

Hon. Joseph R. Biden, Jr.
President of the United States

November 22, 2022

Dear President Biden:

With a federal court striking down [the use of Title 42](#) to summarily expel migrants, the undersigned immigration, civil rights, and human rights leaders urge your administration to seize this opportunity to fulfill its [promise](#) to build a humane immigration system and comply with U.S. asylum laws. **We implore you to strongly reject any congressional efforts to extend or codify Title 42 or otherwise dismantle our asylum system.**

The right to seek asylum is enshrined in domestic and international law. Four decades ago, the U.S. Senate unanimously codified the protections of the Refugee Convention into federal law. Title 42 is a Trump-era policy that has weaponized public health to circumvent domestic and international refugee law by [rapidly expelling individuals more than 2.4 million times](#) to Mexico or their countries of origin without the opportunity to seek protection. This expulsion policy was a racist continuation of efforts to dismantle the U.S. asylum system and has disproportionately [harmed](#) Black, Brown, and Indigenous asylum seekers. Human rights advocates have documented [more than 10,000 violent attacks](#) – including kidnappings, serious assaults, and deaths – against individuals who were expelled to or blocked in Mexico due to Title 42 since the beginning of the Biden administration. In his ruling last week, a federal judge [said the Centers for Disease Control](#) “failed to consider the harm the policy would inflict on impacted individuals.”

Title 42 has been an egregiously harmful policy that endangered the lives of asylum seekers and migrants. **However, we also urge DHS not to replace Title 42 with other [punitive, ineffective policies that cause similar harm](#).** We are especially disturbed by DHS’s [announcement](#) as part of the Venezuela parole program on October 19th that the agency plans to engage the Government of Mexico “...to effectuate Title 8 removals of individuals subject to expedited removal who cannot be returned to Venezuela or elsewhere...” once Title 42 is no longer in place. This would be an unprecedented third-country expansion of the inherently flawed expedited removal process, which sacrifices refugee protection and results in serious [due process](#) and civil liberties violations that increase the likelihood that migrants are erroneously denied an opportunity to apply for asylum and deported to persecution and torture. **Additionally, the end of Title 42 must not be accompanied by an expansion in the use of immigration detention,** which has been shown to be [retraumatizing](#) to those coming to our country in search of safety as well as [unnecessary](#) and [costly](#).

The ending of Title 42 on December 21st provides your administration a critical opportunity to restore the right to seek asylum at the U.S.-Mexico border, including at ports of entry, and finally move away from deterrent policies that are inhumane, ineffective, and inequitable. We urge you to uphold the United States' commitment to provide a haven for those seeking refuge. [Faith-based organizations](#), [legal and social services providers](#), and [elected officials](#) stand ready to welcome people seeking safety in a fair, orderly, and dignified manner.

Sincerely,

Melanie Nathan, Executive Director, African Human Rights Coalition

Erika Pinheiro, Executive Director, Al Otro Lado

Joyce Ajlouny, General Secretary, American Friends Service Committee (AFSC)

Edna Yang and Rebecca Lightsey, Co-Executive Directors, American Gateways

Jeremy Robbins, Executive Director, American Immigration Council

Benjamin Johnson, Executive Director, American Immigration Lawyers Association

Shalyn Fluharty, Executive Director, Americans for Immigrant Justice

Vanessa Cárdenas, Executive Director, America's Voice

Paul O'Brien, Executive Director, Amnesty International USA

Monica Khant, Executive Director, Asian Pacific Institute on Gender-Based Violence

Conchita Cruz and Swapna Reddy, Co-Executive Directors, Asylum Seeker Advocacy Project (ASAP)

Bill Blacquiere, Interim President and CEO, Bethany Christian Services

Casey Miller, Organizer and Founder, Border Organizing Project

Rabbi Joshua Lesser, President, Bridges Faith Initiative

Anna Gallagher, Executive Director, Catholic Legal Immigration Network, Inc.

Karen Musalo, Professor and Executive Director, Center for Gender & Refugee Studies

Indivar Dutta-Gupta, President and Executive Director, Center for Law and Social Policy

Dr. Simon Adams, President and CEO, Center for Victims of Torture

Lariza Dugan-Cuadra, Executive Director, Central American Resource Center Of Northern CA (CARECEN SF)

Rick Santos, President and CEO, Church World Service

Lauren Deutsch, Executive Director, Civil Rights Education and Enforcement Center

Angelica Salas, Executive Director, Coalition for Humane Immigrant Rights (CHIRLA)

Carolyn Tran and Krystina Francois, Co-Directors, Communities United for Status & Protection (CUSP)

Carolina Martin Ramos and Luis Marcos, Co-Executive Directors, Comunidad Maya Pixan Ixim

Silky Shah, Executive Director, Detention Watch Network

Kate Sugarman, MD, Coordinator, Doctors for Camp Closure

Lillian Aponte Miranda, Co-Executive Director, Florence Immigrant & Refugee Rights Project

Jean Bruggeman, Executive Director, Freedom Network USA

Louis Clark, CEO, Government Accountability Project
Guerline Jozef, Co-Founder and Executive Director, Haitian Bridge Alliance
Coleen Kivlahan, Chair, Health and Human Rights Initiative UCSF
Mark Hetfield, President and CEO, HIAS
Frankie Miranda, President and CEO, Hispanic Federation
Dylan Corbett, Executive Director, Hope Border Institute
Michael Breen, President and CEO, Human Rights First
Lindsay Toczylowski, Executive Director, Immigrant Defenders Law Center
Aaron Morris, Executive Director, Immigration Equality
Gretchen Kuhner, Director, Instituto para las Mujeres en la Migración (IMUMI)
Becca Heller, Executive Director, International Refugee Assistance Project (IRAP)
Hans Van de Weerd, Senior Vice President, International Rescue Committee
David Inoue, Executive Director, Japanese American Citizens League
Joan Rosenhauer, Executive Director, Jesuit Refugee Service/USA
Jewish Activists for Immigration Justice
Michael Hopkins, CEO, Jewish Family Service of San Diego
Vanessa Johnson, Executive Director, Justice for Our Neighbors El Paso
Cathleen Caron, Founder and Executive Director, Justice in Motion
Gabriel Medina, Executive Director, La Raza Community Resource Center
Marisa Limon Garza, Executive Director, Las Americas Immigrant Advocacy Center
Lisa Haugaard, Executive Director, Latin America Working Group (LAWG)
Angela Ciolfi, Executive Director, Legal Aid Justice Center
Krish O'Mara Vignarajah, Executive Director and CEO, Lutheran Immigration and Refugee Service
Hannah Cartwright, Executive Director and Attorney, Mariposa Legal, program of COMMON Foundation
Mirella Ceja-Orozco, Co-Executive Director, Minnesota Freedom Fund
Kristin Rowe-Finkbeiner, Executive Director, MomsRising
Mary Meg McCarthy, Executive Director, National Immigrant Justice Center
Marielena Hincapié, Executive Director, National Immigration Law Center
Trina Realmuto, Executive Director, National Immigration Litigation Alliance
Sirine Shebaya, Executive Director, National Immigration Project (NIPNLG)
Alba Jaramillo, Co-Executive Director, National Justice For Our Neighbors
Mary J. Novak, Executive Director, NETWORK Lobby for Catholic Social Justice
Jorge Baron, Executive Director, Northwest Immigrant Rights Project
Abby Maxman, President and CEO, Oxfam America
Joel Lamstein, Interim Executive Director, Physicians for Human Rights
Hope M. Frye, Executive Director, Project Lifeline
Dr. Kim Lamberty, Executive Director, Quixote Center
Dolores Schroeder, CEO, RAICES

Kimahli Powell, Executive Director, Rainbow Railroad
Maureen White, Interim President, Refugees International
Kerry Kennedy, President, Robert F. Kennedy Human Rights
Mekela Goehring, Executive Director, Rocky Mountain Immigrant Advocacy Network
Janti Soeripto, President and CEO, Save the Children
Rocio Saenz, Executive Vice President, Service Employees International Union (SEIU)
Maggie Conley, Director, Justice Team, Sisters of Mercy of the Americas
Margaret Huang, President and CEO, Southern Poverty Law Center
Kathleen Kim, Supervisor, Sunita Jain Anti-Trafficking Initiative
Archi Pyati, CEO, Tahirih Justice Center
Mimi Marziani, President, Texas Civil Rights Project
Rabbi Jill Jacobs, CEO, T'ruah, The Rabbinic Call for Human Rights
Holly Cooper, Co-Director, UC Davis Immigration Law Clinic
Patrice S. Lawrence, Executive Director, UndocuBlack Network
Re. Mary Katherine Morn, President, Unitarian Universalist Service Committee
Lindsay Goldford Gray, CEO, VECINA
Nicholas Turner, President, Vera Institute of Justice
Carolina Jimenez Sandoval, President, Washington Office on Latin America (WOLA)
Diana Mejia, Founder, Wind of the Spirit Immigrant Resource Center
Josh Rubin, Founder, Witness at the Border
Sarah Costa, Executive Director, Women's Refugee Commission
Myal Greene, President and CEO, World Relief
Gladis Molina Alt, Executive Director, Young Center for Immigrant Children's Rights

CC: Hon. Kamala D. Harris, Vice President of the United States
Secretary Alejandro N. Mayorkas, Department of Homeland Security
Attorney General Merrick Garland, Department of Justice
Secretary Antony Blinken, Department of State
Secretary Xavier Becerra, Department of Health and Human Services
Advisor Jake Sullivan, National Security Council
Ambassador Susan Rice, Domestic Policy Council