

The Honorable Nancy Pelosi  
*Speaker*  
U.S. House of Representatives

The Honorable Kevin McCarthy  
*Minority Leader*  
U.S. House of Representatives

The Honorable Rosa DeLauro  
*Chairwoman, Committee on Appropriations*  
U.S. House of Representatives

The Honorable Kay Granger  
*Ranking Member, Committee on Appropriations*  
U.S. House of Representatives

July 15, 2022

Dear Speaker Pelosi, Minority Leader McCarthy, Chairwoman DeLauro, and Ranking Member Granger,

The undersigned civil society organizations write to express our grave concern regarding the amendments included in the Fiscal Year 2023 House spending bills for the Departments of Homeland Security and Health and Human Services that would legislatively codify and indefinitely prolong the use of the Title 42 policy, which has been used to block and expel asylum seekers and migrants seeking safe haven in the United States. We urge you to ensure that these poison pill riders, or others like them, are not included in any bill that receives a vote on the House floor.

In 1980, the U.S. Congress passed the Refugee Act, codifying in U.S. law the Refugee Convention protections drafted by the international community in the wake of World War II's atrocities. Today, just forty years later, those vital protections are in grave risk. Title 42 prevents people who clearly qualify for asylum under our laws – based on individual persecution in their homelands – from even making their case. We urge the House of Representatives to reject the misguided political reaction of a few that would result in direct harm to asylum seekers and undermine the integrity of the U.S. asylum system.

“Title 42” may sound innocuous; in reality it is a policy invented by the Trump administration to dismantle the U.S. asylum system, under the guise of specious public health justifications.

**Keeping Title 42 in place puts refugees at risk, exacerbates chaos at the border, and serves no legitimate public health goals.**

*The Title 42 expulsions policy harms asylum seekers.* Expulsions have blocked people in need of protection from exercising their legal right to seek asylum without so much as a screening for asylum eligibility, as is required under U.S. law. Under Title 42, the U.S. government has routinely sent asylum seekers back to Mexico where they are vulnerable to kidnapping and violent assault, or back to the violence they fled in their countries of origin. Under the Biden administration, [there have been over 10,318 reported violent attacks](#), including kidnapping and rape, against people expelled to Mexico under Title 42. The harms of the Title 42 expulsions fall

primarily on Black, Brown and Indigenous asylum seekers. In recognition of the disparate racial impact inherent in the policy, [civil rights leaders](#) have called for the end of Title 42 in the name of racial equity and asylum law.

*Title 42 does nothing to protect public health.* The Title 42 policy was never justified as a public health measure. Senior CDC experts [objected](#) to the policy from its inception. [Epidemiologists](#) and [medical experts](#) have repeatedly confirmed that the Title 42 policy undermines public health responses to COVID-19 and that the pandemic, including emerging variants, can be addressed through existing precautions, such as offering vaccinations, testing, masking, and avoiding the use of congregate detention.

*Title 42 sows chaos at the border rather than ameliorating it.* Because Title 42 expulsions prevent people fleeing violence from seeking safety at U.S. ports of entry, the policy forces people to undertake repeated attempts to access asylum protections and U.S. immigration officials are actually prevented from enforcing U.S. immigration law. According to CBP data, the percentage of people who have attempted to repeatedly cross the southern border has [jumped](#) by over 385 percent from FY 2019 to FY 2022, from seven percent to 27 percent as of May 2022. Transnational organized crime also [benefits](#) from the Title 42 policy because without safe pathways to seek protection, migrants are often forced to rely on smugglers to get them to U.S. soil and are driven to dangerous pathways to seek protection.

*The amendments passed out of the House Appropriations Committee are particularly harmful because they make Title 42's rescission contingent on termination of the COVID-19 emergency declaration, a decision with widespread public health and safety ramifications.* The decision to end the COVID-19 public health emergency declaration is an [incredibly consequential one](#), as the termination will limit or end the government's flexibility to respond to COVID-19 related public health needs, including the issuance of waivers or modifications of Medicare, Medicaid and CHIP requirements. The Kaiser Family Foundation [estimates](#) that between 5.3 and 14.2 million people could lose Medicaid coverage when the public health emergency is terminated. Tying asylum access to the public health needs of millions will inject an irrelevant complication into this important decision, with unintended and potentially harmful consequences for both immigration and public health.

We urge you to ensure that these amendments are not included in any legislation that receives a vote on the House floor. Permitting these bills to proceed would irreparably taint decades of congressional commitment to protect refugees and asylum seekers. With countless lives at stake, we expect you to protect, not undermine, the rights of asylum seekers.

Sincerely,

National organizations

African Communities Together  
Alianza Americas  
America's Voice  
American Civil Liberties Union  
American Friends Service Committee  
American Immigration Council  
American Immigration Lawyers Association  
American-Arab Anti-Discrimination Committee (ADC)  
Amnesty International USA  
Asian Americans Advancing Justice | AAJC  
Asian Pacific Institute on Gender-Based Violence  
Asylum Seeker Advocacy Project (ASAP)  
Autistic Self Advocacy Network  
Bend the Arc: Jewish Action  
Black Alliance for Just Immigration (BAJI)  
Bread for the World  
Bridges Faith Initiative  
Center for Constitutional Rights  
Center for Disability Rights  
Center for Gender & Refugee Studies  
Center for Law and Social Policy (CLASP)  
Center for Victims of Torture  
Children's HealthWatch  
Church World Service  
Civil Rights Education and Enforcement Center  
Coalition on Human Needs  
Communities United for Status & Protection (CUSP)  
Community Change Action  
Comunidad Maya Pixan Ixim  
Detention Watch Network  
Disciples Immigration Legal Counsel  
Disciples Refugee & Immigration Ministries  
Doctors for Camp Closure  
Evangelical Lutheran Church in America  
Faith In Action (LA RED)  
Familia: Trans Queer Liberation Movement

Families for Freedom  
Family Voices  
FIRM Action  
First Focus Campaign for Children  
Freedom for Immigrants (FFI)  
Freedom Network USA  
Government Accountability Project  
Haitian Bridge Alliance  
HIAS  
Hispanic Federation  
Human Rights First  
Human Rights Watch  
Immigrant Justice Corps  
Immigrant Legal Resource Center  
Immigration Equality Action Fund  
Innovation Law Lab  
Institute for Justice & Democracy in Haiti  
International Mayan League  
International Refugee Assistance Project (IRAP)  
International Rescue Committee  
InterReligious Task Force on Central America and Colombia  
Jesuit Refugee Service/USA  
JPIC Office, Adorers of the Blood of Christ, US Region  
Justice Action Center  
Justice in Motion  
Kids in Need of Defense  
Kino Border Initiative  
Latin America Working Group (LAWG)  
Leadership Conference on Civil & Human Rights  
Lutheran Immigration and Refugee Service (LIRS)  
Maryknoll Office for Global Concerns  
NAKASEC  
National Center for Lesbian Rights  
National Center for Parent Leadership, Advocacy, and Community Empowerment (National PLACE)  
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  
National Priorities Project at the Institute for Policy Studies  
NETWORK Lobby for Catholic Social Justice  
Oxfam America  
Physicians for Human Rights  
Poder Latinx  
Presente.org  
Prevention Institute  
Project On Government Oversight  
Quixote Center  
RAICES  
Refugee Congress  
Refugee Council USA  
Refugees International  
Respond Crisis Translation  
Robert F. Kennedy Human Rights  
Save the Children  
Service Employees International Union (SEIU)  
Showing Up for Racial Justice  
Sisters and Associates of St. Francis  
Sisters of Mercy of the Americas Justice Team  
Sojourners  
Southern Border Communities Coalition  
Southern Poverty Law Center Action Fund  
T'ruah: The Rabbinic Call for Human Rights  
Tahirih Justice Center  
U.S. Committee for Refugees and Immigrants (USCRI)  
UndocuBlack Network  
Union for Reform Judaism  
Unitarian Universalist Service Committee  
Unitarian Universalists for Social Justice  
United We Dream  
Vera Institute of Justice  
Washington Office on Latin America (WOLA)  
Witness at the Border  
Women's Refugee Commission  
Young Center for Immigrant Children's Rights

Regional / state / local organizations

Adelanto Visitation & Advocacy Network  
Adhikaar  
Advocates for Basic Legal Equality, Inc.  
Advocating Opportunity  
Al Otro Lado  
All Souls Unitarian Church  
American Gateways  
Asian American Advocacy Fund  
Asian American Federation  
Asian Americans Advancing Justice-Atlanta  
Association for Special Children & Families  
Bellevue Program for Survivors of Torture  
Bend the Arc Jewish Action Pittsburgh  
Bend the Arc: Jewish Action - Maryland  
Bend the Arc: Jewish Action Champaign-Urbana  
Border Kindness  
Border Organizing Project  
Capital Area Immigrants' Rights Coalition (CAIR Coalition)  
Central American Resource Center - CARECEN - of California  
Children at Risk  
Church Women United in New York State  
Coalition for Humane Immigrant Rights (CHIRLA)  
Colorado Immigrant Rights Coalition  
Community Asylum Seekers Project  
Connecticut Shoreline Indivisible  
El Refugio Ministry  
Envision Freedom Fund  
Esperanza Immigrant Rights Project  
Exceptional Children's Assistance Center (ECAC)  
Federation for Children with Special Needs  
Fellowship Southwest  
First Friends of New Jersey and New York  
Florence Immigrant & Refugee Rights Project  
Georgia Asylum and Immigration Network (GAIN)  
Georgia Human Rights Clinic  
Georgia Latino Alliance for Human Rights  
Good Shepherd  
Grassroots Leadership  
Guadalupe Presbyterian Church USA, Guadalupe, AZ

Hawaii Families As Allies  
Holy Spirit Social Justice  
Hope Border Institute  
Human Rights Initiative of North Texas  
Illinois Coalition for Immigrant and Refugee Rights  
Immigrant Defenders Law Center  
Immigrant Legal Advocacy Project  
Immigration Working Group, SWPA Synod, Evangelical Lutheran Church in America  
INCLUDEnyc  
Inter-Faith Committee on Latin America  
Interfaith Community for Detained Immigrants Chicago  
Interfaith Welcome Coalition - San Antonio  
Jewish Activists for Immigration Justice of Western Mass  
Jewish Family Service of San Diego  
Jewish Progressive Action (NH)  
Justice for Our Neighbors El Paso  
Kitsap Immigrant Assistance Center (KIAC)  
La Conexion  
La Raza Community Resource Center  
Las Americas Immigrant Advocacy Center  
Lutheran Social Services  
Maryland Against ICE Detention  
Maryland Legislative Coalition  
Migrant Center for Human Rights  
Minnesota Freedom Fund  
Montgomery County Federation of Families for Children's Mental Health, Inc.  
New Sanctuary Movement of Atlanta  
New York Immigration Coalition  
NorCal Resist  
North Carolina Justice Center  
Northwest Immigrant Rights Project  
NW Ohio Immigrant Rights Network  
Oasis Legal Services  
OPAWL - Building AAPI Feminist Leadership  
Parents' Place of MD  
PEAK Parent Center  
Rio Grande Borderland Ministries  
Rocky Mountain Immigrant Advocacy Network  
Rutgers Law School, Child Advocacy Clinic  
San Dieguito United Methodist Church, Encinitas, CA

Sidewalk School  
Sisters of St. Francis of Philadelphia  
Sisters of St. Francis, Tiffin, OH  
Sisters of St. Joseph of Carondelet  
Social Justice Coalition, Central Lutheran Church  
SPAN Parent Advocacy Network  
St. James Cathedral, Seattle  
Takoma Park Mobilization - Equal Justice  
Texas Civil Rights Project  
The Advocates for Human Rights  
THRIVE Center  
Universidad Popular  
University of San Francisco Immigration and Deportation Defense Clinic  
UnLocal  
Westchester Jewish Coalition for Immigration  
Wind of the Spirit Immigrant Resource Center