



'It's an American problem': Sens. Sinema, Cornyn introduce bipartisan immigration bill to ease border surge

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Two border state senators from opposing parties, Kyrsten Sinema of Arizona and John Cornyn of Texas, introduced legislation on Tuesday to address ongoing waves of asylum seekers arriving at the southern border, which have strained the Border Patrol and local communities.

The legislation would open regional centers to more efficiently screen and process asylum seekers apprehended by the Border Patrol in hopes of easing the chaos currently taking place when larger numbers of asylum seekers are released in border communities with limited resources.

The bill comes as the Biden administration is grappling with the situation — one that Arizona leaders from both parties have said is overwhelming the Border Patrol and border communities, as well as the nation's immigration system.

In a call with reporters, Sinema, D-Ariz., said the bill, which has companion legislation in the House of Representatives, is a first step toward addressing the “crisis” at the border, which again has garnered international attention.

“We don't address every challenge that our border is facing in this bill, but we know that this crisis at the border is not a Democratic or Republican problem,” she said. “And as Sen. Cornyn and I both know firsthand, it's not a new problem. It's an American problem. And it's one that we've been dealing with in our border states for decades.”

The idea of broad immigration reform has proved elusive in a hyperpartisan Washington. The senators indicated they are looking to start the conversation, given the numbers at the southern border.

Cornyn said they would pass the bill as stand-alone legislation or as part of a broader package.

“It is the beginning of our work on immigration issues,” Cornyn, R-Texas, said. “But this is, we think, the most urgent, urgent need. ... I would just add that if anybody has a better idea, we're certainly open to that. But the problem is we're not seeing a lot of people raise their hand and step up and say, 'We want to try to fix this.'”

If they can get a handle on the situation at the border, it could open a pathway for two immigration-related bills that offer a pathway to citizenship for “Dreamers” — undocumented

immigrants brought to the U.S. as children — and certain farmworkers. The bills have cleared the House to be debated in a 50-50 Senate.

The Bipartisan Border Solutions Act seeks to move migrants through the asylum process more quickly, in part by setting up four regional centers to process where the Department of Homeland Security can bring multiple agencies together to run background checks, issue immigration court papers, and improve their communication with nonprofits that transport and help shelter asylum seekers as they await court dates.

The legislation does not specify where those centers would be.

The bill bolsters migrants' access to legal counsel, and, with the immigration court system facing a backlog of an estimated 1.2 million asylum cases, authorizes the federal government to hire hundreds of immigration judge teams, processing coordinators, asylum officers, litigation teams and support staff.

It would prioritize scheduling of migrants' immigration cases and asylum claims during surges and create three-year pilot programs for DHS to improve the asylum process.

In recent years, the U.S. has experienced waves of asylum seekers, mostly families and unaccompanied minors from impoverished and violence-plagued regions in Central America, arriving at the southern border after traveling through dangerous routes in Mexico.

Under the current system, asylum seekers are typically released shortly after being apprehended by the Border Patrol while they await the outcome of their asylum cases in immigration courts.

But because of increasingly long backlogs in immigration courts, the asylum process can take years, which creates an incentive for migrants, encouraged by smuggling organizations, to come to the U.S. and file weak or bogus asylum claims, critics have said.

The bipartisan legislation is intended to speed up the asylum process by quickly weeding out weak or bogus claims and more quickly and fairly granting asylum to those who qualify.

The senators also want to improve how federal officials transport and coordinate with local governments and nonprofits before they release migrants into local communities, a challenge that has left southern Arizona communities grappling for volunteers, vehicles and other resources.

If passed, the legislation would require government officials to periodically follow up on the well-being of migrant children who are placed with sponsors in the U.S.

To improve vetting and help prevent abuse, the legislation would also ban placement of migrant youth with potential sponsors who have been convicted or are being tried for certain crimes.

Reps. Henry Cuellar, D-Texas, and Tony Gonzales, R-Texas, are introducing the companion legislation in the House.

Julia Gelatt, senior policy analyst at the Migration Policy Institute, a nonpartisan think tank, who reviewed a top-line summary of the legislation, said it appeared as though the senators are trying to speed up border processing and efficiency.

“Those are uncontroversial things,” she said. “We've seen so many immigration bills that are so tipped to one side or the other, so it's interesting to see some uncontroversial proposals.”

David Bier, immigration policy analyst at the Cato Institute, a libertarian think tank that supports higher levels of immigration and foreign workers, said the summary of the bill reflects a collaborative approach.

“This is definitely what bipartisanship looks like on a very, very difficult subject for both parties,” he said.

Various provisions of the bill could prove sticky, such as prioritizing docketing of cases, Bier noted.

“Prioritizations don’t typically have a great effect because it just takes time to go through these cases, and so the prioritization can end up being a bad thing if you have an influx, and then you prioritize all those cases, then you have another influx and you prioritize those cases to prioritize the next wave,” he said. “It can end up creating more work for the immigration courts, and that’s what we’ve seen over the last seven years, is the continuous cycle of prioritization and trying to get them done really, really fast. It hasn’t worked.”

But stronger access to legal counsel, he said, could help ensure migrants show up in court and help them understand the process and their likelihood for success.

“Most people who show up at the border don’t have any idea what the legal process is, where they need to go, what they need to file, where to get an attorney. Those provisions are welcome, and I think would have a very positive effect on the flow and functioning of the system,” he said.

Ali Noorani, president and CEO of the National Immigration Forum, a pro-immigration advocacy group, in a statement called the bipartisan legislation a “positive step that bodes well for the chances for immigration reforms this year.”

“We commend Senators Cornyn and Sinema for working across party lines to introduce a bill that addresses current challenges at the U.S.-Mexico border,” Noorani said.

The legislation comes more than a month after Sinema and Cornyn called on President Joe Biden to address the surge in migrants at the border. This week, Sinema said she supported Republican Gov. Doug Ducey’s declaration of a state of emergency at the border, and, along with Sen. Mark Kelly, D-Ariz., has asked Biden to reimburse the state for the cost of sending National Guard troops to southern Arizona.

Sinema said a top staffer from her team will be briefing the governor’s aides about the legislation on Thursday afternoon.

“I do anticipate that we will find shared agreement on the provisions of this bill and the goal in trying to relieve the pressure on our border communities in both Arizona and Texas.”