



USCCB Committee on Migration

C/O MIGRATION AND REFUGEE SERVICES

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**Statement of Most Reverend Gerald R. Barnes
Bishop of San Bernardino, California
Chairman, U.S. Conference of Catholic Bishops' Committee on Migration
in opposition to
The Border Protection, Anti-Terrorism, and Illegal Immigration Control Act of 2005
December 14, 2005**

The U.S. Conference of Catholic Bishops (USCCB) stands in strong opposition to H.R. 4437, the Border Protection, Anti-Terrorism, and Illegal Immigration Control Act of 2005, which the U.S. House of Representatives is scheduled to take up this week.

While the USCCB has great respect for the authors of H.R. 4437 and knows they are well intentioned, we believe that enactment of H.R. 4437 would bring about serious and severe consequences for immigrants and the nation. It is an extremely punitive bill which is far broader than illegal immigration and, if enacted, would unduly harm immigrants and their families, even those who are currently lawful residents. Moreover, the bishops are deeply disappointed by the bill's enforcement-only focus and absence of reforms in the U.S. legal immigration system that would address our current immigration problems more comprehensively.

Of particular concern to USCCB are provisions in the legislation that would:

- expand expedited removal;
- mandate the detention of aliens who are attempting to enter the United States illegally and are apprehended at a U.S. port-of-entry or along the international or maritime borders;
- expand the reach of offenses related to assisting persons who are unlawfully present in the United States and would subject these persons and entities, including humanitarian and church groups, to severe criminal and civil penalties;
- make it more difficult for long term residents to obtain citizenship and even restrict their ability to seek review of DHS actions or non-actions in District Court relative to their applications for citizenship;
- cause "unlawful presence" in the United States to be a crime, rather than a civil violation, as it is under current law; and
- bar refugees and asylum seekers from legal permanent residence and citizenship if they commit relatively minor offenses.

More specifically, the application of criminal penalties to individuals, including U.S. citizens, who assist aliens without legal status could jeopardize church programs which provide basic needs and life-saving assistance to these individuals. Current federal law does not require humanitarian groups to ascertain legal status of an individual prior to providing assistance. However, in our view, the provisions in Section 202 of the legislation would place parish, diocesan, and social service program staff at risk of criminal prosecution simply for performing their job. It also could

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apply to health care personnel or U.S. citizens who provide urgent or life-saving assistance to an undocumented individual.

H.R. 4437 has been presented as an antidote to our nation's immigration crisis. It is just the opposite. In reality, this legislation will only exacerbate the problem by driving immigrants further underground and compelling migrants in search of work to rely on ever-expanded smuggling networks to cross the border. A comprehensive solution to our immigration crisis, which includes legal status for migrants and legal avenues for migration, is needed to fix a broken immigration system that exists in our country today.

Ultimately, H.R. 4437 would not only harm communities and businesses, but it also would undermine our country's proud heritage as a nation of immigrants. USCCB asks that members of the House of Representatives oppose this measure when it comes to you on the floor. We also ask President Bush to publicly oppose the legislation and to request that Congress begin work on a comprehensive immigration bill which all Americans can support.