

Congress of the United States
Washington, DC 20515

October 23, 2020

RECEIVED

By ESEC at 2:41 pm, Dec 18, 2020

The Honorable Michael R. Pompeo
Secretary of State
U.S. Department of State
2201 C Street, N.W.
Washington, D.C. 20230

The Honorable Chad Wolf
Acting Secretary of Homeland Security
U.S. Department of Homeland Security
500 12th Street, S.W.
Washington, D.C. 20536

Dear Secretary Pompeo and Acting Secretary Wolf:

We write to urge greater U.S. government action to assist Uyghurs at heightened risk from persecution by the government of China. We call on you to begin expedited consideration of visa applications to enter the United States, Priority One (P-1) refugee referrals for Uyghurs abroad along with raising overall refugee limitations, and actions to protect Uyghurs already in the United States. We believe these actions are urgently necessary because of both the humanitarian challenges facing Uyghurs and the foreign policy implications of assisting them in the face of Beijing's relentless crackdown.

As the United States commemorates the 75th anniversary of the end of the Second World War and the establishment of the United Nations, we must consider the lessons of history when U.S. policymakers failed to do everything in their power to assist refugees and those facing persecution, state oppression, and concentration camps. Recent reports indicate that the Chinese government has constructed or expanded at least 60 detention facilities in Xinjiang in the past year. More than one million Uyghurs are believed to be held in such facilities, characterized by many as concentration camps. The Chinese government is accused of torturing Uyghurs, implementing forced sterilization and forced abortions by Uyghur women, and destroying the unique culture of the Uyghurs, including by demolishing mosques and compelling denunciations of Islam. Moreover, the Chinese government has confiscated the passports of most Uyghurs, making it nearly impossible for them to leave China. Beijing also uses extensive surveillance technology to track Uyghurs in China and reportedly to harass and intimidate Uyghurs living outside of China.

There is a backlog of approximately 3.6 million visa applicants waiting to enter the United States. Wait times for certain visas are between five and 18 years. In response, and in light of the ongoing state persecution of the Uyghurs, we urge you to consider expedited consideration of applications for both family, educational, and employment-based visas for those deemed at risk of coercive population control, forced labor, arbitrary detention in internment camps, torture, physical and sexual abuse, mass surveillance, family separation, and repression of cultural and religious expression around the world.

We also ask you to consider aggressive use of P-1 status to prioritize refugee referrals for Uyghurs, while encouraging efforts to raise the presidential determination for refugee admittance. Under P-1, American diplomats can identify those in need and directly recommend

them to U.S. refugee authorities without a referral from the United Nations. Prioritizing and accelerating embassy refugee referrals would benefit numerous Uyghurs located in southeast Asia, central Asia, and Turkey who are at heightened risk of Chinese persecution. This effort should be done in conjunction with lifting the annual cap on total refugees admitted into the United States, so other at-risk groups are not inadvertently delayed or de-prioritized.

Finally, we ask you to assist Uyghurs already in the United States. We urge you to protect Uyghurs through both Deferred Enforcement Departure (DED) and humanitarian parole to ensure they remain in the United States and safe from Chinese persecution.

In your conversations with foreign officials, we call on you to encourage other governments to prioritize similar relief and assistance to Uyghur populations. These forms of assistance to Uyghurs would represent a continuation of the best traditions of U.S. foreign policy and humanitarianism and uphold America's image as a beacon of refuge, hope, and liberty to millions worldwide. We stand ready to work with you to support efforts to safeguard the basic human rights of Uyghurs both in China and around the world.

Sincerely,

Ted Deutch
MEMBER OF CONGRESS

Joe Wilson
MEMBER OF CONGRESS

Andy Levin
MEMBER OF CONGRESS

Brian Fitzpatrick
MEMBER OF CONGRESS

Jan Schakowsky
MEMBER OF CONGRESS

Jim Costa
MEMBER OF CONGRESS

Thomas R. Suozzi
MEMBER OF CONGRESS

Donna Shalala
MEMBER OF CONGRESS

Steve Cohen
MEMBER OF CONGRESS

Gerald E. Connolly
MEMBER OF CONGRESS

Ro Khanna
MEMBER OF CONGRESS

David Trone
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Gregory Meeks
MEMBER OF CONGRESS



U.S. Citizenship
and Immigration
Services

March 15, 2021

The Honorable Ted E. Deutch
U.S. House of Representatives
Washington, DC 20515

Dear Representative Deutch:

Thank you for your October 23, 2020 letter urging greater U.S. government action to assist Uyghurs at heightened risk of persecution by the government of China. Secretary Mayorkas asked that I respond on his behalf.

The Department of Homeland Security (DHS) strives to implement President Biden's vision for the United States Refugee Admissions Program (USRAP) as a beacon of hope for persecuted people around the world and a source of stability in regions experiencing conflict. To that end, DHS works with its USRAP partners to process refugee cases consistent with the admissions ceiling set each year by the President in consultation with Congress. This year, as in fiscal year 2020, DHS and its USRAP partners are also working diligently to protect the health and safety of all individuals involved in refugee processing from COVID-19.

As you may know, on February 12, the Secretary of State, Secretary of Homeland Security, and Acting Secretary for Health and Human Services consulted with Congress regarding a proposed emergency increase in refugee admissions for the current fiscal year and a return to regional allocations. We defer to the Department of State on specific questions related to access to the USRAP, including P-1 embassy referrals for Uyghurs, as well as the scheduling of refugee interviews, as these fall within their jurisdiction. However, we would note that the *Proposed Emergency Presidential Determination on Refugee Admissions for Fiscal Year 2021* report that was provided to Congress specifically highlights Uyghurs and other ethnic and religious minorities fleeing persecution or torture in China as populations of concern.

In your letter, you urge the protection of Uyghurs through Deferred Enforced Departure (DED) and humanitarian parole.

DED is an administrative stay of removal that only the President may authorize for a designated group of foreign nationals. *See* Executive Order 12711 (April 11, 1990). The President may also direct DHS to offer certain benefits to those designated, such as employment authorization or advance parole to reenter the United States after travel abroad. U.S. Citizenship and Immigration Services (USCIS) adjudicates and processes any related applications for employment authorization or advance parole. However, neither DHS nor USCIS has the

authority to designate foreign nationals for Deferred Enforced Departure. USCIS stands ready to execute its duties and responsibilities should President Biden authorize DED for Uyghurs.

When a foreign national is inadmissible or unable to meet the documentary requirements for admission into the United States, DHS may parole the individual into the United States on a case-by-case basis for urgent humanitarian reasons or significant public benefit. See INA § 212(d)(5). Parole can be requested by or on behalf of any noncitizen residing outside the United States by submitting an Application for Travel Document (Form I-131) with the required fee. If a waiver of the filing fee is requested, the Form I-131 must be accompanied by a Request for Fee Waiver (Form I-912). USCIS will continue to review parole applications for Uyghurs on a case-by-case basis in accordance with standard procedures. To request an expedite processing, please see “How to Make an Expedite Request” at <https://www.uscis.gov/forms/filing-guidance/how-to-make-an-expedite-request>.

There are additional options that may offer relief to eligible Uyghurs already in the United States. USCIS may, upon request, offer assistance to eligible individuals, including:

- Change or extension of nonimmigrant status if eligible individuals are currently in the United States, even if the request is filed after the authorized period of admission has expired;
- Expedited processing of requests for advance parole documents;
- Expedited adjudication of requests for off-campus employment authorization for F-1 students experiencing severe economic hardship;
- Expedited adjudication of employment authorization applications, where appropriate;
- Assistance if applicants received a Request for Evidence or a Notice of Intent to Deny and were unable to appear for an interview, submit evidence, or respond in a timely manner because of a special situation; and
- Replacement of lost or damaged immigration or travel documents issued by USCIS, such as a Permanent Resident Card (Green Card).

Please visit the “Special Situations” page at <https://www.uscis.gov/humanitarian/special-situations> for additional information.

Thank you again for your letter and interest in this important humanitarian issue. The cosigners 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,



Tracy L. Renaud
Senior Official Performing the Duties of the Director