



## Statement of the Women's Refugee Commission

Submitted to the U.S. House of Representatives Committee on the Judiciary Subcommittee on Immigration Integrity, Security, and Enforcement Hearing, “The Impact of Illegal Immigration on Social Services”

January 11, 2024

The Women's Refugee Commission (“WRC”) submits this statement to the House Judiciary Immigration Integrity, Security, and Enforcement Subcommittee for the January 11, 2024 hearing, “The Impact of Illegal Immigration on Social Services.”

WRC is a non-profit organization that advocates for the rights of women, children, and families displaced by conflict and crisis. The Migrant Rights and Justice (“MRJ”) Program focuses on the right to seek asylum in the United States and strives to ensure that migrants and refugees, including women and children, are provided with humane reception in transit to and in the United States, given meaningful access to legal protection, and are protected from exposure to gender discrimination or gender-based violence.

Since 1996, MRJ staff have made numerous visits to the southwest border region, including along Mexico's northern border, as well as to immigration detention centers for adult women and families and to shelters housing unaccompanied children throughout the country. WRC has interviewed hundreds of detained women, families, and children seeking asylum in the United States, as well as other critical and relevant stakeholders, including service providers and government officials at federal, state, and local levels.<sup>1</sup> Based on the information that we collect

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<sup>1</sup> Recent reports of our findings include: Women's Refugee Commission, *Opportunities for Welcome: Lessons Learned for Supporting People Seeking Asylum in Chicago, Denver, New York City, and Portland, Maine* (2023); Women's Refugee Commission, *People Seeking Asylum Confined Outside in Appalling Conditions: Findings and Recommendations from a Monitoring Visit to San Diego* (2023); Women's Refugee Commission, *Welcoming and Supporting People Seeking Asylum: Lessons Learned in New York City and Portland, Maine* (2023); Women's Refugee Commission, *Decreasing ORR's Dependence on Congregate Care: Four Recommendations for Progress* (2023); Women's Refugee Commission, *New Asylum Ban Leaves Migrants Stranded: Recommendations to Increase Access to Protection at the US-Mexico Border* (2023); Women's Refugee Commission, *Creating Accessible Regional Pathways for Migrant Women and Families: Lessons from the Parole Processes for Cubans, Haitians, Nicaraguans, and Venezuelans* (2023); Women's Refugee Commission, National Immigrant Justice Center, and Young Center for Immigrant Children's Rights, *ICE's New Young Adult Case Management Program: Why It Falls Short of Case Management Best Practices and Puts Youth at Risk* (2023); Women's Refugee Commission, Border Servant Corps, International Rescue Committee, Jewish Family Service of San Diego, Mission: Border Hope, Refugees International, and Save the Children, *Sustainable, Orderly, and Safe Reception at the US-Mexico Border: Recommendations for the Shelter and Services*

on these visits and our analysis of the laws and policies relating to these issues, we advocate for improvements and make recommendations for changes to U.S. policy and practice.

The Women’s Refugee Commission has spent extensive time across the U.S.-Mexico border, including to document successful examples of how local reception practices, borne out of public-private partnerships, can both ensure a dignified and humane reception of those seeking protection at the border and serve to reduce pressures on U.S. Customs and Border Protection (“CBP”) as they process individuals through ports of entry.<sup>2</sup> In 2023, Women’s Refugee Commission expanded this work by traveling to four cities in the interior of the U.S.—New York, Portland Maine, Chicago, and Denver—to learn about their responses to the arrivals of people seeking asylum, and to better understand the best practices and challenges in supporting them. We spoke to dozens of stakeholders, including federal, state, and local government officials, community-based organizations, grassroots advocates, legal service providers, and people seeking asylum to learn about best practices and challenges.<sup>3</sup>

Perhaps most importantly, our research shows that government at all levels, including state, local, the Administration, and Congress, have an opportunity to end the “crisis mode” response to addressing displaced people seeking safety. Misguided attempts to deter migration will not stop people from fleeing harm and exercising the right to seek safety, but instead will only lead to chaos at the U.S. border. At a time of record global displacement, cities, states, and community-based organizations are already engaged in extraordinary efforts across the country to welcome newcomers, creating opportunities for lasting, positive, and transformative change. Effective and sustainable policies ensuring the safe, orderly, and dignified reception of people seeking asylum require long-term planning that recognizes the reality of global displacement. Ultimately, doing so ensures that systems can be improved not only to support and receive people asylum, but transformed in the longer term to support all individuals needing social, housing, and other case management.

Below, we highlight key best practices for supporting people seeking asylum in the United States and subsequently how Congress can improve reception and integration practice identified from our visits and drawn from the Women’s Refugee Commission’s recent report: *Opportunities for Welcome*. Although local and state governments have critical roles to play in the response, the

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*Program* (2023); Jewish Family Service of San Diego and Women’s Refugee Commission, *Welcoming People Seeking Safety: A San Diego Blueprint for Humanitarian Reception* (2023); Women’s Refugee Commission, *Inequity at the US-Mexico Border: Ukrainians Seeking Safety and Implications for US Asylum Processing* (2023).

<sup>2</sup> See: Jewish Family Service of San Diego and Women’s Refugee Commission, [Welcoming People Seeking Safety: A San Diego Blueprint for Humanitarian Reception \(2023\)](#).

<sup>3</sup> See: Women’s Refugee Commission, [Opportunities for Welcome: Lessons Learned for Supporting People Seeking Asylum in Chicago, Denver, New York City, and Portland, Maine](#) (2023); and Women’s Refugee Commission, [Welcoming and Supporting People Seeking Asylum: Lessons Learned in New York City and Portland, Maine](#) (2023);

efficacy and sustainability of policies for the dignified reception of people seeking asylum and other protections depend on significant, big-picture policy changes at the national level.

## **Best Practices**

### **Community-led case management support services**

Case management support services use individualized need assessments to help people seeking asylum meet their basic needs and find stability in their new communities—critical to their ability to successfully navigate the asylum and immigration process.<sup>4</sup> To be most effective, these services should be provided by local organizations with community knowledge and expertise that can best help people seeking asylum. A particularly promising practice in welcoming and supporting newcomers, such as in states like Colorado, Illinois, and Maine, is capitalizing on this special expertise of community-based organizations by funding trusted community-based organizations to provide case management support services to people seeking asylum staying in shelter or transitional housing. Doing so creates efficiencies that ensure that people not only access critical shelter, but also individualized and wraparound support to simultaneously access other services, such as medical care, addressing their children’s needs, or access to critical legal assistance.

### **Rental assistance for people seeking asylum**

Rental assistance programming tailored to the needs of people seeking asylum and private hosting programs can catalyze community involvement and integration, serving as a crucial lifeline to those who may have few or no other resources to access housing as they arrive in their destination, especially without the immediate ability to work. WRC documented promising practices in multiple states, where state government not only provided some dedicated funding for housing assistance for people seeking asylum, but also coupled that assistance with support for organizations who can help those same people with the process of finding housing. A major challenge to finding housing is the initial inability of a person seeking asylum to work, especially as they must first navigate the complex process that is applying for asylum and subsequently a work permit. WRC believes that rental assistance programs should be accompanied by robust legal assistance programming to ensure that people can apply for and receive their work permit as expeditiously as possible and pursue the most appropriate immigration relief for their circumstances while transitioning into permanent housing. As recommended below, we also

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<sup>4</sup> Women’s Refugee Commission and American Immigration Council, *Community Support for Migrants Navigating the US Immigration System* (Mar. 1, 2021), <https://www.womensrefugeecommission.org/research-resources/community-support-for-migrants-navigating-the-us-immigration-system/>.

strongly support reducing delays in processing and wait times for work permits, enabling people seeking asylum to more quickly achieve independence.

### **Private hosting programs for people seeking asylum**

Community-based nonprofit organizations and religious congregations establish networks of people willing to host people seeking asylum in their homes while they benefit from community-based support services. WRC observed multiple models across states in our research, including where individuals are connected not just with hosts and host homes but also a dedicated network of volunteers who supply community-based support services, including medical, mental health, educational, and workforce development.<sup>5</sup> Although capacity in these models tends to be smaller, they have significant impact, not only for the lives of the people supported but also their hosts and host communities. Private sponsorship also exists more formally promoted through federal government parole programs like Uniting for Ukraine.<sup>6</sup>

### **Innovative legal assistance delivery models for people seeking asylum**

Legal assistance programs that maximize the limited capacity of immigration legal service providers and private attorneys are critical to ensuring people seeking asylum effectively navigate their immigration proceedings. Given the lack of immigration lawyers to meet demand across the United States, local and state governments and the legal services community alike have pivoted to force multiplier tools to increase access to critical immigration legal services for people seeking asylum.<sup>7</sup> Efforts include dedicated legal help centers, *pro se* assistance clinics, limited representation projects, specialized legal orientations and screenings in migrant shelters, and *pro se* tutorial video and documentary materials. These programs help people prepare and file their applications for asylum and a work permit, as well as assisting with procedural requests like changing one's address (especially important for people in shelters or other precarious housing situations) and court venue, supporting compliance with the immigration process.<sup>8</sup> Although these important efforts cannot fully replace the critical support offered through full legal representation, especially given the complexity of asylum cases or especially rushed practices like the Family Expedited Removal Management ("FERM") program, they are models that should be looked to as communities seek to support those newly arriving with navigating the immigration process and finding some stability.

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<sup>5</sup> Colorado Hosting Asylum Network, <https://www.hostingasylum.org/>.

<sup>6</sup> Welcome.US, "Sponsor Ukrainians through Uniting for Ukraine," <https://welcome.us/become-a-sponsor/sponsor-ukrainians>.

<sup>7</sup> TRAC Immigration, "Despite Efforts to Provide Pro Bono Representation, Growth Is Failing To Meet Exploding Demands" (May 12, 2023), <https://trac.syr.edu/reports/716/>.

<sup>8</sup> Giulia McDonnell Nieto del Rio, "Deportation Orders Reach 25 Year Height as Migrants Miss Notices in Shelter Shuffle," *Documented* (Nov. 3, 2023), <https://documentedny.com/2023/11/03/deportation-orders-address-change-migrants-shelter/>.

U.S. Citizenship and Immigration Services (“USCIS”) recently began collaborating with local governments and nonprofit shelters to initiate the processing of parole-based work permit applications on site.<sup>9</sup> With the Biden administration’s recent redesignations of temporary protected status (“TPS”) for countries including Venezuela and Afghanistan, these immigration legal assistance programs are pivoting to help people with TPS applications as well.

### **Public-private partnerships to support people seeking asylum**

WRC observed multiple forms of public-private partnerships in our recent research that capitalize on the complementary strengths of government and community resources, infrastructure, and expertise. Importantly, while private for-profit organizations may sometimes supply operational capacity and resources for urgent larger-scale undertakings like shelters, these arrangements also often generated serious concerns when not carried out by organizations with community trust and expertise. Community-based nonprofits organizations are critical to ensure that existing community resources and support are readily and effectively connected with new arrivals. These same local nonprofits also play an indispensable role in identifying gaps in resources and services and coordinating a community-based welcoming response to new arrivals. Among government actors, robust and transparent engagement by local and state governments with local community-based organizations can take various forms, including online dashboards, regular virtual or in-person convenings, and dedicated, public-facing government personnel, such as deputy mayors or Offices of New Americans.

### **Recommendations for Congress**

Ultimately, the safe, coordinated, and dignified reception of people seeking asylum requires a whole of government approach - one that will not only support those seeking protection in the short term, but also transform social and community support systems to better support and benefit everyone. The Women’s Refugee Commission calls for both the Administration and Congress to increase access to programs that support people seeking asylum *and* strengthen the capacity of the states, cities, and organizations trying to serve them. The following are key recommendations for Congress from our recent report, *Opportunities for Welcome*:

- Led by Congressional appropriators, Congress must prioritize and substantially increase investment for state and local governments and community organizations providing housing and services in destination communities.
  - These funds must be transparently administered and responsive to community-based stabilization needs such as transitional housing, case management services, and legal assistance.

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<sup>9</sup> Kim Corona, “NYC Legal Clinic Blitz Assists Nearly 2000 Asylum Seekers Obtain Work Permits,” *New York Immigration Coalition* (Oct. 13, 2023), <https://www.nycic.org/2023/10/nyc-legal-clinic-blitz-assists-nearly-2000-asylum-seekers-obtain-work-permits/>.

- Funds should be flexible and grant-based, coupled with support to ensure that organizations that may have less or no experience with U.S. government grants are able to seek their funds.
- Congress should increase investment in the Shelter and Services Program (SSP), increasing its flexibility and transparency. However, while SSP and the critical welcoming services and infrastructure it supports continues to need sustained investment and attention, Congress must both increase SSP funding and expand programming and funding sources beyond the shorter-term emergency respite reception critical to the border context to serve the longer-term needs of destination communities.
- Congress should increase funding for the Case Management Pilot Program (“CMPP”), a promising pilot program that provides community-based case management services to support immigrants undergoing asylum and other case adjudication.<sup>10</sup>
- Congress should pass common-sense reforms like those in the House Asylum Seeker Work Authorization Act and the Senate ASPIRE Act to permit asylum applicants to seek employment authorization no later than 30 days after filing their asylum application.<sup>11</sup> This will allow people seeking asylum to achieve independence more quickly, reduce reliance on local support systems, and better position asylum applicants to find legal representation to help them more effectively navigate their asylum cases.
- Congress should establish a Newcomer Housing Voucher program to provide direct assistance for people settled as refugees in the US, people seeking asylum and other noncitizen newcomers.<sup>12</sup>
- Congressional appropriators should:
  - Increase appropriated funding for USCIS—an agency that is largely fee-based otherwise—and provide explicit and detailed bill language requiring the agency to dedicate the increased funding to furthering efficiencies and reducing backlogs for asylum applications and related humanitarian applications like employment authorization, TPS, and parole;
  - Decrease funding for immigration detention and instead dedicate funding to increasing capacity for ICE to process people who are not detained;

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<sup>10</sup> Department of Homeland Security, “DHS Case Management Pilot Program” (Sept. 13, 2023), <https://www.dhs.gov/dhs-cmpp>.

<sup>11</sup> “Congresswoman Pingree Renews Push to Speed Up Asylum Seeker Work Authorization Process” (Mar. 1, 2023), <https://pingree.house.gov/news/documentsingle.aspx?DocumentID=4501>; “Gillibrand, Merkley, Torres Introduce Legislation To Give Asylum Seekers A Pathway To Safe And Legal Work” (June 23, 2023), <https://www.gillibrand.senate.gov/news/press/release/gillibrand-merkley-torres-introduce-legislation-to-give-asylum-seekers-a-pathway-to-safe-and-legal-work/>.

<sup>12</sup> Church World Service, “Housing Funding Priorities for Fiscal Year 2024” (Oct. 9, 2023), [https://docs.google.com/document/d/1rmbNw-kqOjZ\\_os9Ezf2Zip5Bbbsg-w6PcPyCuKRABIIIE/edit](https://docs.google.com/document/d/1rmbNw-kqOjZ_os9Ezf2Zip5Bbbsg-w6PcPyCuKRABIIIE/edit).



- Transfer funding previously allocated to immigration detention to HHS’s Office of Refugee Resettlement (“ORR”) for supportive grant-based programming for the resettlement of and case management for people seeking asylum and for the expansion of housing assistance eligibility to all ORR-eligible populations, as well to FEMA for SSP and other community-based support for migrants;
- Increase Department of Justice (“DOJ”) funding for legal representation for adults and families in removal proceedings, as well as funding for legal orientation and pro se assistance programs like the Immigration Court Helpdesk;<sup>13</sup>
- Increase and expand funding for programs that support affordable housing and homelessness such as the Department of Housing and Urban Development’s (“HUD’s”) Homeless Assistance Grants programs and authorize ORR to fund housing assistance for ORR-eligible populations;
- Increase funding for the McKinney-Vento Act’s Education for Homeless Children and Youth Program to remove barriers to education for all children experiencing homelessness, including children seeking asylum;<sup>14</sup> and
- Allocate Title III funds for English Language Acquisition to ensure robust support of children and their families who are seeking asylum.

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<sup>13</sup> Bettina Rodriguez Schlegel, “Immigration Court Helpdesk,” Vera Institute of Justice, <https://www.vera.org/projects/immigration-court-helpdesk>.

<sup>14</sup> SchoolHouse Connection, “Federal Advocacy & Policy Updates,” <https://schoolhouseconnection.org/policy-advocacy/policy-updates/>.