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By ESEC at 10:28 am, Apr 07, 2022

Congress of the United States
Washington, DC 20515

April 7, 2021

The Honorable Antony Blinken
Secretary
Department of State
2201 C Street, NW
Washington, DC 20520

The Honorable Alejandro Mayorkas
Secretary
Department of Homeland Security
301 7th Street, SW
Washington, DC 20528

The Honorable Ur M. Jaddou
Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
20 Massachusetts Avenue, NW
Washington, DC 20001

Dear Secretary Blinken, Secretary Mayorkas and Director Jaddou:

We write to express our concern that refugees who were in the final stages of resettlement when the Muslim Ban was issued continue to be banned from the United States. Media reports¹ highlight the challenges these refugees face, whether in the form of unexplained denials or undue delays, when attempting to enter the country. While President Biden revoked the ban on January 20, 2021, for hundreds of refugees the “Muslim Ban” has not ended. We urge you to remedy this situation immediately.

Three hundred and fifteen refugees were in the final stages of being admitted to the U.S. when former President Trump issued the refugee specific Muslim Ban in October 2017. The settlement in *Jewish Family Services of Seattle v. Trump*, a case challenging that ban, requires the government to prioritize resettlement applications filed by individuals covered by this group. Nearly two years after the settlement, only 19 of over 100 refugees who were designated as “ready for departure” on the day the ban was issued have been allowed to enter the U.S.² On the other hand, 53—more than half—have had their applications denied notwithstanding the fact that

¹“ Lawyers say the Biden administration is still rejecting some refugees once banned by Trump”

<https://www.washingtonpost.com/national-security/2022/02/16/biden-trump-refugees/>

² “90-Day Report in Compliance with Settlement Agreement for Executive Order 13815, Doe (JFS) v. Trump”

<https://refugeerights.org/wp-content/uploads/2022/02/JFS-Settlement-Agreement-90-day-Report-January-27-2022.pdf>

the U.S. government had already cleared them to board a plane when the ban was implemented.³ Of 69 “follow-to-join” refugees—spouses and children of refugees resettled in the U.S.—who have waited years to reunite with family, only 14 have been admitted.⁴ While the Muslim Ban is no longer in effect, we are extremely concerned that this admissions data indicates that it continues to prevent impacted refugees from resettling in the U.S.

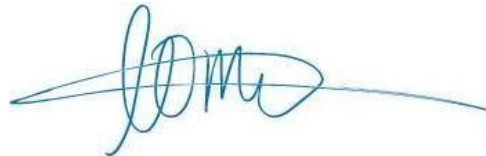
We applaud President Biden’s commitment to ending the Muslim Ban and to welcoming more refugees into the country. We urge your agencies to act on this commitment by fully implementing the settlement in *JFS of Seattle v. Trump* as quickly as possible and by expediting the resettlement applications of those who were in the final stages of entering the U.S. when the refugee-specific Muslim Ban was announced. We further urge your agencies to review the denials of refugee admission to those refugees who were ready for travel on the day of the refugee-specific Muslim Ban and would be here in the United States if it were not for the ban. The data suggests that these denials are a result of the Muslim Ban or agency actions taken in furtherance of the Ban, and we call on your administration to fulfill the commitment it made to review and remedy such discriminatory impact.

We must ensure that the Muslim Ban and the hate it signified are truly a thing of the past.

Sincerely,



Mark Pocan
Member of Congress



Ilhan Omar
Member of Congress

Donald S. Beyer Jr.
Member of Congress

Jamaal Bowman
Member of Congress

Yvette D. Clarke
Member of Congress

Mark DeSaulnier

³ *Id.*

⁴ *Id.*

Member of Congress

Debbie Dingell
Member of Congress

Adriano Espaillat
Member of Congress

Dwight Evans
Member of Congress

Jesús G. "Chuy" García
Member of Congress

Raúl M. Grijalva
Member of Congress

Henry C. "Hank" Johnson, Jr.
Member of Congress

Barbara Lee
Member of Congress

Andy Levin
Member of Congress

Alan Lowenthal
Member of Congress

James P. McGovern
Member of Congress

Grace Meng
Member of Congress

Gwen Moore
Member of Congress

Eleanor Holmes Norton
Member of Congress

Alexandria Ocasio-Cortez
Member of Congress

Jamie Raskin
Member of Congress

Jan Schakowsky
Member of Congress

Ritchie Torres
Member of Congress

Rashida Tlaib
Member of Congress

Bonnie Watson Coleman
Member of Congress

Peter Welch
Member of Congress



U.S. Citizenship
and Immigration
Services

May 26, 2022

The Honorable Mark Pocan
U.S. House of Representatives
Washington, DC 20515

Dear Representative Pocan:

Thank you for your April 7, 2022, letter to the Department of Homeland Security (DHS). Secretary Mayorkas asked that I respond on his behalf.

U.S. Citizenship and Immigration Services (USCIS) is committed to our humanitarian mission to provide protection to eligible refugees and “follow-to-join” family members while protecting national security through rigorous vetting. The U.S. government continues to take all necessary steps to comply with the settlement agreement in *Jewish Family Services of Seattle v. Trump*. Each case is reviewed on a case-by-case basis to determine eligibility in accordance with existing law and take into account the most current available information and vetting results associated with each case. USCIS has continued to make progress in its review and processing of these cases.

Under Executive Order 14013, entitled “Rebuilding and Enhancing Programs to Resettle Refugees and Planning for the Impact of Climate Change on Migration,” signed by President Biden on the February 4, 2021, USCIS was tasked with reviewing different aspects of the U.S. Refugee Admissions Program (USRAP) in coordination with our processing partners. This includes addressing staffing needs, increasing the efficacy of vetting processes by leveraging technology, and streamlining the adjudication process to rebuild and increase efficiency to support increased admissions.

In the Fiscal Year 2022 DHS Appropriations Bill, USCIS requested and received 320 appropriated positions to support refugee processing and is working expeditiously to hire and onboard the additional staff. We appreciate Congress’ support of our funding request. This increased the number of staff supporting the USRAP from approximately 291 to 611. Despite challenges posed by the ongoing COVID-19 pandemic, which impacts travel and processing capacity, USCIS resumed refugee processing in a manner that protects the health of our refugee officers, Resettlement Support Center staff, refugee applicants, and interpreters. USCIS has interviewed approximately 20,400 refugee applicants to date this fiscal year, which is more interviews than in FY 2020 and FY 2021 combined.

Thank you again for your letter and interest in this important issue. USCIS is fully committed to increasing our capacity to process refugee applications and implementing efficiencies while maintaining the highest levels of security and integrity in our adjudications. 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