A Borderlands Perspective Toward Humane and Orderly Migration

Supporting US cities, municipalities, and non-governmental organizations welcoming newly arrived people on the move makes it possible to have a more sustainable, orderly, and safe reception beginning at the U.S.-Mexico border. Here we offer concrete policy ideas on how Congress and the Biden administration can update outdated immigration policies, provide true border security, and leverage the asylum system to both relieve burdens on interior receiving communities and create an orderly, safe, and humane U.S.-Mexico border.

Over 110 million people have been forcibly displaced per current U.N. figures. Asylum seekers, who do not receive the federal aid available to refugees, make up an increasing share of our communities, and they can contribute to this country's prosperity if provided with earlier opportunities to support themselves and their families. Restricting asylum foregoes this potential. Moreover, the extreme precarity of migrants, in transit, at borders, and in reaching their destination, reinforces the importance of just and humane immigration policies.

RECOMMENDATIONS

Robust, Fair, and Efficient Pathways for Legal Migration into the United States

- Increase legal immigration pathways through a congressional overhaul of immigration laws and executive expansion of existing pathways.
    - Provide an across-the-board 50% increase in the number of annual work visas.
    - Convene business, labor, and civil rights organizations to study and prepare policy proposals toward a renewable, temporary guestworker program.
    - Remove annual visa caps for immigrant victims of trafficking, abuse, or other serious crimes.
- Bring asylum law into the 21st century by repealing harmful anti-immigrant laws passed in the 1990s, and update the post-World War II asylum framework for emerging risks.
    - Create asylum pathways reflecting risks from crime, political instability, extreme poverty, violence, and climate change.
    - Clear immigration court backlogs through the use of prosecutorial discretion, automatic administrative closure, and termination policies that recognize non-asylum pathways.
    - Appropriate funds to hire additional immigration judges and asylum officers.
    - Provide robust training and foster better coordination across the DHS offices responsible for managing the agency's EOIR docket.
    - Coordinate with USCIS to expedite cases pending USCIS adjudication that are also pending EOIR proceedings.
- Build domestic, international refugee, and asylum processing capacity in Latin America with the support of the United Nations High Commissioner for Refugees (UNHCR) and the international community, easing refugee resettlement into the U.S.

Orderly, Safe, and Dignified Processing of Asylum Seekers Upon Arrival at the Southern Border

- Expand Customs and Border Protection's (CBP) Office of Field Operations' capacity to process asylum seekers at ports-of-entry in a timely, orderly, and dignified manner, and publicize this route.
    - Significantly increase the number of allotted slots for migrants to present at ports-of-entry available through CBP One across the southern border.
    - Require CBP to develop and adhere to minimum OFO staffing levels at U.S.-Mexico ports-of-entry to ensure a baseline for processing all legal traffic.
    - Co-locate NGOs in or near ports of entry for quick processing and coordination.
- Create a Federal Emergency Management Agency (FEMA) based Emergency Migration Fund to provide for a flexible and durable response during times of high migration that does not pit border and interior communities against one another.
- Increase and streamline funding of the Shelter and Service program under FEMA/CBP.
- Surge civilian personnel and resources to Border Patrol to improve search and rescue operations, humanitarian processing and transportation of migrants, reduce overcrowding and abuse, and free up agents to carry out other law enforcement duties.
- Establish a Center for Migration Coordination to coordinate federal, state, and local efforts to support newly arrived migrants and reduce impacts on local communities.
    - Construct non-custodial regional processing centers where federal agencies are co-located with NGOs and shelters to carry out processing, coordinate release, and provide effective case management for newly-arrived migrants.
    - Complement CBP personnel with trauma-informed social workers and psychologists to better recognize the unique needs of people on the move.
    - Stop all family and UAC detention, including at soft site facilities.
    - Allow non-immediate family units traveling together to remain together and be processed together, reducing the burden on government and NGO entities tracking and assisting family members across disparate cultures.

Facilitating Employment and Integration for Asylum Seekers

- Provide temporary appropriations to USCIS to surge employment authorizations and other application processing, backlog reduction, and integration.
- Facilitate the economic integration of asylum seekers by eliminating regulatory barriers, particularly the 180-day asylum clock, that hinder them from obtaining work authorization in a timely manner, and restrictions to access federal benefits.
- Grow federal support for proven alternatives to detention.
    - Fund and expand the Case Management Pilot Program (CMPP).
    - Fund USCIS adjudicators to conduct work in field locations across the border, thus reducing backlog in the interior.

Refugee Protection

- Increase programmatic funding and resources for overseas and domestic components of the U.S. Refugee Admissions Program.
- Increase funding for the Office of Refugee Resettlement.
- Fund the Migration and Refugee Assistant (MRA) account.
    - Bolster overseas support and processing, and address humanitarian needs in the Western Hemisphere to promote access to regular pathways to migration and international protection, including support for integration and regularization.
- Fund the Refugee and Entrant Assistance (REA) account.
- Include retroactive authorization language that extends access to ORR and certain service benefits to Ukrainian humanitarian parolees arriving starting Oct. 1, 2023, that lapsed when the FY24 Continuing Resolution failed to extend congressional authorized benefits included in the Additional Ukraine Supplemental Appropriations Act of 2022.

Meaningfully Address Root Causes of Migration

- Increase the support to local grassroots projects in Central America and countries of origin focused on promoting buen vivir and creating dignified living conditions so migration doesn't become the only option for many.
- Publicly recognize the U.S. role in precipitating some root causes of current migration, while continuously supporting civil societies in their pursuit of better democracies serving the people and respect to human rights (including environmental rights).
- Comply with the Biden administration's commitment to upholding the Los Angeles Declaration on Migration and Protection signed at the 2022 Summit of the Americas.