

June 6, 2022

The Honorable President Joe Biden
President of the United States
1600 Pennsylvania Avenue NW
Washington, DC 20500

The Honorable Vice President Kamala Harris
Vice President of the United States
1600 Pennsylvania Avenue NW
Washington, DC 20500

The Honorable Antony Blinken
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, DC 20037

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
301 7th Street SW
Washington, DC 20024

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

As U.S. civil society organizations focused on refugee and migrants' rights, human rights, humanitarian response, foreign and domestic policy, we write collectively to share our expectations for the upcoming Summit of the Americas. We acknowledge and welcome efforts to address migration and protection at the regional level and expect the Los Angeles Declaration on Migration and Protection to promote respect for the rights of migrants, asylum seekers, and refugees. We urge the Biden administration to sustain consultation with a wide range of civil society organizations in the United States, particularly those led by directly impacted refugees and migrants, and in the region, and to encourage regional governments to do the same. Beyond signing a rights-respecting declaration, we urge the administration to make the following specific commitments during the Summit:

Protecting the Rights of Refugees and Migrants, including Ensuring Access to Asylum

- **Ensuring protection-sensitive border policies uphold the obligation of non-refoulement, identify needs, and ensure meaningful access to asylum procedures for those seeking protection.** Border officials must be trained to identify asylum seekers and refer them for interviews and to ensure migrants and asylum seekers have access to information and support in their own language, to humanitarian organizations, and to health and legal service providers. Parallel to this, the Biden administration should continue to pursue an end to the Migration Protection Protocols (MPP) and Title 42—which deny asylum seekers access to protection and send them back to harm—by strenuously fighting court and legislative efforts to impede their termination.

- **Reviewing all border and protection-related law, policy, practice, and processes** to determine whether they disproportionately impact BIPOC communities adversely, consistent with President Biden's executive order on advancing racial equity.
- **Working domestically and with countries in the hemisphere to promote access to justice for migrants** by investigating and prosecuting crimes against people on the move, searching for disappeared migrants, and identifying migrant remains. Migration enforcement and security agents must be held responsible for human rights violations and abuses committed against migrants, asylum seekers, and refugees. Further, in the case of migrants at sea, as may occur in the Caribbean Basin, additional considerations exist, such as safeguarding lives at sea and maritime law. Collaboration between the U.S. Coast Guard and Caribbean state authorities should promote increased access to protection rather than detention and repatriation without such access.
- **Increasing funding and capacity to provide for humanitarian needs all along the migratory route** including sustained efforts to keep migrants, asylum seekers and refugees safe from sexual and gender-based violence. Anti-smuggling and anti-trafficking initiatives must not include the deportation of migrants nor result in fostering the use of dangerous journeys, but rather ensure access to protection, assistance, and provision of visas and legal status for victims.

Protecting Immigrants in the U.S.

- **Designating Guatemala and redesignating El Salvador, Haiti, Honduras, Nicaragua and Venezuela for Temporary Protected Status.** These countries are unable to safely receive their nationals and the original TPS dates do not reflect the more recent impact of climate-related weather events, conflict and violence, and political instability. At a minimum, TPS designations for these countries should be subject to automatic extensions as they continue to recover and rebuild even while new disasters occur.
- **Requesting a significant increase in funding for the provision of legal counsel** to all indigent adults, children whether unaccompanied or part of a family unit, as well as other vulnerable individuals subject to removal proceedings.

Expanding Legal Pathways and Uniting Families

- **Creating new resettlement programs that supplement, not supplant, access to asylum, that are equitable and implemented quickly.** In-country processing programs must ensure applicants have access to support, legal services, and emergency transfer for those in danger. Beyond expanding access to the Central American Minors Program and the Protection Transfer Arrangement, the administration should create new complementary pathways and refugee resettlement programs to assume its fair share of diverse refugees in the region including Haitians, Venezuelans, Nicaraguans and others.

The U.S. should also restart administration of the U.S. Refugees Admission Program in Cuba.

- **Ensuring that parole programs are available to more nationalities and populations**, including those experiencing cross border displacement in the context of climate change, disasters and environmental degradation. Parole programs designed to reunify families should define family flexibly enough to facilitate culturally-sanctioned understandings of a family that go beyond the nuclear family, to include close relatives, guardians, extended family and common-law unions. Pathways to regularization after a set number of years should be developed.
- **Promoting and preserving family unity** through the establishment of family reunification parole programs including for Central America, resumption of the Haitian Family Reunification Parole Program by issuing invitations to eligible Haitians, and expedited restaffing of the consular section of the U.S. embassy in Havana so as to fully implement the Cuban Family Reunification parole program.

Implementation and Consultation

- **Avoiding bilateral arrangements that limit eligibility for asylum and “stabilization” programs or other efforts that prevent people from leaving countries where they feel unsafe or cannot firmly settle.** There is no "one size fits all" approach to asylum access and the nature of transnational crime, transnational repression, racism and discrimination, and fluctuating access to dignified work, to essential goods and services, and to legal status means that individual assessments of what constitutes safety will differ.
- **Ensuring decent work and respecting labor rights across the administration’s regional migration strategy.** This means ensuring access to fair and dignified labor opportunities for migrants and refugees and guaranteeing ethical recruitment and protections for workers such as freedom of association, freedom from exploitation and discrimination, prohibiting recruitment fees from being passed on to workers, and ensuring access to timely and comprehensive information about rights and available support services. It also means addressing structural issues within temporary guestworker programs to ensure the protection of workers before access to seasonal work visas are expanded in the region. Poor regulation and gaps in protection that have led to extensive exploitation, including widespread sex and age discrimination, require immediate resolution.
- **Building on regional frameworks like the Comprehensive Regional Protection and Solutions Framework**, or *Marco Integral Regional para la Protección y Soluciones* (MIRPS), including supporting countries to strengthen and adhere to commitments laid out in national action plans regarding protection, education, health, and jobs and livelihood, and strengthening other regional and sub-regional integration mechanisms that

could lead to better cooperation and coordination among all relevant stakeholders throughout the region.

- **Developing a process of reporting on progress of states towards implementing the principles in the Declaration and providing protection and pathways through national policies announced at the Summit.** The process should include engagement by civil society and organizations of affected individuals.

We look forward to working with you to advance these important priorities in the Americas.

Sincerely,

Adhikaar

African Communities Together (ACT)

Alianza Americas

American Friends Service Committee (AFSC)

American Humanist Association

American Immigration Lawyers Association (AILA)

Amnesty International USA

Arkansas United

Asian Americans Advancing Justice | AAJC

Border Network for Human Rights

Border Organizing Project

Bridges Faith Initiative

Cameroon Advocacy Network

Casa Mariposa Detention Visitation Program

Catholic Legal Services, Archdiocese of Miami

Center for Disability Rights

Center for Gender & Refugee Studies (CGRS)

Central American Resource Center (CARECEN-LA)

Central American Resource Center of Northern CA - CARECEN SF

Chicago Religious Leadership Network on Latin America

Church World Service

Coalición de Derechos Humanos

Coalition for Humane Immigrant Rights (CHIRLA)

Community Asylum Seekers Project

Congregation of Our Lady of Charity of the Good Shepherd

Contigo: Immigration Justice Initiative of Mountain Vista Unitarian Universalist Congregation

Edu-Futuro

Families Belong Together (FBT)

Farmworker Justice

Fellowship Southwest
First Focus on Children
Florence Immigrant & Refugee Rights Project
Florida Immigrant Coalition
Forum on Haitian Migration in the Americas
Franciscan Action Network
Global Justice Clinic, Washington Square Legal Services
Global Labor Justice-International Labor Rights Forum
Haitian Bridge Alliance (HBA)
Houston Immigration Legal Services Collaborative
Human Rights First (HRF)
Immigrant Defenders Law Center
Immigrant Legal Advocacy Project
Immigration Equality
Immigration Hub
Institute for Justice & Democracy in Haiti (IJDH)
Instituto de Geografía para la Paz (IGP/GeoPaz)
Interfaith Welcome Coalition - San Antonio
International Rescue Committee (IRC)
Islamic Relief USA
Jewish Family Service of San Diego
Justice Action Center
Justice in Motion
Kids in Need of Defense (KIND)
Latin America Working Group (LAWG)
Lawyers for Good Government (L4GG)
Lutheran Immigration and Refugee Service
Maryknoll Office for Global Concerns
Mississippi Immigrants Rights Alliance
MomsRising/MamásConPoder
Nicaraguan American Human Rights Alliance (NAHRA)
National Advocacy Center of the Sisters of the Good Shepherd
National Center for Parent Leadership, Advocacy, and Community Empowerment (National PLACE)
National Domestic Workers Alliance (NDWA)
National Employment Law Project (NELP)
National Immigration Law Center (NILC)
National Immigration Project (NIPNLG)
National Korean American Service & Education Consortium (NAKASEC)
National Network for Immigrant and Refugee Rights

National Partnership for New Americans (NPNA)
National TPS Alliance
Nebraska Appleseed
New York Immigration Coalition
Northwest Immigrant Rights Project
Presbyterian Church (USA)
Presbytery of the Pacific
Project Lifeline
Quixote Center
Refugee Council USA
Refugees International
Robert F. Kennedy Human Rights
Save the Children
Service Employees International Union (SEIU)
Sisters of Mercy of the Americas Justice Team
Southern Border Communities Coalition
SPAN Parent Advocacy Network
Strangers No Longer (Michigan)
Sunita Jain Anti-Trafficking Initiative
Task Force on the Americas-National Lawyers' Guild
The Advocates for Human Rights
The General Board of Church and Society of the United Methodist Church
The National TPS Alliance
Tribunal Internacional de Conciencia de los Pueblos en Movimiento (TICPM)
U.S. Committee for Refugees and Immigrants (USCRI)
UndocuBlack Network (UBN)
Unitarian Universalists for Social Justice
United African Organization
United Church of Christ Justice and Local Church Ministries
UNITED SIKHS
United We Dream (UWD)
Voces Unidas RGV
Washington Office on Latin America (WOLA)
Welcoming America
Wind of the Spirit Immigrant Resource Center
Witness at the Border
Women's Refugee Commission (WRC)
World Education Services
Young Center for Immigrant Children's Rights

