

United States Senate

WASHINGTON, DC 20510

April 16, 2020

The Honorable Michael R. Pompeo
Secretary of State
U.S. Department of State
2201 C Street, N.W.
Washington, D.C. 20520

The Honorable Chad Wolf
Acting Secretary of Homeland Security
3801 Nebraska Ave, N.W.
Washington, D.C. 20016

Secretary Pompeo and Acting Secretary Wolf:

We write to ask the Departments of State and Homeland Security to take immediate action to ensure that refugees and Special Immigrant Visa (SIV) recipients approved for resettlement in the United States are not needlessly harmed amidst this growing COVID-19 pandemic. Specifically, we urge you to exercise your discretion, consistent with each of your Department's policies, to automatically extend the validity periods of all approved special immigrant visas and other refugee-related documents during the course of this crisis.

Refugees are among the most vulnerable populations during this global COVID-19 pandemic. Refugees often live in over-crowded camps or urban slums with little to no access to medical care or basic necessities like soap and running water.¹ SIV recipients – many of whom have risked their lives assisting the U.S. military in combat zones – are similarly vulnerable to the impacts of this crisis.² Now, many refugees and SIV recipients approved for resettlement in the U.S. have been left in agonizing limbo as COVID-19 has resulted in abrupt and indefinite travel restrictions, including the cancellation of flights around the world.³

Therefore, for refugees and SIV recipients approved for travel to the U.S., we urge you to automatically extend the validity periods of approved visas, parole and reentry permits, refugee travel documents, security checks, and any other essential documents necessary for entry into the U.S. until all Presidential Proclamations restricting travel to the U.S. are rescinded and there has

¹ Hannah Beech and Ben Hubbard, "Unprepared for the Worst: World's Most Vulnerable Brace for Virus," N.Y. Times, March 26, 2020, <https://www.nytimes.com/2020/03/26/world/asia/coronavirus-refugees-camps-bangladesh.html>.

² Afghanistan is bracing for a large outbreak amid widespread returns of Afghan refugees in Iran; U.S. troops in Afghanistan report widespread COVID-19 symptoms. Agnieszka Pikulicka-Wilczewska, "We're not ready': coronavirus looms over the fragile Afghan health system." The Guardian, March 30, 2020, <https://www.theguardian.com/global-development/2020/mar/30/were-not-ready-coronavirus-looms-over-the-fragile-afghan-health-system>; Paul D. Shinkman, "U.S. Quarantines Troops in Afghanistan Amid Coronavirus Fallout," U.S. News and World Report, March 19, 2020, <https://www.usnews.com/news/national-news/articles/2020-03-19/us-quarantines-troops-in-afghanistan-amid-coronavirus-fallout>.

³ Maya Rao, "Refugees in Limbo as Flights Canceled," Star-Tribune, March 26, 2020, <https://www.startribune.com/refugees-in-limbo-as-flights-canceled/569059002/>.

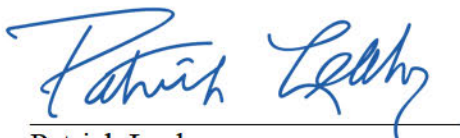
been reasonable time for these individuals to travel to the U.S. Refugees and SIV recipients have all gone through an exhaustive, time-consuming process to satisfy all requirements for admission to the U.S.⁴ Allowing their visas and documents to expire because of COVID-19 related travel restrictions and interruptions – and thus compelling them to go through the arduous process of reapplying – would be burdensome and unnecessary, causing them renewed hardship.

Indeed, the State Department’s Foreign Affairs Manual states that visas can be extended or replaced when an individual is not able to utilize a visa during its validity for “reasons beyond the applicant’s control and for which the applicant is not responsible” – precisely the situation we are facing today.⁵ The Department of Homeland Security’s U.S. Citizenship and Immigration Services (USCIS) similarly possesses the discretion to extend the validity of documents for those “affected by a natural catastrophe or other extreme situation.”⁶

Therefore, we strongly urge your departments to immediately and broadly exercise this discretion – without requiring any additional filings, applications, or fees – to automatically extend the validity periods of all approved visas, refugee travel documents, security checks, and other essential documents for refugees and SIV recipients until all Presidential Proclamations restricting travel to the U.S. are rescinded and there has been reasonable time for these individuals to travel to the U.S.

Taking this action would be a small but important step to ensure that the United States leads by example in keeping its promises to refugees and SIV recipients already vetted and approved for resettlement in our country, and prevent further harm to these particularly vulnerable populations.

We look forward to your response.



Patrick Leahy
United States Senator



James Lankford
United States Senator

⁴ See, e.g., Rupa Senoy, Families in limbo as refugee resettlement is suspended due to COVID-19, PRI, March 20, 2020, <https://www.pri.org/stories/2020-03-30/families-limbo-refugee-resettlement-suspended-due-covid-19>.

⁵ Foreign Affairs Manual, 9 FAM 504.10 <https://fam.state.gov/fam/09FAM/09FAM050410.html>.

⁶ USCIS, Special Situations, last updated Oct. 25, 2019, <https://www.uscis.gov/humanitarian/special-situations>.