



**FIRST FOCUS CAMPAIGN FOR CHILDREN
STATEMENT FOR THE RECORD**

**HOUSE JUDICIARY COMMITTEE
SUBCOMMITTEE ON IMMIGRATION AND BORDER SECURITY
HEARING:
“INTERIOR IMMIGRATION ENFORCEMENT LEGISLATION”**

FEBRUARY 11, 2015

Mr. Chairman, and Members of the Committee, we thank you for the opportunity to submit this statement on the record for this hearing to consider interior immigration enforcement issues.

The First Focus Campaign for Children is a bipartisan advocacy organization dedicated to making children and families a priority in federal policy and budget decisions. As an organization dedicated to promoting the safety and well-being of all children in the United States, we urge Congress to work towards finding comprehensive solutions to improve our immigration system that embraces the American values of family unity and putting children first. As an organization working to ensure the best policy solutions for children, we strongly oppose the proposed legislation that is under consideration in today’s hearing.

We are deeply concerned with the “Asylum Reform and Border Protection Act” (H.R. 5137) as it would eliminate critical protections under the Trafficking Victims Protections Reauthorization Act (TVPRA), including procedures established to properly screen unaccompanied children and ensure their safety. CBP officers lack the training and resources to properly interview for children, putting children at risk of falling through the cracks and being unnecessarily sent back to immediate danger. Furthermore, children must have access to competent legal representation to navigate the complex immigration court system. This bill prohibits the government from providing counsel to children, which is detrimental to their due process rights of being heard before an immigration court. Children who have legal representation are far more likely to be awarded the relief applied for than unrepresented children.

We are also opposed to the so-called “Protection of Children of Act” (H.R. 5143) as we strongly believe that the bill would undermine the safety and well-being of extremely vulnerable children. It contains many similar provisions to H.R. 5137 and also limits the definition of an unaccompanied child and thereby their rights to certain types of relief, rolling back due process protections for children by pushing them into expedited removal proceedings, and forcing children to remain longer in inappropriate detention settings, including large overcrowded facilities that present serious threats to children’s safety. Furthermore, children who are admitted must have competent legal representation to navigate the complex immigration court system. This bill prohibits the government from providing counsel to children, which is detrimental to their due process rights of being heard before an immigration court. Research shows that children who have legal representation are far more likely to be awarded the relief applied for than unrepresented children.

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Finally, we oppose the “Strengthen and Fortify Enforcement (SAFE) Act” (H.R. 2278). This bill would expand the use of detention and promote state and local law enforcement participation in immigration enforcement efforts. The bill would increase the capacity of detention facilities to hold immigrants who can be held for non-violent reasons and without due process protections, putting families at risk of separation and other families at risk of being detained together under the expansion of the harmful practice of family detention. We also believe it is the wrong approach to expand programs like the flawed 287(g) program, as such programs create a climate of fear among immigrants that not only creates barriers between immigrant communities and law enforcement agencies, but also impacts the mental health and overall well-being of children in immigrant families.

Research, including a recent report by the UN High Commissioner for Refugees (UNHCR), consistently shows that the majority of the unaccompanied children fleeing to the U.S. from Central American in recent years are escaping extreme violence and instability in their home countries, spurred by drug traffickers and increased gang activity.ⁱ These are children who deserve the best services and protections our country can provide, not additional trauma and further threats to their health and safety. Rather than expand enforcement programs that have only proven to tear apart families and roll back protections for vulnerable child migrants, we urge Congress to work together to find solutions to fix our immigration system that will promote the best interests of children.

We thank you again for the opportunity to submit this statement for the record. Should there be any questions regarding this statement, please contact Wendy Cervantes, Vice President of Immigration and Child Rights, at wendyc@firstfocus.net.

ⁱ Julia Preston, *New U.S. Effort to Aid Unaccompanied Child Migrants*, New York Times, June 2, 2014 Available at: http://www.nytimes.com/2014/06/03/us/politics/new-us-effort-to-aid-unaccompanied-child-migrants.html?_r=1