

# **ACTION ALERT: HELP IMMIGRANT AND REFUGEE CHILDREN**

June 1, 2001

For 120 years, HIAS has championed refugees and other vulnerable migrants, and has sought to provide protection and care during the difficult immigration process. At present, one of the most vulnerable groups of migrants is children who arrive unaccompanied in the United States. Please help these children by asking your Senators and Representatives to cosponsor the Unaccompanied Alien Child Protection Act of 2001 (S121/H.R. 1904).

## **Background**

Each year, the Immigration and Naturalization Service (INS) detains approximately 5,000 unaccompanied undocumented immigrant children, a majority being held in various types of detention facilities while they undergo removal or asylum proceedings. While some of these children are released within weeks, others are held for many months while their cases are processed. During their incarceration, some of these children are housed with violent juvenile offenders and suffer from isolation and disciplinary measures that include shackling and solitary confinement. HIAS' concern with the fate of these children has been heightened by our involvement with a number of cases in which minors were misclassified as adults and therefore wrongly detained in adult facilities. Other problems for children in INS custody include inadequate medical care, physical abuse, and threats of rape by other detainees.

The Unaccompanied Alien Child Protection Act is designed to address the needs of these vulnerable children. Among the provisions of this important legislation are measures to: create a new Office of Children's Services within the Department of Justice; establish minimum standards for the custody of unaccompanied alien children; ensure that unaccompanied alien children in immigration proceedings have access to appointed counsel and guardians *ad litem*; and strengthen opportunities for permanent protection of these children by revamping the Special Immigrant Juvenile Visa, requiring the Office of Children's Services to offer immigration training to officials involved in dependency proceedings, and permitting the Attorney General to waive certain grounds of inadmissibility and removal in compelling circumstances.

The bi-partisan Unaccompanied Alien Child Protection Act was introduced in the Senate by Senator Dianne Feinstein (D-CA), and is being cosponsored by Senators Lincoln Chaffee (R-RI), Bob Graham (D-FL) and Edward Kennedy (D-MA). In the House of Representatives, the legislation was introduced by Representative Zoe Lofgren (D-CA) and is cosponsored by Representative Chris Cannon (R-UT).

## **Action Requested**

**Please help build support for this important legislation by contacting your Senators and Representatives and asking them to sign on as cosponsors of this legislation.** A sample letter can be found below.

If you do not receive a response from your Senators and Representatives, please follow up by calling their office and asking to speak with the immigration aide. By expressing your concern through letters and phone calls, you can influence your Senators and Representatives to cosponsor this legislation and can help ensure that these vulnerable immigrant children are treated in a just manner befitting America's tradition as a compassionate nation built on the strength of immigration.

## **SAMPLE LETTER ON THE UNACCOMPANIED ALIEN CHILD PROTECTION ACT**

The Honorable [name]  
United States Senate  
Washington DC 20510

or

The Honorable [name]  
U.S. House of Representative  
Washington DC 20515

Re: The Unaccompanied Alien Child Protection Act of 2001 (S121 or H.R.1904)

Dear Senator or Congressman [name]

I am writing to ask you to co-sponsor the Unaccompanied Alien Child Protection Act (S121 or HR 1904). This bill offers protection to children who enter the United States unaccompanied by a parent or guardian, many of whom are asylum seekers who have been victims of persecution or have seen their family members persecuted. Others are the victims of traffickers or have been abused, neglected, and abandoned by their families causing them to seek safe haven here in the United States.

In 2000, nearly 5,000 of these children were placed in Immigration and Naturalization Service detention. Some spent weeks without speaking to anyone in his or her language. Shockingly, it is not unusual for these children to be handcuffed, shackled, or placed in solitary confinement while in INS custody. Because there is little access to legal assistance, these children may be denied asylum, and could be returned to their country of origin to once again endure human rights abuses.

The Unaccompanied Alien Child Protection Act addresses the needs of these vulnerable children. Among the provisions of this important legislation are measures to: create a new Office of Children's Services within the Department of Justice; establish minimum standards for the custody of unaccompanied alien children; ensure that unaccompanied alien children in immigration proceedings have access to appointed counsel and guardians *ad litem*; and strengthen opportunities for permanent protection by revamping the Special Immigrant Juvenile Visa, requiring the Office of Children's Services to offer immigration training to officials involved in dependency proceedings, and permitting the Attorney General to waive certain grounds of inadmissibility and removal in compelling circumstances.

In addition, the bill calls on the Executive Office for Immigration Review to adopt the INS's recently issued Guidelines for Children's Asylum Claims and would exempt children from expedited removal,

the filing deadline for applying for asylum, the safe-third country exceptions from asylum, and the stowaway exception of the Immigration and Nationality Act. These provisions offer greater hope that the United States will provide protection to children who arrive on our shores.

I firmly believe that children are the world's most precious resource. The Unaccompanied Alien Child Protection Act seeks to serve the best interests of these unaccompanied children. Please help by cosponsoring this vital legislation.

Sincerely,