



CATHOLIC CHARITIES HAWAII

TO: Senator Brian T. Taniguchi, Chair
Senator Clayton Hee, Vice Chair
Committee on Judiciary and Labor

FROM: Melba Bantay
Melba Bantay, Program Director

DATE: Friday, February 22, 2008 (10:00 a.m., Conference Room 016)

RE: **SB3197, SD1, Relating to Immigration Consultants**

My name is Melba Bantay, Program Director of Immigrant Services at Catholic Charities Hawaii. Catholic Charities Hawaii is a private, 501 (c)(3) organization that has been providing services for immigrants since 1980. **Catholic Charities Hawaii supports Senate Bill 3197, SD1, to ensure professional immigration services.**

The current SD1 includes "Individuals accredited by the Board of Immigration Appeals (BIA)" on list of "persons not covered." For your information, we would like to share some background on what this BIA accreditation means.

Title 8 of the Code of Federal Regulations (C.F.R.), Section 1292.2(a) states:

"A non profit, religious, charitable, social service or similar organizations, established in the United States and recognized as such by the Board may designate a representative or representatives to practice before the Service alone or the Service and the Board (including practice before the Immigration Court). Such organization must establish to the satisfaction of the Board that:

- (1) It makes only nominal charges and assesses no excessive membership dues for persons given assistance; and
- (2) It has at its disposal adequate knowledge, information and experience."

Catholic Charities Hawaii's Honolulu, Hilo and Kona offices are recognized by the Board of Immigration Appeals (BIA). Four Catholic Charities Hawaii employees have been granted partial accreditation by the BIA, allowing them to practice before the DHS (Citizenship and Immigration Service).

With the BIA recognition of its offices and accreditation of its employees, Catholic Charities Hawaii is able to provide low cost services to encourage immigrants on a legal path to naturalization and family reunification. All fees collected go back to the program to support the

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provision of low cost immigration services for other immigrants. Please note that this immigration work by Catholic Charities Hawaii is not supported by any governmental source.

Please be aware that Catholic Charities Hawaii is one of several social service agencies that are recognized by the Board of Immigration Appeals and have BIA-accredited employees who are not attorneys by training or profession.

Allowing BIA-accredited staff of nonprofit organizations to continue their immigration work enables many low income immigrants to avoid extreme financial hardship. This is particularly true for immigrants on the neighbor islands, who may otherwise need to make numerous and costly trips to Honolulu in order to complete their applications due to the lack of immigration attorneys practicing on their islands.

Catholic Charities Hawaii asks for your support of SB 3197, SD1, Relating to Immigration Consultants.

If I can provide any further information, please feel free to contact me via phone at 808-528-5233, ext. 120, or via email at mbantay@catholiccharitieshawaii.org. **Thank you.**