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March 21, 2023

Re: LD 1050, Resolve, Directing the Department of Labor to Request a Federal Waiver to Allow Presumptive Work Eligibility for Asylum Seekers

Senator Tipping, Representative Roeder, and members of the Labor and Housing Committee, my name is Cullen Ryan, and I am the Executive Director of Community Housing of Maine or CHOM. CHOM's small staff works collaboratively to house Maine's most vulnerable people and advocates on their behalf. I also chair the Maine Homeless Policy Committee, the Maine Continuum of Care Board of Directors, as well as the ESAC Long Term Stayers Committee.

I am testifying in strong support of LD 1050, which would direct the Commissioner of Labor to request a waiver from the United States Department of Homeland Security, United States Citizenship and Immigration Services to allow an asylum seeker in the State, if the asylum seeker has applied for asylum and has not been denied, eligibility to work in the State for the 6-month period immediately after the asylum seeker has applied for asylum while awaiting a final determination on the asylum seeker's application and for the time period while an asylum seeker's work permit has expired and is pending renewal by the Federal Government.

Non-citizens seeking Asylum are among those most likely to begin working as soon as they are able. However, the mandatory federal waiting period to obtain a work permit for people seeking asylum is lengthy and a large barrier to attaining self-sufficiency.

People want to work and contribute to the community which has helped them rebuild their lives. Until asylum seekers are able to work, they have no means to support themselves but for vital safety net programs. Demonstrated patterns suggest that this population is likely to need very little assistance after obtaining work status. As such, this population is enriching our state and our nation. To ensure Maine's vitality, and to solve for Maine's current workforce crisis, we must continue creating and sustaining a welcoming community that embraces diversity and shows humanity and respect for those who seek a new life here.

Requesting a waiver from the federal government to allow asylum seekers the ability to work for the 6-month period immediately after applying for asylum while awaiting a final determination makes good sense. This will afford a vulnerable population eager to work the ability to do so while simultaneously bettering Maine's workforce crisis.

However, in the interim it is imperative that Maine continue to provide assistance for people seeking asylum and other immigrants as it is a relatively small investment today that will pay great dividends into our future. There are various bills that the legislature will be considering over the coming months that would prohibit or substantially hinder asylum seekers from utilizing critical safety net resources. These bills include, but are not limited to:

- LD 454, An Act to Establish a 180-day State Residency Requirement for General Assistance Programs; and
- LD 668, An Act to Protect Maine Taxpayers by Requiring a Person to Be a United States Citizen to Receive General Assistance Benefits and to Ensure Municipal Compliance with Federal Immigration Laws.

Assistance through anti-poverty programs such as General Assistance increases the likelihood of stability and a successful transition, while people get their feet on the ground and wait for permission to work from the federal government. I urge the Committee to support LD 1050 and oppose any bills which seek to reduce access to important, life-saving safety net resources for the population seeking in asylum in Maine.

There are also unintended consequences of having this population land in Maine's homeless shelters. Please see the attached op ed.

Thank you for the opportunity to comment.

Commentary: End homelessness and welcome asylum seekers – Maine can do both

pressherald.com/2023/02/18/commentary-end-homelessness-and-welcome-asylum-seekers-maine-can-do-both-2/

By Cullen Ryan

February 19, 2023



Portland is about to open its [new homeless service center](#). It promises to have everything needed to end homelessness quickly and efficiently for single adults. It should be a remarkably collaborative and effective shelter, something poised to help solve one quarter of all homelessness in Maine.

Except now, it might not.

ABOUT THE AUTHOR

Cullen Ryan is executive director of the Portland-based nonprofit Community Housing of Maine.

This service center was designed to serve mostly circumstantially homeless single adults. It will also serve a smaller group with serious and persistent mental illness and/or other complexities that make their homelessness more challenging to solve. All the right ingredients are there to meet the full spectrum of need and provide quick exits to housing.

But Portland's Oxford Street Shelter has recently morphed to address a new need; the current shelter is serving as the de facto asylum seeker resettlement program for the state of Maine. The shelter has become a holding tank.

Although Maine desperately needs affordable housing, asylum seekers are not homeless because of that. They are blocked from employment and housing due to federal laws. They have already proven their resiliency and overcome tremendous adversity. Serving them as homeless misses the mark.

At the root, these are people migrating to Maine in search of peace and work. There is plenty of both.

Maine has an enormous workforce shortage. There are 44,000 unfilled jobs and 24,000 people unemployed. That means Maine needs 20,000 new workers. And here they are – newly arrived, talented, willing and motivated. They would enter our workforce except for one thing. Our federal law requires complex paperwork followed by a six-month waiting period before employment. And during what becomes eight to 12 months, this population is not eligible for any federal assistance. People arrive and patiently wait.

Our federal delegation has been working in the House and the Senate to fix this, but Congress has yet to pass one of the many bills our delegation has sponsored. That leaves Portland in a conundrum.

This can be solved.

The state and federal government could collaborate to create an asylum seeker resettlement program including temporary living space, connections to work sectors and support from immigrant service programs like the Immigrant Legal Advocacy Program. That way, our state could welcome this willing workforce and fast-track it into the many employment sectors desperate for workers. Gainful employment would position asylum seekers to pay for housing and make a peaceful living in Maine. But Maine does not have any such program.

Portland is, without question, doing the right thing to meet the temporary needs of the asylum seeker population. But we must also recognize these are skilled survivors who follow all the rules and dutifully line up to secure a bed, inadvertently displacing populations we had intended to serve in the new Homeless Service Center. Some 60% of Oxford Street Shelter's current population are asylum seekers. The city expects that will approach 100% very quickly; there is a long line at the border of people practiced at enduring hardships – and ready and willing to work.

The unintended consequence is that Maine's most challenged homeless populations are now landing outside, unsheltered and at tremendous risk because Portland can't meet the needs of both populations simultaneously, at least not without more help.

The new, well-designed center for serving people experiencing homelessness might not do what we hoped it would; we may see displacement overwhelm other parts of Maine, more people outside, more encampments and people very visible on the streets, right as it opens. And people will look at this and say: Well, that new service center didn't work, did it? That, sadly, might thwart other wise investments in ending homelessness.

We should welcome arriving asylum seekers as a wonderful opportunity, and we should help this population establish itself quickly and successfully. And we should end homelessness. We need a two-track system to do both. By throwing asylum seekers into the overwhelmed homeless arena, we fail both populations.

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