

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

RASUL ROE, *et al.*,

Plaintiffs,

v.

ALEJANDRO N. MAYORKAS, *et al.*,

Defendants.

No. 22-cv-10808-ADB

**DECLARATION OF JOHN F. QUILL**

I, John Quill, hereby state as follows:

**Background**

1. I am an attorney licensed to practice law in the Commonwealth of Massachusetts, and have been practicing immigration law for 27 years. Since July 2019, I have worked as the Chair of the Immigration Section at the law firm of Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. (“Mintz”).
2. In August 2021, during the U.S. Military Evacuation in Afghanistan, Mintz began representing numerous Massachusetts-based clients who had relatives in Afghanistan who were at risk, and who appeared to qualify for Special Immigrant Visas, P2 Refugee Status, and or Humanitarian Parole.
3. At that time, U.S. Citizenship and Immigration Services (USCIS) posted on its website that Humanitarian Parole was an option for individuals who were at risk in Afghanistan. In addition, the Department of Homeland Security held a call on August 25, 2021 where government stakeholders from USCIS, CBP and the Department of State, with the stated purpose of soliciting feedback from attorneys on how to streamline the processing of applications for Afghanistan nationals. I participated in that call.
4. I also attended calls with the American Immigration Lawyers Association (AILA) and the International Refugee Assistance Project (IRAP) to discuss the options for relief for individuals in Afghanistan.
5. In August 2021, I worked with other AILA members to develop and schedule training programs for attorneys who wanted to represent clients *pro bono* to file Humanitarian Parole applications. Mintz provided guidance to approximately 15 other law firms in

Parole applications. Mintz provided guidance to approximately 15 other law firms in Boston, holding training sessions and providing mentors to law firms for the purposes of filing Humanitarian Parole applications.

6. Mintz worked with U.S. Senator Edward Markey's office to serve as a source of referrals for individuals who wanted to sponsor their relatives for Humanitarian Parole applications.
7. Mintz also assisted client companies who were active in the Afghanistan mission to file approximately 60 P2 Refugee applications for their employees.

### **Humanitarian Parole Application Filing and USCIS Processing**

8. Beginning in September 2021, Mintz filed a total of 118 Humanitarian Parole applications for individuals in Afghanistan who had relatives in Massachusetts willing to sponsor them.
9. On October 7, 2021, AILA posted an update following Stakeholder engagements with DHS Operation Allies Welcome leadership. Included in the announcement was the statement, "Given the unprecedented volume of applications, USCIS is trying to determine how to ensure efficient processing, in light of other priority adjudications."
10. From September 2021 until May 2022, none of Mintz clients' Humanitarian Parole applications were adjudicated. I spoke with numerous other immigration attorneys who were active in filing Humanitarian Parole applications, and from September 2021 until April 2022, none had received any adjudications for Humanitarian Parole applications for Afghanistan nationals. In my experience, Humanitarian Parole applications generally have taken approximately three months to process at USCIS.
11. In May 2022, USCIS began adjudicating Humanitarian Parole applications for Afghanistan nationals by denying such applications.
12. Between May 23, 2022 and September 8, 2022, USCIS issued 41 Parole Denial Notices among the 118 pending Humanitarian Parole applications for Mintz clients. I spoke with numerous other immigration attorneys who were active in filing Humanitarian Parole applications, and each of them received numerous denials and did not receive a single approval notice, nor a single Request for Evidence (RFE)<sup>1</sup>.
13. Among the 41 Parole Denial Notices, four (4) applications were denied for a valid reason. These four applicants had obtained alternative relief through Special Immigrant Visas, so the Humanitarian Parole benefit was no longer necessary.

---

<sup>1</sup> As discussed in our initial complaint, the USCIS Policy Manual generally requires adjudicators to issue an RFE or NOID whenever "additional evidence *could* demonstrate eligibility for an immigration benefit"—*i.e.*, if there is "a *possibility* the benefit requestor can overcome a finding of ineligibility for the benefit sought by submitting additional evidence."

14. For the other 37 denials for Mintz clients, USCIS used boilerplate language that was virtually identical in each Parole Denial Notice. There was no analysis of the merits of the application, and no discussion of the evidence that was submitted with any application.
15. Each Parole Denial Notice made a blanket statement, as follows:

“Barring other compelling factors and considering the totality of the circumstances, USCIS generally offers parole based primarily on protection needs only when USCIS finds that the beneficiary is at imminent risk of serious targeted or individualized harm in the country where the beneficiary is located or is at risk of imminent return to a country where the beneficiary would be seriously harmed.”
16. Even a cursory review of many of Mintz clients’ applications would have shown ample evidence that the applicants were indeed at imminent risk of “serious targeted or individualized harm.” Given the strength of the evidence in these cases, it did not appear that USCIS could have carefully reviewed each case on the merits.
17. The one difference between the 37 Parole Denial Notices related to whether the applicant was located in Afghanistan, or had relocated to another country. For individuals who were still in Afghanistan, the Parole Denial Notice included one additional sentence, which read, “Persons in Afghanistan who believe they are in need of protection may contact <https://awaazaf.org> or call the Awaaz humanitarian helpline directly (410).”
18. Based on this pattern of denial by USCIS at that time, for Mintz clients’ cases as well as others, and my knowledge of Humanitarian Parole applications I have filed in the past as an experienced practitioner, I could only draw one conclusion - that USCIS had made a decision to deny virtually all pending Humanitarian Parole applications for Afghanistan nationals through at least September 2022.
19. For the 37 Humanitarian Parole applications that were denied based on USCIS’ revised standards, Mintz has filed Form I-290B Motions to Reconsider with USCIS. All 37 Motions were timely filed, and all remain pending.
20. Among the remaining 77 Humanitarian Parole applications for Mintz clients, three were approved on August 28, 2023. The remaining 74 applications are still pending with USCIS without an initial adjudication.
21. During this lengthy time period where USCIS was either not adjudicating any applications, or was denying nearly 99% of adjudicated applications, one of our Mintz clients for whom we had filed a Humanitarian Parole application was murdered. The applicant filed a Form I-131 Humanitarian Parole application on November 1, 2021. On December 10, 2022, the applicant was murdered. The applicant had performed services for the United States in Afghanistan, and felt that he was a target of the Taliban. His family confirmed that he was poisoned, and they believe that members of the Taliban were responsible for his murder.

## **USCIS Actions with Afghanistan Humanitarian Parole Applications Differ Dramatically as Compared to other Parole Applicants**

22. The Defendants, in their August 2, 2023 Opposition to the Plaintiff's Discovery Motion stated that it has always been USCIS policy to deny Humanitarian Parole applications when the applicant is located in a country where the Embassy is closed. This statement is incorrect. USCIS has a history adjudicating applications for which the applicant is located in a country without an active U.S. Embassy. For example:

### **23. April 21, 2022: Uniting for Ukraine Humanitarian Parole process**

The Biden Administration and DHS created a streamlined Humanitarian Parole application process, under which (1) applicants were not required to file a Form I-131 Application for Humanitarian Parole; (2) USCIS did not require a filing fee; (3) a U.S.-based sponsor could file the Form I-134 Affidavit of Support online; and (4) following approval, USCIS provided electronic travel authorization. This streamlined process provided Ukrainian nationals permission to travel to the U.S. based on Humanitarian Parole, despite the lack of an active U.S. Embassy in Ukraine.

<https://www.dhs.gov/ukraine>

24. Within four weeks, USCIS and U.S. Customs and Border Protection (CBP) had approved over 14,000 travel authorizations to allow Ukrainian nationals to enter the U.S. as Parolees. USCIS provided the following statistics to AILA in May 18, 2022 Stakeholder Engagement meeting:

- To date, USCIS has received 29,000 I-134 applications from sponsors.
- USCIS has reviewed 25,000 of these applications.
- USCIS has issued more than 24,000 notices of confirmation of supporter eligibility.
- CBP has issued 14,000 travel authorizations.

Notes from that meeting are attached hereto as **Exhibit 2**.

### **25. August 23, 2021: Humanitarian Parole during Afghanistan evacuation.**

On August 23, 2021, DHS Secretary Mayorkas announced that as a part of Operation Allies Refuge, the U.S. would evacuate certain Afghanistan nationals who would be paroled by CBP without USCIS or Department of State processing or approval. Afghanistan nationals were processed at Hamid Karzai airport in Kabul and transported to U.S. military bases, for further transport to the United States. Applicants did not have to file applications to USCIS, or attend an interview at a U.S. Embassy.

26. According to the Department of State, nearly 90,000 Afghanistan nationals were evacuated to the United States, a "majority of whom" were paroled into the U.S. <https://www.state.gov/afghan-arrivals-under-the-u-s-refugee-admissions-program/>

### **27. Sana'a, Yemen embassy closure, 2015**

The Department of State designated the U.S. Embassy in Djibouti for processing of travel documents for Yemeni citizens.

<https://ye.usembassy.gov/visas/>

<https://ye.usembassy.gov/category/security-and-emergency-messages/>

28. USCIS's statistics about humanitarian parole approvals by country from January 2020 to April 2022 (attached hereto as **Exhibit 3**) demonstrates the approval of humanitarian cases not only for 9 citizens of Yemen (Exhibit 2 at 1), but also for 3 individuals living in Yemen (Exhibit 2 at 10-11), despite the absence of a consulate in Yemen. Note that although the column on the chart beginning on page 10 is labeled "applicant citizenship," the header of the chart indicates that this chart is organized by country of residence, not citizenship.

29. **Damascus, Syria Embassy closure, 2012**

Following the closure of the U.S. Embassy in Damascus, Syria in 2012, the Department of State designated the U.S. Embassy in Amman, Jordan for immigrant visa processing for Syrian nationals. All pending immigrant visa appointments were transferred to the Embassy in Amman, and the Department of State created a dedicated email address to notify the Embassy in Amman so that applicants could provide flight details.

<https://jo.usembassy.gov/visas/nonimmigrant-visas/special-information-for-syrian-applicants/>

**Other Examples**

30. DHS has also recently enacted streamlined Humanitarian Parole processing for other nationalities. On January 7, 2023, the Biden Administration and DHS announced a new Humanitarian Parole Process for Cubans, Haitians, Nicaraguans, and Venezuelans. This streamlined process mirrored the prior Humanitarian Parole process for Ukrainians, in that under it, (1) applicants were not required to file a Form I-131 Application for Humanitarian Parole; (2) USCIS did not require a filing fee; (3) a U.S.-based sponsor could file the Form I-134 Affidavit of Support online; and following approval, USCIS would provide electronic travel authorization. This streamlined process provided applicants permission to travel to the U.S. based on Humanitarian Parole, without the need to visit a U.S. Embassy in person. In May 2023 USCIS announced that it would grant up to 30,000 travel authorizations under this program. <https://www.uscis.gov/CHNV>

**USCIS Adjudication Statistics Show a Sharp Drop in Grants**

31. I reviewed various sources of statistics regarding the adjudication of humanitarian parole inside and outside the record materials provided by the Defendants in this case.

32. The USCIS record materials provided in this case provide some statistics about adjudications of humanitarian parole applications filed on behalf of Afghan beneficiaries. For example, in an internal September 1, 2021 email, USCIS reported that in the first eight months of 2021, it had approved "100% of the Afghan cases requested by State (31 cases adjudicated) and 95% of the Afghan Forms I-131 (72 approvals and 4 denied)." USCIS-

*potential approval rate of 12%.*” USCIS-00000621. The conditional approvals reported in the latter document for the July 1, 2021 through February 2022 period appear to be the same as the 80 approvals reported by the former document as having occurred in August 2022. If that is the case, then, according to those documents, there were no approvals between September 2021 and February 2022. During that period, we know that USCIS first paused adjudications for two months and then adopted the November 2021 change in policy at issue in this case.

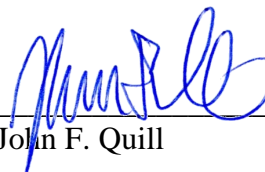
32. Beyond the record of this case, the International Refugee Assistance Project (IRAP) also received and published some statistics in response to a Freedom of Information Act request. According to these statistics, between January 1, 2020 and April 6, 2022, USCIS received 44,785 applications from Afghanistan citizens seeking safe passage to the United States. According to the International Refugee Assistance Project (IRAP), as of April 6, 2022, only 114 – far less than one percent – had been conditionally approved, and 94% remained unadjudicated. <https://refugeerights.org/news-resources/we-were-robbed-advocates-react-to-afghan-humanitarian-parole-foia-findings#:~:text=Mass%20Denials,%2C%20and%2094%25%20remained%20unadjudicated.>
33. Using data from this same FOIA request, the American Immigration Counsel (AIC) further reported that Between January 1, 2020 and April 6, 2022, 114 Afghanistan Parole applications were conditionally approved, and 2,246 were denied, **a denial rate of 95.16%**. The record data obtained in this cases suggests that the vast majority of the 114 approvals in this data set were issued in August 2021. <https://exchange.americanimmigrationcouncil.org/foia/uscis-failures-afghans-parole>
34. On August 19, 2022, the Center for Investigative Reporting published data on Humanitarian Parole adjudications for Afghanistan Nationals, through July 2022. The data shows that from May 1, 2022 through July 11, 2022, USCIS denied 4,795 Afghanistan HP applications, and approved 29, **a denial rate of 99.4%**. This data reflects USCIS adjudications of Form I-131 Humanitarian Parole applications, and is exclusive of other Humanitarian Parole adjudications through different means with DHS agencies. [The US Has Approved Only 123 Afghan Humanitarian Parole Applications in the Last Year - Reveal \(revealnews.org\)](#)  
The data reported in the above article is also available online. [Afghanistan Humanitarian Parole \(HP\) Data | Reveal from The Center for Investigative Reporting - Google Sheets](#)
35. Using the data published by the Center for Investigative Reporting, I and others at Mintz Levin conducted our own analysis.
  - The data set contains 8,036 cases that were no longer pending.
  - Of those, 270 are government requests and 7,766 are I-131 adjudications. Of the 270 government requests, 199 were approved, 6 were denied, 7 were withdrawn, and 58 were closed.

[Afghanistan Humanitarian Parole \(HP\) Data | Reveal from The Center for Investigative Reporting - Google Sheets](#)

37. Using the data published by the Center for Investigative Reporting, I and others at Mintz conducted our own analysis.

- The data set contains 8,036 cases that were no longer pending.
- Of those, 270 are government requests and 7,766 are I-131 adjudications. Of the 270 government requests, 199 were approved, 6 were denied, 7 were withdrawn, and 58 were closed.
- Of the 7,766 remaining I-131 applications, 93 were listed as withdrawn, terminated, closed for failure to pay, or simply “closed” without a reason provided.
- For purposes of our analysis, we eliminated from the data set the 270 government requests and the 93 cases closed as described above.
- Our data set thus included 7,673 applications, decided between the weeks of August 16, 2021 and July 11, 2022.
- Using that data set, we sorted the cases by “decision week” and tracked the approval and denial rates for specific time period relevant to this litigation. (The data also includes a “completion” week, but we noted that using the “completion” week skews the August 2021 data because a set of 17 cases, possibly the same as are referenced in the Declaration of Margaret Stock at ¶¶ 26-27, is listed as having been decided in August 2021 but completed in January 2022.)
- Based on the USCIS adjudication data, I provide a chart of adjudications for Afghanistan Form I-131 Humanitarian Parole applications by USCIS, during three relevant time periods: Prior to 9/6/2021; 9/6/21 to 11/7/21; and 11/8/21 to 7/11/22 (the most recent date of available data). I also subdivided the latter period into two periods, 11/8/21 to 4/24/22, and 4/25/22 to 7/11/2022.

<b>Time Frame (Week Of)</b>	<b>Total</b>	<b>Applications Approved</b>	<b>Applications Denied</b>	<b>Applications Administratively Closed<sup>2</sup></b>
<b>8/16/2021-9/5/2021</b>	45	42 (93.3%)	3 (6.7%)	0 (0%)
<b>9/6/2021-11/7/2021</b>	2	2 (100%)	0 (0%)	0 (0%)
<b>11/8/2021-7/11/2022</b>	7,626	79 (1.04%)	7,294 (95.6%)	253 (3.3%)
<i>11/8/2021-4/24/2022</i>	<i>2,673</i>	<i>48 (1.8%)</i>	<i>2,444 (94.4%)</i>	<i>181 (6.8%)</i>
<i>4/25/2022-7/11/2022</i>	<i>4,953</i>	<i>31 (0.6%)</i>	<i>4,850 (97.9%)</i>	<i>72 (1.5%)</i>
<b>Total</b>	<b>7,673</b>	<b>123 (1.6%)</b>	<b>7,297 (95.1%)</b>	<b>253 (3.3%)</b>

Dated: 9/29/2023

  
 \_\_\_\_\_  
 John F. Quill

<sup>2</sup> Cases that were “administratively closed” could theoretically be closed for other reasons, but as noted on Page 1 of Exhibit 3, USCIS used a separate closure for Afghan nationals in Afghanistan “who are determined to have an approvable basis for parole but for who need to get to a third country for continued processing.”



# Exhibit 1

## USCIS Response to Coronavirus (COVID-19)



U.S. Citizenship  
and Immigration  
Services

[Home](#) > [Humanitarian](#) > [Humanitarian Parole](#) > Information for Afghan Nationals on Parole Into the United States

# Information for Afghan Nationals on Parole Into the United States

## **Background:**

Individuals who are outside of the United States may request parole into the United States based on urgent humanitarian or significant public benefit reasons for a temporary period, on a case-by-case basis. If USCIS authorizes parole, we will specify its duration. While parole allows for lawful presence in the United States, the parolee technically remains an applicant for admission. Parole does not confer immigration status and does not provide a path to permanent residency or the ability to obtain lawful immigration status. However, a parolee may be able to obtain lawful status in the United States through other means.

The U.S. government is making every effort to assist individuals who have been granted parole into the United States. Due to quickly changing circumstances in the region and the closure of the U.S. Embassy in Kabul, beneficiaries may experience delays in processing their cases and may need to arrange travel to a U.S. embassy outside of Afghanistan to continue processing their parole request.

## **Eligibility:**

USCIS may exercise discretion to authorize parole on a case-by-case basis for individuals with urgent humanitarian or significant public benefit reasons to come to the United States for a temporary period. To avoid delays, all relevant supporting evidence to show that the beneficiary qualifies for parole and merits a favorable exercise of discretion must be submitted with the [Form I-131, Application for Travel Document](#). USCIS provides guidance on documentation to support parole requests on its webpage, [Guidance on Evidence for Certain Types of Humanitarian or Significant Public Benefit Parole Requests](#).

## **How to Apply:**

Anyone may request parole for themselves, or on behalf of another individual, by filing a [Form I-131, Application for Travel Document](#), along with a statement explaining the beneficiary's urgent humanitarian circumstances and including any relevant evidence supporting the parole request. It is essential that the beneficiary's best contact information (email address, phone number, and local address) is included in the parole application, either on the Form I-131's applicable section or on a supplemental document, and that USCIS is notified of any changes to that contact information. If the beneficiary is able to make private arrangements to travel to a third country where there is a U.S. embassy or where consular services are

available, please notify USCIS immediately at [HumanitarianParole@uscis.dhs.gov](mailto:HumanitarianParole@uscis.dhs.gov).

The Form I-131 must include the applicable filing fee or fee waiver request using [Form I-912, Request for Fee Waiver](#). See the USCIS webpage on [Additional Information on Filing a Fee Waiver](#). Each family member must file a separate Form I-131 with required fees or Form I-912 and supporting documentation. Write “Afghanistan Humanitarian Parole” on the mailing envelope. For expedited processing, write the word EXPEDITE in the top right corner of the application in black ink. Detailed instructions for filing for humanitarian parole can be found on the [USCIS webpage on Humanitarian or Significant Public Benefit Parole for Individuals Outside the United States](#).

Humanitarian parole beneficiaries usually must have a valid and unexpired passport. If the beneficiary does not have a valid Afghan passport, include a copy of available identification documentation and an explanation of why they do not have an Afghan passport when filing the Form I-131. The parole beneficiary should present available identity documentation to the U.S. embassy during consular processing (if outside of Afghanistan) or to U.S. government officials if asked to report to the airport in Kabul.

The sponsor must include a [Form I-134, Affidavit of Support](#), and supporting documentation with each parole request. USCIS requires evidence of a sponsor who agrees to provide financial support to the parolee while in the United States. There may be multiple sponsors, the beneficiary may self-sponsor, and an organization may support the parolee by submitting a Form I-134. If an employee of an organization cannot complete the Form I-134, a letter from the organization committing to support the beneficiary may be included with the parole application.

Humanitarian parole applications must be submitted through the mail to the USCIS Dallas Lockbox:

For U.S. Postal Service (USPS) Deliveries:

USCIS

Attn: HP

P.O. Box 660865

Dallas, TX 75266-0865

For FedEx, UPS, and DHL:

USCIS

Attn: HP (Box 660865)

2501 S. State Hwy 121, Business

Suite 400

Lewisville, TX 75067-8003

### **Filing Tips:**

- Go to our [Form Filing Tips](#) webpage for information on how to help ensure we will accept your form.
- Applications that are not submitted to the appropriate filing address may experience processing delays.
- Be sure to complete all sections of the form. We will reject the form if these fields are missing:

#### Part 1 – Information About You

Family Name

Physical Address

Date of Birth

## Part 2 – Application Type

1.a. – 1.f.

Family Name (If 1.f. selected)

Physical Address (If 1.f. selected)

- If you submit [Form G-1145, E-Notification of Application/Petition Acceptance](#), you will receive an email or text message after we accept your application.

### **If Parole Is Authorized:**

If USCIS conditionally approves parole, we will send a conditional approval letter to the petitioner who filed the Form I-131 and any representative of record.

Currently, the U.S. Embassy in Kabul is closed and all normal consular services in Afghanistan have been suspended until further notice. The U.S. government will contact the beneficiary with further instructions and is working to assist individuals residing in Afghanistan to depart the country if USCIS has conditionally approved their application for humanitarian parole. Circumstances on the ground are changing rapidly. Parole beneficiaries may experience delays in processing their cases and may need to arrange travel to a U.S. embassy outside of Afghanistan to continue processing their parole request.

The beneficiary must complete a [Form DS-160, Application for a Nonimmigrant Visa](#), and include their best local contact information as soon as they are notified of their conditional approval. Instructions for completing the DS-160 are included in the conditional approval letter. If the beneficiary is outside of Afghanistan, they may also be asked to report to a U.S. embassy to verify their identity and provide biometrics for additional security screening. If no derogatory information is identified, a travel document will be issued so the beneficiary can travel to the United States.

### **After Arrival in the United States:**

Conditional approval of parole and the issuance of a travel document does not guarantee parole. A Customs and Border Protection (CBP) officer will inspect the parole beneficiary's travel documents upon arrival in the United States and issue an electronic Form I-94, Arrival/Departure Record, if parole is authorized. The Form I-94 provides proof of the beneficiary's entry as a parolee and the date by which the beneficiary must depart the United States. Parole ends on the date the parole period expires, when the beneficiary departs the United States, or when the beneficiary acquires an immigration status, whichever occurs first.

Parole is not a legal immigration status and does not provide a path to legal immigration status. The beneficiary must take additional steps to ensure they remain legally present in the United States after their authorized period of parole has ended. Failure to maintain lawful presence throughout the parolee's entire stay in the U.S. can have serious immigration consequences.

- Re-parole. The beneficiary may request re-parole (an additional parole period) by filing a new Form I-131, with requisite fees (or fee waiver request using Form I-912, Request for Fee Waiver), a new Form I-134, and updated supporting evidence to demonstrate the need for re-parole at least 90 days before the parole expiration date.
- Work Authorization. The parolee may request employment authorization under category (c)(11) after being paroled into the United States by filing [Form I-765, Application for Employment Authorization](#).

- Green Card. If the parolee is the beneficiary of an approved [Form I-130](#), the parolee may file [Form I-485](#), Application to Register Permanent Residence or Adjust Status, to apply to adjust their status and obtain a Green Card once their immigrant visa becomes available.
- Asylum. If the parolee believes they have suffered persecution or fears that they will suffer persecution due to their race, religion, nationality, membership in a particular social group, or political opinion, they may file [Form I-589](#), Application for Asylum and Withholding of Removal. Visit [uscis.gov/asylum](https://uscis.gov/asylum) for more information.

Last Reviewed/Updated: 08/26/2021

# **Exhibit 2**

**Notes from USCIS - AILA May 18,  
2022 Stakeholder Engagement  
meeting**

### **Key Takeaways from May 18, 2022 USCIS Engagement on Uniting For Ukraine**

On May 18, 2022, USCIS held a stakeholder engagement to provide updates on the [Uniting for Ukraine \(U4U\) program](#). AILA provides these key takeaways from that meeting. Representatives from USCIS Public Engagement, Office of Policy and Strategy, Field Operations, and Management Directorate shared the following information:

#### ***Program Overview:***

- Uniting for Ukraine is a multiagency effort.
  - USCIS is focused on adjudicating supporter eligibility, by reviewing the [Form I-134, Declaration of Financial Support](#), to determine if the supporter can provide the needed support for beneficiaries and their families.
  - After USCIS makes a determination on supporter eligibility, CBP will determine if the beneficiary should be authorized to travel, issue the travel authorization, and screen the beneficiary at the Port of Entry (POE) for admission.
  - Once an individual is paroled into the United States, they may apply for work authorization with USCIS.
    - USCIS has received requests to expedite EADs for U4U; however, they need to balance this with the needs of other EAD applicants.
- To date, USCIS has received 29,000 I-134 applications from sponsors.
  - USCIS has reviewed 25,000 of these applications.
  - USCIS has issued more than 24,000 notices of confirmation of supporter eligibility.
  - CBP has issued 14,000 travel authorizations.
- Adjudication Timeline
  - Most cases are moving pretty quickly.
  - Cases that are flagged for security reasons or other issues could move more slowly.
  - If no response after a few weeks, make an inquiry through Contact Center.
  - If non-confirmation for supporter eligibility has been issued, a supporter can reapply.
- Individuals who are paroled through the U4U program are afforded the same rights, benefits and responsibilities as other parolees.

#### ***Sponsor Eligibility***

- When reviewing eligibility of supporters, USCIS considers:
  - Results of security and background checks to confirm supporter identity and whether any security or red flags for trafficking are evident.
    - USCIS is partnering with human trafficking experts to ensure that they are reviewing for trafficking carefully.
  - Financial ability
    - USCIS does not look for a set amount of money, but rather will look at a sponsor's, group of sponsors, or organizations' resources in the totality of the circumstance to determine if the sponsor will have sufficient resources to support the beneficiaries.
    - Analysis is based on 100% poverty guidelines.



- For the duration of the parole, supporters may be responsible for providing, for example:
  - Safe housing;
  - Access to health care;
  - Basic necessities;
  - Transportation;
  - Assistance in completing paperwork, such as EADs/SSN.
- USCIS views community support, group of sponsors, or organization support favorably.
- Some reasons for non-confirmations of Sponsor eligibility include:
  - Sponsor failed to include financial documentation.
  - Typographical errors in application.
- Supporters are not required to be in a specific immigration status. USCIS will review whether the supporter is in a lawful status at the time of filing the I-134. Lawful status can include TPS or parole but will not include a period of authorized stay based on a pending application.

### ***Online Filing Issues***

- USCIS is aware that there have been some technology glitches in the first few weeks of the program and are working to fix them.
- Travel Authorization was not showing up in the online account. USCIS believes that this issue should have been corrected. Recommend that individuals who experienced this problem, log back in.
  - If there are still issues, contact the USCIS contact center by sending a secure message through account. Contact Center is prioritizing U4U.
    - When selecting from secure messaging options in account select drop down “a case already filed online”, then select the receipt number for Form I-134.
    - Travel authorization CANNOT be seen by the supporter. Supporters should ask the beneficiary to confirm that the authorization is in their account.
- Wrong dates on travel authorization. Stakeholders reported Dates of Birth or passport expiration dates being off by one day before or after. USCIS has spoken to CBP about the issue and CBP said it should not impact their decision. CBP will make the correction on their end at the POE.
- What is the best way to correct mistakes?
  - When beneficiary creates account, they should verify that their biometrics information provided by the sponsor is correct – some of the fields are correctable.
  - If see error after travel authorization, need to go through Contact Center.
  - Working on capability to provide correcting documentation through account, but not yet available.

### ***Continued Stakeholder Engagement***

- USCIS is preparing an online filing video process for the Form I-134 for supporter and beneficiary. Should be available soon.
- Information available in Ukrainian on [USCIS website](#).
- USCIS welcomes stakeholders to share recurring questions and concerns, to help other engagement through [public.engagement@uscis.dhs.gov](mailto:public.engagement@uscis.dhs.gov).

- Share information about possible scams through <https://www.uscis.gov/scams-fraud-and-misconduct/avoid-scams/common-scams> and share with public engagement email.
- Welcome stories about how the U4U program is working.

For more information on the Uniting for Ukraine program or Ukraine TPS, join the conversation on the [AILA Message Center Forum on the Ukraine Crisis](#).

# Exhibit 3

Humanitarian parole applications filed between January 1, 2020 and April 6, 2022, broken down by country of citizenship and case state (received, conditionally approved, issued requests for evidence, denied).

USCIS is unable to accurately report which cases are initial requests for parole for someone outside the U.S. vs. requests for re-parole for someone inside the U.S. The approval rate for re-parole generally higher than the approval rate for initial parole.

For Afghan nationals, "closed" cases includes cases for Afghan beneficiaries in Afghanistan who are determined to have an approvable basis for parole but for who need to get to a third country for continued processing.

Applicant Citizenship	Pending	Conditionally Approved	Denied	Closed	Grand Total
Afghanistan	42,169	114	2,246	256	44,785
United States**	1,438	17	177	9	1,641
Guatemala	277	888	22	22	1,209
Mexico	264	95	188	20	567
Honduras	167	302	57	10	536
Not entered*	483	4	20	2	509
El Salvador	222	118	58	8	406
Cuba	111	96	117	6	330
Ukraine	294	1	10	2	307
Haiti	199	9	73	7	288
Pakistan	131	10	24	4	169
Philippines	59	35	54	5	153
Iran	77	8	32	3	120
India	46	19	47	2	114
Dominican Republic	59	8	32	9	108
Nigeria	43	10	43	2	98
Venezuela	26	12	52	6	96
Ethiopia	57	8	12	1	78
Russia	37	11	21	4	73
Burma	48		23		71
Colombia	25	13	28	2	68
Iraq	35	3	24		62
Brazil	20	11	14	3	48
China	22	4	15	3	44
Nepal	16	10	15		41
Yemen	12	9	20		41
Ecuador	15	9	16		40
Syria	15	3	21		39
Peru	13	8	16	1	38
Nicaragua	15	6	13		34
Bangladesh	16	3	12		31
Egypt	20	5	6		31
Lebanon	9	2	18		29
Jamaica	9	5	14		28

Kenya	9	2	9	3	23
Turkey	17		5	1	23
Eritrea	11	6	4	1	22
Bolivia	16	3	1	1	21
Sudan	9	9	2	1	21
Uzbekistan	12		8		20
Saudi Arabia	18				18
Uganda	8	4	3	2	17
Ghana	5	4	7		16
Somalia	7	4	3	2	16
United Kingdom	6	3	6	1	16
Congo (Kinshasa)	6		9		15
Israel	3	4	6	1	14
Armenia	4	5	4		13
Canada	5	1	5	2	13
CONGO			12		12
Cameroon	3	2	7		12
Guyana	8	1	3		12
Germany	5	1	2	3	11
Jordan	9	1	1		11
Liberia	4	1	5	1	11
Chile	4	1	3	2	10
Sri Lanka	5	2	3		10
Vietnam	6	1	3		10
Albania	2	4	3		9
Kazakhstan	5	1	3		9
Kyrgyzstan	3	1	4	1	9
Mauritania	4		4	1	9
Moldova	5		4		9
Poland	4		5		9
Tajikistan	6	1	2		9
Argentina	3		5		8
Cambodia	1	1	5	1	8
Costa Rica	4	2	2		8
Georgia	5	1	2		8
Sierra Leone	1	2	4	1	8
Australia	2	1	4		7
Burkina Faso	5		2		7
Congo, Democratic Republic of the		2	4	1	7
Korea		4		3	7
Korea, South	5	1	1		7
Morocco	4	2	1		7
Romania	5		2		7
Thailand	2	3	2		7
Belarus			6		6
Bulgaria	4	1		1	6
Burundi	1	3	2		6

Congo (Brazzaville)	6				6
Guinea	3	1	2		6
Italy	2	2	2		6
South Africa		2	3		5
Spain	1	1	1	2	5
Zambia	4		1		5
France	2		2		4
Gambia, The	4				4
Kuwait	4				4
North Macedonia	3		1		4
Panama	1		3		4
South Sudan		3	1		4
Angola	3				3
Azerbaijan	1		2		3
Côte d'Ivoire	3				3
Indonesia	1	1	1		3
Kyrgyz Republic	1	1	1		3
Mongolia		1	2		3
Netherlands		1	2		3
Stateless	2			1	3
Tanzania	3				3
Trinidad and Tobago			2	1	3
United Arab Emirates	3				3
Cabo Verde	2				2
Chad			2		2
DEM. REP. CONGO		1	1		2
Fiji	2				2
Hong Kong	2				2
Ireland		1	1		2
Libya		2			2
Mali	1		1		2
New Zealand	1	1			2
Saint Vincent and the Grenadines			2		2
Samoa	1	1			2
Singapore			2		2
Slovakia	1		1		2
Taiwan	2				2
Togo	1		1		2
Uruguay	1		1		2
Zimbabwe			2		2
Antigua and Barbuda	1				1
Bahamas			1		1
Bahamas, The	1				1
Belgium			1		1
Bhutan		1			1
Denmark	1				1
Dominica			1		1

Finland	1				1
GAMBIA			1		1
Gabon			1		1
Greece			1		1
Grenada			1		1
Hungary			1		1
IVORY COAST			1		1
Kosovo	1				1
Laos	1				1
Latvia		1			1
Martinique			1		1
Niger			1		1
PALESTINE			1		1
Paraguay	1				1
Portugal	1				1
Rwanda			1		1
Saint Kitts and Nevis	1				1
Saint Lucia	1				1
Serbia	1				1
Solomon Islands	1				1
Soviet Union	1				1
Sweden	1				1
<b>Grand Total</b>	<b>46,773</b>	<b>1,961</b>	<b>3,770</b>	<b>421</b>	<b>52,925</b>
* Data field not completed					
** Data entered, may be address of applicant and not beneficiary					

Humanitarian parole applications filed between January 1, 2020 and April 5, 2022, broken down by country of citizenship

Applicant Citizenship	Filed
Afghanistan	44,785
United States**	1,641
Guatemala	1,209
Mexico	567
Honduras	536
Not entered*	509
El Salvador	406
Cuba	330
Ukraine	307
Haiti	288
Pakistan	169
Philippines	153
Iran	120
India	114
Dominican Republic	108
Nigeria	98
Venezuela	96
Ethiopia	78
Russia	73
Burma	71
Colombia	68
Iraq	62
Brazil	48
China	44
Nepal	41
Yemen	41
Ecuador	40
Syria	39
Peru	38
Nicaragua	34
Bangladesh	31
Egypt	31
Lebanon	29
Jamaica	28

Humanitarian parole applications issued Request for Evidence between January 1, 2020 and April 5, 2022, broken down by country of citizenship

Applicant Citizenship	RFE
Afghanistan	336
Mexico	160
Cuba	140
Guatemala	124
El Salvador	119
Honduras	105
United States**	87
Haiti	37
Philippines	33
Venezuela	25
Colombia	19
Ethiopia	18
Pakistan	18
Nepal	17
India	16
Nigeria	15
Ecuador	14
Peru	14
Sudan	14
Dominican Republic	13
Brazil	11
China	11
Iraq	11
Russia	11
Egypt	10
Yemen	10
Eritrea	9
Ukraine	9
Bangladesh	8
Burma	8
Iran	8
Nicaragua	8
Not entered*	7
Uganda	7



Kenya	23
Turkey	23
Eritrea	22
Bolivia	21
Sudan	21
Uzbekistan	20
Saudi Arabia	18
Uganda	17
Ghana	16
Somalia	16
United Kingdom	16
Congo (Kinshasa)	15
Israel	14
Armenia	13
Canada	13
CONGO	12
Cameroon	12
Guyana	12
Germany	11
Jordan	11
Liberia	11
Chile	10
Sri Lanka	10
Vietnam	10
Albania	9
Kazakhstan	9
Kyrgyzstan	9
Mauritania	9
Moldova	9
Poland	9
Tajikistan	9
Argentina	8
Cambodia	8
Costa Rica	8
Georgia	8
Sierra Leone	8
Australia	7
Burkina Faso	7
Congo, Democratic Republic of the	7
Korea	7
Korea, South	7
Morocco	7
Romania	7
Thailand	7
Belarus	6
Bulgaria	6
Burundi	6

Israel	6
Jamaica	6
Ghana	5
Somalia	5
Syria	5
Albania	4
Armenia	4
Cameroon	4
Uzbekistan	4
Bolivia	3
Cambodia	3
Chile	3
Congo, Democratic Republic of the	3
Kenya	3
Lebanon	3
Liberia	3
Sierra Leone	3
South Sudan	3
Sri Lanka	3
Thailand	3
United Kingdom	3
Bulgaria	2
Burundi	2
Costa Rica	2
Guinea	2
Guyana	2
Italy	2
Korea	2
Korea, South	2
Kyrgyz Republic	2
Libya	2
New Zealand	2
Saint Vincent and the Grenadines	2
Argentina	1
Australia	1
Bhutan	1
Burkina Faso	1
Congo (Kinshasa)	1
Côte d'Ivoire	1
DEM. REP. CONGO	1
Gambia, The	1
Georgia	1
Germany	1
Indonesia	1
Ireland	1
Kazakhstan	1
Kyrgyzstan	1

Congo (Brazzaville)	6
Guinea	6
Italy	6
South Africa	5
Spain	5
Zambia	5
France	4
Gambia, The	4
Kuwait	4
North Macedonia	4
Panama	4
South Sudan	4
Angola	3
Azerbaijan	3
Côte d'Ivoire	3
Indonesia	3
Kyrgyz Republic	3
Mongolia	3
Netherlands	3
Stateless	3
Tanzania	3
Trinidad and Tobago	3
United Arab Emirates	3
Cabo Verde	2
Chad	2
DEM. REP. CONGO	2
Fiji	2
Hong Kong	2
Ireland	2
Libya	2
Mali	2
New Zealand	2
Saint Vincent and the Grenadines	2
Samoa	2
Singapore	2
Slovakia	2
Taiwan	2
Togo	2
Uruguay	2
Zimbabwe	2
Antigua and Barbuda	1
Bahamas	1
Bahamas, The	1
Belgium	1
Bhutan	1
Denmark	1
Dominica	1

Laos	1
Latvia	1
Mali	1
Martinique	1
Mauritania	1
Mongolia	1
Morocco	1
Netherlands	1
North Macedonia	1
Paraguay	1
Poland	1
Soviet Union	1
Taiwan	1
Tajikistan	1
Turkey	1
<b>Grand Total</b>	<b>1,584</b>
* Data field not completed	
** Data entered, may be address of applicant and not beneficiary	

Finland	1
GAMBIA	1
Gabon	1
Greece	1
Grenada	1
Hungary	1
IVORY COAST	1
Kosovo	1
Laos	1
Latvia	1
Martinique	1
Niger	1
PALESTINE	1
Paraguay	1
Portugal	1
Rwanda	1
Saint Kitts and Nevis	1
Saint Lucia	1
Serbia	1
Solomon Islands	1
Soviet Union	1
Sweden	1
Grand Total	52,925
* Data field not completed	
** Data entered, may be address of applicant and not beneficiary	

Aggregate data or statistics related to humanitarian parole applications filed between January 1, 2020 and April 5, 2022, broken down by country of citizenship and location of intended beneficiary, including data or statistics on:  
the number of humanitarian parole applications:  
received  
approved  
issued requests for evidence  
denied

Humanitarian parole applications filed between January 1, 2020 and April 5, 2022, broken down by Beneficiary Current Physical Address Country and case state (received, conditionally approved, issued requests for evidence, denied)

USCIS is unable to accurately report which cases are initial requests for parole for someone outside the U.S. vs. requests for re-parole for someone inside the U.S. The approval rate for re-parole generally higher than the approval rate for initial parole.

For Afghan nationals, "closed" cases includes cases for Afghan beneficiaries in Afghanistan who are determined to have an approvable basis for parole but for who need to get to a third country for continued processing.

Applicant Citizenship	Pending	Conditionally Approved	Denied	Closed	Grand Total
Afghanistan	31,887	67	1,699	177	33,830
Not Entered*	4,739	839	1,445	137	7,160
Pakistan	2,594	22	93	14	2,723
United States**	2,544	25	63	24	2,656
Turkey	942		49	1	992
Guatemala	202	662	9	11	884
United Arab Emirates	670	1	25		696
India	411	5	14	1	431
Tajikistan	339		15		354
Mexico	211	25	55	12	303
Iran	272	4	14	2	292
Honduras	68	178	9	1	256
Ukraine	214		7		221
Uzbekistan	178	3	8		189
Haiti	142		20	7	169
Cuba	102	22	31	2	157
El Salvador	50	41	13	3	107
Poland	81				81
Philippines	35	2	22	1	60
Ethiopia	53	2	4	1	60
Russia	48	6	2		56
Iraq	50		5		55
Albania	50	2		3	55
Germany	51		3		54
Burma	32		16		48
Egypt	36	1	4	1	42
Dominican Republic	29	2	7	3	41
Colombia	25	5	10	1	41
Kyrgyzstan	29	1	1	1	32
Kazakhstan	30		2		32
Uganda	16	4	7	4	31
Brazil	21	4	5	1	31
Venezuela	10	4	14	1	29
Azerbaijan	29				29

Romania	28				28
Saudi Arabia	26				26
Nigeria	16	1	8	1	26
Kenya	17		3	3	23
Nicaragua	16		6		22
Lebanon	15		6		21
Canada	19			2	21
Qatar	16		4		20
Japan	19				19
Greece	17			2	19
France	19				19
Bangladesh	16	1	2		19
Rwanda	15		3		18
Spain	14		3		17
Italy	14	1	2		17
North Macedonia	15		1		16
Malaysia	16				16
China	15	1			16
Yemen	6	3	6		15
Nepal	8	2	5		15
Peru	6	3	4	1	14
Syria	13				13
Indonesia	11	1	1		13
Ecuador	9	4			13
Thailand	8	3	1		12
United Kingdom	10			1	11
Netherlands	11				11
Denmark	11				11
Jamaica	4	1	4		9
Unknown			8		8
Jordan	6		2		8
Czech Republic	8				8
Bolivia	7	1			8
Senegal	5		1	1	7
Moldova	6		1		7
Ghana	6		1		7
Cameroon	2		5		7
Vietnam	4		2		6
Panama	5		1		6
Guyana	5		1		6
Burundi	2	3	1		6
Bulgaria	6				6
Armenia	3	3			6
Sudan	4		1		5
Kuwait	3	2			5
Israel	3	1	1		5
Georgia	4		1		5

Côte d'Ivoire	5			5
Costa Rica	5			5
Austria	5			5
Argentina	2		3	5
Zambia	4			4
Tanzania	4			4
Sri Lanka	3		1	4
Morocco	4			4
Cyprus	4			4
Uruguay	2	1		3
Liberia	2		1	3
Korea, South	3			3
Hungary	2		1	3
Gambia, The	3			3
China Mainland	2		1	3
Australia	3			3
Taiwan	2			2
South Africa	1	1		2
Slovakia	2			2
Singapore	1	1		2
Portugal	2			2
Ireland	2			2
Guinea	2			2
Fiji	2			2
Eritrea	2			2
Congo, Democratic Republic Of The			2	2
Congo (Kinshasa)	2			2
Chile	1		1	2
Cabo Verde	2			2
Burkina Faso	1		1	2
Belgium	2			2
Bahamas, The	2			2
Turks and Caicos Islands	1			1
Turkmenistan			1	1
Tunisia	1			1
Togo		1		1
Switzerland	1			1
Sweden	1			1
Somalia			1	1
Sierra Leone		1		1
Paraguay	1			1
New Zealand	1			1
Mongolia			1	1
Mauritania			1	1
Mali			1	1
Laos	1			1
Kosovo	1			1

Gambia			1		1
Croatia	1				1
Cambodia	1				1
Bosnia and Herzegovina	1				1
Bhutan	1				1
Bahrain				1	1
Bahamas			1		1
Antigua and Barbuda	1				1
Angola	1				1
American Samoa	1				1
<b>Grand Total</b>	46,773	1,961	3,770	421	52,925

\*Data field not completed

\*\*Data entered, may be address of applicant and not beneficiary



Humanitarian parole applications filed between January 1, 2020 and April 5, 2022, broken down by Beneficiary Current Physical Address Country

Applicant Citizenship	Filed
Afghanistan	33,830
Not Entered*	7,160
Pakistan	2,723
United States**	2,656
Turkey	992
Guatemala	884
United Arab Emirates	696
India	431
Tajikistan	354
Mexico	303
Iran	292
Honduras	256
Ukraine	221
Uzbekistan	189
Haiti	169
Cuba	157
El Salvador	107
Poland	81
Ethiopia	60
Philippines	60
Russia	56
Albania	55
Iraq	55
Germany	54
Burma	48
Egypt	42
Colombia	41
Dominican Republic	41
Kazakhstan	32
Kyrgyzstan	32
Brazil	31
Uganda	31
Azerbaijan	29
Venezuela	29

Humanitarian parole applications issued Request for Evidence between January 1, 2020 and April 5, 2022, broken down by Beneficiary Current Physical Address Country

Applicant Citizenship	RFE
Not Entered*	761
Afghanistan	214
Mexico	71
Guatemala	59
Cuba	58
United States**	56
Pakistan	54
El Salvador	28
Honduras	26
Colombia	13
India	13
Haiti	12
Philippines	12
Ukraine	12
Turkey	11
Ethiopia	10
United Arab Emirates	10
Burma	9
Uganda	9
Ecuador	8
Russia	8
Rwanda	8
Egypt	7
Albania	6
Dominican Republic	6
Nicaragua	6
Venezuela	6
Yemen	6
Iran	5
Bangladesh	4
Jamaica	4
Nepal	4
Tajikistan	4
Thailand	4

Romania	28
Nigeria	26
Saudi Arabia	26
Kenya	23
Nicaragua	22
Canada	21
Lebanon	21
Qatar	20
Bangladesh	19
France	19
Greece	19
Japan	19
Rwanda	18
Italy	17
Spain	17
China	16
Malaysia	16
North Macedonia	16
Nepal	15
Yemen	15
Peru	14
Ecuador	13
Indonesia	13
Syria	13
Thailand	12
Denmark	11
Netherlands	11
United Kingdom	11
Jamaica	9
Bolivia	8
Czech Republic	8
Jordan	8
Unknown	8
Cameroon	7
Ghana	7
Moldova	7
Senegal	7
Armenia	6
Bulgaria	6
Burundi	6
Guyana	6
Panama	6
Vietnam	6
Argentina	5
Austria	5
Costa Rica	5
Côte d'Ivoire	5

Uzbekistan	4
Brazil	3
Greece	3
Lebanon	3
Peru	3
United Kingdom	3
Armenia	2
Germany	2
Guyana	2
Iraq	2
Kenya	2
Kuwait	2
Argentina	1
Bahrain	1
Bolivia	1
Cameroon	1
Chile	1
China	1
China Mainland	1
Gambia, The	1
Ghana	1
Indonesia	1
Israel	1
Italy	1
Jordan	1
Laos	1
Mauritania	1
Moldova	1
New Zealand	1
Nigeria	1
North Macedonia	1
Panama	1
Paraguay	1
Poland	1
Qatar	1
Saudi Arabia	1
Singapore	1
Sudan	1
Taiwan	1
Tanzania	1
Togo	1
Tunisia	1
Grand Total	1,584
*Data field not completed	
**Data entered, may be address of applicant and not beneficiary	

Georgia	5
Israel	5
Kuwait	5
Sudan	5
Cyprus	4
Morocco	4
Sri Lanka	4
Tanzania	4
Zambia	4
Australia	3
China Mainland	3
Gambia, The	3
Hungary	3
Korea, South	3
Liberia	3
Uruguay	3
Bahamas, The	2
Belgium	2
Burkina Faso	2
Cabo Verde	2
Chile	2
Congo (Kinshasa)	2
Congo, Democratic Republic Of The	2
Eritrea	2
Fiji	2
Guinea	2
Ireland	2
Portugal	2
Singapore	2
Slovakia	2
South Africa	2
Taiwan	2
American Samoa	1
Angola	1
Antigua and Barbuda	1
Bahamas	1
Bahrain	1
Bhutan	1
Bosnia and Herzegovina	1
Cambodia	1
Croatia	1
Gambia	1
Kosovo	1
Laos	1
Mali	1
Mauritania	1
Mongolia	1

New Zealand	1
Paraguay	1
Sierra Leone	1
Somalia	1
Sweden	1
Switzerland	1
Togo	1
Tunisia	1
Turkmenistan	1
Turks and Caicos Islands	1
Grand Total	52,925
*Data field not completed	
**Data entered, may be address of applicant and not beneficiary	

Aggregate data or statistics related to humanitarian parole applications filed between January 1, 2020 and April 5, 2022, broken down by country of citizenship and location of intended beneficiary, including data or statistics on:  
the number of humanitarian parole applications:  
received  
approved  
issued requests for evidence  
denied

# Exhibit 4

**International Refugee Assistance  
Project (IRAP) Article on  
Afghanistan Humanitarian Parole  
Processing**

## News & Resources

# “We Were Robbed”: Advocates React to Afghan Humanitarian Parole FOIA Findings

The chaotic and rushed U.S. military withdrawal from Afghanistan left hundreds of thousands of Afghans at risk from the new Taliban government, including U.S. allies, ethnic and religious minorities, women and girls, and LGBTQ+ Afghans, among others. With so many at-risk Afghans left behind by the U.S.-led evacuation, tens of thousands of them filed humanitarian parole (HP) applications to try and get to safety before it was too late.

Yet, records confirm what many Afghans and advocates have long observed—that more than a year and a half since the withdrawal, humanitarian parole turned out to be yet another unfulfilled promise to Afghans by the U.S. government. The results of a Freedom of Information Act (FOIA) request filed by the [International Refugee Assistance Project](#) (IRAP) and [American Immigration Council](#) (AIC) show that the United States effectively abandoned Afghan HP applicants, even while it profited from their application fees.

To better understand the significance of these findings, IRAP spoke to Afghan humanitarian parole applicants and advocates about their reactions. For a full timeline and analysis of the findings, click [here](#).

“I applied for humanitarian parole along with my wife and children more than a year ago. The U.S. government told us that parole was an option for the most vulnerable Afghans to get to safety, but instead we have received silence. I worked for the United States in Afghanistan and am also an SIV applicant, but I am still waiting for my interview. My family and I even tried to escape during the evacuation and we were at the Kabul airport the day of the bombing. There has been no relief for us since the U.S. withdrawal began,” said **an Afghan client represented by IRAP and Weil, Gotshal & Manges LLP**. “Everything I do is for my family, and I hope my kids will be able to go to America to experience a good life where we will all be safe. Until then, our lives continue to be at risk every day we are kept waiting.”



and there weren't other options available to them," said **Laila Ayub, immigration attorney and the co-founder of Project ANAR**.

The U.S. government did too little too late to respond to the massive influx of humanitarian parole applications from Afghans hoping to escape the Taliban takeover. FOIA records show that on August 13, 2021, USCIS officials ordered expedited processing of Afghan HP applications, only to reverse course hours later. After the U.S. withdrawal ended on August 31, USCIS actually put a temporary hold on adjudicating Afghan humanitarian parole applications. At the height of fear and uncertainty for many Afghans targeted by the Taliban, the U.S. government simply stopped processing applications.

"These documents confirm the government's complete lack of strategic preparedness to confront the crisis. It is shocking to see the level of administrative dysfunction, the way they changed decisions so many times in the middle of a crisis," said **Mustafa Babak, Executive Director of the Afghan-American Foundation**.

### *Mass Denials*

Between January 1, 2020 and April 6, 2022, USCIS received 44,785 applications from Afghan citizens seeking safe passage to the United States. As of April 6, 2022, only 114 – far less than one percent – had been conditionally approved, and 94% remained unadjudicated.

"Most denials don't include an explanation of why and people are frustrated. Nearly two years later the government has barely supplied any information about this process to those who need it most," said **Ayub**. "There are so many barriers for Afghans seeking safety and access to information is one of them. We need this information in order to seek accountability for how our community has been treated."

In September 2021, USCIS went so far as to consider creating a template denial notice for Afghans, indicating an intention to deny applications en masse. Instead, the majority of applications have simply gone unadjudicated, leaving at-risk Afghans in limbo even as conditions in Afghanistan continue to deteriorate.

### *\$19 Million Dollars Taken From Afghans*

Between March 2021 and 2022, USCIS collected an astonishing \$19 million in fees for Afghan humanitarian parole applications it seemingly has no intention of adjudicating. The agency rejected 44% of fee waiver applications associated with Afghan humanitarian parole applications, despite the clear burden the \$575

only to see no movement in their cases.

“Afghans feel as though we were robbed. You must remember, these applications were filed by people struggling against the sudden takeover of their country by the barbaric Taliban regime. While dealing with collapse of a country, economy, separation from family, Afghans found the financial means to ensure they or their family could find a path to safety. And the fact that they still were not given the right to due process is extremely unethical,” said **Babak**.

DHS even considered and rejected a proposal to waive fees for Afghan humanitarian parole application. The following spring, the United States government waived all fee requirements of Ukrainians fleeing the Russian invasion of their country through the Uniting for Ukraine program. As of February 2023, more than 117,000 Ukrainians have arrived in the United States through the Uniting for Ukraine program, and the U.S. collected no fees.

*“Afghans Should Not Be Excluded From Meaningful Solutions”*

Advocates agree that while the FOIA findings are a reminder that the U.S. continues to let down at-risk Afghans, the U.S. obligation to get them to safety endures.

“The government claimed the number of Afghan humanitarian parole applications was unexpected and they were overwhelmed. Yet we see that they were able to make significant innovations for the Uniting For Ukraine parole program, removing some of the biggest hurdles keeping Afghans from accessing this pathway,” said **Ayub**. “Unfortunately, those innovations have not been applied to Afghans themselves, and there has been very little effort to make humanitarian parole more accessible for Afghans. We have heard a lot of excuses from the government over the last few years and we know they are not reflective of what is possible. They actually can do more and are choosing not to.”

“While the dollar numbers are shocking, the real betrayal is that the U.S. government promised to give Afghans an opportunity to get evacuated, only to close it again due to the government’s own lack of preparedness and decision making. There has been a complete lack of due process and there needs to be more done,” said **Babak**. “The U.S. needs to do right by the wrongs it has done, and these Afghans should not be excluded from meaningful solutions.”



# **Exhibit 5**

**American Immigration Council  
(AIC) Article on Afghanistan  
Humanitarian Parole Processing**



[Home \(/\)](#)

---

# Agency Failures Make Obtaining Humanitarian Parole Almost Impossible for Afghans

*USCIS records show how the agency's response to the high volume of humanitarian parole applications contributed to the massive delays faced by Afghans*

Thursday, March 16, 2023



**The facts on immigration—right in your inbox.** Sign up with the American Immigration Council (<https://www.americanimmigrationcouncil.org/subscribe>) to receive the latest in immigration law and policy as well as opportunities and resources to educate the public about the value of immigration to American society.

In July 2021, the Biden administration announced that the United States' military mission in Afghanistan would conclude in August of that year. During those final days of U.S. military presence, the Taliban rapidly gained control of Afghanistan, killing civilians in their path and prompting many Afghans to flee their homes for safety. As the U.S. military departed the country, many Afghans who were left behind in danger—as well as their families and friends in the United States—turned to the Department of Homeland Security's (DHS) humanitarian parole process for safe passage. For Afghan nationals who managed to reach U.S. ports of entry during this period, U.S. Customs and Border Protection (CBP) allowed them to enter by granting them parole at ports of entry, known as port parole. Thousands of others who could not reach the United States at that time were forced to apply for humanitarian parole through the traditional way of submitting an application with U.S. Citizenship and Immigration Services (USCIS).

However, Afghan nationals began to see massive delays in the adjudication of their humanitarian parole applications. Government statistics show that from January 1, 2020 to April 6, 2022, USCIS—the agency in charge of adjudicating humanitarian parole applications—received 44,785 applications where the applicant's country of citizenship was Afghanistan, and only approved 114 of those applications, or less than 0.3%. This bottleneck of applications essentially foreclosed this benefit as a potential option for those Afghans who could not reach the United States, many of whom remained in Afghanistan.

## Humanitarian parole applications filed between January 1, 2020 and April 6, 2022, broken down by country of citizenship and case state (received, conditionally approved, issued requests for evidence, denied).

USCIS is unable to accurately report which cases are initial requests for parole for someone outside the U.S. vs. requests for re-parole for someone inside the U.S. The approval rate for re-parole generally higher than the approval rate for initial parole. For Afghan nationals, "closed" cases includes cases for Afghan beneficiaries in Afghanistan who are determined to have an approvable basis for parole but for who need to get to a third country for continued processing.

Page 1 of 15 &gt;

Applicant Citizenship	Pending	Conditionally Approved	Denied	Closed	Grand Total
Afghanistan	42,169	114	2,246	256	44,785
United States**	1,438	17	177	9	1,641
Guatemala	277	888	22	22	1,209
Mexico	264	95	188	20	567
Honduras	167	302	57	10	536
Not entered*	483	4	20	2	509
El Salvador	222	118	58	8	406
Cuba	111	96	117	6	330
Ukraine	294	1	10	2	307
Haiti	199	9	73	7	288

\*Data field not completed

\*\*Data entered, may be address of applicant and not beneficiary

Table: USCIS FOIA responses - Source: USCIS - Get the data - Created with Datawrapper



The American Immigration Council, along with the International Refugee Assistance Project, filed requests for records under the Freedom of Information Act (FOIA) to explain the cause of these extensive delays.

Documents gathered thus far as a result of litigating this request show that USCIS was woefully unprepared to process these applications and that the agency implemented a prolonged pause in the adjudication process. Further, documents suggest the agency changed the adjudication process for humanitarian parole in significant ways during this time. Additionally, documents show that the agency scrapped plans to waive the application fees that make this process cost-prohibitive for so many recently arrived Afghan families.

These documents paint a clear picture of why humanitarian parole has become ineffective for thousands of Afghans who and are still looking to reach safety.

## **What is the Humanitarian Parole Process?**

Requests for humanitarian parole for people living abroad generally are submitted on Form I-131 and adjudicated by USCIS. In this process

(<https://www.uscis.gov/humanitarian/humanitarianpublicbenefitparoleindividualsoutsideUS>), the person who lives abroad seeking entry into the United States is the “Beneficiary.” The individual who submits the application is known as the “Petitioner.” Because individuals can request humanitarian parole for themselves or on behalf of another, in some cases the beneficiary is also a “Self-Petitioner.”

Government agencies also can request parole for a foreign national living abroad without the need to submit Form I-131. According to the 2017 International Operations Officer Training Course

(<https://refugeerights.org/wp-content/uploads/2020/04/HP-FOIA-min.pdf>), this option requires the agency requesting parole to present documents attesting that the beneficiary’s presence in the United States is for

urgent humanitarian or significant public benefit reasons. The latter includes national security, advancing foreign policy goals, or other benefits to the United States. A government agency requests parole on behalf of the beneficiary directly from USCIS' International Operations Division.

USCIS received both agency requests for humanitarian parole on behalf of Afghan nationals, as well as applications submitted on behalf of Afghan beneficiaries.

**Definition of Government Request** (p. 21)

**USCIS Response:**

1. What are Government Requests? Who exactly makes them? Who are the beneficiaries of such requests? What is the application process? Is an I-131 filed? Is an I-134 required? Is there a fee?

Response: Government parole requests are submitted by U.S. government executive agencies on behalf of individuals who are known by that agency and when visa or refugee processing is not feasible. All government referrals for parole must be submitted at the Deputy Assistant Secretary level or higher. Referring agencies do not use the Form I-131, *Application for Travel Document*, and there is no fee for these referrals. Referring agencies are required to provide proof of sponsorship, and they generally do this on the Form I-134, *Affidavit of Support*. USCIS typically receives about 50 government referrals per year. However, similar to Form I-131 parole requests, the number of parole requests from government agencies has increased in the past year. Between October 1, 2021 and March 21, 2022, USCIS has received almost 250 requests for parole from other U.S. government executive agencies.

[View the entire document with DocumentCloud](#)

## The events that led to the break down

### August 2021 - "Drop everything"

As chaos consumed Kabul in August 2021 during the final days of the U.S. military presence in Afghanistan, USCIS officials scrambled to manage the unfolding crisis. On August 13, agency officials received instructions to exclusively process Afghan parole cases, and the Chief of the Humanitarian Affairs Branch, John W. Bird, instructed staff the next day to:

drop everything, and focus on completing all Afghan parole cases.

Source Document ([https://www.documentcloud.org/documents/23316411-2022-9-30\\_afghan-hp\\_prod1-22-cv-05312-foia-us-0001-us-0140#document/p130](https://www.documentcloud.org/documents/23316411-2022-9-30_afghan-hp_prod1-22-cv-05312-foia-us-0001-us-0140#document/p130))

Yet, this was too late. Only hours after sending instructions on how to prioritize Afghan parole cases, the agency had to change its course of action because “folks are leaving sooner than planned” and “regular parole processing will not be available through Kabul.”

**HAB initial reactions to situation in Kabul** (p. 131).

HOLD ON!!! Just got off the phone with Joanna. The course of action has changed. It looks like folks are leaving sooner than planned and that regular parole processing will not be available through Kabul- so, what we are tasked to do is to create a spreadsheet with the 21 SPBP cases on top, that includes the following information. This is a heavy lift, I know so LaRocha if you can start on the chart with these data points, Hank, Ill need you to start going through the 21 pending SPBP cases in order to identify these data points, so that you can help to input them with LaRocha. Please get back to me that you have received this email- and with any questions. Rose, please stand by for more instructions.

[View the entire document with DocumentCloud](#)

During this time, the agency developed informational materials for Afghan nationals evacuated from Afghanistan who would be granted parole at U.S. ports of entry. Agency emails suggest that as of August 25, however, USCIS had not developed a plan for Afghan parolees who were not part of the evacuation process.

**Lack of system for HP from abroad** (p. 4).

Now with the translations. Note that this applies to those paroled by CBP at a POE. We will need to regroup on what we might require for Afghan parolees who do not come through the evacuation process. This raises some issues for us. Will regroup with you.

No plan for those who could not leave Afghanistan

[View the entire document with DocumentCloud](#)

Emails from August 25 also show how USCIS scrambled to address the number of Afghan humanitarian parole applications, implementing several changes to how it processed these applications.

^

As the government sought to get people out of Afghanistan on evacuation flights, USCIS originally treated all Afghan humanitarian parole requests as expedited, which meant they should have been processed faster. USCIS discussed plans to quickly submit the name of evacuated individuals on an expedited basis for agency checks so that these checks could be done within 24 hours “due to the urgency of the situation.”

Changes to processing - (p. 9).

**From:** Johnson, Bobbie L [redacted]  
**Sent:** Wednesday, August 25, 2021 4:46 PM  
**To:** Alli, Akinkunmi O (Akin) [redacted]; Wright, Charles E [redacted]  
**Cc:** Grigsby, Kevin M [redacted]; Baxter, Mark P [redacted]  
**Subject:** Daily [redacted] Expedite Requests  
**Importance:** High

b)(7)(e)  
Akin and Charles,

Following on to the various discussions:

b)(6) • By 10:30 am ET every day, HAB will send to RIO-FDNS the list of Afghan parole cases individuals that need [redacted] expedites to [redacted]. (i.e. all new cases received over the preceding 24 hours for which HAB has not yet requested [redacted] expedites.) Can HAB send list of individuals instead of cases to ensure that FDNS doesn't miss anyone and that expedited batches aren't cross-contaminated with non-Afghan individuals. Just echoing Akin's comment, if HAB could submit the list as individuals that require [redacted] expedites instead of as cases, this will make the submission process to [redacted] from RIO-FDNS' perspective more efficient.

b)(7)(e) • HAB will copy you, Alex, me, Charles, Kevin, and Mark on such daily requests. Add Melat and Chad to this list. Also Justen.  
• RIO-FDNS will immediately do their part to submit these expedite requests to [redacted] by 12:00 pm ET or earlier daily.  
• In each daily submission to [redacted] RIO-FDNS will specify these are Afghan cases and will ask for a turn-around of 24 hours or less due to the urgency of the situation.  
• As soon as RIO-FDNS receives results, they will update CAMINO and alert HAB and everyone on the original request email chain.  
• We need to all collectively monitor that requests are being submitted, results are being entered, and any [redacted] results that are pending over 24 hours are flagged.  
• If any [redacted] check is pending over 24 hours, you will contact [redacted]

Does this sound right and doable? Any other suggestions?

Thanks,

Bobbie

[View the entire document with DocumentCloud](#)

On August 31, the day the U.S. embassy in Kabul closed, the agency changed course and instructed staff to stop sending daily reports requesting expedited checks.

Changes to processing of Afghan parole cases. (p. 17)

This morning we were informed that there may be some new instructions coming to HAB regarding the processing of Afghan parole cases following the closing of operations on the ground in Kabul. Two significant operational changes are that we will no longer send daily reports requesting expedited  review, or send our spreadsheet of new approved cases.  
(b)(7)(e)

Please continue to complete the Afghan cases that you have, as expedite parole cases, until further notice. Supervisors, if you have any procedural, or adjudication-related questions, please send them to me to review. I will be happy to address questions tomorrow on our 10am adjudication meeting.

[View the entire document with DocumentCloud](#)

**September 2021 – Applications arrive at an “abnormally high rate” but placed on hold.**

The next day, officials made the decision that the agency would no longer expedite all Afghan parole requests, stating that the decision to expedite cases initially was about getting people out on flights. Since the flights ended, the agency decided it needed to go back to the “normal” expedited process based on triage rather than nationality.

D1 made the decision yesterday evening that we can no longer expedite all Afghan parole requests. The decision to expedite those cases initially was about getting people out on flights and now that the flights have ended, we need to go back to the 'normal' expedite process based on triage, not nationality.

Source Document (<https://www.documentcloud.org/documents/23352884-us-0246-us-0376#document/p18/a2179603>)

On September 3, USCIS officials in the Humanitarian Affairs Branch (HAB) requested guidance about analysis for Afghan parole cases, explaining that, “Afghan applications are arriving at an abnormally high rate,” with “numerous inquiries requesting expedited adjudication.” HAB stated that it “was advised to return to an expedite on a case by case basis, rather than based on Afghan nationality” and to “stand down on [] expedite requests.”

Page 25 of 2022-11-30\_Afghan HP\_Prod.3 (22-cv-05312) US 0246 - US 0376 (https://embed.documentcloud.org/documents/23352884-us-0246-us-0376/#document/p25)



Page 1 of 1 9/3/21 Bird/HAB Request for Guidance on Afghan Parole Applications

Afghan Parole Case Analysis, Request for Guidance

(b)(5)

[Redacted]

(b)(7)(e)

- 1.
- 2.
- 3.
- 4.

[Redacted]

Starting on August 30, HAB was advised to return to an expedite on a case by case basis, rather than based on Afghan nationality, and to stand down on NCTC expedite requests and the production of approval spreadsheets each day.

Currently Afghan applications are arriving at an abnormally high rate, and in addition we are receiving numerous inquiries requesting expedited adjudication. We received 177 cases on Tuesday, and on Thursday, 10 boxes of cases averaging 10-30 cases in each box. It will take some time to enter these cases to ascertain through CAMINO the full caseload that we are handling, but we anecdotally know that most of these new cases involve Afghan beneficiaries.

Some of the factors that are significant issues that affect analysis for regular parole SOP adjudication:

[Redacted]

(b)(5)  
(b)(7)(e)

1.  
2.  
3.  
4.  
5.

22 CV 5312

US 0270

Contributed to **DocumentCloud** (<https://www.documentcloud.org>) by Raul Pinto (American Immigration Council) • [View document](https://embed.documentcloud.org/documents/23352884-us-0246-us-0376/#document/p25)  
(<https://embed.documentcloud.org/documents/23352884-us-0246-us-0376/#document/p25>) or [read text](https://s3.documentcloud.org/documents/23352884/pages/us-0246-us-0376-p25.txt?ts=1678724784)  
([s3.documentcloud.org/documents/23352884/pages/us-0246-us-0376-p25.txt?ts=1678724784](https://s3.documentcloud.org/documents/23352884/pages/us-0246-us-0376-p25.txt?ts=1678724784)).

Then, on September 7, despite the large volume of applications received, USCIS informed staff to “hold all decisions on Afghan parole cases.” In an e-mail to the HAB staff, Chief of HAB, John Bird, was adamant that staff should “NOT” send final approval or denials to the U.S. Department of State. USCIS reiterated that “[t]his hold only applies to Afghan cases.”

Λ

**Instructions to keep accepting Afghan cases, but not decide them** (p. 26).

We are advised this morning to hold all decisions on Afghan parole cases. Please do NOT send Afghan parole cases (I131 or State SPBP) to the administrative staff for delivery, and administrative staff, if you have Afghan cases pending sending out any notices, please hold them and do not send by mail or email. Please continue to accept Afghan cases that are filed, and create CAMINO records.

This hold only applies to Afghan cases.

[View the entire document with DocumentCloud](#)

Additionally, USCIS acknowledged it would have to use a different process for vetting applicants. In a September 7 email, Joanna Ruppel, Chief of the International and Refugee Affairs Division, acknowledged that the agency was reviewing how to vet the applicants since they could no longer use the vetting process that applied to evacuees, and indicated that there was no deadline in place by which this determination had to be made.

Stop of issuing decisions due to change in vetting process employed (p. 22).

Charles,

Could you please ask staff to temporarily hold off on issuing any decisions for Afghan nationals seeking parole? But flag for me any case that is super urgent.

We are going to need to revise the approval letter and I need to provide D1 with some examples of the types of requests we are seeking to assess whether any additional guidance needs to be provided to adjudicators. In addition, we are reviewing how to get the appropriate vetting completed now that we cannot use the vetting employed for the evacuees.

Depending on how long this all will take, I may request that the CAMINO team put them all on hold and stop the clock. Will let you know once I have a better sense of timing.

We can discuss this further when we meet later today.

[View the entire document with DocumentCloud](#)

These emails demonstrate that the agency showed little urgency in processing humanitarian parole applications for those individuals who remained in Afghanistan, even as agency officials acknowledged that USCIS was receiving humanitarian parole applications at an “abnormally high rate.”

During September 2021, records show that USCIS officials considered exempting fees associated with filing Form I-131 for Afghan nationals.

Fee waiver - Discussion of exempting fee that did not go into effect. (p. 46).

- Leadership would also like us to exempt the I-131 fee for Afghan nationals that may be seek humanitarian parole. They were flexible about timeframe to have the exemption in place (seek out operational input), but thought that one year from publication made sense.

[View the entire document with DocumentCloud](#)



However, a September 13 email suggests that USCIS ultimately decided not to include the form in its fee waiver policy.

**Fee exemption for I-131 - Agency discussed it, but ultimately did not include it** (p. 43)

Hi Rená, the draft is available at this link [Updated Memo\\_Request for Fee Exemption for Afghan Parolees.docx](#). We have a couple of comments flagged for reviewers. I also wanted to check if you're aware whether there's a need for a time limit to be included in this draft. The email from Mark references a time limit on the I-131s, but as you know we did not ultimately include that exemption. Please let me know if you have any feedback on the draft before it goes back to Mark. I am signing off shortly but will be able to check in on email later this evening.

[View the entire document with DocumentCloud](#)

And a review of USCIS' final memo regarding fee exemptions for Afghan parolees ([https://www.documentcloud.org/documents/23316412-2022-10-31\\_afghan-hp\\_prod1-22-cv-05312-foia-us-0141-us-0245#document/p5](https://www.documentcloud.org/documents/23316412-2022-10-31_afghan-hp_prod1-22-cv-05312-foia-us-0141-us-0245#document/p5)) does not include a mention of fee waivers for Form I-131.

Further, an email exchange between agency officials on September 17 indicates that the U.S. government added a "new" medical screening step for the process of parole.

**Change in policy - Medical results requirement is new.** (p. 49)

With that I wanted to outline what we think would make sense for appropriate next steps. Since inclusion of medical results is new for this process, please jump in if you see any pitfalls with this approach.

[View the entire document with DocumentCloud](#)

Medical requirement (p. 85).

**From:** Bird, John W (Wally)  
**Subject:** FW: Stakeholder Message: Afghan Parolees are Required to Report Vaccination Status  
**To:** Lassiter, Fiona K; Poli, Henry P (Hank); Naquin, Marie-line; Hattendorf, David L; Lariviere, Laroche N  
**Sent:** September 28, 2021 7:03 AM (UTC-05:00)

Good morning everyone- please see below on Joanna's intention of incorporating to some degree our medical requirements for Afghan beneficiaries- no action yet, just keeping you up to date.

Wally

[View the entire document with DocumentCloud](#)

By September 27, the agency appeared to be preparing to deny humanitarian parole applications filed on behalf of Afghan nationals as a matter of course. Agency staff drafted a template denial notice for cases where:

there's no credible third-party evidence and urgent reason for parole.

Source Document (<https://www.documentcloud.org/documents/23352884-us-0246-us-0376#document/p44/a2179666>)

On September 29, USCIS planned to update the agency's website to reflect some of these changes.

Indication of changes (p. 87).

Hello all- just making sure that you saw this new information on our USCIS website. Please refer people to this website if they are asking you for information. Please also note that we are close on a finalized automated response to inquiries through our public email box. We hope to provide more information on these Afghan cases soon-

Unclear what new information was included in the link.

[View the entire document with DocumentCloud](#)

## **October 2021 – Applicants struggle through the process.**

Agency officials acknowledged in an email from October 5 that applicants were struggling with Form I-131. Some of the issues observed were mistakes related to where the applicants signed the form, the forms were signed electronically, or missing addresses. These issues lead to rejections. The email also highlighted issues Afghans encountered in completing fee waiver requests for these applications, which led to the rejection of the fee waiver requests.

Issues with the applications (p. 2)

**From:** Zemlan, Elizabeth C [redacted]  
**Sent:** Tuesday, October 05, 2021 2:59 PM  
**To:** Lin, Melissa [redacted]  
**Subject:** Afghan HP fee waivers

Hi Melissa,

The most prominent issues ODP is seeing with the Afghan HP cases are:

- Form I-131 is not signed, or is signed in the wrong place (i.e. Preparer section)
- Form I-131 contains an electronic signature, making it a Defective application
- Missing Address in Part 1

The Afghan parole page already has this info: "It is essential that the beneficiary's best contact information (email address, phone number, and physical address) is included in the parole application, either on the Form I-131's applicable section or on a supplemental document, and that USCIS is notified of any changes to that contact information. Once the beneficiary is able to make private arrangements to travel to a third country where there is a U.S. embassy or consulate, the beneficiary must notify USCIS immediately at [HumanitarianParole@uscis.dhs.gov](mailto:HumanitarianParole@uscis.dhs.gov)."

In addition, we are rejecting a number of Fee Waiver Requests due to:

- Form I-912 is signed by the wrong party (Beneficiary vs. Petitioner)
- Form I-912 is not signed
- Lack of supporting documentation to substantiate a Financial Hardship claim (FWR)
- Supporting documentation being submitted for Beneficiary when the Petitioner is the one requesting the Fee Waiver
- Missing Fee/FWR

[View the entire document with DocumentCloud](#)

At the end of October, USCIS finally was ready to lift the nearly two-months hold on humanitarian parole adjudications and move forward "to begin to deny cases for those who are ineligible." At this time, the agency also suggested prioritizing processing applications for those individuals outside Afghanistan. Accordingly, the agency would need to update their standard operating procedures (SOP) and its website.

^



Priorities for processing and potential changes to the SOP (p. 119)

**From:** Ruppel, Joanna  
**Subject:** Afghan parole cases - decisions  
**To:** Schoener, Sarah L; Chiorazzi, Anne; Villasenor, Eissa M; Strong, Stacy K; Wright, Charles E; Jo Bobbie L  
**Cc:** Stone, Mary M  
**Sent:** October 26, 2021 1:10 PM (UTC-05:00)

All,

Had a good meeting with D1. Here is the upshot and next steps:

1. We can move forward to begin to deny cases for those who are ineligible, including the protection cases not meet our parole requirements who should seek protection through existing third country protection refugee processing channels. We should be sure to include very specific language in our denial letters a the possibility of contacting the UNHCR and contact info (if we have it for the country where the benefic website link.
2. We should prioritize processing of beneficiaries outside of Afghanistan, but still process some inside Afghanistan. For example, we could assign 2/3 of the officers adjudicating Afghan cases to those outside Afghanistan and 1/3 to those in Afghanistan, to the degree we know this information.
3. We should move forward with the formal clearance process for the analytic framework and guidance in and ensure we also are transparent with that on the website (e.g., the proposed language we have for t website). **Sarah – could you please work with RAIO-IRAD Clearance to clean up the latest version of updated web content and get in clearance for expedited review? We would need all comments by n Thursday, I think. I recommend you send Chelsea Clough at DHS a bootleg so she can start reviewing**

I asked for front office support in clearing our draft SOP and web content by Friday. After front office review, will need to go to the Department. So it may not be final/final by the beginning of training.

Joanna

Joanna Ruppel  
Chief, International and Refugee Affairs Division  
USCIS Refugee, Asylum and International Operations Directorate  
[redacted]  
[redacted] (cell)

[View the entire document with DocumentCloud](#)

## February 2022 – Changes are made.

By February 2022, it is evident from records obtained that USCIS changed certain aspects of its protocols to review humanitarian parole applications. Emails show that USCIS personnel convened a meeting to relay direction from the secretary to develop ways to “better address protection needs of vulnerable Afghans.” The email informing agency staff about this meeting contains an attachment with a Lesson Plan on the humanitarian parole element of “targeted harm.” The name of that document shows the lesson plan was revised in February 2022. The email goes on to state that once the changes have been finalized, the agency would revise the Afghan specific materials, the standard operating procedures, and the agency’s public facing materials.

### Potential changes to protection processes (p. 30)

If you could please review the attached document and provide initial thoughts early this week. S1 has scheduled a follow-up meeting for Thursday morning. Sarah and team, once we lock down these changes for protection cases in general, will need to revise the Afghan specific materials accordingly. And of course the SOP and our public-facing materials. We don’t have to have the exact language by Thursday morning, but should have a paper that outlines what we are recommending as a path forward.

[View the entire document with DocumentCloud](#)



## The Results

This shifting landscape led to dismal statistics about the number of applications for humanitarian parole that USCIS approved for Afghan nationals. A March 17, 2022 report to the Congressional Research Service states that in Fiscal Year 2021, USCIS adjudicated 79 parole applications including both I-131 applications and government requests. The agency approved 67 of those applications and denied 5. The report also shows that during Fiscal Year 2022 up to March 4, 2022, USCIS had adjudicated 2,633, denying 2,251 of those applications. During this time period, the agency conditionally approved 150 of the applications submitted, or approximately 5%. Only 35 of those were of I-131 applications, while 115 were government requests and thousands have not yet been adjudicated.

Priorities for processing and potential changes to the SOP (p. 119)

**From:** Ruppel, Joanna  
**Subject:** Afghan parole cases - decisions  
**To:** Schoener, Sarah L; Chiorazzi, Anne; Villasenor, Eissa M; Strong, Stacy K; Wright, Charles E; Jo Bobbie L  
**Cc:** Stone, Mary M  
**Sent:** October 26, 2021 1:10 PM (UTC-05:00)

All,

Had a good meeting with D1. Here is the upshot and next steps:

1. We can move forward to begin to deny cases for those who are ineligible, including the protection cases not meet our parole requirements who should seek protection through existing third country protection refugee processing channels. We should be sure to include very specific language in our denial letters about the possibility of contacting the UNHCR and contact info (if we have it for the country where the beneficiary website link.
2. We should prioritize processing of beneficiaries outside of Afghanistan, but still process some inside Afghanistan. For example, we could assign 2/3 of the officers adjudicating Afghan cases to those outside Afghanistan and 1/3 to those in Afghanistan, to the degree we know this information.
3. We should move forward with the formal clearance process for the analytic framework and guidance in and ensure we also are transparent with that on the website (e.g., the proposed language we have for the website). **Sarah – could you please work with RAIO-IRAD Clearance to clean up the latest version of updated web content and get in clearance for expedited review? We would need all comments by next Thursday, I think. I recommend you send Chelsea Clough at DHS a bootleg so she can start reviewing**

I asked for front office support in clearing our draft SOP and web content by Friday. After front office review, we will need to go to the Department. So it may not be final/final by the beginning of training.

Joanna

Joanna Ruppel  
Chief, International and Refugee Affairs Division  
USCIS Refugee, Asylum and International Operations Directorate  
[redacted]  
[redacted] (cell)

[View the entire document with DocumentCloud](#)

Government statistics covering a slightly different time period tell the same story. From January 1, 2020, to April 6, 2022, USCIS received 44,785 applications where the applicant's country of citizenship was Afghanistan, and only approved 114 of those applications.

Notably, government figures show that between March 1, 2021, and March 22, 2022, USCIS received **over \$19 million** from humanitarian parole applications filed on behalf of Afghan nationals.

## Filing fees submitted for humanitarian parole applications

Aggregate data or statistics related to total amount of filing fees submitted to USCIS for humanitarian parole applications since March 1, 2021 to March 22, 2022, broken down by country of citizenship of intended beneficiaries.

Page 1 of 13



<b>Intended Beneficiary Country of Citizenship</b>	AFGHANISTAN
<b>Number of Accepted Applications</b>	33,209
<b>Total Fee Accepted</b>	\$19,095,175
<b>Intended Beneficiary Country of Citizenship</b>	EL SALVADOR
<b>Number of Accepted Applications</b>	348
<b>Total Fee Accepted</b>	\$200,100
<b>Intended Beneficiary Country of Citizenship</b>	MEXICO
<b>Number of Accepted Applications</b>	322
<b>Total Fee Accepted</b>	\$185,150
<b>Intended Beneficiary Country of Citizenship</b>	HAITI
<b>Number of Accepted Applications</b>	298
<b>Total Fee Accepted</b>	\$171,350
<b>Intended Beneficiary Country of Citizenship</b>	USA
<b>Number of Accepted Applications</b>	195

These figures show that it was extremely difficult for Afghan applicants who directly requested humanitarian parole through the I-131 process to have their cases adjudicated even though the agency collected extensive fees from these applications. Applicants' best chances for being approved for humanitarian parole were when a U.S. agency requested the parole, an avenue that was available to only a handful of Afghans.

The developments in the humanitarian parole process revealed through government records highlight the insurmountable odds faced by Afghan nationals trying to reach the United States. It is evident from the available documents that USCIS was not prepared to adjudicate the high volume of humanitarian parole applications from Afghans who did not make it on those early flights to the United States. The shifts in adjudication protocols with no notice to the public, including USCIS' de-prioritization of processing applications from individuals who remained in Afghanistan and the temporary hold placed on adjudications in light of the high volume of applications received, undoubtedly contributed to the delays in adjudications. These circumstances, and not just the volume of applications, are the reason why humanitarian parole has failed to provide a feasible avenue for relief to vulnerable Afghans who have not been able to reach the United States.

1331 G St. NW, Suite 200, Washington, D.C., 20005 | 202-507-7500

Registered 501(c)(3). EIN: 52-1549711

Copyright American Immigration Council. All rights reserved.

[Photo Credits \(/content/photo-credits\)](#) | [Sitemap \(/sitemap\)](#) | [Terms of Use \(/terms-of-use\)](#)