



CONGRESS IS EYEING IMMIGRATION LIMITS AS GOP DEMANDS BORDER CHANGES IN SWAP FOR BIDEN OVERSEAS AID - ASSOCIATED PRESS

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SANTANA | Associated Press



Photo: House Speaker Mike Johnson of La., speaks during the U.S. Capitol Christmas tree lighting ceremony on the West Front of the Capitol

As record numbers of migrants surge at the southern U.S. border, many seeking asylum, Homeland Security Secretary Alejandro Mayorkas has told Congress the country's "broken" immigration system is in need of a top-to-bottom update.

But rather than undertake a comprehensive immigration overhaul, Congress is scrambling in a few short weeks for a deal that would greatly restrict the asylum and humanitarian parole process used by thousands to temporarily stay in the U.S. while their claims are being processed in the backlogged system.

Pushed to the negotiating table by Republicans, the Biden administration is considering the long-shot effort as the price to be paid for the president's \$106 billion year-end request for Ukraine, Israel and national security needs. It comes as Mayorkas, the face of the administration's immigration policy, bears down the threat of impeachment proceedings from House Republicans over what they view as failed border policies.

"We're not going to try to secure other countries and not secure ours," said Republican Sen. James Lankford of Oklahoma, as he rolled out the Senate GOP's border effort earlier this month.

"We're at a point for three years we've been saying, 'When are we going to secure the country? When are we going to do this?' And every year it's gotten worse."

A core group of senators, Republicans and Democrats, has been eyeing a deal that would provide money for the wars overseas in exchange for changes to the asylum process and in particular humanitarian parole, which has been a go-to tool by the Biden administration to manage the swell of migrants at the border, but is being challenged in court.

Negotiating behind closed doors, the senators have discussed making it tougher for migrants to pass initial screening used by asylum officers to decide whether a person can stay in the country to pursue their asylum case.

The idea is to raise the threshold during what's known as the initial credible fear interview for asylum claims from a "significant possibility" of success before an immigration judge to "more likely than not," according to those familiar with the private talks and who were granted anonymity to discuss them.

While an overwhelming majority of asylum-seekers clear the initial interviews, the final approval rate is much lower. That's fueling critics' complaints that the screening standard is too low and allows many asylum-seekers to remain in the country for years while their cases wind through backlogged courts and eventually fail.

Additionally, the senators are discussing ways to restrict Biden's ability to tap a historic Eisenhower-era law he and other presidents have relied on to admit people temporarily into the country under humanitarian parole — from the Vietnamese, Cambodians and Laotians in the late 1970s to Iraqi Kurds who helped the U.S. in the 1990s Gulf War and Cubans who fled their country at various times, according to data from the Cato Institute.

Biden tapped the parole program for Ukrainians fleeing after Russian President Vladimir Putin's invasion in 2022 and has also used it to allow Afghans and Cubans, Venezuelans, Haitians and Nicaraguans to remain temporarily in the U.S. without threat of deportation.

The administration and some immigrant advocacy groups argue Mayorkas is utilizing the tools available to reduce the chaos at the border as Congress has failed to act on more comprehensive immigration improvements.

Vanessa Cárdenas, the executive director of America's Voice advocacy group, said the ideas being pushed by the Republicans are a "grab bag of Trumpian policies" that would only create "more chaos and disorder" at the southern border if Congress takes away some available paths to legal entry.

But Republican critics of Biden's approach said the White House is overreaching by using parole authority to allow hundreds of thousands to enter the U.S. in ways Congress did not intend.

"The real sticking point is asylum is not enough if we don't get progress on parole," said Republican Sen. Thom Tillis of North Carolina.

On Wednesday, House Speaker Mike Johnson told GOP senators behind closed doors that he needs real border security changes as part of Biden's broader war funding package.

But during a separate Defense Department classified briefing on the need for Ukraine aid, Senate Majority Leader Chuck Schumer said he told Johnson and Senate Republican leader Mitch McConnell that the GOP demand for border security "is extraneous to this, and it shouldn't have been brought up."

"I said, 'We're willing to compromise, but we need a bipartisan bill on border,'" Schumer told The Associated Press. "You can't pull it so far, as they've been trying to do."

Biden's team is desperate for improvements at the border, where its administration has tallied more than 2 million arrests for illegal crossings in each of the last two years — the highest ever recorded — and more than twice as many from the year before COVID-19.

As Biden seeks reelection next year, he is potentially facing Republican front-runner Donald Trump, an immigration hardliner, who is campaigning on launching the "largest domestic deportation" operation in U.S. history.

The Biden administration is not overtly involved in the negotiations on Capitol Hill, but it has not warned Democrats off making a deal with

the Republicans. Mayorkas has been on calls with senators of both parties in recent days as talks continue.

Some Democrats and advocacy groups are sounding the alarm in the race for a year-end deal.

"We are concerned about reports of harmful changes to our asylum system that will potentially deny lifesaving humanitarian protection for vulnerable people, including children," wrote Sen. Alex Padilla of California in a statement with 10 other senators, including Senate Majority Whip Dick Durbin of Illinois.

Mayorkas has testified to Congress that the world is experiencing global migration unseen since the end of World War II, including unprecedented migration in the Western Hemisphere.

What used to be mainly solo men coming from Mexico to the U.S. border is now a mix of families and even unaccompanied children, with more than half coming from the so-called Golden Triangle region of Guatemala and Honduras and other countries farther away. Smugglers and traffickers advertise widely, often with false claims, to those seeking to flee their home countries.

Using the legal tools available, Mayorkas has tried to engineer new paths for migrants to apply for legal entry in hopes of stemming the chaotic scenes at the border with thousands of illegal crossings daily.

Biden's funding request includes some \$14 billion to hire more border patrol and immigration court officials and to help the states where mayors are scrambling to provide for the onslaught of asylum-seekers paroled into communities.

During recent hearings, Mayorkas told Congress the administration is working to manage the situation, even as Congress has failed to update the immigration system for decades.

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Associated Press writers Elliot Spagat and Seung Min Kim contributed to this report.