The Honorable Alejandro N. Mayorkas  
Secretary  
U.S. Department of Homeland Security  
Washington, D.C. 20528  

October 14, 2022  

Dear Secretary Mayorkas:  

We, the undersigned organizations committed to the rights of asylum seekers and refugees, write to express our deep disappointment and shock at the announcement that the U.S. Department of Homeland Security (DHS) is expanding the use of Title 42 to expel Venezuelans seeking refuge at the U.S.-Mexico border. While we welcome steps to provide safe processing for some Venezuelans, the creation of safe pathways should never be wielded to deny other people seeking protection access to asylum. We are also troubled that the announcement refers to attempted entry at the southern border by Venezuelans as “illegal.” Seeking asylum is legal under both U.S. and international law.

Access to the U.S. asylum process must not hinge on an individual’s nationality, pre-existing ties to the country, financial means, or manner of entry. Title 42 expulsions violate U.S. and international law, have no basis as a public health measure, and return people seeking asylum to grave human rights abuses. Evading actual refugee law, the Title 42 policy facilitates discriminatory denials of access to asylum based on nationality and race and has long inflicted grave and disparate harms on Haitian and other Black asylum seekers. While litigation has forced the continuation of the Title 42 policy, this administration bears sole responsibility for expanding the policy and negotiating with Mexico to increase turn-backs. Inevitably, this will push many asylum seekers to dangerous crossings away from official border posts and leave them even more vulnerable to human trafficking. Utilizing punitive and unlawful measures such as Title 42 to attempt to deter future migration is not only unlawful but also goes against the rights-respecting commitments made by the United States and 20 other countries in the hemisphere who signed the Los Angeles Declaration on Migration and Protection earlier this year. Sacrificing the protection of people seeking refuge will not appease those spreading anti-immigrant rhetoric, but it will undermine the protection of refugees globally with far-reaching and long-term dire consequences.

Instead of coupling the parole program to Title 42, DHS can and should take all legally permissible steps to restore access to asylum at ports of entry, regardless of the asylum seeker’s nationality or other factors, and to cease—not expand—Title 42 expulsions. The Biden administration should also redouble efforts to rebuild and strengthen the pace and capacity of the U.S. Refugee Admissions Program to process more refugees from Venezuela and other countries.

We welcome steps to create more safe pathways for individuals to access the U.S. asylum system and stand ready to work with your department in this important work.

Respectfully,
ADL (Anti-Defamation League)
Al Otro Lado
Aldea - the People’s Justice Center
Alianza Americas
America’s Voice
American Civil Liberties Union
American Friends Service Committee (AFSC)
Arizona Justice for Our Neighbors
Asian Americans Advancing Justice | AAJC
Asylum Access Mexico
Asylum Seeker Advocacy Project (ASAP)
AVAN (Adelanto Visitation & Advocacy Network)
Ayuda
Bellevue Program for Survivors of Torture
Black Alliance for Justice Immigration
Bridges Faith Initiative
Cabrini Immigrant Services of NYC, Inc.
California Collaborative for Immigrant Justice
Capital Area Immigrants’ Rights (CAIR) Coalition
Catholic Legal Immigration Network, Inc. (CLINIC)
Center for Gender & Refugee Studies
Center for Law and Social Policy
Center for Popular Democracy
Center for Safety & Change
Center for Victims of Torture
Central American Refugee Center (CARECEN-NY)
Central American Resource Center- CARECEN- of California
Central American Resource Center of Northern CA - CARECEN SF
Church World Service
Coalition for Humane Immigrant Rights (CHIRLA)
Columbia Law School Immigrants’ Rights Clinic
Communities United for Status & Protection (CUSP)
Community Asylum Seekers Project
Community Resource Center
Disciples Immigration Legal Counsel
Doctors for Camp Closure
Dorothy Day Catholic Worker, Washington, DC
ECDC
El Calvario Immigrant Advocacy Center
Envision Freedom Fund
Espacio Migrante
Esperanza United
Ethiopian Community Development Council, Inc. (ECDC)
Florence Immigrant and Refugee Rights Project
Florida Immigrant Coalition
Franciscan Action Network
Galveston-Houston Immigrant Representation Project (GHIRP)
Grassroots Leadership
Haitian Bridge Alliance
HIAS
Hope Border Institute | Instituto Fronterizo Esperanza
Houston Immigration Legal Services Collaborative
Human Rights First
Human Rights Watch
Immigrant Action Alliance
Immigrant ARC
Immigrant Defenders Law Center
Immigrant Legal Advocacy Project
Immigrant Legal Resource Center
Immigration Equality
Immigration Hub
Innovation Law Lab
Institute for Women in Migration
Interfaith Movement for Human Integrity
International Refugee Assistance Project
Jesuit Refugee Service/USA
Justice Action Center
Justice & Equity Team/Unitarian Society of Santa Barbara
Justice for Our Neighbors El Paso
Kids in Need of Defense
Kino Border Initiative
La Conexion
Las Americas Immigrant Advocacy Center
Latin America Working Group
Lawyers for Good Government
Legal Aid Justice Center
Lutheran Immigration and Refugee Service
Migrant Center for Human Rights
Minnesota Freedom Fund
Mobilization for Justice, Inc.
MomsRising
National Council of Jewish Women
National Education Association
National Immigrant Justice Center
National Immigration Law Center
National Immigration Project (NIPNLG)
National Justice For Our Neighbors
National Network for Immigrant and Refugee Rights
National Partnership for New Americans
NETWORK Lobby for Catholic Social Justice
New York Immigration Coalition
North Carolina Justice Center
NW Ohio Immigrant Rights Network
OC Rapid Response Network (OCCRN)
Physicians for Human Rights
Presbyterian Church USA
Project Lifeline
Public Counsel
Public Law Center
Quixote Center
RAICES
Rainbow Railroad
Refugee Congress
Refugee Council USA
Refugee Health Alliance
Refugees International
Rian Immigrant Center
Rockland County Immigration Coalition
Rocky Mountain Immigrant Advocacy Network
Safe Harbor Clinic, Brooklyn Law School
Save the Children
Service Employees International Union (SEIU)
Sisters of Mercy of the Americas Justice Team
Southern Border Communities Coalition
Southern Poverty Law Center
Student Clinic for Immigrant Justice
Tahirih Justice Center
Texas Civil Rights Project
The Advocates for Human Rights
The Episcopal Church
The Sidewalk School
The Workers Circle
UCLA Center for Immigration Law and Policy
Unitarian Universalists for Social Justice
U.S. Committee for Refugees and Immigrants
Union for Reform Judaism
University of California, San Diego
VECINA
Voice for Refugee Action Fund
Washington Office on Latin America (WOLA)
We Are All America
#WelcomeWithDignity
Welcoming America
Westchester Jewish Coalition for Immigration (WJCI)
Wind of the Spirit Immigrant Resource Center
Witness At The Border
Women’s Refugee Commission
Young Center for Immigrant Children’s Rights