

June 13, 2022

The Honorable Joseph R. Biden Jr.
President
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

The Honorable Antony Blinken
Secretary
U.S. Department of State
2201 C St. NW
Washington, D.C. 20520

Dear President Biden and Secretary Blinken,

The undersigned 82 organizations are legal service providers, policy organizations, child welfare experts, and faith-based organizations serving and advocating on behalf of Afghan unaccompanied children and their families directly impacted by the United States' withdrawal from Afghanistan in August 2021.

Many of the children we serve have already spent 10 months separated from their parents in the aftermath of the U.S. troops' withdrawal. Several have been in the custody of the Office of Refugee Resettlement (ORR) for the entirety of that time. Despite various efforts to mitigate the harm of their prolonged separation, these children continue to suffer immeasurably and ache to reunite with their families in the United States. However, their families currently face significant delays and near insurmountable hurdles, the most poignant of which is the requirement that they obtain a passport from Afghanistan while actively seeking to flee for their safety. The Taliban are currently hunting some of the family members of our clients due to their prior service in the Afghan military or alongside the U.S. military. Seeking passports — even through third parties — risks aggravating this danger. This is in addition to the high financial costs to obtain a passport and logistical barriers. For example, in some places in Afghanistan, offices that issue passports are currently closed. Moreover, in a country under Taliban rule, it has been nearly impossible for the family members of our clients to discern which groups are issuing legitimate passports, and which may be fraudulent.

We are encouraged that your administration has indicated its intention to prioritize reunification for families on an expedited basis. We understand that the passport requirement is not imposed by the U.S. government, but one that is necessary for families' processing through Qatar. However, as the months go by, we cannot stress enough the urgency of removing existing obstacles for these families, particularly with respect to obtaining valid Afghan passports. We have seen too many families face danger and even persecution as they seek passports from their

Taliban-led government. If the passport requirement is not removed, many unaccompanied Afghan children we represent may be unable to reunify with their parents and siblings in the United States. Worse, these children may have to live with the life-long trauma of their parents and siblings being harmed or killed by the Taliban while trying to reunite with them.

Passports are generally not required for people seeking refugee or asylee status in the United States, as our laws and policies recognize that such people may have had to flee danger too quickly to obtain a passport before traveling, or may not be willing or able to avail themselves of the protection or services of their government. A government that fails to protect its own citizens from persecution or that participates actively in such persecution is not a government that people can or should turn to for help; accordingly, we do not require refugees or asylees to do so. This logic certainly applies to the family members of the unaccompanied Afghan children we serve: their government is no longer their own — it is now run by the Taliban, a terrorist group — and it is too dangerous for them to seek to obtain passports from the Taliban's government at this time.

Alternatives to this passport requirement are possible. The United States regularly issues refugee travel documents for people who do not have passports. In addition to the creation and issuance of travel documents for refugees, other mechanisms allow for travel to the United States without passports. For example, there are NEXUS cards for travel between the United States and Canada, and minors can travel to the United States from Canada and Mexico without passports if they have another form of identification and are accompanied by their parents or a guardian. Furthermore, we know that the passport requirement is not set in stone; it was not required during the initial evacuation of people from Afghanistan to the United States in the wake of the U.S. withdrawal. The U.S. government can and should negotiate with additional countries to facilitate relocation to the United States that eases or eliminates the passports requirements.

Given the existence of these types of mechanisms and the dire situations of unaccompanied Afghan children and their family members, we urge you to process Afghan family members without ushering them toward dangerous or untenable passport barriers. In our view, this will require further diplomatic efforts in other host/third countries, and may necessitate the creation and provision of travel documents by the U.S. government. The solutions you devise should, at minimum, be applied to family reunification cases; however, passports should never stand in the way of seeking refuge for anyone, let alone parents reuniting with their children.

Sincerely,

The Five Pillars Organization
The Advocates for Human Rights
Afghan-American Community Organization
Afghan-American Foundation
Afghans Building Alliances for Humanitarian Development

Afghan Coalition
Afghans For A Better Tomorrow
Afghan Network for Advocacy and Resources (Project ANAR)
Afghan Peaks/Afghan Rising Charitable Trust
African American Ministers In Action
Asian Services in Action (ASIA)
Bellevue Program for Survivors of Torture
Bethany Christian Services
Casa Cornelia Law Center
Center for Gender & Refugee Studies
CERI
Children's Defense Fund
Church of the Savior
Church World Service
Community Refugee & Immigration Services (CRIS)
Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces
Conklin Immigration Law, LLC
Connecticut Institute for Refugees and Immigrants
Disciples Immigration Legal Counsel
Disciples Refugee & Immigration Ministries
The Door
East Bay Refugee and Immigrant Forum
Empowering Pacific Islander Communities (EPIC)
Exodus Refugee Immigration, Inc.
Faiths for Safe Water
First Congregational Church of San Jose
First Focus on Children
HIAS
Human Rights First
Immigration Counseling Service
Immigrant ARC
Immigrant Defenders Law Center
Immigrant Defense Advocates
Innovation Law Lab
Immigrant Legal Advocacy Project
IRIS - Integrated Refugee & Immigrant Services
Jewish Family & Community Services East Bay
Journey's End Refugee Services, Inc.
Just Neighbors
Justice for Our Neighbors El Paso

Keepingourpromise
Kids in Need of Defense (KIND)
Law Office of Spojmie Nasiri, PC
Michigan Immigrant Rights Center
Mina's List
National Advocacy Center of the Sisters of the Good Shepherd
National Center for Youth Law
National Immigrant Justice Center
National Immigration Forum
National Immigration Law Center
New York Annual Conference The United Methodist Church Board of Church and Society
Nooristan Foundation
NorCal Resist
OKC Afghan Legal Network
OPAWL
Partnership for the Advancement of New Americans (PANA)
Prime Counsel, PLLC
Race Matters, First Congregational UCC
RAICES
REACT DC
RefugePoint
Refugees International
Refugee Solidarity Network
Riki Hawk Enterprises, LLC
Rocky Mountain Immigrant Advocacy Network
Santa Cruz Welcoming Network
Sisters of Mercy of the Americas Justice Team
Tahirih Justice Center
U.S. Committee for Refugees and Immigrants (USCRI)
VECINA
Vera Institute of Justice
Wind of the Spirit Immigrant Resource Center
Witness At The Border
Women's Campaign International
World Education Services
Women's Refugee Commission
The Young Center for Immigrant Children's Rights

CC:

Thomas West, Special Representative and Deputy Assistant Secretary for Afghanistan,
Department of State