



April 27, 2022

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Charles Schumer
Majority Leader
U.S. Senate
Washington, D.C. 20510

The Honorable Kevin McCarthy
Minority Leader
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
Washington, D.C. 20510

Dear Speaker Pelosi, Leader McCarthy, Leader Schumer, and Leader McConnell:

As leaders of the U.S. Conference of Catholic Bishops' (USCCB) Committee on Migration and Catholic Charities USA, we write to express our concern regarding several measures that have been proposed in Congress that threaten humanitarian protections long enshrined in U.S. law. These measures would prolong the misuse of Title 42 of the U.S. Code ("Title 42"), perhaps indefinitely, to prevent access to asylum and override normal immigration proceedings under Title 8. We believe that they would perpetuate ongoing harms and fail to address underlying migration and humanitarian challenges. Consequently, we would oppose these bills and similar efforts, both as standalone measures and as amendments to pending legislation.

As we have [stated previously](#), "Policies such as Title 42 . . . all too often deny the reality of forced migration, disregard the responsibilities enshrined in domestic and international law, and undermine the vulnerability of those against whom they are applied. These are not hallmarks of a 'fair, orderly, and humane' immigration system." Others, including [public health experts](#) and [U.S. government officials](#), have similarly called into question the efficacy and legality of using the Title 42 public health authority in this way, especially with respect to our country's non-refoulement obligations.

While strongly opposing the continuation of Title 42, we do not discount the challenges at our country's southwest border, nor the right of nations to uphold the integrity of their borders. In accordance with Catholic teaching, we have consistently maintained the right of sovereign states to impose certain juridical conditions on immigration for the sake of the common good. As representatives of social service organizations, we are acutely aware of the needs of those at the border and in the interior of our country. In the lead up to the end of Title 42, carefully coordinated efforts must involve communications and logistical planning with direct-service organizations such as Catholic Charities to ensure the termination of Title 42 is done in an orderly and humane manner. Absent this coordination, the federal government will exacerbate the already difficult conditions produced by Title 42 itself.

Title 42 is not, and has never been, a solution to increases in irregular migration. Instead, Title 42 has caused the recidivism rate for unauthorized border crossings to [skyrocket](#), has been employed [discriminately](#), and, contrary to its hypothetical purpose, is likely responsible for the increased [transmission](#) of COVID-19. Importantly, Title 42 has also subjected those with asylum claims to the very [dangers](#) they were fleeing.

Rather than doubling down on Title 42, we once again call on Congress to immediately begin pursuing [bold legislative reforms](#) of our immigration system that maintain our country's longstanding, bipartisan commitment to family unity and humanitarian protection. In doing so, we must more seriously begin to tackle the root causes of forced migration. As Secretary Alejandro Mayorkas [stated](#) in response to the announced termination of Title 42, "The root causes fueling irregular migration predate today's announcement, and we have experienced increases in migration over the past decade and long before."

In the short-term, it is also important for Congress to work collaboratively with the Administration to adequately address the humanitarian needs of those at our border and ensure that American communities and service providers are supported in their response efforts.

We remain committed to working with you and the Administration to address these issues impacting human life and dignity. Thank you for considering our views and for your work in service of the common good.

Sincerely,



Most Reverend Mario E. Dorsonville
Auxiliary Bishop of Washington
Chairman, USCCB Committee on Migration



Sister Donna Markham, OP, Ph.D.
President and CEO
Catholic Charities USA

CC: All Representatives and Senators