

Congress of the United States
House of Representatives
Washington, DC 20515

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By ESEC at 10:00 am, Aug 20, 2021

August 19, 2021

The Honorable Antony J. Blinken
Secretary
U.S. Department of State
2201 C Street, NW
Washington, D.C. 20520

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

Dear Secretary Blinken and Secretary Mayorkas:

As the situation in Afghanistan rapidly deteriorates and the Taliban has taken control of Kabul, we appreciate the urgent measures you and the Department of Defense are taking to protect Afghan women leaders and others most at risk for retaliation by the Taliban. We also appreciate the leadership of our colleagues in the Senate who have sent a similar copy of this letter to you.

We strongly urge you to create a humanitarian parole category specifically for women leaders, activists, human rights defenders, judges, parliamentarians, journalists, and members of the Female Tactical Platoon of the Afghan Special Security Forces and to streamline the paperwork process to facilitate referrals to allow for fast, humane, and efficient relocation to the United States. We also urge you to increase processing capacity within U.S. Citizenship and Immigration Services and to immediately appoint an interagency refugee coordinator. We support your efforts to evacuate those who are applying for humanitarian parole and those applying for Priority 1 or 2 pathways, including by allocating seats for them on SIV evacuation flights. Finally, the United States should do everything possible to enable charter flights to safely land at and depart the airport even after necessary U.S. Embassy personnel have been evacuated, and that clear instructions for safely accessing their aircraft are provided to those who are trying to depart and to organizations that have referred people and their dependents.

We are gravely concerned about the safety of women leaders, activists, judges, parliamentarians, and human rights defenders. The shocking violence and alleged atrocities occurring have caused mass displacement which, during a global pandemic and severe drought, has created a major humanitarian crisis. In areas captured by the Taliban, there are reports of war crimes including summary executions, public beatings and flogging of women, sexual violence and forced marriage, as well as clampdowns on media and other forms of communication.

We and our staff are receiving regular reports regarding the targeting, threatening, kidnapping, torturing, and assassinations of women for their work defending and promoting democracy, equality, higher education, and human rights. While we welcomed the expansion of the eligibility requirements for Special Immigrant Visas and the creation of the Priority 2 category in

the U.S. Refugee Admissions Program, we must also protect those women who might fall through the cracks of the U.S. Government's response.

Particularly for women who are currently targets—even hunted by Taliban fighters who are going house-to-house with their names—the path to protection and safety under the Priority 2 designation is not accessible. While we understand there is little processing capacity at the U.S. Embassy in Kabul, for these women to access a third country for processing is almost or completely impossible with all border crossings now closed or controlled by the Taliban.

We greatly appreciate your efforts to help save the lives of Afghans who have advanced U.S. and Afghan joint interests over the last generation, standing for peace, democracy, and equality. We are all in agreement that we owe them our unqualified support.

Sincerely,



Mikie Sherrill
Member of Congress

Matt Cartwright
Member of Congress

Ed Case
Member of Congress

Sheila Jackson Lee
Member of Congress

Madeleine Dean
Member of Congress

James P. McGovern
Member of Congress

Frank J. Mrvan
Member of Congress

David E. Price
Member of Congress

Gerald E. Connolly
Member of Congress

Jahana Hayes
Member of Congress

Tim Ryan
Member of Congress



**U.S. Citizenship
and Immigration
Services**

June 28, 2022

The Honorable Mikie Sherrill
U.S. House of Representatives
Washington, DC 20515

Dear Representative Sherrill:

Thank you for your August 19, 2021 letter regarding humanitarian parole for Afghan women and others most at risk. Secretary Mayorkas asked that I respond on his behalf. I apologize for the delay in responding..

As of April 15, 2022, the U.S. government has welcomed approximately 86,000 Afghan nationals, U.S. citizens, and lawful permanent residents through Operation Allies Welcome (OAW). More than 73,000 Afghan nationals have joined their new communities across the United States. Congress has appropriated funds that enable the United States to provide resettlement assistance, such as cash assistance, medical assistance, employment preparation, job placement, and English language instruction for 95,000 parolees in OAW through the end of Fiscal Year 2022. Afghan nationals continue to be considered for humanitarian parole into the United States on a case-by-case basis.

Afghan evacuees complete a rigorous and multi-layered screening and vetting process that includes national security and criminal records checks before they can enter the United States. This process includes intelligence, law enforcement, and counterterrorism professionals from the Departments of Defense (DOD), State (DOS), and Homeland Security (DHS), Federal Bureau of Investigation (FBI), National Counterterrorism Center (NCTC), and other Intelligence Community partners that review fingerprints, photos, and other biometric and biographic data for every Afghan evacuee. Further, Afghan evacuees are subject to recurrent vetting, as are other foreign nationals visiting the United States, to further enable the federal government to identify and appropriately act upon any potential information of concern.

Afghan nationals who have been granted humanitarian parole may be eligible for employment authorization and to apply for immigration status through U.S. Citizenship and Immigration Services (USCIS). USCIS personnel are adjudicating applications for employment authorization, conducting other immigration processing, including the provision of “special immigrant” status to those who qualify, and providing administrative support, including translation and interpretation services, to expedite the processing of applications for immigrant status and work authorization. DOS and the Department of Health and Human Services (HHS)

also provide resettlement services to Afghans granted parole. Afghan parolees may be eligible for cash assistance, medical assistance, job placement support, English language training, and other services offered through the HHS Office of Refugee Resettlement (ORR). They may also be eligible for other federal benefits, such as cash assistance through Supplemental Security Income or Temporary Assistance for Needy Families, health insurance through Medicaid, and food assistance through the Supplemental Nutrition Assistance Program.

USCIS is continuously exploring ways to improve the parole process and has provided updated guidance on our webpage created specifically for Afghan nationals requesting parole.¹ USCIS will continue to update the webpage as needed to provide guidance on requests for parole and associated requests for fee waivers.

Please note, however, that parole is not intended to avoid normal visa processing procedures and timelines, such as for the Special Immigrant Visa (SIV) program, or replace established refugee protection mechanisms, such as local protection and, where applicable, referral to the U.S. Refugee Admission Program (USRAP) for resettlement.

In some limited circumstances, the reasons for parole are so urgent that obtaining a visa or processing via the USRAP is not a realistic option. These reasons, along with all other factors that are relevant to the case, are taken into consideration when USCIS assesses whether there are urgent humanitarian or significant public benefit reasons for the parole and whether the individual warrants a favorable exercise of discretion. Because the U.S. Embassy in Afghanistan has suspended operations, USCIS is unable to complete processing of parole requests for beneficiaries who are in Afghanistan at this time. We are also unable to help beneficiaries leave Afghanistan and travel to a location with a U.S. embassy or consulate to complete processing of a parole request. However, if USCIS determines that a beneficiary in Afghanistan may be eligible for parole, USCIS notifies the petitioner that the beneficiary should contact USCIS if they are able to get to a third country where there is a U.S. embassy or consulate, and USCIS will continue processing the parole request.

In addition to parole processing for urgent humanitarian and significant public benefit reasons, USCIS is working closely with DOS to more expeditiously process cases accepted to the USRAP and has deployed refugee officers to adjudicate Afghan refugee cases referred by DOS for USCIS interview. Individuals who believe they are in need of protection due to persecution or fear of persecution on account of their race, religion, nationality, membership in a particular social group, or political opinion are encouraged to seek local protection mechanisms, such as contacting the United Nations High Commissioner for Refugees (UNHCR) to assist with providing immediate protection support, where available, and to assess the protection issue to determine whether resettlement is the best solution for an individual or family. UNHCR also notes that individuals in Afghanistan who believe they need protection may contact the toll-free Awaaz humanitarian helpline. We are in the process of rebuilding the refugee resettlement infrastructure to fulfill President Biden's commitment to ensuring the United States is responsive to refugee crises in Afghanistan and elsewhere by resuming our role as a global leader in refugee

¹ <https://www.uscis.gov/humanitarian/humanitarian-parole/information-for-afghan-nationals-on-requests-to-uscis-for-humanitarian-parole>

resettlement. USCIS continues to hire additional refugee officers and is also implementing solutions such as a videoconferencing technology to enhance our capacity to interview refugee applicants when our ability to physically travel to circuit ride locations is limited.

Additionally, Afghan nationals may be eligible for referral to the USRAP through the Afghan Priority 2 (P-2) Program, which includes Afghan nationals who do not meet the minimum time-in-service for a Special Immigrant Visa but who work or worked as employees of contractors, locally-employed staff, interpreters/translators for the U.S. Government, United States Forces Afghanistan, International Security Assistance Force, or Resolute Support; Afghan nationals who work or worked for a U.S. Government-funded program or project in Afghanistan supported through a U.S. Government grant or cooperative agreement; and Afghan nationals who are or were employed in Afghanistan by a U.S.-based media organization or non-governmental organization. U.S.-based media organizations may also refer Afghan nationals who worked for them under stringer, freelance, and comparable arrangements. If an individual does not meet any of the criteria for a P-2 referral but is well known to a U.S. embassy or U.S. Government agency, and has imminent and compelling protection concerns, he or she may be eligible for referral to the Priority 1 (P-1) program directly through the U.S. embassy or U.S. Government agency that knows the individual. Individuals lawfully admitted to the United States as refugees or asylees may also file family reunification cases for their spouses, unmarried children under 21, and parents who are outside their country of origin under the Priority 3 (P-3) program.

The U.S. Government also remains committed to processing SIV applications efficiently:

- In response to the White House's July 14 announcement of Operation Allies Refuge (now OAW), experts from DOS, DOD, DHS, and HHS coordinated the government's efforts to support the relocation of eligible Afghan nationals and their families who supported the United States in Afghanistan, and who are currently in the SIV application process.
- USCIS surged resources to train additional adjudicators to meet the increase in Form I-360, Petition for Amerasian, Widow(er), or Special Immigrant filings and reduce the average processing time.
- Afghan SIV applicants do not pay a filing fee for Form I-360 if their filing eligibility is due to their service as a former U.S. Government employee or translator.
- USCIS continues to receive Form I-360 filings via email from Afghanistan and from Afghan nationals at third-country processing sites and U.S. military bases, all of which are being expedited.

Please be assured that the U.S. Government continues to explore options to serve at-risk Afghan nationals through a number of mechanisms, including increasing refugee processing, efficiently processing applications for Afghan nationals who may be eligible for a SIV, and expediting processing of family-based petitions and immigrant visa petitions filed on behalf of Afghan nationals. Further, on March 16, 2022, Secretary Mayorkas announced a new designation of Afghanistan for Temporary Protected Status (TPS) for 18 months. The designation of TPS for Afghanistan affords protection for Afghans living in the United States from returning to Afghanistan. TPS applies to individuals who are already residing in the United States as of March 15, 2022, and meet all other requirements, including undergoing security and

background checks. The 18-month designation of TPS for Afghanistan went into effect on May 20, 2022, on the date of its Federal Register notice.

Thank you again for your letter. The cosigners of your letter will receive a separate, identical response. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative Affairs at (240) 721-3801.

Respectfully,

A handwritten signature in black ink, appearing to read "Ur M. Jaddou", followed by a long horizontal flourish.

Ur M. Jaddou
Director