



International Rescue Committee

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July 15, 2020

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Office of Information and Regulatory Affairs,
Office of Management and Budget,
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Attention: Desk Officer, U.S. Citizenship and Immigration Services, DHS

RE: RIN 1125-AA94 / EOIR Docket No. 18-0002 / OMB Control Number 1615-0067; Public
Comment Opposing Proposed Rules on Asylum, and Collection of Information

To Whom It May Concern:

The International Rescue Committee (IRC) submits the following comment in response to the proposed rule by the Department of Homeland Security and the Executive Office for Immigration Review, "Procedures for Asylum and Withholding of Removal; Credible Fear and Reasonable Fear Review," published in the Federal Register on June 15, 2020. The IRC would like to express its strong opposition to the proposed rule, which would deprive innumerable persecuted people the ability to seek and obtain asylum in the United States. This rule, if issued, would bring about an effective end to the country's asylum system, inflict immeasurable harm, and deny protection to those most in need. We urge the agencies to withdraw the proposed rule in its entirety.

The U.S. has a long history of being a haven for those seeking persecution, based on both the plain language of the law and decades of legal precedent that have established protections for refugees and asylum seekers. The proposed rule would close the door on those who are fleeing for their lives in direct contradiction with international obligations under the 1967 Protocol Relating to the Status of Refugees (and by incorporation, the 1951 Convention Relating to the Status of Refugees), domestic law under the Refugee Act of 1980 and other provisions of the Immigration and Nationality Act (INA).

The proposed rule is not an isolated attempt to dismantle the U.S. asylum system and should not be considered as such. This proposed rule is part of a pattern of ill-conceived and inhumane executive actions that take legal shortcuts to curb immigration and have significantly altered the demographics of those admitted to the U.S. while depriving the public of a reasonable timeframe to consider their implications. As with many of the immigration policies of this administration, such as changes made to the refugee resettlement system, the rule would place an emphasis on impacts that disproportionately harm people of color.¹ This pattern began within days of inauguration in

¹ In the context of the U.S. Refugee Admissions Program, the Trump's historically low annual admissions goals, overhaul of admissions categories, and under-resourcing of increasingly stringent vetting processes has resulted in fewer Black and brown refugees being resettled into the U.S. Refugees from the Middle East and from Africa together accounted for over 90 percent of the 1.4 million refugees globally in need of resettlement in 2019, but admissions of refugees from Africa and the Middle East fell 48 percent and 92 percent respectively from FY16 to FY19. For the few resettlement slots available, a larger share of refugees from majority white European countries are entering the program: refugees from Europe have climbed from 5 percent of all refugees admitted in FY16 to 26 percent over the first half of FY20. Yet, refugees from Europe



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2017 with the administration’s Executive Order 13769, which suspended the admission of refugees and indefinitely banned the entry of people from seven majority-Muslim and non-white countries. In 2018, the administration’s Zero Tolerance Policy separated thousands of children from their parents at the southern border. In 2019, the Migrant Protection Protocols (“Remain in Mexico”) turned asylum seekers—the overwhelming majority of whom are people of color—away at the border, leaving tens of thousands of people in unsafe conditions awaiting their hearings. In 2020, in the midst of the COVID-19 pandemic, the administration authorized the summary expulsion of noncitizens arriving at the border. And finally, the administration’s proposed rule (RIN 1125-AB08 and 1615-AC57) that would use the pandemic to completely ban asylum seekers, despite the lack of evidence that this is in the best interest of public health. These actions, many of them in violation of U.S. and international law, deny asylum seekers a safe, fair and humanitarian process to make their legal case for asylum. Many of these actions are based on racist stereotypes, and all of them have racially disparate impacts. The proposed rule is but a tragic continuation of the harrowing and unprecedented immigration policy record of this administration.

The IRC’s assertion that the proposed rule will directly harm asylum seekers is informed by our mission and expertise: for nearly a century, the IRC has committed itself to ensuring that those forced to flee have fair access to safety and protection.

The IRC was founded in the 1930s at the behest of Albert Einstein to aid those fleeing Nazi persecution. Today, we respond to the world’s worst humanitarian crises and help people whose lives and livelihoods are shattered by conflict and disaster to survive, recover, and gain control of their future. In the Americas, the IRC operates across the arc of crisis—in the midst of the humanitarian emergency in Colombia, Northern Central America, and through partners in Venezuela; in shelters and encampments in Mexico where asylum seekers have been forced to wait for their U.S. asylum hearings; and in welcoming communities across 25 cities in the U.S.

Annually, the IRC serves over 8,500 asylum seeking individuals, children, and families. Our programs and services include critical immediate assistance and comprehensive case management, legal representation to adults and unaccompanied children facing removal proceedings both in and released from detention, and home studies and post-release services to unaccompanied children. We also provide limited legal assistance to vulnerable individuals affected by the Remain in Mexico policy and provide short-term humanitarian assistance at our 24/7 Welcome Center in Phoenix. Across the U.S., the IRC also serves asylees, survivors of torture, and victims of human trafficking.

In Mexico, the IRC partners with local organizations to aid migrants and asylum seekers stuck in border towns, supports programs that serve survivors of gender-based violence, and provides public health awareness and psychosocial support for people in 17 shelters in Ciudad Juárez, benefiting nearly 10,000 people. In Northern Central America, the IRC works to address the needs of families impacted by violence through collaborations with local organizations, via an interactive information platform tailored to the unique needs of refugees and returnees, and through programs for internally displaced women, girls, and LGBTQ+ people in El Salvador. In Colombia and through partners in Venezuela, the IRC is working to protect children and adolescents, empower women

make up just 0.002 percent of resettlement needs in 2020. Data for this analysis was drawn from the Department of State’s Worldwide Refugee Admissions Processing System (wrapsnet.org) and the UN Refugee Agency’s Project Global Resettlement Needs reports for 2019 and 2020.



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and survivors of gender-based violence, provide access to health care, and support people's economic well-being.

As detailed below, the proposed rule would deny asylum protection to nearly all individuals fleeing persecution, would directly harm the health and psychological well-being of asylum seekers, and would ignore the complex and difficult decisions facing those fleeing for their lives, ultimately penalizing asylum seekers for their efforts to escape harm.

Given the enormity of the proposed rule and its immeasurable implications, please note that the unusually brief 30-day period allotted was insufficient for the preparation of this comment. The challenges to respond within this brief time frame were made worse by the ongoing COVID-19 pandemic. Therefore, while addressing some of the most damaging potential impacts of the proposed rule, this comment is necessarily limited in scope and should not be taken as exhaustive. That we have not discussed a particular change does not imply endorsement. The IRC opposes the rule in its entirety and urges the agencies to withdraw it.

I. The proposed rule would deny asylum to those who are escaping severe threats of harm and actual persecution

The proposed rule would effectively end the U.S.'s current asylum system by contradicting decades of established legal precedent and arbitrarily narrowing the circumstances under which people can be granted asylum. These regulations would create insurmountable obstacles for asylum seekers at every step of the asylum application process and dismantle the concept of asylum. The IRC works with asylum seekers escaping severe threats of harm and actual persecution who would no longer qualify for protection in the U.S. under the proposed rule.

a. The proposed rule would profoundly narrow the definition of persecution and eligibility for asylum

The proposed rule would gut protections for people fleeing life-threatening persecution. It would narrow instances when an applicant would qualify for protection due to their political opinion, resulting in women's or LGBTQ+ rights advocates, who face high levels of personal persecution for their advocacy, to be disqualified from asylum protection. The rule would also redefine persecution to be an "extreme" concept of severe legal harm yet doesn't define what meets the standard of "extreme," arbitrarily restricting the definition of persecution and potentially excluding the majority of legitimate asylum claims. Further, the rule would narrow the qualification for protection under the Convention against Torture by stating that an act is only torture when committed by a public official acting in their official capacity and would ban all claims to asylum arising out of gender-based harm, gang violence and forced recruitment. These changes would have a particularly harmful impact on survivors of torture and gender-based violence, the LGBTQ+ community, Black and brown people, and those fleeing persecution of non-state, terrorist, gang, or other non-governmental actors.

This comment does not comprehensively catalog the arbitrary, harmful, and racist barriers to asylum imposed by the proposed rule. Please see public comments submitted by immigration law practitioners, rights organizations, and legal advocates for expanded analysis.

b. The proposed rule would punish asylum seekers fleeing countries that are unable to provide security to their citizens



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The proposed rule denigrates the ability for individuals to seek asylum when they are fleeing from countries that are unwilling or unable to meet their responsibilities to protect their citizens. In countries mired in active conflict between the government and non-state actors, people are legitimately driven to flee the persecution they face in areas where the rule of law has broken down and there are few protections against violence and abuse. Somalia and Afghanistan, where the IRC has operated since 1981 and 1988 respectively, have faced large-scale humanitarian crises for decades. Both countries continue to face persistent violence and insecurity today, with their highly vulnerable populations caught in the middle. The UN Refugee Agency reports that over the past decade, the ongoing violence and humanitarian crises in these countries have resulted in some of the largest numbers of forcibly displaced people worldwide.²

For those living in Northern Central America, where gangs operate as non-state armed actors with impunity and engage in extortion and homicide to terrorize and control the populace, government authorities and law enforcement are themselves often complicit or compromised. In some neighborhoods the police are wholly infiltrated; in others, gang members conduct video surveillance on the police stations. Gangs practice retribution violence and will attack or threaten family members and friends as both deterrents and as punishment, breaking down traditional support networks. Those fleeing their terror and persecution therefore have little recourse: reporting crimes to the authorities is a danger in and of itself. Yet, these very people—forced to flee their homes and unable to rely on their government to protect them—would be turned away under the proposed rule. In some cases, this denial of protection would amount to a death sentence.

II. The proposed rule would directly harm the safety, health, and psychological well-being of asylum seekers

The proposed rule would further traumatize asylum seekers and penalize them for the trauma they have already sustained. It would put asylum seekers and their loved ones at further risk by compromising confidentiality, and if applied retroactively, would be profoundly harmful to applicants with pending claims. Further, the proposed rule would certainly result in the wrongful deportation of untold numbers of asylum seekers to the countries from which they have fled, sending people back into harm's way and potentially to their death. In these ways, the proposed rule is a continuation of the administration's existing policies blocking access to a safe and legal path to refuge that have already inflicted great psychological harm on asylum seekers.

a. The proposed rule would compound the existing trauma endured by asylum seekers

Most asylum seekers are fleeing countries in conflict with high rates of sexual and gender-based violence, deprivation, torture, and other well-documented forms of collective and individual violence from both state and non-state actors. Their journey to seek safety is also often high risk and may expose them to further abuse similar or worse than that from which they are fleeing. Though actual occurrence is known to be grossly underreported, multiple studies have shown that at least 30 percent of all asylum seekers have experienced torture and more than 70 percent of asylum seeking women have experienced some form of sexual violence.³ Violence, deprivation, and abuse

² UNHCR, *Global Trends: Force Displacement in 2019* (Copenhagen, 2020), <https://www.unhcr.org/5ee200e37.pdf>.

³ Anne Kalt et al., "Asylum Seekers, Violence and Health: A Systematic Review of Research in High-Income Host Countries," *American Journal of Public Health* 103, no. 3 (2013): e30-e42. <https://doi.org/10.2105/AJPH.2012.301136>.



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have significant consequences on physical and mental health including soft tissue injuries, infections, post-concussive syndromes, locomotor problems, depression, anxiety, Post-Traumatic Stress Disorder, and suicidality.^{4 5 6}

IRC staff have observed that Salvadoran asylum seekers who have reached the U.S. arrive with severe levels of intergenerational toxic stress. Families have endured decades of ethnic cleansing, civil war, natural disaster, and, most recently, pervasive and indiscriminate gang violence in Northern Central America. The protracted nature of these crises has left families carrying the immense weight of their home country's challenges while they must persevere in the face of ongoing and new dangers.

The trauma endured by families seeking refuge from gang violence is acute. Gangs are known to recruit young: 64 percent of gang members in El Salvador are recruited by age 12 and 77 percent by age 18.⁷ Gang members use children as young as six-years-old to run errands and turn children against their own parents. Under this terror, people cannot speak the names of gangs or their members without fear of retribution. Families must make the desperate decision to protect their children by leaving as a family or sending children to escape alone.

Especially since those seeking asylum have largely survived past traumas, relocating to a new and safe country allows space for healing so that individuals are able to move forward from the atrocities committed against them and work towards creating the safe and successful future they envision for themselves and their families. This future is unable to be secured by their country of origin, causing individuals and families to flee their multi-generational support systems, extended family circles, and, often, established livelihoods. The proposed rule would not only rob asylum seekers of the chance to regain their physical and psychological wellness but would also compound the trauma that they have already survived.

b. The proposed rule would penalize asylum seekers for the very trauma they've already endured

The proposed rule would demand asylum seekers to meet impossible standards in the credible fear context. Already, within the current U.S. asylum system, asylum seekers are being asked to recall traumatic events when their bodies are exhausted and under stress. To further raise the threshold in the credible fear interview ignores the circumstances in which people are being asked to recount and recall, as well as the science of trauma and memory itself.

Trauma causes disruption in how we construct memories. People seeking asylum have experienced a significant history of violence and the journey to seek asylum is often long, arduous, and brings additional violence and trauma. To construct linear and organized memories, many parts of the brain need to work together. However, when the brain is faced with trauma, the fight or flight

⁴ Angela Burnett and Michael Peel, "The Health of Survivors of Torture and Organised Violence," *BMJ* 322 (2001): 606-9.

⁵ B. Chester and N. Holtan, "Working with Refugee Survivors of Torture," *Western Journal of Medicine* 157, no. 3 (1992): 301-4.

⁶ Wilder Research, *Snapshot: Immigrant and Refugee Mental Health* (Saint Paul, 2009).

⁷ UNHCR, *Invertir en nuestros niños: el norte común* (El Salvador, 2018), 16, <https://www.unicef.org/elsalvador/sites/unicef.org.elsalvador/files/2018-11/invertir-en-nuestros-ninos-el-norte-comun-el-salvador-UNICEF%20%281%29.pdf>.



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response is triggered disrupting higher level analytical processing in favor of immediate action for survival. People who experience this over time, and especially children or those who experience this trauma as children, can become locked into this fight or flight response. The amygdala, or fear center of the brain, will encode certain memories for the sole purpose of being able to alert an individual to similar circumstances that threaten their life. In short, trauma memories by their very nature are often fragmented, incomplete, and disorganized.⁸

In addition, when people reach the U.S. seeking safety they are often in a profound state of exhaustion and fear, producing a significant stress response. This compounds the difficulty of recalling a memory or memories related to traumatic events. When people's bodies return to homeostasis (or a level of calm) these memories are easier to retrieve. Demanding a high evidentiary standard in the credible fear interview would be an unfair and cruel punishment for those who are still grappling with the real psychological effects of violence and trauma.

It bears mentioning that the U.S. asylum system is already extraordinarily complex. Asylum seekers face formidable challenges in ushering their application through the system successfully, and many must do so without legal representation. Of the over 200 cases currently served in one IRC program that provides comprehensive case management to asylum seekers, 60 percent of cases are without representation and have either applied or are facing the prospect of applying for asylum on their own.

c. The proposed rule would compromise confidentiality, putting asylum seekers and their families at risk

The proposed rule would tear down the confidentiality protections currently in place for asylum seekers. The proposed rule grants permission to the Secretary of Homeland Security and the Attorney General to disclose any information contained in asylum applications regarding credible fear determinations and reasonable fear determinations to any third party, making it easier to disclose deeply personal or dangerous information without the asylum applicant's written consent. By compromising privacy, the proposed rule could expose asylum seekers to retribution, including their families who may remain in hiding in the applicant's country of origin. Repressive regimes and criminal non-state actors often span international borders and may execute the family of a dissident or attempt to harm them via surrogates in their country of origin or in the U.S. For this reason, many people seeking asylum are assiduous in protecting their identity: they stay off social media, do not congregate with people from their country of origin, and cut off all contact with family members for their mutual protection. By allowing for the release of sensitive details of asylum applications to third parties, the U.S. government eviscerates this anonymity, potentially causing unintended outcomes that could help repressive regimes and non-state actors in finding, harming, and even murdering those seeking safety.

d. The retroactive application of the proposed rule would be harmful to asylum seekers with pending claims

The proposed rule does not specify how it would affect pending claims. This lack of clarity leaves asylum seekers—people already in a state of perilous uncertainty—in further limbo. And, if applied retroactively, the proposed rule would unfairly punish individuals for actions that were permissible

⁸ Kristin Samuelson, "Post-traumatic stress disorder and declarative memory functioning: a review," *Dialogues in Clinical Neuroscience* 13, no. 3 (2011): 346-51; J. Douglas Bremner, "Traumatic stress: effects on the brain," *Dialogues in Clinical Neuroscience* 8, no. 4 (2006): 445-61.



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when they applied for asylum in the U.S. It must also be noted that a retroactive application of the proposed rule would erase any semblance of legal due process for these applicants.

The consequences of this sudden and unprecedented policy change would be far reaching: the claims of nearly 100 percent of our asylum-seeking clients currently being served across seven of the IRC's offices are considered pending and would therefore be susceptible to the proposed rule's reach. For people who are already in the process of seeking asylum, the impacts of having their claims suddenly rendered ineligible would be multi-pronged: overwhelming destabilization for families, including families with U.S. citizen children; increased financial instability due to investment in a private attorney that would be for naught; and of course being faced with the prospect of being forced to return to one's country of origin with no guarantee of safety or well-being upon return.

In the Central American context, the IRC has seen that many asylum seekers and their families take on enormous economic risk when someone flees. If the need to escape is sudden, the individual is running for their life. If there is time to plan, then their family and friends will leverage everything they have in order to pay the way to safety for their loved one. For many, wrongful deportation as a result of retroactive application of the proposed rule would mean economic devastation for the asylum seeker as well as their entire family and friend network.

e. The wrongful deportation of asylum seekers to the countries from which they have fled would inflict immeasurable harm

We do not have to speculate about what the effect of wrongful deportations and expulsions would be—we need only look to the administration's existing asylum policymaking and implementation, which has already crippled the U.S. asylum system. Just one example, the Remain in Mexico policy, has forced over 60,000 asylum seekers to wait in Mexico for their U.S. hearings, resulting in crowded and unsafe informal encampments along the border.⁹ IRC staff have seen firsthand how these conditions jeopardize the health and safety of vulnerable groups, including women, girls, and the LGBTQ+ community.

Through our programs in Northern Central America, the IRC bears witness to the violence, terror, and crises that have forced so many to flee in the first place. Returning asylum seekers to the countries from which they have fled has always been contrary to the principle and the U.S.'s commitment of non-refoulement. And deporting people to third countries, as is practice under the administration's Asylum Cooperative Agreements, leaves people at additional risk, as they lack knowledge of local contexts, gangs, and controlled territories and are therefore unable to keep themselves safe.

Further, these countries are fragile with uncertain rule of law and weak government systems. Some individuals may be forced to seek asylum in Mexico, which does not have the necessary infrastructure nor budget to accommodate the projected tens of thousands of asylum seekers.¹⁰ And, returnees often face high levels of social stigma in their countries of origin, making safe

⁹ Miriam Jordan, "Appeals Court Allows 'Remain in Mexico' Policy to Continue Blocking Migrants at the Border," *The New York Times*, March 4, 2020, <https://www.nytimes.com/2020/03/04/us/migrants-border-remain-in-mexico-mpp-court.html>.

¹⁰ James Fredrick, "Mexico Is Overwhelmed By Asylum Claims As It Ramps Up Immigration Enforcement," *NPR*, June 14, 2019, <https://www.npr.org/2019/06/14/732485182/mexico-is-overwhelmed-by-asylum-claims-as-it-ramps-up-immigration-enforcement>.



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reintegration into society further out of reach. This reality means that even those that are granted asylum will lack true safety and remain at incredible risk.

III. The proposed rule would ignore the complex and difficult choices facing those seeking refuge, penalizing asylum seekers for the manner in which they flee

When people are fleeing for their lives, they may have to escape at a moment's notice. Pathways to safety are dangerous and many face violence similar to what they've fled. Women, girls, and the LGBTQ+ community are specific targets of violence, with women and children especially at risk of additional human trafficking beyond the "coyote" system. The proposed rule ignores the complex and difficult choices facing those seeking refuge, penalizing asylum seekers for the manner in which they flee and the resources at their disposal.

a. The proposed rule would punish asylum seekers for the routes they pursue in their search for safety

The proposed rule would deny asylum to those who have traveled through a secondary country that is party to the 1951 Refugee Convention on their way to the U.S. This specific provision seems designed to cut off access to asylum to people from Central America, as well as many from African and Asian countries, who make journeys across continents in search of safety. In a callous and sweeping manner, this restriction would exclude untold numbers of asylum seekers with legitimate claims, simply because they may not be safe in a neighboring country.

In one IRC program serving asylum seekers with case management (including support with their legal case), only 12 percent of families enrolled in the past 18 months were from Mexico and so would not be affected by this provision. Therefore, the vast majority of families assisted (88 percent, or around 200 families) would automatically be prevented from pursuing an asylum claim, no matter how compelling their case. Additionally, of the over 7,000 IRC clients served in short-term emergency shelter settings in Phoenix since spring 2019, 84 percent transited through at least one other country between leaving their country of origin and arriving in the U.S. Only 16 percent of clients served came directly from Mexico and would therefore be the only ones eligible to apply for asylum under the proposed rule.

b. The proposed rule would punish those who have been deprived travel and identification documents

The proposed rule allows an immigration judge or asylum officer to deny asylum to an applicant who has used fraudulent documents to enter the U.S. Denying asylum to those who use or attempt to use a fraudulent document, even if they had no other means to escape harm, will endanger those who may have had no alternative, will deny protection to asylum seekers even if they are fleeing legitimate threats of or actual persecution, and violates the intent of U.S. law.

Asylum seekers may not be able to obtain valid travel documents from their country of origin because they fear their government or face other obstacles. For example, survivors of gender-based violence may have their passport or identification documents withheld by their abuser as a means of limiting autonomy and exerting power over the survivor. In other cases, abusers may deny survivors the access to apply for these documents in the first place. In the Central American context, families who refuse to comply with gang demands are told to "get out, or get out," meaning they must leave at a moment's notice or be killed. This urgency may leave no time to gather the necessary documentation.



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Furthermore, this provision is contrary to the letter and intent of U.S. law. The INA stipulates that inadmissibility based on fraud is waivable for asylees applying to adjust status under the broad waiver provision found at INA 209(c). The clear intent of the law in providing this waiver is to recognize that persecution or the threat of persecution is often the reason asylum seekers are unable to obtain valid travel documents, and therefore use of fraudulent documents by asylum seekers should not be punishable on humanitarian grounds. Additionally, the waiver is unconditional in that there are no limitations to the eligibility for a waiver of inadmissibility for use of fraudulent documents based on how many countries the bearer of the document may have travelled through en route to the U.S. By giving asylum officers and judges the power to deny asylum for use of fraudulent documents and for those who transit through another country before arriving in the U.S., the rule imposes a new and arbitrary condition which is not supported by the plain language of the law.

c. The proposed rule ignores the complex barriers to internal relocation for many asylum seekers

The proposed rule would allow adjudicators to presume that internal relocation is reasonable where an applicant has suffered past persecution at the hands of a non-state actor. This would shift the burden on the applicant to demonstrate that they sufficiently sought internal relocation before seeking protection in the U.S. Given the complex circumstances from which people flee, asking an applicant to prove that internal relocation was impossible in the credible fear interview is an unfair and unreasonable burden.

In the Central American context, the reality is that those fleeing gang violence may be entirely unable to relocate within their country. Gangs in Central America are better described as non-state armed actors who have taken complete control of certain territory, in some cases precluding any government sanctioned law enforcement from taking place. Many of the gangs in this region cross state borders, expanding the footprint of their power and influence beyond the territory they control outright. And, as described above, gangs practice retribution violence (punishing a victim's friends or family to teach them a lesson) and will pursue victims if they flee. The terror carried out by these groups has an impact: people living under gang control are often more likely to obey gang law than government authorities.

Relocation and general mobility are further stymied by the nature of personal identification documents common throughout the region which carry the location of one's birth. Gangs create their own checkpoints and review these identification cards to check for "spies," and employers will not hire people from some of the most highly gang-controlled neighborhoods for fear that violence will follow them.

IV. Conclusion

The proposed rule would effectively end the U.S.'s current asylum system by arbitrarily imposing barriers to asylum, contradicting decades of established legal precedent, and creating insurmountable obstacles for asylum seekers at every step of the asylum application process. It would deny asylum protection to those deserving of protection, directly harm the health and psychological well-being of asylum seekers, and would ignore the complex and difficult choices facing those fleeing for their lives. And, this systematic dismantling of the U.S. asylum system will have racist outcomes, inordinately impacting Black and brown people in need of protection.



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Beyond these considerations, the proposed rule reveals the failure of the administration to respond to the root causes of forced displacement. The wrongful deportation of asylum seekers does nothing to address the protracted, complex crises at countries of origin. The administration's externalization of its borders will only deepen insecurity and regional crisis—people deported wrongfully back to the places from which they have fled will continue to flee rather than face death. The U.S. has long been an icon of hope for persecuted people throughout the region, and it continues to be so despite the administration's policies that work to block access to the U.S. asylum system. People who are literally fleeing for their lives will strive for the chance at any life: to start over with nothing is better than to live in constant terror.

The proposed rule, apparently seeking to hollow out America's asylum system and do away with any semblance of due process, fairness, and basic recognition of human dignity, will have harrowing and potentially deadly impacts for persecuted people. For the reasons detailed above and others, the IRC urges that the agencies immediately withdraw the proposed rule in its entirety.

For further information or in the case of questions, please contact JC Hendrickson, IRC Senior Director of Refugee and Asylum Policy & Advocacy, at (202) 923-1048 or JC.Hendrickson@rescue.org.

Sincerely,

The International Rescue Committee

Submitted via Federal eRulemaking Portal at www.regulations.gov.