



**Homeland
Security**

August 23, 2021

MEMORANDUM FOR: Troy Miller
Acting Commissioner
U.S. Customs and Border Protection

FROM: Alejandro N. Mayorkas
Secretary 

SUBJECT: **Guidance for the Immigration Processing of Afghan Citizens
During Operation Allies Refuge**

Given the current circumstances in Afghanistan, the United States has been involved in the processing, transporting, and relocating of vulnerable Afghan nationals, including many who worked for or on behalf of the United States. Some of these individuals were in various stages of processing for immigration status in the United States – whether based on a family relationship, through a special immigrant visa, or as part of a refugee program – but were not able to complete these processes because of the current situation in Afghanistan. Others, despite likely eligibility, never applied because they had not previously sought to leave Afghanistan and relocate in the United States.

In light of these considerations, and in support of the work that has been coordinated across the U.S. government as part of Operation Allies Refuge, I find that it is an appropriate exercise of discretionary authority under Section 212(d)(5) of the Immigration and Nationality Act for U.S. Customs and Border Protection officers to parole certain Afghan nationals into the United States, on a case-by-case basis, for a period of two years and subsequent to appropriate vetting, provided their movement to the United States is being carried out pursuant to Operation Allies Refuge.

Once paroled by CBP, Afghan nationals may be eligible to apply for status through United States Citizenship and Immigration Services. Afghan nationals paroled by CBP may also have conditions placed on their parole, to include medical screening and reporting requirements. Failure to follow these conditions may be cause for termination of the parole and initiation of detention and removal.

cc:

Ur M. Jaddou, Director
U.S. Citizenship and Immigration Services

Tae Johnson, Acting Director
U.S. Immigration and Customs Enforcement