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Tell Congress: Pass an Adjustment Act for Afghans

Tens of thousands of Afghans who fled Afghanistan and were evacuated via Operation Allies Welcome in search of safety for themselves and their families are now facing a cloud of legal challenges and an uncertain fate. The U.S. government must welcome, protect, and support our new Afghan neighbors and ensure they have a roadmap to stay permanently and develop real roots in their new communities. **Congress must pass an Afghan Adjustment Act to establish a roadmap for Afghans who have arrived or are arriving to the U.S. fleeing violence and reprisal by the Taliban to apply for lawful permanent resident status, the same legal status they would have received had they been admitted as refugees.**

The majority of Afghans who have entered the U.S. were admitted via humanitarian parole which typically is granted for one to two years. Although virtually all Afghans arriving via humanitarian parole meet the legal definition of refugees, they do not have a clear way of regularizing their status to become a legal permanent resident, as they otherwise would have after one-year had they been admitted through the refugee program. After escaping a deadly situation, entering the U.S. on humanitarian parole, suffering from uncertainty and an unknown fate, once Afghans' parole expires, they will face a new set of hurdles as they attempt to find alternative pathways to remain legally in the U.S. This can go both ways, either they will find themselves stuck in asylum processing for years on end, or they will be forced to go back to a dangerous situation where their lives are at grave risk.

An Adjustment Act provides a roadmap to citizenship for Afghans already in the United States.

What's more, many Afghans had to destroy important documentation to escape Taliban reprisal, even U.S. embassy officials in Kabul destroyed documents which included visa application materials providing evidence of humanitarian work or ties to the U.S. mission, and passports of Afghan applicants to protect their identities. For Afghan evacuees seeking asylum, this means they now face the additional hurdle of appearing before an immigration judge without significant documentation of the risks and violence that they fled

An Afghan Adjustment Act would allow certain Afghan parolees, and other Afghans within the United States, to apply for permanent status after one year of being paroled into the country. It relieves the immediate burden

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on the Special Immigrant Visa process — which currently has over 18,000 cases in the backlog — and asylum process — which currently has over 1 million cases in the backlog.

Afghans were brought here by the United States, through the U.S. evacuation effort, by U.S. officials. It is morally irresponsible to bring tens of thousands of at-risk Afghans to the United States and then simply abandon them to a broken immigration system. The Afghan Adjustment Act is way to see the Operation Allies Welcome mission through – by finishing the job.

ANSWERING HARD QUESTIONS:

Who was evacuated?

- Over 40,000 of those evacuated were Special Immigrant Visa holders (SIVs), SIV applicants, SIV-eligible individuals, or their immediate family members.
- Over 4,000 were referred to the P-1 and P-2 refugee program in time for the fall of the government and the U.S. evacuation.
- Another 703 were US government employees.
- Many of the remaining Afghans were family members of the individuals above, but who had no immigration designations within those eligible categories because they are considered “extended family” to the primary eligible recipient. The U.S. immigration system deems as “extended family” mothers, fathers, sisters, brothers, grandparents, nieces, and nephews to adult applications/recipients.
- In addition, there are other at-risk Afghans such as human rights defenders, journalists, women activists, ethnic and religious minorities, humanitarian workers and civil society members.

What about vetting?

- Intelligence, law enforcement, and counterterrorism professionals [conducted](#) robust, multi-layered screening and security vetting process for all Afghans before they arrived in the United States and again once when they arrived, while most were housed over months on military bases across the U.S.
 - The U.S. analyzes names, dates of birth, fingerprints, and other comprehensive biographic identifiers against multiple domestic and international agencies' holdings.
 - If Members of Congress are still concerned about vetting, any one who applies for status under an Afghan Adjustment Act would have additional vetting as part of the application process.
- Bottom line: an adjustment act would vet them again.**

Why now?

- Congress has the responsibility to act as it has acted in the past. *Not* passing an Afghan Adjustment Act would be historic.
- Congress [has passed similar legislation](#) in the past. Three noteworthy examples occurred following Fidel Castro’s rise to power in Cuba, after the U.S. withdrawal from Vietnam, and following U.S. military actions in Iraq. After these conflicts, Congress passed adjustment acts that granted [Cubans, people from Southeast Asia](#), and [Iraqis](#) who had entered the U.S. as non-immigrants or parolees the opportunity to adjust to permanent status.