

## **Comments on the REAL ID Act of 2005 (H.R. 418)**

April 12, 2005

**Dr. Barrett Duke**

Vice President for Public Policy and Research  
The Southern Baptist Ethics & Religious Liberty Commission

The changes being proposed by Section 101 of the REAL ID Act (H.R. 418) to United States asylum laws are well-meaning attempts to make us more secure from terrorist attack. Unfortunately, these changes will not make us any safer from terrorist infiltration. Instead they will bar deserving people who live under the immediate threat of unbearable persecution, which too often leads to loss of property, livelihood, personal dignity, freedom, or life.

The changes being proposed are ill conceived in large measure because they make the wrong assumptions about the groups of people they are addressing. The changes assume that the terrorists we are worried about are ignorant, ill prepared, and disorganized—all of which are deadly mischaracterizations, and that the people we want to help are clear-headed, well-prepared, and well-acquainted with our asylum system—all of which are too often not the case. This is the only possible explanation for the requirement that an asylum applicant provide proof that he or she is subject to persecution on five possible grounds. The terrorists we are most concerned about who might attempt to use our asylum laws to gain entrance into our country would not be deterred by this. These people have vast networks and resources. They can easily provide the documentary evidence to support their claim. The only people liable to be affected by this requirement are those who are too busy running for their lives to stop and collect the kind of evidence they need.

In addition, the emphasis on consistent testimony at every stage of interrogation will not stop a terrorist. The calculating, diabolical terrorist will have plenty of time to rehearse his story, until he can say it the same way every time. Granted, this change is certain to catch stupid terrorists, but they aren't the ones who pose the greatest danger to us. The change is much more likely to affect people who are scared for their lives, who are distrustful of any authority, with good reason, and who are simply trying to escape their persecutors. These people are very likely to change or add to their testimony over time as they become more familiar with their surroundings, better acquainted with our mannerisms and language, more comfortable with their interrogators, and more clear-minded.

I am grateful for the hard-thinking, patriotic Americans who are trying to protect us from those who want to kill us and destroy our way of life. I hope they will keep thinking about how to protect us from terrorist attacks. But the changes proposed by Section 101 of the REAL ID Act (H.R.418) will not keep out an organized, well-financed, terrorist. They will only deny protection to people who have no where else to turn, who believe that the United States is a haven of peace for the oppressed, downtrodden, and persecuted people of the world.



## SENATE DEMOCRATIC COMMUNICATIONS CENTER

SENATE DEMOCRATIC LEADER HARRY REID  
(202) 224-2939



**\*\*\*ENGLISH AND SPANISH VERSIONS INCLUDED\*\*\***

*For Immediate Release*

April 12, 2005

CONTACT: Jim Manley, Fabiola Rodríguez-Ciampoli, (202) 224-2939

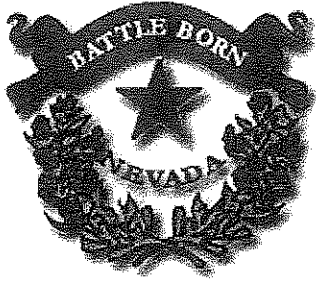
### **REID: REAL ID WILL NOT MAKE US SAFER**

WASHINGTON, D.C.- Senate Democratic Leader Harry Reid issued the following statement regarding the REAL ID Act, legislation that would make it harder for genuine refugees in need of protection to seek asylum, severely limit access to administrative and judicial, and give unprecedented power to private bounty hunters to go after immigrants.

“I oppose REAL ID. This legislation would make sweeping, unwise changes to U.S. laws on asylum and border security and is opposed by a broad range of religious organizations, privacy advocates, and human rights groups, as well as representatives of state and local governments. This controversial piece of legislation would not make us safer. It should not be included in the supplemental appropriations bill, which must be enacted quickly in order to ensure vital funding for our armed forces and tsunami relief.

I support comprehensive immigration reform and do not believe we should be pursuing a piecemeal approach to such reform. The Senate has not had an opportunity to consider the REAL ID Act. Absent an opportunity for full and careful consideration, this legislation has no place on the supplemental appropriations bill.”

###



## SENATE DEMOCRATIC COMMUNICATIONS CENTER

SENATE DEMOCRATIC LEADER HARRY REID  
(202) 224-2939



*Para Difusión Inmediata*  
Martes, 12 de abril de 2005

CONTACTO: Fabiola Rodríguez-Ciampoli (202) 224-2939

### **REAL ID NO NOS PONDRÁ MÁS A SALVO, DICE REID**

WASHINGTON, D.C.- El Líder Demócrata en el Senado dio a conocer la siguiente declaración en relación a la ley REAL ID, una propuesta legislativa que dificultaría que refugiados genuinos que buscan protección solicitaran asilo, limita severamente el acceso a revisiones administrativas y judiciales daría un poder sin precedente a los cazadores de recompensas privados para que persigan a inmigrantes.

“Yo estoy opuesto a la propuesta REAL ID. Esta legislación llevaría a cabo cambios drásticos e insensatos en las leyes de asilo y seguridad fronteriza de los Estados Unidos y una amplia diversidad de organizaciones religiosas, defensores del derecho a la privacidad y grupos de derechos humanos se oponen a ella. Esta propuesta no debería incluirse en el proyecto de ley de asignaciones presupuestales suplementarias, el cual debe ser promulgado rápidamente para poder asegurar los fondos vitales para nuestras fuerzas armadas y alivio para las víctimas del tsunami.

Yo apoyo una reforma de inmigración amplia y no creo que debemos atender esta reforma de manera fragmentada. El Senado no ha tenido la oportunidad de considerar la Ley REAL ID. A falta de la oportunidad para considerarla cuidadosa y profundamente, esta legislación no tiene cabida en el proyecto de ley de asignaciones presupuestales suplementarias.”

###