

***A Big Lose-Lose-Lose-Lose Trap:***  
**Legislating Parole Restrictions or a Unilateral Safe Third Country Transit Ban Would be a Self-Imposed Policy & Political Disaster for Democrats**

Senators are currently debating a series of policy proposals that are being broadly—and incorrectly—discussed as “border security” policies. In addition to border funding and asylum policy, some are trying to inject two *massive* policy changes into the debate that would be the largest restrictions to legal immigration pathways and protections for refugees and those seeking asylum in decades.

**This memo outlines why legislating restrictions to immigration parole authority as well as expanding or strengthening so-called “Safe Third Country” unilateral transit bans would be a policy disaster today, with decades-long ramifications, spurring chaos at the border in 2024 and spelling political disaster for Democrats.**

We understand these are lesser-known concepts to some. We hope this memo is helpful in providing additional information on these two harmful policy proposals.

**Legislating Parole Restrictions — A Terrible Idea Today and for Decades to Come**  
[Immigration parole \(click \*\*HERE\*\* to learn more\)](#) is one of the most important, foundational policy tools in the immigration system, used by every President of both parties going back seven decades. Immigration parole has been used to provide critical, often urgent, relief to populations in desperate need: Cubans during the Cold War, Afghans fleeing their country as Kabul fell to the Taliban, Jews fleeing religious persecution in the 20th century, and Venezuelans and Ukrainians fleeing their countries today. [Parole has had the added benefit of helping stem inflation in the U.S. in the last two years.](#)

**The CHNV parole pathways, which rely on this foundational parole mechanism, have been a tremendous success:**

- They have allowed 30,000 people a month to migrate in a safe, orderly process, bypassing the dangerous journey to the border.
- They allow recent arrivals to receive a work permit within weeks of arrival, allowing them to fully contribute to our economy as well as benefit from private sponsorship by US families willing to support newly arrived families". To date, over 2 million Americans have submitted an application to USCIS to sponsor a CHNV parolee.
- Rather than having recent arrivals head to a limited number of cities, people who entered in 2023 are now settled in over 11,000 zip codes around the country.
- **Moreover, in the months after these safe, legal options were created, the number of unauthorized border crossings by Cubans, Haitians, Nicaraguans, and Venezuelans have plummeted and are down over 90%.**

Legislating new parole restrictions will immediately eliminate legal pathways and critical border management tools, and be incorporated into ongoing lawsuits by Texas AG Ken Paxton and others aimed at fully eliminating *any* uses of parole not explicitly written into new legislation. The consequences of this action are a *lose-lose-lose-lose* situation for Democrats, the United

States, the federal government's ability to manage the border, vulnerable asylum seekers, and the political landscape for Democrats in 2024. Restricting the parole authority will spur *more* chaos today, worsen political conditions for Democrats in 2024, and ultimately help put Donald Trump back in office with the ability to pursue even worse policies.

### **Unilateral So-Called “Safe Third Country” Transit Bans — Ending All Asylum & Refugee Protections**

Press reports indicate some Senators are requesting—and others demanding—reforms that would give the President the ability to unilaterally declare any country a “Safe Third Country” and disqualify *anyone* who crossed through such a country from even being able to apply for asylum. To put it bluntly: this would give *any* future President the ability to unilaterally disqualify *any* and *all* people who cross through Mexico, Canada or any other country, from even applying for asylum.

This would completely eliminate the basic foundations of the post-World War II protections for refugees and people seeking asylum, and serve as a model for cruelty that would certainly be followed around the world. Under the false pretense that other countries can be declared “safe” and able to welcome refugees, America would adopt a new policy signaling in no uncertain terms that the U.S. has no commitment at all to those fleeing persecution and seeking refuge. Tens of millions of lives would be devastated by such a position.

### **The Direct Consequences in 2024:**

- ***Eliminate Existing Parole Pathways and CBPOne.*** Texas AG Ken Paxton will amend his current lawsuit intended to eliminate the Cuba, Nicaragua, Haiti and Venezuela (CHNV) parole pathways, which would create chaos and immediately lead to tens of thousands more people every month heading to the border:
  - *Immediate elimination of the CHNV parole pathways*, cutting off a pathway for over 30,000 people a month currently entering the US without having to come to the border and with supportive sponsors and access to work authorization;
  - *Immediate elimination of the CBPOne appointment system*, which allows approximately 1,450 people a day who are seeking entrance to apply for asylum to make appointments at a port of entry to apply; and
  - *Elimination of other legal pathways already announced and those in the future.*
- ***Spur chaos and drastically increase unauthorized border crossings in 2024.*** The ability of DHS to parole new arrivals into the country prevents the collapse of our legal immigration system. It prevents chaotic street releases and extended stays. Without it, thousands of people who currently have a safe, orderly, lawful pathway, will have no other option but to attempt the dangerous journey to go between ports of entry. This will not only further expose vulnerable people to danger and harm, but it will also empower and enrich the cartels. Moreover, the over 2 million people who are currently in a line waiting for one of these pathways will *also* now only have one option: crossing between ports.

- ***Mass detention of families.*** The U.S. government will lose the ability and discretion to use parole as a border management tool. Instead, they would be forced to put nearly everyone into ICE custody, incarcerate them (in hundreds of thousands of jail beds the government does not currently have), and either keep them there for prolonged periods or force people to pay incredibly expensive bonds to buy their release. This will drastically further strain border patrol resources.
- **Parole as a means of targeted relief for those in the United States already will be drastically curtailed.**
- ***Political trap to boost chances of a second Trump administration.*** By design, the politics will deteriorate even further for Democrats--with *more* people going between ports of entry, and *more* people showing up in cities without housing and work permits. The chances of Donald Trump becoming President will increase, and when he does so, he will be able to carry-out even more draconian anti-immigration measures.

Restricting and undermining the President's long-standing parole authorities would be an utterly massive self-inflicted policy and political disaster. Instead of building legal pathways and incentives and disincentives so people come legally and are able to support themselves and their families when they do, destroying the parole pathways will spur chaos, harm untold people, and drastically harm Democrats in 2024. **Legislating new parole restrictions is a giant trap.**