

# Citing the pandemic, Biden administration continues to deny asylum to immigrant families and adults

**Norisa Diaz**  
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On Friday the Biden administration announced it will continue to carry forward the brutal immigration policies of the Trump administration, continuing the tight restrictions under Title 42 which force asylum seekers at the southern border to remain in Mexico. The only update announced was that it would continue to apply to all families and persons seeking asylum but would make exceptions for unaccompanied minors, allowing them to enter the US as they seek asylum through immigration courts.

The draconian anti-migrant measure—implemented under the guise of combatting the spread of COVID-19—is being kept in place even as the Biden administration has spearheaded the lifting of every other pandemic-related public health measure, and the American population has been told they must learn to “live with the virus” and “return to normal.”

Title 42 was first seized upon in March of 2020 under then President Donald Trump at the outset of the coronavirus pandemic to place the harshest restrictions to date on who can cross the border “in the interest of public health.” The 1944 statute grants the president broad powers to block foreigners from entering the country in order to prevent the “serious threat” of a dangerous disease. Trump’s fascistic immigration adviser Stephen Miller had attempted to invoke the law twice before, during a mumps outbreak in immigration jails and once again during the flu season.

According to White House officials, Miller had long viewed the special protections offered to minors as a major hurdle to carrying out full immigration bans and an obstacle for speedy deportations. The spread of COVID-19 was quickly seized upon to justify a halt to the international protections of asylum and has continued to be pursued just as vociferously by the Biden administration, which has deported over 1 million migrants and detained a record 1.7 million migrants along the US-Mexico border last year.

According to the Washington Office on Latin America (WOLA), last month the Biden administration hit a terrible

milestone of deporting its 20,000th migrant sent back to Haiti aboard the 198th flight since the president’s inauguration on January 20, 2021. The large figures were the result of a massive deportation blitz carried out by the Biden administration that sent hundreds of flights full of Haitian refugees seeking asylum in the United States back to Haiti.

The announcement to maintain Title 42 continues the assault on the international right to asylum. Furthermore, it is yet another version of what the Trump administration did early on in the pandemic—using the threat of COVID-19 to coerce parents to separate from their children by telling parents they will allow only children to leave COVID-infested detention facilities, but not parents.

By refusing to process asylum applications for all, aside from unaccompanied youth, the stage is being set for tens of thousands of parents to make a devastating sacrifice and separate from their children in the hopes that at least their children will be able to reach the United States.

According to Department of Homeland Security data, the Biden administration carried out 1.8 times the number of Title 42 apprehensions and deportations of migrants at the southern border between February and August 2021 (690,209) as the Trump administration carried out during the same time frame in 2020.

Lip service to the plight of migrants has been paid by members of the Congressional Hispanic Caucus, including Chairman Raul Ruiz (Democrat, Calif.), who stated, “It is long overdue to completely end the Trump-initiated Title 42 policy and stop using the pandemic as an excuse to keep it going.” The false statements of sympathy by Democratic Party officials could not ring more hollow.

The reality is that even if the COVID-19 pandemic had never happened, the prisons, child detentions and separations, the heavily armed and surveilled walls and fences, fit with drones, barbed wire and attack dogs—real and robotic—would still be there to menace and abuse those seeking to cross the border. This brutal reality was in force

even prior to the pandemic and has been a key part of Washington's bipartisan anti-immigrant policy. The overcrowded detention prisons, heavily expanded under the Obama administration, were endorsed by Vice President Kamala Harris just a few months into Biden's presidency.

The Biden administration has made only cosmetic changes to Trump's immigration policies including the ending of the "Remain in Mexico" program that required tens of thousands of immigrants to wait in Mexico for their US immigration hearing, only to shuttle them directly onto deportation planes, carrying forward the attacks on asylum spearheaded by Obama and Trump. The Biden administration resumed the Remain in Mexico policy late last year under court order.

The inhumane conditions facing asylum seekers and migrants on the US-Mexico border have been ensured through a collaboration between the Biden administration and the Mexican government of President Andrés Manuel López Obrador (AMLO) in a brutal campaign to suppress migration. The AMLO government has been tasked by Washington to stop migrants and ensure they do not reach the southern border of the United States.

The number of people applying for refugee or asylum status in Mexico almost doubled between 2019 and 2021 and reached a historic high of over 130,000 in January as the economic and political fallout from the COVID-19 pandemic pushed increasing waves of migrants to try to reach the US.

While endless barbarism is meted against the people of Latin America, the Middle East and North Africa seeking asylum as refugees from US imperialist interventions throughout the globe, a very different response has met Ukrainian refugees fleeing the US/NATO-provoked war by Russia against Ukraine.

On March 2 the European Union (EU) ordered its member states to prepare to receive a "mass influx" of refugees. According to the order, Ukrainian refugees should be allowed to stay for at least one year and be given the option of extending their stay up to three years without a visa. In contrast to those from the Middle East and Africa who meet the walls of Fortress Europe or the unknown thousands who have perished in the heavily patrolled waters of the Mediterranean, Ukrainian refugees are to be permitted to receive social benefits, housing, education and the right to work.

In recent days Russian and Ukrainian citizens fleeing the war have begun turning up at the San Diego-Tijuana, Mexico border crossing in Southern California having boarded flights to Tijuana by way of Moscow and Romania's Bucharest airport.

US authorities allowed a Ukrainian woman and her three

children to seek asylum Thursday, a reversal from a day earlier when she was denied entry under the Biden administration's sweeping restrictions for seeking humanitarian protection. The 34-year-old woman named Sofia and her children, aged 6, 12 and 14, were initially blocked from entering the US due to Title 42.

With the arrival of Ukrainian refugees, Senate Majority Leader Chuck Schumer of New York and other Democrats are suddenly advocating the ending of Title 42. Schumer hypocritically made mention of the Ukrainian family when calling for an end to Title 42 on Friday, noting, "They requested refuge in one of the ports of entry on our southern border but were turned away because of Title 42. ... This is not who we are as a country. Continuing this Trump-era policy has defied common sense and common decency."

Sofia and her family have dodged the nightmare that tens of thousands in makeshift encampments face along the US-Mexico border, where many migrants have reported kidnapping, extortion and assault from gangs while waiting for the processing of asylum applications in crime-ridden cities in Mexico.

If Title 42 should in fact be lifted, it will not be because the right to asylum under international law has been reinstated or has been strengthened. It will be for the purpose of public consumption and propaganda to justify the US/NATO-provoked war against Russia all while the tens of thousands of poor souls from Mexico, the Northern Triangle and Latin America will continue to confront the same brutality.

The working class in the United States must demand the right of all workers to live and work wherever they please, with full citizenship rights, and the abolition of the national barriers which have been erected to divide workers against each other and used to justify the exploitation of immigrants and refugees.



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