What is the Executive Order 13888 Enhancing State and Local Involvement in Refugee Resettlement (State/Local Refugee EO)?

An Executive Order (EO) by President Trump issued on September 26, 2019, it requires official consent from state and local government officials for the federal government to initially resettle refugees in their area.

What does it do?

The State/Local Refugee EO implements an earlier proposal that would require greater involvement by states and local jurisdictions in the placement and resettlement of refugees. (The earlier proposal was reflected in EO 13780 from March 6, 2017). The State/Local Refugee EO requires the Secretary of State (DOS) and Secretary of Health and Human Services (HHS) to develop and carry out a process within 90 days to determine whether both states and localities across the country consent to the resettlement of refugees in their locales. The Secretary of State must then publish any consents/approvals from states and localities.

Who will the State/Local Refugee EO impact?

It applies to all refugees coming through the DOS Reception and Placement Program (R&P), basically all refugees who are vetted overseas and brought to the United States by DOS. With limited exceptions, under this new EO, refugees can only be resettled in locations where both the state and local governments consent to their resettlement.
Are there any exceptions to the State/Local Refugee EO requiring state and local approval for resettlement?

Yes. Exceptions include “following-to-join” refugee family members, who usually make up less than 5 percent of resettled refugees. Beyond that, exceptions include situations in which denying resettlement in that locale would be inconsistent with policies and strategies established under federal law covering Office of Refugee Resettlement Programs and other applicable law. If the Secretary of State in consultation with the Secretary of HHS and the Secretary of Homeland Security, decides to grant the exception and allow refugees to resettle in “non-consent” states or locales, then the Secretary of State has to notify the President.

How would applying this exception work?

We do not know at this time.

Is Executive Order 13888 currently operating?

No. On January 15, 2020, the U.S. District Court of Maryland issued a nationwide preliminary injunction halting the implementation of EO 13888 in HIAS v Trump. The administration appealed it to the Fourth Circuit U.S. Court of Appeals, where the court upheld the injunction on January 8, 2021. Prior to the injunction, 42 governors consented to resettlement, only 1 governor said he did not consent, and 7 governors had not yet made their consent decision.

What is the Catholic position on welcoming refugees and refugee resettlement generally?

Welcoming those escaping persecution, including refugees, is a core Catholic social teaching concept. It reflects the belief that that every human being is created in the image of God and is therefore entitled to dignity and respect. The Catholic Church views assisting those in need as a fundamental Christian duty that is derived directly from the words and the life of Christ, who himself was a migrant and part of a refugee family. We as Christians are called to welcome our new neighbors with the same love and compassion that we would want ourselves to be shown in a time of persecution. Refugees are from all over the world and are fleeing danger, exploitation, and persecution.

The U.S. Conference of Catholic Bishops (USCCB) working through local Catholic Charities and thousands of Catholic volunteers has resettled over 900,000 of the over 3 million refugees resettled in the modern U.S. refugee program. USCCB strongly supports the vital state and local engagement in resettlement, and the current system that facilitates that crucial role. On the other hand, we are concerned that this new policy will invite legal challenges and could negatively impact refugee welcome and family unity and add greatly to both processing uncertainty and refugee processing time.

How do I support refugee resettlement in my community at this time?

- **Voice Your Support for Refugees to Your Elected Leaders**
- **Learn More about Refugees and Refugee Resettlement.** See our [Refugee Resources](#) on our Justice for Immigrants page.
- **Volunteer to Assist and Welcome Refugees.** Look to participate in our [Parishes Organized to Welcome Refugees and Immigrants Program](#).
- **Pray for Refugees and Participate and Lead Inclusive Activities in Your Parish.** See our resource, [How the Church Assists Immigrants and Refugees](#).
### Endnotes


7 Justice for Immigrants, What We Are Working On: Refugees, available at https://justiceforimmigrants.org/what-we-are-working-on/refugees/

8 Parishes Organized to Welcome Refugees, a USCCB initiative that links local parishes to refugee communities of welcome.