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NEW DEMOCRAT COALITION

March 25, 2022

Alejandro Mayorkas
Secretary
United States Department of Homeland Security
300 7th St. SW Washington, DC 20024

Dear Secretary Mayorkas:

With the Biden administration currently weighing the termination of Title 42, and the Department of Homeland Security (DHS) preparing to spend tens, if not hundreds of millions of dollars on new Central Processing Centers (CPCs), I urge you to enact more strategic and humane policy at U.S. Customs and Border Protection (CBP) CPCs. Furthermore, I encourage the Department to utilize the planned construction of a new CPC in El Paso, Texas as an opportunity to create a pilot program for processing vulnerable populations that is more reflective of the challenges CBP faces at the border as we wait for long-term efforts (such as addressing root causes) to take shape.

I would also like to acknowledge the Department's work in the recently announced proposed rule that will address some of the severe shortcomings currently damaging our asylum process. I believe work remains to be done, and look forward to further developments on the proposed rule.

Many of my colleagues and I have called for an end to the use of Title 42, a failed Trump-era policy that exploited the 2020 global outbreak of COVID-19 to abuse the authority of the Centers for Disease Control and Prevention (CDC) in order to bar asylum seekers from full and fair access to the asylum process at our southern border. The International Organization for Migration (IOM) reports that at least [650 people](#) died attempting to cross the U.S.-Mexico border in 2021 – the highest number in one year since 2014 – partially as a result of both Title 42 and the Migrant Protection Protocols (MPP).

Title 42 and MPP both have done incredible damage to the efficiency and legitimacy of the United States' asylum process, perpetuated anti-immigrant sentiment, torn families apart, and stranded vulnerable migrants in dangerous areas of northern Mexico. While the most egregious of these damages were done under the previous administration, they are, sadly, a continuation of over 30 years of failed immigration policy that spans administrations, Congressional majorities, and the political spectrum.

As the Member of Congress representing El Paso, a vibrant city of good will on the U.S.-Mexico border, I have seen first-hand how our current immigration policies have failed migrants and asylum seekers. I have also seen how these policies strain local community resources. I can proudly say, however, that El Paso never fails to rise to the occasion.

Time after time, El Paso has stepped in to fill the gaps left by the federal government and provided migrants processed into the United States with shelter, legal support, community-based resources, and even transportation. Our community, which is often the first place to see the implementation of harmful immigration policies – like the reinstatement of MPP this last winter – is also one of the first places to respond. I remain proud of the way my community continues to be flexible and nimble enough to meet the needs of vulnerable populations arriving in the United States. The federal government could learn from El Paso's ability to adapt to the changes we've seen in migration over the years. We can incorporate lessons learned from our community's response so that the federal government can better utilize its resources and be as adaptive as local communities have had to be.

CBP has recently purchased 60 acres of land from the City of El Paso to build a new, state-of-the-art processing center in my district. I urge DHS and CBP to take the lessons we have learned from decades of failed policy to ensure that this processing center is better equipped to address the needs at the southern border. The Department, CBP, and El Paso can help ensure we do everything possible to maintain security while at the same time addressing the challenge of increasing migration in a humane, strategic way.

There is a grave misconception that detaining and incarcerating asylum seekers is the only way to ensure security at the southern border. In reality, this harms asylum seekers and actually makes us less safe by pulling Border Patrol agents off the line to care for migrants in custody. While law enforcement clearly has a role in initially screening migrants, we should make that process as efficient as possible and at the same time lessen our reliance on federal law enforcement agents at CPCs who have other critical duties to fulfill.

The current protocol at CPCs tasks agents with responsibilities like data entry and providing care for children, women, and other vulnerable populations. These (and other responsibilities) would be better served by civilian personnel. And as staff at our bridges also gets diverted, our land ports become strained. The consequences are increased bottlenecks in traffic and a lapse in innovative programs designed to promote efficiency at our ports. This ultimately harms security and our local economy.

During the last administration, I introduced the idea of Central Processing Coordinators, a dedicated civilian workforce to handle administrative duties at processing centers. The intention was for Coordinators to take on tasks that could be off-loaded by agents so that law enforcement could return to the responsibilities they were trained and hired to do. From all accounts, the introduction of civilian personnel at CPCs has been effective. We can build off of that experiment and create a model processing center rooted in the same premise: that Coordinators and other civilian personnel are better suited to care for vulnerable populations.

If we re-envision how asylum processing can be made more strategic and humane, we can create a more orderly process at the border at the same time. We can utilize already appropriated resources to create a pilot processing center that embraces this new, strategic and humane vision. I call on the Department to model this processing center after the Humanitarian Processing

Centers I envision in my legislation, H.R. 5618, the Reimaging Asylum Processing Act, which I shared with you and your staff in February.

Humanitarian Processing Centers (HPCs) are facilities where arriving asylum seekers can rest, receive medical attention and care, be made aware of their rights, and undertake their required Credible Fear Interviews (CFIs) after the opportunity to speak with legal counsel. Border Patrol agents and other federal law enforcement would no longer be responsible for processing, data entry or immediate care, instead leaving certain non-law-enforcement related tasks to Central Processing Coordinators and other appropriate civilian personnel while agents return to their posts in the field. HPCs would function as a central hub for representatives from U.S. Citizenship and Immigration (USCIS), the Office of Refugee Resettlement (ORR), and immigration-focused non-governmental organizations (NGOs) and legal advocates, where they can process asylum seekers and connect them with community-based resources necessary to successfully complete the asylum process.

H.R. 5816 is ready to serve as a blueprint for processing centers around the country. I am eager to pursue legislative avenues to establish a pilot program and work with you to enact these provisions on the ground. I believe the new CPC that is fully funded but yet to be constructed in El Paso offers us an opportunity to let go of outdated policies that are expensive, ineffective, and demoralizing for both agents and migrants. I urge you and DHS leadership to consider the proposition of the HPC model for the new El Paso processing center as quickly as possible.

Your leadership in these matters is, as always, crucial to successfully changing the face of asylum in the United States. I welcome your input and am eager to continue a conversation with you and your staff to establish the best way forward.

Sincerely,

A handwritten signature in black ink that reads "Veronica Escobar". The signature is written in a cursive, flowing style. Below the signature is a thin horizontal line.

Veronica Escobar
Member of Congress