



Committee on Migration

United States Conference of Catholic Bishops

3211 4th Street NE • Washington, D.C. 20017-1194 • (p) 202-541- 3352 • (f) 202-541-3399

Website: www.usccb.org/mrs

July 31, 2019

Dear Senator:

I write on behalf of the U.S. Conference of Catholic Bishops (USCCB) Committee on Migration (COM) to express our opposition to S. 1494, the “Secure and Protect Act of 2019”, as well as to the Amendment in the Nature of a Substitute that we understand Chairman Graham will submit to the bill during this week’s markup by the Senate Committee on the Judiciary.

Our approach to migration is rooted in the Gospel and in the life and teaching of Jesus, who himself was a migrant and refugee, forced to flee for his life with Mary and Joseph. While the Church recognizes the right of sovereign nations to control their borders, nations also have a strong obligation to treat all migrants humanely, to protect children at risk, and to protect those fleeing from persecution. As a nation of immigrants and refugees, we have a long history and commitment to providing welcome and protection for vulnerable immigrants and refugees.

As introduced, and as it would be amended by the Amendment in the Nature of a Substitute, S. 1494 would roll back important protections in current law for vulnerable unaccompanied children in immigration proceedings and create new obstacles for them. It also would make it more difficult for migrant children who are parts of family units and their parents to seek and obtain the immigration relief to which they may be entitled. Additionally, the bill would eviscerate protections in current law for asylum seekers, making it more difficult for bona fide refugees to access the protection of asylum and more likely that they will be thrown back into the hands of their persecutors.

S. 1494 contains many provisions that would be harmful to children.

It would consign vulnerable and traumatized children to prolonged detention and eliminate many standards in existing law and judicial orders that mandate their humane treatment. More specifically, it would overturn important protections contained in the Trafficking Victims Protection Reauthorization Act of 2008 and overturn critical protections for them contained in the Flores Settlement Agreement and its related court orders.

The measure also would unreasonably expedite children’s removal proceedings, thereby limiting their ability to secure legal representation. It could limit children’s release to sponsors pending their immigration court proceedings, leading to prolonged time in federal custody. Also, it would force the repatriation of children who are not found to qualify for asylum without consideration of whether they will be safe when they return. And it would make it more difficult for abused, neglected, or abandoned children to obtain Special Immigrant Juvenile relief in the United States. Further, it contains provisions that would severely limit due process and humanitarian

protections for children, subjecting them to new standards that would be more difficult than those that adults face.

With respect to asylum, S. 1494 also would eviscerate protections in current law for asylum seekers, making it more difficult for people fleeing persecution to access the protection of asylum and more likely that they will be thrown back into harm's way.

Among the asylum-related provisions in the measure we object to are those that would bar persons who enter the United States between ports of entry from obtaining asylum, as well as provisions that would allow the United States to unilaterally deem a country a "safe third country." We also oppose the bill's provision requiring the temporary establishment of processing centers in Central America and Mexico and barring migrants from those countries from applying for asylum at the U.S. border. And we also do not support provisions that would subject Central American asylum seekers to the annual refugee ceiling, which has been set at historically low numbers under the current Administration. Finally, we oppose provisions that would limit asylum seekers' ability to apply for other types of relief beyond asylum.

For these reasons, we urge you to oppose S. 1494 during the Committee's consideration of this measure and to support amendments to eliminate its onerous provisions.

Thank you for considering our concerns.

Sincerely,

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

Most Reverend Joe S. Vásquez, Bishop of Austin, TX
Chair, Committee on Migration
United States Conference of Catholic Bishops