



**Statement of the Immigrant Legal Resource Center
Submitted to the Congressional Record regarding the House Judiciary
Committee's June 14th Markup of H.R. 495, the "Protection of Children Act."**

The Immigrant Legal Resource Center (ILRC) is a national nonprofit resource center that provides immigration legal trainings, technical assistance, and educational materials, and engages in advocacy and immigrant civic engagement to advance immigrant rights. Today, we join numerous child welfare and immigration advocates across the country in urging all members of the House Judiciary Committee to protect the best interests of children by opposing H.R. 495, the "Protection of Children Act."

H.R. 495 asks Congress to break away from long-held standards of child welfare in the United States. This bill inhumanely seeks to strip vulnerable children of existing legal protections, and goes a step further to encourage the increased deportation of these children back to the very danger they fled from.

Amidst many troubling components, of particular concern are the bill's proposed provisions to:

- Place a significant burden on the child seeking help to adequately express their fear of trafficking or persecution to a border patrol agent, making no consideration for the age of the child or any developmental disabilities present. If the child fails to meet this burden, they are put on a fast-track deportation process back to the danger they fled.
- Allow only those children who Customs and Border Protection deem eligible to see an immigration judge within 14 days of the screening, an impossible timeframe for a child to begin recovering from their trauma, seek legal counsel, and develop their legal case. Without legal representation, a child's risk of deportation jumps to 80%.
- End the ability for children to have their claims for protection from persecution heard in a non-adversarial setting, rather than in front of an immigration judge where they will be cross-examined by a government attorney.
- End the ability for children to seek relief who may be able to reunify with only one of their parents in the instance they were abused, abandoned or neglected by their other parent.
- Require the investigation of immigration status of a child's potential sponsor and initiation of deportation proceedings if the sponsor is found to lack lawful status

(including all individuals who have sponsored children out of immigration detention since 2012).

In comparison to other areas of law, the U.S. immigration system stands alone in its refusal to extend special considerations to children, in recognition of their vulnerability and continuing brain development. The existence of immigration relief provisions like Special Immigrant Juvenile Status (SIJS) is a rare – and rightful – exception. The success of SIJS stands as a testament to the need for a collaborative and pragmatic approach to the welfare of immigrant children, one that relies on deep expertise and partnership between federal immigration and state child welfare agencies.

Rather than roll back these successes, Congress should instead seek to improve upon the positive track record of provisions like SIJS. All children deserve a support system, stability, and legal protections from harm, no matter where they were born. This sense of safety is especially crucial for children who migrated alone and who are now being asked to navigate complex systems of law while also attempting to recover from unimaginable trauma.

ILRC urges members of the House Judiciary Committee, and all members of Congress, to oppose H.R. 495, the “Protection of Children Act,” a bill that seeks to deny basic legal protections to refugee and migrant children fleeing persecution, child trafficking, or parental abuse, abandonment or neglect.