

FISCAL NOTE
Requested by Legislative Council
02/13/2017

Amendment to: HB 1427

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2015-2017 Biennium		2017-2019 Biennium		2019-2021 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2015-2017 Biennium	2017-2019 Biennium	2019-2021 Biennium
Counties			
Cities			
School Districts			
Townships			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

Engrossed HB1427 provides for a legislative management study of refugee resettlement in North Dakota.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

As a study, the bill will have no fiscal impact as legislative management is appropriated monies to complete selected studies during the interim.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*
- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*
- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

Name: Debra A McDermott

Agency: Human Services

Telephone: 328-3695

Date Prepared: 02/14/2017

FISCAL NOTE
Requested by Legislative Council
01/17/2017

Bill/Resolution No.: HB 1427

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2015-2017 Biennium		2017-2019 Biennium		2019-2021 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures			\$80,599			
Appropriations			\$80,599			

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2015-2017 Biennium	2017-2019 Biennium	2019-2021 Biennium
Counties			
Cities			
School Districts			
Townships			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

A bill to provide determination of refugee absorptive capacity and to define refugee resettlement organization duties.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

An entity outside of state government has been delegated by the state and recognized by the federal government to administer the refugee assistance program in North Dakota.

The Department of Human Services (Department) would be responsible for the duties on page 5 lines 7-8 and lines 15-16. These two areas require changes to the current eligibility systems to identify secondary migration of refugees coming into the state from other states and to continue to track the public assistance benefit enrollment of individuals after they lose their refugee status. The estimated cost of the required changes is \$80,599, of which all would be general fund.

However, if the implementation date is delayed until January 1, 2018 the TECS and VISION eligibility systems would not need changes due to the implementation of the new SPACES eligibility system. The estimated cost with a delayed implementation date is \$24,200.

There are additional administrative impacts to the Department for the requirements involved in section 2; however existing staff will need to absorb these responsibilities.

There would be no fiscal impact for the 19-21 biennium.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

In the 17-19 biennium the Department of Human Services would incur additional operating expenditures of \$80,599, of which all is general fund, for changes to the eligibility systems.

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

The Department of Human Services would need a general fund appropriation increase of \$80,599, to HB 1012 for the 17-19 biennium.

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Date Prepared: 02/02/2017

2017 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1427

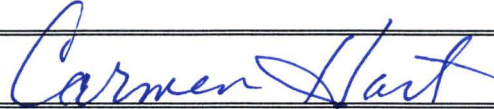
2017 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Fort Union, State Capitol

HB 1427
2/3/2017
27907, 28386, 28387

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Provide for the determination of refugee absorptive capacity

Minutes:

Attachments 1-32

Chairman Kasper opened the hearing on HB 1427.

Rep. Olson introduced HB 1427. The purpose is not to ban refugee settlement in North Dakota. Attachment 1. (:31-34:43)

Rep. Schneider: Do we apply this concept of absorptive capacity to any other group of people in the state?

Rep. Olson: No, we do not, and the reason I am asking for that is because it is a federal requirement. The federal government in the Refugee Resettlement Act stated that this is exactly the type of information that they must seek from state and local governments—the impact that it is having on their community and the ability to further capably resettle more of the population. You have to know the capacity in order to advise.

Rep. Schneider: When you assessed the burdens, did you take into consideration the benefits of having refugees resettle here, their contributions as taxpayers, the businesses they brought to our communities, the work force that we desperately need in Fargo and West Fargo, the skills and capacities that they add to our communities, and the overall value of diversity?

Rep. Olson: Yes. All of those things exist, and they do flow through to the bottom line and into the budget. When we are looking at the numbers, we have revenues and expenses and the funding mechanism. Overall, we have to be able to understand what is that impact? How do we determine the costs?

Rep. Schneider: I don't see those positives reflected in here. It looks to me like it is a negative snapshot in time without looking at the overall consequences and benefits financially.

Rep. Olson: This is not an economic development program that was created by the state. The purpose is not to organize our reporting for that purpose. The purpose is to understand what is the federal government not doing. The federal government is not funding this program appropriately. As I have shown, they have completely failed in their obligations to the state to provide us with the necessary funds to provide for this population. We need to understand what is that shortfall?

Rep. P. Anderson: Of the 712 students that are in the ELL program, are they all refugees?

Rep. Olson: That is hard to determine. The status of refugee itself is a legal term which applies to the first year typically that a person is within the country. If you are born here, you obviously are not under that status. The ability to attribute that directly becomes a complex matter that would require further research. If you look at the languages and if you look at the composition of which languages are being required to be taught, it is directly attributable to the resettlement program. Whether those percentages are exactly, that is further information that we would have to acquire.

Rep. P. Anderson: Is there anywhere that 5 or 10 years from now that we can track a refugee and what it costs from the beginning to 10 years later what they have paid in real estate taxes, sales taxes, and income taxes?

Rep. Olson: It might be possible. There will continue to be further refugee resettlement, and if there are extended benefits further down the horizon, which I am sure there absolutely are, the question is where do we get the initial investment and what is the amount of the initial investment required? We have to look at the costs.

Rep. Laning: It seems your bill focuses on the Fargo-West Fargo area. How do you see this committee or group? Would it be a representative from each community and then each community has their own group that study these factors?

Rep. Olson: That is correct. Some type of organization needs to occur. We have to look at the employment opportunities that exist throughout the state, because there are many areas in the state that are desperately in need of workers, and we need to be able to spread the benefits and the costs in all areas within the state of North Dakota.

Rep. B. Koppelman: Do you believe that a lot of the local costs are funded by property tax?

Rep. Olson: We know that is for certain when it comes to the underfunding in the ELL program and to whatever extent we are required to build new schools to accommodate a growing population due to this program. It is hard at this point to actually quantify for the purposes of understanding who is paying for all the various aspects of this entire program.

Rep. B. Koppelman: Do you believe the taxpayers of a city or county should be able to have some say if their tax laws are going to be used for economic development?

Rep. Olson: We absolutely have to have a say in. If many people agree and believe in the good work that this program does, then I expect there is going to be buy in at the community

level. I know there is a lot of support at the community level. The question is to what degree are we able to commit to that type of program?

Rep. C. Johnson: Is Lutheran Social Services a federally funded refugee resettlement organization, and if they are, are they doing any of the assessments with the local governments to see what their ability is to accept refugees?

Rep. Olson: The federal government's share of the initial refugee lifespan has been cut from 36 months of Medicaid reimbursement and 36 months of cash assistance to 0 months of Medicaid reimbursement and only 8 months of cash assistance. The local contractor receives a federal grant to pay for all aspects of the operation within their organization. Ultimately, their goal is to take the resettlement population, get them the help that they need which in the beginning is Medicaid, SNAP, multiple things like that, as well as finding them employment. As employment is found, the idea is that they will be able to get off the majority of the programs, but the question ultimately is to what extent is that actually occurring? There are also many volunteer agencies that exist in the community to support newcomers.

Dave Piepkorn, Fargo City Commissioner, appeared in support. I am here representing myself. From my perspective, on the city commission, we have not been involved at all. We should all be working together, the legislature, city commission, and our school district. We like having refugees, and it is an obligation that we have made. We want them to be successful. I believe we need to have a better process. We have no idea how much money is being spent. I think this is a great opportunity to have a better plan.

Rep. Karls: Did any of the information that Rep. Olson gave us come as a surprise to you?

Dave Piepkorn: I contacted the Office of Refugee Settlement and with the changeover, I didn't get any response. What I had requested was in the past three years the total amount of tax money spent in Cass County for refugees, and I was not able to get that. If you can do that, I would appreciate that. I would recommend that you find out to see the contracts between LSS and the federal government. I think you would have a lot better success than I would. I would strongly recommend that the state resume the responsibility.

Rep. Schneider: Are you tracking any other newcomers to Fargo?

Dave Piepkorn: No. I do think the difference is we are spending our tax dollars for housing, transportation, and healthcare. Many of the newcomers that I know of, we are not paying for all those things. We have a great mix, and that is part of our success. We have lots of refugees here, and we have an obligation to them.

Rep. Schneider: If you are not tracking other groups, you really don't know whether they have special needs.

Dave Piepkorn: To me our job is not tracking people. Spending tax money is our job.

Rep. Schneider: Would you also agree that if you don't know what other groups are coming in, they may also have needs for special education, public benefits, affordable housing, and you are singling out this one group?

Dave Piepkorn: No, I am not. This is a program that needs to be repaired. It is dysfunctional.

Rep. Schneider: Are you a minority on the commission in your approach to this problem?

Dave Piepkorn: We voted unanimously to review this, and we have lots of different ways that we are looking at it. From the city and state, it is money.

Chairman Kasper: We are here to get information and ask questions, not to debate.

Rep. P. Anderson: It makes it sound that the \$4 million problem that the West Fargo school district has is due to the refugees.

Dave Piepkorn: I did not mean to imply that. It was about \$2 million for the ELL, and we are being compensated for that, so that money has to come from somewhere. It is not all refugees.

Rep. Rohr: Have the various stakeholders attended commission meetings and expressed concerns, like the education, housing, and healthcare people?

Dave Piepkorn: Yes. It is my opinion all of us should be involved, and we should be the ones making the decision and including LSS versus the other way around.

Senator Ray Holmberg, Grand Forks, appeared in support. This bill allows us to hear both sides. My speech at a public forum a few weeks ago was handled by the Grand Forks Editorial the other day. Attachment 2. (1:00:50-1:01:52) I would conclude by looking at Mason's Rules. This is one of those issues, unfortunately, that allows this rule to be broken. The rule is very clear. No person may indulge and _ the natives of any member for any reason.

Rep. P. Anderson: In part of the received testimony there is a question, do you support or oppose the continued resettlement of refugees in the Fargo-Moorhead area? Are you surprised that out of the response, that 56% said they were Democrats and they supported it and only 17% identified as Republicans supported it?

Senator Holmberg: Nothing surprises me in polls.

Rep. P. Anderson: One of the reasons for this bill is that the polls state the public doesn't want this to continue. We can't say a poll works one way and not the other way.

Jan Johnson appeared in support. Attachment 3. (1:05:00-1:07:48)

Chad Peterson, Cass County Commission, appeared in support. Attachment 4. (1:08:25-1:13:54)

Rep. B. Koppelman: You would like to see the state, local, and federal people work together to make sure that the funding is also provided in an appropriate way?

Chad Peterson: That is what I started doing two years ago, and my full intent of my _ gathering back then was just that. This is an unfunded mandate by the federal government. If the federal government wants to do anything, they should help us support what they want us to do. It is not a bad thing if they help fund it. It just gets troublesome and cumbersome if they dictate whatever it is to us, and then tell us to figure it out with property taxes. The mission to be is to advocate for Lutheran Social Services or whoever the agency is for them to get more money so they can do a better job too.

Rep. B. Koppelman: Do you believe that the local citizen should have some say into what program they want, how it is run, and how they would fund it?

Chad Peterson: Yes. Lutheran Social Services actually does that. They have open orderly meetings. We need to know so we can plan for it next year. Data is never a bad thing.

Opposition:

Rep. Kathy Hogan appeared in opposition. Attachment 5. (1:17:53-1:24:57)

Rep. Olson: You mentioned the possibility of converting this bill into a study. Would you have any interest in giving input on something like that?

Rep. Hogan: I absolutely would like to. I think the last interim study done on this was in the late 1990s. At that point, it was the beginning of the funding of ELL from the state.

Michael Brown, Grand Forks Mayor, appeared in opposition. Attachment 6. (1:26:19-1:29:38)

Chairman Kasper: Is this your personal opinion?

Michael Brown: This is my personal opinion, not the entire commission.

Rep. C. Johnson: You are able to accept about 100 refugees per year without too many problems?

Michael Brown: Now we are, but there is a learning curve with any change in your system. That is why we formed the Integration Initiative Committee to help us _ and _ any of these problems. Initially, it was a bumpy road, but now we see these refugees contributing to our economy and culture in Grand Forks.

Rep. C. Johnson: If that number were to increase to say 1,000, would you still be able to accommodate?

Michael Brown: I don't believe we would.

Rep. Laning: Do you know what percentage is coming in to Grand Forks?

Michael Brown: Lutheran Social Services people will provide that information when they testify.

Rep. P. Anderson: You were able to get this Integration Initiative without a state statute?

Michael Brown: Correct. It is a working committee.

Jessica Thomasson, CEO of Lutheran Social Services of North Dakota, appeared in opposition. Attachment 7. Attachment 8 was submitted from **Murray Sagsveen, Vice Chair of the board of directors and a registered lobbyist for Lutheran Social Services of ND.** These were his personal opinions. (1:32:11-2:03:46)

Rep. Steiner: Do you have a copy of the MOU that you have with the state for this contract and your budget that you provide for the committee? What does the state pay for this contract?

Jessica Thomasson: The funding for refugee settlement is federal funding. All of the funding that comes for this program is either directly to our organization or passed through the state to our organization, so there is no contract specifically for this work. We can certainly provide you with copies of the state plan which is delivered and divided up jointly as well as the Wilson Fish contract and any other number of things.

Rep. Vetter: Is there a reason why it is just three cities, Fargo, Grand Forks, and Bismarck? Is there a way we can spread this throughout the state?

Jessica Thomasson: The sites are approved by the Department of State. They have a manual that they use to determine what would make a good site for refugee resettlement. It does include things like availability of affordable housing, jobs, ELL services, etc. The decision is ultimately not ours, but we can make application to the Department of State if we feel there are suitable sites in the state.

Rep. Vetter: Who has input at these quarterly meetings?

Jessica Thomasson: We do this at all three of the resettlement sites across the state. These meetings are for the people who work directly with refugee resettlement to have a chance to talk to each other about any challenges or concerns that they are having. We problem solve together. A number of our partners are in this room and are participants in this process. It is a wide invitation list.

Rep. Laning: Is there a set period of time that each of the immigrants is given to learn English skills?

Jessica Thomasson: English language learning is required for new arrivals who come to the state. Students are enrolled in the public school system, and they are going through it. When adults start working which takes about 3-4 months, it often times becomes difficult for them to continue ELL classes. We are trying to figure out what things we could do to create some workplace English opportunities that give people a chance to continue to develop more than conversational English.

Rep. Laning: I assume when someone comes in there has been an interview conducted to assess any skills that they bring along with them. Do you have much success in having that

person work in an environment with those skills to utilize them, or do most of them have to split off into something else?

Jessica Thomasson: We do sort of a skills assessment in our employment placement work very early on. We get a sense of what that person did in their country before they fled. The barrier we run into is those credentials don't always transfer from country to country, and English is a barrier. They are realistic about these barriers and having to start at a different level of employment.

Rep. Laning: Do you have percentages of placing them at the same position as held in their previous country?

Jessica Thomasson: I don't have a percentage off the top of my head, but I would say it is very rare to step into the same employment as they did before.

Rep. Olson: What is the number that is decided at the federal level based on and who makes the recommendation by which that decision is ultimately made?

Jessica Thomasson: We are required to provide our input to these national level volunteer organizations that helped coordinate resettlement on behalf of the US government.

Rep. Olson: You don't necessarily consult with the county or city but people in the city who are representatives of other portions of it and resources that are available in that manner. How are we complying with these provisions that it is close cooperation and advance consultation with state and local governments?

Jessica Thomasson: We are monitored by a number of federal agencies. We have never presumed to dictate the internal processes of any of our partners. For example, consulting with public health is important. We will invite and talk to public health about their work. We don't decide who in their structure needs to be the one who is at the table. We do our very best to consult with, learn from, and talk with the people who work with refugees and resettlement in the communities.

Rep. Olson: Why are these provisions in federal law not being adhered to? I know you are not necessarily violating the requirements, but the requirements are there in federal law, and it says that the director shall insure that this is what is happening. If you did have meetings of this nature with the state and local officials who have the budgets and numbers and understand how it is impacting their services directly and they were to say that their budget is crunched and services overloaded and ask you to slow down a little, is that something you would recommend and would they respect that advice?

Jessica Thomasson: When you look at a locality's capacity to grow, that is a much bigger question than one is directed to a very small group of people. Never in my experience do they need to go on deciding if we can do those services if it is provided to a certain person rather than another. It is a more generalized discussion of what can our community accommodate in terms of growth?

Rep. Olson: Your answer is no.

Jessica Thomasson: I did not say that. There are many voices at this table. Collaboration is a hard word. We talk together about the input that makes sense, and we forward that on.

Chairman Kasper: Your perspective seems to be totally different from the Fargo and Cass County commissioners. The elected officials are elected by the people to determine taxes and budgets, and if they don't have the data to make the decisions that they are asking to get data from you to be able to make decisions based upon the constituents they have, how do they make those decisions? If the city of Fargo and Cass County voted to ask you to not bring in x number of refugees for next year but x-25%, who would make the final decision?

Jessica Thomasson: If it really is an unattainable situation, we would relate it to the feds.

Chairman Kasper: If you had the overwhelming opinion of those elected bodies to slow the refugee settlement down for a while, would you do that or would you still decide if you chose to do your decision that you are going forward and do what you want to do? How would your decision and recommendation be made?

Jessica Thomasson: It is not my decision only.

Chairman Kasper: If the overwhelming input to you was to slow down, would you be the final decision maker or take the recommendation of the community?

Jessica Thomasson: If the overall sentiment of the community is that it cannot absorb any more growth, our recommendation as the resettlement agency would be, based on the input we have received, we would recommend a reduction in the numbers of people coming to the community.

Rep. Olson: Some federal law was read. Do you think this provision within federal law is discriminatory?

Jessica Thomasson: It is not uncommon to be discriminating in how we look at things. More information and data is a good thing. It helps us do our work better. I am not questioning the intent in the bill. If we are to make the assumption that somehow a refugee because of their status as a refugee creates a different set of costs in a broad way that is described in this bill, that does seem to me be crossing a line beyond just asking for information that allows us to all do our work _ with our eyes open.

Rep. Olson: I am a bit confused about that conflict with what federal law requires and your objection to my bill.

Rep. B. Koppelman: How does your agency quantify the ability of a community to essentially absorb the cost to resettlement?

Jessica Thomasson: It is our belief and our experience that a refugee doesn't require any more fire protection, different roads, or garbage service than any other person in the community. Any person that comes to the community with a similar characteristic would create a similar impact on county social services or on the school district for example.

Rep. B. Koppelman: How can you go about and not actually quantify those needs?

Jessica Thomasson: They would not cost any more than anyone else with a similar characteristic. Certainly if you are a dual income household with two professional degrees and move into a community for a job as a physician, your need for public assistance is very different than someone who is moving their family to a community and is likely to start out at an entry level job. The differences that are there are intended to be covered by the bridge that the settlement program creates. We are spending a lot of our energy thinking about those first few months in a community. Our experience tells us that people very quickly integrate into a community in so many ways. I think it would be a great benefit for you to hear from them.

Rep. B. Koppelman: Local governments should be part of this equation in determining what resources their community has. They need tools to be able to do that. How could you facilitate them in doing that with tangible things?

Jessica Thomasson: I think the question and analysis is absolutely valid, but it is more complex to do well than probably our agency alone will be able to do or any of the individuals who do this work are able to do alone. Perhaps there will be an idea that is generated from this discussion about a way to move forward with a formalized fiscal impact analysis. I will do whatever I can to find out what other states and localities have done to answer similar questions. We certainly are not the only place in the country that is asking them.

Rep. P. Anderson: With public health, what percent would their new clients be refugee versus others that move into the community that don't have a job when they come?

Jessica Thomasson: That is another example of data I think would be a good piece of information to have and beyond our ability to be able to provide. It is a question I don't have an immediate answer to.

Chairman Kasper: What we have here is a failure to communicate. Maybe this hearing will help open the bridges of communication to get the information and data to the right places that need to have it so we can continue to do what is right for the citizens of ND law right here as well as those who want to come here.

Jennifer Cook, Licensed Attorney and Policy Director for the American Civil Liberties Union of North Dakota, appeared in opposition. Attachment 9. (2:46:30-2:50)

Rep. Olson: Is there one particular piece that you would change?

Jennifer Cook: I am concerned about Sections 3-4 in that it allows either the local governments or the state to suspend refugee settlement in that it singles out refugees as opposed to any other type of person that settles.

Rep. Olson: If that section of the bill were to be changed to state that the state office for refugees shall recommend a different number to the office for refugee resettlement, what would your professional opinion be?

Jennifer Cook: It would all contemplate, as we heard, that there will be a consultation with state and local authorities, elected officials, and those that represent those bodies, but that will limit it to advice to the in consultation, and it is within a strict purview of the federal government to decide to whether it takes the advice of the state.

Zahra Mohamed appeared in opposition. (2:52:28) I came here as a refugee 12 years ago. This country has given me opportunities that I didn't have in my country. I graduated from the University of Mary in Bismarck in 2015. I hope to go to medical school here in ND and hopefully serve the rural communities which so desperately need medical people. When we come here, we work very hard and want to contribute. I think that part of your job is to shape public opinion and make something that is positive for all of us. At the end of the day, I want what is best for North Dakota. (2:58:02)

Chairman Kasper: I don't think it is the intention of the bill or anyone in the legislature to not be cognizant of the value that refugees that are here brings to our city, state, and nation. The intent of the bill is to find the costs so that we can have better programs in the future for the people who do come. I would encourage the audience to keep that in mind.

Christopher Dodson, Executive Director, ND Catholic Conference, appeared in opposition. Attachment 10. (2:59:03-3:03:20)

Fowzia Adde, Executive Director of Immigrant Development Center, appeared in opposition. Attachment 11. (3:03:50-3:09:46)

Hukun Abdullahi, Council Member of FM Refugee Advisory Council, appeared in opposition. Attachment 12. (3:10:42-3:16:48)

MJ Krogh, Childcare Owner-Operator, appeared in opposition. My mother does my taxes and said I have given \$57,000 to the refugees I have taken care of. I have 38 refugee children in my care. As of a week ago, 26 of those children are still in some type of social service program. What can our community handle? I have a family of two adults and three kids living in my garage. They are not in the LLS program anymore. Maybe we do need a study like Rep. Hogan stated. Maybe we need to go back to host families. It is our job to help some of these people and to care for them. There is a huge lack of communication. I have done 400 hours a year in volunteering, teaching them how to drive, getting insurance, getting renter's insurance, taking them to doctor appointments, get their daycare assistance paid, etc. This is the impact of just one childcare provider in ten years.

Olufemi Adisa appeared in opposition. Attachment 13. (3:23:06-3:29:54)

Chairman Kasper: We will continue after general session. (07:04 – Job 28386)

Robin David, Founder and President of the Board of Directors of Global Friends Coalition, appeared in opposition. Attachment 14. (:10:03-:14:13)

Cynthia Shabb, Executive Director of Global Friends Coalition, appeared in opposition. Attachment 15. (:14:29-:17:27)

Glorioza Nduwimana appeared in opposition. Many people have given up everything they had to come here, but they are no longer able to come because of the President's new executive order. I am not an American citizen, and issues like this make me worry that I will be sent back to my home country. I feel like I won't be able to pursue my dreams. She told her story of how she arrived here. (:17:39-:22:17)

Ashti Mohamed Ali appeared in opposition. I am originally from Iraq and now live in Fargo. She told her story of how she came to this country in 2014. (:22:18-:24:36)

Aliae Llwase appeared in opposition. I am originally from Congo and currently a student at Fargo South High. She told her story of how she came to this country. I am here to pursue my dreams. (:24:54-:27:25)

Muhammad Amiri appeared in opposition. Attachment 16. (:27:34-:32:10)

Barbara Koch, Bismarck, volunteer with Lutheran Social Services, appeared in opposition. Attachment 17. (:32:30-:38:02)

Abdiwali Sharif appeared in opposition. Attachment 18. (:38:14-:42:19)

Crystal Riamaji (?), Fargo, appeared in opposition. I wanted to address the assertion that this bill is not an anti-refugee bill or is discriminatory. I am not sure that I am convinced. I think that there has been a hyper focus on criminality and immigrants. I think what needs to be done is respect the need for data and driven conclusion. However, it is not fair to single these people out. We should get data on all people. I would focus on a different bill on improving communication with LLS and government officials. Focus on integrating who is already here in the community. I fear this bill will cause greater division. We should get rid of the moratorium language. It sends the wrong message. (:42:23-:46:57)

Mytch Dorvilier, Pastor, Evangelical Lutheran Church, appeared in opposition. Attachment 19. (:47:22-:50:18) She handed out Attachment 20 from her colleague, **Tiffany Sundeen, Fargo Pastor**.

Anna Stenson, on behalf of the American Immigration Lawyers Association, Minnesota-Dakota Chapters, appeared in opposition. She told what an immigration attorney does. Less than 20% of my clients are refugees. That means 80% of my clients are in this community for some other reason. I help them become citizens. I help them get green cards. The refugee process represents less than 10% of the total of the immigration process in the US. For lawful permanent resident holders like refugees, 70% of lawful permanent residents get their status through family. 20% of green card holders get their green card through an employer. That leaves 10% for humanitarian reasons. Of that 10% less than half of that is refugees. That humanitarian is also victims of crime, domestic violence, and a host of other special provisions under the federal law. I also help employers bring employees to the state. While refugees are controlled by federal law, so are all the other clients that I work with. When we talked about refugees, it also has an impact in the other immigrants we want to bring to the community. Pieces of HB 1427 also talk about criminal activity. The city of Fargo Police Department does not track the immigration status of anybody that it comes across. When we are looking for numbers in terms of how many

crimes a refugee commits, that information is not there. No part of our state court system ever asks what the immigration status is of anybody accessing the court system. Refugees by their legal definition have the right to work, move, and live wherever they want here in the US. The sense that a bill like this and the fear, social media, and the public media focusing on a particular group does make an uncomfortable environment not only for refugees but everybody else who feels like they are an immigrant or looks different than 90% of the people who are in our community. (:50:42-56:34)

Nyamal Dei appeared in opposition. She told her story of how she came to this country and reasons for opposing this bill. (:56:56-59:58 of Job 28386 and :01-2:49 of Job 28387)

Sadile Elmi (?) appeared in opposition. (:03:00-:10:25)

Leah Hargrove, Bismarck Global Neighbors Representative, appeared in opposition. Attachment 21. (:10:30-:12:35)

Natalie Eberts appeared in opposition. Clearly, there are a lot of questions and concerns about approving the bill as it is written right now. I do think there has to be some type of a better way to address this than just passing it as written today. I encourage you to consider a study, a working committee or group that could do some more research and look into all these questions. She talked about living in a foreign country and knows what it feels like as a foreigner. If they can open up their homes and hearts to someone like me, I think we can continue to do that as a state, as a country, as a people, and as a nation. (:12:47-:19:56)

Barry Nelson, Fargo Human Relations Commission Member, appeared. We are a commission appointed by the Fargo City Commission. Last October we were tasked when Commissioner Piepkorn first raised the issue of concerns about refugees in Fargo. We were given the task to identify costs of refugees in the community and any kind of potential threats for the community. There is work in progress. We have been doing some of the things that we have talked about today. Fargo Public Schools are told of arrivals. We are two years into a cycle where 30,000 jobs are going to need to be replaced for people retiring from the work force. I was told by the adult ELL program that they are finding lots of their companies are adjusting the work schedules of their refugee employees so they can go to the ELL program. We will be reporting out to the commission in February and will be available to you as well. Fargo Human Relations Commission did vote for opposition to 1427. (:20:26-:23:23)

Chairman Kasper closed the hearing. I know the bill sponsors did not intend to hurt you in any way. It was simply to begin to look at the refugee impact on the cities and the state of North Dakota.

Rep. Olson: I liked Mr. Dodson's amendment (see Attachment 10). I move the amendment to the bill.

Rep. Rohr seconded the motion.

Rep. Schneider: Please read the amendment.

Rep. Olson read the amendment. (:28:59-:31:38)

Rep. Schneider: Do you envision including in that study the positive ramifications of having refugees in our communities?

Chairman Kasper: We will not be able to take this up until next Thursday. If there are other amendments that you or any other committee members would like to see added or modify a little bit, I will take a vote on the amendment and not turn it in to the House record. If there are any additions as you mentioned, we will bring the bill back up for committee discussion with the consent of the committee.

Rep. B. Koppelman: Does this exempt us from the appropriations deadline?

Chairman Kasper: It does.

A voice vote was taken to adopt the amendment. Motion carried.

Rep. B. Koppelman made a motion for a DO PASS AS AMENDED on HB 1427.

Rep. Vetter seconded the motion.

A roll call vote was taken. 13 Yeas, 0 Nays, 1 Absent.

Rep. Olson will carry the bill.

Chairman Kasper clarified to the audience what exactly happened and what to expect in the future. (End :36:30 of Job 28387)

The following written testimonies were provided by individuals who could not publicly testify in opposition.

Sandra Wollan, Coordinator and Counselor of Bismarck Adult Learning Center. Attachment 22.

Jon Splichal Larson, Bismarck Lutheran Church Pastor. Attachment 23.

Andrea Denault, ND Human Rights Coalition. Attachment 24.

Karen Van Fossan, Unitarian Universalist Church Minister. Attachment 25.

Alicia Rixen, Volunteer for Lutheran Social Service New American Program. Attachment 26.

Judy Willem. Attachment 27.

Dale Carmen, Bismarck resident. Attachment 28.

Renee Stromme, ND Women's Network. Attachment 29.

Beth Anderson, Evangelical Lutheran Church of America Deacon. Attachment 30.

Jennifer Nairn, Bismarck resident. Attachment 31.

Lisa & Scott Kadlec, Bismarck volunteers with the New American Program. Attachment 32.

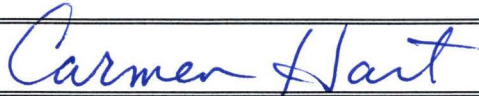
2017 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Fort Union, State Capitol

HB 1427
2/10/2017
28224

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Provide for the determination of refugee absorptive capacity

Minutes:

Attachments 1-3

Chairman Kasper opened the meeting on HB 1427. At the hearing we adopted the amendment Attachment 1 and passed the bill in committee. I indicated we could bring this bill back for reconsideration and consider any other action on the bill.

Rep. Olson made a motion to reconsider our actions where we moved a do pass on 1427 last Friday.

Rep. C. Johnson seconded the motion.

Chairman Kasper: As you recall, there was some potential for other amendments that I said we would consider today.

Rep. Schneider: Thank you for that explanation, because I would support a motion to reconsider just to put in the amendments we discussed in front of that group last Friday.

A roll call vote was taken. 9 Yeas, 5 Nays, 0 Absent.

Chairman Kasper: Attachment 1 is the amendment we passed last Friday. We did have some discussion that there may be some proposed amendments, and we ran out of time. I said we would ask for reconsideration.

Rep. Vetter: I received a lot of feedback in my district with adding some things that are a little more positive in nature.

Rep. Schneider: I wanted to add a little positive exploration to this study. This would go after English language training. It is about seven lines down. She read what she wanted inserted which is Attachment 2. (07:18-:07:53) I would move to include that positive language as an amendment to the current legislative management study 01001.

Rep. P. Anderson seconded the motion.

Rep. Dockter: I am going to resist the amendment. When we do these studies, a lot of that information, Rep. Schneider, will come out in the study, and I don't think we need to add it.

Rep. B. Koppelman: In the amendment we have already attached to the bill, it talks about getting input from stakeholders, etc., and we heard from some of these in testimony on the original version of the bill, and they brought up many of the things that Rep. Schneider is suggesting in her amendment. I don't know how you measure the acceptance of diversity or the promotion of tolerance or the amount of international understanding that comes out of refugee or resettlement. I am going to resist the amendment, because I think the tone will come out of this study, but then it does not task the interim committee with a trend to quantify something that is difficult to quantify.

Rep. Rohr: I, too, am going to resist the motion, because I think Line 10 talks about integration outcomes which I think covers what Rep. Schneider is referring to, issues that can be quantified anyway.

Vice Chair Louser: There is a concern that came out in testimony. We are looking at the ability of the community to be able to take more people in that are not here yet. The amendment would focus strictly on people that are here now going forward. It is going to necessitate us to track refugees, and that was specifically said multiple times in testimony not to do that. I don't know how we are going to be able to study the contributions to a workforce shortage or the assessment of their entrepreneurship if we are not tracking it, and so we are essentially singling them out to track forward.

Rep. Schneider: I think we are being disingenuous if we do not include the positives here. I think many of our studies do not focus on data or quantification, and we document things in common ways such as testimony, such as accepting documents from entities that do this sort of assessment. I think if we take what is really fairly negative wording here and don't at least allow or direct the assessment of some of the positive features, we are really doing a disservice to turning it into a study in the first place. There are businesses in Fargo that would surely come and testify that they would have to close their doors without refugees, and that is one way to quantify it. The contributions that they have made to the arts certainly are quantifiable or capable of being made part of a study through testimony and review of the actual things that have happened. If we are going to have a balanced approach to whether or not our communities can and should absorb refugees, it will not be a balanced study unless we look at some of the positive features. Maybe you just don't see them yet. Those folks had a lot more to talk about than we had time to hear about. The _ they have made in language education and volunteer language assistance in our community certainly is one of the reasons to absorb more of them. The skills that they have that contribute to our hospitals and our healthcare system is certainly a reason to have more of them in our community. Unless we are looking at that full picture, this gives a very narrow view of what having refugees in our community really is and should be. Please reconsider on this, because it is going to go back to the same people who came here to speak and thought you were doing the right thing. If there is not some positive language, I don't know. I don't want this committee to look bad, and it will make you look bad. You did well to give them a break from the bill the way it was written, and I would hate to see that momentum really reverse itself. It

doesn't hurt to look at these things, and it is not necessary to quantify things that go into a study. You will have information that is valuable to a study even if it isn't statistical in nature. I would implore you on this one for the good of the community to put some favorable language in there.

Rep. Olson: I am going to resist the motion as well. To keep this statistical is essential to our examination of this federal program. This federal program is an unfunded mandate that has been operated since 1980 which we need to understand statistically and _what it is and what it costs. If we start to go into areas which become matters of opinion and if we are going to say that we have to study the positives, then we are also going to have to study the negatives. To say that there are only positives is also disingenuous. I don't want to get into a study of the negatives. That is what I am trying to avoid. One of the things that was in my original bill was the tracking of crime statistics, and this is something that a lot of people are understandably uncomfortable about, so that has been removed from this study. We are not looking to track the crime statistics. If we are going to be looking at tracking positive social contributions from a social concept, we are talking about a social concept which is inherently nebulous and subject to emotion, opinion, personal bias, and personal preference. I want to avoid that as much as possible. If we start looking at enrichments to cultures or arts, whose opinion is it when it comes to what is enrich to culture, what is enrich to arts or tolerance and acceptance of diversity? Part of the reason I brought this bill forward is because there is so much division within the community right now. I think the community has become less tolerant of the idea of diversity. We are going to find we have this group of people who are very tolerant and like to say so and they are very accepting of diversity and like to say so, and then you are going to have this other group of people who are literally up in arms. I don't want to bring that mood into the study. I don't want to have a line of people out the door saying we are here to tell you what this has done to our culture, arts, tolerance, and diversity because, frankly, there are a lot of people who don't have or want that. I don't want to have this turn into a study where we have two groups of people fighting about the social, cultural, or artistic benefits of what is a charity program. It is a refugee resettlement program. This is not economic development. This is a mercy program and it is intentionally that, for people from dozens of different countries who really are in serious straights. The question for me and for this study is what is our capacity to provide charity and mercy, and what is the impact of the existing flow of people? Where do they go once they come out of the pipeline? You can't track them past the first year without tagging an individual and saying you were a refugee, and now I am going to track your contributions or your costs on both sides of the ledger forwarding to the years of the future. Where they go once they come out of the pipeline might be a subject for a different study or different idea. What I want to look at is the pipeline itself. We have a pipeline into which refugees are being put, because that is where they have to go. They need these services. The only thing I want to know is how big that pipeline is and how big the flow is going into it. What is the capacity, and what is the impact? I think the study should remain as dispassionate and strictly statistical and numerical as possible, because to go outside of that it opens it up to too many unintended consequences. That is why I resist the motion.

Vice Chair Louser: As I read the language that we passed, I don't see negative or positive. I see study. There is potential and perspective in looking at this. If one's perspective is we don't have the capacity, your paradigm is this is negative. If your perspective is we may have more capacity, then this becomes positive. Either way, I don't think there is emotion involved

in it. I think it is a study that says what is the impact, and it could come out neutral, positive, negative, but the language that we have doesn't say positive or negative. I guess it is neutral. I don't see where there is not positive language in the language that we passed.

Rep. B. Koppelman: The intent of this study is to provide statistics and data to local governments to possibly make a judgement call on what their capacity is for that. We heard from people that came from cities and counties was that they are very aware of the side benefits.

Rep. P. Anderson: Part of this amendment is quantifiable--types of businesses, number of businesses, workforce. To say this is all qualitative is not right. If we only do refugees for one year, of course, we are going to show it maybe costs the community. You can't just do one year. There are more than 350 people that move to Cass County that don't have a job when they come, and they are on food stamps, school lunch program, etc. Maybe we ought to have a study that includes all the people that moved to Cass County that don't have a job. I am obviously for the amendment.

Rep. Olson: The other purpose of the study is federal law which presently requires that the director of the state department through the Office of Refugee Resettlement engage in close consultation, collaboration, and advance notice with state and local governments, and that they examine the impact of refugee resettlement on that particular community. This is a federal program that has specific provisions within Chapter 400 which is the Refugee Act of 1980 which are not presently being followed. My goal with this legislation has always been to wrap our arms around a federal program that is not being operated the way it was intended to be by Congress. It has been on auto pilot without oversight and interaction with government. The purpose of the study is to examine specifically the federal program itself. I know the social services are overburdened, and the schools are underfunded and burdened. We need to understand what the impact is. All we are looking for is the data.

Rep. Schneider: The dozens of people who came to testify against your bill sought as mean spirited, and they will see the defeat of this amendment similarly. If people are okay, I supposed you will vote okay. It definitely will have an impact on the positive attitude that those many people who took time and trouble and funds to come here to testify saw this committee's actions.

Rep. Olson: I read the language of the study verbatim slowly and clearly to everyone who was in attendance. The people I talked to afterwards were unanimously happy with what we had done. Unless someone is going to go out and make an issue over the actions that we take in the committee today, I don't see the danger in continuing with the study that was clearly expressed to everyone in attendance that day.

Rep. Schneider: Those people were also told that there would be an opportunity for positive amending of that bill to include examinations of the positive features that come with refugee resettlement. I do believe that was part of their exuberance.

Chairman Kasper: One of the things we cannot do is to determine what this study course will take. The concerns being expressed could very well become part of the study, but we need to make a decision on the proposed amendment.

A roll call vote was taken. 3 Yeas, 11 Nays, 0 Absent. Motion fails.

Rep. Steiner: I have an amendment to the bill as well. Attachment 3. I wanted the committee to consider something I heard that I thought was positive at the hearing and that was that host families seem to settle the refugees very successfully and that the host family idea was not included in the study. The other positive thing was that nonprofit groups could provide English language learner and help with the costs so that the city of Fargo and the school district there would not be having that expense. I move the amendment.

Motion dies because of a lack of a second.

Rep. B. Koppelman made a motion for a DO PASS AS AMENDED on HB 1427.

Rep. Johnston seconded the motion.

Rep. Olson: Referring to Rep. Steiner's amendment, we have within the study right now translation and interpreter services. That could certainly be included into that, and integration outcomes would definitely apply to host families as that is a portion of the entire integration process.

A roll call vote was taken. 12 Yeas, 2 Nays, 0 Absent.

Rep. Olson will carry the bill.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1427

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of refugee resettlement in North Dakota.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY. During the 2017-18 interim, the legislative management shall consider studying refugee resettlement in the state. The study must include consideration of the impact, if any, of refugees on the wages or working conditions of the local workforce, state and local law enforcement, state and local government services, housing, the provision of medical care, child care, translation and interpreter services, and public education, including the provision of English language training. The study must include examination of the relevant federal and state laws on refugee resettlement, the role state and local government agencies can have in refugee resettlement matters, an overview of the security measures taken by the United States government prior to refugee resettlement, integration outcomes, and the religious, political, economic, and social conditions of refugee countries of origin, including the prevalence of violence and other forms of oppression against women and children in those countries. The study must include examination of the number of refugees resettled in the state, including the number of refugees resettled by age and gender, the number of refugees resettled who are under eighteen years of age, the number of refugees resettled who are between eighteen and forty years of age, the number of refugees resettled who are between forty and sixty-five years of age, the number of refugees over sixty-five years of age, the number of refugees who are male and female, the number of refugee children enrolled in a public school, the number of refugee children accessing English language learner services, the initial resettlement locations for refugees, and the numbers of refugees resettled with and without family already residing in the United States. The study must include input from stakeholders, including refugee resettlement agencies, representatives of law enforcement, social and clinical service providers, educational leaders, medical providers, county social service agencies, affected municipalities, and the state department of human services. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly."

Re-number accordingly

Proposed amendment to HB 1427

At highlight dot, insert:

The study must include the contributions refugees have made to communities in addressing workforce shortages and contributing needed skills and personnel to understaffed businesses and professions. It must include an assessment of refugee entrepreneurship, and the number and types of businesses and programs developed by refugees in their communities. The study will must assess the contributions refugees have made to enriching community culture, arts, language training, education, the promotion of tolerance, acceptance of diversity, and international understanding.

February 9, 2017

2/10/17 DA

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1427

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of refugee resettlement in North Dakota.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - REFUGEE RESETTLEMENT. During the 2017-18 interim, the legislative management shall consider studying refugee resettlement in the state. The study must include consideration of the impact, if any, of refugees on the wages or working conditions of the local workforce, state and local law enforcement, state and local government services, housing, the provision of medical care, child care, translation and interpreter services, and public education, including the provision of English language training. The study must include examination of the relevant federal and state laws on refugee resettlement, the role state and local government agencies may have in refugee resettlement matters, an overview of the security measures taken by the United States government prior to refugee resettlement, integration outcomes, and the religious, political, economic, and social conditions of refugees' countries of origin, including the prevalence of violence and other forms of oppression against women and children in those countries. The study must include examination of the number of refugees resettled in the state, including the number of refugees resettled by age and gender, the number of refugees resettled who are under eighteen years of age, the number of refugees resettled who are between forty and sixty-five years of age, the number of refugees over sixty-five years of age, the number of refugees who are male, the number of refugees who are female, the number of refugee children enrolled in a public school, the number of refugee children accessing English language learner services, the initial resettlement locations for refugees, and the numbers of refugees resettled with and without family already residing in the United States. The study must include input from stakeholders, including refugee resettlement agencies, law enforcement personnel, social and clinical service providers, educational leaders, medical providers, and representatives of county social services agencies, affected municipalities, and the department of human services. The legislative management shall reports its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly."

Renumber accordingly

Date: 2-3-17
Roll Call Vote #: 1

2017 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1427

House Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: _____

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
Other Actions: Reconsider _____

Motion Made By Olson Seconded By Rohr

Representatives	Yes	No	Representatives	Yes	No
Jim Kasper-Chairman			Pamela Anderson		
Scott Louser-Vice Chairman			Mary Schneider		
Jason Dockter					
Craig A. Johnson					
Daniel Johnston					
Karen Karls					
Ben Koppelman					
Vernon Laning					
Christopher D. Olson					
Karen M. Rohr					
Vicky Steiner					
Steve Vetter					

Voice Vote motion Carried

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

To provide for a study

Date: 2-3-17
Roll Call Vote #: 2

2017 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1427

House Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: _____

- Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
Other Actions: Reconsider _____

Motion Made By Koppelman Seconded By Vetter

Representatives	Yes	No	Representatives	Yes	No
Jim Kasper-Chairman	X		Pamela Anderson	<u>—</u>	
Scott Louser-Vice Chairman	X		Mary Schneider	X	
Jason Dockter	X				
Craig A. Johnson	X				
Daniel Johnston	X				
Karen Karls	X				
Ben Koppelman	X				
Vernon Laning	X				
Christopher D. Olson	X				
Karen M. Rohr	X				
Vicky Steiner	X				
Steve Vetter	X				

Total (Yes) 13 No 0

Absent 1

Floor Assignment Olson

If the vote is on an amendment, briefly indicate intent:

Date: 2-10-17
 Roll Call Vote #: 1

**2017 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 1427**

House Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: _____

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar

Other Actions: Reconsider _____

Motion Made By Olson Seconded By C. Johnson

Representatives	Yes	No	Representatives	Yes	No
Jim Kasper-Chairman	X		Pamela Anderson	X	
Scott Louser-Vice Chairman	X		Mary Schneider	X	
Jason Dockter		X			
Craig A. Johnson	X				
Daniel Johnston	X				
Karen Karls		X			
Ben Koppelman		X			
Vernon Laning		X			
Christopher D. Olson	X				
Karen M. Rohr		X			
Vicky Steiner	X				
Steve Vetter	X				

Total (Yes) 9 No 5

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 2-10-17
 Roll Call Vote #: 2

2017 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 1427

House Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: Study including Contributions refugees have made to communities

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar

Other Actions: Reconsider _____

Motion Made By Schneider Seconded By Anderson

Representatives	Yes	No	Representatives	Yes	No
Jim Kasper-Chairman		X	Pamela Anderson	X	
Scott Louser-Vice Chairman		X	Mary Schneider	X	
Jason Dockter		X			
Craig A. Johnson		X			
Daniel Johnston		X			
Karen Karls		X			
Ben Koppelman		X			
Vernon Laning	X				
Christopher D. Olson		X			
Karen M. Rohr		X			
Vicky Steiner		X			
Steve Vetter		X			

Fail

Total (Yes) 3 No 11

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 2-10-17
 Roll Call Vote #: 3

2017 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 1427

House Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: _____

- Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By B. Koppelman Seconded By Johnston

Representatives	Yes	No	Representatives	Yes	No
Jim Kasper-Chairman	X		Pamela Anderson		X
Scott Louser-Vice Chairman	X		Mary Schneider		X
Jason Dockter	X				
Craig A. Johnson	X				
Daniel Johnston	X				
Karen Karls	X				
Ben Koppelman	X				
Vernon Laning	X				
Christopher D. Olson	X				
Karen M. Rohr	X				
Vicky Steiner	X				
Steve Vetter	X				

Total (Yes) 12 No 2

Absent 0

Floor Assignment Olson

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1427: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1427 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of refugee resettlement in North Dakota.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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Renumber accordingly

2017 SENATE POLITICAL SUBDIVISIONS

HB 1427


2017 SENATE STANDING COMMITTEE MINUTES

Political Subdivisions Committee Red River Room, State Capitol

HB 1427
3/17/2017
Job # 29412

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A bill for an act to provide for a legislative management study of refugee resettlement in North Dakota.

Minutes:

Written testimony #1 Rep. Christopher Olson
Written testimony #2 Sen. Mathern's amendment
17.0916.02001
Written testimony #3 Sen. Kathy Hogan amendment
17.0916.02002
Written testimony #4 Hukun Abdullahi
Written testimony #5 Shirley Dykshoorn
Written testimony #6 Abdiwali Sharif
Written testimony #7 Fowzia Adbe
Written testimony #8 Andrea Denault
Written testimony #9 Olufemi Adisa

Chairman Burckhard opened the hearing on HB 1427. All senators are present.

(:37-6:46) Rep. Christopher Olson, District 13, West Fargo. He introduced HB 1427 and also explained the bill. Written testimony #1.

(7:18- 11:37) Sen. Tim Mathern, District 11, Fargo. I suggest that if you were to pass this bill, that you amend the bill. In the 1970's I was involved as a social worker in the resettlement of people generally from Asia, in light of the Vietnam War outcome. At that time, we had people come to America in cargo plane loads, and they were settled often in our military bases. I learned from that experience that people had a general situation in that of being terrorized, afraid, misplaced from their country but I also learned that there was a great amount of skills. There were people in the camps that were fisherman, scientists, physicians, clergy and in the years following that resettlement effort many of these people became important members of our community. Later, I became a member of the Fargo/Moorhead Economic Development Corporation. We learned that for Fargo to prosper, we needed more employees. We had sort of worked for a couple of decades in getting the young people from rural ND, to Fargo and then we went to the farm crisis and then we got many of the adults that were having farm troubles. Then we went to getting Minnesota students and now we've learned that for the economy to grow, it's really important that we have persons from other countries in our economy. I believe I understand the bill before us is trying to understand what the costs are in terms of refugee resettlement programs. I am asking you to adopt this

amendment (**17.0916.02001, testimony #2**) to this bill and it essentially suggests that we look at the full picture. That full picture is an examination of what the contributions are of refugees to our communities, in terms of addressing workforce shortages, addressing the needs we have for skilled people in our businesses and professions; and even beyond that to address and learn what refugees have done to enrich our community in terms of our culture, arts, language, education and how important it is as a society that we figure out ways to promote tolerance, acceptance of diversity and the international quality of our state in our country. I ask you to adopt this amendment and I think it would add a great amount of benefit to this bill and I would address any questions that you might have.

Sen. Kannianen: So you're in favor of the study then as amended if we amended you're in favor, but if it's not amended would you still be in favor of the study?

Sen. Mathern: If the amendment is not adopted I would ask you to defeat the bill and to vote no on the bill. Without addressing the benefits, I think bill becomes more of devise subject to our communities, so I would suggest a no vote if you don't adopt these kinds of amendments.

(12:33-15:14) Rep. Cathy Hogan, District 21. Written testimony #3, with amendment **17.0916.02002**

Chairman Burckhard: So with your amendment is the same one that Senator Mathern proposed, is that true?

Rep. Cathy Hogan: Accept there is a little extra.

Sen. Anderson: Tell us about the extra please?

Rep. Cathy Hogan: This was an idea that as began to look at not just the benefits and the attributes that the new refugees bring to us, but also some of the human rights concerns that they might experience when they face real discrimination. I think that is a variable that we haven't really talked about and if we're going to do a comprehensive study I think it is just one more component that we might want to look at. Because of the legal statute of refugees they are able to work, all able bodied adults do work, but at times they face discrimination, they fact discrimination in housing so I think it might be good if we did do the study to look at all aspects of it. It was one area that we didn't talk about in the House so that's our new piece.

Sen. Anderson: Maybe this isn't worded exactly the way you had intended on pg. 2 line 2, there, but the way its worded now it seems a little negative to me because it's talking about human rights violations among refugees. It doesn't say too them, or by them. It says among them and that gives me the impression that we think that there violating somebody else in human rights. I don't think that was the intention.

Rep. Cathy Hogan: Please make it right. You're absolutely correct, experienced by would be fine. Feel free to edit. This was done as a last minute thought and we didn't spend a lot of time on wording.

Sen. J. Lee: I think there is a lot of confusion between what are the differences between immigrants and refugees. Because you also have a great amount of experience in this area, would you like to explain it for the committee who might not be clear about that?

Rep. Cathy Hogan: There is immigrants and rural Americans are really the umbrella for many categories of immigrants. That is the big category. Refugees are a very specific group of people and they actually have more vetting, more background reviews, more tests than any other immigrant in entire immigration system. They are more highly screened and they tend to come from very war torn areas where they are at imminent risk. So they come from the worst places and they have the most screening of any immigrant in the whole system and at the same time they have experienced things we cannot comprehend.

Sen. J. Lee: Somebody explained it to me one day in a way that I thought was sort of interesting. It doesn't obviously apply for everybody, but immigrants are people who have applied to come and have gone through the process, through the State's Department process, and it's an optional thing. But refugees, if everything was okay at home a lot of them would rather be there. But they are escaping physical threat, political persecution, those kinds of events which force them to leave where their families are and where their fortunes are, where their lives are in order to get to a place that will be safe. One comes with a different perspective not ungrateful to be here, but it isn't the same circumstances for people who are coming as an immigrant and as a refugee. It is very threatening for the refugee in the first place and that's why.

Rep. Cathy Hogan: They have no way to go back too. Immigrants often chose. So that is a critical difference.

(20:03-24:42) Hukum Abdallahi one of the council members for FM Refugee Advisory Council. He spoke in opposition to the bill as it written. Written testimony # 4.

Chairman Burckhard: So do you want us to study the positive impacts as well?

Mr. Hukum Abdallahi: replied yes.

Senator Anderson: Would you agree that there is a significant difference between the refugee resettlement program, and the regular immigration program?

Mr. Hukum Abdallahi: There is a lot of difference.

Sen. Anderson: I studied your testimony you said you thought we should study all the immigrants the same.

Mr. Hukum Abdallahi: Yes, sir I did.

Sen. Anderson: I think that what we're doing here is focusing on that group because it's easier to focus. You know if we expand it to all immigrants, which most of had parents who were immigrants, and so forth, it's a different system and a different procedure for the refugees than it obviously is for regular immigrants who might have a sponsor or somebody else. The Federal government is not telling us that we're going take certain number and so forth. So there is significant difference and would you agree with that?

Mr. Hukum Abdalli: So, this is how it is. I came here as a child of a US citizen. My Mom was a refugee but I was not a refugee. But we were 8 months in the camp. What you guys are saying that who will be studying of the refugees. They are a US citizen after 5 years, there is a lot of refugees who are US citizens and are living in Fargo. So what I am saying is like how. (inaudible) I think the other issue is there is a lot of people coming to Fargo. They came from different part of the world and the majority of the people are second immigrant who are coming to Fargo too. How are you going to specify the refugees (inaudible).

(27:31-32:45) Shirley Dykshoorn, Vice President of Senior and Humanitarian Services at Lutheran Social Services of ND. Written testimony #5.

Sen. Anderson: it seems to me that what this study is looking for is exactly what you have the expertise in, you're the only resettlement agency, you have some information and then of course our agencies have other information about what their spending. We're not interested in immigrants as a whole, or problems that we have with other immigrants or whatever. Now granted there may be an occasional difficulty in identifying which is which. But basically I think what we're looking to study is those that are coming in the period that you have to provide service to them and we don't really care what country they are from. We're just looking at what do we spend, we want knowledge about that, and we're trying to assess the impact to that on the state's budget. Which country they come from really doesn't make any difference in my view.

Ms. Shirley Dykshoorn: I wasn't sure there was a particular question. Yes, I think you were making a statement and I appreciate that.

Sen. Anderson: Your comments were that you couldn't provide information on everybody and what I am saying is that we aren't looking for information on everybody. We are looking for this specific information on the programs that have refugee resettlement, which you have expertise in I assume.

Ms. Shirley Dykshoorn: The question I guess that I was getting at is that we do have people moving in from other parts of the country and those individuals would not be trackable. They would not be really into this. So that is just a clarification of what information we can or cannot provide.

Sen. Dotzenrod: I am not sure are you speaking in neutral here or opposed to the resolution?

Ms. Shirley Dykshoorn: We had indicated that would support a comprehensive study but wanted the committee to be fully aware that our agency is not able to provide all of that because individuals are free to move in and out of the community and if the concept is that it's a time limited, legal status that refugees have. It does not go on for years and years. Some people have that assumption that if an individual once is a refugee that they are always a refugee and that's not always the case.

Chairman Burckhard: Sen. Dotzenrod's question was are you neutral or are in opposition? I have you down as in opposition to the bill. That's the testimony we are taking in opposition.

Ms. Shirley Dykshoorn: Well I would support a study, but I have problems with the language in it.

(36:12-42:32) Abdiwali Sharif, U. S. citizen, in opposition to HB 1427. Written testimony # 6.

Sen. Anderson: I think that when the bill leaves the committee, if it has a do pass, it will probably include both sides of the issue. We appreciate that. We also appreciate the success that you've had. When I think about the refugees that I know best, were the displaced persons we had after WWII. Many of them provided the medical care and the veterinary care and so forth across the state of ND for 30 some years after they were resettled as refugees. So certainly it's no negative consequence here, we're just trying to understand what it costs the state of ND and hopefully we'll also look at the benefits we derive from the resettlement of refugees as well.

Chairman Burckhard: What years were at Burdick Job Corp in Minot?

Mr. Abdiwali Sharif: I was there in 2006- 2008.

Chairman Burckhard: How did you find out about the Burdick Job Corp?

Mr. Abdiwali Sharif: When I first came my English was very limited and I was 20 years old, and I didn't have a chance in North Fargo. At that time the age limit in school is 18 and you cannot go. So I was unable to go to high school, so then I went to Moorhead I went one year of high school there. By the time I turned 21, the counselors told him you have to leave the program. So I moved back to Fargo, then as I was in ESL classes here at Woodrow Wilson at that time, so I heard about Job Corp. So without hesitation I called right away about Job Corp and asked for an opportunity and I was accepted right away and I moved to Minot. I ended moving there for 5 years.

(46:07-52:48) Ayat Ibrahim. No written testimony. I am 22 years old. I lived in Iraq for 12 years, moved to Syria for 5 years, waited for our background to be checked and then I have been here in the United States for 6 years. So I recently got my citizenship. The reason I think this doesn't impact me in personal or to my family because they are all out of Iraq, but it's because I've been there and I know what people go through. The year I was 11 years old I saw terrible things that I don't, can't even explain. A lot of it, I found in the front of our doors was fighting and there was a lot of fighting between the two factions about religion revolt and I saw death in front of my eyes. This almost become normal for you to see it and I was only a child. So, what frustrates me here in seeing a lot of people are going through this and nothing is done to that. I understand how some people think about they feel it cost too much to get here and how much they spend on them. Of course for 8 months which is understandable. But they need to understand that those refugees wouldn't even be here for no reason. The only reason I am here, is because of the war in Iraq and do feel that the United States is responsible for providing me at least for 8 months a good life until I can start working. I current work at Essentia Hospital. I am a full time student at Moorhead State. I am part of a F/M group of leadership at one of the colleges. So, before I came to the United States. I hated all Americans because they were the reason that I thought people lives were destroyed. We left our beautiful home in Iraq, and my family of 6 sisters and 3 brothers and everybody was somewhere else. For months we didn't know my brother was alive. We didn't know where he was. So I did judge very quickly, on a whole country based on what I see in my country and then when we came here, I changed my idea. So all I am asking for those people who have a really bad idea. But refugees is to help one person to start talking to the other person and all refugees, our friends to start talking because it's the only bridge with the

community with culture and everything. So it is for American people in general, it takes one person to start a friendly comment. I take it as a challenge when I talk to some of the patients for a few minutes as to give a good impact that I am a Muslim woman but I am not respected in my culture but I am respected women and accomplished in the language. There is more inside of my scarf than just a woman. I am hurt that people feel cheated like that and it takes years for them to be scared with background checks and get everything ready. I graduated when I turned 20 and it's been 2 years of my life that I didn't do anything, and it really boggles that I could have accomplished something in those 2 years. Right now I am deciding on a major where I should have done that a few years ago. As a refugee for 8 months, my family still gets some help, but I don't get any. I am a full time student, with a full time job, to help my family pay for the rent, even if I don't live with them. So all I am saying is that I understand that refugee's take a lot to learn English and I was part of the ELL classes. (English Language learner) absolutely had no English before locating to the United States.

Chairman Burckhard: I am impressed with your language skills. The testimony from the heart is just as effective as testimony on papers.

(53:59-56:13) Roseline Swarray, citizen. No written testimony. A single mother of 3 kids and 5 grandkids. I came to the US because of war in my country. I have lived in Fargo with my family. If we have not done anything wrong, the Bible said we should forgive one another. And the Bible says blessed is of kings and that is what is America has, I pray for refugees so I am here right now. So change our life, my children. I am pleading on the behalf of refugees. I pray on the name of Jesus, the issue of 1427 for days. (somewhat inaudible) I pray in Jesus' name, God Bless America.

(56:16-1:00;10) Hamida Bakane, No written testimony. I oppose HB 1427. I am a not a refugee, but I am not an immigrant. I came here in 2011, July 4, and since then I've lived in Fargo for the last 6 years. I just want to add a little bit. This bill is taking back what the Declaration of Independence stands for. It talks about life, liberty and the pursuit of happiness. So, if you chose to people you are putting in the religion. Just in the course of this bill, I personally was attacked. Not a physical attack but a verbal attack. I was told to go back where the hell I came from. Seeing this bill as introduced in people, it has been affecting. You know the climate is bad but you just add fuel to the fire. (More comments shared, but hard to distinguish)

(1:00:46-1:04:26) Zara Mohammad, I live here in Bismarck, a Mother of 4 children and I was once a refugee but now I with the. I do have the same concerns that Abdullahi talked about this. I am against it. I would like a study that would be more comprehensive and had language that also makes it hard refugee presently and impacts our community. There are some unintended consequences that has come. What are we going to do in our communities here, because there is a need! Yes, we want to look at the monetary aspects too.

(1:04:47-1:9:05) Fowzia Adbe, written testimony #7 We welcome this HB 1427. Actually our refugee community is looking at a positive study but what we are asking is to look at the negative and the positive for the new Americans for this bill. community Fargo and West Fargo and Moorhead have benefited a lot. So we want to have a fair judgment in this bill.

(1:10:00-1:11:06) Christopher Dodbson, The North Dakota Catholic Conference. No written testimony. The conference is neutral on this particular bill. But I wanted the opportunity to explain how we got here. We opposed the original bill. I drafted the language before you as an alternative to that bill. When I drafted it, I intended that I wrote it that it would allow people to bring in positive contributions. If that is not the way it is coming across or that's the message or not the message that we get to the interim committee, I am not opposed to having you add language to make that clear. What I did was I took aspects of that bill that called for a state office to collect that information treat the new and rewrote it, thought I wrote it in a way that would allow positive contributions, but if that's not the way you read it, or that's not the way the community is used to being involved reads it, I am not opposed to your amendments. I cannot comment specifically on the amendments proposed to you because I haven't had the time to review them. But I am not opposed to the concept at all.

Chairman Burckhard: I am sure we are not going to act on this bill today anyway, but we might agree to reopen the hearing next week, sometime Thursday maybe, or even we'll have input from Yvonne so that we would have that chance, that opportunity.

(1:11:50-1:16:16) Andrea Denault, North Dakota Human Rights Coalition. Written testimony # 8. In opposition to HB 1427.

Sen. Anderson: I think you just validated this study, because you have your opinion, you said that numbers are all there. I haven't seen them, but I would like to see a table which you didn't bring up today and also you said that these people are valuable to our community. Which again this study would tell us. So we're looking for validation of what your opinion at least was or not. That's what the study is supposed to show us.

Sen. J. Lee: This isn't a question but, a lot of these people came from my home area and I would like to make a comment if I may. I've been involved with a lot of the individuals who have been refugees and immigrants over a long period of time. I can't say enough good about the input that we've had all the way from when the "Lost Boys from Sudan" came into West Fargo as kids who had escaped from lions and crocodiles and didn't have birth certificates in their pockets and were invited by the schools to finish school. They didn't care that they were 16, above or below and all kinds of well-educated people as well as others who aren't so well-educated who contributed in remarkable ways. If we didn't have New Americans working in our long-term care facilities and in many of our stores in retail, and our manufacturing facilities in Fargo, West Fargo, we would be in terrible trouble. I live in West Fargo, and there are a broad range of socio-economic groups. We have wide variety of immigrants that are there, both from the professionals who might be there with the education in the medical communities and then individuals who have only been there a short time who might be in low income housing waiting to move on for better things. Some of our very best students and very best athletes are people who have been immigrants and refugees, and I am proud of every single one of them. So, I think our schools have done a remarkable job, we have a welcome center in West Fargo, that helps those students who don't speak English well, they become more fluent in English to be able to try the new schools and I think that the growth of Fargo and West Fargo schools has done a remarkable job of wrapping their arms around these students and trying to make sure that their families also feel like they are a part of the school community. So, the purpose of the hearing for the benefit of the people in the room, is for us to listen to you, but their needs to be I just thought one comment made by one

member of the committee before we gone on to our committee's discussion from someone who lives where a lot of you lives and knows a fair number of you and would like to know the rest of you. So, anyway thank you for coming as it's a cold day and I am glad you made the trip and we will be moving on with further discussions but we're glad you're here. I am glad you're here. We thank you for everything you're doing.

Chairman Burckhard: I would personally like to that all of you that testified. Today you really came here today. I think I learned a lot, and I hope that we can do this right. So we are going to conclude this hearing. Thank you all for coming today.

Chairman Burckhard closed the hearing on HB1427.

Written testimony #9 was submitted from Olufemi Adisa, He was not able to be present in the hearing but he still wanted his testimony to be included in the hearing.

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A BILL for an Act to provide for a legislative management study of refugee resettlement in North Dakota.

Minutes:

No attachments

Chairman Burckhard brought the meeting on HB 1427 to order, all senators were present.

(1:35-5:20) Olufemi Adisa (Femi) Testified in opposition. I see why this bill came to be. Localities and the state are struggling with what is deemed an unfunded federal mandate; and the desire to be further involved in refugee settlement in localities. I'm concerned that if this continued this would hamper or create problems for these localities; while I see that we need to look at this from the perspective of the law. This area of the law is largely controlled by the federal government. Refugee resettlement is a federal government program. The involvement of states or localities would then have to be routed through the channel that has been created by Congress to make that happen. I'm looking at the bill we have, and 1) I see what the study intends to do here, the very first clause about consideration of the impact of refugees on the working conditions of local workforce. The question that raises is the implication that the refugees are not members of the workforce, they are the other, that is not what their legal status allows. Refugees are refugees at the point of entry, should they continue to be refugees once they have become permanent residents or citizens. The implication of the statements here is to that effect; refugees remain refugees even when they become citizens. That should not be; that's not what the federal law intends, and there is just no way to segregate how to deliver benefits to refugees than you would any other citizen. How are you going to find out how a permanent resident who was a refugee, got a benefit that is entitled to or eligible to receive based on making the requirements of the law. I think this study has good intentions, I just don't think there's a viable or physical way of getting those results. That's because 1) the study's up against an area of law that is controlled by the federal government. What the study might get could only be confined to what the federal government allows.

Chairman Burckhard: You're in opposition to the bill, unless we would change what the bill is asking about? Is that correct?

Femi: I'm not in opposition to the bill, I'm in opposition because I believe it will achieve nothing; that's why I'm in opposition to the bill. The bill the way it's set up now would not get the results that are intended, the reason for that is because there's no operating on area of law that is largely controlled by the federal government. Now I say that because there have been states that have gone down that route, I believe that part of my testimony last week was from Tennessee went the route of absorptive capacity which was the original version of this bill, and followed through with that and did a study on the impact of refugees. In the course of doing the study what Tennessee ran into was defining who was a refugee. They had to make a lot of assumptions about who a refugee is and assumptions about the rate at which they used public assistance relative to other people. I think that means debating who a refugee is relative to the citizens of the United States. Do you consider an individual who came here as a refugee, a refugee if he becomes a citizen? Do you consider a refugee living in a permanent residence? In the course of having access to these benefits, federal government doesn't allow making those kind of delineations.

Chairman Burckhard: Do I have this right? An immigrant is one who has applied to come to America, a refugee is one who has been forced to leave their country due to one reason or another, and has settled here.

Femi: A refugee is one who is afraid of persecution. Because of that is unable or unwilling to avail themselves of the protection of their country. Gave a Somali example (8:00-9:15).

Senator Dotzenrod: Have you seen Sen. Mathern's amendment?

Femi: No, I have not.

Senator Dotzenrod: That basically would ask that the study would include an examination of the contributions the refugees have made to the communities and to address workforce shortages, and to provide needed skills and personnel to understaffed business and professions. It kind of develops the idea that if you are going to study this, you need to look at what needs have been filled and how it's contributed to the economic welfare of the area. **Femi:** Part of my email from last week talked about that, any discussion or study of the impact of refugees should necessarily include a study of the benefits that they bring to the community otherwise, if you looking to study a thing, I believe you are better served looking at the net benefit of that thing, other than the problems or challenges this might bring.

Senator Dotzenrod: I think I understand a lot of your opposition is based on the idea the refugee is a fairly narrow and technical term, people don't retain that refugee status for very long. It might be difficult to confine what we're doing here to just people who meet that definition.

Femi: I don't think that it might be difficult as much as I think it's when you look at refugee status, that's in a colloquial sense, which I think most of the discussion has been about, a refugee is an individual who came here, and because they're still here, they're still a refugee. But in the legal sense, you're looking at an individual status that expires after so long. Now they become a permanent resident, I'm a permanent resident, but I'm not a refugee, so are you going to make a difference between myself and another individual who acquired permanent residence through refugee, the federal government won't allow that. That's why I

think the language of this study would not achieve the end goal. You would not get who a refugee is, if you don't define who a refugee is, then the results are skewed. That's what Tennessee found out. The North Dakota system is similar to Tennessee system, because North Dakota refugee settlement done by a program call Wilson-Fish Program, which is an alternative system since the state is no longer primarily in charge of resettling refugees here, it's done through an agency called Lutheran Social Services. 12 states do the Wilson-Fish system. That is an alternative way of providing cash to spend and social services and sending refugees here. Tennessee found out that refugees bring net benefits to the state. I quibble with that study because of its premise. When you do a study like that, you are not getting the results you intended, to find out basically the impact of refugees on your community.

Chairman Burckhard: What you are saying was reiterated by 8-10 people who testified a week ago, who said also measure what we bring to the community. They were all opposed to the study as it was.

Senator Larson: It sounds like what he's saying is a little different; he's saying that this isn't something that is measurable. Because by the time we get to the point of finding out who a refugee is, they're no longer legally a refugee, how do you in an interim study try to determine, because those numbers are changing all the time based on who's a permanent resident and who's a refugee. So to try to figure out who we're counting and who we're trying to study in what they cost and what they provide is just not going to be able to be done.

Femi: If you're concerned about the study, essentially you cannot look at refugees in the colloquial sense; an ongoing status of refugee, but in a legal sense. Once you become a permanent resident, there's no way of denying benefits to an individual based on the acquisition of permanent residence, without running into constitutional protection questions.

Senator Lee: Looking at the original bill, even if it was possible to separate out, this is an extraordinary list of things that are supposed to be done in this legislative management study. It's just more than a legislative committee has the time and ability to do. What is the ultimate goal? I thought the reason it would be worth participating in this that it was going to point out the benefits, that didn't happen. How do you measure integration outcomes? How do you do most of these things? How do you separate out the number of individuals that are under 18, the ones who are 40-65, etc. None of this makes sense to me. We were provided testimony by extraordinary people last week. They are important to our state, but this is also kind of a local issue, yes there are refugees in Bismarck and Grand Forks, the vast majority of refugees are settled in Cass county. Because we have some vocal local people who don't understand the situation well, that has led to this study resolution, when they talk about the impact on workforce, it suggests to me that it has a downward impact on wages, we have 1.8% unemployment in Cass county. I don't know what we would do without refugees. We have 400 new Americans who have gone through the program with the State College of Science. They are working in our nursing homes, factories, retail stores, restaurants, and elsewhere. I oppose this bill; I don't even think it's amendable. Do you feel that the broad nature of this study was even doable; if we were able to define what a refugee is?

Femi: I believe that if Legislative Management wanted they could probably find a way to study this, but I think the bigger question would be what sort of results do you get out of this. I do not think this would do much. Tennessee has resorted to suing the federal government and

saying well, you should not be making us do this without providing resources to allocate us to do this.

Senator Anderson: At one time the federal government provided the money for refugee resettlement. They no longer do that; the federal government tells us that we are going to get a certain number of refugees. In my estimation, this bill simply wants to find out how much of the state's resources we are spending on refugee resettlement. It's very easy to determine who is a refugee. They have nine months from the time they get here. We know who they are, they have a refugee designation. That's a simple matter, to determine their age, that's all in the record, you just have to gather that information. What we're looking for is how much does the state of North Dakota spend so that when we're negotiating with the federal government about how many refugees we should take, we know the information from the state of North Dakota. I don't think that is predetermining it, we're saying that long term, one these people become permanent residents, they're not contributing to the state of North Dakota. When we look at the amendment to study the effect, that's where the nebulous information comes in. because you really can't determine those things long term. The study is just interested in determining what the state of North Dakota is spending, that the federal government used to spend for these refugees.

Senator Lee: Then why do we have in the study resolution that we have to know about the security measures taken by the United States government, integration outcomes, religious, political and economic conditions or countries of origin, prevalence of violence, etc. None of that has anything to do with what the state is doing.

Christopher Dodson, ND Catholic Conference: there was something that Femi brought up: one thing that I was hoping that if a study came out an answer to that question, what role does the state and local community play in the refugee process. What can they do? I know the answer, nothing. In our opinion, some people didn't believe it, I took that list and things from the bill that were measurable as an alternative to the bill. You're talking about how broad and difficult to grasp some things in the bill are, that is actually pretty simple. We don't control the numbers or who comes here, it's a federal program. We're a Wilson-Fish state, we decided not to have any say.

Senator Anderson: You say we don't have any say in it; but we can negotiate with the federal government if we had facilities here, Lutheran Social Services is here they say we can handle the resettlement of a certain number of refugees and that's what the State Department says we can take. So obviously if we didn't have the facilities, or couldn't handle them, the State Department wouldn't send them to us.

Christopher Dodson: All they do is give a recommendation of what they can provide, the State Department can send any amount they want, the state doesn't have a role in it, nor does LSS.

Senator Anderson: But those people are reasonable too, they're going to take a look at how we can accomplish the goal of this program.

Christopher Dodson: My point is, that's not something we can study, that's just the law.

Senator Lee: The state and LSS can provide information to the feds, but they make the determination. It's based on things like the strength of the economy, availability of employment, cost of housing, etc. North Dakota wins on all counts, Cass county wins on all counts. The resources in the view of people in the federal office: we can support these people. We really don't have any control.

Chairman Burckhard: What is the Wilson-Fish Program?

Christopher Dodson: Essentially it's a federal program. Normally what happens is states can coordinate with Catholic Charities or LSS or whatever, in a Wilson-Fish state, it simply eliminates the middle man and works directly with the resettlement agency.

Senator Lee: I move Do Not Pass

Senator Larson: Second.

A roll call vote was taken.

Motion passes 4-2-0.

Senator Lee will carry.

Senator Dotzenrod: I have some sympathy for trying to get our hands around what's going on but, I think if we were to try to do this, you would have to have a Hoghouse amendment. Looking at lines 14-15, those two lines would take someone from the State Department or some level of federal oversight. I think we may know what it's costing us.

Senator Kannianen: I voted against the do not pass, I wasn't quite ready to kill it. We were given some numbers by the sponsor in his testimony. The biggest question is taxpayer money versus private money. The big picture view of why the intent of this study, what's the role in assisting. I don't think there's anybody who disagrees that we need to help anybody who's in a state of fleeing danger. Last biennium, the state gave \$8.5M to LSS only 18% of their funding came from private sources, the rest was from public sources or fee income. A charitable organization, shouldn't they have most of their resources come from private sources rather than government sources? I understand the reason that this particular study is unworkable, but I think that's the larger picture.

Senator Larson: I had difficulty figuring out which side I was on. I don't think a study will give us solid information on anything. If you look at Sen. Mathern's amendment, he wanted to even say talk about the impact of the promotion of tolerance and acceptance and diversity. How do you determine those things? I agree with what Sen. Anderson said, it would be a good idea to have some information, but at the same time I think that this is just too complex. Femi gave us that final piece; we're not going to be able to figure out the numbers that we are looking for.

Senator Lee: An unfortunate outcome of this discussion has been a rising resistance to the presence of refugees.

Senator Anderson: My contention is that the uncomfortable feeling is already there in Fargo/West Fargo, this is a result of it, not the cause of it.

Chairman Burckhard closed the hearing.

Date: 3.24.2017
Roll Call Vote #: 1

2015 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1427

Senate Political Subdivisions Committee

Subcommittee

Amendment LC# or Description: _____

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
Other Actions: Reconsider _____

Motion Made By Sen. Judy Lee Seconded By Sen. Diane Larson

Senators	Yes	No	Senators	Yes	No
Chairman Randy Burckhard	✓		Senator Jim Dotzenrod	✓	
Vice-Chairman Howard Anderson		✓			
Senator Jordan Kannianen		✓			
Senator Diane Larson	✓				
Senator Judy Lee	✓				

Total (Yes) 4 No 2

Absent 0

Floor Assignment Sen. Judy Lee

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1427, as engrossed: Political Subdivisions Committee (Sen. Burckhard, Chairman)
recommends **DO NOT PASS** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING).
Engrossed HB 1427 was placed on the Fourteenth order on the calendar.

2017 TESTIMONY

HB 1427

Attachment 1
1427 2-3-17
P. 1

The purpose and effect of this bill is to set up, within state law, a process that is already required under the Federal Law that governs the refugee resettlement program, and to require that those provisions are being adhered to by all parties involved in refugee resettlement within the State of North Dakota.

Section 1 of the bill provides for a definition of the Absorptive Capacity of a community, or, in other words, the ability for a local community and its government to provide to resettled refugees the requirements of daily life within the confines of an existing North Dakota community. This includes, but is not limited to, social and educational services, child and health care, law enforcement, appropriate initial and follow up medical treatment, affordable housing, school capacity, as well as the capacity of the local economy and law enforcement agencies.

Section 2 of the bill provides for mandatory, comprehensive reporting on the impact of the program, with regards to all of the above to state and local leaders. It also requires mandatory quarterly meetings occur with representatives of state and local governments as well as non-profit and religious entities providing services to the new arrivals to plan and coordinate appropriately. It further requires that memoranda of understanding be executed with any agencies receiving federal dollars for refugee resettlement services within the state and that these MOUs be forwarded on to state and local leadership to keep them informed of the proceedings. Further, annual, comprehensive reporting is required under Section 2 which must be submitted to the legislative management, governor, attorney general and leaders of local jurisdictions impacted by Federal refugee resettlement activities.

Section 3 provides authority for local communities to submit an application to the State for a **temporary, one-year** moratorium on further refugee resettlement activities **if the community is determined to lack sufficient absorptive capacity.**

This occurs when:

A host community lacks sufficient absorptive capacity if the local government, **after consultation with the state refugee coordinator**, holds a public hearing and issues findings that, based on absorptive capacity factors under subsection 1 of section 1 of this Act, further resettlement of refugees in the host community would result in an adverse impact to existing residents.

Then...

Upon notice of a determination made under subsection 2, the state office for refugees or the governor shall suspend additional resettlement of refugees in that community until the state refugee coordinator and the local government have determined jointly that sufficient absorptive capacity for refugee resettlement exists to implement the initial refugee placement plan prepared for the host refugee community.

Presently, administration of the resettlement program within North Dakota is conducted by Lutheran Social Services of North Dakota, *an entity outside of state government*. The administration of this program was originally administered by the state until nearly the entire responsibility was delegated, by executive order, to LSS, under an MOU signed in 2010.

The Refugee Act of 1980 ("The Act") created The Federal Refugee Resettlement Program to provide for the effective resettlement of refugees and to assist them to achieve economic self-sufficiency as quickly as possible after arrival in the United States. Title IV, chapter 2 of the Immigration and Nationality Act (INA) contains the provisions of the Refugee Act.

The Act requires the President, in consultation with the United States Congress, to determine the maximum number of refugees to be admitted to the country each year. The federal Bureau of Population, Refugees, and Migration screens refugees to determine whether they are eligible for resettlement in the United States. Once the Bureau of Population, Refugees, and Migration accepts a refugee for resettlement, it works with ORR, which is a division of the United States Department of Health and Human Services, and national volunteer agencies to place the refugee in an American community.

The ORR places refugees according to plans it develops with input from national volunteer agencies and state and local government representatives. The plans aim to avoid resettlement in areas that are already highly impacted by the presence of refugees to the extent practicable. Additionally, when ORR decides to place a refugee in a state, **ORR must consider the recommendations of the state regarding the appropriate community for placement.**

According to The Act

1)(A) In providing assistance under this section, the Director shall, **to the extent of available appropriations,**

- (i) make available sufficient resources for employment training and placement in order to achieve economic self-sufficiency among refugees as quickly as possible,
- (ii) provide refugees with the opportunity to acquire sufficient English language training to enable them to become effectively resettled as quickly as possible,
- (iii) insure that cash assistance is made available to refugees in such a manner as not to discourage their economic self-sufficiency, in accordance with subsection (e)(2), and (iv) insure that women have the same opportunities as men to participate in training and instruction.

(B) It is the intent of Congress that in providing refugee assistance under this section-

(iii) local voluntary agency activities should be conducted in close cooperation and advance consultation with State and local governments.

Notice that The Act states "to the extent of available appropriations". This is the first problem with what is presently occurring within The Federal Refugee Resettlement Program.

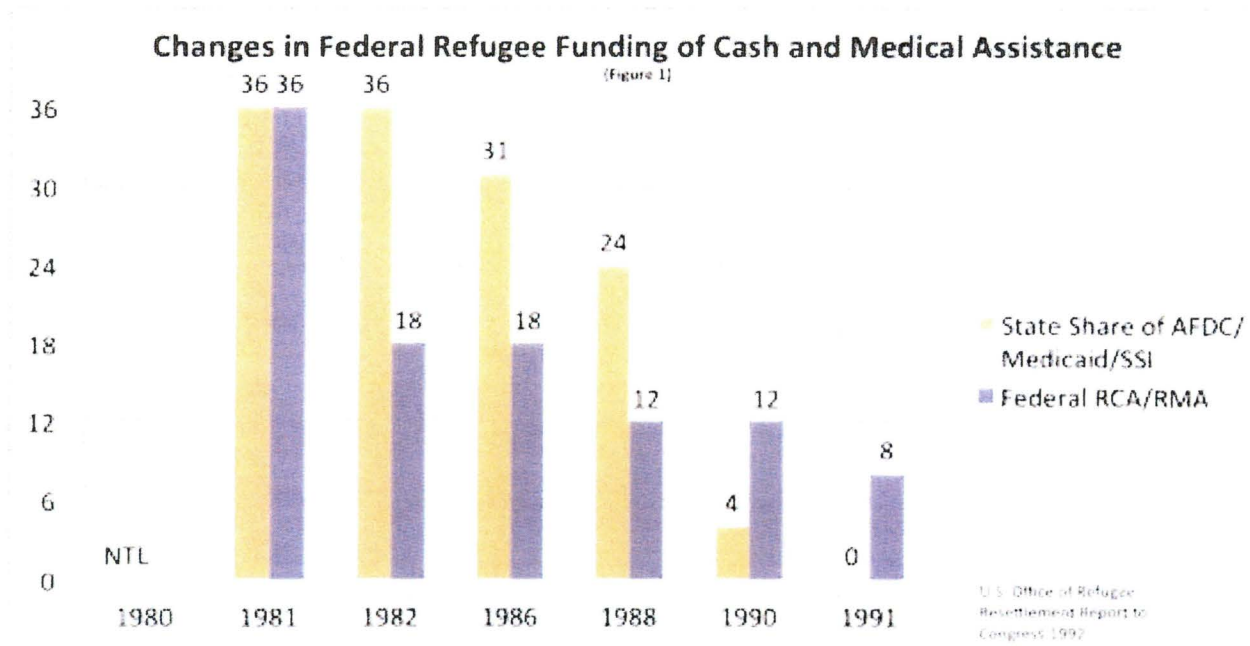
In 1980 when The Act was first formalized, there was no mandate to force states to participate in this program. To induce states to participate in the program, cash assistance and medical subsidies were appropriated by the Congress.

Federal appropriations were authorized to provide for 36 months medical and cash assistance for newly resettled refugees. Refugees were and still are, first required to use state Medicaid programs **if they are eligible**, before the federal medical assistance subsidy funds are used.

When the federal law was passed, it authorized a 100% reimbursement of the state incurred cost of providing Medicaid, cash welfare and SSI for each refugee brought to a state by a federal contractor. For refugees who did not meet eligibility criteria for state Medicaid and cash welfare programs, the law also provided a federal subsidy - Refugee Medical Assistance (RMA) and Refugee Cash Assistance (RCA) for 36 months.

In little time, the U.S. Office of Refugee Resettlement (ORR) began decreasing the amount of subsidy and reimbursement. By 1991, even though the number of refugees being resettled was not decreasing, eliminated reimbursement to states for the state cost of resettling and supporting refugees with Medicaid and cash welfare.

In addition, the RCA and RMA subsidy was reduced from 36 months to 8 months for refugees ineligible for state funded programs. States have had no other choice but to assume the greater share of the **voluntary** federal program's costs.



The ORR told Congress early on in the program that the reason states were no longer being reimbursed for their costs was because Congress didn't appropriate enough money!

The 1981 Select Commission on Immigration and Refugee Policy also documented that even the initial 3 years of 100% reimbursement to states, was not sufficient to "minimize the impact of refugees on community services." The Commission was specifically referring to schools, hospitals and community support services.

In 1990, the U.S. General Accounting Office documented that the reduction in reimbursement to states for the federal refugee resettlement program, **“costs for cash and medical assistance have shifted to state and local governments.”** The National Governors Association has also questioned the federal cost shifting, stating that **“[t]hese reductions represent a major federal policy change that shifts fiscal responsibility for meeting the basic needs of refugees from the federal government to states and localities.”**

K-12

Consider the K-12 budget. We are presently rolling back the very meager 1% increase that Gov. Dalrymple had suggested to the foundation aid payment in order to save the state \$9.745M - yet the budget already includes increases of \$20.7M over the next two years simply due to increased enrollment.

This adds further injury to Fargo and West Fargo schools who are already below adequacy in terms of their ELL programs.

ELL Costs and Comparisons

English Language Learner programs offer students opportunities to develop their English language skills while also learning academic content. Districts receive support from ND DPI through training and resources for identification and screening of ELLs to assist in determining which students would benefit from ELL services through individualized language plans.

Currently, the Fargo and West Fargo school districts report the highest number of ELL students.

Fargo Public Schools net cost of ELL services for the 2014-2015 fiscal year is displayed below:

Fargo Public Schools Fiscal 2014-2015 ELL Net Cost of Services Provided

Total Costs for Services Provided	\$ 2,681,520
Less: Revenues Received	
Grant/Federal	\$ (207,856)
State Aid ³⁷ :	
ELL Level 1	\$ (149,836)
ELL Level 2	\$ (175,839)
ELL Level 3	<u>\$ (143,926)</u>
Net Costs of Services Provided	<u>\$ 2,004,062</u>

The projected 2015-2016 fiscal year ELL budgets for comparison districts are listed as follows:

Comparison of 2015-2016 District ELL Programs³⁸

	ELL Budget	ELL Teacher FTEs	ELL Para FTEs	ELL Social Worker FTEs	ELL Coordinator & Office FTEs	Total ELL FTEs
West Fargo	\$2,941,270	35.0	6.0	1.0	2.0	44.0
Fargo	\$2,736,485	27.5	6.0	1.0	2.0	36.5
Bismarck	\$715,000					
Minot	\$316,000					
Dickinson	\$294,241					
Grand Forks		10.0				10.0

During the 2013-2014 school year, Fargo Public Schools (FPS) had 443 ELL students in K-5 classrooms, plus 139 in middle schools and 204 in high schools, or 786 total students.¹⁴ In 2014-2015, FPS had 738 students who qualified for ELL programs: 418 (K-5); 132 (Grades 6-8); and, 188 in high school (Grades 9-12).

At this time, 726 ELL students are enrolled in Fargo schools for the 2015-2016 school year. Eligible students are identified through ACCESS scores (ability to read, speak, listen to and write English). The following table indicates the "Limited English Proficient" or Federal LEP funds Fargo Public Schools has been eligible to receive since fall 2008:

	# of Eligible ELL Students	Title III - allocation only ¹⁵	New Immigrant Funds	STEEP ¹⁶ Funds (enrichment)	TOTAL
2015-2016	726	\$109,807.27	\$2,029.60	\$42,411.51	\$154,248.38
2014-2015	738	\$121,081.00	N/A	\$53,180.00	\$174,261.00
2013-2014	786	\$110,575.11	\$15,312.13	\$53,926.00	\$179,813.24
2012-2013	779	\$73,988.39	\$26,472.02	\$55,856.68	\$156,317.09
2011-2012	817	\$70,483.63	\$15,000.00	\$69,963.67	\$155,447.30
2010-2011	771	\$63,749.00	\$11,293.00	\$43,800.00	\$118,842.00
2009-2010	751	\$92,456.00	\$15,115.00	\$66,652.00	\$174,223.00
2008-2009	635	\$97,873.84	\$19,902.82	\$77,870.00	\$195,646.66

The total per pupil cost for 756 ELL students in 2014-2015 was: \$3,547. The net cost for the same group, but deducting the state and federal funding, was: \$2,651 per student.

Additional services needed to achieve adequacy in the Fargo Public Schools ELL Program:¹⁷

1.	(2) - Additional ELL social workers ¹⁸	\$ 121,714
2.	Staff to coordinate interpreters (in-house, .25 FTE)	7,293
	Contract with a translator to support written communications	20,000
3.	Changes: teachers at each grade level	
	ELL-certified teachers @ high schools ¹⁹	41,034
	+4.0 ELL-certified teachers @ middle schools ²⁰	542,764
	+3.7 ELL-certified teachers @ elementary ²¹	326,891
4.	(2) - ELL Support Specialists (coaches for traditional teachers)	
	High School (1.5 FTE)	97,500
	Middle School (1.0 FTE)	65,000
5.	(2) - ELL Interventionists (MTSS or RTI process) ²²	
	High School (1.0 FTE)	65,000
	Middle School (1.0 FTE)	65,000
6.	Summer School ²³	
	(14) Additional teachers	33,600
	(3) Additional bi-lingual paras	4,500
7.	Mentor Program - coordination (\$15/hour + benefits)	40,560
	Cultural liaison/volunteer coordinator	
	TOTAL (NEW) EXPENSES	\$1,430,856

West Fargo Public School District #6
 ELL and Special Education Program Information
 Prepared December 12, 2016

West Fargo Public Schools Fiscal 2014-2015 ELL Cost of Services Provided	
Total Costs for Services Provided	\$ 2,665,852
Less: Revenues Received	
Grant/Federal	\$ 218,099
State Aid:	
ELL Level 1	\$ 143,017
ELL Level 2	\$ 139,653
ELL Level 3	\$ 115,014
Net Costs of Services Provided	<u>\$ 2,050,069</u>

Federal Grant Revenue Received for ELL Services by Year	# ELL Students	Title III Funds	New Immigrant	STEEP Funds	Total
2015-2016	712	\$ 102,371	\$ 3,129	\$ 55,540	\$ 161,040
2014-2015	671	\$ 170,443	\$ 3,123	\$ 44,533	\$ 218,099
2013-2014	623	\$ 69,637	\$ 12,161	\$ 49,144	\$ 130,941
2012-2013	652	\$ 46,748	\$ 6,545	\$ 46,992	\$ 100,285
2011-2012	573	\$ 89,097	\$ 30,484	\$ 98,602	\$ 218,184
2010-2011	505	\$ 33,636	\$ 15,501	\$ 35,717	\$ 84,854
2009-2010	514	\$ 46,715	\$ 7,226	\$ 39,489	\$ 93,430
2008-2009	524	\$ 46,404	\$ -	\$ 46,487	\$ 92,891

NOTE: Funds Represent Actual Grant Revenue received.

(As of this time I was not able to obtain any information about what further funding might be needed for WFPS to achieve ELL adequacy, if any.)

(As of this time I do not have information regarding the Grand Forks school district, but it is safe to assume that there are similar issues though to a somewhat lesser extent.)

The state also receives pressure on the programs that it funds.

To: Vonette Richter, North Dakota Legislative Council
From: Tom Solberg, Deputy Director *TS*
Date: May 11, 2016
Re: Refugee Information Requested

The Legislative Council requested information concerning the annual costs of refugees in the state and the number of refugees enrolled in Medicaid, Supplemental Nutrition Assistance Program, Low Income Home Energy Assistance Program, TANF, and child care assistance.

- The Department's information management systems do not capture citizenship or refugee status for the Child Care Assistance Program and Low Income Home Energy Assistance Program.
- Medicaid data does not include Medicaid Expansion and Children's Health Insurance Program as the Department pays premiums but not claims for these programs.
- The information is reported at a Regional level to ensure there is no overt identification of clients.

Traditional Medicaid	
Dates of Service July 2014 – June 2015	
• 2,684 Clients received services statewide	
	PAID
TOTAL	\$11,991,012
Northwest Region	\$30,305
North Central Region	\$26,259
Lake Region	\$0
Northeast Region	\$2,184,196
Southeast Region	\$9,311,631
South Central Region	\$75,298
West Central Region	\$339,693
Badlands Region	\$23,630

Supplemental Nutrition Assistance Program July 2014 – June 2015	
<ul style="list-style-type: none"> • 1,924 Unduplicated Cases statewide • 4,275 Unduplicated Clients statewide 	
	PAID
TOTAL	\$5,552,508
Northwest Region	\$28,028
North Central Region	\$15,855
Lake Region	\$0
Northeast Region	\$967,999
Southeast Region	\$4,315,593
South Central Region	\$87,839
West Central Region	\$133,641
Badlands Region	\$3,411

Temporary Assistance for Needy Families July 2014 – June 2015	
<ul style="list-style-type: none"> • 148 Unduplicated Cases statewide • 355 Unduplicated Clients statewide 	
	PAID
TOTAL	\$284,789
Northwest Region	\$0
North Central Region	\$3,441
Lake Region	\$0
Northeast Region	\$34,888
Southeast Region	\$237,415
South Central Region	\$3,321
West Central Region	\$5,724
Badlands Region	\$0

The actual numbers are unclear as these amounts refer only to funds paid out to refugees while still under the "refugee classification" which expires. Whatever costs exist beyond that point are not able to be obtained at this time, but some assumptions could be made.

The fiscal note to this bill explains the changes that would need to be made in order to gather this data.

Systemic Lack of Reporting.

In a 2011 report by the Migration Policy Institute titled "The Faltering U.S. Refugee Protection System: Legal and Policy Responses to Refugees, Asylum Seekers, and Others in Need of Protection".

Their report Begins as follows: "The U.S. refugee protection system, while generous in many respects, has become less robust over the last two decades. The unique and often diverse needs of emerging refugee populations have exposed severe limitations in the standard resettlement approach. The system's U.S. Refugee Admissions Program faces significant challenges, among which include heightened security reviews, inadequate coordination between government and NGOs, and unresolved policy tensions between the goals of protecting the most vulnerable.

*Local communities **increasingly voice concerns** about their integration capacities and the Department of Health and Human Services' Office of Refugee Resettlement does not track long-term indicators of refugee self-reliance, integration, or well-being"*

Intent For Local Control

The quarterly meetings which are being codified in ND statute in HB1427 are already required by Federal law. The relevant sections of Federal

The Director and the Federal agency administering subsection (b)(1), shall consult regularly (not less often than quarterly) **with State and local governments** and private nonprofit voluntary agencies concerning the sponsorship process and the intended distribution of refugees among the States and localities **before their placement in those States and localities.**

(B) The Director shall develop and implement, in consultation with representatives of voluntary agencies **and State and local governments**, policies and strategies for the placement and resettlement of refugees within the United States.

(C) Such policies and strategies, to the extent practicable and except under such unusual circumstances as the Director may recognize, shall:

(i) **insure that a refugee is not initially placed or resettled in an area highly impacted (as determined under regulations prescribed by the Director after consultation with such agencies and governments) by the presence of refugees or comparable populations unless the refugee has a spouse, parent, sibling, son, or daughter residing in that area,**

(ii) provide for a mechanism whereby representatives of local affiliates of voluntary agencies regularly (not less often than quarterly) **meet with representatives of State and local governments** to plan and coordinate in advance of their arrival the appropriate placement of refugees among the various States and localities, and

(iii) take into account-

(I) the proportion of refugees and comparable entrants in the population in the area,

(Federal law recognizes some form of proportionality of refugee resettlement to be a relevant factor to be determined)

(II) the availability of employment opportunities, affordable housing, and public and private resources (including educational, health care, and mental health services) for refugees in the area,

(III) **the likelihood of refugees placed in the area becoming self-sufficient and free from long-term dependence on public assistance,** and

(IV) **the secondary migration of refugees to and from the area that is likely to occur.**

(D) With respect to the location of placement of refugees within a State, the Federal agency administering subsection (b)(1) shall, consistent with such policies and strategies and to the maximum extent possible, take into account recommendations of the State.

Where is the State of North Dakota even making a recommendation? We've delegated that authority to Lutheran Social Services.

(3) In the provision of domestic assistance under this section, the Director shall make a periodic assessment, based on refugee population and other relevant factors, of the relative needs of refugees for assistance and services under this chapter and the resources available to meet such needs. The Director shall compile and maintain data on secondary migration of refugees within the United States and, by State of residence and nationality, on the proportion of refugees receiving cash or medical assistance described in subsection (e).

What this bill is asking for is nothing other than is already required under Federal Law. The problem is that these things are not presently taking place as originally intended by Congress.

According to the Migration Policy Institute: "Resettlement agencies (many affiliated with VOLAGs) **meet with state and local officials** on a quarterly basis regarding the opportunities and services available to refugees in local communities and the ability of these communities to accommodate new arrivals. They also consult with the state refugee coordinator on placement plans for each local site. PRM (DOS Bureau of Population, Refugees and Migration) provides ORR and states with proposed VOLAG placement plans. **If a state opposes the plan, PRM will not approve it.**"

As of the date of the hearing I was not able to verify the claim that "if a state opposes the plan, PRM will not approve it". This was a claim made by Donald Kerwin, ED of the Center for Migration Studies, an expert in this field, and when I spoke with him on the phone yesterday he told me that he believed that this was the case. I have a call in to Linda Hartke of Lutheran Immigration and Refugee Service (LIRS), which is the Federal contractor which services our local contractor, to determine if this is indeed the case.

How is ND's local resettlement agency meeting with state and local officials to determine the ability of our communities to accommodate new arrivals? How is this ability determined? Do local governments approve of the definition of *ability as it is determined by the contractors?*

This is the most important point in this entire proceeding: **who determines what number of refugees our community is capable of handling and based on what information presented at which hearing?**

Further, if, as is claimed, that a state opposes the plan, how do we petition to PRM that the plan not be approved if the state is not given the plan (R&P) and the numbers prior to its approval and execution by PRM?

Putting it in perspective

In October 2015, the Fargo Forum reported that "Over roughly the past two years, no state has taken in more refugees per capita than North Dakota", compared with Minnesota which took in the eighth-most refugees per capita in the same period. Of note is that nearly 70% of this resettlement activity is concentrated in the Fargo/West-Fargo metro.

Do we, as lawmakers and elected representatives of the people, not have any say in a program that directly and significantly impacts the budgets which we must calculate and appropriate within our state?

Of course. We **must have a say**.

Public Sentiment

A Change.org petition from August 2015, calling on a moratorium on resettlements in Fargo garnered over 3,200 signatures from the region

That same year ND Congressman Kevin Cramer co-sponsored legislation that would give Congress, rather than the president, control over how many refugees enter the U.S. Cramer said "state and local governments should be concerned" about the financial impact of increasing the number of refugees from 70,000 to 100,000 in the next two years. "It will be taxpayers footing the bill for these refugees," he said in the statement.

CASS/CLAY COUNTY POLL RESULTS OCTOBER 2015 <https://goo.gl/EbT3Cx>

In 2015 a poll was conducted by Mason-Dixon Polling & Research, Inc. of Jacksonville, Florida from September 29 through October 1, 2015. A total of 625 adult residents of Cass County, ND and Clay County, MN were interviewed by telephone.

Those interviewed on land-lines were selected by the random variation of the last four digits of telephone numbers. A cross-section of exchanges was utilized in order to ensure an accurate reflection of the area. Those interviewed on cell phones were selected from a list of working cell phone numbers. Quotas were assigned to reflect adult population by county.

The margin for error, according to standards customarily used by statisticians, is no more than 4 percentage points. This means that there is a 95 percent probability that the "true" figure would fall within that range if all adult residents were surveyed.

QUESTION: Do you support or oppose the continued resettlement of refugees in the Fargo-Moorhead area?

	<u>REGION</u>	<u>MEN</u>	<u>WOMEN</u>	<u>CASS</u>	<u>CLAY</u>	<u>DEM</u>	<u>REP</u>	<u>IND</u>
SUPPORT	28%	23%	32%	29%	25%	56%	17%	18%
OPPOSE	57%	62%	53%	57%	58%	36%	72%	60%
UNDECIDED	15%	15%	15%	14%	17%	8%	11%	22%

QUESTION: Do you support or oppose public funds being used for refugee resettlement programs, such as cash assistance?

	<u>REGION</u>	<u>MEN</u>	<u>WOMEN</u>	<u>CASS</u>	<u>CLAY</u>	<u>DEM</u>	<u>REP</u>	<u>IND</u>
SUPPORT	35%	26%	43%	35%	35%	64%	21%	26%
OPPOSE	55%	65%	46%	55%	54%	26%	68%	64%
UNDECIDED	10%	9%	11%	10%	11%	10%	11%	10%

QUESTION: Do you believe organizations that resettle refugees, like Lutheran Social Services, should or should not bear the most responsibility for these individuals?

	<u>REGION</u>	<u>MEN</u>	<u>WOMEN</u>	<u>CASS</u>	<u>CLAY</u>	<u>DEM</u>	<u>REP</u>	<u>IND</u>
SUPPORT	73%	75%	72%	75%	67%	62%	79%	75%
OPPOSE	22%	19%	24%	21%	26%	33%	15%	21%
UNDECIDED	5%	6%	4%	4%	7%	5%	6%	4%

QUESTION: Do you feel the local police departments and resettlement agencies should or should not be required to provide statistics on crimes committed by refugees?

	<u>REGION</u>	<u>MEN</u>	<u>WOMEN</u>	<u>CASS</u>	<u>CLAY</u>	<u>DEM</u>	<u>REP</u>	<u>IND</u>
SHOULD	82%	89%	76%	81%	85%	81%	83%	82%
SHOULD NOT	12%	8%	15%	13%	9%	15%	10%	11%
NOT SURE	6%	3%	9%	6%	6%	4%	7%	7%

QUESTION: If given the opportunity, do you feel states should or should not be allowed to "opt-out" of refugee resettlement programs?

	<u>REGION</u>	<u>MEN</u>	<u>WOMEN</u>	<u>CASS</u>	<u>CLAY</u>	<u>DEM</u>	<u>REP</u>	<u>IND</u>
SHOULD	65%	75%	56%	66%	62%	46%	79%	66%
SHOULD NOT	23%	14%	32%	23%	24%	46%	8%	20%
NOT SURE	12%	11%	12%	11%	14%	8%	13%	14%

The main point:

The federal contractors' proposed resettlement numbers are never made public prior to acceptance and award of federal funds. State and local elected leadership has no knowledge or control of the numbers prior to them being accepted at the Federal level. The State must have the final say in the numbers that are adopted by the Federal Contractor. Local Governments must be able to report, understand, deliberate and advise the State Government as to their ability to capably sustain further refugee resettlement into our area.

Sen. Ray Holmberg
HB 1427
Grand Forks Herald 2/2/2017

Attachment 2
1427
2-3-17
P. 1

Editorial: Assess costs AND benefits of resettlement

Refugee-resettlement isn't just a flashpoint in East Coast cities and airports. It's showing up in conversations and policy proposals in Bismarck, Fargo, several cities in Minnesota—and Grand Forks.

Residents on all sides should listen and learn. For both the skeptics and the supporters have important messages; and if they'd only start talking to rather than past each other—while banning the word "racism" from the conversation—something good might actually result.

The skeptics have a point: The public wants to know more about the costs. Make that, the public is demanding to know more about the costs, and also about how authorities are addressing our resettlement policy's risks.

Those risks have shown up repeatedly in Europe, where terrorist mass-murders and refugee mass-migrations helped spark Brexit and have thrown the European Union into something close to turmoil.

Is it that unreasonable for Americans to worry about similar dynamics here?

Another factor: If you want to deeply alienate any group of Americans, take away their sense of control. But refugee resettlement seems to do that deliberately. It's a federal program, and one that lawmakers repeatedly have complained denies state and local governments much say.

That's a factor in President Trump's recent executive order. A section of it calls for assessing whether "state and local jurisdictions may have greater involvement in the process of determining the placement or resettlement of refugees."

It's the driving force behind House Bill 1427 in Bismarck, which would both require a detailed listing of resettlement costs, and let cities and the governor impose a resettlement pause.

And it has pushed repeated efforts in Fargo to spell out the resettlement costs.

In North Dakota, the common thread is that the skeptics are asking for something reasonable, which is a full accounting of the policy's costs.

Supporters should recognize the reasonableness of that request. Then they should stop resisting and start fulfilling it.

If they did so, they'd be much better positioned to make a reasonable request of their own. That would be, "And now, let's assess the benefits, too."

Chuck Haga, a retired Herald staff writer and former board member of the Global Friends Coalition, made this point in a recent letter. As it stands, HB 1427's accounting "does not appear to include such positive impacts as jobs filled, taxes paid, paychecks spent on goods and services and rent and exposure for our young people to diversity and the increasingly global society they will soon join," Haga wrote.

That should change, as any meaningful tally of a policy's impacts simply must include benefits as well as costs. And in Grand Forks as elsewhere, those benefits—including large numbers of refugees filling entry-level jobs around town—are significant.

Resettlement supporters mustn't fear listing costs, while resettlement skeptics must be open to facts about benefits. If both sides would at least listen to each other in this manner, refugee resettlement could come a long, long way.

-- Tom Dennis for the Herald

HOUSE BILL 1427: 6 TRUE EVENTS RELATED TO ME PERSONALLY REGARDING COST, ABSORPTIVE CAPACITY, AND KNOWING HOW MANY IMMIGRANTS ARE ENTERING THE STATE

- 1) **School bus driver - his inquiries to new students riding the bus revealed they had moved from Mpls./St. Paul. (i.e. secondary immigrants).**
- 2) **Construction worker not able to get the work needed because immigrants worked for less money and "got all the work".**
- 3) **Condominium association: within a year or less had 2 claims from damage done to condominium garages by immigrants who had no liability car insurance (one claim was from a drunk driver and the damage was \$10,000+). The association's insurance company increased their insurance premium significantly.**
- 4) **A car dealer had an immigrant insist to get a car that was priced higher than the amount the "social service" had given him for a car. When the dealer said he could not sell it for that amount, the immigrant came back with the social worker and the social worker insisted the dealer must sell it to him for that amount. Once again the dealer said he could not, and had to ask them to leave.**
- 5) **A gal who befriended an immigrant family who came 12 years ago stated that the parents quit going to English classes and have not learned English well enough to function without help. (She has known them over 11 years.)**
- 6) **Law enforcement was called to gas station near Casselton and found a woman being raped by an immigrant.**

Attachment 4

1427
2-3-17

Testimony to the
House Government and Veterans Affairs Committee
February 3, 2017
Chairman Chad Peterson, Cass County Commission

Regarding: House Bill 1427 - ND Refugee Absorptive Capacity Act

Representative Kasper and committee members, I'm Chad Peterson and am a Cass County Commissioner. I'm here to speak in support of House Bill 1427.

My vision of this Act is that it creates a stronger bond between refugees, local resettlement agencies and local government to ensure we are able to take care of refugee needs more efficiently and effectively. I further support it because it helps gather and make important data easily understandable. This data will help local governments better understand future staffing needs and other expenses on an on-going basis.

Next I'd like to share with you two points regarding the relationship we currently have with our local resettlement agency and why this Act would aid us.

First, local resettlement agencies are currently charged with working directly with local agencies like counties, cities and schools. While they do have quarterly meetings and discuss various topics, little substantive is accomplished at these meetings. There is no discussion of whether or not we are able to support the influx, no pointed discussion about what issues we are having or even if the Federal government should be approached to speed things up or slow things down. Even if North Dakota has, in some people's opinions, no say in the matter, the question should be asked and the State Department informed of our view. In my four years as an elected official, I have yet to be asked if 'x' number is too many or too few. In talking to my predecessors that served as much as 12 years, they were never asked either. This Act formalizes what should already be taking place.

Second, this Act would require the local resettlement agencies to provide accurate data on an on-going basis. More than once in a Cass County Social Services Board meeting we were told 99% of refugees had full-time jobs. This is impossible because children cannot be legally employed. Based on the last quarterly meeting I attended, the most recent employment number was quite low as reported by local resettlement agency staff. This data point would help local governments understand the dynamics of refugee employment, but it might also be used as an indicator for North Dakota as to whether or not local resettlement agencies are doing their jobs.

My support of this bill doesn't come without reservations. First, I'd encourage you to work with legal counsel to ensure all areas of this bill don't infringe on the rights of our refugee population. Second, that this Act doesn't promote the settling of refugees with local familial ties in other parts of the country only to see them migrate here to be close to family. This would make things worse for them, not better as they'd have no local resettlement agency support, thus defeating the purpose of the Act.

Again, we support House Bill 1427. We'd encourage you to work with legal counsel to address any issues that may arise and we are looking forward to strengthening our relationship with our local sponsors.

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P. 1

TESTIMONY
House Government and Veterans Affairs
HB 1427
February 3, 2017
Representative Kathy Hogan

Chairman Kasper and members of the Government and Veteran's Affairs Committee, my name is Kathy Hogan. I represent District 21, the heart of Fargo and the home to many refugees. I appreciate the interest and concerns by the bill sponsors in bringing forth this issue but I am concerned with the implementation details of this bill and the unintended consequences.

I will briefly review each of the four sections of HB 1427.

The first section of the bill is the definitions. This section attempts to describe an assessment of community capacity. For some individuals/organizations - there would be endless capacity to respond all needs and for others there would never be enough capacity to respond. The process of assessing capacity is complicated and expensive. It appears in this bill to be a very subjective process. The responsibility for doing and funding such a comprehensive assessment is not defined in this bill. Who will do it? Who will pay for it?

Section 2 of the bill defines the duties of the state office of refugees and refugee resettlement organization. I am uncertain who is the state office of refugee. If additional duties are assigned to this position how it is funded where would it be located and structured. Several of the duties listed in this section already exist. Quarterly meetings are held with local governments/agencies to discuss future plans and trends. Because of the nature of resettlement, the exact numbers/timing are not in the control of the state refugee resettlement organization. All planning is contingent on final federal decisions. The completing of memorandums of understanding with each agency would establish a whole new bureaucracy. It could be very expensive and almost impossible to

do. It is difficult to know exactly what service each individual refugee may need until they arrive and then to go through a MOA process for one or two individuals needing a service in a community seems bureaucratic and unnecessary. Section 2 is extremely burdensome and based on conversations from various service providers and local governments not necessary.

A note regarding data. I love data and the refugee resettlement agency already has federally required data that is publically available. It does not have all the specific requirements in this bill because the resettlement agency does not have access to that data such as crime date, or child abuse neglect reports. If all agencies that serve refugees need to provide the data to the state refugee office, they could not do it today because they do not have that data and would need to modify all of their systems to track it. This could be very expensive and possibly illegal because of concerns about discrimination by national origin or legal status.

Section 3 does not define what standards a state would use to establish a moratorium. For example, say one local government claims insufficient capacity - how would claim be reviewed, by what standards and process. Say two local government groups covering the same geographic area have differing opinions of a communities' capacity could a county says yes and a city says no. What would happen?

I appreciate the sponsors interest in the resettlement process and would like to suggest that this bill be turned into an interim study to allow a more thorough review of the entire process including all benefits and costs.

I have worked closely with refugee for over 30 years. For me this is a reflection of who we are as a state. Are we truly an open community, are strangers welcomed and honored. Most refugees have experience more fear, hate, hunger and family disruption than I can ever imagine. I was often touched by the genuine gratitude, commitment to work and learning the culture that almost all of the refugees demonstrated.

For me how we approach refugees is a genuine reflects the core values of our community. Do we live up to the motto of the Statute of Liberty that greeted my

great grandparents and probably yours. "Give me your tired, your poor, your huddled masses yearning to breathe free, the wretched refuse of your teeming shore. Send these, the homeless, tempest-tossed to me, I lift my lamp beside the golden door!" I sincerely hope our doors are still open to the neediest in our world.

Thank you Mr. Chair and I would be more than willing to answer your questions.



City of Grand Forks

255 North Fourth Street • P.O. Box 5200 • Grand Forks, ND 58206-5200

Attachment 6
1427

OFFICE OF MAYOR
MICHAEL R. BROWN

2-3-17 P.1

(701) 746-2607
FAX # (701) 787-3773

Testimony

Mayor Michael R. Brown, Mayor
City of Grand Forks

HB1427

House Government and Veterans Affairs Committee

February 3, 2017

Chair Kasper and Government and Veterans Affairs Committee members, thank you for this opportunity to provide testimony on HB 1427. My name is Michael R. Brown and I am Mayor of Grand Forks. This testimony is given as Mayor because on any issue people tend to ask "where does the Mayor stand". So in the spirit of openness and transparency, here is where I stand.

I oppose HB1427 on three fronts and am asking for your DO NOT PASS recommendation.

Before I begin, let me start by saying I trust the bill sponsors when they say this bill is about transparency, communication and accountability. I understand the intent is to be sure our community and residents are a part of this process, have the information they need to have thoughtful discussions and the ability to express their opinions on the matter. I agree it is our responsibility in government to ensure this openness.

Here is why I disagree on this bill, specifically: 1) The measures are incomplete; 2) There are better ways to address capacity issues; and 3) The message being heard by many is detrimental to our cities and state.

First, any analysis of impact of refugee resettlement must also include an equally careful analysis of benefit. The term often used to measure benefit is ROI, or return on investment. HB1427 is missing the "R". I offer my full support and collaboration in helping to define meaningful metrics, putting in place reliable data collection systems and ensuring information is accurately reported. But this analysis must include the return on investment.

Just so we have some idea of scope, the number of resettled refugees in Grand Forks has consistently been around 100 per year the last decade, most of these being multiples of families. This amounts to about one fifth of 1 percent (1/5 of 1%) of our current population. It's not a large number. Frankly, when evaluating our community's economic needs, our shortage is workforce. We need *more* people. We have over 1600 job openings at this time. Many of our key industries including value-added agriculture and hospitality rely on our new American neighbors for jobs (up to 200 employees and nearly a quarter of the workforce in some companies). In addition, these companies have been at the forefront of integration efforts, working with non-profits like Lutheran Social Services and Global Friends Coalition as well as the Northland Community Technical Institute, Job Service, UND and our Chamber and EDC to implement valuable workforce training. So categories such as filling critical jobs, supporting our economy, starting businesses, creating jobs and paying income, sales and property taxes should all be considered. Not directly economic but I would certainly add the benefit of exposing the community to new people and cultures and ideas as we continue to expand our global understanding and market reach.

The second reason I oppose this bill is that our communities ought not to be put in positions of holding hearings about which classes or types of people are welcome. That just feels counter to who we are. I recognize there are challenges with any population coming into your community. We see it with affordable housing. This is a challenge for everybody but specifically for mid to low-income and elderly newcomers. Our western friends experienced challenges with the oil play related workforce. And this new generation of millennial workers is expecting levels of amenities far exceeding past expectations. But I don't believe we're planning to hold hearings on whether these groups are welcome. With respect to refugee resettlement and new American integration in Grand Forks, we already have a mechanism in place: The Grand Forks Immigrant Integration Initiative. This group's purpose is "to promote naturalization and civic engagement among immigrant populations in our communities, to assess and align community resources to best serve both the New American population and general community, and to assist New Americans with becoming engaged citizens."

Representatives from the city, law enforcement, public schools, non-profits, housing entities and several others including the general public attend these meetings to discuss gaps in service and causes for concerns, as well as opportunities for success. We work collaboratively to openly discuss issues that arise and have successfully engaged the community with past concerns about health care, schools, and acts of racism.

Finally, whether intended or not – but from what I am hearing - the bill is sending the wrong message to not only our new American friends and neighbors but also to outside audiences. In particular, I am concerned about the impact on the millennial, highly skilled workforce we are

competing so desperately for in Grand Forks and across North Dakota. More and more our communities need to be places of openness and vibrancy. They need to demonstrate not just opportunity of a job but a range of opportunities for a full, rich life. We know without this workforce all our industries will be facing an even greater struggle to succeed and further challenge our work to strengthen and diversify our economy. I think we can agree our communities are wonderful places to grow up, to raise families, to build businesses, and to have a rich life full of opportunity. And they should be for all.

I am proud of Grand Forks. The people and organizations have done a wonderful job creating a world-class community. I am mostly proud of our residents. Scores upon scores of our residents from elementary and secondary students to working professionals to retirees dedicate their time and expertise to ensuring our new neighbors are welcomed and supported and given the same opportunities we were all so fortunate to be given as North Dakotans. They do so just as earlier generations have done for our parents and grandparents.

If we can work with the state and others on studies to increase transparency and accountability, please count us in. I hear and respect that request. Just be assured that Grand Forks is a wonderful and welcoming community and my commitment is that we will continue to be. It's who we are.

For these reasons, I ask for your DO NOT PASS recommendation on this bill but stand ready to assist in any way I can on future discussions and collaborations.

Attachment 7
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2-3-17 P. 1

TESTIMONY

House Government & Veterans Affairs Committee

February 3, 2017

Chairman Kasper and Members of the Committee,

My name is Jessica Thomasson. I currently serve as the CEO of Lutheran Social Services of North Dakota, a not-for-profit organization that has been serving the state of North Dakota for almost 100 years. I am offering testimony today because our organization serves as the refugee resettlement agency for the state of North Dakota.

Lutheran Social Services is firmly committed to information-sharing and collaboration as a way to provide the best level of service possible, because sharing information is part of being a good neighbor, and because we believe that working collaboratively is best for the community. In addition, we are always looking for opportunities to support solid research that helps us create and inform our work, which in this case would be knowing more about how refugees are integrating into their new home communities after arrival, and what is most effective in helping them build stable and successful lives.

While I believe there exist strong opportunities to strengthen information-sharing, collaboration, and joint research efforts, Lutheran Social Services of North Dakota cannot support HB 1427 primarily because “absorptive capacity” as a concept assumes that a community’s analysis of increased “cost of community services” should be specifically applied to a subset of community residents based on their immigration status as refugees, with no rational basis for such a distinction to be made.

BASE INFORMATION ON REFUGEE RESETTLEMENT IN NORTH DAKOTA

Because refugee resettlement is a topic that has garnered much interest of late, and is a relatively specialized area of work, I want to spend a few moments providing some basic information related to the work of refugee resettlement in North Dakota before I speak specifically to the issue of “absorptive capacity”. As I know there are many people here who wish to have the opportunity to speak to you, I have prepared several handouts in order to keep my testimony to you this morning as brief as possible.

To help ensure clarity in our discussion, I want to enter into testimony the definition of a “refugee” as well as a special immigration designation, known as “SIV”.

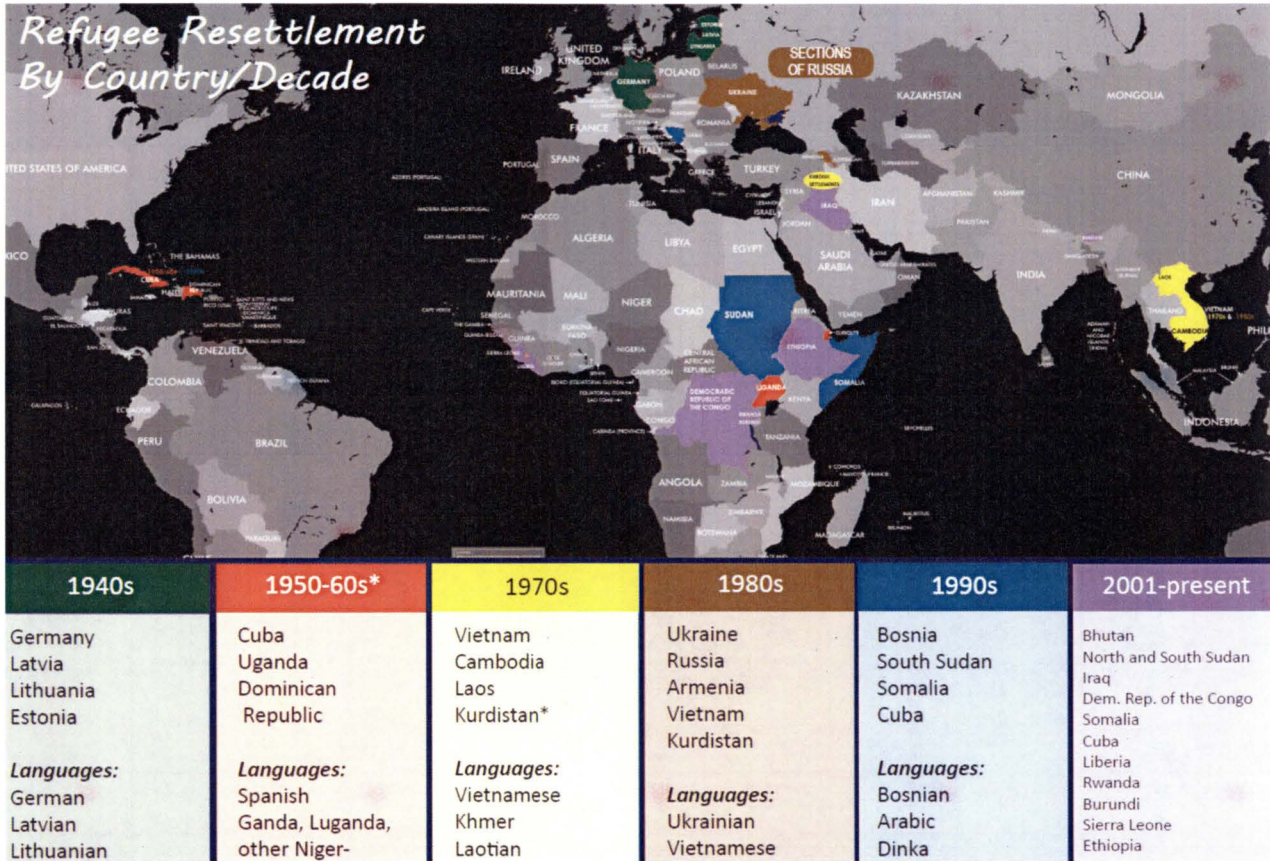
According to the UN High Commission for Refugees, a **Refugee** is “someone who has been forced to flee his or her country because of persecution, war, or violence. A refugee has a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership in a particular social group. Most likely, they cannot return home or are afraid to do so. War and ethnic, tribal and religious violence are leading causes of refugees fleeing their countries.”

Refugees are legal immigrants to the United States. After one year a refugee is required to apply to adjust their status to become a permanent resident. After five years the permanent resident is then eligible to apply for U.S. citizenship, which requires that they follow all of the established requirements of the naturalization process.

North Dakota’s resettlement program also welcomes people who come to the United States on a **Special Immigrant Visa (SIV)**, which is a designation under the U.S. Citizenship and Immigration Service (USCIS) special immigrant program. Iraqi nationals who have been employed by or on behalf of the U.S. government in Iraq (on or after March 20, 2003, for a period of not less than 1 year) and Afghan or Iraqi translators who has served the U.S. government may apply for a special immigrant visa.

Overview of Refugee Resettlement in North Dakota

The following map shows resettlement in North Dakota since the 1940s by country of origin. The map helps us visualize the changes in refugee resettlement over the last 70 years. Resettlement happens as a result of global conflict. As the nature and location of conflict changes, so does the displacement of people affected by that conflict.



Roles and responsibilities related to refugee resettlement

Refugees have been resettling in North Dakota since the end of World War II (1948). At that point in U.S. history, refugee resettlement was led primarily by faith-based organizations, in concert with congregations. This remained the case through the early 1980s when Congress passed the Refugee Act of 1980. The 1980 legislation began standardizing the process of refugee resettlement in the country, putting in place the relationship between the federal government and national-level voluntary agencies, who ultimately work through localized resettlement agencies like ours.

Since the 1980s in particular, refugee resettlement in ND has been done with cooperation between LSSND and the ND Department of Human Services (the Department). The roles have shifted somewhat over time but the working relationship remains. A couple of items to highlight in the timeline of our work together.

- The first Wilson Fish grant was approved in ND in 2000, which allowed LSSND to administer a portion of the financial assistance available for refugees while also being able to apply for additional grant funds that would enhance services that could be offered in the state.
- In 2010 the Department transferred the role of State Refugee Coordinator to LSSND because of a mutual agreement that LSSND could most efficiently and effectively complete the requirements of that position.

I will provide more detail on both the Wilson Fish program and the State Refugee Coordinator role below as I think these are the two areas that most commonly cause confusion.

1. **Wilson Fish programming.** Wilson Fish (as this grant program is commonly called) is an alternative program of the Office of Refugee Resettlement, U.S. Department of Health and Human Services (ORR), started in the mid-to-late 1990s when ORR began to pilot new ways refugee programs could be administered. In 2000 ND became a Wilson Fish recipient; as part of this designation, LSSND received the refugee cash assistance allocation (financial assistance for refugee families) directly rather than working through county social services and the Department to administer the assistance. In addition, North

Dakota as a Wilson Fish site was able to apply for other grant funds to support community needs, including Social Services and Targeted Assistance funding, School Impact Grant funding, and Preventive Health funding. Wilson Fish was a way for North Dakota to streamline the administration of resettlement in the state.

2. **State Refugee Coordinator.** State Coordinator responsibilities were transferred to LSSND in 2010 after a number of years of discussion between LSSND and the Department. Starting in the mid-2000s, LSSND and the Department began discussing the possibility of transferring program coordination and most of the direct programming related to refugee resettlement to LSSND, with the exception of the Refugee Medical Assistance (RMA) program (the state had administrative processes in place for such a broad eligibility and payment program which was agreed should continue) and the Unaccompanied Refugee Minor (URM) program. Note: ORR requires state involvement in the URM program in order to provide the same services for URM youth as are provided to other youth living in the foster care system in the state. URM is essentially foster care for a specialized population of kids in which LSSND delivers the service and the State provides licensure and oversight, as it does with all foster care programs.

Through a Memorandum of Understanding (MOU) between both parties, state coordination, programming, and funding streams for RCA, Social Services, Targeted Assistance, Senior Refugee Program, Preventive Health, and Refugee School Impact Grant all transferred to LSSND on October 1, 2010. The administration of the Refugee School Impact Grant has been administered over the years by either ND Department of Public Instruction (DPI) or by LSSND; it is currently administered by LSSND with DPI consultation. Through the MOU it is agreed that LSSND will administer the program, which includes reviewing proposals, completing program and fiscal reporting, and carrying out monitoring, including ongoing contact with the contract schools.

State coordination requires LSSND to conduct quarterly consultations with community partners, which include local governments, schools, health care, law enforcement, and other local service providers who may be involved in serving refugees in the community (see Exhibit B for specific language outlining the consultation process). As part of this process the designated State

Coordinator gathers information regarding client needs, barriers to services, and best practice information, then completes funding proposals for Wilson/Fish, Social Services and Targeted Assistance, Senior Refugee Program, and Preventive Health, to be submitted directly to ORR. The Department and LSSND work cooperatively to jointly complete the annual fiscal projections required by ORR.

I have also attached as Exhibit C a summary of the screening and vetting process that refugees go through as part of the U.S. resettlement process itself. As it is not the subject of today's hearing I won't go into any depth on this topic but would be happy to answer any questions that the Committee might have related to this topic.

Consultation process and data sharing

LSSND has strong cooperative relationships with schools, law enforcement and local and state governments. We strive for transparency and regular discussion with local stakeholders on strategies for working with refugees. We are so committed to this way of operating because we believe it is best for the community and all of its residents.

In keeping with the federal Refugee Act, every refugee resettlement agency currently holds quarterly consultation meetings with key government and local stakeholders to help assess and take community capacity into account when resettling refugees. That is the purpose of the input and communication that happens between entities (which is formalized in the quarterly consultation but occurs throughout the year). As noted earlier, you can refer to Exhibit B for the specific language that outlines the requirements of the existing consultation process, including required attendees and areas of concern.

Neither the federal government nor the resettlement agencies make decisions about where to place refugees without significant consultation with locally-based entities, including city, county, school, and other private community partners.

However, it is important to note that it is a federal law (Refugee Act of 1980) that directs federal agencies with respect to administration of the federal benefits programs that support U.S. humanitarian efforts related to resettlement of refugees. The federal government has chosen to

deliver this program through a network of resettlement agencies who have an understanding of the communities in which they are working.

Court cases have documented that the consultation requirement does not give states and localities any veto power over refugee placement decisions, but rather ensures their input into the process to improve resettlement planning capacity. At this time I will call your attention to written testimony prepared by Murray Sagsveen, who wishes to submit written testimony as a private citizen. Murray currently serves as the Vice President of the LSSND Board of Directors; his testimony addresses this, and other issues in detail.

A large part of HB1427 details information that any resettlement agency working in the state would have to provide to the Governor's office and local governments so each of those entities could make a determination regarding "absorptive capacity", and then outlines many data points that would need to be included in that reporting.

As an example of existing data sharing, I have attached as Exhibit D a copy of the monthly arrival summary we currently distribute to our partners. This document is reviewed at each quarterly consultation and distributed electronically as well. It is not forward looking, but rather presents a current summary of resettlement activities in the state.

While the current process for sharing data is both open and ongoing, we recognize that data sharing can certainly be enhanced. In Exhibit E I have attached a modified version of this document that incorporates some of the additional data elements noted in this bill. We are able to provide this additional data and will plan to incorporate it into the regular reporting process, starting with the January 2017 report.

There are, however, several data points noted in HB1427 that are either not available and/or not data that is LSSND's to release, including information related to public assistance, law enforcement and schools. In addition, the bill requires data for any person with a refugee status, but as a resettlement agency we only have access to information for people we work with. For example, if a family resettles in Montana and later moves here, we won't have data. If they move to Minnesota and then come here, we won't have data.

Legal residents of the United States are free to move across state and city borders; the movement of individuals of a certain immigration status are not tracked any differently than any other resident of the country.

In addition to the data-sharing noted above, the Governor's office receives a direct report from U.S. Department of State, Bureau of Population, Refugees and Migration. This report is generated and sent on a monthly basis. It is my understanding that the contents of this report include information on refugee arrivals for their state, including information by nationality, age and gender. This is not something that is created by the resettlement agency but rather is a direct line of communication between the Governor's office and the U.S. Department of State.

Economics of resettlement

Refugee resettlement is a federally funded program that brings in millions of dollars to the state every year – creating jobs and stimulating the economy. And hundreds of thousands of those dollars are passed-through to support the work of local partners who work to help refugees integrate.

Exhibit F is an excerpt from LSSND's FY2016 Federal Awards Audit (previously known as the A-133 audit). I have highlighted for you the federal funds that run through LSSND on behalf of the North Dakota resettlement program.

Of the federal funds received by LSSND for refugee resettlement related work, approximately 10 percent are re-granted to other community organizations who work with refugees. Another 35-40 percent represents direct assistance to and on behalf of clients (ex. household expenses, housing costs, transportation costs). The remaining 50-55 percent is used by LSSND to provide services to clients (case management, interpreters, immigration and employment specialists, and program oversight).

People sometimes assume that refugee resettlement is a profit center for LSSND. I want to enter into the record unequivocally that this is not the case. LSSND has no motivation to boost resettlement numbers to feed a self-interested profit motive. The federal funds that are available

to support refugee resettlement rarely cover the costs associated with service provision. Charitable donations help to fill the gaps that exist between available federal funding and the basic service needs of the families we serve. As an example, in the current fiscal year, our budget requires that we raise \$50,000 to fill the gap that would otherwise exist between cost of service provision and federal funds available.

LSSND's services are funded on a reimbursement basis, with the exception of the administrative fee (which is currently \$950 per individual that is resettled by our organization); this funding is intended to support the general oversight requirements of providing resettlement services under a federal contract, including all administrative and compliance work.

From a family's perspective, there are three specialized forms of financial support that are available to them when they first arrive in the country as a refugee.

Start-up grant (\$1,125 per person). Case management staff utilizes these funds to help the family pay for the security deposit for their apartment, first months' rent, basic household items that are not donated, basic food and clothing needs, as well as costs related to transportation (i.e., bus passes). We try to use these funds as wisely as we can to help the family navigate the expenses that come during their first few months in the community as their resources during this time are very limited.

Refugee Cash Assistance. This is a monthly cash assistance payment that is based on family size and household income. The following chart shows the current levels of Refugee Cash Assistance available to new arrivals from the federal government.

1 person household - \$365	4 person household - \$685
2 person household - \$450	5 person household - \$755
3 person household - \$570	6 person household - \$825

In the North Dakota resettlement program, a household is eligible to receive refugee cash assistance until their earned income exceeds the cash assistance payment. So given our rapid success in helping arriving refugees find steady and stable employment, the average length of time that our families receive any level of Refugee Cash Assistance is 6-8 months.

Refugee Medical Assistance. If a refugee is not eligible for Medicaid or Medicare, and does not have access to health benefits through their employer, they are eligible to receive Refugee Medical Assistance for up to 8 months. This coverage is paid for by the federal government and passes through the ND Department of Human Services Medical Services division.

Other than the items noted above, there are no other specialized forms of support that are set-aside for refugees. The stated goal of the U.S. refugee resettlement program is to encourage self-sufficiency for new arrivals as quickly as possible. The strong North Dakota economy helps make this a reality for new arrivals to North Dakota more quickly than in some other parts of the country.

But as you no doubt already know, it is not uncommon for people to be both hard-working and still struggle to make ends meet. This conundrum is often described as being “working poor”. People who are working poor often need the support and assistance that is provided by public assistance programs, like food stamps, child care assistance, energy assistance, medical assistance, and the like. These families and individuals utilize this public safety net, not because they are looking to live a life of dependency, but rather because even despite their best efforts and hard work, it can be very difficult if not impossible to make ends meet given the cost of living in our communities.

The county Social Service directors around the state are much better equipped than I to offer statistics on the length of time that people utilize various forms of public assistance, but I can speak anecdotally from experience with the families whom we serve in the refugee resettlement program.

It is true that almost all refugees when they first arrived in this country make use of the public assistance programs previously named. They are, in fact, starting out -- with very little in terms of resources. Their biggest asset is their willingness to work hard and to do whatever they can to build a better and safer life for their children, and for themselves.

Refugees like other working poor, strive to leave dependence behind; they are instead striving for the independence that self-sufficiency brings. Public assistance programs are an important and necessary bridge to help them attain a decent quality of life, which is honestly something our

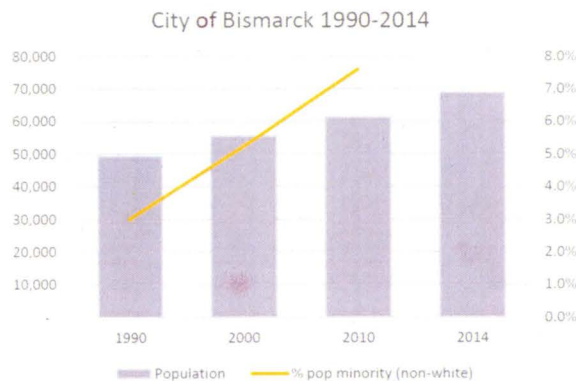
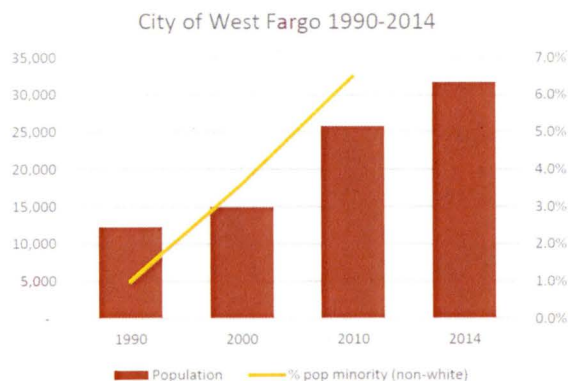
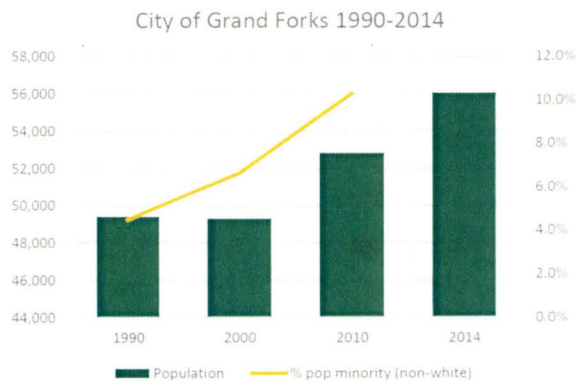
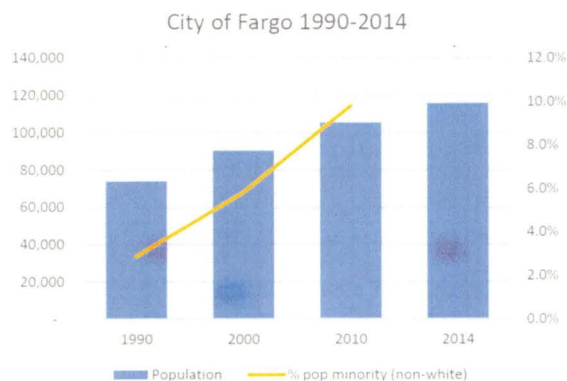
community prides itself on. This is a good place to raise your family. To start a business. To build a life. It is part of who we are, and public assistance programs are sometimes a necessary part of that community fabric.

I am also often asked about the impact on school systems of refugees resettling in our community. While it is absolutely the case that the majority of people who come to the United States through the refugee resettlement program require English language learning assistance. I can say with 100 percent certainty that the school districts we work with across North Dakota would provide the same level of care and quality education to any student who walked in their doors, regardless of whether or not their immigration status was that of refugee.

I will be the first to acknowledge the challenges that our educators and school districts have had to overcome as the school districts themselves have become more diverse over the last 20 years. But I think it's important to remind everyone that the source of that diversity is not solely due to refugee resettlement. Our communities are growing and diversifying on their own, because we are healthy vibrant economies that serve as a magnet to people who are looking for a great place to live the American dream. I have attached as Exhibit G an excerpt from ND DPI presentation on ELL programs in North Dakota, which indicates that in 2013-14 approximately half of the state's ELL population were either refugees or former refugees.

Workforce and Community growth

The following charts show population growth and change from 1990 to 2014. It is interesting to note that while the absolute numbers are different, the trajectories are roughly the same. Each of these communities is growing in terms of absolute population, and each is also seeing growth in the percentage of the population that reports a race other than “white”.



When you look more closely at the growth that is occurring in each community, it is apparent that not all growth in minority populations is related to resettlement. Our communities are growing and diversifying on their own.

However, we know that North Dakota continues to see labor force shortages, and long term demographic trends strongly suggest that in-migration will play an increasingly important role in

continued population growth as the forces of natural increase are mitigated by an aging population.

A comprehensive workforce study completed for the Greater Fargo Moorhead region by several local development entities in 2015 aptly described the basic structure of the Fargo Moorhead West Fargo area economy. The charts below highlight a few points from the study. Approximately 45

percent of the jobs in the local economy can be described as low-skill, low-wage Jobs. This means jobs that do not require more than a high school education and minimal training; the median hourly wage for these jobs at the time of the study was \$12.98 per hour.

Fargo Moorhead West Fargo is not unique in this economic

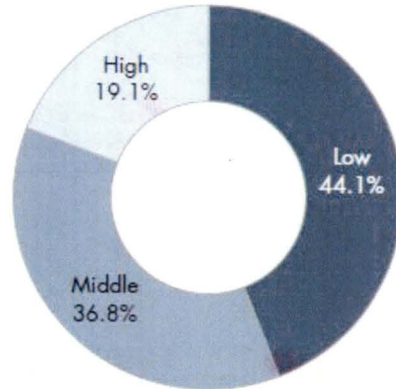
construct. In fact this is a very common form of economy across the country. It is reflective of how local economies are built at this point in our history. And a full 41 percent of the new jobs expected to be created in the next five years will fall into this category.

Maintaining a strong labor pool is a challenge for the growing FM area

Total Employment 2014

Based on entry level education required

Source: Regional Workforce Study: Greater Fargo Moorhead Region (June 2015)
Figure 26 – Jobs by Skill Level

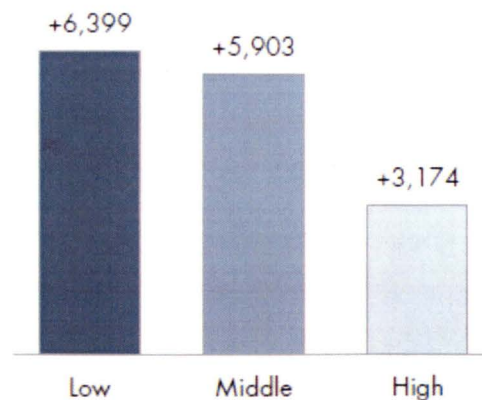


41% of new jobs created in the last five years were low-skill jobs

New Jobs 2008-14

Based on entry level education required

Source: Source: Regional Workforce Study: Greater Fargo Moorhead Region (June 2015)
Figure 26 – Jobs by Skill Level



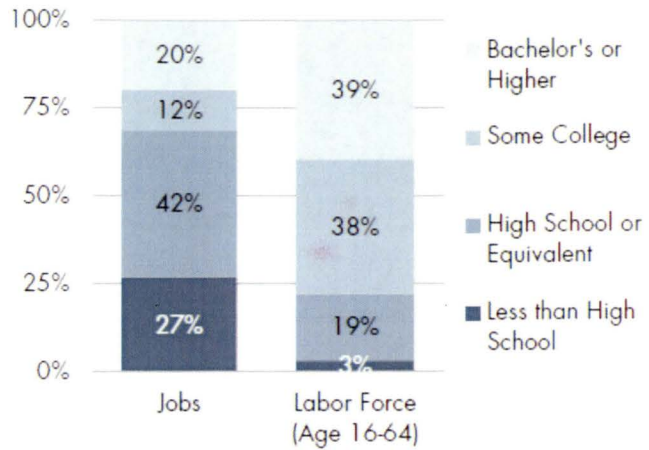
Given the relatively high education levels of the North Dakota workforce, it is an increasing challenge to find sufficient labor force for the entry level positions that are critical for so many businesses.

Finding workers for low-skill entry level jobs is difficult in the local labor market

Comparison: Jobs v Labor Force

Based on entry level education required & education level of population age 16-64

Source: Source: Regional Workforce Study: Greater Fargo Moorhead Region (June 2015)
 Figure 19 – Jobs by Skill Level



In the next five years, the leading economic sectors in FMWF expect to generate more than 30,000 job openings, which means attention to workforce development is a critical matter. A recent article on

Filling job openings in leading economic sectors will be an increasing challenge

- Economic Development targets for region
 - Manufacturing
 - Health care
 - Information Tech

Estimated job openings 2014-2019



Source: Source: Regional Workforce Study: Greater Fargo Moorhead Region (June 2015), Figure 5

the impact of immigrants to the FMWF workforce is included for your referenced as Attachment H. Please note that I did not have access to similar workforce studies for the communities of

Grand Forks and Bismarck but have reason to believe that the generalized descriptions of local economic structures and conditions are comparable based on conversations with local officials.

Refugees who are resettled to North Dakota typically find employment in one of four industry sectors:

Manufacturing, Health Care, Retail, and Hospitality. As noted in the chart below, these are the four largest sectors in the FMWF economy (by employment numbers). Staff

works very hard to help ensure that newly arriving refugees are prepared to enter the American workforce and succeed. The chart above notes that we typically see labor force participation rates amongst working age refugees that exceed labor force participation rates for native-born populations.

Refugees in the Workforce



- Average wage - \$9.19
- 96% 90-day retention
- 90% finding jobs with health benefits

Source: Lutheran Social Services of ND (FY2014)

Most refugees are employed in the region's largest industry sectors

Distribution of Employment by Industry

NAICS Code & Description	Fargo MSA
62 Healthcare & social assistance	13.6%
44-45 Retail trade	11.0%
72 Lodging, restaurants, & bars	8.3%
31-33 Manufacturing	7.1%
23 Construction	6.9%
42 Wholesale trade	6.3%
903 Local govt. (incl. pub. ed. & hospitals)	6.0%
52 Finance & insurance	5.8%
56 Administrative & support services	4.8%
902 State govt. (incl. higher ed./hospitals)	4.7%
54 Professional services	4.6%
81 Personal & other services	4.4%
48-49 Transportation & warehousing	3.3%

Source: Source: Regional Workforce Study: Greater Fargo Moorhead Region (June 2015), Figure 22

REGARDING HB1427 AND “ABSORPTIVE CAPACITY”

I would now like to briefly outline in more detail one of the reasons Lutheran Social Services is concerned about and ultimately opposed to HB 1427.

HB1427 sets forth the idea of a community’s “absorptive capacity”, which appears to create a mechanism for a community to quantify their ability to grow or to accommodate new residents.

Communities grow and contract all the time. People come and people go. And communities endeavor to accommodate those changes and serve the people who live there because the people who live in a community ARE the community.

However, this bill suggests that the decision related to “absorptive capacity” is applied only to a certain group of people (i.e., immigrants with the status of refugee), because of an underlying assumption that this group of people creates a special type of burden that someone with a different immigration status would not.

For us to make good use of data, we have to make sure we are asking the right questions in a way that returns results we can trust to be both accurate and useful.

There is a body of literature that attempts to answer the question of what it costs a community to provide necessary services related to growth. These data-focused approaches are known as Fiscal Impact Analyses or Cost of Community Service (COCS) studies.

A key assumption for any study that looks at the fiscal impact of providing community services related to growth is that it is the use not the user that determines cost. Most of these studies are conducted on the basis of alternative land uses. There is consistent evidence that residential land uses are the most costly for communities to serve; the chart in Exhibit I shows a summary of COCS ratios by land use type. Residential land uses typically require \$1.15-\$1.50 in services for every \$1.00 they generate in tax revenue. Conversely, commercial and industrial land generates a COCS ratio of \$0.35-\$0.65 in services for every dollar generated, and open space \$0.30-\$0.50. (extension.illinois.edu/lcr/cost.cfm).

As an aside, this differential in cost of providing community services to different types of land use is what drives many to advocate for higher density residential development; higher density will require less land be dedicated to residential uses, which will increase the overall efficiency of community service delivery.

The problem with the way this bill defines “absorptive capacity” is that it assumes that an assessment of the cost of community service delivery should be based on a specific type of “user” of public services, rather than on the generalized need for the service due to an increasing number of people in the community. This line of thinking is discriminatory in that there is no rational basis for making this distinction. All people are to have equal protection under the law, including equal access to public services.

There is plenty of discussion within the literature as to the appropriate use of COCS ratios because many people have pointed out that the methodology of COCS does not incorporate the benefits associated with growth, specifically residential growth. Residential growth does, after all, provide the people who are both the customers and employees that are the lifeblood of any community.

But nowhere in COCS analysis, or in Fiscal Impact Analysis (which is a research methodology that communities use to help get a realistic sense of the cost of growth), do you assume that different people generate different costs. It is the general use/type of growth that generates impact, not any specific user/community member.

LSSND has deep concerns about any assumption that communities or the state should look at refugees differently than they look at any other member of their community when evaluating the costs and benefits of their residency.

I just want to reiterate. If a community wants to conduct a Cost of Community Services analysis for a particular group of people living in that community, to determine whether or not they create an undue burden, then the analysis should be done for all residents of the community. The cost is in the use, not the user. If the intent of the analysis is to determine whether or not a community has the capacity to grow, to do anything less is discriminatory.

Refugees do not cost state and local governments any more than any other resident of the community with similar characteristics to them would.

This means any older adult that moves to North Dakota has the same cost benefit calculation, regardless of their immigration status. Any school-age child will have the same cost benefit calculation, regardless of their immigration status. A child with special needs - perhaps a disability, mental illness, or language barrier - will require specialized services by the school district, which school districts provide to any student that walk through their doors equally, regardless of their immigration status. A young family moving to the community looking for entry-level work, will not cost the city, county, or state any more or less depending on their immigration status.

Refugee resettlement is a complex issue that deserves public debate. I thank this committee for hosting this discussion and giving North Dakotans an opportunity to weigh in.

I am reminded almost daily by many of the immigrants whom I have the privilege to work with, to be truly grateful for our opportunity to live in this country. It is with their eyes and their perspective that I am reminded that even though we sometimes feel that divisions in our country have put our democracy in a difficult place, we still have tremendous opportunity to do good together.

For almost 70 years Lutheran Social Services of North Dakota has accepted the call to deliver on this remarkable assignment of helping to welcome newcomers to our nation, to help them learn what it is to be American, and to help show them the door to opportunity that our communities represent.

Thank you Chairman Kasper and Committee members for the opportunity to testify before you today. I would be happy answer any questions you may have either now or later in the hearing.

Respectfully submitted,
Jessica Thomasson, President/CEO
Lutheran Social Services of North Dakota
www.lssnd.org | 701-271-3272 | jthomasson@lssnd.org



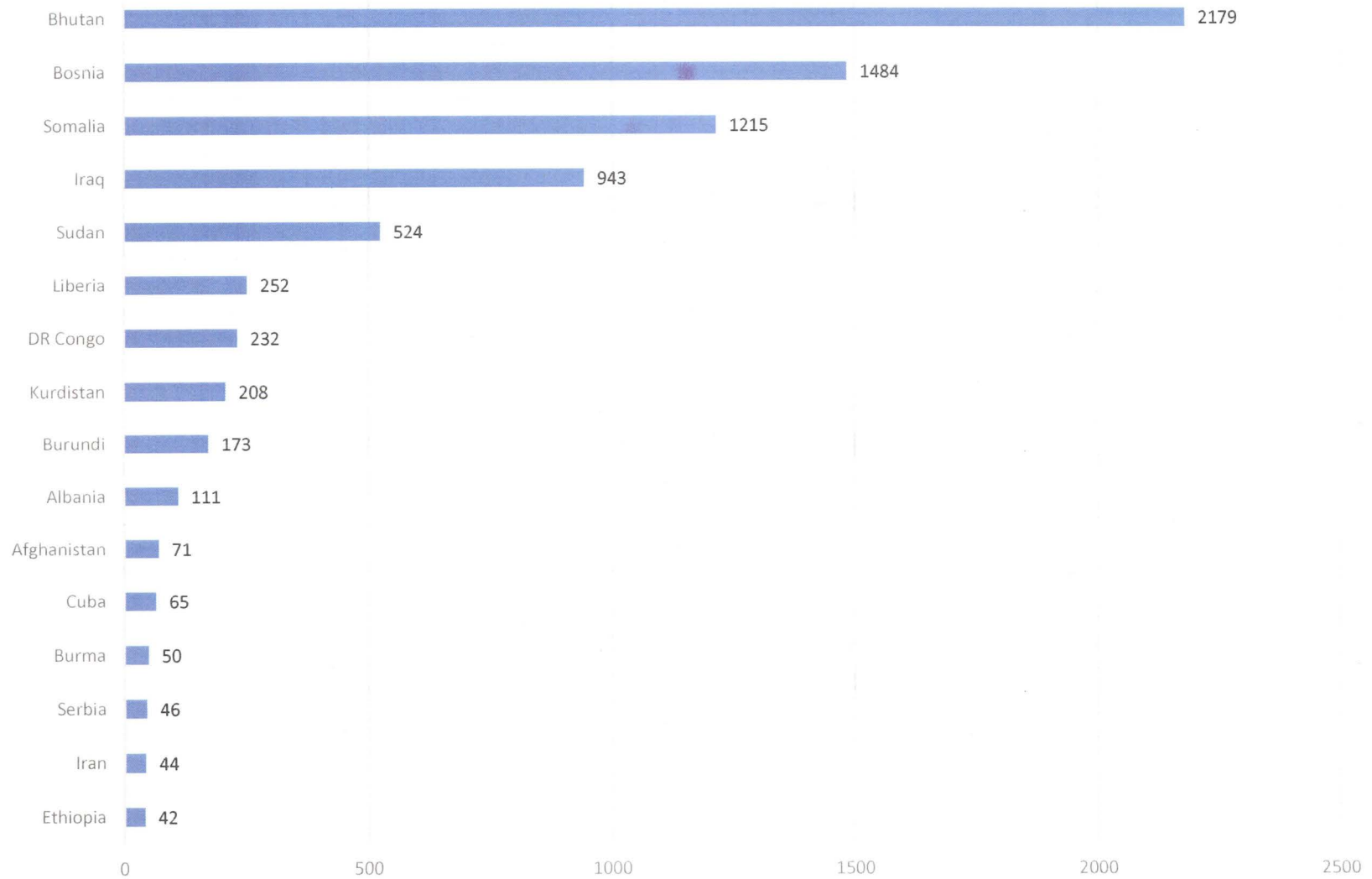
Refugee Resettlement in North Dakota FFY 1997 - FFY2016

Country of Origin	FY 1997	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	TOTAL	Country of Origin
Afghanistan			9	5		5		2					3	1	5			9	12	20	71	Afghanistan
Albania			110		1																111	Albania
Ameriasian	3																				3	Ameriasian
Angola	1																				1	Angola
Armenia		4	4	1																	9	Armenia
Bhutan												118	203	216	273	431	268	280	201	189	2179	Bhutan
Bosnia	197	267	303	424	246	26	19	2													1484	Bosnia
Burma												3	24	8		3		4	4	4	50	Burma
Burundi		6	5								69	65	21	5	2						173	Burundi
Cambodia																		9			9	Cambodia
Chad																	10				10	Chad
Columbia							3	4	2			2									11	Columbia
Cuba	18	11	17	12	7																65	Cuba
Djibouti		17																			17	Djibouti
DR Congo					4			1				20	13	37	14	19	16	23	35	50	232	DR Congo
Eretria														2	14	1	2		1	9	29	Eretria
Ethiopia	4			10				5	4					15				1	3		42	Ethiopia
Haiti		6	1	2																	9	Haiti
Iran		14	7	1			4	1	1			2	1	2				3	3	5	44	Iran
Iraq	12	8	8	4							10	141	110	105	30	22	86	175	106	126	943	Iraq
Ivory Cost															1						1	Ivory Cost
Kurdistan	186	6		16																	208	Kurdistan
Lebanon														2							2	Lebanon
Liberia		7					25	87	66	32	5	10	8	4		8					252	Liberia
Meshketian Turks										6											6	Meshketian Turks
Mexico																				1	1	Mexico
Nigeria			15										1								16	Nigeria
Russia	4	6																			10	Russia
Rwanda							1	7	4	5	6			9							32	Rwanda
Serbia		4	2	20		9	3	8													46	Serbia
Sierra Leone			5				13	6			2	1	1	3						1	32	Sierra Leone
Somalia	72	47	39	38	32	8	11	35	112	123	98	39	45	42	8	46	60	80	136	144	1215	Somalia
Soviet Union		7																			7	Soviet Union
Sri Lanka				3																	3	Sri Lanka
Sudan	6	66	76	92	65	3	22	65	36	16	9	1	9	16	4	25	7	6			524	Sudan
Syria																				9	9	Syria
Togo			3	4																	7	Togo
Turkey			14																		14	Turkey
Uganda											3										3	Uganda
Ukraine		4			10									3	3				5		25	Ukraine
United Kingdom		13																			13	United Kingdom
Vietnam	13	14	5	1	2																35	Vietnam
Yugoslavia							10														10	Yugoslavia
	516	507	623	633	367	51	111	223	225	182	202	403	438	470	354	555	449	590	506	558	7963	

EXHIBIT A

P. 21

LSSND has resettled 7,963 refugees in North Dakota between 1997 and 2016



* Countries with fewer than 40 people resettled in ND between 1997 and 2016 not included in chart

P. 222

OFFICE OF REFUGEE RESETTLEMENT

An Office of the Administration for Children & Families

The Refugee Act

Published: August 29, 2012

The Refugee Act of 1980 created The Federal Refugee Resettlement Program to provide for the effective resettlement of refugees and to assist them to achieve economic self-sufficiency as quickly as possible after arrival in the United States. Title IV, chapter 2 of the Immigration and Nationality Act (INA) contains the provisions of the Refugee Act which are reflected in the following text:

[Note: The Refugee Act was reauthorized through the year 2002. H.R.3061 Text, PDF Sponsor: Rep Smith, Lamar (introduced 10/12/1999). Latest Major Action: 11/13/1999 Became Public Law No: 106-104. Title: To amend the Immigration and Nationality Act to extend for an additional 2 years the period for admission of an alien as a nonimmigrant under section 101(a)(15)(S) of such Act, **and to authorize appropriations for the refugee assistance program under chapter 2 of title IV of the Immigration and Nationality Act.** Exact Language: SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR REFUGEE ASSISTANCE. Section 414(a) of the Immigration and Nationality Act (8 U.S.C. 1524(a)) is amended by striking "1998 and 1999" and inserting "2000 through 2002". Approved November 13, 1999.]

INA: ACT 411 - OFFICE OF REFUGEE RESETTLEMENT
Sec. 411. [8 U.S.C. 1521]

(a) There is established, within the Department of Health and Human Services, an office to be known as the Office of Refugee Resettlement (hereinafter in this chapter referred to as the "Office"). The head of the Office shall be a Director (hereinafter in this chapter referred to as the "Director"), to be appointed by the Secretary of Health and Human Services (hereinafter in this chapter referred to as the "Secretary").

(b) The function of the Office and its Director is to fund and administer (directly or through arrangements with other Federal agencies), in consultation with the Secretary of State,^{1/} programs of the Federal Government under this chapter.

FOOTNOTES FOR SECTION 411
INA: ACT 411 FN 1

FN 1 Paragraph (1) of § 162(n) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Pub. L. 103-236, 108 Stat. 409, Apr. 30, 1994) substituted a reference to the Secretary of State for a reference to the U.S. Coordinator for Refugee Affairs; paragraphs (2) and (3) of that section deleted subsequent references in § 412 and § 413 to the Coordinator. INA: ACT 412 - AUTHORIZATION FOR PROGRAMS FOR DOMESTIC RESETTLEMENT OF AND ASSISTANCE TO REFUGEES Sec. 412. [8 U.S.C. 1522]

(a) Conditions and Considerations.

(1)(A) In providing assistance under this section, the Director shall, to the extent of available appropriations,

(i) make available sufficient resources for employment training and placement in order to achieve economic self-sufficiency among refugees as quickly as possible,

(ii) provide refugees with the opportunity to acquire sufficient English language training to enable them to become effectively resettled as quickly as possible,

(iii) insure that cash assistance is made available to refugees in such a manner as not to discourage their economic self-sufficiency, in accordance with subsection (e)(2), and (iv) insure that women have the same opportunities as men to participate in training and instruction.

(B) It is the intent of Congress that in providing refugee assistance under this section-

(i) employable refugees should be placed on jobs as soon as possible after their arrival in the United States;

(ii) social service funds should be focused on employment-related services, English-as-a-second-language training (in non-work hours where possible), and case-management services; and

(iii) local voluntary agency activities should be conducted in close cooperation and advance consultation with State and local governments.

(2)(A) The Director and the Federal agency administering subsection (b)(1), shall consult regularly (not less often than quarterly) with State and local governments and private nonprofit voluntary agencies concerning the sponsorship process and the intended distribution of refugees among the States and localities before their placement in those States and localities.

(B) The Director shall develop and implement, in consultation with representatives of voluntary agencies and State and local governments, policies and strategies for the placement and resettlement of refugees within the United States.

(C) Such policies and strategies, to the extent practicable and except under such unusual circumstances as the Director may recognize, shall-

(i) insure that a refugee is not initially placed or resettled in an area highly impacted (as determined under regulations prescribed by the Director after consultation with such agencies and governments) by the presence of refugees or comparable populations unless the refugee has a spouse, parent, sibling, son, or daughter residing in that area,

(ii) provide for a mechanism whereby representatives of local affiliates of voluntary agencies regularly (not less often than quarterly) meet with representatives of State and local governments to plan and coordinate in advance of their arrival the appropriate placement of refugees among the various States and localities, and

(iii) take into account-

(I) the proportion of refugees and comparable entrants in the population in the area,

(II) the availability of employment opportunities, affordable housing, and public and private resources (including educational, health care, and mental health services) for refugees in the area,

(III) the likelihood of refugees placed in the area becoming self-sufficient and free from long-term dependence on public assistance, and

(IV) the secondary migration of refugees to and from the area that is likely to occur.

(D) With respect to the location of placement of refugees within a State, the Federal agency administering subsection (b)(1) shall, consistent with such policies and strategies and to the maximum extent possible, take into account recommendations of the State.

(3) In the provision of domestic assistance under this section, the Director shall make a periodic assessment, based on refugee population and other relevant factors, of the relative needs of refugees for assistance and services under this chapter and the resources available to meet such needs. The Director shall compile and maintain data on secondary migration of refugees within the United States and, by State of residence and nationality, on the proportion of refugees receiving cash or medical assistance described in subsection (e).

In allocating resources, the Director shall avoid duplication of services and provide for maximum coordination between agencies providing related services.

(4)(A) No grant or contract may be awarded under this section unless an appropriate proposal and application (including a description of the agency's ability to perform the services specified in the proposal) are submitted to, and approved by, the appropriate administering official. Grants and contracts under this section shall be made to those agencies which the appropriate administering official determines can best perform the services. Payments may be made for activities authorized under this chapter in advance or by way of reimbursement. In carrying out this section, the Director, the Secretary of State, and such other appropriate administering official are authorized-

(i) to make loans, and

(ii) to accept and use money, funds, property, and services of any kind made available by gift, devise, bequest, grant, or otherwise for the purpose of carrying out this section.

(B) No funds may be made available under this chapter (other than under subsection (b)(1)) to States or political subdivisions in the form of block grants, per capita grants, or similar consolidated grants or contracts. Such funds shall be made available under separate grants or contracts-

(i) for medical screening and initial medical treatment under subsection (b)(5), (ii) for services for refugees under subsection (c)(1),

(iii) for targeted assistance project grants under subsection (c)(2), and

(iv) for assistance for refugee children under subsection (d)(2).

(C) The Director may not delegate to a State or political subdivision his authority to review or approve grants or contracts under this chapter or the terms under which such grants or contracts are made.

(5) Assistance and services funded under this section shall be provided to refugees without regard to race, religion, nationality, sex, or political opinion.

(6) As a condition for receiving assistance under this section, a State must-

IMMIGRATION AND NATIONALITY ACT

TITLE IV-MISCELLANEOUS AND REFUGEE ASSISTANCE



U.S. Citizenship and Immigration Services

Refugee Processing and Security Screening

This Web page provides information about the security screening and background checks required by the U.S. Refugee Admissions Program (USRAP) as well as the refugee resettlement process. The USRAP is an interagency effort which includes a number of governmental and non-governmental partners both abroad and in the United States. Refugee applicants have the highest level of background and security checks of any category of traveler to the United States.

On this page:

- [Refugee Processing](#)
- [General Refugee Process](#)
- [USRAP Screening](#)
- [USCIS Interview](#)
- [Controlled Application Review and Resolution Process \(CARRP\)](#)
- [Enhanced Review of Syrian Applicants](#)
- [CBP Vetting](#)

Refugee Processing

Refugee applicants are subject to intensive biographic and biometric security checks. Through close coordination with the federal law enforcement and intelligence communities, these checks are continually reviewed and enhanced to address specific populations that may pose particular threats.

The United Nations High Commissioner for Refugees (UNHCR) identifies and refers many refugees to the USRAP for resettlement consideration. UNHCR also provides important information about the worldwide refugee situation.

The Department of State (State) coordinates and manages the USRAP. Resettlement Support Centers (RSCs) work with State to carry out administrative and processing functions, such as file preparation, data collection, and out-processing activities during the refugee admissions process.

USCIS conducts interviews with applicants to determine their eligibility for refugee status, including whether they are credible, meet the refugee definition, and are otherwise admissible to the United States under U.S. law.

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General Refugee Process

USRAP screening is a shared responsibility. It includes both biometric and biographic checks at multiple stages during the process, including immediately before a refugee's departure to the United States and upon his or her arrival in the United States.

The screening of refugee applicants involves numerous biographic checks that are initiated by the RSCs and reviewed and/or resolved by USCIS. These include:

- **The Department of State's Consular Lookout and Support System (CLASS)**

State initiates CLASS name checks for all refugee applicants when they are being prescreened by an RSC. Name checks are conducted on the applicant's primary names as well as any variations used by the applicant. Responses are received before the USCIS interview, and possible matches are reviewed and adjudicated by USCIS headquarters. Evidence of the response is included in the case file. If a new name or variation is identified at the interview, USCIS requests another CLASS name check on the new name and places the case on hold until that response is received.

CLASS is owned by State. The name-check database provides access to critical information for adjudicating immigration applications. The system contains records provided by numerous agencies and includes information on individuals who have been denied visas, immigration violations, criminal histories, and terrorism concerns, as well as intelligence information and child support enforcement data.

In addition to containing information from State sources, CLASS also includes information from:

- National Counterterrorism Center/Terrorist Screening Center (terrorist watch lists),
- TECS,
- Interpol,
- Drug Enforcement Administration,
- Health and Human Services, and
- FBI (extracts of the National Crime Information Center's Wanted Persons File, Immigration Violator File, Foreign Fugitive File, Violent Gang and Terrorist Organization File (and the Interstate Identification Index)).

- **Security Advisory Opinion (SAO)**

State initiates SAO name checks for certain refugee applicants when they are being prescreened by an RSC. The SAO biographic check is conducted by the FBI and intelligence community partners. SAOs are conducted for an applicant who is a member of a group or nationality that the U.S. government has designated as requiring this higher level check. SAOs are processed, and a response must be received before finalizing the decision. If there is a new name or variation identified at the interview, USCIS requests another SAO for the new name and places the case on hold until that response is received.

The SAO process was implemented after Sept. 11, 2001, to provide an additional security mechanism to screen individuals in certain higher-risk categories who are seeking to enter the United States through a variety of means, including refugee applicants.

- **Interagency Check (IAC)**

The IAC screens biographic data, including names, dates of birth, and other additional data of all refugee applicants within designated age ranges. This information is captured at the time the applicant is prescreened and is provided to intelligence community

Controlled Application Review and Resolution Process (CARRP)

During the process of adjudicating any USCIS benefit, if any national security concerns are raised, either based on security and background checks or personal interviews or testimony, USCIS conducts an additional review through the internal CARRP process. CARRP is an internal USCIS process that a case can go through to ensure that immigration benefits or services are not granted to individuals who pose a threat to national security and/or public safety, or who seek to defraud our immigration system.

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Enhanced Review for Syrian Applicants

USCIS' Refugee, Asylum, and International Operations Directorate and Fraud Detection and National Security Directorate (FDNS) work together to provide enhanced review of certain Syrian cases. This review involves FDNS providing intelligence-driven support to refugee adjudicators, including identifying threats and suggesting topics for questioning. FDNS also monitors terrorist watch lists and disseminates intelligence information reports on any applicants who are determined to present a national security threat.

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CBP Vetting

CBP inspects all applicants who are approved for refugee resettlement to the United States to determine their admissibility before they are admitted as refugees. CBP receives a manifest of all approved individuals who have been booked for travel to the United States. CBP receives this manifest 8 days before the scheduled travel. CBP begins vetting the individuals before they arrive at a U.S. airport and then conducts an inspection and additional background checks of these individuals upon their arrival at a U.S. airport.

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Last Reviewed/Updated: 12/03/2015

Federal Fiscal Year-2016 Refugee Arrivals for North Dakota



Type of arrival	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16	Sep-16	FFY-Totals
New Refugee Arrivals	73	36	37	20	42	52	33	43	89	42	41	38	546
URM	0	4	0	0	0	0	2	1	0	0	1	4	12
TOTAL	73	40	37	20	42	52	35	44	89	42	42	42	558
Country of Origin													
Afghanistan	0	6	1	4	0	1	0	1	0	0	0	7	20
Bhutan	30	8	13	0	12	9	6	20	42	25	10	14	189
Burma	4	0	0	0	0	0	0	0	0	0	0	0	4
DR Congo	6	2	0	0	0	0	11	3	2	8	9	9	50
Eritrea	0	0	0	0	0	0	1	0	3	1	0	4	9
Iran	0	1	0	1	0	3	0	0	0	0	0	0	5
Iraq	19	17	12	9	15	9	6	11	9	5	9	5	126
Ivory Coast	0	0	0	0	0	0	0	0	0	0	0	1	1
Mexico	0	0	0	0	0	0	0	0	0	0	1	0	1
Somalia	14	6	11	6	15	30	11	9	33	3	4	2	144
Syria	0	0	0	0	0	0	0	0	0	0	9	0	9
TOTAL	73	40	37	20	42	52	35	44	89	42	42	42	558
LIRS <i>Projected 323 Refugees for FFY 16</i>													
Individuals	45	24	27	11	37	39	27	35	71	25	17	25	383
Family Cases	15	9	12	9	15	13	17	19	28	10	5	10	162
US-tie Cases	9	6	8	5	1	10	13	18	26	10	5	4	115
No US-tie Cases	6	3	4	4	14	3	4	1	2	0	0	6	47
EMM <i>Projected 135 Refugees for FFY 16</i>													
Individuals	28	16	10	9	5	13	8	9	18	17	25	17	175
Family Cases	17	5	5	3	1	4	6	7	5	9	7	5	74
US-tie Cases	17	5	5	3	1	4	6	7	5	9	7	4	73
No US-tie Cases	0	0	0	0	0	0	0	0	0	0	0	1	1
Location <i>*Projected 313 for FM Metro, 95 for Grand Forks, and 50 for Bismarck for FFY 16</i>													
FARGO	51	26	29	13	27	19	24	40	71	22	37	13	372
WEST FARGO	0	0	0	0	0	8	0	0	0	0	0	0	8
MOORHEAD	9	7	0	0	1	4	0	1	0	0	0	0	22
BISMARCK	0	3	5	4	0	9	2	0	6	8	0	13	50
GRAND FORKS	13	4	3	3	14	12	9	3	12	12	5	16	106

21 SIVs

4%
34%
1%
9%
2%
1%
23%
0%
0%
26%
2%
100%

* An Additional 10% can be added to the projection by the US State Department (PRM)

EXHIBIT D

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Federal Awards Reports in Accordance with the
Single Audit Act and OMB Circular A-133
June 30, 2014

Lutheran Social Services of North Dakota

Lutheran Social Services of North Dakota
Schedule of Expenditures of Federal Awards
June 30, 2014

Federal Grantor/Pass-through Grantor/Program Title	Federal CFDA Number	Agency or Pass-through Number	Expenditures
U.S. Department of Agriculture			
Direct Award			
Child and Adult Care Food Program	10.559	N/A	\$ 10,459
Passed through the North Dakota Department of Human Services			
Supplemental Nutrition Assistance Program	10.561	410-09010	10,901
Supplemental Nutrition Assistance Program	10.561	410-09439	41,228
Subtotal for 10.561			52,129
Passed through the Minnesota Department of Human Services			
Emergency Food Assistance Program	10.568	N/A	3,042
Emergency Food Assistance Program	10.568	N/A	6,056
Passed through the North Dakota Department of Public Instruction			
Emergency Food Assistance Program	10.568	PII01013	2,000
Direct Award			
Emergency Food Assistance Program	10.568	3099	44,353
Emergency Food Assistance Program	10.568	3047	6,201
Emergency Food Assistance Program	10.568	3118	10,745
Subtotal for 10.568			72,397
Total U.S. Department of Agriculture			134,985
U.S. Department of Justice			
Direct Award			
Juvenile Accountability Block Grant	16.523	JABG(L)-2012-001	4,624
Juvenile Accountability Block Grant	16.523	JABG(L)-2013-001	5,427
Juvenile Accountability Block Grant	16.523	JABG(S)-13-1332	35,143
Juvenile Accountability Block Grant	16.523	N/A	91,900
Juvenile Accountability Block Grant	16.523	N/A	4,124
Subtotal 16.523			141,218
Juvenile Justice and Delinquency Prevention	16.540	T2-2011-107	46,140
Juvenile Justice and Delinquency Prevention	16.540	T2-2011-104	24,950
Subtotal 16.540			71,090
Passed through the North Dakota Department of Health			
Violence Against Women Formula Grant	16.588	G11.887	5,901
Violence Against Women Formula Grant	16.588	G13.395	3,541
Subtotal 16.588			9,442
Passed through Community Violence Intervention Center			
Reduction and Prevention of Children's Exposure to Violence	16.730	2011-MU-MU-K004	175,089
Total U.S. Department of Justice			396,839

Lutheran Social Services of North Dakota
Schedule of Expenditures of Federal Awards
June 30, 2014

Federal Grantor/Pass-through Grantor/Program Title	Federal CFDA Number	Agency or Pass-through Number	Expenditures
Department of State			
Passed through Episcopal Migration Ministries			
U.S. Refugee Admissions Program	19.510	SPRMC013CA1019	\$ 96,176
U.S. Refugee Admissions Program	19.510	SPRMC014CA1007	221,128
Passed through Lutheran Immigration and Refugee Service			
U.S. Refugee Admissions Program	19.510	SPRMC013CA1025	193,214
U.S. Refugee Admissions Program	19.510	SPRMC014CA1006	531,447
Total Department of State			1,041,965
Department of Education			
Passed through the City of Grand Forks Schools			
21st Century Community Learning Centers	84.287	N/A	2,192
Total Department of Education			2,192
U.S. Department of Health and Human Services			
Passed through North Dakota Department of Human Services			
Aging Services Division			
Special Programs for the Aging Title III, Part B -			
Grants for Supportive Services and Senior Centers	93.044	190-09080	35,597
Special Programs for the Aging Title III, Part B -			
Grants for Supportive Services and Senior Centers	93.044	190-09602	34,305
Subtotal 93.044			69,902
Passed through the North Dakota Department of Health			
Maternal, Infant and Early Childhood			
Home Visiting Program	93.505	D90MC25320	377,769
Passed through the North Dakota Department of Human Services			
Children and Family Services Division			
Refugee and Entrant Assistance - State			
Administered Program	93.566	600-09553	291
Refugee and Entrant Assistance - State			
Administered Program	93.566	600-09031	100,387
Refugee and Entrant Assistance - State			
Administered Program	93.566	600-09552	356,210
Direct Award			
Refugee and Entrant Assistance	93.566	12A1NDRRSS	32,519
Refugee and Entrant Assistance	93.566	1301NDRSOC	383,465
Refugee and Entrant Assistance	93.566	1401NDRSOC	61,632
Subtotal for 93.566			934,504

Lutheran Social Services of North Dakota
 Schedule of Expenditures of Federal Awards
 June 30, 2014

Federal Grantor/Pass-through Grantor/Program Title	Federal CFDA Number	Agency or Pass-through Number	Expenditures
Passed through the North Dakota Department of Human Services Child Care and Development Block Grant	93.575	450-09368	\$ 598,947
Direct Award			
Refugee and Entrant Assistance			
Voluntary Agency Program	93.576	90RL0160	47,055
Voluntary Agency Program	93.576	90RL0160-02	59,809
Voluntary Agency Program	93.576	90ZE0144/01	71,240
Voluntary Agency Program	93.576	90ZE0144/02	56,773
Voluntary Agency Program	93.576	90RX0197/02	26,553
Voluntary Agency Program	93.576	90RX0197/03	82,151
Subtotal 93.576			343,581
Direct Award			
Refugee and Entrant Assistance -			
Wilson/Fish Program	93.583	90RW0040/03	235,213
Wilson/Fish Program	93.583	90RW0040/04	1,024,775
Subtotal 93.583			1,259,988
Passed through North Dakota Department of Human Services Foster Care Title IV-E	93.658	450-09372	63,268
Total Department of Health and Human Services			3,647,959
Corporation for National Service			
Direct Award			
Senior Companion Program	94.016	13SCNND001	313,211
Total Corporation for National Service			313,211
Department of Homeland Security			
Direct Award			
Emergency Food and Shelter National Board Program	97.024	N/A	11,804
Total Department of Homeland Security			11,804
Total Expenditures of Federal Awards			\$ 5,548,955

See Notes to the Schedule of Expenditures of Federal Award



Federal Awards Reports in Accordance with the
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Lutheran Social Services of North Dakota

Lutheran Social Services of North Dakota
 Schedule of Expenditures of Federal Awards
 June 30, 2015

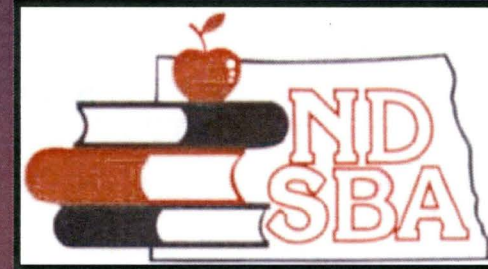
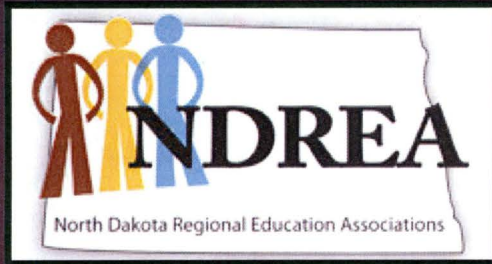
Federal Grantor/Pass-through Grantor/Program Title	Federal CFDA Number	Agency or Pass-through Number	Expenditures
U.S. Department of Agriculture			
Direct Award			
Child and Adult Care Food Program	10.559	N/A	\$ 14,475
Passed through the North Dakota Department of Human Services			
Supplemental Nutrition Assistance Program	10.561	410-09439	12,458
Supplemental Nutrition Assistance Program	10.561	410-09809	35,986
Subtotal for 10.561			48,444
Direct Award			
Commodity Supplemental Food Program	10.565	PII01514	9,795
Passed through the Minnesota Department of Human Services			
Emergency Food Assistance Program	10.568	N/A	401
Direct Award			
Emergency Food Assistance Program	10.568	PII01014	3,300
Emergency Food Assistance Program	10.568	3099	55,286
Emergency Food Assistance Program	10.568	3118	9,255
Emergency Food Assistance Program	10.568	3179	15,062
Subtotal for 10.568			83,304
Total U.S. Department of Agriculture			156,018
U.S. Department of Justice			
Direct Award			
Juvenile Accountability Block Grant	16.523	T2-2013-104	22,706
Juvenile Accountability Block Grant	16.523	JABG(L)-2013-001	6,632
Juvenile Accountability Block Grant	16.523	JABG(S)-13-1332	23,831
Juvenile Accountability Block Grant	16.523	N/A	65,495
Juvenile Accountability Block Grant	16.523	N/A	3,774
Subtotal 16.523			122,438
Juvenile Justice and Delinquency Prevention	16.540	T2-2011-107	2,073
Passed through the North Dakota Department of Health			
Violence Against Women Formula Grant	16.588	G13.395	5,276
Violence Against Women Formula Grant	16.588	G13.1161	630
Subtotal 16.588			5,906
Passed through Community Violence Intervention Center			
Reduction and Prevention of Children's Exposure to Violence	16.730	2011-MU-MU-K004	152,498
Total U.S. Department of Justice			282,915

Lutheran Social Services of North Dakota
Schedule of Expenditures of Federal Awards
June 30, 2015

Federal Grantor/Pass-through Grantor/Program Title	Federal CFDA Number	Agency or Pass-through Number	Expenditures
Department of State			
Passed through Episcopal Migration Ministries			
U.S. Refugee Admissions Program	19.510	SPRMCO14CA1007	\$ 134,255
U.S. Refugee Admissions Program	19.510	SPRMCO15CA1008	205,993
Passed through Lutheran Immigration and Refugee Service			
U.S. Refugee Admissions Program	19.510	SPRMCO14CA1006	270,726
U.S. Refugee Admissions Program	19.510	SPRMCO14CA1014	392,584
Total Department of State			1,003,558
Department of Education			
Passed through the City of Grand Forks Schools			
21st Century Community Learning Centers	84.287	N/A	11,419
U.S. Department of Health and Human Services			
Passed through North Dakota Department of Human Services			
Aging Services Division			
Special Programs for the Aging Title III, Part B -			
Grants for Supportive Services and Senior Centers	93.044	190-09602	34,645
Special Programs for the Aging Title III, Part B -			
Grants for Supportive Services and Senior Centers	93.044	190-09891	38,173
Subtotal 93.044			72,818
Passed through the North Dakota Department of Health			
Maternal, Infant and Early Childhood			
Home Visiting Program	93.505	D90MC25320	203,984
Passed through the North Dakota Department of Human Services			
Children and Family Services Division			
Refugee and Entrant Assistance - State			
Administered Program	93.566	600-09553	11,563
Refugee and Entrant Assistance - State			
Administered Program	93.566	600-09811	66,796
Refugee and Entrant Assistance - State			
Administered Program	93.566	600-09552	128,622
Refugee and Entrant Assistance - State			
Administered Program	93.566	600-09812	458,359
Direct Award			
Refugee and Entrant Assistance	93.566	1301NDRSOC	36,211
Refugee and Entrant Assistance	93.566	1401NDRSOC	337,936
Refugee and Entrant Assistance	93.566	1501NDRSOC	21,971
Subtotal for 93.566			1,061,458

Lutheran Social Services of North Dakota
 Schedule of Expenditures of Federal Awards
 June 30, 2015

Federal Grantor/Pass-through Grantor/Program Title	Federal CFDA Number	Agency or Pass-through Number	Expenditures
Passed through the North Dakota Department of Human Services Child Care and Development Block Grant	93.575	450-09368	\$ 653,336
Direct Award			
Refugee and Entrant Assistance			
Voluntary Agency Program	93.576	90RL0160-02	32,582
Voluntary Agency Program	93.576	90RL0160-03	79,798
Voluntary Agency Program	93.576	90ZE0144/02	108,404
Voluntary Agency Program	93.576	90RX0197/03	15,101
Voluntary Agency Program	93.576	90RX0145/01	55,053
Subtotal 93.576			290,938
Direct Award			
Refugee and Entrant Assistance -			
Wilson/Fish Program	93.583	90RW0040/04	269,531
Wilson/Fish Program	93.583	90RW0040/05	882,488
Subtotal 93.583			1,152,019
Direct Award			
Refugee Targeted Assistance Program	93.584	14A1NDTAG	109,092
Passed through North Dakota Department of Human Services Foster Care Title IV-E	93.658	450-09372	61,457
Total Department of Health and Human Services			3,605,102
Corporation for National and Community Service			
Direct Award			
Senior Companion Program	94.016	13SCNND001	317,349
Department of Homeland Security			
Direct Award			
Emergency Food and Shelter National Board Program	97.024	N/A	7,292
Total Expenditures of Federal Awards			\$ 5,383,653



North Dakota English Language Learners

LODEE ARNOLD
ELL PROGRAM ADMINISTRATOR
FEDERAL TITLE PROGRAMS OFFICE

EXHIBIT G

1238

Top 12 ELL Districts - 2013-14

District Name	ELL Count 2013-14	% of State ELL Pop
Fargo	828	20.8%
West Fargo	730	18.3%
Grand Forks	340	8.5%
Standing Rock	283	7.1%
Minot	172	4.3%
Dickinson	123	3.1%
Belcourt	116	2.9%
Grafton	114	2.9%
Bismarck	113	2.8%
Ft Totten	98	2.5%
Williston	81	2.0%
All Other	935	23.5%

Top 12 ELL (spring count) Districts as % of Total School Enrollment (fall count) 2013-14

District Name	ELL Count 2013-14	% of School Enroll
Ft Totten	98/164	59.8%
Standing Rock	283/606	46.7%
Ft Yates	49/167	29.3%
Selfridge	23/89	25.8%
St Thomas	18/75	24.0%
White Shield	27/117	23.1%
Minto	33/212	15.6%
Midway	29/190	15.3%
Grafton	114/867	13.1%
Valley-Edinburg	25/214	11.7%
West Fargo	730/8431	8.6%
Fargo	828/10995	7.5%

ELLs over Time Districts and Languages

School Year	#ELLs	# Districts	# Languages	Exit Rate
2008-09	5036	75	109	12%
2009-10	5100	70	115	14%
2010-11	4465	68	105	13%
2011-12	4360	69	102	15%
2012-13	3822	72	96	13%
2013-14	3983	73	99	14%

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ELLs over Time

Special Populations

School Year	# ELLs	# 3 yr immigrant	% 3 yr immigrant	# refugee	% refugee	# migrant	% migrant
2008-09	5036	586	11.6%	1040	20.7%	258	5.1%
2009-10	5100	605	11.9%	1161	22.8%	307	6.0%
2010-11	4465	674	15.1%	1070	24.0%	265	5.9%
2011-12	4360	730	16.7%	1157	26.5%	265	6.1%
2012-13	3822	761	19.9%	1111	29.1%	211	5.5%
2013-14	3983	891	22.4%	1109	27.8%	241	6.1%

New Americans, immigrants make up important part of workforce for many F-M employers

By Ryan Johnson on Jan 20, 2017 at 2:58 p.m.

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ⓘ

FARGO—Edin Bektas found a friendly "dream" workplace when he was hired at Cardinal IG in 2001—even if he couldn't speak English and had only been in America for 10 months.

"I feel right away like I belong here," he said.

The Bosnia native remembers his journey, working his way up to overseeing 10 employees at the Fargo residential glass manufacturer, as he helps a new co-worker from Colombia.

With 31 countries and several languages represented among the 263 employees, Bektas' story is a familiar one at the facility, 4611 15th Ave. NW, and at many local workplaces today as immigrants play a major role in a local labor force short of enough workers.

"It seems to be filling a gap that wouldn't otherwise be filled," Plant Manager Mike Arntson said.

There was no deliberate effort to target recruitment at new Americans, he said, and the company simply hires the best applicants. But 65 percent of its employees are immigrants, and that's remained steady since opening in 1998.

Jessica Thomasson, CEO of Lutheran Social Services of North Dakota, doesn't track the percentage of new Americans in the local workforce. The Forum was unable to find any local statistic like that.

But the agency tasked with refugee resettlement does have some numbers that shed light on the issue.

In fiscal year 2016, LSS resettled 346 employable adults from 231 households in the state, with about 75 percent coming to Fargo-Moorhead. Of those statewide figures, 75 percent of households were employed in an average of three months, Thomasson said.

Considering that the community is growing 3,500 to 4,000 people a year while LSS resettles 350 to 375 people here, these refugees make up 10 to 15 percent of the local population increase each year, she said.

'They need to work'

The Pallet Co. Inc., 2301 7th Ave. N., has a staff of 45 that's about 85 percent new Americans, owner Michael Hansen said. He started the company in 2000 but he's been in the business since 1990, and he's relied on immigrant workers for decades.

"They're like the old Americans when they came over from Europe," he said. "They just have to work; they need to work."

His business will move into a bigger facility later this year, something Hansen said "should speak highly" of what his employees have done.

"I wouldn't be where I'm at without them, not even close," he said.

Lakhwinder Singh, owner of the Grand Inns at 3402 14th Ave. S. in Fargo and 810 Belsly Boulevard in Moorhead, said the hotels' five or six housekeepers are all refugees. For most, minimal knowledge of English means they can't help guests, but they're willing to clean.

"The people who are coming, they have kids so they're looking for a job, whatever job," Singh said.

More than 250 new Americans speaking 14 languages work in Sanford Health's Fargo support teams, said Mike Erickson, executive director of facilities and support services. That's about a quarter of the overall support staff, and they do everything from food service work to surgical equipment sterilization.

"They see the opportunity to grow and to have a career path," he said.

Immigrants aren't just working in supporting roles; 177 of Sanford's Fargo providers are foreign-born.

Thomasson said most refugees LSS works with get their first jobs here in hospitality, retail, manufacturing or health care as they try to regain "normalcy" after fleeing their native countries.

"People are really committed to helping make sure their children have more opportunities than they did, that they have stability and safety, and they see working as one of the steps that you need to do to do that," she said.

Language of respect

Zijadeta Pekmic and her family moved here in 1998 following six years in Germany after they left Bosnia. Like many Cardinal IG employees, she heard about the company from a neighbor.

"They were really nice to me," she said. "If I don't understand something, they try to train me."

Hakar Ali, too, came to the plant after hearing about it from a friend. He's been there for seven years, and he was named the 2016 employee of the year because of impressive production numbers and hard work, according to friend and team leader Jamal Sarki, an 11-year employee.

Both are from Kurdistan, with Sarki moving to the Fargo area 19 years ago and Ali coming here in 2010.

It's a diverse workforce that feels like family, Sarki said. A T-shirt made for an employee picnic is full of flags from the staff's 31 represented countries, he said, and on his team alone, he oversees people from the U.S., Kurdistan, Iraq, Romania, Ghana, South Sudan, Bosnia, Somalia, Haiti and Pakistan.

Araz Khalid has been with the company for four years, now serving as a team leader. He was born in Iraq and has lived in the U.S. since the early 1990s.

Language barriers might seem like a potential problem at Cardinal IG, but he said it hasn't been an issue. The hands-on work there also lends itself to training new employees through hand gestures or limited English.

"You don't really need a language to be respectful," Khalid said. "Once you're respectful to them, they'll be easier to communicate with."

His brother, Warheel Khalid, has worked there for more than two years. He's already been promoted to shift supervisor, a job Arntson said usually takes more than seven years to earn, and Khalid said he wants to help the business succeed.

"Team leader, supervisor, plant manager, it really doesn't matter as long as I'm doing my part," he said.


Fargo native Jessica Smith was surprised by the diversity at Cardinal IG when she started a couple years ago. But the hardest part was learning to speak slower. As one of the Fargo plant's SafeStart instructors, she needs to give time for translators in the room to tell some trainees what she's saying.

Smith felt bad when she first started because everyone knew her name, but she struggled with theirs. She decided to memorize the phonetic spelling of three names each week to overcome the unexpected problem.

Arntson said language and cultural differences can be a challenge, but anyone running a business deals with challenges.

More than anything else, he's struck by the "unique stories" shared by his employees from other countries, not to mention the modern-day parallel connection he sees to what the region's homesteaders must have gone through when they first came here.

"Maybe that hasn't always been true of Fargo, N.D., or North Dakota as a whole, but certainly the United States has always been a melting pot, and so it shouldn't surprise us that Fargo's a melting pot or that Cardinal IG is a melting pot," he said. "If places in Fargo don't have a diverse workforce, I'd wonder why."

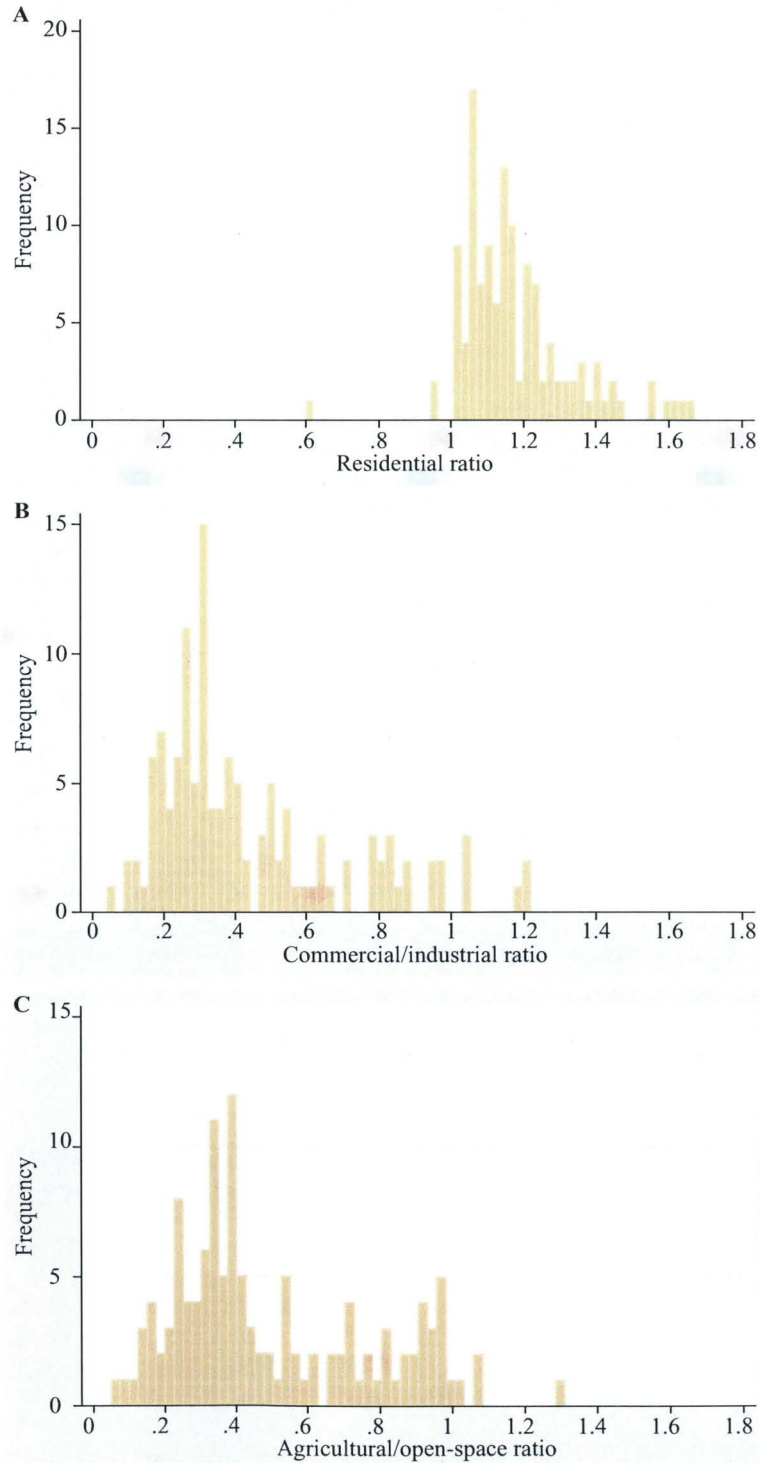


Ryan Johnson
 Ryan Johnson has been a reporter for The Forum since 2012 and previously wrote for the Grand Forks Herald.

Have a comment to share about a story? Letters to the editor should include author's name, address and phone number. Generally, letters should be no longer than 250 words. All letters are subject to editing. Send to letters@forumcomm.com

RMJohnson@forumcomm.com
 (701) 241-5587

Figure 2
Frequency Distributions of Cost of Community Service Study Ratios for Residential, Commercial/Industrial, and Agricultural/Open-Space Land Uses



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A Meta-Analysis of Cost of Community Service Studies

Matthew J. Kotchen
University of California, Santa Barbara and NBER,
e-mail: kotchen@bren.ucsb.edu

Stacey L. Schulte
University of Colorado,
e-mail: Stacey.Schulte@colorado.edu

Cost of community service (CCS) studies, which compare the ratio of expenditures-to-revenues for different land uses, are increasingly influential in debates about municipal land-use planning. In this article, we conduct a quantitative meta-analysis of 125 CCS studies that focus on three land-use categories: residential, commercial/industrial, and agricultural/open-space. We estimate models to investigate underlying patterns regarding the effect of different methodological assumptions and of geographic and financial characteristics of communities. Many of the results have implications for the conduct and interpretation of CCS studies in particular and the fiscal impacts of land use in general. Key findings include the following: residential ratios of expenditures-to-revenues increase with population but decrease with school budget as a proportion of total budget; commercial/industrial ratios increase with density but decrease with population, home value, and school budget; agricultural/open space ratios increase with density. Ratios are affected little by municipality type or population change. Ratios for all land uses decrease as their share of property tax increases. Two key methodological decisions have a large impact on study results: inclusion of school budget in the analysis and of farmhouses in the agricultural/open space category. Finally, the type of sponsoring agency has little affect, with the exception of government studies, which find higher residential ratios and lower commercial/industrial ratios than the American Farmland Trust.

I. Introduction

Land use largely determines the revenues and expenditures of municipal governments. Different land uses—including residential, commercial, industrial,

Authors' Note: This article was written in honor of Roger Bolton and presented at the colloquium "Understanding Place and the Economics of Space: The Career of Roger Bolton" at Williams College in April 2008. We are grateful to colloquium participants and an anonymous reviewer for many helpful comments. We are also grateful to Elizabeth Brabec for useful feedback at the early stages of this project and to Michael Hinke for creating the map of study locations.

Attachment 8
1427
2-3-17

**Testimony on House Bill 1427
to the
House Government and Veteran Affairs Committee
February 3, 2017**

Chair Kasper and members of the House Government and Veteran Affairs Committee. I am Murray Sagsveen, and I personally¹ appear in opposition to this bill.

Summary

House Bill 1427 is about refugees. Under international law², only people who have been forced to flee their home because of persecution are refugees. The Refugee Act of 1980 defines "refugee" as:

Any person who is outside any country of such person's nationality...and who is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of, that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.³

My detailed testimony will explain at least five reasons why this committee should vote a "do not pass" for this bill:

1. Refugees are very carefully "vetted" before they ever arrive in the United States.
2. Refugees have not posed a national security risk to the United States or a public safety danger to communities in North Dakota.
3. Refugees are a welcome addition to the North Dakota workforce and do not compete with existing workers.
4. House Bill 1427 conflicts with federal law.
5. Many refugees and their families are at risk because they have supported or worked for the United states.

In addition, and perhaps most important, is that such legislation is contrary to our historical values. This country has been, for about 400 years, a safe harbor for persecuted refugees. Pilgrims were refugees; Jews who avoided the Holocaust were refugees; individuals escaping communism were refugees; families fleeing Central America only several years ago were refugees; and now, victims of civil war and

¹ Although I am the vice chair of the board of directors and a registered lobbyist for Lutheran Social Services of North Dakota and am the synod attorney and registered lobbyist for the Western North Dakota Synod of the Evangelical Lutheran Church in America, I am appearing to express my personal opinions concerning this bill. My lobbyist registration is number 110.

² Convention Relating to the Status of Refugees, July 28, 1951, 19 U.S.T. 6259, 189 U.N.T.S. 150 and Protocol Relating to the Status of Refugees, Jan. 31, 1967, 19 U.S.T. 6223, 606 U.N.T.S. 267.

³ 8 U.S.C. § 1101(a)(42)(A) (2012).

sectarian violence in the Middle East are refugees. The situation is now more serious than ever; in 2015, an estimated 19.5 million refugees and 38.2 million citizens were displaced in their own countries.⁴

Perhaps a small plaque inside the Statue of Liberty states it best: "Give me your tired, your poor, your huddled masses yearning to breathe free."⁵ This bill would tell the tired, poor and huddled masses: "stay home."

Please vote "do not pass."

Detailed Testimony

1. Refugees are very carefully "vetted" before they ever enter the United States.

The lengthy and complex vetting process for refugees is explained on the U.S. Department of State website at

<https://www.state.gov/documents/organization/266671.pdf> and
<https://www.state.gov/prm/ra/admissions/index.htm>.

A recent law review article also explains the process:

Refugees...apply for admission to the United States from an overseas location, such as a refugee camp. Refugees applying to resettle in the United States undergo a rigorous screening and review process, which can take up to two years to complete. This process is so thorough that David Milliband, the current President of the International Rescue Committee, stated recently, "There are many ways to come to the United States. Comparatively the refugee resettlement program is the most difficult short of swimming the Atlantic." Refugee applicants are referred initially to the United States by the UNHCR⁶, a U.S. embassy, or a nongovernmental organization. Refugees who wish to settle in the United States are required to fill out an extensive application form, attend an interview with a USCIS⁷ officer at a U.S. embassy, and provide biometric data, which is typically fingerprints and photographs. The application forms and biometric data are then passed to a Resettlement Support Center, which collects information and runs biographic security checks through a variety of federal agencies, including the FBI, DHS, and the Department of State. If the applicant clears those checks, the process proceeds to a medical screening. If, at the conclusion of the medical screening, no problems arise, the applicant is assigned to a Regional Refugee Coordinator in the United States for resettlement.

⁴ Worldwide Displacement Hits All-time High as War and Persecution Increase, United Nations High Commissioner for Refugees (UNHCR) (June 18, 2015), <http://www.unhcr.org/558193896.html>.

⁵ The quote is from a sonnet, *New Colossus*, written by Emma Lazarus.

⁶ United National High Commissioner for Refugees.

⁷ United States Citizenship and Immigration Services.

The pre-entry screening and security clearance process are designed to ensure that the refugee is truly eligible for resettlement under the terms of the INA⁸, as amended by the Refugee Act. The refugee cannot be firmly resettled in any other country. The refugee must demonstrate a personal "well-founded fear" of future persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. The applicant must also demonstrate that none of the grounds of inadmissibility set forth in the INA apply. An applicant must be fully vaccinated and not have a "physical or mental disorder" that might pose a threat to property or to other persons. The applicant must not have a serious criminal record, pose a threat to national security, or have a record of immigration infractions, including misrepresentations on any prior visa applications. Moreover, the applicant must not have engaged in polygamy. Further screening interviews to determine continued eligibility are conducted at the border upon entry to the United States and one year after entry, when the applicant is required to apply for a lawful permanent resident card, known as a "green card."

The Resettlement Support Center, after conditionally accepting a refugee for resettlement, sends a request for assurance of placement to the United States. At that point, the Refugee Processing Center cooperates with state agencies and nonprofit "voluntary agencies" (VOLAGs) to determine where the refugee will live. Currently, there are nine large resettlement VOLAGs in the United States. Each refugee is assigned to one of those agencies, which work with local and state governments to find appropriate placements within communities for the refugee and to provide transitional assistance. The Director of the Office of Refugee Resettlement and the State Department's Bureau of Population, Refugees, and Migration are required to consult regularly with state and local governments as well as the VOLAGs regarding the distribution of refugees among the states and localities. Unlike other immigrants, refugees resettled in the United States do not need to have a United States-based employer or relative "sponsor" their admission to the country. But, if a refugee approved for admission does have a family member living in the United States, every effort is usually made to place the refugee in a location near that relative.

Once a suitable placement has been identified, and all relevant security checks and medical examinations have been completed, the Resettlement Support Center coordinates with the International Organization for Migration to arrange the refugees' travel to the United States. Refugees traveling to the United States from overseas are given an interest-free loan to pay for their travel. They are, however, required to sign a promissory note stating that they will repay the amount of the loan in full to the U.S. government. The first payment on the loan is due six months after the refugees enter the United States.

⁸ Immigration and Nationality Act of 1952, Pub. L. No. 82-414, 66 Stat. 163 (1952) (codified as amended in scattered sections of 8 U.S.C.).

Upon arrival in the United States, the refugee becomes the responsibility of the VOLAG. During the refugee's first ninety days in the United States, the VOLAG arranges for food, housing, clothing, employment counseling, medical care, and other necessities, including transportation from the airport to lodgings. The refugee also receives a number of benefits from the federal Office of Refugee Resettlement (ORR) that are administered jointly by the state voluntary agency and the local affiliate of the VOLAG. These benefits include monetary support: a one-off cash stipend of approximately \$900 for basic needs and up to eight months of "Refugee Cash Assistance," the exact amount of which is determined according to the size of the refugee's family. Refugee seniors may also receive monthly Supplemental Security Income, and all refugees receive health care, "Refugee Medical Assistance," through ORR during their first eight months in the United States. Within six months of arrival, however, refugees are expected to have established a degree of independence and self-sufficiency. They have employment authorization from the federal government as soon as they arrive in the United States, and they are expected to secure employment within six months of arrival. After one year's residency, they may apply to become lawful permanent residents, and five years thereafter they may apply to become U.S. citizens.⁹ [footnotes omitted]

The executive order, "Protecting the Nation from Foreign Terrorist Entry into the United States," signed by President Trump on January 27, 2017, directed the Secretary of State to suspend the U.S. Refugee Admissions Program for 120 days "to determine what additional procedures should be taken to ensure that those approved for refugee admission do not pose a threat to the security and welfare of the United States." Refugees are thoroughly vetted now; it is difficult to imagine what additional procedures could be implemented.

2. Refugees do not pose a national security risk to the United States or a public safety danger to communities in North Dakota.

The Cato Institute is an American libertarian think tank headquartered in Washington, D.C.¹⁰ On September 13, 2016, it published a paper titled "Terrorism and Immigration: A Risk Analysis."¹¹

The author, Alex Nowrasteh, summarized the risk of murder by a refugee terrorist:

Including those murdered in the terrorist attacks of September 11, 2001 (9/11), the chance of an American perishing in a terrorist attack on U.S. soil that was committed by a foreigner over the 41-year period studied here is 1 in 3.6 million per year. The hazard posed by foreigners who entered on different visa

⁹ Stella Burch Elias, "The Perils and Possibilities of Refugee Federalism, American University Law Review, Vol. 66, pp. 353-414 (2016).

¹⁰ <https://www.cato.org/>.

¹¹ <https://www.cato.org/publications/policy-analysis/terrorism-immigration-risk-analysis>.

categories varies considerably. **For instance, the chance of an American being murdered in a terrorist attack caused by a refugee is 1 in 3.64 billion per year while the chance of being murdered in an attack committed by an illegal immigrant is an astronomical 1 in 10.9 billion per year.** By contrast, the chance of being murdered by a tourist on a B visa, the most common tourist visa, is 1 in 3.9 million per year. Any government response to terrorism must take account of the wide range of hazards posed by foreign-born terrorists who entered under various visa categories. [Emphasis added.]

The author provided additional information about the risk from refugees:

A refugee is a person who is located outside of the United States and is of special humanitarian concern; demonstrates that he or she was persecuted or fears persecution because of race, religion, nationality, political opinion, or membership in a particular social group; is not firmly settled in another country; and does not violate other immigration bars on admission such as posing a national security or public health risk. Refugees apply from a third country and then enter the United States after they have been granted their visa. Refugees must apply for a green card after one year of residing in the United States.

Of the 3,252,493 refugees admitted from 1975 to the end of 2015, 20 were terrorists, which amounted to 0.00062 percent of the total. In other words, one terrorist entered as a refugee for every 162,625 refugees who were not terrorists. Refugees were not very successful at killing Americans in terrorist attacks. Of the 20, only three were successful in their attacks, killing a total of three people.... The three refugee terrorists were Cubans who committed their attacks in the 1970s and were admitted before the Refugee Act of 1980 created the modern rigorous refugee-screening procedures currently in place. Prior to that act, a hodgepodge of poorly managed post-World War II refugee and displaced persons statutes, presidential grants of parole, and *ad hoc* congressional legislation allowed Hungarian, Cuban, Vietnamese, and other refugee groups to settle in America. All of the murders committed by foreign-born refugees in terrorist attacks were committed by those admitted prior to the 1980 act.

Two of the Cuban terrorists assassinated a Chilean dissident and his American aide. The third Cuban terrorist assassinated a Cuban exile leader who supported a closer United States relationship with Fidel Castro. The GTD and RDWTI showed many more terrorist attacks and assassinations in the 1970s and 1980s that were likely perpetrated by Cuban or Vietnamese refugees, but no one was ever arrested for the crimes so they could not be included here.

Many of the refugees arrested after 9/11 were admitted as children, and in some cases there is doubt over whether their attacks even qualify as terrorism. Other refugees have been arrested for terrorism or the vague "terrorism-related charges," but they were planning terrorist attacks overseas or providing material

support for foreign groups operating overseas. No refugees were involved in the 9/11 attacks.

The author further explained deaths by terrorists following 9/11:

From September 12, 2001, until December 31, 2015, 24 people were murdered on U.S. soil by a total of 5 foreign-born terrorists, while 65 other foreign-born terrorists attempted or committed attacks that did not result in fatalities. During the same period, 80 people were murdered in terrorist attacks committed by native-born Americans and those with unknown nationalities.

Refugees were not responsible for any murders during that 15-year period.

The following table, from the paper, also explains that the chance of being killed by a refugee during 1975-2015 was 0.00000003 percent.

Table 1. Chance of Dying in an Attack by a Foreign-Born Terrorist, 1975-2015

Visa Category	Terrorism Deaths per Visa Category	Chance of Being Killed	Percent Chance of Being Killed
All	3,024	1 in 3,609,709	0.00003
Tourist	2,834	1 in 3,851,715	0.00003
Student	158.5	1 in 68,869,156	0.000002
Fiancé(e) visa (K-1)	14	1 in 779,697,234	0.0000001
Lawful Permanent Resident (LPR)	8	1 in 1,364,470,160	0.00000007
Asylum	4	1 in 2,728,940,320	0.00000004
Refugee	3	1 in 3,638,587,094	0.00000003
Illegal	1	1 in 10,915,761,281	0.00000001
Unknown	1.5	1 in 7,277,174,187	0.00000001
Visa Waiver Program (VWP)	0	Zero	0.00000000

Therefore, refugees should not be considered a risk to national security or community public safety.

3. Refugees are a welcome addition to the North Dakota workforce and do not compete with existing workers.

The unemployment rate in North Dakota is about 3.1%, as illustrated on the following chart with data from the U.S. Bureau of Labor Statistics:

Unemployment rate - Seasonally Adjusted ?



Data from U.S. Bureau of Labor Statistics. Last updated: Oct 10, 2016
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There are frequent reports about labor shortages in various business sectors in North Dakota, such as:

- Nursing – March 6, 2016, Bismarck Tribune – “Nursing faces critical job shortage”
- “Can North Dakota Solve Its Labor Shortage Problem?” - <https://www.challengergray.com/press/blog/can-north-dakota-solve-its-labor-shortage-problem>
- “North Dakota Job Openings Decline, But There’s Still a Worker Shortage” - <https://www.sayanythingblog.com/entry/north-dakota-jobs/>
- “North Dakota farmers hiring more help from abroad to meet labor shortages” - <http://www.grandforksherald.com/news/agriculture/3779258-north-dakota-farmers-hiring-more-help-abroad-meet-labor-shortages>
- “Teacher shortage being felt across North Dakota” - <http://www.grandforksherald.com/news/business/3881805-teacher-shortage-being-felt-across-north-dakota>

One website also explains that immigration is essential to the economic growth of North Dakota - <http://www.maptheimpact.org/state/north-dakota/>.

4. House bill 1427 conflicts with federal law.

House Bill 1427, which is similar to unsuccessful legislation in other states,¹² would invite a legal challenge if enacted.

The United States has established a program to resettle refugees throughout the country and, with the cooperation of this state and its nonprofit organizations, in North Dakota.

Sections 3 and 4 of House Bill 1427 would establish a process in which a city council or commission, a county commission, or a governor could decide to prohibit the resettlement of refugees in a city, county, or state. However, preventing the resettlement of refugees anywhere in this state would conflict with federal law.

In 2010, Arizona enacted legislation to “discourage and deter the unlawful entry and presence of aliens and economic activity by persons unlawfully present in the United States.”¹³ The law was immediately challenged, and the question before the U.S. Supreme Court was “whether federal law preempts and renders invalid four separate provisions of the state law.”¹⁴

The Supreme Court, when ruling against Arizona, clearly explained the primary authority of the federal government concerning immigration:

The Government of the United States has broad, undoubted power over the subject of immigration and the status of aliens.... This authority rests, in part, on the National Government’s constitutional power to “establish a uniform Rule of Naturalization,” U. S. Const., Art. I, §8, cl. 4, and its inherent power as sovereign to control and conduct relations with foreign nations.

The federal power to determine immigration policy is well settled. Immigration policy can affect trade, investment, tourism, and diplomatic relations for the entire Nation, as well as the perceptions and expectations of aliens in this country who seek the full protection of its laws.... Perceived mistreatment of aliens in the United States may lead to harmful reciprocal treatment of American citizens abroad....

It is fundamental that foreign countries concerned about the status, safety, and security of their nationals in the United States must be able to confer and communicate on this subject with one national sovereign, not the 50 separate States....¹⁵ [Citations omitted]

¹² See, e.g., H. 4396, 121st Gen. Assemb. (S.C. 2016); Senate Bill 2331, Miss. Legislature, <http://billstatus.ls.state.ms.us/2016/pdf/history/SB/SB2331.xml>; H.B. 2612, Kan. St. Legislature, http://www.kslegislature.org/li/b2015_16/measures/hb2612/.

¹³ Note following Ariz. Rev. Stat. Ann. § 11-1051 (West 2012).

¹⁴ Arizona v. United States, 132 S.Ct. 2492 (2012).

¹⁵ *Id.*, slip opinion at pp. 2-3.

Federalism, central to the constitutional design, adopts the principle that both the National and State Governments have elements of sovereignty the other is bound to respect...From the existence of two sovereigns follows the possibility that laws can be in conflict or at cross-purposes. The Supremacy Clause provides a clear rule that federal law “shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.” Art. VI, cl. 2. Under this principle, Congress has the power to preempt state law....There is no doubt that Congress may withdraw specified powers from the States by enacting a statute containing an express preemption provision....

State law must also give way to federal law in at least two other circumstances. First, the States are precluded from regulating conduct in a field that Congress, acting within its proper authority, has determined must be regulated by its exclusive governance....The intent to displace state law altogether can be inferred from a framework of regulation “so pervasive . . . that Congress left no room for the States to supplement it” or where there is a “federal interest . . . so dominant that the federal system will be assumed to preclude enforcement of state laws on the same subject”....

Second, state laws are preempted when they conflict with federal law....This includes cases where “compliance with both federal and is a physical impossibility,”...and those instances where the challenged state law “stands as an obstacle to the accomplishment and execution of the full purposes and objectives of Congress”....¹⁶

I am aware of at least two states that have, notwithstanding the guidance in *Arizona v. United States*, unsuccessfully attempted to prevent the resettlement of refugees.

In November 2015, the Texas attorney general sued the United States when a Syrian refugee family was scheduled for settlement in Texas, claiming that the family posed a security risk to Texans. In June 2016, the U.S. district court granted motions to dismiss the complaint.¹⁷ The court’s opinion also quoted legislative history about the state’s authority to interfere with the resettlement of a refugee family:

[T]he [Texas]Commission argues that the legislative history demonstrates a clear congressional intent to expand the role of States in the country’s refugee program and to maintain the program’s ability to respond flexibly to emergency situations. See, e.g., S. Rep. No. 96-256 (1979) (describing need for flexibility); S. Rep. No. 97-638, at 9 (1982) (calling for increased consultation between federal, state, and local officials). Although courts should refrain from considering legislative history where the language of the statute is unambiguous..., the Court nevertheless notes that the legislative history of the Refugee Act says nothing

¹⁶ Id. At pp. 7-8.

¹⁷ Texas Health & Human Services Commission, slip opinion at 1 (N.D. Tex. June 15, 2016), <http://www.nilc.org/wp-content/uploads/2016/06/TexasHHSC-v-US-granting-motion-to-dismiss-2016-06-15.pdf>.

about a State's ability to enforce the statute via a private cause of action [by any party against the U.S.]. In fact, the House Committee on the Judiciary, in considering the House version of a 1986 amendment to the Refugee Act, noted that the consultation requirement is "not intended to give States and localities any veto power over refugee placement decisions, but rather to ensure their input into the process and to improve their resettlement planning capacity." H.R. Rep. No. 99-132, at 19 (1985). The legislative history of the Refugee Act simply does not support the Commission's position.

The second case was triggered by then-governor Mike Pence when, in November 2015, he issued a directive that stated, in part: "I am directing all state agencies to suspend the resettlement of additional Syrian refugees in the state of Indiana pending assurances from the federal government that proper security measures have been achieved."

Exodus, a community-based organization working with refugees in Indiana promptly sued the governor. In February 2016, the court U.S. district court granted Exodus's request for injunctive relief, ruling the Governor Pence's directive clearly violated the Equal Protection clause of the Fourteenth Amendment because it discriminated against the refugees on the basis of national origin.¹⁸

In commenting on the decision, the author of a law review article stated:

The district court noted that by withholding federal funding from Exodus, the state was both intruding upon a field of law occupied by the federal government and preventing the federal government from achieving one of its legitimate goals – the safe and effective placement of refugees.¹⁹

The express goal of HB 1427 is to allow a city, county, or this state to refuse the settlement of a refugee. Such a goal is both wrong and in violation of federal law.

5. Many refugees and their families are at risk because they have supported or worked for the United states.

I am an Army and Army National Guard veteran, initially retiring as a brigadier general in 1996. I was later recalled to state active duty as the State Flood Recovery Coordinator in 1997 and 2011 as a state major general.

¹⁸ *Exodus Refugee Immigration, Inc. v Pence*, 165 F. Supp. 3d 718, 723-724 (S.D. Ind. 2016), *stay denied*, 2016 WL 1222265 (S.D. Ind. Mar. 29, 2016), *aff'd* 2016 SL 5682711 (7th Cir. Oct. 3, 2016).

¹⁹ Stella Burch Elias, "The Perils and Possibilities of Refugee Federalism, American University Law Review, Vol. 66L:353, p. 401 (2016).

During my service in the Army and Army National Guard, I worked with foreign nationals who were employed by the United States. By doing so, these individuals have exposed themselves and their families to the risk of harm by those who are opposed to the policies and actions of the United States.

Many are interpreters and translators who work side-by-side with soldiers in the field, risking their lives daily in their work for the United States. For years, these individuals and their families have been able to enter the United States through the Special Immigrant Visa program.

After retiring from the military, I continued to work with national human rights organizations such as Human Rights First²⁰ and Veterans for American Ideals, which is "a nonpartisan group of veterans who share the belief that America is strongest when its policies and actions match its ideals."²¹ A current campaign is to save the Special Immigrant Visa program for interpreters and translators who served with the U.S. military and to support the refugee programs.

It would be cruel for North Dakota to slam the door on refugees who have honorably served this country in very dangerous environments around the world. Instead, we should thank them for their service and welcome them and their families to our state.

Conclusion

For these reasons alone, this committee should vote a "do not pass" for HB 1427.

Murray G. Sagsveen
1277 Eagle Crest Loop
Bismarck, ND 58503-8849
mgsagsveen@gmail.com
701-426-1905

MGS:20170202

²⁰ <http://www.humanrightsfirst.org/>.

²¹ <https://www.vfai.org/>.

Attachment 9
1427
2-3-17

Testimony in Opposition to HB 1427 – Relating to Refugee Absorption

American Civil Liberties Union of North Dakota

House Government and Veterans Affairs Committee

February 3, 2017

Thank you, Chairman Kasper and members of the House Government and Veterans Affairs Committee for your time and attention this morning. My name is Jennifer Cook and I am a licensed attorney and the Policy Director for the American Civil Liberties Union of North Dakota. The ACLU of North Dakota is a nonprofit, nonpartisan organization with more than 6,000 members, activists, and followers. The ACLU of North Dakota is one of the state's leading organizations dedicated to advancing and defending civil liberties and civil rights.

HB 1427 is preempted by federal law. The bill attempts to give the State of North Dakota power over the resettlement of refugees, including the power to declare when "absorptive capacity" has been met or exceeded and the power to suspend resettlement activities. These are not powers that properly belong to any state's government, as they have been reserved to the federal government.

As recently as 2012, in *Arizona v. United States*, federal courts found that the power to regulate immigration (which includes the admission and resettlement of refugees) is inherent in the concept of national sovereignty and therefore lies exclusively with the federal government. Federal law as it relates to admission and resettlement of refugees is articulated in the Immigration and Naturalization Act (INA) and the United States Refugee Act of 1980. The power to develop refugee admission and resettlement policy is specifically laid out and assigned to the federal government under Title III of the Refugee Act of 1980.

These laws reserve to the federal government the power to make determinations about refugee resettlement, even though that resettlement may take place with the cooperation of state and local government bodies or with state and local government resources. States are expressly not given the power to "veto" the placement of any refugee within their borders.

Under the doctrine of preemption, states cannot adopt policy that explicitly contradicts federal policy. North Dakota may not grant to itself the power to make determinations about refugee resettlement, because that power is reserved to the federal government. Any attempt to assert such a power is preempted under federal law.

HB 1427 is discriminatory and likely unconstitutional. Even if HB 1427 were not preempted by federal law the bill would still raise grave legal and constitutional questions. Courts have found that the Equal Protection Clause of the Fourteenth Amendment to the Constitution protects individuals from discrimination on the basis of alienage and national origin. The Fourteenth Amendment to the Constitution is not confined to the protection of citizens. It says: Nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

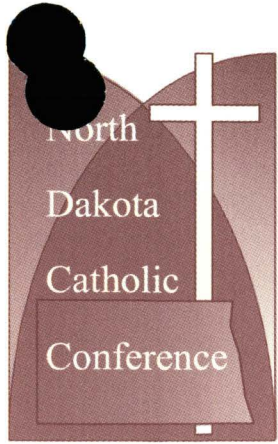
HB 1427 will make North Dakota vulnerable to legal challenge. Because the bill is preempted by federal law and likely violates the Equal Protection Clause of the Fourteenth Amendment. HB 1427 will expose the state to a number of legal challenges.

Quite aside from the legal and constitutional questions raised by the bill, HB 1427 strikes a blow against North Dakotan and American values. Our laws—including the Constitution—should represent the values that we hold dear as a state and as a country.

HB 1427 should be rejected in order to demonstrate that, as North Dakotans and as Americans, we continue to treasure the values of equality, freedom, and hospitality.

We urge you to give a Do Not Pass recommendation to HB 1427. Thank you for your time and attention. I will stand for questions.

Attachment 10
1427
2-3-17



Representing the Diocese of Fargo
and the Diocese of Bismarck

Christopher T. Dodson
Executive Director and
General Counsel

To: House Government and Veterans Affairs Committee
From: Christopher T. Dodson, Executive Director
Subject: House Bill 1427 — determination of refugee absorptive capacity
Date: February 3, 2017

The North Dakota Catholic Conference opposes House Bill 1427 because (1) it violates the spirit of charity and justice that should permeate all of our legal and governmental policies, (2) it is constitutionally suspect, (3) it is poorly worded, confusing, unnecessarily intrusive, and discriminatory, and (4) there exist better means of addressing legitimate questions about refugee resettlement in our state.

Every law and policy should reflect principles of charity and justice. The actions of our government must remind people of our basic humanity. The Christian Church has always taught that this means that society, not just the church, must welcome the stranger and those in flight not as an option, but as a duty. We must, of course, be vigilant when it comes to security and preservation of the common good, but we must always be equally vigilant in our welcome of friends. When obstacles arise, we should not build barriers. Instead, we should remove the obstacles. House Bill 1427 does not remove barriers. It builds obstacles.

House Bill 1427 is at best constitutionally suspect and, at worst, outright unconstitutional. You will hear from others with more expertise in this area. We consulted the Catholic Legal Immigration Network, which concluded that HB 1427 violates the Refugee Act of 1980 in several respects and, therefore, is unconstitutional under the Supremacy Clause.

House Bill 1427 contains many undefined terms, confusing mandates, and avenues for government overreach. The problems and questions in this bill are too numerous to address here, so let me highlight just two of them.

Two sections¹ appear to authorize the collection of information from private entities about the services they provide to refugees, even if the entities are not

¹ HB 1427, page 3, line 11; page 4, lines 13-14.

refugee resettlement agencies. Bishop Kagan and Bishop Folda asked that I make this very clear: Neither the Diocese of Bismarck, nor the Diocese of Fargo, nor any parish, charity, or other organization under the auspices of the dioceses will comply with any request for this information. To whom we provide charitable help is not the government's business.

A second example is one that should concern all of us. House Bill 1427 gives a local government broad and un-reviewable authority to stop refugee resettlement. Setting aside the question of whether state or local governments have that authority under federal law and the U.S. Constitution, the bill should cause great concern to anyone concerned about civil liberties and due process.

The bill requires that the local government entity only hold a hearing and issue findings *based* on the "absorptive capacity" factors before blocking resettlement. It does not require that the local government actually find the existence of facts, reviewable by a court of law. Indeed, the definition of "absorptive capacity" includes factors so vague that they are not really measurable. This lack of precision violates due process and creates the possibility that resettlement could be halted solely for political, arbitrary, and capricious reasons. The potential for abuse is heightened by the bill's exclusive focus on refugees at the exclusion of other classes of legal residents.

We do not question the need to discover and respond to the impacts, good or bad, from refugee resettlement. You cannot welcome a stranger into your home if you do not have a home. It is apparent that many North Dakotans have questions and concerns about refugee resettlement in the state. They deserve to have their questions answered. At the same time, immigrants should have a chance to tell their stories.

House Bill 1427 attempts to address those concerns but goes too far, raises too many constitutional questions, and unnecessarily expands the role of government. We suggest that a better approach would be to take the legitimate requests for information in HB 1427 and incorporate them into an interim study that would also include a review of the relevant law, an examination of impacts of resettlement — good or bad — and an opportunity for all stakeholders to present information to the Legislative Assembly.

In its current form we urge a Do Not Pass recommendation on House Bill 1427.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1427

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of refugee resettlement in North Dakota.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY. During the 2017-18 interim, the legislative management shall consider studying refugee resettlement in the state. The study must include consideration of the impact, if any, of refugees on the wages or working conditions of the local workforce, state and local law enforcement, state and local government services, housing, the provision of medical care, child care, translation and interpreter services, and public education, including the provision of English language training. The study must include examination of the relevant federal and state laws on refugee resettlement, the role state and local government agencies can have in refugee resettlement matters, an overview of the security measures taken by the United States government prior to refugee resettlement, integration outcomes, and the religious, political, economic, and social conditions of refugee countries of origin, including the prevalence of violence and other forms of oppression against women and children in those countries. The study must include examination of the number of refugees resettled in the state, including the number of refugees resettled by age and gender, the number of refugees resettled who are under eighteen years of age, the number of refugees resettled who are between eighteen and forty years of age, the number of refugees resettled who are between forty and sixty-five years of age, the number of refugees over sixty-five years of age, the number of refugees who are male and female, the number of refugee children enrolled in a public school, the number of refugee children accessing English language learner services, the initial resettlement locations for refugees, and the numbers of refugees resettled with and without family already residing in the United States. The study must include input from stakeholders, including refugee resettlement agencies, representatives of law enforcement, social and clinical service providers, educational leaders, medical providers, county social service agencies, affected municipalities, and the state department of human services. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly."

Renumber accordingly



Immigrant Development Center
810 4th Ave, S. Suite 100
Moorhead, MN 56560

Attachment 11

1427
2-3-17

Dear Committee of Bill 1427,

Any bill that passes to oppress new Americans sends negative energy to the community. Our organization asks that you are lenient and that you are very careful and thoughtful. Our organization helps new Americans to become economically self-sufficient and to be able to thrive in this community. We have seen the growth and the benefits that new Americans bring to our community. So I would like to ask this committee to be very careful and take the time to do the research on benefits of new Americans in the community. I fear this bill will create a too narrow scope of the impact of refugees. There are many other areas of analysis when it comes to the impact of refugees, especially positive benefits that cannot always be quantified with data.

Please consider that we are paying taxes and are contributing members of this community. Not all new Americans are in public housing. We strive and are required to become sustainable and self-sufficient as soon as we can. As citizens of North Dakota we warn you of the repercussions of bringing oppressing bills to our community. This does not send a good signal to our children who are growing up here, it does not bring a good signal to those studying in college; those who are determined and want to achieve the American Dream. Please not take this decision lightly. Try to understand what it feels like to be a newcomer and look into the human side of this. Consider human rights and the daunting barriers that refugees face upon arrival. Do not make decisions which hurt tax paying citizens as this will ultimately come back and hurt the community.

Many of us who have been able to build a life here also hope to bring our families. Many of us have been here for over 20 years. Many of us have had to leave family members and wish to reunite with our grandmothers, grandfathers, uncles, aunts, husbands, wives and children. We need to be able to file the paperwork to bring our families back together. We are taxpaying citizens and have the right to bring our fathers, husbands and wives. This bill would cause unnecessary barriers to reuniting families of citizens and perpetuate a misguided negative bias towards incoming refugees. Oppression never brings community together. We are a part of this community and care for this community.

Thank you,

Fowzia Adde
Executive Director

Attachment 12
1427
2-3-17

Respected Legislators,

Good Morning!

My name is Hukun Abdullahi and i am one of the council members of FM Refugee Advisory Council.

I came to the Fargo-Moorhead area 2 yrs ago from Kenya at which time I had the great blessing of reuniting with my mother after 15 years of separation.

Currently, i go to college, i work, and i also run an organization that provides English classes, job training, and assistance to new Americans and other immigrants. Doing this work, I have faced and overcome many challenges and each one of them has only strengthened my resolve to create connections for new immigrants in this community. It is both the adversities and the successes in my life that have made me the person I am. I have been fortunate to work alongside many local Fargo Moorhead leaders and have made many new friends, too many to name.

I'm not the only member of my family dedicated to service. My older brother is currently serving in the military. He's a Somali Muslim. He has served three tours of duty, two in Afghanistan and one in Iraq. He was injured twice while serving in Afghanistan, once by an explosion that severed his Achilles tendon, and the other he suffered severe burns all over his body due to another explosion. He now suffers from PTSD.

My two younger brother, ages 9 and 11, are still back in Africa undergoing the extensive vetting process. The recent Executive Order by the new administration has halted their processing, but my biggest fear is the ND House Bill 1427. If this bill passes, i may never have my brothers join their elder brothers or their mother, because who knows- we may have the state moratorium in place by the time they are approved to come over.

I therefore, oppose house bill 1427 because it can end family reunification in our state, prevents refugee families and children fleeing persecution from entering the state, asks for data that portrays misleading picture that refugees are mostly burden to their communities, and demads that refugees - who are legal immigrants to be tracked by zipcodes.

As a nation founded in part by refugees and immigrants, these kind of policies to differentiate one legal immigrant status from another based on assumption and streotypes dishonor our history, beliefs and values. HB1427 will not make us safer. It simply feeds the rhetoric of fear and distrust in the United States, and marginalizes new Americans who want to contribute to their new communities and country. By protecting those whose liberties and lives are at risk, we affirm our values, and we model them for the world at a time when moral courage is sorely needed.

Refugees get a second life to come to America for safety, security, and shelter. We stay in America for the opportunities it affords us. We become a part of the communities in which we live. We work. We volunteer. And we love our neighbors. The Fargo-Moorhead area has always been welcoming to us and we owe to this new land we now call home.

Thank You!

Give me your tired, your poor,

Your huddled masses yearning to breathe free,

The wretched refuse of your teeming shore.

Send these, the homeless, tempest-tost to me,

I lift my lamp beside the golden door!" Emma Lazarus, on the Statue of Liberty

Testimony of Olufemi Adisa Before the North Dakota House Government and Veterans Affairs Committee on Friday February 3, 2017.

Attachment 13
1427
2-3-17
P.1

Good morning Chairman Kasper and members of the House Government and Veterans Affairs Committee. Thank you for the opportunity to testify before your committee. My name is Olufemi Adisa. You may call me Femi. Originally from Nigeria, I am a legal permanent resident.

I'm here to ask you to vote "NO" on HB 1427. I seek your "NO" vote because my North Dakota experience supports the following conclusion: North Dakota can do better than enact a law that muddies up affinity, breeds animosity among the state's constituents, and seeks to create a problem where hardly any exists.

I will illustrate my point by sharing my story. The goal is to shine light on the danger that HB 1427 represents. Three and a half years ago, my wife and I uprooted and moved to Grand Forks from Minnesota. I was going to start law school. Uncertainty reigned supreme: What is life going to be like in the Dakotas? Would we be accepted? Would my wife find work? Would I get along with my classmates? Would we be racially profiled by police? It did not help that some within our church family reminded us we were leaving community behind, and exposing ourselves to what they saw as unnecessary risk. Unfazed, to North Dakota we came.

As these situations tend to play out, our resolve to move here was quickly tested. At the start of second semester of law school, along came a cancer diagnosis. Deciding on the right treatment meant trips to Rochester and Sioux Falls in the middle of winter, while juggling law school and my wife's work. Without doubt, I would never miss one side of this phase of our lives. But there is another I will forever cherish. One that represented our first exposure to what I regard as the true spirit of North Dakota and North Dakotans. Here it is: in the middle of this craziness, law school administrators assured me they would do all that was necessary to ensure I kept pace with my colleagues, including moving exams if need be. My classmates readily offered class notes and other materials, and our small group at church kept us in their prayers. And there was that classmate who wrote a check to pay off medical bills. Alas we were not without community support! There is likely zero chance my wife and I would come out on the other side of this horrendous phase the way we did without the love, support, and affection of these wonderful North Dakotans. Mr. Chairman and members, that experience represents what North Dakota is, and what North Dakotans are all about.

p. 2

**Testimony of Olufemi Adisa Before the North Dakota House Government and Veterans
Affairs Committee on Friday February 3, 2017.**

If that was our only exposure to the North Dakotan spirit, it would have been indelible. But there was more. Thankfully under better circumstances. The summer after my first year of school, I got an internship with a federal agency in downtown Bismarck. If I had any fears about settling in, they became nonexistent after the first day. My colleagues took me out after work and pampered me. Over the course of my stay, they made themselves available and accessible and made learning a breeze. At the end of the internship, they invited my wife and I back to an all-expense paid exploration of Medora, pitchfork fondue, the musical and all. The connection we made has lingered. Just yesterday, one of these colleagues texted to check on how my bar exam prep was going, and asked that I stop by the office once I was done with my testimony. Mr. Chairman and members, this again represents what North Dakota is, and it shows what North Dakotans are all about.

Fast forward to the second semester of my second year. I was one of the twelve interns selected to work on legislative committees during the session. In no time, I again got swept up in the true North Dakotan spirit. Committee members made me feel at home, as did almost every person I came across. That episode still reckons as one of the best times of my work life. It mattered little that I spoke with an accent or that I was not originally from here. And as we parted at the end of session, committee members and leaders freely shared their contact information and stressed that they were in my corner, if I ever needed anything. Sticking true to their words, one of them came to my graduation last May, hosted my parents when they came visiting, and readily strives to expand my network and opportunities. Mr. Chairman and members, again this represents what North Dakota is, and it shows what North Dakotans are all about.

In closing, there are at least two explanations for my North Dakota experience. The first is that my family and I are uniquely qualified beneficiaries of North Dakotans' generosity, love, and neighborliness. The second is that North Dakotans simply care about others, period! While gratifying, the first explanation is a nonstarter. The better explanation is the second. That is, North Dakotans genuinely care about others regardless of place of origin; that, given the opportunity, North Dakotans would extend love, neighborliness, and support; that North Dakotans recognize, appreciate, and would seek to promote our common humanity. Mr. Chairman and members, this in mind, I ask you to vote "NO" on HB 1427. Let us send this bill with its out-of-state values back to its origins. Thank you.



Global Friends Coalition

Building friendships with New Americans in the Greater Grand Forks Community.

Attachment 14
1427
2-3-17
P. 1

Testimony to House Committee on Government and Veterans Affairs on HB 1427, 02.03.17

My name is Robin David, and I am a resident of District 17 in Grand Forks. I am the founder and president of the Board of Directors of Global Friends Coalition, the organization I am representing today as a lobbyist.

I'd like to introduce you to a family today. (I have changed their names at the request of the family, although they wanted their story told.) This is Alisha. Her dad's name is Krishna, and he was one of the first Nepali-speaking Bhutanese people to be resettled to Grand Forks in 2008. He became employed at a local factory a month after his arrival, and he has been a loyal employee there for 8 years since. After getting his driver's license, he helped his own family members learn. He became a leader in an immigrant group. He studied for and passed his citizenship exam, and then helped his family members do the same. Four generations of his family shared an apartment as they all worked and saved their money to buy their first house. After spending 18 years in a refugee camp after being forced from their land in Bhutan, and after renting an apartment for 6 years, his family now owned the land beneath their feet. I saw the joy and hope their new little Alisha brought to their lives, the first grandbaby, and born a U.S. citizen. I'd happily follow the videos they'd post on Facebook as she learned to walk, learned to dance, and learned her nursery rhymes. In English. Next year she will start school. She is bright and lovely, and she will thrive in the classroom. And while her dad has not been able to achieve his goal of going to college because he has had to work to support his family, he is proud of his accomplishments, believes in this nation, and knows the American Dream is even more tangible for Alisha. She has a good school system, a good upbringing, and she will go far.

Krishna's story is both remarkable and ordinary. I'm not here to tell you today a rags-to-riches tale of someone who came to the U.S. as a refugee and became a millionaire. Those stories exist, too, but we all know exceptions—in either direction--don't make good policy. No, Krishna is like so many of the New Americans we see every day. He works hard. He pays taxes. He loves this country, and this state. He volunteers in the community. He's honest and kind and has a great laugh. I know if I need anything, I can count on him.

But none of these things would show up in the report that House Bill 1427 mandates, which seeks specifically the costs of refugee resettlement. Had this reporting been mandated in 2009, Krishna's data would show that his family needed some basic services as they began their life here. But it wouldn't show any of their financial contributions. It wouldn't show that he was supporting the local grocery store every time they walked down the street to buy produce. It wouldn't show that his family was paying back their travel loan for their flights to the U.S. It wouldn't show that he was paying taxes. It wouldn't show that he was filling a job in a city with very low unemployment. The mandated reporting is not interested in contributions, even the economic ones.

And if we step back from the initial snapshot of Krishna's impact in the report, we wouldn't see that the city, state, and nation have been reaping the rewards in the years since making that initial investment in

his family. One year on, his data would show less financial assistance, but still no contributions because, again, that's not part of the report. Five years on, his studies for his citizenship exam wouldn't show up. And now eight years on, his home purchase wouldn't show up on that report, or his U.S. citizenship, or his community leadership. And twenty years on, it wouldn't show Alisha graduating from high school and choosing the paths in front of her as a North Dakotan.

So wouldn't it be great if we could capture the accurate impact of refugees in a more holistic report? Absolutely. But that's not possible. For one, measuring financial impact alone is limited, as it ignores all the other ways each new resident enriches our communities and our understanding. But even if we set that matter aside to focus on dollar signs, it's not actually possible to measure an individual's financial impact. The report asks for specifically their expenses, but even this seemingly simple task is not. Many institutions and agencies, such as Grand Forks Housing Authority, Grand Forks Police Department, and Grand Forks County Social Services simply do not track by immigrant status. They could not give you a report on the cost of refugee resettlement because they do not know who is a refugee. Likewise, there is no way to track secondary migrants, those who were originally resettled to another location and decided to move to North Dakota for jobs and a better place to raise their families. Any resident can move freely in the U.S., and a city or resettlement agency has no way of knowing these numbers.

I have heard from several legislators that their goal with this bill is transparency. And I think everyone in this room, on any side of this topic, has the same goal. All of us who work with refugees want as much information as we can get our hands on. How could we be effective at helping refugees and our broader communities to thrive without information? The issue is that this bill does not enable transparency. Instead, it seeks specifically a one-sided view, and legislating with blinders on is not in the best interest of the state.

Here is what Grand Forks is already doing in the area of transparency. (And please know that you would be welcome at any of these meetings, as they are open to all.) First of all, many stakeholders attend Lutheran Social Services' quarterly meetings on refugee resettlement. Second, city officials, social service agencies, school representatives, and interested citizens participate in monthly meetings of the City's Immigrant Integration Initiative (III) where we hear updates about resettlement numbers, discuss issues we see emerging, and problem solve together. One subcommittee of the III is currently planning community events that will allow for sharing of information and fostering conversations with the broader public. Another subcommittee is already at work to find more tangible ways to measure the impact of refugees on our community.

This is what work toward transparency looks like, and it does not require any legislation to make it happen. It is simply community members, agencies, and city leaders coming together to talk and plan. And it's already happening. This kind of work will do much better to help us understand Krishna, Alisha, and their role in our community than the skewed, limited reporting mandated by this bill.

Help us as we cultivate this next generation of North Dakotans by opposing House Bill 1427.



Global Friends Coalition

Building friendships with New Americans in the Greater Grand Forks Community.

Attachment 15
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2-3-17
R1

Testimony by Cynthia Shabb, Executive Director of Global Friends Coalition
House Government and Veterans Affairs Committee
In Opposition to HB 1427
Friday, February 3, 2017

Chairman Kasper and Members of the Committee, my name is Cynthia Shabb, and I am the executive director of Global Friends Coalition in Grand Forks. I am here today to express my opposition to House Bill 1427.

New Americans have a significant positive economic impact on the Grand Forks economy. There is also significant support among the local population for refugees as measured by increasing interest in doing volunteer work with New Americans through the nonprofit that I work for called Global Friends Coalition.

As of December 2016, Grand Forks County had 1,663 job openings with 7.5% of those openings in the primary/manufacturing sectors. Overall unemployment in Grand Forks is well below 3%. New Americans are fulfilling many entry-level positions in companies. Many times, the people who are in these entry level jobs are secondary refugees—these are people who were initially resettled somewhere else—and choose on their own to move to our area because of jobs and a safe environment for their families.

I have spoken to manufacturer representatives and have been in workforce development meetings in Grand Forks in which employment and unemployment figures are discussed. Companies do not track race, ethnicity, religious preferences, country of origin or citizenship status of their employees. The top concern of local employers is to hire the most qualified workforce. Nevertheless, some employers have been willing to share informal estimates of the number of currently employed New Americans in their businesses. A sampling of three businesses employing 1,500 workers suggests that 20 to 25% of their employees are New Americans. They also report that there are plenty of vacancies to be filled in Grand Forks. One midsize company, with a workforce of 400 employees told me that there are always 8 to 20 entry level positions available and I have heard anecdotally that other companies have more than 20 positions available at any time. The concerns raised in HB1427 regarding stresses on the local economy are not reflected in the current job market in Grand Forks.

I have heard from some of you that you have had discussions with people about refugees in the state. People are complaining to you. Our experience at Global Friends is very different so I wonder if you are hearing from people who are supportive of refugee integration?

In the past two years the number of new volunteer orientations (222) at Global Friends Coalition exceeded the number of primary refugee resettlements in Grand Forks (213). Overall, we have seen a 64% increase in new orientations from 2015 to 2016. From our perspective, this suggests that we have ample volunteer capacity to continue to sustain the current levels of primary refugees who are being resettled in Grand Forks. Keep in mind these are private citizens who

donate an average of six hours a month, transportation, and other in-kind gifts of their free will. On December 8, 2015, the Juba Coffee house in Grand Forks was firebombed and there was an outpouring of support. Jan-March 2016 showed a sustained bubble of new volunteer orientations that were more than double the same months in 2015. We are currently seeing another surge of local interest in volunteers that is coinciding with the recent executive order to ban entrance of all refugees into the United States. This includes a 66 percent increase (48 volunteers) in January compared to the same month last year. I believe this is tangible evidence showing that the people of Grand Forks are ready to support refugee integration in the state.

I am asking you to support refugees in the state by voting against HB 1427.

Attachment 16
1427
2-3-17

Testimony for House Bill # 1427

Sixty-Fifth Legislative Assembly of North Dakota

Dear Chairman Kasper and Members of the House Government and Veterans Affairs Committee:

My name is Muhammad Amiri. I am from Afghanistan. I was born in Kabul in 1995.

I would like to tell you my story...

Right after I was born, the Taliban attacked the hospital that my mother and I were staying in, so my parents took me and ran away. I grew up in fear. My childhood was only fear, and the only memories that I have are gun sounds, bomb blastings, and ruined houses.

When I was about eight years old, life became even more difficult, after my grandfather was murdered by the Taliban. My father's life was in danger, too, so my family decided to emigrate to Pakistan where we started a new life. We had to leave everything in Afghanistan. Most importantly we left our family. Even now, we do not know if they are alive or dead.

My father started working, and he worked at whatever he could find to make money, mostly as a day laborer. But he didn't earn enough, so I decided to work as a street seller. I was an eight-year-old boy, working to support his family, instead of going to school, and that was not easy.

I was a child, working in a city that I didn't know and in a country where I didn't speak the language. Somehow I survived many dangers: being beaten up by other children selling on the street, adults robbing me, and careless drivers.

When I was 13, I got a job with a tailor, a safer, better job, learning a skill so I could eventually open my own business. Two years later, my father, passed away from cancer. I now became the man who should support the family—my mother and three younger sisters. This was a very big responsibility for a teenaged boy.

I worked, any work, like construction, washing, cleaning, and many more things, just to make as much money as I could for my family. But it didn't take long for the Taliban to attack Pakistan, killing and bombing, and creating a new challenge for our lives.

Then a new racism started. The Taliban started killing all the men of our ethnic group, the Hazara people. I could no longer go out of the house for work. I couldn't go back to Afghanistan and I couldn't live in Pakistan.

So my family applied for refugee status with the UNHCR office in Quetta, Pakistan, and they helped us to come the U.S. and make a safe, new life. We are especially grateful that all of us—my mother, sisters, and I—can get an education here in Bismarck

Now my family and I are safe, we are thinking of our friends and family who are still in danger. We hope that the legislature and Governor of North Dakota continue to give other refugees the same support that we got—support that saved our lives.

Thank you for your consideration.

Muhammad Amiri

Bismarck, ND

February 3, 2017

Attachment 17
1427
2-3-17

HOUSE BILL NO. 1427

A BILL for an Act to provide for the determination of refugee absorptive capacity.

Chairperson and members of the committee at this hearing for House Bill No. 1427.

Good morning to you and all those in attendance today. My name is Barbara Koch and I live in Bismarck, ND. I am a volunteer with Lutheran Social Services of North Dakota. I am here today to testify in opposition of the Bill for an Act to provide for the determination of refugee absorptive capacity.

I am here to say that as a North Dakotan, I'm very concerned that the passage of this bill could limit or stop the immigration of refugees to our state. I believe, as a whole, North Dakotans are a benevolent people and this bill does not reflect that benevolence.

I do not think most of us in this room have to go back more than two or three generations, at most four generations to find grandparents or great grandparents who immigrated to the United States of America and specifically to North Dakota, to make a better life for themselves and even more so for their children and grandchildren and future generations. Some of them may not have come from war torn countries but they left oppressive situations of some sort, be it economic, social or political injustice, or for religious freedom.

Most importantly, I am here to share our experience in the last twenty plus years, with the refugee families my husband and I have met and with whom we have become dear and close friends to this day.

More than twenty years ago a young newly married couple had to leave Mostar, Bosnia-Herzegovina, with not much more than the "clothes on their back," when ethnic war broke out there. After a few years as refugees, they, with their young son, were granted entrance to the USA and North Dakota. The young woman had an engineering degree and her young husband had his own small commuter bus business. She fled without her college transcripts and he fled leaving his business and all possessions. They came to Bismarck, North Dakota, and worked hard to get where they are today. She, having to begin all over, took courses at NDSU, while working, to receive her US degree in civil engineering and now works for the State. Her husband, a true entrepreneur, has developed his own business and is a partner/owner of a new and exciting venture in North Bismarck. Ron and I continue to know them as dear friends.

Only about a year later a young couple and their three year old daughter came to Bismarck as political refugees from Haiti. Coming to North Dakota from Haiti in the winter was a huge adjustment for them. These twenty years later they still call Bismarck their home. They both work at a local superstore, with one in management. During the years of working and raising a family, the young man attended BSC and received an Associate Degree in Business. Their daughter is currently applying for entrance to nursing school. Their son, born in the US, who I am proud to say is my godson, is a junior at Moorhead State. He is working and going to school keeping a high GPA and is determined to graduate in four years with his degree in finance.

I was honored to be at the Citizenship Ceremonies when these New Americans became citizens of the United States of America and pledged their allegiance to our country.

In just the past months, Ron and I have helped resettle and gotten to know a mother and her five children, along with her parents, who arrived from the Democratic Republic of Congo via a refugee camp in Kenya. The youngest son got a job at a fast food restaurant within weeks of their arrival. These children were fortunate to receive a good education in Kenya and were quite fluent in English. All five children are doing very well in the Bismarck Public Schools. The two oldest boys are at Bismarck High School. Because they were determined to prove their level of education, both worked through many channels, on their own to obtain, the transcripts

from their school in Kenya. Just yesterday, the eighteen year old, told me that because he was able to produce his transcripts, he was moved from tenth grade level to senior classes. He will graduate in the spring of this year.

September, Ron and I were "adopted" as mom and papa to a young Congolese woman who lost her entire family, father, mother, brother and sister, in the ongoing conflict in the DRC (Congo). She arrived in Bismarck after spending three years in a refugee settlement after having been rescued from horrific conditions, by UN Forces. She is now going to school and as I speak, is interviewing for her first job.

These are only a few examples of how we as a state have helped change the lives of people who would otherwise not have had the chance to build a good life for themselves, their children and who have become productive citizens of North Dakota and the United States of America.

If House Bill No. 1427 gets out of committee and to a vote in the North Dakota House of Representatives, I ask you to please vote, **NO, DO NOT PASS.**

Thank you very much for affording me the opportunity to testify on behalf of the refugees who want to make a better life for themselves, their children and grandchildren, just as our grandparents and great-parents were allowed to do for us, when they immigrated to North Dakota.

Respectfully,

Barbara J. Koch

Attachment 18

1427
2-3-17

Respected Legislators,

Good Morning!

My name is Abdiwali Sharif. I am a father, a husband, and a former refugee from Somalia residing in Fargo, ND. I am a naturalized US-Citizen.

I came to the United States back in 2004 through the United States Refugee Program. As you may have been aware, my former country of Somalia has been a hotbed for violence, terrorism and war for many years. I was separated from my family when I was 7 year-old. Years later, I was referred to the US Refugee Resettlement Process, and that's how I learned that my family was in the United States and were petitioning for me. After waiting for about 4 years in the process, I was finally able to come to the United States. I was 20 year old at the time when I was reunited with my family after 13-long years of separation.

Refugee-life is hard, and full of insecurities and risks. The opportunity for resettlement for me is a gift from God, which I will cherish and make the best of what I can. I am very grateful for this state and my community who accepted me and helped me as their own fellow community members. I am extremely thankful for this country who provided me an opportunity to reunite with my family. I am thankful for the education and learning opportunities I was provided with, and I am thankful for the safety and the freedom to exercise my rights.

19 million refugees, who are currently living a miserable life right now as we speak will not be getting this opportunity. A small portion out of those millions can get an opportunity like me, if they are allowed into our great nation and state like ours where we need manpower. The 7-year old myself, who was separated from his family, had no hope, no dreams, and no goals. That all changed after I was given this second life. I do not know what my future holds for me, but I know for sure that, my 1 year-old son will be proud to know that his father was once a refugee, and on this day, he stood in front of legislators to defend rights for fellow 19-million stranded refugees- over half of them are children, who have nowhere to go to.

House Bill #1427 is targeting just one specific group of lawful immigrants with refugee status. The bill intentionally asks for no data regarding the positive impacts refugees bring to their resettled communities. The bills also demands movement data from one zip-codes to another, criminal data- prosecuted or not, of this particular group of legal residents while no such thing exists for other immigrants and non-immigrants residing in ND. The bill also pose threats to any reunification effort for family members who are living in ND. I also believe there are no specific measures to evaluate the proposed absorptive capacity further discriminating and targeting individuals with refugee-status. Due to these reasons, I therefore, oppose this bill and would urge elected member to vote against it.

Thank You!

Abdiwali Sharif

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Testimony re: HB1427

The Rev. Mytch Pierre-Noel Dorvilier
915 5th Street South
Moorhead, MN 56560

3 February 2017

My name is Mytch Dorvilier. I am a pastor at the Evangelical Lutheran Church in America, ELCA. I work at the Eastern North Dakota Synod in Fargo as the Multi Ethnic Mission Developer. I am speaking on behalf of the Eastern North Dakota Synod of the Evangelical Lutheran Church in America.

At the Eastern North Dakota Synod, we are opposed to the bill because it will allow communities to ask for temporary bans on new refugee resettlement and give the governor power to impose a statewide ban. The bill target only a certain group of people based on their immigration status.

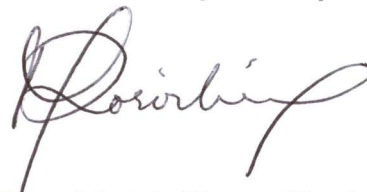
I am originally from Haiti. I am a citizen of the United States. I came to United States of America eighteen years ago because my life and that of my three children were in danger. I found a welcome and safe place for us, here. A place where I don't have to be afraid that in the middle of the night someone will come

and shoot at my house because I stood up for the voiceless. I found a place where dreams come true. I came here for a better life for me and for my children. I was able to go to seminary for four years and have a Master of Divinity. As an immigrant, I work as hard as any other people and add to the rich culture that we as a nation already have. I am a very important part of the "significant positive gain" to the United States of America.

Now I imagine that kind of story resonates with some of you directly. For others it may be your grandparents or your great-grandparents. See, we all have an immigration story to tell.

Immigration has always been an integral part of who we are as a nation. We have been wonderful and open in welcoming immigrants and refugees amongst us. I don't see why we should stop.

Respectfully submitted



The Rev. Mytch Pierre-Noel Dorvilier
Multi Ethnic Mission Developer
Eastern North Dakota Synod, ELCA

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1427¹

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My name is Tiffany Sundeen and I have served as a pastor in Fargo for over 18 years.

Sometimes at our house, a family member will need to find something. I explain where it is in detail, but inevitably, a frustrated shout rises from the basement comes... "I can't find it!" I go down to the place I described and there it is and I will say, "You are looking with your eyes shut!"

We all look with our eyes shut at times. Right now is such a time in North Dakota and in fact, throughout our country.

The first thing Jesus teaches the disciples in the Gospel of Matthew is to RECOGNIZE blessing. Jesus lists the beatitudes.

Blessed are the **poor** in spirit, those who **mourn**, the **meek**, those who **hunger and thirst** for righteousness, the **merciful**, the **pure in heart**, the **peacemakers**, the **persecuted** and **reviled** on account of Jesus. (Listed from Matthew 5:3-10)

There are some blessings we are having a difficult time recognizing right now in North Dakota and it seems throughout our country.

Because of fear, we are failing to recognize the blessing of refugees and immigrants...people legally here who have had to flee their homeland because it was no longer safe there.

If we understand our own history, we will see we share similar stories.

Refugees make it possible for our town to function.

Everything from running the checkout lines at Walmart/ Hornbachers to being a sales associate at JCPenny's or Herbergers,
to caring for our elderly at Bethany or Edgewood Vista
or any of the care facilities and hospitals,
to being business owners,
to making Marvin windows, egg cartons, and a number of goods.

You might say we've been looking for blessing with our eyes shut.

Let me tell you about Jesus, because I think the crowds who keep following him know this part of his story.

In the Gospel of Matthew we hear how Jesus was a refugee when King Herod ordered that all children 2 and younger to be killed so he could destroy Jesus. This is what happened. (Matthew 2:13-23)

“An angel of the Lord appeared to Joseph in a dream and said ‘get up, take the child and his mother, and flee to Egypt, and remain there until I tell you; for Herod is about to search for the child, to destroy him’”

Then Joseph got up, took the child and his mother by night and went to Egypt, and remained there until the death of Herod. Matthew 2:13-15a

Jesus was a refugee in Egypt, and the angel came again, after Herod was dead, to tell them to immigrate to Israel. Joseph didn't think that was safe place he, his wife and child.

Another dream came and he took the child to Galilee and they made their home in a town called Nazareth.

Do you see the blessing? Our Savior knows what it is to flee home when home is too dangerous to stay?

Do you see the blessing that our God still speaks in the voices of refugees fleeing death today?

“When Herod saw that he had been tricked by the wise men, he was infuriated and he sent and killed all the children in and around Bethlehem who were two years old or younger.”

This is not a thing of the past.

Genocide- or killing someone simply for their religion or ethnicity happens in the world with incredible regularity...the Holocaust, Cambodia, Rwanda, Bosnia, Darfur, Congo, CAR, Syria. No one wants to leave home. Home makes it impossible to stay.

I heard a high school student from South High here in Fargo describe her experience at an International Potluck held a week ago where over 260 people gathered together in Fargo.

Her family and neighbors were targeted.

Her father went to help others who were shot.

She saw him shot and her older sister took a risk to see if he was breathing. He was.

People with machine guns were talking

another language and arguing while she and her sisters wept.

Her father died after undergoing additional brutality by the soldiers died before their eyes...literally reduced to ash.

They ran for their lives...and at least 7 years later, she arrived in Fargo. She would have been around 11 years old when that happened. (Read her whole account at www.elfargosouth.weebly.com and see Aline Uwase's story entitled "Finally Over" in the 2016 accounts.)

Blessed are those who mourn...

Our memories are short.

Mrs. Leah Juelke has been helping students write about their journey as refugees or immigrants to America. If you go to www.elfargosouth.weebly.com you can read three years of their stories from Fargo South High School and Davies High School students.

Four youth spoke that night (at the potluck), most arriving here in 2015 speaking 3 or more languages.

The blessing has nothing to do with God loving us another more or any less than our neighbor.

The blessing is seeing the world from God's perspective instead of our own...and it literally is living out our call as Christians.

And Jesus makes it crystal clear in Matthew 25 when he says,
 "Come, you that are blessed by my Father, inherit the kingdom prepared for you from the foundation of the world; ³⁵ for I was hungry and you gave me food,
 I was thirsty and you gave me something to drink,
 I was a stranger and you welcomed me,
³⁶ I was naked and you gave me clothing,
 I was sick and you took care of me, I was in prison and you visited me."
³⁷ Then the righteous will answer him, when?
 "Truly I tell you, just as you did it to one of the least of these who are members of my family, ^a you did it to me."

And later in verse 45

"Truly I tell you, just as you did not do it to one of the least of these, you did not do it to me."

I pray we will look for blessings of welcoming refugees each day
 with our eyes wide open
 and oppose House Bill 1427.

Respectfully submitted by

Pastor Tiffany Sundeen,

Pastor Tiffany Sundeen
 3909 21st St S
 Fargo, ND 58104

Testimony: Leah Hargrove on behalf of Bismarck Global Neighbors

February 3, 2017

Dear Mr. Chairman and members of the committee,

I represent Bismarck Global Neighbors, an organization of volunteers from Bismarck-Mandan who serve this community by helping New Americans assimilate into North Dakota. We stand today in strong opposition to HB1427.

It is our understanding that this bill is designed to address capacity of host communities to resettle refugees, with the concerning addition in sections 3 and 4 that this state's government could place a moratorium of up to a year on resettlement. A moratorium that would only make regaining prior capacity more difficult, if not impossible.

If the point of the bill is to determine if local services and communities are being overwhelmed, we the members of Global Neighbors offer ourselves as a rebuttal:

Global Neighbors is entirely volunteer run. We get no funding; we employ no staff. Our mentors and leadership team spend hours each week coaching English, sharing life skills, and advocating for New Americans. We do this—all voluntarily—because we *want* New Americans here. We feel that refugees are a priceless part of this community. Currently at Bismarck Global Neighbors, we have more American volunteers than we have placements for.

Despite the language of the bill, we do not feel burdened. Central and Western North Dakota have the capacity to resettle refugees, not just our current numbers, but possibly more. Perhaps some North Dakota communities or services do feel burdened—why not amend the bill, form a commission to learn what the real situation is? Talk to us, the citizens, and ask us how much we can support. Yes, logically, no town or city can accept unlimited numbers per year; thankfully LSSND already assesses capacity thoroughly with community partners.

We agree with the bill's sentiment that North Dakotans would benefit from better understanding in the resettlement process. We also believe that LSSND already takes steps to transparently address resettlement, for example in quarterly meetings.

It is our opinion that to address the questions some North Dakotans have concerning resettlement, a legislative commission to examine capacity would be more in line with our state's tradition of welcoming those fleeing hardship. The current wording of this bill provides no actual rubric defining the point at which a moratorium can be enforced. We are concerned that the language of this bill jumps from requirements on reporting on refugees (section 2) to the possibility of halting all refugee resettlement (sections 3 and 4). Ending refugee resettlement before having a commission examine capacity is drastic and callous. This bill does not provide an even-handed approach to assessing *and* addressing absorptive capacity.

As director of Global Neighbors, I have had the privilege of attending LSSND's quarterly refugee advisory committee meetings. I have also met with local teachers, churches, service groups, libraries, and the Adult Learning Center and everyone I speak with agrees on the positive benefit that refugees and New Americans bring to our community. Each expresses that they would help more refugees if more were present.

North Dakotans are generous, welcoming, and hospitable. It is the tradition of our state to welcome those in need—and who is more in need, in despair, than refugees fleeing genocide, war, the deaths of their children? I cannot stress enough—we welcome refugees here. North Dakotans welcome refugees here. This great state has not only the capacity, but the heart.

Leah Hargrove

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Testimony for House Bill #1427

Sixty-Fifth Legislative Assembly of ND

My name is Sandra Wollan, and I am the coordinator and the counselor of the Bismarck Adult Learning Center. We have offered English language learning services since the beginning of the Adult Education program and we have worked with LSS to help educate the refugees to help them learn English. I will speak from my personal and professional experience with the following information about the refugees we have worked with over those many years.

First, I understand fear. I understand fear of the unknown and the desire to "do something" when faced with that fear of the unknown. I also understand that many times people read "news" or hear from someone something that sounds like truth. It is important that we lead by example in ND as well and if we are truly a state of "Find the Good Life" then we should prove that we are that for everyone not just a select few. I hope that as human beings, we still have enough care and concern for other human beings that we can extend that same consideration in our state.

I know the educational side of refugee resettlement very well and I know the human side of refugee resettlement even better. I will never forget sitting almost every week for some time with a Bosnian mother who spoke no English but would come into my counseling office and quietly close the door. She pulled up a chair to the table that sat in the center of my small office, tucked her skirts into the folds around her legs, then placed her arms tightly around her chest, placed her head gently to her chest, and quietly sobbed. Her tears soaked her face and wet the front of her shirt while she said nothing. She would cry softly until she could cry no more.

All I could do was to sit with her and be a silent witness to the incredible amount of pain she had. I would often feel so overwhelmed by what she was carrying inside of her that I was helpless. I didn't know what I could do and so I did nothing but sit with her and be present. I would be a liar to say I didn't weep as well just for the pain I felt for her. When she was done, she would slowly sit up, dry her eyes, nod to me, and quietly leave my office. I felt foolish and useless. What good was I?

Over the course of months of sitting quietly, I saw her change gradually. Her head began to lift, her eyes could meet mine, she began to speak some words in English, and she gradually spoke a story so terrible to think one human being could do to another. This story came out bit by bit as her words came in English and grew into something that I will never forget. Those words in English broke like shards of glass in as I came to understand she had been witness to the murder of her son and husband in front of her in Srebrenica in the Bosnian War. She and her daughters had been raped and she had seen many other atrocities throughout the war.

I can recall many other refugees who have had similar stories of escaping terrible conditions in Iraq, Sudan, Bhutan, Congo, and Somalia to name a few countries. We have these people come

to our school to learn English and they are often our best students. They come early, work diligently, and are willing to do whatever it takes to be successful here. They want to earn their GEDs and go to college. They want what everyone else wants in America, to work hard, have a good life, and make a better life for their children. They don't want handouts or a free ride. They expect to work hard and earn their way.

Many of these students come already educated in their own countries and they want to return to their field of practice here once they learn English to a sufficient level. Others need more basic proficiency in English and then on to the GED in order to go to college. Their stories are the same as our stories except they have been through so much more in many cases and their drive to succeed here is so strong that all we have to do is give them a chance.

People here often think refugees are here for a free ride and want to live off the tax dollar of the citizens. In my experience, that is not true at all. Most of our refugees are working within a few weeks of arrival and many have two or three jobs within a few months. Hard work and willingness to take jobs most Americans are unwilling to take is really the truth. All you have to do is go to any WalMart, Sam's Club, hospital, nursing home, or hotel and see the number of refugees employed there. Local employers love refugees because they come ready to work and work hard for their wages. In addition, they are happy to do so because they believe they are working towards a better future.

Above all, I hope we are still a state that will rise above what I see on the national level-such anger, vitriol, and disgust. My grandparents came here from many different countries and homesteaded on the North Dakota prairies as is true for many North Dakotans. I know they faced discrimination and hardships coming here but we don't want to bring that to bear on our refugees. We can be much better and kinder than that today and I urge that you to work to welcome refugees to our state.

Members of the committee, and committee chair,

My name is Jon Splichal Larson, and I serve as a Christian pastor at a Lutheran Church in Bismarck.

Since the late 1940's, post World War II, the Lutheran Church throughout the world has been instrumental in welcoming, caring for, and resettling refugees. A core belief of the Christian faith is to show hospitality to those in need, thinking not only of our own safety, but of the safety of those needing help.

I'm also a parent of a 2-year-old son, and we're expecting a second child this summer. As a parent striving to be faithful, I want my children to learn that the Christian faith proclaims this hospitality: to welcome the stranger, to care for the alien among us, to give out of our abundance, and to compassionately give refuge to those in need. I don't want my children to just learn this, I want them to experience it. I want them to experience that their state of North Dakota does the same; that we have the capacity in our state, in our local communities, and in our lives. And, because of this capacity, we grow stronger.

As a Christian, as a parent, and as a resident of ND I speak against the bill before you this morning.

Sincerely,
Rev Jon Splichal Larson
Rev. Jon Splichal Larson
Faith Lutheran Church
Bismarck, ND 58501
(701) 223-2236

Representative Kasper and members of the committee,

Attachment 24

My name is Andrea Denault and I represent the North Dakota Human Rights Coalition. It is with great honor that I stand here today to say to all refugees, "we are no different than you." We all want food, shelter, community, and freedom. We all want peace, we all deserve peace.

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For everyone in this room who has come to America with nothing more than hope and a prayer, we are here for you. We respect your human right to safety, to do everything within your power to protect your families, and to live with dignity.

Many of us who were born here in the great state of North Dakota are descended from Scandinavian immigrants. We still hold on to the values passed down from those European homesteaders, the greatest of which is to lend a hand when someone is in trouble. As humble guests of the Ojibwe, the great Sioux, MHA nations and more, who are WE to shut down our borders to those seeking a better life?

Representative Kasper and members of the committee this bill seeks to fix a problem that doesn't exist. Our New American community is filling jobs in North Dakota where thousands of vacancies still lie. Our New American community is contributing to economic growth statewide acting as both consumers and entrepreneurs. Our New American community is bringing cultural diversity to a state that has been starved of it for years.

To both the refugee and other New American populations in North Dakota, thank you for your contributions to our great state. Mr. Chairman and members of the committee, we urge a "do not pass" recommendation on house bill 1427.

Thank you and with that I will stand for any questions.

February 3, 2017

Chair Jim Kasper and Members of the House Government and Veterans Affairs Committee:

Good morning. My name is Rev. Karen Van Fossan, and I am minister of the Bismarck-Mandan Unitarian Universalist Church, which is celebrating its 65th anniversary this year. In our tradition, we honor a diversity of beliefs, and I am privileged to serve people from many traditions. I myself am a Christian, and my testimony this morning will be reflective of that faith.

I am strongly opposed to HB 1427. HB 1427 presumes that refugees are a burden to our communities, when in fact, they bless our lives. We are working hard in our church to give our young people an opportunity to meet, know, and be enlivened by refugee youth in Bismarck-Mandan. Some of our youth have had the privilege of welcoming refugee families at the airport, as they step onto the new soil of home. Others have helped haul second-hand furniture to provide a sense of place to families as they move in. Still others are looking forward to helping youth from around the world with conversational English, to going to the movies together, and to simply getting a chance to be friends.

As adults who care about the young people we raise, we're connecting young people in our church with young refugees – not just to make the lives of refugees better, but to make the lives (and faith) of our young people better. What stronger inspiration for faith could we give our youth than to know people whose very lives and wellbeing have depended on faith so much?

A mom who has raised two teenagers in our church says this: "Getting to know refugee youth helped my children see that what other people think about refugees and what the actual refugees were like was very different. All the things they had to do and how long they had to wait to be able to come to our country, how happy they were to have the opportunity to work and live without fear of the violence and war – this truly helped my family appreciate all the things we took for granted. I'll never forget the boy who watched his mom protect him from the military in his country. I still see myself in that mom and my son in her son."

The refugee son takes nothing from the son in my church, not in God's economy. God's economy is a loaves and fishes economy, a life-affirming economy, an economy in which all people's genuine needs can be met when we give all people value. In fact, the economic contributions of former refugees is a real-time loaves and fishes story – beginning with little and giving much back. By the work of our hands, God can make a way out of no way. Refugee families embody this reality for our own.

HB 1427 would make enemies where we – and our youth – need friends. I urge your DO NOT PASS recommendation on this bill. I would be glad to respond to any questions. Thank you.

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House Bill 1427

A BILL for an Act to provide for the determination of refugee absorptive capacity.

**Testimony Before House Government and Veteran's Committee
by Alicia Rixen -Volunteer for Lutheran Social Service New American Program
February 3, 2017**

Chairman Kasper and members of the Committee:

My name is Alicia Rixen, and I am a volunteer for Lutheran Social Services New American Program in Bismarck, I urge you to vote against House Bill 1427. I have only been with this program for a little over a year. However, my journey with refugees started 11 years ago in college as my neighbors were from Somalia and Ethiopia. They were great additions to my neighborhood and were constantly helping me out, inviting me to dinner and making me feel like I was part of their family. Later, I would meet two Lost Boys of Sudan as I tutored international students in college. They provided me with awareness and understanding of the conflict in Sudan. They were compassionate even though one of my friends lost an arm in captivity. They created an awareness that I never had. After college, I taught English as a second language to both international students and refugees.

My journey has taught me so much. I learned new languages, even if it was a basic phrases or learning how to write non-Latin script. I learned how to make different types of foods and drinks. Most of all, I learned not to take what I had for granted. I learned that so easily our lives can be turned upside down and come crashing down on us. Though the friends who I've met have experienced very severe trauma, long walks, death, famine,

rape, abuse, and years of living in camps, they are resilient and are grateful for a second chance at life. They strive to succeed in our communities.

My friends went on to study and become stand up citizens. I admire my friends. That is why I sought out Lutheran Social Services to give back all that they gave me. As I stated before, I started only a little over a year ago. I love the new families and individuals that I have met and helped. I love working with them. I love watching them grow and learn. I would hate for our state to turn our backs on them when they bring so much brightness out of such darkness.

I am committed to these individuals and I am committed to this program as a volunteer. I am overwhelmed that this program may end with a snap of a finger with this legislation. I am concerned the LSS staff, the ELS staff, the public school teachers in the welcome center, and all of the jobs that they have filled may be jeopardized by passing this bill. I did a search on JobsND yesterday and my search maxed out in Bismarck at 500 jobs to be filled. I realize that oil production is down, but it seems like jobs are still not being filled and there is a need for a labor force.

I serve as a volunteer in the following ways and we as volunteers are committed to:

Teaching English

Acclimating our friends to our culture, weather, and surroundings

Teaching them how to drive

Teaching them how to balance a checkbook

Teaching them how to pay bills and the importance of paying them on time

Taking them grocery shopping

Teaching them how to budget

Teaching them how to fill out job application

Teaching them how to take the bus

Taking their calls when they have questions

We have always been a state of plenty. We have always been able to give back and come together when life gets a little rough i.e. the floods in Grand Forks, Fargo, Bismarck, and Minot. The devastation that we all faced in those floods and the ability to rebuild and be stronger gives me hope that you can recognize the complete and utter destruction these individuals have faced. I urge you to allow us to continue serving these wonderful people.

I stand here for Fatuma, Sidao, Ediris, Ahmed, Yousif, Maryam, Justice, Kong, Loretta, Nabilah, Hidayo, and all of my new friends that I able to server here in Bismarck, because I can't possibly put a price on their lives and neither should you.

Respectfully submitted,

Alicia Rixen

My name is Judy Willem. I would like to thank the Speaker and members of the [redacted] for the opportunity to discuss why House Bill 1427 is important to the state of ND.

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[redacted] Throughout history, the U.S. and ND have offered safe-haven to a number of refugees facing persecution. Our resettlement effort reflects our Nation's noblest humanitarian efforts. However, we must acknowledge that significant costs and problems to the state are and can be associated with the lack of communication and expectations placed on the state by the Federal Government and the voluntary resettlement agencies which implicate state and local resources and leave states accountable for commitments that they have no say over.

According to: ABANDONED UPON ARRIVAL: IMPLICATIONS FOR REFUGEES AND LOCAL COMMUNITIES BURDENED BY A U.S. RESETTLEMENT SYSTEM THAT IS NOT WORKING, A REPORT TO THE MEMBERS OF THE COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE, ONE HUNDRED ELEVENTH CONGRESS on JULY 21, 2010, U.S. refugee policies and procedures are determined at the Federal level, but the burdens of addressing the unique needs of refugees after they arrive are passed on to local communities, often without their consent.

Some resettled refugees are illiterate in their native language or suffer from severe physical or mental ailments and many are ill equipped to secure employment in an increasingly competitive job market. The financial and mentoring assistance required to help this population achieve self-sufficiency exceeds the resources currently provided by the Federal Government (Which then puts the burden onto the states).

This study also finds that resettlement efforts in many U.S. cities are underfunded, overstretched, and fail to meet the basic needs of the refugee populations. The Federal Government works with national voluntary organizations, including faith-based groups, to decide on where to send refugees for resettlement. However, the weight of addressing unique refugee assistance falls on the shoulders of the local government that have little influence on the number of refugees resettled and are often uninformed in advance of the new arrivals. These new comers place significant demands on local [redacted] schools, law enforcement, hospitals and social services.

In addition, businesses hire the refugees with marketable skills over local workers because of the government subsidies that benefit businesses. This removes job opportunities from the local population.

Bill HB 1427 will change that. It significantly opens up much needed dialogue by requiring quarterly meetings between state and local officials and local resettlement agencies to plan and coordinate the appropriate placement of refugees in advance helping ensure a positive outcome for both the refugee and the community that they are resettling. It will also identify and define local resources necessary to support refugee resettlement in a host community. In addition, it will provide a way for elected officials fully inform to make budgetary decisions ensuring that resources are available to meet commitments made for refugee resettlement.

HB 1427 also will allow for a moratorium on new refugee resettlement activities in a host community that lacks sufficient absorptive capacity just like what was needed by Fort Wayne, IN as sighted in that same report. In Fort Wayne, the city was receiving an increase of refugees year after year while not consulting city officials. The city was averaging a secondary migration at a rate of two secondary migrants for each refugee directly settled in the city. These Burmese refugees were illiterate in their native language, had few marketable skills and were accustomed to government dependence after confinement in refugee camps for over a decade. In addition, almost half of the refugees screened had latent tuberculosis. On average, as noted by the World Health Organization, each person with active TB infects 10-15 people before antibiotics and isolation procedures render them non-contagious. Moreover, the assistant superintendent of the East Allen Community School stated it was "cruel and unethical" to expect these immigrants to be conversant, employed and self-sufficient within the 90-day time limit.

[redacted] is just one of many examples, and of course it is not ND but that does not mean it cannot happen here. North Dakota needs to be included in the conversation especially if we expect taxpayers to pick up the bill and we need to be able to put a halt to a system that could put public health and safety at risk. The Refugee Resettlement program should be a benefit to local communities and not a burden. HB 1427 will help do that by preparing a place for our refugees and opening dialogue before they come here.

Argument pertaining to Refugee Resettlement Act of 1980 & Wilson-Fish:

When states signed up for the Refugee Resettlement Act of 1980 -49 states signed on to administer their (Refugee Resettlement) program in their states on the promise by the federal government that it would reimburse the states for the Medicaid expenses they incurred as payments made to refugee settled by the program in their states. Originally, the law provided the assistance to the refugees for 36 months. Over the years that declined to 8 months, and more recently to 3-4 months. By 1991, the federal government told the 49 states who had signed up to administer the Refugee Resettlement Program in their states that it would no longer reimburse them for the expenses incurred making direct state payments to the refugees settled in their states. Seeing added state expense for what was about to become an unfunded federal mandate, several states were eager to leave the program. The Clinton administration, alarmed that the departure of several states from the program might- came up with a REGULATORY solution to their problem that created non-existent federal privileges NOT mentioned in the 1980 law, invented out of whole cloth on the basis of the 1984 Wilson Fish Amendment. Twelve states have withdrawn from the US Refugee Resettlement program. We are one of those states. Nowhere does the Refugee Resettlement Act compel state governments to administer the local refugee resettlement program, nor did it provide for the operation of a refugee resettlement program by a NON-PROFIT VOLUNTARY AGENCY -IN A STATE THAT CHOSE NOT TO PARTICIPATE IN THE PROGRAM. ALSO, nowhere in the law does it positively assert that the federal government, through a subcontracted VOLAG, may settle refugees in a state that has chosen NOT TO PARTICIPATE in the US. Resettlement Program. Now many will argue that under the Supremacy Clause in the Constitution that states do not have

the right to refuse to allow refugees to be settled in their states BUT the Supremacy Clause refers to FEDERAL Law, NOT FEDERAL REGULATIONS, and particular not a federal regulation that is "unlawful," as can be argued in the case of the federal regulation on which the Wilson-Fish alternative program is based. The Wilson-Fish amendment does not mention or even allude to using the Secretary's authority to fund Wilson-Fish alternative projects as a way to usurp the authority of state governments, such as whether a state would even agree to a refugee resettlement program operating in the state. So the constitutional argument is that the federal government, without permission of these 12 Wilson-Fish states, has "commandeered" state funds by placing refugees in their states, thereby obligating states to pay Medicaid expenses for the refugees, in violation of the Tenth Amendment to the Constitution, which states "The powers not delegated to the US by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people. In effect, the Federal Government is imposing an unfunded federal mandate by regulatory fiat, rather than statutory authority, on these 12 "Wilson-Fish alternative program" states. This is exactly the sort of statutorily unauthorized regulatory fiat that Professor Philip Hamburger of Columbia Law School is both unlawful and unconstitutional when the administrative regulation is not simply following a narrow instruction specified in the statute cited as the enabling authority: "precisely the sort of consolidated or absolute power that the US Constitution-and constitutions in general-were designed to prevent. The 12 states who have withdrawn from the program have a strong 10th amendment argument to end the US Refugee Resettlement Program in their states because they are being forced to pay the expenses incurred by this federal mandate by regulatory fiat.

Attachment
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1427
2-3-17
P. 1

Testimony given Feb. 3, 2017, before Government and Veterans Affairs Committee; in opposition to HB 1427 – ‘to provide for the determination of refugee absorptive capacity’.

“Chairman Kasper and members of the Committee, thank you for your time and attention.

My name is Dale Carmen. I am a resident of Bismarck, District 35. I recommend a ‘Do-Not-Pass’ for HB1427. I believe the drafters of this Bill want refugee resettlement in North Dakota to be organized, harmonious and successful. I am concerned that the process outlined in HB 1427 is too complicated and time-consuming; and most importantly, opens a flood gate of possible ways people and communities can legally say to refugee resettlement efforts, “No, we’re not ready, don’t have time, not done collecting data, need more staff, what will my constituents think?, and more.”

I fear this Bill might bring out negative character flaws as North Dakotans and U.S. citizens; such as narcissism (only thinking about myself and how this affects me), such as isolationism (I’m not responsible for them), and irrational fears (What if...? OMG!). Instead, by opposing this Bill, I’m appealing to our best virtues as North Dakotans and U.S. citizens; such as our rural-fostered willingness to help others in need (e.g. small town fund-raisers for neighbors with cancer), such as our sense of responsibility for the welfare of others (e.g. volunteer fire departments and local food drives), and our idealism to tackle problem areas in the world (e.g. mission trips to Haiti earthquake victims).

Why am I interested in the outcome of this Bill? I have some idea of what it’s like to be a stranger in a new land. I am third-generation North Dakotan. Three of my four grandparents were foreign-born who traveled, or were brought here as children, to homestead this land and farm it. My grandfather Theobald Martel left the Ukraine, crossed the Atlantic and set foot on U.S. soil with \$12 in his pockets. Of course, my grandparents only spoke German at first. Neither of my parents spoke English when they started the first grade in Grant County, and they were punished if they spoke their native tongue. My father, Arthur, was a teenager during the 1930’s drought and economic depression. He described sneaking a ride to Montana for work by jumping on the backs (outside) of cargo trains as they left the station, because he had no money to pay the fare. He told me how he froze for hours, hanging on the outside of the trains. Clearly, my dad’s train rides, which were born out of poverty, were illegal then as they are now.

My husband, Ken, and I adopted three of our four children. Two of them were 5 and 7 years old when they arrived from South Korea and they began school in North Dakota knowing only Korean and not English.

My parent’s and my children’s ^{initial} lack of mastery of the English language could be seen – in the terms of this Bill – as burdens and handicaps; an unfair tax burden on communities and the state. However, my grandparents, parents and children all survived the challenges of being strangers in a new land. They flourished and became and are responsible, tax-paying and creative U. S. citizens.

There are assumptions suggested in this Bill that refugees are a burden to every level of government and to all areas of communities; e.g. law enforcement, schools and businesses; without acknowledging the blessings of a fresh labor source, new customers and opportunities for us to learn from diversity.

Studying this Bill, I thought ‘Where was this determination of absorptive capacity’ when oil field workers flooded western North Dakota? Is there a double standard at play here where international

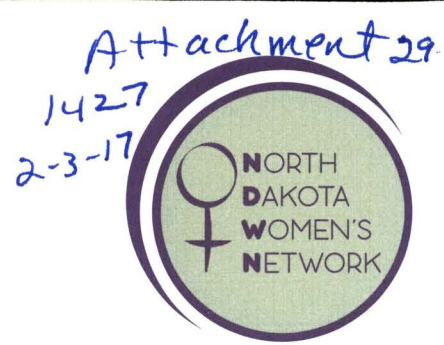
refugees are held to a much higher level of scrutiny and bureaucratic management than our recent influx of economic 'refugees' who forever changed the landscape of North Dakota?

In conclusion, I believe refugee resettlement in North Dakota is one way we can bear our fair share of the needs of homeless people in our world. It is the right thing to do. I ask you for a NO vote on HB 1427.

Thank you for your time and attention.

Dale Carmen, 1827 N. 5th St., Bismarck, N.D. 58501; Ph. # 701-751-7114





**House Government and Veterans Affairs
House Bill 1427
January 16, 2017**

Good morning Chairman Kasper and members of the House Government and Veterans Affairs Committee. I am Renee Stromme representing the North Dakota Women's Network (NDWN). We are a statewide advocacy organization working to improve the lives of women. **We stand in opposition to House Bill 1427.**

Refugees are a gift to our community. They have been extensively vetted after experiencing atrocities in their home country. Many of the origin countries are particularly harmful to women. Countries like Congo, Iraq, and Afghanistan are particularly oppressive and abusive to women. Women in these countries often experience extreme violence and oppression.

According to Women for Women International:

- Decades of violence in Afghanistan have left millions of women and girls displaced or widowed. Common discriminatory practices, amplified by extremist groups, often make it dangerous for women to seek education, healthcare services, employment, or, in some cases, even to leave their homes.
- Women and girls suffer disproportionately from high rates of violence and extreme poverty during times of conflict. Nowhere is this truer than in the Democratic Republic of the Congo, which has grappled with wars, civil strife, and multiple rebellions since 1996. While peace has been re-established in most of the country, women and girls, particularly in Congo's eastern provinces, still suffer from gender-based violence. The use of rape and sexual assault to terrorize them, their families, and their communities continues. Exacerbated by the culture of impunity, violence against women and girls is pervasive and extends beyond armed groups to all of society.
- Years of conflict and instability in Iraq and neighboring Syria have forced millions of people to flee their homes. Today, there are more than four million refugees and internally displaced people in Iraq, with many living in the relatively stable northern Kurdistan Region of Iraq (KRI).

In these and many other countries of origin, women experience female genital mutilation, rape, sex slavery, and many other forms of violence against women. These women and their families should be embraced and supported. This legislation is a set back for all of these victims. Therefore we urge this committee reject house bill 1427 and give it a **do not pass** recommendation.

Mr. Chairman and members of the committee, my name is Beth Anderson of Bismarck and I speak in opposition to HB 1427. I am a deacon in the Evangelical Lutheran Church of America, and a member of Lord of Life Lutheran Church which has been involved in helping to support refugees as they arrive in our community.

Welcoming the stranger, providing hospitality to those in need and serving the neighbor are key tenets of the Christian faith. These teachings lead us to open our hearts and communities to others. One of the sometimes forgotten stories of our faith, reminds us that Jesus himself spent part of his childhood as refugee.¹ When King Herod issued a decree to kill all boys in and around Bethlehem, Mary & Joseph fled to Egypt where they found refuge for several years before returning to Nazareth.

Our congregation has welcomed New Americans from places like Haiti, Iraq, and the Congo. These individuals and families have been forced to leave their homelands due to war, famine, and political upheaval. They have watched loved ones die before their very eyes, been separated from family and friends, and endured years of life in refugee camps. As they have arrived in Bismarck, our congregation has been able to offer a bit of sanctuary and assistance as they work diligently to rebuild a new life far from home. Some members of the congregation volunteer as mentors, but most of us contribute in smaller ways - by helping to furnish apartments, assisting with transportation, providing clothing and other necessities, or simply welcoming them to this community that we love.

My faith teaches me that making room for refugees is simply the right thing to do, but I see that doing so also blesses us in turn. As I learn the stories of these men, women and children and watch them rebuild their lives, I am deeply humbled. They maintain hope in the face of the greatest of adversities, and exhibit a determination and courage that is unmeasurable. They continuously teach me that Faith, Hope and Love, truly can survive most anything. When I watch my children interact with their children, I find myself grateful - Grateful that my kids are being given the opportunity to learn about other cultures, and to learn the importance of hospitality, gratitude, compassion, hard work and determination. My kids now know that they do not have to be driven by fear of those who are different, but rather those who seem different often have much to teach us.

I sincerely believe the presence of our New American brothers and sisters is enriching our community. We more fully understand the suffering and richness of God's people around the world and our hearts are being expanded by friendship and acts of compassion and generosity. In passing HB 1427, you leave the decision to close our borders to one person. That decision would both deny refugees the chance to find safety to rebuild their lives, and deny entire communities in this state the opportunity to benefit from the many gifts these men and women bring. Please recommend a "Do Not Pass" on this bill.

Sincerely,



Beth Anderson
903 N 32nd St, Bismarck

¹ Matthew 2

Attachment 31
1427
2-3-17

February 3rd, 2017

Dear Mr. Chairman and Members of the Committee of Government and Veterans Affairs,

I am a native of North Dakota, born and raised in Minot and currently residing in Bismarck. I have always known the people of our state to be warm, welcoming and hospitable, and I do not believe that House Bill 1427 truly represents the will of our citizens. One reason for this may be because it was not in fact written to address the unique concerns of our communities surrounding refugee resettlement (and there are legitimate ones). Instead, it is nearly identical to the text of failed "absorptive capacity" bills from South Carolina, Mississippi, and Kansas.

I believe passage of this bill would amount to codifying accusations against a vulnerable group of people who do not deserve such treatment. I refer particularly to Section 2, point 5f, which seems to assume that refugees are or will be found guilty of "child abuse, female genital mutilation, domestic abuse, sex or human trafficking, or terrorism, whether prosecuted or not" without any evidence for these serious charges.


I find it concerning that this bill's definition of "absorptive capacity" appears to prohibit local governments from acknowledging that refugees could actually bring any benefit to our state. In my experience, this is decidedly untrue. Those whom I have met and welcomed into my own home have shown to be people of extreme grit, determination and hard work.

This bill could even pit governing bodies against one another within the state. If a county or the governor declares a moratorium on refugees, this could force a city to close its doors even if it wishes to remain open.

Finally, this bill could jeopardize the lives of people who have served to assist our military or defense contractors in dangerous places and war zones, such as interpreters seeking asylum here. This seems relevant to a committee on veterans' affairs.

Many North Dakota families have stories similar to mine — great-grandparents who came here to homestead. While they did not have legal refugee status, they left their homelands because of extremely difficult circumstances, seeking freedom and a fresh start in a place where the local language was not their first (these accents are still heard here today). Many of our newest neighbors carry on in the same spirit, though they come from other parts of the globe, and I hope North Dakota continues to be a place where ALL are welcome, as our well-known advertising campaign invites, to find "the Good Life."

Thank you,



Jennifer Nair
1009 Parkview Dr.
Bismarck, ND 58501

Attachment 32
1427
2-3-17

We have been mentors/volunteers with the refugee resettlement program for about 1-½ years. We were stirred to volunteer with the New American program after witnessing story after story of Syrian refugees fleeing across the Mediterranean. Who can forget the powerful image of the innocent Syrian toddler washed up on the shore of Turkey? Of course this photo is only one example of the desperation of thousands of refugees across the globe, and it should call us all to action!

Through the refugee resettlement program, we have been honored to befriend and assist refugees from Afghanistan, Iraq, Pakistan and the Congo. They all have shocking and heartbreaking stories to share. They have survived a range of unthinkable atrocities and are so grateful for their good fortune in coming to hospitable North Dakota.

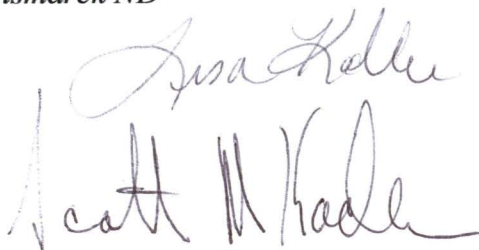
One group of four young Congolese men, who arrived about 1.5 years ago, are now all hardworking and financially independent members of our workforce. Not only are they working in difficult to fill labor positions, but they are tax paying members of our state who generously volunteer their time to help new refugees that move into our community, while also providing financial support to family back in Africa.

Refugees have different traditions, skin color, language, and they may celebrate their faith in a different way. In our opinion, these differences only enhance and enrich our community, for it causes us to expand our world view, put a face on international events and experience cultures and people from across the globe.

We oppose bill #1472 in that it could exclude future refugees from becoming members of our communities. These lawful immigrants are our human brothers and sisters, and they simply want to live a dignified life, free from hunger, war and oppression. Let's generously share the many American privileges we possess.

Respectfully submitted,

Lisa & Scott Kadlec
Bismarck ND

Handwritten signatures of Lisa Kadlec and Scott Kadlec in cursive ink.

February 9, 2017

Attachment 1
1427
2-10-17

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1427

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study of refugee resettlement in North Dakota.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - REFUGEE

RESETTLEMENT. During the 2017-18 interim, the legislative management shall consider studying refugee resettlement in the state. The study must include consideration of the impact, if any, of refugees on the wages or working conditions of the local workforce, state and local law enforcement, state and local government services, housing, the provision of medical care, child care, translation and interpreter services, and public education, including the provision of English language training. The study must include examination of the relevant federal and state laws on refugee resettlement, the role state and local government agencies may have in refugee resettlement matters, an overview of the security measures taken by the United States government prior to refugee resettlement, integration outcomes, and the religious, political, economic, and social conditions of refugees' countries of origin, including the prevalence of violence and other forms of oppression against women and children in those countries. The study must include examination of the number of refugees resettled in the state, including the number of refugees resettled by age and gender, the number of refugees resettled who are under eighteen years of age, the number of refugees resettled who are between forty and sixty-five years of age, the number of refugees over sixty-five years of age, the number of refugees who are male, the number of refugees who are female, the number of refugee children enrolled in a public school, the number of refugee children accessing English language learner services, the initial resettlement locations for refugees, and the numbers of refugees resettled with and without family already residing in the United States. The study must include input from stakeholders, including refugee resettlement agencies, law enforcement personnel, social and clinical service providers, educational leaders, medical providers, and representatives of county social services agencies, affected municipalities, and the department of human services. The legislative management shall reports its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-sixth legislative assembly."

Renumber accordingly

Attachment 2

1427

2-10-17

Proposed amendment to HB 1427

At highlight dot, insert:

The study must include the contributions refugees have made to communities in addressing workforce shortages and contributing needed skills and personnel to understaffed businesses and professions. It must include an assessment of refugee entrepreneurship, and the number and types of businesses and programs developed by refugees in their communities. The study will must assess the contributions refugees have made to enriching community culture, arts, language training, education, the promotion of tolerance, acceptance of diversity, and international understanding.

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Renumber accordingly

Testimony Introducing HB 1427
Senate Political Subdivisions Committee
March 17th, 2017
Rep. Christopher Olson, District 13, West Fargo

HB1427 underwent significant revision last month and was amended into an interim study request.

The purpose of this study is to examine the nature of the relationship that North Dakota has with Federal Government pertaining to North Dakota's participation in the Refugee Resettlement Program and to determine the level and types of any costs associated with the program.

Historical Intent

In 1980, Congress enacted the Refugee Resettlement Act ("Act"), 8 U.S.C. § 1521 et seq. Since the program's inception, proponents, supporters, and even drafters of the Act have recognized the significant financial impact the resettlement of refugees imposes on state budgets.

Senator Ted Kennedy, the leading sponsor of the Act, emphasized that the purpose, at the time, for revamping refugee resettlement law was "to assure full and adequate federal support for refugee resettlement programs by authorizing permanent funding for state, local and volunteer agency projects." Edward M. Kennedy, Refugee Act of 1980, 15 Int'l Migration Rev., no. 1/2, Spring-Summer 1981 at 141, 142.

Kennedy went on to state that: "Because the admission of refugees is a federal decision and lies outside normal immigration procedures, the federal government has a clear responsibility to assist communities in resettling refugees and helping them to become self-supporting." *Id.* at 151.

Congress crafted the Act with the intention and understanding that all costs of this program be fully federally funded. "State and local agencies were insistent that federal assistance must continue long enough to assure that local citizens will not be taxed for programs they did not initiate and for which they were not responsible." *Id.*

The Act, as passed by Congress, authorized thirty-six (36) months of full reimbursement to a state for the cost of each refugee resettled and participating in certain benefit programs. States received a 100% reimbursement of their costs under the Aid to Families with Dependent Children and Medicaid programs with respect to each participating refugee. Additionally, the federal government provided separate financial assistance for refugees not eligible for benefits under these programs.

Eventually, however, federal reimbursements to the states for these benefit programs were reduced and, by 1991, eliminated entirely. The states thereby became responsible for the costs of the programs originally covered by the federal government.

L.B. 1427
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P5 2/5

Present Operation

And thus we find that, today, significant moneys are being expended out of the the State's treasury in order to finance the **federal** refugee resettlement program.

For example, Tom Solberg with our Department of Human Services reported that in the period from July 2014 - June 2015 the state paid nearly \$12M in traditional Medicaid claims to a total of 2,684 clients identified as individuals resettled under the program.

To: Vonette Richter, North Dakota Legislative Council
From: Tom Solberg, Deputy Director
Date: May 11, 2016
Re: Refugee Information Requested

The Legislative Council requested information concerning the annual costs of refugees in the state and the number of refugees enrolled in Medicaid, Supplemental Nutrition Assistance Program, Low Income Home Energy Assistance Program, TANF, and child care assistance.

- The Department's information management systems do not capture citizenship or refugee status for the Child Care Assistance Program and Low Income Home Energy Assistance Program.
- Medicaid data does not include Medicaid Expansion and Children's Health Insurance Program as the Department pays premiums but not claims for these programs.
- The information is reported at a Regional level to ensure there is no overt identification of clients.

Traditional Medicaid	
Dates of Service July 2014 – June 2015	
• 2,684 Clients received services statewide	
	PAID
TOTAL	\$11,991,012
Northwest Region	\$30,305
North Central Region	\$26,259
Lake Region	\$0
Northeast Region	\$2,184,196
Southeast Region	\$9,311,631
South Central Region	\$75,298
West Central Region	\$339,693
Badlands Region	\$23,630

Sl. B. 1427
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#1 pg. 3/5

In the same time period SNAP payments to individuals resettled under the program totaled \$5 1/2 Million.

Supplemental Nutrition Assistance Program July 2014 – June 2015	
<ul style="list-style-type: none">• 1,924 Unduplicated Cases statewide• 4,275 Unduplicated Clients statewide	
	PAID
TOTAL	\$5,552,508
Northwest Region	\$28,028
North Central Region	\$15,855
Lake Region	\$0
Northeast Region	\$967,999
Southeast Region	\$4,315,593
South Central Region	\$87,839
West Central Region	\$133,641
Badlands Region	\$3,411

Temporary Assistance for Needy Families July 2014 – June 2015	
<ul style="list-style-type: none">• 148 Unduplicated Cases statewide• 355 Unduplicated Clients statewide	
	PAID
TOTAL	\$284,789
Northwest Region	\$0
North Central Region	\$3,441
Lake Region	\$0
Northeast Region	\$34,888
Southeast Region	\$237,415
South Central Region	\$3,321
West Central Region	\$5,724
Badlands Region	\$0

A further Federal Cost Shift occurred in December 2013 when the Office of Refugee Resettlement (“ORR”) instructed State Refugee Coordinators to begin shifting refugees from Federally funded Refugee Medical Assistance (RMA) to Expanded Medicaid.

The letter stated, in part: “Every effort shall be made by States to redetermine eligibility as Medicaid expands and when appropriate, transition the client from RMA to Medicaid. In order to minimize disruption and ensure that refugees do not lose health insurance coverage, caseworkers at local affiliates should assist clients with Medicaid enrollment.”¹

Medicaid data provided by ND DHS did not include Medicaid Expansion or Children’s Health Insurance Program (“CHIP”) costs where the Department pays premiums rather than claims.

The state does not presently capture citizenship or legal permanent resident status types for the Child Care Assistance or Low Income Home Energy Assistance Programs.

Additionally, state and local taxpayers incur further costs through participation in this program through increased rolls in our public schools and, particularly, increased enrollment and expansion of our English Language Learner programs.

West Fargo Public School District #6
ELL and Special Education Program Information
Prepared December 12, 2016

West Fargo Public Schools Fiscal 2014-2015 ELL Cost of Services Provided		
Total Costs for Services Provided		\$ 2,665,852
Less: Revenues Received		
	Grant/Federal	\$ 218,099
State Aid:		
	ELL Level 1	\$ 143,017
	ELL Level 2	\$ 139,653
	ELL Level 3	\$ 115,014
Net Costs of Services Provided		<u>\$ 2,050,069</u>

Federal Grant Revenue Received for ELL Services by Year	# ELL Students	Title III Funds
2015-2016	712	\$ 102,371
2014-2015	671	\$ 170,443
2013-2014	623	\$ 69,637
2012-2013	652	\$ 46,748
2011-2012	573	\$ 89,097
2010-2011	505	\$ 33,636
2009-2010	514	\$ 46,715
2008-2009	524	\$ 46,404

For the school year ending in 2015, West Fargo Public Schools expended over \$2M from its General Budget for EL programs serving 671 students. **This budget was further increased by 10% for the next school year.**

¹ ORR State Letter 13-10, 12/06/2013

If the state of North Dakota wishes to continue to participate in the Refugee Resettlement Program, it should be done with the informed consent of the people of North Dakota, including a full understanding of all costs and our capacity to provide aid at both the state and local levels. A study, like the one proposed by HB1427, is a necessary step towards achieving this.

Below are quotations from the Act detailing some of the requirements that I don't believe are being appropriately adhered to.

"local voluntary agency activities should be conducted in close cooperation and advance consultation with State and local governments."²

"The Director and the Federal agency administering subsection (b)(1) shall consult regularly (not less often than quarterly) with State and local governments and private nonprofit voluntary agencies concerning the sponsorship process and the intended distribution of refugees among the States and localities before their placement in those States and localities."³

"(i) insure that a refugee is not initially placed or resettled in an area highly impacted (as determined under regulations prescribed by the Director after consultation with such agencies and governments) by the presence of refugees or comparable populations unless the refugee has a spouse, parent, sibling, son, or daughter residing in that area, (ii) provide for a mechanism whereby representatives of local affiliates of voluntary agencies regularly (not less often than quarterly) meet with representatives of State and local governments to plan and coordinate in advance of their arrival the appropriate placement of refugees among the various States and localities, and (iii) take into account-

(I) the proportion of refugees and comparable entrants in the population in the area, (II) the availability of employment opportunities, affordable housing, and public and private resources (including educational, health care, and mental health services) for refugees in the area, (III) the likelihood of refugees placed in the area becoming self-sufficient and free from long-term dependence on public assistance, and (IV) the secondary migration of refugees to and from the area that is likely to occur."⁴

² 8 USC 1522(a)(1)(B)iii

³ 8 USC 1522(a)(2)(A)

⁴ 8 USC 1522(a)(2)(C)

17.0916.02001
Title.

Prepared by the Legislative Council staff for
Senator Mathern
March 16, 2017

H.B. 1427
3.17.17
Written
Testimony #
2

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1427

Page 1, line 10, after the period insert "The study must include an examination of the contributions refugees have made to communities to address workforce shortages and provide needed skills and personnel to understaffed businesses and professions. The study must include an assessment of the number and types of businesses and programs developed by refugees in the state and the contributions refugees have made to further enrich community culture, arts, language, and education and how refugee resettlement has impacted the promotion of tolerance, acceptance of diversity, and international understanding in the state."

Re-number accordingly

H. B. 1417

3.17.17.

Written testimony #3

p 1/2

TESTIMONY
Senate Political Subdivisions
HB 1427
March 17, 2017
Representative Kathy Hogan

Chairman Burckhard and members of the Political Subdivisions Committee, my name is Kathy Hogan. I represent District 21, the heart of Fargo and the home to many refugees. I appreciate the interest and concerns by the bill sponsors in bringing forth this issue and I was very pleased that the bill was turned into a study resolution.

My concerns regarding the current draft of the study resolution is that it is too limited. In collaboration with Representative Schneider, we have drafted some proposed amendments for your consideration. These amendments attempt to balance the community benefits of refugee resettlement with the costs and adds a study of human rights concerns into the study.

I have worked closely with refugee for over 30 years. Most refugees have experience more fear, hate, hunger and family disruption than I can ever imagine. I was often touched by the genuine gratitude, commitment to work and learning the culture that almost all of the refugees demonstrated.

How we approach refugees is a genuine reflection of the core values of our state. Do we live up to the motto of the Statute of Liberty that greeted my great grandparents and probably yours? "Give me your tired, your poor, your huddled masses yearning to breathe free, the wretched refuse of your teeming shore. Send these, the homeless, tempest-tossed to me, I lift my lamp beside the golden door!" I sincerely hope our doors are still open to the neediest in our world.

Thank you, Mr. Chair, and I would be more than willing to answer your questions.

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Title.

Prepared by the Legislative Council staff for
Representative Hogan
March 16, 2017

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PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1427

Page 1, line 10, after the period insert "The study must include an examination of the contributions refugees have made to communities to address workforce shortages and provide needed skills and personnel to understaffed businesses and professions. The study must include an assessment of the number and types of businesses and programs developed by refugees in the state and the contributions refugees have made to further enrich community culture, arts, language, and education and how refugee resettlement has impacted the promotion of tolerance, acceptance of diversity, and international understanding in the state."

Page 2, line 2, after the period insert "The study must include consultation with the North Dakota human rights coalition to identify possible human rights violations among refugees in the state."

Re-number accordingly

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Written testimony #4

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Chairman and members of committee

Good Morning!

My name is Hukun Abdullahi and I am one of the council members for FM Refugee Advisory Council.

I came to the Fargo-Moorhead area 3 yrs ago from Kenya at which time I had the great blessing of reuniting with my mother after 15 years of separation.

I oppose the House Bill 1427 for several reasons, and this bill should not pass as it is without further amendments.

The house bill 1427 asking for study resolution on impact of refugee resettlement, in my opinion, feels like an irrational move to single out refugee population out of millions of immigrants and non-immigrants who are entering the United States each year. This feels like only refugees are being targeted for impact while no question is being raised for other foreign-born individuals with a different immigration status. I also feel this bill does not fully understand that it is not that easy as represented in the bill, to separate a refugee from Somalia versus a sponsored immigrant from Somalia. It's also up to an immigrant to disclose whether or not one arrived on a particular immigration status. Therefore, these issues raise concerns regarding the validity of the study which will ultimately have to be funded from taxpayer dollars. I would prefer this study to be amended to measure impact for all foreign-born legal immigrants.

Secondly, the bill must specify study for positive impacts and not just the negative. We have heard time and again, that immigrants including refugees do contribute significantly to the community they reside in. This is the fact! Also- I am not certain about the timeframe included in this study, because refugees who are fleeing wars, terror and persecution will need the first few months to understand their new environment before they can begin employment and start contributing to their communities. Is this going to be a 10-year longstudy or just a first 8-month snapshot of resettlement? If it's the latter, it is unfair because I know of several dozen refugees who have become homeowners and business-owners years after resettlement. How is that going to be reflected in the study is another concern of mine. Therefore, I would oppose this bill unless those clarification is provided, and the positive impacts are added for study.

I do not have to go far to present you with an example how refugees are contributing. My older brother is currently serving in the military. He's a Somali Muslim. He has served three tours of duty, two in Afghanistan and one in Iraq. He was injured twice while serving in Afghanistan, once by an explosion that severed his Achilles tendon, and the other he suffered severe burns all over his body due to another explosion. He now suffers from PTSD. It hurts me when refugees are being despised and disrespected due to their status, and just because we think

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they are burden. In contrary, it's quite the opposite and it's hard to believe that because not all of us have ever known or connected to a refugee.

As a nation founded in part by refugees and immigrants, these kind of policies to target and differentiate one legal immigrant status from another based on assumption and stereotypes dishonor our history, beliefs and values. HB1427 simply feeds the rhetoric of fear and distrust in the United States, and marginalizes new Americans who have already suffered enough. By protecting those whose liberties and lives are at risk, we affirm our values, and we model them for the world at a time when moral courage is sorely needed. Thank You!

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Hukun Abdullahi

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TESTIMONY

Senate Political Subdivisions

March 17, 2017

Chairman & Members of the Committee,

My name is Shirley Dykshoorn, I serve as the Vice President of Senior and Humanitarian Services at Lutheran Social Services of North Dakota. Our organization serves as the only refugee resettlement agency in North Dakota.

I support the need for a well done study of the impact of refugees and immigrants in our state, but do want to point out specific sections in the amended bill where we as an agency cannot provide data or where we have a limited capacity to provide requested data.

I want to assure this committee that where we have data and can provide it, we are more than willing to do so. However, there are assumptions about tracking people that are impractical and often impossible. Please remember that refugee status is a legal immigration status. It is time limited. Refugees who come to the United States do not have chips implanted that would give someone the ability to trace their ventures. They have the ability to move freely from state to state. Tracking all legal residents who at one point were refugees is not a responsibility of LSS. We have legal immigrants from all over the world who choose this state as where they want to live and work. Our agency is only responsible for those with current refugee status, who have been resettled by our agency and are within the parameters of our agreements with the US State Department.

I would draw your attention to lines 7-10 of the amended bill: Refugees make up less than 10% of all legal immigrants. We have no information on other immigrants outside of those we have as the primary resettlement agency. Examples of those we do not have information about include sponsored immigrants, diversity VISA lottery winners, persons securing permanent residency via employment, non-immigrants on a VISA who apply for asylum. There are numerous VISA statuses. In fact, agencies have no authority to ask about other immigrant statuses, since asking begs the question of discriminating based on minority status or country of national origin.

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I also draw your attention to lines 10-15 of the amended bill. Our agency can gather information for the research firm selected for the proposed research, but we have limited capacity to provide all the information requested. We can provide relevant information pertaining to Wilson-Fish Programming. Most refugees who have been resettled have left their countries of origin years and sometimes decades prior to actual resettlement. A child born and raised in a Nepalese refugee camp in the 1990's may identify as a Nepali even though they are of Bhutanese descent. This may also apply to a Somali child born in a Kenyan camp.

I draw your attention to lines 16-23 of the amended bill. Our agency can provide this information for all refugees that we initially resettled in North Dakota. We cannot provide this for cases who move to our state as secondary refugees unless they request services at LSSND. For example, a case in Seattle can move freely to North Dakota because of job opportunities just like anyone else.

On lines 23 and following to the remainder of the bill, our agency is already required by the Federal Government to hold community consultations on a quarterly basis. These occur at a community level and then joint conversations occur with all three sites. Minutes are recorded and shared. All of the stakeholders listed do participate in these quarterly sessions. Program services, challenges, updates and planning are the four main areas discussed.

In conclusion, I would like to state once again that Lutheran Social Services of North Dakota is willing to provide data in cases where the data is available and we are able. There are however cases where it is impractical or impossible to provide some of the data asked for in this amended bill.

Thank you Chairman and members of the committee for the opportunity to testify before you today. I would be happy to answer any questions you may have.

Respectfully submitted,

Shirley Dykshoorn, Vice President of Senior and Humanitarian Services
Lutheran Social Services of North Dakota
www.lssnd.org | 701.271.3218 | sdykshoorn@lssnd.org

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Respected chairman and members of committee,

Good Morning!

My name is Abdiwali Sharif. I am a father, a husband, and a former refugee from Somalia residing in Fargo, ND. I am a naturalized US-Citizen.

I oppose House Bill 1427 asking for study resolution to understand impact of refugee resettlement because the bill is based on a flawed hypothesis on refugees and immigration status.

A well-done study to evaluate and understand all aspect of an issue is a great initiative. However, when it comes to refugee-resettlement and their immigration status, it is almost impossible to segregate only refugees from other immigration status. Our nation's immigration system is complex, and I can demonstrate this complexity by giving you an example. A Somali refugee who comes to the United States and obtains permanent residency, goes to Kenya and gets married to a Somali woman. The wife can join the husband as a sponsored immigrant, and when they have kids here- they are American citizens. Therefore, for this family applying for any services- how are we going to measure an impact as cited by this study? Is the husband- who now is also a permanent resident the only one going to be included in the study? Also, how do we measure the impacts for the children who are American citizens and how they might be able to contribute later? Another example is special immigrant visa recipients who qualify for same benefits as refugees, and are resettled as refugees. These are folks who have assisted our military overseas. How do they fit in this study is my another concern?

The second concern I have is, how can we understand the impact better, if refugees are like any other immigrant with legal status who can move freely from one state to another. Is our system capable enough to gather data based on their immigration system? If not, then the study is asking for something that it almost impossible to do with our current infrastructures. A refugee-status is no longer valid after the person obtains permanent residency after one year. After 5 years, the person might become naturalized citizen. Do we have mechanisms to differentiate an individual based on these status and time-frame, and maybe we do not have these because- this could be deemed unconstitutional? Therefore, why are we spending valuable tax payer's dollars on this inefficient impact study while there are other important issues we are yet to deal with?

I can remember those days during my first resettlement months how challenging it was for me to navigate the systems with no English. I wanted to go to school but it was difficult for me because of my age and English skills. Fortunately, I heard about Burdick Job Corp in Minot ND and was able to finish my high school, where i also obtained vocational training. This was my first lesson in the American-soil that, nothing is impossible if you are determined and work hard. I also learned that this is the land of opportunities. If one door shuts, there are multiple others that are open; and one should not be discouraged to explore more. I now help my community members sharing my own stories and experience. I assist them with mentoring, tutoring, driving lessons and English classes. I share with them my experience of resettlement, and how this country is for people like us who were always labeled as a "second class citizen" and deprived of human-rights back where we came from. I am proud of myself, because I have achieved something that I never in my life ever thought was possible- but it took time. How is the study going to capture all those

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pain of fleeing terror, emotions, gratitude, goals, dreams, and hard work? I am a US Citizen now, but am I still a refugee for the purpose of this study? Am I not good enough to deserve this second life as a human being-which I got through resettlement? I would also like to know about how much impact or burden I added to the systems proposed in this bill. This bill is a message that clearly states ND prioritizes more on a few dollars than on a value of a human life? I am confident my contribution so far is significantly more than what was needed to assist me in the beginning.

House Bill #1427 is targeting just one specific group of lawful immigrants with refugee status. The bill intentionally asks for no data regarding the positive impacts refugees bring to their resettled communities. I also believe there are no specific measurement to evaluate the proposed impact study further discriminating and targeting individuals with refugee-status. Due to these reasons, I oppose this bill as it is, and would urge elected member to either vote against it or pass with amendments adding positive contribution and language to clarify what constitutes a refugee status and for how long.

Thank You!

Abdiwali Sharif

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Written testimony # 7

Dear Senators of North Dakota and fellow members,

I would like to thank all of you who are here today and providing this platform for brief communication on the travel ban.

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I have been running an organization from past couple years by the name of (Immigration Development Center) Organization helps all community members to stand on their feet financially, morally and give back to the community which they have been a part for years. It is our one and only home which is here with along with all of you as companions. This community has nurtured us in all aspects of our lives, by giving us all the support we have always needed.

However, in the current affairs, the (North Dakota) community, we have known as our new home, it feels like now its refusing to accept us and our loved family members. I have always thought, that all of us belong here and are a vital part of this community and we have always shared our painful and happy moments together by standing with along side by side.

So, I have been thinking where will this lead us as a North Dakota community in which immigrants are an integral part of the work force in all fields, from science to engineering to automation to technological and entry level jobs.

For more than two decades I have lived here with my family, many of my kids have been born and raised here. All of us as a community have never expected this category of immigration ban from a community and nation which have welcomed us open arms provided us education, shelter, finances and opportunities to make ourselves valued together.

We as a part of this community have severed the elderly citizens, looked after their needs, provided them comfort. We have indulged our workforce in day care centers, we have worked jobs in hospitality industry. We have friends and family members working in hospitals as nurses and doctors. We have started new small business such as, restaurant and grocery which have created jobs in the community. We have people working in organizations like Microsoft, John Deere, Bob Cat, U. S Bank and many more.

The idea or notion of blocking other nationalities from entering our nation will lead us negative formation in the community, nation and globally.

I request the all the senators in power to think over this **travel ban bill (1427)** keenly and precisely that which positive impacts immigrants have made so far and everyone who joins this community or nation comes here with a dream to live a better life, provide in a better way for their loved ones, and see this community and nation prosper gracefully and not to disrupt anyone.

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At the end, we will make America prosper together but not by excluding or marginalizing people by entering our community or nation. We must act and work together to bring change in positive manner with in this community and nation by setting constructive prospects.

Thank you all again and God bless us all as a community and nation.

Fowzia Adbe

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Written testimony #8
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Mr. Chairman and members of the committee, my name is Andrea Denault and I am here on behalf of the North Dakota Human Rights Coalition. We are a broad-based coalition of individuals and organizations who work toward the enhancement of human rights in North Dakota through information, education, and legislative action.

We respectfully oppose the study in House Bill 1427. We understand the good intentions of the original bill and the proposed study which has replaced the first inception. Like any other expense to the taxpayer, it makes sense to track where money is being allocated and spent. However, if all we are concerned about is a simple cost-benefit analysis of resettlement programs, there are a few problems with reducing a complex issue to a solely economic matter. First of all, costs are already known. Secondly, benefits, while great, are impossible to measure. Lastly, holding this group of people under an economic microscope could dangerously lead to profiling based on race, religion, and legal status.

As far as costs are concerned, what we learned through Lutheran Social Services and legal experts at the last hearing is that all of this information is already transparent and readily available. The allocation of taxpayer money being spent on resettlement is not secret information being held under lock and key. There are records for everything and all it takes to see them is a request.

There is no question that resettlement programs do cost money. However, the return on investment is great. In communities like Utica, New York, welcoming refugees completely turned around the town's economic decline. In a place like North Dakota where we are struggling to fill thousands of job vacancies, we benefit tremendously from keeping our doors open to a willing work force. The amount of money spent on the resettlement period is usually very little compared to the amount being returned back into the economy once these New Americans are back on their feet.

From my experience in working with refugees, they are ideal Americans in many ways. I have yet to meet a single person who finds themselves on American soil having come from a war-torn country who says "Now I will never have to work a day in my life. Social programs will pay for all of my needs." Of course refugees don't think this. They are good people with high expectations for themselves and a good work ethic just like you and me. They understand the meaning of hard work and take pride in being self-sufficient.

In fact, the refugee community is actually the most patriotic group of folks I have ever had the privilege of getting to know. While many of us are descended from immigrants who came here to live the American Dream generations ago, these refugees are living it now. They came to the U.S. and to our great state with little more than hope and a prayer. They know that here in North

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Dakota, they have been given an opportunity to live with freedom-a human right that almost no one can take for granted once one has experienced it being taken away.

In an effort by the state to determine this cost-benefit analysis, we worry about profiling. The state would target a group of people within society, assign a cost to that segment and, without total community context, use these sets of determinations to decide whether the community can "afford" these people who are fleeing persecution, war and death. In so doing, the study would deprive a group of people from the rights of every other legal resident.

If I were arrested today my record wouldn't say "Andrea Denault second-generation Norwegian immigrant." When someone gets a raise and a promotion at work, it is not reported back to the government much less by race, religion, or legal status "Jewish man of German decent promoted to executive board!" Can you imagine all of the problems that would arise if we were constantly tying factors like these to overall worthiness of an individual? We do not track and profile the successes and failures of everyone else in the country and we have no reason to do it to our refugee friends and neighbors either.

I urge you to consider the pragmatic applications of a study like this and to see the utter impossibility of a holistic and fair assessment of refugee resettlement in North Dakota. At its heart, this is a human rights issue and should be treated as such. Our brothers and sister from overseas are human beings not a commodity that can be purchased or evaluated by any other factor than being human. We welcome them with open arms and for this reason, we urge a "Do not pass" recommendation from the committee

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I believe the bill, as is, is unlikely to provide satisfactory answers to its proponents, if other states' experience is any guide. Additionally, by singling out refugees, the study could likely generate data or information that is likely constitutionally inactionable. I first highlight advocates' major arguments, next touch on my reservations about the bill, then share Tennessee's experience on the issue. Finally, I provide links to useful resources.

I see why proponents seek to pass the bill. Here are the two major arguments I gleaned from advocates' testimonies at the House Government and Veterans Affairs Committee hearing: to promote greater local input into refugee resettlement given the resettlement's less than desirable impact on localities and the state. And to seek to end the federal government's cost shifting to the state. Why I do not necessarily disagree with these, I quibble with how the bill is seeking to solve the problem.

My reservations are three-fold. The first goes to the premise of the study. The bill seems to suggest that refugees pose unique challenges to localities and the state relative to other out-of-staters to warrant a special study. If that were not the case, refugees would not be singled out for study. Other than English language services, I labor to see how else that might be true. The second is that the bill does not seem to be interested in the benefits refugees generate. This suggests that the bill is likely seeking to confirm a preconception rather than truly understanding the net impact of refugee resettlement.

Third, I struggle to see how to use what lines 16 to 23 of the .2000 version of the bill seeks to study without potentially running into questionable/impermissible constitutional inquiry especially at policy implementation level.

The problem the bill seeks to address is hardly uniquely North Dakotan. It might be helpful therefore to see how other states have attempted to address the problem and the result they have

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gotten so far. Tennessee provides a useful guide. The state could be considered to be ahead of the curve because it proposed an absorptive capacity legislation in 2011 that largely mirrors our original HB 1427. And it conducted a study to figure the impact of refugees like what is being proposed here. The bill and the study seem to have generated unsatisfactory results because the state has now resorted to suing the federal government on 10th Amendment grounds. Here is a link to a news coverage about the suit filed on Monday: <http://www.nbcnews.com/news/us-news/tennessee-challenges-federal-government-over-refugee-resettlement-program-n733501>

A problem with aspects of Tennessee's study and one that might afflict the study being proposed here is the definitional and status challenge that makes defining the problem to be studied tenuous. The term "refugee" refers to a transient status in immigration law. And using some of the information/data generated from refugees might likely lead down questionable/impermissible constitutional territory. This is because once in the United States, a refugee is afforded rights more like any other out-of-stater than an "immigrant" or foreign born individual. She has legal status, and an unrestricted Social Security number. And is eligible for permanent residency after just one year of stay. explain why Tennessee's study

The following links provider greater detail on the topic:

1. Link to report of Tennessee's Refugee Resettlement study:

http://www.hias.org/sites/default/files/tn_report_federalcostshifting_refugeeresettlement.pdf

2. Link to a news story that provides a quick summary of Tennessee's experience:

<http://www.tennessean.com/story/news/politics/2015/11/21/islamaphobia-threatens-tennessees-tradition-accepting-refugees/76102686/>

3. Links to news stories about Texas and Alabama's legal challenges to refugee resettlement:

<http://www.nbcnews.com/storyline/immigration-reform/alabama-sues-federal-government-over-refugee-program-n492466>

<http://www.nbcnews.com/news/us-news/court-rejects-texas-lawsuit-ban-syrian-refugees-n593891>