



CWS Statement to the House Judiciary Committee, pertaining to its [hearing](#) “The Biden Border Crisis: Part I” on Wednesday, February 1, 2023

As a 77-year old humanitarian organization representing 37 Protestant, Anglican, and Orthodox communions, as well as refugee resettlement, home study and post release services, and asylum seeker case management [offices and affiliates](#), Church World Service (CWS) urges the Committee to affirm the value and dignity of asylum seekers and uphold the principles to create a compassionate and humane asylum system. CWS calls on the Committee to do everything in its power to restore asylum protections and end harmful policies like “Title 42” expulsions, immigrant detention, and family separation.

We recognize that there are real challenges at the U.S.-Mexico border and the U.S. asylum system is in need of meaningful reform. This must be met with a moral and human-centered response. Across faith traditions and practices, the message is clear: We are called by our sacred texts and faith principles to approach one another with love—not fear. Our nation’s diverse faith traditions compel us to love our neighbor, accompany the vulnerable, and welcome the sojourner—regardless of place of birth, religion, or ethnicity. Importantly, our faiths also urge us to boldly resist and dismantle systems of oppression. Rooted and renewed in faith teachings and values, we are called to ensure that our laws promote and protect the dignity of each individual. This means critically addressing unjust and life-threatening public policies that undermine our moral and legal obligations and their negative impacts on human lives.

Everyone deserves a safe place to call home. In fact, nearly three-quarters of Americans ([73.4%](#)) agree that the United States should provide access to the U.S. asylum system to people fleeing persecution and/or violence. Title 42 is not intended to be used as a migration tool, and the Biden administration embracing a failed and immoral policy that rapidly expels people to danger, denying them their legal right to seek asylum, is appalling. Title 42 expulsions violate U.S. and international law, have no basis as a public health measure, and return people seeking asylum to grave human rights abuses. People seek asylum at the U.S. border because it is their last, best chance at survival.

CWS urges the Committee to hold the administration accountable to investing in permanent protections for people fleeing violence and persecution, instead of an overreliance on temporary protections. The new [parole program](#) for Cubans, Haitians, and Nicaraguans - and expanded program for Venezuelans - will leave the most vulnerable people without a path to protection. Although we welcome additional pathways for protection, safety and welcome are rights that should be afforded to all people fleeing persecution, not a privilege given only to those who have the financial means or connections to qualify. UNHCR [warned](#) that linking safe pathways with the curtailment of access to asylum is inconsistent with refugee law, stressing that “such initiatives...cannot come at the expense of the fundamental human right to seek asylum.” Actions like this contradict a clear commitment under the [Los Angeles Declaration on Migration and Protection](#) to “protecting the safety and dignity of all migrants, refugees, asylum seekers, and stateless persons, regardless of their migratory status.” We must stop relying on policies grounded in exclusion and discrimination and instead invest in an asylum system that protects the rights of all people.

CWS urges you to strongly reject any congressional efforts to extend or codify Title 42 or other policies that erode asylum protections. We also urge you to ensure that the Biden administration does not replace Title 42 with other punitive, ineffective policies that cause similar harm, like expanding expedited removal or blocking asylum seekers from pursuing safety. We abjectly oppose any expansion in the use of immigration detention, which has been shown to be unnecessary and costly as well as retraumatizing to those coming to our country in search of safety. Finally, we urge all Members of Congress to robustly fund community-based case management and welcome/reception services for asylum seekers arriving at the border to ensure our communities have the resources they need to help new arrivals meet their basic needs. As Congress begins the FY 2024 appropriations process, it is imperative that Congress re-invests robust funding in the Federal Emergency Management Agency’s (FEMA) Case Management Pilot Program (CMPP), and authorizes the Office of Refugee Resettlement (ORR) within the U.S. Department of Health and Human Services (HHS) to provide case management services to vulnerable asylum seekers, and sees that the administration repairs the harm caused by harmful policies to ensure all people build safe and healthy lives.