

Congress of the United States
House of Representatives
Washington, DC 20515

April 12, 2019

The Honorable Michael Pompeo
Secretary
U.S. Department of State
2201 C Street, N.W.
Washington, D.C. 20520

Dear Mr. Secretary:

We write to request updated information regarding the administration's implementation of Presidential Proclamation 9645 (PP 9645), *Enhancing Vetting Capabilities and Processes for Detecting Attempted Entry into the United States by Terrorists or Other Public-Safety Threats*. In October of 2018, Senator Chris Van Hollen (D-MD) and Representatives André Carson (D-IN-7) and Seth Moulton (D-MA-6) wrote to you and Secretary of Homeland Security Nielsen asking for data, guidance, and information regarding the implementation of PP 9645 and the related waiver process.¹ We appreciate your detailed response to that letter, dated February 22, 2019.²

However, concerns remain that the waiver process continues to be implemented unevenly and with little guidance,³ and that waivers granted are not leading to the issuance of visas for cleared individuals. As a result, in addition to seeking updated data, we are also requesting new information that we hope will shed additional light on the Administration's current process in implementing PP 9645 and the waiver process. We ask that you provide the following information by May 2, 2019:

Disaggregated by country of nationality of the applicant, visa category (immigrant or nonimmigrant visa), and the adjudicating consular post, the number of visa applications received and processed from nationals of countries affected by PP 9645 as of April 11, 2019, including:

1. The total number of visa applications received.

¹ Sen. Van Hollen, Reprs. Carson, Moulton Lead Bicameral Letter Seeking Answers on Trump Travel Ban, Press Releases, Senator Chris Van Hollen (Oct. 12, 2018), <https://www.vanhollen.senate.gov/news/press-releases/sen-van-hollen-reprs-carson-moulton-lead-bicameral-letter-seeking-answers-on-trump-travel-ban>.

² U.S. Department of State, Response Letter February 22, 2019, <https://www.vanhollen.senate.gov/imo/media/doc/State%20Dept%20Response%20to%20Oct%20Muslim%20Ban%20Letter.pdf>.

³ Amiri, Farnoush. *Trump's Travel Ban: Thousands of 'Desperate' Families Remain Separated*, NBC News, (April 7, 2019), <https://www.nbcnews.com/news/us-news/trump-travel-ban-thousands-desperate-families-remain-separated-n988636>.

2. The number of applicants refused for reasons unrelated to PP 9645, disaggregated by the basis for refusal.
3. The number of applicants that qualified for an exception to PP 9645, disaggregated by the basis for the exception.
4. The number of applicants who were denied a waiver for failure to meet the hardship or national interest criteria.
5. The number of applicants who were denied a waiver for failure to meet the national security/public safety criterion.
6. The number of applicants who are undergoing administrative processing for a determination on the national security/public safety criterion.
7. The number of applicants who were granted waivers.
8. The number of visas issued to individuals who were granted waivers.
9. The average number of days between waiver approval and visa issuance.
10. The number of waivers approved where the waiver was initially denied.
11. The number of waivers granted to diversity visa applicants.
12. Updated responses to the data request led by Senator Chris Van Hollen (D-MD) and Representatives André Carson (D-IN-7) and Seth Moulton (D-MA-6) in October 2018.

Finally, we ask that you provide any written guidance issued to the mission level regarding how consular officers shall implement and administer PP9645 and the waiver process by May 3, 2019.

Thank you for your prompt attention on this matter.

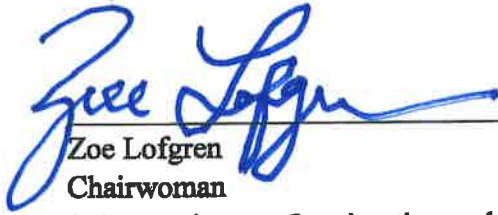
Sincerely,



Jerrold Nadler
Chairman
House Committee on the Judiciary



Eliot L. Engel
Chairman
House Foreign Affairs Committee



Zoe Lofgren
Chairwoman

Subcommittee on Immigration and
Citizenship



Ami Bera
Chairman

Subcommittee on Oversight and
Investigations

cc: The Honorable Doug Collins, Ranking Member, House Committee on the Judiciary
The Honorable Michael McCaul, Ranking Member, House Foreign Affairs Committee
The Honorable Ken Buck, Ranking Member, Subcommittee on Immigration and
Citizenship, House Committee on the Judiciary
The Honorable Lee Zeldin, Ranking Member, Subcommittee on Oversight and
Investigations, House Foreign Affairs Committee