

President Joseph R. Biden, Jr.
The White House
Office of the President
1600 Pennsylvania Avenue, N.W. Washington, D.C. 20500

Vice President Kamala Harris
The White House
Office of the Vice President
1600 Pennsylvania Avenue, N.W. Washington, D.C. 20500

Secretary Alejandro Mayorkas
United States Department of Homeland Security
3801 Nebraska Avenue N.W. Washington, D.C. 20016

Secretary Antony Blinken
United States Department of State
2201 C Street N.W. Washington, D.C. 20520

Dear President Biden, Vice President Harris, Secretary Mayorkas, and Secretary Blinken:

As civil society organizations, faith-based organizations, veterans' groups, philanthropists, and other leaders who care deeply that the United States delivers on its promise to provide safety and security to Afghans who have stood alongside us for the past twenty years, we write to implore you to **ensure that US Afghan allies and other at-risk Afghans do not languish in legal limbo abroad waiting for an opportunity to restart and rebuild their new lives.**

Following an evacuation that left many thousands behind, US allies and other at-risk Afghans who did manage to escape face a tangled web of backlogged, bureaucratic, and punitive legal processes to gain entry into the United States. Programs such as the United States Refugee Admissions Program (USRAP) and the Special Immigrant Visa (SIV) program, in their current forms, are highly unlikely to result in US allies and other at-risk Afghans gaining admission to the United States any time soon. **In order to avoid further calamity, the Biden Administration, working closely with Congress, must take immediate action to avoid more broken promises by paroling Afghan evacuees into the United States within the next 30 days.** US allies and other at-risk Afghans are exhausted and traumatized, and many are separated from family and friends who are anxiously waiting to welcome them. We cannot further abandon them by leaving them in limbo abroad, at risk of having to wait for years to enter the United States—or, worse, be returned to Afghanistan.

Background:

At present, tens of thousands of Afghans who escaped the country on US military flights, private charters, and over land are waiting for information about the next step in their journey to safety. This includes allies who are eligible for SIVs, US-affiliated Afghans referred to the P-2 Afghan refugee program, and those with petitions to reunite with family members in the United States. Many are being held in dire conditions on military bases in Qatar, Bahrain, and Germany, while others wait in third countries such as Albania, Rwanda, Pakistan, Tajikistan, and Uzbekistan that will soon tire of absorbing Afghans and close off critical escape routes.

We understand the interagency is currently discussing whether or not to process these Afghans through the refugee program rather than expeditiously paroling them into the United States. As you know, refugee

adjudications are notoriously prolonged processes in the best of times, and the wholesale decimation of the USRAP by the previous administration has hobbled the program. **Requiring that Afghans be admitted through the USRAP fails to acknowledge that this program is neither equipped nor designed for the volume and speed required by this emergency. It could result in generations of Afghans becoming trapped in camps and camp-like settings overseas for many years. Further, it would discourage other countries from providing safe harbor or transit to those in flight - thereby preventing any escape from Afghanistan and again hurting those left behind in the first place.**

Similarly, any **plans to rely on the regular SIV process would also be lacking.** The Afghan SIV program has long been interpreted too narrowly and dragged down by systemic errors and bureaucratic and procedural inefficiencies that have resulted in tens of thousands of SIV-eligible individuals being unable to escape the country before the US withdrawal. **We cannot tell US allies that their pathway to safety is dependent on an SIV adjudication process that only days ago left them barely escaping with their lives.**

In considering next steps, we must also acknowledge that our close ties to Afghanistan over the past two decades have substantially increased the Afghan diaspora in the United States. Family reunification programs have been mired in delays for decades. **In seeking solutions, we must also ensure expeditious admission to the United States for current evacuees and those who will flee in the coming months who were waiting patiently for family reunification applications to be approved prior to the Taliban takeover.** Those family members still stuck in Afghanistan are at heightened risk because of their US ties, and those who have escaped the country are now even more desperate to reunify with their family in the United States.

Recommendations:

- 1) **All evacuated Afghans, whether they were evacuated by the US military or the private sector, should be paroled by US Customs and Border Protection (CBP) into the United States. Moreover, SIV-eligible Afghans, those referred for the P-2 Afghan refugee program, and beneficiaries of pending I-130 or follow-to-join applications who escaped Afghanistan or will do so on their own, including those that traveled over land, should be paroled into the United States by CBP as soon as possible but within a maximum of 30 days if their pending immigration applications cannot be adjudicated before this time.** Eligibility for such parole should apply to anyone who falls into these categories who is evacuated from or departs Afghanistan to a third country for six months following the US departure on August 31, 2021.

While parole is not a permanent immigration status, it allows people to enter the United States on a case-by-case basis for urgent humanitarian reasons or significant public benefit. There is a long and successful precedent for paroling in vulnerable foreign nationals during and subsequent to US military withdrawals, most famously during Operation New Life at the end of the Vietnam War.

- 2) **The United States Citizenship and Immigration Services (USCIS) should commit to the creation of a designated humanitarian parole program to guide and expedite the review of parole petitions for additional at-risk Afghans.**

Similar to programs that have been used in the past for Cuban and Haitian nationals during times of emergency, this program would cover at-risk Afghans who were not evacuated and who may

be in Afghanistan **(including and especially P-1, P-2, SIV, and family reunification applicants)** or who escape on their own to a third country. **At a minimum, this program should also include pro-democracy activists, journalists, women's rights activists, human rights activists, targeted minorities, children, and LGBTQ persons.**

3) The administration should pay specific attention to expediting the reunification of separated Afghan families. In addition to paroling in beneficiaries of family reunification and follow-to-join applications, the United States must **speed up the immigration process for these populations, including by expanding the capacity of US embassies in neighboring countries to process immigration visas.**

The commitment to providing expeditious parole to Afghan allies and designated at-risk Afghans must be in addition to the promises the Biden Administration has made to rebuild the USRAP and expedite the SIV process.

Without these additional steps, at-risk Afghans, including SIV-eligible and other US-affiliated Afghans, will languish for years in protracted refugee situations that further damage the United States' security and reputation at home and abroad. Furthermore, while some third countries are presently allowing Afghans to enter, failure to facilitate the quick departure of evacuees will lead these countries to close their borders, further entrapping allies we failed to evacuate in time.

Conclusion:

Unless the US government acts quickly to rely on CBP parole authority to enable all evacuated Afghans - whether evacuated by military air or private charter - and all SIV- and P-2-eligible Afghans and family reunification beneficiaries who escaped Afghanistan by air or land to quickly travel to the United States, these at-risk populations, which have already suffered incredible trauma, could languish in third countries indefinitely. This is not an outcome befitting of the United States' spirit of generosity, welcome, and moral leadership.

It is time to make good on the United States' promise to help those who stood by us over the last twenty years, whether on the battlefield or in support of Afghanistan's fragile democracy. The Department of Homeland Security (DHS) can lead with a level of efficiency, transparency, and accountability that was sorely lacking during the evacuation efforts by granting expeditious parole into the United States for designated populations waiting in third countries and by ensuring that US allies and other at-risk Afghans are cared for and welcomed upon arrival in their new home.

The US' Afghan allies and other at-risk Afghans will be, like so many who have come to this country before them, active and engaged members of our community. We are ready to work with you to support them as they make their way to the United States. We understand that this is an historic challenge and look forward to working together with private actors and Congress to ensure adequate funds and resources for this tremendously important effort.

Sincerely,

