

Biden declares US-Mexico border “broken”

Democrats offer to gut asylum rights in exchange for GOP support for Ukraine war funds

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11 December 2023

Speaking from the White House last week, US President Joe Biden made it clear that he and the Democratic Party were willing to make “significant compromises” on border policy in order to secure GOP support for tens of billions of additional dollars in military aid to Ukraine.

“I am willing to make significant compromises on the border,” Biden said. “We need to fix the broken border system. It is broken.”

Biden’s remarks came amid repeated warnings by administration officials that the government would run out of money to provide Ukraine military support if Congress failed to pass the roughly \$106 billion supplemental spending package first requested in October.

Roughly \$61 billion of the requested funds is for additional military aid to Ukraine, including \$30 billion in equipment for Kiev from Department of Defense stocks. The bill also includes \$14.3 billion in additional money for Israel, \$13.6 billion to further militarize the Southern border and billions more for the Indo-Pacific region.

The border proposal includes more border police and more immigration judges, but Republican lawmakers in the House and Senate are calling for still more draconian measures against migrants and asylum seekers. They are refusing to vote for more military aid to Ukraine unless Biden gives in to their demands on border policy.

A December 8 editorial by the *New York Times* titled “An Aid Package That Invests in US Security Goals” lays out the game plan of the Biden administration.

Calling for a compromise that does not “neglect” border security, while supporting a “strong and free Ukraine,” the *Times* writes. “It is essential that Congress overcome this opposition and approve it promptly, as an investment in America’s security goals.”

According to the *Times*, a Democratic aide told NBC News that the party’s negotiators are offering to streamline asylum processing and change the “credible fear” standard for approving asylum claims—a standard established in US and international law. Any change in the standard would make it more difficult for immigrants to obtain entry into the US to seek asylum. However, Republicans continue to push for more extreme measures that would virtually end asylum and grant the executive branch the authority to shut down the border altogether.

Echoing the Democrats’ willingness to do whatever it takes to prevent a disastrous defeat in US imperialism’s proxy war against Russia in Ukraine, the *Times* resorts to sophistry, declaring that such compromises should not be seen as “a turn away from a humane and sensible approach to border security.”

The partisan horse-trading over the border in Congress coincides with an ongoing legal battle between the Biden administration and the fascistic Texas state government. Ever since Texas Governor Greg Abbott launched “Operation Lone Star” in the summer of 2021, legal conflicts have erupted between the federal government and the governments of border states, which are challenging the federal government’s authority over immigration policy and border

enforcement.

Abbott's "Operation Lone Star" consists of various anti-democratic policies, including a bus program to ship newly arrived migrants to Democratic Party-controlled cities, the arrest and deportation of asylum seekers by state police, and the heavy deployment of barbed wire and deadly traps in the Rio Grande River.

Over the past three years, the Texas Military Department has spent \$11 million to place 70,000 rolls of concertina wire along different stretches of the Texas-Mexico border, most notably in Eagle Pass, where migrants have been seriously injured trying to get through the wire. At least three deaths at the border have been attributed to the wire and other traps deployed near Eagle Pass.

In the latest conflict over border policy, the 5th Circuit Court of Appeals temporarily halted a lower court order that gave federal Border Patrol agents legal sanction to cut barbed wire that Texas installed on the banks of the Rio Grande.

Texas Attorney General Ken Paxton sued the Biden administration in October, arguing that federal agents were illegally destroying state property by cutting through the state's concertina wire to "assist" migrants to "illegally" cross the border.

In court documents, the Biden administration has said that Border Patrol agents were required to cut the wire to provide medical assistance to migrants in distress, as well as in cases where migrants had already crossed the Rio Grande into US territory and had to be detained and sent to immigration offices.

Last month, US District Judge Alia Moses of Del Rio ruled against Texas, saying the state did not provide enough evidence to show that the Biden administration violated the law. However, she criticized the federal government's immigration policy in general.

Paxton's office appealed the order the following day, and was granted a stay on Moses' ruling by the New Orleans-based appeals court.

Another element in the border conflict, demonstrating both capitalist parties' disdain for immigrant workers, is a lawsuit brought against the federal government targeting a border policy that spans Democratic as well as Republican administrations.

Last week, oral arguments began in the Ninth Circuit Court of Appeals in San Diego for the 2017 class action lawsuit brought by immigrant advocates on behalf of

asylum seekers who were turned back to Mexico and claim they were harmed by the government's "metering" policy.

Metering, which the government calls "queue management," is one of many tactics used by the Border Patrol to limit the processing of asylum seekers at the US-Mexico border. Under the practice, federal officers stand at entry points and prevent undocumented immigrants from setting foot in the United States, at which point they would have the right to seek asylum under US law. The 1986 Immigration and Naturalization Act establishes a legal right to seek asylum in the US.

Since at least 2016, US Customs and Border Protection (CBP) has used the practice of metering to stop asylum seekers from entering the US at ports of entry without travel documents. The Obama administration made specific use of the tactic when CBP officers began turning away hundreds of Haitian asylum seekers at ports of entry in California. In 2018, the Department of Homeland Security under the Trump administration issued an official guidance requiring CBP to expand the practice to all ports of entry.

Metering remains a daily practice under Biden.



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