

The Anwari Law Firm, PC



Humanitarian Parole

Due to the dangerous conditions in Afghanistan, and the incredibly limited State Department resources available, one option for Afghans needing to leave Afghanistan is 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 relative is able to reach a third country, an application for Humanitarian Parole can be made at the Embassy.

While it is very difficult to get a visa currently, usually Afghan citizens are eligible for e-visas to Tajikistan, Uzbekistan, and Kyrgyzstan, and they may enter the following countries without a visa:

- Antigua and Barbuda (e-Visa)
- Benin (e-Visa)
- Cape Verde (Visa on arrival - 3 months)
- Comoros (Visa on arrival - 45 days)
- Dominica (Visa free entry - 21 days)
- Ethiopia (e-Visa - 90 days)
- Maldives (Visa on arrival - 30 days)
- Qatar (e-Visa)

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. Parole does not confer immigration status and does not provide a path to permanent residency (green card) 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.

Who is Eligible

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.

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.

The Form I-131 must include the applicable filing fee of \$575 or fee waiver request using Form I-912, Request for Fee Waiver.

Each family member must file a separate Form I-131 with required fees or Form I-912 and supporting documentation.

Humanitarian parole beneficiaries usually must have a valid and unexpired passport.

If the beneficiary does not have a valid Afghan passport, we will need to include a copy of available identification documentation (such as tazkera) 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.

USCIS requires evidence of a financial 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 USCIS conditionally approves parole, they will send a conditional approval letter to the petitioner who filed the Form I-131 and any attorney/representative of record.

Financial sponsor minimum requirements may be found at this link (column labeled "100% of HHS Poverty Guidelines" : <https://www.uscis.gov/i-864p>

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.

If the beneficiary is outside of Afghanistan, they may 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 or entry into the US. 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.

Work Authorization

Once the beneficiary arrives in the US, they can immediately request a work authorization card and social security number. This will allow them to work legally anywhere in the United States

There are three ways they can continue to stay in the US legally after their parole has ended:

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.

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 for more information.

Fees. The Anwari Law firm charges \$1500 for the first family member's humanitarian parole application and \$500 for each additional member of the same family (spouse or child.) The government filing fee is \$575 per application and may be waived in some cases.

At the Anwari Law Firm, my staff and I are working hard to help our fellow Afghans assist their family members and bring them to safety in the US. We appreciate your support and patience as we are receiving many phone calls and emails a day. We have hired new staff who speak Dari and Pashto and will work hard to respond to you as soon as possible. Thank you.

Best regards,

Deeba Anwari, Esq.
The Anwari Law Firm
www.AnwariLaw.com