Congress of the United States
House of Representatives
Washington, DC 20515-0301

April 27, 2015

The Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear President Obama:

We write to insist that your administration immediately terminate the Central American Minors (CAM) Refugee/Parole Program. We believe this program is, at best, contrary to the rule of law and, at worst, unconstitutional. Given our current national security threats and border crises, we are appalled that the administration would create and implement a new program meant to promote lawlessness and incentivize further illegal immigration.

The memo announcing a March 31, 2015 conference call about this new program indicates that the "CAM program began accepting applications from qualifying parents in the U.S. for their children on December 1, 2014." Media reports indicate the administration will send empty airplanes to these countries to implement this new program and will pick up non-U.S. citizens for the purposes of bringing them to America so they can work and live in our country.[1] DHS' website further indicates the CAM program will provide cash, loans, help with travel and medical assistance to refugees participating in the program.[2] Media reports further indicate that parolees participating in the program could include felons and immigrants that were previously deported.[3]

We are also seriously concerned that the CAM program appears to waive certain fees for participating illegal immigrants—fees that are required for potential legal immigrants who wish to enter this country in accordance with our laws. Such practices are an affront to the rule of law and promote lawlessness.

As some of us have previously stated, it seems as though the Department of Homeland Security and its subcomponents are in the business of facilitating illegal behavior rather than mitigating it. The implementation of this new program is deeply troubling.

It is the responsibility of Congress to make our immigration laws and authorize programs. We are unaware of any specific authorizations or appropriations for the CAM program.

In closing, we would like to reiterate our insistence to have this program terminated or, at a minimum, immediately suspended until members of Congress are briefed with answers to the

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attached questions and it is determined that this is an authorized program.

Should the administration wish to seek clarity regarding any of the below questions, please do not hesitate to contact us. Thank you for your consideration. We look forward to your timely response.

Sincerely,

Paul A. Gosar, D.D.S.
Member of Congress

Jeff Duncan
Member of Congress

Cynthia Lummis
Member of Congress

Scott Perry
Member of Congress

Rod Blum
Member of Congress

Jim Bridenstine
Member of Congress

Marsha Blackburn
Member of Congress

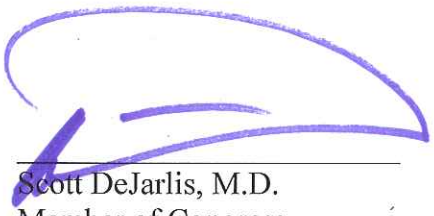
Walter B. Jones
Member of Congress

Brian Babin, D.D.S.
Member of Congress

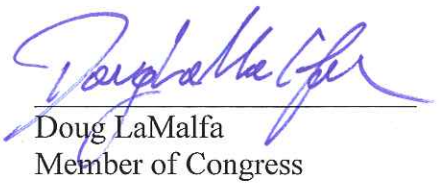
Mike Rogers
Member of Congress

Steven Palazzo
Member of Congress

David Schweikert
Member of Congress

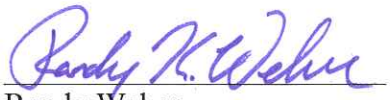


Scott DeJarlis, M.D.
Member of Congress

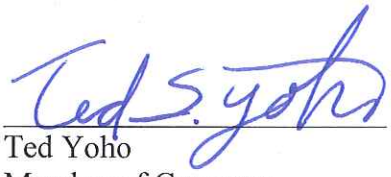


Doug LaMalfa
Member of Congress

Lou Barletta
Member of Congress

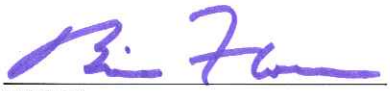


Randy Weber
Member of Congress

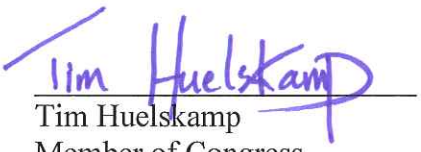


Ted Yoho
Member of Congress

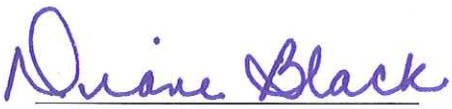
Doug Collins
Member of Congress



Bill Flores
Member of Congress

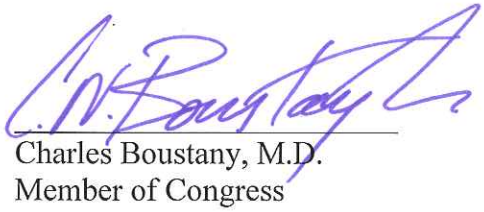


Tim Huelskamp
Member of Congress

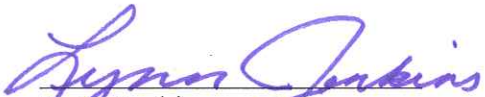


Diane Black, R.N.
Member of Congress

Mo Brooks
Member of Congress



Charles Boustany, M.D.
Member of Congress



Lynn Jenkins
Member of Congress

Pete Olson
Member of Congress

John Mica
Member of Congress

Steve King
Member of Congress

Matt Salmon
Member of Congress

Louie Gohmert
Member of Congress

Lamar Smith
Member of Congress

Kenny Marchant
Member of Congress

Trent Franks
Member of Congress

Pete Sessions
Member of Congress

Doug Lamborn
Member of Congress

Sam Johnson
Member of Congress

Mike Conaway
Member of Congress

cc:
The Honorable John Kerry, Secretary, U.S. Department of State
The Honorable Jeh Johnson, Secretary, U.S. Department of Homeland Security
Mr. Ken Tota, Acting Director, U.S. Department of Health and Human
Mr. Leon Rodriguez, Director, U.S. Citizenship and Immigration Services

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[1] http://www.ijreview.com/2015/04/289129-govt-will-fly-children-illegal-immigrants-central-america-join-parents-us/

[2] http://www.uscis.gov/humanitarian/refugees-asylum/refugees

[3] http://www.nationalreview.com/article/416545/previously-deported-immigrants-can-now-enter-us-taxpayers-dime-ryan-lovelace

Enclosure

Attached questions to be answered by any and all relevant agencies, sub-agencies and personnel

1. First and foremost, what statutory authority is used as a basis for this new CAM program and the processes involved?
    a. Further, what specific appropriations or collected fees are used to facilitate this program (meaning, from which specific accounts within DHS)?
    b. What specific authorization and subsequent appropriation from Congress is being used for this program?
2. Please provide an explanation as to the evolution of the CAM program including:
    a. Any earlier versions of the program;
    b. When the CAM program was instituted in its current form;
    c. How and when the CAM program was distributed to personnel as instruction, in addition to providing the exact document outlining such instructions, in unredacted form;
    d. Any and all potential updates to the CAM program that are currently being considered.
3. As noted in the agency memo, "the CAM program began accepting applications from qualifying parents in the U.S. for their children on December 1, 2014."
    a. How many total applications for the CAM program have been received to date?
    b. How many individuals have entered the United States as a result of the CAM program to date? Please provide these figures in total and by date (e.g.: 100 entered on February 15, 2015).
    c. How many applicants are eligible and have applied for the CAM program as a result of an associated relative receiving deferred action from either the Deferred Action for Childhood Arrivals (DACA) program or the Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) program?
4. Media reports indicate "the State Department will be flying empty planes, at taxpayer expense, to Guatemala, Honduras, and El Salvador. They will then fly the children from these countries to America to be reunited with their parents, some of whom are here illegally." DHS' website about the new program indicates once qualifying illegal immigrants "are approved as a refugee, you will receive a medical exam, a cultural orientation, help with your travel plans, and a loan for your travel to the United States."
    a. Please further define what "help with travel plans" entails and an estimated cost of these expenditures over the life of the CAM program.
    b. For the loans for their travel to the U.S., what percentage of these loans will be required to be repaid and what is the maximum loan to each individual?
    c. State Department spokesperson Marie Harf recently responded during a press briefing that she did not know the price tag, but she "was happy to look" into these expenditures. What is the estimated cost to U.S. taxpayers from the new CAM program?
5. DHS' website states that after arriving, illegal immigrants participating in this program "will be eligible for medical and cash assistance."
    a. What is the estimated total cost of cash assistance for refugees over the life of the CAM program?

b. What is the estimated total cost of the medical benefits for refugees over the life of the CAM program?

6. DHS' website also indicates there is "no fee to apply for refugee status." and that the information provided "will not be shared with your home country."
    a. Why is there not a fee?
    b. Why not share some relevant information with the country of origin to confirm important information about these potential CAM participants? Wouldn't such information be useful for background checks and determining the criminal history of these possible participants?
7. DHS' website also states with regard to the new CAM program and participating refugees, "You may include a same-sex spouse in your application provided that you and your spouse are legally married. As a general matter, USCIS looks to the law of the place where the marriage took place when determining whether it is valid for immigration law purposes." The website also indicates that "Same-sex partners who are not married but who are qualified" can access the program.
    a. If DHS is not going to share information about the potential refugee participants applying for this program with their home countries, how will these same-sex marriages be confirmed?
    b. For qualifying "same-sex partners who are not married", what will the process be for verifying these relationships?
8. DHS' website states, "If you are a refugee in the United States and want your family members who are abroad to join you, you may file Form I-730, Refugee/Asylee Relative Petition, your case may include your spouse, child (unmarried and under 21years of age), and in some limited circumstances, other family members."
    a. Please define "other family members" and any potential relationships that may qualify under this definition.
    b. How many spouses, children and other family members are estimated to participate in the CAM program over its lifetime?
9. DHS' website about the CAM program indicates, "If you are admitted as a refugee, you must apply for a green card one year after coming to the United States. To apply for permanent residency, file the Form I-485, Application to Register Permanent Residence or to Adjust Status. There is no fee for refugees to file the Form I-485. In addition, refugees do not have to pay for fingerprinting/biometrics fees." However, DHS' website also indicates that those legally "immigrating to the United States" and seeking to be admitted "as a lawful permanent resident…must pay a $165 USCIS Immigrant Fee."
    a. Who will pay for the fingerprinting/biometrics for CAM program participants?
    b. Why is there a fee for lawful immigrants seeking permanent green cards but not for refugees/parolees in the CAM program?
10. DHS' website states, "There is no fee to participate in this refugee/parole program and it is prohibited for anyone to charge a fee for completion of the form."
    a. What statutory authority allows for this type of discrimination and prohibits charging a fee for completion of the form for the select qualifying individuals?
11. DHS' website further indicates, "The parent in the U.S. will pay the initial costs of DNA testing and will be reimbursed for testing costs only if all claimed and tested biological relationships are confirmed by DNA test results."

a. Why will the illegal immigrant parent in the U.S. be reimbursed with U.S. taxpayer money for DNA testing done at their request in order to bring their family members here?
b. What is the process that will be used to confirm step-children and legally adopted children participating in the CAM program?

12. DHS' website states, "If the applicant doesn't qualify for the more desirable refugee status he or she can be considered for parole. Parole allows individuals who may be otherwise inadmissible to come to the U.S. on a case-by-case basis for urgent humanitarian reasons or significant public benefit. DHS indicates the legal definition of refugee can be found in section 101(a)(42) of the Immigration and Nationality Act (INA)."
    a. Where can the legal definition of "parole" be found in United State Codes in relation to the CAM program?
    b. How many parolees that were previously deported or previously convicted of a felony have applied to participate in the program?
13. Finally, DHS' website indicates, "As a refugee, you may work immediately upon arrival to the United States."
    a. What statutory authority allows CAM refugees and parolees to work immediately upon entering the U.S.?