IMMIGRATION HUB

Oppose the *Secure the Border Act of 2023*

On May 11th, the House of Representatives passed H.R.2, the Secure the Border Act of 2023, a bill aimed at advancing the GOP's extreme anti-immigrant agenda. The bill would harm immigrant communities and precipitate more chaos at the border. Specifically, the bill would:

Deport Unaccompanied Children. The bill would end Health & Human Services funding for legal representation of unaccompanied children in immigration proceedings, depriving children of the attorneys their safety depends upon. It would also provide only a cursory screening process for children at the border, risking children's summary return to human trafficking and other dangers. The bill subjects all unaccompanied children to an accelerated removal process worse than what currently exists, and allows for detention of unaccompanied children in jail-like border facilities for up to 30 days–ten times longer than permitted under current law.

End Asylum. The bill would effectively shut down our current asylum system by adding dozens of new restrictions on asylum, including eliminating the right to seek asylum for those who cross the border between ports of entry and barring asylum for those who transit through a third country. It would make it nearly impossible for migrants to seek asylum in the U.S. and significantly easier to deport asylum seekers, including families and children, into harm's way.

Restart 'Remain in Mexico'. The bill would restart the failed and dangerous Remain in Mexico program for all migrants, including unaccompanied children who were previously exempted under the Trump administration. Seeking to unilaterally return asylum seekers to other countries without consulting the receiving country nor the migrant results in refoulement of the migrant to danger and problematic foreign policy implications.

Jail Immigrant Families. The bill would require family detention for any families attempting to enter the U.S. to seek asylum, as well as any families who previously entered the U.S. without visas. Like all immigration detention, family detention centers have a well-documented history of abusive conditions, including inadequate medical care and mental health deterioration for asylum seekers, survivors of trauma, and children.

Mandate E-Verify. The bill would require E-Verify for all employers in the U.S., severely damaging our economy, harming American workers, and resulting in billions of dollars in lost government revenue. National implementation of E-Verify raises concerns about efficiency, due process, and racial profiling and decreased employment among Latinos.

Gut Programs that Work: The bill would strip funding for the Alternative To Detention Case Management Pilot Program, Office of Immigration Detention Ombudsman, and the vital Shelter and Services Program, which has helped communities around the country receive reimbursement for costs related to humanitarian responses to migration. These programs have been effective at providing services crucial to preventing more deaths under CBP custody and immigrant detention and have reduced impacts on receiving communities.

Burden our Local Communities by Making it Impossible for Employers to Hire Asylum Seekers with Work Authorization. This bill eliminates work authorization for asylum seekers who cross between ports of entry and requires six month renewal periods for asylum-based employment authorization. Combined with USCIS processing time, this would effectively make it impossible for businesses, even in the face of labor shortages, to employ asylum seekers. These provisions will exponentially increase the backlogs at USCIS and make it even more difficult for USCIS to timely process applications. This runs counter to bipartisan efforts to improve the employment authorization process for asylum seekers and will create an unnecessary burden on local communities.

Undermine Essential Partnerships with Humanitarian Organizations. The bill would bar any and all DHS funding for NGOs, including faith-based NGOs, that provide shelter, transportation, food or legal assistance to vulnerable immigrants, including those who arrive on a visa and later become "inadmissible." Congress should be investing more in non-profit organizations providing respite care, legal service providers, trauma-informed care and community-based service providers, not subjecting them to the punitive measures in this legislation. This measure would impact NGOs across the country that receive DHS funding, including organizations working with FEMA during an emergency—it's "show me your papers" for the Red Cross.

Resume Building Trump's Border Wall. The bill would restart the construction of the border wall, a harmful waste of taxpayer resources. It would allow DHS to exempt all border infrastructure construction, development, operation, and maintenance from any law except the Constitution, thereby reducing the rule of law at our borders. The bill would also restrict the ability for landowners, local communities and tribes to assert legal challenges opposing the construction of the wall, and thus pave the way for irreparable and unchecked harms to the borderlands. We have already seen the negative consequences from the Trump Administration era resulting in: bulldozed Native American burial sites; dynamited pristine mountain wilderness; segments of the wall being constructed in flood plains; and the unjust seizing of private ranches and farmlands.

Eliminate Parole Authority. The bill would decimate the parole power that presidents historically have used to parole individuals in response to humanitarian emergencies or in furtherance of foreign policy objectives. It also precludes the President's recent parole programs for Ukrainians, Afghans, Cubans, Haitians, Nicaragruans, and Venezuelans, and cuts work authorization for parolees.

Jail Any Person who Overstays a Visa. The bill would jail and penalize immigrants who have violated any condition of their visa or overstayed by 10 days or more, even for violations that occur due to circumstances beyond the individuals' control such as a medical emergency. This provision would even make it a crime for anyone on a visa to apply for asylum, given they would not have left once their visa expired. Congress should focus on solutions that regularize the status of long-term residents and fix our broken immigration system.

Halt CBP One App. The bill would bar use of the CBP One or "any other similar program," for migration processing purposes. The CBP One app, with its limitations, was aimed at providing a more orderly process for migrants to schedule interviews for asylum screening. The bill will only precipitate more chaos at the border by ending the existing appointment scheduling process, while simultaneously requiring migrants to go to ports of entry if they want to seek asylum.

Balloon Border Agents. The bill would require Border Patrol to hire enough agents to reach 22,000 on board (currently there are roughly 19,500) and restrict Border Patrol agents from performing "duties of processing coordinators." Processing coordinators currently perform duties such as transporting and processing migrants and carrying out mandatory welfare checks. With only around 1,000 processing coordinators currently in the field, this restriction would seriously hinder Border Patrol's efforts to fairly and efficiently process asylum seekers and carry out their law enforcement mission. CBP is overfunded with funding streams that push resources towards enforcement and wasteful surveillance, while humanitarian needs go underfunded.

136 state, local, and national immigration, civil rights, public health, education, religious, labor, and other organizations have signed onto a letter to the House of Representatives urging members of Congress to VOTE NO on this bill.

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