

## [News](#)



Asylum-seeking migrants walk in the Rio Grande river between the floating fence and the river bank as they look for an opening on a concertina wire fence to land on the U.S. soil in Eagle Pass, Texas, July 24, 2023. (OSV News photo/Go Nakamura, Reuters)

Kate Scanlon

[View Author Profile](#)



OSV News

[View Author Profile](#)

## [Join the Conversation](#)

July 27, 2023

[Share on Facebook](#)[Share on Twitter](#)[Email to a friend](#)[Print](#)

A federal judge July 25 blocked the Biden administration's rule permitting immigration authorities to deny asylum to migrants who arrive at the U.S.-Mexico border without first applying online or seeking asylum protections in a different country.

U.S. District Judge Jon Tigar of the Northern District of California blocked the rule, which President Joe Biden's administration implemented in May, following the expiration of a Trump-era policy restricting migration during the COVID-19 pandemic.

"The Rule -- which has been in effect for two months -- cannot remain in place," Tigar wrote in his order. The order does not go into effect for two weeks, giving the Biden administration time to appeal.

Catholic immigration groups and the U.S. bishops have objected to the asylum ban, arguing it violates existing U.S. immigration law, and exposes those who may otherwise be eligible for asylum to additional danger.

Dylan Corbett, executive director of Hope Border Institute, told OSV News July 26 that the court "has made the right decision here -- there is no legal basis for the Biden administration's asylum ban."

"It needlessly puts asylum seekers in danger and it outsources the challenges of immigration to countries less equipped to address them," Corbett said. "Effective management of the border doesn't need to come at the cost of the rights and dignity of asylum seekers and vulnerable migrants. The administration should pivot now by taking strong action to fully restore asylum at the border and make the moral argument to the country and Congress that we need immigration reform."

Advertisement

White House Press Secretary Karine Jean-Pierre said during a July 25 briefing that "nothing has changed."

"There is a stay (on the judge's order), which means that our border enforcement plan remains in full effect," she said. "The Department of Justice will appeal the decision and seek to extend the stay."

Jean-Pierre said "our border enforcement plan works" and consists of "deterrence, diplomacy, and enforcement."

"We have seen that plan working," she said. "Unlawful border crossings have come down to the lowest that we have seen in the past two years."

But Anna Marie Gallagher, executive director of the Catholic Legal Immigration Network, Inc., said in a statement that CLINIC welcomes "the decision by Judge Tigar, who indicated the asylum ban is arbitrary and capricious, and was issued without adequate opportunity for public comment."

"As we have said before, the right to seek asylum through a full and fair process, with dignity and respect, is a bedrock rule of international and domestic law," Gallagher said. "Any barriers to asylum that undermine the principles of U.S. law and Catholic social teaching with respect to migration, and fail to uphold due process, are contrary to the values we hold dear as a compassionate and just society."