

In Congress, Don Davis Voted Against The Secure The Border Act, Which Would Restart The Border Wall Construction, Restrict Asylum And Crack Down On The Employment Of Undocumented Workers

Davis Voted Against Restarting Construction Of A Border Wall And Reforming Asylum

On May 11, 2023, Davis Voted Against The Secure The Border Act. “Passage of the bill, as amended, that would require the Homeland Security Department to take a number of actions to limit illegal immigration into the United States, including by resuming construction of the ‘border wall’ along the southwestern border, bolstering Customs and Border Protection, reopening border detention facilities, limiting asylum applications and eligibility, and establishing a mandatory employment verification system. To enhance physical border security, the bill would require DHS to resume all previously planned border wall construction on the U.S.-Mexico border. It would require DHS to design, install and operate at least 900 total miles of physical barriers and other infrastructure and technology along the border, until the department achieves ‘operational control’ of the border, defined under current law as the prevention of all unlawful entries into the country. To bolster operations and capacity of Customs and Border Protection, the bill would require CBP to maintain at least 22,000 full-time agents by Sept. 30, 2025, and authorize up to \$100 million for agent retention bonuses. It would authorize \$110 million annually through fiscal 2028 for new DHS grants to law enforcement agencies in border states to assist with CBP operations. It would authorize funding for CBP to upgrade license plate readers and install cameras, microphones, and surveillance and intrusion detection systems at the northern and southern borders. It would require CBP to issue and regularly update a strategic plan to enhance U.S. border security, including to address security gaps between ports of entry, staffing requirements and information sharing. It would require DHS to ensure that the CBP Air and Marine Operations carries out at least 110,000 flight hours annually and operates unmanned aircraft systems over the southern border 24 hours per day. As amended, the bill would require Congress to commission a report that contains a national strategy to address Mexican drug cartels, including a determination of whether there should be a designation established to address such cartels. Among provisions limiting eligibility for asylum within the United States, the bill would specify that noncitizens are eligible for asylum only if they arrived at an official U.S. port of entry. It would tighten standards for determining whether an individual has a ‘credible fear of persecution’ and is persecuted as part of a ‘social group’ or based on a ‘political opinion.’ It would expand reasons disqualifying individuals from asylum eligibility, including convictions for certain offenses such as using a false ID, domestic violence, child abuse, certain drug possession or trafficking, and repeated or serious driving while intoxicated; traveling through but not seeking asylum in at least one other country party to certain refugee protection treaties; and ability to avoid persecution by relocating to another part of their home country. It would require DHS to return asylum seekers who cannot be detained to a safe third country during their immigration proceedings. Among other immigration enforcement provisions, the bill would require DHS to reopen or restore the use of all Immigration and Customs Enforcement detention facilities that were in operation on Jan. 20, 2021. It would require DHS to detain parents and their children together and return all unaccompanied children to their country of origin. It would limit ‘parole’ authority allowing noncitizens to temporarily live and work in the U.S. allowing DHS to grant parole only on a case-by-case individual basis. The bill would require DHS to create a system based on the E-Verify pilot program to verify whether prospective employees are eligible to work in the U.S. and gradually require all employers to begin using the new system over 24 months, with 36-month deadline for agricultural sector employers.” (H.R. 2, [Roll Call Vote #209](#): Passed 219-213; R 219-2; D 0-211; 5/11/23, Davis Voted Nay; [CQ Summary](#), Accessed 5/19/23)

- **The Secure The Border Wall Act Would “Restart Border Wall Construction, Restrict Asylum,” And “Crack Down on The Employment Of Undocumented Immigrants.”**
“House Republicans passed a sweeping border security package Thursday that lawmakers in both parties and chambers said could spark bipartisan negotiations on immigration measures. The

House voted 219-213 to pass the bill, which would restart border wall construction, restrict asylum and more. No Democrats supported the bill, and two Republicans also voted against it: Kentucky Rep. Thomas Massie and California Rep. John Duarte. (...) Congressional Republicans have made U.S.-Mexico border security a priority amid high migration levels. The House voted hours ahead of the end of the Title 42 policy, which is expected to further increase migration. House Majority Leader Steve Scalise, R-La., called the bill the ‘strongest border security package that Congress has ever taken up.’ The bill would require the Department of Homeland Security to resume construction of a border wall that Biden halted and invest more in border security technology and personnel. It would make it harder for migrants to qualify for asylum, permit migrant children to be detained for months with their parents and crack down on the employment of undocumented immigrants. The legislation would also limit federal funding to nongovernmental organizations that assist migrants and curb the government’s authority to allow certain migrants to come to the U.S. legally under a form of humanitarian protection known as parole.” (Suzanne Monyak and Lindsey McPherson, “House-Passed Border Bill May Spark Bipartisan Immigration Talks,” [Roll Call](#), 5/11/23)

- **The Bill Would “Increase Penalties For Individuals Who Overstay Their Visas And Bolster The Number Of Border Patrol Agents.”** “The legislation, which House Speaker Kevin McCarthy called the ‘strongest border security bill to come through Congress in more than 100 years,’ would increase penalties for individuals who overstay their visas and bolster the number of Border Patrol agents. H.R. 2, known as the ‘Secure the Border Act,’ also restarts border wall construction and reinstates the ‘remain in Mexico’ policy that required some asylum-seekers to be sent back to Mexico during immigration proceedings.” (Lauren Peller, “McCarthy-Backed Border Bill Passes House Hours Before Title 42 Ends,” [ABC News](#), 5/11/23)
- **The Legislation Would Also Overturn A Biden Administration Policy To Allow Migrants From Venezuela, Haiti, And Nicaragua “To Apply To Come To The U.S. For Two Years Legally And Work.”** “House Republicans passed a sweeping bill Thursday to build more U.S.-Mexico border wall and impose new restrictions on asylum seekers, creating a hard-line counter to President Joe Biden’s policies just as migrants are amassing along the border with the end of coronavirus pandemic restrictions. (...) The bill would also scrap a program that has allowed U.S. officials to accept or quickly turn away some migrants from Venezuela, Haiti and Nicaragua. The program is a cornerstone of Biden’s immigration efforts, allowing migrants from those countries to apply to come to the U.S. for two years legally and work.” (Stephen Groves, “House Republican Pass new Asylum Restrictions As Title 42 Ends; Biden Promises Veto,” [The Associated Press](#), 5/11/23)

On May 11, 2023, Davis Voted For A Motion To Recommit The Secure The Border Act.

“Garcia, D-Texas, motion to recommit the bill to a committee.” (H.R. 2, [Roll Call Vote #208](#): Failed 211-221: R 0-221; D 211-0; 5/11/23, Davis Voted Yea; [CQ Summary](#), Accessed 5/19/23)