



## FCNL Opposes the *Secure and Protect Act*, Rejects Restrictions on Asylum and Expanded Detention of Families

The Secure and Protect Act of 2019 (S. 1494) sharply conflicts with the Friends Committee on National Legislation's pursuit of policies that build just societies and peaceful communities. Any legislative response to the humanitarian border crisis must protect the psychological and physical health of migrant children, maintain the integrity of family units, and strengthen transparency in enforcement practices. **FCNL urges members of Congress to reject S. 1494, which does not meet these principles.**

**S. 1494 expands family detention and undermines critical protections for children, risking their health and safety.** The bill prohibits the release of families, including children, from detention facilities throughout the entirety of their legal proceedings. It gives sole discretion to the Secretary of Homeland Security to determine detention standards, prohibits states from requiring formal licensing for family detention centers, and eliminates important legal safeguards for children under the *Flores* settlement agreement and the Trafficking Victims Protection Act of 2008. Children could be held for extended periods in restrictive custody, up to 100 days. Detention is proven to have harmful, [long-term](#) impacts on even healthy children. As little as one week in restrictive custody can result in lasting [psychological](#) trauma. This bill undermines the *minimum* standards that this country should practice in its treatment of children. These standards should be strengthened, not eliminated.

**S. 1494 erodes the U.S. asylum system and makes it harder for families to seek protection.** All people have the international and domestic legal right to seek protection from persecution and violence. S. 1494 undermines this asylum right with unnecessary restrictions that expand bars based on country of origin, narrow eligibility and access, and impose limiting fees and deadlines. Families fleeing their homes in desperation have faced incredible challenges and should have their asylum claims heard - not illegally turned away or criminalized for seeking protection. Regional processing centers in Central America cannot completely replace asylum processes within the United States. This proposal conflicts with our moral and legal obligations to protect the most vulnerable.

**S. 1494 compromises due process for vulnerable migrants.** The bill would mandate a time limit of 100 days for an immigration court to determine relief or removal proceedings for migrant families and children. This expedited process, especially combined with detention, obstructs people from being able to adequately gather evidentiary support for their case. S. 1494 also inappropriately grants immigration officers jurisdiction over unaccompanied minors' asylum applications rather than ensuring all evaluations are conducted by trained asylum officers. These decisions would be final and unreviewable. Denying asylum seekers a meaningful opportunity to make their case and limiting access to appropriate representation and other services violates due process. If enacted, Congress would be signing off on deporting children and other migrants quickly without effectively evaluating their need for protection.

**FCNL urges Members to oppose the *Secure and Protect Act of 2019* and work instead to protect vulnerable migrants and uphold U.S. asylum law.** We cannot absolve ourselves of the responsibility to ensure that *all* families and individuals who turn to our nation for protection are treated with the utmost respect and dignity. FCNL remains ready and willing to work with Congress to meaningfully reform underlying problems with the U.S. immigration system and expand community-based alternatives to detention and humanitarian support.