



Myths and Facts: “Border Strengthening” Measures Proposed in US Congress

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Background

As part of the ongoing negotiations in Congress around a \$110 billion supplemental funding package for US foreign aid, certain congress members and the Biden Administration are discussing a range of measures aimed at “securing the border” and reducing the number of people seeking asylum. Evidence and experience show that there are smart and humane measures that can be taken to guarantee that people who need protection can find it through [safe and orderly processes](#). The proposals under consideration in Congress, however, are both inhumane and would create chaos and disorder. They should not be part of short-term funding bills. Here we address several myths about the current proposals.

Myth	Fact
<p>Raising the standard for asylum seekers to demonstrate fear of persecution at the border will deter people from making asylum claims.</p>	<p>Evidence shows that changing asylum standards has essentially no deterrent effect. When the US government raised the credible fear standard under the Circumventing Lawful Pathways (Asylum Ban) rule it did not deter people from seeking protection, as most did not know about or understand the rule. In fact, arrivals at the southern border in the past three months for which data are available are 31% higher than the three months before the asylum ban took effect. The increased credible fear standard did, however, result in people who require refugee protection being returned to danger.</p>
<p>Declaring Mexico a “Safe Third Country” would ensure that asylum seekers can find safety from persecution and shift responsibility from the US asylum system.</p>	<p>Mexico is already processing historic numbers of asylum cases, with nearly 137,000 new cases in the first 11 months of 2023. This has placed enormous strain on Mexico’s humanitarian infrastructure, and leaves asylum seekers exposed to danger in some of the most violent cities in the world. Requiring more people to seek protection in Mexico would damage Mexico’s asylum system, empower cartels and human smugglers, and endanger the lives of many vulnerable people. Those who cannot find safety in Mexico will likely attempt to enter the US regardless of new rules.</p>
<p>Policies which violate the right to apply for asylum, like Title 42, are effective border management tools that decrease irregular crossings.</p>	<p>In the 38 months in which Title 42 was in place, officials carried out 2.8 million rapid expulsions of people encountered at the US border without allowing them to request asylum. Yet, during this period, near-record numbers of apprehensions occurred. Once Title 42 ended, the number of people crossing the border without presenting to authorities dropped by half. Whereas Title 42 had little-to-no deterrent effect, it did lead to at least 13,000 reported cases of murder, torture, kidnapping, rape, and other violent attacks against people returned to Mexico under this policy.</p>

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The parole authority is increasing irregular migration.	For more than 70 years , Congress has authorized the executive branch to use parole, official permission to enter and remain temporarily in the United States, for individuals and groups of people who need to physically enter the US for humanitarian or other reasons. Current use of this authority to allow certain Cubans, Haitians, Nicaraguans, and Venezuelans (CHNV) as well as certain Afghans and Ukrainians, to enter the US has provided a lifeline to tens of thousands of vulnerable people. At the same time, it provides a safe alternative to irregular entry. After CHNV Parole took effect, less than 1% of Haitians who entered the US at the Southwest border crossed irregularly.
A cap on asylum like the US has for refugee admissions would help manage the US asylum backlog and reduce numbers at the border.	It is unclear how the US would implement an asylum cap, but it would almost certainly cause significant harm to people needing protection while failing to improve order or reduce numbers of asylum seekers at the border . US and international law prohibit the government from returning anyone to a country where they will be persecuted or tortured, and an arbitrary cap on asylum would violate this fundamental principle.

The International Rescue Committee stands ready to work with the federal and local governments to implement dignified reception models, like our [Arizona Welcome Center](#) and the [Case Management Pilot Program](#). By making smart investments in humane solutions in the US as well as in countries of origin, transit, and destination for asylum seekers, we can offer protection to those who need it while maintaining safe and orderly processing at the border. We urge Congress and the White House to refuse any calls to permanently degrade the asylum system as part of short-term funding packages, and rather look toward evidence-based, long-term investments in humane reception.