



Committee on Migration

c/o Migration and Refugee Services, USCCB

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September 12, 2017

Dear Representative:

I write on behalf of the U.S. Conference of Catholic Bishops' Committee on Migration (USCCB/COM) to express our serious concern regarding H.R. 3697, the "Criminal Alien Gang Member Removal Act," which is being considered by the full House for a vote this Wednesday, September 13, 2017. We urge you to reject H.R. 3697 as it is a very broad bill that could contribute to *victims* of criminal gangs facing detention and being barred from seeking protection in the U.S.

The Catholic Church has significant interest in the protection of vulnerable immigrants and asylum seekers. The Catholic Church's work in assisting immigrants stems from the belief that every person is created in God's image and should be treated with dignity and compassion. While the Catholic Church recognizes governments' sovereign right to control their borders, we believe this right should be balanced with the right of immigrants to access safety and due process. Jesus himself was a migrant, and the Holy Family, a migrant family fleeing persecution from King Herod. The USCCB works to fulfill the teachings of the Church on migration through our work providing resettlement services to refugees, services to unaccompanied immigrant children, and case management services to human trafficking victims in the United States.

Violence in El Salvador, Honduras, and Guatemala (the Northern Triangle of Central America) remains the primary force driving citizens to flee and seek protection. We have seen firsthand from our work with unaccompanied children and their families the increasing threat posed by gangs and forcible gang recruitment in the Northern Triangle. Moreover, the United Nations' refugee-protection agency (UNHCR) found that the majority of children fleeing the Northern Triangle "were forcibly displaced because they suffered or faced harms that indicated a potential or actual need for international protection." **Alarmingly, however, H.R. 3697, would deny critical protection to many of these children and their families.**

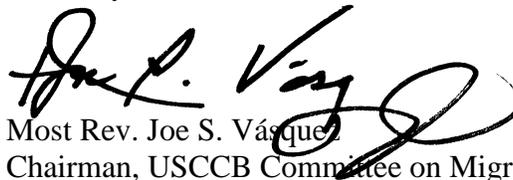
H.R. 3697 establishes both an expansive definition of "criminal gang" and a low threshold for association with such a group. The bill allows those whom the government merely has "reason to believe" have ever been gang members or those who have participated in any activities of a designated group as inadmissible, deportable and subject to mandatory detention. Additionally, because of such a perceived "association" by the government, these individuals would be unable to access several vital forms of legal relief, including asylum, Temporary Protected Status, and Special Immigrant Juvenile Status.

Given these severe consequences, we are particularly concerned that H.R. 3697 provides no exemption for children or other individuals who were victims of gangs and or individuals who were forced to engage in gang-related activities under duress. We fear that under H.R. 3697 there

will be victimized children who will be considered “associated” with criminal gangs. This concern is reinforced by the stories of the children we serve daily. They are children like Mariana¹ who was 16 when the local gang began to target and harass her in her home country of El Salvador. Mariana lived in constant fear after the gang began to threaten her and her family, ultimately forcing her to smuggle a package of drugs to another neighborhood in El Salvador. After this incident, Mariana fled to the U.S. to escape the growing daily threat of the gang and also to avoid forcible recruitment. Mariana is living with her mother now while she complies with her immigration proceedings. Sadly, we know Mariana is just one of many children from the Northern Triangle trying to flee gang violence. H.R. 3697 would deny such children safety, forcibly returning them to situations where their wellbeing and even their lives would be at risk.

We should not be turning our back on children and families who have fallen victim to and are fleeing from the very criminal organizations which our country is so diligently working to eradicate. Rather, these victims are deserving of our compassion, care, and protection and should be encouraged to tell their stories so that we may adequately bolster our prevention and child protection work. Our committee understands and appreciates your commitment to the safety and security of our nation. H.R. 3697, however, is not the answer. We must resist the urge to mischaracterize and mislabel victims in search of a safe haven. We urge you to reject H.R. 3697 and instead work towards immigration reform that addresses root causes and safe repatriation and integration. And we pray that the all victims of criminal gangs – regardless of their immigration status – find peace and justice.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe S. Vasquez". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Most Rev. Joe S. Vasquez
Chairman, USCCB Committee on Migration

¹ Name changed to protect client’s confidentiality.