

August 10, 2015

The Honorable Jeh Johnson
Secretary
U.S. Department of Homeland Security
Washington, DC 20528

Dear Secretary Johnson:

On behalf of Asian Americans Advancing Justice-AAJC, the undersigned Filipino American leaders and other allies, we write concerning the White House's recent announcement that the Department of Homeland Security (DHS) will create a parole program to reunite Filipino American veterans with certain family members. We applaud the Administration for taking this important step to recognize the service of these veterans and help reunite their families more quickly.

As DHS moves forward to implement this parole program, we hope to work with you closely to create a program that helps as many families as possible. In the spirit of collaboration, we would like to share several specific recommendations for the parole program:

- Implementation Timeline

We urge DHS to develop and implement the parole program as quickly as possible. We all recognize that most of the remaining veterans are quite elderly and that time is of the essence if the Administration expects to help as many families as possible. We request that the parole program is formally launched and accepting applications by the end of 2015.

- Program Eligibility

- At a minimum, to preserve family unity, spouses, widows and children of Filipino World War II veterans with approved I-130 petitions, regardless of expected priority dates, should be eligible to apply for parole through this program. Children of Filipino veterans may be adult or minor, married or single. Given the veterans' advanced ages and the relatively small number of family members impacted, we urge DHS to allow spouses, widows and children of veterans with approved I-130 petitions to apply for parole.
- Surviving spouses of Filipino veteran petitioners who are residing in the United States are awaiting the visa availability of the petitions filed on behalf of their children. Children of deceased veterans should be allowed to apply for parole as long as the veteran's surviving spouse is a U.S. citizen and currently residing in the United States. This will allow the children to take care of their aging parents who are surviving spouses of Filipino veterans.
- Under our immigration laws, the death of a petitioner automatically revokes an I-130 petition. Sadly, as time has passed and visa backlogs have grown for the Philippines, veterans have died and their petitions became null. Immigration law does allow for some surviving relatives to continue with approved petitions upon the death of a

- qualifying relative and also for I-130 petitions to be reinstated in certain cases based on humanitarian factors. When reviewing requests for reinstatement of revoked I-130 petitions and for surviving relative petitions, we urge DHS to take into consideration the spirit and purpose of this policy which is to promote family unity for Filipino veterans and their loved ones. For family members who are able to reinstate an I-130 petition or otherwise continue their petition after the petitioner-veteran's death, we urge DHS to permit them to apply for parole.
- The lengthy backlogs and wait times have also meant that some derivatives (e.g., children of beneficiaries) have aged out. We urge DHS to consider extending parole eligibility to aged-out individuals related to Filipino veterans.
 - Last, we ask DHS to permit family members of Filipino veterans who are without legal status currently living in the United States to apply for parole and employment authorization so they can remain here to care for their aging parents. U.S. Citizenship and Immigration Services (USCIS) already has a policy permitting "parole in place" for certain family members of U.S. military service members and veterans. Filipino veterans and their family members should also benefit from parole in place and we urge DHS to consider extending this policy to them.
- Application Process
 - In contrast to the existing parole programs for Cuban and Haitian nationals which require DHS, specifically USCIS, to first invite specific people to apply for parole, we recommend that DHS permit all eligible family members to affirmatively apply for this parole program. An invitation-based process is impractical considering time constraints and humanitarian factors involved in Filipino veterans' cases. Rather, DHS should identify the types of family members eligible for parole and people can apply if they choose to do so.
 - We assume that veterans will need to verify their veteran status as part of the parole application process. We recommend that DHS accept a broad array of documents, including military discharge papers issued by the Philippines government and affidavits, to prove an individual's veteran status. Documenting veteran status has been challenging in the context of the Filipino Veterans Equity Compensation Fund administered by the Department of Veterans Affairs (VA) and otherwise-eligible individuals have been denied benefits for lack of documentation. We urge DHS to dialogue with veterans, other community leaders, and their VA colleagues about best practices for documenting veteran status.
 - Due to the veterans' advanced age and in an effort to reunite families as quickly as possible, we ask that DHS consider offering an expedited processing mechanism.

- Community Outreach

As part of the implementation process, we strongly encourage USCIS to work with community leaders to develop a strong outreach plan to inform veterans and their families about the program. Outreach materials should include information translated into Tagalog, Ilocano and

Cebuano. Program information should be disseminated officially by USCIS widely here in the U.S. as well as the Philippines to prevent confusion.

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Thank you for considering the above recommendations. We are very excited about the parole program and we look forward to finally reuniting these veterans with their close loved ones. We commend the Administration honoring the veterans' service and courage by helping them be with their family members. We look forward to discussing our recommendations with DHS and working with you to implement this program.

Sincerely,

Alliance of Filipinos for Immigrant Rights and Empowerment (AFIRE Chicago)
Asian Americans Advancing Justice-AAJC
Asian Americans Advancing Justice-Asian Law Caucus
Asian Americans Advancing Justice-Atlanta
Asian Americans Advancing Justice-Chicago
Asian Americans Advancing Justice-Los Angeles
Filipino Advocates for Justice
KAYA: Filipino Americans for Progress
National Council of Asian Pacific Americans
National Federation of Filipino American Associations
National Filipino American Lawyers Association
San Francisco Veterans Equity Center

cc: The Honorable John Kerry, Secretary, Department of State
The Honorable Leon Rodriguez, Director, USCIS
Cecilia Muñoz, Director, Domestic Policy Council