

The undersigned organizations urge the Senate to oppose S.1473, introduced by Senators Kyrsten Sinema (I-AZ) and Thom Tillis (R-NC). This bill would effectively end the right to asylum at our southern border. People seeking safety at our borders—including children traveling alone or with their families—would be expelled back to the very dangers they fled.

This legislation would actively harm people seeking protection, including children and families.

As organizations who are committed to the well-being of children, we oppose legislation that would subject children to expulsion and detention without a fair process or adequate protections. This legislation would establish increased legal standards required to avoid being expelled, which would block children and their families from a fair chance at seeking asylum. It would subject children and families to the cruelty of mandatory detention and rapid expulsion procedures, sending children back to the very danger they are fleeing. This bill does not improve the safe reception of asylum seekers at our border and continues to put children and families at risk by threatening their legal right to claim asylum.

The bill would create a new detention and expulsion regime and narrow humanitarian exceptions.

Since 2020, the Department of Homeland Security has used the Title 42 policy more than 2.8 million times to expel people—many of them asylum seekers—to Mexico or their home countries. Seeking asylum has become nearly impossible, in contravention of U.S. law, international obligations, and our national values. The creation of a new expulsion authority modeled after Title 42 will mean hundreds of thousands of vulnerable children and families will continue to be put into [harm's way](#) or [separated](#). Data obtained through a Freedom of Information Act (FOIA) request show that between March 2020 and May 31, 2022, CBP expelled 30,806 children ages 3 and under to Mexican border cities— with about 41 percent of these expulsions occurring at midnight or later. The consequences have been horrific, with [a report](#) tracking more than 13,000 violent attacks against migrants and asylum-seekers returned to danger. These devastating consequences must not become the law of the land in the United States.

The legislation would also require family detention. No amount of detention is appropriate for children and families, as research has found that detention results in developmental regression and toxic stress for children, depression and anxiety for parents, and strains family bonds. Furthermore, the Department of Homeland Security (DHS) is not equipped to provide safe custody of these vulnerable populations.

The bill would exacerbate—not minimize—disorder and confusion at the border.

While members of Congress and media outlets have used the language of “crisis” to describe people and families who arrive at the border to seek protection, the truth is Title 42 has caused a humanitarian crisis with [tens of thousands](#) enduring rape, assault, and violence while living in vulnerable conditions in Mexico due to this expulsion policy. Title 42 [actually increased the flow of individuals at the border](#) because people quickly return to attempt reentry when their cases are not considered appropriately. The link between Title 42 and an increased rate of repeat crossings has been repeatedly acknowledged by [DHS officials](#). Blocking access to asylum does not stop border crossings, it just causes families to attempt more dangerous routes.

Deterrence has never worked to prevent people fleeing persecution from seeking protection.

The United States has consistently relied on punitive immigration policies to try to limit the number of immigrants and asylum seekers coming to the United States. These policies [do not deter](#) people from fleeing violence, nor do they dissuade parents of U.S. citizen children living in the U.S. from attempting to reunite with their families. Immigrants and people seeking safety continue to come to the United States, even in [the face of existing asylum restrictions](#).

Better border solutions are possible.

Fortunately, there are [immediate steps](#) the government can take to restore asylum right now. There are clear, [common-sense border solutions](#) that advance the health, safety, family unity, and development of children and that, in fact, create a fair, orderly, and humane immigration system. More work must be done to ensure the prioritization of [children's rights and well-being in U.S. border](#) and immigration policy, as well as to consider [children's best interests](#) in every decision that might affect a child.

Restricting access to asylum is [cruel and potentially deadly](#). It is time to try something new, and provide support for humane processing of immigrants and asylum seekers arriving at our border. We cannot continue to build on top of a failed policy, which is actively causing harm to millions of children and families, and expect a different result. Families and children seek asylum because [their lives depend on it](#). They deserve protection, not rejection.

Signed,

National Organizations

African Communities Together (ACT)

America's Voice

American Academy of Pediatrics

American Federation of Teachers

American Immigration Council

American Immigration Lawyers Association

American Muslim Health Professionals

Asian Americans Advancing Justice | AAJC

Association of Asian Pacific Community Health Organizations (AAPCHO)

Asylum Seeker Advocacy Project (ASAP)

Bend the Arc: Jewish Action

Bridges Faith Initiative

Center for Gender & Refugee Studies

Center for Human Rights & Constitutional Law

Center for Law and Social Policy (CLASP)

Center for Popular Democracy (CPD)

Center for the Study of Social Policy

Center for Victims of Torture

Children's Defense Fund

Children's HealthWatch

Church World Service
Coalition on Human Needs
Communities United for Status & Protection (CUSP)
Detention Watch Network
Family Centered Treatment Foundation
First Focus Campaign for Children
Freedom for Immigrants
Freedom Network USA
Futures Without Violence
Government Accountability Project
Haitian Bridge Alliance
Hepatitis B Foundation
HIAS
Human Rights First
Human Rights Watch
Immigrant Justice Network
Immigrant Legal Resource Center
Immigration Equality Action Fund
Immigration Hub
Indivisible
Innovation Law Lab
International Refugee Assistance Project (IRAP)
International Rescue Committee
Japanese American Citizens League
Jesuit Refugee Service/USA
Justice Action Center
Justice for Migrant Women
Justice in Motion
Kids in Need of Defense
Latin America Working Group
Lawyers for Good Government
Mennonite Central Committee
MomsRising/MamásConPoder
National Center for Parent Leadership, Advocacy, and Community Empowerment (National PLACE)
National Center for Youth Law
National Council of Jewish Women
National Education Association
National Employment Law Project
National Immigrant Justice Center
National Immigration Law Center
National Immigration Project (NIPNLG)
National Korean American Service & Education Consortium (NAKASEC)

National Latina Institute for Reproductive Justice
National Partnership for New Americans
NETWORK Lobby for Catholic Social Justice
Oxfam America
Prevention Institute
Public Advocacy for Kids (PAK)
Refugee Congress
Refugees International
Save the Children
Service Employees International Union (SEIU)
Sisters of Mercy of the Americas - Justice Team
Southeast Asia Resource Action Center (SEARAC)
Southern Border Communities Coalition
T'ruah: The Rabbinic Call for Human Rights
The Shalom Center
The Workers Circle
UndocuBlack Network
UnidosUS
Unitarian Universalists for Social Justice
United Church of Christ Justice and Local Church Ministries
United Farm Workers
United We Dream
USAHello
Value our Families
Voice for Refuge Action Fund
We Are All America
Welcoming America
#WelcomeWithDignity Campaign For Asylum Rights
Witness At The Border
Women's Refugee Commission
World Relief
Young Center for Immigrant Children's Rights

State and Local Organizations

ACCESS REPRODUCTIVE JUSTICE (CA)
Adhikaar (NY)
Alabama Coalition for Immigrant Justice
Aliento Education Fund (AZ)
AltaMed Health Services (CA)
Americans for Immigrant Justice (FL)
Brazos Interfaith Immigration Network (TX)
California Pan-Ethnic Health Network

Central American Resource Center of Northern CA - CARECEN SF
CHILDREN AT RISK (TX)
Coalición de Derechos Humanos (AZ)
Children's Defense Fund-Texas
Coalition for Asian American Children and Families (NY)
Coalition for Humane Immigrant Rights (CHIRLA) (CA)
Colorado Children's Campaign
Diocesan Migrant and Refugee Services Inc (TX, NM)
East Bay Sanctuary Covenant (CA)
Florence Immigrant & Refugee Rights Project (AZ)
Freedom House Detroit (MI)
Hispanic Unity of Florida
Immigrant Alliance for Justice and Equity (MS)
Immigrant Defenders Law Center (CA)
Immigrant Legal Advocacy Project (ME)
Jewish Community Action (MN)
Justice for Our Neighbors Michigan
La Semilla Food Center (TX, NM)
Latino Community Fund INC (LCF Georgia)
Louisiana Organization for Refugees and Immigrants
Make the Road Nevada
Massachusetts Immigrant and Refugee Advocacy Coalition
Michigan Immigrant Rights Center
Michigan League for Public Policy
New Mexico Immigrant Law Center
Northwest Health Law Advocates (WA)
Oasis Legal Services (CA)
Ohio Immigrant Alliance
PASOs (SC)
Ser Familia, Inc. (GA)
SPAN Parent Advocacy Network (NJ)
STRANGERS NO LONGER (MI)
The Advocates for Human Rights (MN, SD, ND)
The Children's Partnership (CA)
Trauma Informed Education Coalition (PA)
Voices for Utah Children
Washtenaw Interfaith Coalition for Immigrant Rights (MI)
Wind of the Spirit Immigrant Resource Center (NJ)
Wisconsin Faith Voices for Justice