

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
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Women's Commission for Refugee Women and Children
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