



International Refugee  
Assistance Project

## Assistance from a Congressional Office Requesting in an Immigration Case

### Why Request Assistance from a Congressional Office?

Individuals seeking an immigration benefit may seek assistance from a congressional office for various reasons:

- For a case that is **pending for a long time**, a congressional office might file an inquiry with a government agency to ask about the status of the case;
- For a case with **acute humanitarian concerns**, a congressional office might request that a government agency expedite its consideration of the case; or
- For a case in which an individual is seeking an **exceptional immigration benefit**, such as humanitarian parole, a congressional office might provide a letter of support as part of the application.

### Case Status Inquiries

For a long-pending case, congressional offices can contact the appropriate government agency's congressional liaisons to request information about the **current status of the case**. In most instances, a government agency will provide a template response about the status of the case. However, the congressional inquiry signals high-level interest in the case and allows the applicant to confirm that no further action is needed from them.

### Expedite Requests

If an applicant faces extreme humanitarian need and efforts to request expedited processing directly from a government agency are unsuccessful, a congressional office's request for an agency to consider a case on an expedited basis may be useful. The congressional office should be provided with a short summary of the reasons that expedited processing is being requested and supporting documents—for example, medical records or documentation of threats.

For **refugees and special immigrant applicants**, there is no official policy as to when government agencies will expedite case processing. However, for refugees, [Department of State guidance](#) indicates that expedited processing would be appropriate in cases “where an applicant faces life-threatening protection scenarios such as imminent deportation back to the country of persecution (refoulement); acute threats from host governments or non-state actors that may result in torture, severe bodily harm, or death; or serious life-threatening medical conditions that require immediate treatment unavailable in the country of first asylum.”

For Syrians and Iraqis applying to the **Direct Access Program** (DAP) after receiving an **approved I-130** or for **I-730 petitions**, [USCIS guidance](#) lists expedite criteria.

### Who Should Request Assistance from a Congressional Office?



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Individuals in the United States who are concerned about the case can reach out to any congressional office to which they have some tie. These can be the congressional delegations from:

- Their current residence;
- Where they grew up;
- Their family members' residences;
- Their significant other's residence, etc.

U.S.-based advocates for refugee cases and SIV applicants may include:

- Family members of the refugee or SIV applicant who are already in the United States;
- The U.S. servicemember(s) who wrote recommendation letters for an SIV applicant;
- Other U.S. citizens or residents who have a stake in the case (e.g. diaspora support groups, other NGOs).
- Note that USCIS **will not accept inquiries submitted by congressional offices on behalf of immigration attorneys**. In fact, USCIS will inform the congressional office that they are releasing the information to the congressional office with the understanding that the office would communicate with the refugee applicant, not his/her lawyer. For this reason, you should not list an attorney's contact information anywhere on the privacy release form **other than the field on which the congressional office is authorized to release information to a third party**.

**You can have multiple congressional offices making inquiries** simultaneously; be transparent if an office asks you if other congressional offices are working on your inquiry.

### **How to Request Assistance from a Congressional Office?**

Look up the **phone numbers for constituent services** for the members of Congress that you are trying to contact.

Call those offices and explain that you would like **the contact information of the staffer who handles constituent requests for immigration** (for refugee cases) or military affairs (for SIV cases).

Send the following information to the staffer:

- **An e-mail body that:**
  - o Identifies the requester and their tie to the office;
  - o Briefly describes the case; and
  - o Makes a specific "ask" of the congressional office (see below).
- **An attached letter that:**
  - o Is in business letter format;
  - o Is addressed to the Member of Congress;



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- **Spells out the tie** between the requester and the congressional office (e.g., “I live in your congressional district and I am a family member of a refugee seeking resettlement.” If the requester lives in the district, include the residential address of the requester);
- Includes a **summary of the case** including:
  - The **hardship** that the individual faces, such threats, persecution, or family separation, as applicable;
  - The **case status** (e.g., “X’s case has been in administrative processing since June 2017.”);
  - The **current security/health situation of the individual** (e.g., “X’s home was recently invaded by the Taliban and he is now living apart from his family out of fear that his family will be targeted as well.”);
  - If relevant, **the service that the individual performed** for the U.S. mission (e.g., “X served with the Marines and helped them to conduct high level meetings with tribal leaders”);
- **Includes a targeted “ask”**—ask the congressional office to inquire about the case with a specific agency (e.g., “X’s case has been in administrative processing for over two years. Please ask USCIS why X’s case has been in administrative processing for this long, and whether there is anything else he can provide at this time to hasten a decision.”). **If you can’t identify the specific ask, a request for “an inquiry into the status of the case” is fine.**
- Is **grateful** to the staffer for their time and assistance; and
- Closes with **contact information** at which the person making the inquiry can be reached for further questions.

The congressional office will first respond asking the applicant to complete a privacy waiver. This form is **required for the congressional office to submit an inquiry** to a government agency on behalf of the individual seeking an immigration benefit. Each office uses their own form. The form is often available on the congressional office’s website, and you can accelerate the congressional office’s ability to respond to the inquiry by having the **applicant complete the privacy waiver in advance**. Keep in mind that:

- The form will require the **name and contact information** for the applicant;
- The form will require a **signature** from the applicant, and some offices may request an original signature; and
- The form will include a space for that person to allow information to be released to a **third party**, such as the attorney or family member.
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### **Are There Negative Consequences of Filing a Congressional Inquiry?**

Some applicants may fear that there will be negative consequences of requesting a congressional inquiry. For example, an individual may fear that a government agency will



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look unfavorably on an applicant who has sought outside assistance. This fear may be particularly acute for a congressional office of a political party different than that of the sitting presidential administration. An applicant may also fear that asking for an expedited decision would increase the likelihood of denial.

It is impossible to state definitively that there will not be negative consequences after requesting a congressional inquiry. However, congressional inquiries are generally viewed as a positive tool that demonstrates high-level concern about or support for a case and that can verify the status of a long-pending case.