

PASS AN ADJUSTMENT ACT FOR AFGHANS AT-RISK

Congress must pass an Afghan Adjustment Act to expand humanitarian pathways for Afghans at risk and to establish a roadmap to citizenship for Afghans within the U.S. Afghans fleeing violence and reprisal by the Taliban must have a way to seek safety in the US.

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 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.

The majority of Afghans who have entered the U.S. were admitted via humanitarian parole which temporarily (1-2 years) allows people fleeing danger to remain in the U.S. These Afghans will need to find another pathway to safety once their parole expires. 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.

Currently, the pathway available to them is asylum, an inadequate, discriminatory and ill-prepared system with years-long backlogs of millions of cases that have prevented thousands of people from finding safety in the US. 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.

Since the fall of Kabul in August 2021, the humanitarian crisis in Afghanistan has only worsened. The United States has an obligation to continue to expand protections for at-risk Afghans who remain in Afghanistan to continue to seek safety and resettle in the United States.

In August 2022, a bipartisan group of Representatives and Senators introduced the Afghan Adjustment Act (the [House](#) and [Senate versions](#)). This bill could help save lives by helping people get out of Afghanistan and ensuring Afghans in the US are not deported there. The bipartisan support for this bill proves we are united in our conviction to support Afghans seeking safety. Rather than punishing Afghan arrivals for being evacuated, Congress has an urgent obligation to

ensure they have a chance to become lawful permanent residents.

AN AFGHAN ADJUSTMENT ACT

The Afghan Adjustment Act (AAA) offers an important correction by allowing tens of thousands of Afghan evacuees currently in the United States to apply to become lawful permanent residents. This legislation will offer Afghans at risk a way out of legal limbo, end the looming threat of deportation, decrease the risk of family separation, relieve pressure on the backlogged asylum processes, which has over 1 million cases in the backlog, as well as prevent Afghans paroled in the U.S. from losing their jobs or being deported to a third country while their applications for those statuses are pending. The AAA also expands and strengthens humanitarian pathways for at-risk individuals trapped in Afghanistan.

Specifically the AAA would:

- Allow Afghans on temporary humanitarian status in the U.S. who submit to additional security vetting and an in-person interview to apply for permanent lawful status.
- Establish an Interagency Task Force, led by the U.S. Department of State, responsible for creating and implementing a strategy to continue the relocation and resettlement of eligible Afghan partners from Afghanistan over the next ten years.
- Require the U.S. Department of State to implement an office capable of reviewing visa applications and providing other consular services for Afghans as long as there is no operational embassy in Afghanistan.
- Require the U.S. Department of State to respond to congressional inquiries related to SIV applications or U.S. Refugee Admissions Program (USRAP) referrals.

AMNESTY INTERNATIONAL RECOMMENDS:

1. Congress pass the Afghan Adjustment Act ([H.R. 8685](#) and [S. 4787](#)) by the end of this year to establish a roadmap to citizenship for Afghans seeking safety in the United States and expand humanitarian pathways for Afghans left behind.