



Pass a Moral and Faithful Budget in Fiscal Year 2021

Federal funding should support a compassionate, just, and humane immigration and refugee resettlement system that **upholds our nation's values**. A **moral and faithful budget recognizes the gifts, contributions, and struggles** of immigrants, refugees, asylum seekers, unaccompanied children, and other vulnerable families and individuals. As faith communities across traditions, we seek to lift up the **sacred dignity of every person** and ensure justice and protection for all.

Uphold Our Moral & Legal Obligations and Ensure Robust Adherence to U.S. Law

Department of Homeland Security (DHS), Department of Defense (DOD), Military Construction (Mil-Con), and Commerce, Justice, Science and Related Agencies (CJS). Following our diverse faith teachings, we urge Congress to reduce funding for immigration detention, deportation, and border militarization and demand accountability with stringent oversight over DHS spending and practices, including the use of DOD and Mil-Con funds for immigration and border enforcement. Congress should better protect asylum seekers fleeing violence and persecution.

We oppose federal funding that drives unjust immigration enforcement, detention, and border militarization policies. This funding comes at the expense of critical programs to meet basic human needs. We urge Congress to:

- **Reduce funding - and limit DHS agency-level transfers** - to curtail the unprecedented levels of immigration detention funding within Immigration and Customs Enforcement (ICE) and Customs and Border Patrol (CBP), including increases to immigrant detention spurred outside of the annual appropriations process.
- **Reduce funding - and limit DHS agency-level transfers** - for the force carrying out deportations, including Border Patrol, ICE Enforcement and Removal Operations (ERO) agents, as well as Homeland Security Investigations (HSI) agents carrying out workplace raids. Particular attention should be paid to prohibit the detention and deportation of Deferred Action for Childhood Arrivals (DACA) and Temporary Protected Status (TPS) recipients or their family members.
- **Prohibit** Pentagon (DOD and Mil-Con) funds from being used for border wall construction, troop deployment, or the use of DOD facilities for housing individuals in the custody of ICE or CBP and **end** unaccountable border enforcement, including wall and militarized border infrastructure construction.
- **End funding** for 287(g) agreements, which deputize local law enforcement to act as federal immigration authorities and expand abusive jail space with little oversight. These agreements should be terminated.

We oppose federal funding that fuels anti-asylum policies that turn our backs on individuals seeking protection from violence and persecution. Spending should be used to protect communities. We urge Congress to:

- **Defund** programs that implement bars to asylum or forcibly return asylum seekers to danger, e.g., the so-called Migrant Protection Protocols (MPP); the Prompt Asylum Claim Review (PACR) program, the Humanitarian Asylum Review Process (HARP), and expedited processing of asylum seekers; expansion of expedited removal; "safe third country" agreements (and accompanying Asylum Cooperative Agreements); and the asylum bans (Presidential Proclamation 9822, issued on November 9, 2018 and extensions of it, the Interim Final Rule published at 83 FR 55934, and the Interim Final Rule published at 84 FR 33829).
- **Prohibit funds** to separate a child from a parent or legal guardian, except under certain circumstances, such as serious and imminent physical harm, as determined by a state-licensed child welfare professional.
- **Prohibit funds** from being used to gather immigration status information about sponsors of unaccompanied children that would be used for immigration enforcement purposes.
- **Direct DHS reports** on data on asylum seekers turned away at the border through "[metering](#)."
- **Prohibit funds** to criminally prosecute individuals, especially those who have expressed a fear of return, for prosecution under 8 U.S.C. § 1325 or § 1326.
- **Prohibit funds** for the Attorney General to restrict access to asylum.

Invest in Life-Saving Humanitarian Assistance, Refugee Protection and Integration, and Support for Vulnerable Migrant Populations

Department of Homeland Security (DHS). Congress should invest in effective, humane community-based case management and support programs as an avenue to reduce immigrant detention. Current detention resources should be reduced and diverted into more humane solutions and practices. Appropriators should:

- **Fully restore** the Family Case Management Program (FCMP) and ensure that the casework is operated by a non-profit entity, not ICE agents or a private prison corporation.
- **Provide \$250 million for the DHS Office of the Inspector General (OIG)** to enhance its ability to conduct vital oversight and investigations - and promote transparency and accountability.
- **Mandate** that children should always be in the custody and care of HHS, not DHS, in facilities that meet the full standards outlined in the *Flores Settlement Agreement*.

Commerce, Justice, Science and Related Agencies (CJS). Congress should focus on expanding funding streams for the Executive Office of Immigration Review (EOIR), and other avenues through which immigrants can successfully navigate the system with due process and access to justice, including:

- **\$55 million** for Legal Orientation Programs (LOP) in all detention facilities to provide critical information about the immigration court process, promote court efficiency, and protect due process for non-citizens in removal proceedings. At least three-quarters of facilities have no such program.
- **\$50 million** for EOIR to promote innovations, including leveraging federal funds to bolster pro bono efforts, to improve the level and quality of legal representation for vulnerable populations including unaccompanied children, family units, asylum seekers, individuals with medical and mental health disorders, survivors of torture and trauma, and those subjected to unlawful policies including the Migrant Protection Protocols, PACR, HARP, and removed pursuant to any asylum cooperative agreements.

State, Foreign Operations and Related Programs (SFOPS). Forcibly displaced people lack access to the basic necessities of life, including food and nutrition, clean water, safe shelter, healthcare, education, livelihood, and protection from persecution, conflict, war, and violence. U.S. funding helps to meet the basic human needs of persons fleeing persecution while they are displaced; supports durable solutions to their displacement; and assists the countries hosting them. The U.S. helps to relieve pressures that have the potential to destabilize sensitive regions and that also threaten global stability and security. We seek:

- **\$3.6 billion** for the Migration and Refugee Assistance (MRA) Account to help families fleeing life-threatening situations find temporary protection within countries where they are displaced.
- **\$4.5 billion** for the International Disaster Assistance (IDA) Account which funds humanitarian assistance to people displaced by disaster, conflict, and war.
- **\$1 million** for the Emergency Refugee and Migration Assistance (ERMA) Account which provides an important “safety valve” during emergencies, and allows the U.S. to meet rapidly-occurring and unforeseen humanitarian needs.

Labor, Health and Human Services, Education, and Related Agencies (LHHS). The Refugee and Entrant Assistance (REA) Account provides critical initial investments in the long-term integration and economic success of new Americans, including individuals and families who are rebuilding lives after surviving persecution, torture, trauma, and human trafficking. It is administered by the Department of Health and Human Services’ (HHS) Office of Refugee Resettlement (ORR). We ask for \$4.692 billion for the REA Account, including:

- **\$641 million** within that account should go to resettlement services.
- **\$40 million** for foreign national and domestic survivors of trafficking – \$20 million each – within ORR.
- **\$28 million** for torture survivors within ORR, especially given that many torture treatment centers have a waitlist, and nearly half of refugees are torture survivors.
- **\$1.98 billion** for unaccompanied children (UC) within ORR, without expanding detention for this vulnerable population, in addition to a “contingency fund” of \$2 billion for serving unaccompanied children that ORR can use to stabilize the REA Account and respond to recent trends in UC arrivals. HHS should also expand community-based residential care, home studies, and post release services.