

United States Senate

WASHINGTON, DC 20510

March 10, 2017

President Donald J. Trump
The White House
1600 Pennsylvania Avenue, Northwest
Washington, D.C. 20500

Dear President Trump:

We write to express grave concerns regarding the revised Executive Order *Protecting the Nation from Foreign Terrorist Entry into the United States* (EO). This EO directly contradicts American values and interests and we demand you repeal it immediately. A particularly troubling element of this EO is that it fails to adequately protect the Iraqi men and women who risked their lives, and the lives of their families, on behalf of our country.

Congress believed it was necessary to protect those individuals in Iraq who helped our government. It therefore passed the Refugee Crisis in Iraq Act to ensure adequate assistance to them. The Refugee Crisis in Iraq Act directed the Secretaries of State and Homeland Security to create a direct access program as part of the U.S. Refugee Admissions Program (USRAP) for U.S. affiliated Iraqis.^[1] This program allows eligible Iraqis, and their family members, to apply to the U.S. Refugee Admissions Program under the Priority-2 (P-2) designation, which does not require a referral from the United Nations High Commissioner for Refugees (UNHCR). Eligible Iraqis apply directly to the USRAP for resettlement consideration.^[2] To be eligible, Iraqis must have worked for the U.S. government or military; received U.S. funds through contracts, grants, awards or cooperative agreements in furtherance of the U.S. mission; or been employed by U.S.-based media or non-governmental organizations.^[3] The Iraqis that have worked to help support American goals and missions in Iraq continue to deserve our assistance and protection and should not be punished by your EO.

While thousands of Iraqis have resettled in the United States through the Special Immigrant Visa (SIV) program managed by the U.S. Departments of State and Health and Human Services, there are numerical caps for the Iraqi SIV program and new applications from Iraqis have not been accepted since September 30, 2014.^[4] As a result, the primary means by which Iraqi refugees are able to come to our country is through the P-2 program. Your EO fails to assist Iraqi individuals Congress has worked to protect and we are gravely concerned about the precedent this sets for our military, diplomatic, and wider government efforts overseas. We must uphold our promise to those who have helped us.

^[1] National Defense Authorization Act for Fiscal Year 2008, Pub. Law. No. 110-181, §1243 (January 28, 2008), <https://www.gpo.gov/fdsys/pkg/PLAW-110publ181/html/PLAW-110publ181.htm>

^[2] *Id.*

^[3] *Id.*

^[4] <https://www.state.gov/j/prm/releases/factsheets/2016/254652.htm>

Refugee resettlement is a rigorous process involving an intricate interagency evaluation that includes several interviews, as well as medical and security checks.^[5] While the overall process takes roughly 18 to 24 months, checks performed during this demanding vetting process expire after only a couple months.^[6] As such, a delay of any length once an individual has been referred to USRAP can result in them having to start a portion of the process over again. Such delays can mean the difference between life and death for individuals and their families who are seeking admission through the P-2 program of USRAP because they are vulnerable to threats as a direct consequence of their assistance to the United States.

In addition, the EO establishes – as national security and foreign policy experts noted about the previous EO – an unrealistic and unworkable approach to handling refugee resettlement. Currently, there are more than 50,000 Iraqis with pending applications for the P-2 program of the USRAP. While the revised EO permits admission of refugees on a case-by-case basis during the period of suspension, it caps the total number of refugees at 50,000 for the year. With approximately 37,000 refugees already admitted this year, there will not be sufficient consideration for Iraqi P-2 applicants remaining. The EO betrays Iraqis – sending a message to individuals who have helped us that the terms of our agreement have changed and the promise of assistance the United States is willing to give in exchange for help already received no longer holds.

America must uphold its promises to those who have helped us while risking their own lives. Veterans, as well as national security, foreign policy, and intelligence experts agree – halting the refugee programs will endanger our deployed troops and diplomats, and disrupt counterterrorism and national security partnerships. We demand that you repeal this EO and tailor any subsequent action to respond to credible threats substantiated through an interagency assessment. Thank you for your consideration and we stand ready to partner with you on productive efforts to strengthen and secure our borders.

Sincerely,



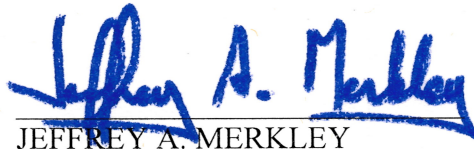
RICHARD BLUMENTHAL
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JEANNE SHAHEEN
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JEFFREY A. MERKLEY
United States Senate

^[5] *Id.* See also <https://democrats-foreignaffairs.house.gov/news/press-releases/state-departments-myths-and-facts-refugees-migration-and-humanitarian-assistance>

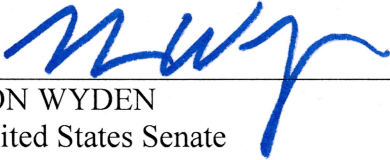
^[6] <https://www.state.gov/j/prm/releases/factsheets/2016/254652.htm>



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CC: Secretary Rex Tillerson, Department of State
CC: Secretary John Kelly, Department of Homeland Security