

Talking Points about EO 13888:
Executive Order 13888: On State/Local Consent to Resettlement
10/4/2019

Background: President Trump issued *Executive Order 13888 On Enhancing State and Local Involvement in Refugee Resettlement* ([EO 13888](#)), a policy that permits State and Local governmental officials, with limited exceptions, to veto the resettlement of refugees into their areas. Current resettlement policy facilitates a vital, active role for States and local communities, consistent with federal law. On the other hand, we are deeply concerned that this new policy will harm refugees and divide communities. We fear it will trigger protracted legal challenges, negatively impact refugee welcome and family reunification, and add greatly to both processing uncertainty and processing time for refugees.

State and Locales Play an Active, Vital Role in Welcoming and Integrating Refugees

- There is already a regularly recurring dialogue about meeting refugee and community needs and concerns between resettlement agencies and state and local officials,
- Resettlement agencies are required by their federal contracts to convene consultation meetings with appropriate stakeholders, including elected officials and others, at least quarterly, and
- The State Refugee Coordinator in each state must also agree to placement numbers.

A veto policy may run contrary to prior court decisions that have considered the relationship between states and local jurisdictions and federal immigration law and policy.

- It is not clear how such a policy that seeks to permit states and local jurisdictions to implement federal immigration law and policy, vetoing local resettlement, would be consistent with a long line of precedents in which federal authority over U.S. migration policy preempts that of the state.

EO 13888 could create a chaotic and confusing patchwork of state-by-state, community-by-community immigration and refugee policies, inconsistent with a uniform federal migration policy envisioned by federal law and the US Constitution.

- What if a Governor wants refugees but a Mayor or County Executive does not?
- What constitutes a local jurisdiction - a city, a county; what population size would count?
- What standard would be used by states and localities to veto refugee resettlement?
- How will the process avoid subjecting refugees to uncertainty, arbitrary decisions, and potentially to the vicissitudes of the political climate?
- How would states and local communities guard against a veto against resettlement being a veto against refugees based on their race, religion, or nationality or other protected grounds?
- How frequently would consent be granted?

U.S. communities are eager to welcome more refugees.

- Refugees play a critical role in revitalizing many local communities across the country. They serve as dedicated employees, business owners, homeowners, students, and community leaders. Communities like [Akron, Ohio](#) and communities in [upstate New York](#) are examples.
- Churches, synagogues, and other communities of faith continue to stand in partnership to help refugees of all faiths find safety and hope as they start their lives as new Americans. Refugee resettlement is the living embodiment of the religious commitment to “welcome the stranger,” a bedrock upon which much of America’s strength and character rests.

The family unit is the cornerstone of U.S. communities and is the basis of a values-driven refugee resettlement program.

- The policy would likely create an obstacle to family reunification if a previously arrived family member were in a state or city that vetoed future resettlement.
- Unified families bring stability to individual households and strengthen neighborhoods and communities. Family members help one another navigate a new culture, pursue job opportunities, start businesses, and contribute economically, socially, and spiritually to society.
- Every family deserves stability and security. Children should not have to live with the fear that they will be unable to reunite with their parent. Catholic and other strong, faithful communities recognize the image of God in each person, including refugee newcomers, and rely on opportunities to welcome them in the U.S. resettlement program.

Refugee resettlement strengthens our country and advances U.S. security, diplomatic, and foreign policy interests.

- Refugee resettlement is a critical national security and foreign policy tool, an area reserved to the federal government. Placing so much power over these key foreign policy tools in states and municipalities would leave refugees and immigrants' in insecure situations and jeopardize the effectiveness of the resettlement program for foreign policy and national security contexts.
- Within just a few months, refugees [give back to their new communities](#). Refugees start [working](#) as soon as possible, pay taxes, start businesses, purchase homes, and become U.S. citizens. Over a 20-year-period, refugees contribute, on average, \$21,000 more in taxes than the initial investment to resettle them. In 2015, refugees contributed \$21 billion in U.S. taxes.

For more information see [Frequently Asked Questions on the September 26, 2019, Executive Order Requiring State Local Consent for Refugee Resettlement](#).