



## FOR IMMEDIATE RELEASE

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### CONTACT

Greer Millard

[gmillard@firrp.org](mailto:gmillard@firrp.org)

(602) 795-7407

Arizona Border Welcoming Task Force's Statement Reacting to  
Preliminary Injunction in *Arizona v. Centers for Disease Control*

***“Where are your international commitments against torture? Where is your commitment to protect people fleeing persecution?” - Zaida\*, an asylum seeker from Guerrero, MX who we have served in Nogales, MX.***

Today, the Arizona Welcoming Task Force joins the asylum seekers we accompany in grieving the news that Title 42 will continue indefinitely. The preliminary injunction issued in a Louisiana District Court by Judge Robert Summerhays will allow the government to continue to deny migrants the right to seek asylum. Title 42 is a brutal and inhumane policy that has put thousands of asylum seekers in harm's way. We grieve for the people we serve, for our values, and for our country. This is a dark day for all of us who believe that the United States should be a beacon of hope and safety for those seeking security and protection.

In a troubling ruling, Judge Summerhays granted a nationwide preliminary injunction in the case of *Arizona v. Centers for Disease Control*. In Friday's decision, Judge Summerhays reasons that the CDC, a public health agency, has the power to suspend normal immigration laws ***with no notice at all***, but does not have the power to lift those orders without going through notice-and-comment rulemaking – a monthslong process that requires multiple steps and public

comment. In sum, this decision insists that even though Title 42 is an emergency authority that can be imposed at any time, it cannot be lifted at any time.

We grieve because we know that today's decision could keep Title 42 in place at the border indefinitely, either as a result of continued litigation or as the CDC is forced to engage in a lengthy notice and comment rulemaking process. Sadly, we know that that alone is unlikely to put an end to asylum seekers' agony, because we have seen that any notice and comment rulemaking related to immigration is likely to again be challenged in court.

**"We are not a virus," said Celeste\*, an asylum seeker. "When asked to get tested, we get tested, when asked to get vaccinated, we get vaccinated! This is not about the pandemic. We are human beings and we deserve a chance for our voices to be heard. Instead under Title 42, the door is slammed in our faces."**

As organizations at the Arizona-Sonora border, we stand in solidarity with the migrants we are here to welcome and receive. We rebuke in the strongest possible terms the legal actions taken to extend Title 42, a sham public health rule that should not be used to restrict access to asylum. These actions do not reflect the spirit of welcome in Arizona, where communities and municipal governments have stepped up time and time again to ensure asylum-seekers are received in a safe and dignified way.

Since Title 42 was first invoked, we have seen that there is no public health justification, and this is affirmed every day it remains in effect. We have accompanied asylum seekers who have waited for months to present themselves at official border ports of entry, and provided proof of vaccination and negative COVID test results, only to be [turned away](#), even as tourists and visa holders are permitted to move freely across the border without regard for COVID status.

Ending Title 42 is not a radical reimagining of the border. Rather, it would be a small step to return to our moral and legal obligations to welcome those seeking refuge on our shores. We applaud the Biden administration's immediate announcement that it will appeal this decision and urge the administration to seek a stay of this injunction immediately. As organizations that work with people seeking safety at the Arizona-Sonora border, we will continue to stand with asylum seekers and we will not rest until a safe, fair, and humane asylum process is restored at the border.

*The Arizona Welcoming Taskforce (AZWTF) is comprised of organizations that serve migrants in Arizona and Sonora, Mexico: the Florence Immigrant & Refugee Rights Project, Kino Border Initiative, Arizona Justice for our Neighbors, Catholic Community Services of Southern Arizona - Casa Alitas, The Inn of Southern Arizona, ACLU of Arizona, International Rescue Committee - Phoenix, and FWD.us.*

*\*Zaida and Celeste are pseudonyms.*