August 13, 2024

President Joseph R. Biden
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Secretary Alejandro Mayorkas
U.S. Department of Homeland Security
301 7th Street, SW
Washington, DC 20024

Secretary Antony Blinken
U.S. Department of State
2201 C Street, NW
Washington, DC 20520

RE: REQUEST FOR AN IMMEDIATE HUMANITARIAN PAROLE PATHWAY AND AN EXPANDED REFUGEE RESETTLEMENT PROGRAM FOR SUDANESE NATIONALS

Dear President Biden, Secretary Mayorkas, and Secretary Blinken,

Under the leadership of African Communities Together (ACT) and Sudanese community leaders, the undersigned 73 immigrant rights, human rights, faith, educational, and grassroots organizations write to urge the administration to establish a designated humanitarian parole program and expand access to resettlement for the people of Sudan. These pathways will provide Sudanese citizens and their family members, who are fleeing the civil war in Sudan, opportunities to seek protection in the United States.

As the civil war in Sudan enters its second year, the two rival armed factions, the Sudanese Armed Forces (SAF) and the Rapid Support Forces (RSF), remain locked in a deadly power struggle. In early May 2023, peace negotiations failed after the SAF abandoned the talks brokered by the United States and Saudi Arabia. The fighting in the capital city of Khartoum has persisted, and incidents of violence across the country are on the rise, including in the Darfur region. The murder of Khamis Abakar, the Governor of the province of West Darfur, on June 15, 2023, marked an escalation, and since then "almost 15,000 people have been killed, and more than 8.2 million have been displaced, giving rise to the worst displacement crisis in the world."[1] "An estimated 17.7 million individuals in Sudan are expected to experience severe levels of acute food insecurity as the conflict spreads in famine-affected areas."[2] In light of the extreme rise in the severity of conditions and the urgent need for humanitarian assistance, we call on the Biden administration

[1] Civil War in Sudan | Global Conflict Tracker. (n.d.). Global Conflict Tracker. https://www.cfr.org/global-conflict-tracker/conflict/power-struggle-sudan

[2] Sudan IPC Alert: A conflict surge threatens millions to slide into worst levels of acute food insecurity and malnutrition (Published on 29 March, 2024) - Sudan. (2024, March 29). ReliefWeb. https://reliefweb.int/report/sudan/sudan-ipc-alert-conflict-surge-threatens-millions-slide-worst-levels-acute-food-insecurity-and-malnutrition-published-29-march-2024

to use its authority to establish a blanket humanitarian parole program and expand access to resettlement to protect Sudanese individuals vulnerable to life-threatening conditions.

I. Humanitarian Parole

According to the Immigration and Nationality Act (INA), the Secretary of Homeland Security has the discretion to parole any noncitizen applying for admission into the United States temporarily for urgent humanitarian reasons or significant public benefit (INA section 212(d)(5)). Humanitarian parole is typically reserved for cases where there is a compelling need, such as protecting individuals from targeted harm or addressing urgent humanitarian crises.

Historically, the United States has implemented various humanitarian parole programs to provide relief in response to humanitarian crises in other countries. Immigration parole served as the primary method for admitting individuals prior to the implementation of the Refugee Act, with people from Cuba, Indochina, Eastern Europe, and other regions being paroled into the United States from the late 1950s through the 1970s.[3] This practice continued after the enactment of the Refugee Act when the U.S. granted parole to Cubans and Haitians who had arrived in the United States by boat in 1980.[4] The United States has also offered a safe haven through parole for wartime evacuees.[5]

In most recent conflicts, we have seen the US offer exemptions to entry for civilians fleeing war in Ukraine and Afghanistan. The "Uniting for Ukraine" parole program offers humanitarian parole to Ukrainians fleeing the Russian invasion, granting them entry and work authorization in the U.S. for up to two years.[6] Through “Operation Allies Welcome,” the U.S. created a pathway to bring Afghan evacuees to the United States through humanitarian parole for a period of two years .[7] Within the first year, the parole programs brought safety to over 39,000 Ukrainians and over 70,000 Afghans in the United States.[8] On the other hand, the U.S. Refugee Admissions program provided relief for a shockingly low number, with only 1,610 Ukrainians and 1,618 Afghan refugees admitted in 2022.[9] The Biden administration has also recently launched a new humanitarian parole program aimed at migrants from Cuba, Haiti, Nicaragua, and Venezuela who are facing dangerous conditions, violence, or severe economic hardship in their home countries.

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[3] Congressional Research Service. “Immigration Parole.” [R46570], https://crsreports.congress.gov/product/pdf/R/R46570.
[4] Id.
[5] U.S. Government Accountability Office. "Refugee Program: The Orderly Departure Program for Vietnam." https://www.gao.gov/assets/nsiad-90-137.pdf.
[6] https://www.federalregister.gov/documents/2022/04/27/2022-09087/implementation-of-the-uniting-for-ukraine-parole-process “Uniting for Ukraine”, USCIS, https://www.uscis.gov/ukraine.
[7] U.S. Department of Homeland Security. "Allies Welcome: Guide to Welcoming Refugees." https://www.dhs.gov/allieswelcome.
[8] Migration Policy Institute. "Welcoming Afghans and Ukrainians to the United States: A Case in Similarities and Contrasts," July 13, 2022. https://www.migrationpolicy.org/article/afghan-ukrainian-us-arrivals-parole#:.
[9] Id; Refugees International. "Supplementary Protection Pathways to the United States: Lessons from the Past for Today's Humanitarian Parole Policies," November 10, 2022. https://www.refugeesinternational.org/reports-briefs/supplementary-protection-pathways-to-the-united-states-lessons-from-the-past-for-todays-humanitarian-parole-policies/; U.S. Department of Homeland Security. "Department of Homeland Security Operation Allies Welcome Afghan Evacuee Report." https://www.dhs.gov/sites/default/files/rn.

The United Nations High Commissioner for Refugees (UNHCR) has asked countries to open pathways for humanitarian entry for Sudanese fleeing the conflict and in need of refuge.[10] UNHCR further recommended the suspension of negative determinations in asylum proceedings.[11] In FY 2021, only 513 Sudanese were admitted to the United States through the US Refugee Admissions Program, and as of July 2023, the adjudication of asylum for Sudanese nationals stood at an 11 percent denial rate.[12] In September 2023, the U.S. envoy to the United Nations committed to "do everything in our power to prevent and respond to mass atrocities" in Sudan's war.[13] While the much-needed redesignation of Sudan for Temporary Protected Status is welcome, it is categorically insufficient for the needs of those who must find a way to be present in the U.S. On August 18, 2023, Secretary Mayorkas recognized that "the ongoing conflict in Sudan has resulted in a humanitarian crisis."[14] The designation of a special parole program, such as the Uniting for Ukraine program, will reflect the Biden Administration's authority to use its discretion for urgent humanitarian reasons or significant public benefit to grant parole relief to individuals from communities in conflict zones. In light of these existing programs, we strongly urge your administration to extend similar relief to Sudan. The circumstances warrant the immediate availability of humanitarian pathways for Sudanese fleeing harm, and a delay in addressing this need contradicts the equitable treatment this administration has pledged for African immigrants, who face increasingly limited pathways to entry.

Past humanitarian parole pathways have reflected racial bias against Black-majority countries in that such programs have rarely been created to protect Black people fleeing those countries. From the 1994 genocide in Rwanda to the current Congo war, the deadliest conflict in the twenty-first century, African nations continue to experience some of the world's worst humanitarian crises, yet no African country has ever been afforded a parole program that benefits its citizens.[15] A humanitarian parole program for Sudan will set an important precedent for the equitable use of the Administration's parole authority. The Biden administration must prioritize equity in the consideration of this request for a humanitarian parole program for Sudan.

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[10] UNHCR. "UNHCR Urges States to Keep Borders Open for Sudanese and Suspend Negative Asylum Decisions," May 5, 2023. https://www.unhcr.org/us/news/briefing-notes/unhcr-urges-states-keep-borders-open-sudanese-suspend-negative-asylum-decisions.

[11] Id.

[12] U.S. Department of State. "Report to Congress on Proposed Refugee Admissions for Fiscal Year 2023." https://www.state.gov/report-to-congress-on-proposed-refugee-admissions-for-fiscal-year-2023/; U.S. Department of Justice, Executive Office for Immigration Review, Asylum Decision Rates by Nationality, July 2023." https://www.justice.gov/eoir/page/file/1107366/download.

[13] Reuters. "U.S. Envoy to Chad Spotlights Sudan Atrocities, She Calls Reminiscent of Darfur (2004)." https://www.reuters.com/world/africa/us-envoy-chad-spotlight-sudan-atrocities-she-calls-reminiscent-darfur-2004-2023-09-06/.

[14] *Secretary Mayorkas extends and redesignates temporary protected status for Sudan | Homeland Security*. (2023, August 18). U.S. Department of Homeland Security. https://www.dhs.gov/news/2023/08/18/secretary-mayorkas-extends-and-redesignates-temporary-protected-status-sudan#:~:text=WASHINGTON%20%E2%80%93%20The%20Department%20of%20Homeland,prevent%20individuals%20from%20safely%20returning

[15] *Conflict in the Democratic Republic of Congo | Global Conflict Tracker*. (n.d.). Global Conflict Tracker. https://www.cfr.org/global-conflict-tracker/conflict/violence-democratic-republic-congo

II. REFUGEE RESETTLEMENT

Refugee resettlement is a durable solution for individuals with humanitarian protection needs who have left their country due to persecution. Pursuant to section 207 of the Immigration and Nationality Act (INA), the President has the authority to increase the annual refugee admission number for a particular region. The President can also prioritize access to the US Refugee Admissions Program for populations of "special humanitarian concern." As the President considers the refugee admissions goal for the coming fiscal year, we are asking that he increase the refugee admission number and prioritize access to resettlement for refugees from Sudan. As of April 2024, "more than 2 million Sudanese have fled to neighboring countries. Chad has received the largest number of people (571,815), followed by Egypt (500,000), South Sudan (135,085), Ethiopia (33,389) and the Central African Republic (23,286)."[16] In the same period, the US has only admitted less than 3,000 Sudanese refugees.[17] We call on the administration to further invest in and expand resettlement of Sundanese refugees from neighboring countries. The massive refugee flows out of Sudan have put significant burdens on these countries, which are already dealing with their own financial or humanitarian crises. In June 2024, the UN reported that the influx of Sudanese refugees in Chad has given rise to escalating security incidents, including looting, vandalization of humanitarian structures, and trafficking of drugs. Also, the overcrowded and unsanitary conditions in refugee camps have led to health crises, including over 1,000 cases of Hepatitis E.[18] The US can provide tangible support to both the Sudanese civilians and those countries in the region by expanding access to refugee resettlement for Sudanese citizens and their family members.

III. Conditions in Sudan warrant Parole Program and Expansion of Refugee Resettlement

Since the recent clashes began on April 15, 2023, the humanitarian situation has deteriorated significantly. According to the UNHCR, "half of Sudan's population – some 25 million people – need humanitarian assistance and protection. The country is facing extreme shortages of food, water, medicine and fuel and nearly 18 million people are facing acute food insecurity — 5 million of them at emergency levels."[19]The lack of basic necessities, combined with violence and uncertainty, continues to force many people to flee their homes. In May 2024, the United Nations Special Adviser on the Prevention of Genocide Alice Wairimu Nderitu warned, "The situation today bears all the marks of risk of genocide, with strong allegations that this crime has

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[16] UNHCR. (2024, April 15). *Sudan crisis explained*. Retrieved June 26, 2024, from https://www.unrefugees.org/news/sudan-crisis-explained/.

[17] *Refugee Processing Center*. (n.d.). Refugee Processing Center. https://www.wrapsnet.org/admissions-and-arrivals/.

[18] UNHCR US -. (2024, June 26). UNHCR urges support to address urgent needs of Sudanese refugees at Chad border. *UNHCR US*. https://www.unhcr.org/us/news/briefing-notes/unhcr-urges-support-address-urgent-needs-sudanese-refugees-chad-border#:~:text=Since%20April%202023%2C%20the%20conflict,since%20the%20start%20of%202024

[19] I UNHCR. (2024, April 15). *Sudan crisis explained*. Retrieved June 26, 2024, from https://www.unrefugees.org/news/sudan-crisis-explained/.

already been committed."[20]

On June 5, 2024, the RSF attacked civilian infrastructures in the Wad al-Noura village, killing at least 100 people and injuring dozens.[21] Attacks on civilian infrastructures, including healthcare facilities, equipment and workers are further depriving vulnerable groups, including women and children, of lifesaving care, with pregnant women hardest hit, according to the World Health Organization and UNFPA. "Nearly three quarters of health facilities are out of service and diseases including cholera, measles and malaria are spreading at a time when two thirds of the population lack access to health care. The conflict has also deprived about 12 million children of an education since April, with the total number of children in Sudan who are out of school reaching 19 million. According to the World Health Organization, one in seven children face acute malnutrition."[22]

Sudan has also been heavily impacted by severe weather events linked to climate change, including floods and droughts. These events have adversely affected hundreds of thousands of individuals throughout the country, leading to crop and livestock destruction and exacerbating food insecurity for families.[23]

The U.S. Department of State has recognized the dangerous fighting in Sudan between the SAF and the RSF as a threat to the security and safety of Sudanese civilians.[24] This fighting also hinders efforts to restore Sudan's democratic transition. The United States has strongly condemned the reported mass killings and human rights abuses by RSF in Darfur, expressing deep concern and calling for an immediate end to the violence.[25] We call upon the U.S. government to implement a humanitarian parole program for Sudan and extend relief to Sudanese in dire need of safety.

IV. Conclusion

Given the severity of the situation in Sudan, with ongoing conflict and catastrophic violence against civilians, we believe that the conditions in Sudan warrant humanitarian parole and expanded refugee resettlement programs. These pathways would not only offer Sudanese civilians a safe refuge and reunite families, but they would also be in the interest of U.S. foreign relations and in line with its commitments to the region. **This request is an opportunity for the United States to exercise its leadership and alleviate the pain of the Sudanese people.**

Thank you for your consideration.

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[20] We Must Go Above, Beyond Compliance, Fully Protect Civilians against 'Harms They Are Suffering on Our Watch', Senior Humanitarian Official Tells Security Council | Meetings Coverage and Press Releases. (2024, May 21). https://press.un.org/en/2024/sc15702.doc.htm.

[21] Ambaye, M. (2024, June 7). At least 100 killed in RSF attack on Sudanese village. *Voice of America*. https://www.voanews.com/a/sudan-committee-says-up-to-100-killed-in-village-attack/7645207.html

[22] I UNHCR. (2024, April 15). *Sudan crisis explained*. Retrieved June 26, 2024, from https://www.unrefugees.org/news/sudan-crisis-explained/.

[23] Id.

[24] *Sudan - United States Department of State*. (2024, April 22). United States Department of State. https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/sudan

[25] Id.

Sincerely,

National

African Communities Together

Acacia Center for Justice

Afghans For A Better Tomorrow

Alianza Americas

American Friends Service Committee (AFSC)

American-Arab Anti-Discrimination Committee (ADC)

Americans for Immigrant Justice

Asian Americans Advancing Justice | AAJC

Belarus Freedom Forum

Black Alliance for Just Immigration

Black Diaspora Voices

Borderlands Resource Initiative

CASA

Center for Victims of Torture

Communities United for Status & Protection (CUSP)

ECDC

Friends Committee on National Legislation

Haitian Bridge Alliance

Human Rights First

Immigrant Legal Resource Center

Immigration Equality

Immigration Hub

International Refugee Assistance Project (IRAP)

Justice Action Center

Muslim Advocates

National Americal Sport Association Africa

National Employment Law Project

National Immigration Law Center

National Network for Immigrant and Refugee Rights

National Partnership for New Americans

NETWORK Lobby for Catholic Social Justice

Nicaraguan American Legal Defense and Education Fund, NALDEF

Red Eagle Enterprises

Refugee Congress

Refugees International

Robert F. Kennedy Human Rights

Salih & Partners

Sudan HP Committee

Sudanese national women union

The Episcopal Church

The National Network for Arab American Communities

The Young Center for Immigrant Children's Rights

UndocuBlack Network

UNHCR

United We Dream

We Are All America (WAAA)

Women against war

State/Local

Activated Massachusetts African Community

Adhikaar for Human Rights and Social Justice

Arizona Palestine Solidarity Alliance

Ayuda

California Immigrant Policy Center

Estrella del Paso (Formerly Diocesan Migrant and Refugee Services Inc)

Faith In Texas

Florence Immigrant & Refugee Rights Project

Florida Immigrant Coalition

Food Justice DMV

Immigrant ARC

Immigrant Defenders Law Center

Immigrant Legal Advocacy Project

Just Neighbors

Louisiana Organization for refugee and immigrants

Multicultural AIDS Coalition

Services, Immigrant Rights and Education Network (SIREN)

Sudanese American Community – Delmarva

Sudanese Resistance Committees - Kadugli

The Coalition of African & Caribbean Communities-Philadelphia (AFRICOM)

UNHCR Indonesia

United African Organization

Virginia Coalition for Immigrant Rights

Virginia Coalition for Immigrant Rights

Wind of the Spirit Immigrant Resource Center

Women Watch Afrika, Inc