

Strengthen our border

Despite investing billions of dollars in border security, our failure to accommodate growing asylum surges has undermined our control of the border and our humanitarian legal obligations. Lawmakers need to invest in strategies that make our asylum system more accountable, transparent, and efficient, while protecting our border from security threats. Increasing the number of Border Patrol agents, improving technology along the border, and increasing the availability of legal pathways into the United States will help accomplish these goals.

Background

The U.S. has [spent more](#) on immigration enforcement than it has for all the five main criminal law enforcement agencies at the federal level combined from 2006-2020. Despite these investments, our border is not properly administered. Department of Homeland Security (DHS) hasn't deployed the technology it needs to [monitor remote locations](#). And our failure to reform our asylum system has diverted resources from border monitoring. In 2019, [a DHS report](#) found that U.S. Customs and Border Protection (CBP) agents had to divert 40-60 percent of its agents from border security operations so they could process migrant families.^[3] As a result, more undocumented immigrants entered the U.S. undetected.

Many such immigrants have weak or non-existent asylum claims. A [2018 survey](#) of predominantly male Salvadoran migrants journeying north, for example, found that 52 percent were fleeing for solely economic reasons. While many economic migrants are fleeing life threatening circumstances such as famine, the U.S. asylum system is intended for individuals fleeing persecution.

Making matters worse, [immigration court backlogs](#) have increased every year for more than a decade. As of November 2021, there were approximately 1.6 million pending cases. Such backlog enables those with weaker claims to stay in the U.S. for longer periods of time while applicants with stronger cases remain in legal limbo.

Policy Solutions

- Pass the [Bipartisan Border Solutions Act](#). This [bill](#) will increase the number of staff and facilities available to process asylum seekers, increase the number of CBP field officers and Border Patrol personnel, and enact emergency procedures to process new asylum cases first during surges. This will help avoid the lengthy backlogs that can last years and incentivize people to pursue less meritorious cases.
- Pass legislation that creates metrics for determining when an irregular migration flux is occurring and properly diverts resources toward addressing the flux, like [the bipartisan Border Response Resilience Act](#). Better management of fluxes will lessen the strain on our overburdened system and allow Border Patrol agents to better protect our borders.
- Pass legislation, such as the [Border Visibility and Security Act](#), to increase the effectiveness of border patrol agents and improve outdated border security. This bill, which requires DHS to construct a highway along the border, implement more effective technology, and eradicate obstructive flora, will allow the border patrol to apprehend unlawful crossers more effectively.
- Create an orderly process for qualified people to legally immigrate to the U.S. to ease pressures on our border. This could include extending legal pathways to a larger population. For example, [passing the Farm Workforce Modernization Act](#) would extend H-2A eligibility to a larger population of agricultural workers.

Contact:

Josselin Castillo, Federal Affairs Liaison - jcastillo@afphq.org
Jordan Fischetti, Policy Fellow - jfischetti@afphq.org