

January 25, 2006

Dear Senator Feinstein

We, the undersigned organizations and individuals, write to express our concern and opposition to a bill you introduced with Senator Jeff Sessions (R-AL), known as "The Passport and Travel Document Fraud Prevention Act" (S. 524). This bill would expand the types of passport and document-related offenses that constitute an "aggravated felony." It would impose unduly harsh penalties on immigrant workers, victims of domestic violence, and American citizen family members.

S. 524 would make the use of any false document to gain entry into the U.S. an "aggravated felony," regardless of whether *any* prison sentence is imposed. The harsh consequences of an "aggravated felony" conviction include mandatory detention, permanent deportation, and ineligibility for any type of relief. Other offenses that would be considered "aggravated felonies" under this amendment include false statements in an application for a passport or travel document regardless of whether any prison term is imposed; using, attempting to use, or furnishing a passport or travel document that was secured in any way by a false statement, regardless of whether any prison term is imposed; among others.

Consider the case of Yuko, a lawful permanent resident that worked as a *sous chef* in New York City and lived with her three U.S. citizen children. Ten years ago, Yuko borrowed her neighbor's passport to enter the U.S. because she was desperate to leave her abusive husband. While Yuko pled guilty to entering the U.S. on a false name, she spent no time in jail. Or consider the case of Rosa, a Mexican woman who is a victim of domestic violence and who used a false name to obtain a passport to seek refuge with her cousin in the U.S. Under S. 524, their convictions would automatically be considered aggravated felonies, subjecting them to deportation, detention, and ineligibility for any kind of relief.

While recent bill modifications were made to address certain refugees, they do not go far enough to protect all vulnerable populations, such as crime victims, victims of trafficking, and victims of domestic violence. Under this bill, such groups who fit under the broad newly expanded "aggravated felony" definition would be ineligible for removal relief or other protections.

We urge you to reconsider your support for this bill.

Sincerely,

### **National Organizations**

American-Arab Anti-Discrimination Committee  
Asian American Justice Center  
American Civil Liberties Union  
American Friends Service Committee  
Asian & Pacific Islander American Health Forum  
American Immigration Lawyers Association  
Center for National Security Studies  
Episcopal Migration Ministries  
Farmworker Justice Fund, Inc.  
Human Rights Watch  
Immigration Equality  
Jesuit Refugee Service  
Kurdish Human Rights Watch, Inc.  
Legal Momentum  
National Korean American Service & Education Consortium  
National Council of La Raza  
National Immigration Forum  
National Immigration Law Center  
National Immigration Project, National Lawyers Guild  
U.S. Committee for Refugees and Immigrants  
Washington Lawyers' Committee for Civil Rights and Urban Affairs, Immigrant and Refugee Rights Project  
World Organization for Human Rights USA  
World Relief

### **Local Organizations**

Arab Community Center for Economic and Social Services, Dearborn, Michigan  
Asian American Legal Defense and Education Fund, New York, New York  
Asian Law Alliance, San Jose, California  
Asian Pacific American Legal Center of Southern California, Los Angeles, CA  
Bay Area Immigrant Rights Coalition, Oakland, California  
Capital Area Immigrants' Rights Coalition, Washington, D.C.  
Center for Gender & Refugee Studies, UC Hastings College of the Law, San Francisco, California  
Center for Immigrant and Community Integration Legal Services, a service of Catholic Charities of the Diocese of Pueblo, Pueblo, Colorado  
Empowering the Korean American Community, Flushing, New York  
Farmworker Association of Florida, Apopka, FL  
Florida Immigrant Advocacy Center, Miami, Florida  
Florida Immigrant Coalition, Miami, Florida  
Hate Free Zone Washington, Seattle, Washington  
Immigrant Legal Advocacy Project, Portland, Maine  
Immigration Voice, Dayton, New Jersey  
International Institute of the East Bay, Oakland, California  
Korean American Resource & Cultural Center, Chicago, Illinois  
Korean Resource Center, Los Angeles, California

Lawyers' Committee for Civil Rights, San Francisco, California  
Love Sees No Borders, Sunnyvale, CA  
Massachusetts Immigrant and Refugee Advocacy Coalition, Boston, Massachusetts  
Midwest Immigrant & Human Rights Center, Chicago, Illinois  
Migration and Refugee Services Diocese of Trenton, Trenton, New Jersey  
National Lawyers Guild, Massachusetts Chapter, Boston, Massachusetts  
Network Against Human Trafficking, Des Moines, Iowa  
New Jersey Immigration Policy Network, Newark, New Jersey  
New Jersey Civil Rights Defense Committee, Piscataway, New Jersey  
New York Immigration Coalition, New York, New York  
New York Region Justice for our Neighbors, New York, New York  
Tahirih Justice Center, Falls Church, Virginia  
Washington Defender Association's Immigration Project, Seattle, Washington

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