

Congress of the United States

Washington, DC 20515

December 9, 2022

The Honorable Alejandro Mayorkas
U.S. Department of Homeland Security
301 7th Street, SW
Washington, DC 20528

Dear Secretary Mayorkas,

Although we are happy to see the Administration's effort to end the Title 42 expulsion policy, we write to strongly urge you to reject measures that continue to violate protections for refugees and asylum seekers as a result of the Title 42 order.

We were deeply disappointed by an announcement made by the U.S. Department of Homeland Security (DHS) to expel Venezuelan asylum seekers to Mexico and are concerned over reports that DHS is seeking to deport refugees and asylum seekers because of the Title 42 order.¹ We cannot continue to push U.S. asylum-processing obligations to other countries or expand the inherently flawed expedited removal process. It is imperative that we shift resources towards humane processing and away from punitive measures such as expedited removals, lateral repatriation flights, and immigration-related prosecutions.

The end of Title 42 must not be followed by an expansion in the use of immigration detention which continues to unnecessarily traumatize those who have traveled thousands of miles to our country in search of safety and stability. The threat of expedited removal of asylum seekers because of this order is unconscionable.

The right to seek asylum is a human right enshrined in domestic and international law. Nonetheless, the Trump administration weaponized COVID-19 to invoke an obscure public health statute, last used in 1929, to shut down the border to virtually all non-citizens/residents. Senior experts at the Center for Disease Control and Prevention (CDC), epidemiologists, and medical experts attest that there is no public health rationale behind the mass expulsion policy, calling it "scientifically baseless and politically motivated."² Title 42 expulsion policy has been used to expel people over 2.4 million times to Mexico or their countries of origin without due process. Put simply, this expulsion policy is a racist continuation of the Trump administration's efforts to dismantle the U.S. asylum system and has disproportionately harmed Black, Brown, and Indigenous communities.

We must ensure that our immigration policies respect human rights and recognize the dignity of all human beings seeking refuge and asylum. As Title 42 comes to an end on December 21,

¹ Beitsch, R. (2022, November 17). *DHS eyes new ways to bar Venezuelans from entering US after fall of Title 42*. The Hill. <https://thehill.com/homenews/3740309-dhs-eyes-new-ways-to-bar-venezuelans-from-entering-u-s-after-fall-of-title-42/>

² *Press release - epidemiologists and public health experts implore*. Search the website. (n.d.). Retrieved December 1, 2022, from <https://www.publichealth.columbia.edu/research/program-forced-migration-and-health/press-release-epidemiologists-and-public-health-experts-implore-biden-administration-end-title-42>

everyone impacted by this program must be given the chance to seek protection and relief. This is a critical opportunity to humanely restore the right to seek asylum at our southern border.

We strongly urge the Administration to act in good faith and reject alternatives to pursue deterrent-based programs such as third country processing. As we move forward in meaningful immigration reform for asylum seekers, we urge DHS to do so without: increasing immigration detention; exporting U.S. asylum processing abroad; or relying on punitive and failed deterrence programs.

Thank you for your attention to this matter and we look forward to your response.

Sincerely,



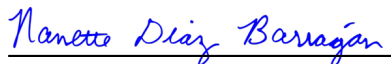
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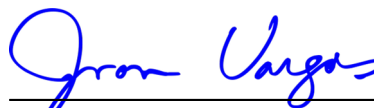
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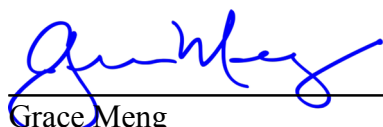
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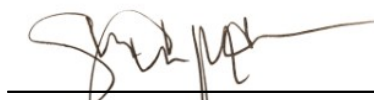
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