



USAID Alumni Association

Honorable Marco Rubio
Secretary of State
Department of State
2201 C Street, N.W.
Washington, D.C. 20520

Re: SIVs for USAID Locally Employed Staff

Dear Secretary Rubio:

The USAID Alumni Association (UAA) commends you for your March 24, 2025 Determination that separation of locally employed staff (LES) from U.S. Government (USG) employment overseas pursuant to Executive Order 14210 (Reductions in Force) constitutes an “exceptional circumstance” for issuance of a Special Immigrant Visa (SIV) to staff with more than 15 but less than 20 years of service.

UAA commends your recognition thereby of the critical role that LES play in enabling the USG to accomplish its objectives overseas, and the importance that the potential for earning an SIV plays in the ability to recruit and retain experienced LES.

Unfortunately, it has come to UAA’s attention that Posts are not applying your Determination to separated USAID LES absent a formal cable from the Department or additional communication from you, even though you signed your Determination more than six months ago. LES are generally aware of your determination and are looking forward to its implementation.

Therefore, UAA requests that you urgently and formally communicate to Posts that your March 24, 2025 Determination applies to affected USAID LES, or direct the Department to urgently and formally communicate this to Posts.

We recognize that you are extremely busy, and you expect your Determinations to be implemented without your additional follow-up. Unfortunately, your additional follow-up appears to be needed here.

Your March 25, 2025 Determination states that it “shall” be published in the Federal Register. To date, we have not been able to locate its publication in the Federal Register. (However, Federal Register publication is not required for its effectiveness.)

Your Determination on its face applies to USAID LES. It states that it applies to separation from USG employment abroad “as part of a mandatory reduction-in-force pursuant to the President’s February 11, 2025 Executive Order *Implementing the President’s ‘Department of Government Efficiency’ Workforce Optimization Initiative*”. The President’s February 11, 2025 Executive Order 14210 specifically directs Agency heads to “promptly undertake preparations to initiate large-scale reductions-in-force (RIFs)”, and to prioritize in the RIFs “operations that my Administration suspends or closes.” This is exactly what occurred with the USAID LES RIFs.

Additionally, a basic principle of legal construction is that statutes and regulations shall be construed so as not to be meaningless. USAID LES were the only LES slotted for a RIF at the time your Determination was issued and are still the only LES to be RIFFed. Your Determination should not be construed to be without meaning.

Eligible USAID LES need to be able to commence the SIV process now. Seven months have elapsed since it became clear that their USAID jobs would be terminated. Their actual employment was terminated by August 15, 2025. They are currently in limbo, uncertain whether they should plan for a future in the U.S. or in their home country. The USG needs to do better by its local staff, who faithfully furthered USG programs and goals for so many years, to ensure the ability to recruit and retain quality local staff in the future. LES broadly have confidence in your actions, and it is in the USG interest for them to continue to do so.

UAA understands that Posts are generally implementing the SIV process for USAID LES eligible under the other existing criteria for determining “exceptional circumstances”. We commend them for doing so.

UAA looks forward to receiving your response to, or acknowledgement of receipt of, this letter.

Thank you for your attention to this matter.

Sincerely,
USAID Alumni Association
October 16, 2025

Attachment

Determination of “Exceptional Circumstances” for Certain Applicants for Special Immigrant Status Under Section 101(a)(27)(D)(i) of the Immigration and Nationality Act

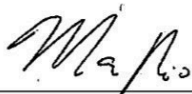
DEPARTMENT OF STATE

Determination of "Exceptional Circumstance" for Certain Applicants for Special Immigrant Status under Section 101(a)(27)(D)(i) of the Immigration and Nationality Act

By virtue of the authority vested in the Secretary of State, including by Section 1 of the Department of State Basic Authorities Act, as amended (22 U.S.C. § 2651a), and Section 104(a) of the Immigration and Nationality Act (INA), I hereby determine that separation of locally employed staff from U.S. government employment abroad as part of a mandatory reduction-in-force pursuant to the President's February 11, 2025, Executive Order *Implementing the President's "Department of Government Efficiency" Workforce Optimization Initiative* constitutes an "exceptional circumstance" under 8 U.S.C. 1101(a)(27)(D)(i).

This determination shall be published in the *Federal Register*.

3/24/2025
Date



Marco Rubio
Secretary of State
Department of State