Twitter Thread by Jonathan Blitzer



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As usual, so much vying for our attention. But tonight two members of Biden team gave the most detailed interview to date abt incoming Admin's plans for dealing w asylum, Central American migration, & the southern border. It was more a statement of purpose than an action plan. 1/

There are very encouraging signs and, as expected, some lacunae. A few noteworthy details: (1) The advisors said Biden will "expand legal pathways for migration...allowing people to apply for refugee resettlement & temporary worker and employment-based programs" in the region. 2/

All presidential admins (some MUCH more cynically than others) stress the dangerousness of the overland journey to the US. It obviously *is* dangerous. It's also true that large #s of those arriving at US border don't qualify for asylum under strict dictates of US imm law. 3/

All legal/policy/humanitarian experts I consult agree: there need to be *more* ways, not less, to give people a chance both to seek asylum & come to US legally (if not permanently) to work. Regional processing helps w this. Language used by Biden team is good in this regard. 4/

What else is striking abt Biden team's language from interview? (2) Asylum officers will adjudicate claims. This is on the progressive wish-list. It's a practical and humane way to give people speedier relief and take pressure off of a beleaguered immigration court system. 5/

3) "Other innovative programs to reduce reliance on detention." The devil will be in the details here, like everything else, but any signal that the new Admin will explore alternatives to detention for those awaiting legal findings in their cases is welcome & sorely needed. 6/

(4) Biden assails the "asylum cooperative agreements" with Guate/El Salvador/Honduras adopted during Trump era. These deals masqueraded as a "regional approach" to asylum, but "solved" the problem at the US border by ending asylum there, & forcing migrants to other countries. 7/

These deals (which were also more popularly known as safe third country agreements) are, in the words of the Biden team, "not who we are as a country." 8/

Lastly, there are a few esp complex policy matters at border in the immediate term. Biden advisors reiterate that the President will end MPP/Remain in Mexico, which has forced tens of thousands of people into northern Mexico to wait for asylum hearing by US immigration judges. 9/

Arguably, until recently, no single policy has had a greater impact on asylum seekers. A real nightmare. There are currently more than 20K people stuck in northern Mex & thousands of others who abandoned their claims or were shunted away. Fixing this is urgent but also hard. 10/

Biden team hasn't gone into specifics abt how, exactly, it'll go abt getting people to safety & giving them their asylum hearings. It would be great to have concrete details now. But, in fairness, the logistics are technical & complicated. This will be a huge one to watch. 11/

The Biden team, in this interview, is also circumspect abt lifting the CDC's public health order (Title 42), which the Trump Administration adopted in March. In the name of public health, due to Covid, Trump Admin has used this order to turn away 90% of those seeking asylum. 12/

It's now been amply documented that the Trump Admin adopted Title 42 in bad faith, over the objections of CDC personnel & public health experts. There was no public-health justification for this, and, in fact, it reflected longstanding xenophobic fantasies of WH inner circle. 13/

That said, there are legit concerns abt how the incoming admin can handle the arrival of large #s of people in coming months (due to Covid, hurricanes in the region, continued violence, poverty, Trump's exit). Title 42 authority is the crucible where these anxieties play out. 14/

A whole lot can be written abt Title 42. Already a federal judge has halted the policy as it applies to unaccompanied kids. The epidemiologists I interview all say there's NO public-health rationale for a policy that keeps out asylum seekers due to COVID at this point. 15/

In a general sense, though, it's also true that the US borderlands have been hit very hard by the pandemic. Large #s of CBP personnel are infected. Hospitals are full. Questions remain abt how to get PPE, testing, & social-distancing protocols into place at the border. 16/

So it's not a big surprise that the Biden team isn't offering tons of specifics on this just yet. Much more to come! End/