

The Honorable Members of the 118th Congress
U.S. House of Representatives
Washington, D.C.

January 12, 2023

Dear Honorable Members of the 118th Congress:

With the new year comes new opportunities for the U.S. government to establish a humane and orderly immigration policy that respects human rights. **The newly elected majority in the House of Representatives, however, is moving in the opposite direction, rolling out an intentionally divisive [legislative agenda](#) that panders to hate and anti-immigrant animus** rather than actual policy solutions. Among the first bills expected to go to the House floor is the “[Border Safety and Security Act](#),” which would, as a practical matter, shut our border to *all* asylum seekers, no matter how strong their cases might be.

The undersigned organizations urge Members of the House of Representatives to vote no on the “Border Safety and Security Act” and on the full slate of anti-immigrant bills we expect to see introduced in coming months.

The “Border Safety and Security Act” would require a wholly unserious and harmful metric to be met before any asylum claim could be entertained, inevitably ending access to asylum at all U.S. borders, even for children. Specifically, the bill would seal off all borders and ports of entry to asylum seekers if Department of Homeland Security (DHS) agents cannot detain or return to Mexico *all* arriving asylum seekers and migrants. This condition is operationally impossible and a recipe for a human rights catastrophe. Moreover, the bill would give DHS broad discretion to ban all asylum access even if this inhumane and impossible condition were somehow achieved.

This bill represents an effort by the United States to evade its international asylum obligations, which impacts the global perception of the United States as a nation that protects those seeking refuge and its overall global leadership.

Requiring DHS to expel arriving migrants without any individualized screening for asylum or trafficking flouts long-standing international commitments to protect people fleeing political, religious, ethnic, racial, and other kinds of heinous persecution. These commitments are embodied in decades of [bipartisan lawmaking](#) that codifies the right to non-discriminatory access to asylum at the United States’ borders. The bill would put the United States in clear violation of its obligations under the Refugee Convention and the Convention Against Torture, and would effectively repeal the asylum provisions of the [Refugee Act of 1980](#), the provisions relating to

unaccompanied children in the [Trafficking and Victims Protection Reauthorization Act of 2008](#), and DHS's statutory parole authority.

This bill does not reflect popular sentiment, which [overwhelmingly supports](#) asylum access and opposes walling off the United States from those fleeing tyranny and violence. It would return refugees of all nationalities and ages, including children, directly to harm and death. It would require development of an even more massive infrastructure of [incarceration](#) for asylum seekers and revival of the deadly [Remain-in-Mexico program](#). Though all those in need of refuge would be harmed, the bill would impose the greatest costs on Black, Brown and Indigenous asylum seekers, as is already the case at the border where Black migrants and asylum seekers endure [disparate rates of abuse](#), [detention](#), and [violence](#).

This proposed legislation also gives the DHS Secretary the discretion to suspend all asylum access until “operational control” of the border is achieved, as defined in the [Secure Fence Act of 2006](#) to mean “the prevention of all unlawful entries into the United States, including entries by ... [migrants], narcotics, and other contraband.” Experts have dismissed this concept as “[tremendously unrealistic](#).” It is also [incompatible with liberal democracy](#); as the [Migration Policy Institute has explained](#), “the only nations that have come close to such [absolute border] control were totalitarian, with leaders who had no qualms about imposing border control with shoot-to-kill orders.” Given the inhumanity and impracticability of this threshold condition, the bill's purportedly temporary powers would in reality be permanent. Further, the bill's “operational control” framework is at odds with the [Border Patrol's own strategy](#), which defines “operational control” not as a sealed border but as a measure of the ability to limit unauthorized crossings and “maintain situational awareness.”

The “Border Safety and Security Act” has nothing to do with safety or any kind of effort to address the real and complicated challenges posed by the worldwide increase in migration, and everything to do with an alarming uptick in [hateful rhetoric](#) and [violence](#) targeting asylum seekers and immigrants in the United States. We expect other bills will be sent to the House floor in coming weeks and months that similarly traffic in division, fear and hate rather than solutions, including bills like the anticipated [NICS Alert Act](#) that criminalize and target immigrants for harsh, punitive treatment.

We urge Members of Congress to reject the politics of fear and hate and vote no on the “Border Safety and Security Act” and all subsequent anti-immigrant legislative vehicles.

Sincerely,

National organizations:

#WelcomeWithDignity

Adorers of the Blood of Christ, US Region

African Communities Together

African Human Rights Coalition

Alianza Americas

Alianza Nacional de Campesinas, Inc.

America's Voice

American Federation of Teachers

American Friends Service Committee (AFSC)

American Immigration Council

American Immigration Lawyers Association

American-Arab Anti-Discrimination Committee (ADC)

Americans for Immigrant Justice

Asian Americans Advancing Justice | AAJC

Asian Pacific Institute on Gender-Based Violence

ASISTA Immigration Assistance

Asylum Seeker Advocacy Project (ASAP)

Bend the Arc: Jewish Action

Bethany Christian Services

Black Alliance for Just Immigration

Bridges Faith Initiative

Caminar Latino - Latinos United for Peace and Equity

Center for Constitutional Rights

Center for Gender & Refugee Studies

Center for Law and Social Policy (CLASP)

Center for Popular Democracy

Center for Victims of Torture

Church World Service

Civil Rights Education and Enforcement Center

Coalition on Human Needs
Communities United for Status & Protection (CUSP)
Community Change Action
Comunidad Maya Pixan Ixim
Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces
Congregation of St. Joseph
Detention Watch Network
Dominican Sisters of Peace
Esperanza United (formerly Casa de Esperanza: National Latin@ Network)
Faith in Public Life
FIRM Action
First Focus Campaign for Children
Forward Latino
Franciscan Action Network
Franciscan Sisters of Perpetual Adoration
Franciscan Sisters of the Sacred Heart
Freedom Network USA
Friends Committee on National Legislation
Futures Without Violence
Government Accountability Project
Grannies Respond / Abuelas Responden
Haitian Bridge Alliance
HIAS
Hispanic Federation
Holy Union Sisters US Province
Human Impact Partners (HIP)
Human Rights First
Human Rights Watch
Ignatian Solidarity Network
Immigrant Legal Resource Center

Immigration Equality Action Fund
Immigration Hub
Immigration Law and Justice Network
Indivisible
Intercommunity Peace & Justice Center
International Mayan League
International Refugee Assistance Project (IRAP)
Just Detention International
Justice Action Center
Justice in Motion
Latin American Working Group (LAWG)
Leadership Conference of Women Religious
The Leadership Conference on Civil and Human Rights
Loretto Community Latin America/Caribbean Committee
Lutheran Immigration and Refugee Service
Maryknoll Office for Global Concerns
Medical Mission Sisters - Justice Office
Mennonite Central Committee U.S.
MomsRising/MamásConPoder
MoveOn
MPower Change Action Fund
Muslim Advocates
National Advocacy Center of the Sisters of the Good Shepherd
National Council of Jewish Women
National Education Association
National Immigrant Justice Center
National Immigration Law Center
National Immigration Project
National Korean American Service and Education Consortium (NAKASEC)
National Latina Institute for Reproductive Justice

National Network to End Domestic Violence
National Partnership for New Americans
NETWORK Lobby for Catholic Social Justice
Northwest Coalition for Responsible Investment
Office of Peace, Justice, and Ecological Integrity, Sisters of Charity of Saint Elizabeth
Oxfam America
Paxchristi
Physicians for Human Rights
Presentation Sisters USA Unit
Quixote Center
Rainbow Railroad
Refugee Congress
Religious of Jesus and Mary - USA/Haiti Province
Save the Children
Service Employees International Union (SEIU)
Sisters of Bon Secours, USA
Sisters of Mercy of the Americas Justice Team
Sisters of Mercy of the Holy Cross
Sisters of Notre Dame de Namur USA
Sisters of Notre Dame of the United States
Sisters of St. Francis of Assisi
Sisters of the Divine Savior, North American Province
Sisters of the Holy Names of Jesus and Mary, U.S.-Ontario Province
Society of Helpers
Southeast Asia Resource Action Center
Southern Border Communities Coalition
Sunita Jain Anti-Trafficking Initiative
T'ruah
U.S. Committee for Refugees and Immigrants (USCRI)
U.S. Federation of the Sisters of St. Joseph

UNIFIED U.S. Deported Veterans Resource Center

Union for Reform Judaism

Unitarian Universalist Service Committee

ValorUS

Vera Institute of Justice

Voice for Refugee Action Fund

Washington Office on Latin America

We Are All America

Welcoming America

Witness at the Border

Women's Refugee Commission

Young Center for Immigrant Children's Rights

Regional / state / local organizations:

A New Genesis Community

Adorers of the Blood of Christ in Ministry with Hospital Sisters of St. Francis

The Advocates for Human Rights

Alianza Sacramento

Americans for Immigrant Justice

Arizona Palestine Solidarity Alliance

The Border Network for Human Rights

California Immigrant Policy Center

California Immigrant Youth Justice Alliance

Capital Area Immigrants' Rights Coalition

Center for Justice & Reconciliation, Point Loma Nazarene University

Central American Resource Center - CARECEN-LA

Central American Resource Center of Northern California - CARECEN SF

Centro de Trabajadores Unidos: United Workers Center

Church Women United in New York State

Cleveland Jobs with Justice

Coalición de Derechos Humanos

Coalition for Humane Immigrant Rights (CHIRLA)
Coalition of Refugee Service Agencies, Georgia
Community Asylum Seekers Project
Comunidad de Apoyo San Diego
CSA San Diego County Fair Housing
Dominican Sister of Adrian, MI
Dominican Sisters of Mission San Jose
Dominican Sisters of Sinsinawa
Dominicans Sisters of Mission San Jose
Dorothy Day Catholic Worker House, Washington DC
Dutchess County Progressive Action Alliance
Envision Freedom Fund
Espacio Migrante
Faithful Friends /Amigos Fieles
Florence Immigrant & Refugee Rights Project
Florida Immigrant Coalition
GALEO Impact Fund
The Green Valley / Sahuarita Samaritans
Her Justice, Inc.
Human Rights Initiative of North Texas
Humane Borders, Inc.
ICOM - Interfaith Coalition on Immigration (MN)
Illinois Coalition for Immigrant and Refugee Rights
Immigrant ARC
Immigrant Defenders Law Center
Immigrant Law Center of Minnesota
Immigrant Legal Advocacy Project
Immigrant Welcoming Working Group, Plymouth Congregational Church, Minneapolis
Immigration Center for Women and Children
Inland Coalition for Immigrant Justice

Inland Empire Immigrant Youth Collective
Interfaith Movement for Human Integrity
Interfaith Welcome Coalition - San Antonio
Iowa Migrant Movement for Justice
JAMAAT - Jews and Muslims and Allies Acting Together
Jewish Activists for Immigration Justice of Western Massachusetts
Jewish Family Service of San Diego
JPIC Committee, Sisters of IHM (Scranton, PA)
Justice for Our Neighbors El Paso
Justice for Our Neighbors Michigan
Justice For Our Neighbors North Central Texas
Keep Tucson Together & The Justice For All Initiative Campaign
La Conexion
Ladysmith Servite Sisters
Las Americas Immigrant Advocacy Center
Legal Aid Justice Center
Long Beach Immigrant Rights Coalition
Louisiana Advocates for Immigrants in Detention
Make the Road Connecticut
Make the Road Nevada
Make the Road New York
Make the Road New Jersey
Make the Road Pennsylvania
Mariposa Legal, Program of COMMON Foundation
Minnesota Freedom Fund
Minnesota Interfaith Coalition on Immigration
NC Justice Center
Nebraska Appleseed
New York Immigration Coalition
NorCal Resist

Northwest Immigrant Rights Project
NW Ohio Immigrant Rights Network
Oasis Legal Services
OC Rapid Response Network
Orange County Equality Coalition
Orange County Jewish Coalition for Refugees
Pangea Legal Services
Presentation Sisters San Francisco, CA
Proctor Family
Project Hope
RAICES
Reunite Migrant Families
Rocky Mountain Immigrant Advocacy Network
Rural Organizing Project
San Diego Immigrant Rights Consortium
Sanctuary and Resistance to Injustice
School Sisters of Notre Dame-Atlantic-Midwest Province
School Sisters of Notre Dame, Central Pacific Province
Serra Club, City of Orange
Sisters of Charity of Seton Hill
Sisters of Saint Joseph of Chestnut Hill Philadelphia, PA
Sisters of St. Joseph of Carondelet Albany Province
Sisters of St. Francis, Clinton, Iowa
Sisters of St. Joseph of Boston
Sisters of St. Joseph of Carondelet, LA
Sisters of St. Joseph of Concordia, KS
Sisters of St. Joseph of Orange
Sisters of St. Joseph of Rochester
Sisters of St. Joseph of Springfield
Sisters of St. Joseph, Watertown, NY

Sisters of the Humility of Mary
Sisters, Home Visitors of Mary
Sisters, Servants of IHM (Scranton, PA)
South Bay People Power
Southern California Immigration Project
Springfield Dominican Justice, Peace, & Integrity of Creation Committee
St. Edward the Confessor Catholic Church
Tennessee Immigrant & Refugee Rights Coalition
Texas Civil Rights Project
Tucson Samaritans
Universidad Popular
Ursuline Sisters of Cleveland
WAVE Women for American Values and Ethics
Westchester Jewish Coalition for Immigration
Wind of the Spirit Immigrant Resource Center