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Dear Senator:

The Evangelical Lutheran Church in America (ELCA) and Lutheran Immigration and Refugee Service (LIRS) urge you to oppose the REAL ID Act (H.R. 418), which the House included in its fiscal year 2005 supplemental spending bill. The REAL ID Act would hurt the most vulnerable immigrants -- asylum seekers, torture victims, unaccompanied children and immigrant families. Under the asylum provisions in this bill, many refugees who have fled human rights abuses including religious persecution, torture, rape and other horrific violence could be barred from receiving asylum in the United States.

Lutheran churches have a history of hospitality for refugees. Following World War II, when one out of every six Lutherans in the world was a refugee or displaced person, Lutherans, with the participation of 6,000 congregations, resettled some 57,000 refugees in the United States. To this day we continue to welcome refugees, asylum seekers and other immigrants into our congregations. Newcomer immigrants remind us of our earlier generations who entered this country through Angel Island, Ellis Island and Miami. This ministry also teaches us how our society is daily being strengthened and renewed by the contributions of newcomers.

Let us be clear: we are deeply committed to U.S. national security. Terrorism haunts our times. We understand the difficult decisions members of Congress must make in order to balance our national security with other responsibilities of government and with the very ideals on which this great nation was founded. H.R. 418 would not protect us from terrorism. Terrorists are already barred from receiving asylum in the United States. Instead, this bill would harm the most vulnerable refugees who come to the United States seeking protection and the liberty and freedom we so deeply cherish as a nation.

The United States must balance our need for security with our tradition of humanitarian relief to persecuted people. H.R. 418 would close the door of freedom to people most in need of our protection. Specifically, we object to the following provisions in H.R. 418:

- Section 101 could deny asylum to a refugee if he or she is unable to show documents that prove his or her case, even though he or she has testified credibly in the asylum case.
- Section 101 requires a refugee to prove that a "central reason" for the persecution was race, religion, political opinion, nationality or membership in a particular social group as opposed to personal vengeance, hatred or some other reason. It is unrealistic to

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require victims to read the mind of their persecutors. Section 101 also places emphasis on the refugee's perceived demeanor, ignoring the fact that survivors of rape, forced abortions or similar abuses may appear lacking in emotion or have difficulty making eye contact.

- Sections 103 and 104 allow victims of terrorist or militant groups to be deported or barred from receiving asylum based on overly broad definitions of what constitutes engaging in terrorism. Some people who come to the United States seeking asylum are doing so because they were forced at gunpoint to pay money to a terrorist organization or may have given money to a school or hospital without knowing the ties to a terrorist organization. Under the REAL ID Act, these innocent people would be barred from asylum for the same reason they are seeking it -- persecution by terrorists.
- Section 202 would undermine states' efforts to create driver's license systems that assure that all drivers are certified to drive, are insured, and are carrying valid licenses. Undermining these efforts would force undocumented people further into the shadows, and weaken rather than improve security.

The presence of immigrants in our churches and society heightens our awareness of the experience of new immigrants, refugees and asylum seekers in the United States. This awareness makes us more appreciative of the gifts our new neighbors bring and of the barriers as well as the opportunities they encounter. It deepens our belief that "all people are God's creatures, sinners for whom Christ died" and our responsibility to respect the human dignity of all.

Recalling that our families were once "strangers" -- and remembering our Lord's call to love our neighbor as ourselves -- enables us to see the new "strangers" as our neighbors, and makes us open to welcome today's newcomers. We urge you to oppose H.R. 418 to ensure the United States continues to welcome the stranger and provide protection to the persecuted.

Our nation's founding father, George Washington wrote,

At best, I have only been an instrument in the hands of Providence to effect, with the aid of many virtuous fellow citizens of America, a revolution which is interesting to the liberties of mankind -and to the emancipation of a Country which may afford an asylum (if we are wise enough to pursue the paths which lead to virtue and patriotism) to the oppressed and needy of the earth. Our land is extensive - our plains are productive - and if they are cultivated with liberality and good sense, we may be happy ourselves, and diffuse it to ask those who incline to participate of it.

-- Letter from General George Washington to Mevr. Lucretia Wilhelmina van Mercken, March 30, 1783

Faithfully,

Bishop Mark S. Hanson
Presiding Bishop
Evangelical Lutheran Church in America

Ralston H. Deffenbaugh, Jr.
President
Lutheran Immigration and Refugee Service