

Congress of the United States

Washington, DC 20510

March 19, 2020

The Honorable Chad Wolf
Acting Secretary
U.S. Department of Homeland Security
Washington, D.C. 20528

Dear Acting Secretary Wolf:

We are gravely concerned that the Trump Administration is preparing mass deportations of Dreamers, young immigrants who grew up in the United States and know no other home. We write to urgently seek more information about the Department of Homeland Security's (DHS) plans for removing DACA recipients.

As you know, the Supreme Court is currently considering the legality of President Trump's cruel repeal of Deferred Action for Childhood Arrivals (DACA), with a decision expected by June. During oral argument on November 12, 2019, Chief Justice Roberts seemingly minimized the significance of the outcome, saying: "Both [the Obama and Trump] administrations have said they're not going to deport the people."

Contrary to the Chief Justice's expectations, it appears that the Trump Administration is planning to deport DACA recipients whose deportation cases had been administratively closed. Many Dreamers have reported receiving notice that their deportation cases have recently been reopened. U.S. Immigration and Customs Enforcement (ICE) issued a statement confirming that DACA deportation cases that had been administratively closed will be reopened and that this "is occurring nationwide and not isolated to a particular state or region." On January 23, Acting ICE Director Matthew Albence replied to a question about these actions, saying that if "DACA is done away with by the Supreme Court, we can actually effectuate those removal orders." Similarly, in response to questioning from Senator Kamala D. Harris at a Homeland Security and Governmental Affairs Committee hearing on March 4, you said that DHS would deport these DACA recipients, testifying: "So when we get final orders of removal, we're going to effectuate those."

Eight years ago, following bipartisan requests from Congress, President Obama used his legal authority to establish DACA. DACA provides temporary protection from deportation to Dreamers on an individualized basis if they register with the government, pay a fee, and pass criminal and national security background checks. DACA is a lawful exercise of the President's authority to establish deportation priorities. Past administrations—Democratic and Republican—have stopped deportations of low-priority cases and courts have long recognized this authority.

More than 800,000 Dreamers have come forward and received DACA. DACA has unleashed the full potential of Dreamers, who are contributing to our country as soldiers, nurses, teachers, and small business owners, and in many other ways. Now, as a result of President Trump's decision, these Dreamers face losing their authorization to work and being deported to countries they barely remember. When he announced the repeal of DACA, President Trump called on Congress to "legalize DACA," but since then, he has rejected numerous bipartisan deals to protect Dreamers.

In response to the crisis that President Trump created, the House of Representatives passed the *American Dream and Promise Act* on a strong bipartisan vote of 237-187. The *American Dream and*

Promise Act is now pending in the Senate, as is the bipartisan *Dream Act*, and it is up to Senate Majority Leader Mitch McConnell whether to give Dreamers a path to citizenship by calling this legislation for a vote.

Only Congress can provide a permanent solution for Dreamers, but if the Supreme Court permits President Trump's DACA repeal to stand, the fate of the Dreamers will be in your hands. It will be up to you whether to use DHS's limited resources to deport these young immigrants who have benefitted America in countless ways through their talents, hard work, and service.

In light of the clear statements above that the Trump Administration is preparing to deport DACA recipients whose deportation cases had been administratively closed, we request that you respond to the following questions as soon as possible, and no later than April 9, 2020:

1. How many DACA recipients' cases have been administratively closed since August 15, 2012?
2. How many of these cases of DACA recipients that had been administratively closed have subsequently been reopened or re-calendared since January 20, 2017?
3. How many current or former DACA recipients have been ordered removed since January 20, 2017?
4. How many current or former DACA recipients have been removed since January 20, 2017?
5. Since January 20, 2017, how many DACA recipients' and DACA applicants' information has been provided to ICE?
6. During the March 4 hearing, you committed to provide plans developed by ICE with regard to DACA recipients that take into account the various potential decisions the Supreme Court may issue. Please include that information in your response.

Thank you for your time and consideration. We look forward to your prompt response.

Sincerely,



RICHARD J. DURBIN
United States Senator



AYANNA PRESSLEY
Member of Congress



KAMALA D. HARRIS
United States Senat

/s/ Charles E. Schumer
United States Senator

/s/ Patrick Leahy
United States Senator

/s/ Dianne Feinstein
United States Senator

/s/ Patty Murray
United States Senator

/s/ Ron Wyden
United States Senator

/s/ Thomas R. Carper
United States Senator

/s/ Debbie Stabenow
United States Senator

/s/ Robert Menendez
United States Senator

/s/ Bernard Sanders
United States Senator

/s/ Sherrod Brown
United States Senator

/s/ Robert P. Casey, Jr.
United States Senator

/s/ Amy Klobuchar
United States Senator

/s/ Sheldon Whitehouse
United States Senator

/s/ Tom Udall
United States Senator

/s/ Jeanne Shaheen
United States Senator

/s/ Mark R. Warner
United States Senator

/s/ Jeffrey A. Merkley
United States Senator

/s/ Michael F. Bennet
United States Senator

/s/ Kirsten Gillibrand
United States Senator

/s/ Christopher A. Coons
United States Senator

/s/ Richard Blumenthal
United States Senator

/s/ Tammy Baldwin
United States Senator

/s/ Mazie K. Hirono
United States Senator

/s/ Martin Heinrich
United States Senator

/s/ Tim Kaine
United States Senator

/s/ Elizabeth Warren
United States Senator

/s/ Edward J. Markey
United States Senator

/s/ Cory A. Booker
United States Senator

/s/ Chris Van Hollen
United States Senator

/s/ Tammy Duckworth
United States Senator

/s/ Maggie Hassan
United States Senator

/s/ Catherine Cortez Masto
United States Senator

/s/ Tina Smith
United States Senator

/s/ Jacky Rosen
United States Senator

/s/ Raúl M. Grijalva
Member of Congress

/s/ Gwenn Moore
Member of Congress

/s/ Ann Kirkpatrick
Member of Congress

/s/ Bonnie Watson Coleman
Member of Congress

/s/ Julia Brownley
Member of Congress

/s/ Pramila Jayapal
Member of Congress

/s/ Eleanor Holmes Norton
Member of Congress

/s/ Jan Schakowsky
Member of Congress

/s/ Tony Cárdenas
Member of Congress

/s/ Sylvia R. Garcia
Member of Congress

/s/ Judy Chu
Member of Congress

/s/ Jahana Hayes
Member of Congress

/s/ Gregory W. Meeks
Member of Congress

/s/ Alexandria Ocasio-Cortez
Member of Congress

/s/ Earl Blumenauer
Member of Congress

/s/ Nydia M. Velázquez
Member of Congress

/s/ James P. McGovern
Member of Congress

/s/ Dina Titus
Member of Congress

/s/ Ilhan Omar
Member of Congress

/s/ Rashida Tlaib
Member of Congress

/s/ David Trone
Member of Congress

/s/ Bill Foster
Member of Congress

/s/ Gilbert R. Cisneros, Jr.
Member of Congress

/s/ Debbie Mucarsel-Powell
Member of Congress

/s/ Veronica Escobar
Member of Congress

/s/ Joaquin Castro
Member of Congress

/s/ Jerold Nadler
Member of Congress

/s/ Jesús G. “Chuy” García
Member of Congress

/s/ Jim Cooper
Member of Congress

/s/ Ben Ray Luján
Member of Congress

/s/ Karen Bass
Member of Congress

/s/ Jamie Raskin
Member of Congress

/s/ Henry C. “Hank” Johnson, Jr.
Member of Congress

/s/ Adriano Espaillat
Member of Congress

/s/ Gwenn Moore
Member of Congress

/s/ Scott Peters
Member of Congress

/s/ Mark Pocan
Member of Congress

/s/ Julia Brownley
Member of Congress

/s/ Linda T. Sánchez
Member of Congress

/s/ Lori Trahan
Member of Congress

/s/ Alcee Hastings
Member of Congress

/s/ Grace Meng
Member of Congress

/s/ Jared Huffman
Member of Congress

/s/ Katherine Clark
Member of Congress

/s/ Al Green
Member of Congress

/s/ Rosa DeLauro
Member of Congress

/s/ Mark DeSaulnier
Member of Congress

/s/ Bennie Thompson
Member of Congress

/s/ Danny K. Davis
Member of Congress

/s/ Emanuel Cleaver
Member of Congress

/s/ Mike Quigley
Member of Congress

/s/ Deb Haaland
Member of Congress

/s/ Zoe Lofgren
Member of Congress

/s/ Gerald E. Connolly
Member of Congress

/s/ Darren Soto
Member of Congress

/s/ Peter A. DeFazio
Member of Congress

/s/ Joseph P. Kennedy, III
Member of Congress

/s/ Donna Shalala
Member of Congress

/s/ Kathy Castor
Member of Congress

/s/ Jimmy Gomez
Member of Congress

/s/ Ted Deutch
Member of Congress

/s/ Peter Welch
Member of Congress

/s/ Hakeem Jeffries
Member of Congress

/s/ TJ Cox
Member of Congress

/s/ Debbie Wasserman Schultz
Member of Congress

/s/ Daniel T. Kildee
Member of Congress

/s/ Filemon Vela
Member of Congress

/s/ J. Luis Correa
Member of Congress

/s/ Salud Carbajal
Member of Congress

/s/ Dwight Evans
Member of Congress

/s/ Yvette D. Clarke
Member of Congress

/s/ Grace Napolitano
Member of Congress

/s/ Diana DeGette
Member of Congress

/s/ David N. Cicilline
Member of Congress

/s/ Eliot L. Engel
Member of Congress

/s/ Norma J. Torres
Member of Congress

/s/ John Yarmuth
Member of Congress

/s/ Nanette Diaz Barragán
Member of Congress

/s/ Alan Lowenthal
Member of Congress

/s/ Greg Stanton
Member of Congress

/s/ Steve Horsford
Member of Congress

/s/ Adam Schiff
Member of Congress

/s/ Anna G. Eshoo
Member of Congress

/s/ Mike Thompson
Member of Congress

/s/ Juan Vargas
Member of Congress

/s/ Jimmy Panetta
Member of Congress

/s/ André Carson
Member of Congress