

January 5, 2022

The Honorable Antony Blinken  
Secretary of State  
U.S. Department of State  
2201 C Street NW  
Washington, D.C. 20520

**RECEIVED**

*By ESEC at 4:03 pm, Jan 05, 2022*

The Honorable Alejandro Mayorkas  
Secretary  
U.S. Department of Homeland Security  
301 7th Street, SW  
Washington, D.C. 20528

Secretary Blinken and Secretary Mayorkas,

I write with grave concern over the Department of State and Department of Homeland Security's unjustifiable decision to dispense with in-person interviews for those wishing to immigrate to our country. These policies are dangerous and transparent attempts to normalize the Biden Administration's historic failures during the evacuation from Afghanistan. They should be rescinded immediately.

President Biden's withdrawal from Afghanistan was one of the worst military fiascos in modern history. On August 26, 2021, thirteen American servicemembers were killed by an explosion at Kabul airport, and hundreds of civilians were injured. During the haphazard airlift, the Biden Administration evacuated over 80,000 individuals from Afghanistan. But we now know that the Biden Administration failed to adequately vet those brought to the United States.

Our nation's immigration policies have generally required that immigrants undergo an in-person interview so that government officials can review immigrants' documents and evaluate the truthfulness of their claims. Indeed, the 9/11 Commission's report emphasized that several would-be terrorists were thwarted by the in-person interview process. For example, "One potential hijacker was turned back by an immigration inspector as he tried to enter the United States. The inspector relied on intuitive experience to ask questions more than he relied on any objective factor that could be detected by 'scores' or a machine. Good people who have worked in such jobs for a long time understand this phenomenon well."<sup>1</sup> Examples like this illustrate the critical role that in-person interviews play in our immigration programs.

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<sup>1</sup> 9/11 Commission Report, at 387.

Yet last month, the Department of State announced that it will temporarily waive the interview requirement for roughly 49,000 immigrant visa applications.<sup>2</sup> Under this temporary rule, consular officers will have “discretion to allow this subset of immigrant visa applicants to affirm the accuracy of the contents of their application without appearing in person before a consular officer.”<sup>3</sup>

Also last month, the Department of Homeland Security announced that it is waiving the interview requirement for certain spouses and children.<sup>4</sup> Remarkably, Biden Administration officials have indicated that they now believe the in-person interview requirement is “inconsistent” with President Biden’s executive orders calling for a more inclusive immigration system.<sup>5</sup>

The first and highest priority of our immigration system is homeland security. It is paramount that we ensure that everyone who enters our country does not pose a threat to public safety. But it appears that the Biden Administration is now doubling down on its failed attempt to adequately vet those evacuated from Afghanistan. These new policies are a transparent ploy to normalize that failed vetting process.

I therefore call on you to immediately rescind these misguided policies and ensure that everyone who enters this country has been adequately vetted.

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Hawley". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Josh Hawley  
United States Senator

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<sup>2</sup> Waiver of Personal Appearance and In-Person Oath Requirement for Certain Immigrant Visa Applicants Due to COVID-19, 86 Fed. Red. 70735 (Dec. 13, 2021).

<sup>3</sup> *Id.*

<sup>4</sup> USCIS Reverts to Previous Criteria for Interviewing Petitioners Requesting Derivative Refugee and Asylee status for Family Members, U.S. Citizenship and Immigration Services (Dec. 10, 2021), <https://www.uscis.gov/newsroom/alerts/uscis-reverts-to-previous-criteria-for-interviewing-petitioners-requesting-derivative-refugee-and>.

<sup>5</sup> *Id.*



U.S. Citizenship  
and Immigration  
Services

February 17, 2022

The Honorable Josh Hawley  
United States Senate  
Washington, DC 20510

Dear Senator Hawley:

Thank you for your January 5, 2022 letter to the Department of Homeland Security (DHS) and the Department of State (DOS). Let me assure you that DHS's foremost priority in implementing our immigration laws is protecting national security and public safety. In-person interviews can be an important tool in that effort.

The DOS temporary final rule cited in your letter allows DOS to waive interviews for a narrow subset of immigrant visa applicants previously interviewed by a consular officer, determined to be eligible for the visa for which they applied, and previously issued a U.S. immigrant visa. This measure, set to expire on December 13, 2023, addresses immigrant visa holders who were approved after a consular interview but were unable to travel to the United States on that visa due to COVID-19 travel restrictions. DHS defers to DOS for any questions or additional information about the temporary final rule.

Family members of asylees and refugees using the Form I-730, Refugee/Asylee Relative Petition, are I-730 *beneficiaries*, whose obligation to appear in person for an interview was not changed by U.S. Citizenship and Immigration Services (USCIS) decision to rescind PM 602-0180: Expanding Interviews to Refugee/Asylee Relative Petitions. The DHS announcement your letter cites relates to a change in the policy for interviewing I-730 *petitioners*, all of whom are principal refugees or asylees who were previously interviewed in person, extensively vetted through background, identity, and security checks in connection with their primary benefit applications as principal refugees or asylees and found eligible for refugee or asylee status. Once a principal is granted asylum or refugee status and in the United States he or she may petition for their spouse and children to join them in the United States. The spouse and children of a principal refugee or asylee who filed such a petition are known as "beneficiaries." As stated in Policy Memorandum 602-0186: Rescission of 2020 Policy Memorandum 602-0180: Expanding Interviews to Refugee/Asylee Relative Petitions, "*USCIS has determined it will return to its prior practice of conducting interviews for all Form I-730 beneficiaries and reserves the ability to interview I-730 petitioners on a case-by-case basis.*"

The Honorable Josh Hawley  
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Thank you again for your letter. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative Affairs at (240) 721-3801.

Respectfully,

A handwritten signature in black ink, appearing to read "Ur M. Jaddou", followed by a horizontal line extending to the right.

Ur M. Jaddou  
Director