

Fiscal Year (FY) 18 Appropriations Omnibus Bill & Committee Report
-Migration and Refugee Services

Direct Services for Immigrants and Refugees

- (1) **Refugees.** Refugee funding is located in the Labor, Health and Human Services (LHHS) budget, within the Refugee and Entrant Assistance (REA) account, as well as in three State Foreign Operations (SFOPS) accounts: Migration and Refugee Assistance (MRA), International Disaster Assistance (IDA), and Emergency Refugee and Migration (ERMA).

This year, the refugee program faced many obstacles to ensuring protection, including a historically low refugee annual admissions ceiling of 45,000 individuals set by the Administration (75,000 was requested). While the FY18 budget includes some reductions in funding of the program, Congress continues to be supportive of refugee resettlement despite the opposition of the Administration.

Funding for refugee resettlement is divided into two categories: international and domestic. The following is a brief description of both:

- a. *International Refugee Protection:* The SFOPS accounts provide assistance to refugees and to internally displaced persons.
- b. *Domestic Refugee Resettlement:* Part of the SFOPS/MRA account funds activities for the admission of refugees to the US. Notably, funding for this account remained level from FY17, at **\$3.359 billion**. Additionally, the LHHS/REA account provides critical initial investments in the long-term integration and economic success of new Americans including refugees.

Other Report Language of Interest: Within the LHHS/REA account, funding for refugee-related Social Services, Preventive Health, and Targeted Assistance¹ has been combined into “Refugee Support Services,” however, funding has remained level for FY17.

- (2) **Human Trafficking Victims.** Funding for human trafficking services and prevention is primarily located in the LHHS budget; the SFOPS budget; the Department of Homeland Security (DHS) budget; the Commerce, Justice, Science (CJS) budget.²

For FY18, funding for human trafficking victims’ services was increased, both for U.S. citizen and foreign national victims. Within the LHHS/REA account, Congress appropriated **\$23.755 million** for trafficking programs, including **\$17 million** for foreign nationals (an increase of \$4 million) and **\$6.755 million** for U.S. citizens and lawful permanent residents (an increase of \$1 million).

- (3) **Unaccompanied Children (UC).** The LHHS/REA account includes funding for the custody, care, and family reunification of UC pending their immigration court cases. Congress continues to be supportive of the needs of these vulnerable children, increasing funding to a total of **\$1.303 billion** (an increase of \$355.2 million). Unfortunately, Congress did not include language prohibiting this money from being used to support forced family separation by DHS at the border or expanded use of large-scale institutional shelters.

Other Report Language of Interest: HHS shall provide a joint Congressional briefing with DHS and DOS, within 45 days of enactment, on the Administration’s current and planned policies that impact the resources needed for the UC program.

¹ Targeted Assistance provides supplemental funding to help refugees obtain employment and achieve self-sufficiency in areas with particularly high refugee arrivals.

² USCCB/MRS focuses its advocacy on the LHHS, SFOPS, and DHS budgets.

Immigration & Enforcement Policy

- (1) **Deferred Action for Childhood Arrivals (DACA).** Congress **did not include** a DACA-fix in the FY18 Omnibus bill. Solutions were proposed, but failed to garner consensus and move forward.
- (2) **Border Wall.** Within the DHS budget, funding for Customs and Border Protection (CBP) increased to **\$14.02 billion** (a \$1.8 billion increase), and includes funding for a border wall. Specifically, \$1.571 billion is provided for physical barriers and associated technology along the Southwest border. This will allow for more than 95 miles of “border wall system,” including approximately 47 miles of new barriers and 48 miles of upgraded barriers.
- (3) **Detention Beds.** Within the DHS budget, Immigration and Customs Enforcement (ICE) received **\$3.074 billion** for custody/detention operations, which represents a \$370 million increase in funding. This will allow DHS to fund approximately 40,354 immigration detention beds per day. While this is an increase from previously funded bed levels, it represents a decrease from the approximately 42,000 individuals currently detained daily and is far less than the Administration requested (over 50,000 beds).

Additionally, **\$187.205 million** is provided for the Alternatives to Detention (ATD) program,³ which will support an average of 79,000 participants per day.

Other Report Language of Interest: ICE is required to provide weekly reports to Congress on its custody operations, to ensure that it is not overspending on detention. **Officers & Judges.** Funding for DHS included **\$7.655 million for 328 new CBP officers at ports of entry**, however, funding for new Border Patrol agents was not included. ICE received **\$10.596 million** in funding for an additional 65 Homeland Security Investigators (HSI), as well as funding for 60 HSI attorneys and support staff.

Additionally, within the CJS budget, the Executive Office for Immigration Review received funding to hire and deploy at least 100 additional Immigration Judge (IJ) teams, with a goal of fielding 484 IJ teams nationwide by 2019.

- (4) **Family Separation & Sensitive Locations.** ICE is also instructed in report language to adhere to guidance on reporting family separation incidents; comply with relevant guidance on parental interests; as well as continue to follow the sensitive locations policy⁴ and ensure that activities do not impact the willingness of victims to report crimes.
- (5) **Religious Workers.** The bill also extends the termination or “sunset” date of the EB-4 non-minister special immigrant religious worker visa program⁵ through the end of the fiscal year (September 30, 2018).

³ To learn more about alternatives to detention, please see our Justice for Immigrants backgrounder, available at <https://justiceforimmigrants.org/what-we-are-working-on/immigrant-detention/real-alternatives-detention/>.

⁴ To learn more about the sensitive locations policy, please see our Justice for Immigrants backgrounder, available at <https://justiceforimmigrants.org/what-we-are-working-on/immigrant-detention/sensitive-locations-faq/>.

⁵ To learn more about the program, please see our Justice for Immigrants backgrounder, available at <https://justiceforimmigrants.org/what-we-are-working-on/immigration/special-immigrant-religious-worker-visa-program/>.