

Date of Hearing: April 21, 2021

**ASSEMBLY COMMITTEE ON HUMAN SERVICES**

Lisa Calderon, Chair

AB 1368 (Calderon) – As Amended March 18, 2021

**SUBJECT:** Social services for persons granted asylum

**SUMMARY:** Establishes the “Enhanced Services Program for Asylees” (ESPA) to provide resettlement services for persons granted political asylum to live in this state by the United States Attorney General. Specifically, **this bill:**

- 1) Makes Legislative findings and declarations pertaining to migrants, asylees, and refugees in our society and the services and supports provided to them.
- 2) Establishes ESPA to provide resettlement services for persons granted political asylum to live in this state by the United States Attorney General.
- 3) Authorizes an agency that has been designated by a county to implement social services for refugees to provide social services, according to these provisions, for persons granted asylum.
- 4) Requires the program to provide culturally specific and responsive case management services for persons newly granted asylum for up to 90 days.
- 5) Specifies that case management under ESPA shall include assistance in identifying and applying for all benefits to which the person is legally entitled, cultural orientation and integration programs, support in accessing and navigating the health care system, community connection and relationship building, English language instruction, and employment training and job placement assistance.
- 6) Provides that the program shall aim to have similar reintegration success rates for persons granted asylum as for refugees receiving services.
- 7) Requires an agency providing services under ESPA to notify the California Department of Social Services (CDSS) each time a person applies for services under the program and requires CDSS to provide funding to the agency for services for that person at the time the person is admitted to the program.
- 8) Provides that these provisions shall be implemented only to the extent that funds are appropriated for this purpose in the Budget Act of 2021.

**EXISTING LAW:**

- 1) Provides that “refugee social services” include, but are not limited to, English language and employment training, as funded through federal appropriations. (Welfare and Institutions Code Section [WIC] 13275(c))
- 2) Requires CDSS to allocate appropriated federal funds for refugee social services programs to each eligible county and, if the department exercises its discretion, to a qualified nonprofit

organization, based on the number of refugees receiving aid in the eligible county or the number of refugees that reside in the eligible county. (WIC 13276)

- 3) Requires a county administering refugee social services to designate an agency that is responsible for developing and implementing a plan for the provision of services funded by refugee social services funds. (WIC 13277(b))
- 4) Requires a county to the extent permitted by federal law, to utilize funds to pay for the costs of any services provided to, or activity performed on behalf of, any refugee participating in the Refugee Cash Assistance Program. (WIC 13278)
- 5) Requires that refugee social services programs be available to recipients of refugee cash assistance and refugees receiving county general assistance in eligible counties. If the county does not provide these services, a portion of the funds allocated to the county may be used to provide services to recipients of refugee cash assistance and refugee recipients of general assistance based on federal requirements and service needs. (WIC 13279)
- 6) Provides that, in counties receiving federal refugee social services funding, the county welfare department shall include in its CalWORKs plan a section that specifically addresses the provision of services for refugee applicants for, and recipients of, aid and the orderly transition of those applicants and recipients into the CalWORKs program. (WIC 13280)
- 7) Authorizes CDSS, notwithstanding any other law, and to the extent permitted by federal law, to contract with, or issue grants to, qualified nonprofit organizations for the purpose of administering federally funded refugee cash assistance within a county. (WIC 13284)

**FISCAL EFFECT:** Unknown

**COMMENTS:**

***Immigrant classifications:*** Migrants, refugees, asylum seekers, and asylees all describe people who have left their country of origin, but under different motivations and legal statuses. A refugee is a person who has fled their own country because they are at risk of serious human rights violations and persecution there, has registered with an official agency, and therefore has a right to international protection and access to state and international aid and assistance. An asylum seeker is a person who has left their country and is seeking protection from persecution and serious human rights violations in another country, but who has not yet been legally recognized as a refugee and is waiting to receive a decision on their asylum claim. An asylee is a person who entered the country as an asylum seeker, and has since had their asylum claim approved and been granted legal status. There is no internationally accepted legal definition for a migrant, but is understood to be a person staying outside their country of origin, who are neither a refugee nor asylum seeker.

Depending on whether a person is defined as a refugee or asylum seeker determines the help, support, aid, and rights they have access to.

***Refugee and Entrant Assistance program:*** The federal Refugee and Entrant Assistance program is administered at the State level. Through the Refugee and Entrant Assistance Program, refugees (and other appropriate individuals) in need who do not qualify for Temporary Assistance for Needy Families (TANF), Supplemental Security Income (SSI), or Medicaid programs, but who

meet the income and resource eligibility standards of these programs, are eligible to receive special Refugee Cash Assistance (RCA) and refugee medical assistance (RMA) through the refugee program. RCA also includes employment and other social services to assist a refugee in becoming self-sufficient. RCA is available for up to eight months from the date of admission to the United States in qualifying status, date of final grant of asylum or date of certification by the Office of Refugee Resettlement as a Victim of Trafficking. For the purposes of these benefits, “refugee” encompasses all of the following groups: refugees, asylees, Cuban/Haitian entrants, Special Immigrant Visa (SIV) holders, Amerasians and certified victims of human trafficking.

***Refugee Resettlement Program:*** The Refugee Resettlement Program assists eligible refugees, Cuban/Haitian entrants, asylees, certified human trafficking victims and their family members, Special Immigrant Visa holders and certain Amerasians from Vietnam to successfully resettle in California. The CDSS Refugee Programs Bureau has statewide administrative responsibility for the Refugee Resettlement Program and supervises the following programs: Refugee Cash Assistance and Employment Services, Unaccompanied Refugee Minors Program, Trafficking and Crime Victims Assistance Program, and the Repatriation Program. Program benefits and services are delivered at the local level by county welfare departments and refugee service providers.

Certain California counties where large populations of refugees reside are designated as refugee-impacted. These refugee-impacted counties offer additional employment and social services to refugees. Refugees who live in these counties may be eligible for special employment services and training. The Counties of Alameda, Los Angeles, Orange, Sacramento, San Diego, San Francisco, Santa Clara and Stanislaus are currently considered refugee-impacted counties. In these counties, generally, refugee programs and services are administered by a County Refugee Coordinator—who may also contract with local service providers.

***Refugee Resettlement Agencies:*** A Resettlement Agency (RA) provides resettlement assistance and is initially the sponsor of a refugee entering the United States. The RAs contract with the United States Department of State to provide services such as reception, basic orientation, counseling, food, shelter and health services to refugees. The RAs act as referral sources to the appropriate local agencies for employment and English language training.

***Need for this bill:*** Both refugees and asylees have legal protection statuses because they cannot return to their home country due to threat of persecution. While both refugees and asylees have access to a range of social services and benefits, assistance to access the benefits is not equally available. Upon arriving to the United States, refugees are assigned a caseworker to help connect them with the benefits for which they are eligible. This initial connection with a caseworker is not made for asylees, resulting in asylees having to navigate the social services system on their own. Because of difficulties navigating the application for assistance, new asylees often do not receive these benefits despite their eligibility and need. This bill would create a program to assist asylees with accessing benefits for which they are eligible, comparable to refugees.

According to the author, “[This bill] establishes the Enhanced Services Program for Asylees (ESPA) within the State Department of Social Services. Every year, thousands are granted affirmative asylum status in our state, with a path to citizenship and eligibility for a wide range of benefits. While asylum seekers have access to these programs, asylees in our state have to navigate the complicated social services system alone. The ESPA will offer case management

services for individuals granted asylum, ensuring they receive culturally competent and responsive case management for up to 90 days.”

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

CAIR California (Co-Sponsor)

HAIS (Co-Sponsor)

Partnership for New Americans (Co-Sponsor)

Access California

ACLU of California

Adelanto Visitation and Advocacy Network

Alliance for African Assistance

American Jewish Committee

Anti-Defamation League

Armenian Relief Society of Western USA, Social Services

Asian Americans Advancing Justice - California

Beacon Presbyterian Fellowship, Oakland

Bend the Arc: Jewish Action

Berkeley Fellowship of Unitarian Universalists, Social Justice Committee

Bet Tzedek

Burma Refugee Families & Newcomers

California Immigrant Policy Center

Catholic Charities San Francisco, San Mateo, Marin Counties

Clergy and Laity United for Economic Justice

Coalition for Humane Immigrant Rights (CHIRLA)

Congregation of The Presbytery of San Francisco

Courage California

Desert Support for Asylum Seekers

East Bay Refugee and Immigrant Forum

Episcopal Diocese of Los Angeles

Equality California

Esperanza Immigrant Rights Project, Catholic Charities of Los Angeles INC.

First Congregational Church of Palo Alto, UCC

First Congressional Church

Florin Japanese American Citizens League - Sacramento Valley

Home for Refugees

IKAR

Immigrant Defenders Law Center

Inland Coalition for Immigrant Justice

Inland Empire Immigrant Youth Collective

International Institute of Los Angeles

International Rescue Committee

Jewish Center for Justice

Jewish Coalition Assisting Refugees and Immigrants - Los Angeles (JCARI-LA)

Jewish Community Relations Council of San Francisco, the Peninsula, Marin, Sonoma, Alameda and Contra Costa Counties

Jewish Family & Community Services East Bay

Jewish Family Service of Los Angeles  
Jewish Family Service of San Diego  
Jewish Family Services of Silicon Valley  
Jewish World Watch  
Justice & Compassion Ministries, California-Pacific  
Korean Community Center of The East Bay  
Leo Baeck Temple  
Los Angeles LGBT Center  
NextGen California  
Open Door Legal  
Opening Doors, INC.  
Or Hamidbar  
Orange County Equality Coalition  
Orange County Jewish Coalition for Refugees  
OXFAM America  
Pars Equality Center  
PICO California  
Program for Torture Victims  
Public Counsel  
Refugee Forum of Los Angeles  
SEIU-USWW  
Soccer Without Borders  
Temple Israel of Hollywood  
Tiyya  
United Church of Christ, Oc INC.  
We are All America  
Whittier Latino Coalition  
Women for American Values and Ethics Action Fund  
World Relief Southern California

**Opposition**

None on file

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