

Jenner & Block Partners with Immigrants' Rights Groups to Sue Biden Administration over New Anti-Asylum Rule

News

June 12, 2024

Immigrants' rights groups, in partnership with Jenner & Block, today sued the Biden Administration over a new proclamation that severely restricts asylum and puts thousands of lives at risk.

Jenner alongside the American Civil Liberties Union, National Immigrant Justice Center, Center for Gender & Refugee Studies, ACLU of the District of Columbia, and Texas Civil Rights Project (TCRP) filed the federal lawsuit on behalf of Las Americas Immigrant Advocacy Center (Las Americas) and the Refugee and Immigrant Center for Education and Legal Services (RAICES).

President Biden issued the proclamation last week along with an accompanying interim rule issued by the Department of Homeland Security and the Department of Justice. These executive actions will effectively shut off any access to asylum protections for the vast majority of people arriving at the U.S.-Mexico border, despite the strength of their claims. The proclamation echoes the Trump Administration's previous asylum entry ban, which immigrants' rights advocates successfully challenged.

The ban, which allows asylum access only for people who can secure a scarce appointment to present themselves at a port of entry or satisfy a very narrow exception, is inconsistent with the asylum statute that Congress enacted, which permits migrants to apply for asylum "whether or not" they enter at a port of entry. In addition to barring asylum for most migrants, the new rules also create potentially insurmountable obstacles for seeking other types of protection.

The Jenner team includes Partners Matthew Price, Lindsay Harrison, and Melissa Root, Associate Mary Marshall, Law Clerk Donovan Hicks, and Summer Associates Kevin Zhang and Salvador Sandoval.

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