

RANDY HULTGREN, Illinois
Co-Chairman



JAMES P. MCGOVERN, Massachusetts
Co-Chairman

One Hundred and Fifteenth Congress
Tom Lantos Human Rights Commission

January 29, 2018

Vice President Michael R. Pence
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Re: Denial of Visas to Persecuted Iranian Religious Minorities

Dear Mr. Vice President:

In May of last year, you and Co-Chair Hultgren both participated in the World Summit in Defense of Persecuted Christians. You stated then that “the suffering of Christians in the Middle East has stirred America to act.” We write you today as Co-Chairs of the bi-partisan Tom Lantos Human Rights Commission stirred by your words and to request your assistance on behalf of a small group of suffering Middle Eastern religious minorities seeking refuge from Iran’s repressive regime. The Department of Homeland Security (DHS) and Department of State, despite legislation to the contrary, are preventing these Iranian Christians, along with other oppressed Iranian religious minorities, from entering the United States to escape persecution.

As you know, in 2003 you and other members of Congress voted to update the “Lautenberg Amendment” to establish a legal presumption of eligibility for refugee status for Iranian religious minorities (H.R.2673 - Consolidated Appropriations Act, 2004). For many years Iran has been designated a Country of Particular Concern (CPC) by the State Department for its violations of religious liberty. In the years that followed, the State Department established a Resettlement Support Center in Vienna, Austria, to facilitate the processing of refugee applications from persecuted religious minorities in Iran – mostly Christians. The Austrian Embassy in Iran granted these prospective refugees transit visas to come to Vienna. Every applicant was financially supported by a sponsor in the United States, usually a close family member. Given their legal presumption of eligibility under the revised Lautenberg Amendment, these refugee applicants’ cases were processed expeditiously and a vast majority approved for entry into the U.S.

Last year, however, something changed, and the Department of Homeland Security and Department of State are now thwarting the purpose of this law by failing to grant the presumption of eligibility to these applicants. Currently, there are approximately 100 applicants

who have been waiting a year or more for word on their applications. The State Department and Department of Homeland Security (which runs the security background checks) tell the applicants only that their applications are pending background security checks. They do not explain why applications that previously took only a few months to process are now stalled for over a year. Meanwhile, the applicants have reportedly run out of money, living hand-to-mouth, while Austria has stopped granting transit visas to those who qualify for the program still in Iran.

This case is reaching a crisis point. Numerous reports indicate that the applicants are about to be denied entry to the U.S. due to "security concerns." Given the low likelihood that Austria would accept them as refugees, that would mean these religious minorities would be deported back to Iran. As Nina Shea, an international human rights lawyer who directs the Hudson Institute's Center for Religious Freedom said, "these deportations, during a human-rights crackdown in Iran no less, could be a death sentence for these persecuted Christians and other minorities."

This sudden change in policy – from almost a hundred percent acceptance rate to nearly complete rejection – makes no sense, even on security grounds. Some applicants are reported to be elderly and/or disabled, making it hard to imagine they represent a security threat. Finally, there is no evidence that others admitted through this program have ever been a threat to the U.S., despite having similar backgrounds as this current group of applicants.

The law is clear: these applicants should be presumed eligible for refugee status. DHS and the State Department should admit them as soon as possible, and if any applicants are denied, the agencies should explain the reasons for the denial. Once these cases are resolved, we expect the program to resume as it had before. DHS and State must make every effort to continue to accept the thousands of Iranian religious minorities currently waiting in Iran, and take steps to prioritize and expedite any relevant security checks. The State Department should also work with the Austrian Government to resume Austrian support in processing transit visas to Vienna.

Mr. Vice President, you have been so eloquent in your defense of Christians persecuted in Iran and throughout the Middle East. You have made clear that the Trump administration will take the lead in helping to end these persecutions. In Vienna, Austria there are 100 victims of persecution waiting for the United States to act. Thank you for doing what you can to move DHS and State to accept these refugees.

Sincerely,



Randy Hultgren, M.C.
Co-Chair, TLHRC



James P. McGovern, M.C.
Co-Chair, TLHRC

Cc: The Honorable Kirstjen Nielsen, Secretary of Homeland Security
The Honorable Rex Tillerson, Secretary of State
The Honorable Andrea Thompson, National Security Advisor to the Vice President