



Homeland Security

October 25, 2022

The Honorable Charles E. Grassley
Ranking Member
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Ranking Member Grassley:

Thank you for your July 14, 2022, letter to the Department of Homeland Security (DHS) regarding U.S. Immigration and Customs Enforcement Office of the Principal Legal Advisor's (OPLA) implementation of Principal Legal Advisor Kerry E. Doyle's April 3, 2022, memorandum, *Guidance to OPLA Attorneys Regarding the Enforcement of Civil Immigration Laws and the Exercise of Prosecutorial Discretion* (Doyle Memorandum). Secretary Mayorkas asked that I respond on his behalf, and I apologize for the delay in my response.

OPLA attorneys are no longer applying those portions of the Doyle Memorandum that reference the DHS September 30, 2021, memorandum, *Guidelines for the Enforcement of Civil Immigration Law* (Mayorkas Memorandum), when exercising prosecutorial discretion or in any other context. The Mayorkas Memorandum, which outlined DHS's civil immigration enforcement priorities, was vacated, effective June 25, 2022, by order of the U.S. District Court for the Southern District of Texas on June 10, 2022. See *Texas v. United States*, No. 6:21-00016 (S.D. Tex. June 10, 2022).

Enclosed are responses to your specific questions. Ranking Member Lankford, who cosigned your letter, will receive a separate, identical response. Should you wish to discuss this matter further, please do not hesitate to contact the DHS Office of Legislative Affairs at (202) 447-5890.

Sincerely,

A handwritten signature in black ink that reads "Alice Lugo".

Alice Lugo
Assistant Secretary for Legislative Affairs

Enclosure