



CLINIC Refugee Resettlement Toolkit: Rights and Responsibilities of States

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Basics on Refugee Law

Who is a Refugee?

The 1951 Refugee Convention provides the internationally accepted definition of a refugee as someone who is outside of his/her country of nationality, has a well-founded fear of being persecuted on account of race, religion, nationality, political opinion, or membership in a particular social group, and because of such fear is unwilling or unable to avail himself/herself to the protection of that country.¹

Federal Government’s Authority to Resettle Refugees

- The Displaced of Persons Act of 1948 allowed refugees from Europe to come to the United States.²
- The Refugee Act of 1980 incorporated the United Nations definition of “refugee” and set the standards for U.S. resettlement services.³

What is the Resettlement Process?

Refugees undergo a tough security screening process and are vetted by several agencies before being allowed to travel to the U.S. Below is a flow chart of the vetting process.

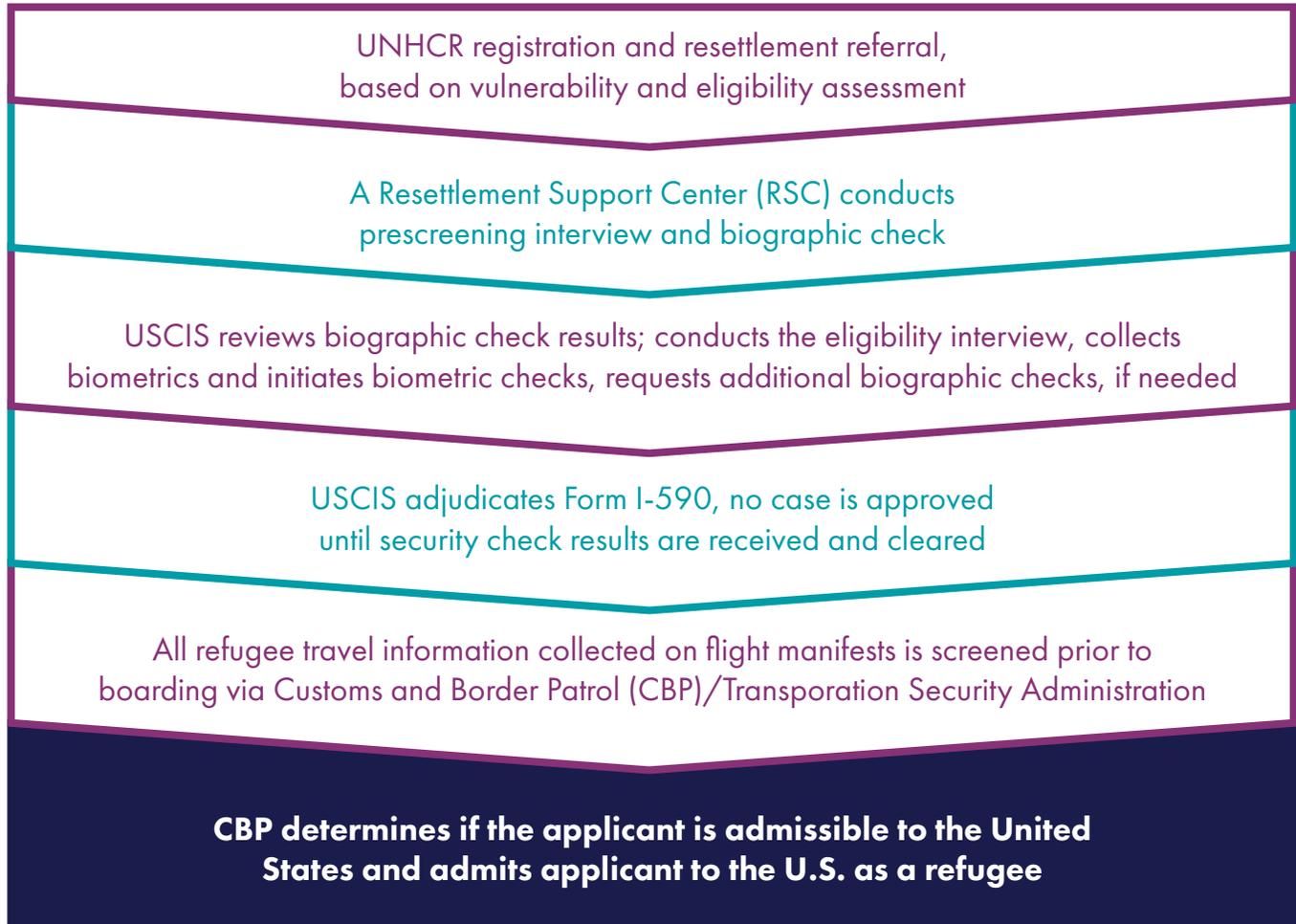


Fig. 1.: "Refugee Processing and Security Screening", USCIS retrieved from <https://www.uscis.gov/refugeescreening>

What Happens after Refugees Are Admitted to the United States?

Most refugees come to the U.S. with few possessions and must begin rebuilding their lives quickly. Nine national resettlement agencies, including six faith-based entities, help. The faith-based organizations include: the U. S. Conference of Catholic Bishops, Episcopal Migration Ministries, Church World Service, World Relief, Lutheran Immigration and Refugee Service, and HIAS (formerly Hebrew Immigrant Aid Society).⁴

The Office of Refugee Resettlement (ORR) meets with volunteer agencies to review refugees' background information (previously compiled by Resettlement Support Centers) to assess their placement needs.

• Placement based on resources:

Agencies match incoming refugees' needs with state resources and communities. The Reception and Placement Program is a public-private partnership of the U.S. Department of State and the nine resettlement agencies

• Placement with relatives:

If refugees have relatives in the U.S., they are placed with them or nearby, which helps reduce the financial burden on resettlement agencies.⁵

What Benefits Are Available to Refugees?

Refugees are entitled to certain benefits from the federal government and the state they resettle in.⁶

Benefits from federal government:

- **Lawful Permanent Residence:**

All refugees may adjust to permanent resident status one year after admission.

- **Family Reunification:**

Immediate relatives of refugees that are living abroad may be reunited on derivative refugee basis.

- **Employment Authorization:**

Refugees are entitled to obtain work authorization and may be employed by any employer in the United States, except the federal government.

Benefits from states:

- **Cash and Medical Assistance program:**

ORR reimburses states for providing refugees with temporary cash through the Refugee Cash Assistance and Refugee Medical Assistance programs. Most states provide cash and medical assistance for up to eight months.

- **Refugee School Impact Program:**

Also funded by ORR, states help school districts pay

for activities that promote integration and education for children. Refugees may attend public schools at no charge and have the same access to college education as U.S. citizens and lawful permanent residents.

- **Refugee Social Services program:**

ORR also funds this program, helping states provide social services such as employment assistance, ESOL classes and child care subsidies.

What Are Refugees' Responsibilities Once They Are Admitted to the U.S.?

- **Travel Loans:**

Refugees who are 18 or older are issued loans by the International Organization for Migration to cover travel expenses to the US. Each person signs a promissory note agreeing to repay the sponsoring organization.⁷

- **Economic Self Sufficiency:**

Refugees receive temporary cash and medical assistance from ORR as well as subsidized housing for at the most 8 months. During the initial 8 months, refugees should be looking for employment to become self-sufficient once government benefits are no longer available. ORR also funds the resettlement agencies for employment services,

Alternatives to Traditional Resettlement Programs

The arrangements between ORR and the voluntary agencies represent the majority of state resettlement arrangements; however, there are two categories of alternative state programs, both funded by ORR. Learn whether your state has an alternative resettlement program model and about the different types of models below.

1

Public/Private Partnership programs

- States may enter into partnership with local volunteer resettlement agencies to provide cash assistance to refugees
- Fosters a more effective resettlement process while maintaining state administrative oversight and implementation.
- This program currently operates in Maryland, Minnesota, Oklahoma, Oregon and Texas.

Learn more: www.acf.hhs.gov/programs/orr/about/collaborations-and-partnerships

2

Wilson/Fish (WF) Programs

- Works with grassroots organizations to provide direct services to refugees as an alternative to a state-administered program.
- Provides cash and medical assistance, as well as social services to refugees. Service period is longer than state-administered programs
- There are 13 WF programs in 12 states: Alaska, Alabama, Colorado, Idaho, Kentucky, Louisiana, Massachusetts, Nevada, North Dakota, South Dakota, Tennessee, Vermont and California (San Diego County).

Learn more: www.acf.hhs.gov/programs/orr/programs/wilson-fish/about

however these funds are designed as an alternative to accessing public assistance for a period of six months. In both cases, self-sufficiency through early employment is the goal.⁸

- **Employment:**

Refugees must work to provide for themselves. They must apply for jobs and go through job interview processes just like everyone else.⁹

Public Policy Arguments Supporting Refugee Resettlement Processing Generally

You may be encountering anti-refugee sentiment or proposed legislation that would restrict refugee resettlement in your state. One way to combat such efforts is to provide general education about the refugee resettlement process. Here are some talking points:

- The [UN Office of the High Commissioner for Refugees](#), which makes the determination to refer refugees to the U.S. for possible admission, considers less than 1 percent of all global refugees as candidates for resettlement. In 2014, approximately 100,000 refugees were resettled by UNHCR globally.
- The refugees who are selected by the United States go through multiple interviews and security checks as part of the vetting process. The rigorous security screenings involve the Department of Homeland Security, the FBI, the Department of Defense and multiple intelligence agencies.
- Upon arrival in the U.S., Customs and Border Patrol officers conduct additional security checks to further ensure that the refugee is admissible.

Policy Argument Defining State Roles In Refugee Resettlement

- The costs of resettling refugees are not entirely states' responsibilities. Thirty-two states and the District of Columbia rely on federal funding to run resettlement programs. All nine resettlement agencies also assume some of the financial responsibilities.

Economic Arguments Supporting Refugees

- Refugees resettle quickly and find jobs, becoming self-sufficient. A study by Chmura Economics & Analytics reported in 2012 that in Cleveland, Ohio, refugee resettlement organizations spent \$4.8 million resettling

refugees. The same refugees were reported to have a positive economic impact of about \$48 million.¹⁰

- Refugees who enter the labor force often take jobs American citizens do not want and some open businesses. With the assistance of resettlement agencies, some refugees become self-sufficient within six months of arrival.¹¹

Faith Traditions Support Refugees

Many voluntary agencies who partner with the government are faith-based and work with refugees as part of their mission. Consider using faith-based arguments in defense of refugee resettlement.

Highlight the Biblical Tradition of Protecting the Vulnerable

Protection of the persecuted and welcoming the stranger are dominant themes in the Bible and other religious texts. Consider using a talking point demonstrating the biblical tradition of supporting refugees.

- **Protection for Refugees:**

Deuteronomy 10:18-19

"He it is who sees justice done for the orphan and the widow, who loves the stranger and gives him food and clothing. Love the stranger then, for you were once strangers in Egypt."

- **Love for Refugees:**

Leviticus 19:33-34

"If you have alien residents in your country you will not molest them. You will treat resident aliens as though they were native born and love them as yourself- for you yourselves were once aliens in Egypt."

- **Care for Refugees As Care for the Lord:**

Matthew 25:34-35

"For I was hungry and you gave me food, I was thirsty and you gave me drink, I was a stranger and you made me welcome"

The Francis Effect

Pope Francis has spoken eloquently in defense of refugees and migrants. Use a quote from him in testimony or a letter. Some relevant excerpts:

- "American Catholics are committed to building a society which is truly tolerant and inclusive, to safeguarding the rights of individuals and communities, and to rejecting every form of unjust discrimination." Pope Francis, *White House* 2015.¹²



Refugees at Zakany Railway Station in Zakany, Hungary are directed by a UNHCR representative.

- “This is neither a new church teaching nor an “open borders” posture, but a recognition of the inequality in the world and the need for all nations to work together to promote the universal common good.” Pope Francis, Mexico 2016¹³

Look to Local Religious Leaders

Highlight bishops’ and other religious leaders’ responses to the refugee crisis. Sometimes the most convincing voices are those of local leaders. See our examples here or on [our State and Local Immigration Project website](#).

- “Regardless of their religion and affiliations, refugees are all human persons-made in the image of God and deserving of our respect and care and protection from persecution.” Arch Bishop Kurtz, Louisville, Kentucky.¹⁴
- “We can continue to be a country that resettles refugees of all faiths while continuing to ensure the safety of our nation and citizens.” Bishop Libasci, Manchester, New Hampshire.¹⁵

Advocate Tips on Creating Community Support for Refugee Resettlement

Countering anti-refugee sentiment in certain communities will require strategic engagement of local leaders and lawmakers. Consider the suggestions below to help broaden support in your state.

Engage the Community

Encouraging community leaders and stakeholders to engage with refugees aids integration and eliminates stigma or uncertainty about refugees. Consider the following activities:

Community Engagement Ideas:

- **Host a Welcome Dinner:**
Host a potluck dinner at a church or community center, inviting refugees and local leaders. Encourage trying new foods and talking with newly arrived refugees.
- **Plan an Action Event on a Designated Day of Action:**
World Refugee Day is June 20th and Welcoming Week is September 16th-25th
- **Organize a Refugee Camp Simulation:**
Students at Catholic Charities of Louisville recently created a simulated refugee camp to get an idea of the refugee plight. The program also published a Refugee Camp Simulation Guide.
- **Educate and Engage Diocesan Deacons:**
Consider doing outreach with the deacons in your diocese. Invite them for briefings or sit-down meetings about refugee resettlement generally and in your city.



Two Syrian boys after arriving from Serbia and waiting for the buses to continue to the northern European countries in Dugo Selo, Croatia.

Individual Action Ideas:

- **Collect donations:**
Organize a drive to collect items such as furniture, household goods, personal care supplies, etc.
- **Transport:**
Help refugees get from the airport or to doctor's appointments, job interviews, ESL classes, etc
- **Teach:**
Tutor in English, one-on-one or in groups.
- **Mentor:**
Befriend a refugee individual or family by committing to on-going personal contact

Make a Human Connection

If you know a well-spoken former refugee, ask her to share her story with lawmakers and others. Even one person's story puts a human face to an issue.

Link In to Existing Programs

There are many refugee integration and support initiatives nationally that can help support advocacy work. Check out the links below.

- **Citizenship Navigator Program:**
CLINIC offers the Citizenship Navigator program for refugee resettlement staff and a texting campaign for refugees. This program includes a dedicated hotline for citizenship and BIA Recognition and Accreditation questions, training on citizenship, and technical assistance specifically for refugee resettlement staff. The texting campaign sends monthly text messages to subscribers with information and resources on citizenship, in an effort to increase naturalization rates of refugees. Learn more here: www.cliniclegal.org/citizenshipnavigators.
- **Building Welcoming Communities Campaign:**
Currently there are 48 cities in 26 states participating.
- **Welcoming America:**
Welcoming America connects leaders in community, government and nonprofit sectors to create inclusive, welcoming communities for immigrants.
- **The Linking Communities Project:**
Public-private partnerships in Minnesota, North Carolina and Texas

Endnotes

- ¹ "Flowing Across Borders, the UN Refugee Agency," February 2016 available at <http://www.unhcr.org/pages/49c3646c125.html>; The United Nations: "1951 Convention Relating to the Status of Refugees", Article 1A (2), 189 UNTS 137, opened July 28, 1951, entered into force April 22, 1954.
- ² "History of the U.S. Refugee Resettlement," Refugee Council USA, retrieved February 2016 available at <http://www.rcusa.org/history>
- ³ "Refugee Act of 1980," 8 U.S.C. § 1522; "History of the U.S. Refugee Resettlement," Refugee Council USA, retrieved February 2016 available at <http://www.rcusa.org/history>
- ⁴ Major Refugee Resettlement Volunteer Agencies: United States Conference of Catholic Bishops/Migrant Refugee Services, Episcopal Migration Services, Church World Services, World Relief, Lutheran Immigration and Refugee Services, HIAS, Ethiopian Development Council, U.S. Committee for Refugees and Immigrants, International Rescue Committee.
- ⁵ The Reception and Placement Program, U.S. Department of State, retrieved February 2016, available at <http://www.state.gov/j/prm/ra/receptionplacement/index.htm>
- ⁶ Post Arrival and Benefits, Refugee Council USA, February 2016 , available at <http://www.rcusa.org/post-arrival-assistance-and-benefits>
- ⁷ Refugee Travel Loan Collection, United States Conference of Catholic Bishops, February 2016, available at <http://www.usccb.org/issues-and-action/human-life-and-dignity/migrants-refugees-and-travelers/refugee-travel-loans-collection/>
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- ⁹ "8 Facts About the U.S. Program to Resettle Syrian Refugees," Teresa Welsh, U.S. News and World Report, November 20, 2015 available at <http://www.usnews.com/news/articles/2015/11/20/8-facts-about-the-us-program-to-resettle-syrian-refugees>.
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- ¹¹ "A Syrian Family Adjust to Life in Michigan after Arduous Journey," Ismat Sarah Mangla, International Business Times, December 11, 2015 available at <http://www.ibtimes.com/syrian-refugee-family-adjusts-life-michigan-after-arduous-journey-aleppo-bloomfield-2208250>.
- ¹² Transcript: Read the Speech Pope Francis Gave at the White House, available at <https://www.whitehouse.gov/the-press-office/2015/09/23/remarks-president-obama-and-his-holiness-pope-francis-arrival-ceremony>.
- ¹³ "The Pope's Border Policy," Kevin Appleby, American Magazine, The National Catholic Review, February 16, 2016 available at <http://americamagazine.org/issue/popes-border-policy>.
- ¹⁴ "Archbishop Kurtz Calls for Welcoming Refugees fleeing from Syria," September 10, 2015, available at <http://www.usccb.org/news/2015/15-127.cfm>
- ¹⁵ "Bishop Liasci's Statement of the Syrian Refugee Crisis," November 20, 2015, available at <http://www.catholicnh.org/about/news/news-releases/syrian-refugee-crisis/>