ADMINISTRATION FOR
CHILDREN & FAMILIES
Office of Refugee Resettlement | 370 L'Enfant Promenade, S.W., Washington, DC 20447
www.acf.hhs.gov/programs/orr

Resettlement of Syrian Refugees

DCL-16-02 Date: November 25, 2015

Dear Colleague,

The Office of Refugee Resettlement (ORR) remains committed to serving some of the world's most vulnerable people, those seeking refuge in the United States. ORR's role, which is a collaborative effort with you, the states, local governments, resettlement agencies and community-based organizations, is to help refugees achieve economic self-sufficiency and integration as quickly as possible after they arrive in the United States so they can begin new lives free from war, persecution and conflict.

We appreciate the continued strong commitment that many state and local leaders have expressed for the U.S. resettlement program and pledge to work with all states implementing the President's plan to resettle at least 10,000 Syrian refugees in the United States in FY 2016.

ORR is aware that state and local leaders, including some governors, have expressed concern about the resettlement of Syrian refugees in their states. In light of these concerns, we note that the resettlement process begins with the work of our federal agency partners in screening and vetting refugees. All refugees are subject to the highest level of security checks of any category of traveler to the United States, a multi-layered and intensive screening and vetting process involving multiple law enforcement, national security, and intelligence agencies across the Federal Government. Syrian refugees are subject to even more precautions than other refugees. It is the most robust screening process for any category of individuals seeking admissions into the United States, and it is only after admission that ORR and our partners in resettlement begin our work.

The Refugee Act of 1980 requires states to provide "assistance and services . . . to refugees without regard to race, religion, nationality, sex, or political opinion." 8 U.S.C. §1522(a)(5). Through the state plan process, states and ORR agree on the resettlement activities in each state. Consistent with the Refugee Act, state plans must include an assurance that "assistance and services funded under the plan will be provided to refugees without regard to race, religion, nationality, sex, or political opinion." 45 CFR §400.5(g). States must certify that their state plan is current and continues in effect each fiscal year. *See* 45 CFR §400.4.

States that continue to use ORR funding must ensure that assistance and services are delivered without regard to race, religion, nationality, sex, or political opinion. States may not deny ORR-funded benefits and services to refugees based on a refugee's country of origin or

religious affiliation. Accordingly, states may not categorically deny ORR-funded benefits and services to Syrian refugees. Any state with such a policy would not be in compliance with the State Plan requirements, applicable statutes, and their own assurances, and could be subject to enforcement action, including suspension or termination. In addition to these authorities, Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d, prohibits discrimination on the bases of race and national origin in all programs or activities that receive Federal financial assistance. Thus, it is not permissible to deny federally funded benefits such as Medicaid or TANF to refugees who otherwise meet the eligibility requirements.

ORR is committed to ensuring that all refugees receive the assistance and services vital to achieving their potential in the United States and becoming self-sufficient, integrated members of our communities. You play an important role in the refugee resettlement program. We will continue to consult with you closely in the implementation of the program and to allay any concerns you may have about the program. We look forward to continuing our partnership with you.

Sincerely,

Robert Carey, Director
Office of Refugee Resettlement