

Congress of the United States
House of Representatives
Washington, DC 20515

May 24, 2013

Attorney General Eric Holder
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

Dear Attorney General Holder,

We respectfully ask that, as the chief law enforcement officer of a nation founded as a safe haven for those who seek liberty, you grant asylum to the Romeike family who fled to the United States in 2008 after suffering persecution from the German government as a result of their decision to homeschool their children.

A decision to deny the Romeikes the opportunity to educate their children freely is a decision to abandon our commitment to freedom. Doing so would put America alongside those countries that believe children belong to the community or state. A country founded on freedom should stand for the fact that they belong to their parents. As a "city on a hill," this country has always embraced those who seek freedom. The United States ought to welcome families who suffer persecution for exercising their right to educate their children.

As you are aware, the courts have upheld a common-sense commitment to educational freedom. The Supreme Court's decision, *Pierce v. Society of Sisters* (1925), held that the right of parents to "direct the education and upbringing" of their children is a fundamental right.

In Germany, the Romeike family experienced persecution for exercising this fundamental right and, on one occasion, officials forcibly removed Uwe and Hannalore's children from their home. As the family faces multiple fines in their homeland, it is little wonder that they have sought refuge in the United States.

We believe that U.S. Immigration Judge Lawrence O. Burman reached the correct decision on January 26, 2010 when he granted the Romeike family asylum after finding that they had a well-founded fear of persecution because of their membership in the particular social group of "homeschoolers in Germany" and because Germany's ban on homeschooling frustrated their religious convictions.

Under U.S. law, asylum should be granted to those experiencing persecution aimed at members of a "particular social group," which possesses an "immutable" characteristic that

either cannot or should not be required to be changed. We agree with Judge Burman that German homeschoolers are a particular social group who are being persecuted by their government. Although parents can change their minds about homeschooling, no parent in a free nation should be forced by the state to make that decision.

It is worth noting that the United Nations Universal Declaration on Human Rights (UNDHR), which recognizes that parents have a “prior right” over the government to choose the kind of education their children will have. Other international covenants to which Germany is a party, including the International Convention on Civil and Political Rights (ICCPR) and the International Convention on Economic, Social and Cultural Rights (ICESCR), explicitly protect the rights of parents to direct their child’s education.

We ask that, pursuant to 8 U.S.C. § 1158(b)(1)(A), you exercise the authority given to you by Congress to grant asylum to the Romeike family. The legal standard in Section 1101(a) for eligibility for asylum is a “well-founded fear of future persecution on account of membership in a particular social group.” That is exactly what Judge Burman found in his 2010 opinion, upon reviewing the facts of the case and the German government’s official position on homeschooling.

The Romeikes fled to our country, seeking relief from high fines, removal of their children by armed police officers, and threats of prison and termination of their parental rights. If forced to return to Germany, they will certainly face renewed persecution. As Americans, we have an obligation to stand with those who seek freedom. The Romeike family should find a welcoming home in the United States.

Sincerely,

Paul Stutz

Michelle Bachmann

Alan Cummins

Joseph R. Pitts

Jonah Waters

Bill Huie

David Webster

Steve Seibert

Dan PR

John Nussner

Dan Lange

Chris Stewart

Steve Dan

Jeff Fournier

Tim Hensley

Stewart

Van Buchanan

Mark

John Miller

Kelly Kelly

Steve Stockman

Carol

Bill Dorsey

Vicky Hartzler

Lee