



# THE LONG TAIL OF AFGHAN RELOCATION AND RESETTLEMENT:

Achievements, Obstacles, and Opportunities REPORT TO THE OPERATION ALLIES WELCOME UNIFIED COORDINATION GROUP April 13, 2022

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For more information about the Evacuate Our Allies coalition, please reach out to <a href="mailto:press@humanrightsfirst.org">press@humanrightsfirst.org</a>

#### www.evacuateourallies.org

COVER IMAGE: Afghan Guests Receive COVID-19 Booster in TF Quantico 211209-M-MU578-1062

U.S. Navy Lt. Cmdr. Julie Anderson, with 2nd Med Battalion, hands out stickers to Afghan guests preparing to get their COVID-19 Vaccine Booster shots in Upshur Village on Marine Corps Base Quantico, VA, Dec. 9, 2021. The Department of Defense, through U.S. Northern Command, and in support of the Department of Homeland Security, is providing transportation, temporary housing, medical screening, and general support for at least 50,000 Afghan evacuees at suitable facilities, in permanent or temporary structures, as quickly as possible. This initiative provides Afghan personnel essential support at secure locations outside Afghanistan. (U.S. Marine Corps photo by Lance Cpl. Jessica J. Mazzamuto)

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### **Key Findings & Topline Recommendations**

#### **KEY FINDINGS**

- A lack of a unified approach to the crisis facing vulnerable Afghans has highlighted the lack of authority individual agencies exercise over the effort. Notably, the response has been spread out across multiple agencies with inadequate cross-communication and missed opportunities for collaborative problem-solving. This has created and exacerbated deep inefficiencies and, often, gotten in the way of progress and effective and timely execution of proposed solutions.
- An overwhelmed U.S. Refugee Resettlement system still reeling from years of underresourcing and diminishing capacity has struggled to meet the sudden and massive demand brought on by the Non-Combatant Evacuation Operation (NEO) of last summer. Groups with deeply personal investments in the issue, including Afghan community groups and veteran-led organizations, have struggled to find entryways and financial investments to allow them to provide critical support.
- Short-sightedness in identifying preferred relocation and resettlement solutions has come at the expense of devising sustainable, long-term strategies. Every step of the way, Afghans in the US have been met by agencies trying to address their needs while dealing with staffing and funding shortfalls and already full case loads. In addition to strains on the resettlement program, the crisis has also put an enormous strain on legal service providers, who are necessary to implement long-term strategies.

#### TOPLINE RECOMMENDATIONS

- Establish an Inter-Agency Task Force that will prioritize transparency and accountability to stakeholders in the United States and abroad. This includes creating robust information-sharing mechanisms and reporting structures to minimize the possibility of cases or issues falling through the cracks and provide a whole of government approach.
- Investments must be made to support the groups that have risen to the challenge with very few resources. Psychological trauma faced by those responding to this crisis out of a sense of duty and responsibility is compounded by a lack of resources, including financial support. Investments can come from Federal funding mechanisms, as well as working with State and local governments and private philanthropy to encourage the same.
- There must be generous adjudications of all current pending applications. This includes a wide exercise of discretion and a designated parole program, as well as long-term legislative solutions to create better pathways to the United States. In addition, all new programs or initiatives should include robust funding streams for access to counsel to allow providers to expand their capacity.

### Introduction

The Evacuate Our Allies (EOA) Coalition was formed in the wake of President Biden's announcement of the withdrawal of U.S. forces from Afghanistan in April 2021. Its mission is two-fold: to ensure the rapid relocation and rescue of vulnerable Afghans who are at risk of persecution from the Taliban, and to ensure a prompt and dignified resettlement in the United States. Its focus includes, but is not limited to, supporting those eligible for the Special Immigrant Visa (SIV) program. Over the course of 2021, the coalition quickly grew from less than a dozen member organizations and experts to hundreds of members, including veterans organizations, faith-based groups, Afghan-American community and other civil society organizations, resettlement agencies, and immigration advocates. It is the largest and most diverse coalition focused on the downstream effects and general resettlement efforts related to the Afghan relocation. The EOA Coalition also maintains a unique and ongoing Operations Center (Ops Center), which is staffed 7 days a week and acts as a central resource for ongoing relocation information at each stage of the process. The Ops Center makes connections and referrals for groups working at different stages of the relocation journey and works with stakeholders including civil society organizations, self-organized volunteer groups, other coalitions, and individuals.

EOA has engaged with the Biden Administration and civil society to facilitate the relocation and resettlement of at-risk Afghans in the U.S. since the inception of the operation. Even before the fall of Kabul, our coalition was working with the Administration to preemptively relocate Special Immigrant Visa applicants, nearly 3,000 of whom landed at Ft. Lee, Virginia between July 28th and August 14th, 2021. While the military's evacuation efforts ended with its withdrawal from Afghanistan on August 31, the coalition continues its efforts to evacuate, welcome, and support the resettlement of as many vulnerable Afghans as possible with the goal of reaching all of them. The EOA Coalition carries out its mission by influencing and shaping policy at the legislative and administrative levels.

In July, Congress passed the <u>Emergency Supplemental Appropriations Act, 2021</u>, surging funding to the Pentagon and the Department of State to evacuate and resettle Afghan interpreters and others who served in furtherance of the U.S. mission in Afghanistan. The bill also added 8,000 more Special Immigrant Visas and eased eligibility requirements for the program. A few weeks later, after the fall of Kabul, EOA began working with Congress to ensure passage of the <u>FY 2022 Continuing Resolution</u>, which contained significant funding for Afghan resettlement as well as statutory solutions to resettle the over 80,000 Afghans who were evacuated and paroled into the United States.

In addition to its legislative efforts, the EOA Coalition also serves as the primary engagement vehicle for the Department of Homeland Security's (DHS) Unified Coordination Group (UCG) to work with civil society through <u>Operation Allies Welcome</u>. Through its five main liaison working groups, the coalition has hosted over 20 engagements with dozens of experts and officials representing over 12 federal agencies since September 2021 and has presented hundreds of policy and process recommendations to more humanely, efficiently, and generously support newly arrived Afghans and those that remain abroad in need of protection. This report is a compilation of feedback collected from Afghan-American community leaders, veterans groups, on-the-ground experts, and the following liaison working groups: Administrative Advocacy, Legal Services, Resettlement: Pre-Arrival, Resettlement: Post-Arrival, Children and Families, and Unaccompanied Children. The report focuses on areas of advancement and achievement in our partnership with the UCG and federal agencies, identifies challenges that prevent successful relocation and resettlement, and presents recommendations for policy changes that should be prioritized as Operation Allies Welcome enters its next phase.

### Advancements/Milestones

On August 29, 2021, leaders from the EOA Coalition and Refugee Council USA (RCUSA), a sister coalition that promotes efforts to protect and welcome refugees, asylees, asylum-seekers, and other forcibly displaced populations, <u>met with DHS Secretary Mayorkas</u> to share concerns and recommendations regarding the ongoing resettlement effort. Following that meeting, the coalitions sent written recommendations to the Secretary, urging DHS to immediately scale up coordination with the White House, including the National Security Council (NSC) and Domestic Policy Council (DPC), and facilitate White House engagement with resettlement agencies, Afghan-American leaders, and other service providers and advocates. The recommendations also included: operationalizing liaison working groups; engaging partners and critical stakeholders, informing the public and elected officials; improving coordination and transparency; and working to ensure external communications remain focused on positive and welcoming messaging.

#### COORDINATION WITH THE WHITE HOUSE

- 1. At the same time that DHS was named the lead for the UCG, the White House appointed Governor Jack Markell to coordinate Operation Allies Welcome.
- 2. Governor Markell has moved on to his new position as U.S. Representative for Economic Co-Operation and Development, and Curtis Ried, Special Advisor for Afghan Resettlement, will be taking the lead in coordinating efforts at the White House.
  - a. The EOA Coalition is grateful for this continuity of leadership on the Afghan relocation portfolio, and Curtis Ried has been an integral member of the team from the start of this effort.

#### OPERATIONALIZING WORKING GROUPS

- The EOA liaison working groups formed in early September and immediately commenced engagement with government partners, including over 20 engagements across 12 governmental agencies, including DHS and components, DoD, CDC, HHS, HUD, State, and SSA. Notably, engagements with DHS partners have seemingly decreased substantially since OAW transitioned to Phase 2 in February.
- 2. Since mid-August, the EOA Legislative Working Group has held over 600 meetings with congressional offices, where members advocated for the immediate need for continued relocation efforts and an Afghan Adjustment Act (AAA) for Afghans paroled into the U.S. Two hundred of those congressional meetings occurred during EOA's virtual Advocacy Days on November 9th and 10th, in which over 700 advocates across the country participated.

#### ENGAGING PARTNERS AND STAKEHOLDERS

- 1. The EOA Coalition has worked closely with OAW UCG to coordinate briefings and issuespecific meetings. On average EOA members have met with OAW counterparts once a week, with some issues requiring additional meetings scheduled on an as-needed basis.
- 2. The EOA Coalition continues to act as a strategic thought partner to the #AfghanEvac coalition. #AfghanEvac is a coalition of public and private organizations and advocates who work alongside the Department of State to effectuate continued relocation efforts and safe passage flights. Many of our constituent organizations play multifaceted roles in both coalitions and have been engaged in ongoing relocation efforts as well as advocating for positive resettlement goals and promoting an Afghan-centered policy agenda.

#### IMPROVING COORDINATION AND TRANSPARENCY

- 1. DHS and OAW mainly share data with the coalition during engagements
- 2. DHS shares information and resources with the public through the OAW webpage
- 3. OAW also created a Twitter account in September 2021, which has provided the public with some updates on the operation and has shared certain resources.

# CREATING CONNECTIONS BETWEEN ONGOING OPERATIONS AND THE PUBLIC

- Through a unique Operations Center (Ops Center) launched on August 15 and run out of the offices of the Pacific Council on International Policy, EOA has created a vital informational hub that can provide real-time information on both ongoing relocation efforts as well as resettlement options in the United States to individuals and organizations seeking assistance.
  - a. Since September 7 (when phone data tracking began), the Ops Center has answered 5,756 phone calls.
  - b. Since launching in August, operators have responded to 11,168 email inquiries
  - c. Since August, there have been 2,965 unique WhatsApp chats, each representing a separate individual or group being assisted by the Operations Center.
  - d. Since August, 24 operators have spent 2,646 hours answering questions.
  - e. During this time frame, Ops Center operators have made 2,787 referrals to various services in Afghanistan, third countries, and the United States.
    - i. This includes 1,853 cases for which information was collected during the Non-Combatant Evacuation Operation (NEO) itself.

### Challenges

#### 1. OVERALL

a. The majority of groups working on responding to the crisis have been doing so with little resources. This is particularly true of Afghan-American community and veteranled groups, many of which were quickly put together by volunteers to intervene in a crisis that is deeply personal to them. Many of these groups are now struggling to manage this ongoing work, their commitments to work and family, and the psychological trauma caused by the events since the withdrawal in August are all weighing on their members.

#### **CHRISTOPHER PURDY and STEVE MISKA**

The Global War on Terror was started by events unfolding in Afghanistan. After September 11th, a generation of Americans was called by their country to make the world a safer and more stable place. We believed we were fighting to make the lives of the people of Afghanistan better. Our time in service brought us in close contact with like-minded Afghans who shared our values and sought to advance the ideals of freedom and human rights. They stood beside us, and we promised to stand beside them, whatever may come; shohna ba shohna; shoulder to shoulder.

Twenty years later, veterans throughout the country are still bound by our shared sense of duty. Many of us spend years warning of the collapse of the country to multiple governments headed by different parties. No one listened. When Afghanistan did fall to the same terrorist group we spent years fighting, we buckled up and did the work that our own government refused to do. Throughout the evacuation of Kabul, we worked around the clock from our offices, living rooms, and kitchen tables. We worked anywhere we could to save as many of our friends as possible. And when the gates closed and the last plane took off, when the world's attention shifted to the next crisis, we carried on.

For the last eight months, our community has carried the burden of continuing to care for those left behind. We've organized flights and overland routes for those fleeing. We've funded safe houses in-country and provided tech tools to give our allies the digital security they need while living under the Taliban. It's not been easy, not by a long shot. We've struggled. Our families have struggled. We're doing this not because we want recognition or praise. We've done it because our honor demands it. And we'll continue to work for our Afghan allies until the last one comes home.

b. There is a lack of resettlement expertise that can easily be shared with groups that are assisting resettlement agencies or taking on some of their responsibilities. This contributes to a divisive environment with unhealthy competition amongst groups, donor fatigue, volunteer fatigue, and confusion among the arriving Afghans the community is trying to help.

c. Active duty service members experience frustration with information sharing. Personnel are unable to openly ask for support/guidance because there is a perception that discussing the hasty withdrawal from Afghanistan and subsequent evacuation efforts reflect negatively on the Biden Administration and do not align with the Department of Defense's stance that the evacuation was a success.

#### 2. IN AFGHANISTAN

- a. There are a limited number of options to evacuate individuals still in-country (two flights a week, which were paused for over four months). At the publication of this report, flights have started intermittently.
- b. Passport mandates due to requirements of the only authorized overseas lilypad (Doha), which are effectively blocking people from leaving and/or causing family separation.
- c. A lack of consular teams in bordering third countries is making it impossible for Afghan refugees to pursue any further processing of visa or refugee filings, which puts them at greater risk of refoulement as transit visas expire.
- d. There is a lack of guidance and legal orientation for Afghans on lilypads, particularly those who may be SIV or USRAP eligible<sup>1</sup>.
- e. The decision that Humanitarian Parole petitions will not be reviewed by USCIS until an at-risk Afghan leaves Afghanistan is unfair and unduly burdensome, particularly as there is no U.S. Embassy/Consulate in Afghanistan to handle visa interviews. In addition, most of these at-risk individuals cannot get passports to leave for another country for such interviews. This is forcing Afghans to flee to neighboring countries illegally, oftentimes facing a whole host of other dangers and risks.

#### 3. IN THE UNITED STATES

#### **Resettlement Challenges**

- i. The majority of Afghan Placement Assistant (APA) clients are missing documents when leaving Safe Havens, it is nearly impossible to get corrections when necessary, and EAD and social security number delays continue. They are also missing vaccination records, general medical records, and other such relevant documentation, making their legal representation post resettlement very difficult.
- ii. Resettlement agency (RA) capacity is severely limited and is exacerbated by housing shortages and a lack of access to legal service providers who can handle applications for long-term immigration benefits.

<sup>1</sup> Note that <u>questions</u> submitted by the EOA Interagency Resettlement Working Group have yet to be answered.

#### **MA** (Afghan Ally)

About 5 months before the US withdrawal, my American advisor reached out to me about doing an SIV application since it was the only option for leaving Afghanistan, and I knew I would be in danger with the Taliban in charge. We submitted the paperwork but didn't know if it would be approved because it was for interpreters (even though I worked directly with US Special Operations). I went to the airport the day the Taliban took over, so I had to move quickly and hide all my documents in case I saw the Taliban on the street. Even though my British advisors told me to go, there was no one at the British gate to take me in and there were huge crowds. I waited all night but then left because it became too dangerous. I was the commander of 44 female soldiers, so my US advisors told me to take them to the airport again, and we were there for several days. We were in constant danger with the Taliban, growing, angry, confused crowds trying to get inside, and we were suffering from the heat. We were finally put on flights to the US but separated with layovers in all different countries.

In the U.S, I was at Fort McCoy for two months. Some of the women were pregnant and didn't know what American food was good for their babies. Many families were separated, but luckily I had my nieces with me. I didn't have shoes for a while, and things that were given to us at camps would be taken back before each flight. We couldn't find clear explanations or help from officials. Then, my nieces and I were brought to a furnished apartment in Virginia but didn't hear from our caseworker for 2 months. We got a new caseworker, but my nieces still do not have their SSN cards, and it is difficult to find jobs that my nieces can walk to from our apartment's location. I am lucky that I have a good job now, but my other Afghan female soldiers are so smart and are working at fast-food restaurants or have no job. We are all trying to find English courses but my nieces still do not have them. The new caseworker said she would apply for us—it is very important.

- iii. Groups set up to assist in resettlement efforts, including those led by veterans and Afghan-American community members, have found it difficult to connect to official resettlement organizations to obtain information and provide or receive necessary support.
- iv. There is a lack of understanding and awareness of the resettlement process, which has made community education difficult and has created distrust among certain coalitions.
- v. Afghan-American organizations across the country are now regularly registering cases where individuals and families have not been served sufficiently in accordance with RA responsibilities and commitments. From children not having adequate meals or transportation to school to individuals in dire need of medical services, there are too many of these accounts nationally, signaling that a systemic failure is taking place. This failure will only intensify as housing and economic pressures increase on these resettling families.

vi. Applying for social services, housing, and employment is being delayed due to a lack of social security numbers. There are additional gaps in levels of assistance to couples with no children and single individuals.

#### Legal Services Challenges

- i. Access to quality and affordable legal counsel is a key challenge. Legal services providers are already stretched to capacity and are struggling to meet this acute demand.
- iii. A key pressing concern for many Afghans after arrival in the United States is reunification with immediate family members who were not able to be evacuated or were only able to get to a third country. Given the slow and limited access to refugee processing, and the limits of humanitarian parole, a designated parole program is needed.

#### Children

- i. Children were exposed to dangerous conditions on military bases (called Safe Havens) where Afghans. This included instances of staff and volunteers who used inappropriate physical force or other disciplinary measures as well as general hazards such as unsecured and easily accessible heavy construction equipment.
- ii. There was insufficient staff to supervise and care for children when their usual caretakers were engaged in other processes on the bases.
- iii. There has been an increase in incidents of gender-based violence due to a lack of understanding of respective cultural norms and behaviors.
- iv. This lack of cultural competency is also evident in staff dealing with unaccompanied children off bases, including in ORR shelters.

#### **Unaccompanied Children**

- i. There is insufficient dedicated and trained staff to work with unaccompanied children (UC) to facilitate international reunification as well as to ensure cases don't fall through the cracks in the United States.
- ii. Unaccompanied children who have been reunited with sponsors in the community were not enrolled in APA benefits before leaving the bases. Since most resettlement agencies are unable to assist "walk-ins," which is the only way these children can connect with the agencies in the locality where they live, they have not been able to access resettlement benefits they are legally entitled to.

- iii. The process to resolve case inconsistencies between Hummingbird<sup>2</sup> and the ORR Portal is poor—these inconsistencies can delay access to needed services for UCs and sponsors.
- iv. Afghan unaccompanied children are being moved to multiple facilities when they often are largely outnumbered by children from other parts of the world, causing undue stress for the children, separating them from any semblance of friends or community they may have had with other Afghan children.
- v. Multiple cases of misdiagnosis of medical ailments due to language proficiencies and overmedication have been documented at ORR-funded youth shelters.

#### 4. ENGAGEMENT WITH THE ADMINISTRATION

a. The Department of State, specifically the Bureau of Population, Refugees, and Migration (PRM) and Consular Affairs, have attended liaison meetings only sporadically and generally with no answers to the questions posed to them. When follow-up has been offered, actual follow-through on those offers has been an issue.

<sup>2</sup> The Hummingbird database was created in August 2021 to manage and assign Afghan clients who are part of the APA program and arrived through OAR and OAW to resettlement agencies for services. The database captures identification data, such as name, date of birth, and passport number, family relationships; it is also used to track the completion of required intake steps such as vaccinations, and medical exams and biometric appointments for Afghans seeking resettlement. Hummingbird is still being used to intake Afghan evacuees.

### **Opportunities**

#### 1. IN AFGHANISTAN AND THIRD COUNTRIES

- a. There must be a whole-of-government approach, in the form of an Interagency Task Force, in which the U.S. government creates and oversees an established relocation pathway for vulnerable Afghans and delineates a clear command structure for the process.
  - i. Currently, veteran groups and front-line civilians represented in Evacuate Our Allies and the #Afghan Evac coalition are the primary drivers of ongoing relocation efforts. This would relieve the burden placed on these organizations and would ensure a transparent process for negotiating with third countries.
  - ii. While the U.S. government is working with Qatar to manage bi-weekly relocation flights, as of this report those flights are only available to U.S. citizens, Legal Permanent Residents, and Special Immigrant Visa applicants near the end of their process.
- b. There must be improved throughput to accelerate the number of relocation activities on a weekly basis.
- c. Negotiate passport requirements with Qataris to allow for exceptions or authorize additional "lily pads" in other countries.
- d. Enable in-country humanitarian assistance in Afghanistan.
- e. The administration should provide travel documents, diplomatic notes, letters of support, consular appointments, or other relevant materials to allow at-risk Afghans to exit Afghanistan and enter "lily pad" countries for processing, and create a mechanism for Afghans in other host countries to enter "lily pads" for processing to the U.S.
- f. The administration should strengthen diplomacy to expand protections within host countries and neighboring countries to Afghanistan to press them to welcome fleeing Afghan refugees and incentivize host countries to provide space, housing, and aid for meeting fleeing Afghans' basic needs during the requisite processing period.
- g. For Afghan SIV applicants, the administration should provide E-visa for SIVs, etc. that have a CEAC status of ISSUED and stand up a consular team for processing SIV applicants.
- h. Develop an official reporting mechanism through DoD channels whereby active duty military can complete a template and share information regarding their Afghan

Security Force partners' "security" status in Afghanistan. (targeting/arrests/releases/ murders/etc). Ensure this reporting mechanism is distributed to every member of the Department of Defense through the Service Branches.

i. The State Department should elevate the issue of international reunifications with relevant European countries as a pressing binational priority. Across the Bureau of European and Eurasian Affairs, PRM, and Consular Affairs, State should ensure that no European country is presenting undue and unnecessary burdens to ORR and Afghan children that prevent them from seeing their parents and families again.

#### 2. IN THE UNITED STATES

#### Overall

i. DHS should immediately survey its grant-making authorities at FEMA and USCIS to create an avenue to better fund Afghan-American and veteran-led

#### **ISAMAR GARCIA**

#### "I can't escape Afghanistan. Please help my family. Do not forget me. Don't abandon me!"

Hundreds of WhatsApp chats and thousands of emails with the same overarching message: Save me.

These are the voices of people who are sleep-deprived, frustrated, and starving. These are the voices of Afghans who have worked with Americans, who are Americans, who are school children, and who are journalists. Regardless of their background or work history, these are the voices of people who want to leave their home country so they can live without the fear of death.

I hear the cries, see the abused, and read the desperation in their messages as I remotely keep hope alive with the Evacuate Our Allies Operations Center as an Operation Coordinator.

I have never served my country and I have no ties to Afghanistan, but I have never felt such a kinship, albeit distant, to the veterans and servicemen who avidly support evacuation efforts for our Afghan allies. The mission of the Operations Center is to be an information hub providing 24/7 coverage and resources to people on the ground, as well as for other organizations coordinating efforts in the Evacuation-To-Resettlement pipeline.

Evacuate Our Allies Operations Center is more than just the information kiosk it set out to be, we are a human voice on the other side of the line. We are providing real-time resources from various organizations to those still stuck in Afghanistan and advice about Taliban scams. We are connecting humanitarian efforts, stateside and abroad, to ensure support systems are in place for those leaving Afghanistan to provide care, aid, and assistance along the entire pipeline. We answer every phone call, every WhatsApp text, and every email because we share an ethos with the rest of the Afghanistan effort: Leave No One Behind. organizations on the front lines. These organizations cannot sustain their current level of service without an infusion of government funding. DHS can also use its current contract vehicles to add task orders and amend existing relevant SOWs to utilize culturally competent private sector partners and NGOs to fill some of these needs. An emphasis should be placed on leveraging the capabilities within the Afghan-American community.

ii. DHS/PRM/EOA must create a task force to act as a central repository and grievance adjudication body for cases that have "fallen through the cracks" and hold assigned agencies and organizations accountable. Currently, there is no mechanism for local groups or new arrivals to report any negligence or improper care.

#### Resettlement

- i. The administration should push Congress to pass an Afghan Adjustment Act (AAA). Individuals who were evacuated by the U.S. government should be able to adjust their status once in the United States, as previous generations of wartime evacuees have. While Congress debates the legislation, the Administration should create a special parole program to address the tens of thousands of parole applications currently pending before USCIS.
- ii. The U.S. government must ensure U.S. resettlement NGOs and UC Providers utilize Afghan-American subject matter experts and Afghan-American-led organizations to provide culturally component expertise in the resettlement and integration process. The Afghan diaspora leaders should be employed and intentionally engaged in each part of these efforts to ensure that the unique needs of Afghan nationals are represented and prioritized.
- iii. The administration should create a special humanitarian parole program for Afghan nationals, at minimum for Afghans with U.S. ties or loved ones already in the United States. The parole program should apply to Afghans still in Afghanistan and other host countries.
- iv. The over 40,000 humanitarian parole applications that have been filed on behalf of Afghans left behind must be adjudicated or moved into a new special parole program. Many of these applications were filed with the perceived tacit encouragement of the U.S. government and months later, still have not been adjudicated leaving thousands of Afghans in a state of limbo.
- v. The over \$23 million collected on behalf of Afghans must be returned if the U.S. government does not plan to adjudicate their applications in a timely manner.
- vi. The administration should implement whole-of-government solutions to housing challenges, involving national, state, and local policymakers, landlords, property management companies, asset groups, nongovernmental organizations, resettlement agencies, and others.

- vii. The administration should robustly invest in the overseas and domestic infrastructure to rebuild the U.S. resettlement program and make the necessary administrative improvements to strengthen the program and address the refugee backlog. More information on USRAP recommendations is available <u>here</u>.
- viii. Rebuilding the USRAP program should include clear mechanisms for how veterans, Afghan community groups, and others can volunteer or otherwise support resettlement agencies to allow all who want to assist to share the work. This should include a clear and widely-available sponsorship/ mentorship model.

#### **Legal Services**

- i. The administration should fund legal services for Afghan parolees. Without affordable, high-quality legal assistance, Afghans will be set up for failure, having to navigate the U.S. asylum/immigration system, deadlines, and requirements on their own and often without sufficient evidentiary or identification documentation.
- ii. The U.S. government should push for cooperation with the Qatari government to issue visas for Afghans who have case approvals or other interviews (SIV/I-130, etc) since the U.S. Embassy in Kabul is operating out of Doha.
- iii. USCIS should be directed to review Humanitarian Parole petitions for individuals inside Afghanistan and process them through to conditional approval to facilitate their ability to travel to a third country to complete processing; these are the most vulnerable as they are targets for Taliban retribution. The standard for review of Humanitarian Parole petitions should be based on generalized risk of harm and not require the much higher standard of individualized harm with third party evidence naming the individual as at risk, as the latter creates an insurmountable barrier for applicants. Before denying any humanitarian parole petitions, USCIS should issue a Request for Evidence to give applicants the chance to submit additional evidence. DHS should exercise its discretion to parole evacuees currently in third countries expeditiously.
- iv. DHS should create a special parole program for Afghans in order to address the dire and urgent circumstances at-risk Afghans face. Special parole programs have been utilized many times in the past and have long been seen as an important complement to refugee resettlement efforts.
- v. Ensure that USCIS adjudicators receive special training, leveraging experts from within EOA, and special guidance for adjudicators of humanitarian parole and asylum applications for Afghans to ensure they are familiar with up-to-date and relevant country conditions information and cultural competency for conducting adjudications.

- vi. Ensure that adjudicators are trained on the applicability of the various duress exemptions to the Afghan context, in particular with respect to support applicants may have provided to the Taliban against their will in situations where the serious harm that would have resulted from non-compliance was clear from context rather than from an explicit threat.
- vii. Implement a situational exemption for former combatants that would allow applicants for asylum, refugee status, and other immigration benefits to be considered for an exemption from section 212(a)(3)(B)(i)(I) of the INA, on a case-by-case basis, where the applicant has satisfied the relevant agency authority that he or she:
  - 1. Is seeking a benefit or protection under the INA and has been determined to be otherwise eligible for the benefit or protection;
  - 2. Has undergone and passed all relevant background and security checks;
  - 3. Has fully disclosed, to the best of his or her knowledge, in all relevant applications and interviews with U.S. government representatives and agents, the nature and circumstances of each instance of any activity or association falling within the scope of section 212(a)(3)(B) of the INA, 8 U.S.C. 1182(a)(3)(B);
  - 4. Has not knowingly provided material support to terrorist activities that targeted noncombatant persons, U.S. citizens, or U.S. interests;
  - 5. has not committed a crime against peace, a war crime, a crime against humanity, or a serious non-political crime, nor been guilty of acts contrary to the purposes and principles of the United Nations.
- viii. Issue implementation guidance pursuant to the IRGC Tier I designation of April 2019 to make clear that section 212(a)(3)(B) of the INA shall not apply to any non-citizen solely by virtue of material support to, or receipt of militarytype training by, any ministry, department, agency, division, or other group or subgroup within any foreign government not specifically designated as an FTO by the Secretary of State under section 219 of the INA at the time of the noncitizen's relevant interactions with it, where the non-citizen's activities were not unlawful under the laws of the place where they were carried out or would not have been unlawful under the laws of the United States or any State if they had been committed in the United States.
- ix. USG must make public all information regarding processing timelines and guidance for accessing USRAP for Afghans and update this information frequently.
- x. DHS should issue public guidance confirming that the AO will affirmatively consider any Afghan application filed past the one-year filing deadline but filed within their humanitarian parole status (or a reasonable time after it ends) to be within the regulatory exceptions to the one-year filing deadline for asylum.

#### Children

- i. The Administration, via HHS, should ensure support and care for Afghan Unaccompanied Children, including expediting placements with families or foster families, swift enrollment in APA services (despite being considered "walk-ins"), per diem cash assistance, and extended post-release services (PRS) given the complexity of these cases. ORR should both increase PRS capacity to file for documentation and assign a PRS worker to specialize and be the point person on Afghan UC cases for each region.
- ii. All stakeholders (including staff, volunteers, and government officials on bases) should be given appropriate training, including cultural orientation trainings, on how to work with children and, particularly, migrant children. ORR should ensure that all case managers and care teams consult with a culturally competent clinician, preferably from the Afghan-American community, before any major decisions regarding care are executed for unaccompanied children.

#### Engagement with the Administration

- i. Establish an Interagency Task Force, to include government, military, and civilian actors, and appoint and empower one individual to have authority over all relevant agencies to marshall and direct resources as necessary.
- ii. Voice strong support for the AAA and other legislative efforts designed to create more robust and immediate migration pathways for Afghans in the United States and abroad.
- f. Communications and transparency
- i. We urge DHS to assist with a proactive adjustment of public opinion through transparency.
- ii. We encourage DHS and Operation Allies Welcome leadership to use transparency as an antidote to the proliferation of harmful rhetoric, which survives only when the press and advocates don't have clear, accessible data and information to dispel rumors and insinuations.

#### Employment

i. The US government, through a whole of society approach, must rethink workforce integration and how it accesses the skills sets of foreign trained workers. This could mean states removing cumbersome medical licensing processes preventing foreign trained medical professionals from reestablishing their careers in the U.S. Corporations also share a responsibility to open up career pathways for skilled immigrant workers who are traditional overlooked during the hiring process due to language and racial biases, misunderstandings of international degrees and credentials. With basic jobs skills training, mentorship support, and a network of companies ready to offer paid internships or hire, a workforce development program across core industries can enrich our arriving Afghan allies and also offer supporting jobs for these families so they can restart their lives.

#### FATIMA RAHMATI

## Maya Angelou said: "If one is lucky, a solitary fantasy can totally transform a million realities."

My fantasy for my homeland and for all Afghan people is one of unadulterated freedom, joy, and prosperity. I believe we should take this moment to be brave, to be courageous, to work towards making a fantasy-like mine a reality.

A reality that includes the refugee makers being the refugee takers: facilitate the continued relocations of at-risk Afghans and give them a safe haven here. A reality that includes providing Afghans resettling into their new homes with the resources needed to make their resettlement one of dignity: engaging meaningfully and constructively with the Afghan American community. This further requires funding Afghan-American organizations leading resettlement efforts. A reality that ensures the documents and authorizations needed to work, live, and receive benefits are processed and provided in an expedient manner. Also, the implementation of a whole-of-government solution to address housing challenges. A reality that provides a clear pathway for residency: DHS should encourage and advocate for the passing of the Afghan Adjustment Act. A reality that renders the generous and appropriate approval of HP applications. A reality that affords access to legal services and the formation of a special parole program for Afghan nationals, as well as TPS/DED status for those already stateside.

These steps could transform not just a million but millions of realities. So many of us have worked tirelessly these last few months on everything and anything related to Afghanistan. The problems are copious. The solutions, however, are staring us in the face. All it takes is will. The will to be bold and do what's right. My family fled Afghanistan 38 years ago when I was 5 years old. I still, today, feel the effects of fleeing and seeking refuge. The reach of war is so far and so long. It spans and permeates the smallest corners of those affected. Despite all those years though, the last six months have felt like the heaviest of them all. Maybe a small measure of justice at this time would be a life that allows our new neighbors to flourish in dignity."

### Conclusion

The collapse of the Afghan government to the hands of the Taliban as the last U.S. troops departed after a twenty-year presence has created an unprecedented humanitarian and migration crisis with repercussions felt deeply within the United States. The first eight months of the crisis response have been chaotic, marked by a lack of communication and coordination and a scramble to respond on behalf of civilian and veteran organizations alike.

If we take the time to learn the lessons from the first, chaos-filled moments of this response, however, we have opportunities to come together and develop long-term, cross-sector solutions that will shape the response for years to come and re-shape how we address military, migration, and humanitarian needs alike for future generations.