

**Congress of the United States**  
**Washington, DC 20515**

March 26, 2020

James McHenry  
Director  
Executive Office for Immigration Review  
5107 Leesburg Pike, 18<sup>th</sup> Floor  
Falls Church, VA 22041

Dear Director McHenry:

We write to express our serious concern about the Executive Office for Immigration Review's (EOIR) announcement via Twitter at 9:23 pm last night to re-open the Seattle and Newark Immigration Courts today.<sup>1</sup> As you are well aware, Washington state and New Jersey are under statewide orders to shelter in place. Re-opening the courts forces people to make an impossible choice between complying with court requirements and public health guidance to prevent the spread of COVID-19. We urge you to immediately close immigration courts across the country and extend immigration deadlines during the COVID-19 pandemic.

We understand that the courts are re-opening effective today and that any filings that were due during the courts' closure will now be required to be filed by March 30. This is a reversal from previous notice that filings would not be due until April 13. Even with filing by mail, this last-minute change will require non-profits and law firms across two severely-impacted regions to send people back to work and bring clients in to prepare court filings in direct contradiction of shelter in place orders and the advice of public health experts. For many people, it is not an option to conduct this work via video teleconference or other measures to limit in-person contact, particularly given the sudden reversal of an announced closure of longer duration. Many respondents before the court may lack the necessary technology or access to broadband internet.

Our nation is experiencing an unprecedented public health crisis that requires everyone to stay at home. According to the Centers for Disease Control, this fast-spreading virus has killed over 700 people across the country and nearly 55,000 people have tested positive for COVID-19. Washington state has been at the epicenter of this crisis. On March 10, 2020, EOIR announced that the Seattle Immigration Court would close the following day and on March 13, EOIR extended the closure through April 10 due to "the state of the coronavirus outbreak in Seattle."<sup>2</sup> On March 13, the Seattle-King County Department of Public Health reported 388 confirmed cases of COVID-19. At the time of writing, Washington state has nearly 2,600 confirmed cases, including 132 deaths. EOIR's decision to reverse its earlier decision is troubling given these circumstances.

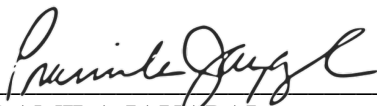
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<sup>1</sup> Executive Office of Immigration Review (@DOJ\_EOIR). "The Newark and Seattle immigration courts reopen tomorrow. Filings due during the closure are due March 30, 2020." Mar. 26, 2020, 9:23 PM, [https://twitter.com/DOJ\\_EOIR/status/1242985558038716423?s=20](https://twitter.com/DOJ_EOIR/status/1242985558038716423?s=20).

<sup>2</sup> Executive Office of Immigration Review (@DOJ\_EOIR). "Due to the stage of coronavirus outbreaking Seattle, the Seattle Immigration Court will remain closed through April 10. Evaluations continue. Watch this feed for updates on this dynamic situation." Mar. 13, 2020, 11:03 PM, [https://twitter.com/DOJ\\_EOIR/status/1238662057421144064](https://twitter.com/DOJ_EOIR/status/1238662057421144064).

We all have a responsibility to prevent the continued spread of COVID-19 and that starts with staying home. During this difficult time, we strongly urge you to halt immigration court proceedings and extend immigration court deadlines to at least three months after the public health emergency declaration is terminated nationwide or in the respondent's locality or state. These steps are necessary to save lives and halt this pandemic.

Sincerely,



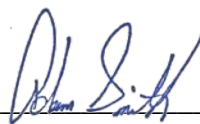
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PRAMILA JAYAPAL  
Vice Chair  
Subcommittee on Immigration & Citizenship,  
House Committee on the Judiciary



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PATTY MURRAY  
United States Senator



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ADAM SMITH  
Member of Congress



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MARIA CANTWELL  
United States Senator



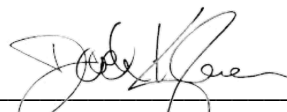
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RICK LARSEN  
Member of Congress




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SUZAN DELBENE  
Member of Congress



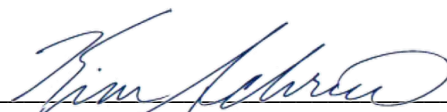
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DEREK KILMER  
Member of Congress



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DENNY HECK  
Member of Congress



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KIM SCHRIER  
Member of Congress