

Congress of the United States
Washington, DC 20515

January 12, 2024

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
301 7th St, SW
Washington, D.C. 20528

Dear Secretary Mayorkas,

We write to request that the Department of Homeland Security (DHS) issue a “Parole in Place” (PIP) to all Cuban arrivals to the United States who have received an I-220A form. This action – which DHS has full authority to take – will allow these Cubans to be eligible for adjustment of status under the Cuban Adjustment Act. These individuals deserve clarity, dignity, and a fair opportunity to remain in the United States.

Cubans and Cuban-Americans have long contributed to the beautiful tapestry of this country. They are our neighbors, our family members, and the kind faces we see in our towns and communities. But, regardless of their additions to our union, they are people and they deserve their rights to be respected. Upholding that humanity includes ensuring that these individuals are not left in a legal quagmire that denies them the opportunities available to them through the Cuban Adjustment Act.

As you know, the Cuban Adjustment Act of 1966 created a path to permanent residency for Cuban nationals who emigrate from Cuba to the United States. However, recent policy changes and court rulings have sowed confusion and unfairly deprived many Cuban emigres of documented immigration to and residency in this country. Cubans who recently entered the United States and were issued an “order of release on recognizance,” or an I-220A, are denied the ability to “adjust their status” and apply for green cards or residency status.

Border agents at our ports of entry are using discretion to issue I-220A forms to arriving individuals, even though they also have the authority to grant humanitarian parole. The affected Cuban emigres we’ve spoken with allege that I-220A forms and humanitarian parole are issued arbitrarily, with some family members receiving I-220A and other family members receiving humanitarian parole. Regardless, the issuance of I-220A throws Cuban arrivals into legal uncertainty and prevents them from full integration into life in the United States. Many live in a state of constant worry given the unpredictable nature of their legal status and permanency in the country. They fear reprisals if they return to Cuba.

DHS has the authority to correct this situation. We respectfully request that DHS issue a “Parole in Place” to the affected Cubans who were issued an I-220A form. This will make affected Cubans eligible to apply for permanent residency, as hundreds of thousands of Cubans have done

for decades, under the Cuban Adjustment Act. This PIP should come with all deliberate speed. On behalf of the thousands of Cubans in our communities, and those across the United States, we urge full and swift relief for these individuals.

Sincerely,

A handwritten signature in blue ink that reads "Morgan McGarvey". The signature is fluid and cursive, with the first name "Morgan" being more prominent.

MORGAN McGARVEY
Member of Congress

A handwritten signature in blue ink that reads "Maria Elvira Salazar". The signature is cursive and elegant, with the last name "Salazar" being the most distinct part.

MARIA ELVIRA SALAZAR
Member of Congress

A handwritten signature in blue ink that reads "Debbie Wasserman Schultz". The signature is cursive and somewhat stylized, with the last name "Schultz" being the most prominent.

DEBBIE WASSERMAN SCHULTZ
Member of Congress