



AMERICAN
IMMIGRATION
LAWYERS
ASSOCIATION

**Shame on Representatives Goodlatte (R-VA) and Chaffetz (R-UT) for proposing the
Asylum Reform and Border Protection Act (H.R. 5137)**

For more contact Greg Chen: 202-507-7615, gchen@aila.org

H.R. 5137 dismantles nearly every humanitarian protection available for vulnerable children and will send thousands back to the violent, dangerous conditions from which they fled. The bill not only voids fundamental protections for victims of persecution and trafficking but also principles of fairness and due process that are the foundation of the American system. Representatives Goodlatte and Chaffetz should be ashamed of themselves for even proposing such an un-American bill that will endanger children who need protection.

The bill denies children any meaningful access to asylum or trafficking protection.

- The bill compels child victims to tell Border Patrol agents about what are horrific experiences within hours of arrival. CBP's primary function is law enforcement, and it lacks the training and capacity to conduct sensitive interviews about asylum and trafficking. Children's cases require the careful review of immigration judges.
- The bill sets an even higher standard of proof for initial asylum screenings requiring children to prove their case as if they were in a court of law when most do not even understand what asylum is and don't have counsel. It is unconscionable to expect a child, still recovering from a harrowing journey and held in jail-like facilities, to meet such a high standard.

The bill rushes to deport children by denying them access to courts or legal counsel.

- Under this bill, all children will be subject to expedited removal which empowers DHS personnel to remove a child at the stroke of a pen, bypassing immigration courts entirely. Children will be removed in mere hours or days. DHS has disfavored the use of expedited removal on unaccompanied children due to its severely truncated process and near total absence of review.
- The bill forces child victims of persecution to come forward before they are psychologically and physically ready to talk about sensitive traumatic events. Rape, sexual assault and child abuse victims often take weeks, months or longer before they can speak about such crimes. The bill will force children back into danger without a meaningful opportunity to seek protection.

The bill mandates the detention of nearly all children under DHS custody and will cost taxpayers even more for unnecessary detention beds.

- The bill reclassifies nearly all children who arrive alone as if they actually have adult accompaniment, and by so doing, keeps them in DHS physical custody at great expense.
- The bill circumvents long-standing child welfare principles that require children to be treated in accordance with their best interests and cared for in the least restrictive environment.
- The bill requires the unnecessary detention of asylum seekers who frequently need medical and mental health to recover. By severely restricting the government's ability to grant temporary parole to arriving asylum-seekers, the bill will require the prolonged detention of child asylum seekers and may compound or trigger the trauma they have experienced.

AILA National Office

1331 G Street NW, Suite 300, Washington, DC 20005

Phone: 202.507.7600 | Fax: 202.783.7853 | www.aila.org