



**TESTIMONY OF ALEXANDER D. BAUMGARTEN AND KATIE CONWAY ON
BEHALF OF THE EPISCOPAL CHURCH¹**

July 10, 2014

We thank Senator Barbara Mikulski, Chairwoman of the Senate Appropriations Committee, and Ranking Member Shelby for the opportunity to submit this testimony. We welcome this hearing and the chance to raise our voice in support of a humanitarian approach to both the root causes that force children from their homes and the reception vulnerable migrants receive when they arrive at our nation's borders seeking safety and peace. Therefore, we strongly support the additional \$1.8 billion in emergency supplemental funding for the Office of Refugee Resettlement (ORR), which cares not only for unaccompanied immigrant children such as the ones we see arriving daily but also for refugees, victims of trafficking, survivors of torture, Cuban/Haitian entrants, and Iraqi and Afghan SIV holders who supported U.S. troops abroad. This funding is critical to ensuring that the United States fulfills its humanitarian, legal, and moral commitments to vulnerable people. The Episcopal Church has been engaged in the work of providing humanitarian aid abroad and refugee resettlement domestically since the Presiding Bishop's Fund for World Relief was established in 1939, and we continue those services today.

Over the past three years, Episcopal communities and service organizations have witnessed the rise in arrivals of children forced from their homes by pervasive violence and instability, exchanging the known dangers at home for the unknown dangers of a journey to the United States in a desperate search for peace and protection. In the past month, Episcopal communities and service organizations on the border and throughout the country have witnessed the arrival of tens of thousands of families, the majority of whom are women traveling with children. Episcopalians are already engaged in responding to the needs of these children and families through loving service: meeting families at bus stations with needed food and hygiene supplies, helping migrants released from detention reunite with family, and offering pastoral care to both children in ORR custody and adults in detention. We are not alone in this response and we hope that Congress and the Administration will join us in addressing this humanitarian crisis with the compassion and resources necessary to ensure the protection of vulnerable people at our borders and within the region.

When women and children cross borders it signals an evolving humanitarian crisis, not a security threat. It is not illegal for adults or children to enter the United States and ask for protection under both international² and U.S. law³. For children traveling unaccompanied from countries

¹ Alexander D. Baumgarten is the Director of Government Relations, and Katie Conway is the Immigration and Refugee Policy Analyst for the Episcopal Church, a multinational religious denomination based in the United States with members in 15 other sovereign nations.

² Article 14, The Universal Declaration of Human Rights. <http://www.un.org/en/documents/udhr/index.shtml#a14>

³ U.S. Code Title 8: Aliens and Nationality, Chapter 12: Immigration and Nationality, Section 1158: Asylum. <http://uscode.house.gov>



other than Mexico and Canada in particular, the law requires that Customs and Border Patrol screen these children for protection concerns before they are transferred to the Office of Refugee Resettlement where they will be placed in foster care or with family members until a child's immigration case is heard⁴. This outflow of people seeking security, economic opportunity, and reunification with family members, however, is not only occurring at the United States' southern border. Other stable countries in the region, such as Mexico, Nicaragua, Panama, Costa Rica and Belize have reported that asylum requests from Honduran, Guatemalan, and Salvadorian nationals are up 712% since 2009⁵, reinforcing the sustained and regional nature of this migration crisis.

Given the regional dynamics of the present situation, the growing levels of displacement within the region⁶, and mixed migration flows of children, families and adults arriving at border's across the region, The Episcopal Church welcomes the Obama Administration's recognition of the need for emergency funding, and hopes that Congress will take the necessary steps to fund the care of vulnerable children by ORR, while maintaining vital funding for refugees and other populations of humanitarian concern already resettled to the United States and awaiting resettlement from dangerous situations abroad. Beyond the necessary additional funds for ORR, we urge Congress to provide more funds in the supplemental to increase legal services for unaccompanied children in the United States, ensuring that they receive the guidance and representation they need and that, if deported, children are not returned to situations where they will experience violence or exploitation. We also ask that Congress robustly support programs to reduce violence and increase citizen security in sending and transit countries so that individuals, particularly children and families, are not forced to undertake these perilous journeys. We are particularly concerned by the language in the supplemental request that could discourage persecuted individuals in Central America from seeking asylum and protection, and we oppose any proposals that would weaken protections for children or return them to unsafe situations.

While The Episcopal Church recognizes the necessity of enforcement policies and the responsibility of the government to protect its citizens, we also believe our nation's laws must be both proportional and humane⁷, and must respond to the needs of communities. We have grave concerns about the Administration's request in the Emergency Supplemental Appropriations Bill

⁴ *Providing Comprehensive Services for Unaccompanied Children at Immigration Court*. Kids In Need of Defense. https://supportkind.org/en/about-us/resources/doc_download/70-a-treacherous-journey-child-migrants-navigating-the-u-s-immigration-system-section-3

⁵ *Children on the Run: Unaccompanied Children Leaving Central America and Mexico and the Need for International Protection*. United Nations High Commissioner for Refugees 2014. <http://unhcrwashington.org/children>

⁶ The Associated Press. "UN pushes for migrants to be called refugees" 9 July 2014 http://www.washingtonpost.com/world/the_americas/un-pushes-for-migrants-to-be-called-refugees/2014/07/08/8c13f25e-0655-11e4-a7ef-9ed5d8510e81_story.html

⁷ General Convention, *Journal of the General Convention of...The Episcopal Church*, Columbus, 2006 (New York: General Convention, 2007), pp. 532-533. Web 9 July 2014: http://www.episcopalarchives.org/cgi-bin/acts/acts_resolution.pl?resolution=2006-A017



for funding to expand the inhumane practice of family detention, and support the increased use of alternatives to detention. The poor conditions and documented abuses that led to the end of family detention at the T. Don Hutto Residential Center in 2009⁸ should not be forgotten. Faith communities and community organizations across the country stand willing to assist in the implementation and expansion of community-based alternatives to detention programs which are more cost effective and humane.

The United States is capable of meeting this challenge with compassion, and providing regional solutions that address the root causes of violence and instability in sending countries that force people to flee their homes. We stand ready to work with Congress and the Administration in the implementation of humanitarian solutions to this crisis and ask Congress to move quickly to ensure that ORR is able to fulfill its mandate to protect and serve unaccompanied children while maintaining vital services for refugees.

Thank you for carrying the costly burden of public service, and for the opportunity to submit these views to the Committee.

Respectfully submitted,

Alexander D. Baumgarten and Katie Conway

⁸Berstein, Nina. "U.S. to Reform Policy on Detention for Immigrants," *The New York Times*, 5 August 2009
<http://www.nytimes.com/2009/08/06/us/politics/06detain.html?pagewanted=all>

