News
Migration



Members of the National Advocacy Center for the Sisters of the Good Shepherd participated in a rally in Washington with other faith groups Feb. 23, outside the White House protesting the Biden administration's proposal that could limit asylum to the U.S. (Courtesy of National Advocacy Center for the Sisters of the Good Shepherd)



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In a word, Adrian Dominican Sr. Attracta Kelly voiced the frustration a lot of immigration supporters feel toward the Biden administration: "disappointed."

One recent letdown came on Feb. 21, when the U.S. Department of Homeland Security and the Department of Justice announced a proposal that could significantly limit asylum to the U.S.

Worried about a potential wave of migrants heading to the U.S.-Mexico border as the U.S. announces an end to pandemic restrictions in May, officials said they would turn away people who showed up to apply for asylum without first using "new and existing lawful processes" to enter the country, according to the proposal.

One program will allow nationals from countries that include Cuba, Nicaragua, Venezuela and Haiti to enter the U.S. if they have a financial sponsor. The government also wants migrants to submit online an asylum petition whose merits will be considered before they are allowed to enter the U.S., and to seek asylum in other countries before applying for it in the U.S.

For advocates like Kelly, a longtime immigration attorney who represents asylum seekers, the proposal raises concerns about the safety of migrants who will not be allowed to seek refuge in the U.S. She scoffed at the idea that migrants could find in Mexico or elsewhere in Central America the safety the U.S. can provide.



Venezuelan migrants expelled from the U.S. under Title 42 walk across the Lerdo-Stanton International border bridge to Ciudad Juarez, Mexico, Oct. 14, 2022. (CNS/Reuters/Jose Luis Gonzalez)

They point to U.S. Department of State advisories warning against travel to El Salvador and Mexico. Four U.S. citizens were kidnapped March 3 in Mexico. Two of the four, along with a Mexican national, were killed, Mexican authorities said March 7.

The government says the proposed plan would help steer migrants away from dangerous and illegal border crossings and toward safer, legal pathways to enter the country.

"We are a nation of immigrants, and we are a nation of laws," said Secretary of Homeland Security Alejandro N. Mayorkas during the proposal's release. "We are strengthening the availability of legal, orderly pathways for migrants to come to the United States, at the same time proposing new consequences on those who fail to use processes made available to them by the United States and its regional

partners.

"As we have seen time and time again, individuals who are provided a safe, orderly, and lawful path to the United States are less likely to risk their lives traversing thousands of miles in the hands of ruthless smugglers, only to arrive at our southern border and face the legal consequences of unlawful entry," he continued.

The proposal comes as the government is set to end on May 11 federal public health emergency restrictions enacted at the beginning of the coronavirus pandemic. One of them, Title 42 of the Public Health Safety Act, was put in place by the former Trump administration in March 2020. Title 42 allows immigration officials to quickly turn away migrants seeking asylum, citing concerns about spreading the coronavirus.

The Biden administration said in a statement that the proposal is a preventive "emergency measure" to dissuade migrants from arriving en masse at the U.S.-Mexico border hoping to be allowed in when Title 42 ends.

> 'They have fled fear, starvation, violence, death threats. It is our duty — your duty — to welcome them, not turn them away.'|
> —Fran Eskin-Royer
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But opponents say the plan amounts to recycling Trump administration immigration policies that are more restrictive than welcoming.

"President Biden claims he is expanding pathways to asylum," Ronnate Asirwatham, director of government relations for Network Lobby for Catholic Social Justice said in a press release. "However, the supposed pathways are death traps for people fleeing danger. This is an asylum ban. President Biden must revoke. Seeking asylum is legal in U.S law and is a human right."

Network joined other faith groups outside the White House Feb. 23 protesting the proposal and appealing to the president to rescind the plan.

"Mr. President, look at their faces — the faces of the asylum seekers you seek to deny," Fran Eskin-Royer, executive director of the National Advocacy Center of the Sisters of the Good Shepherd, said the day of the announcement. "They have risked their lives to make it to freedom, to make it to our border and to be let in," she said in a statement sent to Global Sisters Report. "They have fled fear, starvation, violence, death threats. It is our duty — your duty — to welcome them, not turn them away."

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Maggie Conley, director of the Institute Justice Team for Sisters of Mercy of the Americas, also voiced concern about safety, adding that previous U.S. policy has helped create the conditions that prompt migrants to flee.

"The Biden administration's asylum transit ban will send already vulnerable people back to danger," Conley said in a statement. "Rather than more barriers and deterrence strategies, we need a working asylum system, which is eminently possible if there was political will. Rather than continuously 'blaming the victims'— migrants — our policymakers should do an examination of conscience and recognize how decades of failed U.S. foreign and economic policies, particularly in Latin America, have contributed to the very conditions of spiraling poverty and violence from which people are fleeing for their lives."

However, with a presidential election coming up, few see a solution in sight.

"I will say that I feel Congress is greatly to blame about our whole immigration system, which needs to be changed in so many areas and nobody on either side of the aisle seems to have the backbone to stand up and do something serious," Kelly told GSR.

The government is accepting public comment on the proposal until March 27.