

Dear colleagues,

Further to Message #16, below please find updated guidance related to the implementation of Executive Order 13780.

**IMPORTANT: Documentation of bona fide U.S. relationship**

1. With immediate effect, RSCs must alert all applicants\* of the need to provide documentation or other verifiable information supporting a credible claim of a bona fide relationship with a close family member in the United States, either prior to departure to the U.S. or prior to DHS interview (if the applicant has not already been interviewed). RSCs should contact all applicants that are pending travel or are scheduled for DHS interview, not only those with U.S. ties listed in WRAPS. Anyone on the case may have the qualifying relationship with the U.S. person. (\*The exceptions to this requirement include the following: P-3 cases, form I-730 follow-to join cases, and Iraqi and Syrian P-2 cases where access is based on an approved form I-130, as these cases have already demonstrated a relationship to a close family member in the United States.)
2. Per Message #16, a refugee who has one of the following relationships with a person already in the United States will be considered to have a credible claim to a bona fide relationship with a person in the United States upon presentation of sufficient documentation or other verifiable information supporting that claim: a parent (including parent-in-law), spouse, fiancé, fiancée, child, adult son or daughter, son-in-law, daughter-in-law, sibling, whether whole or half. This includes step relationships. The following relationships do not qualify: grandparents, grandchildren, aunts, uncles, nieces, nephews, cousins, brothers-in-law and sisters-in-law, and any other “extended” family members.
3. Examples of documentation could include birth certificates, marriage certificates, affidavits of relationship, or any other documentation or evidence that corroborates the relationship such as emails/letters or money transfer receipts.
4. RSCs should collect and scan this relationship documentation into WRAPS, labeling the documents “Bona Fide Relationship Evidence,” and should send their PRM Program Officer a list of names and case numbers to be verified by PRM/A in Washington. RSCs should send this list at least daily, or more frequently as required, starting with those cases nearest to departure.

5. Pre-DHS applicants should be told to bring these documents with them to the USCIS interview.

6. If the applicant has no documentation beyond the family tree in WRAPS, please upload a brief note to that effect labeled as the “Bona Fide Relationship Evidence” document.

7. We are awaiting further guidance on cross-references that have no family tie of their own in the U.S. For the moment, those cases may not travel.

8. We are still determining the process for an entity in the U.S. to present documentation or other verifiable information supporting a credible claim by a refugee to a bona fide relationship with that entity, and will provide additional guidance shortly.

### **Travel**

9. The suspension of refugee travel and decisions on applications for refugee status in Section 6(a) EO 13780 will continue for a period of 120 days from the date of implementation of the Supreme Court’s decision (June 29).

10. All refugees who are on an ABN will be permitted to travel until the date on which we reach 50,000 arrivals. Once we reach 50,000, which will occur on or around July 12, we will begin to apply the guidance provided in Message #16 regarding qualifying relationships.

11. No new ABNs for travel for cases with or without the required bona fide relationship to a person or entity in the United States may be requested at this time. We hope to allow new ABNs for such cases to resume in the very near future, once we clarify verification procedures.

### **Processing**

12. PRM is confirming the DHS circuit ride/interview schedule during the 120-day pause. For current circuit rides and locations where ongoing processing occurs, those with no claim to a relationship with a person or entity in the United States, the DHS officer will proceed with a standard refugee interview, but the case will be placed on hold

pending further guidance. If the DHS officer determines an applicant has established a credible claim to a bona fide relationship with a person or entity in the U.S., the officer will follow normal adjudicative procedures, making a recommended decision or final decision on the cases if all necessary steps have been completed. Please stand by for further guidance on DHS circuit rides/interviews during Q4 of FY 2017.

13. UNHCR referrals and direct applications to the USRAP may continue. All other processing steps may continue up to (but not including) placing passengers on ABN, unless they have established and PRM has confirmed a credible claim to a bona fide relationship with a person or entity in the U.S.

14. Security check requests may continue. RSCs should be aware that vetting partners continue to experience backlogs. Expedite requests, in cases of protection or medical emergency regardless of U.S. tie, should be flagged to your PRM Admissions Program Officer.

15. RSCs should not request digital I-590 stamping until further notice. The RPC has removed all cases from the Digital Stamp queue and disabled the Digital Stamp CAR until further notice.

### **Exceptions/Waivers**

16. Visa 93 applicants may travel during the 120-day pause.

17. The national interest waiver (for cases with no claim to a relationship with a person or entity to the U.S.) in the Executive Order does not apply after the 50,000 ceiling, until such time that a new Presidential Determination for FY 2018 is signed.

18. SIVs are not affected by the EO and should travel as usual.

If there is any ambiguity in interpreting an applicant's eligibility to travel during the 120-day pause, please reach out to your PRM Admissions Program Officer for clarification.

### **Official**

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