

Congress of the United States

Washington, DC 20510

August 28, 2023

The Honorable Ur M. Jaddou
Director
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, N.W.
Washington, D.C. 20529

Dear Director Jaddou:

We write regarding the recovery efforts needed to address the unique issues facing the Maui immigrant community in the wake of the Lahaina wildfires. Your agency's work is critical in the response to this disaster, and we ask you to continue and expand your efforts.

As you know, Lahaina had a large foreign-born population. When the wildfires destroyed their homes and possessions, in many cases, it also destroyed their legal documents. Many members of our immigrant communities now lack the main identification showing they are legally in the United States, and replacing the paperwork is expensive and time-consuming. Survivors of the wildfire need assistance in alleviating any additional challenges they might face, and this encompasses tasks such as replacing immigration documents.

Your agency has recognized this additional burden and has taken steps to alleviate it. We appreciate U.S. Citizenship and Immigration Services (USCIS) sending staff and mobile biometrics equipment to Maui to help survivors replace their immigration documents. Your staff's presence at the disaster recovery center, resource fairs, and other events is welcome outreach to a vulnerable population. We ask you to continue your commitment to the recovery process.

As recovery efforts unfold, we request that, at a minimum, you take the following actions in your response for individuals impacted by wildfire:

- Mobile biometrics equipment and staff should remain in Maui for as long as possible to eliminate the need for survivors to travel to Oahu to complete their document replacement procedures.
- USCIS headquarters should issue guidance that fee waiver requests will be looked at favorably. Since numerous survivors might lack alternative evidence due to its destruction in the wildfire, USCIS should also accept self-attestations for fee waiver requests.

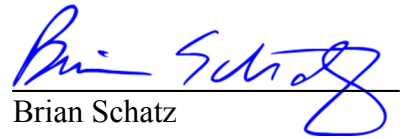
- Similar to past USCIS efforts to issue fee exemptions to specific vulnerable populations, bold ideas like blanket fee exemptions and streamlined processes should be pursued, even on a temporary basis.
- USCIS should expand fee waivers to additional documentation, such as paperwork related to the Deferred Action for Childhood Arrivals (DACA).
- Any “no-show” immigration appointments should be automatically rescheduled in acknowledgment that many people are unable to attend their appointments.
- USCIS should announce policy flexibilities and automatic extensions of relevant deadlines for applicants affected by the wildfire.
- Guidance should be provided to indicate alternative venues for receiving official paperwork or correspondence, particularly in cases where individuals may not have access to their mail.
- Due to the substantial Limited English Proficiency population within the Lahaina community, public-facing information should be translated into the major languages spoken by the community, including Ilocano, Tagalog, Spanish, Chuukese, and Tongan. USCIS should also take proactive measures to make its Contact Center and services easily accessible to these populations by actively informing these individuals about any available interpretation services.
- While the USCIS Policy Manual currently notes “emergencies and urgent humanitarian reasons” as one of the criteria for expediting requests, USCIS should maximize processes to expedite replacing any documents destroyed by the wildfire.
- Considering that survivors have been displaced to the neighbor islands or the mainland, USCIS should extend their services and outreach to all survivors no matter where they currently reside.

As Maui recovers and rebuilds, the full force of the federal government is needed. We ask that your agency continue working constructively to maximize assistance to impacted individuals. Please stay in close contact with our offices as issues arise so we can continue to work together on this incredibly important issue.

Sincerely,



Mazie K. Hirono
United States Senator



Brian Schatz
United States Senator



Jim Tokuda
Member of Congress



Ed Case
Member of Congress



U.S. Citizenship
and Immigration
Services

September 22, 2023

The Honorable Mazie K. Hirono
United States Senate
Washington, DC 20510

Dear Senator Hirono:

Thank you for your August 28, 2023 letter to U.S. Citizenship and Immigration Services (USCIS) regarding issues facing the Maui immigrant community in the wake of the Lahaina wildfires. On behalf of USCIS, I would like to express my deepest sympathy to the families who lost loved ones and to all who are recovering from the devastation.

USCIS is committed to supporting the response to the Lahaina wildfires, recognizing the unique challenges impacted noncitizens face. As noted in your letter, USCIS sent staff and mobile biometrics units from the Honolulu Field Office to Maui to conduct outreach and help survivors replace lost or damaged immigration documents. We maintained this staff presence on the ground in Maui from August 17 - September 6. A team from the Honolulu Field Office is returning to Maui to provide services at FEMA's Disaster Recovery Center at the Lāhainā Civic Center from September 22 – 26. A USCIS Biometrics Team will be at this same location September 22 – 24. The field office is assessing potential dates in October. USCIS also participated in two Federal Agency Resource Fairs -- at the Maui Economic Development Board's Malcolm Center on August 19 and the Lāhainā Civic Center on August 26. USCIS has published Form I-9 and E-Verify Guidance for those affected by the Lahaina wildfires. Lastly, the Honolulu Field Office is managing a USCIS Maui Response email box dedicated to answering inquiries from fire survivors and their representatives. We will continue to support outreach efforts as recovery and rebuilding continues.

We also appreciate the additional suggestions in your letter to aid individuals affected by the wildfires and have already begun to implement some of them. For example, USCIS will automatically reschedule appointments missed because of the disaster.

USCIS also recognizes that impacted individuals may have limited access to documents or other evidence that would normally be submitted with immigration benefit requests and requests for other relief. Please know that if a requestor does not have certain documentation required to demonstrate eligibility for the benefit or relief sought, the requestor can submit secondary evidence pertinent to the facts and circumstances at issue or, if such evidence is unavailable and cannot be obtained, the requestor can submit two or more affidavits to overcome the unavailability of primary and secondary evidence. See 8 CFR 103.2(b)(2). If the requestor

does not submit required evidence or respond to a notice or request for evidence in a timely manner due to an emergency or unforeseen circumstance, such as the Lahaina wildfires, they may show how the disrupting event affected their ability to submit the documents as required.

Further, any person affected and eligible based on form type may request a fee waiver by filing Form I-912, Request for Fee Waiver, and may request their immigration benefit request be expedited and include information about the impact of the wildfires they would like USCIS to consider. Additional information about available flexibilities can be found online at www.uscis.gov/newsroom/immigration-relief-in-emergencies-or-unforeseen-circumstances.

USCIS is committed to assisting the Lahaina community and will continue to explore additional ways to further support affected noncitizens and their communities, including consideration of the other actions proposed in your letter.

Thank you again for your letter and interest in this important issue. The cosigners of your letter will receive a separate, identical response. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative Affairs at (240) 721-3801.

Respectfully,

A handwritten signature in black ink, appearing to read "Ur M. Jaddou", followed by a horizontal line extending to the right.

Ur M. Jaddou
Director