

U.S. Refugee Resettlement Processing for Iraqi and Syrian Beneficiaries of an Approved I-130 Petition Frequently Asked Questions

Q1. What is the Priority-2 (P-2) Direct Access Program (DAP) for Iraqi and Syrian beneficiaries of an approved Form I-130 Petition for Alien Relative?

A1. The P-2 Direct Access Program for Iraqi and Syrian beneficiaries of Form I-130 Petition for Alien Relative is an avenue for Iraqis and Syrians to apply for refugee resettlement in the United States through the U.S Refugee Admissions Program (USRAP). It is available to approved I-130 beneficiaries of Iraqi or Syrian nationality and their derivatives. Derivatives are spouses and unmarried children who were less than 21 years of age on the date the beneficiary's I-130 petition was approved. The I-130 petition must be filed by an American citizen or Lawful Permanent Resident and must then be approved by U.S. Citizenship and Immigration Services before a beneficiary has access to the USRAP. This program promotes family reunification and may allow Iraqi and Syrian beneficiaries whose immigrant visas are not current and who have a refugee claim an opportunity to arrive in the United States more quickly.

Q2. How does someone qualify for refugee admissions under this program?

A2. In order to qualify for resettlement as a refugee, the beneficiary and any derivatives included on the beneficiary's case will need to be interviewed by the Department of Homeland Security (DHS) U.S. Citizenship and Immigration Services (USCIS). The I-130 beneficiary, who becomes the "principal applicant" on the refugee case, must demonstrate that he/she meets the U.S. refugee definition, namely that he/she is unable or unwilling to return to country of citizenship because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion; is not firmly resettled in a foreign country; and is otherwise admissible to the United States. All derivatives included on the case must also be admissible to the United States. All applicants must also clear all required security checks. It is important to emphasize that there is no guarantee that applicants will be approved for admission to the United States as refugees under this program. DHS makes all final eligibility determinations for applications for refugee status. Finally, those who are approved for refugee resettlement may benefit from public assistance related to their travel, reception and initial stay in the United States, which is not available to individuals who immigrate to the United States pursuant to an I-130 immigrant visa.

Q3. How does someone initiate an application for refugee resettlement processing under this program?

A3: Letters and Expression of Interest Forms from the U.S. Department of State are mailed to qualifying Iraqi and Syrian beneficiaries in care of whoever petitioned on their behalf. We ask that petitioners inform their relative (the beneficiary) of this new program once they receive information by mail from the Department of State. If the beneficiary is interested in pursuing refugee resettlement through this program, either the beneficiary or petitioner should complete and return the required forms in accordance with the instructions on the forms. Please note that letters and forms will not be mailed for beneficiaries who are currently residing in the United States or Canada.

Q4. My I-130 petition has not been filed yet or it is currently pending adjudication with USCIS. Is my relative (the beneficiary) still eligible to apply for this program?

A4. The I-130 petition you filed must be approved by USCIS before a beneficiary becomes eligible to apply for refugee resettlement through this program. If and when your petition is approved by USCIS, your relative (the beneficiary) and your relative's derivatives will become eligible. The Department of State's Refugee Processing Center will automatically contact you via the process described above once the petition is approved by USCIS.

Q5. I am the petitioner of an I-130 petition and I received a letter from the Department of State. What is the next step?

A5. The Department of State's Refugee Processing Center (RPC) will mail a letter and Expression of Interest Forms to every eligible beneficiary in care of the petitioner. If you received a letter, please discuss the program with your relative (the beneficiary). If your relative wishes to pursue refugee resettlement through this program, you or your relative should complete the required Expression of Interest forms and submit them to the RPC via email at ContactInfo@wrapsnet.org. When the RPC receives your forms, the RPC will forward the information to the appropriate Resettlement Support Center (RSC) overseas. The RSC will then contact the beneficiary directly regarding further case processing. RSC staff are bilingual in English and Arabic, so your relative does not need to speak English to communicate with the RSC. Please note that letters and forms will not be sent on behalf of beneficiaries who currently reside in the United States or Canada.

Q6. I am a petitioner and I received a letter from the Department of State for the beneficiary of one petition I filed, but what about the other petitions I filed?

A6. We are currently in the process of mailing out letters and Expression of Interest forms to all beneficiaries, in care of petitioners. If you filed other I-130 petitions that were approved, you should be receiving additional letters and forms soon.

Q7. I am a petitioner of an approved I-130 petition for an Iraqi or Syrian beneficiary, and I have moved since I filed the petition. Whom should I notify so that the RPC can send the letter and Expression of Interest forms to my correct address?

A7. Contact the Refugee Processing Center (RPC) directly at ContactInfo@wrapsnet.org to provide any updated address information in order to ensure the RPC can send the letter and Expression of Interest forms to the correct address. When contacting the RPC, please provide the following information:

1. NVC case number (i.e. BGH2016XXXXXX)
2. Beneficiary's name (as appears on his or her passport)
3. Beneficiary's date of birth (day, month, year)

Please provide your new address to the National Visa Center (NVC) as well by using NVC's online inquiry form available at: <https://secureforms.travel.state.gov/ask-nvc.php>.

Q8. Where do I get the forms to apply for this program?

A8. As explained above, the Department of State's Refugee Processing Center (RPC) will send a letter and Expression of Interest forms to all Iraqi and Syrian beneficiaries of approved I-130 petitions in care of the petitioner. These forms are not found on the internet.

Q9. Do derivatives (spouse and unmarried children under age 21) of a beneficiary also need to complete a Beneficiary Contact Information Form?

A9. No. Only the beneficiary of the I-130 petition should complete this form. Further in the process, a Resettlement Support Center will request additional information about any derivatives.

Q10. Where is processing under this program available?

A10. Currently, processing is available to eligible individuals residing in the following locations throughout the Middle East and North Africa:

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| 1. Algeria | 8. Lebanon |
| 2. Bahrain | 9. Morocco |
| 3. Egypt | 10. Oman |
| 4. Iraq | 11. Qatar |
| 5. Israel | 12. Saudi Arabia |
| 6. Jordan | 13. United Arab Emirates |
| 7. Kuwait | |

Note: Government of Lebanon exit permit procedures necessitate that individuals being processing in Lebanon be registered with UNHCR to take part in this program.

Q11: What if I am otherwise eligible, but I do not reside in one of the above countries? Can I still apply?

A11: Currently, processing is only available in the following locations: Algeria, Bahrain, Egypt, Iraq, Israel, Jordan, Kuwait, Lebanon, Morocco, Oman, Qatar, Saudi Arabia, and United Arab Emirates. Processing is not available in Syria, Turkey, Canada, Europe, Asia, or anywhere else other than the 13 locations listed above. Beneficiaries who do not reside in one of these locations have the option of indicating another country where they would like to be processed, should the program be expanded in the future.

Q12. Can I relocate to a country where processing is available so that I may apply?

A12. The Department of State cannot advise you whether you should relocate in order to apply to this program. If you are able and willing to travel to a country where processing is available, we will process your case in that location. You should be aware that if you choose to travel to another country for refugee processing, the U.S. government will not be in a position to assist you with obtaining a visa nor providing assistance relating to your stay. Refugee processing may take 18-24 months, and sometimes longer. If you are subsequently denied resettlement, the U.S. government can neither assist you in returning to the country from which you relocated nor assist you in obtaining legal status in your current location.

If you relocate for refugee resettlement processing, please inform the NVC of your change-of-address by using NVC's online inquiry form available at:

<https://secureforms.travel.state.gov/ask-nvc.php>.

Q13. I am otherwise eligible, but I currently reside in Syria. Can I still apply?

A13. You must be located in one of the 13 processing locations listed above to apply for this program. The U.S. government cannot conduct any portion of the refugee resettlement process while you are residing in Syria. If you choose to relocate in order to apply, you should be aware that the U.S. government will not be in a position to assist you with obtaining a visa nor providing assistance relating to your stay. Similarly, if you are subsequently denied resettlement, the U.S. government can neither assist you in returning to the country from which you relocated nor assist you in obtaining legal status in your current location.

Q14. I am an Iraqi or Syrian beneficiary of an approved I-130 petition, but I am already residing in the United States. Am I eligible to apply for this program?

A14. No. By nature, the U.S. Refugee Admissions Program provides an opportunity for refugees to resettle in the United States from overseas and is not available to those individuals who are currently present in the United States and seeking to change or adjust their immigration status.

Q15. I filed an I-130 petition for my parent. My siblings live with my parent – can they also be included on the refugee case?

A15. Only the beneficiary named on the I-130 petition and his/her spouse and children who are unmarried and under 21 years of age at the time the petition is approved by USCIS may be included on the refugee case. If your siblings are married and/or 21 years of age or older on the date the petition was approved, they are not eligible to be included on your parent's refugee case. However, if you or another relative files a separate I-130 petition for each of your siblings and the petitions are approved, your siblings may have their own refugee case.

Q16. What about other family members listed on my I-130 petition?

A16. The beneficiary of the I-130 petition will become the principal applicant on the refugee case. Principal applicants may include their derivatives on their refugee case. Derivatives are defined as spouses and unmarried children who are under 21 years of age at the time the I-130 petition is approved by USCIS. Any family members who do not fall within these categories will not be eligible for refugee processing under this program, regardless of whether they are listed on the I-130 petition. Principal applicants on the refugee case will be required to show proof of relationship to their derivatives during resettlement processing.

Q17. Who may file an I-130 Petition for Alien Relative?

A17. Family-based I-130 petitions can be filed by U.S. citizens or lawful permanent resident aliens. U.S. citizens may file for spouse, children (regardless of age or marital status), siblings, and parents. Lawful permanent residents (LPRs) may file for spouse, unmarried children under 21, and unmarried adult children. For additional information, please visit <https://www.uscis.gov/i-130>.

Q18. I submitted my Expression of Interest forms and I have been contacted by a Resettlement Support Center. Now that I have a refugee case, can you explain the rest of the process?

A18.

Stage 1: Case Creation. A refugee case file is created upon receipt of your Expression of Interest forms.

Stage 2: Acceptance to the Program. A case is granted access to the program after verification that it meets eligibility requirements set forth by PRM.

Stage 3: Prescreening Interview. A Resettlement Support Center (RSC) conducts an in-depth interview with refugee applicants in order to prepare their case files. The interview collects biographical information, reasons for flight and information regarding past persecution.

Stage 4: USCIS Interview. Officers from U.S. Citizenship and Immigration Services (USCIS) review the case file compiled by RSC and conduct an in-person interview with each refugee applicant to determine eligibility for admission to the United States. The ultimate determination as to whether an applicant can be admitted as a refugee is made solely by USCIS.

Stage 5: Security Checks. Before an individual is admitted to the United States for resettlement, the U.S. Government must complete a number of security clearances, some of which are finalized in the days and weeks prior to departure for the United States. Security checks are completed throughout the entire duration of the process and must be cleared before a case can depart for the U.S. RSCs have no role in conducting these security clearances.

Stage 6: Medical Examination. Medical examinations are required for all applicants prior to entry to the United States. RSCs coordinate medical examinations with IOM and U.S. Embassy panel physicians.

Stage 7: Resettlement Agency Placement. Cases are assigned to a Resettlement Agency in the U.S., which is responsible for receiving refugees and providing certain benefits upon arrival.

Stage 8: Cultural Orientation. Prior to departure, approved refugees over the age of 14 are eligible to participate in cultural orientation (CO) classes provided by RSCs. The purpose of CO is to prepare refugees for resettlement by providing them with a basic introduction to U.S. life and culture.

Stage 9: Travel. The International Organization for Migration (IOM) is responsible for organizing travel arrangements for all refugee cases worldwide. Your RSC will coordinate your travel with IOM.

Additional information is available at: <https://www.jordan.iom.int/refinfo/RSCProcess.aspx>

Q19: If an individual pursues refugee processing under this program, will he/she compromise his/her immigrant visa petition?

A19: No. Iraqi and Syrian beneficiaries of approved I-130 petitions may pursue both refugee resettlement through the U.S. Refugee Admissions Program (USRAP) and immigrant visa processing simultaneously. If a beneficiary prefers to wait for immigrant visa processing or fails to qualify for refugee status, his/her I-130 petition and priority date for visa processing will be preserved until an immigrant visa number is available for his/her case. If a beneficiary is denied refugee resettlement through this program, he/she is still eligible for immigrant visa processing provided that he/she was not found to be permanently inadmissible to the United States.

Q20: Which route is faster, immigrant visa processing or refugee resettlement? How long will the refugee resettlement process take?

A20: We are unable to predict whether it would be faster to process the I-130 petition for an immigrant visa or an application for refugee status, as that depends upon the particularities of each individual case and the individual's priority date for immigrant visa processing. Refugee resettlement processing may take 18-24 months, and sometimes longer.

Q21. What is the status of my I-130 petition?

A21. Individuals with questions about their I-130 petition should contact the National Visa Center by using the online inquiry form at: <https://secureforms.travel.state.gov/ask-nvc.php>.

Q22. If I've already been scheduled for an immigrant visa interview or have been interviewed for an immigrant visa, should I still apply?

A22. We recommend that you not pursue refugee resettlement processing through this program if you have already been scheduled for an immigrant visa interview or if you have already been interviewed by a consular officer for an immigrant visa because the immigrant visa route will likely be faster than awaiting completion of refugee processing. Refugee processing may take 18-24 months.

Q23. What if I am already registered with the U. N. Refugee Agency (UNHCR)? Or unable to register?

A23. We encourage all Iraqi and Syrian refugees to register with UNHCR for protection and assistance. Your registration status with the UNHCR does not affect your eligibility to apply for this program. However, in some locations the government of the country in which you are residing may require refugees to be registered with UNHCR in order for you to receive exit permission to depart for the United States. If you are applying to this program and you are not already registered with UNHCR, we encourage you to register and to inform the Resettlement Support Center when you are contacted about your pre-screening interview, so they may counsel you about whether your lack of registration will be problematic.

Q24. I have already been referred by UNHCR for refugee resettlement to the United States. Should I still apply to this program?

A24. No. If you have already been referred to the U.S. Refugee Admissions Program (USRAP) by UNHCR, there is no need to apply through this program. An individual may have only one pending application to the USRAP. The overseas process and the benefits you will receive in the United States if you are ultimately resettled will be the same regardless of whether you were initially referred by UNHCR or gained access directly as the beneficiary of an approved I-130 petition.

Q25. I have already been referred by UNHCR for refugee resettlement to a country other than the United States. Should I still apply to this program?

A25. In the interest of family reunification, you are still eligible for resettlement to the United States through this program even if you have a pending application for resettlement to another country. Please inform UNHCR that you are pursuing resettlement to the United States via this direct access program.

Q26. If I am resettled to the United States through this program, what benefits will I receive?

A26. Individuals who are admitted to the United States as refugees are sponsored by one of nine resettlement agencies participating in the Refugee Admissions Reception and Placement (R&P) Program. The sponsoring agency is responsible for providing initial services, which include housing, essential furnishings, food, clothing, community orientation, and referral to other social, medical, and employment services for a refugee's first 30 - 90 days in the United States. For

more information about the R&P Program, please visit <http://www.state.gov/j/prm/ra/receptionplacement/index.htm>.

In addition to the R&P Program, refugees may be eligible for additional services from the Department of Health and Human Services (HHS). For more information about HHS benefits, visit the website of the Office of Refugee Resettlement (ORR) at <http://www.acf.hhs.gov/programs/orr>.

A general fact sheet on U.S. resettlement, entitled “18 Things You Need to Know to About Resettling to the United States,” is also available on the Refugee Processing Center’s (RPC) website: <http://www.wrapsnet.org/SIVIraqiP2/tabid/290/Default.aspx>

Q27. If I am admitted to the U.S. under this program, can I take trips outside the U.S.?

A27. Once admitted to the United States as a refugee, you may apply to the Department of Homeland Security (DHS) for a refugee travel document. Once you receive that document, you may travel outside the United States for a limited time and be re-admitted, although travel to your country of origin may affect your status as a refugee.

Q28. If I am admitted to the U.S. under this program, do I get U.S. citizenship? If so, how long does it take?

A28. Refugees must apply for lawful permanent resident status (green card holder) after one (1) year in the United States. After five (5) years in the United States, refugees are eligible to apply for U.S. citizenship.

Q29. If I am resettled to the United States through this program but the situation in my home country improves, will I be deported?

A29. No. Unless you commit a serious crime while still in Refugee or Lawful Permanent Resident status, your immigration status in the U.S. is permanent.

Q30. I am an Iraqi or Syrian beneficiary of an approved I-130 petition, and I have dual citizenship in another country. Am I still eligible to apply for this program?

A30. Yes. However, you must demonstrate that you are unable or unwilling to return to **both countries of citizenship** because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion in each country.

Q31. Where and when will my interview(s) take place?

A31. Your interview(s) will most likely take place in the capital city of the country in which you have elected to be processed. Once you have submitted the Expression of Interest forms, a Resettlement Support Center will contact you directly and provide further details about where and when you should report for your interview(s).

Q32. If the beneficiary of an approved I-130 passes away prior to arriving in the United States are his/her derivatives still eligible for resettlement through this program?

A32. No. If the beneficiary passes away, the approved petition is automatically revoked and no longer valid. Derivatives therefore lose their access to this program unless a new I-130 petition is filed and approved on their behalf

Q33. I am the beneficiary and my child was under 21 years of age at the time my petition was approved, but has since turned 21 years old. Is my child still eligible for refugee processing through this program?

Q33. Yes. As long as your child was under 21 at the time the petition was approved, he/she is still eligible for this program. However, he/she will be given his/her own refugee case, linked to yours, and he/she must demonstrate that he/she meets the U.S. refugee definition, namely that he/she is unable or unwilling to return to country of citizenship because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion; is not firmly resettled in a foreign country; and is otherwise admissible to the United States. If you, as the beneficiary, are denied refugee status, your child will also be denied, regardless of whether he/she has his/her own case or is being processed on your case because he/she initially derived access to this program through you.

Q34. I am the beneficiary and my child was under 21 years of age and unmarried at the time my petition was approved, but has since married. Is my child still eligible for refugee processing through this program?

Q34. No. Your child must be unmarried at the time of refugee processing to derive access to this program through your refugee case.

Q35. I am a beneficiary and I already sent my Expression of Interest forms back to the RPC; how do I notify the RPC if I move?

A35. Please send an email with all updated contact information to the Refugee Processing Center (RPC) at ContactInfo@wrapsnet.org. Be sure to provide the following information:

1. NVC case number (i.e. BGH2016XXXXXX)
2. Beneficiary's name (as appears on his or her passport)
3. Beneficiary's date of birth (day, month, year)

Please provide your new address to the National Visa Center (NVC) as well by using NVC's online inquiry form available at: <https://secureforms.travel.state.gov/ask-nvc.php>.

Q36. When did this program begin?

A36. This program began for Iraqi beneficiaries in 2008 and for Syrian beneficiaries in 2016.

Q37. Does the program have an end date?

A37. Currently, there is no end date under consideration.

Q38. How do I contact my Resettlement Support Center?

A38. If your case is being processed in Algeria, Bahrain, Egypt, Iraq, Israel, Jordan, Kuwait, Morocco, Oman, Qatar, Saudi Arabia, or the United Arab Emirates. Please contact RSC MENA at IC@iom.int. If your case is being processed in Lebanon, please contact RSC TuME at info.rsc@icmc.ne. You may contact either RSC in English or Arabic.

Q39. How do I contact the Refugee Processing Center?

A39. You may contact the Refugee Processing Center at contactinfo@wrapsnet.org.

Q40: How much does this program cost?

A40: The U.S. Refugee Admissions Program is free of charge to applicants.