# State and Local Advocacy Toolkit 2024











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# I. Background: Why is State-Level Work So Important?

Migration continues to be a prominent issue both at the national and state level. States are suing the federal government more frequently in the last fifteen years over migration issues engaging in state and local migration policy initiatives. For example, over the past decade, state lawmakers have passed an average of 153 immigration-related laws each year, addressing various intersectional issues with immigration.<sup>1</sup> These pieces of legislation represent both pro- and anti-immigrant policies. In 2024, states have enacted 94 immigration bills, with an additional 31 bills in the adoption process.<sup>2</sup> Additionally, some states established immigration offices, committees, or task forces to address immigration-related policies.

While the federal government still has the power to regulate immigration policy, states can and are issuing migration policies with more frequency, often in response to the actions taken by the federal government. These policies often intersect with the availability of benefits related to housing, education, identification, driver's licenses, licensing, and more. Consequently, this makes work at the state level very important and a vital area of policy development that will not abate in the near future.

This toolkit is designed to empower immigrants, refugees, service-providers, people of faith, business and other communities, and interested citizens with resources and talking points on select immigration issues. Use this guide to engage in both proactive and reactive work welcoming, protecting and integrating immigrants and refugees. These areas include advocacy related to (a) driver's licenses, (b) professional and occupational licensing, (c) state-level refugee funding and refugee information sharing, and (d) healthcare access and data collection.

Each section of this toolkit offers a detailed overview of the key policy issues and includes practical talking points to help strengthen advocacy efforts. These strategies are designed to support partners as an introductory framework for engaging with state policymakers, community leaders, and the public.



**Above:** A refugee family from Venezuela settles into their new home in Florida

# II. What is Considered a Federal vs. State Responsibility?

Through the Supremacy Clause in the U.S. Constitution,<sup>3</sup> immigration is a federal matter in the United States. The federal government has the authority to establish and enforce immigration laws and regulations, including who is eligible for immigration status and who is subject to removal. State governments do not have the legal authority to independently establish their own immigration policies or processes that contradict federal law.

While states cannot create their own immigration policies, they can play a role in certain aspects of immigration implementation through cooperation with federal authorities. For example:

- **Driver's Licenses and Identification Cards:** States have the authority to issue driver's licenses and identification cards to residents, including undocumented immigrants.
- State and Local Law Enforcement Cooperation: States and local law enforcement agencies may cooperate with federal immigration authorities by sharing information about individuals in their custody.
- Access to Public Benefits: States may determine eligibility for certain statefunded public benefits and services, such as education and healthcare, regardless of immigration status.

Immigration policies and processes, including visa issuance, enforcement, and naturalization, are primarily the responsibility of the federal government, but there are opportunities for states to address certain immigration issues in their state and local communities.



**Above:** Advocates discuss immigration with key policymakers.

# III. Step by Step Guide to Organizing a State-Level Campaign





#### STEP 1: Build a Coalition: Identify Partners and Build Your Team

The first step in any advocacy or strategic campaign is identifying the key stakeholders and policymakers influencing and impacted by the specific issue. This involves mapping out both internal and external individuals and organizations that could be affected by or have the power to affect outcomes. Stakeholders could include community leaders, faith and business leaders, advocacy groups, industry representatives, impacted persons and government officials. Oftentimes, local and state non-governmental organizations (NGOs) whose mission intersects with assisting or supporting immigrants in some way, even if their primary mission is not immigration-related, often represent a strong base coalition. Policymakers, particularly those in legislative or regulatory positions, should be identified based on their jurisdiction and their history of engagement with similar issues as well as their personal ties to a particular issue.

**Above:** Global Refuge President and CEO Krish O'Mara Vignarajah advocates on Capitol Hill.



#### STEP 2: Determine the Target Audience

Understanding *who* the primary message is meant to reach is crucial in a successful state-level issue campaign. The target audience could range from the public to more specific communities like healthcare providers, immigrant populations, state executives or administrative officials, or legislators. Knowing this audience's demographics, values, and concerns allows for the development of tailored messaging that resonates. Identifying whether the campaign is aimed at educating the public to build support or influencing policymakers on an issue before them is essential for determining the approach and tone of communication. At times, a campaign must engage both the public and lawmakers, building support and educating each group about an issue. However, different approaches–including messaging–should be used to reach each audience effectively.



Key goals are the tangible outcomes that a campaign or strategy aims to produce. These may include policy briefs, hearings, rallies, reports, media engagement, public awareness materials, or legislative proposals. The goals serve as the campaign's building blocks, providing stakeholders and audiences with clear, actionable information. Setting clear deliverables also helps to track progress and measure the initiative's success, ensuring that objectives are met



#### STEP 4: Conduct Power Mapping

Power mapping is a strategic tool used to visualize and assess the relationships between different stakeholders, influencers, and policymakers. This process helps in understanding the power dynamics that can either support or obstruct the statelevel campaign's goals. Identifying key allies, opponents, and neutral parties can support advocates in better planning their outreach and engagement efforts.



### STEP 5:

### Develop a Timeline and Schedule Activities for Optimal Impact Around the State Legislative Cycle

Effective state-level advocacy requires strategic planning and a clear timeline for action. In a state-level campaign, planning should be conducted around the state legislative cycle (e.g. during session). When the legislature is out of session, efforts should be made to work with and identify certain lawmakers for education and engagement. Similarly, if the campaign is focused on a budget item, there should be familiarity with the budget processes and timelines.<sup>4</sup> A well-structured timeline will include key milestones and deadlines for completing deliverables, engaging with stakeholders, and conducting outreach. Scheduling activities for maximum impact—such as coordinating advocacy efforts around legislative sessions or key decision-making moments—ensures that the message reaches the right people at the right time, optimizing the chances for success.

#### **Coalition Work in Action:**

### Ascentria Care in Massachusetts

Since 2021, Ascentria Care Alliance, along with eight other resettlement organizations in Massachusetts, continues to actively build a statewide refugee coalition to foster collaboration between refugee agencies, state officials, and community partners. This coalition serves as a platform for sharing critical information about the challenges and opportunities faced by both our clients and workforce. By coming together, Ascentria and the other Massachusetts resettlement agencies can collectively strategize on how best to address these issues, pool resources, and share best practices to develop effective, coordinated solutions. The coalition's goal is to ensure that all stakeholders are aligned—not only in addressing immediate needs but also in proactively shaping the narrative around refugee resettlement through policy and advocacy. Ascentria and the coalition aim to improve services for refugees and new arrivals in the Commonwealth.

**Below:** Newly arrived immigrants and refugees begin the resettlement process at Ascentria Care.



# IV. Issue Areas





### **Driver's Licenses**

**Above:** A newly arrived refugee takes a driving simulation course.

#### Background

Access to driver's licenses is a critical issue for many communities, particularly for immigrants, low-income individuals, and those living in rural areas. Historically, restrictive state licensing policies have created barriers for undocumented individuals and others without specific forms of identification. Over the past decade, several states have passed laws allowing undocumented immigrants to obtain driver's licenses of some sort in their states. Expanding access improves public safety by ensuring that more drivers are trained, tested, and insured, and promotes economic mobility.

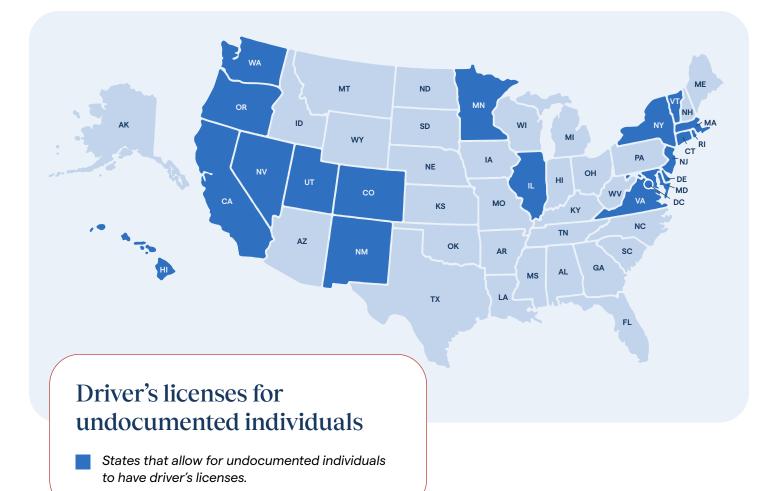
#### Which States Allow Driver's Licenses for Undocumented Immigrants?

Currently 19 states (California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maryland, Massachusetts, Minnesota, Nevada, New Jersey, New Mexico, New York, Oregon, Rhode Island, Utah, Vermont, Virginia, and Washington), the District of Columbia, and Puerto Rico allow undocumented individuals to have some form of driver's licenses and drive in their state.

#### Talking Points on Driver's Licenses

**Public Safety** – Expanding access to driver's licenses improves public safety by ensuring more drivers are tested and insured.

- A 2017 study by Stanford University found a 10% decrease in hit-and-run incidents in California, which translates to around 4,000 fewer accidents in the first year of the law's implementation alone.<sup>5</sup>
- States like New York have seen a reduction in hit-and-run accidents after passing laws allowing undocumented immigrants to obtain licenses.
- Since New Mexico began issuing licenses to undocumented immigrants in 2003, traffic fatalities fell 23%.<sup>6</sup>



**Economic Growth and Employment** – Allowing undocumented individuals to obtain licenses enables them to contribute more fully to the economy and provides greater revenue to the states.

- For example, in Colorado, it is estimated that after their driver's license bill became law, insurance companies could experience increased revenue of \$118 million annually, as approximately 138,000 immigrants were projected to purchase motor vehicle insurance in Colorado with approximately 120,000 new vehicle registrations.<sup>7</sup>
- Studies indicate that allowing undocumented immigrants to have driver's licenses expands their access to employment opportunities and improves local employment retention.<sup>8</sup>

**Improved Collaboration with Law Enforcement** – Expanding access to driver's licenses fosters trust between law enforcement and immigrant communities, encouraging cooperation in reporting crimes and improving public safety.

• Issuing driver's licenses to undocumented individuals reduces the burden on law enforcement by leading to fewer citations, arrests, and legal proceedings for driving without a license, freeing up resources for other priorities.



### **Professional and Occupational Licensing**

#### Background

In the United States, nearly one in four jobs require a professional or occupational license.<sup>9</sup> These licenses are credentials issued by the government for practicing in specific fields such as healthcare, law, engineering, and teaching. Over 1,100 different occupations require licensing, and approximately 25% of all workers are required to obtain one to work in their chosen fields.<sup>10</sup> Immigrants and refugees, including Special Immigrant Visa (SIV) holders, Deferred Action for Childhood Arrivals (DACA) recipients, Temporary Protected Status (TPS) holders, and other work-authorized individuals, often face significant barriers when trying to access these licenses.

These obstacles prevent them from contributing fully to the economy, despite their qualifications and work authorization. Furthermore, many immigrant professionals who trained abroad encounter costly and time-consuming re-certification processes, which disproportionately limit their employment opportunities.<sup>11</sup>

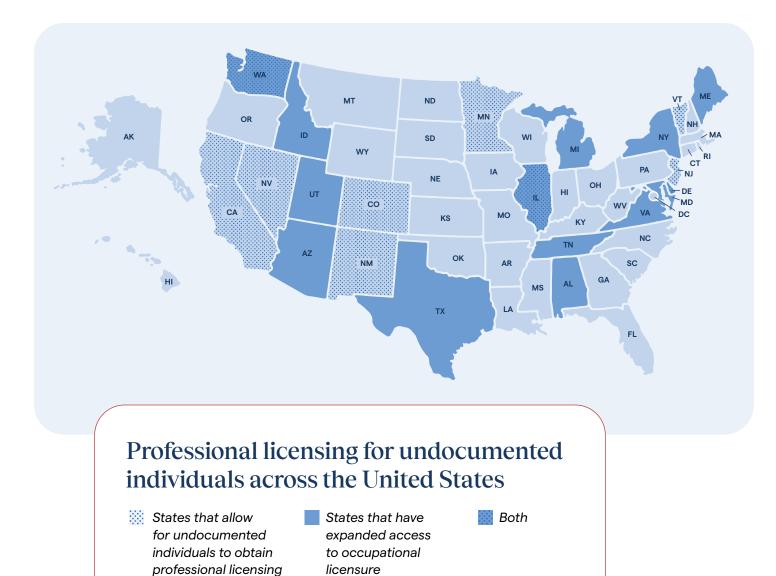
#### Different Forms of Licensing Available at the State Level

#### **Occupational Licensing for Undocumented Immigrants**

California, Colorado, Delaware, Illinois, New Jersey, New Mexico, Nevada, and Vermont have recognized the importance of addressing these challenges. Some states, like New Jersey, allow individuals to apply for occupational licenses regardless of their immigration status, as long as they meet the education and training requirements.<sup>12</sup> Colorado streamlined its licensing requirements for foreign-trained healthcare workers during the COVID-19 pandemic, providing temporary licenses to fill critical roles in healthcare.<sup>13</sup> Minnesota passed a law in 2023 that allows undocumented immigrants to obtain professional licenses in several fields, including healthcare, as part of a broader initiative to address labor shortages and support immigrant integration. Such changes have allowed these states to tap into the talents of immigrant and refugee workers and address shortages in essential sectors.

#### **Expanding Access to Occupational Licensure**

Alabama, Arizona, Delaware, Idaho, Illinois, Maryland, Maine, Michigan, New York, Tennessee, Texas, Utah, Virginia and Washington have all recently enacted or implemented laws that help recognize international credentials for certain statelevel licensing of mostly medical and health-care related positions. While these initiatives did not include undocumented individuals, they are positive initiatives that helped alleviate workforce shortages in critical sectors like healthcare and education. Additionally, it promoted economic mobility by allowing qualified immigrants to use their skills and training in the workforce.



#### Talking Points on Making Professional Licensure Accessible to Immigrants & Refugees

#### Allowing Immigrants & Refugees Access to Professional Licensing Increases Revenue

• Due to underemployment and inaccessibility to jobs requiring licensing, college-educated immigrants and refugees forgo annual earnings of \$39 billion nationally, leading to approximately \$10 billion in uncollected local, state, and federal tax revenues.<sup>14</sup>

#### Immigrant & Refugee Accessible Licensing Reduces Staff Shortages in Key Industries Like Healthcare and Education

• Roughly <u>263,000 health professionals</u> who were immigrants did not work in 2020 due to states' varying barriers to professional licenses.<sup>15</sup>



• Schools are chronically understaffed. States have recruited immigrants to help with staffing, filling teacher and school support staff positions. <u>Reducing</u> obstacles to obtain professional licensing for these roles is crucial to further reduce these shortages, both for the well-being of immigrant teachers and the schools that they are and could be a vital part of.<sup>16</sup>

#### Accessibility to Professional Licensing Helps Erase Barriers to Economic Success

- Streamlining occupational licensing requirements removes delays in professional advancement, helping individuals move up the economic ladder and contribute fully to local economies.
- Expanding licensing access for immigrants brings diverse perspectives and skills to key sectors, enriching the workforce and improving service delivery in communities.

For more information on all 50 states' efforts for professional occupational licensing, check out World Educational Services (WES) Policy Tracker available <u>here.</u>



### **Greater State Involvement in Refugee Resettlement**

#### Background

Refugee resettlement policy, arrival numbers, and federal funding are determined by the federal government. To administer the refugee resettlement program, the federal government operates through a network of national resettlement agencies that resettle in states, cities, and counties throughout the United States. Although much of refugee resettlement policy occurs at the federal-level, states do have a large role in the success and operation of the resettlement program, namely through state refugee coordination and through unique funding and partnership opportunities. In recent years, states have become more involved in refugee resettlement, sometimes positively by taking advantage of unique funding opportunities, and other times by restricting their involvement in resettling refugees.

#### State-Level Funding/Support of Refugees

State-level engagement and support of refugee resettlement and programming can take varied forms. For example, Utah has a refugee services fund that contains a mix of private, federal, state, and philanthropic funds and can be used for a variety of reasons.<sup>17</sup> Other times, states can move forward to appropriate or designate funds for a specific reason or in response to a particular event. For example, in 2022, Washington state allocated \$28.5 million across two years for services to Afghan humanitarian parolees and newly arriving refugees of any country of origin. The funds are distributed via the Washington Office of Refugee and Immigrant Affairs.<sup>18</sup> States can also make specific allocations to certain geographic regions, in the way that New York state uses its New York State Enhanced Services for Refugees Program (NYSESRP). NYSESRP resources are distributed through the State Refugee Coordinator.<sup>19</sup> Lastly, some states may initiate funding laws that help to extend the support the state gives all refugee-eligible populations through more extensive case management and direct support to refugees as Oregon did in 2019<sup>20</sup> and Colorado recently did through its new welcome, reception, integration grant program in June 2024.<sup>21</sup>

#### **Increased Notification Requirements of Refugee Arrivals by States**

In addition to states giving increased support to refugees and other newcomers, some states have seen proposed legislation that has worked to limit or require more extensive notification or approval of refugee arrivals. For example, recently proposed legislation in Wisconsin sought to designate a local official to oversee consultations regarding refugee arrivals.<sup>22</sup> Recently, other states, including Wyoming<sup>23</sup> and West Virginia<sup>24</sup> have introduced similar legislation. Some states have also proposed laws targeting specific refugee groups based on nationality, such as a recent proposal in Oklahoma that ultimately did not become law.<sup>25</sup>

Note: It is important to take seriously any efforts by local and state lawmakers to limit refugee resettlement and to respond appropriately. Read further for suggestions on how to engage effectively, moderate negative efforts, and support positive initiatives that uplift refugees and other newcomers at the state level.

#### Strategic Actions for Addressing Greater State Involvement in Refugee Resettlement

Understanding every state is different, this section does not provide specific talking points, and instead offers a few strategic actions for engagement. For state-level support on talking points in this area please email <u>advocacy@globalrefuge.org</u>.

**Work to Educate Individuals About the Program** – For lawmakers who are concerned or do not know much about the resettlement program, this is an opportunity to educate them by inviting them to visit a refugee resettlement agency or refugee family or event. Consider using <u>Global Refuge's refugee</u> <u>resettlement hub FAQs</u> and also be ready to speak in specifics about the positives of the work your organization is undertaking and that refugees are making in your community.

**Respect the Concern** – Lawmakers who are attempting to regulate or seek further approval of the resettlement program are concerned and are attempting to make sure they are doing the right thing for their communities. Try to avoid any ill-intent or assumptions about the reasons behind the actions and proposed legislation and instead operate from a place of respect and willingness to listen.

**Personalize the Issue** – Often impacted refugees themselves are the best messengers to explain the importance of the resettlement program and the impact on the community, the refugees, and their families. Encourage dialogue by providing lawmakers the opportunity to speak with refugees about their lives in their new communities. Promote informal engagements like potluck dinners, religious celebrations or other events that can foster dialogue and human interaction rather than solely formal events such as hearings or press conferences.

**Get Specific with the Impact** – Whether dealing with positive or negative refugee bills, it is essential to have data that demonstrates the need for funding and provides accurate information about the economic impacts of refugees in local communities. This data is crucial for achieving legislative objectives. Ensure educational materials that demonstrate impact and data outcomes are short, easy to read, and highlight main points.



### **Healthcare Access & Data Collection**

#### Background

Healthcare access remains a significant issue that can impact refugees, immigrants and the undocumented. Some states have barriers to accessing care for the undocumented and other uninsured individuals, while others have made progressive efforts to expand access. For example, California and New York expanded healthcare services to undocumented immigrants, including access to Medicaid for certain populations.<sup>26</sup> Illinois has also taken steps by offering Medicaidlike coverage for low-income immigrants.<sup>27</sup>

However, states such as Texas and Florida have introduced policies that could chill immigrants' perceived ability to access to healthcare. In Texas, Governor Greg Abbott's executive order requires hospitals, including health centers and emergency rooms, to collect immigration status data. This requirement specifically applies to facilities that accept the Children's Health Insurance Program (CHIP) and Medicaid.<sup>28</sup> Florida's "Hospital Patient Immigration Status Dashboard" similarly targets hospitals that accept Medicaid, as well as patients visiting these hospitals. It requires hospitals to report quarterly on the responses provided by patients regarding their immigration status.<sup>29</sup> While these actions may be framed as protecting American taxpayers, the reality is these actions could undermine public health by potentially leaving vulnerable populations without medical services and preventative care or curbing peoples' willingness to access care. Hospitals and healthcare providers such as clinics are on the frontlines of this type of reporting but undoubtedly refugee and immigration services providers will see impacts on both types of efforts regarding healthcare access and should be prepared to explain how this can harm refugee and immigrant communities.

#### Important Considerations When Addressing Healthcare Access and Immigration Status Reporting Laws

- **1.** Under federal law, immigration status cannot prevent or impact the provision of emergency patient care.
- 2. Individuals can decline to answer information related to immigration status and still receive emergency care.
- **3.** Access to language interpretation is a right that enables individuals to understand questions and communicate effectively about health matters.

#### Talking Points on Healthcare Access and Immigration Status Reporting Laws

**Overly Broad Collection of Healthcare and Immigration Status Information Can Create a Chilling Effect That Undermines Public Health** – Policies that require healthcare providers to collect immigration status can deter vulnerable populations from seeking care, possibly leading to untreated health conditions that can impact entire communities.

- A recent study shows that the new Florida law is likely to lead to greater prevalence of short and long-term health issues amongst immigrant communities.<sup>30</sup>
- The impact of these laws can extend beyond undocumented individuals; they may also deter people from mixed-status families from seeking care. For example, in Texas and Florida, noncitizen immigrants make up 10% and 9% of the state populations, respectively. However, individuals living in mixed-status families, which include U.S. citizen children, represent 22% of the total population in Texas and 17% in Florida.<sup>31</sup>

**Current Healthcare and Immigration Status Policies May Increase Costs Not Lower Them** – States should aim to implement policies that support early intervention and treatment, which reduce long-term healthcare costs, rather than introducing administrative burdens that strain healthcare systems.



# Welcoming Initiatives at the Community Level That Support Newcomers and Engage Elected Officials



The long welcome for immigrants and refugees goes beyond state or federal legislative campaigns and advocacy strategies; it encompasses human connection and encounter. Here are some ideas to help you build support for immigrants and refugees in your community and at the state level:

- 1. Encourage your state leaders to set up an Office of New Americans. If they already have one, urge them to join the Office of New Americans Network.
- 2. Suggest a Refugee Day resolution
- **3. Invite elected officials** to a movie premiere, panel, potluck dinner or other event that includes immigrants and refugees in your community.
- **4. Consider writing an op-ed** for a local publication about an important legislative issue or in recognition of significant days like World Refugee Day. Reach out to <u>advocacy@globalrefuge.org</u> for a draft template and additional assistance.
- 5. Host an open house at your organization and invite community leaders to learn about your work with newcomers and other services you provide in the community.
- 6. Organize a forum on migration and invite religious leaders, law enforcement, elected officials, and impacted people to attend and speak.

For additional specific state-level support on talking points please email <u>advocacy@globalrefuge.org</u>. Above: A family from the Democratic Republic of the Congo receive a warm welcome in Fargo, ND.

## North Dakota's Office of Legal Immigration

In 2023, Governor Doug Burgum of North Dakota signed legislation that created the Office of Legal Immigration within the state's Department of Commerce, an office responsible for developing strategies to support businesses in recruiting and retaining foreign labor and advising state officials on immigration issues. The bill required the Department of Commerce to conduct a study on immigration opportunities, immigration goals and ways to measure progress, and a structure for a pilot program to support communities pursuing legal immigration. The Global Refuge North Dakota Welcome Center and other direct service groups supported this initiative and the lawmakers who drafted the legislation.





**Left:** A family from Syria finds safety and hope in Fargo, ND.

#### Footnotes

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Global Refuge welcomes newcomers who seek safety, support, and a share in the American dream.

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