

Senate Republican Working Group Solutions for the Southern Border Crisis

The crisis at the southern border is a direct result of failed policies. The Senate Republican Working Group is presenting solutions to fix these failed policies, instead of simply throwing more money at the ever-worsening problem. These solutions, drawn from those found in H.R. 2, prioritize the concrete and significant policy reforms that are most critical to securing the border and stemming the flow of migrants immediately.

Securing our southern border should be a key component of our national security. The Republican Working Group proposal includes measures that increase pay for hardworking border patrol agents, strengthens border security, and removes pull factors by fixing our broken asylum process and stopping the Biden Administration's abuse of the immigration parole system.

Border Security: Preventing Illegal Aliens from Crossing the Border

- **Border wall:** Requires DHS to resume construction of the border wall and instructs DHS to take necessary actions to achieve situational awareness and operational control of the border via tactical infrastructure, advanced surveillance, and the most-effective technology.
- **Border Patrol Retention:** Incentivizes Border Patrol agents to stay with CBP by requiring those who are GS-12 be paid time-and-a-half for overtime hours 81-100. Also includes improvements to recruiting and training programs.
- **DNA Collection:** Forces DHS to comply with DNA and biometric collection requirements in existing law at the border.

Asylum Reform: Stopping the Top Loophole that "Pulls" Illegal Aliens to the USA

- **Safe Third Country:** Makes aliens ineligible for asylum if they have transited through at least one country outside their home country unless the aliens can show that they sought and were denied protection in each such safe third country.
- **Credible Fear Standard:** Raises the asylum "credible fear of persecution" initial screening standard from "significant possibility" to "more likely than not," weeding out non-meritorious claims earlier in the asylum process. Allows asylum officers to deny unwarranted credible fear and withholding of removal claims, and limits administrative appeals of denials.
- **Port of Entry:** Forces migrants who are requesting asylum to make their request at a port of entry, which will allow Border Patrol to focus on dangerous drug smugglers and criminals.
- **Prevents "Two Bites at the Apple":** Makes the denial of an alien's affirmative asylum claim controlling when he later raises asylum as a defense to removal. This prevents frivolous delays.
- **"One Central Reason":** For withholding of removal claims, requires the alien to show that the central reason for the threatened harm in the return country is related to that alien's race, religion, nationality, membership in a particular social group, or political opinion.
- **Streamlined screening:** Makes initial screenings more consequential; reduces administrative delays.
- **Other Asylum Exceptions:** Makes aliens ineligible for asylum if they have committed felonies or other serious crimes, including, gang-related crimes, DUI, child abuse, domestic violence, certain controlled substance offenses, and extreme cruelty or battery.

Parole Reform: Stopping the Biden Administration's Abuse of Humanitarian Parole

- Prohibits DHS from using broad class-based criteria to grant humanitarian parole.
- Allows parole only for aliens who are not present in the U.S., with narrow exceptions.
- Codifies two existing parole programs: the Cuban Family Reunification Program, and another for the spouse and children of active-duty military service members.
- Narrows the scope of the parole statute to clarify that parole is to be used rarely.
- Limits grants of parole to 1 year (with up to one 1-year extension) or shorter.

Other Key Immigration Policy Reforms to Reduce the Effectiveness of Illegal Border Crossing

- **Return to a contiguous country:** Require the return of aliens to a contiguous country during their immigration proceedings if DHS can't detain or remove them to a safe third country. This would also allow for the suspension of entry of certain inadmissible aliens (similar to authority under a Title 42 order) if DHS deems it necessary to achieve "operational control."
- **Family unification:** Requires that DHS keep families together in custody while charges for illegally crossing the border are pending. This ends the tragic practice of adults bringing a child with them on the dangerous journey to get a faster release from custody. This also contains a sense of Congress that the changes to family detention satisfy the requirement of the Flores settlement.