

Talking Points on Anti-UC Bill

Why is HB 1919 Harmful?

- Right now, Tennessee Representative Tim Rudd is championing a harmful, immoral bill that would discriminate against unaccompanied children by prohibiting taking custody of certain children transported across state lines without the written consent of the Department of Children's Services. This bill will criminalize the loved ones of unaccompanied children who are already at risk. Parents shouldn't need permission from the government in Tennessee to reunite with their own children. No parent should be charged with a felony for taking custody of their own children.
- This bill requires the Department of Children to receive bio data to issue a written consent such as the child's name, sex, height, weight, verifiable identifiers, fingerprints sample, dental record or a copy of the birth certificate, immunization record, and a recent photograph of the child. It is deeply concerning that Tennessee would consider maintaining a database of biodata about children who have done nothing wrong.
- Furthermore, this bill requires the department to maintain such information in a database that is accessible by the Department of Human Services and law enforcement for enforcing child trafficking laws or "as deemed appropriate by the department". This unnecessary process is clearly a mechanism intended to halt temporary unaccompanied children care in Tennessee and to prevent the release of UC to sponsors in Tennessee.
- Every child has the right to be safe. That's why Congress passed the William Wilberforce Trafficking Victims Protection Act with unanimous support, and it was signed into law by President George W. Bush.
- The unaccompanied children program has been administered by the U.S. government for decades. The Supremacy Clause of the U.S. Constitution permits the U.S. government to care for unaccompanied children under U.S. law and without interference from the Tennessee Department of Children's Services.
- Notification to the state is clearly also not in the best interests of the child—it's only going to be a point of access for people to harass children and immigrant families.
- In Tennessee, the federal government already works with the state government to license facilities that provide the care and custody of unaccompanied children.
- The administration, including DHS, knows where the kids are at all times. For unaccompanied children, ORR is the legal custodian (guardian) and the shelters just have physical custody; that is, ORR and the USG are the "parent" until kids are reunited with family or loved ones.
- Every child in ORR custody gets a federally mandated trafficking screening. Children coming from Emergency Intake Sites (EIS) facilities to regular shelters are getting that screening twice. The federal government is already screening and pulling children out of trafficking situations.
- In short, this is a very dangerous bill that threatens UC care providers, foster parents, and Tennessee family members with felonies for caring for innocent children. As the state's only care provider is faith-based, this legislation is an assault on religious liberty because it prevents care providers and foster parents from living out their faith by welcoming the stranger and loving our neighbors.

We have the capacity to welcome unaccompanied children and asylum seekers in the United States.

- Children leave their homes and travel 2000 miles to the U.S. because their homes are dangerous, impoverished, and unsafe.
- Across the United States, the foster-care system [serves more than 650,000 children](#) each year.
- Denying children safety and protection is wrong. To turn away children or deny children care only sends children back to the danger that they were fleeing.

Faith communities have long traditions of welcoming the stranger and most vulnerable.

- We are called by our sacred texts and faith principles to love our neighbor, accompany the vulnerable, and welcome the sojourner.
- Our places of worship have historically played key roles in assisting asylum seekers with social services and navigating legal proceedings necessary for starting a new life and supporting compliance with U.S. law.

- Yet, our commitment to offer refuge from violence and persecution requires our government to demonstrate the moral leadership upon which our nation was founded.

We can humanely and safely provide shelter to refugees who are searching for safety and stability.

- Our communities are ready to welcome those admitted exercising their legal right to asylum; NGOs are ready to work with the new administration to house, transport, and support families in need; health officials are ready to put in place workable health protocols that protect all concerned; and families throughout America are ready to welcome and support those admitted.
- In 2020, more than [100 million](#) pedestrians and passengers crossed into the United States through the southern border. If the government can process all those people during a pandemic, it can also receive the tiny number of people, by comparison, who are seeking safety and refuge here.
- No matter where someone came from or how they arrived in the United States, their life is of value, and they should be treated with dignity and respect.

Other recommendations:

- DO humanize the people fleeing for their lives to seek refuge in the U.S.
- DO NOT repeat opposition messaging and language, even to refute it. (e.g., caravan, surge, legal/illegal, crisis)

Policy asks:

- We strongly urge the opposition of this bill as it unjustly harms loved ones seeking refuge and reunification with their unaccompanied children.