



November 20, 2024

President Joseph R. Biden, Jr.
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear President Biden,

On behalf of Amnesty International and its millions of members and activists in the United States and around the world, I write to ask you to take bold action to fulfill the U.S.'s human rights obligations.

You pledged to make human rights central to your administration, but there are key issues where your administration has failed to do so. With only weeks left in your term as President of the United States, we ask you to leverage your power to narrow the gap between your pledges and the outcomes of your policies. You can and should take the following steps before the end of your term:

1. **Address your promise to abolish the federal death penalty: Commute the death sentences of Billie Allen and all other people on federal and military death row.**

Billie Jerome Allen has been on federal death row for well over half his life. Now 47, he was 19 at the time of the crime for which he was sentenced to death in 1998 despite racial bias affecting his case, his young age at the time of the crime, and lack of DNA evidence linking him to the crime. His case is illustrative of many of the issues which plague this practice throughout the USA. The death penalty is the ultimate cruel, inhuman and degrading punishment. Forty-four men remain on federal and military death rows.

During your 2020 campaign, you made history as the first presidential candidate to openly oppose the death penalty and pledged to work toward abolition of the federal death penalty. Commuting all federal and military death sentences will further the work you undertook with the Department of Justice to address the federal death penalty's systemic flaws and will have the effect of continuing the moratorium you established. The U.S. should move toward abolishing this cruel practice. However, you have the power to immediately take action to commute Billie Allen's sentence and the sentences of all others on federal and military death rows before you leave office and shift the USA further from the use of this cruel practice at the federal level.

2. Close Guantánamo and transfer the remaining detainees to countries where their human rights will be respected.

The military detention facility at Guantánamo Bay is a glaring, longstanding stain on the human rights record of the United States. Today, it is violating the rights of the 30 Muslim men it continues to detain indefinitely, most without charge, and none having been given a fair trial.

You have a critical window of opportunity to end the ongoing abuses at Guantánamo by closing the detention center before the end of your term. Now is the time to transfer all detainees cleared for release or not charged with crimes to countries where their human rights will be respected, halt the unfair military commissions and fairly resolve the pending cases, and close the Guantánamo prison once and for all.

3. Rectify a case of injustice: Grant clemency and free Indigenous elder and activist Leonard Peltier.

Indigenous elder and activist Leonard Peltier has been incarcerated for nearly 50 years despite serious and ongoing concerns about the fairness of his trial. He is now 80 years old and is dealing with numerous health issues. No one should be imprisoned after a trial riddled with uncertainty about its fairness and keeping him locked behind bars does not serve justice.

As a matter of humanity, mercy, and human rights, you should grant clemency and release Leonard Peltier. This would not only allow Peltier to be home with his family and community for his last years, but it would also help mend the fractured relationship between Native Americans and the U.S. government, which could be forever part of your legacy.

4. Change course on immigration policy: restore access to asylum at the border and protect communities from mass deportations.

Access to asylum at the U.S. southern border has been significantly curtailed in recent years, and there are thousands of asylum seekers who have been waiting in Mexico for a CBP One appointment. It is critical that your Administration take urgent action to immediately increase CBP One appointments and admit people seeking safety, particularly vulnerable populations, into the United States so they can proceed with their asylum claims in communities.

With the Trump Administration promising mass deportations starting on day one, it is critical for your Administration to take bold action to put sand in the wheels of the deportation machine and protect as many of our immigrant neighbors as possible. The U.S. must immediately halt detention expansion efforts, end contracts and shut down

the most problematic facilities, and institute a memo to release vulnerable populations from detention. The U.S. must also surge resources to shrink the backlogs at USCIS and issue new TPS designations to broaden protections for immigrant communities.

5. **Change course on Gaza: Stop arms transfers to the government of Israel in order to protect civilians and ensure U.S. weapons are not being used in violation of international law. Use all leverage to ensure an immediate and permanent ceasefire, unhindered humanitarian access, and the safe return of the remaining hostages.**

Amnesty International has joined countless human rights and humanitarian organizations and experts from around the world to provide extensive evidence that Israeli forces are using U.S.-origin weapons in violation of not only international law, but also U.S. law and policy. Even in its own evaluations, your administration determined that it is “reasonable to assess” that Israeli security forces’ use of U.S. weapons has been “in instances inconsistent” with international humanitarian law.

You have expressed concern about the actions of Israeli forces on a number of occasions and paused one weapons shipment of 2,000 pound bombs due to these concerns. You must know that continued weapons transfers will lead to an even bigger unmitigated—and unlawful—disaster, human suffering and death that you and the U.S. government are enabling with U.S. taxpayer dollars. It is within your authority, via your Conventional Arms Transfer Policy, National Security Memorandum 20, and statutory requirements, to suspend further transfer of weapons as long as the government of Israel does not comply with international and U.S. law.

President Biden, the world looks to the United States to gauge the strength of human rights norms. Your presidency set out to re-establish global norms on human rights, multilateralism and the rule of law. While every presidency is met with the realities of the moment, the global Amnesty International community is still waiting to see meaningful action in these five priorities above consistent with the human rights promises you made four years ago. We ask that you act expeditiously to address these concerns.

Sincerely,



Paul O'Brien
Executive Director
Amnesty International USA