



## Committee on Migration

c/o Migration and Refugee Services, USCCB

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April 21, 2022

Dear Senator/Representative:

As Congress begins its work on Fiscal Year (FY) 2023 appropriations, many of the policy committees within the U.S. Conference of Catholic Bishops (USCCB) will be engaging lawmakers on appropriations matters under their purview, expressing our views on funding that supports the poor, migrants and refugees, foreign assistance, environmental protection, healthcare, housing, nutrition, and other programs that help people meet basic needs. Together, these views represent the wide breadth of concern of the bishops in the budget and appropriations process. Today, I write on behalf of the USCCB's Committee on Migration (USCCB/COM) to request your support for our funding priorities with respect to programs that are crucial for immigrants, refugees, asylees, asylum seekers, unaccompanied migrant children, survivors of torture, and victims of human trafficking. Please consider including the following requests in your FY 2023 funding proposals:

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

We appreciate the Administration's request for increased funding for the Executive Office for Immigration Review (EOIR) in its FY 2023 Discretionary Request, which it suggests would be used, in part, to support 100 new immigration judges, to create maximum efficiencies in the court systems, and to invest new resources in critical legal access programming. This year's request by the Administration is consistent with our suggestion last year that the Department of Justice add at least 100 immigration judge teams. With over 600,000 asylum applications pending with the immigration court,<sup>1</sup> and a backlog of over 1.5 million immigration court cases, we strongly urge that Congress support an expansion of EOIR's capabilities in FY 2023 to better ensure timely adjudication of cases.<sup>2</sup>

We also ask that Congress appropriate **\$50 million** for EOIR to expand the pilot program for legal representation and leverage federal funds to bolster pro bono efforts and improve immigration court efficiency. We further ask that Congress appropriate **\$50 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 Immigration Court Helpdesk Program (ICH). We specifically ask that **\$15 million** of this funding be for expanding ICH capacity in the thirteen cities where it is currently operational and for national expansion beyond those cities. These programs not only provide crucial legal information to those in immigration court proceedings but also help streamline proceedings, making them more efficient.

EOIR's Recognition and Accreditation (R&A) Program has operated since the 1950s to increase the number of qualified immigration legal representatives available to serve low-income immigrants, especially where there is a shortage of immigration attorneys. This program is currently experiencing historic backlogs in processing new and renewal applications for recognition of organizations and accreditation of representatives. Applications that were previously processed within two to four months are now taking nine months to a year or more to be adjudicated. Therefore, we ask that **\$3.5 million** of EOIR's appropriations specifically be directed to this office to increase staff and improve its operations.

Lastly, we urge Congress to appropriate at least **\$90 million** for trafficking victim services in FY 2023.

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<sup>1</sup> EOIR, *EOIR Adjudication Statistics: Total Asylum Applications*, <https://bit.ly/2Oo9ZSV> (last visited Mar. 30, 2022).

<sup>2</sup> TRAC, *Immigration Court Backlog Now Growing Faster Than Ever, Burying Judges in an Avalanche of Cases*, Jan. 18, 2022, <https://bit.ly/3uA80vZ>.

## Department of Homeland Security (DHS)

The Catholic Church acknowledges the right of nations to control their borders and the responsibility of governments to protect the people within their borders, consistent with the common good. 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. More prosperous nations have a greater obligation to accommodate those needs and can do so in a manner that does not jeopardize the safety or wellbeing of their citizens.

We support an enforcement system that defaults to community-based alternatives to detention (ATD), particularly those that utilize case management and direct NGO service provision. Nearly all who navigate their immigration case should be able to do so from home with their families and in their community, not behind bars in immigration detention. We urge Congress to direct the Administration to support models like the Family Case Management Program. We appreciate the additional \$15 million appropriated in FY 2022 for the ATD pilot overseen by the DHS Office of Civil Rights and Civil Liberties. We urge robust oversight and continued efforts to ensure that NGO service providers are able to refer individuals into such programming to ensure stabilization and compliance with immigration proceedings.

Given the enormous asylum backlog and the difficulty that many asylum seekers face in pursuing their claims, we urge Congress to provide funding in FY 2023 for a system of community-based case management and legal support services for a subset of the asylum seekers currently in the backlog. Studies have shown that such services lead to compliance rates between 96 and 100 percent. We believe that a program such as this would enable asylum seekers to better navigate their court processes, greatly improve the rate of asylum seekers who appear at their proceedings, help reduce adjudication backlogs, and strengthen the integrity of the system.

We support the Administration's proposal in its FY 2023 Discretionary Request for **\$765 million** for United States Citizenship and Immigration Services (USCIS) to address work authorization, naturalization, and asylum backlogs, support refugee processing, and allow for systems and operations modernization. We urge appropriators to closely monitor USCIS staffing and other resources to be sure that it is using all of the tools available to it to provide sufficient capacity to address the asylum backlog, restore refugee admissions back to normal levels, process naturalization applications, and process visa petitions for religious workers who do so much to help the communities they serve.

Pope Francis has said that "immigrants, if they are helped to integrate, are a blessing, a source of enrichment and new gift that encourages a society to grow."<sup>3</sup> We share in the Holy Father's conclusions, and we request **\$30 million** for the USCIS Citizenship and Integration Grant Program to expand the existing programming, with **\$10 million** to be used to increase the capacity of national, regional, and statewide organizations to work with their affiliates, members, and partners to offer citizenship services in underserved communities. We urge **\$8 million** to fund the Office of Citizenship, which furthers the national interest by encouraging qualified legal permanent residents to commit and fully integrate to the United States through citizenship. We ask Congress to support the timely processing of citizenship and other applications, with a goal of eliminating the naturalization backlog in its entirety and adjudicating all requests within six months or less of submission. We note that it is vital for Congress to conduct oversight to ensure this occurs without imposing non-adjudicatory costs on U.S. businesses, families, and other sponsors and applicants.

We appreciate that the Consolidated Appropriations Act, 2022 extended the Special Immigrant Non-Minister Religious Worker Visa Program until September of this year, and we ask that Congress include language permanently reauthorizing this small but important program. In addition, we ask Congress to include language with appropriations requiring that concurrent filing and premium processing be available to religious workers seeking permanent residence, so as to treat the program similar to other employment-based categories.

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<sup>3</sup> Pope Francis, *Fratelli tutti*, no. 135, Oct. 3, 2020, <https://bit.ly/3DqdiHB>.

Lastly, 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 commend the Administration for the substantial increase in funding for Refugee and Entrant Assistance that it proposed in its FY 2023 Discretionary Request. We ask that Congress build on the Administration's request by appropriating **\$9.991 billion** for the Refugee Entrant and Assistance (REA) account, an amount we believe would enable the Department of Health and Human Services' 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 torture.

Within the \$9.991 billion in funding that we recommend for the REA account, we ask Congress to appropriate **\$50 million** for the Office on Trafficking in Persons (OTIP), with **\$25 million** for foreign-national victims' services and **\$25 million** to protect U.S.-citizen victims. OTIP provides critical services to trafficking victims and facilitates recovery and self-sufficiency. Relatedly, we ask Congress to provide robust support for the Department of Labor's International Labor Affairs Bureau (ILAB), as ILAB plays a critical role in efforts to eradicate child labor.

Within the topline funding that we recommend for the REA account, we also support **\$5.1 billion** in baseline funding to serve foreign-national unaccompanied children (UC). With this funding, we urge ORR to dedicate resources toward serving the best interests of unaccompanied children, including by increasing the percent of children receiving critical family reunification services (i.e., home studies and post-release services). Additionally, we welcome the Administration's request for **\$266 million** for legal representation of UC, furthering the worthwhile goal of universal representation for vulnerable children.

In FY 2022, the prospect of shortfalls has already risen to the point that Congress needed to appropriate \$4.1 billion in supplemental funds to ORR to address children's needs. Therefore, we greatly appreciate the Administration's request for a **\$1.547 billion** UC Contingency Fund to support unpredictable fluctuations in program needs. While the UC population has been most susceptible to sudden fluctuations over the past decade, warranting this contingency, the USCCB has long supported the creation of a contingency fund that can be used more broadly to serve the range of populations for which ORR is responsible. This accounts for the fact that sudden increases and emergencies are an unavoidable reality of our world, as was the case with Operation Allies Welcome.

Consistent with the Church's teaching on the centrality of the family within society, we request **\$533 million** for family reunification and support for reunified families, accompanied by legal authority for ORR to serve families reunified through the Interagency Task Force on the Reunification of Families.

In addition, we are deeply concerned that there may be a need for even more supplemental funding for FY 2022, especially given the anticipated end of pandemic-related immigration measures and the uptick in asylum seekers from Ukraine and other regions. For the remainder of FY 2022, we urge appropriators to closely monitor ORR's needs and provide supplemental funds, if necessary, so that ORR is not forced to reprogram funds away from refugees and other vulnerable groups.

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

We encourage the Appropriations Committee to increase the allocation of funds for the 150 Account to better address the urgent needs that it helps to support in response to recent and ongoing international developments. Such an increase, then, would enable Congress to appropriate at least **\$4.7 billion** for the Department of State's Migration and Refugee Assistance (MRA) account, **\$300 million** for the Department's Emergency Refugee and Migration Assistance (ERMA) account, and **\$4.9 billion** for the International Disaster Assistance (IDA) account that is

administered by the Bureau of Humanitarian Assistance of the United States Agency for International Development (USAID). 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, including those in Eastern Europe. The MRA increase in particular is needed to fortify processing infrastructure and return the U.S. Refugee Admissions Program to normal admissions levels.

The value of ERMA was exemplified over the last nine months as resettlement agencies, their partners, and U.S. communities undertook an unprecedented effort to resettle over 70,000 vulnerable Afghans and their families. Therefore, we also urge the Administration to continue making judicious use of the ERMA account, and we urge Congress to support a renewed use of the fund going forward.

We further ask that Congress appropriate at least **\$110 million** for State Department programs designed to combat the global scourge of human trafficking.

We also urge that the Lautenberg Amendment, which has facilitated the protection and resettlement of persecuted religious minorities since 1990, including many Ukrainians, be extended permanently.

### **Protection of Life**

Finally, we strongly hold that the protection of unborn lives cannot be separated from any work that aims at ensuring justice and flourishing for every human being. The U.S. bishops remain gravely concerned about continued efforts to expand taxpayer funding of abortion, which would occur if the Hyde Amendment or any of the other life-saving appropriations riders were to be removed from the annual appropriations bills. It is vital that the Hyde Amendment and all of the related life-saving appropriations riders remain in place during the 117th Congress and beyond. The USCCB will oppose any bill that expands taxpayer funding of abortion, including any appropriations bill.

### **Conclusion**

It is the mission of the Catholic Church to bring to the present times the teachings of Jesus Christ, which remind us daily of how all are created in God's image and every human person deserves to be treated with respect, consistent with their inherent dignity. The work of the USCCB and COM on behalf of immigrants, refugees, unaccompanied children, and trafficking victims is part of our ongoing effort to live out this teaching. **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.**

Thank you for considering our recommendations and for your service to our country.

Sincerely,



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