

Fiscal Year 2018 Appropriations

Justice for Immigrants Advocacy Toolkit



CNS Photo/Tyler Orsburn

Let us not forget that “responsible citizenship is a virtue, and participation in political life is a moral obligation.”

-- Pope Francis, November 11, 2013



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Table of Contents

How to Set Up an In-District Meeting with your Lawmaker	3
Four Pillars for FY 18 Migration-Related Advocacy	5
Top Level Appropriations Asks	6
Specific Budget Requests:	
• State, Foreign Operations, and Related Programs (SFOPS)	7
• Labor, Health and Human Services, Education, and Related Agencies (LHHS)	9
• Department of Homeland Security (DHS)	11
• Commerce, Justice, Science and Related Agencies (CJS)	13
More Information	15



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How to Set Up an In-District Meeting with your Lawmaker: TIPS and BEST PRACTICES

"We need to participate for the common good. Sometimes we hear: a good Catholic is not interested in politics. This is not true: good Catholics immerse themselves in politics by offering the best of themselves so that the leader can govern."

-- Pope Francis, September 16, 2013

JUSTICE FOR IMMIGRANTS- Convened by the U.S. Conference of Catholic Bishops' Migration and Refugee Services (USCCB/MRS), the Justice for Immigrants (JFI) coalition joins together a diverse set of Catholic organizations with national networks in an effort to unite and mobilize a growing group of Catholic institutions, individuals, and other persons of goodwill in support of immigrants and refugees. To learn more about JFI, please visit: <https://justiceforimmigrants.org/>.

- Find your lawmakers and their local offices by visiting the following
 - Senators: <http://bit.ly/1kyGkev>
 - Representatives: <http://bit.ly/1e8pAws>
- Call your lawmaker's office and ask for the names of the schedulers so that you can send the requests directly to those staffers.
- Send your formal meeting request in writing to the office's scheduler. Remember that there might be a district/state scheduler and a DC scheduler.
- If you already have a staff contact in an office, consider cc'ing your contact in the meeting request.
- Gather before the meeting and discuss with your partners what role each will take and who will cover which issues or talking points.
- Your entire group should arrive at least five minutes early to the meeting.
- At the meeting, always get a business card of the staffer you are meeting with or the staffer(s) attending the meeting with the lawmaker.
- Maintain a respectful tone. Do not be confrontational or overly argumentative.
- Assign one person in your group to take thorough notes.
- Post on social media as soon as possible any photos you take at the meeting. If using Twitter, tweet at the Member so that they can re-tweet the picture(s). Also tweet to @USCCBJFI
- That evening or the next morning, send a thank you email to the scheduler, the staffer(s) you met at the meeting, and any other staffers who assisted in securing the meeting.
- Complete any "follow up" you committed to completing- such as getting a report. Ask JFI staff for help if you necessary.
- Send copies of your meeting notes and business cards of staffers to acube@usccb.org

Remember to keep the following best practices in mind when setting up a visit and meeting with your U.S. Senator or Member of Congress:

- Be courteous. Ask politely both in formally asking (in writing) for a meeting and during the meeting itself.
- Try to be flexible. Provide options for meeting dates and times. Consider meeting at your lawmaker's office or at another location that is convenient for their time and schedule. Even after a meeting is set, a new conflict on the lawmaker's schedule may require changing your meeting to a different time or day. Try to keep your meeting for the current recess and ask what other dates are open on their schedule.
- Be Willing to Meet with a Staff Person. If you are unable to get a meeting with your lawmaker, ask to meet with a staff member instead.
- Look to Engage Both Offices When Scheduling (Part 3).
If the scheduler in the district or state office cannot accommodate your meeting request, send a request to your lawmaker's Washington, DC office. You can also ask the DC scheduler to set up a meeting with DC staffer traveling to the state or district for the recess.
- Be persistent. If the Member's office cannot accommodate your request, ask someone higher ranking in your parish, diocese or organization to request a meeting for your group.
- Keep your meeting group small. Keep your group to five or six people. Ideally, your group will be the Member's constituents.
- All politics is local. Start your meeting with introductions and say which church you attend. Tell your lawmaker or their staffer who you represent, how many families are in your parish or staff at your agency, and what services you provide. When possible, connect them with their district or locality. For example, "My Catholic Charities agency is four stops away from your office on Bus A20." Or, "Law students from your alma mater volunteer at our immigration legal clinic."
- Know your stuff. Provide "leave behind packet" that does not contain too much paper. For these meetings our JFI Appropriations package is perfect! Keep to the point of the meeting topic and use your talking points. When possible, your information should contain district or state specific information. Anticipate their questions and have your answers prepared. Do not make up answers, but offer to follow up after the meeting. Wait until closer to the end of the meeting before handing over the packet.
- Demonstrate that you intend to cultivate an ongoing working relationship.
Offer to host a town hall or similar event for the Member at your parish. Invite them to take a tour of one of your agency's direct services locations. Ask if the lawmaker wants to participate as a VIP at one of your future events. If they or other staff members are Catholic, invite them to attend a Mass at your parish that is convenient to their schedule.
- Take a picture.
After the meeting, politely ask if you can take a picture with them. Tell them you want to share the photo on social media. If they are unwilling, take a picture of just your group in front of the sign just outside of the lawmaker's office.

Finally, remember that you are your lawmakers' constituents. They may disagree with you on some issues, but they do return to their districts and states in order to hear from people like you, and to keep up to date on what is important to the people they represent in Washington, DC. It is up to you to convey to them the Catholic message in support of immigrants and refugees and their families.



An Introduction to JFI's Appropriations Advocacy

"Politics is a noble mission to promote the common good. As such, it is about ethics and principles as well as issues, candidates, and officeholders. To engage in "politics," then, is more than getting involved in current polemics and debates; it is about acting with others and through institutions for the benefit of all."

--USCCB, Forming Consciences for Faithful Citizenship #63

As Catholics, we have a duty and moral obligation to seek the common good for all. One way to achieve this is to engage our elected officials and educate them on our priorities for the poor and most vulnerable.

This year we are asking you to do that through setting up meetings with your local lawmakers and engaging them on the Fiscal Year 2018 appropriations process. This toolkit will help you do that by explaining the four migration-related categories that we are concerned about:

- (1) Vulnerable Populations**
- (2) Immigrant Enforcement**
- (3) Root Causes of Migration**
- (4) Immigration Courts and Access to Justice**

Vulnerable Populations: For this category, we are primarily looking at the Department of Health and Human Services (HHS) Committee. We are requesting funding to assist refugees and several other vulnerable populations, such as unaccompanied children, victims of human trafficking and torture.

Immigration Enforcement: For this category, we are looking at the Department of Homeland Security (DHS) Committee. We are requesting that Congress deny funding for the building of the wall at the U.S./Mexico Border and also that there not be an expansion in immigrant detention.

Root Causes of Migration: For this category, we are looking at the State and Foreign Operations and Related Programs (SFOPS) within the Department of State funding. We are requesting increased funding for development and disaster relief projects to help address the root causes of migration in home countries that cause people to migrate.

Immigration Court and Access to Justice: For this category, we are looking at Commerce, Justice, Science and Related Agencies. We request greater funding for immigration courts and for legal assistance and orientation programs, as such tools are vital for immigrants to access protection and justice in our country.



Congress: Address Root Causes of Forced Migration, Protect Vulnerable Populations, Promote Access to Justice, and Prioritize Reform over Enforcement and Detention.

- Congress should address root causes of forced displacement, fund protection and humanitarian assistance for the forcibly displaced, and fund resettlement processing for the most vulnerable. Congress should address root causes of forced migration and provide sufficient funding for crises and humanitarian disasters globally. For the many vulnerable individuals forced to flee due to conditions in their home countries, Congress should provide lifesaving assistance, support the countries that host them, and fund resettlement processing for the most vulnerable among them. For the Department of State, we ask for **\$3.4 billion** for International Disaster Assistance, **\$3.6 billion** for Migration Refugee Assistance, and **\$50 million** for Emergency Refugee and Migration Assistance.
- Congress should robustly fund U.S. refugee resettlement and programs for other vulnerable populations. We urge sufficient funding of at least **\$1.69 billion** for the Office of Refugee Resettlement to help states and local communities welcome and support refugees and other new Americans on their path to self-sufficiency. This funding is essential not only to serving refugees, but also several other vulnerable populations, such as unaccompanied children, victims of human trafficking and torture. We also ask for **\$91 million** for the International Labor Affairs Bureau to combat child labor, forced labor, and human trafficking.
- Congress should prioritize humane and common-sense immigration reform over expanded enforcement. We urge Congress to address our broken immigration system through reform, and we oppose the Administration's **\$2.6 billion** request for massive border security build up and a border wall. JFI recognizes the role of the government in ensuring the integrity of our border and enforcement of our laws. However, such security efforts should not undermine or inhibit humane and just policies that allow individuals to be protected and families to be united.
- Congress should halt funding for unnecessary mass detention. We oppose the Administration's request for an additional **\$1.5 billion** for expanded detention and removal of undocumented immigrants. This prioritization of enforcement and mass detention is inhumane; it will inhibit individuals' access to legal representation and will lead to family separation. Moreover, mass detention is incredibly costly and unnecessary as many individuals pose little or no flight or safety risk and can be monitored via humane alternatives to detention.



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JFI FY'18 Appropriations Requests:

State, Foreign Operations, and Related Programs (SFOPS)

"Migrants and refugees are not pawns on the chessboard of humanity. They are children, women, and men who leave or are forced to leave their homes for various reasons, who share a legitimate desire for knowing and having, but above all for being more."

-- Pope Francis, Message for the 2014 World Day of Migrants and Refugees, Sept. 24, 2013

Convened by the U.S. Conference of Catholic Bishops' Migration and Refugee Services (USCCB/MRS), the Justice for Immigrants (JFI) coalition joins together a diverse set of Catholic organizations with national networks in an effort to unite and mobilize a growing group of Catholic institutions, individuals, and other persons of goodwill in support of immigrants and refugees. To learn more about JFI, please visit: <https://justiceforimmigrants.org/>.ⁱ

Catholic social teaching calls on the global community to offer protection to those individuals fleeing wars and persecution. Providing humanitarian protection and aid during times of conflict and disaster, as well as assisting in addressing the root causes of forced displacement and migration are important priorities to the Catholic Church. The requests below reflect these teachings and priorities:

SFOPS TOPLINE REQUESTS:

- **SFOPS Migration and Refugee Assistance (MRA) Account: \$3.6 billion**
- **SFOPS International Disaster Assistance (IDA) Account: \$3.4 billion**
- **SFOPS Emergency Refugee and Migration Assistance (ERMA) Account: \$50 million**

Accounts	FY'17 Enacted Funding + CR	OMB FY'18 Request	JFI FY'18 Request
Migration and Refugee Assistance (MRA)	\$3,359,000,000*	\$2,746,141,000	\$3,604,000,000
International Disaster Assistance (IDA)	\$4,427,786,000**	\$2,508,200,000	\$3,400,000,000
Emergency Refugee and Migration (ERMA)	\$50,000,000	\$0	\$50,000,000

*The December Fiscal Year (FY) '17 Continuing Resolution (until April 28, 2017) authorized an additional \$300 million to be spent for MRA overseas refugee assistance, covered by Overseas Contingency Operations (OCO).

**The December FY'17 Continuing Resolution (until April 28, 2017) authorized an additional \$616 million to be spent for international disaster assistance, covered by OCO. JFI urges at least \$3.4 billion for FY18.

ⁱ The USCCB/MRS is also a member of Refugee Council USA (RCUSA). JFI thanks RCUSA for the materials and collaborative discussions from which we drew to create this background.

WHY ARE THESE ACCOUNTS ESSENTIAL?

The *Migration and Refugee Assistance (MRA) Account* is administered by the Department of State's Bureau of Population, Refugees, and Migration (PRM) in order to help families fleeing life-threatening situations find temporary protection in countries where they are displaced. This funding also supports the pursuit of the three durable solutions for refugees: i) voluntary repatriation back to their home country; ii) integration in a host country of asylum; and iii) third-country resettlement when the first two solutions are not viable. MRA activities include *Overseas Refugee Assistance* and *Refugee Admissions*.

- *Overseas Refugee Assistance* helps maintain humane, stable conditions for refugees and host communities during the interim period until the refugee crisis can be resolved. We are currently facing the worst displacement crisis in recorded history, with over 65.6 million displaced persons worldwide, including over 22.5 million refugees. The Syria crisis alone has produced over 5 million Syrian refugees and there are other complex humanitarian emergencies involving displaced people from South Sudan, Central African Republic, Iraq, and Burma.
- *Refugee Admissions* remains a hallmark of U.S. global leadership as the U.S. has resettled more refugees than any other country. The resettlement program reflects our American values of freedom, opportunity, and compassion. Providing protection to people seeking safety is one of our nation's proudest traditions. This includes resettling Jewish refugees during World War II, Vietnamese refugees in the 1980s, and, recently, refugees from Sudan, Burma/Myanmar, Iraq, Afghanistan, and Syria. Refugees undergo rigorous vetting prior to arrival and contribute greatly to American communities after resettlement. Given the unprecedented scope of today's global refugee crisis and the urgent need for U.S. leadership, JFI recommends that the United States admit at least 75,000 refugees in FY'18.

The *Emergency Refugee and Migration Assistance (ERMA) Account* is an emergency draw-down account that is also administered by PRM. It provides an important "safety valve" during emergencies, allowing the United States to meet rapidly-occurring and unforeseen humanitarian needs. This funding is essential to allowing the U.S. to respond quickly and effectively to unanticipated crises.

The *International Disaster Assistance (IDA) Account* is administered by the Office of Foreign Disaster Assistance (OFDA) within the Department of State's U.S. Agency for International Development (USAID). IDA funds humanitarian assistance to people displaced by disaster, conflict, and war. Longstanding humanitarian crises continue in Afghanistan, Somalia, and Colombia, causing significant internal displacement and regional pressures. Meeting the needs of internally displaced persons, which would otherwise cause them to migrate, is one way to prevent their departure from countries of origin and can help alleviate the worldwide refugee crisis.

Besides supporting these accounts that help internally displaced people and refugees, *JFI supports the Department of State's efforts to address the root causes of forced migration* by reducing poverty and preventing violence through community based approaches funded through Development Assistance and Economic Support funds. Further, efforts that strengthen governance and the rule of law, and increase citizen security, including child protection systems, are essential to ensure the right not to have to migrate. For these same reasons, JFI also supports the development of mechanisms that incentivize advances in human rights and promote broad civil society consultation.



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JFI FY'18 Appropriations Requests:

Labor, Health and Human Services, Education, and Related Agencies (LHHS)

"How can we not see the face of the Lord in the face of the millions of exiles, refugees, and displaced persons who are fleeing in desperation from the horror of war, persecution and dictatorship? For every one of them, each with a unique face, God reveals himself always as the one who courageously comes to our aid."

-- Pope Francis, Walking the Stations of the Cross on Good Friday, March 25, 2016

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<https://justiceforimmigrants.org/>.

Catholic social teaching calls on us to assist the vulnerable and persecuted and ensure that all individuals are treated with human dignity. This belief informs the following requests:

VULNERABLE POPULATIONS TOPLINE REQUESTS:

- **HHS Refugee and Entrant Assistance (REA) Account: \$1.69 billion**
- **DOL Salaries and Expenses Account for Bureau of International Labor Affairs (ILAB): \$91 million**

Office of Refugee Resettlement Funding Needs for the Department of Health and Human Services (HHS) Refugee and Entrant Assistance (REA) Account			
Program Areas	FY'17 Enacted Funding + CR	OMB FY'18 Request	JFI FY'18 Request
Transitional & Medical Services	\$490,000,000	\$320,000,000	\$490,000,000
Social Services	\$155,000,000	\$159,000,000 (merged into one program called Refugee Supportive Services)	\$155,000,000
Targeted Assistance	\$47,601,000		\$47,601,000
Refugee Health Promotion	\$4,600,000	\$0	\$4,600,000
Subtotal of Resettlement Services	\$697,201,000	\$479,000,000	\$697,201,000
Foreign-Born Trafficking Victims	\$13,000,000	\$13,000,000	\$19,000,000
Domestic Trafficking Victims	\$5,755,000	\$5,755,000	\$19,000,000
Torture Survivor Assistance	\$10,735,000	\$10,735,000	\$10,735,000
Unaccompanied Children	\$948,000,000*	\$948,000,000	\$948,000,000
Grand Total – All REA Activities	\$2,174,691,000	\$1,457,000,000	\$1,693,936,000

*The December Fiscal Year (FY) '17 Continuing Resolution (until April 28, 2017) authorized up to an additional \$500M to be spent on accompanied children.

**Bureau of International Labor Affairs (ILAB) Funding Needs for the
Department of Labor (DOL): Salaries and Expenses Account**

Program Areas	FY'17 Enacted Funding + CR	OMB FY'18 Request	JFI FY'18 Request
International Labor Affairs	\$85,961,000	\$18,500,000	\$91,000,000

WHY ARE THESE ACCOUNTS ESSENTIAL?

HHS's Refugee and Entrant Assistance (REA) Account helps states and local communities welcome and support refugees and other new Americans on their path to self-sufficiency. The account is administered through HHS' Office of Refugee Resettlement (ORR). REA also provides support to unaccompanied children, asylees, Iraqi and Afghan Special Immigrant Visa (SIV) recipients, Cuban and Haitian entrants, victims of human trafficking, and victims of torture. In fact, in FY'16, there were over 270,000 individuals who received services funded by the REA account. With continued global forced migration, we expect the need for service provided by REA to be very substantial.

DOL's Salaries and Expenses Account includes funding for the International Labor Affairs Bureau (ILAB). ILAB engages in efforts to eradicate international child labor, forced labor, and human trafficking. Through its reports, ILAB plays a major role in monitoring and reporting on global labor practices.

WHAT POPULATIONS ARE SERVED BY THE ACCOUNTS?

Refugees and Other Populations of Concern: The U.S. resettles the most vulnerable individuals among the world's 22.5 million refugees, including at-risk women and unaccompanied refugee minors. ORR provides these refugees and other populations of concern with life-saving transitional livelihood and health assistance, social services, preventative health services, and targeted assistance. ORR fosters a vital public-private partnership between the federal government, state and local government, and the local community. Local Catholic Charities and other agencies organize this effort and help leverage resources. For example, in the Match Grant Program, local agencies "match" one dollar private donation for every two federal dollars for early employment services. Through resettlement, refugees and other vulnerable populations have been able to contribute greatly to their local communities and economies.

Unaccompanied Children: ORR provides custody and care, shelter, and family reunification services (including home study and post-release services) to unaccompanied children referred by the Department of Homeland Security or other law enforcement agencies. In order to avoid another budgetary shortfall and to ensure that all UAC (many of whom have experienced persecution, abuse, trauma, or human trafficking) have access to appropriate care and services, ORR needs to maintain its current level of funding allocated for this population.

Human Trafficking Survivors: The Office of Trafficking in Persons (OTIP), which receives funds through REA, oversees the care and treatment of all U.S. citizen and foreign national trafficking victims in the United States. OTIP identifies and serves trafficking victims and provides specialized case management. These services help victims gain access to food, clothing, housing, and long-term self-sufficiency. As the number of identified victims increasesⁱ, funding for trafficking victims must also increase. Similarly, funding is needed to serve international victims of trafficking through ILAB, an anti-trafficking initiative located within DOL.

ⁱThe USCCB/MRS is also a member of Refugee Council USA (RCUSA). JFI thanks RCUSA for the materials and collaborative discussions from which we drew to create this background.

ⁱⁱ According to data from the [2002 ORR report](#) to Congress and the [2016 TIP report](#), there has been a 771% increase in victims certified or issued eligibility letters by HHS from FY'02 to FY'15.



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JFI FY'18 Appropriations Requests:

Department of Homeland Security (DHS)

"I have always said that building walls is not a solution: we have already seen one come down, during the last century. Walls solve nothing. We must build bridges. But bridges are built intelligently, through dialogue and integration. So I understand this fear, but closing borders does not solve anything, because in the long term that closure hurts the people themselves."

-- Pope Francis, Press conference aboard papal flight from Lesbos to Rome, April 18, 2016

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DEPARTMENT OF HOMELAND SECURITY REQUESTS:

JFI recognizes the role of the government in ensuring the integrity of our border and enforcement of our laws. However, this should not undermine or prohibit humane and just policies that allow individuals to migrate and access protection. This belief, founded in Catholic Social Teaching, guides the following requests:

U.S. Immigration and Customs Enforcement (ICE) Account

- **Oppose the Administration's request for unprecedented immigration enforcement funding.** The Administration's budget requests over \$300 million for the U.S. Customs and Border Protection (CBP) and U.S. Immigration and Customs Enforcement (ICE) accounts to hire additional personnel, with approximately two thirds to hire and support 1,000 new ICE officers in 2018. It further requests an additional \$1.5 billion above the 2017 annualized Continuing Resolution (CR) level for expanded detention, transportation, and removal of undocumented immigrants. This prioritization of enforcement and mass detention is inhumane; it will inhibit individuals' access to counsel and will lead to family separation. Moreover, mass detention is incredibly costly and unnecessary as many removable individuals pose no flight or safety risk. Accordingly, we believe that some of this funding should be dedicated to more humane and economical programs, such as alternative to detention programs that utilize case management services, as well as legal services and safe voluntary repatriation programs.
- **Oppose the Administration's request for funding to support 287(g) agreements.** The Administration's budget includes a request for \$5.4 million to facilitate 287(g) agreements. These agreements between the Department of Homeland Security (DHS) and state and local officials allow the state and local actors to perform immigration functions such as the apprehension, or detention of undocumented immigrants. We are concerned that such agreements may

undermine the hard-won trust between immigrant communities and local police and could decrease the willingness of undocumented immigrants to report crimes to local law enforcement. In turn, this would hamper the ability of local law enforcement officials to investigate local crimes and ensure public safety in all communities.

U.S. Customs and Border Protection (CBP) Account

- **Oppose the Administration's funding request to build the border wall and increase CBP agents.** The Administration's budget includes a \$1.6 billion request for funding to construct a physical wall along the southern border. It further requests over \$300 million for the CBP and ICE accounts to hire additional personnel, with approximately one third to CBP to hire 500 new Border Patrol agents in 2018. While the Catholic Church acknowledges the right of nations to control their borders, that right should be exercised in a manner that is consistent with the moral obligation to protect the humanitarian needs of migrants and refugees.
- **Provide funding for improved screening of child trafficking victims.** We ask that Congress appropriate **\$5 million** to enable Border Patrol agents to identify and protect child trafficking victims. The Trafficking Victims Protection Reauthorization Act of 2008 requires CBP to screen certain children it encounters for indicators that they are victims of human trafficking or persecution. The funds we suggest be appropriated could be used for orientation, training, and hiring child welfare experts to assist with such screenings.

Citizenship and Immigration Services Account

- **Provide direct funding to support adjudication services.** The Administration's budget assumes that U.S. Citizenship and Immigration Services (USCIS) will continue to be funded primarily through application fees. However, we recommend that Congress directly appropriate **\$225 million** to assist USCIS Adjudication Services. Currently, there are eight million lawful permanent residents who are eligible to become citizens. Mitigating the naturalization cost would allow more individuals to naturalize and ensure that services are processed more efficiently.

General Provisions

- **Oppose Section 523 of Administration's Budget Request.** Section 523 radically expands existing information sharing and compliance requirements (as set forth by 8 U.S.C. § 1373) for local law enforcement, in part to include immigration detainers. We note that, currently, local municipalities can elect to comply with immigration detainers. We believe that forcing these new requirements on local municipalities undermines a tenet of Catholic Social Teaching, subsidiarity. Subsidiarity is the principle that decisions should be made by people closest and most affected by the issues and concerns of the community. Currently, there are some local municipalities that have adopted policies prioritizing community trust over DHS enforcement as local solutions tailored to their communities. This change in law would prohibit such policies and ability to voice community will, as well as undermine the ability of these communities to access certain federal funding.

In addition to these specific requests, JFI also notes concern with DHS funding for security efforts in Central America, including efforts to stem the flow of migrants without enabling them to access protection. While we respect the right of nations to control their borders, this should not circumvent the right of individuals to migrate and seek protection.



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JFI FY'18 Appropriations Requests: Commerce, Justice, Science and Related Agencies (CJS)

"In some cases, the lack of cooperation between States leaves many people unprotected by the law and unable to guarantee their own rights, and thus obliged to ally themselves with those who take advantage of others, or to resign themselves to being victims of abuse. These are situations in which it is not enough to safeguard the law to defend the basic rights of the person, and in which the rules, without pity and mercy, do not respond to justice. . . If it [the law] fails to genuinely defend these people against racism, xenophobia and intolerance, the rule of law loses its very legitimacy."

-- Pope Francis, Message to the president of Panama at Seventh Summit of the Americas, April 10, 2015.

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DEPARTMENT OF JUSTICE REQUESTS:

Catholic social teaching calls on us to ensure that migrants fleeing persecution have the ability to seek protection. This requires migrants to have access to fair and timely proceedings, counsel, and full due process under the law. This belief guides *the following requests*:

General Administration Account, Administrative Review and Appeals

- **Support the Administration's overall increased request for the Executive Office of Immigration Review (EOIR).** The Administration's request includes **\$500 million** for EOIR, which is an increase from \$421 million Fiscal Year (FY) '17 appropriations. We support increased resources to EOIR, but we request that resources within EOIR be used to improve the efficiency of the courts while ensuring due process and access to justice.
- **Support the Administration's request for 75 new immigration judges.** Given the judicial backlogs in our immigration courts,ⁱ hiring new immigration judges is an important part of ensuring that individuals can access justice. As of May 31, 2017, the immigration court backlog had risen to 598,943 cases, marking over a 100,000 case increase from May 2016.
- **Expand Legal Orientation Programs to all detention facilities.** We request **\$40 million** to expand the Legal Orientation Program (LOP) and the Legal Orientation Program for Custodians of Unaccompanied Children (LOPC) nationwide. This funding would include \$25 million for the LOP and \$15 million for the LOPC. Currently, legal orientation programs are operating in only 38 detention sites, leaving approximately *three quarters* of immigration detention centers un-served. LOP and LOPC programs provide critical information about the immigration court process, promote court efficiency and foster due process for non-citizens in removal proceedings, particularly those who do not have legal counsel.

ⁱ The caseload more than doubled between 2010 and 2016, from 223,707 to 492,978.

- **Expand the Pilot Program for Legal Representation.** We request **\$50 million** for EOIR to promote innovations, including leveraging federal funds to bolster pro bono efforts and augment the “Justice AmeriCorps” program. This funding will improve the level and quality of legal representation for vulnerable populations, including unaccompanied children. It will also help to protect children from mistreatment, exploitation, and trafficking. Without representation, it is nearly impossible for unaccompanied children – who range in age from toddlers to teenagers – to navigate our complex immigration laws and system. Immigration proceedings are adversarial and children are required to meet the same procedural, evidentiary, and legal rules as adults. Legal representation promotes due process, judicial efficiency, and increases appearance rates. We recommend that EOIR use this funding to explore ways to better serve vulnerable populations, such as children, and improve court efficiency through pilot efforts aimed at increasing both pro bono and direct representation.

General Provisions

- **Oppose Section 219 of the Administration’s Request.** Section 219 aggressively expands existing information sharing and compliance requirements (set forth in 8 U.S.C. § 1373) for local law enforcement, in part to include immigration detainers. We note that, currently, local municipalities can elect to comply with immigration detainers. We believe that forcing these new requirements on local municipalities undermines a tenet of Catholic Social Teaching, subsidiarity. Subsidiarity is the principle that decisions should be made by people closest and most affected by the issues and concerns of the community. Currently, there are some local municipalities that have adopted policies prioritizing community trust over DHS enforcement as local solutions tailored to their communities. This change in law would prohibit such policies and ability to voice community will, as well as undermine the ability of these communities to access certain federal funding. Additionally, while the budget includes this provision, which would mandate much more expansive information sharing and cooperation between local law enforcement and DHS, it simultaneously cuts State Criminal Alien Assistance Program (SCAAP) funding that currently is used to reimburse localities for detaining “criminal aliens.”

Legal Activities and U.S. Marshals Account, Salaries and Expenses, United States Attorneys

- **Oppose the Administration’s request for \$7.2 million to hire 70 immigration enforcement prosecutors.** Prosecutions for immigration-related offenses such as unlawful entry and reentry have skyrocketed in recent years,ⁱⁱ with no convincing evidence that such prosecutions serve as a deterrent to unlawful migration or are the best use of critical prosecutorial resources. Furthermore, prosecutions are often pursued against bona fide asylum seekers, undermining access to protection in the United States and contravening U.S. treaty commitments, specifically Article 31 of the Refugee Convention, which prohibits the penalization of asylum seekers on account of their illegal entry or presence.

Legal Activities and U.S. Marshals Account, Federal Prisoner Detention

- **Oppose the Administration’s \$171 million request for additional short-term detention space to hold federal immigrant detainees.** We oppose the Administration’s requested massive increase in immigrant detention in the Department of Homeland Security (DHS) section of the budget and also oppose further efforts to detain individuals in short-term space that is offered by the U.S. Marshals. Not all of these spaces comply with existing performance based detention standards, and, furthermore, it is an inefficient use of government resources.

ⁱⁱ In 2016, more than half of all federal prosecutions were for immigration-related offenses.



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