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Vote Recommendation: AILA Urges NO Vote on H.R. 2 the “Secure the Border Act of 2023”

May 9, 2023

This week, the House will vote on H.R. 2, the “Secure the Border Act of 2023.” The American Immigration Lawyers Association (AILA) urges Congress to **VOTE NO** on the bill. H.R. 2 is a divisive measure motivated by anti-immigrant sentiments that will hurt immigrant communities and the nation as a whole. AILA also [joined a statement](#) from 136 state, local, and national organizations opposing H.R. 2.

H.R. 2 does not offer effective solutions to manage the U.S. southern border and will endanger asylum seekers. This bill:

- Attempts to control the now global phenomenon of refugee flows by blocking asylum seekers and gutting access to asylum and humanitarian protection guaranteed under U.S. law.
- Harms children and families by mandating their detention and removing protections Congress created to ensure the safety of unaccompanied children.
- Balloons the detained population and detention costs.
- Harm American businesses and communities by mandating E-Verify and making it far more difficult for asylum seekers to receive work authorization. The bill runs counter to [bipartisan efforts](#) to address the ongoing labor shortage by enabling refugees to work.
- Hobbles federal efforts to manage migrant flows by barring the funding of NGOs that provide vital services, including legal services, to immigrants.

AILA recommends strategies that manage migration to the southern border and ensure people have meaningful access to asylum. AILA’s recently updated policy brief [“Policy Brief: What Does Effective Border Management Look Like?”](#) presents the following strategies:

- Modernize border processing by mobilizing multiple federal agencies through an all-of-government approach.
- Provide immigration agencies with adequate humanitarian and processing resources. For example, hiring more USCIS asylum officers will increase the processing capacity at the southern border while also maintaining USCIS capacity to process employment- and family-visas that are stuck in backlogs.
- Create and expand legal pathways to facilitate immigrants coming to the United States, including Congressionally authorized parole programs and temporary protected status (TPS).

As Title 42 is expected to end this week, AILA reiterates its deep concern about the [administration’s proposed asylum transit ban](#).

- The new asylum transit ban will severely restrict access to asylum at the southern border, violate U.S. asylum law, and hinge access to asylum on a lottery system through the CBP One application.

Instead of H.R. 2, Congress and the Biden administration should pursue strategies that manage migration effectively while also recognizing the critical role immigrants have played in advancing the prosperity of the nation. Congress must shoulder the responsibility of modernizing U.S. immigration laws which have not been reformed in three decades. Congress should pass reforms that provide the necessary temporary and permanent immigrant visas for family members, foreign workers and those seeking protection from

persecution. The United States has directly benefited from immigration during the country's ongoing recovery from the pandemic and recession when immigrants served in vital roles as medical professionals and other frontline workers in essential industries.

For more information on the asylum and border, [AILA's Featured Issue: Border Processing and Asylum](#) page provides both updates and a repository of resources. If you have questions, please do not hesitate to reach out to Amy Grenier, Policy & Practice Counsel at agrenier@aila.org.