March 21, 2019

Kevin K. McAleenan, Commissioner
U.S. Customs and Border Protection
1300 Pennsylvania Ave. NW
Washington, DC 20229

Dear Commissioner McAleenan,

We are deeply concerned over reports of detained and deported Special Immigrant Visa (SIV) recipients, and we write to request further information regarding your agency’s policies for arriving SIV holders and records for recent arrivals.

Congress has created three special programs since 2006 to enable the resettlement of Iraqi and Afghan nationals who face serious threats in their country of origin due to their employment with the U.S. government and its allies. All three of these programs require a minimum period of employment, faithful and valuable service, the recommendation of a qualifying employer, and a sworn statement attesting to the threats the applicant faces in the country of origin due to their U.S. affiliation. To receive an SIV, an applicant must be otherwise eligible for an immigrant visa and admissible to the United States, have an in-person interview at a U.S. embassy or consulate abroad, and undergo significant security screening by U.S. security and law enforcement agencies.

The SIV programs collectively are designed to address the danger and persecution faced by the many thousands of Afghans and Iraqis who put their own lives at risk to assist the U.S. Government and its Armed Forces in their missions in Afghanistan and Iraq. The reputation of the United States as a loyal wartime partner, and the willingness of local allies critical to assist ongoing and future U.S. operations abroad, depend upon the successful functioning of the SIV programs as a safe and legal pathway.

We have become aware of an increasing pattern of Special Immigrant Visa holders facing obstacles at U.S. airports upon their arrival. Despite having undergone extensive vetting and demonstrated the existence of serious threats to their safety prior to having their applications approved for travel, many SIV holders have faced lengthy secondary inspection, days-long detention, family separation, and even deportation back to danger in their countries of origin.
Although these incidents have happened at airports around the United States, a heavily-publicized case occurred recently at the Houston George Bush Intercontinental Airport in Houston, Texas. In January, the Washington Post and other national media outlets reported on the case of an Afghan Special Immigrant Visa recipient who was detained with and then separated from his family upon arrival at the Houston airport.[1]

We therefore request that you provide us with the following information, dating back to January 1, 2016:

1. Policies, procedures, guidance, instructions, and other similar records applicable to the inspection, admission, detention, and deportation of arriving Special Immigrant Visa (SIV) holders.

2. Records sufficient to show, for each Special Immigrant Visa holder arriving in the United States at Houston George Bush Intercontinental Airport (IAH) in Houston, Texas, and for each SIV holder who was ordered to return to Afghanistan during a flight transfer on the way to the United States:
   - The number of individuals on the SIV holder’s case;
   - Whether the case is from Afghanistan or Iraq;
   - Whether the principal SIV holder and/or his or her family members were admitted after primary inspection;
   - If the principal SIV holder and/or his or her family members were admitted after primary inspection on a basis other than the Special Immigrant Visa, what was that basis for admission;
   - If the principal SIV holder and/or his or her family members were not admitted, either after primary inspection or secondary inspection, were the principal SIV holder and/or his or her family members paroled into the United States;
   - Whether the principal SIV holder and/or his or her family members were referred to secondary inspection, and if so the reason and the name of the government employee making that decision;
   - How long the principal SIV holder and/or his or her family members were in secondary inspection;
   - Whether the principal SIV holder and/or his or her family members were admitted after secondary inspection;

- Whether the principal SIV holder and/or his or her family members withdrew their application during inspection;
- Whether the principal SIV holder and/or his or her family members were denied entry, and if so the reason and the name of the government employee making that decision;
- Whether the principal SIV holder and/or his or her family members were placed in expedited removal proceedings, and if so the reason and the name of the government employee making that decision;
- Whether the principal SIV holder and/or his or her family members were transferred to the custody of a government agency other than Customs and Border Protection, and if so, which agency; and
- Whether the principal SIV holder and/or his or her family members were asked whether they fear returning to their country of nationality.

We look forward to your prompt response.

Again, the successful functioning of the Special Immigrant Visa programs, including the airport processing and resettlement upon arrival in the United States, is essential to our national security and to meeting the commitments we have made to those who work alongside us abroad. SIV recipients have endangered themselves and their families to assist the United States in Iraq and Afghanistan; we owe them a fair arrival process and an acknowledgment of the grave danger they face in their home countries due to that affiliation.

Sincerely,

[Signatures]

LLOYD DOGGETT

SHEILA JACKSON LEE

MARC VEASEY

LIZZIE FLETCHER

IAQUIN CASTRO