

“Certain other persons admitted to the U.S. or granted status under other immigration categories also are eligible for refugee benefits.”

In addition, certain persons deemed to be victims of a severe form of trafficking, though not legally admitted as refugees, are eligible for ORR benefits to the same extent as refugees.

That is correct; the ORR resettles illegal aliens not classified as refugees, providing another potential gateway for the Islamic State terrorists.

Frankly, we would know more about the ORR activities if they filed their annual reports, as required in section 413(a) of the Immigration and Nationality Act, and did it in a timely fashion. The last report we have from them is 2013. It is not transparent, it is not accountable, and it cannot be trusted.

I know this firsthand, Mr. Speaker. I wrote Secretary Burwell twice last year about resettlement activities at the ORR and have been investigating them since July 2014, when Congressman BRIDENSTINE and I traveled to a UAC facility at Fort Sill, Oklahoma.

Mr. Speaker, I include in the RECORD those letters to Secretary Burwell.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 21, 2014.

Hon. SYLVIA M. BURWELL,
Secretary, U.S. Department of Health and
Human Services, Washington, DC.

DEAR SECRETARY BURWELL: It has come to my attention that you have failed to submit an annual report to Congress regarding the activities of the Office of Refugee Resettlement (ORR) since Fiscal Year 2012. The Secretary is required by law to submit an annual report pursuant to Section 413(a) of the Immigration and Nationality Act “no later than the January 31 following the end of each fiscal year. . . .” Reports had been filed annually since 1980 before abruptly stopping after the FY2012 submission.

It is important that ORR operate transparently given its role in re-settling thousands of illegal aliens who crossed our Southern border last summer. ORR has released more than 45,000 Unaccompanied Alien Children (UAC) into our country to adult sponsors through September 30th of this year. My home state of Tennessee has had over 1,000 UACs released within its borders alone. I expect a thorough update on these activities.

I would also note that ORR’s budget appears to have grown exponentially. ORR received over \$750,000,000 million in funding in FY2012. However, HHS requested almost \$1.5 billion for ORR in its FY2015 “Justification of Estimates for Appropriations Committees”. Without annual reports being provided to Congress as part of the oversight process, it becomes increasingly difficult to approve requested funding.

I look forward to your immediate submission of ORR’s FY2013 report to Congress. Also, I expect ORR’s FY2014 report no later than January 31, 2015, as required by law.

Sincerely,

MARSHA BLACKBURN,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 17, 2014.

Hon. SYLVIA M. BURWELL,
Secretary, U.S. Department of Health and
Human Services, Washington, DC.

DEAR SECRETARY BURWELL: An article titled “Crossing alone: Children fleeing to U.S.

land in shadowy system” was published in the Houston Chronicle on May 24th, 2014. The Chronicle’s investigation revealed that over one-hundred “significant incident reports” were obtained from the Department of Health and Human Services (HHS) through a Freedom of Information Act Request (FOIA) and detailed instances where children were abused by Office of Refugee Resettlement (ORR) staff members between March 2011 and March 2013. The article contains several troubling statements:

1) “No shelter worker has been prosecuted under a 2008 federal provision that makes sexual contact with a detainee in ORR’s care a felony.”

2) “Youths in ORR custody in Texas were molested as they slept, sexually harassed and seduced by staff members during the past decade, records from state childcare licensing investigators and law enforcement show. They were shoved, kicked, punched and threatened with deportation if they reported abuses, investigators found.”

3) “The Office of Refugee Resettlement relies on state childcare licensing and local police to investigate abuses of the children in its care, instead of notifying the FBI of serious allegations. In the hands of local police and prosecutors, criminal cases have crumbled because of sloppy detective work, communication gaps with officials and jurisdiction confusion.”

On May 17, 2012 the President issued a memorandum regarding implementation of the Prison Rape Elimination Act of 2003 (PREA). The memo stated that “Each agency is responsible for, and must be accountable for, the operations of its own confinement facilities, and each agency has extensive expertise regarding its own facilities, particularly those housing unique populations.”

On March 7, 2013 the President signed the Violence Against Women Act (VAWA) into law. Section 1101 of VAWA amended PREA as follows: “Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children.”

According to the Chronicle’s investigation and a letter you received from fifty-nine House Democrats this week, your department has still not published a final rule. This delay directly violates Section 1101 of VAWA. Your failure to act timely is unacceptable given the seriousness of these issues. As a result, please provide responses and document production, as requested, relating to the following inquiries:

1) Has HHS published a final rule adopting final standards for the detection, prevention, reduction and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied children? If so, when did this occur?

2) Please explain why HHS delayed, or continues to delay, publishing a final rule, as required by law.

3) In FY2014, ORR released 53,518 unaccompanied alien children to sponsors within the United States. Please produce any significant incident reports filed by, or on behalf of, unaccompanied alien children against ORR employees in FY2014, regardless of the format in which they are stored. If you redact information, or are unable to produce said reports, outline any legal privileges or exemptions the department is relying upon.

4) Please disclose the number of ORR employees currently being investigated by law enforcement for sexual misconduct or abuse involving unaccompanied alien children.

5) Please disclose the number of ORR employees disciplined or investigated by HHS for sexual misconduct or abuse of unaccompanied alien children in FY2014.

6) What efforts has ORR undertaken to work with federal law enforcement to prosecute employees accused of child abuse within its facilities since 2011?

7) What initiatives has ORR undertaken on its own to protect children from abuse within its facilities since 2011? Please include any internal rules or memorandums that were drafted to address this issue.

ORR’s failure to timely comply with the law is unacceptable and not in keeping with the Administration’s pledges of transparency. Please provide responses to the above inquiries, along with requested documentation, within fifteen days of receipt of this correspondence.

Sincerely,

MARSHA BLACKBURN,
Member of Congress.

Mrs. BLACKBURN. We know that there are more than Mexicans and Central Americans coming across that southern border, and we know that once they are here, the ORR has no way of tracking them and keeping up with them.

In April, a Judicial Watch report cited a Mexican army officer and police inspector who advised that ISIS was operating training bases in close proximity to the U.S. southern border. Another report from August 2014 advised that social media traffic indicated ISIS was planning to infiltrate the southern border in order to carry out a terrorist attack.

Due to these findings, all of our resettlement services must be temporarily suspended. I am currently working on a solution with several of my colleagues to address the loophole that allows nonrefugees to be resettled.

In the past 3 weeks, Islamic State terrorists have bombed a Russian jetliner, committed suicide bombings in Beirut, and massacred French citizens in Paris. They are now exporting their terror. There is simply no method that will allow us to determine with 100 percent accuracy whether Syrians or illegal aliens that we resettle into the U.S. are really ISIS jihadists.

Mr. Speaker, is the ISIS threat contained? No.

Can we guarantee that Syrian refugees who are resettled into the U.S. will not commit acts of terror against Americans? No.

Do we know who these people are? No.

Are they properly vetted? No.

Would it be responsible to bring Syrian refugees into this country after the attacks in Paris? No.

Do Americans across this country want the administration to resettle Syrian refugees into the U.S.? No.

Is the administration dangerously naive on this policy? Absolutely.

I encourage my colleagues to look closely at the issue.

SYRIAN REFUGEES

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. RANGEL) for 5 minutes.

Mr. RANGEL. Mr. Speaker, I would like to join with the millions of Americans that feel heart-based sympathy for the loss of our friends in Europe and France, particularly Paris, and, of course, to give sympathy to those people that are absolutely hysterical on this issue as relates to refugees, even though there is no evidence at all that it was refugees that were responsible for the attacks.

These types of unprovoked attacks do cause fear and, many times, irresponsible behavior on behalf of people, as they attempt to instill fear in all people to such an extent that it shatters the principles which this country was built on.

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Nevertheless, there is enough for us to be concerned about. There is enough for us to be fearful about, and there has to be concern as to what are we going to do about it.

Those that read in the media and listen to it—and even Members of Congress—will find that we have people that are now saying that we can't win this war against ISIS unless we have more of our military on the ground fighting against the Assad government.

We talk about sending troops overseas to put their lives in harm's way as though it is just another foreign policy decision that Members of Congress can make without any regard at all to the constitutional responsibility we have to ourselves and to be an example for the world.

Whenever this great Nation is threatened, whenever our national security is threatened, the President should be coming to this House of Representatives and the Senate and sharing with us what are the threats to our national security. And when it becomes abundantly clear that we have to call upon our military in any way, we should have a declaration of war for the reasons that the President has given to us.

Our responsibility to our constituents is to share as much information as we can to tell them that war means sacrifice, loss of life.

Yet, today, we haven't had a declaration of war since Franklin Roosevelt. Tens of thousands of Americans have died.

In this recent crisis, less than 1 percent of eligible Americans have actually put themselves in harm's way because of executive mandate and the allowance of the Congress to allow this to happen. And we have lost, just in Afghanistan and Iraq, 7,000 American lives that some of us have to go to the funerals and explain the best that we can that, even though we are not at war, there would be American lives lost in foreign countries.

I submit to you that if we believe that our national security is threatened, we should have a declaration of war, we should have a draft, and we should have a way to pay for these wars, so that we would know that it is not easy sending your loved ones

abroad and not even know the reasons that they are there.

It would seem to me that, as everyone heard, the President of France says they are at war against ISIS, that if we are at war against ISIS, whatever country they are representing, it should be brought to the American people. It should be brought to the Congress, and the President should ask us to declare war.

But it is just totally not fair for people in the House of Representatives to come here and to say that Americans should be sent overseas to fight an unknown enemy, to put their lives in jeopardy and, perhaps, their families in jeopardy, without being able to say that they are fighting a war to preserve democracy in this country.

It just seems to me that whether you call them no feet on the ground, but boots on the ground, that if someone's coming back here with a flag-draped coffin, that we should be able to say they fought for America, they died for America, and that we are fighting for peace and to end a war that has yet to be declared.

SHOWING OUR SUPPORT FOR THE PEOPLE OF FRANCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kentucky (Mr. BARR) for 5 minutes.

Mr. BARR. Mr. Speaker, I rise today in strong support of our allies, the people of France, and in strong condemnation of the terrorist attacks in Paris, France, carried out by the Islamic State this past Friday.

The people of France have been our allies since the American Revolution, and having traveled to Normandy and seeing the American flag over Omaha Beach, it underscores the important alliance that we have had with the people of France throughout our history.

Ever since the founding of our country, we have been united with the people of France by our shared values of freedom and civil society and democracy. The attack on Friday was an attack on these values by barbaric terrorists who want to impose their brutal and twisted version of Islam and authoritarian rule across the world.

We grieve for the massive loss of life, not just for the French people, but also for the victims and their families around the globe, including Nohemi Gonzalez, an American student from El Monte, California.

We join the voices from around the world to condemn these attacks, but condemnation is not enough.

As I saw firsthand while visiting Iraq and Afghanistan last month, the President's strategy of withdrawal and containment is clearly not working.

By underestimating the threat, referring to ISIL as the JV team, declaring that ISIL has been contained just hours before the brutal attacks in Paris, President Obama has allowed this radical Islamic cancer on humanity to fester and grow.

Indeed, the key lesson of my trip to the Middle East is that American retreat has made the world a much less stable and a much more dangerous place. The weakness of the President's foreign policy and U.S. withdrawal from the Middle East has allowed our adversaries, ISIL, Russia, Iran, the Taliban, al Qaeda, Jabhat Al-Nusra, to fill the vacuum, to grow stronger and become a much greater threat to our homeland and our interests.

In contrast, our allies, Israel, the Jordanians, the government of Iraq, the Kurdish regional government, the unity government in Afghanistan, they have all become more threatened and more vulnerable.

There is not a single place in the world which is safer or more stable today or where our adversaries are weaker or where our allies are stronger than on the day President Obama took office.

The President has, in recent days, lectured his critics to come up with their own plan and regurgitated his tired old attacks on his predecessor's successful national security policy.

But if there is any lesson to be learned from the Obama policy in Iraq, as contrasted with U.S. policy after World War II in Japan and Germany, it is that once you win a war, do not leave. A residual security force and continued diplomatic engagement to prevent sectarian divisions would have reassured moderate Sunnis and prevented the rise of ISIL.

The President implies that his critics would lead us into another unpopular ground war in the Middle East, but we do not need to fight the Iraq war again. We have already won that war.

But we do need to do more to combat ISIL. What about authorizing use of military force that doesn't constrain the Commander in Chief, which is what the President sent us?

Why don't we do what our ally, Prime Minister al-Abadi, in Baghdad, wants and has asked us for, which is more U.S. air power, more U.S. special operators on the ground for better coordination of the air campaign, more funding for the Iraqi train and equip fund?

We must do more to help the moderate forces, the indigenous forces on the ground, such as the Kurdish Peshmerga, to take back territory controlled by ISIL.

We must address the surge of refugees pouring out of Syria and other war-torn countries across the Middle East. These people are in desperate need of help, but the answer is not to resettle them halfway around the world here in the United States.

An open-ended resettlement program is, in fact, an admission of defeat, that their homes will never be safe for them to return to, so we had better assimilate them to new lands with new languages and new cultures.

That is not the best solution for these refugees. And because we know that at least one of these terrorists involved in the Paris attacks entered Europe by blending in with those trying