

Refugee Council USA

March 2, 2015

The Honorable Bob Goodlatte, Chairman
House Judiciary Committee
United States House of Representatives
Washington, DC 20515

The Honorable John Conyers, Jr., Ranking Minority Member
House Judiciary Committee
United States House of Representatives
Washington, DC 20515

Dear Chairman Goodlatte and Ranking Member Conyers:

On behalf of the twenty member organizations that form Refugee Council USA (RCUSA) devoted to refugee protection, assistance and welcome, write to ask you for your leadership in protecting the most vulnerable among us- by opposing the Protection of Children Act of 2015 (H.R. 1149). RCUSA members are longtime advocates for the protection of all vulnerable people seeking refuge, including unaccompanied children, refugees, asylum-seekers and trafficking victims. RCUSA opposes this bill because, contrary to its name, it will take away critical protections for unaccompanied migrant children coming to the United States to escape violence and persecution.

The increased number of unaccompanied children arriving at the U.S. border seeking refuge is something we have seen in our work since 2012. As you know the arrivals of unaccompanied immigrant children roughly doubled in 2012 to 14,000, and then nearly doubled again in 2013 to almost 25,000 and reached 57,496 in 2014. Some RCUSA members are direct service providers for these children and heard increasing reports from children fleeing their countries of origin due to violence. This is not surprising when Honduras leads the world in homicide rates, with El Salvador and Guatemala not far behind. Various reports by civil society organizations and the United Nations High Commissioner for Human Rights (UNCHR) have found that law enforcement in these Central American countries often cannot protect its own citizens. In fact, the U.S. State Department has recognized that “crime has exploded in northern Central America, and Honduras now has the world's highest murder rate outside of war zones.” Another important factor in the displacement of children is the forced recruitment by organized crime and local gangs. In Honduras, more than 90% of violence experienced by minors goes unreported due to the extreme distrust of government officials. We must protect the lives of these children.

The Protection of Children Act of 2015 increases children’s vulnerability to traffickers and criminals. Under this Act, when children are encountered by Customs and Border Protection (CBP), they would be required to demonstrate that they are a victim of trafficking or have a fear of return to their home country. If the child, *regardless of their age*, is unable to do so, the bill would require DHS to return them to their home country. This might result in unaccompanied children being returned to dangerous situations where they are at risk of being trafficked, persecuted, tortured, or killed. Children would automatically be removed because they may not be able to voice to immigration officials their concerns of trafficking and fear of return.

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Church World Service/
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Program
Episcopal Migration Ministries
Ethiopian Community
Development Council
HIAS
Human Rights First
International Catholic
Migration Commission
International Rescue
Committee
Iraqi Refugee Assistance
Project
Jesuit Refugee Service/USA
Jubilee Campaign USA
Lutheran Immigration
and Refugee Service
ORAM – Organization for
Refuge, Asylum & Migration
RefugePoint
Southeast Asia Resource
Action Center
U.S. Conference of Catholic
Bishops/Migration & Refugee
Services
U.S. Committee for Refugees
and Immigrants
World Relief

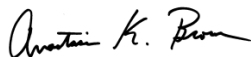
A report by the UNHCR found that 58% of children had protection concerns, and RAICES (Refugee and Immigrant Center for Education and Legal Services), a legal non-profit organization providing free information to unaccompanied children in the Office of Refugee Resettlement (ORR) custody at Lackland Air Force Base in San Antonio, TX, found that 63% of 925 children interviewed were likely eligible for relief. This bill, however, would make it more difficult for children to access protection. It would require children to report a fear of returning to CBP officials when many of these children may have learned not to trust government officials due to the prevalence of corruption in their countries. Additionally, it is an unfair burden to place on immigration officials who do not have the training or time to care for children.

Even if a child is able to express their claim of trafficking or fear of return, he or she would only have fourteen days to prepare their case. If children do not have access to counsel, translation, or information about their rights, it is nearly impossible for a child to present their case in an immigration court. Facing a court alone is something that the average American adult would not want to do. Forcing children to do it is inhumane. The bill would further diminish protections for abused children by restricting access to Special Immigrant Juvenile status. This change would expose hundreds of children to further abuse by their abusive parents, relatives or other dangerous situations.

The Act would also extend the time children are in CBP custody, instead of transferring children to the Office of Refugee Resettlement (ORR) and a more appropriate facility which is better equipped to meet their needs. CBP facilities are not intended for long-term use. Once again it is unfair and unreasonable to expect CBP officials to spend their time caring for children in their custody instead of focusing their limited resources on border enforcement activities.

Thank you for your leadership. We hope you will ensure that any changes in immigration policies uphold the United States' proud history and tradition of protecting and welcoming victims of persecution, oppression and torture. The United States government must ensure that the most vulnerable among us, children, are not repatriated to face life threatening risks. We must keep our doors open to children seeking refuge because anything less would be inconsistent with our nation's values.

Sincerely,



Anastasia K. Brown
Chair, Refugee Council USA

cc: The Honorable John Boehner
The Honorable Nancy Pelosi
The Honorable Jim Sensenbrenner, Jr.
The Lamar Smith
The Honorable Steve Chabot
The Honorable Darrell Issa
The Honorable Randy Forbes
The Honorable Steve King
The Honorable Trent Franks
The Honorable Louie Gohmert
The Honorable Jim Jordan
The Honorable Ted Poe
The Honorable Jason Chaffetz
The Honorable Tom Marino

The Honorable Trey Gowdy
The Honorable Raul Labrador
The Honorable Blake Farenthold,
The Honorable Doug Collins
The Honorable Ron DeSantis
The Honorable Mimi Walters
The Honorable Ken Buck,
The Honorable John Ratcliffe
The Honorable Dave Trott
The Honorable Mike Bishop
The Honorable Jerry Nadler
The Honorable Zoe Lofgren
The Honorable Sheila Jackson Lee
The Honorable Steve Cohen
The Honorable Hank Johnson,
The Honorable Pedro Pierluisi
The Honorable Judy Chu
The Honorable Ted Deutch
The Honorable Luis Gutierrez
The Honorable Karen Bass
The Honorable Cedric Richmond
The Honorable Suzan DelBene
The Honorable Hakeem Jeffries
The Honorable David Cicilline
The Honorable Scott Peters