

For Immediate Release

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Immigrant Rights Advocates Oppose Extension of Biden Administration's Asylum Ban to Include Maritime Arrivals

Washington, D.C. — Yesterday, 69 civil, human rights, faith-based, and immigrants' rights groups submitted a [joint comment](#) to the Department of Homeland Security (DHS) and the Department of Justice (DOJ) in opposition to the proposed extension of the Biden administration's asylum ban to include maritime arrivals. The extension further restricts asylum access for those who are most vulnerable and disparately harms Black and Brown asylum seekers, particularly those coming from Cuba and Haiti by sea in search of safety.

The comment notes that DHS and DOJ fail to understand that asylum seekers who attempt a dangerous maritime crossing do so solely because it is their only option to escape persecution and torture, and the in-country realities in both Haiti and Cuba make it virtually impossible for many individuals to access the Biden administration's enumerated preferred pathways, such as parole or a CBP One appointment.

"Rather than dissuading desperate individuals from attempting a maritime crossing, expanding the asylum ban to individuals who risk their lives attempting to escape persecution by sea would serve only to punish some of the world's most vulnerable asylum seekers," **said Cindy Woods, National Policy Counsel at Americans for Immigrant Justice.** "The United States has a long and shameful history of discriminating against Haitian refugees and others attempting to arrive by sea. Denying asylum eligibility to Haitians and Cubans who face numerous insuperable obstacles in attempting to access the limited alternative pathways preferred by the U.S. government would be a wrongful and discriminatory extension of a fundamentally flawed and illegal policy."

"For decades, the United States has turned its back on people who take to the sea, disparately harming Black and Brown asylum seekers," said **Azadeh Erfani, Senior Policy Analyst at the National Immigrant Justice Center.** "Unfortunately, this administration is no exception. By extending an asylum ban to maritime apprehensions, the United States will punish and turn back some of the most vulnerable people fleeing harm from Haiti and Cuba. There is no justification for this cruelty and violation of basic principles of human rights. We call on the U.S. government to rescind this asylum ban in its entirety, including in its extension to maritime apprehensions."

"This proposed extension of the asylum ban to maritime arrivals adds to a long history of discriminatory treatment of people intercepted at or arriving by sea, especially Haitian asylum seekers," said **Nicole Phillips, Legal Director at Haitian Bridge Alliance.** "The right to seek asylum upon entry to the United States, regardless of where or how an individual arrives or

whether they sought protection elsewhere during transit, is protected under U.S. and international law. Yet the expansion of the Asylum Ban to individuals who enter via a maritime border adds to the administration's Haitian Deterrence Policy to effectively block and deter Haitian asylum seekers from coming to the United States."

The comment calls on the Biden administration to immediately cease implementation of the asylum ban and rescind it in its entirety and to prioritize meaningful access to the asylum system through fair and humane processes.

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Americans for Immigrant Justice (AI Justice) is an award-winning non-profit law firm that fights for justice for immigrants through a combination of direct representation, impact litigation, advocacy and outreach. In Florida and on a national level, it champions the rights of unaccompanied immigrant children; advocates for survivors of trafficking and domestic violence; serves as a watchdog on immigration detention practices and policies; fights to keep families informed, empowered and together; and pursues redress on behalf of immigrant groups with particular and compelling claims to justice.