled in their communities?
3. Does PRM consult directly with state and local officials in determining the number of refugees who will be resettled in their communities, or is all consultation done indirectly through the voluntary agencies responsible for resettling the refugees? Please explain whether and to what extent state and local officials have input in the decision on the number of refugees who will be resettled in their communities.
4. Since July 2012, how many resettlement communities requested a moratorium on refugee resettlement in their community? Please identify each community and whether the request was granted, and provide any additional relevant information.
5. Since July 2012, how many resettlement communities requested a reduction in the number of refugees resettled in their community? Please identify each community and whether the request was granted, and provide any additional relevant information.
6. In its 2012 report, the GAO made two recommendations:
 - (1) that “the Secretary of State provide additional guidance to resettlement agencies and state coordinators on how to consult with local stakeholders prior to making placement decisions, including with whom to consult and what should be discussed during the consultations”; and
 - (2) that “the Secretaries of State and of Health and Human Services collect and disseminate best practices related to refugee placement decisions, specifically on working with community stakeholders, as well as other promising practices from communities.”¹⁶

Have these recommendations been implemented? If so, please provide copies of the policy guidance and best practices.

7. According to the GAO report, the federal government allows these voluntary agencies to determine where the refugees will be resettled in the United States, subject, of course, to

¹⁵ *Id.* at 13.

¹⁶ *Id.* at 38.

the State Department's final approval.¹⁷ But because the voluntary agencies are funded based on the number of refugees they resettle,¹⁸ the GAO has noted that they "have an incentive to maintain or increase the number of refugees they resettle each year rather than allowing the number to decrease."¹⁹ Do you see this conflict of interest as a problem, and if so, what do you recommend should be done to address it?

8. The GAO also found that "[b]ecause refugees are generally placed in communities where national voluntary agency affiliates have been successful in resettling refugees, the same communities are often asked to absorb refugees year after year."²⁰ What has the federal government done to ensure that refugee resettlement communities are treated fairly and that the same communities are not asked to bear the weight of the resettlement program every year?
9. In a lawsuit over the resettlement of Syrian refugees in Texas, the State of Texas alleged that the federal government failed to provide any advance notice before the refugees arrived in the state.²¹ This does not appear to be an isolated incident. In a recent news report, a county commissioner in Weld County, Colorado explained that "[m]any times we don't even know that relocation is taking place until it's going on."²² What will you do to ensure that state and local officials are given advance notice before a refugee is resettled in their community? How much advance notice do you believe is feasible?

Please provide the requested information as soon as possible, but **no later than 9:00 a.m. on Monday, April 11, 2016**. I appreciate your cooperation in this important matter and look forward to your response. Please contact my staff at (202) 224-5922 if you have any additional questions or concerns.

Sincerely,



Ted Cruz
Chairman, Subcommittee on Oversight,
Agency Action, Federal Rights and Federal Courts

¹⁷ *Id.* at 4-5.

¹⁸ The Reception and Placement Program, U.S. Department of State, <http://www.state.gov/j/prm/ra/receptionplacement/index.htm>.

¹⁹ GAO Report, *supra* note 9, at 12.

²⁰ *Id.*

²¹ Press Release, Attorney General of Texas, *Obama Administration Defies Court's Directive; Settles Syrians in Texas Without Advance Notice or Information* (Jan. 26, 2016), <https://texasattorneygeneral.gov/news/releases/obama-administration-defies-courts-directive-settles-syrians-in-texas-witho>.

²² Paul Bedard, *White House Wants Increase of Syrian Refugees*, Washington Examiner (Feb. 29, 2016), <http://www.washingtonexaminer.com/white-house-wants-increase-of-syrian-refugees/article/2584498>.

The Honorable Anne C. Richard and the Honorable Robert Carey

March 24, 2016

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cc: The Honorable Charles E. Grassley
Chairman
Senate Committee on the Judiciary

The Honorable Patrick J. Leahy
Ranking Member
Senate Committee on the Judiciary

The Honorable Christopher A. Coons
Ranking Member
Subcommittee on Oversight, Agency Action,
Federal Rights and Federal Courts