



**Testimony for the Record of**

Kristyn Peck, Associate Director of Children's Services  
United States Conference of Catholic Bishops' Migration and Refugee Services  
On Behalf of the U.S. Conference of Catholic Bishops Committee on Migration

**For a Hearing of the**

House Judiciary Subcommittee on Immigration and Border Security

**Regarding**

"Another Surge of Illegal Immigrants Along the Southwest Border: Is this the Obama Administration's New Normal?"

2141 Rayburn House Office Building

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I would like to thank Chairman Gowdy, and Ranking Member Lofgren, and all of the members of the House Judiciary Subcommittee on Immigration and Border Security for the opportunity to share our findings, reflections, and recommendations regarding this special population of vulnerable children and families who are very close to the heart of the church.

I am Kristyn Peck, Associate Director of Children's Services for Migration and Refugee Services of the U.S. Conference of Catholic Bishops (MRS/USCCB). I oversee the Catholic Church's response to the treatment and care of unaccompanied children in the United States.

I am testifying today on behalf of the U.S. Conference of Catholic Bishops Committee on Migration to discuss the "surge" of migrants at our southwest border; our perspective that this is a refugee flow; and our recommendations for strengthening a humanitarian protection response. Our perspective, Mr. Chairman, is based on our experience in Central America, as well as our experience providing services to Central American children and families who are living in the United States. And our recommendations are rooted in Catholic Teaching principles, best practices in humanitarian law, and our experience as the largest refugee resettlement agency in the world.

I note that the protection of migrant children is an especially important issue for the Catholic Church, as one of Jesus' first experiences as an infant was to flee for his life from King Herod with his family to Egypt. Indeed, Jesus Himself was a child refugee fleeing violence just as many of the children from Central America are forced to flee today.

In order to address this situation with the compassion and humanity that it deserves, the USCCB Committee on Migration recommends that the United States Government – Strengthen avenues to international protection for these children and families; Address the root causes that compel children to leave their countries and seek protection; and Address the surge as refugee crisis requiring coordination of all branches of the U.S. government.

I address each of these recommendations in detail in my testimony.

In my testimony today, Mr. Chairman, you will hear directly from Central American families and children-- those who I met during an assessment trip to Central America, and from those served through our programs who continue to arrive to the United States seeking safety and protection.

## CATHOLIC SOCIAL TEACHING ON MIGRATION

I'd like to start with sharing principles of Catholic Social Teaching that guide our response to migrants and refugees. As you know, the Catholic Church is an immigrant, refugee church, with more than one-third of Catholics in the United States being of Hispanic origin and more than 58 ethnic groups from throughout the world. The Catholic Church has a long history of involvement in child protection and refugee and asylum protection, both in the advocacy arena and in welcoming and assimilating waves of immigrants, refugees, and asylum seekers who have helped build our nation. The Catholic Church's work in assisting unaccompanied migrant children and migrant families stems from the belief that every person is created in God's image. In the Old Testament, God calls upon his people to care for the alien because of their own alien experience: "So, you, too, must befriend the alien, for you were once aliens yourselves in the land of Egypt" (Deut. 10:17-19). In the New

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Testament, the image of the migrant is grounded in the life and teachings of Jesus Christ. In his own life and work, Jesus identified himself with newcomers and with other marginalized persons in a special way: “I was a stranger and you welcomed me.” (Mt. 25:35). Jesus himself was an itinerant preacher without a home of his own, and as noted above, he was a child migrant fleeing to Egypt to avoid violence, persecution, and death. (Mt. 2:15).

In modern times, popes over the last 100 years have developed the Church’s teaching on migration. Pope Pius XII reaffirmed the Church’s commitment to caring for pilgrims, aliens, exiles, and migrants of every kind, affirming that all peoples have the right to conditions worthy of human life and, if these conditions are not present, the right to migrate.<sup>1</sup> Pope John Paul II stated that there is a need to balance the rights of nations to control their borders with basic human rights, including the right to work: “Interdependence must be transformed into solidarity based upon the principle that the goods of creation are meant for all.”<sup>2</sup> In his pastoral statement, *Ecclesia in America*, John Paul II reaffirmed the rights of migrants and their families and the need for respecting human dignity, “even in cases of non-legal immigration.”<sup>3</sup> Finally, Pope Francis, in his speech to the Joint Session of the United States Congress, referred to the flow of Central American migrants to the United States, “On this continent, too, thousands of persons are led to travel north in search of a better life for themselves and for their loved ones,” and implored us to “not be taken aback by their numbers, but rather view them as persons, seeing their faces and listening to their stories, trying to respond as best we can to their situation. To respond in a way which is always humane, just and fraternal.”<sup>4</sup>

In their joint pastoral letter, *Strangers No Longer: Together on the Journey of Hope*, A Pastoral Letter Concerning Migration, January 23, 2003 (*Strangers No Longer*), the U.S. and Mexican Catholic bishops further define Church teaching on migration, calling for nations to work toward a “globalization of solidarity.”<sup>5</sup> In *Strangers No Longer*, the bishops stressed that vulnerable immigrant populations, including unaccompanied children and refugees, should be afforded protection. To this end, the bishops noted that unaccompanied children, due to their heightened vulnerability, require special consideration and care. *Strangers No Longer* also addresses the importance of families and notes that humanitarian considerations for families should also be a priority when considering migration issues.<sup>6</sup>

Mr. Chairman, the Catholic Church’s work in assisting unaccompanied migrant children stems from the belief that every person has a unique and sacred dignity. This dignity is not bestowed by governments or by laws or based upon their wealth or where they happen to be born. It is inherent within the human being. We seek to be consistent in acknowledging the implications of this, namely that from the time we come to be in our mother’s womb until the moment our life comes to an end we are deserving of

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1 Pope Pius XII, *Exsul Familia* (On the Spiritual Care of Migrants), September, 1952.

2 Pope John Paul II, *Sollicitudo Rei Socialis*, (On Social Concern), December 30, 1987, No. 39.

3 Pope John Paul II, *Ecclesia in America* (The Church in America), January 22, 1999, no. 65.

4 Pope Francis, Visit to the Joint Session of the United States Congress, Address of the Holy Father, September 24, 2015, retrieved on January 22, 2016 from [http://w2.vatican.va/content/francesco/en/speeches/2015/september/documents/papa-francesco\\_20150924\\_usa-us-congress.html](http://w2.vatican.va/content/francesco/en/speeches/2015/september/documents/papa-francesco_20150924_usa-us-congress.html)

5 *Strangers No Longer, Together on the Journey of Hope*, Pastoral Statement Concerning Migration from the US and Mexican Catholic Bishops, ¶182 January 2003.

6 *Strangers No Longer Together on The Journey of Hope*, Pastoral Statement Concerning Migration from the US and Mexican Catholic Bishops, January 2003.

respect and care. This is true of the unborn child, the person with disabilities, the immigrant, the prisoner, and the sick. The more vulnerable and weak a person is the more they are deserving of our love. This we understand to be the mark of the Christian and of a healthy society.

For these reasons, while the Catholic Church recognizes governments' sovereign right to control and protect the border, we hold a strong and pervasive pastoral interest in the welfare of migrants, including unaccompanied children, and welcome newcomers from all lands. The current forced migration continuum of unaccompanied children and families traveling through Mexico and Central America and towards the U.S.-Mexico border, often at the hands of ruthless human smugglers and traffickers, frequently leads to severe traumatization and exploitation of children, violence, family separation, maltreatment and even death and must be closely examined. While briefly describing the need to address the root causes propelling children to migrate alone, the need to implement prevention and alternative to migration programs in the home country and in transit countries, I will conclude with recommendations for a comprehensive response to this humanitarian crisis.

## THE CATHOLIC RESPONSE AND CARE FOR UNACCOMPANIED CHILDREN

Inspired by the principles of Catholic Social Teaching, the vision of MRS/USCCB is “creating a world where immigrants, refugees, migrants, and people on the move are treated with dignity, respect, welcome, and belonging.”<sup>7</sup> USCCB has been a leader in the protection of and advocacy for refugees and immigrants and the institutional Catholic Church in the United States has played a critical role in the resettlement of refugees and the care of unaccompanied refugee and at-risk children. By virtue of our mission, organizational structure, and geographical reach, the U.S. Catholic Church early on has assumed a strong leadership role in the treatment and service of refugees and unaccompanied children. In the last several years, we have continued to urge a comprehensive protection approach to this regional, humanitarian crisis not only by the United States but also by El Salvador, Honduras, Guatemala, and Mexico.

Through its partnerships with more than 80 Catholic Charities across the country, MRS/USCCB is the largest refugee resettlement agency in the United States, resettling one million of the three million refugees who have come to our country since 1975.

Since 1994, USCCB has operated the Safe Passages program. This program serves children who arrive alone to the United States, who are apprehended by Department of Homeland Security (DHS) and placed in the custody and care of the Office of Refugee Resettlement (ORR), within the Department of Health and Human Services (HHS). Through cooperative agreements with HHS/ORR, and in collaboration with more than 225 community-based social service agencies, the program provides short-term and long-term foster care to unaccompanied children in HHS/ORR custody, home studies of sponsors prior to the release of children, and post-release services to children released from HHS/ORR custody to their families. Services received by children served in the Safe Passages foster care programs through our cooperative agreement with HHS/ORR include food, a safe placement with a foster family licensed by the state, clothing, medical and mental health screening and care, and education, provided by the foster care agencies on-site. In fiscal years 2011—2015 (October 1st, 2010– September 30, 2015), the USCCB/MRS Safe Passages program served 9,205 youth who arrived as unaccompanied children—6,351 through its Family Reunification Program and 1,846 through its foster care programs. USCCB/MRS's Safe

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<sup>7</sup> USCCB, Migration and Refugee Services, “About Us,” retrieved on January 24, 2016 from <http://www.usccb.org/about/migration-and-refugee-services/>

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Passages also provided direct legal representation for 1,008 children released from HHS/ORR custody and Child Advocacy services for 190 of these children. We are also one of only two agencies authorized by the Department of State to place unaccompanied refugee minors in a specialized foster care program called the URM program.

The Catholic Legal Immigration Network, Inc. (CLINIC), a sister agency of USCCB, supports a rapidly growing network of church and community-based immigration legal service programs. CLINIC's network now consists of over 212 member organizations serving immigrants and their families, including asylum seekers and unaccompanied children, in over 300 offices. CLINIC member organizations across the United States provide legal services and representation to many of these at-risk children after their arrival. Some of the children qualify for asylum protection, some for visas as abused, abandoned, and neglected children, and others as victims of trafficking or of serious crimes.

Catholic Relief Services (CRS) is the official international humanitarian agency of the Catholic Bishops in the United States. CRS does outreach to over 85 million people in 101 countries on five continents, including extensive outreach in Central America and Mexico. CRS has worked extensively on prevention programs in the Northern Triangle, most notably El Salvador. Through its Youth Builders project, CRS (El Salvador) and its partners provide at-risk youth with peer support, vocational and entrepreneurial training, job-placement, life skills and leadership development, and community service opportunities. This project targets youth who are at risk of unemployment, of violence—as victims and as perpetrators—and of forced migration. CRS, in partnership with Caritas International, strengthens diocesan programs to work with at-risk youth through a network of community and government agencies. Through these projects, CRS has served more than 4,000 young people.<sup>8</sup>

In the last year, USCCB and the other eight refugee resettlement agencies in the United States have begun to work with the U.S. Department of State and the Department of Homeland Security to help make CAM<sup>9</sup>, an in-country resettlement processing program in El Salvador, Honduras, and Guatemala, a successful refugee and child-protection program. USCCB's work on this is being done in collaboration with Catholic Charities affiliates and CLINIC partners across the country. And in the last month, USCCB and the other resettlement agencies have begun providing feedback to the U.S. government on its plan to begin a refugee resettlement program for Central Americans from Guatemala, Honduras, and El Salvador.

## **A REFUGEE CRISIS: THE FLOW OF CENTRAL AMERICAN CHILDREN AND FAMILIES TO THE UNITED STATES**

As I've demonstrated, Mr. Chairman, MRS/USCCB, CLINIC, and CRS have an extensive and comprehensive history of service to children and families from Central America, and have reported our observations, findings, and concerns about what appeared to be an emerging refugee crisis and what we now see as a refugee crisis for the past several years. We began to see a changing demographic and

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<sup>8</sup> Catholic Relief Services, CRS in Central America, South America & the Caribbean, retrieved on January 22, 2016 from <http://www.crs.org/our-work-overseas/where-we-work/central-america-south-america-caribbean>

<sup>9</sup> U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS), "In-Country Refugee/Parole Processing for Minors in Honduras, El Salvador and Guatemala (Central American Minors – CAM)" retrieved on January 25, 2016 from <https://www.uscis.gov/CAM>

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narrative amongst the Unaccompanied Alien Children (UAC)<sup>10</sup> served in our programs beginning in 2010, which we documented in a study of 98 UAC served through our foster care programs from Fiscal Year 2008—Fiscal Year 2011, of which the results were published in December 2012.<sup>11</sup> Among the findings include telling characteristics of a refugee flow—we saw more girls traveling alone than in years past (the number more than doubled from FY 2009 to FY 2010)<sup>12</sup>; more children reporting fleeing violence in their home country as motivating their migration (by FY 2010, more than 50 percent)<sup>13</sup>; and increasingly complex trauma histories (about 85 percent of children reported having some type of traumatic experience prior to entering HHS/ORR custody)<sup>14</sup>.

Coinciding with these findings, the United States reported an unprecedented increase in the number of UAC arriving to the United States. In Fiscal Year 2012 (October 1, 2011 – September 30, 2012), the number of UAC referrals to HHS/ORR, the federal agency charged with the custody and care of UAC until they are reunified with families, nearly doubled from previous years, with a total of 13,625. That number has continued to increase—“since FY2012, the program has received 24,668 UC referrals from DHS in FY2013, 57,496 referrals in FY 2014 and 33,726 referrals in FY2015.”<sup>15</sup> These children come from all over the world but predominately from Guatemala, El Salvador, Honduras and Mexico (in FY 2015, (17%); Guatemala (45%); El Salvador (29%); Mexico (6%), and Other Countries (3%).”<sup>16</sup>

In November 2013, a delegation of the USCCB/MRS, under the leadership of Bishop Mark Seitz of El Paso and of which I was a member, embarked on a fact-finding mission to southern Mexico, El Salvador, Guatemala, and Honduras to examine and understand the flight of unaccompanied children and youth from the region and to stand in solidarity with these children and their families. In January 2014, we issued our findings from the trip in a report entitled, USCCB: Mission to Central America: Flight of the

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10 Homeland Security Act of 2002, Pub. L. 107-296 §462(g), 116 Stat. 2135, 2205 (2002). “A UAC ‘(A) has no lawful status in the US, (B) has not attained 18 years of age, (C) with respect to whom- (i) there is no parent or legal guardian in the United States; or (ii) no parent or legal guardian in the United States is available to provide care and physical custody.”

11 U.S. Conference of Catholic Bishops/Migration and Refugee Services, “The Changing Face of the Unaccompanied Alien Child: A Portrait of Foreign-Born Children in Federal Foster Care and How to Best Meet Their Needs”, December 2012, retrieved on January 24, 2016 from [http://www.usccb.org/about/children-and-migration/unaccompanied-refugee-minor-program/upload/A-Portrait-of-Foreign-Born-Children-in-Federal-Foster-Care-and-How-to-Best-Meet-Their-Needs\\_USCCB-December-2012.pdf](http://www.usccb.org/about/children-and-migration/unaccompanied-refugee-minor-program/upload/A-Portrait-of-Foreign-Born-Children-in-Federal-Foster-Care-and-How-to-Best-Meet-Their-Needs_USCCB-December-2012.pdf)

12 U.S. Conference of Catholic Bishops/Migration and Refugee Services, “The Changing Face of the Unaccompanied Alien Child: A Portrait of Foreign-Born Children in Federal Foster Care and How to Best Meet Their Needs”, pg. (i), December 2012, retrieved on January 24, 2016 from [http://www.usccb.org/about/children-and-migration/unaccompanied-refugee-minor-program/upload/A-Portrait-of-Foreign-Born-Children-in-Federal-Foster-Care-and-How-to-Best-Meet-Their-Needs\\_USCCB-December-2012.pdf](http://www.usccb.org/about/children-and-migration/unaccompanied-refugee-minor-program/upload/A-Portrait-of-Foreign-Born-Children-in-Federal-Foster-Care-and-How-to-Best-Meet-Their-Needs_USCCB-December-2012.pdf)

13 U.S. Conference of Catholic Bishops/Migration and Refugee Services, “The Changing Face of the Unaccompanied Alien Child: A Portrait of Foreign-Born Children in Federal Foster Care and How to Best Meet Their Needs”, pg. 7, December 2012, retrieved on January 24, 2016 from [http://www.usccb.org/about/children-and-migration/unaccompanied-refugee-minor-program/upload/A-Portrait-of-Foreign-Born-Children-in-Federal-Foster-Care-and-How-to-Best-Meet-Their-Needs\\_USCCB-December-2012.pdf](http://www.usccb.org/about/children-and-migration/unaccompanied-refugee-minor-program/upload/A-Portrait-of-Foreign-Born-Children-in-Federal-Foster-Care-and-How-to-Best-Meet-Their-Needs_USCCB-December-2012.pdf)

14 U.S. Conference of Catholic Bishops/Migration and Refugee Services, “The Changing Face of the Unaccompanied Alien Child: A Portrait of Foreign-Born Children in Federal Foster Care and How to Best Meet Their Needs”, pg. 8, December 2012, retrieved on January 24, 2016 from [http://www.usccb.org/about/children-and-migration/unaccompanied-refugee-minor-program/upload/A-Portrait-of-Foreign-Born-Children-in-Federal-Foster-Care-and-How-to-Best-Meet-Their-Needs\\_USCCB-December-2012.pdf](http://www.usccb.org/about/children-and-migration/unaccompanied-refugee-minor-program/upload/A-Portrait-of-Foreign-Born-Children-in-Federal-Foster-Care-and-How-to-Best-Meet-Their-Needs_USCCB-December-2012.pdf)

15 U.S. Department of Health and Human Services, Administration for Children and Families, Office of Refugee Resettlement, “Unaccompanied Children Fact Sheet,” retrieved on January 24, 2016 from [https://www.acf.hhs.gov/sites/default/files/orr/orr\\_uc\\_updated\\_fact\\_sheet\\_1416.pdf](https://www.acf.hhs.gov/sites/default/files/orr/orr_uc_updated_fact_sheet_1416.pdf)

16 U.S. Department of Health and Human Services, Administration for Children and Families, Office of Refugee Resettlement, “Unaccompanied Children Fact Sheet,” retrieved on January 24, 2016 from [https://www.acf.hhs.gov/sites/default/files/orr/orr\\_uc\\_updated\\_fact\\_sheet\\_1416.pdf](https://www.acf.hhs.gov/sites/default/files/orr/orr_uc_updated_fact_sheet_1416.pdf)

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Unaccompanied Immigrant Children to the United States (USCCB Central America Report 2014).<sup>17</sup> Mr. Chairman, I ask that USCCB Central America Report 2014 be included in the hearing record.

While poverty and the desire to reunify with family to attain security are ongoing motivations to migrate, we found that that an overriding symbiotic trend has played a decisive and forceful role in recent years: violence in the home and at the community and state level. Coupled with a corresponding breakdown of the rule of law, the violence has threatened citizen security and created a culture of fear and hopelessness that has pushed children and families out of their communities and into forced transit situations.

Mr. Chairman, let me share with you an experience from the assessment trip that paints a clear picture of the hopelessness felt by parents who, despite all of their efforts to protect their children, feel as if they are unable to do so. The USCCB/MRS delegation met with grandmothers, mothers, and aunts of children who were returning from Mexico, where they had been apprehended by Mexican immigration authorities on their route to the United States at a center run by Salvadoran immigration authorities for returned migrants in November 2013. A staff psychologist provided an orientation on the dangers of journey and the women listened to statistics about the number of children raped, mugged, beaten and injured along the migration route from El Salvador to the United States. The room was heavy with their fear and their grief. When the psychologist left, the women, one by one, shared, with tears in their eyes, the stories motivating the flight of their children.

One mother of a 16 year-old-girl who had been repeatedly harassed by a neighborhood gang said, “I know it’s not the best solution, but what else can we do? We have no place to go.” She told us that when she tried to work from home, cutting hair so she could be with her daughter, the gangs demanded she pay “la renta”. Unable to make payments, she closed her business and began working in a nearby town, leaving her daughter vulnerable to harassment by the gangs while she was away from home. “It’s an intolerable situation,” she said. “I know the journey is dangerous, but it’s dangerous here.”

During the mission to Central America, we visited migrant children shelters and listened to children as young as six years old speak solemnly of trafficking and exploitation that was inflicted upon them along their migration journey. The corresponding report that came out of the mission acknowledged that a new paradigm regarding unaccompanied children is upon us; namely it is clear that unaccompanied children are facing new and increased dangers and insecurity in their home countries and are fleeing in response. As a result, this phenomenon requires a regional and holistic solution rooted in humanitarian protection and child welfare principles. Since our mission and report issuance, many of the humanitarian challenges facing this vulnerable population have persisted and increased.

These are children like Ana, a 16-year old girl from Honduras who came to the United States when she was 15-years old and for whom MRS/USCCB is providing family reunification services. Ana was abandoned by her father and suffered physical abuse by an uncle while she was living with her grandparents in Honduras. She was raped, became pregnant as a result, and soon after she fled the country seeking safety in the United States. During her journey, she was kidnapped by the Zetas in Mexico, during which time she was forced into prostitution and also forced to witness the decapitation

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<sup>17</sup> USCCB/MRS, “Mission to Central America: Flight of the Unaccompanied Immigrant Children to the United States”, January 2014, retrieved on January 24, 2016 from <http://www.usccb.org/about/migration-policy/upload/Mission-To-Central-America-FINAL-2.pdf>



of 10 children. She is currently living with her mother and working with an attorney to apply for immigration relief.

Mr. Chairman, the ongoing violence, leading to coercion and threats to the lives of citizens— particularly women and children—of Guatemala, Honduras, and El Salvador is the overwhelming factor propelling their migration. In fact, according to data from the UN Office on Drugs and Crime, Honduras ranks first, El Salvador fifth, and Guatemala sixth for rates of homicide globally.<sup>18</sup> Extortion, family abuse and instability, kidnapping, threats, and coercive and forcible recruitment of children into criminal activity perpetrated by transnational criminal organizations and gangs have become part of everyday life in these countries. In addition to the violence and abuse at the community and national level, transnational criminal organizations, such as the Mexican-based Zeta cartel, which deals in the smuggling and trafficking of humans, drugs, and weapons, operate in these countries and along the migration journey with impunity, and have expanded their influence throughout Central America.

The omnipresence of the violence, and the inability of the countries of the Northern Triangle to protect its citizens, prompted the United Nations High Commissioner for Refugees (UNHCR) to conduct a study in 2014 of 404 unaccompanied children in the United States who were from Mexico, Guatemala, Honduras, and El Salvador. Of the 404 children interviewed, UNHCR found that 58 percent “were forcibly displaced because they suffered or faced harms that indicated a potential or actual need for international protection.”<sup>19</sup> Many of these children would be eligible under U.S. immigration law as asylees or as Special Immigrant Juveniles who have been determined to be abused, abandoned, or neglected by a parent or legal guardian in their home country. Our immigration system also provides protection for those who have been recognized as meeting the federal definition of human trafficking. Although children traveling alone may be the more compelling population, it’s important to note that women are also particularly vulnerable. The UNHCR conducted a study in 2015 of 160 women from Guatemala, Honduras, and El Salvador who had been recognized by the U.S. government as refugees or as having a credible or reasonable fear of persecution or torture. “Sixty-four per cent of the women described being the targets of direct threats and attacks by members of criminal armed groups as at least one of the primary reasons for their flight. Women also described incidents in which gang members murdered or were responsible for the forced disappearance of a loved one (e.g. a child, partner, or other close relative).”<sup>20</sup> All of the women interviewed by UNHCR who reported that they made reports to law enforcement in their respective home countries indicated that there was no follow up.

I note that the increase in violence in Guatemala, Honduras and El Salvador forcing children and adults out of their homes is affecting the entire region, not just the United States. For example, since 2008 Mexico, Panama, Nicaragua, Costa Rica, and Belize—the countries surrounding the Northern Triangle

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18 UN Office on Drugs and Crime (UNODC), “Global Study on Homicide 2013”, March 2014, accessed on January 25, 2016 at [https://www.unodc.org/documents/gsh/pdfs/2014\\_GLOBAL\\_HOMICIDE\\_BOOK\\_web.pdf](https://www.unodc.org/documents/gsh/pdfs/2014_GLOBAL_HOMICIDE_BOOK_web.pdf)

19 The United Nations High Commissioner for Refugees (UNHCR), “Children on the Run: Unaccompanied Children Leaving Central America and Mexico and the Need for International Protection,” (Washington, DC: UNHCR, 2014), 6. 3

20 The United Nations High Commissioner for Refugees, “Women on the Run”, October 2015, pg. 4, retrieved on January 25, 2016 from <http://www.unhcr.org/5630f24c6.html>

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countries—“have seen the number of asylum applications from citizens fleeing the NTCA grow to nearly 13 times what it was in 2008.”<sup>21</sup>

Mr. Chairman, in our 2014 trip report we detail the increased violence against children and families in Central America. USCCB/MRS believes that a robust protection regime for persons fleeing violence must be implemented in Central America, Mexico, and the United States. We applaud the announcement by Secretary Kerry about increased in-country processing in Central America, and the implicit recognition in that announcement and plan that there is a refugee crisis in Central America. However, in-country processing is only one component of the need for a multi-pronged, comprehensive approach.

Based on information from Catholic partners in sending countries, and the stories told to us by children we serve, we see the following as reasons for the increased number of children forced to flee their homes and country to the United States and elsewhere:

- ❖ Violence perpetrated by organized transnational gangs, loosely-affiliated criminal imitators of gangs, and drug cartels, has permeated all aspects of life in Central America and is one of the primary factors driving the migration of children from the region. USCCB found that in each country—particularly Honduras and El Salvador—organized gangs have established themselves as an alternative, if not primary, authority in parts of the countries, particularly in rural areas and towns and cities outside the capitals. Gangs and local criminal actors operating in Honduras, El Salvador, and Guatemala have consolidated their bases of power, expanded and upgraded their criminal enterprises and honed their recruitment and terror tactics. In many cases, the governments are unable to prevent gang violence and intimidation of the general public, especially youth. USCCB heard accounts of gang members taking over public bus lines, infiltrating schools and forcing children to either join their ranks or risk violent retribution to them or their families. Even in prisons, incarcerated gang members are able to order violence against members of the community. There also were reports that law enforcement have collaborated with the gangs or at least have been lax in enforcing laws and prosecuting crimes. For example, according to Casa Alianza, an NGO that works in Honduras, 93 percent of crimes perpetrated against youth in Honduras go unpunished.<sup>22</sup> The mothers of these children are often faced with an unspeakable choice—either send their child away to find safety in another country, usually with a smuggler on a dangerous journey, or risk having their child and family killed. As one mother in El Salvador told Bishop Seitz on our assessment trip, “I would rather my child die on the journey north than on my front doorsteps.”
- ❖ Localized violence has severely exacerbated the lack of economic and educational opportunities for youth and has led to stress on the family unit, family breakdown, and even domestic abuse, which leaves children unprotected and extremely vulnerable. The escalation in violence, combined with the lack of jobs and quality education, has led to a breakdown in the family unit, as male heads of households—or sometimes both parents—have left the country, leaving children behind with relatives, often grandparents. Children who have parents working abroad are especially vulnerable to community violence and forced migration as they can become targets for gang extortion—the so-called “renta”—due to the perceived or actual remittances they may receive. Additionally, as children enter teenage years and are increasingly at risk for victimization or recruitment by gangs, it

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21 United Nations High Commissioner for Refugees, “Women on the Run”, October 2015, pg. 2, retrieved on January 24, 2016 from <http://www.unhcr.org/5630f24c6.html>

22 Interview with Casa Alianza (Covenant House) Honduras, Tegucigalpa, Honduras, November 20, 2013.

becomes increasingly difficult for their relatives, especially elderly grandparents, to protect them. Schools no longer function as social institutions that offer a respite from the violence and instead have become de facto gang recruitment grounds.<sup>23</sup> As a result of being targeted because of their family situation or perceived wealth, children flee, as a strategy to escape the gangs, to help support the family, and to reunify with their parents or other loved ones, many of whom have been separated for years.

One of many examples of a youth served by USCCB/MRS who fled gang violence is the story of Juan.<sup>24</sup> Juan, a 17-year-old from El Salvador, was served by the USCCB/MRS Child Advocate program in 2015. Juan reported that was intimidated and threatened by a MS-13 gang member starting when he was 15-years-old. Juan said there were repeated attempts by the gang member to recruit him, and that one night, he received a phone call requesting that he meet the gang at the river bank at midnight. Juan said he did not show up and that the gang members knew where he lived and loitered around his home.

Shortly after, Juan shared that when he was coming home from watching a game, he was intercepted by six gangsters who questioned him for not showing up to the appointment at the river bank. Juan reported he was told he was “in trouble” for not showing up to the meeting and he was going to be “eliminated” if seen outside. Juan stated he became extremely nervous and terrorized, he feared for his life and as a result he had no choice but to stay indoors to avoid being seen by the gang members. Juan reported that gangsters continued to gather around his house on a daily basis and that’s why he fled to the United States. Juan stated that after he migrated to the United States, gangsters continue to intimidate his family in El Salvador and keep asking his mother for his whereabouts. Juan stated that his friend from El Salvador was recently assassinated by MS-13 gang members in September after refusing to join them.

Make no mistake about it, Mr. Chairman. While some have portrayed the increased number of children and families from Central American who have sought to enter the United States as a migration event that is motivated purely by economic or family reunification forces, the fact is that the majority of these families and children are either refugees or have other compelling protection needs. Moreover, while some have erroneously tied the increased number of arrivals to the Administration’s Deferred Action for Childhood Arrivals (DACA) program, there is, in fact no relationship between the two. As I have demonstrated earlier, the increased number of Central American arrivals began before the announcement of DACA. And other countries in the Latin American region that do not have a DACA-like programs have experienced dramatic increases in the number of Central American children fleeing to them to seek protection within their borders.

## RECOMMENDATIONS FOR A COMPREHENSIVE HUMANITARIAN PROTECTION RESPONSE

Mr. Chairman, we commend the President and Congress for exhibiting bipartisan support for this vulnerable population by increasing funding for reception and placement services for unaccompanied children from Central America, as the number of children arriving to the United States has risen and remained high since FY2012. The long-term solution to the crisis is to address the push factors in Central

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<sup>23</sup> Citizen Security with a Human Face: Evidence and Proposals for Latin America, Summary Regional Human Development Report 2013-2014, UNDP, November 2013, at 8.

<sup>24</sup> Name of the child has been changed to protect his identity.

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America that drive minors north. These would include improvements in education, employment, and citizen protection, for sure, but also improvements in the social service and child protection systems. Meanwhile, we need to ensure those who are fleeing violence have meaningful access to protection.

Mr. Chairman, in my testimony today, I recommend that Congress:

## Recommendation 1: Strengthen avenues to international protection

### a) Conduct Best Interest Assessments and Best Interest Determinations

Identification of children in need of protection poses a challenge in countries such as Guatemala, Honduras, and El Salvador where child protection systems are lacking or under resourced. The result is that children who are in need of protection are not proactively identified, resulting in harm, sexual assault or rape, recruitment into criminal organizations, and in the worst cases, death. Children who are unable to access protection may take upon themselves pursuit of protective measures and migrate to the United States in what is often a perilous journey with uncertain consequences and results.

UNHCR has a key role to play in the identification and protection of displaced Central American children. “Finding durable solutions that end displacement is at the core of UNHCR’s mandate” [Field Handbook, p. 51].<sup>25</sup> The 2012 UNHCR Framework for the Protection of Children<sup>26</sup> offers a concrete strategy for refugee and other displaced children, including both accompanied and unaccompanied children. The UNHCR Framework utilizes the best interest of the child as a guiding principle in all actions involving children and includes in its recommendations mapping protection needs of children, implementing Best Interest Determinations (BIDs), and strengthening comprehensive child welfare systems as crucial strategies for ensuring the best interest of the child. “A ‘best interests determination’ (BID) describes the formal process with strict procedural safeguards designed to determine the child’s best interests for particularly important decisions affecting the child. It should facilitate adequate child participation without discrimination, involve decision-makers with relevant areas of expertise, and balance all relevant factors in order to assess the best option.”<sup>27</sup>

Recognizing that the current child protection capacity in El Salvador, Guatemala, and Honduras is seriously lacking, MRS/USCCB recommends that the Department of State partner with UNHCR and Central American governments and international NGOs with expertise in the intersection of child welfare and migration, to identify children in need of immediate protection through Best Interest Assessments, ensure immediate needs are addressed through referrals to local governmental and nongovernmental service providers, identify long-term durable solutions through BIDs, and refer children who are in need of international protection to the in-country refugee processing program for referral for resettlement. Support for UNHCR referrals for resettlement can be found in its field handbook— “UNHCR may submit refugees for resettlement consideration based on a number of criteria, such as legal and physical protection needs or medical needs, and several criteria have been

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25 UNHCR, “Field Handbook for the Implementation of UNHCR BID Guidelines,” (Geneva, Switzerland: UNHCR 2011), p. 51.

26 UNHCR, “A Framework for the Protection of Children,” (Geneva, Switzerland: UNHCR, 2012).

27 UNHCR, “BID Guidelines,” (Geneva, Switzerland: UNHCR 2008), p. 8.

established specifically for children, including “Children and Adolescents”, “Family Reunification”, and “Women (and Girls) at Risk”.<sup>28</sup>

## b) In-country processing

MRS/USCCB applauds Secretary Kerry’s announcement that the United States will expand the U.S. Refugee Admissions Program (USRAP) to, in collaboration with the UNHCR, identify persons from Guatemala, Honduras, and El Salvador who are in need of international protection as a refugee.<sup>29</sup> MRS/USCCB recommended the use of in-country processing in Central America in our report on our fact-finding mission to Central America and has advocated since that what is occurring in Central America is a refugee crisis requiring an international protection response. In-country processing is a standard protection mechanism nearly as old as the Refugee Act of 1980 and is an accepted practice within refugee and humanitarian law. The United States has conducted successful in-country processing programs in such nations as Vietnam, the former Soviet Union, and Cuba.

As one prong of a multi-pronged approach to protection, in-country processing, when fully implemented, has several goals consistent with our national interests. First, it provides an alternate avenue for children and families in peril to reach safety in the United States, instead of taking the dangerous journey north. This helps honor our humanitarian obligations, consistent with domestic and international law, and reduces the number of children and families fleeing and arriving at our southern border. Second, it weakens the smuggling networks that prey upon these children and families, taking away their market, and reduces the chances that migrants become victims of human trafficking.

Third, it helps manage the flow of Central American migrants as one part of a broader strategy to address this challenging issue.

Thoughtful attention to the context and special needs of these children and their families and judicious use of necessary resources will help to achieve the important goals of the program. Considerations include:

- ❖ Continue the use of and improvement of the Central American Minors Program (CAM), the in-country processing program in El Salvador, Honduras, and Guatemala established by the Bureau of Population, Refugees, and Migration of the U.S. Department of State (PRM/USDOS) for the provisions of providing safe and efficient processing of unaccompanied children in Central America. MRS/USCCB notes some concerns with the CAM program that need addressing— notably, that some eligible children may choose not to apply for CAM because of the immediate risks they face that do not allow them to wait out the resettlement process. Other children may qualify but their parent is not aware of the program or faces barriers to apply. There are likely to be an even greater number of children and youth who need protection from violence and persecution who will not even qualify to apply – by virtue of the fact that either they do not have a parent in the United States or their parent in the United States does not have legal status as identified by the CAM program. These children should be considered for in-country processing through the newly announced refugee program.

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<sup>28</sup> UNHCR, “Field Handbook for the Implementation of UNHCR BID Guidelines,” p. 57.

<sup>29</sup> U.S. Department of State, “Refugee Resettlement in the United States: Fact Sheet,” January 13, 2016, retrieved on January 25, 2016 from <http://www.state.gov/r/pa/prs/ps/2016/01/251176.htm>

- ❖ Assure access to in-country processing—through the new refugee program and CAM. This requires outreach and education in Guatemala, Honduras, and El Salvador to ensure that persons who may qualify for in-country processing are aware of the program, and in the United States to ensure that qualifying parents are aware of the application process for their children. The application process needs to be understandable and children and families need to have safe, physical access to the process. Particular care must be paid to facilitate access for Mayan persons who may not understand or speak Spanish, may be illiterate in their Mayan language, and may live in rural areas far from city centers.
- ❖ Ensure safety during the application and interview process—for the refugee in country processing program and CAM. This requires that the applicants be protected from their persecutors, and special consideration given due to the fact that their vulnerabilities may be heightened if the persecutors become aware of their being processed as refugees. It needs to be as streamlined as possible both for the sake of program accessibility but also so that refugees are in danger for as short a time as possible during the pendency of the process. As necessary for their safety, staff needs to have the capability of evacuating children and other vulnerable groups from imminent danger. Regional cooperation is needed, as well as partnerships with the UNHCR, NGOs, and civil society institutions to ensure safe spaces, emergency transit mechanisms, and adequate service response to immediate protection needs.

### c) Ensure Access to Asylum

The U.S. Government and UNHCR have recognized that we have a serious refugee crisis in Central America. The seriousness of the crisis and the dire needs of the refugees require a multi-pronged approach with multiple avenues to protection. One such avenue is the right of a person to flee their country spontaneously to seek asylum, as enshrined in international law and U.S. domestic law. MRS/USCCB would condemn any efforts by the U.S. government to restrict access to asylum or make asylum standards more stringent, deny or limit access to due process, deport children and families before ensuring they had a fair and reasonable opportunity to petition for asylum with support of an attorney, or encourage and support increased interdictions of Central American families and children arriving in Mexico before they have had meaningful access to asylum proceedings.

The Administration, as a part of their response to the humanitarian crisis of unaccompanied children arriving at our nation’s borders in 2014, noted their plans to work with Mexican and Central American governments “to improve the ability of Mexico and Guatemala to interdict migrants.”<sup>30</sup> Following this announcement, numbers of children and families arriving to the U.S. borders began decreasing, and reports of interception, detention, and summary deportation from neighboring Central American countries and Mexico and from other transit countries began increasing. In fact, in June 2015, the Washington Office on Latin America (WOLA) reported that interdictions and detention of Central Americans by Mexico between October 2014—April 2015 (92,889) had surpassed interdictions by U.S. Customs and Border Protection (CBP) during the same timeframe

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<sup>30</sup> The White House, “U.S. Response to Central American Migrants at Southwest Border,” August 2014, retrieved on January 25, 2016 from <http://iipdigital.usembassy.gov/st/english/texttrans/2014/08/20140802304773.html?CP.rss=true#ixzz3yHcSIXTc>

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(70,448).<sup>31</sup> It is important to note that Mexico has a dismal human rights record<sup>32</sup>, so it is unlikely the government is guaranteeing the rights of these foreign children.

The United States must exercise its leadership, diplomacy, and moral authority to ensure that child asylum seekers are identified, anywhere they may be in the region, screened appropriately, granted access to fair and efficient asylum procedures and other internationally acceptable child protection procedures, and that they are not returned to harm from the same countries which they are fleeing. The United States, in particular, has a responsibility to ensure that its own policies and aid to Mexico, Central American countries, and other countries in the region do not contribute to the problem of interception and therefore indirectly involve the United States in refoulement. There must be more transparency with regard to U.S. involvement in interception practices.

#### d) Protection for victims of human trafficking

MRS/USCCB has advocated for years for implementation of a PRM/DOS pilot in Mexico, pursuant to Section 104 of the Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA 08), which allows for the expeditious processing of human trafficking victims to the United States. Sec. 104 of the TVPRA 08 amends Sec. 107 (a) of the TVPA 2000<sup>33</sup> to require the “Secretary of State and the Administrator of the United States Agency for international development” to “establish and carry out initiatives in foreign countries” “in cooperation and coordination with relevant organizations, such as the United Nations High Commissioner for Refugees, the International Organization for Migration, and private nongovernmental organizations...for--(i) increased protections for refugees and internally displaced persons, including outreach and education efforts to prevent such refugees and internally displaced persons from being exploited by traffickers; and (ii) performance of best interest determinations for unaccompanied and separated children who come to the attention of the United Nations High Commissioner for Refugees, its partner organizations, or any organization that contracts with the Department of State in order to identify child trafficking victims and to assist their safe integration, reintegration, and resettlement.”<sup>34</sup>

Currently, there is no systemic way to identify children who have been trafficked or are at risk of being trafficked, and without a BID, the fate of children who were trafficked or at risk of being trafficked consists of repatriation to their country of origin, often sending them back into the hands of the traffickers.

## Recommendation 2: Address Root Causes

Mr. Chairman, I have suggested solutions for increasing the protection of Central Americans who meet the refugee definition, who are seeking asylum, and who are victims of trafficking. However, ultimately, our goal is to eradicate the root causes of migration in Central America compelling

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31 Washington Office on Latin America, “Mexico Now Detains More Central American Migrants than the United States,” June 2015, retrieved on January 25, 2016 from [http://www.wola.org/news/mexico\\_now\\_detains\\_more\\_central\\_american\\_migrants\\_than\\_the\\_united\\_states](http://www.wola.org/news/mexico_now_detains_more_central_american_migrants_than_the_united_states)

32 U.S. Department of State, “Mexico 2014 Human Rights Report,” retrieved on January 25, 2016 from <http://www.state.gov/documents/organization/236914.pdf>

33 106th Congress, “Victims of Trafficking and Violence Protection Act of 2000”, October 2000, Sec. 107, retrieved on January 25, 2016 from <http://www.state.gov/documents/organization/10492.pdf>

34 110th Congress, “William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008,” January 2008, Sec. 104, retrieved on January 25, 2016 from <http://www.state.gov/j/tip/laws/113178.htm>

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people to flee, such as violence from non-state actors in countries of origin and a lack of citizen security and adequate child protection mechanisms, and to invest in seeking and supporting innovative home country solutions that enable children and families to remain and develop safely and with opportunity in their home countries.

#### **a.) Repatriation and Reintegration Programs**

The United States should invest in repatriation and re-integration in sending countries for children returning from the United States and Mexico to provide follow-up services to help them readjust to life in their home country. A program operated by Kids in Need of Defense (KIND) in Guatemala is showing promising results and should be expanded and duplicated throughout the region.<sup>35</sup>

#### **b.) Prevention Programs**

The United States should invest in prevention programs in sending countries. Other than programs provided by Catholic Relief Services and other NGOs, there are little to no programs in source countries to encourage youth to remain and not take the journey north. Such a program would include skill-based training and employment services. Catholic Relief Services operates Youth Builders, a program previously mentioned in my testimony which has helped youth remain at home and live productive lives.<sup>36</sup>

#### **c.) Anti-violence efforts**

Anti-violence efforts should include stakeholders from government, civil society, private sector, churches and international donors in order to effectively leverage limited resources and should include job and educational opportunities and training programs. Anti-violence prevention measures should be tackled at regional and local community levels in addition to national levels. Including key local stakeholders and engaging regional governmental bodies and actors is a vital part of prevention efforts. Additionally, prevention efforts must include systematic training and educational programs in order to fully offer meaningful opportunities for gang members in society once they leave the gang.

Over the long-term, all governments of the region, including the United States, must invest resources into examining and effectively addressing root causes of migration in Central America and Mexico. This would address the lack of citizen security which is propelling individuals, especially women and children, to flee. The United States and its regional partners must avoid simplistic enforcement-only approaches.

### **Recommendation 3: Address the surge of Central Americans as a Refugee Crisis requiring cooperation from all branches of the U.S. government**

MRS/USCCB urges continued cooperation and collaboration between all relevant U.S. agencies to address this regional, humanitarian challenge-- the Department of Health and Human Services' ORR and its parent entity, the Administration for Children and Families domestic child welfare division; from DOS involve PRM, Western Hemispheric Affairs, and the Agency for International

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35 Kids in Need of Defense (KIND), "Guatemalan Child Return and Reintegration Project Fact Sheet", April 2015, retrieved on January 25, 2016 from <https://supportkind.org/wp-content/uploads/2015/11/GCRRP-Factsheet-English.pdf>

36 Catholic Relief Services, "Building up Youth and Communities in El Salvador," retrieved on January 25, 2016 from <http://www.crs.org/stories/building-up-youth-and-communities-in-el-salvador>



Development; from Department of Justice involve the Executive Office for Immigration Review; and from Department of Homeland Security involve Citizenship and Immigration Services, Immigration and Customs Enforcement, and Customs and Border Protection. The inter-agency work on the issue should incorporate clear leadership responsibilities and effective collaboration mechanisms to ensure the optimum results both in the United States and throughout the region.

**a.) End the practice of detaining asylum-seekers and vulnerable populations, such as women and children, seeking protection**

MRS/USCCB advocates for humane, community-based solutions for responding to persons seeking asylum in our country, and asserts that “the U.S. immigrant detention system is neither humane nor, in its current form, necessary.”<sup>37</sup>

**b.) Ensure the best interest of the child principle is the cornerstone of decision-making affecting children’s lives**

MRS/USCCB urges the U.S. government to faithfully adhere to the “best interest of the child” standard in all decision-making. This is the internationally recognized child-welfare standard used in the U.S. child welfare system that refers to a process of determining services, care arrangements, caregivers, and placements best suited to meet a child’s short-term and long-term needs and ensure safety, permanency, and well-being. When applied in the United States or to U.S. funded programs, special importance is given to family reunification and family integrity, health, safety, protection of the child, and timely placement.

This requires that all procedures, protocols, and mechanisms developed are child-friendly and consistent with due process for children. It requires that they be trauma-informed, and administered by child welfare professionals; that children are screened and assessed for their immediate humanitarian protection needs and their long-term international protection needs; that during the pursuit of long-term solutions for the children they are placed in the least-restrictive settings (i.e. community-based); that all children are connected with social and legal services to address their immediate needs.

This requires that long-term and durable solutions are pursued that are in the children’s best interests. It requires that enforcement will afford protections, such as provided by the TVPRA, asylum proceedings will have child appropriate services, child oriented dockets, and access to legal services consistent with due process; that when resettlement is the best alternative the processing may be conducted in a child-friendly manner and that the safety and well-being of the child will be assured during the processing and placement of the children; and that where repatriation is the best alternative available that safe repatriation and reintegration be conducted in collaboration and coordination with the children’s home governments, NGOs, and other implementing partners.

As it is in the best interest of the child to be placed in the least restrictive setting, HHS/ORR should continue to expand placement options to include small community-based care arrangements with

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37U.S. Conference of Catholic Bishops and The Center for Migration Studies, “Unlocking Human Dignity: A Plan to Transform the U.S. Immigration Detention System,” 2015, p. 29, retrieved on January 25, 2016 from <http://www.usccb.org/about/migration-and-refugee-services/upload/unlocking-human-dignity.pdf>

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basic to therapeutic programming. The Flores Settlement Agreement establishes minimum standards of care for children in the custody of ORR and requires that UAC be placed in the least restrictive setting that meets their needs. Save the Children notes in a study: "...recent years have seen an increasing emphasis on the development of community-based approaches... to ensure that children who lose, or become separated from their own families, can have the benefits of normal family life within the community." Placing children in the least restrictive setting that can meet their needs is the policy and practice of the child welfare system in the United States. While many of the children in ORR custody are served in basic shelters, this placement setting may not be the most appropriate for some UAC, many of whom have complex trauma needs, and would be better served in foster care placements.

The best interest of the child should be applied in legal proceedings involving UACs, including creating child-appropriate asylum procedures and unaccompanied child immigration court dockets. Currently, decisions about the welfare of UAC are made separately from the existing U.S. child welfare infrastructure, meaning that court decisions on the welfare of UAC are based on their eligibility for immigration relief alone rather than involving a comprehensive assessment of the best interest of the child.

Whenever possible, policies and procedures should be implemented that help the child progress through the system in a way that takes into account his/her vulnerabilities and age, such as the establishment of immigration court dockets for unaccompanied children and the creation of child-appropriate asylum procedures. Concentrating all UAC cases in a child-focused immigration docket with appropriately-trained arbiters and advocates will streamline UAC cases while also ensuring a less-threatening model for children.

### **c.) Ensure access to due process**

Congress should resource the immigration court system by providing more immigration judges and attorneys to both adjudicate cases and to represent them in their hearings. This would ensure that unaccompanied children and families receive due process in a much shorter time frame without undermining their rights. Some would be sent back to their home countries, while others would be able to begin to integrate into their local communities.

Funding also should be increased for the Department of Justice's Legal Orientation Program for Custodians (LOPC) which was developed to "inform the children's custodians of their responsibilities in ensuring the child's appearance at all immigration proceedings, as well as protecting the child from mistreatment, exploitation, and trafficking," as provided under the Trafficking Victims Protection Reauthorization Act of 2008.

Finally, Mr. Chairman, it is vital that children receive legal representation in order to navigate the complex justice system. Statistics show that as many as 60-70 percent of these children with lawyers obtain immigration relief, while only 30 percent do if unrepresented. It also would ensure that the court system is more efficient, as children would know when to appear and be cognizant of their rights and responsibilities.

d.) Ensure comprehensive services for unaccompanied children following their release from HHS/ORR custody

Post-release services for children should be expanded. Currently, Mr. Chairman, we estimate that 10 percent of children released from HHS/ORR custody into the care of their families receive post-release services. These services include apprising them of their rights and ensuring they attend their hearings, but also that children are protected in the family and community setting. These services also include preparing children to attend schools and working with schools to help prepare them to accept the children.

Congress should mandate and fund family reunification and legal orientation programs and legal representation for all youth to help children integrate into their communities, reunify with their families, and pursue immigration relief. Often, increased funding to the Office of Refugee Resettlement (ORR), which is responsible for the custody and care of UAC, is directed at improving conditions in the temporary shelters in which unaccompanied children reside while waiting for release to their families.

There exists little funding for services once children are released, increasing the likelihood for family breakdown, the inability of children to enroll in school and access community resources, and the likelihood that the child will not show up to their immigration hearings. Funding should be directed at increasing the number of home studies provided to sponsors prior to the child's release from custody to assess any potential risks of the placement, including the protective capacity of the sponsor to ensure the safe reunification of the child. Post-release services should be required for all children to assist the family with navigating the complex educational, social service, and legal systems. With intensive and short-term case management services and monitoring by child welfare professionals, it is more likely that children will not abscond, appear at their immigration proceedings, enroll in school, and integrate into their communities—mitigating risk for future entry into the public child welfare system. In addition, when provided by community-based agencies, post-release services help build the capacity of the communities to respond as agencies establish relationships with and educate systems and service providers that will come in contact with unaccompanied children.

## CONCLUSION

The situation of migration from Central America is a complex one, with no easy answers. It is clear, however, that more must be done to address the root causes of this flight and to protect children and youth in the process. Clearly this problem is not going away; in fact, it is getting more urgent in terms of the dire humanitarian consequences.

Anyone who hears the heartbreaking stories of these families and children would be moved, since they are victims fleeing violence and terror, not perpetrators. USCCB found that these children long not only for security, but also for a sense of belonging—to a family, a community, and a country. They are often unable to find this belonging in their home country and leave their homes as a last resort.

In conclusion, I ask you to consider the vulnerability of these children and families and open your minds and hearts to their plight while seeking meaningful and long-term regional solutions. I ask you to

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respond to their needs, to not to turn them away or ostracize them, since Americans at our best are a compassionate people.

Mr. Chairman, I again thank you for this opportunity to speak with you about these children of God and ask that you let me, our offices at the U.S. Conference of Catholic Bishops, and the entire Catholic Church charitable network work with you to pursue just and humane solutions. How we respond to children and families seeking protection is a test of our moral character. America and the American people are generous and welcoming. We should view them not as a burden, but as our brothers and sisters fleeing violence in their home communities who are in need of support and protection, consistent with domestic and international law.