

Congress of the United States
Washington, DC 20515

March 18, 2022

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

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
3801 Nebraska Avenue NW
Washington, D.C. 20016

RECEIVED

By ESEC at 10:52 am, Mar 18, 2022

Dear Secretary Blinken and Secretary Mayorkas:

I write regarding the urgent need to expedite adoption procedures for Ukrainian orphans in danger, particularly those already undergoing immigration processes for adoption by families in the United States. As our nation continues to provide support and humanitarian relief to the Ukrainian people in their fight for sovereignty, we must take concrete steps to bring orphans in critical danger to safety in our country.

Russia's unprovoked invasion of Ukraine has created a dire humanitarian crisis, leading millions of people to flee their homes. However, children without families have been left behind with no means to evacuate Ukraine's war-torn cities, making them particularly vulnerable to the resource constraints and violence rampant throughout Ukraine. As Russian forces continue to wage relentless attacks against civilians, we must do everything we can to bring these children to safety in the U.S. Doing so is particularly urgent given that President Putin banned American adoption from Russia in 2013 and could take similar measures if Russian forces continue to advance.

I urge the federal government to take additional steps to streamline adoption processes and expand applicable immigration statuses for Ukrainian children with adoption procedures already underway. Specifically, I ask that the State Department appeal directly to the Ukrainian Ministry of Social Policy to grant permission to the U.S. Embassy in Warsaw to issue expedited nonimmigrant visas for children who have been previously hosted by families in the U.S. and are now in the process of being adopted by those families. I also ask that the State Department work with the Ukrainian government to allow families with adoptions in process to attend adoption court at the Ukrainian Embassy in Washington, D.C. rather than in Ukraine. Finally, I ask that U.S. Citizenship and Immigration Services (USCIS) work closely with the State Department to streamline humanitarian parole applications in conjunction with normal visa-issuing procedures.

To be clear, the State Department and the Department of Homeland Security should by no means compromise vetting standards for organizations that work with orphans or prospective parents in the interest of moving children out of Ukraine quickly. I ask that the federal government maintain all necessary protocols to ensure unaccompanied children do not face trafficking, exploitation, or abuse.

As part of our nation's effort to provide immediate help to the Ukrainian people, I ask that the Biden administration expedite immigration and adoption procedures for orphans, with special consideration for those with adoption processes already underway. Thank you for your attention to this urgent matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Deborah K. Ross". The signature is fluid and cursive, with a long horizontal stroke at the end.

Deborah K. Ross
Member of Congress



**U.S. Citizenship
and Immigration
Services**

May 11, 2022

The Honorable Deborah K. Ross
U.S. House of Representatives
Washington, DC 20515

Dear Representative Ross:

Thank you for your March 18, 2022 letter to the Department of Homeland Security regarding the urgent need to expedite adoption procedures for Ukrainian orphans. Secretary Mayorkas asked that I respond on his behalf.

We have been working closely with our counterparts at the Department of State (DOS) on matters related to intercountry adoption in Ukraine and defer to DOS to address topics you raised that fall under its purview.

As noted in your letter, we recognize that many U.S. citizens wish to accelerate Ukrainian adoptions already in process. U.S. Citizenship and Immigration Services (USCIS) is accepting and adjudicating Form I-600A, Application for Advance Processing of an Orphan Petition, and Form I-600, Petition to Classify Orphan as an Immediate Relative, for children from Ukraine. USCIS is unable to waive statutory or regulatory requirements, including submission of all required evidence. However, families may request expedited processing if they meet USCIS' expedite criteria. Information about expedited requests, including where to send the request for an adoption-related case, can be found at <https://uscis.gov/forms/filing-guidance/how-to-make-an-expedite-request>.

Families wishing to initiate a new adoption from Ukraine should closely follow the updates on the DOS website regarding current restrictions, as well as Ukraine's recent statement that adoption of Ukrainian children is not possible at this time. The DOS website further notes that not all of the children who participated in U.S.-Ukrainian hosting programs are eligible for intercountry adoption under Ukrainian law. In addition, the DOS Special Advisor for Children's Issues recently issued a statement reiterating that the Ukrainian government is not approving Ukrainian children for temporary travel to the United States at this time. We encourage you to regularly review the following resources for the most current information about children from Ukraine which can be found on the DOS website:

- Information for U.S. Citizens in the Process of Adopting Children from Ukraine which can be found at <https://travel.state.gov/content/travel/en/News/Intercountry-Adoption-News/information-for-u-s-citizens-in-the-process-of-adopting-children.html>
- How You Can Help Fact Sheet which can be found at <https://travel.state.gov/content/travel/en/News/Intercountry-Adoption-News/ukraine---fact-sheet--how-you-can-help.html>
- Ukraine - Ministry of Social Policy Statement on Intercountry Adoption which can be found at <https://travel.state.gov/content/travel/en/News/Intercountry-Adoption-News/ukraine---ministry-of-social-policy-statement-on-intercountry-ad.html>

Some U.S. citizens have also asked about the use of parole for children already in the adoption process to enter the United States. USCIS generally does not approve parole requests for adoption-related cases, because parole does not provide the same procedural safeguards for prospective adoptive children, prospective adoptive families, and birth parents that exist in regular adoption-based immigration avenues, such as determinations that a child is an orphan or available for intercountry adoption. In addition, parole does not give children the U.S. immigration status protections that regular adoption-based immigration avenues provide. Parole is discretionary, and USCIS takes all of the circumstances of each individual case and supporting evidence into account, including whether a particular child is approved to travel by the appropriate authorities abroad. For more information on parole, visit our webpage, [Guidance on Evidence for Certain Types of Humanitarian or Significant Public Benefit Parole Requests](https://www.uscis.gov/humanitarian/humanitarian-parole/guidance-on-evidence-for-certain-types-of-humanitarian-or-significant-public-benefit-parole-requests), which can be found at <https://www.uscis.gov/humanitarian/humanitarian-parole/guidance-on-evidence-for-certain-types-of-humanitarian-or-significant-public-benefit-parole-requests>. The new Uniting for Ukraine parole process is not an available route for prospective adoptees, as they need to go through formal USCIS processes for the protection of the children.

USCIS will continue to work with our DOS adoption counterparts on how the U.S. government can further support vulnerable Ukrainian children.

Thank you again for your letter and interest in this important issue. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative Affairs at (240) 721-3801.

Respectfully,



Ur M. Jaddou
Director