

May 27, 2020

Chad F. Wolf  
Acting Secretary  
Department of Homeland Security  
301 7th Street, S.W.  
Washington, D.C. 20528

Robert R. Redfield, MD  
Director  
Centers for Disease Control and Prevention  
1600 Clifton Road  
Atlanta, GA 30329

**Re: Indefinite Suspension of Protections for Asylum Seekers and Unaccompanied Children Under May 19, 2020 Order by the Centers for Disease Control and Prevention**

Dear Acting Secretary Wolf and Director Redfield:

Our 250 legal, faith-based, humanitarian, human rights, and community organizations, many of which advocate on behalf of asylum seekers, immigrants, unaccompanied children, and survivors of domestic violence and sexual assault, write to strenuously object to the administration's exploitation of the COVID-19 pandemic as a pretext to implement indefinite, illegal and life-threatening restrictions on humanitarian protections at the southern U.S. border.

Public health experts have concluded that the March 20 [order](#) from the Centers for Disease Control and Prevention (“CDC”), which the Department of Homeland Security (“DHS”) is using to eviscerate Congressionally mandated and treaty-based protections for children, families, and adults seeking safety at the border, “is based on [specious justifications](#) and fails to protect public health.” On May 19, CDC recklessly extended the [much-criticized](#) order [indefinitely](#) - fulfilling the administration’s long-[sought](#) goal of eliminating these life-saving protections.

In just six weeks, DHS used the CDC order to block and remove at least [21,000](#) people - including likely [thousands](#) of asylum-seekers and over [1,000 unaccompanied children](#) - expelling them to places where they face risk of kidnapping, rape, and murder, without the legally required opportunity to seek protection in the United States. Under the CDC order, border officers are expelling some Central American [children](#) and asylum seekers to Mexico, refusing to accept protection requests from Cameroonian, Cuban, Eritrean, Venezuelan and other asylum seekers, and blocking [screenings](#) for asylum seekers returned to Mexico under the so-called Migrant Protection Protocols, including those [kidnapped and tortured](#) there. People expelled to their home countries face not only the dangers they initially fled but also increasing levels of domestic violence that may drive more women and children to seek asylum and [repressive enforcement](#) of public health measures by governments and armed non-state forces.

These expulsions blatantly [violate](#) U.S. law and treaty obligations to protect those seeking humanitarian protection. Members of Congress have written that the administration’s legal [justification](#) is “[deeply flawed](#)” and “raises serious questions about ... the Administration’s respect for the rule of law.” The U.N. Refugee Agency has made clear in legal [guidance on COVID-19](#) that states cannot impose “blanket measure[s]” to block asylum seekers. The administration’s sham attempt to show it meets its legal obligations to refugees by offering fear of torture screenings is absurd. Internal [guidance reportedly](#) circulated by DHS indicates that Border Patrol agents are instructed to refer for interviews only those asylum seekers who make an “affirmative, spontaneous” request for protection that is “believable.” As a result, only 59 of the thousands of asylum seekers subject to the CDC order have reportedly even been referred for

limited torture screenings; the results are equally farcical - [only two](#) people have passed. DHS border officers are not trained in, and should not be, making decisions about asylum. It is also not reasonable to expect [survivors](#) of persecution or torture to communicate their fears effectively without prompting to armed, uniformed border officers.

The administration cannot disregard federal laws that explicitly recognize the vulnerability of unaccompanied children arriving at the border seeking protection, many of whom are fleeing trafficking or fear persecution. In April, DHS expelled more than 90 percent of children found at the border without a parent or guardian, transferring only [58](#) to the authority of the Office of Refugee Resettlement (“ORR”). Expelling these children puts them at risk of being returned to trafficking, abuse, or other violence and [violates](#) the [Trafficking Victims Protection Reauthorization Act](#), which mandates that children arriving alone must be transferred to ORR, provided appropriate care and protection, and given an opportunity to have their protection requests considered. During this global pandemic, this legal framework is especially important.

For women and children fleeing domestic violence the administration’s effective elimination of asylum during the pandemic could not have come at a worse time. Danger is [rising](#) for abused women and children sheltering at home when home is not safe, including a [surge](#) in violence against girls and women in Latin America and the Caribbean. While few women and children suffering from domestic violence will likely reach the U.S. border given pandemic-related restrictions on movement in many countries, we are concerned that those seeking asylum in the United States are now being promptly returned to this danger with no effective legal process.

Last month, [hundreds](#) of our [organizations warned](#) the administration that these illegal expulsions put the lives of unaccompanied children and asylum seekers in peril. Instead of heeding those warnings, the administration has instead chosen to extend this dangerous injustice indefinitely. We urge DHS to immediately halt expulsions of unaccompanied children and those seeking humanitarian protection and restore the rule of law at our borders. We call on the CDC to rescind its order and allow for the entry and processing of people seeking refuge in the United States.

As [public health experts](#) have explained, U.S. agencies can effectively [respond](#) to the needs of asylum seekers and unaccompanied children at the border during the pandemic while safeguarding the health of border officers, those seeking protection, and the general public, and upholding U.S. law and treaty obligations. Decisions relating to COVID-19 should be aimed at saving, not endangering lives, and should be driven by evidence-based public health measures and respect for human rights.

Sincerely,

Abolish ICE Denver  
ADL (Anti-Defamation League)  
Advocating Opportunity  
African American Ministers In Action  
African Human Rights Coalition  
Al Otro Lado  
Alianza Americas  
Alianza Nacional de Campesinas

All Our Kin  
America's Voice  
American Association of People with Disabilities  
American Immigration Council  
American Immigration Lawyers Association  
Amnesty International USA  
Asian Americans Advancing Justice-Atlanta  
Asian Pacific Institute on Gender-Based Violence  
Asian Pacific Islander Legal Outreach  
ASISTA  
Asylum Access Global  
Asylum and Human Rights Clinic at the University of Connecticut School of Law  
Asylum Seeker Advocacy Project  
Autistic Self Advocacy Network  
Autistic Women and Nonbinary Network  
Bayard Rustin Liberation Initiative  
Bethany Christian Services  
Bet Tzedek Legal Services  
Black Alliance for Just Immigration (BAJI)  
Border Kindness  
Border Patrol Victims Network  
California Collaborative for Immigrant Justice (CCIJ)  
California Partnership to End Domestic Violence  
Campaign for Youth Justice  
CARECEN of Northern CA  
Casa Cornelia Law Center  
Casa de Esperanza: National Latin@ Network for Healthy Families and Communities  
Center for Gender & Refugee Studies  
Center for Law and Social Policy (CLASP)  
Center for Victims of Torture (CVT)  
Center for Victims of Torture Georgia  
Center Global, a program of the DC Center for the LGBT Community  
CenterLink  
Central American Resource Center- CARECEN- of California  
Central West Justice Center  
Centro Legal de la Raza  
Chester Community Coalition  
Children's Advocacy Institute  
Children's Defense Fund-California  
The Children's Partnership  
Children's Rights  
Church World Service  
CivicGeorgia  
Clarion Franciscan  
Coalición de Derechos Humanos  
Coalition for Humane Immigrant Rights (CHIRLA)

Coalition of Refugee Service Agencies, Georgia  
Colectiva Legal del Pueblo  
Colibri Center for Human Rights  
Colorado Children's Campaign  
Columban Center for Advocacy and Outreach  
Columbia Law School Immigrants' Rights Clinic  
Comisión de paz, justicia y ecología de frailes capuchinos de Puerto Rico  
Community Legal Services in East Palo Alto  
Community of St. Francis  
Community Renewal Society  
Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces  
Connecticut Institute for Refugees and Immigrants  
Connecticut Shoreline Indivisible  
Cooperation Operation  
Cornell Asylum and Convention Against Torture Appeals Clinic  
Cornell International Human Rights Clinic: Litigation and Advocacy  
Council for Global Equality  
CPC - Chinese-American Planning Council  
Detention Watch Network  
Disability Rights Education & Defense Fund (DREDF)  
Disciples Center for Public Witness  
Disciples Justice Action Network  
The Door  
Empowering Pacific Islander Communities  
End Domestic Abuse Wisconsin  
Equal Access Legal Services  
Equality California  
Equality North Carolina  
Esperanza Immigrant Rights Project  
Eugene Catholic Worker  
Evangelical Lutheran Church in America  
Faith in Public Life  
Families Belong Together  
Family Equality  
Family Values at Work  
First Focus on Children  
First Parish Cambridge: Beyond Borders Sin Fronteras  
The Florence Immigrant & Refugee Rights Project  
Franciscan Action Network  
Freedom for Immigrants  
Freedom Network USA  
Frontera de Cristo  
Georgia Asylum & Immigration Network (GAIN)  
Global Justice Clinic of NYU School of Law\*  
Group in defense of the Amazon (GDA)  
Haitian Bridge Alliance

Hawai'i Children's Action Network  
HELP: MLP  
Her Justice  
HIAS  
Hispanic Federation  
Hope Border Institute  
Human Rights First  
Human Rights Initiative of North Texas  
Humanitarian Immigration Law Clinic, Elon University School of Law  
Immigrant Allies of Marshalltown (Iowa)  
Immigrant Defenders Law Center  
Immigrant Defense Advocates  
Immigrant Hope - Atlanta  
Immigrant Legal Advocacy Project  
Immigrant Legal Resource Center  
Immigration Equality  
Innovation Law Lab  
Institute for Women in Migration (IMUMI)  
Interfaith Oceans  
Interfaith Welcome Coalition  
International Human Rights Clinic, University of Chicago Law School  
International Refugee Assistance Project (IRAP)  
International Rescue Committee  
Islamic Relief USA  
Japanese American Citizens League  
Jewish Family Service of San Diego  
JFON Houston  
Juntos  
Justice for Migrant Women  
Justice in Motion  
Justice Policy Institute  
Justice Strategies  
Kairos Center for Religions, Rights and Social Justice  
Keep Tucson Together - No More Deaths  
Kids in Need of Defense  
Kino Border Initiative  
Lambda Legal  
Las Americas Immigrant Advocacy Center  
Latin Advocacy Network (LATINAN)  
Latin America Working Group (LAWG)  
Latino Community Fund (LCF Georgia)  
Lawyers' Committee for Civil Rights of the San Francisco Bay Area  
Leadership Conference of Women Religious  
The Leadership Conference on Civil and Human Rights  
Legal Services for Children  
Leitner Center for International Law and Justice

Lutheran Immigration and Refugee Service  
Marion County Commission on Youth, Inc.  
Mennonite Central Committee U.S. Washington Office  
Michigan Immigrant Rights Center  
Mid-South Immigration Advocates  
Migrant and Immigrant Community Action Project  
Modern Military Association of America  
MomsRising  
Multicultural Efforts to end Sexual Assault (MESA)  
NAACP  
National Advocacy Center of the Sisters of the Good Shepherd  
National Alliance to End Sexual Violence  
National Association of Social Workers  
National Center for Children in Poverty  
National Center for Lesbian Rights  
National Center for Transgender Equality  
National Center for Youth Law  
National Coalition Against Domestic Violence  
National Council of Asian Pacific Americans  
National Council of Jewish Women  
National Council on Independent Living  
National Employment Law Project  
National Equality Action Team  
National Health Law Program  
National Immigrant Justice Center  
National Immigration Law Center  
National LGBTQ Task Force  
National Network for Immigrant & Refugee Rights  
National Nurse-Led Care Consortium  
National Women's Law Center  
Nebraska Coalition to End Sexual and Domestic Violence  
Network in Solidarity with the People of Guatemala (NISGUA)  
NETWORK Lobby for Catholic Social Justice  
New Hampshire-Vermont Guatemala Accompaniment Project  
NorCal Resist  
Not Dead Yet  
Oasis Legal Services  
OCA-Asian Pacific American Advocates  
Open Immigration Legal Services  
Oregon Interfaith Movement for Immigrant Justice  
Organización en California de Líderes Campesinas, Inc.  
Orlando Center For Justice, Inc.  
Our Children Oregon  
Oxfam America  
Pacific McGeorge Community Legal Services  
Pacifica Social Justice

Pangea Legal Services  
Partnership for America's Children  
Pax Christi USA  
People For the American Way  
People's Parity Project, UConn Law  
Poligon Education Fund  
Program for Torture Victims (PTV)  
Project South  
Public Advocacy for Kids (PAK)  
Public Citizens for Children and Youth  
Public Counsel  
Quixote Center  
RAICES  
Red Franciscana para Migrantes  
Reformed Church HP-Affordable Housing Corp  
Reformed Church of Highland Park  
Refugees International  
Rian Immigrant Center  
Rocky Mountain Immigrant Advocacy Network  
Rural Coalition  
Save the Children Action Network  
School Sisters of Notre Dame, Central Pacific Province  
SEIU 32BJ  
Silver State Equality-Nevada  
Sister Parish, Inc.  
Sisters of Mercy of the Americas Justice Team  
Sisters of St. Francis of Rochester, MN  
Sisters of St. Joseph, TOSF  
Southeast Asia Resource Action Center (SEARAC)  
Southern Border Communities Coalition  
Southern Poverty Law Center  
Southwestern Law School Legal Clinic  
Southwestern Law School Removal Defense Program  
SPLC Action Fund  
Still Waters Anti-trafficking Program  
Tahirih Justice Center  
Texas Civil Rights Project  
U.S. Committee for Refugees and Immigrants (USCRI)  
UDC Law Immigration & Human Rights Clinic  
Union for Reform Judaism  
Unitarian Universalist Church of Arlington, VA  
Unitarian Universalist Service Committee  
University of Tulsa College of Law Legal Clinic  
URGE: Unite for Reproductive & Gender Equity  
USF Immigration & Deportation Defense Clinic  
VIDAS Legal Services

Washington Defender Association  
Washington Office on Latin America  
We All Rise  
Wellington Avenue United Church of Christ Immigrant and Justice Task Force  
Wilco Justice Alliance (Williamson County Texas)  
Wind of the Spirit  
Witness at the Border  
Women's Refugee Commission  
Young Center for Immigrant Children's Rights  
Young Elected Officials Network  
Young People For  
ZERO TO THREE

\*This communication does not purport to represent the institutional views, if any, of New York University.