

“LIVE”

STATEMENT OF SENATOR GORDON H. SMITH
ON THE INTRODUCTION OF THE SUPPLEMENTAL SECURITY INCOME
EXTENSION FOR ELDERLY AND DISABLED REFUGEES ACT
MARCH __, 2007

Mr. SMITH. Mr. President, I am pleased to be joined today by my colleague Senator Kohl, to reintroduce this important piece of legislation. This legislation will work to ensure the United States government does not turn its back on political asylees or refugees who are the most vulnerable citizens seeking safety in this great country of ours.

As many of you may know, Congress as part of Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) modified the Supplemental Security Income (SSI) program to include a seven-year time limit on the receipt of benefits for refugees and asylees. This policy was intended to balance the desire to have people who emigrant to the United States to become citizens, with an understanding that the naturalization process also takes time to complete. To allow adequate time for asylees and refugees to become naturalized citizens, Congress provided the seven-year time limit before the expiration of SSI benefits.

Unfortunately, the naturalization process often takes longer than seven years. Applicants are required to live in the United States for a minimum of five years prior to applying for citizenship. In addition to that time period, their application process often can take three or more years before resolution. Because of this time delay, many individuals are trapped in the system faced with the loss of their SSI benefits.

Many of these individuals are elderly who fled persecution or torture in their home countries. They include Jews fleeing religious persecution in the former Soviet Union, Iraqi Kurds fleeing the Saddam Hussein regime, Cubans and Hmong people from the highlands of Laos who served on the side of the United States military during the Vietnam War. They are elderly and unable to work, and have become reliant on their SSI benefits as their primary income. To penalize them because of delays encountered through the bureaucratic process seems unjust and inappropriate.

The administration in its fiscal year 2008 budget acknowledged the necessity to correct this problem by dedicating funding to extend refugee eligibility for SSI beyond the seven-year limit. While I am pleased that they have taken the first step in correcting this problem, I am concerned the policy does not go far enough. Data shows that most people will need at least an additional two years to navigate and complete the naturalization process. Therefore, my colleagues and I have introduced this bill, which will provide a two-year extension. We believe this will provide the time necessary to complete the process.

I hope my colleagues will join me in support of this bill, and I look forward to working with Chairman Baucus and other members of the Finance Committee to secure these changes.

Thank you.

110TH CONGRESS
1ST SESSION

S. _____

To amend section 402 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to provide for an extension of eligibility for supplemental security income through fiscal year 2010 for refugees, asylees, and certain other humanitarian immigrants.

IN THE SENATE OF THE UNITED STATES

Mr. SMITH introduced the following bill; which was read twice and referred to the Committee on

A BILL

To amend section 402 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to provide for an extension of eligibility for supplemental security income through fiscal year 2010 for refugees, asylees, and certain other humanitarian immigrants.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “SSI Extension for El-
5 derly and Disabled Refugees Act”.

1 **SEC. 2. SSI EXTENSION FOR HUMANITARIAN IMMIGRANTS.**

2 Section 402(a)(2) of the Personal Responsibility and
3 Work Opportunity Reconciliation Act of 1996 (8 U.S.C.
4 1612(a)(2)) is amended by adding at the end the fol-
5 lowing:

6 “(M) SSI EXTENSION THROUGH FISCAL
7 YEAR 2010.—

8 “(i) IN GENERAL.—With respect to
9 eligibility for benefits for the specified Fed-
10 eral program described in paragraph
11 (3)(A), the 7-year period described in sub-
12 paragraph (A) shall be deemed to be a 9-
13 year period during the period that begins
14 on the date of enactment of the SSI Ex-
15 tension for Elderly and Disabled Refugees
16 Act and ends on September 30, 2010.

17 “(ii) ALIENS WHOSE BENEFITS
18 CEASED IN PRIOR FISCAL YEARS.—

19 “(I) IN GENERAL.—Beginning on
20 the date of the enactment of the SSI
21 Extension for Elderly and Disabled
22 Refugees Act, any qualified alien ren-
23 dered ineligible for the specified Fed-
24 eral program described in paragraph
25 (3)(A) during fiscal years prior to the
26 fiscal year in which such Act is en-

1 acted solely by reason of the termi-
2 nation of the 7-year period described
3 in subparagraph (A) shall be eligible
4 for such program for an additional 2-
5 year period in accordance with this
6 subparagraph, if such alien meets all
7 other eligibility factors under title
8 XVI of the Social Security Act.

9 “(II) PAYMENT OF BENEFITS.—
10 Benefits paid under subparagraph (I)
11 shall be paid prospectively over the
12 duration of the qualified alien’s re-
13 newed eligibility.”.