

—UUSC Public Comment—

The Biden administration's proposed rule to limit the number of people who can apply for asylum at the U.S.-Mexico border is one that not only lacks compassion—it's also quite deadly.

We know empirically and anecdotally that people in migration through Central and South America face a litany of dangers as they migrate: rape, torture, extortion, forced disappearances, murder, robbery, and human and sex trafficking. The journey can be particularly arduous with migrating people facing a lack of access to healthy food, clean water, shelter and minimal guarantees that they will be welcomed when they reach the border.

The proposed rule forces the United States to renege on their commitment to provide asylum, which violates U.S. federal law and commitments to international law and the principles of protection, which obligates the United States to respect and practice non-refoulement. Instead of turning people away, the Department of Homeland Security should build their ability to safely, effectively, and humanely enforce and administer U.S. immigration law, including the asylum system, to face the anticipated surge of migration from the U.S.-Mexico border.

The Department of Homeland Security should respect all the principles of protection, particularly and especially when faced with the challenges that have been used to justify the proposed rule, including the right to protection of life and health of people in migration in protective shelters and settlements, the right to information, right to health, equal treatment and non-discrimination and the State's obligation to combat stigma, racism, and xenophobia.

The impetus behind the proposed rule is weak and ignorant at best. Limiting access to asylum will only place people at further risk and exacerbate the human rights crisis in the region. The proposed rule abdicates the United States from its historic and current complicity in forcing the displacement of people from the region, which is unacceptable and unjust. The United States cannot in good conscience continue to deny asylum-seekers their right to peacefully migrate. Let's call the transit ban what it *really* is: an asylum ban. UUSC is vehemently against this proposed rule and we call on the Department of Homeland Security to revise its approach.