

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 178 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 - Asian Law Caucus  
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 ANGELS  
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  
Lutheran Immigration and Refugee Service (LIRS)  
Madres e Hijos  
Mennonite Central Committee U.S.  
MERCIFUL REFUGEE AND IMMIGRANT SERVICES  
Michigan Immigrant Rights Center  
Mijente  
Mississippi Center for Justice  
Motivation Motivates  
Mujeres Unidas y Activas  
National Council of Jewish Women

National Education Association  
National Immigrant Justice Center  
National Immigration Law Center  
National Justice For Our Neighbors  
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 Refugee & Immigrant Services & Education  
Unitarian Universalist Service Committee  
Unite Oregon  
United We Dream  
Universidad Popular  
VECINA  
Voces Unidas  
We Are All America  
Welcoming America  
Westchester Jewish Coalition for Immigration  
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