Congress of the United States Washington, DC 20515

December 16, 2019

President Donald Trump The White House 1600 Pennsylvania Ave NW Washington, DC 20500

RECEIVED By ESEC at 11:57 am, May 28, 2020

Dear President Trump:

We write to join Rep. Zoe Lofgren, Rep. Lucille Roybal-Allard, Senator Kamala D. Harris, and several of our colleagues in expressing support for the availability of advance parole for recipients of Deferred Action for Childhood Arrivals (DACA). We strongly urge you to resume issuing advance parole, particularly on humanitarian grounds, to eligible DACA beneficiaries with pending travel document applications (Forms I-131) at U.S. Citizenship and Immigration Services (USCIS).

With the inception of DACA in 2012, recipients were able to apply for advance parole travel authorization for educational reasons, to exercise employment opportunities requiring foreign travel, and for humanitarian reasons—including to reunite with family members facing imminent death or otherwise suffering from serious illnesses. On September 5, 2017, the Department of Homeland Security (DHS) suspended the availability of advance parole for DACA beneficiaries, after your Administration ordered the termination of DACA.

On January 9, 2018, the U.S. District Court for the Northern District of California issued a preliminary injunction halting the termination of DACA, while also making clear that the government continues to have the discretion to grant advance parole to DACA recipients for deserving cases (the order does not "bar the agency from granting advance parole in individual cases it finds deserving"). Despite this recognition, however, USCIS states on its website that it "will not accept or approve advance parole requests from DACA recipients." As such, USCIS has not reasonably exercised its discretion, preventing many DACA beneficiaries from being able to visit loved ones at critical moments or take advantage of important educational or employment opportunities abroad.

The continued categorical refusal to consider granting advance parole to DACA beneficiaries is needless and inhumane. We are aware through the California Mexico Studies Center of DACA recipients with pending advance parole applications, a list of which is attached. We urge your administration to resume considering these applications on an expedited basis, along with any other such applications pending with USCIS.

Sincerely,

J. Luis Correa United States Representative



United States Senator

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will-Ron Wyden

United States Senator

Nanothe Diaz Ba

Nanette Diaz Barragán United States Representative

Earl Blumenauer United States Representative

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David Price United States Representative

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United States Representative

Darren Soto United States Representative

Bennie G. Thompson United States Representative

Nydia M. Velázquez United States Representative

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Debbie Wasserman Schultz United States Representative Veronica Escobar United States Representative

U.S. Department of Homeland Security U.S. Citizenship and Immigration Services *Office of the Director* (MS 2000) Washington, DC 20529-2000



June 17, 2020

The Honorable Lou Correa U.S. House of Representatives Washington, DC 20515

Dear Representative Correa:

Thank you for your December 16, 2019 letter regarding advance parole for recipients of Deferred Action for Childhood Arrivals (DACA). President Donald Trump asked that I respond on his behalf.

As you noted, U.S. Citizenship and Immigration Services (USCIS) has discontinued approving applications for an advance parole document on the basis of DACA. Due to pending litigation regarding the Department's decision to rescind the DACA policy, we are unable to comment further on the matter at this time.

Thank you again for your letter and interest in this issue. The cosigners of your letter will receive a separate, identical response. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative Affairs at (202) 272-1940.

Respectfully,

Joseph Edlow Deputy Director for Policy