

SUPPORT THE UNACCOMPANIED ALIEN CHILD PROTECTION ACT OF 2003

June 25, 2003

Dear Senator:

We, the undersigned organizations, write to ask that you become a cosponsor of S. 1129, the Unaccompanied Alien Child Protection Act of 2003, bipartisan legislation sponsored by Senator Dianne Feinstein (D-CA.). S. 1129 addresses how our nation cares for unaccompanied alien children, minors under the age of 18 who are found in the United States without a parent or a legal guardian who is able to care for them. The legislation builds on provisions enacted into law last year as part of the Homeland Security Act of 2002. Those provisions transferred care of these children from the Department of Justice to the Office of Refugee Resettlement (ORR) in the Department of Health and Human Services.

Each year, more than 5,000 foreign-born children are discovered in the United States unaccompanied by a parent or guardian. Many of these children are asylum seekers who have experienced persecution against themselves or their family members and seek protection, while others have been smuggled into the country by traffickers of human beings or smugglers. Many are at risk of being caught again by smugglers and forced into sweatshop labor, sexual servitude, or worse. Some of these children are victims of neglect, abuse, or abandonment.

Often, unaccompanied alien children lack the capacity to understand the proceedings against them and are not provided with an adult to look after their best interest. As a result, many of them are unable to avail themselves of the relief to which they are entitled. Even those who have no relief often languish for years in detention in circumstances that are completely inappropriate for children.

Enactment of S. 1129 would ensure that these children are treated humanely while in federal custody, help those who are entitled to relief obtain such relief, and provide for a more orderly and expeditious repatriation of children to their country of nationality or habitual residence when no relief is available and their repatriation is appropriate.

S. 1129 would enact several reforms in how our nation deals with alien children. It would ensure that each child is treated humanely while in federal custody, is placed in settings appropriate for their special circumstances, and is protected from those who

might seek to further exploit them. In addition, S. 1129 would provide an infrastructure for pro-bono legal representation of such children in their immigration proceedings that would help expedite the resolution to their immigration status, providing counsel at government expense only as a last resort. The measure also would allow ORR to appoint *guardians ad litem* (friend of the child) for children to ensure that their best interests are served as they navigate our country's complex immigration system and make modest, yet important, reforms in the Special Immigrant Juvenile provisions of the law.

S. 1129, the Unaccompanied Alien Child Protection Act of 2003, would ensure that all unaccompanied children are protected while in federal custody and that the principle of the best interest of the child is upheld in their cases.

We ask you to cosponsor S. 1129 and work to ensure its passage.

Sincerely,

American Academy of Child and Adolescent Psychiatry
American Civil Liberties Union
American Friends Service Committee
American Immigration Lawyers Association
American Psychiatric Association
Amnesty International
Asian Law Caucus
Bethany Christian Services
Catholic Community Services
Center for Human Rights and Constitutional Rights
Children and Family Justice Center, Northwestern University School of Law
Child Welfare League of America
Church World Service Immigration and Refugee Program
Episcopal Migration Ministries Program
Evangelical Lutheran Church in America
Exodus World Service
Florida Immigrant Advocacy Center
Heartland Alliance for Human Needs and Human Rights
Hebrew Immigrant Aid Society
Illinois Coalition for Immigrant and Refugee Rights
Illinois Task Force on Unaccompanied Immigrant Children-Chicago Bar Association
Immigration and Refugee Services of America
International Rescue Committee
Jesuit Refugee Service/USA
Kurdish Human Rights Watch
Lawyers Committee for Human Rights
Leadership Conference on Civil Rights
Legal Services for Children (San Francisco, CA)
Lutheran Community Services Northwest

Lutheran Community Services of New England/Unaccompanied Refugee Minor Program
Lutheran Immigration and Refugee Service
Lutheran Social Services of Michigan, Refugee Services
Lutheran Social Services of the National Capital Area
McDonald Dyer, Attorneys & Counselors at Law (Richmond, VA)
Mexican American Legal Defense and Educational Fund (MALDEF)
Midwest Immigrant and Human Rights Center
National Asian Pacific American Legal Consortium (NAPALC)
National Federation of Filipino American Associations
National Immigration Forum
Nationalities Service Center
Physicians for Human Rights
Presbyterian Church, USA
United States Conference of Catholic Bishops
U.S. Committee for Refugees
Washington Lawyers Committee for Civil Rights and Urban Affairs
Women's Commission for Refugee Women and Children
World Organization Against Torture USA