



## Committee on Migration

c/o Migration and Refugee Services, USCCB

3211 Fourth Street NE • Washington DC 20017-1194

202-541-3065 • fax 202-722-8805 • email [mrs@usccb.org](mailto:mrs@usccb.org) • [www.usccb.org/mrs](http://www.usccb.org/mrs)

February 19, 2020

Dear Senator:

**As a Church at the service of all God's people, the United States Conference of Catholic Bishops (USCCB) stands ready to work with the leaders of both parties to protect marginalized people, promote human life and dignity, and advance the common good.** As Congress begins the appropriations process for Fiscal Year (FY) 2021, many USCCB policy offices will engage on appropriations matters under their purview. Together, these views represent the breadth of concern of the bishops during the budget and appropriations process. I write on behalf of the USCCB Committee on Migration to request your support for our funding priorities with respect to programs that are crucial for immigrants, refugees, unaccompanied children, and trafficking victims. Please consider the following requests in your FY 2021 funding proposals:

### **Commerce, Justice, Science, and Related Agencies (CJS)**

The President's FY 2021 Budget requests **\$883 million** for an additional **100 Immigration Judge teams**. Given the pending backlog of nearly 1 million cases, we urge you to accommodate this request.

We also ask that Congress appropriate **\$50 million** for the Administrative Review and Appeals Executive Office for Immigration Review (APA/EOIR) to expand the pilot program for legal representation and leverage federal funds to bolster pro bono efforts and improve immigration court efficiency. We also ask that Congress appropriate **\$55 million** to sustain and continue to expand the Legal Orientation Program for detained adults, the Legal Orientation Program for Custodians of Unaccompanied Children, and the Information Court Helpdesk Program. These programs not only provide crucial legal information to those in immigration court proceedings but also streamlines proceedings, making them more efficient. This amount of funding will sustain the expansion that was called for in the FY 2019 Border Supplemental.

Lastly, we commend the Administration on its request for **\$120 million to combat human trafficking** through the Office of Justice Programs. We note, with special appreciation, the \$80 million proposed for victim services and the \$3 million for human trafficking research.

### **Department of Homeland Security (DHS)**

The President's FY 2021 DHS Budget makes the following requests:

- \$2 billion toward construction of a wall on the border of the U.S. and Mexico;
- Funding for 2,844 law enforcement agents and 1,792 support staff positions for Immigration and Customs Enforcement (ICE) as well as 750 new Customs and Border Protection (CBP) officers; and
- \$3.1 billion to fund 60,000 detention beds, including 2,500 new family detention beds.

The Catholic Church acknowledges the right of nations to control their borders and the responsibility of governments to protect the people within their borders. At the same time, we believe that those rights and responsibilities should be exercised in a manner that is consistent with the moral obligation to protect the humanitarian needs of migrants and refugees. Wealthier nations have a greater obligation to accommodate those needs and can do so in a manner that does not jeopardize the safety of their citizens.

We believe the priorities enunciated in the Administration's FY 2021 budget is excessive to ensure appropriate border security and would constitute a further, unnecessary, and dangerous security buildup on the U.S./Mexico border, causing an extreme increase in the use of immigrant detention. We do not believe such an enforcement-only approach is appropriate. Moreover, we do not believe that such resources should be invested in the border wall proposed by the Administration or in increased detention capacity. Instead, we believe that some of this funding should be dedicated to more humane and economical programs, such as alternatives to detention programs that utilize case management; legal services; and safe voluntary repatriation programs.

We support the increased use of alternatives to detention (ATDs), and we commend the additional \$34 million requested by the President for ATDs. While we note our continued support for ATDs - particularly ATDs that utilize case management for vulnerable populations such as women with children - we disagree with the Administration's characterization of the Extended Case Management Services (ECMS) as the most effective case management ATD model. Our perspective is based on our ongoing programmatic experience providing certain services that are part of the ECMS program. Rather, we urge the Administration to more fully utilize case management ATD models, such as the Family Case Management Program (FCMP), and funding that has been provided for FCMP in the Consolidated Appropriations Act of 2019 and the FY 2019 Emergency Supplemental Appropriations for Humanitarian Assistance and Security at the Southern Border Act. **We request a 50% increase over the amount already allocated to FCMP in FY 2019 and FY 2020.**

We appreciate that the Consolidated Appropriations Act of 2020 extended the Special Immigrant Non-Minister Religious Worker Visa program until September 30, 2020. We ask that Congress include language permanently reauthorizing this program. We also request in the DHS portion of any appropriations vehicle Congress passes, a Hyde-like provision to ensure that federal funds not be used to fund elective abortions.

### **Labor, Health and Human Services, Education, and Related Agencies (LHHS)**

We ask that Congress appropriate a baseline of **\$4.692 billion** for the **Refugee Entrant and Assistance (REA) account**, an amount we believe would enable the Department of Health and Human Service Office of Refugee Resettlement (ORR) to adequately serve certain vulnerable populations of concern and respond to unanticipated needs. ORR serves refugees, unaccompanied children, asylees, Iraqi and Afghan Special Immigrant Visa recipients, Cuban and Haitian entrants, and survivors of human trafficking and of torture.

Within the \$4.692 billion in base funding we recommend for the REA account, **we ask Congress to appropriate \$40 million for the Office on Trafficking in Persons (OTIP), with \$20 million for foreign national victims' protection and \$20 million to protect U.S. citizen victims.** OTIP provides critical services to trafficking victims and facilitates their path to recovery and self-sufficiency. We also ask Congress to appropriate **\$96.125 million for the Department of Labor International Labor Affairs Bureau (ILAB)**, the same level appropriated for ILAB in FY 2020. ILAB plays a critical role in efforts to eradicate child labor and address forced labor.

Within the topline funding that we recommend for the REA account, we support the Administration's **\$1.983 billion in baseline funding to serve unaccompanied children (UC).** With this funding, we urge ORR to dedicate resources toward serving the best interest of unaccompanied children, including by increasing the percent of children receiving critical family reunification services (home studies and post-release services).

**We also support the Administration's request for a \$2 billion contingency fund for unaccompanied children.** While we strongly support the creation of a contingency fund to serve unaccompanied children, we recommend that at least \$100 million of the fund be available to ORR to address any similar shortfalls in funding for the other populations served by the REA account. We are aware of numerous instances in the

last seven years when reprogramming occurred within ORR comparable to this requested level.<sup>1</sup>

### **State, Foreign Operations, and Related Programs (SFOPS)**

We ask that Congress appropriate **\$24 million** for the Department of State's **Office to Monitor and Combat Trafficking in Persons (J/TIP Office)** for combatting human trafficking. We appreciated the increase in funding appropriated in FY 2020 and note this is a substantial increase from that \$16 million enacted. We are supportive of the Administration's request for more funding and leadership on this issue. We firmly believe that additional funding is needed to more fully monitor and combat the global scourge of human trafficking.

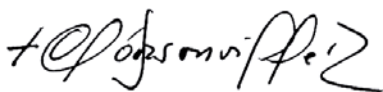
We also ask that Congress appropriate **\$3.604 billion for the Department of State's Migration and Refugee Assistance (MRA) account, \$1 million for the Department's Emergency Refugee and Migration Assistance (ERMA) account, and \$4.52 billion for the International Disaster Assistance (IDA)** that is administered by the United States Agency for International Development Office of Foreign Disaster Assistance (USAID/OFDA). We believe these amounts would ensure that the State Department and USAID can continue a robust U.S. commitment to refugee protection, serving refugees and displaced populations and responding to numerous humanitarian crises. Given the global need, our recommended funding levels for FY 2021 are a relatively small increase above FY 2020 enacted levels of \$3.432 billion for MRA and \$4.439 billion for IDA. Further, as the Administration has not made use of the ERMA account, and has even proposed terminating it, the account is full. We urge you to support the ERMA account's continued existence and use, and request \$1 million as a sign of Congress' ongoing commitment to the account.

Finally, the Administration has made proposals over the last three years to remove the overseas assistance funding and functions from the Bureau of Population, Refugees and Migration. Regarding such efforts, we note with approval Congress' intention to bar such changes, as stated in the FY2020 SFOPs bill.<sup>2</sup>

It is the mission of the Catholic Church to bring to the present times the teaching of Jesus Christ, which reminds daily us of how everyone is created in God's image and every human person deserves all of our respect and dignity which we must give. The work of the USCCB and MRS on behalf of immigrants, refugees, unaccompanied children, and trafficking victims is part of our ongoing effort to live out this teaching.

Thank you for considering our recommendations.

Sincerely,



Most Rev. Mario E. Dorsonville  
Auxiliary Bishop of Washington  
Chairman, Committee on Migration

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<sup>1</sup> Should Congress decide not to appropriate a contingency fund, we would encourage a significant increase in baseline funding comparable to \$3.983 billion to serve UC in FY 2021. Such an increase would be necessary to ensure that ORR is able to address the real possibility that it will be faced with a significant and unexpected increase in UC referrals, as has occurred repeatedly since 2014, and to ensure that the program does not face another funding shortfall as seen in FY 2019, when an additional \$2.88 billion had to be appropriated to address the program's needs.

<sup>2</sup> See FY2020 Further Consolidated Appropriations Act, 2020, Section 7072(b)(2). ("None of the funds appropriated by this Act, prior Acts making appropriations for the Department of State, foreign operations, and related programs, or any other Act may be used to downsize, downgrade, consolidate, close, move, or relocate the Bureau of Population, Refugees, and Migration, Department of State, or any activities of such Bureau, to another Federal agency.").