


KAREN HURD

STATE REPRESENTATIVE • 68TH ASSEMBLY DISTRICT

Assembly Bill 1004
Public Testimony
Assembly Committee on State Affairs
February 7, 2024

Thank you, Chair Swearingen and committee members for hearing this bill related to Refugee Resettlement.

The US Immigration and Nationality Act (INA), as amended by the Refugee Act of 1980, authorizes the United States to admit refugees. Federal law 8 USC 1522 requires the federal government to consult with state and local governments before refugee placement; however, with whom they consult is not spelled out in federal law. This creates an environment in which only a small minority of local governments potentially impacted by the placement might know that a placement is being considered or about to take place. Therefore, the federal government could consult with one staff person or one local governmental unelected official despite multiple people and governments being critical stakeholders. The required consultation by the federal government does not ensure adequate public or local government stakeholder awareness and engagement.

In order to protect the authority, jurisdiction and consultation rights of local governmental bodies in regards to federal refugee resettlement efforts, AB 1004 establishes a process of notification that is concise, easy to implement, and manageable. As counties are the primary funding source in local regions for Health and Human Services—services with which the refugees would need to access after the initial 90 day period of federal assistance runs out—the bill establishes a county committee comprised of a selected representative from each affected local governmental body within the respective affected county. Due to the infrequent nature of refugee resettlement, a designee/committee is only required once a governmental body has been notified of possible resettlement in their jurisdiction.

It is important to note that AB 1004 establishes a process for communication. It does not address nor is it intended to address the merits of refugee resettlement, impact to the economy, impact on law enforcement, schools, or county/municipal services, or pro/con impact on the citizens of the community. Those areas of evaluation are left to the local elected governmental bodies to assess. This bill simply allows elected local governmental officials notification as they are key stakeholders in the refugee resettlement process.

I am happy to take any questions the committee may have.



February 7th, 2024

Representative Swearingen, Chair
Representative Green, Vice-Chair
Members of the Assembly Committee on State Affairs

Testimony on 2023 Assembly Bill 1004

Relating to: requiring local governments to designate an individual for consultation required under a federal program regarding refugee resettlement and assistance.

Dear Chairman Swearingen, Vice-Chair Green, and Committee Members:

Late last year, it was announced that the federal government through World Relief, a global humanitarian organization, would be resettling 75 refugees in the Eau Claire area. This news took many by surprise because, as it later turns out, these organizations were working solely with the Eau Claire city administrator, and they failed to notify other stakeholders who would be impacted by these decisions.

According to federal law, the federal government must consult with state and local governments before refugee placement. Yet strikingly, with whom the feds need to consult with is not spelled out. This creates an environment in which only a small minority of local governments potentially impacted by the placement might know that a placement is being considered or about to take place, as seen in the Eau Claire example. The federal government is not required to ensure all stakeholders and the general public are properly notified before making these crucial decisions, and that needs to change.

Assembly Bill 1004 ensures the wider community is properly notified if the federal government moves to settle refugees in their communities. The bill requires each city, village, town, county, and school district within a 100 mile radius of the proposed site of resettlement to designate an individual to serve as a representative when consulting with the federal government or a private nonprofit voluntary agency regarding certain refugee resettlement and assistance issues. The bill also requires public hearings be held to ensure the public is adequately notified and is able to provide input.

Refugee resettlements are complex situations. Integrating several dozen people into communities, connecting them with resources, and ensuring they have what they need to be successful requires support from countless stakeholders. Allowing one person to make decisions when it takes a community to be successful doesn't make sense and needs to be addressed.

Respectfully,

A handwritten signature in black ink, appearing to read 'Jesse James'.

Senator Jesse James
23rd Senate District
Sen.James@legis.wisconsin.gov

My name is Dean Gullickson and I am the current Chairman of the Chippewa County Board of Supervisors. I am here to speak on Assembly Bill 1004 relating to requiring local governments to designate an individual for consultation required under the Federal program regarding refugee resettlement and assistance.

Recently the city of Eau Claire had a staff member contact with World Relief an organization involved with the placement of refugees within a 100 radius miles of Eau Claire. Part of two Chippewa County townships lay within the City of Eau Claire. Chippewa County was not notified of this process or plan to place refugees in Eau Claire and possibly Chippewa County's two townships or within 100 miles of Eau Claire, which would encompass all of Chippewa County.

It was not until 2/05/2024 that Chippewa County was brought to the table on this refugee plan after the Eau Claire County Board and the Eau Claire City Council had taken action on the refugee plan.

I, the Chippewa County Board Chair, along with Chippewa County Administer, Randy Scholz, were invited to a meeting at Eau Claire Chamber of Commerce for a meeting on the refugee resettlement plan. At that time, we learned that refugees received funding for three months. After that time, unemployed refugees could apply for government programs that are administered through Chippewa County at Chippewa County's expense.

In short, we pay the bills for an Eau Claire refugee program without any voice in the matter. This issue expands into cities, villages, and other Counties within 100 miles of Eau Claire. One might say that this is taxation without representation. County Boards, Cities, Villages, Towns, State representatives, State Assembly Persons, and our US Congressmen and Senators will have no local voice. In short, our local officials are out of the picture. I do not believe this was the intent of the US Immigration and Nationality Act, as amended by the Refugee Act of 1980. As Federal law 8 USC 15 22 requires the Federal government to consult with State and local governments before refugee placement, it only makes sense that local elected government bodies, i.e. elected officials, be the contact bodies, be the contact points. I do not believe they meant for that contact to be the water meter reader of other government employees. Therefore, Senate Bill 916 is a good bill to fix this issue by defining that contact as described in this bill.

At present Eau Claire and Chippewa County are losing a total of two hospitals and their services. Thousands of our citizens will lose medical services in an already over-stressed medical environment. This event occurred after Eau Claire County and Eau Claire City took action on the refugee placement. This is a local crisis and local medical persons have stated that human lives are at stake. How can we bring refugees into this environment? They have 3 months to assimilate and face language, cultural, housing, and healthcare issues.

By passing this Bill our local governments through their elected officials have a way to address this crisis. When we bring refugees into the matter, it is a formula for failure. We need to do the right thing at the right time, the right way. Please pass Bill 1004 before it is too late.

Chippewa County Board Chairman
Dean Gullickson



WISCONSIN CATHOLIC CONFERENCE

TO: Representative Rob Swearingen, Chair
Members, Assembly Committee on State Affairs

FROM: Tia Izzia, Associate Director for Human Life & Social Concerns

DATE: February 7, 2024

RE: AB 1004, Refugee Resettlement and Assistance

The Wisconsin Catholic Conference (WCC), the public policy voice of the Catholic bishops of Wisconsin, urges you to oppose Assembly Bill 1004, which requires additional consultation for refugee resettlement in Wisconsin.

I would like to begin by defining who refugees actually are. They are persons who have fled their homelands and who are either unable or unwilling to return because of a “well-founded fear of persecution for reasons of race, religion, nationality, membership in a particular social group, or political opinion” (1951 Convention Relating to the Status of Refugees).

Refugees admitted to the United States have undergone the most extensive vetting of any new arrivals. No other immigrant group—those on travel visas, students, etc.—are scrutinized so thoroughly. Attached to my testimony is a copy of the U.S. State Department’s description of how refugees are interviewed, screened, and processed. What the description does not reveal is that on average it can take seven to ten years before a refugee is admitted to the U.S.

Large numbers of refugees are being reunited with family members in the U.S. Therefore, a bill like SB-916 has the unintended effect of delaying family reunification. Keeping families apart can hurt the ability of families to support themselves financially and can negatively impact the well-being of children, both emotionally and academically.

The United States is the wealthiest country in the world and as our Statue of Liberty declares, we are a nation that welcomes the “huddled masses yearning to breathe free.” As Americans and as Wisconsinites, we have a moral obligation to help resettle some of the most traumatized and oppressed people in the world.

However, this resettlement work is not just a government responsibility. The Judeo-Christian tradition compels people of faith to “welcome the stranger” (Matthew 25:35). As Catholics, we are at the forefront of helping refugees find stable housing, gainful employment, English language proficiency, cultural orientation, and more. One of the

primary goals of resettlement services is to have refugees gainfully employed within 90 days of arriving in the United States. I can report that nearly all adult employable refugees served by our agencies are employed within that time.

Our Catholic agencies already meet with local elected officials on a quarterly basis. Please don't make their work more difficult by creating obstacles to resettlement. Instead, let's work together to make Wisconsin a leader in welcoming refugees and letting them know that they have a future in our great state.

For all these reasons, we respectfully urge you to oppose AB 1004. Thank you.

U.S. State Department

Refugee Admissions Application and Case Processing

SOURCE: <https://www.state.gov/refugee-admissions/application-and-case-processing>

U.S. Refugee Admissions Program: Overseas Application and Case Processing

When a refugee applicant is referred to the U.S. Refugee Admissions Program (USRAP) for resettlement consideration, the case is first received and processed by a Resettlement Support Center (RSC). The Department of State currently funds and manages seven RSCs around the world that are operated by NGOs or international organizations, such as the International Organization for Migration (IOM).

Adjudication

RSCs collect biometric, biographic, and other information from the applicants to prepare cases for security screening, interview, and adjudication by **U.S. Citizenship and Immigration Services (USCIS)**. The Secretary of Homeland Security has delegated to USCIS the authority to determine eligibility for refugee status under U.S. law. The decision whether and how many refugees to admit to the United States each year is determined by the President. There is no minimum or fixed maximum number of refugees that can be admitted under U.S. law – and is set by the Presidential Determination on Refugee Admissions. USCIS officers review the information that the RSC has collected, and the results of security screening processes and conducts an interview with each refugee applicant before determining whether the applicant is eligible for classification as a refugee.

Post-Adjudication Processing

If an applicant is conditionally approved for resettlement by USCIS, or in certain cases prior to receiving a decision from USCIS, RSC staff guide the refugee applicant through post-adjudication steps, including a health screening to identify medical needs and address any health concerns before individuals

enter the United States. The RSC also obtains a “sponsorship assurance” from a U.S.-based resettlement agency that receives funding from PRM for **Reception and Placement (R&P) assistance**. Refugees may also be assured to a private sponsor group through the Welcome Corps, which will provide initial resettlement services upon arrival rather than a resettlement agency. Once all required steps are completed, the RSC refers the case to the International Organization for Migration (IOM) to arrange transportation to the United States.

Cultural Orientation

The Department of State strives to ensure that refugees admitted to the United States are prepared for the changes they will experience by providing cultural orientation programs prior to departure. The Department of State funds one- to five-day pre-departure orientation classes for eligible refugees at sites throughout the world. Comprehensive cultural orientation resources have been developed to assist refugees’ transition to life in the United States, including a **Settle-In US website**, Facebook page, and mobile app. Cultural orientation programming continues once refugees arrive in the United States.

Travel

The Department of State funds the international transportation of refugees to be resettled in the United States through a program administered by IOM. The transportation is provided to refugees through a no-interest loan. Refugees are responsible for repaying these loans over time through their reception and placement providers, beginning six months after their arrival.



TO: Chair Swearingen, Vice-Chair Green and Honorable Members of the Committee on State Affairs

FROM: Ragen Shapiro, Legislative Advisor

DATE: February 7, 2024

SUBJECT: AB1004

DCF is submitting this memo for information only on AB1004: An Act to create 66.0443 of the statutes; Relating to: requiring local governments to designate an individual for consultation required under a federal program regarding refugee resettlement and assistance.

Refugee resettlement in the United States is a federal process. Individuals and families apply and are approved for resettlement to the United States through the [U.S. Refugee Admissions Program \(USRAP\)](#) managed by the Department of State in collaboration with the U.S. Department of Homeland Security and the U.S. Department of Health and Human Services. Wisconsin has a rich history of opening its doors to people of all backgrounds and has been welcoming refugees to the state since the 1970s when large numbers of Hmong refugees resettled after fleeing persecution in southeast Asia following the Vietnam War. It is estimated that our state has welcomed over 16,000 refugees from all over the world in the last 20 years. The Department of Children and Families (DCF)/Bureau of Refugee Programs (BRP) collaborates with local organizations to provide services to refugees across the state, as has been the case since the state began participating in the U.S. Refugee Admissions Program after the signing of the Refugee Act of 1980.

[DCF/BRP](#) partners with eight resettlement agencies throughout the state to provide support services to refugees who are starting a new life in Wisconsin. Resettlement

Agencies (RAs) consult regularly with local partners to ensure the community has sufficient information and resources to welcome refugees and support the newcomers on their path to achieving self-sufficiency and integration into their newly established community. Resettlement agencies' [cooperative agreements](#) with the U.S. Department of State, [Bureau of Population, Refugees and Migration \(PRM\)](#) require [consultations](#) between the RAs and community stakeholders when new resettlement sites are being proposed, annually and on a quarterly basis. Consultation does not provide authority for communities to approve or deny resettlement within their jurisdiction.

The RAs are required to invite the State Refugee Coordinator (SRC), State Refugee Health Coordinator (SRHC), representatives of local governments and local offices of health, education, welfare, public safety, and other refugee service community-based organizations to the consultations. RAs must report year-to-date information on arrivals and projected arrivals, including nationality, ethnicity, family size, education level, language proficiencies and health concerns.

The cooperative agreement requires the RAs to facilitate a discussion of the community's capacity to serve current and projected caseloads, strategies to support integration and considerations that may limit resettlement. Factors that must be considered include U.S. ties (family members or friends in the U.S. who can provide assistance to a refugee during the resettlement process), employment opportunities, local resettlement capacity, community resources, affordable housing, public and private resources (including educational, health care, and mental health services), the likelihood of refugees placed in the area becoming self-sufficient and free from long-term dependence on public assistance, access to legal assistance, access to cultural needs and ability to find community.

In addition to required consultations, RAs have ongoing contact with school districts, health clinics, benefits agencies, law enforcement, and numerous other community organizations, through regularly scheduled collaboration meetings, community events, and frequent interactions that take place throughout the course of providing ongoing

case management. RAs also do frequent volunteer outreach, which increases community awareness of and involvement with many aspects of the resettlement process and is aimed at facilitating community cohesion between the mainstream community and newly resettled communities.

Additionally, the Office of Refugee Resettlement requires SRCs to consult quarterly with local resettlement agencies and other community stakeholders on current and projected refugee arrivals. The State Refugee Coordinator (SRC) is the individual “designated by the Governor or the appropriate legislative authority of the State to be responsible for, and who is authorized to, ensure coordination of public and private resources in refugee resettlement.” See [45 CFR 400](#). The SRC facilitates discussion about planning for recent and projected arrivals. In Wisconsin, the SRC meets this federal requirement by meeting with the [Refugee Advisory Committee \(RAC\)](#), comprised of representatives from refugee resettlement agencies, mutual assistance associations, community-based organizations, state agencies, Wisconsin works (W-2) and Income Maintenance agencies and some ad-hoc members.

This legislation proposes a consultation process which would further complicate the current federally mandated consultation process, as resettlement agencies already host consultations with local communities in the six major resettlement areas of the state: Milwaukee, Madison, Appleton, Green Bay, and Wausau. This amounts to 20 consultations per year. New resettlement programs will be starting in Sheboygan and Eau Claire, adding 8 new consultations to the list (for a total of 28). In addition, the SRC hosts 4 annual consultations through RAC (as detailed above), for a total of 32 annual consultations throughout the state.

Resettlement agencies are engaged in the very difficult and emotionally taxing job of managing every aspect of local resettlement and are already required to meet numerous state and federally imposed administrative requirements. DCF/Bureau of Refugee Programs (BRP) mandate is to ensure successful resettlement by helping

refugees get jobs, enroll in classes, and provide countless other services. Requiring additional consultations would divert time and resources from this crucial work. SB916 would create a complicated patchwork of community-by-community refugee policies which would undermine the validity of the U.S. Refugee Admissions Program. The proposed legislation is reminiscent of Executive Order 13888, which would have allowed state and local governments to deny refugee resettlement in their communities. [The order was blocked by a federal judge](#) for violating Congressional intent. In his opinion, U.S. District Judge Peter Messitte clarified that the Refugee Act is 'to provide a permanent and systematic procedure for admission to this country of refugees of special humanitarian concern to the United States, and to provide comprehensive and uniform provisions for the effective resettlement and absorption of those refugees who are admitted.' The proposed legislation runs counter to Wisconsin's long-standing history of honoring and preserving the integrity of the refugee resettlement process that was established nearly 50 years ago.

Moreover, many refugees have been separated from their families for extended periods of time. Communities may receive notification months in advance of an individual's approval for resettlement, but notification of travel arrangements may come with less than a week's notice, which would not work with the timeline of the consultation process mandated by the bill. **In addition**, DCF is concerned that AB1004 would cause refugees and immigrants throughout the state to fear for their safety and well-being as this bill could potentially be inflammatory for anti-immigrant and anti-refugee groups in the state.

All of these ramifications of AB1004 affect refugees who have fled war, violence and persecution and have been deemed eligible for resettlement by the U.S. government. Refugees are vetted more intensively than any other group seeking to enter the U.S. The vetting process includes biometric checks, medical screenings, forensic testing of documents, DNA testing for family reunification cases, and in-person interviews with highly trained homeland security officials. Refugees arrive in the U.S. with lawful status and work authorization. They start working as soon as possible, pay taxes, start

businesses, purchase homes, and become U.S. citizens. Refugees have freedom of mobility and even if a resettlement agency does not place them in a particular community, there is nothing that prevents them from moving to a community for a job, to be closer to family or for any other reason. Nationally, 13 percent of likely refugees are entrepreneurs, compared to 9% of the U.S. born. [In 2019, refugees generated \\$5.1 billion in total business income.](#)

Refugees who call Wisconsin home make tremendous contributions to our economy as earners, taxpayers, and consumers. Refugees sustain and strengthen our communities with their high (99.1%) employment rate. According to the [American Immigration Council](#), in 2019, refugees in Wisconsin earned \$10 billion in household income and contributed \$145.1 million in federal taxes and \$103.5 million in state and local taxes. This left refugee households with \$778.4 million in spending power to further contribute to the Wisconsin economy, ranking refugees in Wisconsin 20th among all US states in terms of overall spending power. AB1004 could be detrimental to future refugee resettlement efforts, and in turn, detrimental to the future of Wisconsin's economy.

DCF thanks the Committee for the time and attention to this important issue.

A Refugee's Journey to the United States

Wisconsin has over 75,000 Refugees living in communities across the state. These individuals were forced to flee their home country to escape persecution due to their race, religion, nationality, political opinion, or membership in a particular social group. Learn about their journey to the United States (U.S.).

1 Refugee Flees Persecution



The Refugee flees persecution in their country of origin.

1

2

2 Refugee Wants to Resettle

Refugee wants to resettle in a third country, applies to the U.S. for admission.



3

3 Application is Processed



U.S. Refugee Admissions Program processes the Refugee's application.

4

4 Case is Approved

Refugee's case is approved for resettlement by the federal U.S. Government.



5

5 National Resettlement Agency



Refugee's case is assigned to a National Resettlement Agency.

6

6 Allocation to a Location in the U.S.

The Resettlement Agency allocates the Refugee's case to a location in the U.S.



7

7 Refugee is Informed of the Location



The Refugee is informed of the resettlement location in the U.S.

8

8 Preparation for the Refugee's Arrival

The local affiliate prepares for the Refugee's arrival.



9

9 Refugee Arrives in the U.S.

How Can I Help?

Refugees arrive with little beyond the clothes they are wearing and often are very unfamiliar with American ways of life. Learn more about how you can help new Wisconsin residents from a refugee background by visiting [DCF's website](#).

10

10 Services Provided to Refugee

Refugee receives supports needed to thrive in their new community.





[Home](#) > ... > [Refugee Admissions](#)

Refugee Admissions

U.S. Refugee Admissions Program

Refugee resettlement is a durable solution for individuals with humanitarian protection needs who have left their country due to persecution on account of a protected ground, cannot safely return home, and require permanent resettlement to a third country because they are unable to remain in the country where they currently reside.

The U.S. Refugee Admissions Program (USRAP) accepts referrals for refugees determined to be particularly vulnerable and in need of the protection provided by third-country resettlement. The program provides a pathway for resettlement to the United States under the Immigration and Nationality Act (INA). The INA defines a refugee as an individual who is outside their country of nationality, or if no nationality, their last habitual residence, and who is unable or unwilling to return to, and is unwilling or unable to avail themselves of the protection of, that country

because of persecution or a well-founded fear of persecution on account of their race, religion, nationality, membership in a particular social group, or political opinion.

We are committed to protecting those with specific needs, including women and girls, children, older persons, members of ethnic and religious minority groups, LGBTQI+ persons, persons with disabilities, stateless persons, human rights activists and dissidents, and others who may warrant permanent refugee resettlement through the USRAP.

President Biden affirmed the United States' commitment to welcoming refugees by maintaining the total admissions ceiling in FY 2024 Presidential Determinations on Refugee Admissions (PD 2023-13) at 125,000, the same target President Biden established since FY 2022 and the highest target in several decades. His decision reflects the United States' long-standing leadership on refugee resettlement in the face of an unprecedented global displacement crisis as record numbers of people around the world have been forced to flee war, persecution, and instability.

Nearly 110 million people are now forcibly displaced, more than at any other time in history. According to the United Nations High Commissioner for Refugees (UNHCR), 2.4 million refugees are now in need of protection through third-country resettlement. For these refugees, resettlement in the United States represents the opportunity to start anew to pursue a life of safety and dignity without fear of violence or persecution.

The USRAP reflects our history as a nation welcoming of immigrants, exemplifying a U.S. values-based foreign policy and serving as a beacon of hope for persecuted people around the world. It is an important, enduring, and ongoing expression of our commitment to international humanitarian principles to save lives and alleviate human suffering as well as of our commitment to human rights, including freedom of religion or belief and freedom of expression. Critically, it remains a powerful demonstration of the United States' continued solidarity with refugees and the countries hosting them.

The USRAP is a vital foreign policy tool that advances U.S. interests and national security objectives, including rebuilding a system that promotes safe, orderly, and humane lawful immigration. Alongside robust humanitarian aid and diplomacy, resettlement helps promote stability in regions experiencing crisis, demonstrates U.S. responsibility-sharing with affected countries, and facilitates U.S. negotiations on improved humanitarian conditions with host countries – such as granting access to legal work, education, and lawful status for the vast

majority of refugees who remain in countries of first asylum and will never be resettled. Cooperation among U.S. government agencies, U.S. states and localities, private resettlement partners, the American public, foreign governments, UNHCR, and the International Organization for Migration (IOM) make the USRAP possible.

Since the passage of the Refugee Act in 1980, the United States has admitted more than 3.2 million refugees.

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The Refugee Act

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Publication Date: August 29, 2012 **Current as of:** March 15, 2022

The Refugee Act of 1980 created The Federal Refugee Resettlement Program to provide for the effective resettlement of refugees and to assist them to achieve economic self-sufficiency as quickly as possible after arrival in the United States. Title IV, chapter 2 of the Immigration and Nationality Act (INA) contains the provisions of the Refugee Act which are reflected in the following text:

[Note: The Refugee Act was reauthorized through the year 2002. H.R.3061 Text, PDF Sponsor: Rep Smith, Lamar (introduced 10/12/1999). Latest Major Action: 11/13/1999 Became Public Law No: 106-104. Title: To amend the Immigration and Nationality Act to extend for an additional 2 years the period for admission of an alien as a nonimmigrant under section 101(a)(15)(S) of such Act, **and to authorize appropriations for the refugee assistance program under chapter 2 of title IV of the Immigration and Nationality Act.**

Exact Language: SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR REFUGEE ASSISTANCE. Section 414(a) of the Immigration and Nationality Act (8 U.S.C. 1524(a)) is amended by striking ``1998 and 1999" and **inserting "2000 through 2002"**. Approved November 13, 1999.]

INA: ACT 411 - OFFICE OF REFUGEE RESETTLEMENT

Sec. 411. [8 U.S.C. 1521]

(a) There is established, within the Department of Health and Human Services, an office to be known as the Office of Refugee Resettlement (hereinafter in this chapter referred to as the "Office"). The head of the Office shall be a Director (hereinafter in this chapter referred to as the "Director"), to be appointed by the Secretary of Health and Human Services (hereinafter in this chapter referred to as the "Secretary").

(b) The function of the Office and its Director is to fund and administer (directly or through arrangements with other Federal agencies), in consultation with the Secretary of State,^{1/} programs of the Federal Government under this chapter.

FOOTNOTES FOR SECTION 411

INA: ACT 411 FN 1

FN 1 Paragraph (1) of § 162(n) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Pub. L. 103-236, 108 Stat. 409, Apr. 30, 1994) substituted a reference to the Secretary of State for a reference to the U.S. Coordinator for Refugee Affairs; paragraphs (2) and (3) of that section deleted subsequent references in § 412 and § 413 to the Coordinator. INA: ACT 412 - AUTHORIZATION FOR PROGRAMS FOR DOMESTIC RESETTLEMENT OF AND ASSISTANCE TO REFUGEES Sec. 412. [8 U.S.C. 1522]

(a) Conditions and Considerations.

(1)(A) In providing assistance under this section, the Director shall, to the extent of available appropriations,

(i) make available sufficient resources for employment training and placement in order to achieve economic self-sufficiency among refugees as quickly as possible,

(ii) provide refugees with the opportunity to acquire sufficient English language training to enable them to become effectively resettled as quickly as possible,

(iii) insure that cash assistance is made available to refugees in such a manner as not to discourage their economic self-sufficiency, in accordance with subsection (e)(2), and (iv) insure that women have the same opportunities as men to participate in training and instruction.

(B) It is the intent of Congress that in providing refugee assistance under this section-

(i) employable refugees should be placed on jobs as soon as possible after their arrival in the United States;

(ii) social service funds should be focused on employment-related services, English-as-a-second-language training (in non-work hours where possible), and case-management services; and

(iii) local voluntary agency activities should be conducted in close cooperation and advance consultation with State and local governments.

(2)(A) The Director and the Federal agency administering subsection (b)(1), shall consult regularly (not less often than quarterly) with State and local governments and private nonprofit voluntary agencies concerning the sponsorship process and the intended distribution of refugees among the States and localities before their placement in those States and localities.

(B) The Director shall develop and implement, in consultation with representatives of voluntary agencies and State and local governments, policies and strategies for the placement and resettlement of refugees within the United States.

(C) Such policies and strategies, to the extent practicable and except under such unusual circumstances as the Director may recognize, shall-

(i) insure that a refugee is not initially placed or resettled in an area highly impacted (as determined under regulations prescribed by the Director after consultation with such agencies and governments) by the presence of refugees or comparable populations unless the refugee has a spouse, parent, sibling, son, or daughter residing in that area,

(ii) provide for a mechanism whereby representatives of local affiliates of voluntary agencies regularly (not less often than quarterly) meet with representatives of State and local governments to plan and coordinate in advance of their arrival the appropriate placement of refugees among the various States and localities, and

(iii) take into account-

(I) the proportion of refugees and comparable entrants in the population in the area,

(II) the availability of employment opportunities, affordable housing, and public and private resources (including educational, health care, and mental health services) for refugees in the area,

(III) the likelihood of refugees placed in the area becoming self-sufficient and free from long-term dependence on public assistance, and

(IV) the secondary migration of refugees to and from the area that is likely to occur.

(D) With respect to the location of placement of refugees within a State, the Federal agency administering subsection (b)(1) shall, consistent with such policies and strategies and to the maximum extent possible, take into account recommendations of the State.

(3) In the provision of domestic assistance under this section, the Director shall make a periodic assessment, based on refugee population and other relevant factors, of the relative needs of refugees for assistance and services under this chapter and the resources available to meet such needs. The Director shall compile and maintain data on secondary migration of refugees within the United States and, by State of residence and nationality, on the proportion of refugees receiving cash or medical assistance described in subsection (e).

In allocating resources, the Director shall avoid duplication of services and provide for maximum coordination between agencies providing related services.

(4)(A) No grant or contract may be awarded under this section unless an appropriate proposal and application (including a description of the agency's ability to perform the services specified in the proposal) are submitted to, and approved by, the appropriate administering official. Grants and contracts under this section shall be made to those agencies which the appropriate administering official determines can best perform the services. Payments may be made for activities authorized under this chapter in advance or by way of reimbursement. In carrying out this section, the Director, the Secretary of State, and such other appropriate administering official are authorized-

(i) to make loans, and

(ii) to accept and use money, funds, property, and services of any kind made available by gift, devise, bequest, grant, or otherwise for the purpose of carrying out this section.

(B) No funds may be made available under this chapter (other than under subsection (b)(1)) to States or political subdivisions in the form of block grants, per capita grants, or similar consolidated grants or contracts. Such funds shall be made available under separate grants or contracts-

(i) for medical screening and initial medical treatment under subsection (b)(5), (ii) for services for refugees under subsection (c)(1),

(iii) for targeted assistance project grants under subsection (c)(2), and

(iv) for assistance for refugee children under subsection (d)(2).

(C) The Director may not delegate to a State or political subdivision his authority to review or approve grants or contracts under this chapter or the terms under which such grants or contracts are made.

(5) Assistance and services funded under this section shall be provided to refugees without regard to race, religion, nationality, sex, or political opinion.

(6) As a condition for receiving assistance under this section, a State must-

IMMIGRATION AND NATIONALITY ACT

TITLE IV-MISCELLANEOUS AND REFUGEE ASSISTANCE

CHAPTER 2 - REFUGEE ASSISTANCE

INA: ACT 412 - AUTHORIZATION FOR PROGRAMS FOR DOMESTIC

RESETTLEMENT OF AND ASSISTANCE TO REFUGEES

(A) submit to the Director a plan which provides-

(i) a description of how the State intends to encourage effective refugee resettlement and to promote economic self-sufficiency as quickly as possible,

(ii) a description of how the State will insure that language training and employment services are made available to refugees receiving cash assistance,

(iii) for the designation of an individual, employed by the State, who will be responsible for insuring coordination of public and private resources in refugee resettlement,

(iv) for the care and supervision of and legal responsibility for unaccompanied refugee children in the State, and

(v) for the identification of refugees who at the time of resettlement in the State are determined to have medical conditions requiring, or medical histories indicating a need for, treatment or observation and such monitoring of such treatment or observation as may be necessary;

(B) meet standards, goals, and priorities, developed by the Director, which assure the effective resettlement of refugees and which promote their economic self-sufficiency as quickly as possible and the efficient provision of services; and

(C) submit to the Director, within a reasonable period of time after the end of each fiscal year, a report on the uses of funds provided under this chapter which the State is responsible for administering.

(7) The Secretary, together with the Secretary of State with respect to assistance provided by the Secretary of State under subsection (b), shall develop a system of monitoring the assistance provided under this section. This system shall include-

(A) evaluations of the effectiveness of the programs funded under this section and the performance of States, grantees, and contractors;

(B) financial auditing and other appropriate monitoring to detect any fraud, abuse, or mismanagement in the operation of such programs; and

(C) data collection on the services provided and the results achieved.

(8) The Attorney General shall provide the Director with information supplied by refugees in conjunction with their applications to the Attorney General for adjustment of status, and the Director shall compile, summarize, and evaluate such information.

(9) The Secretary, the Secretary of Education, the Attorney General, and the Secretary of State may issue such regulations as each deems appropriate to carry out this chapter.

(10) For purposes of this chapter, the term "refugee" includes any alien described in section 207(c)(2).

(b) Program of Initial Resettlement.-(1)(A) For-

(i) fiscal years 1980 and 1981, the Secretary of State is authorized, and

(ii) fiscal year 1982 and succeeding fiscal years, the Director (except as provided in subparagraph (B)) is authorized, to make grants to, and contracts with, public or private nonprofit agencies for initial resettlement (including initial reception and placement with sponsors) of refugees in the United States. Grants to, or contracts with, private nonprofit voluntary agencies under this paragraph shall be made consistent with the objectives of this chapter, taking into account the different resettlement approaches and practices of such agencies. Resettlement assistance under this paragraph shall be provided in

coordination with the Director's provision of other assistance under this chapter. Funds provided to agencies under such grants and contracts may only be obligated or expended during the fiscal year in which they are provided (or the subsequent fiscal year or such subsequent fiscal period as the Federal contracting agency may approve) to carry out the purposes of this subsection.

(B) If the President determines that the Director should not administer the program under this paragraph, the authority of the Director under the first sentence of subparagraph (A) shall be exercised by such officer as the President shall from time to time specify.

(2)1/ The Director is authorized to develop programs for such orientation, instruction in English, and job training for refugees, and such other education and training of refugees, as facilitates their resettlement in the United States. The Director is authorized to implement such programs, in accordance with the provisions of this section, with respect to refugees in the United States. The Secretary of State is authorized to implement such programs with respect to refugees awaiting entry into the United States.

(3)2/ The Secretary is authorized to make arrangements (including cooperative arrangements with other Federal agencies) for the temporary care of refugees in the United States in emergency circumstances, including the establishment of processing centers, if necessary, without regard to such provisions of law (other than the Renegotiation Act of 1951 and section 414(b) of this chapter) regulating the making, performance, amendment, or modification of contracts and the expenditure of funds of the United States Government as the Secretary may specify.

(4)3/ The Secretary shall-

(A) assure that an adequate number of trained staff are available at the location at which the refugees enter the United States to assure that all necessary medical records are available and in proper order;

(B) provide for the identification of refugees who have been determined to have medical conditions affecting the public health and requiring treatment;

(C) assure that State or local health officials at the resettlement destination within the United States of each refugee are promptly notified of the refugee's arrival and provided with all applicable medical records; and

(D) provide for such monitoring of refugees identified under subparagraph (B) as will insure that they receive appropriate and timely treatment.

The Secretary shall develop and implement methods for monitoring and assessing the quality of medical screening and related health services provided to refugees awaiting resettlement in the United States.

(5) The Director is authorized to make grants to, and enter into contracts with, State and local health agencies for payments to meet their costs of providing medical screening and initial medical treatment to

refugees.

(6) The Comptroller General shall directly conduct an annual financial audit of funds expended under each grant or contract made under paragraph (1) for fiscal year 1986 and for fiscal year 1987.

(7) Each grant or contract with an agency under paragraph (1) shall require the agency to do the following:

(A) To provide quarterly performance and financial status reports to the Federal agency administering paragraph (1).

(B)(i) To provide, directly or through its local affiliate, notice to the appropriate county or other local welfare office at the time that the agency becomes aware that a refugee is offered employment and to provide notice to the refugee that such notice has been provided, and

(ii) upon request of such a welfare office to which a refugee has applied for cash assistance, to furnish that office with documentation respecting any cash or other resources provided directly by the agency to the refugee under this subsection.

(C) To assure that refugees, known to the agency as having been identified pursuant to paragraph (4)(B) as having medical conditions affecting the public health and requiring treatment, report to the appropriate county or other health agency upon their resettlement in an area.

(D) To fulfill its responsibility to provide for the basic needs (including food, clothing, shelter, and transportation for job interviews and training) of each refugee resettled and to develop and implement a resettlement plan including the early employment of each refugee resettled and to monitor the implementation of such plan.

(E) To transmit to the Federal agency administering paragraph (1) an annual report describing the following:

(i) The number of refugees placed (by county of placement) and the expenditures made in the year under the grant or contract, including the proportion of such expenditures used for administrative purposes and for provision of services.

(ii) The proportion of refugees placed by the agency in the previous year who are receiving cash or medical assistance described in subsection (e).

(iii) The efforts made by the agency to monitor placement of the refugees and the activities of local affiliates of the agency.

(iv) The extent to which the agency has coordinated its activities with local social service providers in a manner which avoids duplication of activities and has provided notices to local welfare offices and the

reporting of medical conditions of certain aliens to local health departments in accordance with subparagraphs (B)(i) and (C).

(v) Such other information as the agency administering paragraph (1) deems to be appropriate in monitoring the effectiveness of agencies in carrying out their functions under such grants and contracts.

The agency administering paragraph (1) shall promptly forward a copy of each annual report transmitted under subparagraph (E) to the Committees on the Judiciary of the House of Representatives and of the Senate,

(8) The Federal agency administering paragraph (1) shall establish criteria for the performance of agencies under grants and contracts under that paragraph, and shall include criteria relating to an agency's-

(A) efforts to reduce welfare dependency among refugees resettled by that agency,

(B) collection of travel loans made to refugees resettled by that agency for travel to the United States,

(C) arranging for effective local sponsorship and other nonpublic assistance for refugees resettled by that agency,

(D) cooperation with refugee mutual assistance associations, local social service providers, health agencies, and welfare offices,

(E) compliance with the guidelines established by the Director for the placement and resettlement of refugees within the United States, and

(F) compliance with other requirements contained in the grant or contract, including the reporting and other requirements under subsection (b)(7).

The Federal administering agency shall use the criteria in the process of awarding or renewing grants and contracts under paragraph (1).

(c) Project Grants and Contracts for Services for Refugees.-

(1)(A) The Director is authorized to make grants to, and enter into contracts with, public or private nonprofit agencies for projects specifically designed-

(i) to assist refugees in obtaining the skills which are necessary for economic self-sufficiency, including projects for job training, employment services, day care, professional refresher training, and other recertification services;

(ii) to provide training in English where necessary (regardless of whether the refugees are employed or receiving cash or other assistance); and

(iii) to provide where specific needs have been shown and recognized by the Director, health (including mental health) services, social services, educational and other services.

(B) The funds available for a fiscal year for grants and contracts under subparagraph (A) shall be allocated among the States based on the total number of refugees (including children and adults) who arrived in the United States not more than 36 months before the beginning of such fiscal year and who are actually residing in each State (taking into account secondary migration) as of the beginning of the fiscal year.

(C) Any limitation which the Director establishes on the proportion of funds allocated to a State under this paragraph that the State may use for services other than those described in subsection (a)(1)(B)(ii) shall not apply if the Director receives a plan (established by or in consultation with local governments) and determines that the plan provides for the maximum appropriate provision of employment-related services for, and the maximum placement of, employable refugees consistent with performance standards established under section 106 of the Job Training Partnership Act. (2)(A) The Director is authorized to make grants to States for assistance to counties and similar areas in the States where, because of factors such as unusually large refugee populations (including secondary migration), high refugee concentrations, and high use of public assistance by refugees, there exists and can be demonstrated a specific need for supplementation of available resources for services to refugees.

(B) Grants shall be made available under this paragraph-

(i) primarily for the purpose of facilitating refugee employment and achievement of self-sufficiency,

(ii) in a manner that does not supplant other refugee program funds and that assures that not less than 95 percent of the amount of the grant award is made available to the county or other local entity.

(d) Assistance for Refugee Children.-

(1) The Secretary of Education is authorized to make grants, and enter into contracts, for payments for projects to provide special educational services (including English language training) to refugee children in elementary and secondary schools where a demonstrated need has been shown.

(2)(A) The Director is authorized to provide assistance, reimbursement to States, and grants to and contracts with, public and private nonprofit agencies, for the provision of child welfare services, including foster care maintenance payments and services and health care, furnished to any refugee child (except as provided in subparagraph (B)) during the thirty-six month period beginning with the first month in which such refugee child is in the United States.

(B)(i) In the case of a refugee child who is unaccompanied by a parent or other close adult relative (as defined by the Director), the services described in subparagraph (A) may be furnished until the month after the child attains eighteen years of age (or such higher age as the State's child welfare services plan under

part B of title IV of the Social Security Act prescribes for the availability of such services to any other child in that State).

(ii) The Director shall attempt to arrange for the placement under the laws of the States of such unaccompanied refugee children, who have been accepted for admission to the United States, before (or as soon as possible after) their arrival in the United States. During any interim period while such a child is in the United States or in transit to the United States but before the child is so placed, the Director shall assume legal responsibility (including financial responsibility) for the child, if necessary, and is authorized to make necessary decisions to provide for the child's immediate care.

(iii) In carrying out the Director's responsibilities under clause (ii), the Director is authorized to enter into contracts with appropriate public or private nonprofit agencies under such conditions as the Director determines to be appropriate.

(iv) The Director shall prepare and maintain a list of (I) all such unaccompanied children who have entered the United States after April 1, 1975, (II) the names and last known residences of their parents (if living) at the time of arrival, and (III) the children's location, status, and progress.

(e)4/ Cash Assistance and Medical Assistance to Refugees.-

(1) The Director is authorized to provide assistance, reimbursement to States, and grants to, and contracts with, public or private nonprofit agencies for 100 per centum of the cash assistance and medical assistance provided to any refugee during the thirty-six month period beginning with the first month in which such refugee has entered the United States and reasonable administrative costs of providing this assistance.

(2)(A) Cash assistance provided under this subsection to an employable refugee is conditioned, except for good cause shown-

(i) on the refugee's registration with an appropriate agency providing employment services described in subsection (c)(1)(A)(i), or, if there is no such agency available, with an appropriate State or local employment service;

(ii) on the refugee's participation in any available and appropriate social service or targeted assistance program (funded under subsection (c)) providing job or language training in the area in which the refugee resides; and

(iii) on the refugee's acceptance of appropriate offers of employment.^{5/}

(B) Cash assistance shall not be made available to refugees who are full-time students in institutions of higher education (as defined by the Director after consultation with the Secretary of Education).

(C)6/ In the case of a refugee who-

(i) refuses an offer of employment which has been determined to be appropriate either by the agency responsible for the initial resettlement of the refugee under subsection (b) or by the appropriate State or local employment service,

(ii) refuses to go to a job interview which has been arranged through such agency or service, or

(iii) refuses to participate in a social service or targeted assistance program referred to in subparagraph (A) (ii) which such agency or service determines to be available and appropriate, cash assistance to the refugee shall be terminated (after opportunity for an administrative hearing) for a period of three months (for the first such refusal) or for a period of six months (for any subsequent refusal).

(3) The Director shall develop plans to provide English training and other appropriate services and training to refugees receiving cash assistance.

(4) If a refugee is eligible for aid or assistance under a State plan approved under part A of title IV or under title XIX of the Social Security Act, or for supplemental security income benefits (including State supplementary payments) under the program established under title XVI of that Act, funds authorized under this subsection shall only be used for the non-Federal share of such aid or assistance, or for such supplementary payments, with respect to cash and medical assistance provided with respect to such refugee under this paragraph.

(5) The Director is authorized to allow for the provision of medical assistance under paragraph (1) to any refugee, during the one-year period after entry, who does not qualify for assistance under a State plan approved under title XIX of the Social Security Act on account of any resources or income requirement of such plan, but only if the Director determines that-

(A) this will (i) encourage economic self-sufficiency, or (ii) avoid a significant burden on State and local governments; and

(B) the refugee meets such alternative financial resources and income requirements as the Director shall establish.

(6) As a condition for receiving assistance, reimbursement, or a contract under this subsection and notwithstanding any other provision of law, a State or agency must provide assurances that whenever a refugee applies for cash or medical assistance for which assistance or reimbursement is provided under this subsection, the State or agency must notify promptly the agency (or local affiliate) which provided for the initial resettlement of the refugee under subsection (b) of the fact that the refugee has so applied.

(7)(A) The Secretary shall develop and implement alternative projects for refugees who have been in the United States less than thirty-six months, under which refugees are provided interim support, medical services, support services, and case management, as needed, in a manner that encourages self-sufficiency,

reduces welfare dependency, and fosters greater coordination among the resettlement agencies and service providers. The Secretary may permit alternative projects to cover specific groups of refugees who have been in the United States 36 months or longer if the Secretary determines that refugees in the group have been significantly and disproportionately dependent on welfare and need the services provided under the project in order to become self-sufficient and that their coverage under the projects would be cost-effective.

(B) Refugees covered under such alternative projects shall be precluded from receiving cash or medical assistance under any other paragraph of this subsection or under title XIX or part A of title IV of the Social Security Act.

(C) The Secretary, shall report to Congress not later than October 31, 1985, on the results of these projects and on any recommendations respecting changes in the refugee assistance program under this section to take into account such results.

(D) To the extent that the use of such funds is consistent with the purposes of such provisions, funds appropriated under section 414(a) of this Act, part A of title IV of the Social Security Act, or title XIX of such Act, may be used for the purpose of implementing and evaluating alternative projects under this paragraph.

(8) In its provision of assistance to refugees, a State or political subdivision shall consider the recommendations of, and assistance provided by, agencies with grants or contracts under subsection (b) (1).

(f) Assistance to States and Counties for Incarceration of Certain Cuban Nationals.-

(1) The Attorney General shall pay compensation to States and to counties for costs incurred by the States and counties to confine in prisons, during the fiscal year for which such payment is made, nationals of Cuba who-

(A) were paroled into the United States in 1980 by the Attorney General,

(B) after such parole committed any violation of State or county law for which a term of imprisonment was imposed, and

(C) at the time of such parole and such violation were not aliens lawfully admitted to the United States-

(i) for permanent residence, or

(ii) under the terms of an immigrant or a nonimmigrant visa issued, under this Act.

(2) For a State or county to be eligible to receive compensation under this subsection, the chief executive officer of the State or county shall submit to the Attorney General, in accordance with rules to be issued by the Attorney General, an application containing-

(A) the number and names of the Cuban nationals with respect to whom the State or county is entitled to such compensation, and

(B) such other information as the Attorney General may require.

(3) For a fiscal year the Attorney General shall pay the costs described in paragraph (1) to each State and county determined by the Attorney General to be eligible under paragraph

(2); except that if the amounts appropriated for the fiscal year to carry out this subsection are insufficient to cover all such payments, each of such payments shall be ratably reduced so that the total of such payments equals the amounts so appropriated.

(4) The authority of the Attorney General to pay compensation under this subsection shall be effective for any fiscal year only to the extent and in such amounts as may be provided in advance in appropriation Acts.

(5) It shall be the policy of the United States Government that the President, in consultation with the Attorney General and all other appropriate Federal officials and all appropriate State and county officials referred to in paragraph (2), shall place top priority on seeking the expeditious removal from this country and the return to Cuba of Cuban nationals described in paragraph (1) by any reasonable and responsible means, and to this end the Attorney General may use the funds authorized to carry out this subsection to conduct such policy.

FOOTNOTES FOR SECTION 412

INA: ACT 412 FN 1

FN 1The President has specified the Secretary of State. See letter of Jan. 13, 1981, from Pres. Carter to the Speaker of the House and President of the Senate, 17 Weekly Compil. of Pres. Docs., p. 2880.

INA: ACT 412 FN 2

FN 2Amended by § 671(e)(7) of IIRIRA by striking comma after "is authorized".

INA: ACT 412 FN 3

TITLE IV-MISCELLANEOUS AND REFUGEE ASSISTANCE

CHAPTER 2 - REFUGEE ASSISTANCE

INA: ACT 412 - AUTHORIZATION FOR PROGRAMS FOR DOMESTIC
RESETTLEMENT OF AND ASSISTANCE TO REFUGEES

INA: ACT 412 FN 3

FN 3 Amended by § 671(e)(7) of IIRIRA by striking comma after "The Secretary".

INA: ACT 412 FN 4

FN 4 Section 313(c) of the Refugee Act of 1980 (Pub. L. 96 - 212, Mar. 17, 1980, 94 Stat. 117) provides as follows:

"(c) Notwithstanding section 412(e)(1) of the Immigration and Nationality Act and in lieu of any assistance which may otherwise be provided under such section with respect to Cuban refugees who entered the United States and were receiving assistance under section 2(b) of the Migration and Refugee Assistance Act of 1962 before October 1, 1978, the Director of the Office of Refugee Resettlement is authorized_

(1) to provide reimbursement

(A) in fiscal year 1980, for 75 percent,

(B) in fiscal year 1981, for 60 percent,

(C) in fiscal year 1982, for 45 percent, and

(D) in fiscal year 1983, for 25 percent, of the non-Federal costs of providing cash and medical assistance (other than assistance described in paragraph (2) to such refugees, and

(2) to provide reimbursement in any fiscal year for 100 percent of the non-Federal costs associated with such Cuban refugees with respect to whom supplemental security income payments were being paid as of September 30, 1978, under title XVI of the Social Security Act."

INA: ACT 412 FN 5

FN 5 For aliens who enter the United States as refugees before Apr. 1, 1987, the following sentence (which was stricken by Sec. 9(a)(1) of the Refugee Assistance Extension Act of 1986 (Pub. L. 99 - 605, Nov. 6, 1986, 100 Stat. 3454)) applies:

"Such cash assistance provided to such a refugee shall be terminated (after opportunity for an administrative hearing) with the month in which the refugee refuses such an appropriate offer of employment or refuses to participate in such an available and appropriate social service program."

INA: ACT 412 FN 6

FN 6 This subparagraph applies to aliens who enter the United States as refugees on or after Apr. 1, 1987, under Sec. 9(c) of the Refugee Assistance Extension Act of 1986 (Pub. L. 99 - 605, 100 Stat. 3454).

INA: ACT 413 - CONGRESSIONAL REPORTS

Sec. 413. [8 U.S.C. 1523](a) The Secretary, shall submit a report on activities under this chapter to the Committees on the Judiciary of the House of Representatives and of the Senate not later than the January 31 following the end of each fiscal year, beginning with fiscal year 1980.

(b) Each such report shall contain-

- (1) an updated profile of the employment and labor force statistics for refugees who have entered the United States within the five-fiscal-year period immediately preceding the fiscal year within which the report is to be made and for refugees who entered earlier and who have shown themselves to be significantly and disproportionately dependent on welfare as well as a description of the extent to which refugees received the forms of assistance or services under this chapter during that period;
- (2) a description of the geographic location of refugees;
- (3) a summary of the results of the monitoring and evaluation conducted under section 412(a)(7) during the period for which the report is submitted;
- (4) a description of (A) the activities, expenditures, and policies of the Office under this chapter and of the activities of States, voluntary agencies, and sponsors, and (B) the Director's plans for improvement of refugee resettlement;
- (5) evaluations of the extent to which (A) the services provided under this chapter are assisting refugees in achieving economic self-sufficiency, achieving ability in English, and achieving employment commensurate with their skills and abilities, and (B) any fraud, abuse, or mismanagement has been reported in the provisions of services or assistance;
- (6) a description of any assistance provided by the Director pursuant to section 412(e)(5) ;
- (7) a summary of the location and status of unaccompanied refugee children admitted to the United States; and
- (8) a summary of the information compiled and evaluation made under section 412(a)(8) .

INA: ACT 414 - AUTHORIZATION OF APPROPRIATIONS

Sec. 414. [8 U.S.C. 1524]

(a)1/ There are authorized to be appropriated for each of fiscal years 1998 and 1999 1a/ such sums as may be necessary to carry out this chapter.

(b) The authority to enter into contracts under this chapter shall be effective for any fiscal year only to such extent or in such amounts as are provided in advance in appropriation Acts.

[The following provision, enacted as part of the Refugee Act of 1980, relating to the United States Coordinator for Refugee Affairs is included at this point in title 8, United States Code, but is not part of the Immigration and Nationality Act:]

Sec. 301. [8 U.S.C. 1525] (a) The President shall appoint, by and with the advice and consent of the Senate, a United States Coordinator for Refugee Affairs (hereinafter in this part referred to as the "Coordinator"). The Coordinator shall have the rank of Ambassador-at-Large.

(b) The Coordinator shall be responsible to the President for-

- 1) the development of overall United States refugee admission and resettlement policy;

- 2) the coordination of all United States domestic and international refugee admission and resettlement programs in a manner that assures that policy objectives are met in a timely fashion;

- 3) the design of an overall budget strategy to provide individual agencies with policy guidance on refugee matters in the preparation of their budget requests, and to provide the Office of Management and Budget with an overview of all refugee-related budget requests;

- 4) the presentation to the Congress of the Administration's overall refugee policy and the relationship of individual agency refugee budgets to that overall policy;

- 5) advising the President, Secretary of State, Attorney General, and the Secretary of Health and Human Services on the relationship of overall United States refugee policy to the admission of refugees to, and the resettlement of refugees in, the United States;

- 6) under the direction of the Secretary of State, representation and negotiation on behalf of the United States with foreign governments and international organizations in discussions on refugee matters and, when appropriate, submitting refugee issues for inclusion in other international negotiations;

- 7) development of an effective and responsive liaison between the Federal Government and voluntary organizations, Governors and mayors, and others involved in refugee relief and resettlement work to reflect overall United States Government policy;

- 8) making recommendations to the President and to the Congress with respect to policies for, objectives of, and establishment of priorities for, Federal functions relating to refugee admission and resettlement in the United States; and

- 9) reviewing the regulations, guidelines, requirements, criteria, and procedures of Federal departments and agencies applicable to the performance of functions relating to refugee admission and resettlement in the United States.

(c)(1) In the conduct of the Coordinator's duties, the Coordinator shall consult regularly with States, localities, and private nonprofit voluntary agencies concerning the sponsorship process and the intended distribution of refugees.

(2) The Secretary of Labor and the Secretary of Education shall provide the Coordinator with regular reports describing the efforts of their respective departments to increase refugee access to programs within their jurisdiction, and the Coordinator shall include information on each programs in reports submitted under section 413(a)(1) of the Immigration and Nationality Act.

I am here to speak in support of Senate Bill 916. It is extremely important that all elected officials in a region where refugee resettlement is being considered be made aware of any discussions, correspondence, meetings or planning to resettle refugees. In Eau Claire, the un-elected City Manager began efforts aimed at resettling refugees in mid-March of last year. She did not inform the entire City Council of her efforts. She did inform the Eau Claire County Administrator of the resettlement efforts. The un-elected County Administrator did not inform any members of the County Board of these efforts. Nor did she inform the Eau Claire County Sheriff of plans to resettle foreign refugees in Eau Claire.

For seven months, elected officials as well as the public were not informed of these plans and preparations until a local TV station broke a story about the refugee resettlement efforts in October. World Relief, the non-governmental organization who is working with the City Manager is paid \$1,700. per refugee that is resettled. So, for them this is a profit-making venture. World Relief receives Federal taxpayer funding of \$1,125. to pay living expenses for the resettled refugees for 90 days. After that, the refugees will be supported by the County taxpayers via the Human Services Department. The complete lack of transparency by these un-elected officials is appalling. Especially when you consider the social and financial impacts of such resettlement that will impact the County Human Services budget, costs to the school system, hospitals, health providers, law enforcement and the community as a whole.

In light of the above, it should be noted that Eau Claire has a considerable homeless population. I spoke with the woman who is in charge of the Eau Claire Area School District's homeless program. She told me that currently there are 227 children in Eau Claire schools that are homeless and that number will continue to grow throughout the rest of the school year. Homelessness is straining the homeless shelters, food pantries and Human Services budget. We should take care of our own people, especially the children before resettling refugees from the other side of the world. Apparently, the un-elected City Manager and un-elected County Administrator feel they know better than our elected officials and that is why I support this bill. I would like to thank the committee for holding this hearing and for your support of this important legislation.

Fred Kappus, 651 Indian Hills Drive, Eau Claire, WI 54703 715-829-8440

Good afternoon Chair,

I am here to speak in favor of Senate Bill 916 and Assembly Bill 1004, which requires local governments to designate an individual for consultation required under a federal program regarding refugee resettlement and assistance.

My name is Allen Myren and I am Supervisor for Eau Claire County District 9, and I am here regarding concerns of negligence that occurred when our community was told we will be receiving 75 refugees, without following the federal guidelines.

I can provide a short background on how it occurred: We have found out that the Eau Claire City Manager, an appointed official, took it upon herself to reach out to World Relief in March of 2023 asking them to bring in refugees to Eau Claire. Her decision affects counties and communities within a 100 mile radius of Eau Claire, but the first time I, as an elected county board supervisor, heard of it was October of 2023. At that point, the County Board had already passed its 2024 budget.

A letter dated May 15, 2023, written by Eau Claire City manager Stephanie Hirsch reads in part, "City staff started collaborating with World Relief of Appleton in March. The collaboration has involved discussions with all stakeholders in the city including community members, local business, the Health Department, the Police Chief, the Department of Human Services, and other government officials. These discussions highlighted the benefits of opening a resettlement agency in Eau Claire, and all stakeholders announced their support for the initiative."

I contacted our County Administrator, and she denied knowing anything about what the City Manager had announced. She first heard of the refugee settlement in October 2023 through the news outlets like the rest of the County Board officials. I contacted our Department of Human Services, the department that will help in assisting the refugees, and they denied knowing about any refugees coming to Eau Claire.

From the World Relief Wisconsin website, under a brochure dated October 23, 2023, titled "Frequently Asked Questions; Refugee Resettlement in the Chippewa Valley," stated under "What was the process for opening a New World Relief Office in the Chippewa Valley?" in part, it said:

"The city of Eau Claire contacted World Relief in March 2023 about the prospect of opening a resettlement office in the city. World Relief then conducted a series of consultations with local stakeholders over several months, including the Eau Claire Police Department, Eau Claire School District, Eau Claire County Health Department, Eau Claire Department of Human Services, as well as multiple employers, housing providers, churches, and a community volunteer group.

World Relief also conducted a thorough review of the area's employment prospects, cost of living, housing availability, school, English language education programs, and other stability factors necessary for newcomer integration, finding that Eau Claire would be well suited to resettle a small number of refugees in the coming year."

These statements are simply not true. There has been no transparency in reporting to elected officials of the City and County of Eau Claire that approve budgets. We have a growing homeless population and lack sufficient housing as it is in Eau Claire. It is reported that 200 students in the Eau Claire School District are homeless.

I started asking for data on the housing providers, prospective employers, and how many church organizations had committed to helping the refugee arrivals; I was not answered. It is of great concern that our county Department of Human Services has already had it's budget passed for 2024 without any knowledge of a refugee settlement.

City elected officials failed to inform the necessary entities about the refugee resettlement by World Relief or the fact it was their City Manager who reached out to World Relief.

It wasn't until I introduced a resolution (see copy of resolution attached) to our County Board asking for a pause on the resettlement so that we could have a necessary independent financial impact study conducted that World Relief came to speak to our County Board. At this point:

Emotions overrode Facts

My resolution was met with anti-immigration, anti-refugee, no room at the inn rhetoric. It simply asked World Relief to take a pause, sit down with the necessary stake holders within the 100-mile radius, specifically County government, according to federal statute and even as stated on World Relief's website.

There was NO transparency; this was a deal initiated by one person from the city of Eau Claire that dictated what was going to occur. Where is the feasibility study that was supposedly done by the city? None was provided. The resolution asked for the independent economic study. I believe that study would put back faith in what Federal statutes state for World Relief to do in working cooperatively with all government entities.

Instead, emotions overrode facts and I had elected city officials call their constituents:

Extremists, warmongers, xenophobic, and racists – simply asked for transparency and facts on how this would impact our community. This has left a lot of our constituents not trusting or believing in their government officials on issues that affect their lives and taxes.

By passing this bill I truly believe it will allow elected and government officials to be able to plan accordingly for the refugee resettlement. It would bring transparency, accountability, and trust for our constituents. It would show cooperation between all entities that I believe was the intent of the Refugee Act of 1980, and not the appearance of a back-alley deal.

Thank you,

Allen Myren
Eau Claire County Supervisor
District 9

Attached:
Eau Claire County Resolution 23-24/067

FACT SHEET

TO FILE NO. 23-24/067

World Relief Organization has been consulting with City of Eau Claire appointed officials regarding the relocation of 75 refugees to the City of Eau Claire. The elected officials of Eau Claire County were not involved in the discussions or the planning process of the relocation, despite the possibility the relocation could create a strain on resources if assistance is needed for the refugees from the Eau Claire County Department of Human Services. There are concerns regarding the fiscal impact to Eau Claire County taxpayers as the 2024 Eau Claire County budget was already adopted.

More information needs to be compiled and studied prior to any relocation. This resolution recommends prior to the relocation of the refugees, World Relief arrange an independent economic impact study regarding costs to taxpayers be completed and reviewed by the Eau Claire County Board of Supervisors. It also requests disclosure from World Relief regarding how the capacity of 75 primary resettlement refugees was determined and to allow the Eau Claire County Board of Supervisors to study the impact to the 2025 Eau Claire County Budget.

Copies of the resolution will be provided to World Relief, Eau Claire City Manager, the State Refugee Resettlement Coordinator, and all federal, state, and locally elected representatives representing citizens in Eau Claire County by the Eau Claire County Clerk.

Fiscal Impact: Unknown

Respectfully submitted:

Supervisor Allen Myren, District 9

Supervisor Cory Sisk, District 8

Supervisor Larry Hoekstra, District 5

Supervisor Robin Leary, District 23

Supervisor Dane Zook, District 6

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4 RESOLUTION RECOMMENDING PRIOR TO RELOCATION OF THE REFUGEES, WORLD
5 RELIEF ARRANGE AN INDEPENDENT ECONOMIC IMPACT STUDY REGARDING COSTS TO
6 TAXPAYERS BE COMPLETED AND REVIEWED BY THE COUNTY BOARD OF SUPERVISORS
7 AND A DISCLOSURE FROM WORLD RELIEF REGARDING HOW THE CAPACITY OF 75
8 PRIMARY RESETTLEMENT REFUGEES WAS DETERMINED

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10 WHEREAS, the Refugee Act of 1980 states in 8 U.S.C. 1522(1)(A)(iii) "local voluntary agency
11 activities should be conducted in close cooperation and advance consultation with State and local
12 governments (emphasis added); and

13

14 WHEREAS, the Refugee Act of 1980 states in 8 U.S.C. 1522(2)(A): "The Director and the
15 Federal agency administering subsection (b)(1), shall consult regularly (not less often than quarterly) with
16 State and local governments and private nonprofit voluntary agencies concerning the sponsorship process
17 and the intended distribution of refugees among the States and localities before their placement in those
18 States and localities" (emphasis added); and

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20 WHEREAS, the Refugee Act of 1980 states in 8 U.S.C. 1522(2)(8): "The Director shall develop
21 and implement, in consultation with representatives of voluntary agencies and State and local
22 governments, policies and strategies for the placement and resettlement of refugees within the United
23 States" (emphasis added); and

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25 WHEREAS, the Refugee Act of 1980 states in 8 U.S.C. 1522(2)(C)(ii) that the Director of the
26 Office of Refugee Resettlement will "provide for a mechanism whereby representatives of local affiliates
27 of voluntary agencies regularly (not less often than quarterly) meet with representatives of State and local
28 governments to plan and coordinate in advance of their arrival the appropriate placement of refugees
29 among the various States and localities, (emphasis added); and

30

31 WHEREAS, the City of Eau Claire has been assessing the feasibility of increasing the City's
32 capacity to host immigrants and refugees with the two goals of addressing employee shortages and
33 promoting a more multi-cultural community and there has been no disclosure of the data considered; and

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35 WHEREAS, the relocation of refugees to Eau Claire could impact the quality of life for Eau
36 Claire County residents due to the possibility of excessive demands on local resources if primary
37 resettlement continues.

38

39 NOW THEREFORE BE IT RESOLVED the Eau Claire County Board of Supervisors recommend
40 prior to the relocation of the refugees, World Relief arrange an independent economic impact study
41 regarding costs to taxpayers be completed and reviewed by the Eau Claire County Board of Supervisors.

42

43 BE IT FURTHER RESOLVED requests a disclosure from World Relief regarding how the capacity
44 of 75 primary resettlement refugees was determined and to allow the Eau Claire County Board of
45 Supervisors to study the impact to the 2025 Eau Claire County Budget.

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BE IT FURTHER RESOLVED that the Eau Claire County Clerk provide copies of this resolution to World Relief, Eau Claire City Manager, the State Refugee Resettlement Coordinator, the United States Secretary of State and all federal, state, and local elected representatives representing citizens in Eau Claire County.

ADOPTED BY:

Jane Zook
James Cunningham
[Signature]

Jh. Holstad
Robin J. Leary
Committee on Finance and Budget

This 14th day of December, 2023.

VOTE: 4 AYE 1 NAY

Thank you for holding this hearing and for the opportunity to promote transparency. When other people's money, tax dollars, are being spent and tax costs are being impacted, transparency is the right thing to stand for.

I ask that you not get distracted by the false equivalency of the organic movement of people into a community vs an outside NGO coming in with a plan that impacts local resources. It is not enough for the NGO to work with the federal and state governments. We must protect the authority, jurisdiction, and consultation rights of local governmental bodies regarding the federal refugee resettlement program. The local communities should have the opportunity to find out how the increased burden on taxpayers will be addressed, and how an influx of foreign newcomers will impact our friends and neighbors who are already struggling to make ends meet. What about strains on access to public health services and other safety net programs on which current vulnerable members of the community rely?

I am from Eau Claire. We have witnessed how an NGO, left to its own, does not care about transparency. The NGO had already secured office space and was hiring staff before taxpayers even knew anything was happening. Because of this gross lack of transparency by the NGO and an unelected city manager, individual community members in the region stepped up with their own time and their own money to create some of the transparency that should have already occurred with a summit for the area communities who could be impacted. Needless to say, it was very well attended, but that is not how it should have been done.

I have met over a dozen new people from the region, simply because of mutual concern with respect to how this is being handled. Many have seen first-hand or know people who have seen first-hand the damage that can happen to a community when this isn't managed well.

Making sure top local elected officials are involved is paramount because those are the people that voters can hold accountable. We have very little we can do when only bureaucrats or NGOs are involved. Public hearings are also of utmost importance to make sure we have transparency and to make sure all of the impacts are adequately considered. The people who know the most about our local communities are the people who live there, not the federal government and not an outside NGO. Local governments need the opportunity to do their due diligence.

Federal law 8 USC 1522 requires the federal government to consult with state and local governments before refugee placement; however, the specifics of that are left to interpretation. The required consultation by the federal government does not ensure adequate public or local government awareness and engagement. This Refugee Resettlement Notification Bill will fill in the gaps of the federal law. I ask that you support the best interests of our local communities by supporting this bill. Transparency is the right thing to stand for.

Cindi Burton
Citizen of Eau Claire, WI

To Whom it May Concern:

I am writing these comments in regards to SB 916 in regards to welcoming Refugees to our State.

Rep. Hurd remarked a few times in a meeting just the day before how her bill (this bill) is about practicalities. I am a very practical person and I respect practical matters; I will frame this testimony in practicalities.

1. The bill mandates that the chief elected official notify all local government entities within a 100 mile radius when someone reaches out to talk about welcoming refugees in our community. So practicality speaking, this means that I -as chief elected official - would need to identify all local governments within a 100 mile radius so every village, town, school board, and county that touches 100 miles around Eau Claire. This is a very imposing mandate for someone who often does not serve as chief elected official in a full time capacity.
2. This bill also requires each village, city, town, county and school district to hold a meeting and a public hearing. Holding meetings cost local units of government resources. And again a conversation would trigger all of this work and resources.
3. And practicality, Wisconsin is not growing in population like we may want. And really the only way we can maintain or grow our population is by attracting people to our great state. This bill does not attract people, in fact it repels people looking to relocate in a welcoming and inclusive place to live. If you read between the lines, it says that we want to make it harder to welcome people to our state. I have heard several times that this is not about refugees; however, I have not seen this bill when we welcome thousands of college students each year to Eau Claire. This bill came to be when we are welcoming 75 people to Eau Claire.
4. And finally, the Refugee Act of 1980 is clear that this is a Federal decision so all of this mandated work that you are requiring of local officials is futile.

I am happy to talk with any of you all further on this topic. No one has reached out to me about this bill, furthering my disappointment in this all but I am open to talk more on this.

Thank you for your time.

Emily Berge
President, Eau Claire City Council