

Date of Hearing: April 29, 2025

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Alex Lee, Chair

AB 548 (Solache) – As Amended March 24, 2025

SUBJECT: Enhanced Services for Asylees and Vulnerable Noncitizens program

SUMMARY: Revises eligibility criteria for the Enhanced Services for Asylees and Vulnerable Noncitizens (ESAVN) program, specifies acceptable proof of California residency, and reduces the amount of time nonprofits are required to have provided relevant services before being awarded grants or contracts. Specifically, **this bill**:

- 1) Revises eligibility requirements for the ESAVN program by:
 - a) Striking provisions that establish resettlement services to individuals who are granted asylum by the United States (U.S.) Attorney General or the U.S. Secretary of Homeland Security pursuant to federal law in 11) below, or who are eligible for assistance and services under existing state law in 9) below.
 - b) Specifying individuals must instead meet both of the following conditions:
 - i) Entered the U.S.; and,
 - ii) Are screened by the U.S. Department of Homeland Security (DHS) during January 1, 2024, to January 1, 2026, inclusive.
- 2) Provides that, for purposes of these provisions, a person may show that they are currently residing in California with any of the following:
 - a) California driver's license or California identification card;
 - b) Utility bill; or,
 - c) Rental history.
- 3) Strikes the definition, "vulnerable noncitizen" as any individual who would be eligible for ESAVN services and replaces it with "eligible person" to mean an individual who meets the criteria described in b) of 1) above.
- 4) Strikes references to the requirement for ESAVN to provide case management services for asylees and vulnerable noncitizens who have been granted asylum or after having been deemed eligible and instead, requires the ESAVN program to provide culturally appropriate and responsive case management services for eligible persons for up to 90 days within the first year following the eligible person being screen by DHS.
- 5) Reduces the required experience for contracted nonprofit organizations from three years to one year for providing case management services and linguistically and culturally appropriate services.

- 6) Requires the California Department of Social Services (CDSS) to collect data from grantees related to specified outcome metrics, and to post the findings on its internet website.
- 7) Updates legislative findings and declarations with 2022 statistics on individuals granted asylum in the U.S., with California accounting for the highest percentage among all states at 24% (3,442) asylees residing in the state.

EXISTING LAW:

State law:

- 1) Makes legislative findings and declarations regarding California hosting a significant proportion of noncitizens, including refugees and asylees, who face integration challenges and lack of access to benefits due to limited case management services, highlighting the importance of state-funded programs like the Trafficking and Crime Victim Assistance Program (TCVAP) and the positive impact of case management support on their ability to access benefits, find employment, and contribute to the economy. (Welfare and Institutions Code [WIC] § 13650(a))
- 2) Establishes the ESAVE program to provide resettlement services for persons who are currently residing in California and who are granted asylum by the U.S. Attorney General or the U.S. Secretary of Homeland Security pursuant to 11) below, or who are eligible for assistance and services, as specified in 9) below. (WIC § 13650(b))
- 3) Defines the following terms:
 - a) “Vulnerable noncitizen” to mean any individual who would be eligible for services, as defined in 9) below. (WIC § 13650(c))
 - b) “Victims of trafficking, domestic violence, and other serious crimes” to include both of the following:
 - i) Noncitizen victims of a severe form of trafficking in persons, who have been subjected to an act or practice, as specified, and who have filed an I-914 application for T-nonimmigrant status (T-visa) with the appropriate federal agency, are preparing to file an application for status, as specified, or otherwise are taking steps to meet the conditions for federal benefits eligibility, as specified; and,
 - ii) Individuals who have filed a formal application with the appropriate federal agency for status, as specified. (WIC § 18945(b))
- 4) Requires grants or contracts awarded to be executed only with nonprofit organizations that meet the requirements, as specified, and have at least three years of experience with both of the following:
 - a) Providing case management services; and,
 - b) Providing culturally and linguistically appropriate services. (WIC § 13650(d))
- 5) Requires CDSS to require qualified nonprofit organizations awarded contracts or grants to report, monitor, or audit the services provided, as determined by CDSS. (WIC § 13650(e))

- 6) Requires the ESAVN program to provide culturally appropriate and responsive case management services for asylees and vulnerable noncitizens for up to 90 days within the first year following the grant of asylum or after having been deemed eligible for services. (WIC § 13651(a))
- 7) Requires case management services under the ESAVN program to include assistance in identifying and applying for all benefits to which the person is legally entitled, including cultural orientation and integration programs, support in accessing and navigating the public benefits and health care systems, community connection and relationship building, English language instruction, employment training, job placement assistance, and professional recredentialing and licensing application assistance. (WIC § 13651(b))
- 8) Makes legislative findings and declarations that ESAVN is a state law that may provide assistance and services for undocumented persons, as defined in 14) below. (WIC § 13653)
- 9) Requires CDSS to ensure that noncitizen victims of trafficking, domestic violence, and other serious crimes, as defined in b) of 3) above, have access to refugee cash assistance, and refugee social services, to the same extent as individuals who are admitted to the U.S. as refugees. (WIC § 13283)

Federal law: *Note: For the purposes of referring to federal law accurately, this section uses the term “alien” which is not a term used in the Committee or California, per AB 1096 (Luz Rivas), Chapter 296, Statutes of 2021.*

- 10) Establishes the Immigration and Nationality Act (INA), covering aspects related to immigration, naturalization, deportation, and citizenship. (8 United States Code [U.S.C.] § 1101 *et seq.*)
- 11) Provides that any alien who is physically present in the U.S. or who arrives in the U.S. (whether or not at a designated port of arrival and including an alien who is brought to the U.S. after having been interdicted in international or U.S. waters), irrespective of such alien's status, may apply for asylum. (8 U.S.C. § 1158(a)(1))
- 12) Defines “qualified alien” to mean an alien who, at the time the alien applies for, receives, or attempts to receive a federal public benefit, is:
 - a) An alien who is lawfully admitted for permanent residence under the INA;
 - b) An alien who is granted asylum, as defined;
 - c) A refugee who is admitted to the U.S., as defined;
 - d) An alien who is paroled into the U.S., as defined, for a period of at least one year;
 - e) An alien whose deportation is being withheld;
 - f) An alien who is granted conditional entry;
 - g) An alien who is a Cuban and Haitian entrant; and,

- h) An individual who lawfully resides in the U.S. in accordance with a Compact of Free Association. (8 U.S.C. § 1641(b))
- 13) Prohibits, notwithstanding any other provision of law and except as provided in specified exceptions and 14) below, an alien who is not: a qualified alien, as defined in 12) above; a nonimmigrant under the INA; or, an alien who is paroled into the U.S. for less than one year is not eligible for any state or local public benefit, as specified. (8 U.S.C. § 1621(a))
- 14) Provides that a state may provide that an alien who is not lawfully present in the U.S. is eligible for any state or local public benefit for which such alien would otherwise be ineligible under 13) above, only through the enactment of a state law after August 22, 1996, which affirmatively provides for such eligibility. (8 U.S.C. § 1621(d))

FISCAL EFFECT: Unknown, this bill has not been analyzed by a fiscal committee.

COMMENTS:

Background: *Refugees, Asylees & Vulnerable Noncitizens.* The U.S. classifies vulnerable noncitizens into categories such as refugees, asylees, and others, such as parolees, conditional entrants, temporary protected status, or legally permanent residents, each with distinct legal pathways and rights.

Refugees are individuals fleeing persecution who are vetted abroad before resettlement into the U.S., often referred by the United Nations High Commission for Refugees or other agencies. Once approved, they are supported by resettlement agencies that assist with housing, employment, and other services. Refugee admissions are capped annually under the INA and have fluctuated over the years. In 2021, the refugee admissions cap was set at 15,000—the lowest since the U.S. Refugee Admissions Program (USRAP) began in 1980—while in 2023, it remained at 125,000 for the second consecutive year. Despite the cap, only 60,050 were admitted in 2023, with most coming from the Democratic Republic of the Congo, Syria, and Afghanistan. California resettled 3,670 refugees, primarily in the counties of Alameda, Los Angeles, Orange, Sacramento, San Diego, San Francisco, Santa Clara, and Stanislaus.

Asylees, on the other hand, are already in the U.S. or at a port of entry when seeking protection. They must apply within one year of arrival and may be granted asylum affirmatively by the U.S. Citizenship and Immigration Services (USCIS) within DHS or defensively by the Executive Office for Immigration Review within the U.S. Department of Justice in removal proceedings. Affirmative filings surged from 241,280 in 2022 to 456,750 in 2023, while defensive filings also rose to 488,620 in 2023 from 260,830 in 2022. Despite nearly 1 million applications, only 5.7% were granted asylum in 2023, with most coming from Afghanistan, China, and Venezuela. California was home to 13,890 asylees in 2023.

Other vulnerable noncitizens include victims of human trafficking, domestic violence, or other serious crimes who seek relief through T-visa or U-nonimmigrant status visas (U-visas). T-visas protect labor or sex trafficking victims, while U-visas assist those harmed by specific crimes, such as domestic violence, sexual assault, human trafficking, and other violent crimes. In 2023, USCIS received a record 13,800 T-visa applications (capped at 5,000 approvals per year) and completed about 4,700. U-visas petitions rose to 57,500, with about 25,200 processed out of a 10,000 annual cap.

Enhanced Services for Asylees and Vulnerable Noncitizens Program. Vulnerable noncitizens often face significant barriers to integration, including language obstacles, cultural differences, and unfamiliarity with the U.S. legal and social service systems. In response, California established the ESAVN program to provide culturally and linguistically appropriate case management services to asylees and noncitizen victims of human trafficking, domestic violence, and other serious crimes who qualify under the state-funded TCVAP. Eligible individuals must reside in California and receive services within the first year of being granted asylum or deemed eligible as a vulnerable noncitizen. ESAVN services last up to 90 days and focus on helping clients access public benefits and healthcare.

In July 2021, the Refugee Programs Bureau awarded \$8 million in ESAVN funding to 13 nonprofit organizations operating across four regions: Northern California, the Bay Area, the Central Valley, and Southern California. This funding, provided through the Budget Acts of 2021, 2022, and 2023, supported services through June 30, 2024 – extended from the original end date of June 30, 2023. No additional funding was allocated beyond this extension. *This bill* reduces the required experience for nonprofit organizations from three years to one year for providing culturally and linguistically appropriate case management services.

According to a February 2024 report by the CDSS Refugee Programs Bureau Asylee & Trafficking Unit, from July 2022 to January 2024, 11 of the 13 funded agencies served a total of 1,828 clients. Of these, 43% (777 clients) were asylees and 57% (1,033 clients) were other vulnerable noncitizens. The top three nationalities represented were Mexico (37%), Afghanistan (20%), and Guatemala (7%). The most common services provided included assistance with accessing public benefits (65%), immigration services (51%), health care navigation (42%), and education (41%). The highest client service rates were in San Diego County (21%), followed by Merced (13%) and Fresno (12%).

Federal Actions. On January 20, 2025, President Donald Trump signed an executive order (EO) suspending the right to seek asylum at the U.S.-Mexico border. This unprecedented action effectively halts asylum claims for migrants crossing the southern border, regardless of their circumstances. The administration justified the suspension by declaring the situation at the southern border an “invasion,” invoking presidential authority to restrict entry of individuals deemed detrimental to U.S. interests. In addition to suspending asylum, the administration shut down the U.S. Customs and Border Protection’s CBP One mobile app, which asylum seekers previously used to schedule appointments at official ports of entry. This closure left many migrants in Mexico without a legal pathway to seek protection in the U.S. Advocacy groups have filed lawsuits challenging the EO, asserting that it unlawfully denies individuals the right to seek asylum and puts vulnerable populations at risk. The Trump administration also reinstated the “Remain in Mexico” policy, which requires asylum seekers to wait in Mexico while their claims are processed. These policies violate U.S. laws granting people fleeing persecution the right to access asylum.

On January 20, 2025, President Trump signed another EO indefinitely suspending USRAP, immediately halting refugee admissions and canceling flights for approximately 10,000 refugees, including over 1,660 Afghans who had already been cleared to enter the U.S. The order introduced new provisions allowing state and local governments to veto refugee resettlement within their jurisdictions and mandated a comprehensive 90-day review to potentially restart the program under new admission criteria emphasizing taxpayer savings and refugee assimilation. It also rescinded previous Biden administration efforts to strengthen refugee admissions, including

private sponsorship. Although the EO provided for potential exemptions, no clear exemption process was established. On February 25, 2025, a federal judge in Seattle temporarily blocked the suspension, ruling that the administration had exceeded its legal authority. On April 11, 2025, a federal judge in the case of *Pacito v Trump* issued a ruling requiring the administration to comply with previous orders to resume refugee processing and restore contracts with resettlement agencies.

On January 31, 2025, the Immigration and Customs Enforcement (ICE) issued new interim guidance altering enforcement practices for individuals holding or seeking victim-based immigration protections, such as U-visas, T-visas, and Violence Against Women Act status. This guidance rescinds earlier, more victim-centered policies and now instructs ICE officers to coordinate with law enforcement to avoid disrupting investigations, although specifics on coordination are unclear. Notably, the new guidance removes mandatory consultation with legal advisors before enforcement actions, such as arrest or detention of an immigrant, no longer requiring officers to proactively identify crime victims, and ceases routine requests for expedited processing of victim-based immigration applications. Advocates have criticized these changes, arguing they may discourage immigrant crime victims from seeking assistance or cooperating with law enforcement, undermining the safety and protections these immigration programs were designed to provide.

This bill aims to expand eligibility for the ESAVN program to include all noncitizens who entered the U.S. and were screened by DHS between January 1, 2024 and January 1, 2026. *This bill* addresses the Trump administration's recent restrictions, including the suspension of asylum rights at the U.S.-Mexico border, the indefinite halt of refugee admissions, and ICE's restrictive changes to victim-based visa protections, ensuring vulnerable individuals impacted by these federal actions maintain access to critical state-funded resettlement and support services. *This bill* further clarifies acceptable documentation for residency in California, including a California driver's license, identification card, utility bill, or rental history.

Author's Statement: According to the Author, "Both refugees and asylees are eligible for a wide range of benefits, including Medi-Cal, and CalFresh, but unfortunately, without adequate support and a culturally responsive program, most new asylees are not aware of their eligibility and forgo enrolling in benefits. Unlike refugees who are assigned a case worker upon entry to the United States. Sustaining the Enhanced Services for Asylees and Vulnerable Non-Citizens (ESAVN) Program ensures equitable access to vital safety net services for asylees and vulnerable immigrants as they restart their lives in California."

Equity Implications: Refugees, asylees, and vulnerable noncitizens are among the most vulnerable populations, often fleeing persecution, violence, and exploitation in their home countries in search of safety and security. Given the global displacement crisis and California's pivotal role as a haven for those seeking safety and refuge, *this bill* aims to alleviate disparities in access to support services and ensure that every individual has the chance to rebuild their lives with safety and dignity.

RELATED AND PRIOR LEGISLATION:

AB 2218 (Santiago) of 2024, would have extended eligibility for the ESAVN program's awards and contracts to nonprofit organizations with one year of experience providing case management

services and linguistically and culturally appropriate services. *AB 2218 was held on the Assembly Committee on Appropriations suspense file.*

AB 1368 (Calderon) of 2022, would have established the Enhanced Services Program for Asylees to provide resettlement services for persons granted political asylum to live in this state by the U.S. Attorney General. *AB 1368 was held on the Senate Committee on Appropriations suspense file.*

AB 135 (Committee on Budget), Chapter 85, Statutes of 2021, established the ESAVN program to provide for persons granted asylum or who are eligible to receive refugee cash assistance and services as victims of crime.

AB 1096 (Luz Rivas), Chapter 296, Statutes of 2021, struck the offensive and dehumanizing term "alien" used to describe a person who is not a citizen or national of the U.S. where it appears in multiple California code sections, and replaced it with other terms that do not include the word "alien," and makes other nonsubstantive changes.

REGISTERED SUPPORT / OPPOSITION:

Support

Coalition for Humane Immigrant Rights (CHIRLA) (Sponsor)
Afghans for a Better Tomorrow
Asian Americans Advancing Justice-Southern California
CA Welcomes Coalition
Latino Coalition for a Healthy California
Oasis Legal Services
Western Center on Law & Poverty

Opposition

None on file.

Analysis Prepared by: Bri-Ann Hernández-Mengual / HUM. S. / (916) 319-2089