Dear Colleagues:

The President issued an Executive Order today, October 24, 2017, providing for general resumption of the U.S. Refugee Admissions Program and stating that the suspension of the USRAP and other processes specified in section 6(a) of Executive Order 13780 are no longer in effect, subject to the conditions set forth in section 3 of the new Executive Order.

Pursuant to section 3 of the new Executive Order, and as described in a memorandum to the President and accompanying addendum from the Secretary of State, Secretary of Homeland Security, and Director of National Intelligence, the Secretary of Homeland Security has determined that it is appropriate to conduct a further review of 11 countries whose refugee applicants are currently subject to a Security Advisory Opinion (SAO) because refugees of those nationalities have previously been determined, as of 2015, to potentially pose a higher risk to the United States. The Secretary of Homeland Security will lead a 90-day interagency review of the potential national-security risks posed by admitting refugees from each SAO list country, as well as mitigation strategies. During that 90-day review, the Secretary of State and Secretary of Homeland Security will temporarily prioritize the processing of refugee applicants from non-SAO-list countries, for whom the processing may be less resource intensive.

While the agencies prioritize their resources in this manner until the further 90-day review is completed, the Department of Homeland Security will interview refugee applicants from SAO list countries on a discretionary basis. The Department of Homeland Security and the Department of State will cooperate to carefully scrutinize
the applications of nationals of countries on the SAO list, or stateless persons who last habitually resided in those countries, and will consider individuals for potential admission whose resettlement in the United States would fulfill critical foreign policy interests, without compromising national security and the welfare of the United States. Refugees who are nationals of SAO list countries, and stateless persons who last habitually resided in those countries, will be carefully screened and may be admitted on a case-by-case basis during the 90-day review if the Secretary of Homeland Security determines that the refugee’s admission is deemed to be in the national security interest and poses no threat to the security or welfare of the United States.

Accordingly, refugees who are nationals of and stateless persons who last resided in these 11 countries may not travel until the Secretary of Homeland Security makes this determination on an individual basis. Therefore, RSCs cannot schedule travel without prior approval for any refugee who is a national of an SAO list country or a stateless person who last resided in these countries. PRM and USCIS will provide more detailed implementing guidance shortly.

The memorandum and addendum from the Secretary of State, Secretary of Homeland Security, and Director of National Intelligence also provide that additional security screening measures are needed immediately, regardless of nationality, before “following to join” refugees seeking admission to the United States can be admitted. The Secretary of State, Secretary of Homeland Security, and Director of National Intelligence will jointly implement adequate screening mechanisms for following-to-join refugees that are similar to the processes employed for principal refugees, and will then resume admission of following-to-join refugees.

Accordingly, no “following to join” refugees may travel until further notice. However, previously scheduled interviews may proceed. PRM and USCIS will issue more detailed implementing guidance shortly on follow-to-join refugee processing.

Because section 6(a) of EO 13780 is no longer in effect, it is no longer necessary for a refugee to show a credible claim to a bona fide relationship with a person or entity in the United States. The “BFR” status will be removed from WRAPS and will no longer need to be collected by the RSCs.

All non-SA0 list nationalities may resume normal processing, subject to the vetting enhancements adopted through the interagency working group. RSCs can start scheduling travel for non-SA0 list nationalities once all processing is complete. All circuit ride scheduling for quarters one and two of FY 2018 needs to be coordinated at the PRM-USCIS headquarters level for all nationalities and locations.

Nationals from SAO list countries may not be presented to USCIS for adjudication – including scheduling interviews or requesting hold lifts -- without explicit approval by DHS and State, regardless of age. DHS and State will provide further guidance on implementation of these requirements as soon as possible.

State has already sent guidance on some vetting enhancements implemented during the last 120 days. State will continue to send additional guidance and will work with RSCs to ensure full implementation of the guidance.

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