Practice Pointer: Assistance for Afghan IV Holders and Certain Pending IV Applicants

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Emergency Roundtable: Resources for Assisting Afghans
August 17 at 5:00 pm (ET)

By AILA’s Department of State Liaison Committee

The State Department is exploring options for Afghani Immigrant Visa (IV) holders, certain IV applicants awaiting an interview but who are otherwise documentarily complete, and SIV Afghani applicants. The situation is changing rapidly which may affect how up to date this information is. AILA will continue to monitor the situation and provide updates.

Repatriation Efforts for those with Approved IV or those Awaiting IV interview

The U.S. Embassy in Kabul has created a form to solicit information from IV holders and certain pending IV applicants. The purpose of the form is to gather names of those who need immigrant visa appointments and those who wish to utilize any repatriation options, including assistance with repatriation flights. The State Department advises not to cancel booked commercial flights as they cannot guarantee charter flights will be available.

Your client may fill out this Repatriation Assistance Request form if:

He or she is an IV holder or pending IV applicant;
Has an approved petition; and
Has submitted all required documents to the National Visa Center or has been interviewed and the case is pending at Embassy Kabul.

This will allow U.S. Embassy officials to contact your client for further processing and register their interest in any option that might be identified for relocating to the United States.

Practice Tip: The State Department advises to fill in the visa number, or NVC or KBL case number for Question 7. For Questions 8 and 9, the DOS liaison committee advises to fill in the date of the national’s passport issuance and expiration dates.
DOS has stated that only IV holders and pending IV applicants that meet the specifications will be contacted. **This form must be submitted to communicate interest in flight options. Your client will be contacted if flight arrangements can be made. Please note travel costs will be incurred.**

DOS has issued the following explanation of repatriation eligibility requirements:

1. **Afghan IV Holders:** If you are an Afghan National with a valid Immigrant Visa you may be eligible. If your family members do not have U.S. citizenship, LPR status, a valid U.S. visa, or pending IV application (see point 2) they are not eligible to travel with you, do not include their information in your relocation request form.

2. **Certain Pending Afghan IV Applicants:** If you are an Afghan National with an approved petition and have submitted all required documents to the National Visa Center or you have been interviewed and your case is pending at Embassy Kabul, you may be eligible. IV applicants should provide their NVC case number with the request and must have a valid passport for travel. IV applicants can only be considered if they have an approved USCIS petition and have submitted all required documents to the National Visa Center and are documentarily complete or have been interviewed and are pending further action at Embassy Kabul. If your family members do not have U.S. citizenship, LPR status, a valid U.S. visa, or pending IV application that meets these requirements they are not eligible to travel with you, do not include their information in your relocation request form.

3. **Documents:** All passengers should have valid travel documents required for entry into the United States (e.g., valid passports or visas). Please bring any civil documents that may be relevant for your IV.

**Please note:** The form is unsecure and there may be data privacy risks with completing the form that clients should consider, especially if completing the form from Afghanistan.

**Afghans Without Approved Immigrant Petitions**

The DOS Liaison Committee understands that the State Department is considering arrangements for SIV and IV interviews at other embassies for cases that have not yet been interviewed or no visa has been issued, as these cases are high priority, [https://travel.state.gov/content/travel/en/News/visas-news/immigrant-visa-prioritization.html](https://travel.state.gov/content/travel/en/News/visas-news/immigrant-visa-prioritization.html). AILA will provide additional information as we obtain it. In the meantime, for pending Immigrant Visa petitions at USCIS or for those planned to be filed in the near future, it is best to choose the embassy to which your client has the strongest chance of traveling.

For those with Approved Special Immigrant Visa, email NVCSIV@state.gov or call 1-603-334-0828. For those with/without approved petitions, email congressional office so we can try and push for an urgent evac. [RepKimEvac@mail.house.gov](mailto:RepKimEvac@mail.house.gov)

**Humanitarian Parole**

Due to the dangerous conditions in Afghanistan, and the incredibly limited State Department resources available, other possible options should be pursued, including Humanitarian Parole. Humanitarian Parole can be requested by someone outside of the United States who is seeking temporary entrance to the U.S. for urgent humanitarian reasons.
Requesting Humanitarian Parole at a U.S. Embassy

If your Afghan client is able to reach a third country, an application for Humanitarian Parole can be made at the Embassy.

Afghan citizens are eligible for e-visas to Tajikistan, Uzbekistan, and Kyrgyzstan, and they may enter the following countries without a visa:

1. Antigua and Barbuda (e-Visa)
2. Benin (e-Visa)
3. Cape Verde (Visa on arrival - 3 months)
4. Comoros (Visa on arrival - 45 days)
5. Dominica (Visa free entry - 21 days)
6. Ethiopia (e-Visa - 90 days)
7. Maldives (Visa on arrival - 30 days)
8. Qatar (e-Visa)

Requesting Humanitarian Parole with USCIS

In some cases, urgent humanitarian reasons can form the basis of a request to be paroled into the U.S. For IV applicants based on sponsorship by a USC or LPR family member a request can be made to the Washington DC Humanitarian Parole office or a local USCIS Field Office. The limitation for these cases is that an applicant must find a way out of Afghanistan and arrange for transportation to the U.S.

Requesting Humanitarian Parole with CBP

Urgent humanitarian parole can be granted by CBP. The request must be made to a specific CBP Port of Entry. The limitation with this option again lies with the ability to exit Afghanistan, or if already out of Afghanistan, arranging for transportation to the USA. Considering Canada’s humanitarian efforts, it may be possible to gain entry to Canada, and then pursue entry to the USA.

Other Resources:

Congressional offices have been very active with assisting with humanitarian situations such as this. You may want to consider reaching out to your federal Senator or Representative for assistance. For example, certain Members of Congress have set up special email addresses:

   Representative Andy Kim (D-NJ) RepKimEvac@mail.house.gov or (202) 225-4765
   Senator Tom Cotton (501) 223-9081 or evac@cotton.senate.gov

For questions on how to receive Chief of Mission (COM) approval for the Afghan Special Immigrant Visa Program: AfghanSIVapplication@state.gov

For information on the P2 program for Afghan nationals, please visit:

2. The Refugee Processing Center via: https://www.wrapsnet.org
The **US Kabul Embassy email** is **KABULIV@state.gov**. However, it may not be an effective means of communication due to conditions on the ground and the Embassy staff having evacuated to Kabul Airport.

*Pathways for migration for Afghans seeking entry to the United States, United Kingdom, Canada, or EU*: This non-exhaustive document has been compiled by a non-AILA source, so AILA cannot vouch for the information contained within; however, it may be informative as you consider options for your client:

https://docs.google.com/document/u/0/d/1fOLFOxD6DWs2JrBb1hqf2EXMbCSimN1B
fbclid=IwAR0OU44XYogkJQ09OhCB1YYFG9GpHAbYRhV64OQvXSI6d6meyFdORQz2DZk

IRAP: https://support.iraplegalinfo.org/hc/en-us/sections/360008472712-U-S-Special-
Immigrant-Visas-SIVs-

https://refugeerights.org/news-resources/legal-resources-for-afghans

Lutheran Immigration and Refugee Services: https://www.lirs.org/emergency-evacuation-
afghan-allies-action-alert

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