

Toolkit for U.S. Congregations Accompanying Individuals Seeking Asylum



Year 0

Year 2020

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A note to our churches,

This toolkit is designed as a resource to congregations in the U.S. that desire to accompany asylum seekers in their journey to find safety and support within the U.S. Since the creation of our denomination in 1957, and reaching into the histories of our founding denominations, the United Church of Christ has always maintained a commitment to welcome the refugee, the asylum seeker, the migrant and the sojourner. This toolkit does not constitute legal advice, and is not meant as a substitute for legal counsel. You are encouraged to consult an immigration attorney as you navigate the asylum and asylum accompaniment process. Additionally, while this toolkit has been well-researched, we are living at a time when attacks on our asylum process itself are frequent, and the policies that govern the rights and human dignity of asylum seekers are constantly changing. We encourage you to check the www.ucc.org website regularly for changes to this manual.

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1. A (BRIEF) THEOLOGICAL GROUNDING OF ASYLUM ACCOMPANIMENT WORK

From the Books of Moses, through the Prophets, the Gospels and the New Testament, the Bible is unwavering in sharing God's repeated exhortation to us that we provide care and welcome to the stranger, treating the foreigner, the sojourner, as we would ourselves.¹ Faith communities throughout the United States have a long history of standing with asylum seekers, refugees and all who seek safety and new life after fleeing violence. Many national faith-based organizations were born out of deeply-rooted biblical teachings to 'love our neighbor as ourselves' (Matthew 22:39) and welcome the sojourner as we would welcome Christ (Matthew 25:35). How we support and accompany refugees and asylum seekers has evolved over the decades, but our commitment remains the same – to welcome our neighbors and love them as ourselves, especially those who are made vulnerable or marginalized by violence or persecution in their home countries. These scriptures regarding how we should treat 'the stranger among us', in conjunction with the Greatest Commandment, provide the firm foundation for our work to accompany those seeking asylum.

However, accompaniment is not only about meeting the physical needs of asylum seekers, such as food, shelter, clothing and – very critical in the U.S. context – access to legal representation. Accompaniment is also a spiritually-rooted practice. One of the hallmarks of Jesus' ministry was the act of 'being with' – the power of being present physically, emotionally, mentally and spiritually with a fellow child of God as that individual navigates life – particularly during times of pain, sorrow, fear or confusion. The 'being with' is the core of what accompaniment embodies. We commit both to being present, as well as carrying with us an attitude of care and respect toward the person whom we are accompanying. We may not be able to solve all an individual's problems, or we may be able to solve some. We may have time, but not money; or money but not time. We may not be able to fully communicate, either because we speak different languages, because we have different cultural expectations about how 'things' work, or simply because we do not yet know each other. Thankfully, Jesus does not require us to be wealthy, nor a polyglot, nor even an extrovert in order to provide our care and presence to another. He does, however, require us to approach accompaniment as he did – with patience, humility, compassion, equality, a desire to better learn who another is, and a commitment to 'do all the good we can, by all the means we can' (to paraphrase the famous quote from John Wesley).

Some may refer to this as a 'Ministry of Presence'. While accompaniment of asylum seekers asks participants to move beyond *only* a Ministry of Presence, the lessons of practicing Christian love through our presence *and* our actions are good spiritual training for the work of accompaniment. An excellent resource for learning more about topics such as: Active Listening, Dependency, Knowing One's Limits, Non-verbal Communication and Dealing With One's Feelings, along with other topics, can be found in the United Church of Christ's resource "Called to Care: A Resource for Lay Caregivers"²

As you consider and make a commitment to accompany an asylum seeker or asylum seeking family, it will be important to stay rooted in faith, to seek guidance and support from migrant's rights groups and others experienced in accompaniment, and to continually check-in with yourself

¹ For a list of Biblical scriptures related to welcoming the stranger, visit <https://greateras1.org/wp-content/uploads/2017/05/Scriptures-protecting-welcome-restoring-hope-final.pdf>

² "Called to Care: A resource for lay caregivers". 2007. Parish Life and Leadership Ministry Team of Local Church Ministries: A Covenanted Ministry of the United Church of Christ. https://www.ucc.org/ministers_calledtocare

and your teammates about how this process is working on your spirit and how you hear God guiding you as you serve God in this way.

2. OVERVIEW OF THE ASYLUM PROCESS AND RECENT CHANGES THAT PUT ASYLUM SEEKERS IN DANGER AND RESTRICT THEIR RIGHTS

Migrant Protection Protocols (MPP) ([see glossary](#))

Asylum Ban

“On July 16, 2019, the Trump administration announced a ban on asylum for any individuals who enter the United States at the “southern land border” after transiting through another country after leaving their home.” [American Immigration Council](#)

On July 1, 2020 The ban was stricken down by a federal court ending a restrictive policy that had virtually halted asylum at the southern border for a year; however, the restrictions from COVID-19 have remained in place essentially blocking asylum for most people except for rare cases.

Source: Human Rights First, April 2018, [Source Link](#))



As is stated in the graphic above, an asylum seeker in the U.S. context is an individual who asks for protection either at a U.S. port of entry or after entering the U.S. Under both U.S. and international law, asylum seekers have the legal right to seek protection from persecution and violence and should not be detained for seeking refuge. It is the government's duty to ensure that there is meaningful access to the asylum process. However, as the number of asylum seekers has grown at the U.S.-Mexico border, the U.S. government has implemented policies that seek to inhibit people from accessing the asylum system, and worse, implemented intentionally cruel and inhumane policies specifically meant to deter other individuals escaping violence from attempting to obtain asylum in the United States.

Some of the policies implemented by the U.S. government to prevent access to asylum include:

- Forced separation of families arriving at the U.S.-Mexico border, including separating young children from their parents, regardless of whether the family is seeking asylum;
- Closing border Ports of Entry to asylum seekers or limiting the processing of asylum seekers;
- Criminally charging individuals for entering the country, or for 'smuggling' children if an individual arrives with their children. This forces the individual to go to Federal Court for committing a criminal offense in addition to immigration court;
- Sub-standard detention conditions at border stations
- Releasing people from detention into unsafe situations and without any resources (e.g. water, food, access to funds, weather appropriate clothing);
- "[Migrant Protection Protocols](#)" which force certain individuals to remain in Mexico while they wait for their asylum case to be heard in a U.S. immigration court
- The Asylum Ban, implemented July 16, 2019 (see previous page)
- The 'Safe Third Country' agreement with Guatemala, signed July 26, 2019 requiring asylum seekers that pass through Guatemala en route to petitioning for asylum in the U.S. to ask for asylum in Guatemala first. This was stricken down by a federal court July 1st, but will likely be appealed.
- Drastically limiting asylum to halt by utilizing CDC guidelines on COVID-19

Despite these measures, the number of asylum seekers continues to grow. Additionally, while U.S. policies focus on expanded militarization of the border, little is being done to address the root causes that push people to leave their home countries in the first place.

2a. Arriving in the U.S. and Possible Immigration Detention

When asylum seekers present themselves at a [port of entry](#) or to [U.S. Customs and Border Patrol](#), they are detained and the process for removal begins³. While detained, they are asked if they are afraid of returning to their country of origin. If they express fear about returning, they are given what is called a [Credible Fear Interview](#) to assess the level of danger they report. These interviews were formerly completed by a trained [USCIS](#) Asylum Officer, but in June 2019 this process was changed to allow U.S. Customs and Border Patrol agents to conduct the Credible Fear Interview⁴.

³ Usually those who entered lawfully are not detained, but they can be detained after that status has expired even if they have a pending asylum application.

⁴ "Under Trump's New Project, Border Patrol Agents Have Approved Fewer Than Half Of Asylum Screenings". BuzzFeed, November 7, 2019.

While asylum seekers flee to safety for the same reasons refugees flee their homes to find safety, the process by which they seek refuge in the U.S. is different. Individuals seeking asylum do so upon arriving in the U.S. or at a U.S. port of entry, whereas refugees go through a lengthy application process prior to arriving in the U.S. known as the U.S. Refugee Resettlement Program. Additionally, there is an annual limit on the number of refugees the U.S. will resettle in each fiscal year.

2b. Leaving Immigration Detention

Generally, a person seeking asylum has passed a Credible Fear Interview, although may also be released before such interview, and are free to travel to live with their sponsor (usually a family member or friend) or they may be transferred to another immigration detention center. The introduction of the 'Migrant Protection Protocols' and Asylum Ban in 2019 have greatly disrupted the usual process by which individuals who have passed a Credible Fear Interview have historically been released from immigration detention (see inset below). Upon release an individual is then given a **Notice to Appear** in immigration court. S/he may also receive an **Order of Supervision** which will tell them when to check-in with ICE.

If the individual is being released to a sponsor, their immigration case is scheduled at the court nearest to their destination city. They are required to attend all their immigration court hearings and typically are also required to attend regularly scheduled check-ins with the nearest ICE office. They are required to notify the immigration court and the ICE office of any change of address during the court process. Many individuals are also released with an electronic ankle monitor which can only be taken off by an ICE officer and with the permission of ICE. Release by ICE happens in various ways, often through direct connection with nearby humanitarian shelters or directly taking an asylum seeker to a bus station.

As an asylum seeker leaves detention and considers destination locations, they generally go where they have family or a friend who can help provide them a soft place to land. When possible, it is important to consider which regions have friendlier immigration courts for asylum seekers and which do not. See [TRAC research](#) regarding judges' rates of asylum cases granted and denied based on the federal region in which they are located.

Recent Changes Impacting this Process

Migrant Protection Protocols:

As of January 24, 2019 individuals arriving are being asked to wait in Mexico as part of what are called "The Migrant Protection Protocols". This policy, also known as the "Remain in Mexico" policy, forces certain migrants to stay in Mexico throughout the duration of their U.S. asylum application process. Although an injunction stopped the policy briefly, it has resumed in San Diego and El Paso with plans to bring it to other ports of entry. CBP is selecting certain populations to wait in Mexico. This is not supposed to include people with vulnerable profiles such as pregnant women, but there have been reports that pregnant and other vulnerable groups are in fact being returned through remain in Mexico.

According to the Department of Homeland Security:

"The Migrant Protection Protocols (MPP) are a U.S. Government action whereby certain foreign individuals entering or seeking admission to the U.S. from Mexico – illegally or without proper

<https://www.buzzfeednews.com/article/hamedaleaziz/border-patrol-asylum-screenings> Accessed: February 11, 2020.

documentation – may be returned to Mexico and wait outside of the U.S. for the duration of their immigration proceedings, where Mexico will provide them with all appropriate humanitarian protections for the duration of their stay.... Unaccompanied alien children and aliens in expedited removal proceedings will not be subject to MPP. Other individuals from vulnerable populations may be excluded on a case-by-case basis.”⁵

Asylum Ban

“On July 16, 2019, the Trump administration announced a ban on asylum for any individuals who enter the United States at the “southern land border” after transiting through another country after leaving their home.”⁶ This further restricts the number of individuals who are able to even apply for asylum, and does not mean that the countries individuals crossed en route to the U.S. are safe or healthy places for them to live and begin to rebuild their lives after escaping violence.

2c. Petitioning for Asylum

Once an individual has left immigration detention, s/he will likely decide to proceed with her/his asylum application process. First, this individual will have what is referred to as a **Master Calendar Hearing**

“The master calendar hearing is the first hearing in removal proceedings before an immigration judge of the [Executive Office for Immigration Review \(EOIR\)](#), which is part of the Department of Justice. The Department of Homeland Security (DHS) acts as “prosecutor” in these proceedings and must file charges with the immigration court, alleging the reasons why the non-citizen is removable from the United States. During the master calendar hearing, the immigration judge can make serious substantive decisions in a case, including ordering the respondent’s removal or denying applications for immigration relief.”⁷

During most Master Calendar Hearings, the judge will ask the individual whether s/he has been able to retain legal counsel, and whether s/he has filed the i-589 form petitioning for asylum (see more on the i-589 form below). Additionally, the judge will likely schedule future court dates. It is absolutely imperative that the asylum seeker attend every immigration court appointment in person.

At one of the asylum seekers Master Calendar Hearings, the judge will set a date for the **Individual Merits Hearing**. The individual merits hearing is where the judge will make a decision on the asylum petition itself and hear and consider the individual merits of the applicant’s petition. Again, all hearings must be attended by the asylum seeker her/himself. The immigration judge, a representative from the U.S. Department of Homeland Security and likely an interpreter will also

⁵ “Migrant Protection Protocols”. Department of Homeland Security, January 24, 2019.

<https://www.dhs.gov/news/2019/01/24/migrant-protection-protocols> Accessed: February 11, 2020.

⁶ “Factsheet: Policies Affecting Asylum Seekers at the Border”. American Immigration Council, January 29, 2020. <https://www.americanimmigrationcouncil.org/research/policies-affecting-asylum-seekers-border> Accessed on February 11, 2020.

⁷ “Representing clients at the Master Calendar Hearing”, Practice Advisory December 2018. Immigrant Legal Resource Center https://www.ilrc.org/sites/default/files/resources/rep_clnts_mstr_cal_hearing-20181220.pdf Accessed: February 11, 2020.

be present at each hearing. Throughout this process there will also be various required appointments and tasks from Immigration and Customs Enforcement (ICE), the Department of Homeland Security (DHS), and U.S. Citizenship and Immigration Services (USCIS), along with required meetings with the asylum seeker's attorney if they are able to find one to represent them.

IMPORTANT

A person must file [Form I-589, Application for Asylum and for Withholding of Removal](#), with USCIS **within one year of your last arrival in the United States** (unless that person qualifies for an exception to the one-year filing deadline). A person seeking asylum may include their spouse and children who are in the United States on their application at the time they file or at any time until a final decision is made on their case. To include their child on the application, the child must be under 21 and unmarried.

Services for which asylum seekers are eligible while their asylum claim is in process:

- Minor children attending public school

Services for which asylum seekers may be eligible while their asylum petition is in process, depending on the state in which they are living:

- Applying for a driver's license
- Government health care programs for low-income individuals
- Government food subsidy programs for low-income individuals

Accompany the asylum seeker to check with their attorney about services for which they are eligible while their asylum process is pending.

Who can petition for asylum?

Anyone physically in the United States can ask for asylum. However, in order to be granted asylum an individual **must** be able to demonstrate:

- past persecution or fear of future persecution
- **on account of** race, religion, nationality, political opinion or membership in a particular social group
- and not be subject to particular circumstances that would bar them from receiving asylum, enumerated [here](#).

Again, since the beginning of the Trump administration there have been continual changes, decisions by the U.S. Attorneys General and limitations to who can and cannot seek asylum in the U.S. and how they are able to go about that process. Individuals who may have received asylum on the grounds of a particular set of circumstances even two years ago (e.g. domestic violence) may no longer be eligible to receive asylum on those same grounds today. For this reason, it is absolutely critical that asylum seekers obtain legal counsel to represent them in their asylum processes. The role of the Legal Services volunteer committee of the Asylum Accompaniment Team will be discussed in more detail in section 4.

2d. Asylum is Granted

Once a person seeking asylum is granted asylum by an immigration court, the legal term for their immigration status becomes [asylee](#), a person who has been awarded asylum. Asylees are eligible for the following:

- Work authorization (if not already issued)

- Social security card
- To apply for spouse and children to join them in the U.S.
- Permanent Residence (after one year)
- Citizenship (after five years)

If eligible according to income guidelines, asylees can also apply for public assistance benefits including:

- Refugee Cash Assistance or Temporary Assistance for Needy Families (TANF)
- Supplemental Nutrition Assistance Program (SNAP) benefits
- Medicaid

A good resource can be to connect asylees to local refugee resettlement agencies who can assist with enrollment in additional services, such as applying for public assistance benefits and employment services. Persons granted asylum are also eligible for additional Office of Refugee Resettlement or privately-funded programs through local refugee resettlement agencies.

Services may include:

- Legal (for status adjustment and family reunification applications)
- Matching Grant (cash alternative to public assistance program)
- Employment readiness and post-employment support
- English language classes
- Youth programs
- Intensive case management programs for additional barriers to integration
- Cultural orientation
- Mental health services

Please keep in mind that some programs' eligibility requirements are time sensitive, so it is important to enroll as quickly as possible once asylum is granted. To find a local resettlement agency near you, see Refugee Council USA's comprehensive list [here](#). Even if you do not find a local office in your community, limited services may be available if a person lives within 100 miles of a local office. People who have been granted asylum have the freedom to move anywhere in the U.S. If they do move to a new location, it is imperative that they update their address with the U.S. Postal Service and with the United States Citizenship and Immigration Services (USCIS) by filing an [AR-11 form](#).

2e. If Asylum is Denied

An asylum seeker who is denied asylum will have an opportunity to appeal the decision or may be eligible for another type of legal relief. It is important for the asylum seeker to communicate closely with her/his attorney and to understand any other options for pursuing asylum or legal relief.

3. DOING THE WORK OF ACCOMPANIMENT

Purpose

The goal of accompaniment is to walk with asylum seekers as they navigate their asylum process and new life in the U.S., to help secure and provide connection to resources for legal and basic

humanitarian needs, to be a friend – and when necessary and appropriate – an advocate, and to provide overall support that empowers the asylum seeker to claim her or his self-sufficiency and independence in this process. This individual has already made hundreds of calculated risks and decisions on their own and has arrived to the U.S. border alive on wit, fortitude and likely a strong faith. Your job is to listen carefully to what they say their needs are, and to be a resource as someone who knows the U.S. well, while being cautious not try to ‘save’ the individual or own his/her process.

Accompaniment work can take many forms. As you and your congregation discern whether and how you will engage in the ministry of accompaniment, we offer the following information as an overview to help guide and inform your work. To go deeper on any topic and find additional resources, please refer to the links embedded in this document and to **Section 6 Additional Resources and Learning**.

What does “sponsorship” mean?

Each person or family unit leaving immigration detention after having passed a credible fear interview (see infographic on pg. 4) will likely not be released from ICE or CBP custody until that person has a **sponsor**.

A Legal Sponsor for an asylum seeker does the following:

A sponsor must	A sponsor is not legally responsible:
<ul style="list-style-type: none"> • Have current legal immigration status in the U.S. (U.S. Citizen, Legal Permanent Resident); • Provide proof of housing. The address provided is where ICE may check-in on the asylum seeker unannounced, and where ICE may come to locate the asylum seeker should s/he fail to appear at an appointment with ICE or a court hearing; • Be able to provide the asylum seeker with safe housing; • Be able to provide the asylum seeker with basic necessities; • Provide proof of income to demonstrate that the asylum seeker will not be a ‘public charge’ (i.e. the sponsor has sufficient financial resources to provide for the asylum seeker while s/he is unable to work). 	<ul style="list-style-type: none"> • A Sponsor is not responsible for ensuring the asylum seeker shows up to court/ICE appointments this is the responsibility of the asylum seeker (These responsibilities are different for minors wherein the Sponsor signs a contract taking responsibility for making sure the minor appears at all court hearings or ICE check-ins). • If the asylum seeker commits a crime or in other ways breaks the law. If an asylum seeker breaks the law, s/he will be subject to the law as any other individual, although this could impact his or her ability to seek asylum and/or remain in the U.S.; • For controlling where the asylum seeker lives – while the sponsor is agreeing to provide housing for the asylum seeker, the asylum seeker is not obligated to live in that location. The asylum seeker is responsible for filing appropriate change of address paperwork with ICE and for understanding any restrictions on where s/he may live (e.g. geographical restrictions if an asylum seeker has an ankle bracelet); • For managing anything the asylum seeker does or does not do. This person is an equal individual with freedom of choice. The sponsor is only responsible for what is in the left column.

However an Accompaniment Team would commit to helping the asylum seeker navigate many of the challenges located on the right side of the table (i.e. filing a change of address with ICE, providing transportation to ICE/court appointments, etc.)

If an asylum seeker has already been released from detention, there is only moral obligation and no legal commitment in the work of “sponsorship” or accompaniment. Sponsorship can have a pejorative tone, which is why this document refers to the work of accompaniment, to connote the need for solidarity models in this work and to differentiate from the legal term ‘sponsor’ in the asylum process.

An excellent and thorough resource for formal sponsorship can be found in this Showing up for Racial Justice FAQ ([link](#)).

Determining the Needs and Resources of an Asylum Seeker/The Intake Process

Naturally, lay leaders in the congregation will want to know about the case. It is important to do an intake of the family to assess the situation and understand what the needs are. This will also help your congregation be clear on the capacity to assist. See [sample intake form here](#).

Additionally, while it can feel helpful to know the story of the family you are accompanying, allow individuals to share details of their lives and journey at their own pace, respecting their right to privacy. While this can be difficult, remember the asylum seeker does not owe you the details of the experience that forced them to seek asylum.

Developing a Healthy and Just Approach

There are power imbalances in the work of accompaniment. For example, asylum seekers may not speak English, may not be literate, and may not understand U.S. systems. Even still, your role is to walk alongside, assuring that their voice, opinions and decisions are respected. This means learning, deepening self-awareness, and ongoing self-analysis on topics including, but not limited to: the dynamics of U.S. racism, the changing U.S. political and policy landscape, the impact of U.S. and other foreign involvement in the asylum seeker’s country of origin that may have contributed to forced displacement, and critical thinking about older, paternalistic, ‘charity’ models of service provision and how to engage a more asset and strengths-based approach to accompaniment and other work. For people of faith, this process will undoubtedly connect to the teachings of your religious tradition and your own life of faith, and inspire you to question, reflect, pray, and go deeper in your own spiritual walk.

This is easier said than done, and requires ongoing discernment, learning, self-analysis, and building a relationship with the asylum seeker that uplifts their own sense of agency and encourages their independence and self-determination.

We recommend the following resources for critical engagement on these issues and questions: Stand Up for Racial Justice (SURJ): [How Whiteness, the Savior Complex, and Power Dynamics Affect the Sponsorship Experience](#)

How do we identify an asylum seeker who needs support?

- Identify local organizations that are already engaged in immigration accompaniment work (‘immigrant’s rights’ organizations). These are your natural allies in this work and are likely places with which arriving asylum seekers have already been in contact.

- Reach out to refugee resettlement affiliates in your community <https://www.wrapsnet.org/rp-agency-contacts/> These offices frequently offer legal services for asylum seekers, and thus may have been in contact with families that have additional needs.
- Connect with the local school district and ask community liaisons or family support staff if there are families that have asylum seeking children and could benefit from some extra support.
- If you or your congregation feel you have the capacity to be a sponsor for an arriving asylum seeker or provide accompaniment to an asylum seeker who does not have a place to live and is currently residing outside of your community, reach out to organizations providing temporary care to migrants along the U.S.-Mexico border. Church World Service is in contact with multiple shelters along the U.S.-Mexico border and may be able to put you in touch with an organization that knows of asylum seekers without sponsors or a soft place to land in the U.S. while they pursue their case. The current Church World Service contact for asylum seeker referrals is Bethany Showalter at bshowalter@cwsglobal.org

4. BUILDING AN ACCOMPANIMENT TEAM AND SUGGESTED VOLUNTEER ROLES

Accompaniment can entail any or all of these areas of work and volunteer roles and committee can be structured around them:

- Legal Services
- Housing
- Transportation
- Clothing, Food, Material Needs
- Language/Interpretation
- Medical and Mental Health
- Education
- Social/Spiritual Needs
- Community Activity
- Job Placement

Legal Services & Support

People seeking asylum, especially those facing deportation, will almost certainly have important and time bound legal needs. Some of these needs may be able to be met by members of a congregation or other organization, as not all tasks must be completed by an attorney. However, all persons seeking asylum should find low-cost or free immigration legal services providers in the area. Legal needs may include:

- Requests for Change of Venue: Request for a case to be transferred to the city of final destination. Can be filed [pro se](#) (i.e. the (im)migrant files on his/her own behalf), but it is always recommended to seek legal counsel.
- Filing a change of address form if an asylum seeker moves. [Form AR-11](#) **must be filed within 10 days after an asylum seeker moves.**
- [Filing an i-589 Asylum Application](#). It is recommended to first seek legal guidance and assistance with filing. The individual **must** file this document within one year of entering

the U.S. barring exceptional legal circumstances. Can be filed pro se (i.e. the (im)migrant files on his/her own behalf).

- Employment authorization: In most cases asylum seekers cannot work when they first arrive and it can take a long time for them to get a work permit. People seeking asylum are able to apply for their Employment Authorization Document, [form i-765](#), 150 days after their asylum application date. Although eligible to apply for EAD, there is no guarantee of approval. If approved, it can take 3-6 months to receive the EAD. Additionally, there is a fee to apply for the EAD.
- Representation in an Individual Merits hearing: This can only be done by an attorney or fully accredited by the Department of Justice.

WARNING Avoid Unauthorized Practice of Immigration Law

Legal advice includes telling someone what to do in their case or which immigration form to fill out. Only lawyers and representatives accredited by the Department of Justice are permitted to give legal advice in immigration cases. Anyone else is breaking the law.

Even good intentions can put an asylum-seeker at risk. Immigration laws and procedures are complex and change frequently. A small mistake can result in someone's deportation.

This volunteer committee supports the asylum seeker:

To find a quality immigration attorney. Any attorney representing an individual in an immigration related matter ought to be a member of the American Immigration Lawyers Association (AILA), you can check to see if an attorney is a member of AILA or for AILA attorneys in the area where the asylum seeker lives by visiting <https://ailalawyer.com/>

- **To help cover the financial costs of paying an immigration attorney.** Even low-cost attorneys working through non-profit organizations can charge thousands of dollars to represent a client. Especially while the asylum seeker is unable to work, s/he will need significant support to retain legal counsel.
- **To assist the asylum seeker in completing tasks related to her/his case that the attorney has requested.**

According to the National Immigration Forum "Chances of obtaining asylum are statistically **five times higher** if the applicant has an attorney. In FY 2017, **90 percent of applicants without an attorney were denied**, while **almost half** of those with representation were successful in receiving asylum." <https://immigrationforum.org/article/fact-sheet-u-s-asylum-process/>

Housing:

Asylum seekers will need housing while they go through the legal process. The housing volunteer committee would secure long-term transitional housing (housing for a few weeks to more than a year). The committee should be mindful of the group's/congregation's capacity (e.g. how long can you afford to pay rent? Or, how long can someone host the asylum seeker in their home?), be aware of logistical considerations (proximity to public transportation, services/appointments, etc) and access to social support.

Models of Housing Arrangements

There are a variety of housing models which have been used to provide long-term transitional housing. Each has its advantages and disadvantages, but critical in selecting appropriate housing

is considering access to transportation in order for the asylum seeker to attend necessary appointments and receive the appropriate support to pursue asylum and integration in the community.

One model for asylum housing is the use of a parsonage or repurposing part of the church building to provide temporary housing. This is one way that churches can see an under used part of their property as a blessing (allowing them to do a new ministry) instead of a drain (something to maintain). One of the advantages of this type of arrangement is that it is both creates a sense of congregational responsibility (as opposed to one individual host) and at the same time offers a certain degree of independence.

Members of the congregation may also have extra space in their homes, or even a home that might be vacant for part of the year. These are great opportunities, but make sure that everyone who is willing to provide housing has the resources needed to do the accompaniment on housing and is educated, trained and aware of the resources in this toolkit.

Many congregations are able to collect funds and help with renting a space for the family. This is an optimal solution for long term housing so people can start to feel settled in their own home. Transparency around the need for self-sufficiency will be important. Once the asylum seeker is able to obtain a work permit, s/he should be able to make rental payments on her/his own.

Transportation:

Transportation is one of the biggest hurdles for newly arrived asylum seekers. Asylum seekers arrive with a number of appointments they need to fulfill: regular check-ins with ICE, immigration court hearings (sometimes over 100 miles from where they are living), medical check-ups, purchasing household and personal items, etc. While in some states asylum seekers may apply for a driver's license (e.g. California), in other states they may not be eligible. The transportation committee can approach this important support for the asylum seeker with a two-pronged strategy:

- 1) At first, being able to provide and coordinate rides for the asylum seeker to attend various appointments and possibly complete some tasks in the community will be very helpful. If the asylum seeker lives in an area where they can meet all of their needs via public transportation, having someone accompany the asylum seeker the first few times they use the public transportation system will still be very helpful.
- 2) It will be important to work towards mobility independence, where the asylum seeker is able to do what s/he needs without having to rely on others. Helping the asylum seeker apply for a driver's license if s/he is eligible and feels comfortable can be a good start, but this also means the asylum seeker will need access to a vehicle. Aside from a personal vehicle, what other transportation resources are available to those without personal vehicles in the community where the asylum seeker lives? Is a bicycle a safe alternative? What public transportation is available and can you help financially support the asylum seeker's use of it?

Clothing, Food, Material Needs:

Until asylum seekers receive their work authorization and are able to partially or fully financially support themselves, they will need assistance to meet their material needs. A clothing, food, and material needs committee would focus on securing the needed items for the asylum seeker at the

start of the accompaniment relationship and set up a process of checking-in to identify and meet ongoing or emerging material needs.

Be sure to access community resources such as clothing closets, food pantries, etc. to both stretch mission dollars and to ensure asylum seekers are aware of this support so they can access it in the future if they wish. There may also be ministries within your church that provide some of these services already (e.g. a food closet) and which can be mobilized to support asylum seekers as well.

Language Interpretation:

While not everyone in your congregation needs to be able to communicate with the asylum seeker in his or her language(s), you will need to have multiple individuals available who can serve as translators and be present at times when translation is necessary. Look outside your congregation for community members who might want to volunteer in this way to join with you in this aspect of accompaniment.

While translation apps and services such as Google Translate are helpful in a pinch, they are imperfect translators. Additionally, the asylum seeker may or may not be literate in his or her own language, or may use a different vocabulary or dialect than the app is translating.

Medical and Mental Health:

Asylum seekers will have medical and mental health needs, just like any of us, but also may have heightened medical/mental health needs due to their long journey and past trauma. The medical and mental health team would identify local healthcare providers to provide the needed care for the asylum seekers. Check with the asylum seeker's attorney or an immigrant's rights organization to determine what services asylum seekers may be eligible for in your state/county.

Education:

Asylum seekers, be they children or adults, will have educational needs. Children are eligible to be enrolled in public school, regardless of status. Adults will require English language instruction and would also benefit from cultural orientation. The education committee would focus its energies on the educational and cultural orientation needs of the asylum seekers. This may also include accompanying children and their parents to become enrolled in school, understand expectations the school may have of parents and students, accompany parents to parent-teacher conferences if the parent would like accompaniment, or identifying a volunteer to provide some extra language tutoring outside of school, among other things.

School-aged children especially may need support getting up to date vaccinations and physicals to allow them to attend school.

Social and Spiritual Needs:

Asylum seekers have gone through a harrowing journey and are in the midst of a challenging and uncertain time as they pursue their asylum petition. Opportunities to socialize, build relationships, and receive social and spiritual support are vital. The social and spiritual needs committee would discern with the asylum seekers how to meet emotional and spiritual support needs. Perhaps through connecting with community events or opportunities, regular visits from accompaniment team members they trust, and/or connecting with a religious or spiritual community of their own choosing.

Community Activity:

This volunteer committee would offer an invitation to the asylum seeker to get to know the wider community through activities. This could include visiting the local public library or swimming pool, enjoying a walk or pick-up soccer in a local park, etc.

Job Placement:

Once an asylum seeker has received his or her Employment Authorization Document, s/he will need support in finding appropriate work and understanding the U.S. system for job searching and placement. Depending on the education level of the asylum seeker, s/he may have an academic degree or professional certification from another country s/he would like to use in the U.S. Most laws regarding the transfer of academics and professional certifications are handled on a state by state basis.

5. Best Practices and Important Considerations

Be Clear on Your Capacity

If and when you engage in the work of accompaniment, it is important to be clear on what you/your group can and cannot do. There have been cases where a congregation wants to host an asylum seeker, but is not prepared for the commitment and has left people in limbo. Or in other cases, has become “over” committed early on, only to find themselves overwhelmed.

We encourage you to use this guide to understand the breadth of what can be involved in accompaniment work, and then to clearly define what you do and do not have the capacity to do.

If your congregation cannot take on everything, it's always helpful to develop a network of volunteers through other congregations or community organizations. Together you can organize yourselves to take on the different necessary responsibilities. Communicate clearly and often, be clear on your capacity and your boundaries, and be willing to say “no.”

Self-Sufficiency

From the very beginning, it is important to help asylum seekers identify what they can do to work toward independence and success for themselves and their families. A particular challenge for many asylum seekers is the amount of idle time an individual has once settled into his/her new home/environment. Finding meaningful outlets for asylum seekers to share their gifts and skills can be helpful in overcoming a sense of helplessness and isolation. This often means creative approaches to volunteering or other ways for asylum seekers to contribute to their own future and/or be able to give to others.

Whenever possible it is important to create space for asylum seekers to make their own decisions and take care of their own families in the ways they are able. Some examples might include, shopping, cooking, taking the subway or bus, arts and crafts and or studying English.

Creating a Safe Space

Although it is natural to share what is important to you with others, we firmly request that you not engage in proselytizing to asylum seekers. Proselytizing is defined as “inducing someone to convert to one’s own religion.” In all that you do, make sure the asylum seekers understand that your accompaniment is not contingent on their participation in your faith or religious practice. We don’t want anyone to feel that they have to become like us in order to receive our assistance. Please reflect on the power dynamics that form and work to develop checks and balances within your accompaniment team to ensure that there is ample oversight to ensure a safe space.

Sustainability

Asylum seekers arrive with so many needs you may think it is impossible to help with them all. It is important in your accompaniment that you always remember you are not ultimately responsible for the well-being of the asylum seeker. The key to serving in a way that is sustainable is maintaining healthy boundaries, which include having a clear understanding of your responsibilities, identifying whose responsibility it is to help solve a particular problem, and recognizing your limits. At times, it means taking a step back to make sure that asylum seekers and volunteers agree about what the problem is and how it should be addressed before taking any actions.

Confidentiality

Respect the privacy of the asylum seekers you accompany. They may not want to share much of their story with you. Or, they may not want the stories they share with you to be shared with others. Ask them what you may tell others and what they consider to be private information. Safeguard the confidentiality of asylum seekers by not making their names, stories, and personal circumstances public in any fashion without their consent. This includes the use of photographs and information in news stories for church bulletins, newsletters, and local newspapers, as well as all forms of online social media, including Facebook, Twitter, Instagram, etc.

Never share medical information with anyone without the asylum seeker's explicit consent. The asylum seeker is the only one who can make a decision about what information they share about their own health. You may be privy to medical information because someone has confided in you or because you were present at a medical appointment, but that does not mean that volunteers on your team have a right to that same information. Keep in mind that information that seems sensitive to one person may not be the same for another.

Take great care in exchanging information about the asylum seekers you accompany – including information about where they are residing. In this time of growing anti-immigrant sentiment, this is a safety and security concern.

Build Partnerships

If your congregation hasn't accompanied members of the immigrant community in the past, it will first be important to educate your faith community and develop a leadership team or working group who can engage with other migrants' rights groups, congregations, legal service providers or Sanctuary Movement networks in your region before hosting an asylum seeker. This is also important for preventing burnout or overextending yourself.

6. ADDITIONAL RESOURCES AND LEARNING

- **United Church of Christ Refugee and Asylum Ministries** www.ucc.org/refugees
- **Church World Service Immigration and Refugee Program** www.cwsglobal.org
- **American Immigration Council** [“Policies Affecting Asylum Seekers at the Border”](#)
- **American Immigration Lawyers Association** www.aila.org
- **Jewish Family and Community Services** – [Information Guides](#)
- **United Church of Christ** [Immigrant Welcoming Congregation](#)
- **National Employment Law Project** [Day Laborer's Rights factsheet](#)
- [Updated Statements](#) from Interfaith Immigration Coalition Groups

Showing up for Racial Justice (SURJ) Resources

- Sample Asylum Accompaniment Intake Form([link](#))
- Sample budget ([link](#))
- Sponsor orientation packet ([link](#))
- Whiteness, savior complex, and power dynamics doc ([link](#))
- Congregational sponsorship for immigrants still in detention FAQ ([link](#)) and congregational vetting questions ([link](#))

7. GLOSSARY OF IMPORTANT TERMS & INFOGRAPHICS

Thanks to the [USCIS](#) Website for many of the definitions provided here. The agency definitions are those provided by the agencies themselves. Advocates would define these agencies with a more inclusive frame.

Alien — Any person not a citizen or national of the United States.

Alien Registration Number or Alien Number (A Number or A#) — A unique seven-, eight- or nine-digit number assigned to a noncitizen by the Department of Homeland Security. Also see “USCIS Number.”

American Immigration Lawyers Association (AILA) – “The American Immigration Lawyers Association is the national association of immigration lawyers established to promote justice, advocate for fair and reasonable immigration law and policy, advance the quality of immigration and nationality law and practice, and enhance the professional development of its members.” www.aila.org It is good to check and see if any attorney taking on an asylum case is a member of AILA, as immigration law is different from the practice of any other type of law in the U.S.

Asylee — An asylee—or a person granted asylum—is protected from being returned to his or her home country, is authorized to work in the United States, may apply for a Social Security card, may request permission to travel overseas, and can petition to bring family members to the United States. Asylees may also be eligible certain benefits, such as Medicaid or Refugee Medical Assistance.

After one year, an asylee may apply for lawful permanent resident status (i.e., a green card). Once the individual becomes a permanent resident, he or she must wait four years to apply for citizenship.” <https://www.americanimmigrationcouncil.org/research/asylum-united-states>

CBP— An abbreviation for U.S. Customs and Border Protection, an agency of the Department of Homeland Security.

Conditional Resident — Any alien granted permanent resident status on a conditional basis (for example, a spouse of a U.S. citizen or an immigrant investor) who must petition to remove the conditions of his or her status before the second anniversary of the approval date of his or her conditional status.

Credible Fear Interview – “Asylum Officers conduct a credible fear of persecution or torture interview when a person who is subject to expedited removal expresses an intention to apply for asylum, expresses a fear of persecution or torture, or expresses a fear of return to his or her country.

Any person subject to expedited removal who raises a claim for asylum or expresses a fear of harm or return will be given the opportunity to explain his or her fears to an Asylum Officer. Recognizing that some refugees may be hesitant to come forward with a request for protection at the time of arrival, immigration policy and procedures require DHS officers to ask each individual who may be subject to expedited removal the following series of questions to identify anyone who is afraid of return:

Why did you leave your home country or country of last residence?

Do you have any fear or concern about being returned to your home country or being removed from the United States?

Would you be harmed if you were returned to your home country or country of last residence?

Do you have any questions or is there anything else you would like to add?

(U.S.) Customs and Border Protection (CBP) — An agency of the Department of Homeland Security that is responsible for securing the homeland by preventing the illegal entry of people and goods while facilitating legitimate travel and trade.

DACA — Deferred Action for Childhood Arrivals, a program launched in 2012. For more information, go to the [Consideration of Deferred Action for Childhood Arrivals \(DACA\)](#) page.

DAPA—Deferred Action for Parents of Americans and Lawful Permanent Residents, a program launched in 2014. For more information, go to the [Executive Actions on Immigration](#) page. DAPA was enjoined before it was ever implemented.

Deferred action — A use of prosecutorial discretion to not remove an individual from the country for a set period of time, unless the deferred action is terminated for some reason. Deferred action is determined on a case-by-case basis and only establishes lawful presence but does not provide immigration status or benefits of any kind. DACA is one type of deferred action.

DHS — An abbreviation for the Department of Homeland Security

DOJ — An abbreviation for the U.S. Department of Justice

DOL — An abbreviation for the U.S. Department of Labor

Department of Homeland Security — Department of the Executive Branch of the U.S. government charged with homeland security: preventing terrorism and managing risks to critical infrastructure; securing and managing the border; enforcing and administering immigration laws; safeguarding and securing cyberspace; and ensuring resilience to disasters.

Department of Justice — Department of the Executive Branch of the U.S. government with the primary responsibilities to enforce the law and defend the interests of the United States according to the law; to ensure public safety against threats foreign and domestic; to provide federal leadership in preventing and controlling crime; to seek just punishment for those guilty of unlawful behavior; and to ensure fair and impartial administration of justice for all Americans.

Department of Labor — Department of the Executive Branch of the U.S. government that fosters and promotes the welfare of the job seekers, wage earners, and retirees of the United States by improving their working conditions, advancing their opportunities for profitable employment, protecting their retirement and health care benefits, helping employers find workers, strengthening free collective bargaining, and tracking changes in employment, prices, and other national

economic measurements. In carrying out this mission, the Department administers a variety of Federal labor laws including those that guarantee workers' rights to safe and healthful working conditions; a minimum hourly wage and overtime pay; freedom from employment discrimination; unemployment insurance; and other income support.

Employer sanctions— Series of civil fines or criminal penalties for violation of regulations that prohibit employers from hiring, recruiting or referring for a fee aliens known to be unauthorized to work in the United States, or continuing to employ aliens knowing them to be unauthorized, or hiring an individual without completing Form I-9.

Employment Authorization Document (Form I-766/EAD) — A general term used to describe a card issued by USCIS on Form I-766 with the title "Employment Authorization Card" to aliens who are authorized to work in the United States in order to evidence their employment authorization. The card contains a photograph of the individual and sometimes his or her fingerprint. An alien who has been issued this card usually has open-market employment authorization, but there are exceptions.

Equal Employment Opportunity Commission (EEOC)— Agency that enforces federal laws that prohibit discrimination against a job applicant or employee because of race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information

E-Verify — An Internet-based system that compares information from an employee's Form I-9 to data from Department of Homeland Security and Social Security Administration records to confirm employment authorization.

Executive Office for Immigration Review (EOIR) – The Executive Office for Immigration Review is an office within the U.S. Department of Justice (DOJ) whose mission is to adjudicate immigration cases by fairly, expeditiously, and uniformly interpreting and administering the Nation's immigration laws. Under delegated authority from the Attorney General, EOIR conducts immigration court proceedings, appellate reviews, and administrative hearings.

ICE — An abbreviation for U.S. Immigration and Customs Enforcement, an agency of the Department of Homeland Security (U.S.) Immigration and Customs Enforcement — The principal investigative arm of the U.S. Department of Homeland Security, ICE's primary mission is to promote homeland security and public safety through the criminal and civil enforcement of federal laws governing border control, customs, trade, and immigration.

Immigration and Nationality Act (INA) — An Act of Congress that, along with other immigration laws, treaties, and conventions of the United States, relates to the immigration, temporary admission, naturalization and removal of aliens

INA — An abbreviation for the Immigration and Nationality Act

INS — An abbreviation of the Immigration and Naturalization Service, which was abolished in 2003. Its functions are now performed by three agencies of the Department of Homeland Security— U.S. Citizenship and Immigration Services (USCIS), ICE and CBP.

LPR — An abbreviation for lawful permanent resident

Labor certification— Department of Labor certification required for U.S. employers seeking to employ individuals whose immigration to the United States is based on job skills or nonimmigrant

temporary workers coming to perform services for which qualified authorized workers are unavailable in the United States. Labor certification is issued by the Secretary of Labor and contains attestations by U.S. employers of the numbers of U.S. workers available to undertake the employment sought by an applicant, and the effect of the alien's employment on the wages and working conditions of U.S. workers similarly employed. Determination of labor availability in the United States is made at the time of a visa application and at the location where the applicant wishes to work.

Lawful permanent resident — Any person not a citizen of the United States who is residing in the U.S. under legally recognized and lawfully recorded permanent residence as an immigrant. Also known as "Permanent Resident Alien," "Resident Alien Permit Holder," and "Green Card Holder."

Migrant Protection Protocols aka "Remain in Mexico" policy - The Migrant Protection Protocols policy, also known as the "Remain in Mexico" policy, forces certain migrants to stay in Mexico throughout the duration of their U.S. asylum application process. Although an injunction stopped the policy briefly, it has resumed in San Diego and El Paso with plans to bring it to other ports of entry. CBP is selecting certain populations to wait in Mexico. This is not supposed to include people with vulnerable profiles such as pregnant women, but there have been reports that pregnant and other vulnerable groups are in fact being returned through remain in Mexico. Certain areas of Mexico are not safe for families to stay while seeking asylum, and that certain minority groups are especially at risk. People often travel in larger groups or "caravans" to increase their own safety as they travel. (this is not a USCIS definition).

National of the United States— A national of the United States or a person who, though not a citizen of the United States, owes permanent allegiance to the United States (e.g., persons born in American Samoa or Swains Island).

Nonimmigrant — An alien who is admitted to the United States for a specific temporary period of time. There are clear conditions on their stay. There are a large variety of nonimmigrant categories, each exists for a specific purpose and has specific terms and conditions. Nonimmigrant classifications include: foreign government officials, visitors for business and for pleasure, aliens in transit through the United States, treaty traders and investors, students, international representatives, temporary workers and trainees, representatives of foreign information media, exchange visitors, fiancé(e)s of U.S. citizens, intracompany transferees, NATO officials, religious workers and some others. Most nonimmigrants can be accompanied or joined by spouses and unmarried minor (or dependent) children.

OSC— An abbreviation for the Office of Special Counsel for Immigration-Related Unfair Employment Practices, Department of Justice

Office of Special Counsel for Immigration-Related Unfair Employment Practices— A section within the Civil Rights Division of the Department of Justice that enforces the anti-discrimination provisions of the Immigration and Nationality Act, 8 U.S.C. § 1324b, which protects U.S. citizens and employment-authorized individuals from employment discrimination based on citizenship or immigration status, or based on national origin with respect to hiring, firing and recruitment or referral for a fee, and discrimination during the employment verification process.

Parole in place — Immigration and Nationality Act section 212(d)(5)(A) gives the Secretary the discretion, on a case-by-case basis, to "parole" for "urgent humanitarian reasons or significant

public benefit” an alien applying for admission to the United States. Although it is most frequently used to permit an alien who is outside the United States to come into U.S. territory, parole may also be granted to aliens who are already physically present in the U.S. without inspection or admission. This latter use of parole is sometimes called “parole in place.”

Permanent Resident Card (Form I-551)— Also known as the green card or alien registration card, this card is issued by USCIS to aliens as evidence of their lawful permanent resident status in the United States. For Form I-9, it is acceptable as proof of both identity and employment authorization. Although some Permanent Resident Cards contain no expiration date, most are valid for 10 years. Cards held by individuals with conditional permanent resident status are valid for two years.

Port of entry — Any location in the United States or its territories that is designated as a point of entry for aliens and U.S. citizens, (e.g. an airport into which an international flight lands). All district offices and service centers are also considered ports, because they become locations of entry for aliens adjusting to immigrant status.

Pro Se – Literally “for oneself,” an individual or party not represented by an attorney who represents herself or himself before the government or in court.

Provisional waiver — Waiver for individuals who are otherwise inadmissible due to more than 180 days of unlawful presence in the United States, based on a showing of extreme hardship to certain U.S. citizen or lawful permanent resident family members, which allows the individual to return after departure for an immigrant visa interview at a U.S. embassy or consulate. For more information, go to the [Provisional Unlawful Presence Waivers](#) page.

Refugee— Generally, any person outside his or her country of nationality who is unable or unwilling to return to that country because of persecution or a well-founded fear of persecution. Persecution or the fear must be based on the person’s race, religion, nationality, membership in a particular social group or political opinion. For a legal definition of refugee, see section 101(a)(42) of the Immigration and Nationality Act (INA).

Temporary protected status (TPS) — The Secretary of Homeland Security may designate a foreign country for TPS due to conditions in the country that temporarily prevent the country’s nationals from returning safely, or in certain circumstances, where the country is unable to handle the return of its nationals adequately. USCIS may grant TPS to eligible nationals of certain countries (or parts of countries), who are already in the United States. Eligible individuals without nationality who last resided in the designated country may also be granted TPS. The Secretary may designate a country for TPS due to the following temporary conditions in the country: ongoing armed conflict (such as civil war); an environmental disaster (such as earthquake or hurricane); or other extraordinary and temporary conditions. Grants of TPS are initially made for periods of six to 18 months and may be extended.

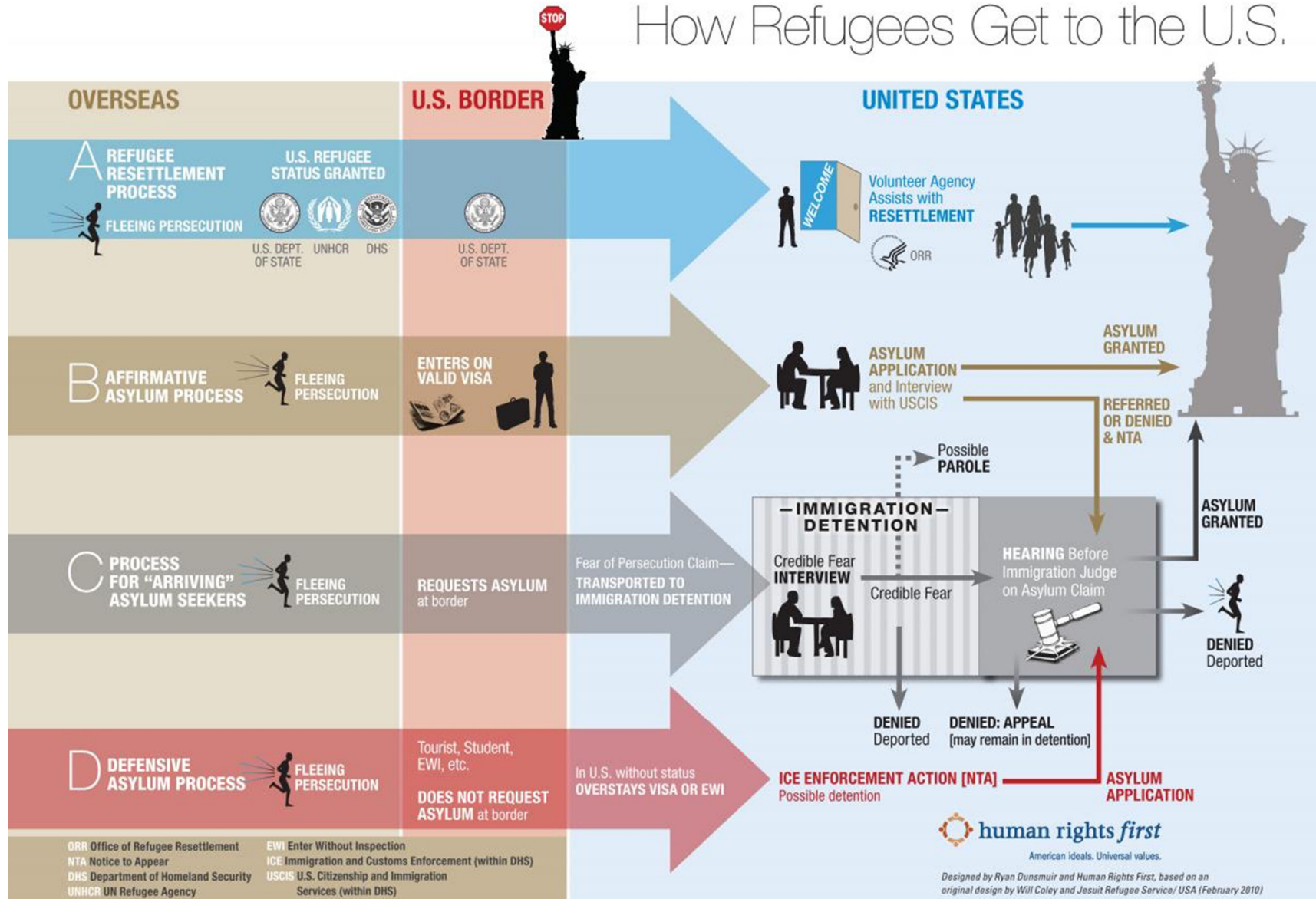
USCIS — An abbreviation for U.S. Citizenship and Immigration Services, an agency of the Department of Homeland Security.

USCIS Number— A unique, 9-digit number assigned to a noncitizen by the Department of Homeland Security that is listed on the front of Permanent Resident Cards (Form I-551) issued after May 10, 2010. See also Alien Registration Number or Alien Number.

U.S.Citizenship and Immigration Services— A federal agency that oversees lawful immigration to the United States. Its functions include, but are not limited to, granting employment authorization to eligible aliens, issuing documentation of alien employment authorization, maintaining Form I-9, and administering the E-Verify employment eligibility verification program

Visa - A U.S. visa allows the bearer to apply for entry to the U.S. in a certain classification (e.g. student (F), visitor (B), temporary worker (H)). A visa does not grant the bearer the right to enter the United States. The Department of State (DOS) is responsible for visa adjudication at U.S. Embassies and Consulates outside of the U.S. The Department of Homeland Security (DHS), U.S. Customs and Border Protection (CBP) immigration inspectors determine admission into, length of stay and conditions of stay in, the U.S. at a port of entry. The information on a nonimmigrant visa only relates to when an individual may apply for entry into the U.S. DHS immigration inspectors will record the terms of your admission on your Arrival/Departure Record (I-94 white or I-94W green) and in your passport.

How Refugees Get to the U.S.



Violence, Poverty & Hunger Push Children North

Congress must act to alleviate the root causes of the unaccompanied minors crisis.

