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Aysha Khan

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Ismail Alghazali has never met his 5-month-old daughter.

"I live in darkness, and my family is my only light," said Alghazali, a Yemeni American who works at a Brooklyn bodega and has not seen his wife and two young children in more than a year.

Alghazali is a U.S. citizen and his wife has a heart condition that requires medical care, but the family has been separated as a result of the Trump administration's travel ban. It only took a five-minute meeting with a consular officer for her visa from Yemen to be denied, he said.

"I feel like a bird without wings," Alghazali told members of Congress on Tuesday (Sept. 24) during the first-ever hearing on President Donald Trump's January 2017 executive order banning travel from several Muslim-majority countries. "I want to see my son run up to me when I enter the house and hug me every day."

The hearing, organized jointly by the House Judiciary Subcommittee on Immigration and Citizenship and the House Foreign Affairs Subcommittee on Oversight and Investigations, focused on the human cost of the ban through two Arab Muslim witnesses separated from their wives, as well as stories related by several congressmen about members of their own district.

But it also highlighted a sense of confusion and frustration around the process for obtaining the case-by-case waivers promised by the Trump administration for individuals subject to the ban.

"To date, there is no waiver process available to the public," testified Farhana Khera, executive director of Muslim Advocates, which has filed a class action lawsuit on behalf of 34 individuals who have been denied waivers. "As we feared, the so-called waiver process has been a sham. We believe that the vast majority of the waivers sought involved Americans like Abdollah (Dehzangi, another witness) and Ismail, seeking to be reunited with their families or individuals seeking urgent medical treatment."

Edward Ramotowski, deputy assistant secretary for visa services at the State Department, told the subcommittees that there was no separate process for applying for a waiver. Instead, consular officers consider waivers for all visa applications.

Immigration advocates say such a system prevents applicants from being able to effectively make the case for receiving a waiver.

Under the ban, individuals from the listed countries cannot obtain U.S. visas unless they can prove "undue hardship," an undefined term that does not include conditions in an individual's country of origin; that their entry would not pose a national security threat; and their entry would be in America's national interest.

Subcommittee Chairwoman Rep. Zoe Lofgren said the waiver process "appears to be something of a sham," and House Judiciary Committee Chairman Jerrold Nadler called the process "phony."

Under questioning by Rep. Ilhan Omar, Ramotowski denied that consular officers required approval from the State Department or White House in issuing waivers, or that consular officers are pressured to deny waivers.

When asked for a list of reasons for visa waiver denials, Ramotowski told officials the State Department has no such list because the visa system was not designed for this process.

But he emphasized that a new, automated security check process instituted in July has been "making a very significant difference" in speeding up the issuance of waivers, reducing the need for a manual check and increasing the waiver grant rate from earlier figures of 5.1% to around 20%.

About 72,000 people who are subject to the ban have applied for visas, according to numbers given by Ramotowski during questioning, and 7,679 waivers have been granted. About 15,000 applicants are still awaiting security review, as of Sept. 14.

The current iteration of the ban restricts all travel to U.S. from Syria, Iran, Yemen, Somalia, Libya and North Korea, as well as for officials from Venezuela.

Republican Reps. Andy Biggs, Lee Zeldin and Debbie Lesko also quibbled with the hearing's title, which called the executive order a "Muslim ban," arguing that 92% of the global Muslim population is not subject to the order and that the waiver system makes the order a "restriction" on travel rather than a blanket "ban."

Democratic officials countered that the ban was much closer to the "total and complete shutdown" of Muslims' entry that Trump called for while campaigning back in 2015.

"Not everyone in the discriminated class has to be discriminated against in order for it to be discriminatory," Washington's Rep. Pramila Jayapal said. She pointed to the State Department's most recent numbers, which reported in March that waivers were issued at rates well below 10% for visa applicants from every Muslim-majority country included in the ban. For Iran, that number was about 1%.

Meanwhile, she said, waivers were issued to 72% of applicants for North Korea, and no Venezuelans applied for waivers.

"So by definition, Muslim majority countries are being discriminated against, unless you believe that somehow everyone in those countries deserves that kind of very, very low waiver approval rating," she said.

While several Republican representatives and witnesses within the Trump administration described the ban as a critical move to improve the United States' ability to protect the country from terrorism and other national security threats, Democrats noted that the list of banned countries does not include Pakistan, Saudi Arabia, Lebanon or any other countries whose nationals have been involved in terrorist attacks in the U.S.

The hearing also highlighted the No Ban Act, or the National Origin-Based Antidiscrimination for Nonimmigrants Act, introduced by Rep. Judy Chu, D-Calif., and Sen. Chris Coons, D-Del., to end the ban and enact safeguards against similar policies under future administrations.

The bicameral bill has been endorsed by dozens of faith groups, hundreds of civil rights organizations and a number of major technology companies. However, 68 Democrats have not signed on to co-sponsor the legislation in the House, and it will likely face further opposition in the GOP-led Senate.

"It would bring immediate relief to thousands of Americans who are separated from their loved ones today … and remove religious bigotry from our nation's immigration system for good," Khera said. "And in the meantime, we urge the administration to make good on its promise to issue family-based and humanitarian waivers immediately and without further delay."

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