

January 7, 2016

The Honorable Barack H. Obama  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

**Re: NHLA Opposition to Immigration and Customs Enforcement Raids Targeting Central American Refugees**

Dear President Obama:

We write on behalf of the National Hispanic Leadership Agenda (NHLA), a coalition of 40 leading national Latino nonpartisan civil rights and advocacy organizations, **to strongly urge you to halt the raids on Central American refugee families, currently being conducted nationwide by U.S. Immigration and Customs Enforcement (ICE)**. These families are fleeing violent conditions in their home countries and instead should be recognized as valid asylum seekers and treated accordingly. We further encourage the Administration to again grant Temporary Protected Status to migrants from El Salvador, Guatemala, and Honduras, given current conditions in those countries, to help address refugees from the region.

Department of Homeland Security Secretary Jeh Johnson confirmed the use of home raids to target families, specifically those migrants who were apprehended after May 1, 2014 and have been issued a final order of removal.<sup>1</sup> Raiding homes to round up families is a shameful response to our nation's broken immigration system. When community and news accounts detail young children being taken into custody by ICE, the denial of access to legal counsel, and the attempted deportation of those with pending claims or adjustment of their status,<sup>2</sup> the public must ask whether our immigration policies are consistent with the American principles of equality, compassion, and due process.

Your Administration has long refused to view those coming from Central America fleeing incredible violence as refugees and has repeatedly erected barriers to fair and humane treatment and legal representation. When the number of minors crossing the border rose in 2014, the quick removal of those children through so-called "rocket docket" raised grave concerns about the due process being afforded to refugee children.<sup>3</sup> As violence in Central America has increased,<sup>4</sup> mothers and children have made treacherous journeys from their homes to seek safe haven in the U.S. However, the Administration's response has been to detain these refugees— including infants—in prison-like conditions for months and, in some cases, for over a year.<sup>5</sup> ICE has prevented these families from accessing adequate legal representation, which is often the determinative factor in whether an immigrant is able to successfully assert his or her valid claim for relief.<sup>6</sup>

Alianza Americas  
American G.I. Forum  
ASPIRA Association  
Avance Inc.  
Casa de Esperanza: National Latin@ Network  
Congressional Hispanic Caucus Institute  
Cuban American National Council  
Farmworker Justice  
Hispanic Association of Colleges & Universities  
Hispanic Federation  
Hispanic National Bar Association  
Inter-University Program for Latino Research  
Labor Council for Latin American Advancement  
Latino Justice PRLDEF  
League of United Latin American Citizens  
MANA, A National Latina Organization  
Mexican American Legal Defense and Educational Fund  
National Association of Hispanic Federal Executives  
National Association of Hispanic Publications  
NALEO Educational Fund  
National Association of Latino Independent Producers  
National Conference of Puerto Rican Women, Inc.  
National Council of La Raza  
National Hispana Leadership Institute  
National Hispanic Caucus of State Legislators  
National Hispanic Council on Aging  
National Hispanic Environmental Council  
National Hispanic Foundation for the Arts  
National Hispanic Media Coalition  
National Hispanic Medical Association  
National Institute for Latino Policy  
National Latina Institute for Reproductive Health  
National Puerto Rican Coalition  
Presente.org  
SER Jobs for Progress National  
Southwest Voter Registration Education Project  
United States Hispanic Chamber of Commerce  
United States Hispanic Leadership Institute  
United States-Mexico Chamber of Commerce  
U.S.- Mexico Foundation

<sup>1</sup> DEPARTMENT OF HOMELAND SECURITY, STATEMENT BY SECRETARY JEH C. JOHNSON ON SOUTHWEST BORDER SECURITY (2016)

<http://www.dhs.gov/news/2016/01/04/statement-secretary-jeh-c-johnson-southwest-border-security>

<sup>2</sup> See, Dianne Solís, *ICE Agents in Dallas-Area Raids Sought Teen in Legalization Process, Attorney Says*, THE DALLAS MORNING NEWS, Jan. 5, 2016, <http://thescoopblog.dallasnews.com/2016/01/ice-raids-on-sunday-in-dallas-attempted-to-detain-a-teen-in-the-process-of-legalization.html/>.

<sup>3</sup> Jennifer Chan, *Rocket Dockets Leave Due Process in the Dust*, NATIONAL IMMIGRANT JUSTICE CENTER (Aug. 11, 2014), [https://www.immigrantjustice.org/staff/blog/rocket-dockets-leave-due-process-dust#.Vo1cW\\_krKUK](https://www.immigrantjustice.org/staff/blog/rocket-dockets-leave-due-process-dust#.Vo1cW_krKUK).

<sup>4</sup> See, *Homicides Up 70 Pct in El Salvador, Among Deadliest Nations*, ASSOCIATED PRESS, Jan. 4, 2016, [http://www.nytimes.com/aponline/2016/01/04/world/americas/ap-1t-salvador-violence.html?\\_r=0](http://www.nytimes.com/aponline/2016/01/04/world/americas/ap-1t-salvador-violence.html?_r=0).

<sup>5</sup> See, Wil S. Hylton, *The Shame of America's Family Detention Camps*, N.Y. TIMES, Feb. 4, 2015, <http://www.nytimes.com/2015/02/08/magazine/the-shame-of-americas-family-detention-camps.html>.

<sup>6</sup> See, TRANSACTION RECORDS ACCESS CLEARINGHOUSE, *Representation for Unaccompanied Children in Immigration Court* (Nov. 25, 2014), <http://trac.syr.edu/immigration/reports/371/>; NORTHERN CALIFORNIA COLLABORATIVE FOR IMMIGRANT JUSTICE, *Access to Justice for Immigrant Fai*

This type of callous enforcement by the Administration is wholly unacceptable. NHLA strongly opposes raids on immigrant families who pose no threat to national security or public safety. Your Administration has acknowledged that the overwhelming majority of Central Americans who have entered our borders, primarily women and children, face a credible fear of persecution or violence, yet you now resort to large-scale raids prioritizing the deportation of these refugees.<sup>7</sup> This is an unnecessarily harsh, ineffective, and misguided approach. It also demonstrates this Administration's unequal treatment of refugees from Central America.

Within the priorities issued by Secretary Johnson on November 20, 2014 was a policy to designate those individuals with a removal order issued after January 1, 2014 as a priority for deportation.<sup>8</sup> This directive unfairly targets Latinos, who comprise a large percentage of those seeking to enter the U.S. along the southern border, particularly given the increased number of refugees who are arriving to the U.S. seeking protection from violence in Central America. The emphasis of the recent raids have been largely focused on Central Americans, and this unequal treatment of Latino refugees only capitalizes on the systemic barriers this particular population has had in accessing legal counsel. You and Secretary Johnson have the authority to modify these priorities, and there is no statutory basis—or congressional mandate—to prioritize the removal of families fleeing persecution and violence.

The fact that the recent enforcement actions have focused on recent arrivals, as opposed to those individuals with older removal orders, only further highlights the disparities in treatment and adjudications for Central Americans. When compared to the Administration's efforts to appropriately accommodate Syrian refugees and resist damaging legislation from Congress for this group, the message to the Latino community is that the danger and violence families face in their home countries will not be equally judged. Meanwhile, the announcement of unspecified future administrative processes for Central American refugees still in the region does little to mitigate the damage these ICE raids are causing by undermining public safety and community trust.

**We call on the Administration to stop the use of raids on families, halt the deportation of Central American refugees, and to ensure that all asylum seekers receive access to legal counsel and are well informed of their legal rights, including the right to appeal an adverse decision. Furthermore, instead of using your executive authority to deport refugee families, your Administration, based on pervasive gang violence and deteriorating conditions, should again grant migrants from El Salvador, Guatemala, and Honduras Temporary Protected Status. The ever-increasing violence that is driving individuals to flee these three countries represent "extraordinary and temporary conditions" that prevent the safe return of immigrants to these countries.**

We appreciate your attention to our concerns. Please contact NHLA through Andrea Senteno, of MALDEF, at [asenteno@maldef.org](mailto:asenteno@maldef.org), with any questions regarding this letter. Thank you for your time and consideration.

Sincerely,



Hector Sanchez  
LCLAA, Executive Director  
NHLA, Chair



Thomas A. Saenz  
MALDEF, President and General Counsel  
NHLA Vice Chair & Immigration  
Committee Co-Chair



Jose Calderón  
Hispanic Federation, President  
NHLA Immigration Committee  
Co-Chair

Cc:

Valerie Jarret, Senior Advisor to the President  
Cecilia Munoz, Assistant to the President and Director of Domestic Policy Council  
Felicia Escobar, Senior Policy Advisor  
Julie Rodriguez, Deputy Director of Public Engagement  
Jeh C. Johnson, Secretary, Department of Homeland Security  
Alejandro Mayorkas, Deputy Secretary, Department of Homeland Security  
Sarah Saldaña, Director, Immigration and Customs Enforcement

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and communities (Oct. 2014), <https://media.law.stanford.edu/organizations/clinics/immigrant-rights-clinic/11-4-14-Access-to-Justice-Report-FINAL.pdf>.

<sup>7</sup> U.S. CITIZENSHIP AND IMMIGRATION SERVICES ASYLUM DIVISION, FAMILY FACILITIES REASONABLE FEAR (2015), <http://www.uscis.gov/sites/default/files/USCIS/Outreach/PED-CF-RF-family-facilities-FY2015Q2.pdf>.

<sup>8</sup> DEPARTMENT OF HOMELAND SECURITY, POLICIES FOR THE APPREHENSION, DETENTION, AND REMOVAL OF UNDOCUMENTED IMMIGRANTS (2014), [https://www.dhs.gov/sites/default/files/publications/14\\_1120\\_memo\\_prosecutorial\\_discretion.pdf](https://www.dhs.gov/sites/default/files/publications/14_1120_memo_prosecutorial_discretion.pdf).