

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Military and Veterans Affairs, Space, and Domestic Security

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BILL: SB 1626

INTRODUCER: Senator Collins

SUBJECT: Support for Persons Allied with the United States

DATE: April 3, 2023

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Lloyd	Proctor	MS	<b>Pre-meeting</b>
2.			AHS	
3.			FP	

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## I. Summary:

SB 1626 creates the Save Our Allies Act and requires the Governor to designate housing and provide temporary support for persons who worked with or assisted any branch of the United States (U.S.) military, including but not limited to, acting as a translator or interpreter on the ground during a war or foreign combat.

The bill provides that the temporary support must include, but need not be limited to, resettlement assistance and legal assistance with processing the person's immigration application and the applications of his or her immediate family.

The bill defines the term "immediate family" to mean the person's parents, spouse, and children.

The bill has an indeterminate, likely negative fiscal impact. See Section V. Fiscal Impact Statement.

The bill is effective July 1, 2023.

## II. Present Situation:

In response to several acts of terrorism committed against the U.S. on September 11, 2001, Congress passed a Joint Resolution authorizing the use of force to deter additional acts of terrorism against the U.S.<sup>1</sup> Operation Enduring Freedom officially began as a bombing campaign with support from Great Britain, Australia, Canada, France, and Germany on October 7, 2001, over Afghanistan.<sup>2</sup> What followed next was 22 years of combat before the last of the American troops withdrew from the region during which more than 123,000 people were evacuated,

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<sup>1</sup> Joint Resolution of September 25, 2001 (authorization for war), Pub. L. No. 107-40.

<sup>2</sup> Council on Foreign Relations, *The U.S. War in Afghanistan (1999 – 2021)*, available at <https://www.cfr.org/timeline/us-war-afghanistan> (last visited March 27, 2023).

including 6,000 American citizens.<sup>3</sup> At the time, the U.S. Secretary of State Antony Blinken said there may be about 100 American citizens remaining in the country, mostly those with deep roots and dual citizenship, who wanted to leave.<sup>4</sup> Additionally the Secretary reinforced the U.S. Department of State's (DOS) commitment to keep working to help anyone with proper documents to leave the country in a safe and orderly manner, and the ruling Taliban had agreed not to interfere with anyone wanting to leave who had the proper paperwork.<sup>5</sup>

During this time, using their constitutionally provided discretionary authority, the U.S. Secretary of Homeland Security and the U.S. Secretary of State, in consultation with the U.S. Attorney General, devised a new eligibility exemption to provide Afghan nationals with Temporary Protected Status (TPS). For Afghan nationals already residing in the U.S. as of March 15, 2022, who arrived as part of the evacuation effort, who were paroled into the U.S. as of March 15, 2022, and had passed a vigorous background and screening test, those nationals were eligible to receive a designation of TPS for 18 months.<sup>6</sup> The U.S. Department of Homeland Security (DHS) Press Release announcing the designation for Afghanistan noted the “extraordinary and temporary conditions that further prevent nationals from returning in safety” and specifically cited a collapsing public sector, economic crisis, drought, lack of food, access to health care, displacement, human rights abuses, and repression by the Taliban.<sup>7</sup>

Three more exemptions for Afghan nationals followed from the DHS and the DOS in June of 2002 allowing eligible Afghans to qualify for protection and other benefits after a rigorous screening. The three additional exemptions are:

- Afghans who supported the U.S. military interests, specifically those who fought or otherwise supported those who fought in the resistance movement against the Taliban and Afghans who took part in the conflict against the Soviet occupation of Afghanistan.
- Individuals employed as civil servants in Afghanistan at any time from September 27, 1996 to December 22, 2001, or after August 15, 2021.
- Individuals who provided insignificant or certain limited material support to a designated terrorist organization.<sup>8</sup>

### **Operation Allies Welcome**

In August 2021, President Joseph Biden directed the DHS to lead and coordinate ongoing efforts across the federal government to support vulnerable Afghans, including those who worked alongside the Americans in Afghanistan for the past 20 years under Operation Allies Welcome

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<sup>3</sup> U.S. Dep't of State, *Secretary Antony Blinken's Remarks on Afghanistan (August 30, 2001)* available at <https://www.state.gov/secretary-of-antony-j-blinken-remarks-on-afghanistan/> (last visited March 27, 2023).

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> U.S. Dep't of Homeland Security, *Secretary Mayorkas Designates Afghanistan for Temporary Protected Status* (March 16, 2022), available at <https://www.dhs.gov/news/2022/03/16/secretary-mayorkas-designates-afghanistan-temporary-protected-status> (last visited March 27, 2023).

<sup>7</sup> *Id.*

<sup>8</sup> U.S. Dep't of Homeland Security, *DHS and DOS Announce Exemptions Allowing Eligible Afghans to Qualify for Protection and Immigration Benefits*, (June 14, 2022), available at <https://www.dhs.gov/news/2022/06/14/dhs-and-dos-announce-exemptions-allowing-eligible-afghans-qualify-protection-and> (last visited March 27, 2023).

(OAW).<sup>9</sup> To meet these goals, the DHS created the Unified Coordination Group (UCG). This group is responsible for the implementation of medical services, support for individuals who are neither U.S. citizens nor lawful permanent residents, and assistance with applications prior to being connected with non-governmental entities for resettlement communities.<sup>10</sup>

OAW announced in February 2022 that all remaining Afghan refugees had left Joint Base McGuire-Dix-Lakehurst in New Jersey and had been resettled.<sup>11</sup> At that time, the DHS reported that 84,600 Afghan nationals, American citizens, and lawful permanent resident had arrived in the U.S. as part of OAW.<sup>12</sup>

The DHS employed additional personnel at military bases and other facilities where refugees were initially housed before resettlement. Personnel from the U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, the Transportation Security Administration, U.S. Coast Guard, and U.S. Secret Service conducted the processing, screenings, and any necessary interviews to clear vulnerable and other Afghan nationals to the U.S.<sup>13</sup>

Most Afghans entering the U.S. as part of an evacuation effort were paroled into the U.S. on a case-by-case basis for humanitarian reasons. The parole status is valid for 2 years and is issued after screening and vetting. The parolee must also comply with specific medical screening, mandatory vaccinations, and other reporting requirements to maintain his or her status for the 2-year period. Any failure to uphold these requirements can result in having his or her status revoked which can lead to detention and removal proceedings. Afghan parolees may be eligible to apply for immigration benefits and services in the same manner as refugees through the U.S. Citizenship and Immigration Services (USCIS).<sup>14</sup>

Afghans who complete the Special Immigrant Visa (SIV) process and who possess visas, and their dependents, will be admitted to the U.S. as lawful permanent residents<sup>15</sup> and can be assisted by the DOS and non-governmental entities to begin their resettlement process. An individual who has not finished the SIV process are paroled in by the DHS and, subsequently, the individual would still have the option to complete the SIV process.<sup>16</sup> The DHS estimates that more than 40 percent of Afghans are eligible for SIVs because they took significant risks to

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<sup>9</sup> U.S. Dep't of Homeland Security, *Operation Allies Welcome – Fact Sheet (August 29, 2021)*, available at [https://www.dhs.gov/sites/default/files/publications/21\\_0903\\_oaw-fact-sheet\\_508.pdf](https://www.dhs.gov/sites/default/files/publications/21_0903_oaw-fact-sheet_508.pdf) (last visited March 27, 2023).

<sup>10</sup> *Id.*

<sup>11</sup> U.S. Dep't of Homeland Security, *Operation Allies Welcome Announces Departure of All Afghan Nationals from U.S. Military Bases*, available at <https://www.dhs.gov/news/2022/02/19/operation-allies-welcome-announces-departure-all-afghan-nationals-us-military-bases> (last visited March 27, 2023).

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> U.S. Dep't of Homeland Security, *Operation Allies Welcome – Welcome Page (August 29, 2021)*, available at [https://www.dhs.gov/sites/default/files/publications/21\\_0903\\_oaw-fact-sheet\\_508.pdf](https://www.dhs.gov/sites/default/files/publications/21_0903_oaw-fact-sheet_508.pdf) (last visited March 29, 2023).

<sup>15</sup> “Lawful permanent residents” are also known as “green card holders” and are non-citizens authorized to live in the United States permanently. A lawful permanent resident may accept an offer of employment without special restrictions, own property, receive financial assistance at public colleges and universities, and join the Armed Forces. They also may apply to become U.S. citizens if they meet certain eligibility requirements. See Dep't of Homeland Security, *Lawful permanent resident*, available at [Lawful Permanent Residents | Homeland Security \(dhs.gov\)](https://www.dhs.gov/lawful-permanent-resident) (last visited March 29, 2023).

<sup>16</sup> U.S. Dep't of Homeland Security, *Operation Allies Welcome – Fact Sheets/DHS Resettlement of At-Risk Afghans (Special Immigrant Visas)*, p. 2, [https://www.dhs.gov/sites/default/files/publications/21\\_1110-opa-dhs-resettlement-of-at-risk-afghans.pdf](https://www.dhs.gov/sites/default/files/publications/21_1110-opa-dhs-resettlement-of-at-risk-afghans.pdf) (last view March 30, 2023).

support the military and civilian personnel in Afghanistan working on behalf of or for the U.S. government or coalition forces or are a family member of someone who provided such support.<sup>17</sup>

### **Sponsor Program for Afghans**

The DOS announced the creation of Sponsor Circle Program for Afghans, in partnership with the Community Support Hub (CSH), a project of the Rockefeller Philanthropy Advisers, Inc., on October 25, 2021. The Sponsor Circle Program enables groups of individuals to provide the initial resettlement assistance to Afghans as they arrive and assist individuals and families as they rebuild their lives.<sup>18</sup> The work of the Sponsor Circle partners is complementary to the efforts of the DOS's non-profit resettlement agencies. The CSH is responsible for the application process, background checks of the CSH volunteers or employees, provision of training, review of confirmation of pledges made, and provision of initial resettlement support to Afghan newcomers for the first 90 days that an Afghan newcomer has arrived in the local community.<sup>19</sup>

### **Welcome.US**

On September 14, 2021, Welcome.US, launched with a mission to resettle close to 100,000 Afghan allies fleeing Taliban-controlled Afghanistan.<sup>20</sup> At the same time, the DOS named Welcome.US as its official private sector partner in its re-settlement efforts. In addition to the DOS, Welcome.US is working with at least 25 other veteran services organizations, including Blue Star Families, Team Rubicon, and The Independence Fund to resettle families. Welcome.US and Miles4Migrants has a national campaign to secure donated frequent flier miles to help refugees relocate to local communities once they depart military bases.<sup>21</sup> The national campaign has also added an employment exchange to connect resettled refugees with job opportunities and most recently, programs directed at refugees from Ukraine.<sup>22</sup>

### **Save Our Allies**

Formed in 2021, Save Our Allies is a private nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code and is backed by three veteran's service organizations (VSOs). Initially organized and led by four friends in reaction to the humanitarian crises in Afghanistan, the organization has a mission to rescue allies trapped behind the borders, including individuals the soldiers had worked with during their eight deployments.<sup>23</sup> The Independence Fund, No One

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<sup>17</sup> *Id.*

<sup>18</sup> U.S. Dep't of State, *Launch of the Sponsor Circle Program for Athens*, Press Statement of Antony J. Blinken, Secretary of State (October 25, 2021), available at <https://www.state.gov/launch-of-the-sponsor-circle-program-for-afghans/> (last visited March 27, 2023).

<sup>19</sup> *Id.*

<sup>20</sup> Welcome.US, *A Year of Welcoming*, available at <https://welcome.us/oneyearofwelcoming#timeline-of-2022-in-afghan-and-ukrainian-refugee-events> (last visited March 27, 2023). The most current Annual Report states that *Welcome.US* welcomed more than 58,000 Afghans and Ukrainians by American sponsors.

<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

<sup>23</sup> Save Our Allies, *Our Story*, available at <https://saveourallies.org/pages/our-story> (last visited on March 29, 2023).

Left Behind, and the Mighty Oaks Foundation are the VSOs behind Save Our Allies.<sup>24</sup> Rescues of endangered individuals have also been made into Ukraine by the organization.

### Temporary Protected Status

The Secretary of the DHS may designate certain foreign countries for TPS due to the current conditions in that country which temporarily prevent the country's nationals from returning safely, or where a country is not able to safely handle the return of its nationals adequately.<sup>25</sup> Those who enter the country under TPS do so under some restrictions. TPS is a temporary benefit that does not lead to lawful permanent resident status or give any other immigration status. However, registration for TPS does not prevent a national from:

- Applying for nonimmigrant status;
- Filing for adjustment of status based on an immigrant petition; or
- Applying for any other immigration benefit or protection for which the national may otherwise be eligible.<sup>26</sup>

During their TPS period, an individual found preliminary eligible can receive travel authorization documents, employer authorization documents, and are not removable.<sup>27</sup>

### Office of Refugee Resettlement

Housed within Florida's Department of Children and Families is the federally funded Refugee Services Program. Florida's Refugee Services Program receives federal funds through the Office of Refugee Resettlement within the U.S. Department of Health and Human Services. Florida's refugee resettlement program is the largest in the country, resettling more than 5,000 refugees per year.<sup>28</sup> The majority of refugees coming through the Refugee Services Program are Cuban refugees, more than 80 percent.<sup>29</sup> However, 50 additional countries are represented in services provided in the Refugee Services Program with more than 25 percent of those services provided to children under the age of 18.<sup>30</sup>

Those who enter the U.S. in refugee status may be eligible for cash assistance and medical benefits for up to 8 months depending on whether or not the family or individual qualifies for assistance through Temporary Assistance for Needy Families for cash assistance or Medicaid for medical benefits. These benefits are funded 100 percent by the federal government.<sup>31</sup> Other services that may be available to refugees are educational or vocational assistance, legal assistance, employability status assistance, interpreter service, youth services, and health care

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<sup>24</sup> CISION, *Veteran Organizations Form Save Our Allies*, available at <https://www.prnewswire.com/news-releases/veteran-organizations-form-save-our-allies-coalition-301362937.html> (last visited March 29, 2023).

<sup>25</sup> U.S.C.I.S., *Temporary Protected Status*, available at <https://www.uscis.gov/humanitarian/temporary-protected-status> (last visited March 27, 2023)

<sup>26</sup> *Id.*

<sup>27</sup> *Id.*

<sup>28</sup> Dep't of Children and Families, *Refugee Services Overview*, available at <https://www.myflfamilies.com/services/public-assistance/refugee-services/refugee-services-overview> (last visited March 29, 2023).

<sup>29</sup> *Id.*

<sup>30</sup> *Id.*

<sup>31</sup> *Id.*

services.<sup>32</sup> The Refugee Services Program is responsible for assisting families in the coordination of their needs based on eligibility and unique circumstances.

### **III. Effect of Proposed Changes:**

SB 1626 creates the Save Our Allies Act and requires the Governor to designate temporary housing and other support services for the migration and safety of a person allied with the U.S., including but not limited to, an interpreter or translator who has worked with any branch of the U.S. Armed Forces to directly support a military operation or who has assisted any branch of the U.S. Armed Forces on the ground during combat in a war or foreign conflict, and his or her immediate family.

The bill provides that the temporary support must include, but need not be limited to, resettlement assistance and legal assistance with processing the person's immigration application and the applications of his or her immediate family.

The bill defines the term "immediate family" to mean the person's parents, spouse, and children.

The bill is effective July 1, 2023.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

#### **D. State Tax or Fee Increases:**

None.

#### **E. Other Constitutional Issues:**

None identified.

### **V. Fiscal Impact Statement:**

#### **A. Tax/Fee Issues:**

None.

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<sup>32</sup> *Id.*

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The bill has an indeterminate, likely negative fiscal impact for support provided to a person allied with the U.S. and his or her immediate family.

If a person meets the requirements for services provided under the Department of Children and Families' Refugee Services Program, then support provided in the bill may overlap with those benefits which are currently funded with 100 percent federal dollars.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

As noted in the Government Sector Impact, there currently is a federally funded Refugee Resettlement program within the Department of Children and Families which is tasked with coordinating the resettlement of refugees and asylees coming into Florida. It is unclear whether the services identified in SB 1626 were intended to be different services, or intended for persons that do not currently qualify for benefits from the State of Florida's refugee program.

**VIII. Statutes Affected:**

This bill creates an undesignated section of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.