

**Lutheran Immigration and Refugee Service
Testimony for July 10, 2014 Hearing:
“Review of the President’s Emergency Supplemental Request”
Senate Appropriations Committee**

Washington, D.C., July 10, 2014 – “We are facing a humanitarian emergency to which we cannot close our eyes or our hearts,” says Linda Hartke, President of Lutheran Immigration and Refugee Service (LIRS). The organization calls on all people of faith to stay true to our values. “We are compelled to provide safety, due process, and compassion to the thousands of children who are fleeing Central America,” adds Hartke.

LIRS is working with the government and with a national network of social service partners to address this crisis. We welcome the Senate Appropriations Committee’s review of President Obama’s \$4.3 billion supplemental budget request, which includes \$3.7 billion in emergency appropriations to address the unprecedented influx of child migrants from Guatemala, Honduras and El Salvador.

With a 75-year history of serving refugees and migrants, LIRS has over thirty years of experience helping to resettle children from all over the world, including Central America. Our particular expertise working with this vulnerable population guides our policy positions and informs our advocacy.

At a time of humanitarian crisis, we ask that the governmental response to child migration protect the best interest of these children and uphold our legal obligations to protect those fleeing persecution. Congress and the Administration should prioritize the best interest of the child in all decision-making, develop an inter-agency response that leverages the expertise and resources of the federal agencies responsible for addressing this challenge, and invest resources in effectively addressing root causes of migration in Central America and Mexico.

The Administration’s request for emergency supplemental funding raises numerous concerns. First, the Office of Refugee Resettlement within the Department of Health and Human Services must receive sufficient funding to both serve refugees through resettlement programs and to care for unaccompanied migrant children. Each of these missions is critically important and funding should not be taken from one to meet the other.

Additionally, expanding the detention of families with children is gravely disappointing and we reject the premise that it is in America’s interest to incarcerate families. Detention is completely inappropriate for families and we are keen to work with the Administration to identify more humane, compassionate and just alternatives. Alternatives to detention have been demonstrated to effectively serve the interests of the government in upholding the law while also protecting due process and ensuring immigrants have a fair chance for justice. LIRS is a leader in developing community-based alternatives to detention and is willing to work constructively with the government to implement alternate solutions at this time.

Finally, adequate funding must be provided for Immigration Judges, legal representation for unaccompanied migrant children, and the Legal Orientation Program. The American value of justice for all is arguably even more important during times of humanitarian crisis. Vulnerable migrant children must be provided the full protection of their rights under our laws.

LIRS makes the following recommendations to Congress:

- Provide additional resources to federal agencies serving unaccompanied migrant children to meet their needs while they are in and after they are released from federal custody.
- Provide a contingency fund for maximum flexibility to respond to urgent needs of this population.
- Respect legal and humanitarian protections and ensure all children are treated with safety and dignity.
- Pass legislation such as the Child Trafficking Victims Protection Act (H.R. 2624 / sections 1112 and 3611 of S. 744), the Vulnerable Immigrant Voice Act (H.R. 4936 / section 3502 of S. 744), the Protect Family Values at the Border Act (H.R. 3130 /section 1115 of S. 744) and the Humane Short Term Custody Act (S. 1817).

LIRS makes the following recommendations specific to the Department of Health and Human Services' Office of Refugee Resettlement:

- Place unaccompanied migrant children in community-based care, child welfare shelters operated by NGOs, and other settings reflecting the needs of such children, including therapeutic placements, mentor homes, and foster homes for young children and especially vulnerable teens.
- Make post-release services available for all released migrant children to help them integrate into their communities; ensure safe reunifications with their families, mitigating risk for breakdown; assist with connecting them to immigration legal representation; and better assure their attendance at immigration court proceedings.
- Ensure that all unaccompanied children have access to legal representation as well as spiritual care while in shelters.

LIRS makes the following recommendations specific to the Department of Homeland Security:

- Establish an emergency initiative, operational guidelines, and training to facilitate participation by NGOs to support DHS personnel at U.S. ports of entry and U.S border crossings. Immediately place child welfare professionals to assist DHS with conducting the mandated screening for trafficking and asylum and facilitate ORR's custody and identification of child protection concerns. NGOs, including LIRS, have experience with child welfare and anti-trafficking work and can provide child-friendly and trauma-informed informational briefings to DHS personnel at U.S. border crossings, and U.S. ports of entry, to assist in the identification, screening, and referral of trafficking victims and potential child-trafficking victims.
- Ensure access to monitoring of DHS facilities where migrant children are held by LIRS and other NGOs and the access of legal service providers and child advocates.

- Ensure that access to spiritual care is available to all individuals, including children and families, in detention.
- Maximize the use of alternatives to detention to avoid detaining families who are in removal proceedings.

Started by Lutheran congregations in 1939, LIRS walks with migrants and refugees through ministries of service and justice, transforming U.S. communities by ensuring that newcomers are not only self-sufficient but also become connected and contributing members of their adopted communities in the United States. Working with and through over 60 partners across the country, LIRS resettles refugees, reunites children with their families or provides loving homes for them, conducts policy advocacy, and pursues humanitarian alternatives to the immigration detention system. For more information, please visit www.lirs.org.

If you have questions about this statement, please contact:

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Additional resources:

- The June 3, 2014 LIRS statement applauding the President's announcement on coordinated response to unaccompanied migrant children can be found at <http://lirs.org/press-inquiries/press-room/140603statement/>
- The May 27, 2014 LIRS press release announcing the #ActOfLove campaign can be found at <http://lirs.org/press-inquiries/press-room/140527newsrelease/>
- The LIRS Backgrounder on Protecting Unaccompanied Migrant Children can be found at <http://lirs.org/wp-content/uploads/2014/06/LIRS-Backgrounder-on-Unaccompanied-Migrant-Children-FINAL-5-8-14.pdf>
- The 2007 LIRS Report, "Locking Up Family Values" may be found at <http://lirs.org/wp-content/uploads/2012/05/RPTLOCKINGUPFAMILYVALUES2007.pdf>