
Two Weeks of the Biden Border Proclamation and Asylum Shutdown

On June 4, 2024, the Biden administration issued a [presidential proclamation](#) and immediately implemented an asylum shutdown [rule](#) at the U.S.-Mexico border that [adds to and exacerbates](#) the [harms](#) inflicted by the Biden administration's [May 2023 asylum ban](#). As the United States and the world mark World Refugee Day, these policies endanger refugees' lives at our doorstep and strand them at risk of harm in Mexico, arbitrarily bar access to lifesaving asylum protection, and return to persecution people seeking protection in violation of U.S. and international law:

- **People seeking asylum are being summarily deported to danger and denied statutorily required fear screenings or asylum hearings by U.S. border officers.** The recent asylum shutdown rule eliminates the [longstanding requirement](#) that border officers ask an individual, in their language, whether they have a fear of return before being deported without a hearing. For example, Mexican asylum seekers have been deported to their country of feared harm [without a fear screening or asylum hearing](#), and despite some requesting asylum or expressing to U.S. border officers their fear of harm in Mexico, as recounted to Human Rights First and Kino Border Initiative. A number of asylum seekers reported to Human Rights First that U.S. officers said, "There is no asylum," "The border is now closed," or otherwise ignored their indications of fear of return.
- **Families, adults, and children are being denied access to legal advice or representation if they manage to get referred for fear screenings.** Meaningful access to legal counsel was [already obstructed](#) under [rushed fear screenings in CBP custody](#), yet [recent changes](#) render it nearly impossible reducing legal access to as little as four hours – down from an already deficient 24 hours – for interviews that are conducted seven days a week. For example, an asylum seeker was [deported with no notice to their attorney](#) or opportunity to have a hearing with an immigration judge despite the attorney's request.
- **Adults and children are stranded in Mexico at risk of torture, sexual assault, kidnappings, and other targeted harm while waiting up to seven months for a CBP One appointment.** CBP One appointments have stagnated at 1,450 daily since last June while demand for an appointment will now further increase under these additional punitive restrictions on access to asylum.
- **Black, Indigenous, LGBTQI+, and other people seeking asylum who cannot use the CBP One app due to its language and other barriers are being denied equal access to asylum.** The CBP One app continues to only be available in English, Spanish, and Haitian Creole. Many others are now denied equal access to refugee protection by the new rule's elimination of the requirement to ask critical questions in their languages.

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- **Families and adults suffering urgent safety and medical needs and those unable to use the CBP One app face even more restrictions on access at ports of entry under the Presidential Proclamation.** At-risk asylum seekers who had been waiting on wait-lists at multiple ports of entry, including people who have survived [widespread kidnapping, rape, and torture](#), women with high-risk pregnancies, and others with urgent medical conditions have been denied access and left in danger in the immediate aftermath of the new asylum ban.
 - **The new June ban sparked swift opposition and concern over its unlawfulness and impact on people seeking refuge.** Over [100 organizations](#), including Black-led, Indigenous, civil rights, LGBTQI+, and faith-based organizations expressed their opposition to these measures. The [U.N. Refugee Agency](#) expressed profound concern that the new restrictions undermine the fundamental right to seek asylum and will deny safety to people fleeing for their lives. The [Inter-American Commission on Human Rights](#) similarly expressed that these actions restrict the right to seek asylum and stressed the United States' obligation to adequately identify migrants in need of protection, guarantee the right to seek and receive asylum, and respect the principle of non-refoulement.

Policies that block, ban, punish and try to deter refugees seeking protection [spur disorder](#), are [ineffective](#) and a [boon to organized criminal groups](#), and risk refugees' lives. Instead, the Biden administration and Congress should take [humane and effective steps](#) to provide prompt, equitable, and just access to asylum to all people seeking protection. These include steps to increase the number of languages in which CBP One is offered and appointments, properly fund asylum and immigration court adjudications, and continue to strengthen regional resettlement, parole, and protection initiatives.