

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

Honorable Kamala Harris
Vice-President of the United States
White House
1600 Pennsylvania Avenue
Washington, DC 20500

Ambassador Susan Rice
Director of the Domestic Policy Council
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Jake Sullivan
National Security Advisor
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Secretary Alejandro Mayorkas
U.S. Department of Homeland Security
3801 Nebraska Avenue NW
Washington, D.C. 20016

The Honorable Antony Blinken
Secretary of State
U.S. Department of State
2201 C Street, N.W
Washington, D.C. 20520

Dr. Rochelle Walensky
Director
Centers for Disease Control and Prevention
1600 Clifton Road
Atlanta, Georgia 30328

Re: Stopping the use of Title 42 for all

Dear President Biden, Vice-President Harris, Secretary Mayorkas, Amb. Rice, Advisor Sullivan, Secretary Blinken, and Dr. Walensky:

The undersigned organizations write to express our disappointment that the Administration is continuing to use Title 42 to expel families and single adults seeking protection from persecution and torture. Although we are relieved that you have published guidance [exempting](#) Ukrainians and an order [excluding](#) unaccompanied children from Title 42, the underlying basis for these decisions apply as forcefully to the Haitians, Central Americans, and other refugees at the southern border who are also seeking protection. The Trump administration weaponized the COVID-19 pandemic to justify the expulsion of asylum seekers to Mexico or their countries of origin without any assessment of their protection needs, in direct violation of domestic and international law, and the Biden administration has continued to rely on this fallacy. Since the enactment of Title 42, Customs and Border Protection (CBP) has turned away refugees and asylum seekers more than [one million times](#) to places where their fate frequently includes kidnappings, rape, human trafficking, and violent armed assault.

According to a new [report](#), as of March 15, 2022, there were at least [9,886](#) documented reports of kidnapping, torture, rape, and other violent attacks on people blocked in or expelled to Mexico due to the Title 42 policy - all during the Biden-Harris administration. We urge the administration to terminate the Center for Disease Control and Prevention (CDC)'s Title 42 order because of these reasons: there is no public health justification for the order, it is applied disproportionately to Black and brown immigrants, and those pushed back are returned to violent harm.

The Biden administration has denied people access to the U.S. asylum system even after [leading epidemiologists and public health experts](#) disclosed that there is no public health rationale for shutting down the border to asylum seekers. In fact, contrary to the administration's rationale for keeping Title 42 in place, [Physicians for Human Rights concluded](#) in an extensive report on the policy that "every aspect of the expulsion process, such as holding people in crowded conditions for days without testing and then transporting them in crowded vehicles, increases the risk of spreading and being exposed to COVID-19." Last year, medical experts for the Department of Homeland Security filed a whistleblower [disclosure](#), where the policy was again condemned for lacking a public health justification.

Over the past two years, members of Congress, specifically from the Congressional Black Caucus, have also called for the end of this policy. In February 2022, Representative Cori Bush and Senator Cory Booker led 100 of their colleagues in [a letter](#) urging President Biden to reverse inhumane immigration policies. The members of congress noted that "It is essential that we **recommit ourselves to reversing anti-Black policies, including by adopting a human-rights centered approach to supporting immigrants and people seeking asylum in the United States.**"

This month, Representative Ayanna Pressley, who is co-chairing the Haiti Caucus, alongside Representative Mondaire Jones shared the same sentiment in a [letter](#) to the administration and called for the cessation of deportation flights and end of Title 42, writing that "there is no reason to believe Title 42 expulsions actually protect anyone's health." These sentiments were echoed by Majority leader, Senator Chuck Schumer who said, "**Title 42 goes against everything that this country stands for.**"

The [ongoing use](#) of Title 42 undermines our trust in the administration as in early June 2021, reports indicated that the administration was considering [lifting the policy for families](#) and single adults by the end of that summer. These plans seem to have been abandoned. Just weeks ago, the D.C. Circuit Court of Appeals held that the administration cannot expel individuals to places where they will experience persecution or torture, and yet expulsions are continuing en masse during the appeal period.

Most people on the [210](#) deportation flights to Haiti since January 2021 who have been forced back have been [expelled](#) under Title 42. Many expelled Haitians arrived sick, handcuffed, hungry, traumatized, and disoriented only to find themselves in another "[humanitarian nightmare](#)." Haiti is still recovering and rebuilding from devastating 2010 and 2021 earthquakes,

tropical storms, fires, and is now in an ongoing political crisis--where [gang violence is used as a political tool](#), and victims in [entire neighborhoods](#) often have no recourse to the justice system. It is illegal and unconscionable to expel Haitians to Haiti now, but it continues without any assessment of their fear.

Given the [disproportionate impact](#) Title 42 expulsion policy has on Black asylum seekers, many coming from the continent of Africa, Haiti, the Caribbean, and elsewhere, the decision to continue its use demonstrates that the administration is willing to sidestep U.S. refugee and international laws to preserve illegal policies set by a predecessor. In addition, the administration's recent decisions to narrow the application of Title 42 so that, apparently, preferred refugees are permitted entry, can only be described as unjustifiable and arbitrary. This is not the radical, illogical, and racialized message that we believe the administration wants to send nor is it the message that we expected given the President's campaign promises.

If the administration's goal is a humane, safe and fair immigration system, it is not meeting that goal. By continuing Title 42, the administration is doubling down on a discriminatory, inhumane immigration system. Given the current easing of the pandemic and the repeated exception of some populations for reasons that justify the termination of Title 42 for all, we expect the CDC to terminate the Title 42 order at its next 60-day review and the administration to restore access to asylum for all children, families, and adults seeking protection.

Respectfully,

Advocating Opportunity
Al Otro Lado
Alianza Americas
America's Voice
American Friends Service Committee (AFSC)
American-Arab Anti-Discrimination Committee (ADC)
Amnesty International USA
Arkansas United
Asylum Seeker Advocacy Project (ASAP)
Bethel Christian Church Disciples of Christ Inc.
Border Network for Human Rights
Border Organizing Project
Bridges Faith Initiative
Cameroon Advocacy Network
Caravan for the Children
Catholic Legal Immigration Network, Inc.
Center for Gender & Refugee Studies (CGRS)
Center for Law and Social Policy (CLASP)
Christian Reformed Church Office of Social Justice
Church World Service

Coalition for Humane Immigrant Rights (CHIRLA)
Coalition on Human Needs
Community Asylum Seekers Project
Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces
Disciples Refugee & Immigration Ministries
Doctors for Camp Closure
Faith in Public Life
Families Belong Together
First Focus on Children
Florence Immigrant & Refugee Rights Project
Freedom for Immigrants (FFI)
Freedom Network USA
Friends Committee on National Legislation
Government Accountability Project
Haitian Bridge Alliance
Hebrew Immigrant Aid Society (HIAS)
Hope Border Institute
Houston Immigration Legal Services Collaborative
Human Impact Partners
Human Rights First
Illinois Coalition for Immigrant and Refugee Rights
Immigration Hub
Indivisible
Intercommunity Justice and Peace Center
International Refugee Assistance Project (IRAP)
Japanese American Citizens League
Jewish Activists for Immigration Justice of Western MA
Just Futures Law
Justice Action Center
Kino Border Initiative
La Raza Community Resource Center
Latin America Working Group
Lawyers for Good Government (L4GG)
Make the Road New York
Maryknoll Office for Global Concerns
Mujeres Unidas y Activas
National Advocacy Center of the Sisters of the Good Shepherd
National Center for Youth Law
National Immigrant Justice Center
NETWORK Lobby for Catholic Social Justice
Never Again Action
New York Immigration Coalition
NHCUCR Immigrant and Refugee Support Group
Northwest Immigrant Rights Project

Oxfam America
Physicians for Human Rights
Presente.org
Quixote Center
Refugee and Immigrant Center for Education and Legal Services (RAICES)
Robert F. Kennedy Human Rights
Save the Children
SEIU United Service Workers West
Service Employees International Union (SEIU)
Sisters of Mercy of the Americas Justice Team
Sojourners
Student Clinic for Immigrant Justice
T'ruah: The Rabbinic Call for Human Rights
Tennessee Immigrant & Refugee Rights Coalition
The Immigrant Legal Resource Center (ILRC)
UndocuBlack Network
Union for Reform Judaism
Unitarian Universalist Service Committee
United African Organization
Voice for Refuge Action Fund
Wind of the Spirit Immigrant Resource Center
Witness at the Border
Women's Refugee Commission