



Rabbi Jonah Dov Pesner, *Director*  
Susan Friedberg Kalson,  
*Chair, Commission on Social Action of Reform Judaism*

Arthur and Sara Jo Kobacker Building  
2027 Massachusetts Avenue NW, at Kivie Kaplan Way,  
Washington, DC 20036  
202.387.2800 @theRAC RAC.org

July 14, 2020

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

RE: Opposition to the Executive Office for Immigration Review (EOIR) Proposed Rule:  
Procedures for Asylum and Withholding of Removal; Credible Fear and Reasonable Fear  
Review

Dear Executive Office for Immigration Review,

On behalf of the Union for Reform Judaism, whose more than 850 congregations across North America encompass 1.5 million Reform Jews, and the Central Conference of American Rabbis, whose membership includes more than 2,000 Reform rabbis, I write to convey our profound opposition to the Department of Homeland Security (DHS) United States Citizenship and Immigration Services (USCIS) and Department of Justice (DOJ) Executive Office for Immigration Review (EOIR) Joint Notice of Proposed Rulemaking: Procedures for Asylum and Withholding of Removal; Credible Fear and Reasonable Fear Review; RIN 1615-AC42 / 1125-AA94 / EOIR Docket No. 18-0002/ A.G. Order No. 4714-2020.

These proposed changes would make it effectively impossible for anyone to find safety in the United States through the U.S. asylum system. They would deny most asylum seekers their due process in court, bar the granting of asylum on the basis of gender, alter the definition of what “persecution” means, make getting asylum because of one’s political opinion or membership in a particular social group exponentially more difficult, and deny asylum to people who have two or more layovers while traveling to the United States.

If these proposed changes were to be implemented, they would roll back decades of established legal precedent and diminish refugee protections that have long been a cornerstone of American identity and global leadership. These proposed regulations would eviscerate the U.S. asylum system, and the U.S. would abdicate its responsibility to lead in providing protection to the world’s most vulnerable people.

Our objection to these proposed changes is guided by the wisdom in our Torah. We read in Genesis that not only did Abraham allow guests to enter his tent, he also ran towards them, modeling the enthusiasm with which we should embrace those seeking refuge today. At



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Passover, we read about the importance of internalizing the lessons of the Exodus and reflecting this awareness in our actions. Deuteronomy teaches the importance of protecting those fleeing dangerous conditions, telling of the imperative to protect the escaped slave—an archetype of someone in physical danger (23:16).

In addition to the biblical imperative to welcome asylum seekers, more recent history demonstrates all too well the consequences of turning away those in dire need at our borders. As the pain of modern and historical Jewish experiences linger, we call on you to welcome asylum seekers and refugees without imposing the obstructive qualifiers and insurmountable conditions that have been proposed, and ensure that asylum seekers have fair and legal access to asylum.

We urge you to immediately rescind the Proposed Rule and instead dedicate your efforts to advancing policies that respect and support individuals' legal rights to seek asylum.

Sincerely,

Barbara Weinstein  
Director, Commission on Social Action of Reform Judaism



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