



RAINBOW BRIDGES

A COMMUNITY GUIDE TO
REBUILDING THE LIVES
OF LGBTI REFUGEES
AND ASYLEES



RAM

ORGANIZATION FOR REFUGEE
ASYLUM & MIGRATION

RAINBOW BRIDGES

A Community Guide to Rebuilding the Lives of LGBTI Refugees and Asylees

A publication of:



These pages would be starkly empty but for the courage of our clients and LGBTI refugees everywhere to survive the intolerable and overcome the insurmountable. Their perseverance and bravery are our inspiration. We have omitted their names to protect their privacy, but they fill every page, every line.

Saving LGBTI refugees takes a global village and building that village starts here. This publication is the result of enormous effort, both in the field and at ORAM Headquarters. Our committed staff and interns spent countless hours with colleagues, clients, allies, community members, faith-based groups, and supporters. Together, they gathered the information and support needed to create the practical tool this is intended to be. We especially thank our friends at the following organizations and agencies:

- | | |
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About the Artist

Marconi Calindas is an accomplished Filipino artist based in San Francisco. His paintings use vibrant colors and lines to express social and environmental concerns. The cover art, "Welcome Home," was inspired by the LGBTI community of San Francisco and its embrace of brethren in need. More information is available at www.marconicalindas.com.

ABOUT ORAM

ORAM – Organization for Refuge, Asylum and Migration – is the leading agency advocating for lesbian, gay, bisexual, transgender, and intersex (LGBTI) refugees worldwide. Based in San Francisco, California, ORAM is the only international nongovernmental organization (NGO) that focuses exclusively on refugees and asylum seekers fleeing sexual and gender-based violence.

To accomplish its mission, ORAM conducts a wide variety of activities that extend from direct client assistance to global advocacy. ORAM's initiatives include innovative research, publications, government and community education, advocacy, and legal representation. Among ORAM's many groundbreaking undertakings are its "Joint Secretariat" on LGBTI refugee issues with the UNHCR in Geneva, its trainings on LGBTI issues and its pilot LGBTI resettlement program in San Francisco. Through these strategic initiatives, ORAM is expanding the agenda of the humanitarian sector worldwide to include LGBTI persons and to secure LGBTI refugees' safety. At the same time, ORAM advocates within the LGBTI community for the inclusion of refugees and migrants fleeing homophobic violence and persecution.

Informed by its intensive legal fieldwork and resettlement efforts with LGBTI refugees, ORAM's international and domestic advocacy is designed to protect LGBTI refugees and asylum seekers who are fleeing persecution worldwide. ORAM continuously gives key educators, community leaders, and decision-makers information about LGBTI refugees, and advocates for inclusion of this vulnerable population on the international human rights agenda.

ORAM's community-focused programs encourage individuals and institutions to support newly resettled LGBTI refugees. These partnerships allow refugees to become productive members of their new communities.

Learn more about ORAM's life-saving work at www.oraminternational.org.



CONTENTS

INTRODUCTION	1
BACKGROUND	2
LGBTI People in Resettlement and Asylum	3
Worldwide Persecution of LGBTI People	7
LGBTI REFUGEES: OUR KIN FROM ABROAD	8
HOW TO HELP	11
Forming Guardian Groups	11
<i>Ethical Considerations</i>	13
LGBTI Community Groups	13
<i>Faith-Based Community Groups</i>	16
<i>Refugee Community Organizations</i>	17
Connecting with a Refugee through a VOLAG	18
Sponsoring a Refugee	18
Finding Housing	19
INITIAL NEEDS	22
Essentials	22
Government Benefits	22
<i>Applying for a Social Security Number</i>	22
<i>Refugee Cash Assistance</i>	22
Personal Finances	23
EDUCATION & VOCATIONAL TRAINING	24
PHYSICAL & MENTAL HEALTH	24
CONCLUSION: A BEGINNING, NOT AN ENDING	25
APPENDIX I – TERMINOLOGY	26
APPENDIX II – SAMPLE SPONSORSHIP LETTER	28
APPENDIX III – INITIAL INTEGRATION CHECKLIST	29
APPENDIX IV – INITIAL ASSESSMENT FORM	30
APPENDIX V – SPECIAL CHALLENGES IN HOUSING	33

INTRODUCTION

Lesbian, gay, bisexual, transgender, and intersex (LGBTI)¹ refugees, asylees, and asylum seekers are among the most vulnerable people in the United States today. Unlike most people who flee their homes for safety, these individuals often undergo the integration process almost entirely alone. They are rarely supported by their families or fellow expatriates. Because of their nonconforming sexual orientation or gender identity, they are often excluded from the religious and immigrant communities that form the social safety net for most newly arrived refugees and asylees. Without a support network, these LGBTI refugees struggle to find their way through a complex maze of employment, housing, and social service systems. Attaining stability in their adopted new country is extraordinarily challenging for them.

To address this concern, in 2011 ORAM launched the first pilot program for assisted resettlement of LGBTI refugees in the United States. Located in the San Francisco Bay Area, the program provides vital legal representation in the application for refugee status, as well as directed resettlement assistance. Upon arrival in the Bay Area, ORAM helps in the refugee's integration. This includes extending a warm welcome to the refugee or asylee, as well as coordinating housing volunteers, the LGBTI community, and direct service providers. To help refugees integrate, ORAM formed "Guardian Groups" within existing LGBTI and allied community groups. ORAM provides training to better equip these Guardian Groups to support LGBTI refugees in accessing social services, establishing roots in their new environment, and becoming economically self-sufficient. Guardian Groups are essential to the resettlement and integration process, and ORAM will continue to provide them with training, technical assistance, and resources such as this manual.

Successfully resettling an LGBTI refugee truly takes a village. This manual shares ORAM's knowledge, experience, and observations in partnership with several supportive communities. Information about individual cases was culled from ORAM's hands-on experience assisting and intensively following a small number of LGBTI (or queer) refugees in the San Francisco Bay Area and elsewhere in the United States. In San Francisco, we worked initially with Jewish Family & Children's Services of the East Bay and Catholic Charities CYO.

This manual seeks to improve the resettlement integration model used for LGBTI refugees and asylees by providing community and faith-based groups with the knowledge they need to help refugees build new lives in the United States. ORAM hopes that its pilot resettlement initiative will be the first of many. As we work toward a world where LGBTI persons are safe in their home countries, we must also work to assure the survival of those who have no choice but to escape.

BACKGROUND

The terms “refugee” and “asylee” are closely related. Both describe someone “who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.”² The persecution they flee is particularly severe: many fear being killed, tortured, or unjustly imprisoned.

In the United States, the term “refugee” refers to someone who received legal recognition outside of the country and was officially accepted under the U.S. Refugee Admissions Program (USRAP). Many, but not all, refugees are previously recognized as such by the United Nations High Commissioner for Refugees (UNHCR).³ Only a small number of the persecuted LGBTI people who come to the United States do so through the USRAP. Sexual orientation and gender identity are not mentioned in the legal definitions of “asylee” or “refugee.” However, when they lead to persecution, both attributes have been recognized in the United States as proper grounds for asylum and refugee protection.

Paths to Safety of Refugees and Asylees

Figure 1

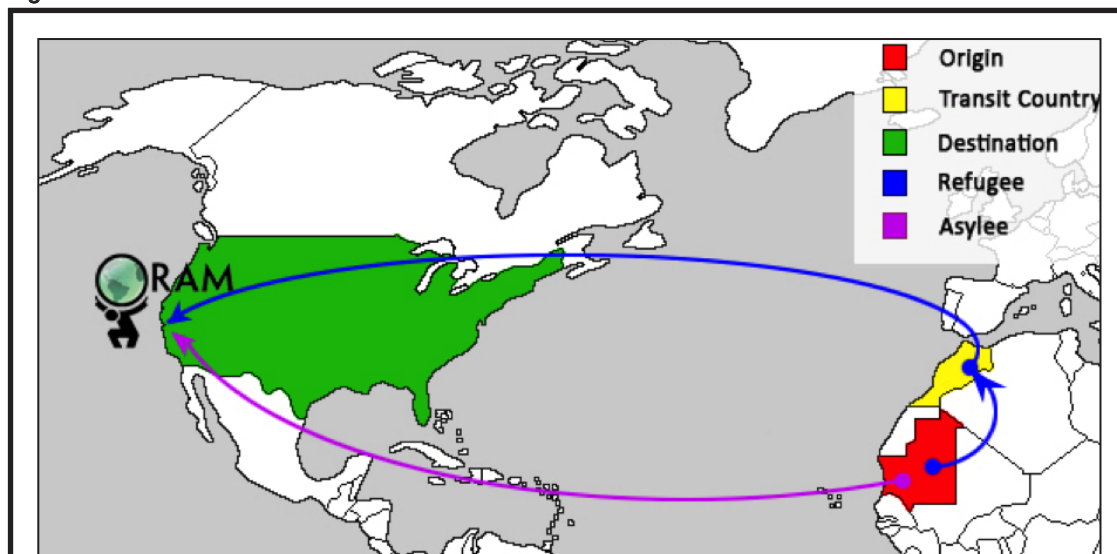


Figure 1 shows how the immigration pathway of a refugee might differ from that of an asylum seeker or asylee. In this example, the *refugee* (← blue arrow) is forced to flee from the country of “origin” (“country of persecution” – in this case Mauritania), and finds temporary protection in a “transit country” (in this case Morocco). If the refugee is not able to return to Mauritania and cannot stay in Morocco, he or she may be granted “refugee” status and accepted for resettlement to a “resettlement country” (“destination” – in this case, the United States). Various international, governmental, and nonprofit agencies help refugees with travel and resettlement. *Asylum seekers*, by contrast (← purple arrow), leave their country of origin (Mauritania) and travel directly to the country of destination (in this case the United States) with little or no assistance from agencies and organizations. Asylum seekers then become “asylees” once they are granted that status by the U.S. government.

RAINBOW BRIDGES:

A Community Guide to Rebuilding the Lives of LGBTI Refugees & Asylees

The term “asylee” refers to an individual who first entered the United States (with or without legal status) and later applied for and received refugee protection. The term “asylum seeker” describes someone who has applied for or is in the process of seeking asylum in the United States, but who has not yet been granted that status. Until and unless they are granted asylum by the government, asylum seekers are usually not authorized to work, and do not have access to most public benefit programs.

For the purposes of this manual, the most important difference between “asylees” and “refugees” is that asylees are already in the United States, while refugees may still be in another country and awaiting resettlement (see Figure 1).

Refugees and asylees (but not asylum seekers) are accorded most of the same rights and benefits by the federal government, as well as by state and local authorities. Many of the practical and psycho-social needs of LGBTI refugees, asylees, and asylum seekers are similar. All tend to endure extreme isolation and to lack the support of their family, ethnic, national, and religious groups. Many are rejected by other refugee communities. Nevertheless, the difference in the path they have taken to safety can shape the approach and preparation required to assist them in integration. In addition to describing the resources available to both, this manual highlights areas where the treatments of refugees and asylees differ. However, where not otherwise indicated in this manual, the terms “refugee” and “asylee” will be used interchangeably.

Refugees, asylees, and asylum seekers have all left their original countries because they were afraid of being killed, tortured, or otherwise persecuted because of their race, religion, nationality, membership in a particular social group (such as LGBTI), or political opinion.

Refugees flee to “transit countries” where they cannot stay permanently. A lucky few are resettled to new countries (like the United States) through government programs. A very small percentage of the world’s refugees are ever resettled.

Asylees are in countries where they would like to stay permanently (like the United States) and have been granted official permission to do so.

Asylum seekers flee to countries where they would like to stay permanently (like the United States) but have not yet been granted the permission they seek.

Because they are all residents of the United States who were born in other countries, refugees, asylees, and asylum seekers are all **immigrants**.

LGBTI People in Resettlement and Asylum

Worldwide, the number of “resettled refugees” is miniscule. Resettlement is considered the alternative of last resort and is reserved for refugees who can be neither repatriated nor integrated into their country of transit (or “first asylum”).⁴ Of an estimated 15.4 million current refugees worldwide⁵ UNHCR estimates that 805,000 need resettlement.⁶ Of these, UNHCR only had government commitments to resettle 80,000⁷ (see Figure 2).

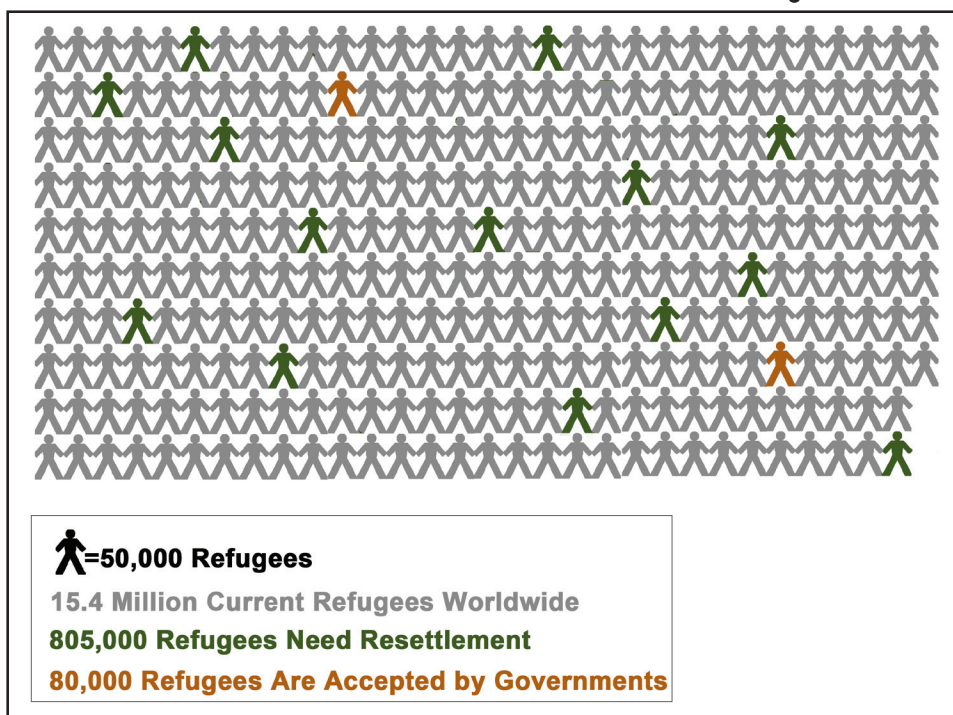
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A Community Guide to Rebuilding the Lives of LGBTI Refugees & Asylees

The United States Refugee Admissions Program voluntarily accepts more resettled refugees than any other country. In the decade between 2001 and 2010, the United States officially admitted 597,179 refugees, with wide annual fluctuations in numbers.⁸ However, security-related concerns have significantly lowered U.S. refugee admissions numbers and placed marked pressure on an already fragile system. For LGBTI refugees, any reduction in resettlement numbers is especially problematic. These individuals seldom have the option to safely repatriate: homophobic and transphobic conditions in countries of origin are often deeply rooted in societal mores, and even where anti-LGBTI laws and government policies are overturned, societal and familial persecution can persist or even worsen. Similarly, safe local integration is usually not an option for LGBTI people. For these reasons, resettlement is often the only viable, durable solution for this population.

Refugees & Resettlement: Needs vs. Realities

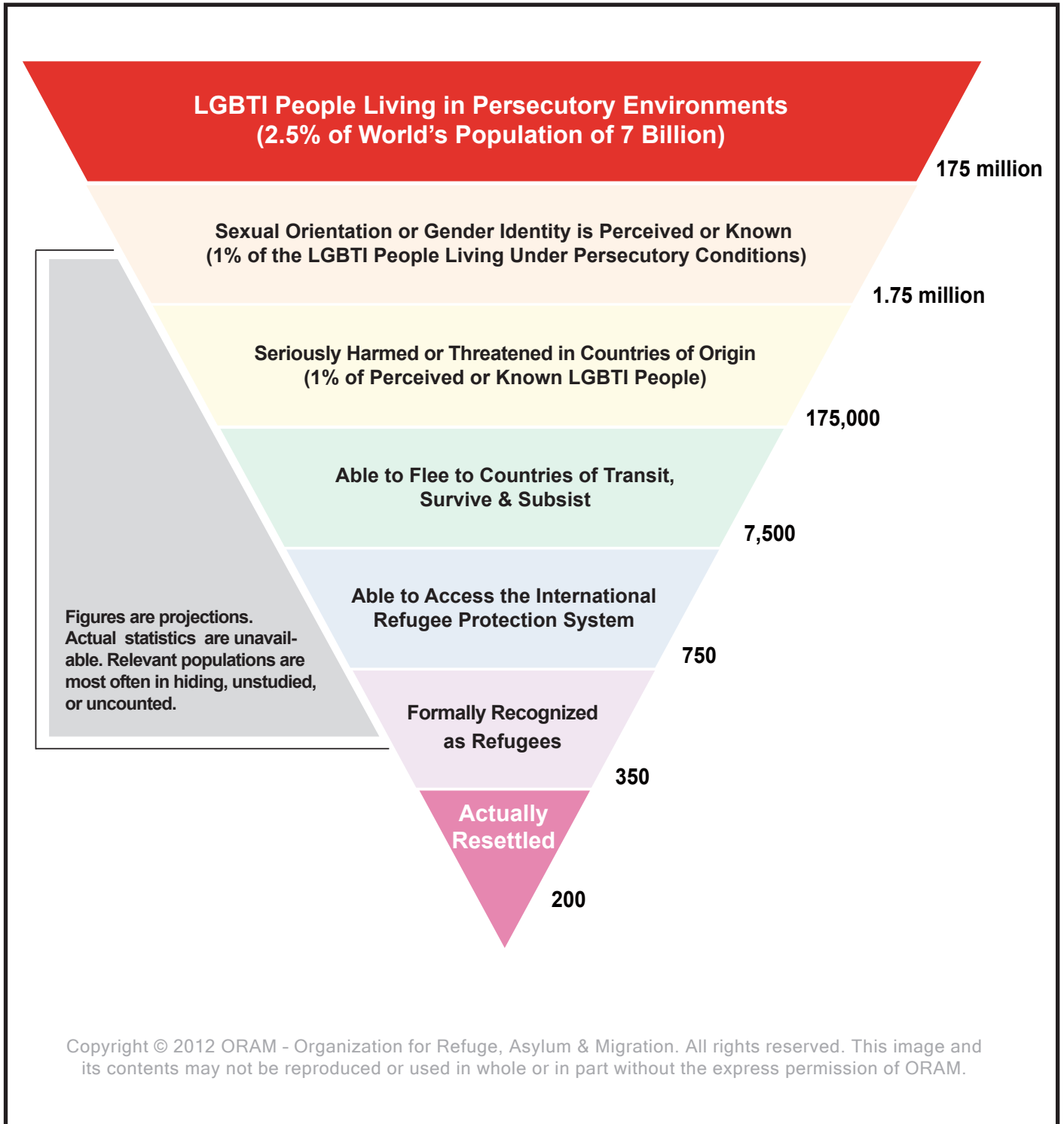
Figure 2



Against this backdrop, LGBTI refugees, long deprived of international protection, are vying for their fair share of the shrinking resettlement pie. The inverted refugee triangle (Figure 3) depicts the wholesale exclusion of LGBTI refugees from the international protection system. Of the 175,000 LGBTI persons ORAM estimates are in peril in their home countries worldwide, 7,500 manage to escape. Of these, only 750 are able to access the refugee protection system. Of those, only 350 are officially recognized as refugees. Only a tiny handful of the world's imperiled LGBTI people – estimated by ORAM at fewer than 200 per year worldwide – currently attain resettlement based on their sexual orientation or gender identity. While the actual numbers of LGBTI persons who escape persecution will never be known, the actual numbers of those resettled worldwide based on their sexual orientation or gender identity are close to those in Figure 3. (This estimate does not include those who do not reveal their LGBTI status to adjudicators, or who receive refugee protection on other grounds – race, religion, nationality, political opinion, or membership in another particular social group.)

Flow of LGBTI People Through the International Protection System

Figure 3



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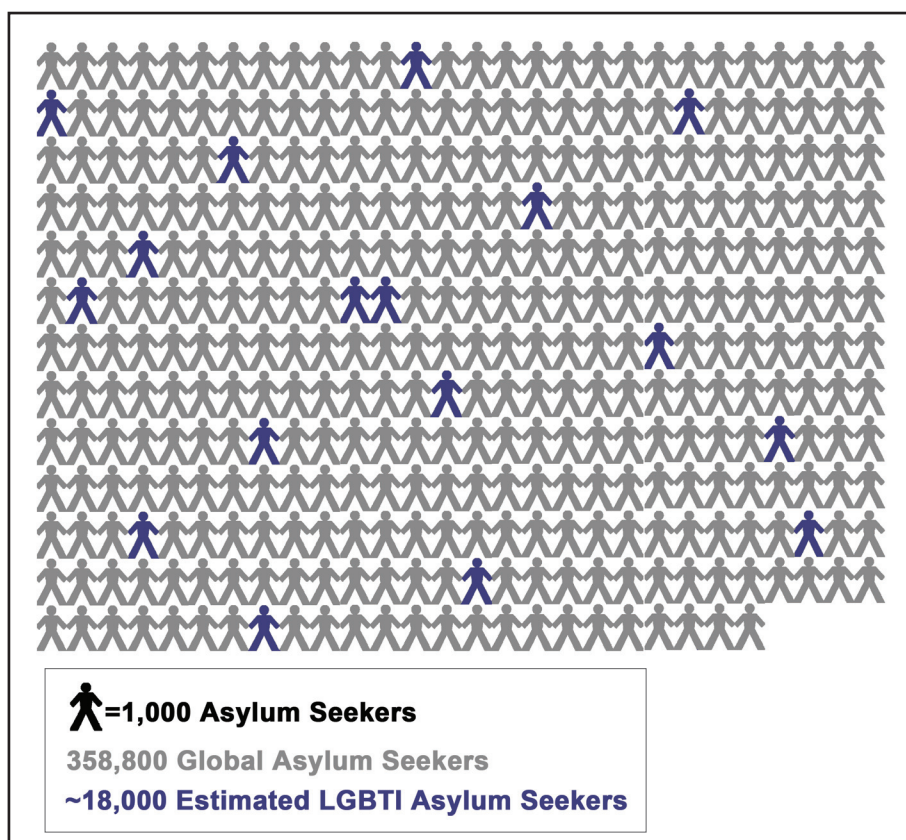
A Community Guide to Rebuilding the Lives of LGBTI Refugees & Asylees

Significant progress has been made toward understanding the challenges of protecting and effectively resettling LGBTI refugees. UNHCR and major resettlement countries, including the United States, Canada, and Australia, are increasingly aware of the steps needed to protect these most vulnerable of refugees. However, we need bold and effective actions now to turn this awareness into concrete protection.

In stark contrast to the international refugee system, which is still largely inaccessible to LGBTI persons, asylum figures reflect a distinct rise in LGBTI applicants.⁹ We know statistics for only two countries: the United Kingdom and Belgium. Of 25,670 asylum applications submitted in the United Kingdom in 2008,¹⁰ an estimated 1,200 to 1,800 were based on sexual orientation or gender identity.¹¹ In Belgium, the proportion in 2010 was 522 of 13,170 applications.¹² Based on these figures, one can extrapolate that between four and six percent of the asylees in other countries could be lodging claims based on their LGBTI status. These percentages do not include LGBTI individuals who base their claims on other factors.

Estimated LGBTI Asylum Applicants Worldwide

Figure 4



Thus, it appears that where LGBTI individuals are able to flee, they seek protection in large numbers. However, they appear to avoid the international refugee system in favor of requesting asylum directly in countries of destination. If the European statistics are applicable to the United States, then between 1,318 and 1,978 of the 32,961 asylum applications submitted in 2010 were based on sexual orientation or gender identity. In an era of diminishing public services, it is up to private communities worldwide to care for LGBTI people. Nowhere in the world is this more needed – and more achievable – than in the United States.¹³

Worldwide Persecution of LGBTI People

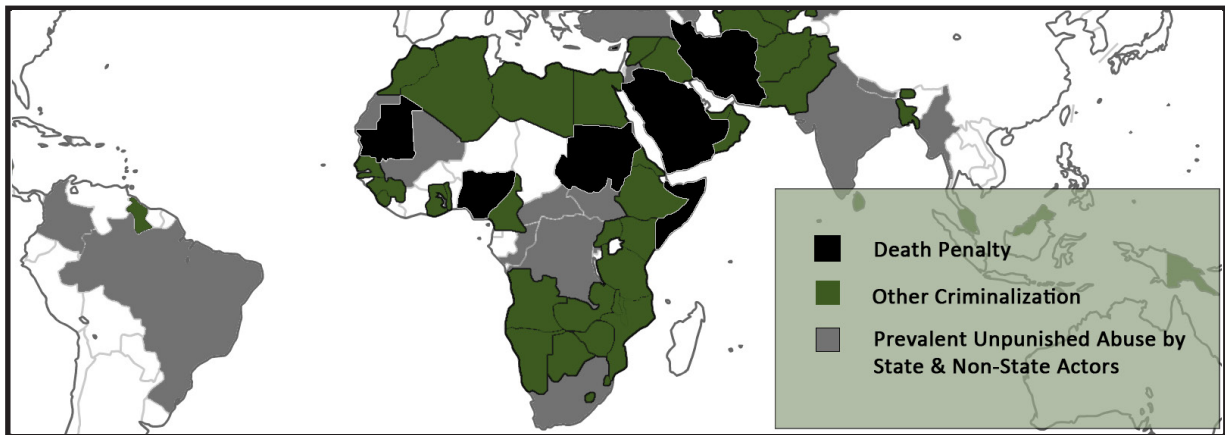
Individuals with perceived differences in sexual orientation and gender identity face extreme dangers in many countries around the world. While statistics are largely uncollected and unavailable, available evidence suggests that the vast bulk of LGBTI persecution occurs unofficially at the hands of private individuals, with governments either complacent or complicit in the abuses.

At the date of this publication, approximately eighty countries criminalize same-sex activity between consenting adults.¹⁴ Of these, seven carry the death penalty.¹⁵ In addition to criminalization, many countries apply “morality” edicts or seemingly neutral laws to restrict LGBTI individuals’ rights to free speech, assembly, privacy, and personal dignity, among others (see Figure 5).¹⁶

In many countries where same-sex activity is not illegal, members of the police or military harass, arbitrarily arrest, imprison, torture, or even kill people simply because of their sexual orientation or gender identity.¹⁷ In these and other countries, LGBTI individuals are taunted, assaulted, raped, and murdered by aggressors who act with the knowledge that they will not be punished by the authorities. Finally, LGBTI people suffer pervasive employment discrimination. They are often unable to find or retain jobs, forcing some into survival sex work or homelessness.¹⁸

Persecution of LGBTI People Globally

Figure 5



While languishing in countries of transit, LGBTI refugees commonly experience consistent, often violent harassment from local communities and refugee populations. The few who dare to go to the authorities often find that police ignore their complaints.²⁰ Struggles with employment, discrimination, violence, adequate housing, and health care plague them throughout their quest for freedom and safety.²¹

As a result of these hardships, the vast majority of LGBTI people who are forced to flee their home countries try to conceal their identity from others, including the agencies responsible for protecting them.

I can't leave my house because I'm afraid that if I go out, they'll kill me. Just last week, two men followed me home with a knife. One of them followed me into the building. Thankfully, I got into my apartment and locked the door.

—Young Transgender Woman Refugee on Her Experiences Living in Turkey¹⁹

LGBTI REFUGEES: OUR KIN FROM ABROAD

Amina came to the United States as a young refugee from Somalia. She fled to Kenya because her father and brother repeatedly abused her when they found out she was a lesbian. While awaiting adjudication of her case, Amina became involved with a local woman, and the two became partners. During the resettlement process, Amina was afraid to reveal to the Refugee Service Center caseworker that she was a lesbian. She assumed that once she was resettled her partner would be able to join her.

It was only after Amina arrived in San Francisco that she learned that U.S. law did not allow for same-sex couple immigration and that her partner would never be able to follow. She was heartbroken. To compound the situation, rather than being met by a receptive community, Amina was placed in a shared home with Somalis who did not accept her. She had to re-closet herself for fear of becoming homeless.²²

Before arriving on our shores, many newly-resettled LGBTI refugees see the United States as uniformly accepting. They are disappointed to find homophobia, transphobia, racism, and xenophobia in many communities.²³ While the past few years have seen wide-reaching advances for LGBTI people in the United States, big challenges remain.

Socio-Geographical Considerations

Figure 6



Where a person is resettled is immensely important. Many LGBTI refugees find themselves highly marginalized on arrival in the United States. In addition to being refugees, they are low-income, members of racial or ethnic minority groups, and often still learning English.

The geographical areas best suited for LGBTI refugees are those with social infrastructures and organizations able to provide appropriate social, vocational, and educational services. Among the markers of a well-suited area are a high degree of ethnic and racial diversity and an LGBTI community that can provide support and a sense of belonging. These are usually found in major metropolitan areas.

Even within major geographical areas, there are differing levels of security and comfort for LGBTI individuals. In many places, LGBTI communities are

clustered in defined neighborhoods, some of which are expensive. It is not possible to place every LGBTI refugee in these neighborhoods, nor will every refugee want, or be able, to afford living there. Care should be taken to focus on affordable places where queer individuals can feel safe, comfortable, and reach LGBTI areas by public transportation.



Marconi

RAINBOW BRIDGES:

A Community Guide to Rebuilding the Lives of LGBTI Refugees & Asylees

I looked up and saw two flags: an American flag and a rainbow flag. And around me there was a lesbian couple holding hands, and gay men kissing, and straight families walking by with their children – all in the same place. And I just felt like I belonged.

–ORAM Client on Arriving in San Francisco from Uganda

LGBTI people and their allies are best-suited to support newly resettled queer refugees. Supporting refugees comes naturally to a community composed of individuals who were themselves transplanted from other regions, rejected by family or faith-based groups because of their sexual orientation or gender identity. With deep firsthand knowledge of this adversity, LGBTI communities are well positioned to build alternative networks of support and to form second families. Their personal understanding of the difficulties queer people face when isolated from family and home provides an enormous opportunity for building a global community that transcends cultural and national differences.

This manual aims to show communities how to develop ties with refugee service providers and others to improve the lives of LGBTI refugees. Over time, these ties will not only strengthen the capacity and knowledge of service providers and community activists across many sectors; they will also increase referral pathways for individual refugees. Through these connections, for example, a newly arrived transwoman refugee who seeks support at a local transgender health clinic will have a better chance of accessing the hormone treatment she needs. Similarly, a gay asylee will more likely be referred to a gay-friendly therapist. In addition, this bridge-building and capacity development will ensure that queer refugees are treated with dignity as they navigate the lengthy, and often intimidating, bureaucratic steps of the integration process.

Resettling queer refugees is a way to reach out globally and do something to improve the human condition and can further LGBTI rights internationally.

–San Francisco Sisters of Perpetual Indulgence Guardian on LGBTI Refugee Resettlement as a Community Issue

ORAM offers training and technical assistance – in person, by telephone, and over the Internet – to people and groups interested in working with refugees, asylees, and asylum seekers.

To learn more, contact us through our website at www.oraminternational.org.

HOW TO HELP

Forming Guardian Groups

One of the best ways to help an LGBTI asylum seeker, asylee, or refugee is to participate in a “Guardian Group.” A Guardian Group consists of five or six individuals providing support for a refugee during that person’s first eight months in the United States.

Guardian Groups can take on various levels of engagement in working with refugees, asylees, and asylum seekers: “Friend,” “Mentor,” or “Champion.” The main aim of a Guardian Group “Friend” is to provide a warm welcome and a community for a refugee, asylee, or asylum seeker to join. At the next level, a “Mentor” helps the refugee build a new life in a more systematic way. Those who take on the “Champion” role become extremely important guides and advocates for refugees, asylees, and asylum seekers as they build new lives in the United States.

Being a Friend, Mentor, or Champion to a refugee is much the same as filling that role for an asylee. All refugees and asylees are eligible to remain in the United States permanently, hold jobs, and access a wide range of public benefits, some of which are specifically established for refugees and asylees. Working with asylum seekers is different. Unless and until they are officially recognized by the U.S. government, asylum seekers are not eligible to remain in the country permanently, are usually not permitted to hold employment, and are barred from many public benefit programs. These include programs for refugees and asylees.

Most of the rest of this guide provides information relevant to Guardian Groups that take on Mentor or Champion level responsibilities. Typically, a major focus of their work with asylum seekers is to help them successfully apply for asylum (that application process is beyond the scope of this publication). Unconnected to their communities of origin, LGBTI asylum seekers are often susceptible to scams or to exorbitantly expensive attorneys. Guardian Groups can help the newcomer find low-cost or pro bono legal representation, can research the reputation of an attorney, and can even accompany the asylum seeker to legal consultations.

When I was growing up, homosexuality was officially a mental illness. There was extreme shame in identifying as such. I was picked upon and bullied as a middle school/high school boy. I could not discuss this with my parents. There were no GLSEN-support-type groups. Today there are global as well as local and regional issues regarding LGBT oppression/discrimination. But, engaging with one other human being who is also gay offers me a way to “share the light,” feed hope, and support one person in their becoming whole. That’s awesome! Living in the bubble of LGB-supportive San Francisco I feel an extra responsibility to share my queer treasure with those who lack such an environment.

*—First Unitarian Universalist Society
of San Francisco Guardian Group
Leader on His Reasons for Helping
an LGBTI Refugee²⁴*

Guardian Groups Helping LGBTI Refugees, Asylees, and Asylum Seekers

A Menu of Options

First Level of Involvement – Be a FRIEND

Provide a community and warm welcome for the refugee, asylee, or asylum seeker.

- Have fun together: Go out for coffee, invite your new friend to parties or to dinner at home.
- Listen to your friend's stories. Tell your own.
- Involve your friend in community life: Invite your friend to religious services (if you share the same faith) or LGBTI community meetings.
- Check in by phone or in person to see how things are going.
- Answer basic questions about life in your community, such as where the best supermarkets are, LGBTI etiquette, how to use public transportation, how to contact the police and fire department, and what to expect at the workplace.
- Practice English by talking.
- Learn about the countries where your friend has been.

Second Level of Involvement – Be a Friend and a MENTOR

Help your friend build a new life, in a more systematic way.

Every refugee or asylee will have different needs, but virtually all need help with employment, education, housing, health care, public benefits, and perhaps help in times of crisis.

- Employment: Help build a resume, identify areas of possible employment, understand workplace culture, create a network, and find a job.
- Education: Give support finding the best ESL program, identifying and pursuing educational goals, enrolling in college, or applying for scholarships and financial aid.
- Housing: Help determine financial parameters, find a good home share environment, communicate with the landlord, or obtain new home essentials.
- Health care: Advise on health care options, dealing with paperwork, and going to appointments.
- Public benefits: Provide guidance on filling out paperwork, going to appointments, and using benefits efficiently.

Third Level of Involvement – Be a Friend, a Mentor, and a CHAMPION

Become one of the most important people in your friend's life
by being their guide and advocate.

- Accompany your friend to all required appointments and assist in acquiring social services and financial aid (including Social Security, Refugee Cash Assistance, Medical Benefits, and Food Stamps).
- Guide your mentee toward successful integration into the community.
- Emphasize social growth and financial self-sufficiency by partnering with your friend to create and follow a comprehensive integration plan, complete with goals and milestones personalized to your friend's aspirations and dreams.

Figure 7

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A Community Guide to Rebuilding the Lives of LGBTI Refugees & Asylees

Cross-cultural sensitivity is essential to this work, as differences in perception and background are always present. Guardian Groups are thus encouraged to attend cross-cultural sensitivity trainings, access technical assistance, and use their interactions with refugees as opportunities to examine their own culture and community. Across the United States, queer communities are already organized in groups well suited for supporting refugees. Many cities have LGBTI civil rights groups, choruses, ethnic-based fellowship associations, philanthropic organizations, student groups, senior citizens clubs, and faith-based groups that can greatly enhance the resettled refugee's ability to integrate in the United States.

As U.S. society has increasingly accepted and embraced LGBTI people, there are also more possibilities for support outside of the queer community. Groups that prize inclusivity and global human rights, regardless of sexual orientation and gender identity, already have networks that can benefit queer refugees. Groups focusing on the arts, the homeless, housing, and human rights are ideal places to start looking for partnerships to form a Guardian Group.

Ethical Considerations

People form and join Guardian Groups because they want to make the world a better place for LGBTI refugees. Their motivations are humane and positive. But even those with the best intentions can err. This ever-present possibility becomes more of a concern when the well-being of a vulnerable refugee is at stake. LGBTI refugees, asylees, and asylum seekers are often particularly needy during their first several months in the United States. Most struggle with culture shock, difficulties learning English, and healing the psychological and physical wounds caused by their traumatic experiences. As the refugee's primary advocates, Guardian Groups

must work carefully to retain the trust that the refugee places in them. On the following page ORAM offers a code of ethics for reference by Guardian Group members and housing providers (see Figure 8).

Many of us in the LGBT community are refugees in one way or another. Many of us have left disapproving families or upbringings that were not ideal and have "escaped" to areas where being LGBT is more accepted and normal. Though extreme in what these refugees have had to go through compared to most of our experiences, I think it forms an instant bond and understanding.

*—San Francisco Sisters of Perpetual Indulgence Guardian Group Member
on the Importance of LGBTI Community Involvement in the Resettlement of LGBTI Refugees*

LGBTI Community Groups

Tens of thousands of groups across the country focus on the LGBTI community. Approximately 580 American nonprofit organizations have the word "gay" in their names.²⁵ This number does not include: gay-straight alliances in schools; chapters of national organizations like the Human Rights Campaign (HRC); Parents, Family, and Friends of Lesbians and Gays (PFLAG); LGBTI employee associations; or unincorporated marriage equality advocacy groups. Even more groups do not include the word "gay" in their titles, but are nevertheless helpful and accepting. These include municipal human rights commissions, community health clinics, grant-making foundations, professional associations, and many others. Many, or perhaps most, of the tens of thousands of groups that work with LGBTI communities and individuals are motivated by the quest for equality and belonging.

General Code of Conduct for Working with LGBTI Refugees, Asylees, and Asylum Seekers

Figure 8

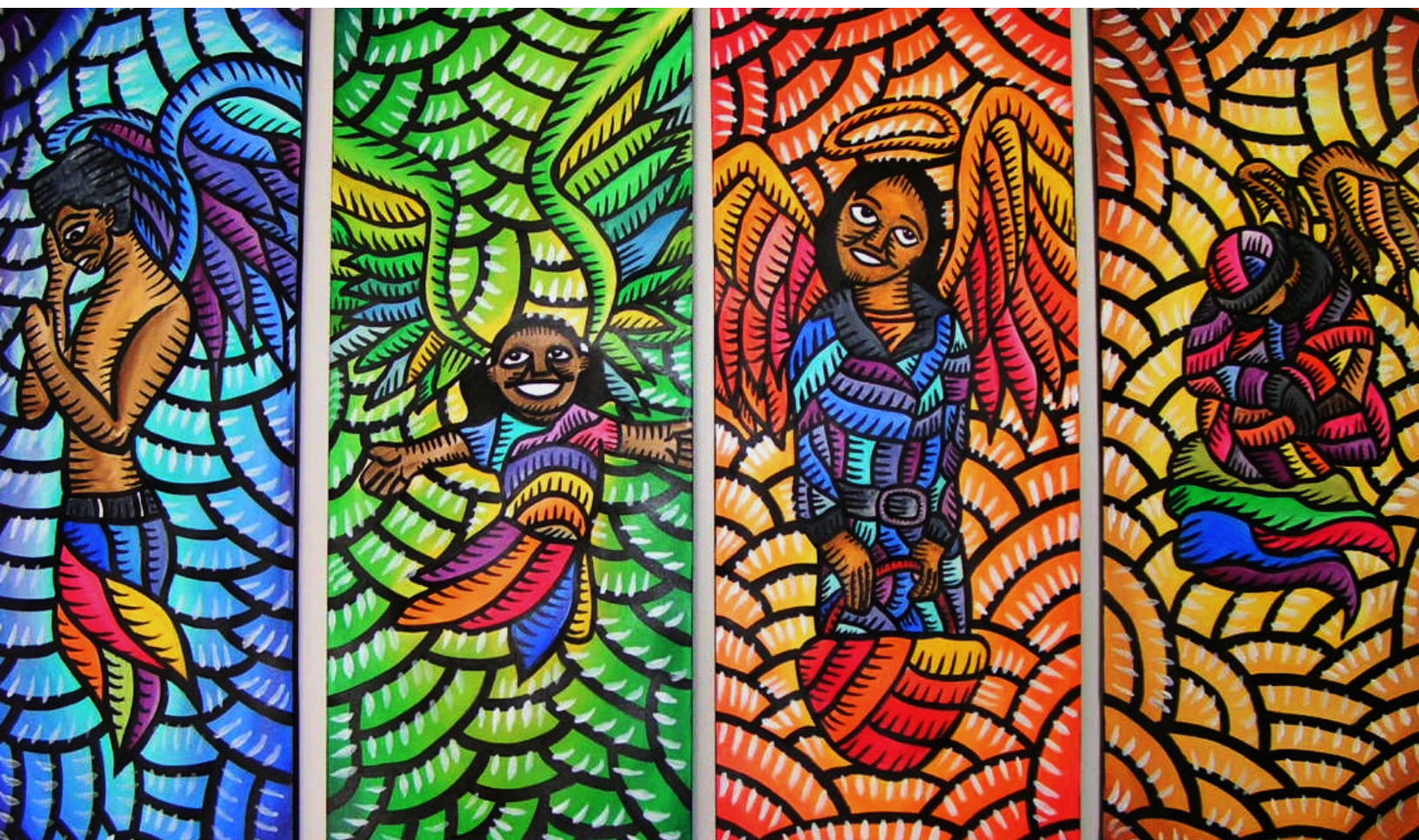
- ◇ **Demonstrate Kindness, Patience, and Sensitivity:** Maintain a kind and patient attitude towards refugees, asylees, and asylum seekers. Remain sensitive to the fact that most of them are continuing to heal from psychological and physical scars left by traumatic experiences.
- ◇ **Be Aware of Power Disparities:** Do not assume an equal footing between you and the refugee, asylee, or asylum seeker. Act consciously to put yourself in the refugee's situation before making a request of this individual.
- ◇ **Understand Your Friendship from the Refugee's Perspective:** Remember that with scant resources in their new country, refugees are particularly vulnerable and may feel obligated to say or do things that they otherwise would not in order to secure your continued friendship and support.
- ◇ **Avoid Conflicts of Interest:** Avert situations pitting your interests (including financial ones) against those of the refugee.
- ◇ **Respect Differing Cultures, Religions, and Beliefs:** Demonstrate respect for differing cultural and religious backgrounds and practices. Do not proselytize or attempt to convert the refugee to your own religious, cultural, or political beliefs, even if you believe you are acting in the refugee's best interest.
- ◇ **Support Autonomy:** Support the refugee's ability to make independent decisions. Affirm that refugees bring much to Guardian Groups and to their new country.
- ◇ **Value Refugees' Contributions:** Remember that refugees are defined not by their needs, but by the contributions they do and will make to their new communities.
- ◇ **Communicate Honestly:** Always communicate honestly, even when doing so is difficult.
- ◇ **Demonstrate Accountability:** Fulfill all commitments once they are agreed to.
- ◇ **Protect the Refugee from Discrimination:** Identify discrimination against the refugee, whether based on sexual orientation, gender identity, race, religion, nationality, or any other grounds. Stand up for the refugee.
- ◇ **Respect Interpersonal Boundaries:** Respect the refugee's right to personal privacy. Refrain from becoming physically or romantically intimate with the refugee while the refugee is under the care of the Guardian Group or is residing in your home.
- ◇ **Safeguard Confidentiality:** Keep all potentially sensitive or private information about the refugee within the Guardian Group, unless otherwise instructed by the refugee being helped. Confidentiality extends to the personal history, medical status, financial arrangements, and other dimensions of the refugee's life. Maintaining confidentiality is particularly important for asylum seekers and for refugees awaiting resettlement, as they have not yet secured or reached a place of safety.

RAINBOW BRIDGES:

A Community Guide to Rebuilding the Lives of LGBTI Refugees & Asylees

While American LGBTI groups have achieved many important successes in their quest for equality, the rewards of that work are often unevenly distributed. In some places, LGBTI people can live largely without fear of being attacked on the street. They can work in queer-friendly environments, are embraced by their families, can marry their life partners, and have overcome internalized homophobia and transphobia. But the reality of living as a queer person is often much more difficult for refugees, asylees, and asylum seekers. Working to welcome queer refugees, asylees, and asylum seekers can reinvigorate LGBTI groups with a sense of purpose, opening up new possibilities and a passionate calling to continue their work. LGBTI community groups involved in other important fronts of the struggle for equality are often uniquely equipped with the knowledge, infrastructure, and resources to address the needs of these particularly vulnerable populations within our community.

Welcoming refugees, asylees, and asylum seekers can also be interesting and fun. While newcomers are dealing with serious life challenges, they also give more than they take. Befriending a refugee is an ideal way to learn about living in a different part of the world, getting to know a new culture, or exploring one's understanding of what is most important in life. There is nothing more satisfying than helping someone move from fear and oppression to security and freedom.



Above: Marconi Calindas,
Angels of San Francisco

Faith-Based Community Groups

We feel called to act on our faith, conscience, and values when we can to make a difference in the world. As people of liberal faith, we see ourselves as largely counter-cultural, on the leading edge of change, inviting others to join us in the spiritual movement of human progress. So we are at once within, but not of the world, following our spiritual calling to bring transformation, liberation, and healing to a broken world.

*—First Unitarian Universalist Society of San Francisco
Minister and Guardian Group Member*

Faith-based organizations from many different traditions share a long-standing commitment to welcoming newcomers and providing aid to those who most need it, both domestically and internationally. Congregations often mobilize to provide services to people who are homeless, impoverished, or to at-risk youth. Many work to promote health care, disaster and poverty relief, and human rights. “Before the 1951 UN Convention on the Status of Refugees and long before the U.S. ratified the 1967 Protocol [to that treaty], churches and synagogues in the U.S. were responding to refugee needs and advocating for policies to protect refugee rights – not because they had a formal mandate to do so, but because they felt a moral obligation to respond to human suffering.”²⁶ These commitments remain strong – though often untapped – in Christian, Jewish, Muslim, Buddhist, and other congregations across the country.

It is especially important that help given by faith-based groups be provided in a non-proselytizing manner. Respect must be accorded to the refugee’s own perspectives on faith, no matter what they may be, and faith-based groups might very well feel called to help people who do not share their faith traditions. In addition, many LGBTI refugees have been victimized by others who have cited religious righteousness as their motivation. It is important to keep in mind that having faced rejection from their own faith-based communities, religiously-oriented groups may at first raise insecurities and fear in a queer refugee.

Faith-based organizations are uniquely positioned to provide support for LGBTI refugees because they are committed to doing good unto others. Their fellowship often transcends racial, cultural, economic, sexual orientation, gender identity, and other boundaries. Faith-based organizations also serve as a crucial resource to refugees seeking social integration. One case study found that “faith-based actors’ support of resettlement increases refugees’ local integration prospects, especially by enhancing social connections in the community that have a positive impact on other aspects of integration.”²⁷

In recent years, a number of congregations, and even entire denominations, have become more vocal in their support for LGBTI rights.²⁸ This further enhances their potential to take leadership in the successful resettlement and integration of queer refugees, asylees, and asylum seekers.

RAINBOW BRIDGES:

A Community Guide to Rebuilding the Lives of LGBTI Refugees & Asylees

In San Francisco, the case for resettling LGBTI refugees has received particularly enthusiastic support from queer-friendly congregations. The call to help refugees resounds strongly in these communities, which often include people who have experienced rejection from families, their home churches, and their hometowns because of their sexual orientation or gender identity.

Sabine was referred to ORAM as a young transwoman who fled Nigeria via Kenya and is still there awaiting permanent resettlement to San Francisco. As soon as ORAM was informed of her acceptance to the United States, we started to mobilize the San Francisco LGBTI community to prepare for her arrival. ORAM reached out to several organizations and formed a strong relationship with a queer-friendly church. Together, we formed a Guardian Group to prepare a welcoming community for Sabine. Members of the Guardian Group have built a relationship with Sabine through regular e-mail and Skype™ communication. Sabine has been struggling with difficult conditions in Kenya, and subject to taunts and harassment in the local community. These struggles worsened when the United States announced significant delays in the resettlement process due to new security checks. She reports that before coming into contact with ORAM and her Guardian Group, she lived in constant fear. Knowing that she has the support of her Guardian Group during these hard times is very comforting to her and gives her hope for a better life. Sabine and her Guardian Group are now eagerly awaiting her arrival in San Francisco and hoping that no more delays will ensue.²⁹

Refugee Community Organizations

Like queer communities, refugee groups across the country have established organizations for advocacy, assistance, and social support. These organizations are commonly called mutual assistance associations (“MAAs”) or ethnic community-based organizations (“ECBOs”).

National resettlement voluntary agencies (VOLAGs) most of which are managed by mainstream Americans provide help primarily during the refugee’s first eight months in the United States. In contrast, MAAs, which are run largely by refugee communities, provide assistance, opportunities, and leadership over the longer term. These groups remain rooted in refugee communities and serve as bridges to the wider society, government agencies, and large social service agencies. MAAs help newer community members become acculturated while retaining their own ethnic identity. Many MAA leaders are already well aware of the need for LGBTI equality. Others are eager to learn more about the queer community and pass that knowledge on to the refugees they work with.

MAAs can be ideal partners for Guardian Groups. A directory of MAAs is available on the website of the U.S. Office of Refugee Resettlement: www.acf.hhs.gov/programs/orr/partners/maas.htm.

Connecting with a Refugee through a VOLAG

Every refugee who is resettled to the United States comes through one of the national resettlement Voluntary Agencies (called “VOLAGs” or “VolAgs”), which then assigns the case to a local affiliate organization.³⁰ A VOLAG is formally contracted by the U.S. Department of State to provide reception and placement services to arriving refugees. VOLAGs often offer initial housing, help secure social and medical services, information and referrals to educational and vocational resources, and job placement. Some offer other services as well.

Importantly, VOLAGs are also legally responsible for distributing the refugee’s initial resettlement allowance from the Federal Government. This money is typically the only financial support a refugee gets during the first month of resettlement until the government benefit application is processed.

VOLAGs play an integral role in the resettlement of refugees across the United States. Their familiarity with local social services and their commitment to help with the first stages of integration can be of vital importance to a newly arrived refugee. However, most VOLAGs are unaccustomed to the isolation and challenges LGBTI refugees face and are unfamiliar with their unique needs. Many VOLAGs lack the training and resources needed to effectively serve this vulnerable group. Perhaps most importantly, no VOLAG has the resources or capacity to successfully integrate an individual without support from family or community.

By bringing together secular nonprofits...and faith-based communities, we not only enhance our social, organizational, and financial resources, but also amplify our ability to help those in need.

*—First Unitarian Universalist
Society of San Francisco
Guardian Group Member*

LGBTI communities and their allies are advised to partner with their local VOLAGs, which can offer strong support to queer refugees through access to social networks and knowledge about health services, employment, and affordable neighborhoods. VOLAGs can be ideal partners for Guardian Groups that provide the support typically offered to refugees by family, national, or religious groups.

Sponsoring a Refugee³¹

Recognizing the essential role of families and communities in successful resettlement and integration, the U.S. Refugee Admissions Program relies heavily on the “sponsorship” system. A sponsor is a person living in the United States who files papers (normally an “Affidavit of Relationship” or other supporting documents) and works with a VOLAG to integrate a particular refugee.³² The sponsor’s responsibility to the refugee is moral and ethical, rather than legal or financial. Sponsors are usually family relatives. If a relative is not available, then a friend, a congregation, or another group willing to undertake the role may be accepted.³³ Refugees are usually resettled near their sponsors. Those who want to be resettled in major metropolitan areas typically must be sponsored.

To become sponsors, Guardian Group members or other individuals should approach their local VOLAG affiliate and request to “sponsor” a particular refugee. The sponsor must then send a letter to the refugee stating their intent to serve as a support. The letter must include the sponsor’s contact details.³⁴ The refugee in turn submits the sponsor’s information to the authorities abroad who are responsible for processing resettlement applications. After processing, the VOLAG normally contacts the sponsor to confirm availability.

Finding Housing

Housing is one of the most significant needs of a refugee who is trying to build a new life. Procuring safe, affordable housing is the first and most important step to resettlement. A secure home can provide the space for a refugee to heal from past traumas.

Resettled refugees experience difficulties securing safe, affordable housing due to a lack of previous rental and credit histories, income and language barriers, xenophobia, and racism. In addition, queer refugees in every part of the country encounter housing discrimination due to homophobia and transphobia. As they often arrive in the United States alone rather than in family groups, it is more difficult for them to afford rent in private apartments. Furthermore, it is important that LGBTI refugees find housing where they do not need to hide their sexual orientation or gender identity. Because they are new to American culture and customs, they often find it difficult to determine which housing options are the most queer-friendly.

In attempts to build a global community for LGBTI refugees and local communities, ORAM’s pilot resettlement program in San Francisco conducted community outreach to raise awareness and build support for recently resettled LGBTI refugees. In partnership with the local VOLAGs and their affiliates, this outreach sought to locate safe, secure, and affordable living arrangements for refugees for the first eight months of their integration. Generous individuals with spare bedrooms or apartments provided housing on a volunteer basis, at below-market rates.³⁵

Housing providers are sometimes people needing minimal live-in help. For example, a resettled refugee can offer limited assistance and companionship to a senior or disabled person in exchange for a furnished room. Others have also offered housing as an opportunity to make a difference in a person’s life and create meaningful change.

Ideal housing conditions include a friendly and welcoming home environment, with a private bedroom and access to the bathroom and kitchen. As refugees receive very modest cash assistance for their first eight months in the United States, their rent must be very low (\$200 to \$250). Due to state benefit requirements, refugees must pay some amount toward rent. Paying rent also helps the refugee establish a rental history, build a renter’s resume, and create a sense of ownership and self-esteem.

More information about being a sponsor is available at www.oraminternational.org.

RAINBOW BRIDGES:

A Community Guide to Rebuilding the Lives of LGBTI Refugees & Asylees

Housing volunteers often draw up a lease that outlines the rules for the shared living arrangement and ensure that the refugee fully understands the agreement before signing. Some refugees agree to perform light chores around the house or assist with errands in exchange for a rent reduction. The arrangement is clearly defined as temporary. Providing the refugee with tools to find sustainable, long-term housing after eight months is a high priority for the resettlement program.

Despite the LGBTI-friendly community's good will, affordable urban housing is hard to find on a refugee's meager income. If a community member cannot offer low-cost housing, Guardian Groups can help by raising funds to subsidize rent. They can also work with real estate owners

to rent units at below-market rates and give special consideration to LGBTI refugees. Lastly, they can advocate to their government to offer LGBTI refugees emergency housing vouchers and expedite their placement in affordable housing.³⁷

Guardian groups and housing providers should work closely with the assigned VOLAG in meeting the refugee's housing needs. If the refugee changes housing, it is particularly important that the VOLAG be consulted. Out-of-county moves in particular may affect the refugee's access to benefits. Also, refugees and asylees are required by law to notify the Department of Homeland Security (DHS) of address changes within ten days of moving. The assigned VOLAG will be able to assist the refugee in filing an AR-11 Change of Address form to satisfy this requirement.

Ali, a gay refugee from Iraq, arrived in San Francisco and was placed with a welcoming host family which provided him with a communal sleeping and living space. He was excited about the chance to live as an "out" gay man for the first time. Ali is a torture survivor and his mental health condition was still delicate. At his host family he had no private space in which to grieve. He believed the lack of privacy also prevented him from being able to form relationships as a newly out gay man. ORAM connected Ali with a senior citizen in the San Francisco gay community who lived alone and had an extra room available. Ali found the privacy he needed and a host who could support him emotionally as he experienced openly gay culture for the first time. Ali provided his new host with daily support and companionship. While the relationship was not without challenges, each gained something important.³⁶



INITIAL NEEDS

Essentials

Most refugees arrive in the United States with little more than the clothes on their backs. Guardian Groups can be of immense help by working with the VOLAG, volunteers, and local charities to furnish a living space with essential items such as a bed, pillows, linens, towels, toiletries, kitchen equipment, culturally appropriate food, table and chairs, cabinets, computer and telephone access, and other essential supplies.

Government Benefits

The complicated process of securing government benefits is especially confusing for asylees and newly resettled refugees. Language barriers, cultural differences, and a general lack of familiarity with American bureaucracy can complicate the process, making the assistance of a support network all the more vital.

Asylees, who are seldom connected to VOLAGs, are usually left to their own devices to learn about available programs and services. This is particularly challenging for individuals with weak English skills.³⁸ The Guardian Group can be especially important in overcoming this barrier.

Applying for a Social Security Number

All refugees and asylees must apply for Social Security cards at their Social Security Administration (SSA) office. Asylees are eligible for an unrestricted Social Security card from any SSA office immediately upon being granted asylum. Refugees are eligible for Social Security cards upon arrival in the United States and filing an application should be one of the refugee's first steps.

The refugee or asylee must provide one document proving identity and age (such as a passport, foreign birth certificate, or a DHS-issued document), as well as the government-issued form I-94 (Arrival/Departure card) showing work-authorized immigration status.

A Guardian Group can help a refugee or asylee organize these documents and can also assist with the completion of Form SS-5 (Application for a Social Security Card)³⁹ before going to the Social Security Administration office. A Social Security number will usually be issued within seven to ten days. Guardians can also help a refugee or asylee by explaining the critical importance that the Social Security number plays in American life, emphasizing the need to safeguard the number at all times, and cautioning against identity theft.⁴⁰

Refugee Cash Assistance

Refugees over age eighteen are eligible for Refugee Cash Assistance (RCA) for up to eight months and other social services for up to sixty months, as long as they have documents to prove their refugee status.⁴¹ Asylees may receive RCA for up to eight months after the date asylum has been granted.⁴² Most refugees receive approximately \$365 per month.⁴³ A refugee or asylee who is able to secure a job before the eight month benefit period expires is required to file the change with the local Department of Social Services immediately, and the earnings will be subtracted from the monthly RCA allowance.⁴⁴

The VOLAG is legally required to help the refugee apply for RCA. The Guardian Group can also help, because bureaucratic challenges in the RCA process can be daunting and cash is essential to the refugee's survival. It is particularly important to obtain a copy of the County Social Services application confirming that the application has been submitted. The refugee should bring this to the first medical appointment.

Refugee Cash Assistance Required Documents

Figure 9

- ◇ **A written statement from the VOLAG** indicating that the initial resettlement check is all the money the refugee will receive from the agency.
- ◇ **I-94 card**
- ◇ **Passport or ID Card**
- ◇ **Rental Agreement:** A signed statement from the landlord that the amount of rent paid per month is only for housing and that food will be purchased separately and not shared within the house. If the refugee is paying utilities separately, copies of bills are required. It is simpler if utilities are included in the rent and if this is noted in the rental agreement.
- ◇ **Social Security Card:** An initial application can be filed prior to the refugee's receipt of the Social Security card, and the card can then be brought in at a later date to complete the application. The human services office must see the card and make a copy of it before the application will be considered complete.

After the application has been submitted, the refugee receives a package which explains benefits and includes an appointment to return with the enclosed paperwork completed. The Guardian Group should prepare to make several trips to the human services office until the refugee secures the needed benefits. Additional copies of the application and supporting documents should be made and kept, as paperwork can sometimes be lost in processing.

Personal Finances

It is crucial that refugees learn how to manage their personal finances immediately upon arrival in the United States. The refugee is well-advised to open a bank or credit union account as soon as possible. Banks typically require a Social Security number and a driver's license number or state-issued ID, as well as necessary contact information such as name, address, and phone numbers. A Guardian Group can assist in this process, and help the refugee get a free checking account.

Guardian Groups should not dictate how a refugee spends money, but may encourage budgeting, smart spending, and basic saving strategies. The single most expensive item to include in a refugee's monthly budget is rent.

EDUCATIONAL & VOCATIONAL TRAINING

Employment and financial self-sufficiency are crucial to the newly arrived refugee's survival. Refugees without adequate vocational training should obtain it as quickly as possible. English as a second language (ESL) education is often a top priority, as linguistic proficiency is a paramount factor in determining a refugee's ability to find a job and become economically self-sufficient.⁴⁵ At the same time, one must bear in mind that LGBTI refugees and asylum seekers have often undergone particularly difficult abuse and persecution in school settings, and may suffer from learning blocks.

The Department of Social Services and the refugee's VOLAG will provide referrals and contact information for schools that offer free ESL classes. Courses may also be available at queer-friendly social service and faith-based organizations.

Refugees who wish to enroll in universities must pay out-of-state tuition rates until they receive their "Green Card," which "adjusts" the status of an asylee and refugee to that of a Lawful Permanent Resident (LPR) after one year in the United States. Some community colleges, which normally require that their students be LPRs, allow refugees and asylees to audit courses for free, although they may not provide academic credit for that work.

PHYSICAL & MENTAL HEALTH

LGBTI refugees need the services of medical and psychiatric professionals who are sensitive to their circumstances and show them great respect. These brave individuals had the strength to flee their countries of origin and can reinvent themselves in a new country. However, prolonged or violent homophobic and transphobic experiences often result in physical and psychological scars. Many LGBTI refugees also continue to struggle with internalized homophobia and transphobia, and feel a deep sense of shame about themselves and their personal histories. With the help of sensitive caregivers, they can accept themselves and deal realistically with their psychological needs.

Exacerbated by their exclusion from traditional refugee support networks, LGBTI refugees frequently struggle with psychological and physical maladies. It is common for refugees who have fled conflict and persecution to suffer from post-traumatic stress disorder (PTSD), major depression, and other emotional hardships. The difficulties are exacerbated for queer refugees, who often struggle with these conditions while living in severe isolation. Medical conditions can also present significant difficulties for those who have frequently received only intermittent or emergency health care, with chronic conditions left unattended. Some have lived for long periods without needed HIV medications or hormone treatment.

U.S. health care systems are hard to navigate, particularly for people with limited English proficiency. Guardian Groups can explain emergency procedures and what to do in the case of an accident or life-threatening crisis. Guardian Groups can also familiarize the refugee with local hospital locations and 911 services.

RAINBOW BRIDGES:

A Community Guide to Rebuilding the Lives of LGBTI Refugees & Asylees

Information from a refugee's health screening can be used to identify medical resources and locations that can be accessed. For example, if significant psychological issues are identified, the Guardian Group can help the refugee understand how to reach appropriate professionals and determine whether or not insurance or public benefits cover those services. Queer health organizations can provide referrals to care providers that offer services pro bono or on a sliding scale. The Guardian Group can help make sure the refugee understands what these services are, why they are needed, how to get them, and whom to contact with questions. Of course, privacy rules require the refugee's consent to sharing this information with the Guardian Group.

Queer-friendly mental health organizations should be able to provide a wide range of services including psychotherapy, medication prescription and management, addiction treatment, and support groups. It is important to identify social workers, therapists or other mental health professionals who have experience with trauma and torture, as well as providing support to LGBTI individuals.

Guardian Groups can help the refugee plan for the expiration of medical benefits after the initial eight-month period. The high cost of health insurance and the difficulty of finding a job with health benefits are barriers to health care for refugees and asylees. Unlike San Francisco, few communities offer sliding-scale health insurance plans. Here again, the location where a refugee is resettled can greatly affect integration.

CONCLUSION: A BEGINNING, NOT AN ENDING

Many of the challenges faced by refugees resettling in the United States are not fully reflected in this guide.

Our hope is that communities will use this publication as a guide and an inspiration for helping newly resettled queer refugees, asylees, and asylum seekers find shelter in their adopted country. This manual shows how committed communities in the United States can bring hope to those who escape homophobic violence abroad. In partnership with refugees and asylees, queer communities and individuals can redefine the concept of a global family.

More information about general refugee resettlement and advocacy can be found on the website of Refugee Council USA (www.rcusa.org). More information about LGBTI refugees is available on the ORAM website (www.oraminternational.org).

Individuals and community groups interested in forming a Guardian Group can receive training, technical assistance, and more information from ORAM by contacting info@oraminternational.org.

Appendix I – Terminology

Terminology Relevant to Sexual Orientation and Gender Identity

Sexual Orientation refers to a person’s capacity for profound emotional, affectional, and/or sexual attraction to and/or intimate and sexual relations with individuals of a different gender, the same gender, or more than one gender.⁴⁶

Gender Identity is each person’s deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth.⁴⁷

Lesbian refers to a self-identifying woman who has the capacity for profound emotional, affectional, and/or sexual attraction to and/or intimate and sexual relations primarily with other women.⁴⁸

Gay refers to a self-identifying man who has the capacity for profound emotional, affectional, and/or sexual attraction to and/or intimate sexual relations primarily with other men.⁴⁹

Bisexual refers to an individual who has the capacity for profound emotional, affectional, and/or sexual attraction to and/or intimate and sexual relations with people regardless of their gender or sex.⁵⁰

Transgender is “[a]n umbrella term for people whose gender identity, expression, or behavior is different from those typically associated with their assigned sex at birth.”⁵¹

A transgender woman or a transwoman is a person who was assigned male at birth but identifies as a woman.⁵²

A transgender man or a transman is a person who was assigned female at birth but identifies as a man.⁵³

Intersex refers to a person who is born with reproductive or sexual anatomy and/or chromosome patterns that do not fit typical definitions of male or female.⁵⁴

LGBTI is the acronym for “lesbian, gay, bisexual, transgender, and/or intersex.”

Queer is synonymous with “LGBTI” in this publication.

Terminology Relevant to Refugees, Asylees and Asylum Seekers

An **asylee** is a person “who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.”⁵⁵ The term “asylee” (as distinguished from “refugee”) refers to an individual who first entered the “country of resettlement” (e.g., the United States) and later applied for and received refugee protection.

Appendix I – Terminology Cont.

An **asylum seeker** is someone who has applied for or is in the process of seeking asylum from the government of the country of resettlement (e.g., the United States), but who has not yet been granted that status. Until and unless they are granted asylum by the U.S. government, asylum seekers are usually not authorized to work and do not have access to most American public benefit programs.

Persecution, for the purposes of this report, refers to “the infliction of suffering or harm upon those who differ in a way regarded as offensive.”⁵⁶

A **refugee** is a person “who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.”⁵⁷ In American terminology, the term “refugee” (as differentiated from “asylee”) refers to someone who received legal recognition outside the United States and was officially accepted under the U.S. Refugee Admissions Program (USRAP).

Refugee Status Determination (RSD) is the process through which state officials in the country of resettlement (e.g., the United States) or UNHCR determine if an asylum seeker is a refugee based on “eligibility criteria under international or regional refugee instruments, national legislation, or UNHCR’s mandate.”⁵⁸

Sponsors are persons living in the United States who assure the Federal Government that they will act as a support for the refugee upon arrival. The sponsor’s obligation is moral and ethical, with no binding legal or financial commitment to the refugee. While sponsors are usually family relatives of the refugee, there is no requirement that this be the case.

United States Refugee Admissions Program (USRAP) refers to the U.S. government system that voluntarily accepts refugees. The USRAP is particularly dependent on private, familial, and faith-based institutions that provide assistance to refugees and asylees during their first eight months in the United States.

The United Nations High Commissioner for Refugees (UNHCR) is the United Nations agency with primary responsibility for the protection and resettlement of refugees. In most cases, UNHCR grants official refugee status to refugees before they are approved for resettlement.

The National Voluntary Resettlement Agencies (VOLAGs) are formally contracted by the U.S. Department of State to provide reception and placement services to arriving refugees. Every refugee who is resettled to the United States comes through a VOLAG, which then assigns the case to a local affiliate organization.⁵⁹ VOLAGs often offer initial housing, advocacy with social and medical services, information and referrals to educational and vocational resources, and job placement. Some offer a variety of other services as well.

Appendix II – Sample Sponsorship Letter

Dear Sir or Madam,

This is a request to amend the request for assurance in my case, to allow me to join my sponsor in [Sponsor's city and state]. My sponsor's information follows below:

Name: [Sponsor's first and last name]

Address: [Sponsor's full address, including street, city, state and zip code]

Home telephone: [Sponsor's home telephone number]

Cell telephone: [Sponsor's mobile telephone number]

Work telephone: [Sponsor's work telephone number]

Personal e-mail: [Sponsor's personal e-mail]

Work e-mail: [Sponsor's work e-mail]

My UNHCR Case No. is [to be filled in by refugee]. My ICMC Case No. is TU-[to be filled in by refugee].

Thank you for your assistance.

Sincerely,

Refugee's Signature

Refugee's Name Printed

Appendix III – Initial Integration Checklist

Week 1

- Apply for a Social Security number. This should happen as soon as possible after the refugee arrives in the United States or the asylee is granted status.
- Make a screening and vaccination appointment with Refugee Health Services.

Week 2

- Apply at County Social (CSS) Services for:
 - Refugee Cash Assistance: The refugee will receive approximately \$365.00 per month⁶⁰ for an additional seven months. Due to the initial resettlement check, the refugee will not get any cash aid the first month. Asylees do not receive an initial resettlement check, so they should receive cash aid the first month.
 - Food Stamps: The refugee will receive approximately \$200.00 for eight months⁶¹ from arrival.
 - Refugee Medical Assistance: The refugee can receive medical assistance for eight months from the date of arrival.
 - Selective Service Registration: Refugees between the ages of eighteen and twenty-six must register for the Selective Service.
- Screening and vaccination appointment with Refugee Health Services. This appointment needs to happen within the first thirty days of arrival.
 - Bring a copy of the CSS application and paper issued by the CSS agent confirming that the application for Refugee Medical Assistance has been submitted.

Week 3

- County Social Services (CSS) will:
 - Direct the refugee to enroll with a local agency for ESL and Vocational Assessment prior to approving application for services.
 - Require the refugee to return with a copy of the Social Security card prior to approving application for services.

Week 4

- Open a free checking account at an easily accessible bank or credit union.

Appendix IV – Initial Assessment Form

Refugee Name: _____ Date of Arrival: _____

Guardian Group: _____

Education

Highest Level of Education: _____ Date Completed: _____

Location: _____ Language(s) of Instruction: _____

Field of Specialization: _____

Educational Referrals: _____

English Language Skills (Check Boxes as Needed)

Ability to Speak English:

Cannot speak English Beginner Intermediate Proficient Fluent Native

Comprehension of Spoken English:

Cannot understand English Beginner Intermediate Proficient Fluent Native

English Writing Ability:

Cannot write in English Beginner Intermediate Proficient Fluent Native

English Reading Comprehension:

Cannot read English Beginner Intermediate Proficient Fluent Native

Does the individual require ESL classes? Yes No

ESL referrals: _____

Employment Assessment

Is the refugee employable? Check one: Yes No

If not, why not?

Check one: Under 18 Over 64 Disabled

Other (please explain): _____

Employment History

Has the refugee previously been employed? Check one: Yes No

List any skills that may assist with employment: _____

If previously employed, please list the dates, location, and nature of employment:

Dates	Locations	Profession or Job Performed	Description of Responsibilities

What employment program is the refugee being referred to (check one)?

Matching Grant State Funded Program Wilson Fish

Other (Please Specify): _____

Goals and Referrals (please be as specific as possible)

Short Term (within 90 days of arrival)

Employment Goals: _____

Education Goals: _____

Goals and Referrals Cont.

ESL Goals: _____

Community Integration Goals: _____

Mid Term (between 90 and 180 days of arrival)

Employment Goals: _____

Education Goals: _____

ESL Goals: _____

Community Integration Goals: _____

Long Term (from 180 days of arrival and beyond)

Employment Goals: _____

Education Goals: _____

ESL Goals: _____

Community Integration Goals: _____

Appendix V – Special Challenges in Housing

Most refugees who do not identify as LGBTI live in family units, with government benefits and/or employment income being contributed by several members of the family. As individuals arriving without family, LGBTI refugees often do not meet the eligibility requirements for the Temporary Assistance for Needy Families (TANF) program and the Supplemental Security Income (SSI) program, both of which are mainstays in the household budgets of many recently resettled refugee families.⁶² Instead, they receive special Refugee Cash Assistance (RCA) and Food Stamps during their first eight months in the United States.

Federal guidelines for the distribution of RCA under the Refugee Act do not account for inflation and the local cost of living.⁶³ In a report filed by the Refugee Council USA, further funding for the Office of Refugee Resettlement has been proposed, as “the basic needs of all refugees are not currently being met. Cash and medical assistance, access to social services, and housing assistance are central to the provision of a minimal safety net for refugees, thereby allowing refugees to focus on employment and integration.”⁶⁴

Additional housing challenges come from the fact that LGBTI refugees gravitate to major cities because of the established LGBTI communities, large numbers of people of color and immigrants, and networks of refugee-focused services. While resettlement in major cities is pivotal to the successful integration of LGBTI refugees, the higher cost of living is a significant obstacle. A study by the Brookings Institution found that “expensive housing markets in traditional and new immigrant gateways like Washington, D.C., and San Francisco are pushing immigrants to more affordable metropolitan areas [or] they often end up in neighborhoods that run along ethnic/racial fault lines, have high crime, or poorly performing schools.”⁶⁵

In San Francisco, for example, the Cost of Living Index is 64% percent above the national average and the cost of housing is 181% above the national average.⁶⁶ Meanwhile, Section 8 vouchers and most affordable housing waitlists have been closed and may take years for processing. The Reception and Placement funds given to VOLAGs for a refugee’s first month of resettlement are rarely enough to cover the first month’s rent and deposit on an apartment or room.⁶⁷ Against this reality, shared rental prices in major LGBTI-friendly metropolitan areas including San Francisco, New York, Boston, Washington D.C., Seattle, and Los Angeles are often double, or triple the amount of RCA benefits.

As the cost of living and rental prices rise across the nation,⁶⁸ housing remains one of the most significant obstacles for refugees in starting a new life. Community, city, state, and federal support is vital to the successful resettlement of LGBTI refugees.

LGBTI refugees and their allies must be creative in facing housing challenges. One excellent solution is for a generous individual to offer housing at below-market rates to a refugee. LGBTI refugees who do not have this option, along with their allies, might investigate shared housing arrangements with other queer (or queer-friendly) refugees or immigrants. In addition, local community groups can join this effort by fundraising on behalf of LGBTI refugees to establish housing funds, which can be used to subsidize rents. They can also urge city governments to welcome LGBTI refugees to their regions by offering emergency housing vouchers and expediting their qualification for placement in affordable housing.

Without significant increases in community and government support, housing will likely remain one of the most formidable obstacles to the successful resettlement of LGBTI refugees.

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- ¹ In this report, the term “LGBTI” refers to individuals whose sexual orientation and/or gender identity is non-conforming, non-traditional, and not widely accepted by their society. *See also* Appendix 1-Terminology.
- ² United Nations Convention relating to the Status of Refugees, July 28, 1951, 189 U.N.T.S. 137 [hereinafter 1951 Convention], *as amended*, United Nations Protocol relating to the Status of Refugees, Jan. 31, 1967, 606 U.N.T.S. 267 [hereinafter 1967 Protocol] [together hereinafter U.N. Refugee Convention or Convention].
- ³ *Refugee Status Determination* (RSD) is the process through which the United Nations High Commissioner for Refugees (UNHCR) determines whether an individual is a refugee based on “eligibility criteria under international or regional refugee instruments, national legislation, or UNHCR’s mandate.” U.N. HIGH COMM’R FOR REFUGEES (UNHCR), SELF-STUDY MODULE 2: REFUGEE STATUS DETERMINATION: IDENTIFYING WHO IS A REFUGEE 1 (2005) [hereinafter SELF-STUDY MODULE 2], *available at* <http://www.unhcr.org/refworld/docid/43141f5d4.html>.
- ⁴ *See* UNHCR, FRAMEWORK FOR DURABLE SOLUTIONS FOR REFUGEES AND PERSONS OF CONCERN 21-22 (2003), *available at* <http://www.unhcr.org-/3f1408764.html>.
- ⁵ *World Refugee Day: UNHCR Report Finds 80 Percent of World’s Refugees in Developing Countries*, UNHCR (June 20, 2011), <http://www.unhcr.org/4dfb66ef9.html>.
- ⁶ *Durable Solutions and New Displacement*, in UNHCR STATISTICAL YEARBOOK 2010, 38 (Dec. 27, 2011), *available at* <http://www.unhcr.org/4ef9c7e39.html>.
- ⁷ *Id.*
- ⁸ *See Office of Refugee Resettlement, Refugee Arrival Data*, U.S. DEP’T OF HEALTH AND HUMAN SERVICES (2011), *available at* http://www.acf.hhs.gov/programs/orr/data/refugee_arrival_data.htm (for refugee arrival data by country of origin and state of initial resettlement for fiscal years 2000-2010).
- ⁹ *See* UNHCR, UNHCR GUIDANCE NOTE ON REFUGEE CLAIMS RELATING TO SEXUAL ORIENTATION AND GENDER IDENTITY 4 (2008), *available at* <http://www.unhcr.org/refworld/pdfid/48abd5660.pdf>.
- ¹⁰ U.K. HOME OFFICE NAT’L ARCHIVES, CONTROL OF IMMIGRATION: QUARTERLY STATISTICAL SUMMARY 3 (2d ed. 2008) [hereinafter QUARTERLY STATISTICAL SUMMARY], *available at* <http://webarchive.nationalarchives.gov.uk/20110218142807/rds.homeoffice.gov.uk/rds/pdfs09/immiq408.pdf>.
- ¹¹ REFUGEE SUPPORT, OVER NOT OUT: THE HOUSING AND HOMELESSNESS ISSUES SPECIFIC TO LESBIAN, GAY, BISEXUAL AND TRANSGENDER ASYLUM SEEKERS 8 (2009) [hereinafter OVER NOT OUT], *available at* http://www.refugeesupport.org.uk/documents/MST_LGBTexec_screen_0509.pdf.
- ¹² OFFICE OF THE COMM’R GENERAL FOR REFUGEES AND STATELESS PERSONS, 2010 ANNUAL REPORT 11-12 (2011), *available at* http://www.cgara.be/en/binaries/2010%20Annual%20report%20EN_tcm266-151869.pdf.

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- ¹³ U.S. DEP'T OF JUSTICE, IMMIGRATION COURTS FY 2010 ASYLUM STATISTICS (Jan. 2011), *available at* <http://www.justice.gov/eoir/efoia/FY10AsyStats.pdf>.
- ¹⁴ INT'L LESBIAN, GAY, BISEXUAL, TRANS AND INTERSEX ASS'N (ILGA), STATE-SPONSORED HOMOPHOBIA 4 (2011), *available at* http://old.ilga.org/Statehomophobia/ILGA_State_Sponsored_Homophobia_2011.pdf.
- ¹⁵ *Id.*
- ¹⁶ U.N. High Comm'r for Human Rights (OHCHR), *Discriminatory Laws and Practices and Acts of Violence Against Individuals Based on Their Sexual Orientation and Gender Identity, delivered to the Human Rights Council*, 15 U.N. Doc. A/HRC/19/41 (Nov. 17, 2011), *available at* http://www2.ohchr.org/english/bodies/hrcouncil/docs/19session/A.HRC.19.41_English.pdf [hereinafter *Discriminatory Laws and Practices*].
- ¹⁷ *See, e.g.*, AMNESTY INT'L, 'NOT AN ILLNESS NOR A CRIME': LESBIAN, GAY, BISEXUAL AND TRANSGENDER PEOPLE IN TURKEY DEMAND EQUALITY 20-21 (June 2011) *available at* <http://www.amnesty.org/en/library/asset/EUR44/001/2011/en/aff47406-89e4-43b4-93ed-ebb6fa107637/eur440012011en.pdf>; *see also* HUMAN RIGHTS WATCH, STILL MAKING THEIR OWN RULES: ONGOING IMPUNITY FOR POLICE BEATINGS, RAPE, AND TORTURE IN PAPUA NEW GUINEA 11 (Oct. 2006), *available at* <http://www.hrw.org/en/reports/2006/10/29/still-making-their-own-rules-0>; *see also* AMNESTY INT'L, URGENT ACTION: MEXICO: LGBT ACTIVIST TORTURED BY POLICE (Dec. 8, 2010), *available at* <http://www.amnesty.org/en/library/asset/AMR41/088/2010/en/75f70acb-0f50-4b4f-b1a8-9a12424479b9/amr410882010en.pdf>
- ¹⁸ *See, e.g.*, CITY OF NEWCASTLE, AUSTRALIA, DISCUSSION PAPERS FOR THE COMMUNITY PLAN 2006-2010: GAY & LESBIAN COMMUNITY 195 (Apr. 30, 2008) (noting "family problems following the revelation of sexual orientation can lead to forced homelessness or being forced to live independently at an earlier age than usual for their peer group").
- ¹⁹ HELSINKI CITIZENS' ASSEMBLY (HCA) & ORGANIZATION FOR REFUGEE, ASYLUM & MIGRATION (ORAM), UNSAFE HAVEN: THE SECURITY CHALLENGES FACING LESBIAN, GAY, BISEXUAL & TRANSGENDER ASYLUM SEEKERS AND REFUGEES IN TURKEY 16 (2011), *available at* <http://www.oraminternational.org/images/stories/unsafe%E2%80%93haven-final.pdf> [hereinafter UNSAFE HAVEN].
- ²⁰ *See generally* *Discriminatory Laws and Practices*, *supra* note 16; *see also* UNSAFE HAVEN, *supra* note 19, at 17.
- ²¹ UNSAFE HAVEN, *supra* note 19, at 19-23.
- ²² Names, facts and locations in this narrative have been changed to protect the privacy of the refugee.
- ²³ According to the FBI Hate Crimes Statistics of 2009, 8,336 hate crimes were reported in the United States in 2009, 17.8 percent of which were for reasons of the victim's sexual orientation. *See* FBI, *Victims, in* HATE CRIME STATISTICS, 2009, 1-2 (Nov. 2010), *available at* <http://www2.fbi.gov/ucr/hc2009/documents/victims.pdf>.

²⁴ GLSEN, the Gay, Lesbian and Straight Education Network, is a national education organization working to ensure safe schools for all students, regardless of sexual orientation and gender identity. *See* <http://www.glsen.org>.

²⁵ Information obtained through www.guidestar.org (last visited Jan. 20, 2012).

²⁶ Jessica Eby, Erika Iverson, Jenifer Smyers & Erol Kekic, Church World Service, *The Faith Community's Role in Refugee Resettlement in the United States*, 24 J. REFUGEE STUD. 589 (2011).

²⁷ *Id.* at 588.

²⁸ For helpful information and additional resources about many of these LGBTI-friendly faith-based groups, visit THE INSTITUTE FOR WELCOMING RESOURCES, *available at* <http://www.welcomingresources.org/links.htm> (last visited Jan. 20, 2012).

²⁹ Names, facts, and locations in this narrative have been changed to protect the privacy of the refugee.

³⁰ For a directory of voluntary resettlement agencies (VOLAGs) and their affiliates in your area, please email a request to ORAM at info@oraminternational.org.

³¹ This section applies to those helping a refugee, as asylees are already located within the United States, they are not assigned VOLAGs and do not need sponsors.

³² Resettlement Section of UNCHR Washington, US Resettlement Overview, §8(a) (2009), *available at* <http://www.unrefugees.org/atf/cf/%7BD2F991C5-A4FB-4767-921F-A9452B12D742%7D/USResettlement%20Program%20Overview.pdf>.

³³ *Id.*

³⁴ *See* Appendix II - Sample Sponsorship Letter.

³⁵ Because the provision of a safe and secure home is such an immense service, housing providers might not be expected to provide any other assistance to the refugee as part of a Guardian Group, although of course more help is always welcomed.

³⁶ Names, facts, and locations in this narrative have been changed to protect the privacy of the refugee.

³⁷ For more detailed and technical information on housing, please see Appendix V - Special Challenges in Housing.

³⁸ Letter from Lavinia Limon, Director of Office of Refugee Resettlement, *State Letter #00-15: Asylee Eligibility for Refugee Resettlement Program Benefits*, U.S. DEP'T OF HEALTH AND HUMAN SERVICES (Aug. 3, 2000), *available at* <http://www.acf.hhs.gov/programs/orr/policy/sl00-15.htm>.

³⁹ For more information about the Form SS-5, or to access it online, see SOCIAL SECURITY ADMINISTRATION, APPLICATION FOR A SOCIAL SECURITY CARD, *available at* <http://www.ssa.gov/online/ss-5.pdf>.

⁴⁰ *Id.*

⁴¹ California Refugee Programs Bureau, *Fact Sheet: Asylees*, CALIFORNIA DEP'T OF SOCIAL SERVICES (Nov. 2010), *available at* <http://www.dss.cahwnet.gov/refugeeprogram/res/pdf/Factsheets/Nov2010/Asylee%20Fact%20Sheet%20Nov%2010.pdf>.

⁴² *Id.*

⁴³ This amount is based on the RCA amount given to refugees in San Francisco, CA. The amount will differ from state to state, and possibly from country to county.

⁴⁴ See U.S. DEP'T OF HEALTH AND HUMAN SERVICES, OFFICE OF REFUGEE RESETTLEMENT ANNUAL OUTCOME GOAL PLAN, http://www.acf.hhs.gov/programs/orr/policy/gpra_inst.htm (last visited January 24, 2012).

⁴⁵ OFFICE OF REFUGEE RESETTLEMENT, REPORT TO CONGRESS FY 2008 (2011), *available at* http://www.acf.hhs.gov/programs/orr/data/ORR_Annual_Report_FY_2008.pdf.

⁴⁶ Conference of International Legal Scholars, Yogyakarta, Indonesia, Nov. 6-9, 2006, Yogyakarta Principles on the Application of International Human Rights Law in Relation to Sexual Orientation and Gender Identity, 6 (Mar. 2007), *available at* http://www.yogyakartaprinciples.org-/principles_en.pdf.

⁴⁷ *Id.*

⁴⁸ See Gay & Lesbian Alliance Against Defamation, *Media Reference Guide: Lesbian, Gay, Bisexual Glossary of Terms* (May 2010), *available at* <http://www.glaad.org/reference/lgb>.

⁴⁹ *Id.*

⁵⁰ *Id.*

⁵¹ NAT'L CTR. FOR TRANSGENDER EQUAL., TRANSGENDER TERMINOLOGY 1 (2009), *available at* http://transequality.org/Resources/NCTE_TransTerminology.pdf.

⁵² See *Media Reference Guide: Lesbian, Gay, Bisexual Glossary of Terms*, *supra* note 48.

⁵³ *Id.*

⁵⁴ *What is intersex/DSD*, ADVOCATES FOR INFORMED CHOICE, *available at* <http://aiclegal.org/faq/#whatisintersex>.

⁵⁵ U.N. Refugee Convention, *supra* note 2.

⁵⁶ *Sangha v. INS*, 103 F.3d 1482, 1487 (9th Cir. 1997) (citing *Sagermark v. INS*, 767 F.2d 645, 649 (9th Cir.1985)).

⁵⁷ *Id.*

⁵⁸ SELF-STUDY MODULE 2, *supra* note 3.

⁵⁹ For a directory of voluntary resettlement agencies (VOLAGs) and their affiliates in your area, please email a request to ORAM at info@oraminternational.org.

⁶⁰ This amount is based on the amount given to refugees in San Francisco, CA. The amount will differ from state to state, and possibly from country to county.

⁶¹ This amount is based on the amount given to refugees in San Francisco, CA. The amount will differ from state to state, and possibly from country to county.

⁶² A refugee over age 65 or disabled may be eligible for SSI.

⁶³ HENRY M. JACKSON SCHOOL OF INTERNATIONAL STUDIES, UNIVERSITY OF WASHINGTON, TASK FORCE, 2010 PROTECTION AND RESETTLEMENT POLICY: REFORMING UNITED STATES POLICY TOWARDS REFUGEES, ASYLUM SEEKERS AND FORCED MIGRANTS (2010) (hereinafter TASK FORCE 2010).

⁶⁴ *See* REFUGEE COUNCIL USA, FISCAL YEAR 2011 FUNDING URGENTLY NEEDED FOR THE OFFICE OF REFUGEE RESETTLEMENT (2010), *available at* <http://www.rcusa.org/uploads/pdfs/Final%20RCUSA%20ORR%20Backgrounder,%202-2-10.pdf>.

⁶⁵ AUDREY SINGER & JILL H. WILSON, FROM 'THERE' TO 'HERE': REFUGEE RESETTLEMENT IN METROPOLITAN AMERICA 10 (2006), *available at* http://www.brookings.edu/~media/Files/rc/reports/2006/09demographics_singer/20060925_singer.pdf.

⁶⁶ *See* ACCRA Cost of Living Index Annual Average, C2ER (2010), *available at* <http://coli.org/>.

⁶⁷ TASK FORCE 2010, *supra* note 63.

⁶⁸ Julie Schmit, *Apartment rents heading higher for 3rd year in a row*, USA TODAY (2012), *available at* <http://www.usatoday.com/money/economy/housing/story/2012-01-05/apartment-rents-rising/52397240/1>.

ORAM offers training and technical assistance – in person, by telephone, and over the Internet – to people and groups interested in working with refugees, asylees, and asylum seekers. To learn more, contact us through our website:

www.oraminternational.org