



**CWS Statement to the U.S. House of Representatives Committee on Oversight and Government Reform
Subcommittee on National Security, pertaining to its hearing on Thursday, April 12, 2018**

As a 72-year old humanitarian organization representing 37 Protestant, Anglican and Orthodox communions and 22 refugee resettlement offices across the country, Church World Service (CWS) urges the Committee to affirm the right of all people to seek asylum and protections at the U.S. border. Children, families, women, and men are fleeing violence, gang conscription, human trafficking, and sexual exploitation in the Northern Triangle. Since 2005, in Honduras alone, murders of women and girls have increased by 346 percent, and murders of men and boys have grown by 292 percent.¹ The U.S. government has failed to recognize these trends as a refugee and humanitarian issue. Ahead of the Committee's hearing regarding the [Pueblo Sin Fronteras](#) caravan of 1,100 people fleeing violence in Central America, CWS urges Congress and the administration to recognize and uphold our moral and legal² obligations to welcome people seeking protection from persecution and violence.

The United States already has robust border security measures in place, spending more than \$18 billion on immigration enforcement per year, more than all other federal law enforcement agencies combined.³ This includes drones, mobile surveillance systems, video surveillance towers, 11,000 underground sensors, 700 miles of fencing, Blackhawk helicopters, and 18,127 border patrol agents at the southern border alone. The United States also has a rigid system for applying for asylum. International⁴ and domestic⁵ immigration laws have established numerous procedures to ensure the integrity of the U.S. asylum system, as well as important safeguards to prevent individuals from being returned into harm's way. Arriving asylum seekers are subject to mandatory biographic and biometric checks reviewed against various federal databases by well-trained fraud detection officers.

Upon arriving at the U.S. border, asylum seekers are placed in immigration detention pending a determination by an asylum officer regarding whether they have a credible fear of persecution as a result of their race, religion, nationality, political opinion, or membership in a particular social group. Those determined to lack a credible fear of persecution are subject to removal without further review. Individuals found to have a credible fear of persecution may be subject to detention while they await further consideration of their asylum claim by an immigration judge, or they may be released on a case-by-case basis by an Immigration and Customs Enforcement (ICE) determination that they do not pose a security or flight risk. Current law strictly prohibits granting asylum to any person who has engaged in terrorist activity or otherwise poses a threat to the security of the United States.

Due to the high standards and burden of proof, as well as the rigid process of the U.S. asylum system, the Department of Homeland Security (DHS) denies protection to many asylum seekers who are fleeing persecution. The DHS Office of Inspector General released a report in May 2015 that found that in some areas, Border Patrol refers individuals for criminal prosecution despite the fact that they have expressed fear of persecution.⁶ Border Patrol officials themselves indicated that the process for referral to prosecution did not take into account expressions of fear of persecution; individuals go through the U.S. court system and only after serving their prison sentences can they re-express a fear of persecution and then meet with an asylum officer to have their case heard. These practices violate existing U.S. law and treaty obligations and prevents legitimate and viable claims from moving forward.

In addition to preventing vulnerable populations from being considered for protection in the United States, DHS has also failed to address its existing [asylum backlog](#), with about 223,433 cases still awaiting adjudication at the end of 2016. There are approximately 72,000 asylum-seekers in detention, including families and children, in jail-like conditions with pending cases. A recent [report](#) by Human Rights First documents cases of asylum-seekers being turned away at ports of entry and details complaints that CBP officers are coercing individuals, including asylum seekers, to withdraw their applications for admission. Life-saving programs such as the Central American Minors (CAM) program have been [terminated](#), and there are approximately 6,000 children who have had their applications deleted, not even receiving an interview.

CWS encourages Congress to prioritize the protection of vulnerable individuals. Real solutions must address root causes, rather than escalating enforcement and preventing individuals from seeking safety. CWS is committed to working with

¹ Observatory of Citizen Security, La Violencia Contra Las Mujeres. 2012. <http://www.observatoriodeseguridadciudadanadelasmujeres.org/materiales/INFORME_VCM_C.A..pdf>; Washington Office of Latin America, Three Myths about Central American Migration to the United States. 2014.

<http://www.wola.org/commentary/3_myths_about_central_american_migration_to_the_us>.

² Article 14, The Universal Declaration of Human Rights. <www.un.org/en/documents/udhr/index.shtml#a14>; U.S. Code Title 8: Aliens and Nationality, Chapter 12: Immigration and Nationality, Section 1158: Asylum. <<http://uscode.house.gov>>.

³ *Immigration Enforcement in the United States: The Rise of a Formidable Machinery*. The Migration Policy Institute. <<http://www.migrationpolicy.org/pubs/enforcementpillars.pdf>>.

⁴ The Convention on the Rights of the Child, Articles 2, 3, 6 and 22. www.ohchr.org/en/professionalinterest/pages/crc.aspx; The Universal Declaration of Human Rights, Article 14.

www.un.org/en/documents/udhr/index.shtml#a14; United Nations General Assembly, Declaration on Territorial Asylum, 14 December 1967, A/RES/2312(XII).

www.refworld.org/docid/3b00f05a2c.html; United Nations High Commissioner for Refugees, A Framework for the Protection of Children www.unhcr.org/50f6cf0b9.html; United Nations High Commissioner for Refugees, Convention and Protocol Relating to the Status of Refugees. www.unhcr.org/3b66c2aa10.html.

⁵ Immigration and Nationality Act § 208, 8 U.S.C. § 1157.

⁶ DHS Office of Inspector General, *Streamline: Measuring Its Effect on Illegal Border Crossing*, OIG-15-95, 15 May 2015.

https://www.oig.dhs.gov/assets/Mgmt/2015/OIG_15-95_May15.pdf.



Congress and the administration to develop sustainable solutions to enhance the stability of the region and the protection of vulnerable populations.