



U.S. Citizenship
and Immigration
Services

June 1, 2023

Mustafa Babak
Executive Director
Afghan-American Foundation (AAF)
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Dear Mr. Babak:

Thank you for your May 3, 2023 letter to the Department of Homeland Security (DHS) recommending the extension and redesignation of Afghanistan for Temporary Protected Status (TPS). U.S. Citizenship and Immigration Services (USCIS) is principally responsible for advising the Secretary on TPS issues and implementing the programs. I am responding on behalf of the Department.

I appreciate the concerns you have outlined regarding the situation in Afghanistan and your interest in a TPS designation extension and redesignation. The Secretary of Homeland Security may designate a country for TPS and extend or terminate a country's existing TPS designation based upon specific statutory criteria. In order to designate a country for TPS or extend a country's TPS designation, the Secretary must find one or more of the following circumstances: (1) there is an ongoing armed conflict within the country that would pose a serious threat to the personal safety of the country's nationals if they were returned; (2) there has been an environmental disaster resulting in a substantial, but temporary, disruption of the living conditions in the area affected, the country is temporarily unable to handle adequately the return of its nationals, and the country has officially requested TPS designation; or (3) there exist extraordinary and temporary conditions in the country that prevent nationals from returning in safety, and the Secretary does not find that permitting the country's nationals to remain temporarily in the United States would be contrary to the national interest of the United States.¹

Afghanistan was initially designated for TPS on May 20, 2022 due to (1) an ongoing armed conflict and (2) extraordinary and temporary conditions within Afghanistan preventing nationals from returning to Afghanistan in safety.² This designation is for 18 months and runs through November 20, 2023.

At least 60 days before the expiration of a TPS designation or extension, the Secretary, after consultation with appropriate U.S. Government agencies, must review the country conditions to determine whether they continue to meet the conditions for the TPS designation.³

¹ See Immigration and Nationality Act § 244(b)(1), 8 U.S.C. § 1254a(b)(1).

² See Designation of Afghanistan for Temporary Protected Status, 87 FR 30976 (May 20, 2022).

³ See INA § 244(b)(3)(A), 8 U.S.C. § 1254a(b)(3)(A).

If the Secretary determines conditions for TPS designation continue to exist, the designation will be extended for an additional period of six months or, at the Secretary's discretion, 12 or 18 months.⁴

I appreciate your concerns regarding the ongoing situation in Afghanistan and the information you have provided about conditions in Afghanistan. Please be assured DHS continues to actively monitor in-country conditions. DHS makes decisions to designate TPS after consultation with interagency partners and careful consideration of the individual country's circumstances.

In addition to TPS, USCIS also offers support that may be available upon request to assist eligible Afghan nationals, and other individuals who last habitually resided in Afghanistan affected by special situations, including the following:

- Change or extension of nonimmigrant status for noncitizens currently in the United States, even if the request is filed after the authorized period of admission has expired;
- Expedited processing of requests for advance parole documents for individuals in the United States who wish to return to the United States after temporary travel abroad;
- Expedited adjudication of requests for off-campus employment authorization for eligible F-1 students experiencing severe economic hardship;
- Expedited adjudication of employment authorization applications, where appropriate;
- Assistance if applicants received a Request for Evidence or a Notice of Intent to Deny and were unable to appear for an interview, submit evidence, or respond in a timely manner because of the special situation; and
- Expedited replacement of lost or damaged immigration or travel documents issued by USCIS, such as a Permanent Resident Card (Green Card).

More information is available at <https://www.uscis.gov/humanitarian/special-situations>.

Regarding Afghan nationals paroled into the United States under Operation Allies Welcome (OAW), on May 5, 2023, DHS announced the establishment of a process for eligible Afghan nationals paroled under OAW to apply for re-parole. This process will allow OAW parolees to continue to work and reside in the United States if re-parole is granted. As is the case for any parole request, requests for re-parole will be considered on a case-by-case basis. DHS has begun hosting Afghan Support Centers across the country starting with the first center in Phoenix, Arizona, followed by a Support Center in Tucson, Arizona. These events bring together federal, state, and local immigrant and community partners and service providers to address Afghan community needs in one-stop shop locations, including providing legal services for immigration benefits such as asylum and special immigrant visa applications, and preparing to apply for re-parole and work authorization. We will announce additional dates and locations for Afghan Support Centers in the coming weeks.

⁴ See INA § 244(b)(3)(A), (C), 8 U.S.C. § 1254a(b)(3)(A), (C).

Thank you again for your letter and interest in this important issue. Please share this response with the other organizations that cosigned your letter. Should you require any additional assistance, please do not hesitate to contact me.

Sincerely,

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

Ur M. Jaddou
Director