

July 13, 2020
Lauren Alder Reid
Assistant Director, Office of Policy, Executive Office for Immigration Review
5107 Leesburg Pike, Suite 1800
Falls Church, VA 22041

RE: RIN 1125-AA94, Procedures for Asylum and Withholding of Removal;
Credible Fear and Reasonable Fear Review: OMB Control Number 1615-0067

Dear Ms. Reid,

Harlem United Community AIDS Center, Inc. (Harlem United) objects to the proposed rule “Procedures for Asylum and Withholding of Removal” and requests its immediate withdrawal. Denying the right of asylum and protection for vulnerable populations is contrary to the spirit and culture of the American people and can only be called what it is: racist and xenophobic.

These proposed changes are in opposition to our mission, which aims to improve access to care for all persons regardless of race, class, sexual identity or immigration status. The proposed asylum rule will deny asylum seekers access to due process and affect the ability of persons entering the country to receive life-saving medical and social services, which are often inaccessible in their countries of origin. Communities fleeing from community or state violence due to sexual orientation, gender identity, ethnic origin, or political/religious beliefs will be adversely affected by their denial of lawful U.S. immigration. This will in turn deny access to basic human rights of quality healthcare, safe housing, freedom from persecution and eliminate their chances to live healthy, independent lives.

The proposed changes set up unrealistic standards to immigration for those who have been or may be tortured if they return to their home countries, eliminating protections for those fleeing from community violence, which in turn is neither in accordance with U.S. law nor the spirit of freedom which was behind our country's founding principles. This freedom should hold for all. Further, the new restrictions rely too heavily on factors that have nothing to do with legitimate reasons to deny asylum. Finally, these new rules obliterate any semblance of due process, giving judges the right to deny asylum cases without ever even having to hear the case. This serves to systematize and codify racist practices that have long conspired to keep out immigration from non-white countries and regions.

Our call to rescind this proposition is embedded in our belief that everyone should have a warm bed, regular meals, and a helping hand. Housing is healthcare and all people should have equal access, regardless of ability to pay, housing status, medical conditions, or gender/sexual orientation. We envision a world where everyone thrives regardless of how they identify, the clothing they wear, who they love, or where they come from. People in search of safety and better opportunities have a right to independent, healthy lives, with basic needs, like food, shelter, and healthcare.

Furthermore, the proposal is an affront to U.S. and international law and obligations. Under both, seeking asylum is a right. This plan must be withdrawn.

[About Harlem United Community AIDS Center, Inc.](#)

Founded in 1988 to address the AIDS epidemic, Harlem United's mission has been the same for over thirty years: to provide healthcare, housing, prevention, and supportive services to those most in need in New York City: communities of color facing extreme poverty, grappling with chronic health issues, and dealing with systemic barriers to access, such as racism and xenophobia.

As an overview of our nationally-recognized co-located services and experience, we offer a comprehensive range of culturally-affirmative services to underserved communities of color: primary care, specialty, dental, and behavioral health services; an Adult Day Health Center;; housing; substance use treatment; harm reduction; testing; outreach; care coordination; vocational training; food; peer support; and more.

Harlem United serves historically excluded communities of color, those with multiple and complex chronic conditions, those experiencing homelessness, housing instability and/or extreme poverty. Over 90% of our 2019 clients were Black and Brown, with substantial percentages of first and second-generation immigrants. Further, about 26% of clients were HIV positive, with another 24% being diagnosed with serious mental illness and/or (15%) substance use disorder. Finally, 62% of clients across the agency were identified as homeless and not having permanent housing.

Annually, Harlem United houses over 800 formerly homeless people, conducts over 20,000 medical visits, engages over 10,000 persons through community outreach, and provides over 20,000 hot meals and pantry bags to those in need.

Sincerely,



Mari Eva Mendes
Associate Vice President, Strategic Advancement
Harlem United