

RECEIVED

By ESEC at 10:19 am, Jun 28, 2021

Congress of the United States
Washington, DC 20515

June 25, 2021

The Honorable Alejandro Mayorkas
Secretary of Homeland Security
U.S. Department of Homeland Security
2801 Nebraska Ave., NW
Washington, DC 20528

The Honorable Antony Blinken
Secretary of State
U.S. Department of State
2201 C St. NW
Washington, DC 20520

Dear Secretary Mayorkas and Secretary Blinken:

The U.S. has long been an open and welcoming refuge to those fleeing persecution. As you are aware, the Biden-Harris administration announced plans to fully withdraw U.S. troops from Afghanistan this fall. Throughout the course of the United States' time there, we have worked alongside Afghan civilians in their efforts as interpreters, engineers, security guards, cultural advisors, and more. These Afghan civilians were critical to the United States' mission in Afghanistan and must be included in our evacuation plan.

For this reason, we request that you immediately begin the process of reviewing the Special Immigrant Visa (SIV) Program to ensure that it has the necessary resources to operate effectively. We learned from SIV recipients and service providers of some unnecessary delays in processing these applications. Immediately processing all pending applications should be a top priority for the Department of Homeland Security. This would provide an evacuation plan to some 17,000 Afghan civilians and their families who worked alongside our troops.

In addition to processing, we learned from service providers that there is a need to provide financial assistance to SIV recipients, so that they can immediately purchase flights out of Afghanistan or accommodate travel. By granting SIV status, the United States acknowledges that the recipients and their families are in danger. When refugees travel to the U.S. or U.S. citizens are stranded abroad, their flights are typically purchased with loans. Therefore, we ask

that SIV recipients be given access to financial services to promptly ensure their safe evacuation from the country. The time spent waiting to obtain funds to purchase flight tickets or other means of travel can prove deadly, and the United States should not risk the security of these civilians for financial reasons, who have been invaluable to the United States' mission in Afghanistan.

The United States has a proud tradition of standing with our allies. Afghan nationals who worked alongside U.S. troops did so knowing that they and their families would be at risk. As the Biden-Harris administration works to withdraw our brave servicemembers from Afghanistan, we must not forget about those who stood with them in their efforts.

We are grateful for your leadership on this issue, and we welcome the opportunity to work more with you on this matter.

Sincerely,



Sylvia R. Garcia
Member of Congress



Dan Crenshaw
Member of Congress

Additional Signatories:

Rep. Tom McClintock
Rep. Bonnie Watson Coleman
Rep. Scott Peters
Rep. Jan Schakowsky
Rep. Thomas R. Suozzi
Rep. Joe Neguse
Rep. Dina Titus
Rep. Rick Larsen
Rep. Val Demings
Rep. Ed Case
Rep. James P. McGovern

Rep. Ro Khanna
Rep. Elaine Luria
Rep. Mondaire Jones
Rep. Diana DeGette
Rep. Sharice L. Davids
Rep. Eleanor Homes Norton
Rep. Joaquin Castro
Rep. Emanuel Cleaver, II
Rep. Frank Pallone, Jr
Rep. David N. Cicilline
Rep. Gerald E. Connolly
Rep. Brian Mast
Rep. Conor Lamb
Rep. Julia Brownley
Rep. Michael Waltz
Rep. Don Young
Rep. Colin Allred
Rep. Austin Scott
Rep. Donald S. Beyer Jr.
Rep. Danny K. Davis
Rep. Pramila Jayapal
Rep. Jamaal Bowman
Rep. Bill Pascrell, Jr
Rep. Kim Schrier, M.D.
Rep. Adriano Espaillat
Rep. Susan Wild
Rep. Sheila Jackson Lee
Rep. Mike Quigley

Rep. Madeleine Dean
Rep. Mike Doyle
Rep. Mark Takano
Rep. Ted Lieu
Rep. Frederica S. Wilson
Rep. Jahana Hayes
Rep. David E. Price
Rep. Jamie Raskin
Rep. Mark Pocan
Rep. Suzan DelBene
Rep. G. K. Butterfield
Rep. Greg Murphy, M.D.
Rep. Carolyn Bourdeaux
Rep. Peter Welch
Rep. Lois Frankel
Rep. Guy Reschenthaler
Rep. Brian Babin, D.D.S.
Rep. Sean Patrick Maloney
Rep. Al Green
Rep. Gus M. Bilirakis
Rep. Al Lawson, Jr.
Rep. Anthony Gonzalez
Rep. Raúl Grijalva
Rep. Derek Kilmer
Rep. Ritchie Torres
Rep. Betty McCollum
Rep. Veronica Escobar
Rep. Jesús G. "Chuy" García

Rep. Chellie Pingree

Rep. Barbara Lee

Rep. Elise Stefanik



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

April 12, 2022

The Honorable Sylvia R. Garcia
U.S. House of Representatives
Washington, DC 20515

Dear Representative Garcia:

Thank you for your June 25, 2021 letter requesting that we prioritize the review of Special Immigrant Visa (SIV) applications for Afghan nationals. Secretary Mayorkas asked that I respond on his behalf. I apologize for the delay in responding.

As you are aware, since your letter was received, the U.S. government undertook an evacuation effort which brought tens of thousands of Afghan nationals to safety, including Special Immigrant Visa (SIV) recipients and others who worked alongside us in Afghanistan. On August 29, 2021, President Biden directed the Department of Homeland Security to lead the implementation, alongside our interagency partners, of the whole-of-government and whole-of-society effort to resettle our Afghan allies in communities across the United States, known as Operation Allies Welcome (OAW).

As part of OAW, Afghan evacuees, including those who had applied for special immigrant status but had not yet received SIV status prior to arriving in the United States, were granted humanitarian parole on a case-by-case basis after completing a rigorous and multi-layered screening and vetting process including national security and criminal records checks. Once paroled by DHS, Afghan nationals are eligible for employment authorization and may be eligible to apply for immigration status. U.S. Citizenship and Immigration Services (USCIS) has deployed a significant number of volunteer staff to various locations across the U.S. to assist with processing Afghan evacuees. USCIS personnel are adjudicating applications for employment authorization, conducting other immigration processing, including adjudications related to SIV status to those who qualify, and providing administrative support, including interpretation services, to expedite processing for immigration status and work authorization. The Departments of State and Health and Human Services are working to facilitate relocation of Afghans granted parole and ensure that those Afghans arriving in American communities have initial support, including short-term emergency health insurance.

To further assist recent Afghan arrivals, USCIS provides information regarding the SIV process, including how to continue the SIV process in the United States. USCIS is streamlining processing of SIV petitions (Form I-360, Petition for Amerasian, Widow(er), or Special Immigrant) for Afghan nationals, as well as applications for adjustment of status to lawful

permanent residence (Form I-485, Application to Register Permanent Residence or Adjust Status) based on classification as an Afghan SIV. During the fourth quarter of fiscal year 2021, the average processing time for this category was approximately 24 days.⁴⁹ USCIS has also prioritized identifying and processing immigration petitions and applications for individuals indicating Afghanistan as the country of birth or country of citizenship. DHS is actively engaging with our interagency partners to review the SIV program for Afghan nationals and look for ways to improve the program.⁵⁰

In addition, the Biden-Harris Administration has been working closely with Congress on legislation to streamline the visa approval process. Notably, Congress passed H.R. 3237, which, among other changes, reduced the SIV employment requirement from two years to one year for certain Afghans.

We defer to the Department of State and Department of Health and Human Services regarding financial assistance to SIV recipients. Note, however, that Afghan humanitarian parolees paroled into the U.S. between July 31, 2021, through September 30, 2022, are eligible to apply for other benefits, such as cash assistance through Supplemental Security Income (SSI) or Temporary Assistance for Needy Families (TANF), health insurance through Medicaid, and food assistance through Supplemental Nutrition Assistance Program (SNAP). Afghan humanitarian parolees may also apply for resettlement assistance, and other benefits available to refugees, until March 31, 2023, or the end of their parole term, whichever is later. In addition, DHS will exempt filing fees and streamline application processing for Afghan nationals who were paroled into the United States for humanitarian reasons on or after July 30, 2021. This includes streamlining processing and exempting fees for initial employment authorization, as well as for applicants seeking to adjust status as an Afghan special immigrant, and any associated Form I-601 (Application for Waiver of Grounds of Inadmissibility). The Department is committed to helping our Afghan allies safely resettle in communities across the United States.

The co-signers 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. Thank you.

Respectfully,

A handwritten signature in black ink, appearing to read "Ur M. Jaddou", with a long horizontal flourish extending to the right.

Ur M. Jaddou
Director

⁴⁹ The third quarter report is available at <https://travel.state.gov/content/dam/visas/SIVs/Afghan-Public-Quarterly-Report-Q4-October-2021.pdf>.

⁵⁰ Additional information is available, for example, in Section 3 of the *Executive Order on Rebuilding and Enhancing Programs to Resettle Refugees and Planning for the Impact of Climate Change on Migration*.