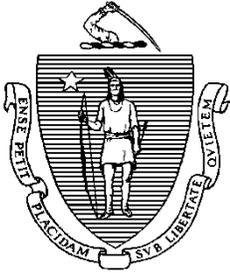


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By ESEC at 1:50 pm, Oct 31, 2022



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COMMONWEALTH OF MASSACHUSETTS

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(617) 725-4000

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

October 31, 2022

The Honorable Alejandro Mayorkas
Secretary, U.S. Department of Homeland Security
301 7th St, SW
Washington, D.C. 20528

The Honorable Xavier Becerra
Secretary, U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Secretaries Mayorkas and Becerra:

I write to ask for urgent federal government assistance for the resettlement of immigrant families arriving in Massachusetts. Over the past year, Massachusetts has seen a marked increase in the number of immigrant families and individuals seeking safety and shelter in Massachusetts. I realize almost every state, especially those closest to the border, are struggling to keep up with serving new arrivals released from the southern border. Often, these families present with young children to the Commonwealth's family shelter system and hospital emergency departments. In federal fiscal year 2022, the Massachusetts-based resettlement agencies served a total of 4,334 individuals, including over 2,000 Afghan Humanitarian Parolees, 822 Cuban and Haitian Entrants, and 548 refugees. The Massachusetts shelter system has also seen a significant increase in the number of immigrant families seeking shelter: The Department of Housing and Community Development reported 133 immigrant families, consisting of over 400 individuals, entering shelter from July 2022 to present.

Massachusetts is proud to welcome individuals and families seeking asylum and refuge and is dedicated to helping families live with dignity, but additional federal support is required. Additional federal efforts would make obtaining employment opportunities and benefits easier for these individuals and help them build their lives and relieve the strain on the public services.

First and foremost, I respectfully ask that the Department of Homeland Security (DHS) and United States Citizenship and Immigration Services (USCIS) expedite and streamline the provision of work

authorization to eligible new arrivals and asylum seekers. Currently, it can take between six and twelve months for new arrivals and asylum seekers to secure federal work authorization. Asylum-seekers are not even eligible for employment authorization until their asylum application has been pending for 180 days. During these times, these groups are legally present in the United States and yet have no ability to support themselves, with obvious negative consequences both for the individuals and a receiving state. A faster path to legal employment would not only provide these individuals with a path to self-sustainability but would also aid Massachusetts employers who are eager to hire amidst the current workforce shortage. I know that some efforts are underway, and the backlog is longstanding, but I ask that DHS and USCIS redouble their efforts to speed the provision of employment authorization.

Second, I ask for a reevaluation of the level and scope of the Office of Refugee Resettlement (ORR) services provided to refugee and other ORR-eligible populations. The Department of State's current Reception and Placement service levels do not meet the needs of these new arrivals. ORR's allocation of additional assistance to Afghan and Ukrainian parolees responded to this problem, and while it supported those designated populations, the resulting disparity with other arriving populations exacerbated existing inequities. I ask that the HHS and ORR substantially increase the amount allocated to all refugee and other ORR-eligible populations and dedicate additional funding for housing and legal assistance.

I also ask that there be an expansion of populations who are considered eligible for federal supports. The complex line-drawing that determines eligibility for federal support for new arrivals results in arbitrary and unproductive distinctions among arriving populations that are similarly situated and that present similar needs and place similar pressures on receiving states. Certain ORR-eligible populations are eligible for only a fraction of the benefits of refugees, and other populations are excluded from federal benefits entirely. Cuban and Haitian Entrants, Amerasians, Asylees, and Certified Victims of Human Trafficking are not eligible for the dedicated refugee resettlement services funds provided to refugees under the Department of States' Reception and Placement program and to Afghan and Ukrainian Humanitarian Parolees under ORR's Refugee Support Services. And immigrants that elect Temporary Protected Status or apply for asylum are wholly ineligible for ORR federal benefits.

The net result of these disparities means that refugee service providers do not have the same capacity or resources to support these populations. I ask that HHS and ORR rectify this inequity and provide equal support to newly arrived Cuban and Haitian Entrants, Amerasians, Asylees, and Certified Victims of Human Trafficking – and extend support to those with Temporary Protected Status and asylum applicants.

As long as the situation at the southern border remains unchanged, Massachusetts and many other states will struggle to cope with this substantial increase in immigrant families accessing shelter and other services. I respectfully call on the federal government to do its part in providing urgent assistance. Thank you for your consideration.

Sincerely,



Charles D. Baker
Governor



**U.S. Citizenship
and Immigration
Services**

December 30, 2022

The Honorable Charles D. Baker
Governor of Massachusetts
Massachusetts State House
24 Beacon Street, Room 280
Boston, MA 02133

Dear Governor Baker:

Thank you for your October 31, 2022 letter to the U.S. Department of Homeland Security (DHS) requesting that DHS and U.S. Citizenship and Immigration Services (USCIS) expedite and streamline the provision of employment authorization to eligible new arrivals and asylum seekers. Secretary Mayorkas asked that I respond on his behalf regarding the USCIS equities, and I apologize for the delay in my response.

USCIS cannot modify or suspend the statutory prohibition on granting employment authorization to asylum applicants “prior to 180 days after the date of filing of the application for asylum.” 8 U.S.C. § 1158(d)(2). We, however, are actively working on multiple initiatives to ensure all incoming I-765, Application for Employment Authorization (EAD), initial applications submitted by individuals with pending asylum and withholding of removal applications (“(c)(8) applications”) are adjudicated within 30 days of receipt. We are leveraging technology to more efficiently process the more than 40,000 I-765 (c)(8) initial applications received monthly and to maximize the officer resources currently available. We also recognize the potential for online filing of various forms to allow the organization to provide better service to applicants, and more efficient adjudication. USCIS plans to expand this initiative to I-765 (c)(8) applications in the coming months.

USCIS is also looking at our refugee EAD process to improve the processing and timely delivery of EADs to individuals admitted as refugees.

Thank you again for your letter and interest in this important issue. Should you require any additional assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Ur M. Jaddou" with a long horizontal flourish extending to the right.

Ur M. Jaddou
Director