

March 30, 2005

Dear Senator:

We, the under-signed organizations and individuals, urge you to oppose Section 101 and 105 of the *REAL ID Act of 2005* (H.R. 418), which would have a devastating impact on legitimate asylum-seekers and refugees fleeing political, religious, and other forms of persecution. This bill includes provisions that will make it much harder for refugees to obtain asylum in this country -- and could lead to their deportation into the hands of their persecutors. As the Senate considers how to respond to H.R. 418, we urge you to reject the fast-track approach taken by the House of Representatives and to ensure that a bill of this magnitude is given full consideration before it is rushed to a final vote.

Section 101 would require a refugee to prove his or her persecutor's "central reason" for the persecution, an incredibly onerous standard in mixed motive cases; allow a refugee to be denied asylum if he or she is unable to produce documents that confirm her testimony, even when the testimony provided has been deemed credible; give immigration officers or immigration judge broad latitude to deny asylum based on the refugee's perceived "demeanor." These changes are not technical and do not simply legislate current practice. These provisions substantively change existing law. Section 105 bars judges from granting temporary stays of removal that are essential to prevent asylum seekers from being returned to their countries of persecution while their cases are pending on appeal.

The provisions in Section 101 and 105 will greatly undermine the ability of refugees fleeing religious persecution and other forms of violence and abuse to make claims for asylum. The bill's proponents in the House sought to create the impression that changes are necessary to keep terrorists from obtaining asylum. In fact, terrorists and others believed to be a danger to the United States are already statutorily barred from asylum and subjected to a vast array of rigorous security checks. Moreover, Congress and the former INS have instituted many reforms to address the problems that occurred in the early nineties with the asylum system.

Sections 101 and 105 of the House passed *REAL ID Act* will have devastating consequences for bona fide asylum-seekers and refugees without making our nation safer. We, the undersigned, urge you to give the bill careful, deliberate consideration and reject these anti-asylum provisions that would deport refugees back into the hands of their persecutors to face rape, torture, or even death.

Thank you for your consideration of our views.

Sincerely,

**Organizations**

Advocates for Survivors of Torture and Trauma

Aegis Foundation

American Civil Liberties Union

American Federation of Labor - Congress of Industrial Organizations

American Friends Service Committee, Immigrants Rights Program, Newark, NJ

American Immigration Lawyers Association

The American Jewish Committee

Amnesty International USA

Anti-Defamation League

The Arab Community Center for Economic and Social Services

Asian Law Caucus

Asian Pacific American Legal Center of Southern California

The Becket Fund for Religious Liberty

Bethany Christian Services

Bill of Rights Defense Committee

Capital Area Immigrants' Rights Coalition

Center for Gender and Refugee Services

Center for National Security Studies

Church World Service- Immigration and Refugee Program

Colorado Immigrant Rights Coalition

Colorado Progressive Coalition

Concerned Women for America

East Bay Sanctuary Covenant

Episcopal Migration Ministries

Florida Immigrant Advocacy Center

Friends Committee on National Legislation (Quaker)

Harvard Immigration and Refugee Clinic at GBLS, Boston, MA

Heartland Alliance for Human Needs & Human Rights

Hebrew Immigrant Aid Society  
Hmong National Development, Inc.  
Human Rights First  
Human Rights Project  
Illinois Coalition for Immigrant and Refugee Rights  
Immigrant Legal Advocacy Project  
Immigrant Rights Program, Newark, NJ  
Immigration Unit of GBLS, Boston, MA  
Institute on Religion and Public Policy  
International Rescue Committee  
Irish American Unity Conference  
Jesuit Refugee Service/USA  
Jewish Council for Public Affairs  
Jubilee Campaign USA  
Kentucky Refugee Ministries  
Kurdish Human Rights Watch, Inc.  
Lawyers' Committee for Civil Rights, San Francisco  
Leadership Conference on Civil Rights  
Legal Momentum  
Lutheran Immigration and Refugee Service  
Midwest Immigrant & Human Rights Center  
Minnesota Advocates for Human Rights  
The Multiracial Activist  
National Association of Evangelicals  
National Asian Pacific American Legal Consortium

National Council of La Raza  
National Immigration Forum  
National Immigration Law Center  
National Network to End Violence Against Immigrant Women  
The New York Immigration Coalition  
Northwest Immigrant Rights Project  
Pennsylvania Immigration Resource Center  
People For the American Way  
Physicians for Human Rights  
Political Asylum/Immigration Representation Project  
Refugee Law Center, Boston, MA  
Rights for All People - Derechos Para Todos  
September 11th Families for Peaceful Tomorrows  
Southern Baptist Ethics & Religious Liberty Commission  
Tahirih Justice Center  
Union for Reform Judaism  
Unitarian Universalist Service Committee  
U.S. Committee for Refugees and Immigrants  
Vermont Refugee Assistance Project  
Washington Lawyers' Committee for Civil Rights and Urban Affairs  
Women's Commission for Refugee Women and Children  
World Relief  
World Organization for Human Rights USA

**Individuals\***

David Abraham  
Professor of Law

University of Miami School of Law

Linda Ackerman, Esq

Susan M. Akram  
Associate Professor and Supervising Attorney  
Boston University Civil Litigation Program

Paul Ameen

Deborah Anker  
Jeremiah S. Smith Lecturer on law and Director  
Harvard Immigration and Refugee Program

Martin A. Anderson  
Accredited Immigration Representative  
Kentucky Refugee Ministries

Jon Bauer  
Clinical Professor of Law and Director  
Asylum & Human Rights Clinic  
University of Connecticut School of Law

Lenni B. Benson  
Professor and Co-Director  
Justice Action Center  
New York Law School

Louis D. Brandeis  
School of Law University of Louisville

Mary Brittingham  
Associate Professor of Clinical Law  
George Washington University Law School

Michelle Caldera  
Davis Clinical Teaching Fellow  
Asylum & Human Rights Clinic  
University of Connecticut Law School

Michael J. Churgin  
Raybourne Thompson Centennial Professor in Law  
The University of Texas

Rev. Richard Cizik  
Vice President for Governmental Affairs  
National Association of Evangelicals

Charlie Clements  
President and CEO  
Unitarian Universalist Service Committee

Erin S. Conroy

Joel Dansky  
Disabilities Services Coordinator  
Hampshire College

Nora V. Demleitner  
Professor of Law  
Hofstra University School of Law

Jeffrey D. Dillman  
Associate Professor of Law  
Milton A. Kramer Law Clinic Center  
Case Western Reserve University School of Law

McDonald Dyer, P.C

John Robert Egan  
Adjunct Professor  
Asylum Refugees and Forced Migration  
University of Hawaii Law School

Bina Hanchinamani Ellefsen  
Asylum Attorney  
Northwest Immigrant Rights Project

Essam Elmahgoop  
Arabic Translation Center

Talat G. Hamdani  
September Eleventh Families for Peaceful Tomorrows

Maryellen Fullerton  
Professor of Law  
Brooklyn Law School

Patrick Giantonio  
Executive Director  
Vermont Refugee Assistance

Keith M. Harrison  
Professor of Law  
Franklin Pierce Law Center

Dina Haynes  
Visiting Professor/Practitioner-in-Residence  
American University  
Washington College of Law

Jeffrey A. Heller

Adjunct Assistant Clinical Professor  
Safe Harbor Project  
Brooklyn Law School

Michael G. Heyman  
Professor of Law  
The John Marshall Law School

Barbara Hines  
Clinical Professor  
Immigration Clinic  
University of Texas School of Law

Matthew I. Hirsch, Esquire  
Adjunct Professor of Immigration Law  
Widener University School of Law

Olivia Horgan, Esq.

Michael Horowitz  
Director  
Hudson Institute Project for International Religious Liberty

Donna M. Hughes  
Professor & Carlson Endowed Chair  
Women's Studies Program  
University of Rhode Island

Sarah Ignatius  
Executive Director  
Political Asylum/Immigration Representation Project

Kate Jastram  
Lecturer in Law  
Bolt Hall School of Law  
University of California, Berkeley

Jeff Joseph  
Adjunct Professor of Immigration Law  
University of Denver, College of Law

Anil Kalhan  
Associate in Law  
Columbia Law School

John C. Keller  
Attorney at Law & Adjunct Law Professor  
Immigrant Law Center of Minnesota  
University of Minnesota

Nancy Kelly

Clinical Supervisor  
Harvard Immigration and Refugee Clinic

Clifton Kirkpatrick  
Stated Clerk of the Presbyterian Church (U.S.A.)

Lisa Koop  
Supervising Attorney & Teaching Scholar  
Notre Dame Immigration Clinic

Sarah Kroll-Rosenbaum  
New York Law School '05

Richard Land  
President  
Southern Baptist Ethics & Religious Liberty Commission

Stephen H. Legomsky  
Nagel Professor of International Law  
Washington University School of Law

Maria Pabon Lopez  
Assistant Professor of Law  
Indiana University School of Law

Elizabeth McCormick  
Cornell Legal Aid  
Cornell Law School

Faith J. H. McDonnell  
Director, Religious Liberty Programs  
Institute on Religion & Democracy

Estelle McKee  
Asylum/CAT Appeals Clinic  
Cornell Law School

M. Isabel Medina  
Ferris Family Professor of Law  
Loyola University New Orleans School of Law

Amber Montane, Esq.

Jennifer Moore  
Professor of Law and Associate Dean for Academic Affairs  
Director of UNM Peace Studies Program  
University of New Mexico School of Law

Jesse Moorman  
Co-founder  
Human Rights Project



Hiroshi Motomura  
Dan K. Moore Distinguished Professor of Law  
University of North Carolina School of Law

Jae Joong Nam, M.D.  
President  
Aegis Foundation

Jonathan Robert Nelson  
Attorney at Law

Michele Pistone  
Professor and Director  
Clinical Program & CARES Clinic  
Villanova University School of Law

Jaya Ramji  
Advocacy Fellow  
Center for Applied Legal Studies  
Georgetown University Law Center

Jane G. Rocamora  
Clinical Supervisor  
Harvard Immigration and Refugee Clinic

Theodore Ruthizer  
Lecturer in Law  
Columbia Law School

Anita R. Schneider

Andrew I. Schoenholtz  
Visiting Professor of Law & Deputy Director  
Georgetown University Institute for the Study of International Migration

Philip G. Schrag  
Professor of Law  
Georgetown University

Barbara Schwartz  
Clinical Professor  
College of Law Clinical Programs  
University of Iowa

Ragini Shah  
Clinical Staff Attorney  
Morningside Heights Legal Services, Inc./Child Advocacy Clinic  
Columbia University Law School

Anita Sharma

Staff Attorney  
Political Asylum/Immigration Representation Project (PAIR)

Amy K. Skryja, Esq

Deborah S. Smith  
Adjunct Professor  
University of Montana Law School

Beth Stickney, Esq.  
Immigrant Legal Advocacy Project

Sister Dorothy Strelchun, SND  
Catholic Charities Migration & Refugee Services (Hartford, CT)

Carlina Tapia-Ruano  
Adjunct Professor  
Illinois Institute of Technology-Kent College of Law

Margaret H. Taylor  
Professor of Law  
Wake Forest University School of Law

Enid Trucios-Haynes  
Associate Dean of Academic Affairs  
Professor of Law  
Louis D. Brandeis School of Law  
University of Louisville

Joseph A. Vail  
Associate Clinical Professor  
University of Houston Law Center

Pedro Vera

Leti Volpp  
Professor  
American University Law School

Virgil Wiebe  
Director of Clinical Education & Assistant Professor of Law  
University of St. Thomas School of Law

John Willshire-Carrera  
Clinical Supervisor  
Harvard Immigration and Refugee Clinic

Benjamin D. Winig, Esq.

Judith L. Wood  
Founder and President

Human Rights Project

Stephen Yale-Loehr  
Asylum/CAT Appeals Clinic  
Cornell Law School

\*For individual signers, institutional affiliations are listed for identification purposes only