

April 2, 2021

The Honorable Alejandro Mayorkas
Secretary
Department of Homeland Security
Washington, DC 20528

Subject: Urging an accelerated, just, and humane response to immigration
Challenges at the U.S. / Mexico border

Dear Secretary Mayorkas:

As communities of faith and organizations serving immigrants in Champaign County, Illinois, we write to express our deep concerns over the current handling of migrants at the border, particularly those fleeing Guatemala, El Salvador, and Honduras to seek asylum in the United States.

Champaign County is home to more than 23,000 immigrants. Many have traveled from countries facing conflict and the ravages of war; persecution; and extreme poverty. They are our neighbors. They are our friends. We know many of their stories, and why they have decided to seek a better life in the United States. But now, we are watching, with horror, the chaotic, inhumane, and unacceptable treatment of migrants at the southern border.

Title 42 of the U.S. Code, Section 265:

Despite President Biden's promises to carry out a more just and humane immigration policy, much of the current handling of asylum seekers at the southern border mirrors that of the former Trump administration. Of the 100,441 encounters at the southern border in February of 2021¹, 70,183 led to expulsions due to the use of Title 42 of the U.S. Code.² This 1944 public health statute was used by the Trump administration to indefinitely close the U.S. border to "nonessential" travel during the pandemic. It focused on migrants attempting to cross the U.S. / Mexico border to exercise their rights to seek asylum. The Biden administration's willingness to maintain the use of Title 42 to expel migrants crossing the southern border, rather than expeditiously processing and releasing them, continues to put asylum seekers at risk:

- **Legal Rights Withheld.** Migrants are coming to the border due to fear of persecution or torture in home countries. They have the legal right to enter the U.S. and make their case for political asylum. With the exception of unaccompanied minors, the U.S. is expelling most migrants back to Mexico, rather than allowing them to exercise these rights. This includes individuals and families crossing with babies and children under the age of seven.³ Once expelled, they face dangers from human traffickers and organized criminal groups in Mexico. Many end up in crowded, filthy camps and shelters in the midst of the pandemic.⁴
- **Family Separation.** Minors are either traveling alone or with other family members. If traveling with an adult relative who is not their parent, they are separated, and watch in horror as their relative is expelled.⁵ Families on the Mexico side of the border are learning they, too, are likely to be expelled if they cross with their children. Many are choosing to send their children alone, hoping they will be quickly placed with a relative in the U.S.⁶ These families know that it is not safe to return to Mexico or their countries of origin with their children. The trauma of this separation is quite real, and compounded by struggles or threats in their home countries; the difficult journey to the United States; and their experiences of being apprehended at the border.

Overcrowding:

As of Saturday, March 20, 2021, there were more than 10,000 unaccompanied migrant children in the care of Health and Human Services, and another 5,000 in custody of Customs and Border Protection.⁷ Kids are being placed in record numbers in overcrowded facilities not meant to house minors. New reporting shows 500 kids stayed 10 days longer in jail-like detention centers than the allowable 72 hours, and some facilities in the Rio Grande Valley held ten times their capacity of migrants of all ages.⁸

Recent reports by senators visiting the border claim that children were being held in open rooms with thin mattresses spaced just six to 12 inches apart.⁹ The Biden administration admits there is no centralized system for tracking or responding to Covid-19. Without tracking, and with such overcrowding, outbreaks are a looming concern.¹⁰

A Humanitarian Crisis that Deserves a Compassionate Response:

What is happening at the border is a humanitarian crisis that requires intentional, humane answers. The surge of migrants coming to the southern border from Guatemala, El Salvador, and Honduras was predicted, and is not unlike those experienced in the past.¹¹ It is due to the multiple crises migrants are experiencing at home, exacerbated by the pandemic. These include:

- Two hurricanes that have left 8 million persons (1.8 million of them children) in need of humanitarian assistance, and have destroyed countless livelihoods and tens of thousands of homes in Guatemala and Honduras.¹²
- Lack of economic opportunity associated with changes to trade relations, foreign aid, and immigration enforcement.¹³
- COVID-19, which has exacerbated both poverty and inequality in these countries.¹⁴
- The ravages of climate change that has led to crop failure and food insecurity.¹⁵
- Gangs, breakdowns in the rule of law, and rampant violence. The homicide rates in El Salvador, Honduras, and Guatemala remain among the highest in the world.¹⁶

These multiple crises deserve our most immediate and compassionate response, rather than a continuation of the Trump-era policies that further endangers migrants by expulsion, and prevents them from exercising their rights to seek asylum. While the new policies take effect, those affected are standing at our border seeking help. They should not be turned away.

Our Community's Ask:

We acknowledge that it will take time to work with Congress to create a comprehensive, humane, and just immigration policy that offers pathways to citizenship; addresses root causes of migration through partnerships and funding; and meets the immediate needs of migrants fleeing their homelands. We are asking the Biden administration to prioritize immigration reform, while also **immediately** take actions required to ensure the safety of all migrants seeking asylum at the southern border:

- **Stop the expulsions under Title 42.** These expulsions are harming migrants by preventing family reunification and sending people seeking asylum back into harm's way. These expulsions are contrary to the administration's stated goals of creating a welcoming, fair and humane immigration system.
- **Stop family separation.** Forcing parents at the border to send their children to the U.S. alone (because they expect to be expelled), or keeping children who cross the border with a relative (other than a parent), while expelling that relative is abhorrent and unacceptable. Family separation must be stopped immediately.
- **Expand resources at the border to process asylum requests.** Individuals who claim credible fear or torture must have the opportunity to present these claims to U.S. authorities in a quick, safe and efficient manner that does not imperil their health or safety. We already have experienced the perils of not doing a proper intake and further tracking of the families.¹⁷
- **Deploy the Federal Emergency Management Agency (FEMA).** FEMA has expertise in coordinating and assigning federal assets to local partners, both individuals and nonprofits. This will expand capacity at the border to safely receive, temporarily shelter, and transfer families and unaccompanied children who make the dangerous journey to the U.S. southwest border. Do this now, and don't limit it to the proposed 90 days.

- **Minimize the time families and children spend in U.S. custody.** Allocate enough resources (people and funding) to local partners for processing asylum seekers and unaccompanied minors. This includes building capacity to more quickly identify, process applications, and vet sponsors for unaccompanied minors before approving the release of a child to that person. Our community stands to help further; one local agency just won approval to host unaccompanied minors.
- **Implement a centralized system for tracking and responding to Covid-19.** The disjointed response by the federal government has limited the ability to grasp the scope of the virus's spread along the border, and its capacity to contain it in jammed detention facilities. In addition, adopt rational, science-based measures to protect asylum seekers and children during their stay in such facilities. These measures include the use of masks; personal protective equipment; ventilation; testing and social distancing; and, perhaps most importantly, avoiding detention.
- **Open border detention facilities to the press.** This is the only way the public will know the circumstances of those being held and detained.

Our country needs an immediate, fundamental shift away from the border policies of the past. The Biden administration must prioritize asylum seekers' needs humanely, rather than treating them as security threats. It must stop looking at immigration policy as though it is a problem to be managed, rather than embracing migrants coming to our country. There is plenty of evidence that immigrants contribute greatly to our society, and that migration is an economic and social boon for the U.S.¹⁸

We are a nation of immigrants. People arriving at the U.S. / Mexico Border have a legal right to request asylum. Every single day that Title 42 is used to expel families and individuals crossing the border legally, children are separated from relatives, and minors are kept detained in overcrowded facilities for days on end, is a day that our government is doing something disgraceful and inhumane. It must end.

Sincerely,

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Gregory W. Meeks, House Foreign Affairs Committee Chair
Bennie G. Thompson, Homeland Security Committee Chair

Endnotes:

- ¹ U.S. Customs and Border Protection. 2021. [FYTD Southwest Land Border Demographic by Month](#).
- ² IBID. [Nationwide Enforcement Encounters: Title 8 Enforcement Actions and Title 42 Expulsions](#).
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- ⁴ Burnett, John. 2021. [Asylum-Seekers Are Entering The U.S. Again — But Many More Migrants Are Left Behind](#). National Public Radio. March 6, 2021.
- ⁵ Jervis Rick. 2021. [Migrant children at border are still being separated from relatives for weeks under Biden administration](#). USA Today. March 6, 2021.
- ⁶ Herrera, Jack. 2021. [Biden Brings Back Family Separation—This Time in Mexico](#). Politico. March 20, 2021.
- ⁷ Parker, Ashley and Nick Miroff, Sean Sullivan, Tyler Pager. 2021. [No end in sight’: Inside the Biden administration’s failure to contain the border surge](#). The Washington Post, via MSN News. March 20, 2021.
- ⁸ Ainsley, Julia. 2021. [More than 500 migrant children have been in Border Patrol custody more than 10 days](#). NBC News. March 18, 2021.
- ⁹ Simon, Scott Host, Weekend Edition. [Senators Visit Southern Border Amid Increase Of Unaccompanied Minors](#). National Public Radio. March 20, 2021.
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- ¹¹ Wong, Tom K. and Gabriel De Roche, Jesus Rojas Venzor. 2021. [There’s no migrant ‘surge’ at the U.S. southern border. Here’s the data](#). Washington Post via MSN News. March 23, 2021.
- ¹² Unicef. 2021. [Central America Hurricanes Eta and Iota, Humanitarian Situation Report No.7](#). Reporting Period December 22, 2020 through January 15, 2021.
- ¹³ Cheatham, Amelia. 2019. [Central America’s Turbulent Northern Triangle](#). Council on Foreign Relations 100. Last updated October 1, 2019.
- ¹⁴ Andres, Jose and Olivia Cepeda. 2021. [COVID-19 has exacerbated poverty and inequality in Northern Triangle Countries](#). Southern Voice. January 25, 2021.
- ¹⁵ Lundstum, Jayla. 2020. [Climate Change Is Altering Migration Patterns Regionally and Globally](#). Center for American Progress. December 30, 2020.
- ¹⁶ Ritchie, Hannah and Max Roser. 2019. [Homicides](#). Our World in Data. December 2019.
- ¹⁷ Dickerson, Catlin. 2021. [Parents of 545 Children Separated at the Border Cannot Be Found](#). New York Times, Published Oct. 21, 2020 Updated March 15, 2021.
- ¹⁸ American Immigration Council. 2020. [Fact Sheet: Immigrants in the United States](#). April 6, 2020.