

# Toolkit for Engaging Elected Officials on the “State & Local Resettlement Ban” Executive Order

**IMPORTANT UPDATE:** On January 15, 2020, U.S. District Judge Messitte issued a preliminary injunction halting the implementation of the Executive Order, pursuant to [a lawsuit](#) that was filed in November 2019. According to the terms of the injunction, the State Department’s Notice of Funding Opportunity, which required resettlement agencies to submit consent letters as part of annual grant applications to serve resettled refugees, also cannot take effect. While this decision could be appealed, refugee resettlement will, for the time being, continue as before without expressed consent, in locations determined by the federal government based on family and community connections, affordable housing, and job opportunities, and with existing consultation with receiving communities.

We are immensely grateful for the consent letters we have received thus far from a bipartisan group of 42 governors and more than 100 local officials. These letters have been critically important, as they have helped us safeguard the refugee resettlement program regardless of the outcome of this lawsuit. They also reflect the widespread bipartisan support of refugee resettlement from communities across the country. Thank you for your partnership. In the meantime here are some resources:

- [Preliminary Injunction Talking Points](#)
- [Template Letter to Share an Update on EO Litigation for Elected Officials](#)

**Background:** On September 26, the White House issued an [Executive Order](#) (EO 13888) that may drastically reduce, if not entirely stop, the resettlement of refugees in your community. The EO is already creating chaos and confusion about where refugees can be resettled, will lead to family separation for refugee families, and will leave refugees, former refugees and United States citizens without supportive services. To make matters worse, the administration [proposed a refugee admissions goal](#) of 18,000 refugees for the next year, a shamefully abysmal number for the world’s most powerful nation that stands in stark contrast to the historic average goal of 95,000 refugees. Together, these actions are likely to destroy the [bipartisan refugee resettlement program](#) for years to come. It’s critical that we work together to demonstrate [nationwide, bi-partisan support for refugees](#) and ensure our state and local officials publicly declare welcome for refugees. We need you to make your voice heard at the local level and reach out to your governors, mayors, and county officials and ask them to support refugee resettlement.

**Why is the EO harmful?** The EO fundamentally alters the structure of the U.S. resettlement program by transferring decisions about who can resettle and where from the federal government to state and locally elected officials. Not only will this ultimately lead to a patchwork of conflicting policies running contrary to the purpose of a national resettlement program, but it will also leave thousands of refugees, former refugees, and U.S. citizens without consistent and routine access to integration services and other supports. The EO subjects families and our community members to the whims of politics and exacerbates uncertainty for refugee families and communities alike by requiring local officials to provide written consent before refugees can be resettled. This is an unprecedented and harmful procedure, particularly given that resettlement agencies already consult regularly with state and local stakeholders regarding community needs. In addition, U.S. citizens, immigrants, refugees, and visitors alike are constitutionally allowed to move freely between cities and states. We do not need explicit permission from cities to travel - or relocate.

**What We Know:** Governors and local officials must provide written consent to opt into resettling refugees in their states and localities. Resettlement agencies are responsible to obtain written governor and local consent - the administration will not be communicating directly to governors or local officials. Consent letters will be publicly available on the State Department’s website. Consent is needed from the governor of a state in order to continue refugee resettlement anywhere in that state. If a governor gives consent but a locality does not, refugees may be resettled in a different locality where consent is provided. Some family reunification cases that use the “follow to join” Visa 93 process may be exempted from parts of this EO. The EO does not directly apply to Special Immigrant Visa (SIV) holders.

In terms of local consent, the administration has referred to the county or county-equivalent. In some cases, there are no counties, and in others, counties do not have the authority. Ultimately, the administration will defer to local community’s determination of who has authority. If you have already reached out to a mayor’s office, please continue to get that consent letter. Our understanding is that in many places, that will suffice. When at all possible, please also obtain consent from a county official as well. Further, if a mayor (or not obviously a county-level official) is providing written consent, they must either in their letter (or in an accompanying email) confirm that they have the authority to provide consent. The administration is requiring that a list of cities/towns that fall under the jurisdiction of the local body be included within or

attached to the letter of consent. This can be prepared by the resettlement office or the official providing the letter, but it must be certified by the consenting official.

On Monday, December 16th, the State Department provided new guidance regarding consent letters (see below). The State Department's Bureau of Population, Refugees, and Migration (PRM) will acknowledge receipt of all letters directly to governors and chief executive officers. PRM also indicated it would be helpful to share the email addresses of the governor/chief executive office when submitting the written consent. Resettlement agencies are currently seeking clarity regarding this new guidance. **Questions can be sent to PRM via email at RefResettlement-PRM@state.gov.**

### State Consent Letters

- **Must** be from the governor's office of the state, dated, on state letterhead and signed by the current governor.
- **Must** contain unconditional and unambiguous consent to refugee resettlement within the state. It is helpful to use language that expressly refers to E.O. 13888 and provides for that state's consent to initial refugee resettlement in the state.
- **May** consent to initial resettlement for refugees only in certain counties or county-equivalents within the state.
- **May not** place any other conditions on refugee resettlement, including acceptance of certain refugees or based on any other factor, such as refugees' race, ethnicity, religion, or national origin.
- **Must** cover the current FY. If the letter does not state explicitly which FY it covers, we will assume that it covers the FY of the letter's date.

### Local Consent Letters

- **Definition of County or County Equivalent:** The U.S. Census Bureau's definition of a "county or equivalent entity" serves as the definition for "county or county equivalent" as used in the Fiscal Year (FY) 2020 NOFO.
  - According to the U.S. Census Bureau, a county or equivalent entity is defined as: *The primary legal subdivision of most states. In Louisiana, these subdivisions are known as parishes. In Alaska, which has no counties, the county equivalents are boroughs, a legal subdivision, and census areas, a statistical subdivision. In four states (Maryland, Missouri, Nevada and Virginia), there are one or more cities that are independent of any county and thus constitute primary subdivisions of their states. The District of Columbia has no primary divisions, and the entire area is considered equivalent to a county for statistical purposes.*
  - A spreadsheet with the U.S. Census Bureau's list of counties and county equivalents is available [here](#) for reference. However, please note the special cases provided below.
- **Must** be from a county or county equivalent. In addition to jurisdictions that call themselves counties, this includes:
  - Consolidated city-county governments (e.g., Jefferson County-Louisville, Kentucky) and independent cities (e.g., Alexandria, Virginia).
  - Towns, cities, and municipalities in New England states that lack counties as political subdivisions (e.g., Connecticut and Rhode Island).
  - New York City (for New York, Kings, Bronx, Richmond, and Queens counties).
- If it is unclear which entity is the county or county equivalent, please contact PRM, which will review the circumstances with the RA to identify the appropriate entity.
- **Must** be letters (not resolutions alone) signed by the chief executive officer, dated, on official letterhead. "Chief executive officer" means:
  - In council-manager jurisdictions, the county manager or the chair of the county council/commission.
  - In mayor-council jurisdictions, the mayor or mayor-equivalent.
- Language explaining the governance structure, including the authority of the chief executive officer, is helpful and can be included in the letter of consent. If there is no one that can be identified as a county executive for a county or county equivalent, please contact PRM, which will review the circumstances with the resettlement agency to identify the appropriate official.
- **May not** place any conditions on refugee resettlement, including acceptance of certain refugees or on any other factor, such as refugees' race, ethnicity, religion, or national origin. It is helpful to use language that expressly refers to EO 13888 and provides for that county or county equivalent's consent to initial refugee resettlement in the county or equivalent.
- **Must** cover the current fiscal year (FY). If the letter does not state explicitly which FY it covers, we will assume that it covers the FY of the letter's date.
- It is not necessary to include a list of municipalities in the letters or accompanying emails.

## Your State & Local Officials Need to Hear From You

When you engage your local officials, we encourage you to **educate** them about the existence and content of the EO and **ask** whether they will provide written consent to resettle refugees. Here are the top two ways to take action:

- 1. Tell Your Governor to Declare Welcome for Refugees:** [Click here](#) to contact your governor and tell them to declare that they welcome refugees in your state. Ask them to provide the necessary written consent to the federal government stating that refugees are welcome. A template letter that can be adapted to your state is [available here](#).
- 2. Tell Your State & Local Officials to Support Refugees:** Contact your [state legislators](#), [mayors](#), and [county executives](#) (and if you have close connections, to [city, county, and town officials](#) or [other state and local elected leaders](#)). Urge them to issue a public statement saying they support resettlement and to provide the necessary written consent so refugees can remain welcome in your community. A template letter that can be adapted to your locality is [available here](#).

Letters should be addressed to: Secretary Michael R. Pompeo, U.S. Department of State; and Principal Deputy Assistant Secretary Carol T. O'Connell, Bureau of Population, Refugees, and Migration, U.S. Department of State.

The following language should be included in order to provide consent: "As [Governor/Mayor] of [state/city], I consent to initial refugee resettlement in [state/city] as per the terms of the Executive Order. This consent is valid unless or until withdrawn."

**An important note / disclaimer:** Since we do not want our communications to imply that we endorse or agree with the EO, it would be helpful to include the following disclaimer in correspondences: "Communication about, or participation in, the implementation of Executive Order (EO) 13888 is not an endorsement of the legality of the EO."

## Steps to Organize Meetings with State & Local Officials

**Template Letter to Officials:** [Click here](#) for a template letter from community members, [click here](#) for a template letter from faith leaders, [click here](#) for a template letter from businesses and [click here](#) for a template letter from Members of Congress, to governors and state and local officials to invite them to declare welcome for refugees.

**Step-by-Step Guide:** [Click here](#) for guidance on how to prepare and organize meetings with governors, mayors, county executives, and other local officials.

**Bring Handouts:** Bring copies of [this letter](#) that is collecting signatures from state and local officials - governors, mayors, state/local legislators, etc. You can also adapt this [template letter](#) for your state and local officials for your meeting. [Click here](#) for refugee resources to accompany your meetings.

**Provide Feedback:** Don't forget to tell us how it went! [Click here](#) to fill out a survey with feedback from your meeting. Contact Elissa Diaz at [ediaz@cwsglobal.org](mailto:ediaz@cwsglobal.org) if you would like help in preparing for and/or following up with your meetings with officials.

## Additional Resources to Help You Talk to State & Local Officials

**Talking Points and Messaging Guidance:** For talking points on the executive order, click [here](#). For additional EO and general refugee talking points, please visit our [Talking Points](#) primer. A factsheet debunking the administration's harmful "resettlement vs. asylum" narrative is [here](#).

**Refugee Security Factsheet:** Click [here](#) for a factsheet on U.S. refugee resettlement and security, including security vetting changes made by the Trump administration. [Here is an overview](#) of refugee security vetting process. Here is [written congressional testimony](#) by former DHS officials.

**EO Factsheet:** Click [here](#) for a one page backgrounder and [here](#) for analysis about the EO.

**Power Map:** Who can make the decision you need to influence (your primary target)? Who influences them (your secondary targets)? Who uses influence for/against this decision? A power map is a simple yet powerful tool to map decision makers and focus your energy where it makes the greatest impact. Click [here](#) for a basic template to construct your power map, and click [here](#) for some tips on how to research and map targets.

**Letters from State & Local Officials:** A template letter from state and local officials to the administration that can be easily adapted to your state / locality is [available here](#). Feel free to reach out to Elissa Diaz at [ediaz@cwsglobal.org](mailto:ediaz@cwsglobal.org) for help crafting a tailored letter for your specific officials. In addition, we are still seeking state and local officials - governors, mayors, state/local legislators, etc. - to sign on to [this letter](#). Here are additional statements declaring welcome for refugees by [Governor DeWine](#) (R-OH) and [Mayor Ben Walsh](#) (I-Syracuse, NY).

**Local Resolution Template:** Template resolution language for local municipal, county, or other government bodies that authorize, support, or otherwise give a nod in favor of continuing to resettle refugees in response to the refugee EO can be found [here](#).

**Social Media Guidance:** Check out [our rapid response toolkit](#) on the refugee admissions goal for sample social media posts, graphics, and more: [bit.ly/EOSocialMedia](http://bit.ly/EOSocialMedia).

**Handouts for Meetings with State & Local Officials:** Here is a list of supportive letters and articles that can help you demonstrate community support.

- [State-by-State Profiles of the Resettlement Network and Federal Funding Provided to States](#)
- [State-by-State Support for Resettlement](#)
- [New American Economy Report: From Struggle to Resilience](#) (see page 29 for state data appendix)
- [NAE](#) state-specific [factsheets](#) on the economic impact of refugees
- [IRC economic backgrounder factsheet](#)
- [Letter from 9 Republican and 9 Democrat Senators](#)
- [Bipartisan Congressional Refugee Caucus Letter](#)
- [Letter from Over 1,300 Faith Leaders and Community Sponsors](#)
- [International Religious Freedom Letter](#)
- [Letter from 500+ Religious Leaders & Faith Groups](#)
- [27 Retired Generals & Admirals Letter](#)
- [Letter from 32 Former Foreign Affairs, Diplomatic, and Policy Experts](#)
- [Gen. Hayden and Gen. Stavridis Op-Ed](#)
- [The Niskanen Center Report](#)
- [The Center for Strategic and International Studies Report](#)
- [Op Ed from Former Governor Rick Snyder](#)
- [CMS State Profiles on Refugees](#)

#### Evangelical Sign-on Letters Support Refugees in 15 States:

- **Press Release:** <https://worldrelief.org/press-releases/world-relief-and-the-evangelical-immigration-table-urge-governors-in-15-states-to-accept-refugees>
- **All 15 State Letters:** <http://evangelicalimmigrationtable.com/support-ongoing-refugee-resettlement/>
- **Individual State Letters:**

[Arizona](#)  
[California](#)  
[Florida](#)  
[Georgia](#)  
[Illinois](#)

[Indiana](#)  
[Iowa](#)  
[North Carolina](#)  
[Ohio](#)  
[Oklahoma](#)

[South Carolina](#)  
[Tennessee](#)  
[Texas](#)  
[Washington](#)  
[Wisconsin](#)