

August 6, 2021

Honorable Joseph R. Biden, Jr.
President of the United States
White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear President Biden:

As the world marks the 70th anniversary of the Refugee Convention, our 169 faith-based, humanitarian, legal services, immigration, and human rights organizations write to express profound disappointment that your administration's actions are undermining refugee protections globally and [violating](#) refugee law at home. We are gravely concerned that the administration issued a [new order](#) this week to continue to block and expel asylum-seeking families and adults to life-threatening dangers, is escalating the use of fundamentally flawed expedited removal, has massively increased detention of adults seeking protection, and continues to make statements that undermine the right to asylum.

We are horrified that your administration has embraced and doubled down on the Trump-era Title 42 policy by announcing it will use a new Centers for Disease Control and Prevention (CDC) [order](#), which the Department of Homeland Security (DHS) is wielding to continue to block and expel families and adults seeking refugee protection in violation of U.S. refugee law. This order, like its predecessors, uses public health as a pretext to circumvent U.S. refugee laws and treaties. We urge that you immediately end this travesty.

Over the past six months, human rights researchers and journalists have identified over [3,200](#) kidnappings, torture, rape, and other attacks suffered by people expelled or blocked at the border under Title 42. Epidemiologists and public health experts have [repeatedly denounced](#) the Title 42 policy as lacking public health justification and actually [threatening](#) public health. They have urged your administration to adopt rational, science-based [measures](#) that protect public health and people seeking safety in the United States. The U.N. High Commissioner for Refugees has specifically [called](#) on the United States to “swiftly lift the public health-related asylum restrictions that remain in effect at the border and to restore access to asylum for the people whose lives depend on it, in line with international legal and human rights obligations.”

In addition, many refugees will be deprived of their right to seek asylum in the United States as a result of DHS's [announcement](#) that it will subject families to expedited removal (a process already being used against adult asylum seekers), despite its long history of due process [failures](#). The bi-partisan U.S. Commission on International Religious Freedom (USCIRF), which

monitored this process over many years, [found](#) that CBP officers failed in more than half of cases where monitors *were present during interviews* to take steps required under U.S. law to screen asylum seekers. In 15 percent of cases the Commission observed CBP [improperly](#) order asylum seekers deported who had indicated a fear of return. Not only do the deficiencies documented by [USCIRF and others](#) continue, but DHS has expanded the use of expedited removal.

The DHS announcement also suggests that families will be subjected to expedited removal for coming to the United States the “wrong way,” thereby inflicting expedited removal as a penalty for entry, which is impermissible under the Refugee Convention, and completely disingenuous, as people cannot generally seek asylum at U.S. ports of entry due to the administration’s failure to uphold refugee law at the border. Further, this expedited removal process [reportedly](#) relies on the use of the [Electronic Nationality Verification Program](#) (ENV) to quickly deport nationals of El Salvador, Guatemala, and Honduras without travel documents, which will likely further limit access to counsel. Tellingly, the DHS announcement makes no mention of the use of ENV or a 2019 DHS memo directing that people with [imminent medical concerns](#) should not be removed using ENV.

The administration’s plans to “fairly and efficiently” decide asylum cases, outlined in its new [Blueprint](#), are also premised on the use of the fundamentally unjust expedited removal process. Fairness, due process and compliance with U.S. obligations to protect people seeking asylum should not be sacrificed for speed. Many of our organizations have also [written](#) to DHS to object to the sharp increase in detention of adults seeking asylum, which has accompanied the administration’s use of expedited removal, and urged that neither adults nor families be jailed while their asylum cases proceed.

We also urge that your administration stop making statements that undercut the right to asylum and reinforce anti-asylum narratives. Earlier this year, many of our groups [wrote](#) to express concern about administration statements that risked bolstering the prior administration’s inhumane rhetoric. We continue to be deeply disappointed that some administration statements [undermine](#) the right to seek asylum, attempt to [justify](#) treating asylum seekers and migrants as threats to public health, and tout efforts to provide protection for people “[closer to their homes](#)” - a phrase [often used](#) in xenophobic rhetoric aimed at denying people protection in the United States. We were particularly dismayed by recent comments indicating that people “[should not come](#)” to the United States to seek asylum and that they could instead seek “asylum” from their home countries - a message that sends the wrong signal to rights-violating governments looking to slam their doors shut to the persecuted.

Your administration must direct immediate actions to uphold U.S. refugee law and treaty obligations. Critical steps include restarting asylum processing along the border, ending policies

that block people from seeking asylum at our ports of entry, providing prompt and fair asylum decisions, rejecting the use of expedited removal and immigration detention, and launching legal representation and community-based case support initiatives. The United States helped draft the Refugee Convention in the wake of World War II, and, as a U.S. Senator, you were a co-sponsor of the U.S. Refugee Act, which affirmed in U.S. law the right to seek asylum. The United States should lead by example by honoring its human rights commitments at home.

Respectfully,

ADL (the Anti-Defamation League)
The Advocates for Human Rights
African Communities Together
Alabama Coalition for Immigrant Justice
Aldea - The People's Justice Center
Alianza Americas
Alliance San Diego
Al Otro Lado
American Friends Service Committee
Amnesty International USA
ANNUNCIATION HOUSE, INC.
Arizona Dream Act Coalition
Arizona Justice For Our Neighbors
Asian American Federation of Florida - South Region
Asian Americans Advancing Justice | AAJC
Asian Americans Advancing Justice - Los Angeles
Asian Caribbean Exchange
Asian Pacific American Labor Alliance, AFL-CIO
Asylum Access
Asylum Access México (AAMX) A.C.
Asylum Seeker Advocacy Project (ASAP)
Austin Border Relief
Bellevue Program for Survivors of Torture
Black Alliance for Just Immigration (BAJI)
Border Kindness
Border Network for Human Rights (BNHR)
Bridges Faith Initiative
California Collaborative for Immigrant Justice
El Calvario UMC and Immigrant Advocacy Center
Cameroon American Council
Catholic Charities Diocese of Monterey Watsonville

Catholic Legal Immigration Network, Inc.
Children's Defense Fund
Christian Reformed Church Office of Social Justice
Church World Service
Center for Civic Policy
Center for Democracy in the Americas
Center for Gender & Refugee Studies
Center for Justice and International Law (CEJIL)
Center for Victims of Torture
Coalition for Humane Immigrant Rights (CHIRLA)
Columbia Law School Immigrants' Rights Clinic
Comunidad Maya Pixan Ixim
Community Action Board of Santa Cruz County, Inc. (CAB)
Connecticut Shoreline Indivisible
COOLJC Region 8 SJEREC
Cooperation Operation
Detention Watch Network
Disciples Immigration Legal Counsel
Disciples Refugee & Immigration Ministries
Divided Families Podcast
Employee Rights Center
Encompass Community Services-Head Start
Espacio Migrante
Esperanza Immigrant Rights Project
Faiths for Safe Water
Fellowship Southwest
Florence Immigrant & Refugee Rights Project
Florida Asian Services
Florida Asian Women Alliance
Good Shepherd Lutheran
Guatemala Human Rights Commission USA
Haitian Bridge Alliance
HANA Center
Harvard Immigration and Refugee Clinical Program
HIAS
HIAS Pennsylvania
Hope Border Institute
Houston Immigration Legal Services Collaborative
Human Impact Partners
Human Rights First

Human Rights Initiative of North Texas
Human Rights Watch
Immigrant and Refugee Services, Catholic Charities Community Services, Archdiocese of New York
Immigrant Defenders Law Center
Immigrant Legal Advocacy Project
Immigration Advocacy & Support Center
Immigration Equality
Instituto para las Mujeres en la Migración (IMUMI)
Interfaith Welcome Coalition - San Antonio
International Mayan League
International Refugee Assistance Project (IRAP)
International Rescue Committee
Jane's Due Process
Japanese American Citizens League
Jewish Activists for Immigration Justice of Western MA
Jewish Family Service of San Diego
Justice Action Center
Justice for Our Neighbors El Paso
Justice for Our Neighbors Michigan
The Justice Salon at St. Augustine's Episcopal Chapel
Kids in Need of Defense
Kino Border Initiative
La Raza Community Resource Center
Laredo Immigrant Alliance
Latin America Working Group
Lawyers for Good Government (L4GG)
Leadership Conference of Women Religious
Madres e Hijos
MERCIFUL REFUGEE AND IMMIGRANT SERVICES
Michigan Immigrant Rights Center
Mijente
Mississippi Center for Justice
Motivation Motivates
National Council of Jewish Women
National Education Association
National Immigrant Justice Center
National Network for Immigrant & Refugee Rights
National Partnership for New Americans
Network in Solidarity with the People of Guatemala

NETWORK Lobby for Catholic Social Justice
New Mexico Center on Law and Poverty
NOVA Friends of Refugees
OCA South Florida Chapter
OneAmerica
OPAWL - Building AAPI Feminist Leadership in Ohio
ORAM - Organization for Refuge, Asylum and Migration
Owl & Panther
Oxfam America
Pacific Islander Health Board
Peace Action Group of Plymouth Church Seattle, UCC
Pilipino Workers Center of Southern California
Phoenix Refugee Connections
Physicians for Human Rights
Project Blueprint
Public Counsel
Quixote Center
Rainbow Beginnings
La Raza Centro Legal, San Francisco
Refugee and Immigrant Center for Education and Legal Services (RAICES)
Refugee Congress
Refugees International
RITA - Reform Immigration for Texas Alliance
Robert F. Kennedy Human Rights
Rocky Mountain Immigrant Advocacy Network
Rocky Mountain Welcome Center
San Diego Immigrant Rights Consortium
Sanctuary Santa Cruz
Santa Cruz Welcoming Network
SEIU United Service Workers West
The Sidewalk School
Sisters of Mercy of the Americas Justice Team
Social Eco Education (SEE-LA)
Sojourners
Somali Association of Arizona
South Asian Americans Leading Together (SAALT)
Southern Border Communities Coalition
Southern California Immigration Project
Southern Poverty Law Center
Student Clinic for Immigrant Justice

Tahirih Justice Center
The Temple of the Waters
Tennessee Justice for Our Neighbors
UndocuBlack Network
Unitarian Universalist Service Committee
Unite Oregon
United We Dream
Universidad Popular
VECINA
Voces Unidas
We Are All America
Welcoming America
Win Without War
Wind of the Spirit Immigrant Resource Center
Witness at the Border
Women's Refugee Commission
Young Center for Immigrant Children's Rights
Youth Education & Development Programs