

## Afghan Humanitarian Parole

*Disclaimer: this is only a guide and individuals are encouraged to consult the latest resources from U.S. Citizenship and Immigration Services (USCIS) and/or their own immigration attorneys when proceeding with Humanitarian Parole applications.*

### OVERVIEW

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Humanitarian parole is a temporary discretionary authorization to enter the United States that can be granted based on humanitarian or significant public benefit reasons. On August 26, 2021, the U.S. Citizenship and Immigration Services (USCIS) published guidance for Afghan nationals seeking parole into the United States.

Parole does not provide a legal status. Parole is a discretionary tool that allows a person to make a lawful entry into the United States. The humanitarian parole application does not guarantee or offer a path to citizenship. It is only a vehicle through which an individual receives legal permission to enter the US, not legal admission. If there is a pending visa application, then the parolee can apply for an “adjustment of status” once they arrive in the US.

The duration of a person’s parole is specified by the DHS agency that authorizes it and marked with a stamp in the passport or other entry document. Typically, parole is granted for no more than one year, but the DHS has indicated that parole will be granted for certain Afghan nationals for a period of two years, given the circumstances.

### REQUESTING HUMANITARIAN PAROLE

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Below is a checklist of forms/documents that need to be completed for a strong humanitarian parole application. Note: these forms are listed in the order they should be submitted when placing in the envelope.

1. Cover Sheet on Brightly Colored Paper
  - This should be labeled “Afghanistan Humanitarian Parole, Expedite Requested”
  - An example of this document can be found [here](#).
2. Cover Letter Describing the Contents of the Application Packet
  - An example of this document can be found [here](#).
3. Form G-1145, E-Notification of Application/Petition Acceptance
  - This form has to be listed at the very top of the application
  - Write “**EXPEDITE**” in the top right corner of the G-1145 form
4. Form G-1450, Credit Card Authorization Form
  - While individuals can by credit card, lawyers have indicated that typically payment by credit card is flagged as fraud and rejected. If you plan to pay by credit card, complete the authorization form.

- Individuals cannot pay by check - only lawyers can pay by check. Otherwise, a money order is required.
- Money order:
  - The check or money order must be drawn on a bank or other financial institution located in the United States and must be payable in U.S. currency.
  - Make the money orders payable to the U.S. Department of Homeland Security. NOTE: Spell out U.S. Department of Homeland Security; do not use the initials "USDHS" or "DHS."
  - It is advised to get one money order *per applicant* (meaning per individual!).

5. Form I-131, Application for Travel Document

6. Advocacy/Statement Letter

- If the parolee has a visa application pending (e.g., SIV, P1, P2), include the application number and information on the current status of the application.
- Parole, on its own, does not provide a path to legal permanent residency or permanent immigration status. Therefore, if the parolee applicant does not have a visa application currently pending, please demonstrate intent to apply once they arrive in the US as well as why they hadn't already applied for a visa to date. If the individual does have a pending visa application (SIV/P1/P2), include when the application was submitted and any related information such as current status, last date of communication, etc.
- Demonstrate character and vital contributions to US efforts in Afghanistan or strong vulnerability within current living circumstances.
- If the applicant does not have a valid/current visa and/or passport, explain this in the letter, including family relationship to the sponsor

7. Form I-134, Affidavit of Support

- A parole applicant may be sponsored by an individual, a group of individuals, or an organization. Alternatively, applicants can self-sponsor.
- The US government also cannot enforce this document and hold you financially responsible. This affidavit is for demonstrating financial support only, not a promise to provide it.
- If you cannot demonstrate your ability to financially support the parolee, there are several organizations whose directors are either completing a I-134 application on behalf of an organization or providing a letter on behalf of the organization that outlines their commitment to providing financial support to the applicant if parole is granted. A list of organizations is being compiled.

8. Form I-912, Request for Fee Waiver

- If you are demonstrating financial support as the sponsor, then do not complete this form for the main applicant.
- This form is for those whose income falls under a certain threshold. This form should be filed by those "self-petitioning".
- Please note that requesting a fee waiver extends the humanitarian parole application process because the application first goes to a panel to review the application fee, which takes time. So, it is advised to pay the fee if you are able or work to find an individual/organization to pay it on your behalf.

9. Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative

- If you have an immigration attorney, the lawyer or other accredited representative should use this form to provide information about their eligibility to act on behalf of an applicant, petitioner, or respondent.
- Human Rights First is seeking to connect Afghan humanitarian parole applicants with pro bono legal representation through [this form](#).

#### 10. Supporting Documentation

- All documents you submit must be in English or accompanied by a certified English-language word-for-word translation. A sample translation certificate can be found [here](#). New-style Tazkirahs with English on the back are fine, as is. However, old-style paper Tazkirahs require translation, as do marriage and birth certificates. The typical cost for translation is about \$20/page.
- You should include two US-style passport-style photographs. If necessary, have your loved one take a photo with their smartphone (close up photograph of their face, with a neutral expression, against a white/neutral background). The photo can be cropped or printed at home, or through an online service, such as Walgreens Photo.
- If possible, marriage certificate(s) and birth certificates for any children.
- Ideally the applicant will be able to include third-party documentation of the threat to his/her life. This may include Taliban arrest warrants or letters from the former Afghan government documenting a threat.
- If you are applying based on affiliation with U.S. forces or a U.S. company or organization, provide evidence that you are or were affiliated with that organization (work identification card, letter from human resources, etc.).
- Include any relevant application forms for SIV, P1, P2.

#### **Mailing**

Once complete, remember to place all forms in the order listed above in the mailing envelope. Write “Afghanistan Humanitarian Parole” on the mailing envelope and mail by one of the following ways:

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

USCIS  
Attn: Humanitarian Parole  
P.O. Box 660865  
Dallas, TX 75266-0865

#### **For FedEx, UPS, and DHL:**

USCIS  
Attn: Humanitarian Parole (Box 660865)  
2501 S. State Hwy 121, Business  
Suite 400  
Lewisville, TX 75067-8003

#### **IMPORTANT APPLICATION CONSIDERATIONS**

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- Each person needs their own Humanitarian Parole application even kids under 18. Another option: if you have a large family, submit one application for the primary applicant and once approved, family members can then request humanitarian parole for reasons of family unity.

- The application needs to cite an urgent reason that the person cannot stay in Afghanistan; “country conditions” and specific circumstances to the person. Cases seem to be being expedited (looked at quickly) and AFG Humanitarian Parole apps are prioritized over other places.
- The applicant can apply from anywhere except Afghanistan or the countries where we do not do consular work (e.g., Iran, Yemen).
- Humanitarian Parole documentation completion is not possible in Afghanistan because biometric screening is needed and then physical transfer of documents to the traveler are required, neither of which can happen without consular services.
- While a passport is not required, having a valid unexpired passport does help facilitate humanitarian parole. If the beneficiary does not have a valid Afghan passport, include a copy of any 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.
- If the beneficiary applied while in Afghanistan, but then makes 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) when they have arrived in the new location.
- It is highly advised that there be efforts in place to apply for a visa or demonstrate in your written statement an intention to apply for visa upon arriving in the states.

**If you are completing this application on someone’s behalf or assuming sponsorship:**

- We learned that requesting the fee waiver jeopardizes a candidate's opportunity if someone in the US is completing the form on their behalf and that the application takes longer when requesting a fee waiver, because it needs to go into an adjudication process. Our best recommendation at this time is to find a way to pay for the application fees on the person’s behalf.
- Completing the "sponsor" section means that you agree to financially support the family in any way necessary until the family gets a green card; however this does not appear to be enforceable.
- Security clearance holders: If you have a security clearance, you may want to seek legal advice before serving as a sponsor to someone you do not know well, as it may endanger your clearance.
- Federal government employees: Similarly, if you are a current federal government employee, you should seek legal advice before sponsoring a parole application or serving as a lawyer for a parole applicant. You could potentially violate 18 USC 205 by doing so.

**WHAT HAPPENS NEXT**

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- USCIS approves Humanitarian Parole and then the State Department is informed. Although the State Department has the authority to authorize and approve visas, it does not have the authority to approve any type of parole application. USCIS has that granting authority. However, the State Department may submit a request for parole to USCIS if they are made aware of the pending parole application.
- After your humanitarian parole application is received, you will receive an email that contains your case number. As soon as you get it, call the USCIS Customer Service line to justify the expedite request: 1-800-375-5283. The USCIS Contact Center may require the caller to explain why an expedite is needed and why the beneficiary did not file for asylum or refugee status. Respond in detail, by saying things like: “They weren’t afraid to live in Kabul until the Taliban recently attacked and took over the city.” “The USCIS does not allow people to apply for asylum if they are outside the United States.” “It is not possible to apply for refugee status in Afghanistan while the embassy is closed.” You should then check the online status

tracker every 4-5 days to ensure that you are seeing progress in the system. If it appears to have stalled, call USCIS

- The US is working to assist individuals residing in Afghanistan to depart the country if USCIS has conditionally approved their application for humanitarian parole. Applicants can also arrange travel to a U.S. embassy outside of Afghanistan to continue processing their parole request.
- Once conditional parole is granted, the applicant must complete a [Form DS-160, Application for a Non-immigrant Visa](#), and include their best local contact information. The DS-160 filing fee is waived for humanitarian parole applicants. It is okay to list Kabul as the designated consular post. The Department of State can pull up the application at any consulate. It is also okay to switch parole requests to a different consulate later by emailing the USCIS humanitarian parole office.
- Afghan parolees should be screened by an immigration attorney for formal legal status. Some people who are paroled into the United States may already have a pending application for legal status. For those who have not filed an immigration application or petition at the time of arrival, below are some legal options they may qualify for:
  - Adjustment of status (i.e., based on a qualifying relationship to a family member). An individual seeking to adjust status must maintain a valid unexpired parole document.
  - Asylum (those who suffered or face persecution in Afghanistan based on a specific characteristic)
  - Special Immigrant Visa status or USRAP Priority 2 status (certain Afghan nationals employed by or on behalf of the U.S. government)
  - USRAP Priority 1 status (certain Afghans “known to the Embassy” and referred by a U.S. government agency).

## RIGHTS & BENEFITS

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- Work: Parolees can apply for work authorization on USCIS form I-765 and can begin to work if/when USCIS approves their request for work authorization.
- Education: Right to K-12 public education regardless of immigration status.
- Law enforcement: Right to remain silent if approached by a law enforcement or police officer.
- Compliance and Notice: Parolees must follow the conditions of their parole and seek other immigration benefits or re-parole at the end of the authorized parole period. Parolees must notify USCIS of changes in their address by filing out Form AR-11.

## LEGAL CONSIDERATIONS

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- The legal authority for parole can be found in section 212(d)(5) of the Immigration and Nationality Act and the regulations at 8 C.F.R. 212.5. The authority is discretionary, meaning that the Department of Homeland Security (DHS) has the choice to decide to parole or not parole an individual.
- “Port parole” refers to a process where the CBP independently paroles a person at a U.S. port of entry like an airport. This might happen if a person boards an evacuation flight and arrives in the United States. Unlike humanitarian parole, there is no formal application process or filing fee for port parole. Once an individual has been paroled by CBP they do not have to apply for humanitarian parole with USCIS.

- Extensions: Technically parole cannot be renewed, but re-parole can be requested to extend the parole period. For those who entered on port parole they can seek re-parole through CBP at any deferred inspection office. For those who entered on an approved humanitarian parole application, a new application for humanitarian parole must be filed again with USCIS to initiate parole.

## OTHER RESOURCES

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- ADEP: Advice on the Parole process; donate to cover people's Humanitarian Parole fees; try contacting them to have your fees covered. <https://adeprogress.org/resources/afghanistan-humanitarian-parole/>
- USCIS: <https://www.uscis.gov/forms/explore-my-options/humanitarian-parole>
- USCIS on Afghanistan: <https://www.uscis.gov/archive/information-for-afghan-nationals-on-parole-into-the-united-states>