

Sent via email

January 17, 2024

Dear Texas Member of Congress,

We are Texas-based organizations comprised of, representing, and serving individuals and communities directly impacted by border enforcement measures. As groups already facing a civil rights catastrophe under unprecedented punitive state-level measures in Texas, we are writing to seek your solidarity and to implore you not to worsen the crisis by layering over sweeping new federal border and asylum restrictions.

Last year, Texas enacted new immigration enforcement laws that threaten the safety and rights not only of migrants and people living in border communities but also throughout the state. One law creates new, plainly unconstitutional state crimes for immigration violations by authorizing untrained police officers to arrest people suspected of illegally entering or reentering Texas from a foreign nation. The law gives no exception for migrants seeking asylum, subverting the right of a person to seek protection from removal to avoid persecution and torture. The law also subjects immigrants who are lawfully present to racially profiling, arrest and prosecution. This law also authorizes Texas judges with no experience in immigration law to make status determinations and deport individuals even before they have legal counsel or a conviction in lieu of further prosecution and requires state deportation upon conviction. Another law imposes a mandatory 10- or 15-year minimum sentence on the state's overly broad "human smuggling" laws which criminalize people for simply driving with suspected undocumented people in a car. Texas' anti-smuggling law already functions as a tool for racial profiling, prosecutorial abuse, baseless investigations into humanitarian organizations, and [dangerous and increasingly fatal car chases](#).

These laws mark a further escalation of the extremist anti-immigrant actions taken by the state of Texas under its [Operation Lone Star](#) regime, including the unlawful arrest and imprisonment of migrants on private property, despite private landowners not wanting to press charges, the installation of dangerous concertina wire, and a deadly buoy barrier along the southern border, as well as troubling reports of Department of Public Safety directives to push people back into the currents of the Rio Grande and deny them drinking water. Texas has engineered a state of chaos at the border, and reckless federal enforcement policies will only worsen this humanitarian crisis.

We are alarmed by [reports](#) that a bipartisan group of Senators are considering bartering away foundational immigrants' rights and legal protections, agreeing to an expansive array of new federal border and immigration enforcement policy changes in an attempt to secure support for government funding bills. According to reports, these policies include expelling people from the border without consideration of their asylum claims, as occurred under Title 42; expanding the

use of fast-track deportations, a sharp increase in the detention of immigrants while their cases are pending, and the imposition of multiple barriers against those seeking to exercise their human right to seek asylum.

In addition to the severe harms these new policies would cause to both border communities and people fleeing violence and persecution, these policies would seriously undermine the United States' foreign relations, as well as Texas' economy and foreign trade. The Biden administration and members of Congress claim they want to reduce the number of people who come to the border seeking protection. However, similar deterrence-based policies and regional migration patterns tell us that these measures will do nothing to achieve that goal, but “[would be completely counterproductive](#)” and “would break the border.” A more productive approach would be to surge resources towards increased lawful pathways and processing capacity at the border, and to bolster federal support to receiving communities throughout the United States so that new migrants can successfully navigate the immigration process and get to the communities—and employers—that need them in a safe and orderly manner.

Please do everything in your power to prevent the enactment of sweeping new federal border enforcement measures. Enacting this type of proposed federal legislation will not just be counterproductive but will also directly bolster Governor Abbott's Operation Lone Star. Our communities cannot bear the brunt of these policies, just as we work to alleviate the tremendous toll that Operation Lone Star and new state laws are taking on the same Texas communities. We need a showing of support and solidarity from the federal government and our elected members of Congress, not a parallel assault.

Yours truly,

ACLU of Texas
African Public Affairs Committee
Alianza Americas
American Gateways
Austin Region Justice for Our Neighbors
Border Network for Human Rights (BNHR)
Every Texan
Galveston-Houston Immigrant Representation Project (GHIRP)
Grassroots Leadership
Hope Border Institute
Ice out of Tarrant
Immigrant Legal Resource Center
Interfaith Welcome Coalition - San Antonio
Las Americas Immigrant Advocacy Center
LaUnidad11

Lawyers for Good Government
LCWR Region XII Justice Promoter
Local Progress Texas
Mano Amiga
National Immigration Law Center
Opening Doors International Services, Inc.
Somos Tejas
Tahirih Justice Center
Texas AFL-CIO
Texas Appleseed
Texas Civil Rights Project
Texas Immigration Law Council
Texas Rising
United We Dream
Woori Juntos