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## **Relief for Afghan Nationals: P-1, P-2, and P-3 Refugee Status**

### **Overview**

The U.S. government establishes processing priorities that determine which of the world's refugees are "of special humanitarian concern to the United States" and therefore eligible to be considered for resettlement in the United States. On August 2, 2021, The Department of State announced a Priority 2 designation (P-2) for some Afghan refugees and their families, allowing them access to P-2 resettlement options. The following sets out the eligibility criteria and application process for P-1, P-2, and P-3 status.

Eligibility for a priority status will not guarantee approval and entry into the United States. Instead, eligibility generally qualifies a person to have an interview with a DHS officer to determine whether the person meets the refugee definition, is not already firmly resettled, and is not excluded on other grounds. If individuals meet the criteria, they will undergo the same processing steps as other refugees, including extensive security vetting. Those who qualify for an SIV should *not* apply for P-1, P-2, or P-3 refugee status. For all priorities, in emergencies, the Foreign Affairs Manual instructs U.S. Embassies to contact PRM immediately to coordinate with USCIS to address the case (9 FAM 403-2(e)).

### **Priority 1 (P-1)**

**Eligibility:** To qualify, individuals *must be officially referred* to the US Refugee Assistance Program (USRAP) as a refugee for whom resettlement is the best option by UNHCR, a U.S. Embassy, or a qualified NGO (trained by the Bureau of Population, Refugees, and Migration). The UNHCR Resettlement Handbook chapter regarding the United States (regularly updated by the United States) identifies those who qualify for this status. They include:

- Persons facing compelling security concerns in countries of first asylum
- Persons in need of legal protection because of the danger of refoulement
- Those in danger due to threats of armed attack in an area where they are located
- Persons who have experienced recent persecution because of their political, religious, or human rights activities (prisoners of conscience)
- Women-at-risk
- Victims of torture or violence
- Physically or mentally disabled persons
- Persons in urgent need of medical treatment not available in the first asylum country

- Persons for whom other durable solutions are not feasible and whose status in the place of asylum does not present a satisfactory long-term solution.

**Accessing this status:** A guide to seeking a referral from UNHCR or a U.S. Embassy can be found here: <https://www.nolo.com/legal-encyclopedia/how-get-referral-the-us-refugee-admissions-program.html>.

**Other notes:** As with all other priorities, Priority One referrals must still establish past persecution or a credible fear of future persecution from the country from which they fled. In cases where a person is not a member of a group described under P-2, they will qualify for P-1 status if they can get a referral from one of the entities noted above.

## **Priority 2 (P-2)**

**Description:** P-2 is aimed at granting refugee status to *groups* who meet a certain definition rather than those individually referred by a qualified entity.

**Eligibility:** Three categories of Afghan nationals qualify for P-2 status:

1. Afghans who do not meet the minimum time-in-service for a SIV but who work or worked as employees of contractors, locally employed staff, interpreters/translators for the U.S. Government, United States Forces Afghanistan (USFOR-A), International Security Assistance Force (ISAF), or Resolute Support;
2. Afghans who work or worked for a U.S. government-funded program or project in Afghanistan supported through a U.S. government grant or cooperative agreement;
3. Afghans who are or were employed in Afghanistan by a U.S. based media organization or non-governmental organization.

**Accessing this status:** To access P-2 status, members of these groups must contact the entity that employed them for a referral. The individual must submit an excel form to their employer. Then the employer is responsible to send a referral form to USRAP. These forms and instructions for their completion can be found at <https://www.wrapsnet.org/siv-iraqi-syrian-afghan-referrals/>.

## **Priority 3 (P-3)**

**Eligibility:** Individuals in designated countries, including Afghanistan, *with relatives in the U.S. who have already been admitted as refugees or asylees* are eligible for this refugee status. Individuals must be spouses, minor children, or parents of their family in the U.S. The process is initiated by the relative with status in the U.S. via the AOR (affidavit of relationship) form.

**Accessing this status:** Only refugee resettlement programs can complete and submit AOR applications. You must reach out to your local resettlement agencies to inquire into their availability. IRC has a program to assist in completing and submitting the requisite forms: <https://www.rescue.org/announcement/irc-family-reunification-program?amp>. This status can be sought simultaneously with the “Following-to-Join” petition, via the I-730, which requests certain relatives be brought to the U.S. without regard to persecution in the home country. Details and differences of these paths can be found at <https://2017-2021.state.gov/refugee-admissions/u-s-refugee-admissions-program-access-categories/index.html>.