



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

July 25, 2022

Jill Marie Bussey  
Director for Public Policy  
Lutheran Immigration and Refugee Service  
jbussey@lirs.org

Dear Ms. Bussey:

Thank you for your June 2, 2022 letter requesting that certain legal services and document processing for Afghan Allies at the National Conference Center (NCC) be restored. Your letter requests the resumption of legal services from contract staff and volunteer attorneys to Special Immigrant Visa (SIV) applicants at the NCC and the submission to U.S. Citizenship and Immigration Services (USCIS) of previously prepared Forms I-485, Application to Register Permanent Residence or Adjust Status. Secretary Mayorkas asked that I respond on his behalf.

During Phase 1 of Operation Allies Welcome (OAW), Afghans often stayed at the military bases for several months before resettlement was arranged. USCIS also agreed during Phase 1 to accept direct submission of Form I-485 applications from those Afghan evacuees who had already received Chief of Mission approval and had also filed the required Form I-360, Petition for Amerasian, Widow(er) or Special Immigrant, with USCIS. As noted in your letter, hundreds of such applications were prepared and filed with the assistance of contract personnel or volunteer legal service providers working at the military bases.

At the end of February 2022, OAW transitioned to Phase 2, moving from eight (8) safe havens at military facilities to one single facility at the National Conference Center in Leesburg, Virginia. Unlike the months-long stay that our Afghan allies experienced in Phase 1, the Phase 2 goal is to prepare the guests for resettlement within 25 to 30 days of arrival. Because of the relatively short stay, the U.S. Department of Defense, U.S. Department of State, USCIS, Centers for Disease Control and Prevention, U.S. Department of Health and Human Services, and contracted nongovernmental organizations (NGOs) must work collaboratively to meet guests' basic needs and to support guests' preparedness for resettlement in the United States. Consistent with Phase 1 operations, contracted NGOs at safe havens continue to assist guests with completing and submitting a Form I-765, Application for Employment Authorization, to USCIS. USCIS receives and adjudicates these forms and receives biometric (photo and fingerprint) submissions that meet agency vetting and employment authorization document production standards.

During Phase 2, Afghan guests receive legal assistance in the form of legal orientation sessions provided by a contracted NGO to help them understand 1) their present parole status in the U.S., 2) their path to obtaining permanent status, and 3) how to find legal services once they

have been resettled. During these orientations, the NGO is also identifying those who appear to be eligible to seek permanent status as a SIV and giving them more detailed advice so that they can begin the process as soon as possible upon resettlement. During the initial weeks of Phase 2, it was determined that the NGO contracted to provide the legal orientations would not be tasked with providing legal services, such as providing assistance in completing a Form I-485 application for submission to USCIS, unless the NGO presented a plan that ensured that the services would not delay resettlement processing, require significant additional resources from USCIS and other relevant departments/agencies at the NCC, or create unnecessary tension between those Afghans who are receiving services and those who are not. Prior to fully absorbing this change from Phase 1, 47 Form I-485s had been prepared by the NGO and volunteer attorneys, but permission had not yet been given for their submission to and acceptance by the USCIS team working at the NCC.

Upon review of your letter and present operations at the NCC, steps have been taken to allow the already prepared Forms I-485 to be delivered to the USCIS lead at the NCC, so that the applications may proceed to formal receipting by USCIS and further processing. Additionally, a plan has been established for SIV applicants who possess Chief of Mission approval of their special immigrant status to be identified after arrival at the NCC, with a running list of such individuals maintained by the OAW Unified Command Group/NCC External Affairs team. The External Affairs team will be responsible for regularly reaching out to the point of contact for the volunteers wishing to assist our Afghan guests with preparing their Form I-485s, and the point of contact will notify volunteers of the need for application assistance. If there are available volunteers seeking to help, the External Affairs team will work out arrangements for the volunteers to come to the NCC to assist in completing the Form I-485s. We hope that these steps are fully responsive to the concerns that you have raised.

Thank you for your continued support and commitment to our Afghan Allies and to the OAW effort. We look forward to continuing to work closely with you to ensure that their resettlement in the United States is a success.

Sincerely,

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