



Interfaith Immigration Coalition’s Comment on the Departments of Justice and Homeland Security’s Interim Final Rule, *Securing the Border*, DHS Docket No. USCIS-2024-0006

July 8, 2024

RE: DHS Docket No. USCIS-2024-0006

As 61 religious leaders and 50 faith-based organizations representing many faith traditions, we call on the Biden Administration to immediately rescind harmful and sweeping asylum bans – including the [“Securing the Border” Proclamation and its implementing Interim Final Rule \(or the ‘Rule’\)](#) first announced on June 4 – and instead support asylum and border policies that live up to our values and affirm the value and dignity of all. The June 4, 2024 proclamation seeks to systematically erode the U.S. humanitarian protection system, eliminating access to protection even for those clear cases for asylum. As people and communities of faith, we urge the administration to reject these punitive measures and find solutions that allow asylum seekers to be welcomed with dignity.

As faith communities, we are called by our principles and sacred texts to the spiritual practice of welcome. Our diverse faith traditions compel us to love our neighbor, accompany the vulnerable, and welcome the sojourner—regardless of place of birth, religion, or ethnicity. In response, our congregations have historically played key roles in meeting the needs of displaced people, including through longtime partnerships with the Department of Health and Human Services, the Department of Homeland Security, and the Department of State. This new rule will not only be ineffective, but also harmful, inhumane, and deadly for those fleeing harm and persecution.

The rule severely limits access to asylum for most people who arrive at the border between ports of entry to seek protection – even those with a clear case for asylum under U.S. immigration law. The Rule is enforced when border arrivals exceed a certain threshold, meaning the Rule was effective immediately as of June 5, and it remains in effect until arrivals fall below a certain threshold. In the meantime, the Rule causes anyone who crosses between ports of entry to be ineligible for asylum. Although a lesser form of protection is still possible, it can only be accessed by individuals expressly “manifesting” their fear. The Rule enables the swift removal of vulnerable people and their families to potential persecution, danger, and death, with very narrow exceptions. Individuals and families that can be easily repatriated and returned, such as Mexicans and Central Americans, are those mostly likely to suffer the punitive consequences of this change in policy.

Restricting individuals’ ability to make a case for protection clearly violates the [Refugee Act of 1980](#), which enshrines the right to apply for protection for all who are at risk of persecution,

regardless of their method of entry into the United States.¹ The first weeks of implementation of the Interim Final Rule have already resulted in [at-risk individuals being prevented from raising their fear and summarily returned to Mexico](#) without any due process, which has in turn led to [overcrowding of shelters in northern Mexico](#). We are alarmed and strongly urge the United States to honor the non-refoulement principle under the 1951 Refugee Convention and the 1967 Protocol.²

Further, the Rule repeatedly references a provision of the Immigration and Nationality Act known as 212(f), the same authority that former President Trump attempted to use to implement travel bans targeting individuals from countries with significant Muslim populations. Those Trump-era bans – many of which were struck down by the courts – “stained our national conscience,” [President Biden said](#) in 2023. “The order separated loved ones and inflicted needless pain.” Now, in its first weeks of implementation, this rule has [already](#) contributed to suffering at the border, [disproportionately impacting](#) families with children.

This policy shift is also poised to have severe repercussions for border communities, exacerbating the plight of asylum seekers who will find themselves stranded in perilous conditions. The implementation of these measures is likely to increase irregular border crossings, further straining resources and escalating the ongoing humanitarian crisis. Moreover, the Rule may cause migrants to be turned away if they walk up to a port of entry, limiting an avenue for legal entry. Thus, it may inadvertently encourage desperate individuals to resort to dangerous methods to reach safety. This not only endangers the lives of people seeking safety but also places additional burdens on local communities.

In President Biden’s announcement of the asylum restrictions on June 4, he [pledged](#) that he would take steps in the “coming weeks” to make the immigration system “more just and more fair.” While we [welcome President Biden's](#) resolute action to provide temporary relief to some spouses of U.S. citizens and some current DACA recipients, we emphasize that the extreme asylum restrictions within the Securing the Border Proclamation and the Rule are not and cannot be part of any just and fair immigration system and should be rescinded.

Instead, we call on the administration and Congress to address immigration challenges with real [solutions](#) that would create more efficient, and effective processes for asylum seekers and populations in situations of vulnerability, which include:

- Expanding our capacity to welcome through funds like the Shelter and Services Program and the Case Management Pilot Program
- Providing relief for undocumented caregivers by modernizing existing rules
- Creating new legal pathways for people to enter the U.S., especially from the Global South

¹ 8 U.S. Code §1158(a)(1)

² Article 33 of the 1951 United Nations Convention Relating to the Status of Refugees

Addressing the challenges we face at the border “does not require us to ignore the humanity of those who seek to cross them. The opposite is true,” as the Biden Administration rightly noted.³

Rather than preventing people from seeking safety and removing them to potentially life-threatening situations, we urge the administration to rescind this Proclamation and reaffirm its commitment to welcoming asylum seekers, including through taking long-needed steps to provide relief from deportation, strengthening family reunification and expanding pathways to permanent protection, both for arriving asylum seekers and those who have long called the United States home.

Signed,

Faith Organizations and Congregations

Alliance of Baptists
Arizona Justice for Our Neighbors
CCVI Migrant, Immigrant and Refugee Network
Church World Service
Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces
Disciples Home Missions
Dorothy Day Catholic Worker, Washington, DC
Eighth Day Church
Franciscan Action Network
Franciscan Justice Circle Federal Way
Franciscan Justice Circle-Mid Hudson Valley, NY
Friends Committee on National Legislation
Hinenu Baltimore
Hope Border Institute
Immigration Law & Justice Network
Interfaith Movement for Human Integrity
IRTF Cleveland - the InterReligious Task Force on Central America
Jesuit Refugee Service/USA
Jesuits of the US Central and Southern Province
Jewish Community Action
Jewish Council for Public Affairs
Jewish Women International
Kino Border Initiative
Latin America Task Force of Interfaith Council for Peace & Justice
Lutheran Social Services of the National Capital Area (LSSNCA)
Maryknoll Office for Global Concerns
Mennonite Central Committee U.S.

³ Executive Order on Creating a Comprehensive Regional Framework to Address the Causes of Migration, to Manage Migration Throughout North and Central America, and to Provide Safe and Orderly Processing of Asylum Seekers at the United States Border. February 2021.

National Advocacy Center of the Sisters of the Good Shepherd
National Council of Churches
National Council of Jewish Women
Nefesh
New Sanctuary Movement of Philadelphia
Pax Christi Hudson Valley, NY
Pedro Arrupe Jesuit Institute
Presbyterian Church (USA)
Red Jesuita con Migrantes - Latinoamérica y el Caribe (RJM-LAC)
Sikh Coalition
Sisters of Mercy of the Americas - Justice Team
Sisters of Saint Joseph of Chestnut Hill Philadelphia PA
Social Action Team of the Unitarian Universalist Church of Columbia, Missouri
SSJ Neighborhood Center
Swedenborgian Church of North America
T'ruah: The Rabbinic Call for Human Rights
The Shalom Center
The United Methodist Church General Board of Church and Society
Tikkun Olam Chavurah
U.S. Federation of the Sisters of St. Joseph
Union for Reform Judaism
Unitarian Universalist Refugee & Immigrant Services & Education
Unitarian Universalists for Social Justice

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Rabbi Kim Harris
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Rabbi Michael Hess Webber
Rabbi Michael Rothbaum
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Rabbi Stem-Kaufman
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