

U.S. Department of State Diplomacy in Action

Information Regarding the U.S. Refugee Admissions Program

Fact Sheet

BUREAU OF POPULATION, REFUGEES, AND MIGRATION

June 30, 2017

The Supreme Court's order in *Trump v. International Refugee Assistance Project*, No. 16-1436 (June 26, 2017) provides that Sections 6(a) and 6(b) of Executive Order 13780 "may not be enforced against an individual seeking admission as a refugee who can credibly claim a bona fide relationship with a person or entity in the United States." As stated in the Supreme Court's order "for individuals, a close familial relationship is required. ... As for entities, the relationship must be formal, documented and formed in the ordinary course, rather than for the purpose of evading [the Order]."

Upon advice of our legal counsel, we are providing the following guidance.

A refugee who has one of the following relationships with a person already in the United States will be considered to have a credible claim to a bona fide relationship with a person in the United States upon presentation of sufficient documentation or other verifiable information supporting that claim: a parent (including parent-in-law), spouse, fiancé, fiancée, child, adult son or daughter, son-in-law, daughter-in-law, sibling, whether whole or half. This includes step relationships. The following relationships do not qualify: grandparents, grandchildren, aunts, uncles, nieces, nephews, cousins, brothers-in-law and sisters-in-law, and any other "extended" family members.

A refugee who has a relationship with an entity in the United States that is formal, documented, and formed in the ordinary course will be considered to have a credible claim to a bona fide relationship with that entity upon presentation of sufficient documentation or other verifiable information supporting that claim. The fact that a resettlement agency in the United States has provided a formal assurance for a refugee seeking admission, however, is not sufficient in and of itself to establish a qualifying relationship for that refugee with an entity in the United States.

We will be providing additional guidance in coming days about the processes for identifying a bona fide relationship with a person or entity in the United States. As a reminder, refugees already scheduled for travel through July 6 will be permitted to travel regardless of whether they have such a relationship.

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