

Congress of the United States

Washington, DC 20515

SCANNED/RECEIVED
BY EXEC SEC

2018 AUG -3 AM 10: 24

The Honorable Kirstjen M. Nielsen
Secretary of Homeland Security
Washington, DC 20528

July 31, 2018

Dear Secretary Nielsen,

It has come to our attention that Afghan and Iraqi interpreters and translators that served in the US military are being denied refugee status as a matter of discretion. While the safety of U.S. citizens is paramount, improperly handling these cases could restrict our ability to recruit these positions and provide serious national security consequences. For example, Muhammad Kamran, who served with the US military in Afghanistan and in support of the Global War on Terror for more than 10 years, was recently denied both refugee status and Humanitarian Parole. Based on what is known of his circumstances, we are concerned that USCIS is not appropriately considering his decade of service and request to know the reason for the denial of his refugee application.

Mr. Kamran worked from 2004 – 2014 for the US Navy, US Army, DAI under USAID, and later the United Nations. He was trusted by his supervisors who praised his work ethic and dedication to serving the US mission in Afghanistan. After receiving multiple threats from the Taliban and surviving an assassination attempt, Mr. Kamran fled to Pakistan. Mr. Kamran filed a refugee case which was denied by the USCIS Refugee Affairs Division in February 2016 as a matter of discretion for unstated "security concerns." However, there is already a clear standard for denying security threats under INA § 212(a)(2) & (3), and cases of legitimate security concerns are required to be denied outright on these grounds alone. The denial shows that USCIS accepts Mr. Kamran's documentation of his work for the US military and that his life and his family's lives are in imminent danger as a result of his work. That it was denied as a matter of *discretion* for security reasons is concerning. Discretion, which has a very low standard of evidence and is not subject to judicial review, should not arbitrarily be used to deny a refugee applicant much less someone with years of faithful service with the US military. USCIS compounded their denial of his refugee application by denying a request for Humanitarian Parole of not only himself but his wife and daughters, the youngest of whom is only five years, claiming that even she was a security concern. His brother and sister and their families were granted refugee status, are currently living in the United States, and petitioned to care for his young daughters.

Since the denials of their refugee and Humanitarian Parole applications, Mr. Kamran and his family have suffered severely in Pakistan. He is still being actively hunted by the Taliban, faces regular, violent police raids, and was stabbed and nearly died of complications earlier this year. Mr. Kamran's case has attracted significant public attention with almost 50,000 people signing a petition in support of re-opening his case. Mr. Kamran's life and the lives of his wife and four daughters are all in jeopardy due to the work that Mr. Kamran did for US forces in Afghanistan. The US military relies on assistance from local translators and interpreters to carry out its mission, assistance which will not be forthcoming in future conflicts should we not follow through on our promises to protect those who we put in harm's way.

We respectfully request the following actions:

- (1) Within 15 days, disclose to Congress the discretionary information used to deny Mr. Kamran's refugee case.
- (2) Within 30 days, provide data on (a) how many principal applicants for refugee cases have been Afghan and Iraqi US military interpreters or former interpreters; (b) how many of those were denied for discretionary security reasons; and (c) what percentage of US refugee applications overall have been denied for discretionary security reasons.

Thank you for your prompt response to these requests.

Sincerely,



Jeff Denham



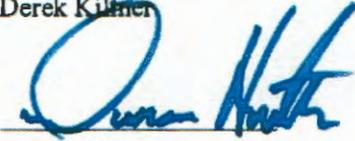
Jamie Raskin

Muhammad Kamran Letter

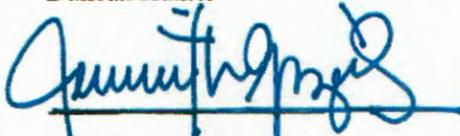
CC: L. Francis Cissna, Director of USCIS;
Barbara Strack, Chief Refugee Affairs Division, US Citizenship and Immigration Services;
John W. Bird, Chief Humanitarian Affairs Branch, US Citizenship and Immigration Services



Derek Kilmer



Duncan Hunter



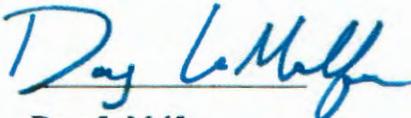
Jennifer González-Colón



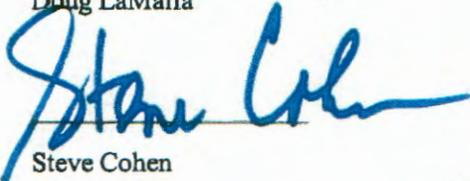
Tim Ryan



Suzan DelBene



Doug LaMalfa



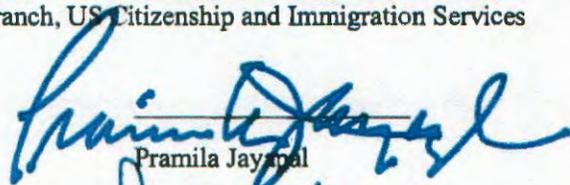
Steve Cohen



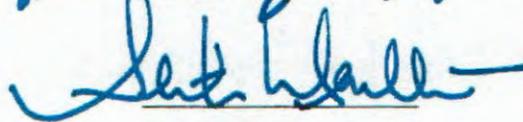
Barbara Lee



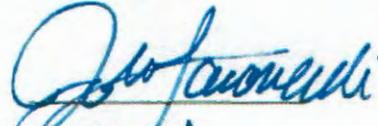
Steve Stivers



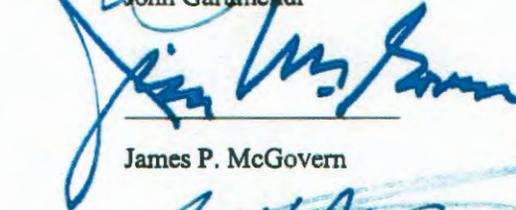
Pramila Jayapal



Seth Moulton



John Garamendi



James P. McGovern



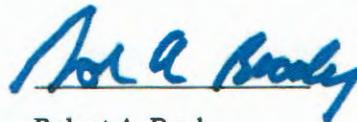
Luis V. Gutiérrez



Elise Stefanik



Earl Blumenauer



Robert A. Brady



Denny Heck

Muhammad Kamran Letter



Randy Hultgren



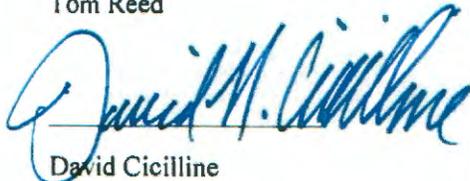
Ted W. Lieu



Albio Sires



Tom Reed



David Cicilline



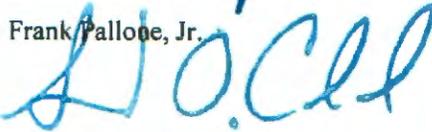
Bonnie Watson Coleman



Bill Pascrell, Jr.



Frank Pallone, Jr.



Salud Carbajal



Jimmy Panetta



Peter Welch



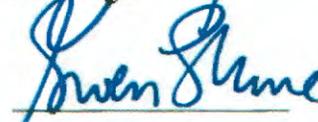
Steve Knight



Debbie Dingell



Ann Wagner



Gwen Moore



Mark Pocan



Yvette D. Clarke



J. Luis Correa