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BETWEEN THE UNITED STATES
AND THE CHINESE COMMUNIST
PARTY



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By ESEC at 7:31 am, Jun 03, 2024

May 31, 2024

The Honorable Joseph R. Biden, Jr.
President of the United States
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
Washington, D.C. 20528

RE: Extending work authorization opportunities for long-term immigrants

Dear President Biden and Secretary Mayorkas:

Thank you for the opportunity to respectfully request that you extend work authorization opportunities for long-term immigrants to address our workforce challenges, keep Florida families together, and increase prosperity for all Floridians.

I met yesterday with Tampa Bay area business leaders to discuss meaningful solutions for a pathway to work for immigrant spouses of U.S. citizens. The American and Florida Business Immigration Coalitions have been recently engaged in a project called “Here to Work” requesting to expansion of work permits for long-term undocumented immigrants.

Many of the business leaders shared with me the harsh consequences of new Florida anti-immigrant laws including serious negative impacts on the hospitality, agricultural and construction industries. Workers are leaving the state and employers are struggling to find new employees. Floridians are already suffering higher inflation and cost of living due to the misguided policies of the State of Florida regarding property insurance and electric bills, but now also labor shortages.

With Republicans in Congress refusing to reach bipartisan agreement on addressing border security and America’s broken immigration laws, I respectfully appeal to you to extend work authorization for long-term immigrant spouses and Dreamers.

While the unemployment rate is at a historic low and labor shortages are widespread, there are 11 million people who have been living and working here for decades, contributing to the economy and paying taxes but working in the shadows. According to the Congressional Budget Office, America currently has 8.5 million open jobs, but only 6.5 million unemployed workers. Even if every unemployed person found a job today, there would still be nearly 2 million open positions. In

Florida, the state only has 53 available workers for every 100 open jobs, and according to the U.S chamber of Commerce, Florida had over 570,000 open jobs in February this year.

I heard directly from _____, a military wife and the mother of two daughters born in this country, who is being forced to leave the United States and her family on Saturday. She has a lifetime immigration bar, her parole is expiring, and for more than 20 years she has been unable to adjust her status. She needs your help, as do thousands of other similarly situated families across the country.

Therefore, I respectfully request that the Administration extend work authorization to undocumented spouses of U.S citizens (1.1 million of which have been married to U.S citizens for more than 10, 15 or even 20 years but have not been able to get a work permit or adjust their status), and Dreamers who are ineligible for DACA.

One solution is parole. As you know, parole is part of existing law. The Immigration and Nationality Act grants the Secretary of Homeland Security the discretionary authority to parole, or to allow immigrants into the U.S. temporarily, on a case-by-case basis, for urgent humanitarian reasons or significant public benefit. I encourage you to use your legal authority under the Significant Public benefit to extend work permits to long-term immigrants to help bridge the gap between open jobs and willing workers. Once paroled, immigrants can get a work permit or apply for a work permit. Additionally, I stand ready to work with you to provide the tools needed to help clear parole and EAD backlogs and reduce processing times. This is imperative to help reduce the aforementioned workforce shortages and help millions of hard-working immigrant families.

Mr. President, you have worked diligently to chart a bipartisan pathway forward on border security and immigration reform. I watched as Republicans tanked their own border security and immigration effort. Yet, there are spouses of American citizens and Dreamers – and businesses and communities like mine – that should not be forced to wait for an end to the GOP chaos. Please extend a pathway to work authorization for long-term immigrants and Dreamers.

Sincerely,

A handwritten signature in black ink that reads "Kathy Castor". The signature is written in a cursive, flowing style.

Kathy Castor
United States Representative
Florida – District 14



**U.S. Citizenship
and Immigration
Services**

August 22, 2024

The Honorable Kathy Castor
U.S. House of Representatives
Washington, DC 20515

Dear Representative Castor:

Thank you for your May 31, 2024 letter to the U.S. Department of Homeland Security (DHS). I am responding on behalf of the Department.

As you know, under section 212(d)(5)(A) of the Immigration and Nationality Act (INA), the Secretary of Homeland Security has the discretionary authority to parole noncitizen applicants for admission into the United States temporarily on a case-by-case basis for urgent humanitarian reasons or significant public benefit. Parole may also be granted to noncitizens who are already present in the United States without admission; this is called parole in place.

On June 18, 2024, President Biden announced a series of executive actions intended to promote and strengthen family unity in the immigration system. Chief among them is a new process DHS will establish to consider, on a case-by-case basis, requests for parole in place requests from certain noncitizen spouses and stepchildren of U.S. citizens, if they meet certain requirements. Noncitizens must be present in the United States without admission or parole; have been continuously physically present in the United States for 10 or more years as of June 17, 2024 (or since June 17, 2024, in the case of stepchildren); have no disqualifying criminal history; and pass background and security vetting and do not pose a threat to national security or public safety.

Noncitizens who are granted parole in place under this process may be afforded up to a three-year period of parole, during which they may apply for adjustment of status (i.e., permanent residency) without having to leave the United States. If granted parole in place, individuals applying for adjustment of status must also satisfy all applicable legal requirements for lawful permanent residence, including a finding they are admissible to the United States under section 212 of the INA. At the conclusion of the parole period, U.S. Citizenship and Immigration Services (USCIS) anticipates these individuals will have either a pending adjustment application or final adjustment adjudication completed. Noncitizens will be eligible to apply for employment authorization during this three-year period of parole.

According to DHS estimates, this action could apply to approximately half a million noncitizen spouses of U.S. citizens and their approximately 50,000 noncitizen children who are stepchildren of a U.S. citizen. Additional information on the process, required fee, and other key information will be detailed in a forthcoming Federal Register notice. USCIS will also continue to provide updates about this process at www.uscis.gov/keepingfamilies-together.

As part of the same June 18, 2024, announcement, President Biden also announced actions that will facilitate certain employment-based nonimmigrant visas for certain U.S. college graduates, including Dreamers who may not meet the guidelines for DACA. This action will enable those who have earned a degree at an accredited U.S. institution of higher education in the United States, and who have received an offer of employment from a U.S. employer, to more quickly receive nonimmigrant work visas if they are otherwise eligible. DHS will implement the Department of State's policy update.

Your letter also mentions a military spouse who is unable to adjust her status to that of a lawful permanent resident. With respect to relief available to military spouses, we note there is an existing process for noncitizen spouses of individuals who are serving or have in the past served on active duty in the U.S. Armed Forces, or in the Selected Reserve of the Ready Reserve, to request parole in place. Congress has affirmed the authority of the Secretary to exercise parole authority in these instances, finding that "disruption to military family unity should be minimized in order to enhance military readiness and allow members of the Armed Forces to focus on the faithful execution of their military missions and objectives, with peace of mind regarding the well-being of their family members."¹ More information on discretionary options for military members and their families can be found on the USCIS website at <https://www.uscis.gov/military/discretionary-options-for-military-members-enlistees-and-their-families>.

DHS continues to evaluate its existing processes and policies, and we are committed to exploring all available avenues to eliminate unnecessary barriers and improve transparency, efficiency, and integrity in the immigration system.

Thank you again for your letter and interest in this important issue. If you would like to discuss this matter further, please have your staff contact the USCIS Office of Legislative Affairs at (240) 721-3801.

Respectfully,



Ur M. Jaddou
Director

¹ See Section 1758 of the National Defense Authorization Act for Fiscal Year 2020, Pub. L. 116-92, 133 Stat. 1198, 1860 (December 20, 2019).