

As Biden Visits Border, We Need Expansive Options for Asylum Seekers, Not Chaos and Cruelty

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Imagine facing jail time because of your political views in Nicaragua, or a total breakdown of law and order in Haiti, or daily demands by Guatemalan “mara” gangs to pay half your monthly salary in extortion fees. Imagine having no choice except to abandon everything you’ve ever known—your house, family, job, and community. Imagine risking your life in the process, traveling through jungles and deserts, dodging threats from corrupt police and violent criminal organizations, hoping to find safety for you and your child, only to be turned away and returned to danger.

This is the situation for thousands of people fleeing humanitarian crises, who have spent years waiting at the U.S.-Mexico border to seek asylum in the United States, but are prevented from doing so because of a mix of cruel and chaotic deportation policies, including a Trump-era order known as Title 42.

As President Biden visits the border town of El Paso this week, amidst announcements of new policies that will expel Nicaraguan, Haitians, and Cubans to Mexico, it’s all too clear that this administration’s priority is to uphold Donald Trump and Stephen Miller’s hateful vision for the border. Whether it’s through Title 42, or [the creation of parole programs](#) that most asylum seekers are disqualified from using, Biden isn’t emphasizing protecting and welcoming those fleeing for their lives. Instead, it’s all about making it as difficult and dangerous as possible for those who want a shot at safety and dignity for themselves and their families.

Title 42 remains a major tool for expelling and deporting asylum seekers [en masse](#). Although it was invoked under Trump to “curb” the COVID-19 pandemic, Title 42 has [done nothing](#) to impact COVID-19 infection rates. This purported “public health” order has always been about furthering an anti-immigrant agenda led by White supremacists and deeply xenophobic political forces. Although this policy was set to end on December 21, 2022, a recent Supreme Court [decision](#) has prevented its termination for the time being. Every day Title 42 continues, asylum seekers are turned back to [face rape, torture, and kidnapping in Mexico](#), with Black and Indigenous people disproportionately affected.

Title 42 is just one of a mix of cruel policies that essentially disqualify and ban people from being able to apply for asylum on U.S. soil. While it’s positive that the Biden administration is [expanding more legal pathways](#) for people of various nationalities to apply to come to the United States, these programs are set up in such a way that the vast majority of people will be ineligible. The Trump era resulted in a near total shutdown of asylum at the U.S.-Mexico border; by creating new legal

options that dramatically limit who can benefit, Biden is only committing half-hearted gestures at restoring the right to protection.

The U.S. government needs to recognize that the right to asylum shouldn't depend on Supreme Court decisions, access to money and plane tickets, or having sponsors already based in the United States. Anyone should be able to approach a port of entry at the U.S.-Mexico border and initiate an asylum process there, rather than having to cross the border and seek out Border Patrol agents. We've already seen the U.S. government apply this generous and expansive approach to asylum options when it comes to Ukrainians—yet others in need of protection remain subject to the chaos and cruelty of Title 42 and other policies of deportation.

We need a fundamental paradigm shift: instead of viewing migrants and asylum seekers as burdens that we should fear and reject, we should recognize them as bringing incredible blessings to our country. Migration has brought hugely positive economic, social, and cultural benefits to the U.S., a country with an aging population bolstered by the work of hard-working, young, and dynamic immigrants, who can play a major role as essential workers [amidst a massive labor shortage](#). Our elected officials want us to believe that there aren't enough resources for everyone in the United States, an argument meant to scare and divide us, and distract us from one of our most fundamental values: our most important resource, our ability to show compassion, is infinite.

This isn't a question of capacity. We've already seen the U.S. government summon immense political will to set up expansive asylum options for Ukrainians at the U.S. border. And we've seen U.S. authorities put incredible resources into running [massive deportation operations](#). The Biden administration and Congress must put the same political will towards welcoming people seeking a better life, and upholding international asylum laws. That means providing a robust, diverse, and generous set of options for people to migrate and seek asylum safely: the ability to approach ports of entry and apply for asylum there, and visa options that don't disqualify the majority of those in need of protection.