

Good morning members of the Judiciary Committee. I am grateful for this opportunity to appear before you today.

My name is Melissa M. Lopez. I am the Executive Director of Estrella del Paso, formerly known as Diocesan Migrant & Refugee Services. I am an attorney who has spent my 17-year career working with and representing immigrants in immigration matters. Estrella del Paso is the largest provider of free legal services to immigrants in West Texas and New Mexico serving nearly 58,000 people in 2023. In my experience, immigrants come to the United States to contribute in positive ways – they make our communities more vibrant by sharing their culture, language, and traditions.

I was born and raised in El Paso, the child of immigrants from Mexico. Though born in Mexico, my parents are now naturalized United States citizens and have spent more years of their lives in the United States than Mexico. I graduated from the University of Texas at El Paso in 2004, then attended the University of Texas School of Law in Austin, Texas graduating in 2007. As much as I loved living in Austin, I knew that I would be returning to El Paso after law school. I was blessed to be hired at Estrella del Paso, and the rest, as they say, is history.

In my 17-year career, I have been blessed to work with thousands of immigrants from all over the world. My experience working with immigrants has taught me one special lesson: the only difference between me and my clients is where we were born. Had I been born just a few miles South of where I was, I would be them. It has been my experience that the people I am blessed to serve are simply trying to provide for their families and ensure they are safe. My mom always says that a parent's goal is to create a life that allows their children to do better financially than their parents did. I found this to be true in my clients. They walk well over 2,000 miles to ensure that their children are safe, can thrive and live a peaceful life where they can achieve their dreams. In truth, I am a prime example of what the children of immigrants can do. I am the first in my family to graduate college. I am the first in my family to obtain a professional degree. And I am the first in my family to become an attorney. I am who I am because I have seen my mom work hard and fight through adversity and have a grit that I wish I had just a little bit of.

I think that one of the biggest blessings of my life is being born and raised in El Paso. El Paso is a binational, bicultural community in Far West Texas that sits on the border between the United States and Juarez, Chihuahua, Mexico. El Paso is a community rich in love and culture. El Paso is an immigrant community. So many people are born in El Paso, but raised in Juarez, or vice versa, as was the case for my parents. El Paso is consistently ranked the safest city in the country – surpassed only by Honolulu, HI a few years here and there. El Paso is a safe city because we are an immigrant community. The worst crime committed against Hispanics was a mass shooting that occurred in El Paso on August 3, 2019. The perpetrator of that crime was a white supremacist born in the Dallas area who drove over 600 miles to massacre 23 people and injure

hundreds more at a Walmart in El Paso. He systematically sought out immigrants due to the dangerous rhetoric that all immigrants are bad. After the shooting, that killed both United States citizens and immigrants from Mexico and Germany, El Pasoans wrapped our arms around the survivors because that is who we are. El Paso, very simply, is love. We recognize, appreciate, and respect the humanity in every single person. We treat people with the dignity they deserve because at the end of the day, we are all human beings.

For many years, El Paso non-profit organizations have provided support and assistance to migrants, refugees, asylum seekers, victims of trafficking, and other migrants facing dangerous conditions. As the leader and representative of the largest legal service provider in our region, I can without a doubt state that most immigrants are law abiding people. When given lawful pathways to the United States, people follow those pathways. Currently few pathways exist for people fleeing for their lives. We are a nation of laws and our own law at 8 USC 1158 provides that any person regardless of their status and regardless of how they entered the country has a right to seek asylum, yet we have seen a concerning trend over the past several years to curtail this right. As such, we are deeply concerned for the safety and wellbeing of migrants and asylum-seekers who have become stranded on our border because of the migration policies that violate human rights and systematically violate the right to asylum. In my 17-year career, I have never been concerned about my safety or that of our team out of fear of harm by the immigrants we serve. In fact, we had to increase security for our team only after the 2019 massacre in El Paso out of fear that the harmful rhetoric that brought a white supremacist to El Paso would result in similar actions by others.

As El Pasoans, we respond with compassion and welcome. But cruel and inhumane actions and policies by the United States Border Patrol, the Texas Department of Public Safety (DPS), and local law enforcement have made it incredibly difficult for individuals fleeing violence and insecurity to live safely. We understand and appreciate law enforcement that is professional and responsible and focused on securing the El Paso community. However, we want to transition from security focused, punitive measures to a humanitarian approach to immigration.

El Paso has long been the testing ground for new and harshly punitive immigration policies, like family separation which began in El Paso in the summer of 2017 long before the Trump Administration publicly acknowledged the nationwide policy in April 2018. As a result, there is distrust by community groups and migrants of law enforcement agents who use violence to enforce inhumane policies. The current immigration situation is a by-product of the criminalization of migration at the border and the excessive investment in enforcement that comes with it. Harsh punitive deterrent policies simply do not work. What works is providing lawful pathways for people seeking refuge that both allow for people's safe passage to the United States while also allowing the United States to vet and know who is entering its borders.

As part of civil society in El Paso, we are doing our part to welcome and accompany those arriving in our community who seek the simplest of human needs: protection, safety, a warm meal, and a safe place to rest their heads. We provide kindness after their long and arduous journey to the United States. Yet, we face a lack of resources and a system that punishes organizations and volunteers seeking to help them. We also provide critical legal support. Despite the severe consequences of the outcome of an immigration legal case, immigrants are not afforded legal counsel at government expense. Instead, organizations like Estrella del Paso provide this critical resource. As an organization, we focus resources on those individuals without the money to hire an attorney. Despite serving nearly 58,000 people in 2023, we still turned away thousands more. Along with our partners at the Border Servant Corps and Las Americas Immigrant Advocacy Center, we run pro bono clinics to assist individuals eligible for work authorization to apply. We have seen that these welcoming efforts create a net positive not only for the immigrants to this nation but also to our community.

The coalition of immigration advocates in El Paso includes a wide variety of immigration advocates, including those providing shelter, legal services, and civil rights defense. We have direct contact with migrants and are tasked with helping them navigate day-to-day survival as well as an ever-more-complicated immigration landscape. However, we are often excluded from key conversations at every level. To address concerns at the border, it is critical that those involved in this work daily be consulted and involved in the process of developing policies, regulations, and laws. The realities of immigration on the Southern border cannot be understood by individuals who do not live that reality daily.

Congress must ensure real commitments and resources to provide asylum at the border and provide access to the immigration legal system. United States Citizenship and Immigration Services (USCIS) is constantly overwhelmed by the number of applications for benefits being submitted. As a result, immigrants are forced to wait years for a response on their case. As an organization, we submit thousands of applications every year. We receive approvals on most of the applications submitted and only a minimal number of denials every year. This means immigrants are forced to remain in limbo status for far too long.


Migrants on United States soil must be given an opportunity to apply for asylum and be paroled. Sending migrants to Mexico where they are preyed upon by cartels and smugglers is cruel, irresponsible, and unlawful. Deporting migrants to their home country and asking them to follow the new protocols for refugee applications is not practical. The actions of politicians have made migrants the scapegoats for all social and economic problems. Migrants, especially those from Latin America, Africa, and the Caribbean, who seek safety and protection are systematically prevented from applying for asylum as required by international law and our own laws. In the 1940s, the United States rejected thousands of European Jews returning them to Europe to be murdered in concentration camps. In the 1940s, we also saw thousands of Japanese Americans

interned in camps in the United States merely for being of Japanese descent. In the 2000s following the attack on 9/11, we saw persecution of Muslims across the United States. As a nation we should learn from history and not repeat our past mistakes of excluding immigrants. Instead, we should build upon successful programs where we have welcomed immigrants to the country. The United States welcoming of people from both Afghanistan and Ukraine occurred due to creative use of resources. Creativity is abundant when migrants are European, but migrants from Latin America, Africa, and the Caribbean are treated as criminals and that should not be the case.

CBPOne was created to allow individuals to enter through our Southern Border and seek asylum. As of the end of July 2024, only 1,450 people are processed per day across the Southern Border. This is but a small fraction of the people who have been stuck in Mexico since the start of the COVID pandemic waiting for the opportunity to enter the United States and seek asylum. Parole, and asylum with it, cannot be accessible only to the wealthy who have the necessary technology to use the application. Migrants and asylum-seekers should not be pushed to cross through dangerous and isolated regions between ports-of-entry, but instead they should be given meaningful channels for regular migration not subject to de-facto criminalization. For years we have tried failed approaches rooted in deterrence, we do not need more. Congress must focus on building new legal and rights-affirming pathways and abandon efforts to otherwise put greater restrictions and barriers on the asylum process.

We know the border can be a place of immense opportunity and that our communities embody America's great capacity for welcome and hospitality.

Sincerely,



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Executive Director/Attorney at Law



Estrella
del Paso

*A Catholic Legal Services Ministry for Migrants
(formerly Diocesan Migrant & Refugee Services)*