February 2, 2021

David Pekoske
Acting Secretary
Department of Homeland Security
via e-mail

Re: Halt Deportation of Families in ICE Custody Pursuant to January 20 Memorandum

Dear Acting Secretary Pekoske,

We the undersigned 110 immigration, civil rights, faith-based and human rights organizations and law school clinics write to urge the Department to immediately halt the deportations of asylum seeking parents and their children this week from the South Texas Family Residential Center in Dilley, Texas. Children and families are not enforcement priorities. As this administration moves away from the anti-immigrant policies of the past, we call on the Department to take immediate steps to ensure these families remain together and free in the United States.

These parents and their children, some as young as three years old, face deportation to the countries from which they are seeking asylum after the prior administration sought to deny them protection based on unlawful and anti-refugee policies, such as the Third Country Asylum Transit Ban. Despite federal courts ruling the underlying policies were unlawful, these families have remained detained for up to 18 months and now face return to harm.

Deporting these families is not only a violation of the United States’ obligation of non-refoulement but also serves no Departmental purpose as they are not priorities for removal, per your recent memorandum of January 20, 2021. The Pekoske Memo set forth the Department’s interim enforcement priorities, pending a full review of DHS policies and practices on immigration enforcement. Those priorities include individuals who (1) present a threat to national security; (2) were apprehended while attempting to enter without inspection after November 1, 2020 or who were not physically present in the United States on November 1; or (3) were convicted of an aggravated felony and present a threat to public safety. Despite a recent court ruling enjoining the “Immediate 100-Day Pause on Removals” articulated in section C of that memorandum, the interim enforcement priorities went into effect today. These asylum-seeking families, currently in your custody, fall outside of the Pekoske Memo’s priorities, warranting the immediate halt of their deportations and their release from detention so that they may seek asylum safely within the community. Similarly, this week the Department has deported and plans to deport many Black asylum seekers from the United States that fall nowhere in the priorities listed in the Pekoske Memo. Such Departmental actions run in direct contradiction of current guidance and target those most vulnerable.

within DHS custody. We call upon DHS to leave behind the racist and unfair treatment of those seeking our help, as we move towards a more just and humane system of immigration.

We urge the Department to ensure the safety of these children and their parents by immediately halting their deportations and releasing them from detention so that they can seek asylum free and together as a family in the United States. Thank you for your urgent attention to this matter.

Sincerely,

African American Ministers In Action
African Communities Together
Aldea - the People’s Justice Center
Alianza Americas
American Friends Service Committee
American Legal Immigration Ctr
Amnesty International USA
Arcus Center for Social Justice Leadership
Asylum Seeker Advocacy Project (ASAP)
Bridges Faith Initiative
Bridges Not Borders
Center for Gender & Refugee Studies
Children's Defense Fund-Texas
Children's Legal Center
Christ Lutheran Church, Natick, MA
Christ the King Lutheran Church
Church World Service
Clackamas United Church of Christ
Coalition for Humane Immigrant Rights (CHIRLA)
Columbia Law School Immigrants' Rights Clinic
Community Economic Development Center
Congregation Action Network
Congregation Beit Simchat Torah
Creator Lutheran Immigration Team
Detention Watch Network
Disciples Refugee & Immigration Ministries
Dominican Sisters ~ Grand Rapids
Faith Lutheran Church
First Focus on Children
Franciscan Action Network
Free Migration Project
Freedom for Immigrants
Freedom House Detroit
Good Shepherd Lutheran Church, Jericho VT
Gordon Law Group
Government Accountability Project
Grassroots leadership
Haitian Bridge Alliance
Holy Trinity Lutheran Church, Falls Church VA
Human Rights First
Immigration Hub
International Human Rights Law Clinic, American University Washington College of Law
International Rescue Committee
Jesuit Social Research Institute
Jewish Activists for Immigration Justice of Western M
Justice for Migrant Families WNY
L&L Immigration Law, PLLC
La Raza Centro Legal San Francisco
Lakeview Lutheran Church
Latin America Working Group (LAWG)
Legal Aid Justice Center
Loyola University New Orleans College of Law Stuart H Smith Law Clinic and Center for Social Justice
Lutheran Church of the Good Shepherd, Jericho VT
Lutheran Church of the Resurrection
Lutheran Immigration and Refugee Service
Macomb Immigrant Service Center
Messiah Lutheran Church, Amherst, NH
Michigan Immigrant Rights Center
Migrant and Immigrant Community Action Project
Mississippi Center for Justice
MomsRising/MamásConPoder
Mount Olive Lutheran Church
Mount Olive Lutheran Church
N.I.S.E.
National Association of Social Workers - Texas Chapter
National Immigrant Justice Center
National Immigration Law Center
National Immigration Project (NIPNLG)
Nebraska Appleseed
Network Lobby for Catholic Social Justice
NorCal Resist
Northern Illinois Justice for Our Neighbors
Office of Justice, Peace and Integrity of Creation, Society of the Sacred Heart USC
Ohio Immigrant Alliance
O'Malley and Associates
Our Saviour's Lutheran Church, East Boston
Oxfam America
Pax Christi New Jersey
Peace Lutheran Church, Seattle Washington
Physicians for Human Rights
Power in Community Alliances Bangor, Maine
Project Lifeline
Proyecto Dilley
Public Counsel
Refugee and Immigration Task Force, New England Synod, ELCA
Respond Crisis Translation
Rocky Mountain Immigrant Advocacy Network
Santa Fe Dreamers Project
Seacoast Interfaith Sanctuary Coalition
Sexuality and Gender Law Clinic at Columbia Law School
Shut Down Berks Coalition
Sisters of Mercy of the Americas - Justice Team
South Asian Americans Leading Together (SAALT)
Southern Poverty Law Center
Southwestern Pennsylvania Synod Immigration Working Group
T’ruah: The Rabbinic Call for Human Rights
Terra Firma, a program of Montefiore Medical Center and Catholic Charities
The Center for Undocumented Students
The Human Rights Program of the Icahn School of Medicine at Mount Sinai
The Right to Immigration Institute
Trinity Lutheran Church, Shelton, CT
Union for Reform Judaism
United Stateless
University of Detroit Mercy School of Law, Immigration Clinic
University of Houston Law Ctr. Immigration Clinic
University of the District of Columbia School of Law, Immigration and Human Rights Clinic
Welcoming Immigrants Housing Project
Wind of the Spirit Immigrant Resource Center
Witness at the Border

cc:
David Shahoulian, Assistant Secretary for Border Security and Immigration
Adam Hunter, Deputy Assistant Secretary for Immigration, DHS
Angela Kelley, Senior Counselor, DHS
Tae Johnson, Acting Director, ICE
Timothy Perry, Chief of Staff, ICE