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When “Self-Sufficiency” Is Not Sufficient: How the American Refugee Resettlement System Fails to Protect and Fulfill Refugees’ Social and Economic Rights

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ABSTRACT:

The American refugee resettlement program’s stated goal within the 1980 Refugee Act is to help refugees achieve “economic self-sufficiency... as quickly as possible.”¹ The Act is the genesis and primary policy source of the current resettlement system. Through constructing self-sufficiency along economic terms and limiting the reception and placement program to ninety days, the Act creates a definition of economic self-sufficiency attainable for case workers and refugees along this short timeline, effectively defining the program’s main goal to be job placement, rather than career or sustainable employment support.² This implementation begs the question: What are the effects of this policy goal on the implementation of resettlement in the United States, and how does this impact refugees’ social and economic rights? In what follows, I consider this question, as well as its relevant counterpart: Does the resettlement system facilitate refugees’ integration into American society? To respond, I interrogate the American refugee resettlement system’s ability to protect and fulfill refugees’ economic and social rights in the United States. I define these rights as they are described in the 1967 Protocol to the 1951 Refugee Convention, and the U.S.’s 1980 Refugee Act.

Over a period of six months, I engaged case workers and refugees (n=11) in interviews to examine their experiences with the resettlement program, and to ask their thoughts on the “success” of the current resettlement system. By broadly framing success, I created space for interviewees to determine their own indicators, and this demonstrates important limitations of the American resettlement system with implications for the protection of refugees’ rights. All of my interviewees presented structural critiques of the current resettlement system and critiqued its ability to facilitate refugee “self-sufficiency,” which they defined differently than the rather limited definition in the 1980 Refugee Act. This critique also arose often in resettlement literature focused on the American system, and through putting my research and relevant research into conversation together, I assert that the current system fails to adequately protect and fulfill refugees’ economic and social rights in the United States, outlined in the Universal Declaration of Human Rights, the 1951 Refugee Convention and 1967 Protocol, and other international human rights conventions.

¹ The Refugee Act of 1980, 8 U.S.C. § 643 (1980).

² Odessa G. Benson and Annie T. Panaggio, “‘Work Is Worship’ in Refugee Policy: Diminution, Deindividualization, and Valuation in Policy Implementation,” *Social Service Review* 93, no. 1 (March 2019): 26-54.

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I. INTRODUCTION

The landscape of refugee resettlement in the United States has changed dramatically in the past four years. New Trump-era policies have fundamentally altered refugee resettlement, resulting in reduced capacity for resettlement agencies and far lower numbers of refugees resettled within the United States. This has led to many calls for change to protect refugees' rights to equitable integration into American society and culture, and yet the roots of fault within the American resettlement system are not all new. The structure of the resettlement program, written into law through the 1980 Refugee Act, is based in neoliberalist ideology which prioritizes economic self-sufficiency and job acquisition above facilitating long-term, sustainable integration.

The American refugee resettlement program's stated goal within the 1980 Refugee Act is to help refugees achieve "economic self-sufficiency... as quickly as possible."³ The Act is the genesis and primary policy source of the current resettlement system. Through constructing self-sufficiency along economic terms and limiting the reception and placement program (R&P) to ninety days, the Act creates a definition of economic self-sufficiency attainable for case workers and refugees along this short timeline, effectively defining the program's main goal to be job placement, rather than career or sustainable employment support.⁴ What are the effects of this policy goal on the implementation of resettlement in the United States, and how does this impact refugees' social and economic rights? Does the resettlement system facilitate refugees' integration into American society? Through these questions, I attempt to unveil the consequences of neoliberalist ideology on refugee resettlement, and the implications of this for refugees' rights in the United States.

³ The Refugee Act of 1980, 8 U.S.C. § 643 (1980).

⁴ Benson and Panaggio, "Work Is Worship' in Refugee Policy: Diminution, Deindividualization, and Valuation in Policy Implementation."

To answer the above questions, I interrogate the American refugee resettlement system's ability to protect and fulfill refugees' economic and social rights in the United States. I define these rights as they are described in the 1967 Protocol to the 1951 Refugee Convention, and the U.S.'s 1980 Refugee Act. I engage case workers and refugees in interviews to examine their experiences with the resettlement program, and to ask their thoughts on the "success" of the current resettlement system. By broadly framing success, I create space for interviewees to determine their own indicators, and this demonstrates important limitations of the American resettlement system with implications for the protection of refugees' rights. All of my interviewees presented structural critiques of the current resettlement system and critiqued its ability to facilitate refugee "self-sufficiency," which my interlocutors defined differently than the rather limited definition in the 1980 Refugee Act. This critique also arose often in resettlement literature focused on the American system, and through putting my research and relevant research into conversation together, I assert that the current system fails to adequately protect and fulfill refugees' economic and social rights in the United States.

Through utilizing Ager and Strang's theory of integration,⁵ I analyze my interlocutor's responses about self-sufficiency to consider refugee integration. I ask whether or not the current resettlement system facilitates refugees' integration into American society, and this becomes part of my analysis of social and economic rights. Understanding how the American resettlement system supports integration – or fails to do so – has implications for refugees' overall relationship to the United States. This relationship goes beyond lawful immigration status, which refugees have upon entering the U.S. (although refugees must later apply for residency and citizenship) – Linda Bosniak's theory of "substantive membership" is useful in interrogating limited and shallow

⁵ Alastair Ager and Alison Strang, "Understanding Integration: A Conceptual Framework," *Journal of Refugee Studies* 21, no. 2 (April 18, 2008): 166–91, <https://doi.org/10.1093/jrs/fen016>.

definitions of resettlement. She demonstrates that it is more than lawful immigration status that determines a person's relationship to a country/society, but other factors that are relevant to Ager and Strang's integration theory.⁶ The ability of the 1980 Act to enable refugees' access to American society is essential because it speaks about equality and dignity for refugees more than refugees' access to job placement (as emphasized in the 1980 Refugee Act).⁷ I examine refugee membership, and to what extent refugees are or are not able to access American society because of narrow definitions of refugees' rights in the 1980 Act and implementation of resettlement policies.

This political moment is particularly precarious for refugees living in the United States. The Trump administration has made changes to the refugee resettlement program which have impacted resettlement at every point of the process. This occurred most visibly through the administration's 2017 decision to decrease the number of refugees to be accepted into the United States from 110,000 to 50,000, then again to 45,000 for 2018 and finally to 18,000 in 2019.⁸ The implications of this decision are far-ranging, since funding for resettlement agencies is allotted according to the number of refugees referred to agencies for resettlement.⁹ With fewer refugees and thus reduced funding, many agencies and affiliated organizations have been scrambling to acquire other sources of funding or have been forced to close.¹⁰ Even if able to continue working, funding limitations have also been a major factor in a common critique of the resettlement system: resettlement agencies have very little time to address specific refugee cases and the program is thus highly generalized and non-

⁶ Linda Bosniak, "Citizenship, Noncitizenship, and the Transnationalization of Domestic Work," In *Migrations and Mobilities: Citizenship, Borders, and Gender*, eds. Seyla Benhabib and Judith Resnik (New York: NYU Press, 2009), 145

⁷ Ibid.

⁸ Martin A. Schain, "Shifting Tides: Radical-Right Populism and Immigration Policy in Europe and the United States," *Migration Policy Institute* (Washington D.C.: 2018), <https://www.migrationpolicy.org/research/radical-right-immigration-europe-united-states>; Dierdre Shesgreen and Alan Gomez, "Trump administration sets lowest cap ever on admissions of refugees fleeing war, violence and persecution," *USA Today*, September 17, 2018 <https://www.usatoday.com/story/news/world/2019/09/26/trump-administration-sets-lowest-cap-ever-admission-refugees/2274379001/>; Chris Gelardi, "Here's How Many Refugees the US Has Accepted in 2018," *Global Citizen*, April 16, 2018, <https://www.globalcitizen.org/en/content/us-accepted-refugees-2018/>.

⁹ The Refugee Act of 1980, 8 U.S.C. § 643 (1980).

¹⁰ "Refugees in America: Forced to close her resettlement office, she couldn't turn one last refugee away," *International Rescue Committee* (New York, NY), October 10, 2018.

intersectional.¹¹ I assert that this funding reduction occurred not in contradiction to, but as an extension of the underlying liberalist philosophies within the American resettlement system, and thus the system in its entirety must be critiqued, and its failures addressed as systematic.

Using a framework of integration and human rights, I analyze international law, American policies and politics, and case workers' and refugees' experiences with implementing and experiencing resettlement programs to understand the modern American refugee resettlement system. The 1980 Refugee Act created a structurally incompetent system to ensure refugees' equitable entrance into American society, and so the United States has failed to protect and fulfill refugees' social and economic rights.

¹¹ Graham R. Sowa, "Exploring the Impact of Generalized Policies and Services," *The Journal of Pan African Studies* 3, no. 2 (2009).

II. METHODOLOGY

I utilized a qualitative, ethnographic approach to examining implementation of the refugee resettlement program through case workers' experiences with refugee clients. Through interviewing eleven individuals about their experiences with the Reception and Placement (R&P) program, I examined how refugees claim social and economic rights and access social and economic institutions. My thesis approaches these rights by characterizing them both in terms of international human rights law (mainly the 1951 Refugee Convention and its 1967 Protocol), and also more expansively as those rights necessary for the full and equitable experience of the social and economic spheres in the United States. I assert that these rights inherently include access to social and economic institutions in order to support a life of dignity, because integration in these spheres is a requirement of full recognition by society and its members.¹² I require that refugees' equitable access to these rights is paramount, irrespective of gender, age, race, or other identity factor.

I chose to focus on the experiences of case managers and resettlement agency employees to understand the connection between policy and practice in answering these questions, as this reveals the structure of on-the-ground implementation of resettlement policies. I conducted semi-structured interviews with ten individuals who are currently case managers or who have case management experience; two of these individuals were also refugees. In addition to these interviews, I also conducted interviews with a refugee who has no case management experience. The individuals whom I interviewed had experiences from the following agencies: HIAS (previously Hebrew Immigration Aid Society), Catholic Charities, IRIS (Integrated Refugee and Immigration Services), LIRS (Lutheran Immigration and Refugee Services), and IRC (International Rescue Committee). These interviews occurred in a devoted interview environment, yet I also gathered information

¹² Nancy Fraser, "Rethinking Recognition," *New Left Review* 3 (2000).

about the implementation of resettlement policy and implications for refugees' access to socioeconomic rights through participant observation during my time as a resettlement agency employee myself. Participant observation included the day-to-day experiences of working at HIAS in New York City as well as participating in two quarterly meetings during which resettlement staff from agencies and governmental organizations involved in resettlement in NYC discussed challenges and shared solutions. This helped to reveal how various refugee resettlement organizations in NYC were wrestling with policy changes, communicating about resettlement programs, and working together in the NYC resettlement space.

My primary thesis question is: How do American refugee resettlement policies facilitate or hinder refugees' social and economic rights? Through analyzing this question in the context of my interviews and participant observation, I evaluated the realities of substantive membership and integration for refugees and assess points of weakness in American legislation where refugee rights in resettlement, despite a possible belief to the contrary, are not protected.

During the writing of this thesis I was employed as a Program Associate by HIAS, one of the nine voluntary resettlement agencies contracted by the U.S. government to implement resettlement programming. Many of my connections to interviewees arose through conversations with colleagues in the resettlement community. My position with HIAS allowed me insight into the process of refugee resettlement thus was useful in understanding broader themes present in my research, and also led me to critically reflect upon my own methodology and ensure that I was not unintentionally pressuring individuals into participating in my research.

Overall this methodological approach enabled me to gather unique insight into refugee resettlement processes in New York City and allowed me to understand how resettlement organizations and case workers implement American resettlement policy. Importantly, this approach also allowed me to analyze how case workers think and feel about their work in order to critically

engage the ability of resettlement policies and programs to protect refugees' social and economic rights.

III. FROM GLOBAL TO LOCAL: HUMAN RIGHTS, RESETTLEMENT, AND AMERICAN POLICIES

The goal of this thesis is to call attention to the limitations of the black-and-white lettering of American policies and to analyze the impact of these policies on refugee resettlement. I utilize a framework of human rights as defined in the Universal Declaration of Human Rights and the 1951 Refugee Convention and its 1967 Protocol to analyze American resettlement policies and recent policy changes under the Trump administration. Through this analysis I assert that the American resettlement system fails to adequately protect refugees' economic and social rights and creates barriers for refugees' integration into American society.

Human Rights & Refugee Law: The International Perspective

The American refugee resettlement system was established firmly in international law through the establishment of refugee rights in multiple treaties and declarations, including the Universal Declaration of Human Rights, the 1951 Refugee Convention and its 1967 Protocol, and the International Covenant on Civil and Political Rights. According to Article 13 of the Universal Declaration of Human Rights (UDHR), every person has the right to move within state borders and to leave their country of residency.¹³ This is reiterated in another seminal piece of international law, the International Covenant on Civil and Political Rights (Article 12).¹⁴ Furthermore, Article 14 of the UDHR declares the right to seek asylum which is described in the Convention and Protocol Relating to the Status of Refugees as a well-founded fear of persecution based on the grounds of race, religion, nationality, membership of a particular social group, or political opinion.¹⁵ Refugees' rights

¹³ UN General Assembly, Universal Declaration of Human Rights, 10 December 1948, 217 A (III)

¹⁴ UN General Assembly, International Covenant on Civil and Political Rights, 16 December 1966, United Nations, Treaty Series, vol. 999: 171

¹⁵ UN General Assembly, Convention and Protocol Relating to the Status of Refugees, 28 July 1951, United Nations, Treaty Series, vol. 189: 137

are further outlined in Article 15 of the UDHR, which states that every person has an inalienable right to a nationality (also repeated in Article 24 of the ICCPR). The final major right accorded to refugees in international human rights law is the principle of *non-refoulement* established in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment¹⁶ and the International Convention for the Protection of All Persons from Enforced Disappearance.¹⁷ Through this principle, refugees are legally protected from being involuntarily returned to countries in which they could be subject to torture or harm. Together, these texts build a network of internationally mandated protections and legal resources through which refugees can claim rights regardless of nationality or status.

These pieces of international human rights norms and law shape the U.S. resettlement system and refugees' rights in the United States. The UDHR is not legally binding yet is important in contextualizing human rights for everyone, regardless of immigration status. The U.S. has ratified the Convention Against Torture (in 1994) and ICCPR (in 1992), which are legally binding. The U.S. did not ratify the International Convention for the Protection of All Persons from Enforced Disappearance. Although the U.S. did not ratify the 1951 Convention, it did ratify the 1967 Protocol to the Convention which reiterates and expands upon the articles within the 1951 Convention. This Protocol impacted and shaped the 1967 Immigration and Nationality Act and then the 1980 Refugee Act, evident through examining the definition of a refugee in both American policies.

The United States' ratification of the 1967 Protocol, the ICCPR, and the Convention Against Torture facilitate an international human rights framework upon which American refugee resettlement policy is built, and to which the U.S. can be held responsible. Yet in the U.S.,

¹⁶ UN General Assembly, Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 10 December 1984, United Nations, Treaty Series, vol. 1465: 85

¹⁷ UN General Assembly, International Convention for the Protection of All Persons from Enforced Disappearance, 20 December 2006

international relations are historically and culturally dominated by the philosophical approach of American exceptionalism and exemptionalism wherein U.S. sovereignty is held to be absolute regardless of these international norms and treaties. In consequence, while the American refugee resettlement system is structurally related to human rights ideas and norms, it is in practice driven primarily by American domestic politics. While these provisions are necessary in the migration process of refugees, they are not sufficient in ensuring the integration of newcomers into the United States.

Despite its involvement in the development of the UDHR, which describes all human rights (including political, social civil, economic, and cultural), the United States has historically espoused civil and political rights while refuting economic, cultural, and social rights. The U.S. justifies this by arguing that domestic civil and political rights are of greater importance because they are the only rights which correspond with duties of state protection. The implication is that social, economic, and cultural rights cannot be legally enforced and are goals for an ideal society rather than true rights. Thus, refugees' ability to claim social, economic and cultural rights is diminished in the United States. Considering this lack of access to rights, my research engages refugees' economic and social rights, and interrogates how the American refugee resettlement system facilitates or denies access to these rights.

Recent Changes in Immigration Policy & Effects for Refugee Resettlement

The Trump administration's recent actions have had profound effects on immigration and refugee resettlement policy in the United States. Specifically, the administration has instrumentalized nationalism, xenophobia, Islamophobia, and racism in new policies which have sent shockwaves into the resettlement community. The most major policy changes in the immigration/resettlement sphere include: the "Public Charge" policy, the "Remain in Mexico" policy, the continuing "Muslim

bans,” and the consistent reduction in refugee admissions for each fiscal year since President Trump’s election in 2016. These policies have had two major effects for refugee resettlement, including drastically reducing funding for resettlement, and diminishing refugees’ rights in the United States.

The “Public Charge” Policy

Under the Immigration and Nationality Act (INA), there is a clause pertaining to inadmissibility for immigrants who are specifically applying for entry into the U.S. or for adjustment of status (for example, who wish to obtain legal residency permits).¹⁸ For the past few decades, this part of the INA has been interpreted to mean that inadmissibility may be determined if an individual is likely to become primarily reliant upon the U.S. government for their livelihood. The grounds which were taken into account include:

- An “affidavit of support” from a family member or close friend who would essentially agree to sponsor the applicant
- TANF (Temporary Assistance for Needy Families), SSI (Supplemental Security Income), or other cash assistance programs

With this policy change (which came into effect on October 15, 2019), the new interpretation of the INA will require that a decision of inadmissibility will further take into account:

- Housing assistance, specifically the Housing Choice Voucher program (known colloquially as “Section 8”)
- Nutritional assistance, i.e. SNAP (Supplemental Nutrition Assistance Program)

¹⁸ “Public Charge,” *Immigrant Legal Resource Center*, Accessed October 21, 2019, <https://www.ilrc.org/public-charge>; Presentation on Public Charge by Catholic Charities at a Quarterly Resettlement Meeting, Sarah Lawrence College, September 26, 2019.

- Subsidized/publicly funded healthcare (Medicaid)

Furthermore, the policy change shifts the grounds of inadmissibility from the question of whether an applicant will become *primarily dependent* on the U.S. government to whether they have used these benefits for a total of twelve months over a period of thirty-six months (with each benefit counting for its own number of months -- so using TANF for one month and SNAP during the same time period would mean the applicant used two months of benefits).¹⁹

As I noted above, this policy does not affect applicants who are not applying to enter the United States, and thus refugees are not affected. Yet the publicization of the policy change has led many immigrants who are not directly affected to feel concern about utilizing public benefits. Thus, according to Catholic Charities (one of the nine Voluntary Agencies which conduct refugee resettlement in the U.S.), their immigration hotline²⁰ has been called by many individuals who are not affected by the policy but are worried about the potential consequences of applying for, or remaining on, public benefit programs. The policy makes a statement that is loud and clear to many immigrant communities about whom the United States is willing to accept within its borders – one which specifically targets financially insecure immigrants and puts them in further vulnerable situations by causing them to fear using welfare programs. This affects refugees because of the overarching question: could utilizing public benefits and cash assistance be used to determine green card or citizenship applications through future policy changes? This policy change limits refugees’ economic rights in the United States through challenging their ability to access public benefits.²¹

¹⁹ “Public Charge,” *Immigrant Legal Resource Center*.

²⁰ Alice Kenny, “Immigration Questions? Call Our Free Immigration Hotline for Expert Advice,” *Catholic Charities Archdiocese of New York*, April 17, 2017, <https://catholiccharitiesny.org/blog/immigration-questions-call-our-free-immigration-hotline-expert-advice>.

²¹ UN General Assembly, Convention Relating to the Status of Refugees, 28 July 1951, United Nations, Treaty Series, vol. 189, p. 137, article 23.

Executive Order 13769: The “Muslim Bans”

In addition to the above policy changes, the Trump administration has made three executive orders which prevent individuals from specific countries from immigrating to the United States, even if reuniting with a family member. These countries include Iran, Libya, Somalia, Syria, and Yemen.²² This policy has been widely described by national legal organizations, researchers, and advocates as discriminatory and has strongly shaped the immigration landscape under the Trump administration.²³ Specific to the refugee resettlement space, by disallowing refugees from these countries, the Trump administration has vastly reduced the capacity for resettlement agencies to support individuals from these countries since agencies generally rely on country-specific resources such as volunteer interpreters/translators, community-based organizations, housing networks, English language classes with relevant interpretation, and other support networks to resettle refugees with specific language and national backgrounds. Thus, the bans have had three major effects: to exclude refugees from these countries from accessing asylum in the US, to describe the “ideal immigrant” in the United States as someone who is *not* Muslim or from a Muslim-majority country, and to reduce the capacity of resettlement agencies to support refugees from these countries if and when the bans are lifted. These policies deny refugees from these countries the right to humanitarian protection because these refugees are prevented from accessing refuge within the United States. Furthermore, these policies discriminate against Muslim refugees who are already living in the United States and heavily affects the capacity of resettlement agencies, which has shaped the landscape of resettlement in the United States.

²² “Living With the Muslim Ban,” *American Civil Liberties Union*, Accessed September 19, 2019, <https://www.aclu.org/issues/immigrants-rights/living-muslim-ban>.

²³ “Bridge: A Georgetown University Initiative,” *Georgetown University*, Accessed September 19, 2019, <https://bridge.georgetown.edu/research-publications/reports/muslimban/>.

Presidential Determination of Refugee Ceiling

The “Presidential Determination” is the yearly announcement of how many refugees the United States will resettle in the upcoming fiscal year (FY). This yearly message was originally put into practice through the Refugee Act of 1980, under “Title II – Admission of Refugees,” where the president is required to consult with Congress before determining refugee admissions for the following fiscal year.²⁴ On September 26th, 2019 the Office of the Spokesperson released a media note on the “Report to Congress on Proposed Refugee Admissions for FY 2020,”²⁵ which declared the new ceiling for incoming refugees for the next twelve months; the administration set this number at 18,000 individuals. This is a sharp reduction from FY 2019’s ceiling, which was set at 30,000 persons, and has an even more consequential impact when examined from a historical perspective.²⁶

In 2016, before the election of Donald Trump and under the Obama administration, the cap was set at 85,000 persons. The most immediate effects of the reduction to 18,000 for FY 2020 is the prevention of many refugees from accessing safety, and a reduction of funding for resettlement agencies (since funding is dependent on per capita resettlement). Currently, each resettlement agency receives \$1,175 per refugee resettled, which is meant to both pay agency staff and also support refugees during their first 90 days in the United States. With a reduced admissions ceiling and thus fewer refugees coming into the U.S., agencies and their affiliates will be forced to compete for

²⁴ The Refugee Act of 1980, 8 U.S.C. § 643 (1980); “VIDEO: The Presidential Determination Explained,” *HLAS*, September 9, 2019, <https://www.hias.org/news/blog/video-presidential-determination-explained>.

²⁵ “Report to Congress on Proposed Refugee Admissions for FY 2020,” *U.S. Department of State*, September 26, 2019, <https://www.state.gov/report-to-congress-on-proposed-refugee-admissions-for-fy-2020/>.

²⁶ Migration Policy Institute (MPI) analysis of WRAPS data from the State Department Bureau of Population, Refugees, and Migration. Available at: “Admissions & Arrivals,” *Refugee Processing Center*, Accessed on September 23, 2019, <http://www.wrapsnet.org/admissions-and-arrivals/>.

refugees in order to remain in operation.²⁷ Effectively, if/when the ceiling is raised and more refugees are allowed to enter the United States for FY 2021, there will be such a reduced capacity for resettlement in the United States that agencies will not be able to responsibly accept and support more refugees.

The impact of these policies and changes on refugee resettlement has been vast. They have changed the landscape of immigration in the United States, further limiting the ability of immigrants to enter the U.S. even for humanitarian reasons, which is in direct contradiction to the U.S.'s responsibilities in the Refugee Convention and Protocol. Much of these policy changes have been justified through casting doubt upon potential asylees' and refugees' claims for protection. Tellingly, in the explanation paragraph on DHS's website for the Migrant Protection Protocols, this program is justified by referencing "those taking advantage of the immigration system" and framing the MPPs as a method for protecting the US from fraudulent asylum applications. This is an example of the Trump administration's ethos and its approach to immigration – one which requires an over-proof of asylum claims and a (mainly financial) justification for why immigrants should be allowed to enter and stay in the United States. This not only limits refugees' rights for humanitarian protection through the international resettlement system but increases refugees' vulnerability to policy changes within the U.S. that reduce their ability to equally access wage-earning employment, public assistance, and thus to integrate into American society.

²⁷ "US refugee agencies wither as Trump administration cuts numbers to historic lows," *Public Radio International*, September 27, 2019, <https://www.pri.org/stories/2019-09-27/us-refugee-agencies-wither-trump-administration-cuts-numbers-historic-lows>; "Exclusive: Dozens of refugee resettlement offices to close as Trump downsizes program," *Reuters*, February 14, 2018, <https://www.reuters.com/article/us-usa-immigration-refugees-exclusive/exclusive-dozens-of-refugee-resettlement-offices-to-close-as-trump-downsizes-program-idUSKCN1FY1EJ>.

Refugee Resettlement: International to Local Programming

Refugee resettlement is shaped by both international and local systems. As described above, international human rights conventions and humanitarian laws require participating parties to respect and uphold certain human rights protections and to provide humanitarian support to refugees. These policies are the starting point from which resettlement occurs.

To explain the resettlement system, I tell the story of Marie, an imaginary refugee constructed from the experiences of case managers and refugees shared with me during interviews. Marie is a twenty-two-year-old Congolese woman living in Kenya. She is literate and speaks French, as well as some English taught in grade school. Through a local NGO, she was identified by a social worker as an at-risk woman fleeing persecution, and her case was recommended to UNHCR for refugee status. She hopes to be resettled in the United States, where she plans to reunite with her father, who was resettled two years ago in New York City.

The first step in the process for Marie is to interview with UNHCR at its office in Nairobi. Afterward, Marie waits for notification of whether UNHCR determines that she is a refugee. In this case, UNHCR refers her to the United States Refugee Admissions Program (USRAP),²⁸ and she is subsequently connected to a Resettlement Support Center for pre-screening and interview preparation. Later, Marie is interviewed by a Refugee Officer from the Department of Homeland Security (DHS).²⁹ After a period of time, Marie learns that she has been approved by DHS/USCIS, and she undergoes additional screenings for health and medical issues, as well as further security checks through federal and international databases. Marie is scheduled to attend “overseas cultural orientation” sessions. Through the set process, Marie’s case is allocated to HIAS and placed by

²⁸ “The United States Refugee Admissions Program (USRAP) Consultation & Worldwide Processing Priorities,” *U.S. Citizenship and Immigration Services*, Accessed September 30, 2019, <https://www.uscis.gov/humanitarian/refugees-asylum/refugees/united-states-refugee-admissions-program-usrap-consultation-worldwide-processing-priorities>.

²⁹ “Refugees,” *U.S. Citizenship and Immigration Services*, Accessed September 30, 2019, <https://www.uscis.gov/humanitarian/refugees-asylum/refugees>.

HIAS New York because Marie's father lives in NYC.³⁰ After her case has been formally assured, and her flight is booked by a DHS contractor, the International Organization of Migration (IOM). She is advised that she will receive an interest-free loan to pay for the cost of her flight, and that she will need to pay back this amount as a debt after arriving in the United States.³¹

Marie's flight is relatively uneventful, but she's nervous when she arrives at JFK airport in New York City because she knows she must still past inspection by the Bureau of Customs and Border Protection (BCB).³² She passes through, though, with her Transportation and Boarding letter issued by the Bureau of Population, Refugees and Migration (PRM).³³ At this point, she has been formally admitted into the United States as a refugee. She makes her way to the exit and there, she finds her father waiting to pick her up.³⁴ According to the reception plan created by Marie's case manager at HIAS New York, her father agreed that he would not only pick her up from the airport but also provide her with housing in the second bedroom of his Bronx apartment. They take a cab to his apartment and Marie falls asleep, exhausted after her travels.

The next day after arrival, Marie's case manager arrives at the apartment for an initial home visit. This is required by the Cooperative Agreement between HIAS and PRM, as well as the following services:

- Within the first five working days of arrival, Marie has her intake interview at HIAS, which includes creating a service plan for long-term and short-term goals, discussing the refugee status, and reviewing important documents. During her first appointment with her case

³⁰ When the case is allocated, the affiliate (HIAS New York) receives Maria's biodata report including the results of her overseas medical screening, contact information for her U.S. tie,

³¹ The United States Refugee Admissions Program (USRAP) Consultation & Worldwide Processing Priorities," *U.S. Citizenship and Immigration Services*

³² Ibid.

³³ "Travel Documents," *U.S. Citizenship and Immigration Services*, Accessed September 30, 2019, <https://www.uscis.gov/travel-documents>.

³⁴ According to the Cooperative Agreements each refugee agency signs with the Organization of Refugee Resettlement (ORR), new refugees must be picked up at the airport either by their "US tie," the family or close friend living in the country of refuge who is mentioned in their refugee application, or a staff person of the resettlement agency.

manager, Marie is presented with options for other programs offering support beyond the ninety-day reception and placement (R&P) period. She can choose to enroll in the Matching Grant (MG) program or the Refugee Social Services Program (RSSP), both of which provide continued assistance with employment.

- Within the first seven working days: application for SNAP benefits, Medicaid, and Social Security
- Within the first ten working days: application for enrollment in employment services, enrollment in ESL programs, and filing AR-11 form (change of address)
- Within the first thirty days: scheduling a mandatory refugee health screening

Over the next ninety days, Marie visits HIAS' midtown Manhattan office often for these appointments but also for cultural orientation classes,³⁵ to discuss her budget with her case manager, to follow-up on her previously set goals, to receive a donation of winter clothing from one of HIAS' partner organizations, and to ask her case manager to help her read mail she received in English.

Marie chooses to enroll in MG,³⁶ which offers a cash stipend (the ORR contributes \$2 for every \$1 raised by the voluntary agency, up to a total of \$2,500³⁷) and case management specifically tailored to help Marie reach a level of "self-sufficiency" quickly.³⁸ This continues for another six months, during which time Marie finds a job as a home health aide with an elderly French-speaking Congolese woman. With this job, she is able to save enough money to rent a room in an apartment near her father's. After this program, she receives a closing letter stating that her enrollment in HIAS

³⁵ Cultural orientation is provided on fifteen topics developed by PRM and the U.S. Department of States

³⁶ Within two to three months of arriving in the United States, Marie receives an employment authorization document (EAD)

³⁷ "Voluntary Agencies Matching Grant Program," *Office of Refugee Resettlement*, Accessed October 11, 2019, <https://www.acf.hhs.gov/orr/programs/matching-grants>.

³⁸ "About the Voluntary Agencies Matching Grant Program," *Office of Refugee Resettlement*, Accessed October 11, 2019, <https://www.acf.hhs.gov/orr/programs/matching-grants/about>.

programs has ended, and that she no longer has a specific case manager at HIAS³⁹ – *does she have any questions?* She answers no, and she continues with her English classes (although she often can't make the classes since her work schedule changes often), works as a home health aide, and moves on with her new life in the United States.

This is an ideal case which highlights Marie's experiences with the American resettlement system. Marie's story indicates the complex landscape of refugee resettlement, with many organizations involved at the international level, and then the resettlement agency upon arrival in the United States. In this story, Marie chose to continue with a program at HIAS but for refugees who choose not to, the agency's services would have ended after ninety days. For many refugees in Marie's position, there are continued challenges with integrating into life in the U.S., but after the 90-day R&P period, it is up to the individual to find other services and programs which provide support (often case managers will share information about available services). Marie's experiences in this example are also heavily shaped by her family tie in the U.S., her English language skills (limited), and more. This example is also highly specific and cannot be generalized to all resettlement experiences.

In my thesis I aim to examine these challenges and analyze the current resettlement system from a human rights perspective. I approach this topic through engaging with staff at resettlement agencies as well as refugees, and also referencing my experience as a staff member at HIAS. The interviews with case managers and refugees, as well as my experiences with resettlement organizations, reveal that resettlement agencies are fully aware of the limitations of the current resettlement system, and are employing other options and resources to make up for lost capacity and the failures of the resettlement system to fully address refugees' needs and goals. My research

³⁹ If he has further questions, she is invited to contact her past case manager.

focuses on the capacity (or lack thereof) of the current resettlement system to support refugee integration and to fulfill and protect refugees' economic and social rights in the United States.

IV. THEORETICAL FRAMEWORK

The 1980 Act created the current American refugee resettlement system and delineated the rights of refugees and specifying what support they can access through the resettlement system.

These points are essential in considering the rights of refugees in the United States and in engaging the resettlement program's efficacy in supporting refugee integration.

According to Section A of the act, refugees will be granted access to:⁴⁰

- 1) "Sufficient resources for employment training and placement in order to achieve economic self-sufficiency among refugees as quickly as possible"
- 2) "The opportunity to acquire sufficient English language training to enable them to become effectively resettled as quickly as possible"
- 3) Cash assistance, but only insofar as it is "made available to refugees in such a manner as not to discourage their economic self-sufficiency"

The Refugee Act explicitly focuses on refugees' access to employment in order to reach the stated goal of "economic self-sufficiency." This goal is relevant Article 17.1 of the 1951 Refugee Convention, which states: "The Contracting State shall accord to refugees lawfully staying in their territory the most favourable treatment accorded to nationals of a foreign country in the same circumstances, as regards the right to engage in wage-earning employment."⁴¹

Yet self-sufficiency isn't the only indicator of "effective" resettlement written into the Act. In Section A(ii), the Act references English language acquisition as important in the resettlement process, and later in Section B, the Act states that Congress should "take into account...the

⁴⁰ The Refugee Act of 1980, 8 U.S.C. § 643 (1980).

⁴¹ UN General Assembly, Convention and Protocol Relating to the Status of Refugees, 28 July 1951, United Nations, Treaty Series, vol. 189.

availability of employment opportunities, affordable housing, and public and private resources (including educational, health care, and mental health services) for refugees in the area.”⁴² Thus, the Act prioritizes employment for refugees, while also saying that case managers should provide more holistic services including English language support, assistance applying for public assistance and benefits programs, and referrals to necessary resources such as mental health support.

This prioritization of job placement has important consequences for the services refugees are provided in practice during the ninety days of the R&P program. The emphasis on job placement can be traced to the context of neoliberal policymaking which underpinned the 1980 Refugee Act,⁴³ resulting in a resettlement system which views economic self-sufficiency at the core of success. This phenomenon within the American resettlement program has been heavily discussed and critiqued in resettlement research and literature, which has generally focused on the limitation of the R&P program to focus on employment and how this affects integration, as well as the ways in which refugees’ employment are framed and managed during the resettlement process. This framing of refugee employment is based on the concept of “self-sufficiency” as described in the 1980 Act, which associates quick job acquisition with successful resettlement and full self-sufficiency. In my research, I focus on these two major themes, integration and self-sufficiency, and analyze how they are constructed and instrumentalized by the federal resettlement program and by researchers in analyzing the system.

Understanding Integration

In order to understand the effects of American resettlement policy on-the-ground and contextualize my ethnographic research, I utilize theories of integration in refugee studies. This

⁴² The Refugee Act of 1980, 8 U.S.C. § 643 (1980).

⁴³ Odessa Gonzalez Benson, "Refugee Resettlement Policy in an Era of Neoliberalization: A Policy Discourse Analysis of the Refugee Act of 1980," *Social Service Review* 90, no. 3 (September 2016): 515-549.

concept developed from the previously dominant assimilation theory in the 1960s and 1970s,⁴⁴ and segmented assimilation theory shortly thereafter.⁴⁵ As opposed to the relatively linear and limited assimilation theories authors, integration was conceptualized along the lines of refugee identity in relation to that of resettlement communities, and processes of developing a social and cultural balance in these spaces same.⁴⁶ Thus, integration theories include a space for many more imagined realities of refugees' experiences in resettlement, expanding the frame for conceptualizing how refugees build new lives in the United States. This is essential in engaging resettlement policy and analyzing whether or not it is effective in protecting refugees' rights and access to American society.

Integration has been discursively employed in the realm of refugee resettlement policy, although not practically defined or implemented in monitoring policy outcomes on the federal level.⁴⁷ The ORR⁴⁸ references integration as a main goal of the resettlement program, though, demonstrating the popularity of the term yet the relative lack of structural attention paid to understanding on-the-ground effects of the resettlement program for refugee integration. On a more local/private level, though, integration has indeed been utilized heavily to analyze resettlement policies.⁴⁹ Through field work and quantitative analysis, Ager and Strang (2008) developed a conceptual framework for integration which has been that continues to be used by researchers to

⁴⁴ Blessing Enekwe, "Refugees and Resettlement: A Qualitative Analysis of Refugee Integration Through Social & Support Services," PhD diss., University of Maryland, 2016, 18.

⁴⁵ A. Portes and M. Zhou, (1993), "The New Second Generation: Segmented Assimilation and its Variants." *The Annals of the American Academy of Political and Social Science*, 530(1): 74–96.

⁴⁶ Christopher M. Partridge, "Aspiring Americans: Refugee Aspirations and the Governmentality of the United States Domestic Resettlement Program," PhD diss., American University, 2017.

⁴⁷ Benson and Panaggio, "Work Is Worship"

⁴⁸ Office of Refugee Resettlement

⁴⁹ Enekwe, "Refugees and Resettlement"

analyze refugee resettlement programming.⁵⁰ This framework includes multiple indicators for understanding refugee integration, evident in the graph below:⁵¹

A Conceptual Framework Defining Core Domains of Integration



Ager and Strang’s model includes indicators essential to refugee integration. The triangular structure of the framework shows the fundamental necessity of considering rights and access to citizenship for refugees in a given context. I employ this a perspective in my analysis of the American resettlement program.

Because the United States ratified the 1967 Protocol to the 1951 Refugee Convention, all rights within the original convention are granted to refugees within the United States; yet the 1980 Act frames refugee rights specifically along the lines of employment and self-sufficiency. This creates

⁵⁰ Jessica Darrow, “The (Re)Construction of the U.S. Department of State’s Reception and Placement Program by Refugee Resettlement Agencies,” *Journal of the Society for Social Work and Research* 6, no. 1 (March 1, 2015): 91–119.

⁵¹ Alastair Ager and Alison Strang, “Understanding Integration: A Conceptual Framework,” *Journal of Refugee Studies* 21, no. 2 (April 18, 2008): 166–91.

a tension between the rights laid out in international human rights conventions and accepted through ratification of these documents by the United States, and between the rights which are protected in practice. Utilizing Ager and Strang's method for understanding and assessing refugee integration is essential for my examination of the consequences of this construction of rights in the American context. This enables me to understand how refugees' social rights are implicated in refugee policy, since the policy effectively limits refugees' economic rights and thus social integration.

Self-sufficiency:

The 1980 Act utilizes economic self-sufficiency as the primary indicator for success in refugee resettlement in the United States.⁵² This has been heavily critiqued by refugee studies scholars including Partridge, Shaw, Poulin, Benson, Panaggio, Ott, and more, because of the highly limited nature of viewing success in this way.⁵³ The concept of self-sufficiency is, according to Partridge, “vague and malleable” due to its contextual origination in the policy era of neoliberal policies which aimed to reduce dependency on public assistance.⁵⁴ This historical context is evident in the language of Section A of the 1980 Act which constructs self-sufficiency as job placement and a lack of dependency on the federal government (through public assistance programs). In order to become “self-sufficient” within the 1980 Act's definition, then, refugees must only accept jobs and not utilize public assistance programs.

⁵² Christopher M. Partridge, “Aspiring Americans: Refugee Aspirations and the Governmentality of the United States Domestic Resettlement Program,” PhD diss., American University, 2017.

⁵³ Partridge, “Aspiring Americans”; Nicole Ives, (2007), More than a “Good Back”: Looking for Integration in Refugee Resettlement, *Refuge: Canada's Journal on Refugees*, 24(2), 54-63, <https://refuge.journals.yorku.ca/index.php/refuge/article/view/21384>; Enekwe, “Refugees and Resettlement”; Stacey A. Shaw and Patrick Poulin, “Findings from an Extended Case Management U.S. Refugee Resettlement Program.” *Journal of International Migration and Integration* (2015) 16:1099-1120; Benson and Panaggio, “Work Is Worship”

⁵⁴ Benson, “Refugee Resettlement Policy in an Era of Neoliberalization”

Practically for the R&P program, self-sufficiency in the 1980 Act means “finding any employment for resettled refugees, as soon as possible.”⁵⁵ In effect, this constructs success in resettlement to be defined as whether or not refugees became employed during the R&P program. Scholars have heavily critiqued this de facto definition of successful resettlement as creating a specific characterization of the successful refugee as someone who obtains employment because this creates a valuation of refugee identity, positing the need for public support or inability to obtain a job as a personal failure.⁵⁶

In their analysis of self-sufficiency in American resettlement policy, Benson and Panaggio (2019) assert that the construction of self-sufficiency as tied to job placement does three things: 1) diminishes the potential of policy to engage any other aspect of refugees’ lives (such as those included in Ager and Strang’s model of integration), 2) deindividualizes resettlement programs and thus neglects refugees who are not immediately able to access the type of employment generally available to refugees, and 3) constructs a specific valuation of refugees’ work in the United States.⁵⁷ Through pushing refugees to accept the first job available to them and viewing this as successful resettlement, the construction of self-sufficiency as job placement is not only inaccessible to some refugees,⁵⁸ but also creates a socioeconomic valuation of refugee work in the United States, since job acquisition is prioritized above English language learning, vocational training, and other more holistic support measures.⁵⁹ Thus, refugees are pushed into a socioeconomic bracket with lower wages, which require fewer learned skills, and with very little mobility.⁶⁰

⁵⁵ Eleanor Ott, “Refugee Economic Self-Sufficiency in the US Resettlement Program,” PhD diss., University of Oxford, 2015.

⁵⁶ Partridge, “Aspiring Americans”; Shaw and Poulin, “Findings from an Extended Case Management U.S. Refugee Resettlement Program”

⁵⁷ Benson and Panaggio, “Work Is Worship”

⁵⁸ Darrow, “The (Re)Construction of the U.S. Department of State’s Reception and Placement Program by Refugee Resettlement Agencies”: Darrow writes that resettlement caseworks end up “cherry-picking” the most employable clients to focus on

⁵⁹ Benson and Panaggio, “Work Is Worship”

⁶⁰ Ibid.

In response to these limitations and structural problems, researchers working with refugees and/or resettlement workers have attempted to understand what self-sufficiency looks like on the ground, and thus what resettlement programming *should* focus on in order to support refugees' feelings of being "self-sufficient." Although constructed slightly differently in each research project, each aims to expand the definition of self-sufficiency. Shaw and Poulin focus on "holistic wellbeing" and "comprehensive access to community resources."

Through considering the failure of the current resettlement system to facilitate refugees' self-sufficiency in terms of holistic engagement with refugees' needs and goals, my research attempts to add voice to these critiques of the construction of self-sufficiency along employment lines in the contemporary American resettlement system. I approach my interviews and analysis with the understanding that the current resettlement system defines refugee success in terms of job placement, while tracking how it might marginalize refugees and perpetuate socioeconomic hierarchies in American society. This enables me to examine the complexity of ideologies behind refugee resettlement in the United States and the effects for refugees throughout the resettlement process.

V. THE RESETTLEMENT & PLACEMENT PROGRAM

All of my interview participants presented structural critiques the R&P program as the main resettlement program that all refugees engage with during resettlement in the United States. I separate this category analytically from the other themes despite its resonance with the overall goal of this thesis because I found that interviewees differently engaged with structural critiques than discussions of agency and affiliate practices, political changes, etc. This is useful for thematic analysis because it demonstrates that challenges with resettlement in the United States arise not only through the current structure of resettlement, but also with other aspects of reception and placement programming, such as agency-specific resources and programs, as well as the impact of national policies and political rhetoric.

Interviewees expressed critiques specifically about the time limitation of the R&P program and its generalized approach. Throughout these critiques, interviewees' tied structural failures of the R&P program to decreasing organizational capacity, and an inability to support refugee clients in achieving "self-sufficiency," which calls into question the idea of "successful resettlement" for the federal program versus how case workers conceptualize success for their clients.

Timeline

As described in the Refugee Act of 1980, the R&P program spans ninety days, during which time case managers are tasked with supporting refugee clients to achieve "self-sufficiency," specifically in the categories of employment, English language acquisition, and housing.⁶¹ This includes a multitude of tasks to complete to achieve this goal (these include household setup, airport pickup, enrollment in state benefits, enrollment for Social Security card, health screenings, cultural

⁶¹ Partridge, "Aspiring Americans"; Benson and Panaggio, "Work Is Worship"; Ives, "More than a 'Good Back'"; Enekwe, "Refugees and Resettlement"; Shaw and Poulin, "Findings from an Extended Case Management U.S. Refugee Resettlement Program"

orientation, referral to employment and English learning services, assistance setting up a bank account, and more). All of my interviewees emphasized the challenge of succeeding to support clients in achieving this purported goal in solely ninety days. Joan, a case management supervisor at HIAS New York, mentioned the “inflexibility” of this timeline, saying:

“I think that the effort to keep up with those time limitations... I am kind of split into two selves. And I think a lot of people feel same thing. We have contractual obligations to document and do things on time and rigid timeframes for certain outcomes, and the other me is trying to figure out how can we work with clients to make sure that when problems come up, we can devote our time for client’s benefit even if the problems don’t fall into the R&P framework but we see are very important.”⁶²

She emphasized that the ninety-day timeline works for people who experience no further challenges than those outlined in the R&P program specifications, but for others, it’s not sufficient to support their needs. Furthermore, she stated that some clients are not vocal about their needs and so, due to the pressure on staff to conduct programming on the program’s timeline, often these individuals’ needs might not be supported. This is particularly the case with clients who require psychosocial support. Many refugee clients have experienced trauma due to forced displacement and/or persecution, so this is an important gap in service provision if the goal is indeed supporting refugees in achieving self-sufficiency.

All of my interviewees spoke to the irony of this goal and the short timeline of the R&P program. Emily, who had worked as a case worker in Omaha, Nebraska and then in partnerships and program management with HIAS NY, described the timeline as “arbitrary,” since achieving integration and self-sufficiency are more long-term goals.⁶³ These goals are narrowly defined based on the checklist for case managers, and yet even completing this list was, throughout my interviews, described as not necessarily achieving the actual goals. According to Emily, “this isolated program isn't going to allow someone to thrive, to really feel integrated, to potentially make ends meet.”

⁶² Interview with Joan (pseudonym) by the author on April 10, 2019.

⁶³ Interview with Emily (pseudonym) by the author on August 6, 2019.

Danielle, a past case worker in upstate New York, added that the program is known to be “thoroughly rushed time limit and approach to services,” and so often, case workers end up doing more than the work required of them.⁶⁴ “Being an unhelpful or unprofessional case worker would be saying at the ninety-first day okay sorry, we’re done, good luck.” Her statement brings to mind Joan’s previous one that there are two selves for caseworkers: one which completes the tasks required for “successful resettlement,” and the other which strives to support refugees to achieve what many case workers truly believe is necessary for resettlement to be successful.

Similarly Vasya, a senior refugee client who, after completing the R&P period, was enrolled in Preferred Communities (an intensive extended service provision program at HIAS), agreed that the R&P program is too short for truly integrating into life in the United States. “We begin to live in other country, we have mentality from our country, we don't know, um, what I do, what I can do in public place. Can I have conversation with strangers, or no, can I see right your eyes in subway or metro, or no, maybe it's not polite...”⁶⁵ When Vasya’s daughter expressed her needs to staff at HIAS, she was referred to the PC program for continued case management. This was accessible to her due to her age – there are other programs which include further support, including MG and RSSP. “PRM⁶⁶ and ORR⁶⁷ also recognize that ninety days is not that long but that’s why they built MG and PC programs as kind of like extenuating programs,” stated Jessica, a resettlement director at IRC.⁶⁸ Vasya was able to find further support through these programs, yet they are also limited in scope and clientele. For the PC program, only refugees who are classified as “more vulnerable” may find assistance; for the MG and RSSP programs, these focus solely on employment support. Thus, if refugee clients aren’t able to access the PC program and seek support outside of the scope of

⁶⁴ Interview with Danielle (pseudonym) by the author on August 12, 2019.

⁶⁵ Interview with Vasya (pseudonym) by the author on May 4, 2019.

⁶⁶ The Bureau of Population, Refugees, and Migration

⁶⁷ The Office of Refugee Resettlement

⁶⁸ Interview with Jessica (pseudonym) by the author on September 26, 2019.

employment, then the federal program offers no other continued case management programs. Without the ability to access further support, clients are limited to only ninety days of support through R&P program. As evidenced through interviewees' experiences, this program is highly limiting and puts pressure on staff and clients to achieve "self-sufficiency" at a pace which allows refugees with further needs to fall through the cracks.

My interviewees' responses are reflective of a widespread critique of the R&P program's short timeline.⁶⁹ In their article, Benson and Panaggio critique the ninety-day model for the pressure it puts on refugees and case workers to focus on immediate needs, such as signing up for social services and public benefits (including SNAP, public assistance, social security cards, and more) and, specifically, on job placement. According to them, the R&P program does not allow for case workers to engage refugee clients' specific needs – rather, support is given to help clients achieve "self-sufficiency" as laid out in the 1980 Act. In her research, Darrow (2015) found that case workers end up "cherry-picking" clients who are the most employable and providing more support to them, effectively negating any possibility of responding to deeper psychosocial needs.⁷⁰ My research adds to these assessments of the R&P program, and points to the pressure case workers feel to first support employment needs and those related to social services/benefits – this pressure is the product of contractual obligations between resettlement agencies and affiliates and the federal government which structurally prevent case workers from having the time to more holistically support refugee clients.

My research shows that case workers are aware of these limitations and, in some cases, go beyond obligations and time restraints to help clients. As evident in Joan's statement that she has "two selves" – one which does the work obligated through the cooperative agreement and R&P

⁶⁹ Partridge, "Aspiring Americans"; Benson and Panaggio, "Work Is Worship"

⁷⁰ Darrow, "The (Re)Construction of the U.S. Department of State's Reception and Placement Program by Refugee Resettlement Agencies"

requirements, the other which attempts to provide further, individualized support to refugees, some case workers identify what they believe to be “self-sufficiency” and “successful resettlement” and work with clients toward that goal. As Emily explained to me, the R&P program is useful because it is fundamental that refugees are able to find jobs and be financially stable, but this is a highly limited approach to overall self-sufficiency. In her doctoral thesis, Jennifer Mincin’s approached the question of what case workers understand to be self-sufficiency through their experience in working with refugees, and she found that the IRC case workers she surveyed most frequently identified “employment/pay bills/financially self-supporting” as the most important category.⁷¹ Yet with only a 1% difference in frequency of thematic appearance, IRC case workers focused on “accessing services on own (includes healthcare, Transportation, paying rent, food shopping, etc.) as of primary importance to refugees achieving self-sufficiency.” My research and Mincin’s work speak to the usefulness of the R&P program in supporting refugees in some ways, but also demonstrate a significant lack of support for non-employment related needs, such as psychosocial support. Employment support is essential for self-sufficiency, as has been demonstrated thoroughly in resettlement literature,⁷² and yet the R&P program is a far cry from holistic support for self-sufficiency for refugees resettled in the United States. Because the R&P program is not structured to provide this support, refugees are not given the same opportunities as Americans in accessing sustainable employment opportunities. This prevents refugees’ equal access to American society through creating barriers for refugees’ integration. It also violates refugees’ economic rights within the ICESCR which, although not ratified by the U.S., is referred to as interdependent with civil and political rights in the ICCPR (which was ratified by the U.S.). Refugees are not supported in

⁷¹ Mincin, Jennifer. “Strengths and Weaknesses of the U.S.-Based Refugee Resettlement Program: A Survey of International Rescue Committee Employee Perceptions.” PhD diss., City University of New York, 2012, 113.

⁷² Mincin, “Strengths and Weaknesses of the U.S.-Based Refugee Resettlement Program”

achieving an “adequate standard of living.”⁷³ Furthermore, the resettlement program, although supportive of refugees’ access to wage-earning employment, does not accord “the most favourable treatment” to refugees in regard to their right to wage-earning employment,⁷⁴ since refugees are pushed to take precarious jobs.

Generalization from Policy to Practice

This critique goes hand-in-hand with the program’s limited timeline, since in order to achieve “self-sufficiency” in such a short amount of time, the program’s approach is inevitably highly generalized. According to Joan, “there’s an expectation and pressure put on staff and on clients that each individual will be self-sufficient on a similar timeline but for certain people... there’s certain variables that come into what someone’s first three months will be like and also with specific locations... clients are expected to fall into neat categories all over U.S., which has incredible differences in economy and cost of living and culture.” This quote is useful in describing the types of generalization which are part of the program, including an expectation of similarities between clients’ backgrounds, experiences and identities; the geographic contexts in which resettlement is occurring; and agency/affiliate practices and capacities. In the following sections, I will explain how the generalization of the R&P program affects case workers, refugees, and the resettlement process as a whole.

⁷³ UN General Assembly, International Covenant on Economic, Social and Cultural Rights, 16 December 1966. United Nations. Treaty Series, vol. 993, p. 3, art. 11.

⁷⁴ UN General Assembly. Convention Relating to the Status of Refugees. 28 July 1951. United Nations. Treaty Series, vol. 189, p. 137, article 17.

Generalization of Refugee Background, Experience, & Identity

During our interviews, five research participants spoke of the programmatic generalization of clients' backgrounds, experiences and identities in relation to the R&P program's goal to ensure clients find paid work as quickly as possible. Outwardly this seems to be an essential step on the road toward self-sufficiency, but case managers often mentioned that the employment process is extremely challenging for newly arrived refugees. Emily explained:

“the expectation for people coming through the refugee resettlement program is for people to find work immediately regardless of what it is. The program works better for people who have that expectation (they're being told this when they go through cultural orientation overseas) – and who are willing to take something often far below their experience and to work themselves back up.”

Yet there is a large spectrum of backgrounds and experiences refugees have, due to the varying countries, conflict situations, and types of persecution from which refugees are fleeing to the United States. In his ethnography, Partridge engages refugees with varying levels of English language ability, different employment backgrounds, and other unique characteristics. His research demonstrates that gender, age, and the ability to speak English greatly differ between refugee populations and individuals, and highly influence refugees' ability to “adapt” to life in the United States during the resettlement process. He points out that human capital is shaped by a miasma of factors including personal experiences, employment-related skills, and more, which all fundamentally shape how refugees experience resettlement.

Due to this variation in refugee experiences, skills, and level of human capital, it can be difficult for refugees to access employment which is sustainable, and which also allows for a career path and upward mobility. The American resettlement system simply doesn't provide a systematized program to support refugees in achieving jobs in their original fields, and often pushes refugees into lower-paid and more precarious employment positions. According to Evgeniy, who experienced the system as a refugee and through case management,

“My father had a career in Russia – he was a book publisher and very renown in his field. He was actually highly successful as a book publisher. He would never get the Same success here. He would never be able to teach in college. He knows his possibilities here are very limited, especially because his English skills but he will improve them, but because he doesn’t have a college degree from an American college and also because he hasn’t lived here for his entire life. He knows that if he tried to start his job search here, he’d only get entry-level jobs.”⁷⁵

During his time in case management he felt limited in what he could do to support clients:

“We tell them [refugee clients] that here you get any job as your first job even if it’s a bad job, but they know it’s not true. You take the first job and there’s no guarantee you’ll ever get a next-level job however hard you work because of how competitive the job market is, and how many things you are as a refugee already missing. One of the refugees I worked with at HIAS – I was conducting a refugee survey⁷⁶ – I asked her what she’d recommend for a refugee coming in this program in terms of a job search and she said to not take the first job and learn English because in the long term this will be much more beneficial to you.”

Benson and Panaggio (2019) label this process of funneling refugees into jobs which are more immediately accessible but with little opportunity for growth as “administrative indentureship.”⁷⁷ The effect, they explain, is an “ethnic niching” of refugees – refugees are effectively stuck in jobs which are low-skilled, low-paying, often without health care, and the most vulnerable to layoffs and economic changes. In support of Evgeniy’s point, Ives (2007) found that refugees arriving to the U.S. with more English language skills experienced more success in finding higher-paying and more stable jobs – learning English is an important step in accessing sustainable employment, yet Ives also found that refugees who participated in her interviews were unable to both accept fulltime employment and also take English classes due to schedule conflicts.⁷⁸ In my own research, I have witnessed this with refugee clients who are not only working fulltime, but also have family obligations after work. Specifically, childcare is a common barrier for adult refugee

⁷⁵ Interview with Evgeniy (pseudonym) by the author on August 29, 2019.

⁷⁶ Conducted after the 90 days of the R&P period

⁷⁷ Benson and Panaggio, “Work Is Worship”

⁷⁸ Ives, “More than a ‘Good Back,’” 60; David Haines, (2010), “Safe Haven? A History of Refugees in America,” Sterling, VA: Kumarian Press, 147.

clients to enroll in intensive English classes. In his chapter on the logic behind the American resettlement system, David Haines (2010) emphasizes that although the resettlement program prioritizes English language learning on its face, it effectively doesn't provide support since it ultimately prioritizes "economic adjustment" and job placement. This has immense implications for refugee integration into American society, culture, and politics.⁷⁹

As Evgeniy inferred, the R&P program requires case managers to push clients toward employment as their first priority, rather than supporting clients in focusing on English language acquisition. Even with continuing programs such as MG and RSSP which offer extended case management, the focus is employment first, and not support with building a career or achieving professional goals. John, a case management supervisor with Catholic Charities, describes this issue thusly:

"One of the bigger qualms I've had [is the] focus on employment; that's the only metric that matters. Essentially all of these metrics are employment, and they're not client-centered or client-focused. This is a key to self-sufficiency but it really undercuts what the case managers feel that they're being represented, that their work is being properly recognized... you can spend weeks and hours and hours but if [refugee clients] don't get a job, it's a failed case."⁸⁰

John's statement is reflective of the pressure that case workers feel to focus on job placement rather than holistic self-sufficiency goals. According to Benson and Panaggio, "the more clients a caseworker is able to place in jobs, the more secure the caseworker's own job is, and the better the funding chances are for the caseworker's agency."⁸¹ This sense of pressure is highly indicative of the construction of "self-sufficiency" in the 1980 Act – both how it is written, and also how the policy is put into practice – as being focused on job placement rather than sustainable employment, let alone holistic wellbeing and integration.⁸²

⁷⁹ Haines, "Safe Haven?" 147

⁸⁰ Interview with John (pseudonym) by the author on September 6, 2019.

⁸¹ "Work Is Worship," 31

⁸² Partridge, "Aspiring Americans"

This push for job placement as the primary focus of case workers in their engagement with refugee clients is particularly problematic because it non-intersectional.⁸³ Jacqueline, who has worked with LIRS and HIAS in case management and as a resettlement director across multiple locations, explained:

“There just isn’t the level of support for this transition that’s really even reasonable... so it’s not a surprise that women who are staying at home with kids feel isolated and don’t get out and make advancements as fast... the elderly don’t... there isn’t support there for people who are positioned less well to get connected.”⁸⁴

This is especially the case in situations where there are cultural expectations placed on women in particular about what types of employment can be available, and what spaces are appropriate to inhabit – women are thus less able to access opportunities and their needs are less able to be met through federal resettlement programs.⁸⁵ This is due to gender norms such as requiring women to be primarily responsible for childcare, and limitations for women’s prior work experience. Minor and Cameo (2018) recall an interview with an employer in upstate New York who hired women for specific roles in his food packing company due to his own gendered expectations of their abilities (these included dexterity, attention to detail, and respect for authority).⁸⁶

John also took up this point, saying:

“The gender component is certainly very prevalent and is definitely cultural-specific. That’s why it’s a huge issue when the employment is the measure and ultimate ruler that we’re measuring against. We’ve had different families where the wife is ready to work and able, but culturally women aren’t able to work. The wives stay at home to do sewing and aren’t getting outside of the house regardless of how much we try to encourage and push it... women end up doing housekeeping or restaurant work, men end up in construction or doing something like that, but there are definitely gendered stereotypical jobs [for which] people will hire, so case managers have to [push for] that.”

⁸³ Ibid.

⁸⁴ Interview with Jacqueline (pseudonym) by the author on September 12, 2019.

⁸⁵ Olive Melissa Minor and Michelle Cameo, “A Comparison of Wages by Gender and Region of Origin for Newly Arrived Refugees in the USA,” *International Migration & Integration* 19 (2018): 813-828; Ott, “Refugee Economic Self-Sufficiency in the US Resettlement Program”

⁸⁶ Minor and Cameo, “A Comparison of Wages by Gender and Region of Origin for Newly Arrived Refugees in the USA”

When case managers encourage refugees to obtain jobs as quickly as possible in whatever types of employment that will accept them, the effect is highly gendered. A 2009 study performed by Michelle Swearingen at Georgetown University found that for refugees surveyed five and ten years after going through the R&P program, women on average made twenty-five percent less than men with similar qualifications.⁸⁷ Another found that refugee women with university degrees earned ninety-five percent of what refugee men with no university degrees earn.⁸⁸ This is noteworthy because it demonstrates that even for women with university degrees, because of the R&P program-driven push toward working in a lower-paying, low-skilled job, highly educated refugee women are still stuck in this socioeconomic trap.

Through analyzing the R&P and extended case management programs through the lens of employment and self-sufficiency, it is evident that the program generalizes refugees' backgrounds, experiences, and identities. The R&P program is a "one size fits all" approach⁸⁹ which fails to support refugees' specific needs based on their backgrounds, experiences, and particular situations during the resettlement process. Because of this, the program most serves a very specific demographic of refugees who are most predominately men of working age who are amenable to taking low-paid, lower-skilled employment opportunities. This not only funnels refugees into a socioeconomic space with very little upward mobility, but effectively limits refugees' economic and social integration, because of the intimate links between employment, financial stability, and access to social status and integration.⁹⁰ Benson and Panaggio write, "for refugees, work, which is too often dirty, dangerous, and demeaning, becomes a primary duty or obligation for citizenship, in exchange

⁸⁷ Michelle Swearingen, (2009), "Does the US Refugee resettlement program work? The economic outcomes of program participants," Thesis, Graduate School of Arts and Sciences, Georgetown University, Washington DC, cited in Minor and Cameo, "A Comparison of Wages by Gender and Region of Origin for Newly Arrived Refugees in the USA," 816.

⁸⁸ Minor and Cameo, "A Comparison of Wages by Gender and Region of Origin for Newly Arrived Refugees in the USA"

⁸⁹ Benson and Panaggio, "Work Is Worship"

⁹⁰ Ibid.

for rights to membership and belonging.”⁹¹ The R&P focus on job placement as primary, without taking into account diversity of refugee backgrounds/experiences and intersectionality of refugee identities, effectively limits refugees’ economic and social rights and prevents integration in the United States. Specifically, because the R&P program does not ensure the inclusion of all refugees, the American resettlement system fails to protect refugees’ rights to employment and referrals to proper social service programs within the Refugee Convention and Protocol.

Generalization of Location & Context

The 1980 Refugee Act applies to all refugees settled across the United States. This means that the expectations for refugees and resettlement agencies and affiliates is the same, regardless of location. This topic was prevalent in my interviews, as many interviewees felt that this was arbitrary and even counterintuitive. There are a multitude of location-specific variables which affect resettlement programming; my interviewees specifically discussed those related to funding and housing support, access to resources, and employment opportunities.

Funding & Housing Support

The federal resettlement program funds agencies and affiliates per capita, meaning that these organizations receive a set amount of funds per refugee who is resettled. This amount is currently \$1,175 (increased by \$50 in 2019) in total per refugee. Part of resettlement organizations’ responsibilities through the R&P program is to ensure that refugees have safe, adequate housing upon arrival and throughout the R&P period, and the per capita funding is meant to support with this. Yet housing prices differ greatly throughout the United States, and so for refugees resettled in New York City especially, this funding isn’t nearly sufficient to support refugees’ rent. Olha, director

⁹¹ “Work Is Worship,” 50

of resettlement at HIAS New York and a refugee herself, spoke about this from both perspectives. She recalled, “As refugees, we were wondering why we would be given a stipend in the amount that doesn’t cover our rent. Three of us, including my husband and son, lived in a studio apartment in Queens and yet the stipend wouldn’t cover it. We thought – how is this?!”⁹² According to a 2017 report compiled by Naked Apartments, which lists apartments for rent/purchase in New York City, the average monthly rental cost for a one-bedroom apartment in New York City was: \$3,662 (Manhattan), \$1,997 (Bronx), \$2,600 (Queens), and \$2,600 (Brooklyn).⁹³ In addition to the monthly rent, potential renters also have to pay application fees (generally around \$100 per person on the lease), deposits (usually one month’s rent), and broker fees (these are not always necessary, but are generally approximately one month’s rent or 15% of the annual rent).⁹⁴

These high costs, especially for renters entering into a new lease, present a particular challenge for resettlement organizations in areas with higher housing prices. Jessica critiqued this situation, saying, “I think it’s not perfect, it doesn’t make sense that clients get the same amount of money in NYC versus Kansas City.” She reflected on her time working as a case manager in Maryland. “In Baltimore if you have a family of five, I can pay their rent for five months on R&P money alone, then three more on MG. Here we have a cap [on what we can pay with R&P money]: it’s six hundred, and if you’re a couple in a one bedroom you’re paying sixteen hundred.” Yet even in situations of lower housing prices, resettlement organizations are faced with restrictions on what they can help with, and the federal resettlement program doesn’t provide the necessary support to ensure clients are in safe housing situations.

⁹² Interview with Olha (pseudonym) by the author on April 10, 2019.

⁹³ Mariela Quintana, “Average Rent in NYC: A Cheat Sheet for Renters on a Budget,” Naked Apartments, December 12, 2017, <https://www.nakedapartments.com/blog/average-rental-prices-nyc/>.

⁹⁴ “How Much Are Broker Fees for Renting an Apartment in NYC?” Medium, March 18, 2019, <https://medium.com/@Hauseit/how-much-are-broker-fees-for-renting-an-apartment-in-nyc-363c96a35729>.

Emily remembered a situation in Omaha, Nebraska where she worked as a case manager. Many of the Burmese refugees she worked with were referred to a housing complex in Yale Park, which she described as “two floors, with a piece of land in front – there were vines of vegetable plants – every refugee had a cool classically Thai Burmese garden with zucchini, etcetera. It was cool to go there because a lot of places don't have land, so refugees can't grow food.” Because of the cultural appeal of this complex for Burmese refugees, many wanted to live in this complex, but the landlord often neglected the space. There was a gas explosion and the landlord reacted by spraying water on it, which had the consequences of only increasing the fire's devastation. The mayor ordered everyone in the complex to leave, and so hundreds of families were displaced. In the end, the resettlement agency was blamed for not providing refugee clients with safe housing. “The point is, the refugee resettlement program allows for a very basic to do list – resettling people into poverty and it's dependent upon someone's resiliency, privilege, abilities, and the intersectionality of who they are to see how successful they'll become.” The federal system doesn't provide space to address systemic issues such as landlord neglect and differential rent prices, and instead makes these issues the responsibility of resettlement organizations which are already limited in time, funding, and capacity.

Furthermore, the housing situation in New York City is complicated due to limited access to affordable housing through the colloquially named “Section Eight” program, which is a federal program instituted through the 1974 United States Housing Act. This program provides housing support to qualified individuals (based on income relative to family members). In NYC, there is such a long waitlist for this type of housing that it cannot be a reliable solution to finding affordable housing for individuals who aren't able to afford the high prices in the city. The impacts of this limitation are well-described by Olha:

“The [resettlement] program doesn't reflect successful resettlement. What is successful resettlement? They [the federal government] say they're supposed to know this, know the

systems... yeah those are great outcomes, for ninety days though how in-depth would these outcomes be... let's say they are in a house, they've gone through the cultural orientation program, they have an idea that they need to pay for their apartment if they don't have any money how is this a successful outcome? If they are connected to public benefits/assistance but it's not sufficient to cover their housing... I mean it all needs to be re-evaluated. On paper they sound like the right outcomes, like yes, we want refugees to be in a safe and secure environment, we want their housing to be decent and affordable but if they're resettled in NYC how much does decent and affordable housing cost??"

Research on refugee housing has demonstrated that the resettlement system pushes case workers to recommend housing for clients based on cost, rather than quality.⁹⁵ Darrow found that resettlement case workers were often unable to support clients in finding housing which was safe, sanitary, and with supportive/non-hostile landlords.⁹⁶ In Ager and Strang's analysis of integration, safety and security in relation to housing is an important indicator for successful integration and a sense of well-being and belonging.⁹⁷ Without affordable housing opportunities, case workers are pushed to connect refugees with lower-quality housing options which prevent successful integration. This not only demonstrates a failure of the resettlement system, but also a burden on case workers, who are unable to successfully support refugees in achieving "self-sufficiency" through having affordable housing and thus being economically independent, but furthermore in holistic integration.

Access to Resources & Employment Opportunities

Resettlement organizations' access to resources also differed much across cities and states – specifically, organizations vary in access to private funding resources, local refugee-oriented programs, and public programs specific to the city/state.⁹⁸ According to all of my interviewees, New

⁹⁵ Darrow, "The (Re)Construction of the U.S. Department of State's Reception and Placement Program by Refugee Resettlement Agencies"

⁹⁶ Darrow, "The (Re)Construction of the U.S. Department of State's Reception and Placement Program by Refugee Resettlement Agencies," 115

⁹⁷ Ager and Strang, "Understanding Integration"

⁹⁸ Marisa C. MacDonnell, "Refugee Resettlement in America: Exploring the Attitudes and Perceptions of Resettlement Workers and Adolescents," PhD diss., Montclair State University, 2019, 21.

York City is a particularly unique context in regard to access to resources, specifically with programs run by non-governmental organizations, and also through the local government. Olha compared NYC to Charlotte, North Carolina, saying that although the housing costs are much more affordable in Charlotte, “I don’t think there’s much public assistance there if any... I remember fighting with them too because there were some people with whom there were health issues... if health prevented them from being employed, they could not be resettled in North Carolina because they wouldn’t survive.” Health-related programming also arose in my conversation with Vasya, when she explained that her ability to access affordable healthcare in New York City made the other challenges worth the trouble. According to Olha, much of the programs made accessible for refugees is because of a single policymaker in Buffalo who “championed” funding initiatives for refugees, particularly in upstate New York, because of the ways in which refugees were revitalizing the economy in smaller towns. This brings an interesting reciprocity to the forefront, in which newcomers breathe new life into cities, and this leads to greater programmatic support for refugees.

Yet this is not always the case – Joan noted that in some cases, “they’re [host communities] not like automatically on our side” when it comes to refugees moving in. She explained that sometimes, host community members don’t understand why refugees are moving into the space and that this can produce conflict rather than a reciprocal system of support. This is a space in which it’s the resettlement agency or affiliate’s unofficial job to create relationships and build awareness of why people are moving in. In this vein, Emily noted the importance of building partnerships with local communities. When she worked in Omaha, she felt that it was easier to have direct links with other relevant organizations and share information and resources, whereas in the larger context of New York City, she sensed a comparative lack in communication between organizations, including NGOs and governmental agencies. This has the potential to add a further level of complication to accessing programs despite the fact that there are more programs in existence. Furthermore, some smaller

programs run by non-profits or resettlement organizations are limited to specific groups; John mentioned incredible employment-related programs in New York City for refugees with graduate degrees in engineering, or for women who want training in baking or cooking. These are often incredibly supportive programs, yet they are limited in accessibility to certain refugee populations, and to only a certain number of participants per cycle.

Similarly, Emily recalled knowledge of refugee-specific educational programs in various cities along the west coast. Many of my participants referred to these differences per cities and states in terms of refugee-friendly spaces or those which are less so, fundamentally emphasizing that these programs have large impacts on how resettlement occurs. Depending on available programs, refugees' experiences in the United States can be very different, despite the highly generalized responsibilities of resettlement agencies regardless of location. In one example, Haines focused on Richmond, Virginia, and found that three main characteristics of that city affected refugee "adjustment" and integration: the prevalence of religious organizations in resettlement, the "considerable diversity" of refugee populations in Richmond, and the availability of employment opportunities in Richmond in the manufacturing field.⁹⁹ This, he posits, affects refugees' resettlement experiences quite differently than other cities in Virginia with different refugee demographics, local programs, and employment opportunities.

There are major differences in employment opportunities accessible to refugees between localities and states in the US. Emily recalled her work in Omaha, and how many Burmese refugees ended up working at the same meatpacking plant together. This worked well for people who hadn't learned English yet and wanted to be a part of the Burmese community in Omaha. She recalled how refugees with driver's licenses would facilitate carpools to work each day. This is not possible in New York City in the same ways, and yet Vasya emphasized the breadth of opportunity in NYC as

⁹⁹ Haines, "Safe Haven?" 60-61

opposed to other cities. She said that the opportunity for developing yourself is a major positive aspect of living in New York City. As previously mentioned, because of the pressure on resettlement agency staff to push refugees in their first 90 days to take any work they can, these opportunities for growth are not generally accessible at first, but this is a major difference between smaller towns and larger cities in the US: smaller towns often have more opportunities for finding work quickly, and yet it is the larger cities with more opportunities for career growth.

A 2003 study by the Migration Policy Institute found that cities, rather than smaller towns, provide more inclusive urban spaces for refugees. This study considered the most important characteristics of a resettlement location for refugee integration to include: “street design, pricing and availability of public transportation, location and accessibility of employment, management of schools, management of police services, economic development that benefits a range of social groups, enforcement of employment codes, commercial regulations, and by-laws, garbage removal, licensing street vendors and public market spaces, and pricing and servicing industrial land.”¹⁰⁰ Smaller towns differ in that they are not accessible as described above, but also because they generally do not have policies and programming specific to refugee integration.¹⁰¹ This report outlined the following indicators for location-based refugee integration policies/programs:

- "Governance" relationships between governments, state agencies, non-governmental organizations and social groups
- Policies and programs that support fledgling immigrant and minority communities and/or respond to their distinct needs and experiences as they integrate into a new society
- Investments in public goods and services ranging from daycares and community centers to water and sewer systems
- Urban land-use planning and housing
- Police services and outreach to minority communities
- Urban transportation and accessibility to employment and services

¹⁰⁰ Brian Ray, “The Role of Cities in Immigrant Integration,” *Migration Policy Institute*, 2003, <https://www.migrationpolicy.org/article/role-cities-immigrant-integration>.

¹⁰¹ Ibid.

- Economic development initiatives that engage local entrepreneurs and seek to diminish rather than exacerbate marginalization and segregation”

Fundamentally, this report demonstrates the importance of location-specific programs, policies, and opportunities for refugees to integration in the United States. Location, then, deeply shapes refugees’ experiences of resettlement. Despite this, the R&P program is highly generalized and provides equal funding and includes the same requirements for case workers regardless of location. This broad, one-size-fits-all approach¹⁰² makes it impossible to ensure that all refugees are supported in achieving self-sufficiency, the 1980 Act’s explicit goal for the resettlement program, let alone integrate into American society.

Generalization of Agency & Affiliate Practices & Capacities

Through my interviews, I found that resettlement practices differed between agencies and their affiliates. These differences were often rooted in location of resettlement which affects the process fundamentally; in addition to geography, agencies and affiliates vary in religious affiliation, available programs, capacity, and more. These different characteristics of resettlement organizations and the location of resettlement heavily affect the process for refugees navigating the American resettlement system, and yet the 1980 Refugee Act generalizes the R&P process without acknowledging how refugees may experience resettlement differently.

Each voluntary agency has its own agreement with the federal government for how resettlement will be carried out. These are generally the same, but after its signing, agencies have a significant amount of freedom with structuring how affiliates will conduct resettlement.¹⁰³ Jessica noted that IRC specifically is unique because each of its affiliates are corporately owned, meaning

¹⁰² Benson and Panaggio, “Work Is Worship”

¹⁰³ Ott, “Refugee Economic Self-Sufficiency in the US Resettlement Program,” 288

that IRC owns each of its affiliate offices. She explained that the biggest difference this makes is that while other agencies rely more on community partners, IRC affiliates conduct most of their services in-house. Also, she stated that IRC affiliates, since they are organized by IRC, have less experience in the locality than other agencies' affiliates (which are often organizations originally based in the area which have an agreement with the resettlement agency to do resettlement). This demonstrates how agencies have varying levels of supervision over affiliates, and also how this relationship between agencies and affiliates can affect resettlement on-the-ground through staff experience in the location of resettlement.

Jessica also noted that many of the voluntary resettlement agencies are religiously affiliated or have historically been so. Perhaps surprisingly, voluntary organizations with religious affiliations are not more likely to be more distant from the government, nor are refugees more likely to engage in religious activities when resettled by faith based VOLAGs than secular VOLAGs.¹⁰⁴ Nawyn attributes this to tight regulations from the federal government for resettlement agencies. She found, though, that religious organizations tend to be smaller, though, and offer fewer services to refugee clients. Through my research, I discovered that religious organizations perhaps complement this dearth of services with community partnerships made with faith-based organizations who are specifically attracted to the VOLAG due to a shared religious affiliation. One major example of this is the employment of a “co-sponsorship model” of resettlement. In New York City, HIAS, Catholic Charities, and IRC have engaged with this model to varying degrees. The model includes the affiliate working directly with volunteer groups – often formed within religious congregations – who support refugees without family ties in NYC. This is a model which has been put forth as a solution to the short timeline of the core services provided to refugees, because these groups provide extended

¹⁰⁴ Stephanie J. Nawyn, “Making a place to call home: Refugee resettlement organizations, religion, and the state,” PhD. diss., University of Southern California, 2006, 122.

financial support and case management. Even for affiliates who don't operate with the co- sponsorship model, volunteerism is a major difference between affiliates. According to a recent study by the Transatlantic Council on Migration (a project by the Migration Policy Institute), volunteers can provide important support to resettlement agencies and add to the capacity of programs – volunteers are also important to building social connections in new communities for refugees, increasing access to employment opportunities, finding higher quality housing, and positively altering how refugees are perceived in host communities.¹⁰⁵

As an example of how religious organizations utilize the support of religiously affiliated volunteers and organizations: in my job at HIAS, for which I manage volunteer support of refugee resettlement, is funded by a Jewish organization (the United Jewish Appeal). Volunteers heavily support HIAS New York's resettlement work, which has increased the affiliate's capacity hugely. Other organizations in NYC also engage volunteers to varying degrees, including through a joint program with Columbia's School of Social Work, through the AmeriCorps program, and through general volunteerism. This strongly shapes the capacities of affiliates to support refugees during the resettlement period.

Finally, affiliates vary greatly in the programs they have available for clients. This is dependent upon funding; Jessica noted that IRC has, in addition to federal funding for resettlement, a notable amount of private funding to support refugee clients. Thus, IRC in New York hosts extended programs including financial literacy, youth support, and more.¹⁰⁶ ¹⁰⁷ In Connecticut, another voluntary agency, IRIS, has private funding for a staff person whose sole job it is to

¹⁰⁵ Susan Fratzke and Emma Dorst, "Volunteers and Sponsors: A Catalyst for Refugee Integration?" *Transatlantic Council on Migration*, 2019, <https://www.migrationpolicy.org/research/volunteers-sponsors-refugee-integration>.

¹⁰⁶ "Refugee Youth Summer Academy 2018," *International Rescue Committee*, September 20, 2018, <https://www.rescue.org/announcement/refugee-youth-summer-academy-2018>.

¹⁰⁷ "Financial literacy & building credit in NYC," *International Rescue Committee*, April 16, 2019, <https://www.rescue.org/announcement/financial-literacy-building-credit-nyc>.

facilitate resettlement through the co-sponsorship model.¹⁰⁸ These varying levels of funding and programmatic capacity are positive signs of the flexibility granted to affiliates in resettlement, but also heavily shape the opportunities available to refugees throughout the resettlement process.

Evgeniy explained the consequences of this through his own experience working with a resettlement affiliate in Boston:

“When I was a client, none of these [extended] services were supplied for me... and also like I would just say that they weren’t very interested in my case because they knew I had other people to take care of me.”

Varying capacities of agencies can be incredibly positive for clients, but there is a major gap where these services aren’t offered to all refugees, and the core services required by the federal resettlement program are not necessarily enough because they are primarily restricted to job placement in order to achieve the limited view of “self-sufficiency” within the 1980 Act. As my research demonstrates, many VOLAGs and affiliates do offer refugee clients further programs and support, yet this is not uniform and systematized across resettlement organizations. Thus, refugees have varying access to useful and, arguably, essential support in achieving self-sufficiency and truly integrating into life in the United States.

¹⁰⁸ “Community Co-Sponsorship,” *IRIS*, Accessed November 10, 2019, <http://www.irisct.org/community-co-sponsorship/>.

VI. IMPACT OF NATIONAL POLICIES AND POLITICS

Interviewees often discussed the larger political and policy landscape in relation to its impact on refugee resettlement in the United States. This topic arose often because of the plethora of new policy changes under the Trump administration. I found, though, that my interviewees did not solely articulate critiques of recent policy changes, but also engaged the welfare and public benefits system as being inaccessible and The only exception to this is a critique of the welfare system as a whole and its accessibility, which far predates Trump administration (the current system originates in a 1996 law) although this has been impacted by the administration’s “public charge” policy change. Thus, policy-based limitations on resettlement work were discussed in three ways: 1) welfare policies/public benefits, 2) policy changes, and 3) the larger political landscape in the contemporary United States.

The American Welfare System

As discussed above, public benefits are not the same across states within the US. Olha particularly emphasized this during our interview, saying that the “public benefits system is not uniform across states, and so the level of assistance and support that refugees can access after they’re done with the ninety-day period is limited everywhere. It’s not sufficient, and that’s the problem in general with the welfare system in the US.” The 1996 federal welfare reform law was the driving force behind varying benefits per state, because it allowed for states to create their own policies and approaches to welfare programs within the state.¹⁰⁹ Since this policy was enacted, states have been able to specify eligibility for public benefits and cash assistance, including work requirements, family makeup, and transportation needs. In response, some states have developed

¹⁰⁹ Kent R. Weaver and Thomas Gais, “State Policy Choices Under Welfare Reform,” *Brookings Institute*, April 2, 2002, <https://www.brookings.edu/research/state-policy-choices-under-welfare-reform/>.

other programs to further support refugees or have expanded eligibility to include refugees where they might have otherwise been excluded.¹¹⁰ The effect, though, is a differential access to public benefits and welfare programs for refugees dependent upon the state in which they are resettled.

Even in spaces with the most benefits such as New York City, there is a gap in accessibility of public benefits – not always, but enough to be mentioned by multiple interviewees. When I asked if refugees are granted benefits when they apply, Joan noted that there “might be hiccups, but rarely do they have a true deep problem getting clients to access public benefits.” She continued, though, saying:

“Two big problems I see is accessibility in the sense they can get it and have right to get it, but often it’s a system that’s really challenging to navigate even for people proficient in English... it’s not easy to get welfare because it requires constantly going to appointments, submitting documents, dealing with staff who are overworked and losing documents, it’s a system, it’s systemic. It’s also humiliating for many clients because they’re made to feel by staff like they are a burden and that’s not saying those staff individually are bad people, but I think it’s a consequence of a system that sees people who rely on welfare that way.”

Joan demonstrates a major challenge in resettlement agencies’ responsibilities to support refugees, and furthermore, in refugees’ access to public benefits. Often, without the support of resettlement agencies, refugees are unable to communicate with staff in order to obtain benefits. Vasya told me a story of her attempt to sign up for Medicaid, in which the staff person told her that she should go back to Russia. I have spoken to multiple case workers who recalled having to go in person to the Department of Social Services, Medicaid, or even Department of Motor Vehicle offices to speak with staff people and advocate for their clients, despite the fact that refugees have the right to access these benefits and programs. Because of this need, case workers often have to spend extra time ensuring their clients can access benefits, which puts further pressure on their time and decreases their capacity to support other clients. Furthermore, if refugees have trouble accessing

¹¹⁰ “Mapping Public Benefits for Immigrants in the United States,” *Pew Research Center*, September 24, 2014, <https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2014/09/mapping-public-benefits-for-immigrants-in-the-states>.

benefits after the culmination of their relationship to the resettlement agency, they do not have the same support to ensure they can access benefits. Joan related this problem to the larger issue of the resettlement system as a whole:

“And I think the other part is [that] to get clients to self-sufficiency, [the federal program relies] on some form of public benefit, and if it can’t work... [in New York City] the max public housing stipend you can get is \$490 for a family... it doesn’t make sense and we can’t explain it to our clients. That’s another part of the split. This is the way it is, other part of me is now figuring out with them how are we going to make this work. This is the reality.”

The stated goal of the 1980 Act for refugee resettlement in the United States is to support refugees in becoming “self-sufficient,” but how are refugees to gain self-sufficiency if they are not consistently able to access public benefits and welfare programs without the support of case workers? Rather than antithetical to the 1980 Act, though, I assert that the lack of attention paid to accessibility of welfare programs and public benefits is directly related to the goals within the Act. Self-sufficiency, according to the 1980 Refugee Act, is dichotomous to dependency upon social services.¹¹¹ This is evident in policy discussions surrounding the 1990’s era of welfare reform, as well as conversations in the making of the 1980 Refugee Act.¹¹² The context of this policy was markedly neoliberal and shaped by “marketized forms of welfare policy and poverty governance.” The current resettlement system was fundamentally shaped by these forces, and is comprehensible through Benson’s analysis of policy documents and records from the 1980 Act’s creation – she found that dependence on social services was viewed as negative, while refugees were constructed as “good workers” who would take jobs at “the most menial levels.”¹¹³ This is representative of the role of the American resettlement system, as it is articulated at the federal level: “self-sufficiency” is job placement, and because of the limited time and resources given to resettlement organizations to

¹¹¹ Partridge, “Aspiring Americans”

¹¹² Benson, “Refugee-Driven and Policy-Driven Resettlement,” 517

¹¹³ Benson, “Refugee-Driven and Policy-Driven Resettlement,” 540-541

support refugees and respond to individualized needs, it becomes glaringly evident that this is the only achievable goal of the system.¹¹⁴

Policy Changes in the U.S.

The other side of this problem, as described by interviewees, is that clients are increasingly refusing to accept benefits despite being qualified for them. This has been rarer in the past, but since the Trump administration announced its “public charge” policy change, interviewees noticed increased tendencies to refuse to apply for public benefits. John told me that Catholic Charities facilitated a short-term call line for which lawyers answered questions about the public charge change, explaining to callers whether or not they would be affected. John stated that the line received a vast majority of calls from people who weren’t affected and yet were afraid to apply for public benefits in case there were another iteration of changes which would mean that their history of utilizing benefits could affect them negatively. Marguerite from IRC reiterated John’s point, saying that she often worked with people who were afraid to apply. Joan called this effect “chilling,” saying that “this falls into the broader category of policies that this administration is trying to put in place with regard to access to asylum and the refugee program that in addition to slowing down numbers of people who are able to enter the country safely... it has a big psychological effect on them and affects their comfort accessing benefits.”¹¹⁵

This policy change occurs in a context of a presidential administration which frames refugees (and all immigrants) as security threats – both as potential terrorists, but also as burdens on the economy.¹¹⁶ The “public charge” ruling in 2019 effectively emphasized a valuation of immigrants

¹¹⁴ Benson and Panaggio, “Work Is Worship,” 48

¹¹⁵ Interview with Marguerite (pseudonym) by the author on September 26, 2019.

¹¹⁶ Sarah Pierce and Andrew Selee, “Immigration Under Trump: A Review of Policy Shifts in the Year Since the Election,” *Migration Policy Institute*, December 2017, file:///Users/sarajanerenfro/Downloads/TrumpatOne_FINAL.pdf.

writ large, problematizing those who might require public support. Although the ruling is too recent for systematized research, a Migration Policy Institute analysis concluded that the complexity of the ruling will have an effect, causing immigrant households to disenroll or refuse to enroll. My research demonstrates that case workers are seeing such changes, largely due to confusion surrounding who the ruling affects, and whether or not another public charge ruling could expand the radius of effect. Referring to past research on policy changes surrounding public benefits, the Migration Policy Institute analysis asserts that such disenrollment from SNAP and Medicaid will likely result in a threat to child development and well-being in immigrant households, because SNAP and Medicaid are essential for many families to access food and healthcare.¹¹⁷ By instituting the public charge ruling, which doesn't affect most refugees but has created an atmosphere of confusion and fear of being enrolled in public benefits/social service programs, the Trump administration has not only decreased refugees' ability to integrate into American society but also threatened refugees' well-being.

Current Political Landscape in the U.S.

The public charge policy change is just one political move by the Trump administration to restrict rights of all immigrants in the United States, and this has broad implications for refugee resettlement.¹¹⁸ In one major example, the Trump administration vastly reduced yearly refugee resettlement admissions, reducing the number of refugees accepted into the United States by more than 50% of the Obama era ceiling.¹¹⁹ Crooks found through interviewing resettlement workers that

¹¹⁷ Steven Carlson, Dottie Rosenbaum, Brynne Keith-Jennings, and Catlin Nchako, "SNAP Works for America's Children," *Center on Budget and Policy Priorities*, September 29, 2016, <https://www.cbpp.org/research/food-assistance/snap-works-for-americas-children>; David Murphey, "Health Insurance Coverage Improves Child Well-Being," *Child Trends*, May 2017, https://www.childtrends.org/wp-content/uploads/2017/05/2017-22HealthInsurance_finalupdate.pdf.

¹¹⁸ Benson and Panaggio, "Work Is Worship," 29

¹¹⁹ William W. Crooks, "Narratives of Refugee Resettlement Workers: The Impact of Recent Policy Changes on Refugee Resettlement," PhD diss., Texas State University, 2019, 115.

this change resulted in reduced funding for resettlement organizations, a loss of “organizational knowledge,” and added stress and responsibilities for remaining staff.¹²⁰ Other policies which have vastly impacted the resettlement landscape include the halt of admissions for refugees from many Muslim-majority countries.¹²¹ This is part of a larger map of “nativist rhetoric” and a valuation of refugees as dangerous and burdensome¹²² directly affects resettlement case managers’ work.¹²³

There was, among my interviewees, a pervasive sense of precarity, evident in Danielle’s statement that “for the first time in over a hundred years, the resettlement system is in danger.” Since 1977, the ceiling for refugee admissions is at its lowest number,¹²⁴ and this, combined with anti-immigrant rhetoric and a sense of vulnerability to policy changes, has created an atmosphere of danger. John connected this to the public charge change, saying that it was “more intended as a scare tactic.” He theorized that the media reported on the policy change (and who will be affected) incorrectly, being deliberately vague when it was first unveiled. Other policy changes also had effects felt by my interviewees: Jessica was laid off from her case management job after funding reductions due to the “Muslim ban.” John spoke further on this policy, saying that the “current administration has done a lot to try to demonize refugees from Muslim countries.” John related this to an overall instrumentalization of anti-immigrant and refugee rhetoric meant to reduce these populations’ rights to come to the US and then in life within the US. Other interviewees noted this point as a motivation for them to work in the resettlement space despite decreased funding and capacity. Evgeniy said that he felt that his work is “especially in this time, knowing that I work for a company that’s trying to fight Trump’s stuff, basically.”

¹²⁰ Crooks, “Narratives of Refugee Resettlement Workers,” 177

¹²¹ "Donald J. Trump, President of the United States, et al. v. International Refugee Assistance Project, et al.," 2017 and "Donald J. Trump, President of the United States, et al. v. International Refugee Assistance Project, et al.," 2017, cited in MacDonnell, “Refugee Resettlement in America,” 16

¹²² Pierce and Selee, “Immigration Under Trump”

¹²³ Crooks, “Narratives of Refugee Resettlement Workers,” 116

¹²⁴ Ibid.

Crooks found through his interviews that the changes in refugee admissions, funding, and other related policies are having major effects on resettlement organizations. These effects are fundamentally reducing the capacity of these organizations to support refugees. As I have outlined throughout this thesis, the 1980 Refugee Act is already highly limited and prioritizes job placement, although some organizations offer further programming and support based on funding and capacity. Through further putting pressure on resettlement organizations, the Trump administration is effectively reducing the ability of resettlement workers to support refugee clients even more. I assert that, prior to the Trump administration, the American resettlement system was not effective in protecting refugee's economic and social rights in the United States. Now, with the recent changes under the Trump administration which include new anti-immigrant policies and the reductions of the refugee admissions ceiling, the American resettlement system is even less able to protect refugees' rights and support integration. This is a violation of the 1951 Refugee Convention and its 1967 Protocol.

VII. CONCLUSION: A RIGHTS-BASED ANALYSIS

Through analyzing my ten interviewees' shared experiences with the American resettlement system in the context of resettlement literature and research, I have assert that the 1980 Refugee Act's construction of self-sufficiency, and the instrumentalization of this construction through program implementation, prevents refugees' economic and social integration. To support refugee's self-sufficiency and integration, the American resettlement system would need to fundamentally change to include programming with the goal of community integration and indicators including refugee well-being and access to social services.¹²⁵ My research echoes that of the refugee resettlement scholars whose works I have included in my analysis to demonstrate that the current system fails to address these needs and goals. I conclude that, through this failure, the United States violates refugees' economic and social rights.

Refugees' economic and social rights are outlined in the 1951 Convention and 1967 Protocol. In her systematic review of international human rights law, Bobana Ugarkovic included the following as the most relevant social and economic rights within the Convention and Protocol:

- the right to wage-earning employment¹²⁶
- states must provide "refugees lawfully staying in their territory the most favourable treatment accorded to nationals of a foreign country in the same circumstances"¹²⁷
- countries should "accord to refugees lawfully staying in their territory treatment as favourable as possible, and in any event, not less favourable than that accorded to aliens generally in the same circumstances"¹²⁸
- states "shall accord to refugees lawfully staying in their territory the same treatment with respect to public relief and assistance as is accorded to their nationals"¹²⁹
- states must "accord to refugees the same treatment as is accorded nationals with respect to elementary education"¹³⁰

¹²⁵ Jennifer Mincin, "Strengths and Weaknesses of the U.S.-Based Refugee Resettlement Program: A Survey of International Rescue Committee Employee Perceptions," PhD diss., City University of New York, 2012, iv.

¹²⁶ UN General Assembly, Convention Relating to the Status of Refugees, art. 17.

¹²⁷ UN General Assembly, Convention Relating to the Status of Refugees, art. 17(1).

¹²⁸ UN General Assembly, Convention Relating to the Status of Refugees, art. 21.

¹²⁹ UN General Assembly, Convention Relating to the Status of Refugees, art. 23.

¹³⁰ UN General Assembly, Convention Relating to the Status of Refugees, art. 22 (1).

- in regard to rights to secondary and higher education, rights cannot be "less favourable than that accorded to aliens generally in the same circumstances"¹³¹
- states "shall accord to refugees lawfully staying in their territories the same treatment as is accorded to nationals in respect of... [social security]"¹³²

Rights applicable to refugees are also described in the ICCPR and ICESCR. The United States has only ratified the ICCPR, yet both conventions include reference to the interconnectedness of social, economic, cultural, political and civil rights.¹³³ Therefore, rights within the ICESCR must be considered in describing the full landscape of economic and social rights for refugees. Important rights to consider include:¹³⁴

- the right to work¹³⁵
- the right to "technical and vocational guidance and training programmes, policies and techniques"¹³⁶
- the right to "just and favourable conditions of work"¹³⁷
- "the right of everyone to social security, including social insurance"¹³⁸
- "the right of everyone to an adequate standard of living... including adequate food, clothing and housing"¹³⁹
- "the right of everyone to the enjoyment of the highest attainable standard of physical and mental health"¹⁴⁰
- the "right of everyone to education"¹⁴¹

¹³¹ UN General Assembly, Convention Relating to the Status of Refugees, art 22(2).

¹³² According to the Convention and Protocol, social security is: "legal provisions in respect of employment injury, occupational diseases, maternity, sickness, disability, old age, death, unemployment, family responsibilities and any other contingency... covered by a [nation's] social security scheme." From UN General Assembly, Convention Relating to the Status of Refugees, art 24(1)(b).

¹³³ Bobana Ugarkovic, 2004, "A Comparative Study of Social and Economic Rights of Asylum Seekers and Refugees in the United States and the United Kingdom," *Georgia Journal of International & Comparative Law* 32 (2): 539–79, <https://search-ebscohost-com.ezproxy.cul.columbia.edu/login.aspx?direct=true&db=ofm&AN=502537103&site=ehost-live&scope=site>, 552.

¹³⁴ Ugarkovic, "A Comparative Study of Social and Economic Rights of Asylum Seekers and Refugees in the United States and the United Kingdom," 550-551

¹³⁵ UN General Assembly, International Covenant on Economic, Social and Cultural Rights, 16 December 1966, United Nations, Treaty Series, vol. 993, p. 3, supra note 35, art. 6(1).

¹³⁶ UN General Assembly, International Covenant on Economic, Social and Cultural Rights, art. 6(2).

¹³⁷ UN General Assembly, International Covenant on Economic, Social and Cultural Rights, art 7.

¹³⁸ UN General Assembly, International Covenant on Economic, Social and Cultural Rights, art 9.

¹³⁹ UN General Assembly, International Covenant on Economic, Social and Cultural Rights, art 11.

¹⁴⁰ UN General Assembly, International Covenant on Economic, Social and Cultural Rights, art 12.

¹⁴¹ UN General Assembly, International Covenant on Economic, Social and Cultural Rights, art 13.

The above rights, according to the ICESCR, “will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”¹⁴² I assert that in its current state, the American refugee resettlement system prevents the full access for refugees to their social and economic rights as described in the ICESCR and the 1951 Convention and 1967 Protocol. Specifically, through the construction of self-sufficiency as solely economic and the implementation of resettlement programming through prioritizing job placement before English language acquisition, further job training/education, or other supportive programs, the resettlement system limits refugees’ mobility and pushes them into a socioeconomic status characterized by precarity.

Refugees do not have equal access to the American economy because they are pushed to take certain types of work with lower pay, which require fewer skills, have few training opportunities, and are more vulnerable to layoffs. These jobs are often not enough to support refugees in cities with more expensive housing costs and overall costs of living, thus necessitating the use of public benefits and welfare programs, which are sometimes inaccessible to refugees and which refugees are increasingly refusing to utilize because of the fear of enrollment affecting their ability to access citizenship. Refugees’ rights to equal employment, public benefits and social services, and overall, an “adequate standard of living” are violated because of the highly limited approach to self-sufficiency in the 1980 Act and how this is implemented in resettlement programming. The American resettlement system thus fails to comprehensively support refugees’ integration into American society and ultimately violates refugees’ social and economic rights within the 1967 Protocol to the 1951 Refugee Convention and the ICCPR.

¹⁴² UN General Assembly, International Covenant on Economic, Social and Cultural Rights, art 2(2).

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