

# Lautenberg Program Fact Sheet

## What is the Lautenberg Amendment?

The Lautenberg Amendment<sup>1</sup> allows citizens in former Soviet Union countries, including Ukraine, who are members of a religious minority group to join their family members living in the United States. These religious groups include Jews, Evangelical Christians, Ukrainian Catholics, and members of the Ukrainian Autocephalous Orthodox Church and Greek Orthodox Church.

The program created under the Lautenberg amendment operates through the U.S. Refugee Admissions Program (USRAP). Unless reauthorized by Congress, it expires each fiscal year on September 30.

The Specter Amendment<sup>2</sup> in 2004 opened up Lautenberg program eligibility for certain members of religious minority groups in Iran, including Jews, Christians, Baha'is, Sabaeen-Mandaeans and Zoroastrians.

## What are the eligibility requirements?

To access the program, U.S. citizens, lawful permanent residents, asylees or refugees who want to bring their family members to the U.S. must apply through a resettlement agency.

### Eligibility requirements for the U.S. family member (often called U.S. tie):

- Parent, child, spouse, grandparent, grandchild or sibling to the applicant seeking refuge
- U.S. citizen, lawful permanent resident, asylee, refugee or parolee
- 18 years old

### Eligibility requirements for the Primary Applicant in a former Soviet Union country (often called FSU):

- Parent, child, spouse, grandparent, grandchild or sibling to the U.S. family member
- Citizen of one of these former Soviet Union countries: Armenia, Azerbaijan, Belarus, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan

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<sup>1</sup> P.L. 117-103, Division K, Title VII, §7034(l)(5), <https://www.congress.gov/bill/117th-congress/house-bill/2471/text>

<sup>2</sup> P.L. 108-199, Division E, Title II, §213, <https://www.govinfo.gov/content/pkg/PLAW-108publ199/pdf/PLAW-108publ199.pdf>

- Member of a religious minority, including Jews, Evangelical Christians, Ukrainian Catholics, and members of the Ukrainian Autocephalous Orthodox Church and Greek Orthodox Church

### Eligibility requirements for the Primary Applicant in Iran:

- Parent, child, spouse, grandparent, grandchild or sibling to the U.S. family member
- Citizen of Iran and residing in Iran
- Member of a religious minority, including Jews, Christians, Baha'is, Sabaeen-Mandaeans and Zoroastrians
- 18 years old or older

### How much does the application cost?

There is no filing fee for this application.

### When is the application period?

The current application period is March 15, 2022, to September 30, 2022. Congress must reauthorize the program for it to continue in fiscal year 2023.

### What is the process to apply through a resettlement agency?

Applications can only be submitted by resettlement agencies. The U.S. family member completes an Affidavit of Relationship (AOR) in English with the assistance of a local affiliate of a resettlement agency. The applicant in a former Soviet Union country completes a Preliminary Questionnaire (PQ) in English, Russian or Ukrainian. PQs are only required for applicants over the age of 14. Final processing of applications for applicants in a former Soviet Union country must take place in the applicants' country, with the exception of Ukrainians who are displaced by the Russian invasion of Ukraine.

U.S. family members of Iranians complete a Refugee Information Form (RIF) with the assistance of a local affiliate of a resettlement agency. Final processing occurs in Vienna, Austria for Iranians. They must travel to Vienna, Austria for the duration of their processing. The U.S. family member is expected to provide a Care and Maintenance (C&M) fee to Resettlement Support Center (RSC) Austria to ensure the financial wellbeing of the applicants during their extended stay in Vienna.

## What is the required documentation?

The following lists of documentation are not exhaustive and additional documents may be requested by the resettlement site where the U.S. family member submits the application.

### Former Soviet Union Required Documents (no English translations are required):

- U.S. family member
  - Original Birth Certificate
  - Proof of current U.S. legal status such as U.S. Passport, Certificate of Naturalization, LPR Card, I-94 Form
- Applicants
  - Original Birth Certificate
  - Passport
  - National ID Card
  - Marriage Certificate
  - Name Change Decree(s), Divorce Decree(s), Adoption Order(s)
  - Color Passport Photos

### Iran Required Documents (English translations are required):

- U.S. family member
  - Original Birth Certificate
  - Proof of current U.S. legal status such as a U.S. Passport, Certificate of Naturalization, LPR Card, I-94 Form
- Applicants
  - Original Birth Certificate (“Shenasnameh”)
  - Passport
  - National ID Card (“Melli”)
  - Marriage Certificate
  - Name Change Decree(s), Divorce Decree(s), Adoption Order(s)
  - Religious documents proving one’s affiliation to be an adherent to Judaism, Christianity, Zoroastrianism or the Sabean-Mandean and Baha’i faiths.
  - If an applicant has been convicted of a crime, the applicant must provide court records
  - Male applicants over the age of 18 must provide a military identity card, or a military exemption card (conscription is required for all males in Iran)

- Color Passport Photos
- Additional medical and vital records documents may be required at the time of submission

## What happens if the applicant leaves Ukraine during the Lautenberg application process?

Applicants who have an existing refugee case through the Lautenberg Program in Ukraine and who have left the country should write to Resettlement Support Center (RSC) Eurasia at [icc@iom.int](mailto:icc@iom.int) and inform the RSC of their new location and contact details. If the cases are Ready for Departure and in a location where the International Organization for Migration (IOM) can organize their departure at the time, they will be informed by the RSC of the next steps. Applicants in the Lautenberg program cannot self-arrange their travel as this must be arranged by IOM.

## How long does it take for someone to come to the U.S. under the Lautenberg program?

It can be hard to estimate the time it takes to process the application. USCRI has seen cases take between two to five years. There are no current plans by the U.S. government to expedite processing for Lautenberg applications.

## What happens to a Lautenberg application if the applicant comes to the United States through the Uniting for Ukraine (U4U) Program?

It is unclear whether arriving with parole to the United States disqualifies a Lautenberg petition. Applications cannot be processed in the United States, and it is unclear if they will be reactivated when applicants leave the country at the end of their parole period. USCRI will continue to monitor guidance from RSC Eurasia.