

NATIONAL SECURITY SUPPLEMENTAL APPROPRIATIONS ACT OF 2024

After many months of closed-door discussions, Senate negotiators on Sunday February 4 finally released [text](#) for the *National Security Supplemental Appropriations Act of 2024*. This bill began as a request from the Biden Administration for billions in funding to support Ukraine, Israel, and other allies across the globe, but Republicans insisted that any such funding must be accompanied by measures that would restrict the flow of migrants into the U.S. The resulting bill is a mix of appropriations and policy changes that would radically transform and shrink our humanitarian system.

APPROPRIATIONS

\$6.77 Billion for Customs and Border Protection, for operational costs, including:

- » \$723 Million for additional CBP agents
- » \$1.4 Billion to support the Shelter and Services Program grant program

\$7.6 Billion for Immigration and Customs Enforcement, including:

- » \$2.55 Billion for transportation costs
- » \$1.29 Billion to expand the Alternatives to Detention program for 24/7 monitoring of those not detained
- » \$3.2 Billion for immigration detention - a significant increase

\$3.99 Billion for US Citizenship and Immigration Services (USCIS) to meet operational requirements, including hiring over 4,000 new asylum officers

IMPAIRING ASYLUM

This bill would create an entirely new, fast-tracked asylum process with little oversight and no judicial review. The current Credible Fear Interviews would be replaced with Protection Determination Interviews, conducted by a USCIS asylum officer. Applicants would face a higher standard of proof, and a negative protection determination would lead to an immediate removal order. Applicants who receive a negative decision at this stage would be able to appeal to the newly created Protection Appellate Board, made up of 3 USCIS asylum officers. This board would have only 72 hours from receiving a request for review in order to conduct such a review. A negative determination by the Protection Appellate Board would result in a removal order with no opportunity for further review.

Applicants who receive a positive protection determination would be immediately referred to a Protection Merits Removal Proceeding, which must be concluded within 90 days. A negative determination would result in a removal order, and the applicant would only have 7 days to petition the Protection Appellate Board for review. The Board would only have 7 days from receiving the petition to make their own decision, with no possibility of judicial review.

Applicants going through this process would be placed in the Alternatives to Detention program for constant monitoring by the Department of Homeland Security.



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CLOSING THE BORDER

- » The bill would grant a new “border emergency authority” to the Secretary of Homeland Security, with various triggers based on the daily number of encounters with inadmissible aliens. This new authority would allow, or even mandate, that the Secretary summarily remove anyone encountered between ports of entry. There are 3 triggers for this authority:
 - » Authority **may** be exercised if the 7-day average of daily encounters is between 4,000 and 5,000 per day.
 - » Authority **must** be exercised if the 7-day average of daily encounters is above 5,000 per day.
 - » Authority **must** be exercised if the number of encounters in a single day is above 8,500.

WHAT IS NOT INCLUDED IN THE BILL

Although many on the right have tried to characterize this bill as “immigration reform”, it does not include a pathway to legal status for DREAMers or other long-time members of our communities.