

Congress of the United States
Washington, DC 20515

April 28, 2023

The Honorable Anthony J. Blinken
Secretary
Department of State
2201 C St. NW
Washington, DC 20520

The Honorable Alejandro Mayorkas
Secretary
Department of Homeland Security
2707 Martin Luther King Jr. Ave. SE
Washington, DC 20528

Dear Secretaries Blinken and Mayorkas:

We write to request that the Department of Homeland Security implement a humanitarian parole policy for certain Ukrainian orphans, in consultation with the Department of State and the Government of Ukraine. The proposed program, outlined below, would employ the same statutory authority as the Humanitarian Parole Policy for Certain Haitian Orphans, announced and implemented in 2010, which served roughly 1,200 orphan children. A new, narrower program would provide a time-limited safe haven specifically for the estimated 300 Ukrainian orphans who were involved in an adoption process with a U.S. family at the time of the Russian invasion of Ukraine. A humanitarian parole policy for certain Ukrainian orphans would provide these children respite in the United States for the duration of the war while maintaining Ukrainian sovereignty in matters of international adoption.

At the time of Russia's invasion of Ukraine, approximately 200 families in the United States were engaged in the process to adopt a child from Ukraine, in many cases identifying children who had been previously hosted in the families' homes. Advocates for these families estimate that 300 Ukrainian children were in the adoption process at the outbreak of the war. The international adoption process takes several years and typically involves extensive vetting of potential parents by both U.S. and Ukrainian authorities. However, following Russia's invasion, the Ukrainian government suspended its international adoption programs, leaving families unable to complete the adoption process. Children who had developed a relationship with their U.S. families were evacuated to shelters across Europe as a temporary reprieve from the dangers of the war. Since then, many American parents have remained in contact with their prospective adoptees, often traveling to Europe to visit these children.

While evacuating these children to shelters in Europe was a reasonable temporary step, after more than a year of conflict and continued uncertainty about the duration of the war, the humanitarian parole program should be implemented to serve affected Ukrainian orphans and the U.S. families who wish to offer them a loving home. Many of the affected families have contacted our offices asking for a solution to temporarily host their prospective adoptive children in a proven safe, stable environment until the Ukrainian government resumes its adoption process. We believe there is precedent to achieve this through parole, a statutory authority the administration is currently exercising to welcome displaced Ukrainian adults and which the U.S. has repeatedly employed to welcome persons in need during times of crisis.

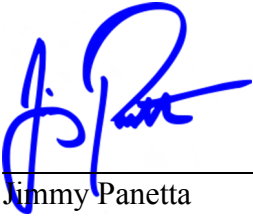
DHS was presented with a similar challenge following the January 12, 2010 earthquake in Haiti. Many U.S. families who had been in the process of adopting a child from Haiti wished to provide temporary respite to their adopted child in the immediate aftermath of the earthquake. In response, on January 18, 2010, DHS announced a Humanitarian Parole Policy for Certain Haitian Orphans. Under this program, children who, prior to the earthquake, had been confirmed with certain conditions by the Haitian government or by an established adoption service provider as orphans eligible for international adoption were allowed to enter the United States temporarily. The Obama-Biden administration evaluated these children's situations on a case-by-case basis under its humanitarian parole authority. Prospective adoptive parents were required to provide evidence of suitability for adoption, such as a background check or approved I-600A *Application for Advance Processing of and Orphan Petition*. DHS established points of contact for applicants and U.S. sponsors to petition for parole and respected the Haitian government's authority to grant custody of impacted minors, winding the program down when requested.

We ask DHS and the State Department to establish a similar program, in consultation with the Ukrainian government, to allow established prospective adoptive parents who as of February 24, 2022, had completed a background security check, were formally in the process of adopting an orphaned child from Ukraine, and had a documented relationship with that child to initiate a case with DHS and sponsor the parole of that child, similar to the Humanitarian Parole Policy for Certain Haitian Orphans but with narrower eligibility parameters. This program would be temporary in nature, offering parole for periods of one to two years, consistent with other humanitarian parole programs, and limited to the roughly 300 children estimated to have been in the formal process of intercountry adoption at the outbreak of the war. We believe this action should be taken with urgency and without any further delay.

While the administration has statutory authority to independently offer parole to a defined group through a special humanitarian parole program, we respect the sovereignty of Ukraine, the custody it exercises over orphans in its charge, and the authority the Ukrainian government exercises to determine its independent adoption policies. We recognize that any humanitarian parole program offered to Ukrainian orphans, as wards of the state, must be announced and implemented in full cooperation and coordination with the Ukrainian government. To that end, we request the State Department to work with its partners in the Ukrainian government to secure its support and consent for this proposal. We also respect your departments' authority and discretion in this matter, and are eager to work with DHS and the State Department to find the best options for the children and U.S. families affected by this situation.

As members of Congress we have heard extensively from our constituents about their desire to support their prospective adoptive children during this historic crisis. Our constituents respect the international adoption process, and wish to offer an unequivocally temporary reprieve to children they view as members of their own families. These families represent the highest values of our country, and we ask that you support them by establishing a humanitarian parole policy for certain Ukrainian orphans. We thank you for your consideration and stand ready to assist you in this critical effort.

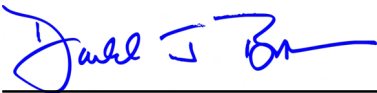
Sincerely,



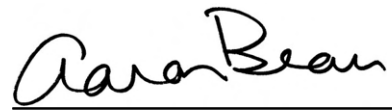
Jimmy Panetta
Member of Congress



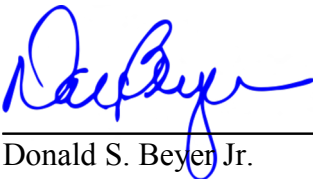
Joseph D. Morelle
Member of Congress



Don Bacon
Member of Congress



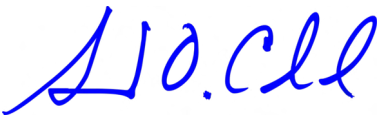
Aaron Bean
Member of Congress



Donald S. Beyer Jr.
Member of Congress



Julia Brownley
Member of Congress



Salud Carbajal
Member of Congress



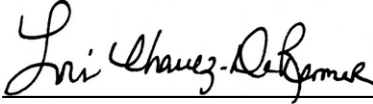
Mike Carey
Member of Congress



André Carson
Member of Congress



Troy Carter
Member of Congress



Lori Chavez-DeRemer
Member of Congress



Steve Cohen
Member of Congress



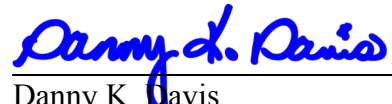
Gerald E. Connolly
Member of Congress
Chairman, Government
Operations



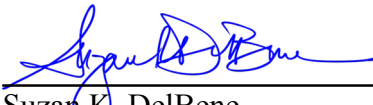
J. Luis Correa
Member of Congress



Jim Costa
Member of Congress



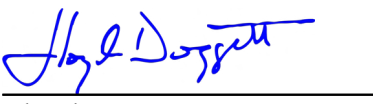
Danny K. Davis
Member of Congress



Suzan K. DelBene
Member of Congress



Mark DeSaulnier
Member of Congress



Lloyd Doggett
Member of Congress



Anna G. Eshoo
Member of Congress



Adriano Espaillat
Member of Congress



Dwight Evans
Member of Congress



Mike Ezell
Member of Congress



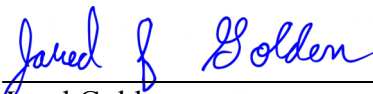
Brian K. Fitzpatrick
Member of Congress



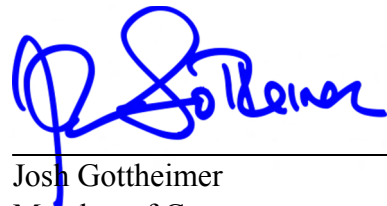
Valerie P. Foushee
Member of Congress



Ruben Gallego
Member of Congress



Jared Golden
Member of Congress



Josh Gottheimer
Member of Congress



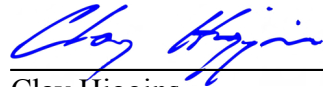
Garret Graves
Member of Congress



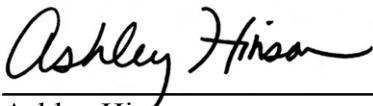
Andy Harris, M.D.
Member of Congress



Brian Higgins
Member of Congress



Clay Higgins
Member of Congress



Ashley Hinson
Member of Congress



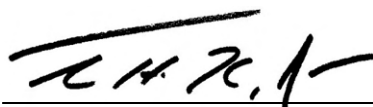
Jared Huffman
Member of Congress



Mike Johnson
Member of Congress



Marcy Kaptur
Member of Congress



Thomas H. Kean, Jr.
Member of Congress



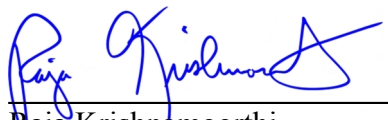
Mike Kelly
Member of Congress



Jennifer Kiggans
Member of Congress



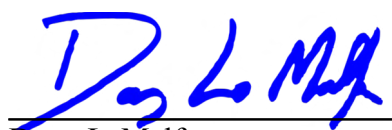
Andy Kim
Member of Congress



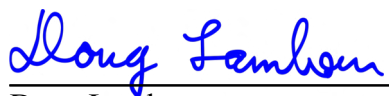
Raja Krishnamoorthi
Member of Congress



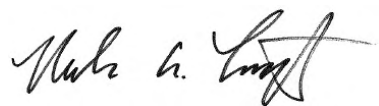
Ann McLane Kuster
Member of Congress



Doug LaMalfa
Member of Congress



Doug Lamborn
Member of Congress



Nicholas A. Langworthy
Member of Congress



Robert E. Latta
Member of Congress



Barbara Lee
Member of Congress



Susie Lee
Member of Congress



Julia Letlow
Member of Congress



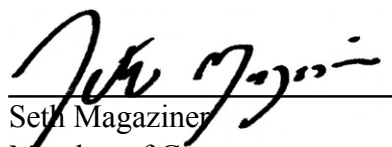
Mike Levin
Member of Congress



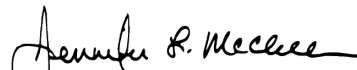
Ted W. Lieu
Member of Congress



Nancy Mace
Member of Congress




Seth Magaziner
Member of Congress



Jennifer L. McClellan
Member of Congress



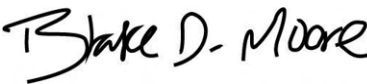
James P. McGovern
Member of Congress



Mariannette Miller-Meeks,
M.D.
Member of Congress



Alex X. Mooney
Member of Congress



Blake D. Moore
Member of Congress



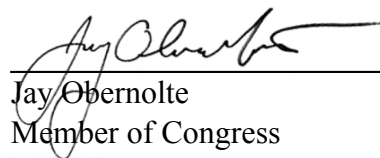
Kevin Mullin
Member of Congress



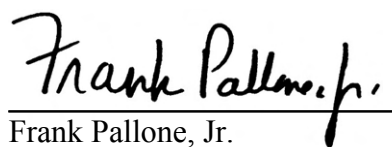
Donald Norcross
Member of Congress



Eleanor Holmes Norton
Member of Congress



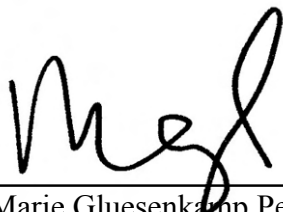
Jay Obernolte
Member of Congress



Frank Pallone, Jr.
Member of Congress



Chris Pappas
Member of Congress



Marie Gluesenkamp Perez
Member of Congress



Katie Porter
Member of Congress



Jamie Raskin
Member of Congress



Deborah K. Ross
Member of Congress



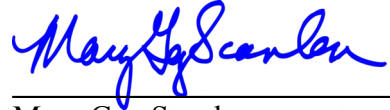
C. A. Dutch Ruppersberger
Member of Congress



John H. Rutherford
Member of Congress



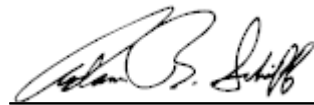
Patrick Ryan
Member of Congress



Mary Gay Scanlon
Member of Congress



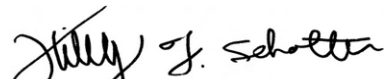
Jan Schakowsky
Member of Congress



Adam B. Schiff
Member of Congress



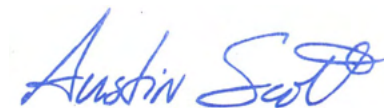
Bradley Scott Schneider
Member of Congress



Hillary J. Scholten
Member of Congress



Kim Schrier, M.D.
Member of Congress



Austin Scott
Member of Congress



Robert C. "Bobby" Scott
Member of Congress



Adrian Smith
Member of Congress



Christopher H. Smith
Member of Congress



Abigail Davis Spanberger
Member of Congress



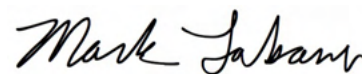
Greg Stanton
Member of Congress



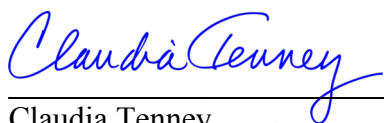
Marilyn Strickland
Member of Congress



Eric Swalwell
Member of Congress



Mark Takano
Member of Congress



Claudia Tenney
Member of Congress



Dina Titus
Member of Congress



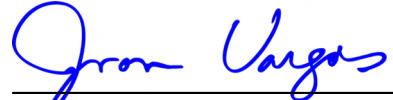
Paul Tonko
Member of Congress



Ritchie Torres
Member of Congress



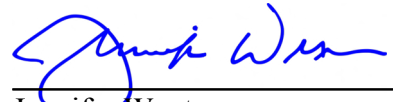
David J. Trone
Member of Congress



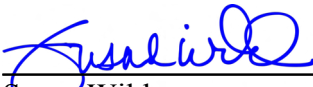
Juan Vargas
Member of Congress



Brad R. Wenstrup, D.P.M.
Member of Congress



Jennifer Wexton
Member of Congress



Susan Wild
Member of Congress



Brandon Williams
Member of Congress



Joe Wilson
Member of Congress



Robert J. Wittman
Member of Congress