

# BEST PRACTICE GUIDE

Supporting **LGBT** Asylum  
Seekers in the United States



**STRONGER  
TOGETHER**

Produced in Partnership with  
The National LGBTQ Task Force and  
The Human Rights Campaign

*LGBT Freedom*  *Asylum Network*

# Acknowledgements

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**Stronger Together** was drafted and designed by a team of four authors who gathered input from a wide range of colleagues:

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- **Max Niedzwiecki**, PhD, one of LGBT-FAN's co-founders, is the Principal of Daylight Consulting Group and focuses on writing, fundraising, advocacy, and related work for nonprofit organizations and foundations. He focused mostly on framing and planning the project, gaining support for it, writing, and revising in light of reviewers' comments.
- **Temitope Oke** is an asylee from Nigeria who previously worked in LGBT health promotion in his home country. He is currently studying for his BA at the University of the District of Columbia, and continues to advocate for LGBT and asylum seekers' rights. He focused on gathering together advisors and collecting their input for this publication, and contributed to writing.
- **Anastasia Volkova** has a master's degree in economics and worked in marketing in her home country, Russia, until 2013. Now an asylee in the U.S., Anastasia worked twelve-hour days in the service industry during the eighteen months it took for her asylum application to be processed. For this publication, she contributed to content based on her experience as an asylum seeker, and her work focused on layout and design.

Two committees provided essential input and information for **Stronger Together**.

The **Research and Publication Committee** included two representatives (one a service provider and at least one who had received services) from groups that provide a comprehensive array of help to LGBT asylum seekers. This committee met several times by conference call, reviewed and revised the report's table of contents, provided information and materials drawn from their own work and experiences, and reviewed and suggested revisions to drafts.

Members included:

- **John A. Adewoye**: Center for Integration and Courageous Living and Chicago LGBTQI Asylum Support Partners (CLASP)
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The Peer Review Committee included representatives of the organizations that partnered with LGBT-FAN in producing and releasing this guide: **The National LGBTQ Task Force** and the **Human Rights Campaign**, the nation's two largest LGBT-specific advocacy organizations.

The fact that they committed financial and human resources to this project is a hopeful sign that LGBT asylum seekers will be recognized and embraced by more organizations and decision-makers in the near future.

Surveys conducted by LGBT-FAN for this study elicited information from LGBT asylum seekers and asylees in the U.S., and existing organizations that provide services to them. Seventy-three individuals completed the survey for asylum seekers/asylees, and representatives from 18 groups completed the survey for organizations.

Additional thanks are due to **Marzena Zukowska** and **Kristina Lapinski** for photography; **Nikilas Mawanda** and **Ana D** for modeling; **Human Rights First** for images; **Rochelle Fortier Nwadiibia** and **Lisa Weinberg** for legal expertise and **Catherine McGuirk** for copy editing.

**Stronger Together** would not exist without the contributions of all those recognized above and many more. To all of you—named or unnamed here—the authors express their heartfelt thanks.

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The LGBT Freedom & Asylum Network (LGBT-FAN) is a national coalition dedicated to helping people who are seeking safety in the United States because of persecution based on sexual orientation or gender identity in their home countries.

LGBT-FAN members include asylum-seekers and people who have already gained asylum, LGBT rights activists, faith leaders, LGBT community center staff, policy experts, scholars, and refugee resettlement workers.

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# Foreword

Every year, untold thousands flee from persecution that is directed at people because of their actual or perceived sexual orientation or gender identity (SOGI)—because they are, or they are thought to be, lesbian, gay, bisexual, or transgender (LGBT), or because they support someone who is LGBT. Many seek safety in the United States, and face the daunting task of building new lives in an environment that is alien and often hostile. Like asylum seekers in general, most cannot access any form of government support and may be subject to immigration detention (a softer word for “prison”). Those who know or come to learn that they are eligible to apply for asylum must find their way through a dysfunctional and tangled legal system, and are legally barred from working for at least 180 days after formally submitting their asylum applications.

LGBT asylum seekers face additional barriers when compared to those who are not LGBT. They continue to face homophobia and transphobia, often arrive without family support, and may be rejected or ignored by organizations that could potentially give them a helping hand: many churches and mosques, LGBT community centers, clinics, shelters, community-based organizations that are rooted in specific ethnic communities,<sup>1</sup> and other key institutions are either openly hostile to them, or act as if they don’t exist.

Individuals, organizations and networks which offer support to non-LGBT asylum seekers may simply be closed off to people who openly and publicly identify as LGBT. In order to access support, LGBT asylum seekers may feel unable to disclose their identity. Legal help with filing asylum applications is more widely available than social and living support, although the needs far exceed the help available and pro bono and “low bono” (free and low cost) services are severely overstretched. This state of affairs is perpetuated by laws prohibiting the U.S. government from funding services for asylum seekers,<sup>2</sup> and a pervasive lack of support from major foundations.<sup>3</sup>

While the U.S. moves forward on some other LGBT priorities and awareness of persecution in other countries grows, LGBT asylum seekers—the very people who have fled that persecution in Russia, Nigeria, Honduras, Iran, and many other countries—remain invisible to most institutions and wealthy donors. Currently, individuals of modest means are the major source of support for groups helping openly LGBT asylum seekers to survive their first several months in the United States.

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## What Does “LGBT” Mean?

***LGBT**—an acronym for “lesbian, gay, bisexual, and transgender”—is the term used in this guide to refer to a broad range of people who do not self-identify as heterosexual (straight) and/or cisgender (identifying with the sex assigned to them at birth). This includes people who may refer to themselves as “queer,” “non-binary,” “genderfluid,” “two-spirit,” or with other labels. Scores of other terms are used throughout the world, and more are coming into use every day. Conversely, some people choose not to label their identity and expression at all. We use “LGBT” while recognizing the limits of the term.*

***LGBT-FAN** promotes assistance that is inclusive to, and affirming of, individuals whose vocabulary and conceptualizations differ from the dominant American paradigm but for whom the risks remain the same. This also includes intersex individuals, and human rights defenders who have advocated on behalf of the LGBT community and fled their countries after facing persecution.*

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## Foreword *(continued)*

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There is no financial incentive for institutions to recognize the basic human needs of LGBT or other asylum seekers, who are left in the impossible situation of being forbidden to earn a living or access most government forms of assistance. Advocacy needs to propel major shifts in public awareness, federal law, government policies, and foundation priorities. Until that happens, asylum seekers must find ways to survive.

A movement is starting to address these survival needs. Several groups around the country (see Directory, page 51) have organized hundreds of volunteers and even hired a few staff with the aim of providing housing, information, referrals, a warm welcome, health services, leadership opportunities, food, community, and other basic necessities to LGBT asylum seekers. The purpose of this guide is to help this movement grow in healthy and sustainable ways.

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### ***Stronger Together should be useful for:***

- » *Organizations considering beginning new programs or expanding their scope to include LGBT asylum seekers*
  - » *Organizations already providing services and seeking to improve them*
  - » *Recruitment efforts to get more organizations and people involved*
  - » *Organizations designing trainings for staff and volunteers*
  - » *Volunteers and staff who should be properly oriented to this work*
  - » *People who are considering starting new groups to help LGBT asylum seekers*
  - » *Immigration and LGBT advocates*
  - » *Foundation and individual donors looking for ways to provide financial or other forms of support*
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### **A note on how to use Stronger Together:**

**Stronger Together**—the first guide to focus on helping LGBT asylum seekers adjust to life in the U.S.—has been drafted by the LGBT Freedom and Asylum Network (LGBT-FAN), its members, and its partners to help individuals and groups become part of this movement. It provides best practices, basic background information, and tips about traps to avoid. It features short illustrative stories, a code of ethics, a bibliography, and a short directory of helpful organizations.

Stronger Together has been drafted and designed for easy access to information on a variety of different topics.

Some topics—like the Code of Ethics—are relevant to everyone who works with LGBT asylum seekers, while others—like the Institutional Models section—will not be of interest to everyone.

We anticipate that most users will jump from one section of the guide to another, rather than reading it cover-to-cover.

We have included cross-references throughout the document. The Notes, Appendices, Directory and Bibliography provide a starting point for readers intending to carry out more detailed research on particular topics.

# Introduction to the Field

Before beginning to work with LGBT asylum seekers, it is important to understand something about their lives and the legal terms that define their immigration status. This section is quite technical, as the subject requires. It should help readers to understand that the asylum process is extremely complex, confusing, and anxiety-producing for those who need to navigate it. It should also help readers to see why it is important to obtain legal services from accredited attorneys and others<sup>4</sup> who have strong prior experience in working with LGBT asylum seekers. The consequences of making mistakes in this process and not obtaining asylum—which can include deportation back to a person’s country of origin—need to be taken seriously.

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## Terminology

The UNHCR, along with the United States<sup>6</sup> and several other countries, honors claims for protection made by people fleeing homophobic or transphobic persecution.

These are usually, but not always, processed under the “membership in a particular social group” category of the refugee definition.

The term “LGBT asylum seeker” may also refer to people fleeing other forms of persecution who also happen to be LGBT.

LGBT people who have fled their home countries because of persecution may be either granted “refugee” or “asylee” status, depending on a number of factors.

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**The United Nations refugee agency (called the United Nations High Commissioner for Refugees, or UNHCR) defines a refugee or asylee as:**

*“any 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.”<sup>5</sup>*




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**Different countries add different shades of meaning to the terms “refugee,” “asylee,” and “asylum seeker.”**  
**In the U.S. context:<sup>7</sup>**

- ▼ **Refugees** are recognized as such by the U.S. government while they are **outside of the United States**, and move to this country with help from the U.S. government. Once they are admitted to the United States, refugees are eligible for assistance from U.S. government-funded organizations. Refugees can legally work, and have access to a wide range of social services, housing, and income support.
- ▼ **Asylum Seekers** arrive in the U.S. on their own, and **then apply for permission** to live here permanently. Individuals must apply for asylum **within one year** of entering the United States. Exceptions to this one-year filing deadline are occasionally granted, but only if an applicant can prove that “extraordinary or exceptional circumstances” prevented them from filing their case.<sup>8</sup> Asylum seekers are not eligible for most forms of U.S. government assistance and have no legal right to government-supported legal representation. Unless they hold a current visa which allows them to work, asylum seekers are not permitted to legally earn income until at least 180 days after filing their asylum claim.<sup>9</sup>
- ▼ **Asylees** are former asylum seekers who have been granted permission by the U.S. government to remain permanently in the United States. Asylees are legally authorized to work and may access many of the services and benefits that are available to refugees, as well as U.S. citizens.

## Right to U.S. Government-Supported Help






The differences between rights afforded to refugees, asylum seekers, and asylees is complex. The following chart provides a **summary**:

		Refugees	Asylum Seekers	Asylees <sup>10</sup>
Freedom of Movement		Can move wherever they like in the U.S.  <b>Require a Refugee Travel Document (Form I-131)</b> to re-enter the U.S. after traveling abroad. <sup>11</sup>	May be held in <b>immigration detention</b> , or under <b>"supervised release."</b>  Can move within the U.S. but must notify USCIS of change of address and consultation with legal counsel is recommended.  <b>Must apply for special permission to leave the U.S.</b>	Can move wherever they like in the U.S.  <b>Require a Refugee Travel Document (Form I-131)</b> to re-enter the U.S. after traveling abroad. <sup>11</sup>
Employment		Can work legally <b>from time they arrive in the U.S.</b>	Permitted to apply for work authorization <b>150 days after filing asylum application</b> as long as they have not caused any delays in the processing of their application. <sup>12</sup>  Then they are eligible to receive work authorization <b>after waiting an additional 30-90 days.</b> Authorization must be renewed annually.	Can work legally <b>once granted asylum status.</b>  No need for an employment authorization document to work.
Financial Support		Receive housing and money to cover basic living expenses <b>for their first few months (usually 8)</b> in the country.  May access welfare and income support.	Receive <b>no financial support</b> from the federal government.	Usually receive no income or housing support, but <b>eligible for VOLAG "matching grant"</b> <sup>13</sup> <b>programs.</b>  May be eligible for food stamps, federal financial aid for education, and other assistance.

(continued on the next page)

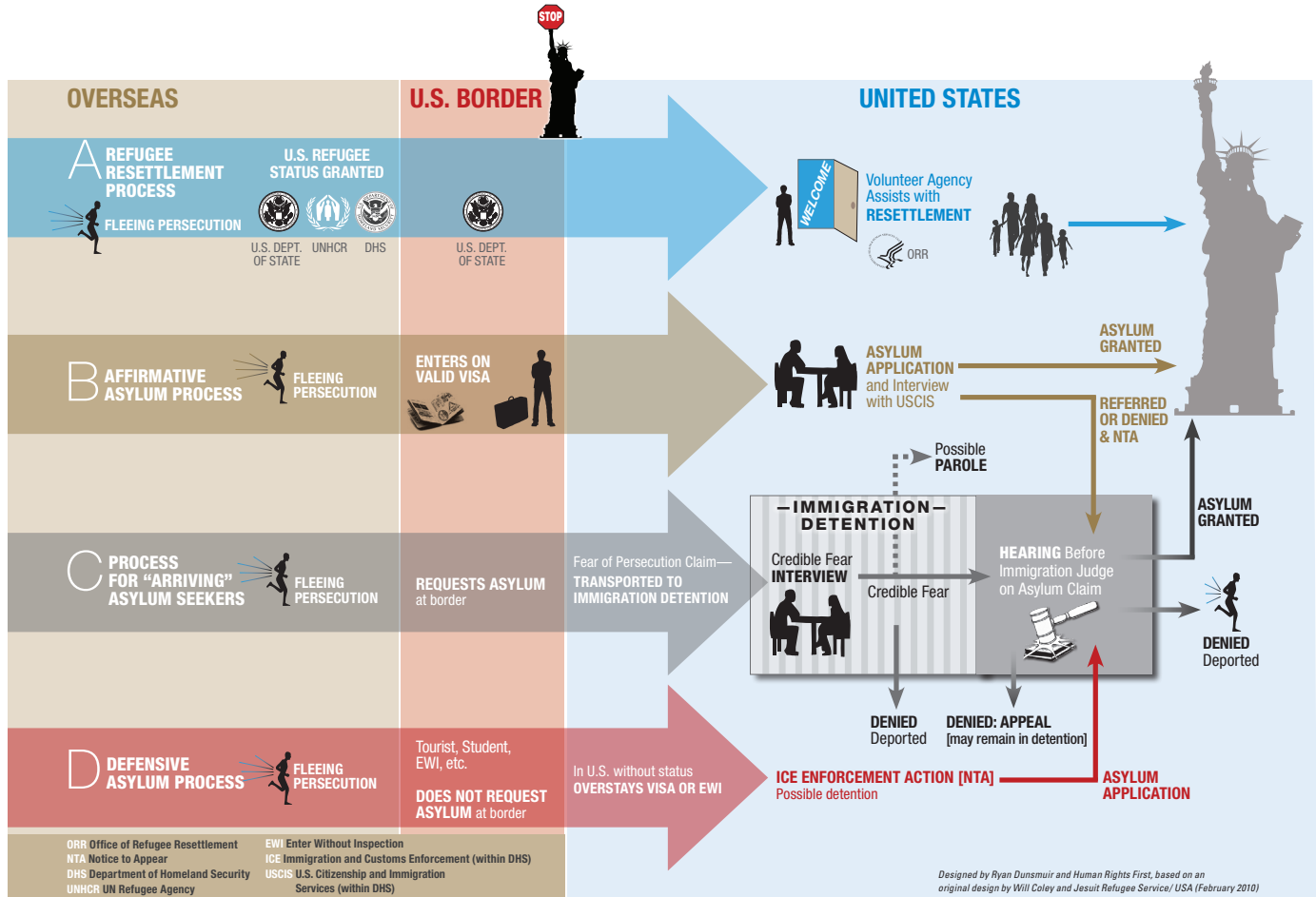


## Right to U.S. Government-Supported Help *(continued)*

		Refugees	Asylum Seekers	Asylees <sup>10</sup>
<b>Educational Opportunities</b>		Offered English language classes, job training, etc. by organizations called <b>voluntary resettlement agencies (VOLAGS)</b> <sup>14</sup> during first few months (usually 8) in the U.S.	Varies state by state.  Generally <b>not eligible for VOLAG classes</b> or trainings or U.S. government-funded programs.  Eligible for One-Stop Career Center support <b>only upon receipt of work authorization.</b>	Eligible for some educational opportunities offered by VOLAGS, as well as <b>opportunities available to U.S. permanent residents and citizens.</b>
<b>Case Management</b>		Provided with <b>case management by VOLAGS</b> during first few months (usually 8) in the U.S.	<b>Not eligible</b> for assistance programs supported by U.S. government funds.	Eligible for some case management offered by VOLAGS, as well as <b>opportunities available to U.S. permanent residents and citizens.</b>
<b>Other Government Programs</b>		Eligible for participation in a <b>wide range of U.S. government-supported programs, as well as programs supported by state, county, and local governments.</b>	<b>Not eligible</b> for federal means-tested public benefits. <b>May access healthcare in some states.</b>  (Note: children of asylum seekers are eligible for support, if they are in the U.S.) <sup>15</sup>	Eligible for participation in a <b>wide range of U.S. government-supported programs.</b>
<b>Path to Citizenship</b>		<b>Must</b> apply for legal permanent resident status (green card) <b>after 1 year in the U.S.</b> ; can apply for citizenship <b>after 5 years.</b>	<b>Must gain asylum first.</b>	<b>Can</b> apply for green card <b>1 year after granted asylum</b> , and for citizenship <b>4 years</b> after receiving permanent resident status.
<b>Family Unification</b>		If you entered the United States as a refugee <b>within the past 2 years</b> , you may petition for certain family members to obtain derivative refugee or asylee status. <sup>16</sup>	If <b>spouse</b> or <b>children</b> are in the U.S., they can be included as derivatives on an adult's asylum application.	If you were granted asylee status <b>within the past 2 years</b> , you may petition for certain family members to obtain derivative refugee or asylee status. <sup>17</sup>

Icons made by Freepik from [www.flaticon.com](http://www.flaticon.com)

# Affirmative vs. Defensive Asylum Claims and Immigrant Detention



**Asylum can be obtained in the United States through an “affirmative process” or a “defensive process.”<sup>18</sup>**

Those going through the **affirmative process** submit an asylum application without facing an attempt by the U.S. government to remove them from the country. This is an **administrative process** and applicants are rarely subjected to immigration detention. However, if they are not successful in the affirmative process, they need to begin the defensive process.

Those going through a **defensive process** are fighting an attempt by the government to remove them from the country because they are found at or near one of the nation’s borders, they have a prior removal order for some reason, or they were referred to the immigration court by the asylum office. This is a **judicial process** and applicants are often imprisoned in immigration detention facilities, where they are at higher risk of rape and sexual assault.

This is especially true for transgender people who—until the recent announcement of new ICE guidelines<sup>19</sup>—were routinely housed according to their birth-assigned gender.<sup>20</sup> This practice likely continues: the implementation of the new guidelines has been widely questioned.<sup>21</sup>

Before being released from detention or applying for asylum, those who are making defensive claims may have to pass a “credible fear interview” or “reasonable fear interview.”<sup>22</sup> Even after passing such an interview, they may remain imprisoned if the government determines that there is no viable “alternative to detention” for the individual (see Appendix A: The Ins and Outs of Immigration Detention).

**Stronger Together is designed to help build the capacity of groups that can provide such alternatives to detention.**

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## Choosing the Path to Asylum

It may seem surprising that many LGBT people fleeing persecution choose to pursue asylum rather than refugee status. After all, resettled refugees receive far more support than asylum seekers, it is often difficult and costly to travel to the United States, and many asylum seekers are imprisoned in immigration detention at some point during their application process. However, the process of becoming recognized as a refugee is also extremely difficult—and presents specific challenges for LGBT people.

The UNHCR estimates that there are 15 million refugees awaiting resettlement in the world. An additional 27 million remain displaced by conflict in their homelands.<sup>23</sup> With fewer than one percent of refugees resettled annually,<sup>24</sup> it can take a very long time before someone identified as a refugee receives the protection they need, and some refugees never receive adequate protection.

Moreover, the UNHCR refugee program remains perilous for LGBT people.<sup>25</sup> It is not safe for many fleeing persecution to disclose their sexual or gender non-conformity while

awaiting resettlement.<sup>26</sup> UNHCR and others are making efforts to more effectively open the international refugee program to LGBT people, for example by providing their staff with training,<sup>27</sup> making forceful policy statements, and attempting to integrate LGBT concerns with their work in the field and more centrally.<sup>28</sup> However, procedures and attitudes among staff and other refugees are entrenched in some locations, and refugees' hesitancy to disclose their identity is not easily addressed.

Pursuing direct entry to the U.S. or another country to claim asylum understandably appeals to many LGBT people seeking protection, even though this pathway is closed to most people worldwide. It can be very expensive to obtain visas and travel to the U.S., and requirements for visas can include a daunting list of conditions that marginalized people find it especially difficult to meet.<sup>29</sup> However LGBT people pursue protection, the journey to safety can be extremely challenging.

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### How many LGBT asylum seekers are there?

*This frequently asked question has a simple answer: Nobody knows.*

#### Why is this the case?

*The Department of Homeland Security, which processes and collects data on asylum applications, does not record applicants' sexual orientation or gender identity. Moreover, its records list only the broadest categories of persecution upon which claims are based. It is therefore impossible to state the number of asylum claims made per year that either cite anti-LGBT persecution or are submitted by people who identify as LGBT.<sup>30</sup>*

*However, **The Organization for Refuge, Asylum and Migration** estimates that approximately five percent of U.S. asylum claims are based persecution of sexual orientation or gender identity.<sup>31</sup>*

*This would suggest that of the 96,046 total asylum applications the U.S. received in 2014 alone,<sup>32</sup> **4,802** would have cited anti-LGBT persecution. Recent accounts also speculate that the number of LGBT asylum seekers in the U.S. has risen sharply in recent years, particularly those coming from Central America<sup>33</sup> and Russia.<sup>34</sup>*

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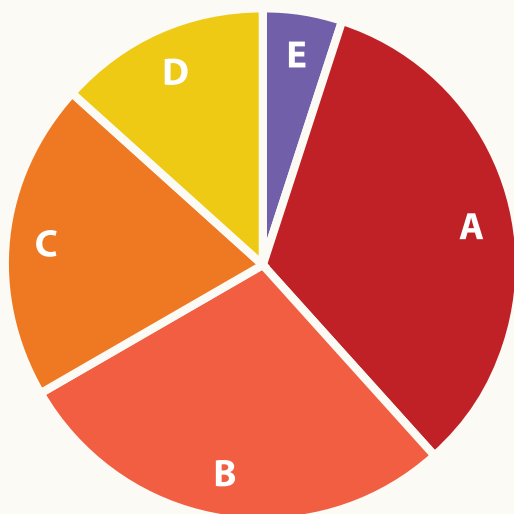
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### Tip:

Be careful when communicating with people who are considering coming to the U.S. to seek asylum but are currently outside the country. Saying the wrong thing could place them in danger. See LGBT-FAN's fact sheet (**Appendix B**) for guidance.

## Where do LGBT asylum seekers come from?

Given the lack of official data available, it is difficult to answer this question. Statistics collected by specialized immigration attorneys provide insight, however:



Origin of LGBT asylum seekers represented by Immigration Equality, 2010 - 2014 <sup>35</sup>

A	33%	Caribbean
B	28%	South and Central America
C	20%	Asia
D	13%	Africa
E	5%	Europe

These numbers fluctuate between different regions of the U.S. Certain factors affect where asylum seekers live, such as accessibility and proximity to origin countries, and the presence of existing networks and communities in a chosen destination. For example, Immigration Equality is based on the East Coast. Lawyers in California, however, report that 65-85 percent of their LGBT asylum clients are from Central or South America.<sup>36</sup>

## LGBT Asylum Seekers: A Diverse Population

### Different Paths to the United States:

*When they made their claims, Fadlo and Nasreen were each studying at U.S. universities on student visas.*

*Boris was in the U.S. for work, sponsored by an employee on a Temporary Worker visa.*

*Harrison and Charlie each entered the country to attend conferences.*

*Faith came to celebrate her cousin's wedding.*

*Michael arrived as a tourist.*

*Eva, Francoise and Carlos all crossed land borders without official documents.*

As with LGBT people anywhere in the world, **LGBT asylum seekers are people from all walks of life:** activists, home-makers, business people, lawyers, technicians, teachers, unskilled workers, human rights defenders, cab drivers, people with PhDs, people with little formal education, mothers and fathers, differently abled people, multilingual and monolingual.



*Advice from an asylum seeker to volunteer support workers*

***"Have an open mind and do remember that everyone is different."***

As a result, LGBT people take many different paths to seeking asylum in the U.S. The asylum seekers and asylees who contributed to this guide reported a wide variety of experience.



## LGBT Asylum Seekers: A Diverse Population *(continued)*

### Getting here

People flee to the U.S. because they cannot live safely in their home countries. They are in danger of persecution, prosecution, imprisonment, blackmail, discrimination, torture, sexual assault and in some cases death based on their actual or perceived sexual orientation or gender identity.

Some asylum seekers make preparations in advance of their journey. Others make a snap decision to leave home when an opportunity arises, arriving with few resources. Some only decide to apply once they are already in the U.S. Some flee to the United States having never heard of “asylum,” or at least unaware that they might qualify.

Many find out about the process through word of mouth, possibly after living undocumented for many years. By that time, it can be extremely difficult to file a successful claim because they have missed the one-year bar on applications or have been unable to find good legal help.



*Survey response from an asylum seeker*

*“I didn’t even know I can apply for asylum before the lady working for the healthcare services told me.”*

### Getting by

While their case is pending, asylum seekers are not entitled to housing or other forms of support provided by the federal government (see page 7-8).

If they are lucky or well-connected, they might be able to live with friends, family, or acquaintances. Others live in college dorms, hostels, community organization spaces or rental units.

Some live on the streets and between homeless shelters, or move between different places. In general, asylum seekers rely on friends, informal networks, and community organizations to get by.

Many work under the table before receiving their Employment Authorization Document (EAD) in order to make ends meet. Others rely on personal savings, or the generosity of others to survive. Even many of those who arrive with some resources find the barriers they face daunting in terms of legal complications, discrimination, and lack of access to services.



*Comment from an asylum seeker*

*“I was well respected in Uganda. I had never encountered racism until I arrived in the U.S.”*

### Facing prejudice

It can be startling for people expecting to find freedom from persecution in the United States to encounter racism, xenophobia and anti-immigrant sentiment when they arrive.

It is also important to remember that gay men, for example, have experiences and needs different from lesbians, who in turn have experiences and needs different from trans people.<sup>37</sup> All varieties of prejudice can make it extremely difficult for LGBT asylum seekers to find and maintain employment, housing, and appropriate medical care.

# 72%

of surveyed asylum seekers or asylees needed housing support when they arrived in the U.S.

# 84%

of surveyed asylum seekers or asylees required money for food, travel and basic necessities

# 84%

of surveyed asylum seekers or asylees believe it is “important” or “very important” for service providers to improve in the area of “respecting the individual goals and history of each person”

## Finding support

LGBT asylum seekers may access services provided by nonprofit organizations such as clinics and community centers which provide services to people regardless of their immigration status.

Some—but not all—of these spaces are willing and able to provide culturally competent services to openly LGBT individuals. Likewise, organizations that specifically provide services to LGBT people are not always willing and able to provide culturally competent services to undocumented or asylum-seeking populations.

As a result of their experiences in the U.S., as well as persecution they experienced in their home countries, LGBT asylum seekers can be cautious about revealing their sexuality, gender identity, specific needs, and immigration status to potential service providers.

Moreover, not all are comfortable identifying as “LGBT.”



*Comment from an Immigration Lawyer*

*“There are very limited services available for all asylum seekers, and some of those LGBT asylum seekers can only get as long as they don’t identify as LGBT. For example, I have a lesbian Muslim asylum client who is being supported by a Ugandan Christian church right now and being given food and help by the congregation. She is not out to them as a lesbian or a Muslim.”*



*Advice from an asylum seeker to service providers*

*“Be aware of cultural differences and understand that it will take time for asylees to understand and adjust to their new community/culture. Asking for help may be very difficult for some (for personal and cultural reasons). It was very difficult for me. It was a pride issue and I felt a great deal of embarrassment and feelings of humiliation. Disorientation is very common. For some, they may experience panic and want to return to their home country (they know what to expect there even if it’s abuse/persecution).”*



# Program Essentials

There is no one-size-fits-all model for a program or organization that helps LGBT asylum seekers. However, those who have built successful programs have learned that certain practices have worked consistently.

## Emphasize Partnership

Partnership should be a recurring theme in this work: If you are working in a program, you are in partnership with your clients in the sense that you are working together towards identifying and achieving their goals. Neither one of you is the “boss.”

In order to do your work effectively your group needs to have teams of people working together, and your group needs to partner with other groups. LGBT asylum seekers need a broader range of support than any one organization can provide.

**Teams of people working together to help asylum seekers have been called “Clusters” and “Guardian Groups”:**



*Refugee Immigration Ministry*

*“Clusters provide resettlement services (food, housing, transportation) within their communities. Clusters are made up of volunteers from collaborating faith communities within a given geographical area. This collaboration allows several clients to be supported by Clusters and provides an enriching experience to volunteers. RIM clients have mostly stayed in the communities that have welcomed them. They are working and contributing their skills to the community. They are also enriching the communities in which they live by sharing their cultural gifts of food, music, art, and customs.”*



*Organization for Refuge, Asylum and Migration, describing the approach adopted by the First Universalist Society of San Francisco<sup>38</sup>*

*“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.”*

Helping clients to access services from other programs and organizations, and receiving referrals from others, should be core program functions.

It may be helpful to think of your group as part of a network, in which you are responsible for building and maintaining relationships with others who can provide services that LGBT asylum seekers need.

### When building or strengthening that network, consider:

- ▼ What do LGBT asylum seekers need that our group cannot provide?

*Ask your clients this question, too.*

- ▼ How can we identify organizations that provide those services?

*Ask the people and groups that you already know for answers to this question.*

- ▼ How can we build trusting relationships with partners, and also encourage them to work with one another for the benefit of our clients?

*Consider bringing them together for information-sharing, strategizing, or socializing.*

- ▼ How can we be sure that the organizations we work with know enough about LGBT asylum seekers, and treat them with respect?

*Send them Stronger Together, and discuss it with them. Invite them to events. Explain to them what you think is important. Ask your clients who have worked with them how they were treated.*



*Advice to service providers  
from Freedom House Detroit*

*“Establishing partnerships and building networks enable us to provide holistic treatment and care — thereby meeting all the needs of our clients — as well as to better advocate for the population as a whole. While all services are coordinated by our staff as case management, referrals are made to partner organizations and other service professionals who are able to provide and deliver the services at cost or on a pro bono/ volunteer basis.”*

The following kinds of organizations or programs should be part of every network aimed at helping LGBT asylum seekers. Remember that few people know much about immigration or the diversity of LGBT populations. Assess potential partners' level of knowledge and sensitivity before you make referrals to them, and build that knowledge and sensitivity as you are able. Be ready to learn from them, too. Helpful links for organizations in some of these categories are included in the Directory (page 51).

- Voluntary resettlement agencies (VOLAGS), which can provide a broad range of services to your clients once they have been granted asylum<sup>39</sup>
- Mutual Assistance Associations (MAAs) or Ethnic Community-Based Organizations (ECBOs), which provide services to refugees and asylees from various national and ethnic groups<sup>40</sup>
- Hospitals and community health centers, including mental health service providers
- Pro bono legal service providers
- Organizations that are funded specifically to provide services to survivors of torture (see page 22)
- Food pantries or food banks
- LGBT community centers and advocacy groups
- Homeless shelters
- Domestic violence shelters
- HIV and AIDS organizations
- LGBT-friendly places of worship



*Advice to service providers  
from Freedom House Detroit*

*“Because funding is so limited and competitive, working together with others allows us to provide quality, comprehensive services free of charge to all our clients; undoubtedly, we cannot do this work alone. The end result is that our clients exit the program in good health with the necessary skills to cope with the stress and history of trauma that will undoubtedly affect them ongoing, secure and maintain employment and housing, and ultimately be self-sufficient individuals who are able to contribute to their community.”*



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## Adopt a Client-Centered Approach

Because LGBT asylum seekers are often talked about in broad, generalizing terms, if they are acknowledged at all, they frequently report feeling as if they are treated as “a number.”

It is important that service providers take a client-centered approach to case management, making time to understand each individual's specific needs and desires.

Each client will require a different combination of support.



*Advice from an asylum seeker to organizational staff and volunteers*

*“People working with asylum seekers should put him/herself in the shoes of the LGBT asylum seekers, don’t just follow a protocol and fill in boxes. What you have in front of you is a human being, not a statistic.”*

Those working to help LGBT asylum seekers **should try not to assume that they know anything about an individual**, even if they have decades of experience:

- Never presume what a client wants or needs from the organization; they may need comprehensive support, or they may simply ask for a referral.
- Design and use intake forms which allow clients to set specific personal goals and express personal needs.
- Never speak for a client. Always ask their opinion first, and respect their response.

**Creating a safe, affirming, and culturally competent organizational environment** will also help cultivate a client-centered approach:

- Allow people to self-identify how and when they want.
- Ask clients which pronouns they prefer for themselves.
- Use gender-neutral and inclusive language in all forms and activities.
- Do not expect an individual to feel comfortable with the term “LGBT.” Ask how they wish to be identified, if at all.

**Taking a client-centered approach** typically involves meeting with a client soon after you become acquainted with them to:

- Answer their questions.
- Clarify their needs and goals. Talk about how these might develop throughout and even beyond the asylum process.
- Specify a plan of action for the interaction between the client and your program.

Keep a record of points discussed at such meetings, ideally following a simple standardized template (see **Appendix F** for an example).

Keep these notes in client files. Periodically meet with the client to review and update plans of action and answer questions.

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## Track Client Progress and Document Outcomes

Identifying a client's needs, goals, and plan of action (ideally according to a standard protocol: see **Appendices E** and **F**) at the beginning of your work together will set the groundwork for client-tracking and outcome measurement systems.

By meeting periodically, as described above, service providers can track client progress, maximize their ability to be responsive, and improve their own knowledge-base.

Remember to maintain the client's confidentiality at all times. Store files in secure locations, such as password-protected computer files or locked cabinets. Be clear who has to access specific files. Regularly back up electronic files.

It is, however, also important to draw information from client files in ways that do not violate confidentiality (see page 31-32) or identify individuals. Reviewing data will enable service providers to identify recurring patterns, which will help improve a group's work. This will also set the stage for more successful fundraising, as grantmakers and donors often expect to see documentation of a program's success.

**Recording outcomes while at the same time maintaining client confidentiality requires some forethought.**

**Here are a few ideas to help:**

- Whenever recording information, document when it is recorded and the time period that is covered.
- Ask asylum seekers or asylees who want to tell their stories (see page 33 for guidance) to describe their own perspective on how the program has helped them, the challenges they faced, and how the program could be improved. Confirm with them in writing that you can share their stories, and give them the opportunity to use pseudonyms or change details that might identify them personally.
- Collect numerical data on the number of clients and their demographic characteristics (national origin, gender identity, sexual orientation, etc.), as well as the number who have been provided with particular kinds of services.
- Document the number of referrals made to each partner on a monthly basis, as well as the number of referrals received from each partner.
- Document the numbers of people on waiting lists over time.
- Document the number who have attained asylum, found employment, and achieved other important goals.
- Conduct satisfaction surveys on an annual or semiannual basis. Make sure clients can complete these anonymously.
- Gather outcome and progress data into a simple annual report for distribution to potential donors, staff, volunteers, and clients.

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## Provide Feedback Mechanisms

The people leading and operating every program should want to know how clients view the program. A little planning can ensure that clients have the opportunity to share their views.

**For example:**

- Strive to create a safe and affirming environment at meetings. Encourage all to express themselves, and listen respectfully.
- Provide a suggestion box. Read and discuss the comments at regular meetings, without requiring that the author identify him or herself.
- Review each client's file with him or her on a monthly basis, and elicit their feedback.
- Stage an annual review meeting including former and current clients.

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### Tip:

Regular internal reviews of services and practices help groups to devise improvement strategies, address areas of concern, identify areas for staff and volunteer training, identify areas where outside support is needed, demonstrate program development to funders, and build trusting relationships.<sup>41</sup>

## Provide Empowerment and Leadership Development Opportunities

Leadership development should be infused throughout a program's work.

LGBT asylum seekers are frequently portrayed as passive victims in media coverage and fundraising campaigns. This portrayal does a disservice to people who have actively resisted persecution. Typically they are competent, dedicated individuals ready to contribute to the organizations and communities that have helped them.



*Advice from asylum seekers to service providers*

*"Help asylum seekers to be able to live and work independently (language, culture, job opportunity, information on asylum process)."*

*"Treat each client with dignity and to work in a way that is restorative of their humanity—not over-smother them."*

*"The best thing about the support I received was that the organization made me believe in myself as a professional worker."*

## Empowering LGBT Asylum Seekers and Asylees

DO	DON'T
Provide opportunities for asylum seekers to participate meaningfully in the group from the first moment they become involved. They might begin by sitting in on or helping set up meetings, and be encouraged to share responsibility for decision-making and helping other program participants.	Conclude that asylum seekers do not want to take leadership because of different ways they react to invitations, or because some of their attempts are not successful.
Ask asylum seekers to determine how they, as individuals, would most like to contribute. Support them in making the best use of their skills. Different types of leadership—public speaking, back-office support, cleaning up, etc.—should be valued equally.	Assume that all asylum seekers want to, or should, take leadership in the same way. For example, although some are happy to speak at fundraising events, others are not. They have more to offer than personal narratives.
Be ready to step back so that others may step up. Give people space to learn and decide how to best approach their own contribution to the program. Be flexible to their ideas and methods, <sup>42</sup> even if they are new to you.	Ask asylum seekers to only follow instructions or work in rigid roles. Being in a new cultural context does not prevent LGBT asylum seekers from learning U.S. norms, or from devising new, inventive ways of working.
Start to help asylum seekers prepare for their work authorization and asylum grant soon after you make contact with them.	Assume that because many asylum seekers have been through traumatic experiences and are experiencing culture shock that they simply need to be "taken care of" and rest. For many, keeping busy and preparing for the future is a healthier strategy.
Help asylum seekers secure volunteer opportunities and internships with partner organizations or companies that could prepare them for employment in fields they are interested in.	Assume to know what is best for people in terms of work and volunteer opportunities. Do not "out" them to potential employers by disclosing personal information, even if you feel this is in their best interests.

## Orient Clients to Life in the United States

*"Immigrant integration is the process of economic mobility and social inclusion for newcomers and their children. As such, integration touches upon the institutions and mechanisms that promote development and growth within society, including early childhood care; elementary, postsecondary, and adult education systems; workforce development; health care; provision of government services to communities with linguistic diversity; and more. Successful integration builds communities that are stronger economically and more inclusive socially and culturally."<sup>43</sup>*



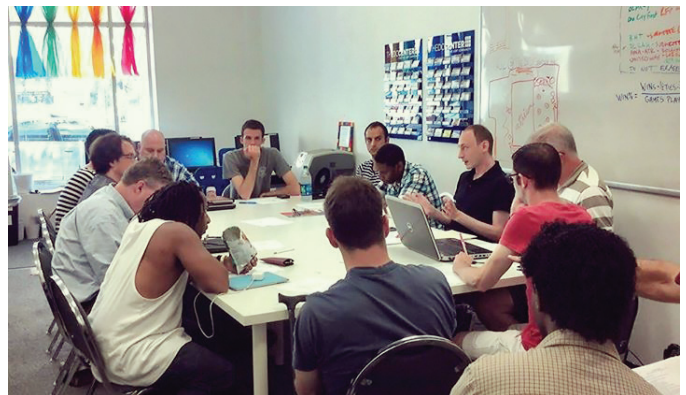
Written and filmed materials have been developed in many languages to help orient refugees to their new environments, and can be adapted for use with LGBT asylum seekers.

### Here are a few ideas for sharing the information most needed by your clients:

- Develop and distribute information sheets on a range of topics and listing local resources (see **Appendix G**). Ideally, these should be written in/ translated into client's native languages.
- Provide space for clients to ask questions in regular meetings.
- Get into the habit of asking clients how things are going and what they would like to learn about life in the United States.
- Stage informational events and film screenings.
- Initially accompany clients on public transportation, to the supermarket, to the library, etc., and explain how they all work.
- Institute a "buddy system," as described under "Build Community" below.
- Provide regular training to staff and volunteers.

### Topics for information sessions include:

- Public transportation.
- Libraries, supermarkets, other stores, community centers, etc.
- Banking, checking accounts, and financial management.
- Employment: opportunities, resources, "soft skills," applying for jobs, etc.
- Educational options.
- Health and other forms of insurance.
- How to access health care.
- LGBT cultural, political, and social life.
- What to do when stopped by a police officer.
- Local laws and ordinances (jaywalking, noise, etc.).
- How government works in the United States.
- Civil rights protections including nondiscrimination policies.
- American understandings about polite manners.
- Appropriate clothing for various seasons and occasions.
- History of the local area.



Center Global Meeting / 2013



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## Build Community

Being part of a community that feels welcoming and supportive is a basic human need. Find ways to create that sense of belonging.

**Here are a few suggestions to consider:**

- ▼ “The Buddy System:” Each new client is paired up with two separate contacts from within the group, ideally including an asylee or more experienced asylum seeker. Buddies become mentors and friends, and try to check in with each other at least once a week. This system builds trust, and offers a safe feedback mechanism. Two buddies per client are recommended to avert unhealthy dynamics.
- ▼ Stage weekly or monthly parties or dinners.
- ▼ Arrange group outings and activities, providing transportation and food when possible. For example, the Boston Center for Refugee Health and Human Rights takes groups to the library as part of their job readiness course. While there they obtain their library cards and learn how to gain access to the library’s computers and other resources.
- ▼ Invite asylum seekers to your home, the movies, or social events, remembering to give them an easy “out” if they would prefer not to participate.
- ▼ Involve clients in planning events and reaching out to people in the community.



*Advice to service providers  
from Better Together NYC*

*“While some clients prefer attending scheduled social nights for queer immigrants at gay bars or English-language classes with fellow speakers of their native languages, others find community from associating with non-immigrant populations. The key is to find out what each client wants or needs, and then work with them to achieve that.”*

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## Train Staff and Volunteers

It is important that new staff and volunteers be properly oriented to an organization’s practices and activities. They should be adequately informed of issues and laws relevant to LGBT asylum seekers in the U.S., and be aware of the “Dos and Don’ts” presented in *Stronger Together*, regardless of whether they work directly with clients or not. All staff and volunteers should also understand and agree to comply with the organization’s ethical guidelines (see page 35).

Even staff and volunteers who have been with the organization for a time will benefit from opportunities to deepen their knowledge, remind themselves of good practices, and contribute to the growth of the group through engaging in training.

Consider reaching out to local community partners to lead trainings that require specific expertise. Ask clients, staff and volunteers to help organize and, if appropriate, lead sessions themselves. This guide provides and highlights a number of resources designed for educational purposes.

**Here are topics to consider for training sessions:**

- Introduction to (or what’s new in) immigration policy and law
- International LGBT rights
- Practical and ethical considerations of LGBT asylum seeker support
- Skills: Active Listening; grant writing; community organizing, etc.
- Cultural diversity and competency training, about which clients can often give good insight
- Sensitivity training relating to the diversity of people included under the LGBT umbrella
- Updates or introductions to relevant campaign issues
- Self-reflection, self-care, and managing burnout
- Recognizing and addressing implicit bias (attitudes or stereotypes that affect our understanding, actions, and decisions in an unconscious manner)
- Empowerment and leadership development<sup>44</sup>

# Important Types of Services

Organizations that focus on helping and empowering LGBT asylum seekers should see themselves as groups that provide information, introductions, advice, and a welcoming community, rather than directly providing all of the services clients need. They might be able to provide some food, clothing, and even financial assistance or housing, but they are unlikely to be able to provide legal and healthcare services, for example. That's OK. Their basic job is to help people navigate their new environment.

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## Provide Information about the Asylum Process

This is one of the most important services groups can provide. About 8 out of 10 of our asylum seeker survey respondents said they had received this type of service, and nearly all of the service provider respondents said they provided it. Center Global has produced a two-page document with essential information that you might adapt (see Appendix D). For more information about the asylum process, see Introduction to the Field (page 6). Key points for emphasis include:

- ▼ Information about the one-year deadline.<sup>45</sup>
- ▼ Asylum seekers can apply for work authorization (an Employment Authorization Document, or EAD) 150 days after their application is filed, unless asylum has been granted by that time. The EAD should be issued 30-90 days after an application is received, although it can take longer.
- ▼ Dishonesty of any kind in a legal proceeding or asylum application has the potential to seriously damage a person's chance of being granted asylum (see page 34).
- ▼ Asylum seekers should be cautious about telling their story publicly, as this could complicate their application and be problematic in other ways (see page 33).

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## Legal Services

Clients should obtain the services of a lawyer or Board of Immigration Appeals (BIA) accredited representative who has successful experience with LGBT asylum cases. Filing without qualified legal help is not advisable due to the complexity of the application. Clients should be wary of individuals who claim to have expertise that they do not in fact have, or who charge exorbitant fees.<sup>46</sup> Organizations such as Immigration Equality, Heartland Alliance's National Immigrant Justice Center, Human Rights First, law schools, law firms, and immigration-focused organizations can provide pro bono (free) or low-cost legal services for some. Regular legal service providers also offer representation for a charge, which may be an option for some asylum applicants.

Legal representation is not always provided by groups that offer other forms of help to LGBT asylum seekers. In fact, only a third of the organizations in our survey directly provide such services. However, all LGBT asylum seeker support organizations should aim to at least provide referrals for legal representation. See the Directory (page 51) for suggestions.

Support organization can also help their clients to gather, organize, and potentially obtain translations of documents needed for asylum applications. This should be carried out under guidance from the client's lawyer or BIA-Accredited Representative.

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## Psychological Counseling

In making referrals, remember that people who have survived traumatic experiences and who come from countries outside of the U.S. need to work with therapists who are specifically trained to work with trauma survivors in a culturally competent manner. Also remember that mental health services will not be wanted or needed by all clients.

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### *Services for Survivors of Torture*

*A national network of service providers focusing on torture survivors is funded and linked through the U.S. Office of Refugee Resettlement (ORR). These programs provide free psychological, medical, case management, legal and other services to people who are determined eligible for the Services for Torture Survivors Program.<sup>47</sup> While they cannot use federal funding to serve asylum seekers who have not been tortured, they might be willing to provide advice or help in other ways.<sup>48</sup>*

*As OutRight International explains, many LGBT asylum seekers have experienced torture: “The Universal Declaration of Human Rights and other international treaties specify that everyone has the right to security of the person and protection against violence or bodily harm, and also that everyone has the right to be free from torture and from cruel, inhuman or degrading treatment or punishment. But torture, violence and abuse permeate the lives of those who challenge sexual or gender norms; gay men are tortured in police custody, trans people are murdered in public spaces, and lesbians are raped in their homes.”<sup>49</sup>*

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**43%**

of asylum seeker survey respondents said they had been provided with mental health care

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**84%**

said mental health care was “urgently needed” or “needed”

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## Health and Wellness

Healthcare services are usually handled through referrals. When making referrals, strive to ensure that healthcare providers are culturally competent, and that clients are getting access to whatever free healthcare services might be available in your area. While federal dollars cannot generally be used for this purpose, some states and localities make healthcare services available to all regardless of immigration status. Asylum seekers in some states may be eligible for Medicaid under certain circumstances,<sup>50</sup> as well as health insurance through the Affordable Care Act,<sup>51</sup> and emergency rooms are required to treat all who arrive with urgent medical needs.

Some programs focus attention on helping clients to live healthier lives in their new country, where food may be less healthy and lifestyles more sedentary than where they came from. A number of health-related online resources, some of them LGBT-specific, are included in the Directory (see page 51). Groups may also consider producing a Health and Wellness fact-sheet for their clients, detailing local area resources.<sup>52</sup>



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## Education

About one-quarter of the organizations that completed our survey provide training in the English language and other subjects. English education often includes American slang and communication styles, in addition to the basics of the language, which can be helpful even to native speakers.

Educational efforts don't need to focus solely on language skills. Financial literacy is another extremely important topic area, as personal financial management can differ radically between countries. Establishing bank accounts, online banking, balancing a checkbook, personal financial planning, paying taxes, and other money-related activities are essential to successful integration.

Before they are allowed to earn income, many clients have a great deal of unscheduled time, which can be depressing. Creating and pursuing educational plans can be an excellent way to prepare for life after asylum is granted.

### Here are a few ideas to consider:

- Literacy Volunteers of America branches throughout the U.S. offer free tutoring to those looking to learn or improve their English language skills.<sup>53</sup>
- Educational programs are offered at many libraries. These may include literacy and financial literacy courses.
- Some local schools and educational institutions offer free or low-cost General Educational Development (GED) programs.<sup>54</sup>
- Some colleges (including community colleges) allow community members to sit-in on courses free of charge.
- Volunteers—including asylum seekers and asylees—might be interested in teaching courses in your facility, or serving as tutors.
- Establish a book or movie club.
- Some colleges post the lecture notes and materials from their courses online and make them available free of charge.<sup>55</sup>

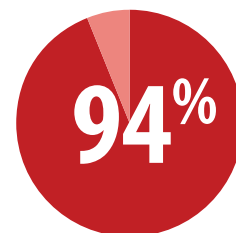


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## Employment

Employment-related assistance becomes more important as asylum seekers approach the point when they are granted asylum or their Employment Authorization Document (EAD). However, it should be provided as soon as possible, as preparing for professional life in a new country is a time-consuming process.

Planning should begin as part of the intake process and directly address the barriers that clients will have to overcome, particularly by transgender individuals who are more likely to face discrimination. More than one-quarter of transgender people in the United States have lost a job due to bias, and more than three-quarters have experienced discrimination in the workplace.<sup>56</sup>



of asylum seeker  
survey respondents  
said service providers  
should improve on  
“helping me prepare to  
find work”



## Employment *(continued)*

You can help your clients counter workplace discrimination by informing them of their rights and options should abuse occur, and by joining in their advocacy to redress any wrongs.

Once individuals have been granted asylum they are eligible for job training and placement, microenterprise, and other economic development services funded by the federal government through organizations known as VOLAGS and others such as American Job Centers and Upwardly Global. For more guidance on this issue, see *After Asylum is Granted* (page 30).



# 19%

asylum seeker survey respondents received career-building assistance such as job training and resume writing

# 33%

of surveyed groups said that they provided it

Respondents to a separate New York City-based survey most often named “job training/employment opportunities” as their “most pressing need.”

## Housing

Finding suitable housing is a huge challenge for most LGBT asylum seekers and the groups trying to help them.

Limited options include privately renting, which can be extremely expensive—particularly in major cities—staying with acquaintances, or moving between homeless shelters.

LGBT asylum seekers in housing situations where they must hide their sexual orientation or gender identity experience magnified stress levels and heightened insecurity.

Options are especially limited for trans people. Shelters, for example, are likely to be less welcoming to trans people and may insist on housing people according to their birth-assigned gender.

**Advocating that homeless shelters change those policies and become more welcoming to LGBT asylum seekers is an important priority.**





## What Are My Housing Rights?

While 18 states, Washington, DC, and Puerto Rico explicitly prohibit anti-LGBT housing discrimination, trans people are also protected under the federal fair housing law under the category of sex discrimination. The law covers housing rentals and sales, as well as residential service programs and temporary shelters.

### What types of discrimination are illegal?

It is illegal for a housing provider to do any of the following because you are transgender, or because you are perceived as not conforming to gender stereotypes:

- » Refuse to admit you to a homeless shelter
- » Tell you housing is unavailable when it is available
- » Set different terms, conditions, or privileges for sale or rental of a dwelling
- » Provide different housing services or facilities
- » Deny you a mortgage loan, or impose different terms or conditions on a mortgage loan
- » Deny you property insurance
- » Conduct property appraisals in a discriminatory manner
- » Harass, coerce, intimidate, or interfere with you exercising your fair housing rights

The law also prohibits discrimination because of race, color, national origin, religion, familial status, or disability (including if you are, or are perceived as, a person living with HIV/AIDS). In addition, discrimination on the basis of sexual orientation or marital status is prohibited in all federally-funded housing.<sup>57</sup>

People renting accommodation in the U.S. also have particular “Tenant Rights.” These differ from one location to another, and are detailed on the U.S. Department of Housing and Urban Development website.<sup>58</sup>

All of our organizational survey respondents stated that they wish they had had more information about how other groups dealt with housing when they were getting started in this work. Nearly all said that they still place a very high priority on learning how other groups deal with housing. Here are a few examples of how groups have managed to find housing for LGBT asylum seekers:

- ▼ Housing in the organization’s facility: Freedom House in Detroit and Housing Works in New York City, for example, provide housing in their own facility, where they also provide a broad range of services.
- ▼ Housing in a partner’s facility: Two groups in Chicago (Chicago LGBTQ Asylum Support Partners or CLASP, and the Center for Integration and Courageous Living) have formed a partnership with a third group (Namasté) to house LGBT asylum seekers in exchange for light maintenance and cleaning work.
- ▼ Housing with community members: Several groups, including Center Global and RIM, encourage their supporters to provide temporary lodging in their own

homes. It is important that hosts understand their role clearly, as well as the ethical considerations described in this guide. Whenever possible, the term of the lodging arrangement should be clarified in advance, and extend at least until the asylum seeker will have work authorization. Some programs have found that these arrangements work better when hosts are paid rent, which is typically well below market rate, and they raise funds in order to support those costs. In any case, the program facilitating this relationship should remain in touch with both parties in order to help resolve any difficulties that may arise.



#### Service provider survey comment

*“Figuring out the legal ramifications of having volunteers house asylum seekers, such as how to avoid establishing a landlord-tenant relationship for people who want to volunteer their homes but retain the right to change their minds [has been challenging]”<sup>59</sup>*

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## Detention Visitation

Untold numbers of current and potential LGBT asylum seekers, along with thousands of other people, are kept in immigration detention on any given day. In fact, the federal government is mandated to keep at least 34,000 immigrants in detention each night. They are held in a network of 250 detention facilities, including county and private jails, across the country. The average stay for asylum seekers is over 102 days. Widespread abuse of LGBT people, and particularly trans people, has been documented in immigration detention facilities.<sup>60</sup>

Programs can make a tremendous impact by visiting LGBT people who are confined in immigration detention facilities: They can offer information about the asylum process, connections to lawyers, advocacy with detention facility administrators, emotional support, and relief from isolation. They can also provide alternatives to detention in the form of housing and social support, which are typically preconditions of release into the community. See **Appendix A** for more information on immigration detention. The Detention Watch Network and Community Initiatives for Visiting Immigrants in Confinement provide useful advice and resources for groups interested in joining or developing visitation programs.<sup>61</sup>

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***The Queer Detainee Empowerment Project (QDEP) integrates anti-detention campaigning into their work, which also includes detention visitations, direct service provision, and community organizing.***

*Based in New York, QDEP “assists folks coming out of immigration detention in securing structural, health/wellness, educational, legal, and emotional support and services.”*

*QDEP is member of Queer Undocumented Immigrant Project and Better Together NYC.*

***See Directory for contact information.***

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## Financial Support

Given employment restrictions, nearly all asylum seekers are in dire need of cash or vouchers of various kinds, and many groups work hard to provide it for them at some level. Providing financial support is difficult, as there simply is not much money dedicated to this work by foundations or other donors. In addition, nonprofit financial managers are sometimes hesitant to give individuals cash or cash equivalents, as opposed to using money to support services.

Whenever providing cash or vouchers, a program should clarify with the client at the beginning and in writing how much they expect to be able to give, in what forms, on what schedule, and for what length of time. This can add a bit of predictability to the client's inherently stressful and unpredictable situation.



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### 1 in 6

of the asylum seekers who completed our survey had received cash assistance

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### 1 in 6

of groups that completed our survey said that they provided it

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### 1 in 3

of people and groups said they had received or provided allowances in forms other than cash such as shopping gift cards and passes for public transportation

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## Community Education and Advocacy

All service providers need to be more knowledgeable about and welcoming to LGBT asylum seekers. Foundations and donors need to dedicate much more to helping them. And federal laws—like the ones that make it difficult to apply for asylum after one year of residence in the United States, cut off access to government assistance, and prohibit employment—need to change.

Groups that provide services can play an important role in educating people about LGBT asylum seekers, and advocating for change.

### Here are a few ideas about how to go about it:

- Visit elected officials. Since immigration is mostly a federal responsibility, Congressional Representatives and Senators are especially important targets.
- Participate in Pride parades with banners and signs that raise awareness.
- Participate in coalition meetings focused on immigration, LGBT human rights, housing, and other issues.
- Write and place blog posts, and letters to the editor.
- Visit decision-makers at organizations that should be doing more for LGBT asylum seekers like homeless shelters, community health centers, immigration advocacy organizations, LGBT community centers, foundations, faith-based organizations, VOLAGS, ethnic community-based organizations, etc.
- Stage film screenings and discussion panels at conferences or on your own.

Remember in your community education and advocacy, as in all of your work, to protect the confidentiality of your clients and follow this guide's guidelines on storytelling (page 33).

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Many organizations are already engaged in advocacy, campaigning and lobbying on issues that impact LGBT asylum seekers. Reach out to existing groups listed in this guide's Directory (page 55) to see how you might best partner with them.



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### Yes, Your Group Can and Should Advocate for LGBT Asylum Seekers

*The National Committee for Responsive Philanthropy defines advocacy as “the act of promoting a cause, idea or policy to influence people’s opinions or actions on matters of public policy or concern...”*

*“Many types of activities fall under the category of ‘advocacy’ and are legally permissible for... charities to engage in, such as issue identification; research and analysis; public issue education; lobbying efforts for or against legislation; nonpartisan voter registration, education and mobilization; litigation; education of government agencies at all levels; participation in referenda and ballot initiatives; grassroots mobilization; and testimonies before government bodies. There are no legal limits on how much non-lobbying advocacy a nonprofit organization can undertake.”<sup>62</sup>*

*According to the Alliance for Justice, lobbying occurs “when a person or group of people express an opinion to a legislator on a specific piece of legislation or on a legislative proposal. Lobbying also includes a communication that asks the public to speak to a legislator about specific legislation or a legislative proposal.”<sup>63</sup> Lobbying is one specific, narrowly defined type of advocacy.*

# Working with Clients Throughout the Asylum Process

While each group should offer a standard range of services, each client will require a unique combination of support. In addition, the same client will need different help at different points in his or her journey towards integration into U.S. society. A flow-chart provided by Center Global (**Appendix C**) outlines how one group approaches this need for balancing structure and flexibility.

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## When Meeting a Potential Client

- ▼ Determine whether the person can be accepted as a client based on factors such as your confidence that the person needs support and the program's ability to provide the help he or she needs. Be sensitive to their experience and do not expect or require a potential client to tell you their entire story (see page 33). Some programs only accept clients who already have secured the services of a qualified immigration lawyer. Others limit their initial support to helping people find legal representation. An organization's criteria for accepting clients should be established prior to accepting anyone into the program.
- ▼ Tell the person about your program, and give them written information about it. Explain what you can and cannot provide, and what you should be able to expect from one another. Ask if they want to work with you, given those understandings.
- ▼ Intake should be carried out using a standard form (see **Appendix E** for an example).
- ▼ If the client appears to meet the criteria to be considered a "survivor of torture," put them in touch with the national network of torture-treatment centers to try and secure any medical, case management, psychiatric, and legal services that they may need (see page 22). Be sensitive when asking any questions related to your client's trauma history or other experiences. You might first tell them what the opportunity is (comprehensive services provided by another agency), and ask whether they want to talk about their possible eligibility.
- ▼ Be realistic about the support you can offer.
- ▼ Be patient.

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## When Starting to Work with a Client

- ▼ Once accepted into the program, the client should receive a thorough orientation to the services and materials provided by the group, including the Code of Ethics (see page 35). Orientation should follow a standard procedure so that no important element is forgotten.
- ▼ Meet with the client to answer their questions, clarify their needs and goals during and beyond the asylum process, and specify a plan of action for the interaction between the client and program. As part of this process, the client and service provider should plan how they will work together. For example, how will they go about finding housing, if that is needed? If counseling or healthcare are needed, when and how will those be provided by partners? See **Appendix F** for an example. This planning, and all further interaction, should be client-centered (see page 16).
- ▼ Follow through on the services in the client's plan.
- ▼ Periodically (weekly or monthly, for example) meet with the client to discuss how their plan is working out, whether any changes should be made, obstacles encountered, and goals achieved.





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## Preparing for Work Authorization and Asylum Status

- ▼ In some jurisdictions, asylum seekers can obtain government-issued IDs including driver's licences.<sup>64</sup> In many more they can at least obtain library cards.
- ▼ Help the client obtain any available training that would help them reach their professional goals (see page 23).
- ▼ Although most asylum seekers are not legally allowed to earn income, they can volunteer. Internships and volunteer positions can be good opportunities to learn about U.S. work culture, explore professional options, build professional networks, and contribute to a résumé.
- ▼ Help with Employment Authorization Document (EAD) applications (see page 7).
- ▼ Talk with clients about how to find jobs in the U.S.: for example, on-line, at job centers, etc. Encourage people to start looking for jobs even before they apply for their EAD, so they can get a good sense of local job markets and application requirements.
- ▼ Organize job readiness workshops, or help your clients access existing programs. Help them to draft their résumés and application letters, remembering that résumés may be very different in other countries, or using them may not be a common practice. Practice mock interviews. Talk with clients about how to handle difficulties that could come up like discrimination, bullying, or poor management.



Advice to service providers  
from Freedom House

*"We offer job readiness workshops to individuals as soon as they enroll in our program. These workshops include how to put together a resume, how to write a cover letter, interview skills and etiquette, mock interviews, etc.*

*"Coupled with this, we also offer financial literacy classes to help people learn about the basics of the American financial system. These sessions include how to open a bank account, checking account vs. savings account, budgeting, loans, interest rates, etc.*

*"These two 'programs' together help people secure employment and then spend/save money to remain self-sufficient once living on their own."*

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## After Work Authorization

- ▼ Continue with job applications and job search support as detailed above.
- ▼ Asylum seekers are eligible to receive services and support from the U.S. government's CareerOneStop partners, including locally-based American Job Centers.<sup>65</sup>
- ▼ Across the U.S. organizations like Dress For Success<sup>66</sup> provide support to people entering or reentering the workforce after experiencing difficult circumstances. They may be able to provide your clients with interview clothing and training.
- ▼ An asylum applicant's EAD is valid for one year. If they have yet to receive a decision on their case within that time, they must submit a new EAD application (Form I-765). They should submit their application 120-90 days before their current EAD expires, to avoid gaps in work authorization. They must pay a fee for a renewal.<sup>67</sup>



Advice to service providers  
from Center Global

*"Draw on local organizations' existing programs. The DC Center for the LGBT Community, home of Center Global, has a program called 'Center Career,' which meets on a weekly basis. This career development program offers people, regardless of their immigration status, the opportunity to build their skills in job searches and strategies, networking, interviewing, résumé and cover letter writing, and other areas."*



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## After Asylum is Granted

In addition to being able to work legally, asylees are eligible for a wide range of benefits, many of them through organizations that are responsible for helping refugees<sup>68</sup> during their first few months in the United States.

These large national or international organizations, called “voluntary resettlement agencies” or VOLAGS,<sup>69</sup> work with an affiliate network of approximately 350 smaller organizations throughout the United States.

### These local organizations can provide help with:

- Signing up for public assistance programs
- English language training, job training, and training in other subjects, depending on the agency
- Help with any further immigration legal assistance that might be needed, including family reunification which offers the chance to help family members including spouses and children move to the United States
- Job placement
- In some cases, when the asylee is qualified for a program called “matching grant,”<sup>70</sup> housing and income assistance
- A variety of other programs including business development and microenterprise programs, microloans, individual development accounts (IDAs), and many others, depending on the specific agency

It is important that the asylee make contact with the VOLAG affiliate organization as soon as possible after obtaining asylum, in order to gain access to the full range of services available and government-supported benefits they are entitled to.

As is the case with all organizations clients are referred to, you should develop a relationship with the VOLAG beforehand, assess their ability to serve LGBT people, and educate them to the extent that you can.

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### Tip:

Heartland Alliance’s Rainbow Welcome Initiative has developed resources specifically for educating VOLAGS about how they can work more effectively with people who are LGBT.<sup>71</sup>



If the asylee has not yet made contact with Mutual Assistance Associations (MAAs) or Ethnic Community Based Organizations (ECBOs), he or she should do that as well, as soon as possible after obtaining asylum or even before.

These organizations are primarily managed by and for members of refugee communities, and they often have grants to provide programs that only refugees and asylees have access to. These services often include English language training, economic development services (including job placement, microloans, etc.), and case management.

### While they vary by state, the basic federal “package” of benefits includes:<sup>72</sup>

- Medicaid, which provides medical coverage, and help securing health insurance through the Affordable Care Act
- Medical screenings
- Supplemental Security Income (SSI) for people who have disabilities or are age 65 or older
- SNAP (formerly called “food stamps”)
- Temporary Assistance for Needy Families (TANF), for low-income people who are caring for children

# Ethical Considerations

Groups and individuals working with LGBT asylum seekers should prioritize establishing a clear code of conduct to guide their activities.

This code should protect both service providers and people receiving support, and help set clear boundaries and expectations for each. It is important to review and revise this code regularly,<sup>73</sup> and ensure that all staff, volunteers and clients are well informed of its contents. Explanation of the code should be included in all new volunteer trainings, and in orientation packets given to new clients. See “Key Ethical Considerations” below for areas to include in a Code of Conduct.

Focusing specifically on ethical considerations is important because LGBT asylum seekers can easily be harmed by the people who are trying the hardest to help them. The desire to reach out to LGBT asylum seekers is wonderful and important, but it is not enough. People reaching out need to reflect carefully on the implications of their actions.

Groups that provide services to LGBT asylum seekers recognize this: Approximately 80 percent of the organizations that completed our survey said that ethical guidelines were among their “most important” priorities for training and resources.

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## Tip:

All volunteers, staff members and clients should be given a comprehensive training or orientation before they are invited to meet other clients and join group activities. See page 20.

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## The Importance of Confidentiality

Confidentiality is a paramount concern for anyone with access to another person’s private information. This includes all personal history, medical status, financial arrangements, and other dimensions of a person’s life.

Asylum seekers will have experienced hostile reactions to their sexuality or gender identity in the past. They likely have good reason to fear breaches of trust.



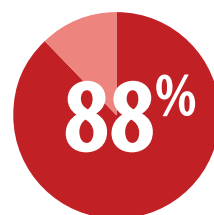
*Advice from an asylum seeker to service providers*

*“Do not disclose names of asylum applicant. Do not talk about the cases with anyone outside of the office, since there is a chance that information might reach persecutors. Be aware of cultural differences.”*



*Advice from an asylum seeker to service providers*

*“Respect their confidentiality and always give the LGBT asylum seekers the correct information.”*



of asylum seekers/ asylees responding to our survey believe that “Respecting confidentiality” is an “important” or “very important” area for service providers to improve upon

**The following practices can help promote confidentiality and build trust:**

- ▼ Create a confidentiality/informed consent policy with input from all volunteers, staff, and clients. This can be short and simple (see **Appendix H** for example). Require all of the above to affirm it with their signature prior to engagement with the program. Review the policy periodically.
- ▼ It is always an individual's choice to disclose their chosen identity, current circumstances, or immigration status. Advocates and supporters must respect asylum seekers' own decisions about if, when, how and to whom they share such information. Do not put clients in any position that could "out" them as LGBT or as asylum seekers without their explicit consent. Be very clear with clients about what information will be disclosed and to whom.  
*For example, make sure you have explicit informed consent before you introduce somebody as a client of your organization, or as someone you know through your work with LGBT asylum seekers; name or 'tag' clients in social media posts or publish photos of clients in connection with the organization.*
- ▼ Only in very rare circumstances is it necessary to disclose the details of a client's experience to a third party. Even then, any disclosure should be justified and to a trustworthy contact, and the client should be consulted prior to the disclosure. *For example, a service-provider may need to provide basic details of their client's experience when making a referral to another organization.*
- ▼ Institute a guideline that clients should not be asked personal questions or expected to share personal information (beyond what is required for intake and case management) unless they instigate such conversations.
- ▼ Keep files in secure locations or in password-protected computer systems.
- ▼ Allow clients to receive services without requiring their presence at events, and without circulating their personal details internally without good reason and explicit consent.
- ▼ Use "bcc:" when sending mass emails. This means recipients don't see others' addresses.
- ▼ Provide the option for private, secure, one-on-one meeting spaces wherever possible.
- ▼ Ask clients if they feel safe receiving mail at their home address. Offer other options for communication. Send communications to clients without using letterheads and logos, etc. that contain identifiers such as "LGBT" or "asylum seeker." Remember that many have good reason to not want to be identified as an "LGBT asylum seeker."
- ▼ Think beyond the individual and local levels. Respecting confidentiality and privacy can protect people's families, friends and professional networks both at home and in the U.S.





## Challenges of “Storytelling”

LGBT asylum seekers cannot avoid telling their stories, and yet storytelling is a complicated business for them because of:

- ▼ The power dynamics, gratitude, and desire to nurture that exist among people who are being helped and people who are helping
- ▼ The reliance of many programs on moving the hearts and minds of potential donors
- ▼ The trauma that often comes with bringing painful memories to the surface
- ▼ The complexities of the legal process

This section is intended to help service providers to understand those complexities so that they can avoid harming their clients unintentionally, and empower them to tell their stories in ways that are in their own best interest. Some organizations refer to approaches like these in terms of “strategic sharing.”<sup>75</sup>

Some organizations ask their clients to talk about their personal experiences of persecution as part of fundraising or educational events and campaigns.

However, it is important to realize that:

- ▼ Storytelling can be traumatizing for the speaker.
- ▼ Organizations have little control over public spaces, and it can be impossible to protect people’s privacy once a newspaper article, Facebook post, or tweet is in the public realm.
- ▼ It can be frustrating for people to be introduced and known as an “LGBT asylum seeker” if they are trying to put that experience behind them, and for many other reasons.
- ▼ Storytelling can seriously damage an application for asylum because it can open the door to misunderstandings that can be interpreted to show dishonesty (see page 34).

Asylum seekers who are receiving help are likely to feel grateful. They may also wonder

whether they will continue to receive support if they do not do what they think is expected of them: for example, to tell their story at public events. This creates a situation in which an abuse of power can develop, without any ill-intent on the part of the people helping. Becoming aware of that potential is an important step towards guarding against it.



*Advice from an asylum seeker to service providers*

*“Look at us as normal people, and not just poor cases or numbers.”*



of asylum seeker respondents to our survey believe that: “Respecting people’s level of comfort with telling his or her story in public” is an “important” or “very important” area for service providers to improve upon

Of course, some asylum seekers are eager to talk about their experiences. Even in such cases, however, clients should be urged not to tell their stories publicly unless:

- ▼ They have been granted asylum, or their lawyer advises them that telling their story in public is safe. While participation in LGBT community events may be useful, many lawyers advise their clients not to publicly tell their story until after their case is granted.
- ▼ They have the opportunity to debrief after speaking engagements, which can bring up difficult memories. It is important to plan for emotional support after storytelling. Ask, “What will we do if our client starts crying, or becomes agitated, or has nightmares after this?” Professional counseling might be needed in some cases.
- ▼ They understand that the organization may, despite best efforts, be unable to prevent publicity appearing online or in the media.
- ▼ They have the choice to use pseudonyms.

A client who wishes to publicly represent the organization or raise awareness about LGBT asylum seekers could be encouraged to talk about issues in addition to their own, personal story, or instead of their personal story. If so, they should be presented on equal footing with other experts or service providers. Topics they might talk about include:

- ▼ LGBT rights worldwide
- ▼ The situation in their country of origin
- ▼ Organizational activities and their leadership in them
- ▼ Challenges facing asylum seekers in general
- ▼ U.S. asylum law and immigration policy

## Storytelling, Honesty, and Asylum Law

*In order to gain entry to the United States, LGBT asylum seekers may be forced to make claims that are untrue, for example when applying for a visa. Others may decide to enter the country without permission. During the asylum process (whether an Affirmative or Defensive proceeding) these should not count against a client. After all, the action was likely prompted by the same dire circumstances that forced the person to flee his or her country in the first place. Whatever choices an individual fleeing persecution needs to make in these situations, it must be theirs alone.*

*Once asylum seekers reach the U.S., however, they should know that dishonesty of any kind in a legal proceeding or asylum application has the potential to seriously damage their chances of being granted asylum. As difficult as it may be, they must be entirely honest when they are making official statements about their past. Alternatively, they should remain silent about their experiences.*

*This is one of the reasons why it is risky for asylum seekers to speak about their past experiences before they have been granted asylum: any inconsistency between what has been attested to legally and what an asylum seeker says elsewhere—even a minor and unintentional inconsistency—could damage the applicant's claim to complete honesty, and therefore their chances of being granted asylum.*

There are times when asylum seekers do need to tell their stories: for example, during a legal services intake interview, when speaking with their lawyers and at asylum hearings. Helping them prepare for those experiences, emotionally and in terms of organizing their thoughts, can be extremely valuable.

### When engaging in this:

- ▼ Make sure that the client would welcome this form of help, and understands why it is being proposed.
- ▼ If a client requests this help, speak to his or her lawyer beforehand, if they have one. Ask if they have any guidance. Trust their judgement unless the client strenuously objects.
- ▼ Consider helping the client write his or her story down, as some lawyers recommend. This can help them preserve their memories and give more accurate accounts in immigration proceedings. Advise them to store their account in a safe place where it will not get lost and where no unauthorized persons will have access to it, or keep it in a secure location at the office if the client would prefer.
- ▼ Make sure your client understands the importance of honesty in legal proceedings.
- ▼ Provide emotional support, and have a plan for what you will do if your client's emotions become too powerful.
- ▼ Talk in locations that are private, and where the client feels secure.
- ▼ Be trustworthy, and let clients know they can trust you.





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## Key Ethical Considerations for Working with LGBT Asylum Seekers<sup>74</sup>

### ▼ Accuracy

The information and advice offered to asylum seekers must be accurate. Do not mistake opinion or experience for fact. Do not hesitate to say if you are unsure of the answer to any question.

### ▼ Communication

Be realistic about what you can offer and what you expect of people. Be honest and open. Check in regularly with clients and maintain open lines of communication. Clearly explain any changes in program capacity.

### ▼ Confidentiality

Respect privacy. Do not talk about people's experiences or status without their explicit, informed consent to do so. Ensure that all staff, volunteers and clients have read, fully understood and signed a Confidentiality Agreement. Review this agreement periodically and revise as needed.

### ▼ Accountability

Fulfill commitments. Create and maintain program review and client feedback mechanisms. Take action to address shortfalls and lapses as they arise.

### ▼ Consistency

Create and observe guidelines to ensure consistency of service and support. Avoid special treatment.

### ▼ Cultural competency

Provide staff and volunteers with cultural competency training and relevant educational resources. Strive to identify and avert discriminatory practices based on sexual orientation, gender identity, race, religion, nationality, and other grounds. Affirm the clients' rights to define themselves with terms such as lesbian, gay, bisexual, or transgender, or with other terms, or with no such labels.

### ▼ Empowerment

Encourage, but do not require, clients to contribute their own insights and skills to the group. Create opportunities for asylum seekers and asylees to take part in activities and to take on volunteer, staff and leadership roles. Affirm their contributions. Accept that it may be necessary to step back so that others can step up.

### ▼ Respect

Do not depict or treat asylum seekers or asylees as defined by needs or traumatic experiences. Treat people as individuals and respect cultural, religious and ideological diversity. Do not proselytize. Do not presume to know what is best for anyone else.

### ▼ Patience and privacy

Understand that asylum seekers are likely to be adjusting to a new cultural context and experiencing the stress of numerous uncertainties. Allow them space and time, and be responsive to their individual needs.

### ▼ Conflicts of interest

Recognize power disparities between service providers and clients. Make potential conflicts of interest known to the parties concerned, and allow the group to decide whether and how to proceed (without the people concerned present).

### ▼ Relationship boundaries

It is important to be friendly and supportive, but service providers becoming physically or romantically intimate with people receiving program support is a conflict of interest and an abuse of power.

# Institutional Models:

## Your Group's Identity and Form of Independence

Programs helping LGBT asylum seekers may be faith-based or secular. They may be fully independent nonprofit organizations, programs operating out of other organizations, semi-independent groups operating in close partnership with other organizations, or volunteer-based groups. All of these options have their advantages and disadvantages. This section is intended to help new groups determine how they should be structured, and more established groups plan for further development.

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### Faith-Based and Secular Organizations

Faith-based organizations house a number of existing LGBT asylum seeker support programs. Members have felt called by their faith to help LGBT asylum seekers, and are more likely than secular nonprofit organizations to take on work that is not grant-funded. This trend needs to be encouraged, and it continues a long history: Most of the refugees resettled in the U.S. are helped by organizations that are faith-based, and the Sanctuary Movement grew out of churches to help undocumented immigrants.

Spirituality and religious practice can be important to the healing and adaptation of people who have experienced trauma.<sup>76</sup> However, it can be challenging for these groups to make use of the motivation and support coming from their faith communities while at the same time respecting the religious autonomy and sensitivities of clients.

Moreover, those who have experienced faith-based persecution may be disinclined to access services associated with religion.

Organizations that are not based in a religious institution or conceived of in terms of a religion have their own strengths and challenges. On the one hand, the problem of respecting the religious autonomy and sensitivities of clients arise more rarely, while on the other, some clients may miss the spirituality that can infuse faith-based programs.

Depending on the circumstances, it may be more or less difficult for a secular organization to motivate volunteer and financial contributions: some potential supporters will be repelled by a faith connection, and would only consider giving to a secular organization.

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### Forms of Independence and Levels of Bureaucracy

Secular and faith-based programs may take different developmental paths, each with advantages and disadvantages.<sup>77</sup>

**Volunteer-Based Organizations:** Some groups remain informal, without ever developing bylaws (rules saying how the group must operate) or formal leadership structures (e.g. a board of directors), and without incorporating as officially registered organizations.

This choice entails very little paperwork, and it brings a great deal of flexibility: if you decide to do things one way on a certain day, you can decide to do something entirely different the next.

However, this flexibility can create problems. When a group does not have a written process for decision-making, its members are more likely to get into serious arguments. In addition, without formal procedures it can be more difficult for quiet people to have their voices heard.

Extreme flexibility will also make it less likely that the group will remain strongly committed to helping LGBT asylum seekers over the long term.

Finally, without the benefit of a 501(c)(3) tax designation, a group will find it much more difficult to gain grants and financial donations.

## What is a “501(c)(3)” organization?

*501(c)(3) is a code used by the U.S. Internal Revenue Service (IRS) to designate organizations that exist to carry out charitable purposes. Individual donors can deduct a portion of their donations to 501(c)(3) organizations when they file their personal income taxes every year. Often, foundations and government agencies will only make grants to organizations with this designation. The tax and donation benefits of a 501(c)(3) organization apply to your group whether you hold that designation independently, or work through an organization that has 501(c)(3) status.<sup>78</sup>*

*As well as providing services to individuals and communities, 501(c)(3) organizations can focus on advocacy and educating the public.*

**Fully Independent Nonprofit Organizations:** Some groups become independent 501(c)(3) organizations early in their developmental trajectory.

This path carries the advantage of full independence within the bounds of the law: No other organization controls how a 501(c)(3) operates, and the organization is eligible to accept grants and tax-deductible donations from foundations and individual donors. However, organizations of this type carry a heavy administrative burden. This includes, at the minimum, regular filings with government agencies, extensive financial management, compliance with complicated regulatory requirements, and—depending on the size of the budget—annual financial audits. Many of the bureaucratic and management burdens of multi-million-dollar agencies are also imposed on even the smallest independent 501(c)(3) organizations.

This burden can seem overwhelming to new groups that are run by volunteers or a few staff who are motivated not to focus on paperwork, but to help LGBT asylum seekers. Faced with the burden, some small organizations simply give up trying to comply with all of the rules, which leads to even more trouble. However, this model makes sense for larger organizations that have the staff and fundraising capacity to hire people who can attend to administrative matters.

**Programs of a Larger Organization:** Some groups evolve as programs of a larger organization that has 501(c)(3) status, and remain that way indefinitely.

One advantage of this approach is that the program benefits from the administrative support of the parent organization. The people actually working to empower and help asylum seekers do not need to focus as much on paperwork. Another advantage is that the parent organization carries primary responsibility for fundraising, and when they have experienced staff and a good reputation it is easier for them to compete for grants and donations. One disadvantage is that the program is under the management of the larger organization: Its budgets, activities, and so on are decided by the program’s supervisors, the organization’s executive director, and ultimately the board of directors of the parent organization. Some programs do, however, maintain

“advisory boards” that provide recommendations to the parent organization.

**Programs with a Fiscal Agent:** A good option for many groups is to work under the umbrella of another organization that has 501(c)(3) status, but maintain a high level of independence at the same time. A “fiscal agent” or “fiscal sponsor” is an organization that agrees to carry out many of the financial management and administrative functions of another group, and to ensure that the group operates in accordance with all laws and regulations. Often the fiscal agent will offer other support as well, including fundraising, training, and advice about how to work effectively. Even without much fundraising help, it can be easier to get grants when working with a fiscal agent that is known and trusted by grantmakers.

Setting up this kind of relationships involves the establishment of trust, and careful planning to ensure that everyone concerned is clear about how decisions will be made and how much the fiscal agent will be compensated for its work (usually expressed as a percentage of donations and grants, typically between 10 and 15 percent). Decision-making typically involves an “advisory board” composed of people leading the group that is sponsored, which makes recommendations to the fiscal agent about important matters. The agreement linking the two groups should clarify that the advisory board’s decisions will be honored unless they are ethically or legally inappropriate, or they contradict the missions or policies of either group. It is essential that these understandings be expressed in a written document that is signed by the responsible parties from both groups.

While there are many benefits to this type of arrangement, there are disadvantages as well: if the fiscal agent does not have the appropriate experience, it might attempt to assert control as it would with one of its own projects. For that reason, a group might look for an established fiscal agent. Another disadvantage is that problems at the fiscal agent organization could negatively impact the sponsored group: for example, if the financial management is substandard, it could be difficult to get payments in a timely manner. All considered, however, the fiscal agency model offers a mix of independence and simplicity that is appealing to many.

# Fundraising

Every group that is intending to empower and serve LGBT asylum seekers needs to build support. That support can come from individuals and from other organizations.<sup>79</sup> Usually, contributions from individuals are called “donations,” and contributions from organizations or agencies are called “grants.”

It is important to recognize that contributions can take many forms including money, time, space (housing, offices, etc.), and things (food, clothing, supplies, etc.). Because so little grant money is available for LGBT asylum seekers, and because most wealthy donors don’t know much about these issues yet, most asylum support work depends on donations of time, space, things, and money from individuals who are not wealthy—including many asylum seekers and asylees themselves—and from organizations that volunteer their support.

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## Donations from Individuals

Groups that focus on LGBT asylum seekers have developed many creative ways to encourage people to give.

### Examples of fundraising activities:

- Clothing and equipment drives for winter clothing, bikes, laptops, mobile devices etc.
- Stage a musical performance, film screening, catered dinner, dance party, drag show etc.
- Many houses of worship take up collections as part of their religious services to support this work
- Encourage supporters to host a house party and invite their friends, telling them beforehand that it is a party to raise funds for LGBT asylum seekers. Make the party fun, and at the same time educate guests about the challenges faced by LGBT asylum seekers in the U.S. and ways that they can help.
- Sell items promoting the organization: Print a logo or other original designs on t-shirts, tote bags, mugs, and Christmas cards to sell at events.
- Set up a fundraising campaign online using GoFundMe or some other service.

When people donate they will often expect, and always appreciate, an acknowledgement such as a handwritten thank-you note. Some donors will also want documentation that they can use for tax purpose, which can be provided only by a registered 501(c)(3) organization.



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## Donations from Other Organizations

Many organizations donate a great deal of time, effort, and money to LGBT asylum seeker programs. For example, food pantries donate bags of groceries, second-hand clothing shops give winter coats, and law firms donate legal services. Some companies will also donate items, gift cards, or money.

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### **National LGBT Organizations as Donors**

*The National LGBTQ Task Force has long been involved in working for immigration and refugee/asylum reform and policy development. Its Creating Change annual conference provides a forum for advocates to develop and strengthen the movement for LGBTQ immigrant rights.*

*The Human Rights Campaign has run holiday staff donation drives for food, clothing, and toiletries to benefit asylum seekers. HRC also provides space in our building for meetings and events, as well as inviting local asylum seekers, asylees, and refugees to community events free of charge.*

*The Task Force and HRC also funded and supported the LGBT-Freedom and Asylum Network in the creation and publication of this guide.*

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## Donations from Foundations and Other Grantmakers

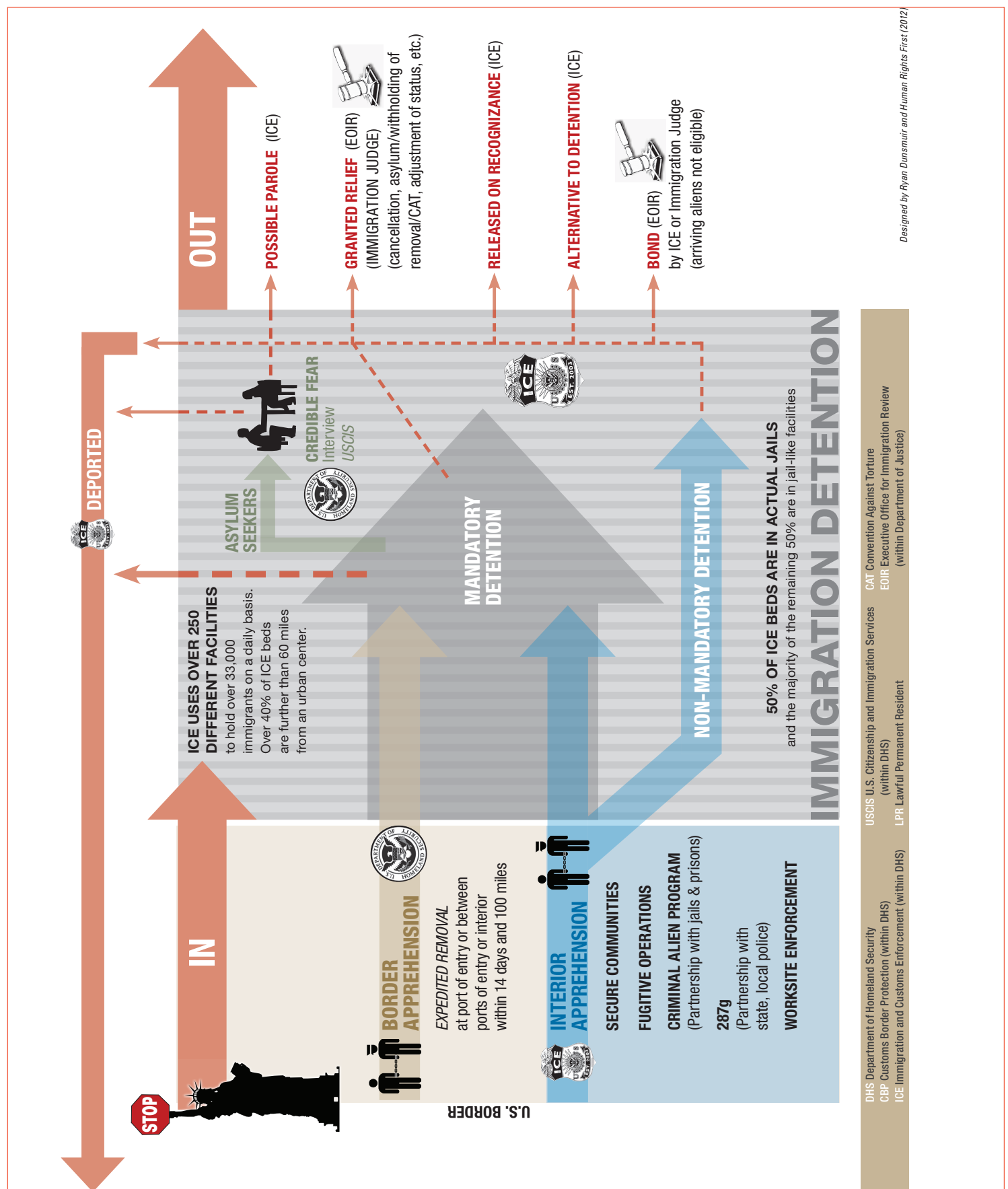
Foundations are organizations that make grants, or relatively large financial contributions, to nonprofit organizations.<sup>80</sup>

### **Here are some points to consider about applying for grant funding:**

- ▼ Very few grants are made to groups serving LGBT asylum seekers, and almost all of the funding that is being given is supporting legal service. Smaller amounts are spent on advocacy. Most grantmakers simply do not know about LGBT asylum seekers yet.<sup>81</sup> Before they will give, they need to learn. Teaching them will take persistence.
- ▼ Use the Foundation Center Database to research which grantmakers might potentially give to your organization.<sup>82</sup>
- ▼ Don't start by writing proposals. First, make sure that your organization is eligible to accept grants—for example, by obtaining 501(c)(3) status, or working through a fiscal agent. Second, develop clear and compelling materials and plans, and maybe even a simple website. Third, try to develop a relationship with the grantmaker, for example by requesting a face-to-face meeting.
- ▼ Follow the application instructions exactly. Answer all questions asked, provide all materials requested, and follow all formatting requirements. Submit everything before the deadline. Lateness will usually disqualify applications. Any minor error—using a budget format other than the application describes, or including too many pages—could disqualify an application from being considered.
- ▼ In proposals, describe how LGBT asylum seekers are involved as leaders of the program, and how you know that the proposed services are the ones needed by the community.
- ▼ When a proposal is not accepted, ask the grantmaker for feedback on how it could have been stronger, and use that information for the next application.
- ▼ Be persistent, and remember that every organization has its proposals rejected most of the time. Applying for grants is a lot like applying for jobs. Continue to do good work, and document your success. Keep at it, and you will get there.



# Appendix A | The Ins and Outs of Immigration Detention



These examples are provided for educational purposes only. They should not be considered legal advice. LGBT-FAN encourages groups to seek the advice of competent professional advisors prior to adopting any template document, and to make amendments suitable to group needs.

# Appendix B | Communicating with LGBT People Outside the U.S.

## WHAT TO SAY & WHAT NOT TO SAY

### WHEN AN LGBT PERSON FROM ANOTHER COUNTRY SEEKS YOUR HELP



If your work has to do with human rights for LGBT people, chances are that at some point you will be contacted by someone from another country who asks for help. They may say that they are in danger, or need to get out of their home country. How you reply could mean the difference between life and death for them. This sheet presents some of the lessons learned by people who have been getting and answering these kinds of requests for help.

#### Remember

1. Unless you have lived through the kind of situation the person is telling you about, and have personal experience in that environment, you can understand very little about the challenges they are facing.
2. People in desperate situations are likely to jump at any sign of hope, even if it is unrealistic. This can lead them to trust you more than they should, and could place them at great danger.
3. It is natural for you to want to make the other person happy by being optimistic, even to the point of being unrealistic or reaching beyond your knowledge. Resist that temptation.
4. People in desperate situations – brought on by persecution, extreme poverty, or traumatic experiences – will do whatever they need to do in order to survive. This can lead them to twist the truth. Your knowledge about what the person's true situation is will often be limited – don't take it personally.

#### DO

- A. Let the person know that you are listening attentively, and that you care. Every request will be different. Getting the details you've been told correct in your reply shows you're listening.
- B. If you and the person you are communicating with are people of faith, give spiritual affirmation in a way you think would be welcomed.
- C. If you know and trust a person who has been through a similar experience in the same culture, ask the help-seeker if you can introduce them. Make sure the person you refer to is aware of the information in this handout.
- D. Provide accurate information about how refugee and asylum systems operate, if they are interested.
- E. Reinforce the point that only they can make the decisions that are right for themselves.
- F. Emphasize that seeking asylum in another country is almost always a dangerous, time consuming, and lengthy process with an uncertain outcome.
- G. Be very cautious about sending money.
- H. Tell the person about resources that are in *Stronger Together* and at [www.lgbt-fan.org](http://www.lgbt-fan.org) under the "Resources" tab.
- I. Consider the comprehension and language level of the person writing, and use an appropriate level when replying.

#### DO NOT

- A. Make overly optimistic predictions about how a situation might work out.
- B. Give advice about things you don't understand thoroughly, or give information unless you are sure it is accurate.
- C. Share identifying information about the person with anyone, especially in writing. The person could be very worried about what would happen if others knew about their situation. They need to decide what information to share, with whom, and how.
- D. Use your relationship with the person seeking help in order to satisfy your own interests. This is not about you—it is about them.
- E. Provide money or other assistance directed towards helping the person get to the U.S. for the purposes of applying for asylum, as this could open you to charges of immigration fraud.

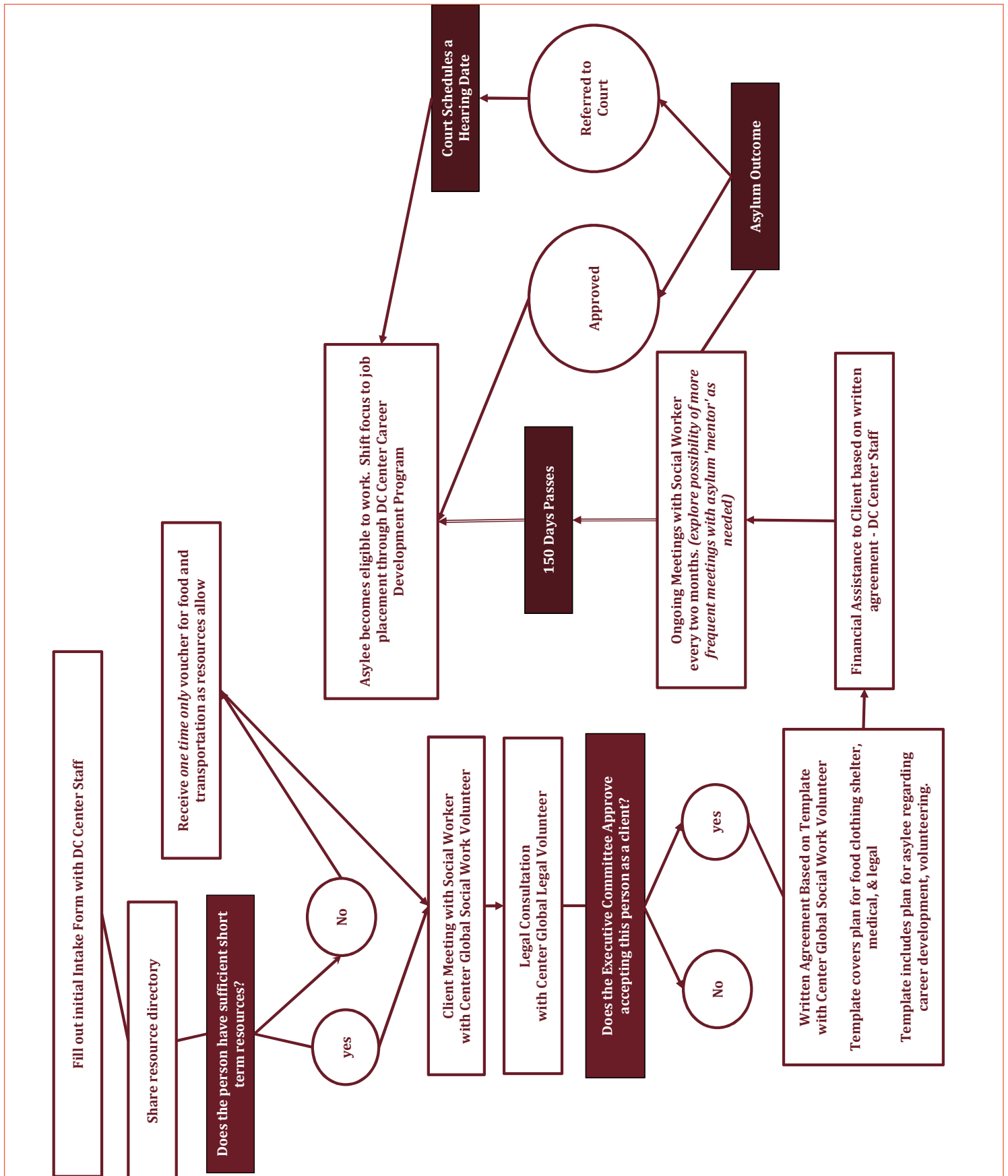
***This information sheet has been produced by the  
LGBT Freedom & Asylum Network***

LGBT-FAN is a national coalition dedicated to helping people who are seeking safety in the United States because of persecution based on sexual orientation or gender identity in their home countries.

***For more resources or to get involved visit  
[www.lgbt-fan.org](http://www.lgbt-fan.org)***

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## Appendix C | Center Global Asylum Process Flowchart



These examples are provided for educational purposes only. They should not be considered legal advice. LGBT-FAN encourages groups to seek the advice of competent professional advisors prior to adopting any template document, and to make amendments suitable to group needs.

# Appendix D | Center Global Asylum Process Factsheet



**Center Global**  
DC's LGBTI Asylum Network

## WHAT'S IN THIS GUIDE?

This guide is intended to provide a basic overview of the asylum process and what to expect upon arriving in the DC area. Please note that this guide is to be considered a starting place only. The DC Center has produced a series of more detailed guides on specific issue areas pertaining to the asylum process and living in the DC area as an asylum seeker or asylee.

## BASICS of the ASYLUM PROCESS

### Before Arriving in the U.S.

People who are seeking to flee to the United States because of persecution should thoroughly understand the process of applying for refugee status or asylum and make sure they are prepared for the process.

In the U.S. the term “refugee” refers to someone who has received legal recognition outside of their country of origin and has been officially accepted under the U.S. Refugee Admissions Program. Refugee seekers apply for status either through the United Nations High Commissioner for Refugees (UNHCR; [www.unhcr.org](http://www.unhcr.org)) or the U.S. Department of State ([www.state.gov/j/prm/ra/](http://www.state.gov/j/prm/ra/)), either in their home country or a country in which they have sought temporary refuge.

Asylum seekers, on the other hand, must make their way legally to the United States and make their asylum claim there, either on entry at the border, or preferably after entering the country. A brief description of this process can be found at Human Rights First ([www.humanrightsfirst.org/wp-content/uploads/pdf/RefugeeChart-rev3-press.pdf](http://www.humanrightsfirst.org/wp-content/uploads/pdf/RefugeeChart-rev3-press.pdf)).

The best way to seek asylum in the United States is to enter the country legally on a valid visa, and then file your claim for asylum status. This referred to as an “affirmative” asylum process. This process is the only way to receive asylum status decision purely through administrative measures, rather than a hearing in immigration court.



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FOR THE LGBT COMMUNITY

## THE ASYLUM PROCESS

There are two other main ways in which people seek asylum in the US. The first is called the ‘defensive’ asylum process. This occurs when a person initially in the US legally stays past the expiration of their visa or other entry document, and *then* starts the asylum application process. At this point, the seeker is in violation of US immigration and customs law, and is likely to face legal action and possibly detainment. Your case will then proceed to an immigration court for decision on your status.

Finally, “arriving” asylum seekers are those who travel to the US and then declare their intention to seek asylum at the border. If you do this, you *will* be detained, and then your case will proceed in an immigration court. It is strongly recommended that you avoid trying to enter the US as an arriving asylum seeker unless this is your only option, or face denial of entry.

### Assembling Your Application Materials

Regardless of precisely how you enter the United States, Documentation of credible or well-founded fear of persecution is a critical component of any successful refugee or asylum application. It is important to begin that process before leaving your home country, if possible. Documentation should be as specific as possible and could include: photos, medical records, affidavits, notes of incidents (including complete description, location, date & time, any corroborating witnesses), etc.

### The Asylum Process

Below is a simple representation of the three basic kinds of asylum process. For more detailed information, please consult the U.S. Citizenship and Immigration Services website at: <http://www.uscis.gov/humanitarian/refugees-asylum/asylum>

*(continued on the next page)*

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## Appendix D | Center Global Asylum Process Factsheet *(continued)*

### Working in the U.S.

Please note that you must obtain a Work Authorization before you can legally work in the U.S. as an asylum seeker or asylee. Please speak to DC Center staff or your case worker for more information. Also, please see the DC Center Global Program's resource guide on Working and Career Development, available online or at the DC Center.

### GETTING HELP IN THE DC AREA

Arriving in a new place can be challenging and seem overwhelming, but there are a variety of resources available to help make your resettlement in the DC area easier.

It is very important to know that the Washington, DC metropolitan area contains three different regional governments: the Government of the District of Columbia, the State of Maryland, and the State of Virginia. The types and sources of assistance vary depending on which area you live in. For example, if you reside in Washington DC, you can make use of assistance available to DC residents but not necessarily assistance available to Maryland or Virginia residents. You are encouraged to take this into consideration when considering where you will reside.

The Washington DC area is incredibly diverse, and there are large communities from many countries in the area. However, while such communities may seem to be a natural place to seek help, they may have limited resources to help you as an LGBT asylum seeker. The DC Center can direct to many LGBT-friendly resources to help you through the asylum and adjustment processes.

### The DC Center

The DC Center for the LGBT Community (The Center) seeks to be a welcoming place for everyone, irrespective of national origins and circumstances.

While we seek to help in any way we can, it is important to point out that the Center is a local resource that tends to the LGBTI Community as a whole, and there are many organizations that will have better, more specific information available regarding your specific circumstances.

### Working with the DC Center

The objective of the Center Global initiative is to provide an orientation regarding the available resources and links to people and organization capable to provide information, and assistance that is suited to your needs as an asylum seeker

here in U.S. The Center, as a local non-profit, is not able to sponsor or to provide official assistance in terms of immigration or other bureaucratic procedure aimed at obtaining legal status in the United States. We do however, want you to feel welcome and cared for to the best of our ability in our community!

The staff at the DC Center are happy to help you by referring you to the appropriate resources to get you the help and support you need.

### Other Resources

- **Fahamu Refugee Legal Aid** provides extensive information about seeking and obtaining refugee status worldwide. [www.refugeelegalaidinformation.org](http://www.refugeelegalaidinformation.org)
- **Immigration Equality** advocates for full equality for LGBT and HIV-positive immigrants. They also provide pro bono legal assistance for bi-national couples through their New York City office. [www.immigrationequality.org](http://www.immigrationequality.org)
- **Hebrew Immigrant Aid Society** assists refugees from more than 20 countries with U.S. resettlement, immigrant integration, and citizenship programs. [www.hias.org](http://www.hias.org)
- **LGBT Freedom and Asylum Network (LGBT-FAN)** provides support and information specifically aimed at helping LGBT asylum seekers and refugees. <http://www.lgbt-fan.org/>
- **Organization for Refugee Asylum and Migration (ORAM)** advocates nationally and provides limited services to LGBTI Asylees and Refugees in the San Francisco Bay area. [www.oraminternational.org](http://www.oraminternational.org)

### Legal Representation

It is very important that you consult with a legal professional during your asylum process. Below are few resources that you might find helpful:

- **The LGBT Bar Association** is a group of LGBT lawyers. You may be able to find low-cost or *pro-bono* (free) legal aid either directly through the group, or by referral. <http://lgbtbar.org/>
- **Whitman Walker Legal Services** provides legal help to LGBT individuals. Their services focus on medical legal issues, but they may be able to refer you to help for other legal services. *Pro-bono* services are available. <http://www.whitman-walker.org/legal/legal-services/>



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# Appendix E | Center Global Basic Intake Form



## Center Global:

A program of The DC Center for the LGBT Community

Today's Date:

Month/Day/Year

Please **PRINT** clearly!

### Asylum Seeker Basic Information Sheet

Legal Name: (First and Last): \_\_\_\_\_

Preferred Name: (First and Last): \_\_\_\_\_

Street Address: \_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Alternate Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Country of Origin: \_\_\_\_\_

Birth Date: \_\_\_\_\_  
Month/Day/Year

Marital Status: \_\_\_\_\_ Partner/Spouse Name: \_\_\_\_\_

Your Arrival to USA: \_\_\_\_\_ Housing Status: \_\_\_\_\_  
Month/Day/Year

Asylum Application Date: \_\_\_\_\_ Asylum Interview Date: \_\_\_\_\_  
Month/Day/Year

Disabilities/Health Concerns: \_\_\_\_\_<sup>2nd</sup> Profession/Skills: \_\_\_\_\_

Primary Language: \_\_\_\_\_ Language: \_\_\_\_\_

Still Learning: \_\_\_\_\_ Translator needed? \_\_\_\_\_

#### Gender Identity

Check all that apply

MALE

FEMALE

OTHER: \_\_\_\_\_

#### LGBT Identity

Check all that apply

GAY

LESBIAN

BISEXUAL

TRANSGENDER

OTHER: \_\_\_\_\_

Notes:

Needs: ☒ Check all that apply

☐ Legal Assistance/ Assessment

☐ Social Work Assessment

☐ Housing

☐ Food Assistance

☐ Transportation Assistance

☐ Medical: Physical / Mental

☐ Other: \_\_\_\_\_



2000 14<sup>th</sup> St. NW, Suite 105,  
Washington, DC 20009  
(202) 682-2245

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# Appendix F | Client Plan of Action

## CONFIDENTIAL

Add details and check boxes as required

FIRST MEETING: [DATE]

UPDATED: [DATE]

### Plan of Action for: [Client Name/Preferred ID]

[CLIENT] arrived in Washington, DC on [DATE] with the intention/ in the process of applying for political asylum in the United States. [GROUP] has agreed to provide him/her with emergency assistance, in conjunction with other organizations i.e. [LIST], during his/ her transition period.

S/he and [GROUP] have produced this “Plan of Action” to guide further discussion on what needs to occur during this process. [GROUP] will work with [CLIENT] to develop a written commitment on how s/he intends to: use his/her time; engage in support systems; responsibly use [GROUP]’s network to develop work skills and experience; be open and honest with [GROUP] staff and volunteers; share issues and concerns as part of a team, and allow time and healing to help him/her move into a new life in the USA.

#### ☐ Asylum Application Support Requested

- ☐ [CLIENT] requires legal assistance and has been referred to [LEGAL ORGS].
- ☐ [CLIENT] has already approached [LEGAL ORGS] to assist him/her with Asylum application process.
- ☐ An intake meeting with [LEGAL ORG] is scheduled for [DATE] to determine if/ how his/her case will be handled.
- ☐ [CLIENT] has legal assistance from [LEGAL ORG].
- ☐ [CLIENT] requires support writing a summary of his/her experiences leading him/her to seek asylum in the U.S. and [GROUP] has received verification from [LEGAL ORG] that they may support him/her in this task.

Notes:

#### ☐ Housing Support Requested

It is estimated that the asylum application process and then finding employment could take at least [#] months.

- ☐ [NAME] is providing temporary place to stay until [DATE].
- ☐ [NAME] has agreed to provide a room for at least [#] months. A written agreement outlining any expectations (of all parties) will be created and signed before [DATE].
- ☐ Further work needs to be done to identify temporary housing after [DATE].

Specific needs relevant to housing include (e.g. allergies; accessibility): [LIST]

#### ☐ Financial Assistance Requested

[CLIENT] will need financial assistance to help with expenses such as food, transportation and other incidentals while s/he is in the asylum seeking process and before s/he has obtained paid employment. Recognizing the limited financial resources of [GROUP], [CLIENT] will establish a budget for his/ her expenses and receive disbursements as funds are available.

Notes:

#### ☐ Clothing Requested

- ☐ [CLIENT] needs additional clothing and has been referred to [ORGANIZATIONS].
- ☐ [CLIENT] will reach out to other resources to obtain additional clothing items.
- ☐ [CLIENT] needs particular attire to wear in the workplace. Referral to [ORGANIZATIONS].

1

*(continued on the next page)*

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## Appendix F | Client Plan of Action *(continued)*

### CONFIDENTIAL

Add details and check boxes as required

FIRST MEETING: [DATE]

UPDATED: [DATE]

#### ☐ Medical Assistance/Counseling Requested

- ☐ [CLIENT] understands basic structure of U.S. healthcare system and has identified suitable health insurance coverage program (see Healthcare Fact Sheet). Is enrolled in program/ Will enroll in program by [DATE].
- ☐ [CLIENT] understands that a range of counseling/ mental healthcare options is available, and may be requested at any time. Referred to [ORGANIZATIONS].
- ☐ [CLIENT] is likely to qualify as survivor of torture / survivor of domestic violence / eligible for HIV organization support [delete as appropriate]. Referred to [ORGANIZATIONS].

Specific healthcare needs:

#### ☐ Educational Support Requested

- ☐ [CLIENT] would benefit from some English language tutoring.
- ☐ [CLIENT] would benefit from some financial literacy support.
- ☐ [CLIENT] would like to pursue a high school equivalency (e.g. GED) course.
- ☐ [CLIENT] would like to pursue vocational training options.
- ☐ [CLIENT] would like to pursue higher education options.

Specific educational goals and plan of action (including referrals):

#### ☐ Employment Support Requested

[CLIENT] has obtained their EAD / [CLIENT] expects to receive their EAD by [DATE]

- ☐ [CLIENT] has been introduced to the DC Center Job Club and [ORGANIZATIONS].
- ☐ [CLIENT] is updating his/her resume and writing cover letters with support of [NAME].
- ☐ [CLIENT] has/ will obtain copies of university transcripts and records pertaining to former employment.
- ☐ [CLIENT] would like support identifying and applying to other volunteer/ internship positions.

Specific employment goals and plan of action:

#### Miscellaneous

Specific interests and other goals, and plan of action:

#### Client - [GROUP] Agreement

- ☐ [GROUP] will not publish or share [CLIENT] name/ information/ image without [CLIENT]'s prior informed consent (req.).
- ☐ [CLIENT] will not speak on behalf of [GROUP], or vice-versa, without explicit prior agreement (req.).
- ☐ [CLIENT] would like to assist with fundraising/ educational outreach efforts for the [GROUP] mission.
- ☐ [CLIENT] would like to undertake a role within [GROUP] in the area of [LIST].

[CLIENT] and [GROUP] have agreed to meet on a [WEEKLY/ MONTHLY ETC.] basis to discuss progress and update this Plan for Action where necessary. The next meeting will be held on [DATE]



# Appendix G | Local Information Handout



## Center Global DC's LGBTI Asylum Network

### WHAT'S IN THIS GUIDE?

The purpose of this guide is to provide you with some basic information about how to get around the DC area. It also briefly addresses interstate and intercity travel, as well. While this guide will give you a place to start, there is no way it can cover every aspect of getting around a major city. If you have any questions about transportation in and around the DC area, don't be afraid to ask someone at the DC Center.

### THE METRO SYSTEM

#### General Information

The major regional system of buses and subway trains in DC and its MD and VA suburbs is Metro, the Washington Metropolitan Area Transit Authority ("WMATA"). It offers bus and subway/train service 7 days a week. Information is available at its website: [www.wmata.com](http://www.wmata.com). Generally, when somebody says "take the Metro," they are referring to the train, and not the bus. A map of the Metrorail system is shown below:



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## TRANSPORTATION

### Paying for Metro Rides

A traveler can use a permanent plastic Smartrip card to pay the ticket price. Using a Smartrip card usually is cheaper than paying with cash money. You can buy a Smartrip card in local CVS drugstores, or on-line at <https://smartrip.wmata.com/storefront>.

You can add money value to the card in Metro stations and on buses.

### Transfers

Note that when using the metro system, you can switch from bus to bus, or rail to bus for reduced or even no additional cost "transfers." Transfers can be either a physical ticket, or data stored on your SmarTrip card. Transfers must be used within *two hours*. Rules for transfers vary, so study the options for your intended route on the WMATA website.

### For more Info on Metro

You can learn about the routes, schedules and cost of trips on Metro at its website (<http://www.wmata.com/>), or in the subway/train stations. Metro buses usually have paper copies of their routes, schedules and prices; ask the driver.

### OTHER PUBLIC TRANSPORTATION OPTIONS

Metrobus and Metrorail are not the only ways to get around the DC area. Some more public transit options are mentioned below.

**Other Regional Bus Systems**  
DC and some of its suburbs also offer bus service, and accept Smartrip cards or cash payment.

- In DC, red and gray **Circulator** buses operate on several routes in the central part of the city (including on 14<sup>th</sup> St. NW, at the Reeves Center where Center Global is located). Buses run every ten minutes, and a trip costs only \$1, which is much less than on Metro buses. The

(continued on the next page)

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## Appendix G | Local Information Handout *(continued)*

- website for information is [www.dccirculator.com](http://www.dccirculator.com)
- Montgomery County MD operates buses within the county and to DC. The website is [www.montgomerycountymd.gov/DOT-Transit/routesandschedules/rideonroutes.html](http://www.montgomerycountymd.gov/DOT-Transit/routesandschedules/rideonroutes.html)
- The **Maryland Transit Administration** offers bus service from various Maryland suburbs to DC and to Metro train stations. Its website is: <http://mta.maryland.gov/commuter-bus>
- Alexandria, VA, has its DASH bus system within the city and to Metro train stations. Its website is [www.dashbus.com](http://www.dashbus.com)
- Arlington, VA, has its ART bus service within the country and to Metro train stations. Its website is: [www.arlingtontransit.com/](http://www.arlingtontransit.com/)
- Fairfax County, VA has its Fairfax County Connector bus system, within the county and to Metro train stations. Its website is [www.fairfaxcounty.gov/connector/](http://www.fairfaxcounty.gov/connector/)

### Bicycling

Bicycling (“biking”) is an increasingly popular way to travel cheaply in Washington and its suburbs. A good source of information is the Washington Area Bicyclists Association (WABA), at [www.waba.org](http://www.waba.org). WABA provides free advice, and free classes, to learn about safe bicycling and bicycle-related traffic laws. Note that you are *required by law* to wear a helmet when biking. For security reasons, you may also want to invest in a bike lock, as bicycles are a frequently stolen item.

A growing system of public bicycles – Capital Bikeshare (“Cabi”) – is on the streets of DC, Arlington VA, Alexandria VA and Montgomery County MD. You may buy memberships good for one day, three days, one month or one year. With a membership, the first 30 minutes of using a Cabi bicycle is free. The system’s website is [www.capitalbikeshare.com](http://www.capitalbikeshare.com). Note that Capital Bikeshare does have some assistance programs for low-income individuals. You should consult the organization’s website to determine if you are eligible.

Note that if you have your own bike, you generally can take it on Metrorail and Metrobus. The exception is during certain holidays or special events, when ridership is very high.

### Hiring a Car

If you use a taxi, remember, that prices are fixed and there’s no need to bargain before your trip. You can hail a taxi on the street or order it by phone or through a special app on your device. All the cars are equipped with meters, and you can

pay in cash or by your debit/credit card, or use some other form of non-cash payments. It is customary to tip your driver 15%-20% of the total fare at the end of your trip. The largest taxi companies are listed here:

<http://dc.about.com/od/transportation/a/Washington-Dc-Taxis.htm>

You can also use ridesharing services, such as Uber and Lyft. These services are similar to taxis, but can be ordered via a special app only. With these services the price of a trip can be lower than that of a taxi, though pricing does change based on demand. When you come to your destination you will be charged automatically, and the money will be taken from your card. You should not pay in cash and tipping is optional. More info about Uber can be found at [www.uber.com/](http://www.uber.com/). More information about Lyft can be found here: [www.lyft.com](http://www.lyft.com)

For safety reasons, you should never accept a ride from strangers on the street unless they are clearly a licensed taxi with a meter or you have called them via a ridesharing service.

### GETTING YOUR OWN CAR

The United States is a very car-friendly culture, and it can be very tempting for some asylees and asylum seekers to try and obtain a personal vehicle. In general, we do not recommend getting your own car, at least for a while. Aside from the already considerable costs of buying a car, parking, insurance (which you **MUST** have) and maintenance of a personal vehicle in the DC area can be **VERY** expensive. If you are determined to drive a personal vehicle, however, here are a few things to keep in mind:

- NEVER drive without a valid, state or district-issued driver’s license. For more information on how to obtain such a license, as well as other forms of identification, please see our guide on this topic.
- Consider using a short-term rental services such as [ZipCar](http://www.zipcar.com) or [Car2Go](http://www.car2go.com) rather than buying or leasing a vehicle.
- If you DO decide to buy or lease a car, make sure you do as much research as possible. Check websites such as CarFax (<http://www.carfax.com/>). This site will help you determine whether a car has been damaged or had major work done before you buy.

### INTER-CITY TRAVEL

It is not difficult to get to other East Coast cities by rail or bus. See here for trains: <http://www.amtrak.com/home> and here: <http://www.megabus.com/> for intercity buses.



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# Appendix H | Confidentiality Agreement

## STATEMENT OF CONFIDENTIALITY

Respecting the privacy of our clients and members is a basic value of [Name of Group]. All information concerning clients, former clients, our staff, and volunteers of [Name of Group] is confidential. “Confidential” means that you are free to talk about [Name of Group] and about your position or role, but you are not permitted to disclose clients’ names or talk about them in ways that could make their identity known without appropriate permission or authorization. Care shall also be taken to ensure that unauthorized individuals do not overhear any discussion of confidential information, and that documents containing confidential information are not left in the open or inadvertently shared. Group members, paid and volunteer, as well as clients, are responsible for maintaining the confidentiality of information relating to other members and volunteers, in addition to clients.

This is a basic component of client care and organizational ethics, and must be maintained both during and after direct engagement with [Name of Group]. Staff and volunteers, including board members and clients, are expected to return materials containing privileged or confidential information when their involvement with [Name of Group] ends. General information, policy statements or statistical materials that are not identified with any individual are not classified as confidential.

Failure to maintain confidentiality may result in termination of your involvement with the group or other corrective action. This policy is intended to protect you as well as [Name of Group], its clients and members. This policy is not intended to prevent disclosure where disclosure is required by law.

## ACKNOWLEDGEMENT

I have read [Name of Group]’s policy on confidentiality and the Statement of Confidentiality presented above. I agree to abide by the requirements of the policy and inform [insert name of person or role] immediately if I believe any violation (unintentional or otherwise) of the policy has occurred.

**Signature of Staff Member/Volunteer/Client**\_\_\_\_\_



**Date** \_\_\_\_\_ **Name** \_\_\_\_\_

Adapted from The National Council of Nonprofits document “Sample Confidentiality Agreements for Information about Clients.” Available online at:  
<https://www.councilofnonprofits.org/sites/default/files/documents/SAMPLE%20Confidentiality%20Agreements.pdf>

*These examples are provided for educational purposes only. They should not be considered legal advice. LGBT-FAN encourages groups to seek the advice of competent professional advisors prior to adopting any template document, and to make amendments suitable to group needs.*

# Directory

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The listings below are not exhaustive. With the exception of members of the Research and Publication Committee, this Directory is limited to regional groups that provide a broad range of referrals and services to LGBT asylum seekers, national or international organizations that provide useful information, online databases and directories (marked ) , and hotlines relevant to this work (marked  ). Unless otherwise noted, these groups are not LGBT-specific.

The information here is provided for general informational purposes only, does not constitute professional advice, and is not guaranteed to be complete or up-to-date. Inclusion below does not constitute endorsement by LGBT-FAN or its partners.

LGBT-FAN is dedicated to building an online, regularly updated directory of relevant organizations and service providers, given sufficient capacity and financial support. See [www.lgbt-fan.org/resources](http://www.lgbt-fan.org/resources).

## LGBT Asylum Seeker Support Programs: Research and Publication Committee

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### Better Together NYC. New York, NY

Better Together NYC is a coalition of immigration activists, LGBTIQ rights advocates, asylum seekers and asylees, service providers, local government officials, and faith leaders working collectively to improve the quality and quantity of holistic services accessible to queer asylum seekers and asylees.

Web: [www.lgbt-fan.org/new-york/](http://www.lgbt-fan.org/new-york/)

Listserv: [bettertogethernyc@googlegroups.com](mailto:bettertogethernyc@googlegroups.com)

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### Center Global. Washington, DC

A program of the DC Center for the LGBT Community, Center Global provides direct assistance and services to LGBT people at various stages of the asylum process including guidance on the legal process, coordinating housing assistance, providing limited financial support, making referrals to community partners, and orientation to the DC area. Center Global also organizes educational events and community forums.

Web: [www.thedccenter.org/programs\\_global.html](http://www.thedccenter.org/programs_global.html)

Facebook: [www.facebook.com/centerglobal](http://www.facebook.com/centerglobal)

Phone: (202) 682-2245

Email: [contact@thedccenter.org](mailto:contact@thedccenter.org)

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### Chicago LGBTQI Asylum Support Partners (CLASP) and Center for Integration and Courageous Living (CICLIV). Chicago, IL

CLASP and CICLIV work in partnership to provide direct living support and welcoming environments to LGBTQI asylum seekers in the Chicago Area. Founded by LGBTQI asylees, CICLIV provides housing and a broad range of support. CLASP, whose fiscal agent is the Broadway United Methodist Church, was founded by LGBTQI asylees, asylum seekers, and allies in 2014 to support CICLIV and other partners working for LGBTQI asylum seekers. Together, they have opened new housing options with additional partners such as Namasté United Church of Christ, and continue to provide food and other basic necessities, income support, educational and career development opportunities, and referrals.

Web: [www.lgbt-fan.org/chicago](http://www.lgbt-fan.org/chicago)

Facebook: [www.facebook.com/CICLIV](http://www.facebook.com/CICLIV) and [www.facebook.com/CLASPartners](http://www.facebook.com/CLASPartners)

Phone: (312) 361-4976

Email: [ciclvig@gmail.com](mailto:ciclvig@gmail.com) / [contact@claspingnewbeginnings.org](mailto:contact@claspingnewbeginnings.org)



### **Freedom House. Detroit, MI**

A temporary home for indigent survivors of persecution from around the world who are seeking asylum in the United States and Canada, Freedom House offers a continuum of care and services its residents and to other refugees/asylum seekers in need free of charge. Freedom House also engages in advocacy for systemic change to more fully recognize the rights of asylum seekers.

Web: [www.freedomhousedetroit.org/](http://www.freedomhousedetroit.org/)

Facebook: [www.facebook.com/FreedomHouseDetroit](https://www.facebook.com/FreedomHouseDetroit)

Phone: (313) 964-4320

Email: [info@freedomhousedetroit.org](mailto:info@freedomhousedetroit.org)

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### **Refugee Immigration Ministry (RIM). Malden, MA**

Founded in 1986 to work with asylum seekers, RIM supports community-based Clusters to provide basic services (housing, transportation, food) for those seeking asylum, as well as detainee visitation services. Each person is respected for his or her own faith commitment, gender preference, sexual orientation, political views, and cultural gifts. Congregations work together across faith lines to provide groups of volunteers who are accountable to one another and thus able to provide greater safety for the client.

Web: [www.r-i-m.net](http://www.r-i-m.net)

Facebook: [www.facebook.com/Refugee-Immigration-Ministry](https://www.facebook.com/Refugee-Immigration-Ministry)

Phone: (781) 322-1011

Email: [ruth.rim@verizon.net](mailto:ruth.rim@verizon.net)

## **Other LGBT Asylum Seeker Support Providers**

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### **African Human Rights Coalition (AHRC). San Anselmo, CA**

AHRC provides support to LGBTI individuals from Africa through case management, strategies for survival, humanitarian assistance, advocacy, referrals, and resources in Africa and abroad.

Web: [www.africanhrc.org](http://www.africanhrc.org)

Email: [info@africanHRC.org](mailto:info@africanHRC.org)

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### **Guardian Group. First Unitarian Universalist Church of San Francisco. San Francisco, CA**

Members of the Guardian Group provide support including financial assistance, information and orientation, social support, and referrals to sexual minority asylum seekers, asylees, and refugees who are resettling in San Francisco and nearby cities.

Web: [www.uusf.org/#!guardian-group/cvi9](http://www.uusf.org/#!guardian-group/cvi9)

Email: [JayBRoller2002@yahoo.com](mailto:JayBRoller2002@yahoo.com)

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### **QueeROC. San Francisco, CA**

The queer immigrant-led committee of the Arab Resource and Organizing Center, QueeROC provides a space for Arab-identifying LGBTQ individuals in the Bay Area to meet for community building and resource sharing. QueeROC also provides legal services and referrals to asylum seekers.

Web: [www.araborganizing.org/our-work/immigration-general-program-info/queeroc](http://www.araborganizing.org/our-work/immigration-general-program-info/queeroc)

Email: [queeroc@araborganizing.org](mailto:queeroc@araborganizing.org)

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### **African Services Committee (ASC). New York, NY**

Founded by Ethiopian refugees in 1981, ASC is a multiservice agency based in Harlem and dedicated to assisting immigrants, refugees and asylees from across the African diaspora, including those who are LGBT.

Web: [www.africanservices.org](http://www.africanservices.org)

Email: [amandal@africanservices.org](mailto:amandal@africanservices.org)

### **Housing Works Asylum Program. New York, NY**

Housing Works' Asylum Program provides housing, health care, legal support, financial support, volunteer work, job training, and employment to LGBT activists who seek sanctuary in the U.S.

Web: [www.housingworks.org/advocate/international/housing-works-asylum-project](http://www.housingworks.org/advocate/international/housing-works-asylum-project)

Contact: via website

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### **Queer Detainee Empowerment Project (QDEP). New York, NY**

QDEP is an alternative to detention program for LGBTQ and HIV+ detainees, those who are recently released from detention centers, and undocumented people based in New York City. QDEP organizes detention center visitation, direct service provision, community organizing, and campaigns to demand an end to the deportation, detention, and policing of immigrants and their families.

Web: [www.qdep.org](http://www.qdep.org)

Email: [info@qdep.org](mailto:info@qdep.org)



QDEP also runs an information and assistance hotline: (347) 645-9339

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### **Refugee & Immigrant Fund (RIF). Astoria, NY**

RIF provides asylum seekers, including LGBT individuals, with information about the asylum system, orientation to the local area, social and educational opportunities, career-building support, and referrals.

Web: [www.rifnyc.org/](http://www.rifnyc.org/)

Email: [info@RiFnyc.org](mailto:info@RiFnyc.org)

## **National and International Resource, Advocacy and Campaign Organizations**

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### **American Civil Liberties Union (ACLU) Immigrants' Rights Project**

This project of the ACLU uses impact litigation, advocacy, and public outreach to protect the rights of immigrants.

Web: [www.aclu.org/issues/immigrants-rights#latest](http://www.aclu.org/issues/immigrants-rights#latest)



The ACLU publication [Immigrant Services Directory: A National Guide of Service Providers \(2010\)](#) lists over 400 local organizations providing services to immigrant populations.

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### **Center for American Progress (CAP)**

CAP's website includes reports and policy recommendations on LGBT immigrants in and out of detention, as well as other issues.

Web: [www.americanprogress.org](http://www.americanprogress.org)

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### **Human Rights Campaign (HRC)**

HRC is the largest civil rights organization working to achieve equality for lesbian, gay, bisexual, and transgender Americans, representing more than 1.5 million members and supporters nationwide. HRC is one of LGBT-FAN's partners in the production of this guide.

Web: [www.hrc.org](http://www.hrc.org)

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### **Human Rights First (HRF)**

HRF is an international human rights organization that provides pro bono legal services to asylum seekers and advocates for improvements to the U.S. asylum system.

Web: [www.humanrightsfirst.org/asylum](http://www.humanrightsfirst.org/asylum)

### **The LGBT Freedom and Asylum Network (LGBT-FAN)**

LGBT-FAN is a national coalition working to support LGBT asylum seekers and their allies to improve service provision and advocate for policy reform. LGBT-FAN aims to center the views and voices of asylum seekers themselves, as experts by experience, in all LGBT asylum justice campaigns.

Web: [www.lgbt-fan.org](http://www.lgbt-fan.org)

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### **LGBTI Caucus of the Refugee Congress**

The LGBTI Caucus is a network of refugees and asylees who are LGBT and their allies. The Caucus advocates for policy change and organizes meetings in Washington, DC, and nationally.

Web: [www.facebook.com/refugeecongress.lgbticaucus](https://www.facebook.com/refugeecongress.lgbticaucus)

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### **National Center for Lesbian Rights (NCLR)**

A national organization advancing LGBT equality through litigation, legislation, policy, and public education, NCLR provides pro bono legal assistance to LGBT asylum seekers and immigrants, as well as assistance to attorneys representing LGBT asylum seekers and immigrants.

Web: [www.nclrights.org/our-work/asylum-immigration](http://www.nclrights.org/our-work/asylum-immigration)

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### **National Center for Transgender Equality (NCTE)**

An organization dedicated to educating and bringing about policy change to improve the lives of transgender people in America, NCTE works to improve immigration policies and end detention through research, publication, and advocacy.

Web: [www.transequality.org](http://www.transequality.org)

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### **National Immigrant Justice Center (NIJC)**

NIJC is a project of Heartland Alliance dedicated to ensuring human rights and access to justice for all immigrants, refugees, and asylum seekers through direct legal services, advocacy, impact litigation, and public education.

Web: [www.immigrantjustice.org](http://www.immigrantjustice.org)

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### **The National Immigration Law Center (NILC)**

NILC engages in policy analysis, litigation, education, and advocacy to defend and advance the rights and opportunities of low-income immigrants and their families. NILC's website provides information on a range of immigration policy issues, often on a state-by-state basis.

Web: [www.nilc.org](http://www.nilc.org)

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### **National LGBTQ Task Force**

This mission of the National LGBTQ Task Force — the country's oldest national LGBTQ advocacy group — is to advance full freedom, justice, and equality for LGBTQ people. The Task Force stages the annual "Creating Change" conference, which has featured panels on LGBT asylum seekers and issues important to them, and is one of LGBT-FAN's partners in the production of this guide.

Web: [www.thetaskforce.org](http://www.thetaskforce.org)

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### **The National Queer Asian Pacific Islander Alliance (NQAPIA)**

NQAPIA is a federation of LGBTQ Asian American and Pacific Islander organizations that seeks to build the capacity of local organizations, invigorate grassroots organizing, develop leadership, and challenge homophobia, racism, and anti-immigrant bias.

Web: [www.nqapia.org](http://www.nqapia.org)



NQAPIA maintains a directory of local LGBTQ Asian Pacific Islander organizations on its website  
[www.nqapia.org/wpp/member-organizations](http://www.nqapia.org/wpp/member-organizations)

### **Organization for Refugee, Asylum and Migration (ORAM)**

ORAM advocates on behalf of refugees fleeing persecution based on sexual orientation or gender identity, and maintains a special focus on UNHCR.

Web: [www.oraminternational.org](http://www.oraminternational.org)

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### **OutRight Action International**

Formerly the International Gay and Lesbian Human Rights Committee (IGLHRC), OutRight addresses human rights violations against LGBTI people and people with HIV/AIDS worldwide, through research and monitoring, publication, training and advocacy.

Web: [www.outrightinternational.org](http://www.outrightinternational.org)

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### **Queer Undocumented Immigrant Project (QUIP)**

A member of the United We Dream coalition, QUIP seeks to organize and empower undocumented and documented LGBTQ immigrants and allies to address social and systemic barriers through training, education, capacity building, and targeted campaigning.

Web: [www.unitedwedream.org/about/projects/quip](http://www.unitedwedream.org/about/projects/quip)

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### **Southerners On New Ground (SONG)**

SONG is a queer liberation organization made up of people who are of color, immigrants, undocumented, with disabilities, and working class, and who live in rural areas and small towns. SONG focuses on regional capacity building, leadership development, and organizing through research, analysis, publication, and intersectional justice campaigns.

Web: [www.southernersonnewground.org](http://www.southernersonnewground.org)


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### **United Nations High Commissioner for Refugees (UNHCR)**

The UNHCR is the United Nations agency mandated to lead and coordinate international action to protect refugees and resolve refugee problems worldwide. The UNHCR 1951 Refugee Convention forms the basis for international asylum law.

Web: [www.unhcr.org](http://www.unhcr.org)

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 **The Community of LGBT Centers** runs a searchable online database of local LGBT Centers in the United States (and around the world) at: [www.lgbtcenters.org/Centers/find-a-center.aspx](http://www.lgbtcenters.org/Centers/find-a-center.aspx)

## **Detention Advocacy and Detainee Support**

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### **Community Initiatives for Visiting Immigrants in Confinement (CIVIC)**

CIVIC works to end the isolation and abuse of people in U.S. immigration detention through visitation, independent monitoring, storytelling, and advocacy. It helps develop community-based and volunteer-run immigration detention visitation programs by running trainings and publishing resources.

Web: [www.endisolation.org](http://www.endisolation.org)

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### **Detention Watch Network (DWN)**

DWN is a coalition working to expose and challenge the injustices of the U.S. immigration detention and deportation system and advocate for profound change that promotes the rights and dignity of all persons. DWN provides valuable information and resources to detainees and their supporters.

Web: [www.detentionwatchnetwork.org](http://www.detentionwatchnetwork.org)

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 **Online Detainee Locator System:** [www.ice.gov/locator](http://www.ice.gov/locator)



# National Education and Employment Organizations

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## Career One Stop / American Job Centers

Career One Stop is a career, training, and job search website run by the U.S. Department of Labor that provides free online tools, and resources, including a national searchable database for American Job Centers which provide face-to-face services, skills trainings and referrals.

Website: [www.careeronestop.org](http://www.careeronestop.org)



Career One Stop hosts a searchable national database of local training and support centers at: [www.careeronestop.org/LocalHelp/local-help.aspx](http://www.careeronestop.org/LocalHelp/local-help.aspx)

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## Dress For Success

Dress For Success works on a referral basis to support disadvantaged women entering the job market.

Web: [www.dressforsuccess.org/about-us](http://www.dressforsuccess.org/about-us)

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## Upwardly Global

Upwardly Global helps work-authorized, skilled immigrants rebuild their professional careers in the U.S. Its provide professional U.S. job search training and helps people build connections with employers in their field. Currently serving New York, Chicago, San Francisco, Detroit and the Greater Washington DC area.

Web: [www.upwardlyglobal.org/](http://www.upwardlyglobal.org/)

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**The National Literacy Directory** runs a searchable database of free, local literacy and education programs and GED testing centers across the U.S. at: [www.nationalliteracydirectory.org](http://www.nationalliteracydirectory.org)

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# Health

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## American Medical Association(AMA)

The AMA maintains a site with health information specifically tailored to people who are LGBT and their healthcare providers.

Web:

[www.ama-assn.org/ama/pub/about-ama/our-people/member-groups-sections/glb-t-advisory-committee/glb-t-resources/lgbt-health-resources.page](http://www.ama-assn.org/ama/pub/about-ama/our-people/member-groups-sections/glb-t-advisory-committee/glb-t-resources/lgbt-health-resources.page)

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## Center for Victims of Torture (CVT)

CVT supports rehabilitation services for survivors of torture nationally and internationally through training initiatives and online materials, advocates for survivors, and provides direct services to torture survivors in the Minneapolis/St. Paul area.

Web: [www.cvt.org](http://www.cvt.org) and [www.healtorture.org](http://www.healtorture.org)

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## Gulf Coast Jewish and Family Services National Partnership for Community Training (NPCT)

NPCT is a technical assistance program funded by the Office of Refugee Resettlement that provides training services to mainstream providers in communities without torture treatment centers. Web: [www.gulfcoastjewishfamilyandcommunityservices.org/refugee/refugee-programs/national-partnership-for-community-training](http://www.gulfcoastjewishfamilyandcommunityservices.org/refugee/refugee-programs/national-partnership-for-community-training)

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## National LGBT Health Education Center


The Center provides educational programs, resources, and consultation to health care organizations with the goal of optimizing quality, cost-effective health care for all LGBT people.

Web: [www.lgbthealtheducation.org](http://www.lgbthealtheducation.org)


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 **GLMA Health Professionals Advancing LGBT Equality** runs an online directory of LGBT-friendly healthcare providers at: [www.glma.org](http://www.glma.org) (see [Resources for Patients](#))


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 **The National Association of Community Health Centers** lists Primary Healthcare Associations by state. State specific websites list local centers offering services to underserved and/ or uninsured people: [www.nachc.com/nachc-pca-listing.cfm](http://www.nachc.com/nachc-pca-listing.cfm)

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 **The U.S. Office of Refugee Resettlement** lists organizations across the U.S. that have received funds to provide services to Survivors of Torture: [www.acf.hhs.gov/programs/orr/resource/services-for-survivors-of-torture-grants](http://www.acf.hhs.gov/programs/orr/resource/services-for-survivors-of-torture-grants)

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 **The World Professional Association for Transgender Health (WPATH)** runs an online searchable database of service providers specializing in trans health at: [www.wpath.org](http://www.wpath.org) (see Find a Provider)

## Housing

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 Directory of state and local fair housing enforcement agencies: [www.civilrights.org/fairhousing/laws/state-agencies.html](http://www.civilrights.org/fairhousing/laws/state-agencies.html)

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 Directory of homeless shelters: [www.nationalhomeless.org/references/directory/](http://www.nationalhomeless.org/references/directory/)

## Legal

The programs and organizations listed below offer pro bono (free) and/or low bono (very low cost) legal help to LGBT asylum seekers, and/or legal referrals to other suitable legal service providers.

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### Human Rights First

See “Advocacy and Campaign Organizations.”

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### Immigration Equality (IE)

IE provides information, support, and representation to LGBT and HIV-positive immigrants through an extensive network of legal service providers across the U.S. IE also produces resources for attorneys, and engages in policy reform efforts and educational campaigns.

Web: [www.immigrationequality.org/](http://www.immigrationequality.org/)



IE runs a hotline for legal emergencies that is available in multiple languages: (212) 714-2904

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### National Immigrant Justice Center (NIJC)

See “Advocacy and Campaign Organizations.”

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### National Immigration Project of the National Lawyers Guild (NIPNLG)


NIPNLG provides legal and technical support to immigrants, legal practitioners, and advocates to advance the rights of noncitizens. Its website provides resources including practice advisories, state-specific information, and know-your-rights factsheets.

Web: [www.nipnlg.org](http://www.nipnlg.org)

## Transgender Law Center (TLC)

TLC is a civil rights organization advocating for people who self-identify as transgender, transsexual, trans, two spirit, genderqueer, or gender nonconforming, with a primary focus on assisting those who are low-income, people of color, and/or Spanish-speaking in the California Bay Area. TLC also publishes resources on asylum and immigration detention and advocates for legal representation.

Web: [www.transgenderlawcenter.org](http://www.transgenderlawcenter.org)

 TLC operates a national legal information helpline via their website: [www.transgenderlawcenter.org/help](http://www.transgenderlawcenter.org/help)


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 **The Immigration Advocates Network** runs a searchable national directory of pro bono immigration legal service providers in the USA at: [www.immigrationadvocates.org/nonprofit/legaldirectory/](http://www.immigrationadvocates.org/nonprofit/legaldirectory/)

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 **The Department of Justice** website lists BIA-accredited representatives and recognized organizations at: [www.justice.gov/eoir/recognition-accreditation-roster-reports](http://www.justice.gov/eoir/recognition-accreditation-roster-reports)

## Religion

 **The Institute for Welcoming Resources** runs a searchable national database of LGBT-Friendly Churches at: [www.welcomingresources.org/usa.htm](http://www.welcomingresources.org/usa.htm)

## VOLAGS and Other Refugee/Asylee Service Providers

### Center for Applied Linguistics (CAL)

CAL promotes language learning and cultural understanding by producing research, resources, and policy analysis. CAL also seeks solutions to issues involving language and culture as they relate to access and equity in education and society.

Web: [www.cal.org/areas-of-impact/immigrant-refugee-integration](http://www.cal.org/areas-of-impact/immigrant-refugee-integration)

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### Cultural Orientation Resource Center (COR Center)

The COR Center delivers skills development training, facilitates information exchange, and disseminates information designed for use by refugee service providers, other service providers, local community members, and refugees themselves.

Web: [www.culturalorientation.net](http://www.culturalorientation.net)

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### Heartland Alliance, Rainbow Welcome Initiative

The Rainbow Welcome Initiative builds the capacity of Voluntary Resettlement Agencies (VOLAGS) to appropriately serve LGBT refugees and asylees through training, technical assistance, and informational resources.

Web: [www.rainbowwelcome.org](http://www.rainbowwelcome.org)

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 **The Office of Refugee Resettlement** links to all VOLAGS online: [www.acf.hhs.gov/programs/orr/resource/voluntary-agencies](http://www.acf.hhs.gov/programs/orr/resource/voluntary-agencies)

# Endnotes

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1. These are often called “Ethnic Community-Based Organizations and Mutual Assistance Associations for consistency” (ECBOs) or “mutual assistance associations” (MAAs). See [ORR \(2012a\)](#) for more information.
2. Some state and local governments provide some assistance to asylum seekers, but at best this is severely limited. Asylum seekers who are HIV-positive may be able to access some limited support.
3. [Machado and Maulbeck \(2014\)](#).
4. LGBT-FAN recommends that LGBT asylum seekers obtain the services of immigration attorneys who have strong prior experience working with LGBT asylum seekers. Board of Immigration Appeals (BIA) Accredited Representatives can also provide help. See [CLINIC \(2010\)](#) for advice on finding sound legal representation.
5. [UNHCR \(2010 \[1951 / 1967\]\)](#)
6. The U.S. has granted asylum to people fleeing persecution of their sexual orientation since 1994. For an overview of changes in U.S. immigration law relevant to LGBT asylum seekers, see [Immigration Equality \(2014: 10-13\)](#) and for a less technical overview, [Gruberg and West \(2015\)](#). It is important to note that the large majority of precedent-setting cases have concerned gay men, which continues to cause difficulties for lesbian, bisexual and transgender women who may experience very different of forms of persecution. See: [NCLR \(2006\)](#); [Jeanty and Tobin \(2013\)](#) for more details.
7. “Withholding of Removal” and relief under the Convention Against Torture (CAT) are additional options for people who are not eligible for asylum. In certain circumstances, recognition under CAT is also open to asylum seekers, asylees, and others. See [Immigration Equality \(2014: 35-42\)](#).
8. People who fear return to their home country must submit an application for asylum within one year of having arrived in the United States. Unless they can prove that severe extenuating circumstances prevented them from meeting this deadline, they will be barred from asylum and can only pursue Withholding or Removal or CAT relief. Many LGBT people face difficulties associated with the one-year bar, often because they did not realize that they could apply for asylum based on their sexual orientation or gender identity. For more information on this issue, and possible exceptions to the one year deadline, see the [Immigration and Nationality Act §208 \(a\)\(2\)\(D\) \(INA 208, 1952\)](#), [Immigration Equality \(2014: 27-34\)](#) and [Human Rights First \(2010\)](#).
9. If an asylum seeker has not had his or her asylum application processed 150 days after filing an application, he or she is eligible to apply to for an Employment Authorization Document, or EAD. An asylum seeker must then wait 30-90 more days for the EAD, and upon receipt will be legally eligible to earn income. There is no guarantee that the EAD will be granted after only 30 days - it often takes longer.
10. For details on asylee eligibility for resettlement assistance see [CLINIC \(2012\)](#).
11. [USCIS \(2013a\)](#).
12. [USCIS \(2013c\)](#).
13. For information about “matching grants” see [ORR \(n.d.\(b\)\)](#).
14. For a list of, and more information about voluntary resettlement organizations (VOLAGS) see [ORR \(2012c\)](#). Mutual Assistance Associations (MAAs) or Ethnic Community-Based Organizations (ECBOs), as well as faith-based groups, sometimes provide help to LGBT refugees and asylees after their first few months in the US. For more information see [ORR \(2012a\)](#).
15. See [NILC \(2011\)](#) for a detailed breakdown of immigrant eligibility for federal programs.
16. See [USCIS \(2015a\)](#) and [USCCB \(n.d.\)](#) for details on family reunification for refugees and asylees.
17. Ibid.
18. See [USCIS \(2015c\)](#) for explanation of the Affirmative and Defensive processes. **Appendices A** and **C** of this guide also provide insight into the differences between the two processes.
19. In June 2015, the ICE Office of Enforcement and Removal Operations (ERO) issued new guidance to personnel on how to care for transgender individuals in custodial settings, which included directives on housing and placement in keeping with gender identity. See [Homan \(2015\)](#).
20. [Gruberg 2013](#).
21. The [Transgender Law Center \(2015\)](#), [Immigration Equality \(2015\)](#), and the [ACLU \(2015\)](#) (echoing advocacy groups Familia: Trans Queer Liberation Movement, GetEQUAL, and Southerners On New Ground) have issued strong critiques of the new ICE guidelines. The [National Center for Transgender Equality \(2015\)](#) continues to call for the release of all LGBT immigrants in detention, despite this new ICE policy.
22. See [The Florence Immigrant and Refugee Rights Project \(2013\)](#).
23. [UN \(n.d.\)](#)



24. [UNHCR \(n.d.\)](#)
25. See [UNHCR \(2010\)](#).
26. See, for example [Horn and Seelinger \(2013\)](#).
27. [Magennis \(2012\)](#).
28. See, for example: [UNHCR \(2012\)](#).
29. Among other things, visa conditions may include: official invitation from a legal resident or alien in the U.S.; proof of a stable income; a minimum amount of savings, and ownership of property. Visa applicants must also swear that they will not overstay their visa after arriving in the U.S. Those suspected of planning to remain in the U.S. will likely be denied a visa.
30. See [Dzubow \(2014\)](#) for a clear breakdown of why DHS statistics do not present a clear picture of the number of asylum applications which cite anti-LGBT persecution.
31. [ORAM \(2012: 6\)](#). This estimate is based on data from the United Kingdom and Belgium, the two countries in the world that track the number of asylum claims made within this category.
32. [UNHCR \(2013: 8\)](#).
33. [Millman \(2014\)](#). See [O’Grady and Lefebvre \(2014\)](#) for deeper analysis of this argument.
34. [AP \(2014\)](#).
35. [Gruberg and Lomax \(2015\)](#).
36. Based on interviews and research carried out by Siobhan McGuirk May-August 2014 with lawyers based at a number of locations, including: the National Center for Lesbian Rights; the East Bay Sanctuary Coalition; the Transgender Law Center; the San Francisco Human Rights Commission; UC Hastings College of the Law, and independent immigration attorneys.
37. The National Center for Lesbian Rights ([NCLR 2006](#)) and [Transgender Law Center \(2014\)](#) have published useful guides and statements highlighting these differences. See also Note #6 above.
38. [ORAM \(2012: 11\)](#). The term “Guardian Group” was first coined by ORAM.
39. For a list of, and more information about voluntary resettlement organizations (VOLAGS) see [ORR \(2012c\)](#).
40. For a list of, and more information about Mutual Assistance Associations (MAAs) see [ORR \(2012a\)](#).
41. The World Association of Non-Governmental Organizations has produced a useful resource to help with this process. See [WANGO \(2004\)](#).
42. See [Berkley Nepon, Redfield and Spade \(2010\)](#) for guidance on developing leadership “from the bottom up.”
43. [MPI \(n.d.\)](#).
44. See [Berkley Nepon, Redfield and Spade \(2010: 32-40\)](#) for guidance on leadership development.
45. For more information on this issue, and possible exceptions to the one-year deadline, see the [Immigration and Nationality Act §208 \(a\)\(2\)\(D\) \(INA 208, 1952\)](#), [Immigration Equality \(2014: 27-34\)](#) and [Human Rights First \(2010\)](#).
46. See [CLINIC \(2010\)](#) for advice on finding sound legal representation.
47. “Clients are determined eligible for the Services for Torture Survivors Program in accordance with the TVRA authorizing legislation. This legislation uses the... definition of torture given in section 2340(1) of title 18, United States Code. As used in the TVRA, this definition also includes the use of rape and other forms of sexual violence by a person acting under the color of law, upon another person under his custody or physical control.” ([ORR n.d. \(b\)](#)).
48. See ([ORR, n.d.\(b\)](#)) and [ORR \(2012b\)](#).
49. [IGLHRC \(2015\)](#).
50. See [LIRS \(2014\)](#). For example, in California and New York state, asylum seekers have been provided with Medicaid under the Permanent Residence Under Color of Law (PRUCOL). Other states offer coverage to children and pregnant women only. Note that, as of July 2015, Medicaid was known by alternative names in the following states: AZ: Arizona Health Care Cost Containment System (AHCCS); CA: Medi-Cal; CT: HuskyHealth; IL: Medical Assistance Program; ME: MaineCare; MD: Medical Assistance; MA: MassHealth; MI: Medical Assistance (MA); MN: Medical Assistance (MA) or MinnesotaCare; MO: MO HealthNet; OK: SoonerCare; PA: Medical Assistance (MA); RI: RI Medical Assistance Program; TN: TennCare; VT: Green Mountain Care; WI: Forward Health or BadgerCare; WY: EqualityCare.
51. See <https://www.healthcare.gov/> and [NILC \(2012\)](#).
52. Center Global has produced such a handout covering the Greater Washington, DC area. It is available online at .
53. The National Literacy Directory provides a searchable database for a range of programs, including basic literacy and computer skills through to GED and other High School Equivalency credentials. Online at: <http://nationalliteracydirectory.org>
54. Ibid.
55. For example, the Massachusetts Institute of Technology’s “Open Courseware” is available at: <http://ocw.mit.edu/courses/>

56. [National Center for Transgender Equality \(n.d.\)](#).
57. Adapted from [National Center for Transgender Equality \(2012\)](#) and [National Center for Transgender Equality \(2015\)](#).
58. [HUD \(n.d.\)](#).
59. Housing regulations vary by area, and should be investigated by each program.
60. [Gruberg \(2013: 3-4\)](#).
61. The DNW guide, Visiting Immigrants in U.S. Detention Facilities ([DWN 2009](#)) provides excellent guidance. The CIVIC website (<http://www.endisolation.org>) offers more up to date information and resources, including free training videos and a list of useful contacts.
62. [NCRP \(n.d.\)](#).
63. [Alliance for Justice \(2014: 6\)](#).
64. As of July 2015, ten states plus DC and Puerto Rico offered access to driver's license regardless of immigration status: CA, CT, CO, DE, IL, NM, NV, UT, VT, WA. See [NILC \(2013\)](#) for more information. Regularly updated information is available on the NILC website, at: <https://www.nilc.org/DLaccess toolkit2.html>. A small number of asylum seekers may be eligible for a Social Security Card. Details on eligibility is available at: <http://www.ssa.gov>.
65. Searchable databases for career preparation service centers are available at <http://www.careeronestop.org> and <http://www.jobcenter.usa.gov>. Many centers provide services regardless of client's immigration status.
66. See <http://www.dressforsuccess.org>
67. For information about the wait period before applying for an EAD, see [USCIS \(2013c\)](#) For information about applying for and renewing an EAD see [USCIS \(2015: 9-10\)](#).
68. Often, organizations and agencies will say that they focus on serving "refugees," but in fact the following are also eligible for most of their services: asylees, Cuban/Haitian entrants, Amerasians, victims of human trafficking, unaccompanied alien children, and survivors of torture.
69. The following are voluntary resettlement agencies (VOLAGS) that work with refugees and asylees through a national network of affiliated organizations: Church World Service, Ethiopian Community Development Council, Episcopal Migration Ministries, Hebrew Immigrant Aid Society, International Rescue Committee, US Committee for Refugees and Immigrants, Lutheran Immigration and Refugee Services, United States Conference of Catholic Bishops/Migration and Refugee Services, and World Relief Corporation. See the Directory for more information. The Office of Refugee Resettlement provides a searchable database of VOLAG affiliates in each state, see: [ORR \(n.d.\(c\)\)](#). Access the ORR website at: <http://www.acf.hhs.gov/programs/orr>
70. Information about the Matching Grant program can be found at [ORR \(n.d.\(a\)\)](#).
71. Resources for VOLAGS on working with LGBT communities are available at [www.RinbowWelcome.org/](http://www.RinbowWelcome.org/). See also: [Heartland Alliance \(2011\)](#).
72. For a full description, see [CLINIC \(2012\)](#).
73. The World Association of Non-Governmental Organizations has produced an excellent resource to help with this process. See [WANGO \(2004\)](#).
74. Informed by guidelines created by: The World Association of Non-Governmental Organizations ([WANGO \(2004\)](#)); [ORAM \(2012\)](#); [UNHCR \(2012: 14-15\)](#); [Heartland Alliance \(2012\)](#).
75. For more information and resources on "strategic sharing" that is not focused specifically on LGBT asylum seekers but is still relevant and very useful see [Casey Family Programs and Foster Care Alumni of America \(2014\)](#); [National Resource Center for Youth Development \(2011\)](#); [Lulow and Federation of Families for Children's Mental Health \(2012\)](#), and [Cady and Lulow \(2015\)](#).
76. See, for example: [Bryant and Wong \(2013\)](#).
77. For information than is more in-depth than we can provide in this guide, see [Binder-Aviles et al. \(2009\)](#).
78. Descriptions of the application process for 501(c)(3) status and required forms are available from the Internal Revenue Service at: [www.irs.gov/Charities-&-Non-Profits/Application-Process](http://www.irs.gov/Charities-&-Non-Profits/Application-Process)
79. U.S. law forbids federal government agencies from making financial contributions to help asylum seekers. However, although it is not addressed here, it is possible that local and state governments could use their own funds to support programs that help asylum seekers.
80. A full discussion about seeking grants is beyond the scope of this guide. For further information, make contact with local groups that are dedicated to strengthening the nonprofit sector. Find these organizations through your local Regional Association of Grantmakers (RAG). Note that RAGs focus on serving grantmakers, not groups seeking funds. They should however be able to suggest other local organizations that could provide fundraising training. See: [www.GivingForum.org](http://www.GivingForum.org)
81. [Machado and Maulbeck \(2014\)](#).
82. A simplified version of this database is available at: <https://fconline.foundationcenter.org>. Many libraries and groups dedicated to strengthening the nonprofit sector offer free access to the full version.

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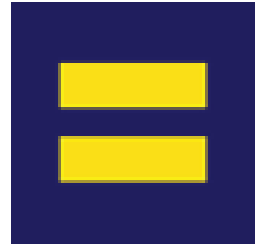
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LGBT-FAN is dedicated to helping people who are seeking safety in the United States because of persecution of their sexual orientation or gender identity in their home countries.

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