

November 19, 2024

The Honorable Alejandro Mayorkas
Secretary
Department of Homeland Security
Washington, D.C. 20528

Dear Secretary Mayorkas,

The undersigned organizations, businesses and government offices write to request that the Department of Homeland Security (DHS) immediately finalize the below regulations on the administration's regulatory agenda. With the remaining time in office, the Biden administration has a duty to rescind harmful regulations promulgated by the first Trump administration such that the incoming Trump administration cannot simply pick up where they left off. President Biden must act to protect immigrant communities wherever possible in the time he has left in office.

Final Rules

1. Asylum Eligibility and Public Health: On December 23, 2020, less than a month before President Biden took office, the Trump administration issued a final rule classifying emergency public health concerns related to a communicable disease as a danger to the security of the United States and, among other things, making individuals who were physically present in a country in which such a communicable disease was prevalent ineligible for asylum. Commenters overwhelmingly opposed the rule and immediately after taking office, the Biden administration stayed the rule with a 60-day delayed effective date. Since then, instead of taking steps to rescind the rule, the administration has stayed it five more times as an interim final rule (IFR) with comments, with the last delayed effective date expiring on December 31, 2024. It is unacceptable that a rule with such severe deficiencies, including a blatant disregard for due process, has not yet been rescinded. The rescission rule, repackaged as an IFR entitled Asylum Eligibility and Public Health, has already been cleared by the Office of Information and Regulatory Affairs and must be finalized without delay.

2. Temporary Increase of the Automatic Extension Period of Employment Authorization and Documentation for Certain Renewal Applicants: In May 2022, DHS published a temporary final rule that increased the automatic extension period for certain renewal employment authorization documents (EAD) from up to 180 days to up to 540 days. This measure helped minimize gaps in employment authorization and/or EAD validity for certain renewal EAD applicants, while giving USCIS a window of time to address its backlogs and return to regular processing times. While USCIS has worked hard to address agency inefficiencies in processing, the automatic extension period remained insufficient to prevent a large number of lapses in work authorization and in April 2024, USCIS published another temporary extension rule and sought public comment on whether the rule should ultimately become finalized as a permanent extension. The majority of commenters, including unions,

state agencies, and immigration organizations agreed that the extension should be made permanent so that people can continue to work, support their families, and support the economy without fear of a lapse in employment authorization, and we call upon DHS to issue a final rule immediately.

Thank you for your consideration of these urgent actions. If you have any questions please contact Elizabeth Taufa, Senior Policy Attorney & Strategist at the Immigrant Legal Resource Center (ILRC) at etaufa@ilrc.org or Leidy Perez, Policy and Communications Director at the Asylum Seeker Advocacy Project (ASAP) at leidy.perez@asylumadvocacy.org.

Sincerely,

#WelcomeWithDignity

Adrian Dominican Sisters

Afghans For A Better Tomorrow

African Communities Public Health Coalition

African Communities Together (ACT)

African Human Rights Coalition

Al Otro Lado

Aldea - The People's Justice Center

American Civil Liberties Union

American Friends Service Committee (AFSC)

American Immigration Council

Amica Center for Immigrant Rights

Archdiocese of Newark

Asian Americans Advancing Justice | AAJC

Asian Law Alliance

Asian Pacific Institute on Gender-Based Violence

ASISTA Immigration Assistance

Asylum Seeker Advocacy Project (ASAP)

AsylumWorks

AVAN Immigrant Services

Ayuda

Black Alliance for Just Immigration

Border Butterflies Project

Borderlands Resource Initiative

Brighton Park Neighborhood Council

C Immigration Law

Canal Alliance

CASA

Catherine's Caring Cause

Center for Gender & Refugee Studies

Center for Human Rights and Constitutional Law

Center for Law and Social Policy (CLASP)

Central American Resource Center - CARECEN- of California

Central Valley Immigrant Integration Collaborative
Central West Justice Center (Massachusetts)
Centro de Información
Centro del Inmigrante, Inc.
Church of the Epiphany
CIRC
City Committee on Immigrant and Refugee Rights
CLUE (Clergy and Laity United for Economic Justice)
CLUE Clergy and Laity for Economic Equality
Coalition for Humane Immigrant Rights (CHIRLA)
Coalition for Immigrant Mental Health (CIMH)
Colectiva Legal del Pueblo
Colorado Immigrant Rights Coalition
Communities United for Status & Protection (CUSP)
Conde Office of Law
Connecticut Institute for Refugees and Immigrants, Hartford Office
Creative Exchanges Initiative
East Bay Sanctuary Covenant
Echo Park United Methodist Church
Edwin F Mandel Legal Aid Clinic
Entre Hermanos
Episcopal Diocese of Los Angeles
Erie Neighborhood House
Estrella del Paso (Formerly Diocesan Migrant and Refugee Services Inc)
Faith In Texas
Franciscan Peace Center, Clinton, Iowa
Freedom Network USA
Friends Committee on National Legislation
Furniture Friends
FWD.us
Greater Chicago Food Depository
Haitian Bridge Alliance
Hiraya Immigration
Holy Spirit Missionary Sisters, USA-JPIC
Holy Union Sisters USA
Houston Immigration Legal Services Collaborative
Illinois Coalition for Immigrant and Refugee Rights
Illinois Venezuelan Alliance
ILRC
Immigrant Defenders Law Center
Immigrant Law Center of Minnesota
Immigrant Legal Advocacy Project
Immigrant Legal Resource Center
Immigrants Act Now

Immigrants' Rights Clinic at Morningside Heights Legal Services
Immigration and Refugee Ministry of Old St. Pat's Catholic Church
Immigration Center for Women and Children
Immigration Committee, Sisters of St. Joseph, Concordia, Kansas
Immigration Hub
Inland Coalition for Immigrant Justice
Institute for Justice and Democracy in Haiti
International Refugee Assistance Project (IRAP)
International Rescue Committee
Jewish Family and Children's Services of San Francisco, the Peninsula, Marin and Sonoma
Counties
Jubilee Immigration Advocates
Just Neighbors
Justice at Work Pennsylvania
Justice for Migrant Women
Kleiman International Consultants
Korean Community Service Center
La Plaza United Methodist Church
Law Office of Christine Brito
Law Office of Helen Lawrence
Law Office of Julia Cantu Chimarusti
Law Office of Nora E. Phillips, APC
Law Office of Shara Svendsen PLLC
Law Offices of Daniel Revoredo, P.C.
Lawyers for Good Government
Leadership Team - Dominican Sisters of Racine, WI
Legal Aid Justice Center
Locally Haiti
Louisiana Organization for Refugees and Immigrants
Maitri
Massachusetts Immigrant and Refugee Advocacy Coalition (MIRA)
Medical Mission Sisters, Justice Office
Michigan Immigrant Rights Center
Muslim Advocates
National Domestic Workers Alliance
National Employment Law Project
National Immigration Law Center
National Immigration Project
National Korean American Service and Education Consortium
National LGBTQ Task Force Action Fund
National Partnership for New Americans
Naturalization Network
Nefesh LA
Nicaraguan American Legal Defense and Education Fund, NALDEF

Nigerian Center
Nikkei Progressives
Northwest Center
Oasis Legal Services
OCA Asian Pacific American Advocates-Greater Houston
OneAmerica
Pacific Presbytery PCUSA
Peace Corps Community for Refugees
Presbyterian Church (USA), Office of Public Witness
Priests for Justice for Immigrants, Archdiocese of Chicago
Provincial Council Clerics of St. Viator
Public Counsel
Refugee Advocacy Lab
Refugees International
Rocky Mountain Immigrant Advocacy Network
Safe Passage Project
Sanctuary Working Group
School Sisters of Notre Dame, Central Pacific Province
Sisters of Mercy of the Americas Justice Team
Sisters of St. Francis of Philadelphia
Sisters of St. Joseph of Boston
Sisters of St. Joseph of Carondelet, LA
Sisters of St. Joseph of Rochester
Sisters of the Holy Names. of Jesus and Mary, U.S.-Ontario Province
Sisters of the Humility of Mary
Sisters, Home Visitors of Mary
So Cal Immigration Project
South Bay People Power
SSFL Law APC
Survivor Justice Center (formerly Los Angeles Center for Law and Justice)
Survivors of Torture, International
Tahirih Justice Center
The Advocates for Human Rights
The Immigration Project
The Law Offices of Gomez and Douat, LLP
The Sanctuary Working Group
U.S. Federation of the Sisters of St. Joseph
UnidosUS
Union for Reform Judaism
Unitarian Universalist Service Committee
Unitarian Universalists for Social Justice
United We Dream
United Women in Faith
USAHello

Venezuelans and Immigrants Aid (VIA)
Voces
Volunteers of Legal Service
Wellington United Church of Christ
Young Center for Immigrant Children's Rights

Cc: Betsy Lawrence, Deputy Assistant to the President for Immigration, The White House
Ur Jaddou, Director, U.S. Citizenship and Immigration Services
Felicia Escobar Carrillo, Chief of Staff, U.S. Citizenship and Immigration Services
Charanya Krishnaswami, Counselor, U.S. Department of Homeland Security