



Testimony

A Pamphlet from Pax Christi Texas

Anticipating May 24, 2020

Communications with the editor should be sent to j6anthonyblasi@yahoo.com. Pax Christi International was founded in 1945 with the encouragement of Bishop Pierre Marie Théas of Montauban, France, by Marthe Dortel Claudot, as a Christian lay organization dedicated to preventing a repetition of the savagery of the twentieth century's world wars.

Editorial

After the calendar, the Sunday Liturgical Reading reflections are based on readings for the Feast of the Ascension of the Lord. Tom Keene's poem is *Shekinah 33AD*. For more of Tom's poems, see <http://www.tomkeeneandthemuse.com/index.php>.

After the poem is a letter from Bishop Mario E. Dorsonville on behalf of the Migration Committee of the United States Conference of Catholic Bishops to the acting secretary of the U.S. Department of Homeland Security concerning Vulnerable Migrant Populations' Health in Light of COVID-19.

This notice is from Pax Christi member Yvonne Dilling: Maryknoll Fathers and Brothers are offering reflection guides for the Sunday Gospel readings up through Pentecost Sunday, possibly beyond. The guides can be used individually but are developed for small groups (which can be those living in a household or a group that meets online in small groups.):

<https://sites.google.com/a/maryknoll.us/maryknoll-mission-education-promotion/>

Calendar

Monday May 18, 1:30pm (2:30pm ET), virtual event: Raise Our Voice: Muslims, Jews, and Allies Come Together for Solidarity, Resilience, and Action! Register at: https://us02web.zoom.us/meeting/register/tZIkduippjgqE9zSxRjZMWi_d9SKnFV3qP2_

Tuesday May 19, 5:30pm, Interfaith/Community Action Network online conversation over challenges facing the San Antonio community, especially those

posed by COVID-19. Register at:

https://uiw.zoom.us/meeting/register/tJEoduCurTljHdzmDVmK1nYqGO_DD5ZW-6QG

Wednesday May 20, 1:00pm (2:00pm EDT), U.S. bishops' online roundtable on *Laudato Sí* (Archbishop Paul S. Coakley of Oklahoma City, Auxiliary Bishop Robert Barron of Los Angeles, and bishop Robert W. McElroy of San Diego).

Friday June 5, 9:30am-3:00pm, online conference: "How Science Can Strengthen the Faith of Your Church." 9:30 Elaine Howard Ecklund (Rice U.); 10:25, Mark Labbarton (Fuller Seminary); 11:15 Praven Sethopathy (Cornell U.), 12:30 Greg Cootsona (Cal. State, Chico) & Gus Reyes (Texas Baptists) on engaging youth and emerging adults in science; 1:20 Nichole Phillips (Emory U) & Harvey Clemons (Pleasant Hill Bapt. Church) on race, social justice, science; 2:10 Jonathan Hill (Calvin U) & Lee Hsia (First Bapt. Church, Houston) on human origins; 2:50 Closing remarks. The conference will be preceded by the release of Elaine Howard Ecklund's book, *Why Science and Faith Need Each Other*. The first 250 people to register will receive a free copy; include your mailing address when registering.

Register here:

https://riceuniversity.zoom.us/webinar/register/WN_w1ouOgz2R0etvzPbnHD4Zg
Instructions to join the webinar will be sent to you after registering.

Sunday June 7, 2:00pm, Interfaith Justice Advocacy Workshop. Experts from Texas Impact, an Austin-based interfaith advocacy organization, present the training workshop online. Register at: <https://www.eventbrite.com/e/interfaith-justice-advocacy-workshop-tickets-104210211548>.

Information: Lisa Brenskelle, gcs.lrc@gmail.com.

Second Reading (Ephesians 1:17-23)

The anonymous author of *Ephesians* wrote with lengthy sequences of clauses that link together; a close English translation of them results in a lengthy sentence. The reading for today actually breaks into such a sentence, beginning a thought at a linking point. The full sentence begins in a way that makes it clear that what follows (the selection for today) is a prayer. That full sentence begins, "Therefore I also hearing of the faith in the Reverend Jesus and the love for all the

saints that is among you, do not cease giving thanks for you, remembering you in my prayers....” What is the point of the prayer? “...so that the God of our Reverend Jesus, Messiah, the father of glory, may grant you the spirit of wisdom and revelation in knowledge of him, and grant that the eyes of your heart be enlightened so that you will know....” The selection is looking forward to Pentecost, the narrative of the granting of the Spirit.

From the Spirit, we are to know “...what the hope of his call is, what the richness of the glory of his inheritance among the saints is, and what the surpassing greatness of His power is among us who believe commensurately with the effectiveness of the power of His strength, which He worked in the Messiah, raising him from the dead, and seating him at His right hand among the heavenly beings, above every ruler, authority, power, and dominion....” The prayer is that we come to know the reasons for what hope we have.

Third Reading (Matthew 28:16-20.

The brief reading from the *Gospel of Matthew* sets the scene for the Ascension with a most curious line: “And the eleven disciples went to Galilee, to the mountain that Jesus indicated, and seeing him some paid him homage, but some hesitated.” And only after mentioning hesitation does the narrative proceed to have Jesus give the eleven their final missionary charge. Some weeks ago a passage from the *Johannine Gospel* had Thomas resolving doubt by seeing, but here some of the eleven see and still doubt.

I think the Matthean narrative is trying to depict faith, and faith is not so much a cognitive assent as a resource for engaging in a mission. The cognitive assent is a dimension of faith, but the resource for activation is as necessary, if not more so. What “works” in mission is the contagious *coming* to faith. Receiving a cognitive conclusion does not activate the missionary or the missionized, but the coming to faith activates because it itself is an activation.

In order to come to faith, it is necessary to have a prior lack of faith or, at least, a state of lesser faith. Faith is not certainty but doubt. Certainty involves a satisfaction that what one cognizes largely corresponds to that object which one would know; but since any cognition that would correspond to God is necessarily as false and inadequate as it would be true and adequate, we do not have certainty in the ordinary sense of that term. Thus we have interested doubt, as opposed to disinterested certainty or disinterested skepticism.

If faith is to be truly faith and not certainty, it must include that element of interested doubt that moves one, and others, from an absence of faith or from a lesser faith to a presence or increase of faith.

The problem with a religiosity that is intolerant of doubt or even of alternate avenues of faith is that it idolizes and mummifies.

Poem

Shekinah 33 A.D.
(Pentecost)

With a warning howl
she burst upon them:
 praying men,
 silent women,
 playing children,
crashed into the old room
shaking its stone and wood.

She came with
pollen from the desert,
salt from the sea,
pulling their hair,
stirring their blood.

Like wine,
she loosened their tongues
to babble meaning
to the deaf.

People heard.
A fetus of hope
kicked
within the womb of destiny.

Tom Keene
September 30, 1996

Committee on Migration

c/o Migration and Refugee Services, USCCB

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202-541-3065 • fax 202-722-8805 • email mrs@usccb.org • www.usccb.org/mrs

April 14, 2020

The Honorable Chad F. Wolf
Acting Secretary of Homeland Security
U.S. Department of Homeland Security
245 Murray Lane, S.W.
Washington, D.C. 20528

Re: Catholic Bishops' Concern for Vulnerable Migrant Populations' Health in Light of COVID-19

Dear Acting Secretary Wolf:

On behalf of the U.S. Conference of Catholic Bishops Committee on Migration (USCCB/COM), I am writing to you today out of concern for the health and welfare of vulnerable migrating populations: most notably detained immigrants and unaccompanied children in the context of COVID-19. I urge the Department of Homeland Security (DHS) and its components to continue to honor obligations under U.S. law to allow vulnerable groups such as unaccompanied children to access protection in the United States while simultaneously following best health practices so that immigrants may not become exposed COVID-19. Specifically, I ask that DHS engage with the Centers for Disease Control (CDC) and medical experts to review all practices related to immigrant detention and encounters with unaccompanied children and asylum seekers at the U.S./Mexico border in light of internationally and domestically codified protection rights and the health risks of COVID-19. I strongly urge your agency to take additional measures in the interest of slowing the virus's spread while continuing to protect human life and honor U.S. legal and moral commitments to protecting the vulnerable fleeing persecution.

The Catholic Church's deep concern for people seeking safety during the COVID-19 pandemic is grounded in Catholic social teaching and our collective experience serving people in need. The core tenet of our faith is the belief that every human life is sacred. In promotion of that belief, we advocate and provide service for all, but especially the most vulnerable: the unborn, the poor, the homeless, immigrants and refugees, the elderly and the mentally and physically infirm. As reflected in Catholic teachings, the right to life extends to life-saving protection and the right to seek safety and well-being and to care for one's family.

During this global pandemic and national emergency, access to appropriate health prevention measures and continued access to protection are critical. Ensuring individuals are not unnecessarily exposed to COVID-19 while continuing to offer protection can save lives. In this context, I make the following recommendations regarding immigrant detainees, unaccompanied children and asylum seekers to help ensure that no human life is placed unnecessarily at risk at this time:

(1) Immigrant Detainees

Ensuring the health, human dignity and due process of immigrant detainees is a concern of the Catholic Church. In *Responsibility Rehabilitation and Restoration: A Catholic Perspective on Crime and Criminal Justice*, immigrant detention is specifically mentioned as a priority issue: "The special circumstance of immigrants in detention centers is of particular concern."¹ Catholic service providers have long been involved providing visitation, legal, social and pastoral services to detainees, the newly released and their families. We also have an extensive history of administering alternative to detention programming in partnership with the federal government as well as independently to those who have been recently released but need assistance. I also note that USCCB and our Catholic Charities network are currently working in partnership with ICE and its contractors to implement and administer alternatives to detention utilizing case management. We welcome working with you to help ensure individuals who may be released from detention in some form may be released to alternatives to detention.

¹ *Responsibility, Rehabilitation and Restoration, A Catholic Perspective on Crime and Criminal Justice*, A Statement of the Catholic Bishops of the United States (Nov. 15, 2000).

As you are grappling with this public health crisis, we urge you to consider and implement the following recommendations for the health and well-being of your staff and all immigrant detainees:

- **Parole Vulnerable Populations from Detention** Vulnerable individuals, such as those with physical or mental health ailments, over age 60, with compromised immune systems and people whose housing placements restrict their access to medical care and limit the staff's ability to observe them, should be humanitarily paroled from detention facilities. Efforts must be made to ensure that these individuals upon parole: (1) have family/friends to stay with for community support and (2) are willing and able to self-quarantine and have travel and transportation to be with family and friends arranged.
- **Enroll Individuals Who Are Not Required to Be Detained Under the INA on Alternatives to Detention** In the current detention population, there are certain individuals, such as asylum seekers who have passed credible fear interviews, who do not have to be detained under the Immigration and Nationality Act (INA). I urge you to strongly consider utilizing alternatives to detention for this population as it will help prevent them from the possibility of exposure to COVID-19. DHS should use its discretion to immediately enroll such individuals in a variety of existing alternatives to detention including case management. As mentioned above, we operate alternatives to detention with ICE and its contractors can assist you in this respect.
- **Provide Robust Public Education for the Detained and Those Working in Facilities** The detained need to be informed about COVID-19 and the measures they can take to minimize their risk of contracting or spreading the virus. Information about the spread of COVID-19, the risks associated with it, recognizing symptoms, and prevention and treatment measures must be available in multiple languages and infographics for those who are illiterate. Additionally, cleaning and personal hygiene products should be made available to all detainees. Correctional, administrative, and medical staff all must be educated about COVID-19 to protect themselves and their families, as well as those in their custody. Staff should be properly trained and also should be given protocols for how to proceed if a family member or they themselves exhibit symptoms.

- **Maintain Consistent Access to Legal and Pastoral Services** Access to attorneys, know your rights and other legal orientation services must be maintained through free phone access and video technology. Attorney/client calls should be free and available to be made in a private space. Legal service providers should be granted flexibility to provide know your rights and legal orientation programming via video. Additionally, in this moment, pastoral care is more important than ever. Creative means should be employed using telephone and video technology for group religious practices and individual appointments. Please note that almost every single religious denomination is web-streaming their religious services and web-access to these services should be provided and encouraged.

(2) **Unaccompanied Children**

Formally, in partnership with the U.S. government, the Catholic Church has been serving unaccompanied children since 1994. Currently, as of March 1, 2020, there are 3,617 unaccompanied children in the U.S. government’s custody.² The Catholic Church’s work in assisting unaccompanied children stems from the belief that every person has a unique and sacred dignity and that we must help protect and defend the vulnerable. The protection of migrant children is an especially important issue for the Catholic Church as one of Jesus’ first experiences as an infant was to flee for his life from King Herod with his family to Egypt. The Church recognizes the extreme violence and persecution that children are facing and seeks to ensure their safety and well-being.

As you are grappling with this public health crisis, it is vital that you consider the following recommendations for the health and well-being of your staff and unaccompanied children:

- **Continue to Process Unaccompanied Alien Children (UAC)³ under the obligations of the Trafficking Victims Protection Reauthorization Act**

² See Latest UAC Data FY 20 available at <https://www.hhs.gov/programs/social-services/unaccompanied-alien-children/latest-uac-data-fy2020/index.html>, (last accessed April 14th2020).

³ See Homeland Security Act of 2002, 6 U.S.C. 279(g)(2) The Homeland Security Act of 2002 defines the term “unaccompanied alien child” as a child under the age of 18 who has no lawful

(TVPRA)The recent Border Closure announcement is being applied to expel UACs from the United States, undermining protections for vulnerable children. Effective March 20th, CDC directed DHS to suspend entry of certain individuals to avoid their detention in DHS’s congregate settings such as Border Patrol stations, and Customs and Border Protection (CBP) barred entry for many persons through ports of entry, except for “essential travel.”⁴ Though DHS authorized CBP to designate further categories of essential travel and make exceptions on a case-by-case basis, neither a March 24 DHS order⁵ nor operational CBP guidance⁶ exempts unaccompanied children, including unaccompanied children seeking protection, from the CDC order’s restrictions. Pursuant to the TVPRA, UACs arriving at the border are entitled to special protections, including screening mechanisms to determine if they are at risk of trafficking or harm if returned to their country of origin.⁷ Unaccompanied children from non-contiguous countries are excluded from summary removal proceedings, and must be given the opportunity to present their claims for protection. I urge you to respect the existing law, and furthermore honor U.S. commitments to protect immigrant children who need this life-saving protection now more than ever.

- **Implement Existing Testing and Social Distancing Guidelines for Unaccompanied Children Encountered by Border Patrol and Also Those Placed in Their Custody** Customs and Border Protection (CBP) must implement existing CDC Control protocols for testing,⁸ identifying⁹ and preventing¹⁰ COVID-19 for UACs. Additionally, protocols must include

immigration status and for whom there is no parent or legal guardian in the United States, or no parent or legal guardian available to provide care and custody.

⁴ “Order Suspending Introduction of Certain persons From Countries Where a Communicable Disease Exists,” 85 FR 17060.

⁵ “Notification of Temporary Travel Restrictions Applicable to Land Ports of Entry and Ferries Service Between the United States and Mexico,” 85 FR 16547.

⁶ CBP, “COVID-19 CAPIO”, <https://www.documentcloud.org/documents/6824221-COVID-19-CAPIO.html>.

⁷ 8 U.S.C. § 1232.

⁸ Centers for Disease Control COVID 19, Testing, available at <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/testing.html>

⁹ Centers for Disease Control COVID 19, Symptoms, available at <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>

¹⁰ Centers for Disease Control COVID 19, Prevention, available at <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/index.html>

adequate mechanisms to track, document, and communicate with both the UAC's home country through the consulates and Department of Health and Human Services Office of Refugee Resettlement (HHS/ORR) cases of UAC who may be infected or may have been exposed to COVID-19.

- **Promptly transfer UACs to HHS/ORR** Under the TVPRA, CBP has a statutory mandate to transfer unaccompanied children within 72 hours.¹¹ CBP has breached this duty in the past, and we are very concerned with the ability of CBP to quickly transfer for children and ensuring that they do not spend too much time in Border Patrol processing facilities. With this public health crisis, failing to comply with the TVPRA could have lethal consequences for immigrant children, exposing them to unsanitary conditions where the virus can spread unchecked. Immediate transfer to HHS/ORR is a best safety precaution for UAC and the Border Patrol staff.
- **Ensure UACs Who Are Sent Back to Home Country Receive a Best Interest Determination and Access to Health Care Responsive to COVID-19** If UACs are repatriated back to their home country, DHS has a responsibility to ensure that the children receive best interest determinations to assess protection and safety needs. Additionally, children should be received and promptly examined in light of COVID-19 and if appropriate, quarantined, tested, and/or treated in child-appropriate spaces.

It is vital that you remember in this moment our own common humanity and that we are all God's children, regardless of our immigration status. Again, I urge you to consider these recommendations and welcome any way that the Catholic Church can assist you at this time. I welcome a further discussion with your designated staff to see how we may work together to ensure humane treatment and compliance with U.S. immigration laws.

Sincerely,

Most Rev. Mario E. Dorsonville
Chairman
USCCB Committee on Migration

¹¹ 8 U.S.C. § 1232(b)(3).

Links

Pax Christi International

<http://www.paxchristi.net/>

Pax Christi U.S.A.

<http://www.paxchristiusa.org>

Pax Christi Texas

<http://www.paxchristitexas.org>

Pax Christi Dallas

<http://www.Paxchristidallastx.org>

Pax Christi San Antonio

<http://www.paxchristisa.org>

Marianist Social Justice Collaborative

www.msjc.net

Sisters of Charity of the Incarnate Word, International JPIC Committee

<http://saccvi.blogspot.com/>

San Antonio Peace Center

<http://www.sanantoniopace.center>

Texas Catholic Campaign to End the Death Penalty

www.txccedp.org

Dialogue Institute of San Antonio

www.thedialoginstitute.org/san-antonio/

Climate Change

www.creation-care.com

NowCastSA

www.nowcastsa.com/

Migrant Center for Human Rights

<https://Migrantcenter.org>