

March 02, 2015

House Judiciary Committee Should Reject Bills that Undermine U.S. Protection of Refugees, Children

Washington, D.C.—Human Rights First today urged members of the House Judiciary Committee Subcommittee on Immigration and Border Security to reject the Asylum Reform and Border Protection Act (HR 1153) and the Protection of Children Act (HR 1149). The subcommittee is due to markup the proposed bills this week and, if passed, the proposed legislation would severely undermine the United States' commitment to refugees by sending those with legitimate fears of persecution back to dangerous circumstances.

"These proposed bills would block refugees from U.S. protection and return children and families to violence, persecution, and grave harms," said Human Rights First's Eleanor Acer. "These proposals are completely inconsistent with the American ideal of protecting the persecuted. We urge the subcommittee to reject these bills that would eviscerate the United States' legacy as a global leader in protecting refugees."

The Asylum Reform and Border Protection Act would lead to the deportation of legitimate refugees with well-founded fears of persecution, leave others in immigration detention for months and put children at risk of return to trafficking, death, and persecution in their home countries. Human Rights First expressed its strong opposition to prior versions of the bills in a statement submitted for the record earlier this month, expressing concern that passage of the bills would make it harder for those fleeing persecution and torture to file for asylum in the United States, a process already fraught with obstacles.

Among many changes to the law, these proposed pieces of legislation would:

- Raise the expedited removal screening standard for those seeking this country's protection at the border to an unduly high standard;
- Appear to prevent arriving asylum seekers who have passed the credible fear screening process from being paroled from immigration detention;
- Block access to U.S. asylum for refugees fleeing persecution in many cases where they transit through another country;
- Overturn provisions in the Trafficking Victims Protection Reauthorization Act (TVPRA) that protect children from return to traffickers or persecution;
- Drastically narrow the definition of an "unaccompanied child"; and
- Subject unaccompanied children to the arbitrary one-year asylum filing deadline bar.

Human Rights First recommends that Congress take steps to strengthen the asylum system, including:

- Increase immigration court staffing by at least 300 judge teams to address removal hearing delays and eliminate hearing backlog;
- Increase asylum office staffing to address backlogs and provide timely referrals into removal proceedings;
- End the detention of children and their families, and effectively implement parole and release procedures;
- Use cost-effective alternatives to detention rather than more detention;
- Support legal orientation programs and access to counsel measures that improve fairness and efficiency of the immigration system;
- Utilize multiple existing anti-fraud tools; and
- Implement the U.S. Commission on International Religious Freedom (USCIRF) recommendations to protect those fleeing religious and other forms of persecution and request an updated USCIRF study.

For more information contact Corinne Duffy at DuffyC@humanrightsfirst.org or 202-370-3319.