



October 8, 2020

The Honorable Chad F. Wolf  
Acting Secretary  
U.S. Department of Homeland Security  
3801 Nebraska Avenue, NW  
Washington, DC 20528

**RECEIVED**

**By ESEC at 3:03 pm, Dec 18, 2020**

RE: Special considerations for Uyghurs and others persecuted by the Chinese government

Dear Mr. Wolf:

We are writing to you on behalf of the Uyghur American Association, a membership organization that represents some 8,000 Uyghurs and their families in the United States<sup>1</sup>. Uyghurs and other Turkic peoples from China face significant hardship because of genocidal policies implemented by the Chinese government.

Hundreds of Uyghurs and others who have fled China seeking refuge in the United States find themselves in the USCIS backlog, waiting many years for the adjudication of their asylum cases. They wish to send their children to school, serve in the United States military, and regain a sense of normalcy after fleeing persecution in China. They wish for nothing more than to become full, patriotic members of the United States and American society.

Therefore, we respectfully request your consideration of waivers of the new asylum rules<sup>2</sup> and expedited asylum interviews and adjudication for applicants (current and future) who fit the following criteria:

1. Nationals of the People's Republic of China
2. Alleged fear of imprisonment or persecution on account of race, nationality, or social group.

<sup>1</sup> This figure is based on the October 2015 report *Detailed Languages Spoken at Home and Ability to Speak English for the Population 5 Years and Over: 2009-2013* by the American Community Survey (ACS) of the U.S. Census Bureau. The report cited 8,905 speakers of Uyghur with a margin of error of 1,288. Report: <https://www.census.gov/data/tables/2013/demo/2009-2013-lang-tables.html>

<sup>2</sup> The rules that modify the DHS regulations governing asylum applications, interviews, and eligibility for employment authorization; effective August 25th. See CIS No. 2648-1. DHS Docket No. USCIS-2019-0011.

3. Born in Xinjiang, China, have lived in Xinjiang, China within five years prior to arrival in the United States, or possessing immediate relatives currently residing in Xinjiang, China.

The human rights crisis in Xinjiang (the Uyghur region of the People's Republic of China) is abysmal and growing worse every day. Since 2017, the Chinese government has arbitrarily detained over one million Uyghurs and other Turkic peoples in concentration camps. This marks a horrific escalation in a long-standing campaign of repression and persecution of the Uyghur ethnic group and other Turkic groups in China.<sup>3</sup> Uyghurs and other Turkic peoples are sent to concentration camps for commonplace activities made punishable by state policy: praying, growing a beard, traveling overseas, or communicating with relatives, friends and other networks outside of China.<sup>4</sup> It has been described in expert testimony to the Congressional Executive Commission on China (CECC) as “the most egregious example of arbitrary detention anywhere in the world.”<sup>5</sup>

Upon "graduation" from so-called "re-education" in the concentration camps, thousands of Uyghurs have been forcibly transferred out of the Uyghur Region to work in factories across China. There, Uyghurs are subjected to intimidation and threats, constant monitoring, restrictions on movement, excessive working hours, and additional political indoctrination. The Australian Strategic Policy Institute (ASPI) conservatively estimates that more than 80,000 Uyghurs were forcibly transferred to these factories between 2017 and 2019.<sup>6</sup>

The concentration camps and forced-labor population transfers are only the most obvious manifestations of Chinese Communist Party (CCP) policies that abuse the human rights and fundamental freedoms of Uyghurs and other Turkic peoples in China. Xinjiang authorities have built an all-encompassing, high-tech surveillance infrastructure, constituting possibly the worst privacy infringements on the planet. Mobile phone applications and state-of-the-art cameras arranged in grid patterns across neighborhoods track virtually all citizens. Biometric and other personal data are also forcibly collected to enhance citizen monitoring. Moreover, the CCP forces Uyghur families to cohabitate with party cadres who live with, and spy on, Uyghurs under the *Pair*

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<sup>3</sup> Zenz, Adrian, “‘Wash Brains, Cleanse Hearts’: Evidence from Chinese Government Documents about the Nature and Extent of Xinjiang’s Extrajudicial Internment Campaign.” *Journal of Political Risk*, Vol. 7, No. 11, November 2019, <https://www.jpolorisk.com/wash-brains-cleanse-hearts/>

<sup>4</sup> Ramzy, Austin and Chris Buckley, “THE XINJIANG PAPERS ‘Absolutely No Mercy’: Leaked Files Expose How China Organized Mass Detentions of Muslims.” *The New York Times*, November 16, 2019, <https://www.nytimes.com/interactive/2019/11/16/world/asia/china-xinjiang-documents.html>.

Uyghur Human Rights Project, “‘Ideological Transformation’: Records of Mass Detention from Qaraqash, Hotan.” February 18, 2020, <https://uhrp.org/press-release/‘ideological-transformation’-records-mass-detention-qaraqash-hotan.html>.

Zenz, Adrian, “The Karakax List: Dissecting the Anatomy of Beijing’s Internment Drive in Xinjiang” *Journal of Political Risk*, Vol. 8, No. 2, February 2020, <https://www.jpolorisk.com/karakax/>.

<sup>5</sup> Congressional Executive Committee on China, “Testimony of Michael Posner, Jerome Kholberg Professor of Ethic & Finance, Director of the Center for Business and Human Rights, New York University Stern School of Business.” October 17, 2019, <https://bhr.stern.nyu.edu/blogs/2019/10/17/testimony-of-michael-posner-for-congressional-executive-commission-on-china> <https://www.cecc.gov/sites/chinacommission.house.gov/files/documents/Posner%20CECC%20Testimony%20%28002%29.pdf>

<sup>6</sup> Xiuzhong Xu, Vicky *et al.* “Uyghurs for sale.” Australian Strategic Policy Institute (ASPI), March 01, 2020, <https://www.aspi.org.au/report/uyghurs-sale>

*Up and Become Family* campaign.<sup>7</sup> Further restricting freedoms, Uyghurs face incredible state pressure that controls their communication with family members, stifles their cultural and religious practice, and forcibly prevents their births.

Systematic prevention of births among Uyghur women, on a scale amounting to “demographic genocide,” was most recently documented in research published by Dr. Adrian Zenz. In his analysis of recent Chinese government documents and official statistics, Dr. Zenz revealed pervasive quotas, sterilization mandates, and other coercive birth control policies throughout the region, representing an unprecedented escalation in the CCP’s campaign to eradicate the Uyghur people.<sup>8</sup> In 2018, 80% of all net-added IUD placements reported by the government were performed in Xinjiang, although the population comprises just 1.8 percent of the entire population of China.<sup>9</sup> This research points to nothing less than a genocide.<sup>10</sup>

Suffice it to say, Uyghurs who return to China face nearly certain persecution. Secretary of State Mike Pompeo has called the ongoing human rights crisis the “stain of the century.”<sup>11</sup> The press release from your office on the inaugural meeting of the new China Working Group confirmed that the Department of Homeland Security has been addressing the U.S. policy interest in global human rights by withholding from the U.S. market goods produced by forced labor linked to the “more than 1 million Uyghurs the CCP has interned in concentration camps.”<sup>12</sup>

DHS also confirmed the severity of abuses suffered by Uyghurs and other Turkic Muslims in its Xinjiang Supply Chain Advisory, released on July 1<sup>st</sup>, which stated:

The People’s Republic of China (PRC) government continues to carry out a campaign of repression in Xinjiang, targeting Uyghurs . . . Specific abuses include mass arbitrary detentions, severe physical and psychological abuse, forced labor and other labor abuses, oppressive surveillance used arbitrarily or unlawfully, religious persecution, political indoctrination, forced sterilization, and other infringements of the rights of members of those groups in Xinjiang . . . media reports indicate the PRC government has been using discriminatory immigration policies to cancel the passports of and lure diasporic Uyghurs, ethnic Kazakhs, and ethnic Kyrgyz individuals back to China and intern them . . .<sup>13</sup>

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<sup>7</sup> Withnall, Adam, “China Sends State Spies to Live in Uighur Muslim Homes and Attend Private Family Weddings and Funerals.” *The Independent*, November 30, 2018, <https://www.independent.co.uk/news/world/asia/china-uyghurs-muslim-xinjiang-weddings-minority-communist-party-a8661006.html>

<sup>8</sup> Zenz, Adrian, “Sterilizations, IUDs, and Mandatory Birth Control: The CCP’s Campaign to Suppress Uyghur Birthrates in Xinjiang.” Jamestown Foundation, June 2020, <https://jamestown.org/product/sterilizations-iuds-and-mandatory-birth-control-the-ccps-campaign-to-suppress-uyghur-birthrates-in-xinjiang/>

<sup>9</sup> *Ibid.*

<sup>10</sup> Convention on the Prevention and Punishment of the Crime of Genocide, Article II, section (d)

[https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.1\\_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf](https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.1_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf)

<sup>11</sup> Gunia, Amy, “Pompeo Calls China’s Treatment of Uighurs the ‘Stain of the Century’” *Time*, July 18, 2019, <https://time.com/5630180/china-uyghurs-mike-pompeo-stain-of-century/>

<sup>12</sup> <https://www.dhs.gov/news/2020/07/24/acting-secretary-wolf-establishes-china-working-group-address-intensifying-threat>

<sup>13</sup> [https://www.dhs.gov/sites/default/files/publications/20\\_0701\\_xinjiang-supply-chain-business-advisory.pdf](https://www.dhs.gov/sites/default/files/publications/20_0701_xinjiang-supply-chain-business-advisory.pdf)

It is our understanding that the purpose of DHS's final rule is to "reduce incentives to file frivolous, fraudulent, or otherwise non-meritorious asylum applications and other forms of non-asylum based relief primarily to obtain employment authorization."<sup>14</sup>

This purpose is not relevant to Uyghurs' asylum claims, given their incredible risk of persecution if returned to China. The Uyghur Human Rights Policy Act of 2020<sup>15</sup>, along with several strong actions taken by the Trump administration to address the ongoing human rights crisis in Xinjiang, represents the U.S. government's factual finding that allegations of persecution in Xinjiang are much more likely than not to be well-founded. A waiver of the new asylum rules, and expedited processing of asylum applications, for those Uyghurs and others who fit the criteria outlined in the beginning of this letter, would serve broader U.S. national and foreign-policy interests in addressing this global human rights crisis.

When humanity looks back on this dark chapter of world history, the United States should be—as it was during the Holocaust and during the Bosnian genocide—standing on the side of the persecuted. I strongly urge you to consider our request.

Sincerely,

Board of Directors  
Uyghur American Association

CC:

President Donald Trump  
The White House  
1600 Pennsylvania Ave NW  
Washington, DC 20500

The Honorable Kenneth T. Cuccinelli, Esq.  
Senior Official Performing the Duties of the Director  
U.S. Citizenship and Immigration Services  
20 Massachusetts Avenue, NW  
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Mr. Robert T. Law, Esq.  
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<sup>14</sup> <https://www.federalregister.gov/d/2020-13544/p-821>

<sup>15</sup> The Uyghur Human Rights Policy Act of 2020 was signed into law (Public Law No: 116-145) by President Trump on June 17, 2020. <https://www.congress.gov/116/plaws/publ145/PLAW-116publ145.pdf>



U.S. Citizenship  
and Immigration  
Services

January 11, 2021

Uyghur American Association (UAA)  
Board of Directors  
7925 Jones Branch Drive, Suite 5375  
McLean, VA 22102

Dear UAA Board of Directors:

Thank you for your October 8, 2020 letter regarding asylum applications filed by Uyghurs and others persecuted by the Chinese government. Acting Secretary Wolf asked that I respond on his behalf.

U.S. Citizenship and Immigration Services (USCIS) is working hard to adjudicate asylum applications as expeditiously as possible. Our Asylum Division staff is devoted to working on all asylum-related caseloads, including conducting protection screenings for persons apprehended at or near the border and subject to expedited removal.

Following the coronavirus-pandemic-caused closure for several weeks, the asylum offices have instituted innovative technological processes to allow operations to resume while keeping staff and the public safe since reopening. However, these health and safety measures have decreased the interviewing capacity of asylum offices.

USCIS prioritizes the most recently filed asylum applications when scheduling asylum interviews. Urgent requests for an interview may otherwise be considered on a case-by-case basis. Requests for expedited processing of individual asylum applications should be submitted in writing to the asylum office with jurisdiction over the application. The USCIS Service and Office Locator page on <https://egov.uscis.gov/office-locator/#/> has contact information for all asylum offices. Likewise, individuals with pending asylum applications may apply for advance parole to facilitate travel by submitting a Form I-131, Application for Travel Document, in accordance with the instructions found at <https://www.uscis.gov/i-131>.

USCIS does not waive asylum regulations for groups or individuals. Exceptions to certain regulatory requirements for asylum or for employment authorization based on a pending asylum application that are required pursuant to a court order can be found at <https://www.uscis.gov/humanitarian/refugees-and-asylum/> and <https://www.uscis.gov/i-765>.

Thank you again for your letter and interest in this important issue.

Sincerely,

A handwritten signature in blue ink, consisting of a vertical stroke on the left and a large, sweeping horizontal stroke on the right.

Joseph B. Edlow  
Deputy Director for Policy