

Frequently Asked Questions Public

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Please note: the information below was collected by the #AfghanEvac coalition in ongoing engagements with the U.S. government. The information below does not, and is not intended to, constitute legal advice. While we'll strive to keep the below updated, the information is subject to change and may not constitute the most up-to-date information.



RELOCATION

Who is currently eligible for relocation by the US Government?

Please refer to the flight manifest eligibility graphic available <u>here</u>. *<u>AMCITs and LPRs should not return to Afghanistan to accelerate relocation of relatives</u>. The State Department is now tracking these returns through Customs & Border Patrol entry/exit data and are unlikely to offer relocation assistance to these people.

How can I contact the Department of State Contact Center?

Call +1.833.839.0375. (Or +1 956.291.4571 if through WhatsApp). You will need your date of birth and phone number to validate your identity. Documents should be emailed to <u>CARETravelData@state.gov</u>.

As of June 2023, only the traveler can discuss the case with the contact center. The Contact Center is not trained to accept calls from attorneys, even if they have a G-28 form on record, though CARE is looking at ways to make this possible in the future.

I'm interview ready, but haven't been contacted. What should I do?

Send your passport(s) to <u>CARETravelData@state.gov</u>, then await contact. You can also contact the contact center to validate you remain interview ready. If they say that you are not, you should log into <u>CEAC</u> to check what is required to advance your case forward.

Why is the relocation process taking so long? How can I expedite it?

All of these programs (SIV, P1/P2 refugee processing, humanitarian parole) cross multiple federal agencies and subdivisions within those agencies, and they each have their own systems. The US Government says it is in the process of streamlining procedures, recognizing the severe problems the backlogs are causing. Ensuring that applications are detailed, complete and accurate will help lessen delays.

How long between being contacted for a flight and being manifested?

If you were specifically contacted and told that you were manifested for a flight, you should reach out to your travel coordinator in Afghanistan to ask for more information. If you were contacted to ask for your passports or to collect other pre-travel information, this does not mean that you are manifested and you should <u>not</u> assume that your flight is soon - it could still be months from now - and manifesting is subject to satisfying screening requirements.

Could you provide more guidance on timelines for manifesting, being contacted for manifesting, etc.?

There are no average timelines. Manifesting depends on the mix of SIV/IV/Refugee processing available at CAS, a variety of factors specific to the travelers themselves, the size of the airplane, etc. The Coalition typically suggests people prepare their travelers to remain in Afghanistan for the foreseeable future; then they are not basing their lives around travel that may not be imminent.

How late in pregnancy can someone be when provided a flight by IOM to the US? And is there a restriction on how young an infant can be?

The IOM policy is before week 35 for the first pregnancy and before week 33 for non-first pregnancies. However, each airline has its own guidance and rules and if the airline's dates are earlier than IOM's date, then they will be followed.



An infant is medically eligible to travel two weeks after birth; however, more than two weeks is likely needed to complete an infant's addition to an immigrant visa (IV) or refugee case, get boarding documents and immigration documents, etc.

What is the maximum term for pregnancy on a relocation flight from Kabul to Doha?

We have observed the timeframe to be limited to before 28 weeks of pregnancy.

Who is required to pay back IOM flight loans and who is not?

Everyone departing Camp-as-Sayliyah (CAS) is required to sign a promissory note and repay that promissory note (the repayment terms are several years).

The Department of State funds the transportation of refugees resettled to the United States through a program administered by the International Organization for Migration (IOM). Refugees receive interest-free loans from IOM to pay for their transportation from overseas locations to their resettlement sites in the U.S. Upon accepting the travel loan, refugees sign a promissory note to repay the loan over time.

The underlying objectives of the IOM travel loan program are both financial and humanitarian. The financial objective is that refugee loan repayments defray the cost to the US of future refugee resettlement transportation, thereby allowing more refugees to be served. The humanitarian objective is that refugees' financial participation in making repayments against their debt strengthens their determination to make their migration successful, including that loan repayment helps establish creditworthiness which can help secure mortgages for homes and financing for automobiles.

Do people have access to their medical records from pre-travel medical screening in Kabul?

Yes, travelers should be given these on request of the medical clinic. If not, please report to AfghanEvac leadership and include name, DOB, time of screening and short summary of the issue.

What if a child has been left behind, without their parents?

CARE will do its best to reunite children and parents, but a child cannot be unattended at a platform, so a parent or guardian will need to relocate to the platform to await the child's arrival and stay with the child through the visa/refugee processing. Please contact AfghanEvac leadership for more information.

What about adopted children?

Afghanistan is now under Islamic law and Islamic law does not recognize adoption, therefore "adopted" children are not eligible for relocation.

PASSPORTS

Where can I find current information about issuance of Afghan passports and how to obtain one? <u>Visit #AfghanEvac's passport application information document</u> for the most current passport information, including details on the passport issuance process.



Do Afghans need passports to be relocated by the US Government?

Yes. Everyone needs a passport. Everyone — newborns, infants, children & adults. A traveler cannot get on a DOS relocation flight without a **valid** passport that will be <u>valid for at least 6</u> <u>months from the **date of travel**</u>. Valid means authentic and current. No exceptions. It also doesn't matter why they don't have a passport (e.g., US Embassy destroyed it) or that they don't feel safe getting one. Everyone needs a current passport. No exceptions.

While children under ~12 are typically issued non-biometric passports, adult passports should always have biometrics. Non-biometric passports are typically inauthentic and have prevented people from traveling.

What if someone is fearful of applying for a passport?

A passport is required by the Taliban to exit Afghanistan and required by Qatar for relocation through the US Government. As of now, there are no travel options available without a passport. So the person either needs to get a passport or not pursue relocation.

Are expired Afghan passports with an extension stamp acceptable for relocation? How can someone get an extension?

Qatar will accept passports with extension stamps issued by the Ministry of Foreign Affairs of Afghanistan (MoFA), assuming the stamp was issued by appropriate MoFA authorities. Pakistan is reported to **not** accept the passport stamps, but we suggest checking at the time of travel due to the frequent variations in Pakistani rules.

To get an extension stamp, Afghans should consult the Afghan embassy in the country in which they are located, if outside Afghanistan, or a local Kabul travel agency that may be able to facilitate; consult the Coalition for recommendations.

Can an AMCIT still in Afghanistan with an expired passport, get his/her passport renewed?

Yes. Americans in Afghanistan should request support via the State Department's Afghanistan Consular Services: <u>AfghanistanACS@state.gov</u>.

GENERAL VISA & IMMIGRANT VISA

How do I know if someone is interview-ready (applicable to SIVs and immigrant visas [IVs])?

The applicant will receive an email from NVC saying that all required documentation has been received and the applicant is waiting for an interview to be scheduled. For IV cases, a submitted *and accepted* I-864 is required to become interview ready; for an SIV, a submitted *and accepted* DS-260 is required to become interview ready.

An applicant should only transfer their case to another Embassy if they intend to appear at that Embassy for the interview. It is <u>not</u> necessary to transfer a case to DOH (Doha) for a CARE relocation flight to Doha; in fact the applicant should not do this.

CARE's case management system is automatically updated when cases become interview ready (there is about a three-week lag), so there is no need to contact CARE when a case becomes interview ready, someone will reach out with next steps. For more information, see our guide.

NVC sent an email saying I MUST transfer my case to another Embassy. Is this true? What should I do?

No, this is not true, and the coalition team has flagged this for the CARE team who is working with NVC to update their standard email responses.



Is the immediate family member of an AMCIT/LPR who passed away still eligible to apply for an I-130 immigrant visa?

If the case is still with USCIS, meaning the initial petition has not yet been accepted, then USCIS will need to be contacted.

For accepted petitions that are in the visa application stage, if the beneficiary is a spouse, upon notification to the State Department of the petitioner's (AMCIT/LPR) death, the I-130 application will automatically convert to an I-360 self-petition and minor children will be included with that. If it is not a spouse, then the Department of State will need to request humanitarian consideration from USCIS; a US Embassy's assistance will likely be needed in this case. More information can be found here on Humanitarian Reinstatement.

Does the medical exam need to be done before the visa interview?

Generally yes. Applicants who elect to wait to do a medical exam should ask the consular officer during the interview when they are advised to pursue the exam. The exam is required for the Embassy to issue the visa.

My visa was approved, but only has a couple of days until expiration. Why? What do I do?

Medical exams expire after 6 months, so the visa can only be valid until that six month deadline. For example, if you got a medical exam on January 1, that expires on June 30. So, if your visa is issued on June 28, it would only have two days of validity.

There are three options:

1) Urgently contact IOM to assist with emergency assurance and flight booking. Their response time is typically at least two weeks, so this may not be successful.

2) Self-pay for flights to the US and "walk-in" to a Resettlement Agency upon arrival and request benefits.

3) Get a new medical exam and then get a new visa, then wait for assurance from IOM. We recommend you consult people in the Coalition for further information about these options.

How can an Afghan apply for a fee waiver for the I-130 application using the online I-130 application rather than paper application?

As of now the waiver is only available to paper applications, not online ones.

The current visa bulletin shows that F2A (spouses/children of LPRs) are no longer "current." Will relocation of these cases continue?

If an applicant cannot be issued an IV because numbers are not available, then they can't be interview ready, so then they cannot be relocated.

If a child is a derivative on a parent's SIV case and marries, but is widowed before the SIV process is complete and before age 21, is the child still eligible as a derivative? What if the child had a child - is the grandchild eligible?

If the child of the SIV applicant is otherwise eligible (i.e., under 21) and widowed prior to the SIV application, then the child remains eligible. However, if that child had a child, the grandchild of the SIV Principal Applicant (PA) is not eligible because the PA-derivative relationship has to be direct, there is no way to extend derivative benefit to the grandchild.

If an LPR files an I-130 petition for child after s/he is widowed and the application is completed before age 21 or while the child is protected by CSPA, the grandchild is eligible because the child is the principal beneficiary.



SPECIAL IMMIGRATION VISAS (SIVs)

What does SIV-issued mean?

SIV-issued means that the person has completed all of their processing and only needs a physical visa "foil" put into his/her passport (or may already have a visa foil in his/her passport). The person has completed and passed all medical, security and administrative processes. The case shows "ISSUED" on the <u>CEAC website</u>.

Medical exams are only valid for 6 months; if more than 6 months has elapsed since the medical exam, the traveler likely needs a new medical exam before being issued a visa foil. This also applies to visas that have already been issued - visa foils will need to be reprinted if the traveler has not entered the US before the visa foil expired, which is typically 6 months after the medical exam completion date.

What does "READY" on the CEAC site mean? Does that mean ready to travel?

READY on the CEAC website means that an applicant is interview-ready.

What does "REFUSED" on the CEAC site mean?

A visa application **always** goes into REFUSED status following the completion of a visa interview, pending completion of security vetting and medical exam completion. **This is a normal part of processing** and is referred to as "administrative processing." The visa application may be finally refused if the consular officer finds that the applicant did not establish eligibility for a visa, in which case the applicant will receive a Visa Refusal Worksheet by email. It is not possible to determine whether the "Refused" status referred to on CEAC is temporary (pending completion of administrative processing) or final (actual visa refusal based on ineligibility) without asking the embassy/consulate or NVC.

Can a REFUSED case be overturned?

Yes. If an application was refused and the consular officer specifically told the applicant to provide documents or information, the applicant should provide a complete response as soon as possible. A consular officer will request additional information when they believe the information is relevant to establishing that an applicant is eligible for the visa sought. If the consular officer refuses a visa, but requests additional information, an applicant has one year from the date the visa was refused to submit the additional information. Otherwise, if an applicant does not provide the required additional information within one year, the applicant will have to reapply for the visa and pay another application fee (if applicable).

If an application is refused but the consular officer did **not** request additional information, the applicant may still challenge the visa refusal by requesting re-review of the decision by someone else at the embassy and provide any further information or documentation to address and overcome the negative decision. This should also be done within one year from receiving the visa refusal worksheet.

If an application was refused and a consular officer indicates administrative processing is required, processing times can vary based on individual circumstances. If an applicant's situation presents a unique hardship, the applicant should inform the consular section where the visa application was made.



If an application is refused because of a medical exam, more information on how to overcome that will be provided by the embassy or consulate; most frequently for Afghans this is the result of a suspected or positive TB test. There are <u>specific protocols</u> to follow to overcome a positive TB test, depending on the type of positive result. The instructions of the embassy should be followed.

Can a REFUSED case still manifest onto a DoS flight?

It depends on the nature of the refusal. There are some situations, such as the lack of a panel medical exam, that will not prevent a family from manifesting. In other cases, there are security or fraud concerns that require further review and would prevent manifesting until resolved. The Department of State will need to tell you whether or not a family can manifest if in REFUSED status.

An Afghan I am helping submitted an SIV (COM) application months ago but hasn't received a response from NVC. Why not?

As of December 2022, the National Visa Center ("NVC") has processed all pending emails from potential applicants. The National Visa Center is now up-to-date/current with all email correspondence and is responding to emails received in 10 business days or fewer. This <u>graphic</u> details the steps in an SIV application and processing. SIV applications may take <u>years</u> to adjudicate, and the Department of State estimates that an average case will take at least 13 months to complete. If you have not received a response from NVC at the COM application stage and it has been more than 10 business days since submitting the email, please re-send your email and ensure any attachments are less than 4MB in total.

An Afghan I am helping has an SIV case with COM approval and DS-260 submitted waiting at the National Visa Center (NVC) and I've requested that it be transferred to an embassy; why am I not hearing back?

If the case is still pending COM approval, it is too early to request a case transfer. Only cases that have an embassy-issued case # (e.g., KBL) can be transferred to another embassy. Once the case has an embassy-issued case number, you can request a case transfer to another embassy <u>here</u>. Cases are still being issued KBL numbers despite there being no embassy in Kabul.

If an SIV applicant was asked to obtain a visa and travel to a 3rd country for an interview but can't obtain that visa or find the means to travel there, do they get a "missed interview" and application will therefore be rejected?

An SIV applicant who misses an interview is not penalized for missing the interview. If s/he knows in advance, s/he should contact the Embassy in advance and ask for it to be rescheduled. If the applicant has already missed the interview, s/he should write to the Consular section at the Embassy and explain why the appointment was missed. If the applicant needs to transfer his/her case to another Embassy, that can be done here.

Why has the Afghan I am helping received notice that his/her case has been transferred to an embassy in a third country when they did not apply for that transfer?

With the exception of Doha, everytime this has been investigated, it is actually that the applicant or someone on their behalf requested a case transfer a long time ago and either forgot or assumed it wasn't a valid request because of the amount of time that had passed. Cases are not being transferred by State unless it is at someone's request.



The exception to this is a transfer to Doha (DOH). If an SIV family in Kabul recently had a baby and reached out to CARE/Consular Affairs to add the baby to their case, the case will be transferred to DOH because the CA team there is the team processing the addition of the baby and must transfer the case to DOH in order to do that; there is **no need to be concerned about this** - the family is still eligible to be manifested on a flight from Kabul to Doha for processing at CAS.

In what timeframe is USCIS addressing COM (Chief of Mission) denials and appeals? Has the review of denials/appeals slowed at all?

USCIS does not review COM applications/denials/appeals, the ASIV unit at DoS does. The biggest factor to the speed with which this is done is the resubmission of required information that might enable overturn of the denial.

What is Project Rabbit and do I need to use it?

Project Rabbit seeks to assist Afghan SIV applicants who are unable to locate or contact former employers in order to obtain an employment verification letter and/or a letter of recommendation (LOR). Project Rabbit interfaces with participating Department of Defense (DoD) contractors to assist in matching contractor- provided human resources (HR) data and employment records with information included in SIV applications submitted to the Department of State. Project Rabbit only assists with employment verification for Afghan SIV applicants who worked for participating employers. If an applicant worked for a DoD contractor that is not currently participating in Project Rabbit, efforts will be made to contact the employer and invite them to participate. Employer participation in Project Rabbit is voluntary.

Currently, DoD is the only US Government Department/Agency participating in Project Rabbit and DoD primarily works with US and European employers. Afghan prime contractors should contact <u>KabulSIVVerifications@state.gov</u> if they are having trouble getting their employees verified through the normal COM approval process.

Afghan SIV applicants who were employed by DoD contractors should follow these instructions if they want to take advantage of Project Rabbit: <u>Go DOS Project Rabbit Instructions</u>. If you represent a company that had contracts with the DoD in Afghanistan, your company may be eligible to participate and should fill out <u>this form</u> to validate.

Is it a new requirement that the State Department receive an HR letter directly from the employer rather than from the applicant along with his/her DS-157 and other documents in the case?

In general, it is better for an applicant and the process if a letter comes directly from the employer, but it is not required and the State Department recognizes that this is not always possible. If the applicant cannot obtain an HR letter from the company, they can submit a statement of unavailability with the rest of the COM application and ask that COM try to contact the employer to verify employment or to verify their employment through Project Rabbit (if applicable).



SIV applications require an HR Letter from an employer and a Letter of Recommendation (LOR) from a supervisor who worked with the applicant at that employer. Must these two documents be separate or could one document serve as both if the person authoring the letter held both an HR and supervisory role for the applicant?

NVC will accept a single document as both the HR Letter and LOR as long as it meets the requirements for both. Many times these single letters are rejected because they are missing a required piece of information. The LOR tends to be the more problematic of the two documents.

What steps should SIV applicants with children born in third countries follow to ensure they will be eligible to be considered as part of their parents' cases and eligible to travel with their parents when no Afghan tazkera or passport can be obtained?

NVC accepts statements of unavailability of these documents and for children born in a third country the applicant should look at the State Department's <u>document reciprocity schedule</u>.

What is the minimum age to be a primary applicant for an SIV?

There is no specific age requirement, though under 18 might incur extra scrutiny and derivatives will not be included for SIV applicants under 18. It is generally not an issue that applicants were working prior to age 18; the employer still needs to verify employment. All requirements still apply.

Are interns eligible to apply for SIV?

Paid interns who meet length of service requirement (one year) are eligible to be primary SIV applicants.

If an SIV primary applicant dies before the visa is issued, can a spouse "pick up" the case? What about a child?

Yes, detailed information is available <u>here</u> in section E, Derivative Beneficiaries. In summary, prior to July 20, 2022 a spouse or child of the principal applicant could only continue the application if the principal applicant had submitted a COM application before dying. After July 20, 2022, spouses and children became able to file a COM application as long as the relationship (spouse/child) existed prior to the principal applicant's death.

How do I add a baby to my SIV case?

<u>If your case is still at NVC</u>: Email a scan of the baby's birth certificate to the National Visa Center (NVC) at NVCSIV@state.gov. Once NVC has added the child to the case, you will be able to submit a DS-260 visa application for the child through the Consular Electronic Application Center (CEAC) at ceac.state.gov/IV.

<u>If your case has a KBL/ISL number</u>: send the birth certificate and passport (if available) for the baby to the CARE Contact Center at CARETravelData@State.gov with the KBL/ISL number and "add a baby" in the subject line of the email (e.g., KBL2022xxxxxxx - Add a Baby").



If an SIV applicant has been denied COM approval for derogatory information based on alleged fraud associated with their documents, are they prohibited from submitting an appeal with new documents, a new case, or a US contact petition for a P1/P2 case? Will the derogatory information flag stay associated with the case?

Applicants are always able to appeal a denial or start a new COM application. NVC should not refuse to send an application to COM based on previous case information, including refusals, but the record for the person still exists and is available to ASIV and will be considered during COM approval.

If the new application is related to the same fraudulent documents or qualifications, applicants will probably get the same result unless different documents that overcome the fraud finding are submitted. If the application is based on different employment or documentation than the one that was found to be fraudulent, the fraud finding related to the other employment or documentation will still need to be addressed/overcome.

If a COM application is denied on the basis of fraud by ASIV, this does not trigger ineligibility under INA.

If refusal for fraud was at interview stage by the Consular Officer then the following is true:

- Triggers ineligibility under INA A6c1 more serious
- Typically if there is suspicion of fraud at time of interview, the applicant is given an opportunity to withdraw; if they elect not to, then initial indication notice is given at time of interview. Fraud finding needs to be confirmed at the supervisory level and if confirmed, formal finding letter is issued to the applicant.
- The fraud is on the person's record and persists based on name check. A waiver can sometimes be granted, e.g., for some immediate relative IV applicants

P1/P2: fraud denial does appear on their subsequent USRAP file – in fact we are aware of a recent case in this exact situation and the person was found ineligible for USRAP. Could impact eligibility for visas in other categories also if fraud is found.

FAMILY REUNIFICATION

If a family was separated during the military evacuation in August, what should the parolee in the US file to help get his or her spouse and/or children in the pipeline?

Visit <u>https://www.state.gov/afghanistan-family-reunification/</u> for the latest information on family reunification. There is detailed information that applies to each type of status for someone in the US and how to apply for family reunification.

<u>Visit #AfghanEvac's Family Reunification FAQ</u> for more specific information on Form DS-4317 for Parolee family reunification.

What if a principal USRAP applicant is in a third country and the family is still in Afghanistan; can case processing begin for this family?

While case processing can begin given that the principal applicant is outside of Afghanistan, there is no guarantee that the family will be able to join the principal at a later date. It is better for the family to be located together and process together.



EHC (Emirates Humanitarian City)

Afghans at EHC received a wristband of a certain color, what does it mean?

Nothing. Wristbands do not mean anything about an individual's immigration status or relocation. Wristbands may have been distributed in past months as part of initial population screening, but that was not done by the US Government and they are not indicative of someone's case status with the US Government.

Are siblings of AMCITs in EHC eligible for relocation to the US?

No, they are not eligible for relocation and/or entry. They will need to find another country to relocate to; when their I-130 case becomes current, they can complete immigration processing at the embassy in the country to which they relocate. Consult the latest <u>State Department Visa</u> <u>Bulletin</u> for more information on when a case may become current; for example F4 (siblings of AMCITs) visa petitions that were submitted in <u>March 2007</u> are currently being reviewed.

PAKISTAN

How do I contact the Islamabad Embassy?

IV: islamabadivinquiry@state.gov / SIV: islamabadafghansiv@state.gov

You should only contact them if the case is <u>interview ready</u> and has an ISL number, meaning the case was transferred from KBL to ISL.

What do I do if I or someone I know is being arrested, detained, deported, or impacted by Pakistan's deportation policy?

We are aware of reports of increased checks on Afghans, so we advise that Afghans in Pakistan keep documents in their possession in case they are stopped. Keep both digital and physical copies, and keep the physical copies in a separate location than the original documents.

State Department has established a hotline for Afghans in these circumstances to call. The number to call is +1 757-916-4100 or you can text through WhatsApp at +1 956-291-4571. Days/Hours: Monday-Saturday 11:00pm - 3:00pm ET (next day) Monday - Saturday 8:00am - 12:00am ISL (next day).

- Those Afghans who are in Pakistan under CARE support should immediately contact the CARE team in Islamabad at IslamabadTaskforceASIV@state.gov or the hotline if they are detained.
- To report an incident that has already occurred, please visit <u>https://afghanevac.org/reporting</u>
- Individuals who are in Pakistan who are detained, whether under CARE Support or not, should adhere to the instructions of Pakistani law enforcement.
- Afghans who are impacted by this deportation policy should be aware that their physical location will not impact their case status with CARE. If individuals in the U.S. immigration pipeline, in either the SIV or USRAP process, are forced to return to Afghanistan, their case will remain active with CARE. If their location does change, update <u>CARETravelData@state.gov</u> with their new location as soon as possible.



- For people pursuing P1/P2, they should ALSO contact IOM at PIC@iom.int regarding their new location (contact both CARE and IOM).
- Individuals who face imminent protection threats or have concerns about their safety can contact UNHCR's protection helpline. Contact details and operating hours are available at https://help.unhcr.org/pakistan/contact/.
 - Those who hold Proof of Registration (PoR) cards, Afghan Citizenship Cards (ACC), and those who registered with UNHCR as seeking asylum in Pakistan prior to February 2022 may find more immediate support from UNHCR. However, this should not deter others with concerns from contacting UNHCR to seek recourse.

Should I keep my original immigration / identity documents on me at all times?

You should keep paper copies of all of your documents (visa, passport, etc) on your person at all times and digital copies on your phone or in a cloud based drive accessible by your phone. You should keep your original documents somewhere separate from the copies and not on your person.

Do I need to pay for my medical exam in Islamabad?

Yes, applicants need to self-pay for their IV medical exams in Islamabad and everywhere else in the world (except CAS). More information on the medical exam is available on the <u>US Embassy in</u> <u>Islamabad's website</u>. The cost is 37,000 Pakistani Rupees for adults and 57,000 Rupees for children under age 16; it is more expensive for children because typically children need more vaccines. If proof of vaccination cannot be provided or authenticated, re-vaccination may be necessary.

Will the US government pay for my accommodations, food, etc. while my visa is being processed in Pakistan?

No, the U.S. Government will not support you in Pakistan (or anywhere) while waiting for your visa to be processed, unless you were relocated by the U.S. government (via CARE, for example). If you relocated on your own, or through the help of an organization but not at the behest of the U.S. government, you'll need to be able to support yourself and should expect that it may take many months to complete visa processing.

How do I contact IOM for "assurance" and a flight to the United States? How long does it typically take them to respond?

SIVs with valid SIVs on their passports who are ready to fly to the US for resettlement should email SIV_OPE@iom.int. In this email, they should send copies of all their SI visas (SQ designation), their signed refugee benefits form, and their completed DS-234. If they plan to join friends or family, they need to indicate them on the last page of the DS-234. Make sure that names, addresses and phone numbers are correct, as this information is used directly by resettlement agencies to contact US ties. Note that there are many restrictions on resettlement cities due to high cost of housing and limited resettlement agency capacity in those areas, so be prepared to have back-up options in case they cannot go to their first choice of city. If they do not have any friends or family in the US, they can leave this section of DS-234 blank and they will be randomly assigned a city in the US that has capacity to take them.

Once this is completed, IOM will work with resettlement agencies in the US to confirm an "assurance" for the family. Once the case is "assured" to an agency, IOM will then book a flight



for the family to that resettlement city. This process can take different times depending upon time of year, size of the family, medical needs of the family, etc. so patience is encouraged.

I am in Pakistan and facing deportation, detention or other action by the Pakistani government as a result of the October 2023 announcements. Can the USG give me a letter showing that I'm in a pathway for immigration to the United States?

If you are in a pathway for immigration to the United States and have informed the US Government that you are in Pakistan, you should have received a letter. If you did not, complete <u>this form</u> and we will share your information with the appropriate US Government team. This letter does not guarantee that the Pakistani government and/or landlords will not take action against you, but it has helped in some cases. <u>https://afghanevac.org/missing-letter</u>

<u>USRAP</u>

Many organizations made referrals for P1/2 but never heard anything back. What should they do? First, <u>visit #AfghanEvac's P1/P2 information document</u> to confirm that you/your organization was in fact eligible to submit a referral. Most frequently, the reason someone has not heard back about a referral is that they or their organization is ineligible to submit a referral. *Companies* that are trying to submit P2 referrals need to have the US Government agency who paid for/oversaw the contract submit the referral; the company cannot submit directly.

If you are a US government employee who has submitted a P1 or P2 referral and not received a response, you should reach out to your designated USRAP US agency/department contact. If you are a U.S.-based media/NGO organization that has submitted a P2 referral, you should have a direct PRM/USRAP contact to follow up with.

If you have reviewed the answer above, and the information on the linked sheet, and you are *sure* that you are eligible and unable to be in touch with any of your designated contacts, please <u>submit an inquiry to AfghanEvac</u> and we will help you.

Afghan USRAP referees all over the world who have been interviewed by USCIS have begun receiving notices informing them that processing on their cases has been "deferred." What does this mean? A deferral notice is standard practice in the USRAP means that more research is being done on the case; it is not a notice of rejection.

For P1 referrals, why is OSD not accepting recommendations from contractors for the Department of Defense during their time in Afghanistan, but requiring that they were DoD civilians or in uniform? This has always been the policy and no change has occurred. A former contractor can bring an Afghan to DoD attention, but will need a DoD direct hire willing to recommend them for P1 If DoD can verify the employment with the contractor, then they can refer based on that for P2, rather than P1. There is no public facing information regarding P1 referrals, or the criteria for it, because it's for United States Government referrals, not for public knowledge. Visit #AfghanEvac's P1/P2 information document for more information.



What recourse does someone have if a referrer for P1/P2 passes away prior to receipt of an ARR number?

If the referral has already been made, the evaluation process continues. If the contact who would be the referrer passed away prior to making the referral, then the Afghan needs to find someone else to make the referral.

If a referral is already in place and the family members were put on the case prior to the death, and the PA (principal applicant) passes away, then the family members can continue with the case.

Does a title of "intern" affect someone's eligibility for USRAP (P1/P2 referral) if they otherwise meet the criteria?

An intern is not eligible for P2 because of the nature of their employment relationship, but may be eligible for P1. The eligibility requirements are that they must be part of the organizational staff, receive benefits and subject to the same rules all other employees were.

If a person who received an ARR number and Google Form from USRAP indicated they are in one country and then they relocate, can they update their location and if so how?

Resettlement Support Centers (RSC) are regional, so many countries are covered by the same RSC. If they are already in touch with the RSC in their region and have moved to another country within the same RSC, they should let the RSC in their region know their new location, or the new country they are going to outside the current region. If they went to a country in a new region, they should be in touch with the new RSC in the location where they arrive to let them know they are now in that region/country. If they are not already in touch with the RSC, they should submit a new response to the initial Google Form received.

Will returning to Afghanistan (from Pakistan while awaiting the RSC opening) invalidate a USRAP case?

Returning does not automatically invalidate a case, but there are two complex issues associated with this. If the applicant returns voluntarily, it could raise questions about the validity of the person's persecution claim, a requirement under USRAP. Also, those with an existing case who returned to AFG are generally not eligible for CARE relocation assistance.

Who is eligible for P3?

The person in the US needs to be either a refugee or asylee who entered the US within last 5 years. The family member for whom the person in the US is applying must be the spouse of the refugee/asylee in the US, a minor child of the refugee/asylee in the US who is under 21 at the time application is filed, or the parents of the refugee/asylee in the US. The family members must be outside Afghanistan and registered as refugees to file the application. If the child turns 21 later, that is okay, but the child must have been under 21 at the time of the application being filed. Anyone who entered on parole status is not P3 eligible until they adjust status to refugee/asylee.

<u>OTHER</u>

How can I provide feedback on the CARE Contact Center?

Complete the form available <u>here</u>. The results are submitted weekly to the CARE team. This form is only meant to be used for feedback related to the call center, all other feedback will be discarded and no action will be taken.



An American Citizen has identified themselves as in need of relocation assistance from Afghanistan, can they receive support?

Yes. Americans in Afghanistan should request assistance via the State Department's Afghanistan Consular Services: <u>AfghanistanACS@state.gov</u>.

Can Afghans be relocated with their grandchild/niece/nephew/grandma/grandpa/sibling, etc.?

No. The State Department can only relocate immediate family members, defined as the first spouse and unmarried children under 21; for AMCITs, it also includes biological parents.

Should I send those I'm helping to Pakistan/Turkey/another "third-country" to complete visa processing?

Generally, no. Case managers should not be making this kind of decision for someone in Afghanistan. These are serious, complex decisions that individuals/families must make for themselves. There are no guarantees in immigration, so they will need to be prepared to support themselves for an undetermined amount of time and if their case is not resolved positively, have a plan to stay in that third country or return to Afghanistan. Anyone deciding to pursue case completion in another country should be prepared to remain in that country legally for the duration of their immigration process, which is likely many months or longer, depending on stage of processing.

How are LPR spouses with approved I-130 cases processed at CAS?

If the spouse is interview ready, s/he will be processed as an immigrant visa case at CAS; if not, s/he will be processed as a refugee. CARE is prioritizing family members with interview-ready IV cases to decrease load on refugee processing at CAS and to process people in the best pathway possible.

Are Diversity Visa applicants eligible for relocation flights from Afghanistan?

No, diversity visa (DV) applicants are not eligible for relocation flights. They need to transfer their cases to another embassy and complete processing there. Diversity visas must be issued by September 30 in the year that they are awarded, meaning - for example - 2022 DVs must be issued by September 30, 2022. Prior year DVs (e.g., 2020, 2021) who did not finish processing are no longer eligible. There is litigation underway related to COVID-embassy closures/staffing shortages that reduced capacity to process these DVs, but as of now prior year DVs cannot be helped or processed.

What should I recommend to Afghans who are not currently eligible for relocation?

You should recommend that they stay safe and secure. Do not provide legal advice or recommend they do anything that might put them in harm's way. Do not lie to them or string them along.

What does an Afghan LPR who has been outside the US in excess of 12 months need to do to return to the US?

This can be resolved either by getting an SB-1 appointment at an Embassy or at the point of entry point of entry or via an electronic process. An LPR doesn't lose LPR status until s/he voluntarily surrenders or someone adjudicates the case. When the person presents to a CBP officer at port of entry, the officer has discretion to allow him/her in or turn him/her around. If



the LPR does not want to risk being turned away at the port of entry, then s/he can apply for SB-1 in advance and get a pre-determination; typically these have been viewed fairly permissively in the case of Afghans recently given that travel from Afghanistan is difficult. However, if someone was an LPR in the US for a couple of years and then went back and took up residence in Afghanistan again prior to the NEO in August 2021, it will be more difficult to establish that they didn't return because of conditions outside their control.

RESETTLEMENT

An Afghan I am helping is unhappy with where they are being resettled in the US. Can they request to be assigned somewhere else?

If they have a pre-existing connection to a specific area or community, typically limited to close familial ties, they should inform their assigned resettlement agency as soon as possible so that the agency can facilitate resettlement near their family members. They cannot request to be assigned to a specific area for any other reason. Note that even if a close family is in another city, it is up to the resettlement agency's discretion on if they want to transfer a case for a family that has already arrived.

Assuming they are adults, they are free to move on their own, but if they decide to leave the initial resettlement city, without coordinating with their assigned resettlement agency, they may lose access to their resettlement benefits. They should not expect to receive services by "walking in" at another resettlement agency.

An Afghan I am helping is unhappy with their resettlement agency. What is the grievance procedure to ensure newly-arrived Afghans are provided appropriate resettlement services?

If an Afghan believes they are receiving poor resettlement services, they have a right to speak to a supervisor at their respective resettlement agencies. All resettlement agencies have in-house and national grievance procedures that ensure new arrivals are heard regarding any issues they see in their resettlement services.

If an agency is refusing to speak to an Afghan regarding their resettlement services, all agencies have national VOLAGs. They can also be contacted regarding grievances, here is a link to all VOLAGS: <u>FY 2023 Resettlement & Placement Agency Contact List.pdf (wrapsnet.org)</u>

Welcome Corps

The Welcome Corps is a new private sponsorship program that enables groups of private citizens to provide a warm welcome to refugees arriving through the U.S. Refugee Admissions Program (USRAP). The program is intended to expand domestic capacity to support resettled refugees and all refugees being served through the Welcome Corps will be subject to the same processing requirements as all other USRAP applicants. The program was launched in January 2023 and in the first phase of the program (now active), the State Department will match participating private sponsors to refugees whose cases are already in the USRAP pipeline and are approved for resettlement. Please find more information on how Welcome Corps currently applies to Afghans at #AfghanEvac & Evacuate Our Allies Welcome Corps document.

The first phase will start by matching private sponsors to approved refugee cases being processed out of sub-Saharan Africa and is not immediately able to match sponsors to approved



Afghan cases. However, as the first phase is rolled out, the program will eventually scale up so that sponsors will be matched with refugee cases from around the world. The second phase of the program, where private sponsors will be able to identify refugees to refer to the USRAP for consideration and support those specific refugees (subject to criteria set by the State Department), will launch in mid-2023. Further information on the program guidelines for the second phase is forthcoming. Visit the new <u>Welcome Corps website</u> for more information on the application process to form a private sponsor group.

Mailing in USCIS Forms or Applications

Please make sure to mark the outside of your USCIS Asylum packages "OAW" so they get processed appropriately. Not doing this can lead to significant delays.

If you are filing Form I-130 on behalf of your Afghan national relative whose country of birth in Part 4, Item 7, is not Afghanistan, please write "OAW" at the top of your Form I-130 to be considered for a fee exemption that is effective through Sept. 30, 2023. For those petitioners that wish to be considered for the fee exemption and whose Afghan national relative was not born in Afghanistan, you cannot submit your petition online. You must complete a <u>paper version</u> of Form I-130 (PDF, 674.56 KB) and follow the instructions for filing the Form I-130 by mail (paper). Learn more on the <u>USCIS page for Afghan Nationals</u>.



ABBREVIATIONS AND TERMINOLOGY

SIV	Special Immigrant Visa	Afghan Special Immigrant Visa program created in 2009 for Afghan allies who risked their lives serving with US troops or working with a US government agency
СОМ	Chief of Mission	First step in Afghan SIV application process
CARE	Coordinator for Afghan Relocation Efforts	Ambassador Beth Jones's team within the Department of State, the directive tasked with facilitating ongoing evacuation from Afghanistan
NEO	Noncombatant Evacuation Operations	US military evacuation out of Kabul Aug 15 - Aug 31 2021
CAS	Camp Al Sayliyah	US "lily pad" base in Doha, Qatar, destination of State-organized relocation flights from Afghanistan
EHC	Emirates Humanitarian City	Refugee camp outside of Abu Dhabi, UAE housing approx 10k Afghans of mixed status
AAA	Afghan Adjustment Act	Proposed legislation that would allow Afghans paroled into the US during the NEO to apply for permanent resident (green card) status
OAW	Operation Allies Welcome	DHS-led initiative to process and support Afghans resettled in the US since the fall of Kabul
IOM	International Organization for Migration	UN agency that coordinates travel to the US for Afghans granted SIVs or refugee status
NCC	National Conference Center	Facility in Louden County, Virginia that the federal government has contracted to temporarily house incoming Afghans who are being resettled through the OAW pipeline
TRIG	Terrorism-Related Inadmissibility Grounds	Section of immigration law that states any individual who is a member of a "terrorist organization" or who has engaged or engages in terrorism-related activity is not eligible to enter the US
CONUS	Contiguous United States	self-explanatory
OCONUS	Outside the Contiguous United States	self-explanatory
USG	United States Government	self-explanatory

Disclaimer: #AfghanEvac is a coalition of private, non-profit, government, and all-volunteer organizations focused on deconflicting communications, effort, and systemic issues across the full enterprise of efforts focused on helping Afghans evacuate and resettle safely, swiftly, and within the bounds of the law. We do not directly provide services to or relocate individuals and assume no liability for any of the services or data provided by our coalition members. #AfghanEvac provides certain services for the benefit and convenience of its coalition members, and in some cases the public. These services are provided on an "AS IS" basis WITHOUT ANY WARRANTIES OF ANY KIND, WHETHER EXPRESS OR IMPLIED, INCLUDING THAT THE SERVICES WILL BE UNINTERRUPTED, SECURE, OR ERROR-FREE.

