



## **Executive Order on Enhancing State and Local Involvement in Refugee Resettlement**

President Trump issued, on September 26, 2019, his “*Executive Order on Enhancing State and Local Involvement in Refugee Resettlement.*” Once implemented, the order will prevent refugee resettlement throughout the United States except in those states and localities that have submitted written consent to have refugees resettled.

Provisions of the Executive Order:

- ❖ Only allows refugees to be resettled, through the Department of State’s Reception and Placement (R&P) Program, in jurisdictions where both the state and local governments have consented, in writing, to receive refugees.
- ❖ Written consents will be publically released.
- ❖ Within 90 days of the date of issuance (December 25, 2019), the Departments of State and Health and Human Services will develop and implement a process that complies with the executive order.
- ❖ Exceptions to this order are permitted only if the Secretary of State notifies the President and provides reasons for the exception, before proceeding.
- ❖ This resettlement restriction will not apply to the spouse or children of refugees that are following to join.

Implications of the Executive Order:

**Prevents resettlement everywhere in the U.S. except for where states and local governments provide written consent for refugee resettlement.** The Supreme Court has established that the federal government has broad and exclusive power to regulate immigration. This executive order in effect grants the power of refusal to states and localities.

**Creates a bureaucratic nightmare.** This order will create confusion and disorder because it raises questions around authority, roles and responsibilities, reporting requirements, consent collection and implementation, such as the following:

- Who will reach out to the states and localities for their consent?
- Who in the state and localities have the authority to make the decision?
- Will the state or localities be able to restrict the number or category of refugees?
- Who collects all this information and how is it compiled and used?

**Prevents reunification and delays the process of local integration.** Historically the U.S. refugee program honored the request of refugees to be reunited with family or friends with the understanding that this contributed to, and accelerated, local

integration. States and localities could now prevent the federal government and resettlement agencies from taking into consideration these factors. Parents, grandparents, engaged couples, friends, and those wishing to join an ethnic group could all be impacted.

**Creates a less welcoming resettlement environment.** The refusal of a locality or a State to consent to resettle refugees sends a clear message to refugees, and potentially other immigrants, that they are not welcome in that geographic location. The executive order also risks further politicizing the U.S. refugee resettlement program, which has long had bi-partisan support.

**Intends to limit refugee resettlement.** While a State may not consent to refugee resettlement, practically people will be able to move about the country because once they have arrived in the country we, as a nation, do not restrict the freedom of movement. Refugees will move if placed in locations apart from their family, friends, or ethnic communities, resulting in the loss of the supportive services available only in consenting states.

**Prevents religious communities from exercising their faith.** Localities and states that do not consent to resettle refugees may interfere with religious freedom. The concept of providing refuge to vulnerable populations is a teaching found in most faith traditions and many see ministering to refugees as a critical component of exercising their faith. For faith communities putting into practice the religious principle of their faith is a demonstration of the genuineness of their beliefs. Religious communities are highly involved in the U.S refugee program. Of the existing nine national resettlement-organizations, six are faith-based.

**Inhibits economic revitalization.** Local communities that want and need refugees to help stimulate their economies could be harmed. These communities will not have the opportunity to resettle refugees if their governors or local officials do not provide written consent. Preventing refugee resettlement represents the loss of an important labor force, a loss of refugee's economic and entrepreneurial contributions, and a loss of the revitalization refugees have brought to local economies throughout the U.S.