

# Keeping Our Promise – The Afghan Adjustment Act Strengthens Our National Security



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## Introduction

Throughout its history, America has relied on allies and foreign partners to meet its national security objectives. These allies have often risked their lives to enable the missions of forward-deployed United States service members, intelligence officers, and diplomats. Support for U.S. overseas presence ranges from administrative tasks in an embassy to combat in the field, and foreign nationals who perform these duties are often viewed as an extension of U.S. presence. This exposes them to the same or even greater risks faced by U.S. personnel. Fundamental to this construct is an unspoken belief that the United States will support and protect them in times of crisis. It is this belief that routinely influences an ally or foreign national’s decision to materially support Americans overseas; as such, it is foundational to U.S. national security and must be managed and preserved.

America has a legacy of supporting individuals who have supported it in times of conflict and in pursuit of its national security interests, and Congress has been central to these efforts. In the wake of the Vietnam War, Congress passed a series of bills to aid South Asian refugees who supported the United States. It took similar actions with Central American and Cuban refugees who aided America’s fight against communism. More recently, Congress passed legislation to provide for Iraqis who aided U.S. forces in Desert Storm.

America is now faced with another opportunity to support foreign nationals who have served alongside U.S. forces. In August 2021, the United States withdrew from Afghanistan, ending its twenty-year presence in support of its fight against Al Qaeda and the Taliban. During its twenty-year conflict, thousands of Afghans supported U.S. servicemembers, intelligence officers, and diplomats. While many of these individuals were able to leave Afghanistan, an even greater number were left behind due to the chaotic nature of the U.S. withdrawal. To remedy this situation, U.S. forces and many humanitarian groups leaped into action and evacuated thousands of refugees.

While many are now safely residing in America on a temporary basis as parolees, they still lack a pathway to permanent status to afford them the long-term stability they have earned through their years of service and sacrifice. Consistent with Congress’ legacy, a bipartisan group of lawmakers is hoping to deliver on the promise made to these individuals through the Afghan Adjustment Act, a legislation that would assure Afghan allies a permanent pathway to remain in the U.S., eventually attain citizenship and rebuild their lives.

This status-adjusting legislation mirrors a variety of other [previous](#) adjustment acts that proved successful. Citizens from Cuba, Vietnam, Iraq, and elsewhere have received a pathway to citizenship from Congress in an adjustment act, helping them better integrate into and enrich American culture and society. The need for these laws goes well beyond meeting moral and legal commitments, and the benefit of these laws extends beyond the contribution these allies make as immigrant Americans. These laws signal to current and future allies that America keeps its promises and ensures that future potential allies will stand ready to assist our service members in defending America’s national security.



## Current State of Play

In August 2021, after the tumultuous withdrawal of U.S. troops from Afghanistan, U.S. forces, with the support of humanitarian organizations and private volunteers, swiftly evacuated thousands of Afghan allies who aided American service men and women during America's two decades in Afghanistan. This included translators, embassy employees, family members, and others who were essential to America's many prior successes in that region. The operation became known as Operation Allies Welcome, and through it, the U.S. helped resettle more than 80,000 Afghan nationals in the U.S.

Afghan nationals brought to the U.S. entered under humanitarian parole, a tool that allows people without visas to enter and temporarily reside in the United States. While not widely granted to Afghans by the U.S. government after the evacuation, a handful of additional Afghan allies have been paroled into the U.S. and permitted to stay temporarily. Humanitarian parole does not, by itself, provide a pathway to citizenship or access to refugee benefits, although Congress enacted legislation to provide such benefits to those Afghans paroled during the evacuation. Humanitarian parole is of limited duration, and 2021 parolees recently had to reapply for an extension of parole upon the expiration of their initial parole period.

Roughly one year after the withdrawal of U.S. troops from Afghanistan, the Operation Allies Welcome program was replaced with other efforts, such as Operation Enduring Welcome. This new program pledged to support Afghan nationals and their families, either already settled or newly settled in the U.S., to maintain long-term immigration status. The program also sought to protect those who, if returned to Afghanistan, would face threats to their safety from the Taliban. These Afghans were deemed to be “most vulnerable.”

On August 1, 2023, the Office of Refugee Resettlement (ORR) shared that eligible Afghan parolees who have filed for re-parole, asylum, or an adjustment of status before the end of their initial parole period will remain eligible for ORR benefits and services. The U.S. Citizenship and Immigration Services (USCIS) has vowed to set up at least five support centers across the U.S. to connect Afghans to lawyers to assist in the process of applying for parole renewals. These centers will also provide health care, assistance with job placement, and other services deemed necessary to assist Afghans in integrating into American society.

The White House and lawmakers on both sides of the aisle have called for the passage of an Afghan adjustment legislation like the Afghan Adjustment Act, under which Congress would make it possible for evacuated Afghans to become permanent residents of the United States.

## The Afghan Adjustment Act

The Afghan Adjustment Act (AAA), most recently reintroduced in July 2023, expands eligibility for Special Immigration Visas (SIV) to qualifying Afghan nationals and their families, requires the “gold standard” of vetting processes, and gives our Afghan allies the opportunity to adjust their status and become permanent



residents of United States. The bill would benefit America's Afghan allies and signal to future allies that America keeps its promises. This would, in turn, make others more likely to work and cooperate with America, therefore strengthening America's national security.

Veteran groups have been vocal in their support for the Afghan Adjustment Act. Veterans who served alongside Afghan nationals in Afghanistan are quick to express their belief that their close comrades and friends deserve resources and appreciation similar to the ones American veterans receive when returning home from war.

As noted above, the AAA would only be the latest among several adjustment acts passed by Congress to protect wartime allies and other neighbors facing danger. In fact, Congress has successfully utilized adjustment legislation on multiple occasions, and the beneficiaries have been able to assimilate into American society without any major issues.

## **Proven Successful, Adjustment Acts Benefit America**

### **VIETNAMESE ADJUSTMENT LEGISLATION**

At the conclusion of the Vietnam War, Congress passed several pieces of legislation aimed at supporting Southeast Asian refugees affected by the war. The Indochina Migration and Refugee Assistance Act of 1975, the first piece of legislation of this nature passed by Congress, granted \$405 million in supplemental funding to the resettlement of Vietnamese, Cambodian, Laotian, and Hmong refugees. Through this act, roughly 135,000 refugees were admitted to the U.S., mostly through parole. These refugees were transferred to centers in California, Arkansas, Florida, and Pennsylvania and underwent cultural assimilation education. Upon completion of these education courses, refugees would receive federal economic support to assist in starting their new lives.

Notably, this legislation was passed by President Ford working with an opposition Congress (the Democrats held both the House and Senate majorities) and without popular support (only 36% of Americans supported the immigration of Vietnamese allies). In contrast, there is widespread support for the resettlement of Afghan Allies (89% of Americans support the immigration of Afghan Allies).

In 1977, the Indochina Migration and Refugee Assistance Act was amended in order to create an expedited route for adjustment to refugees. The amendment allowed refugees who had previously evacuated from Southeast Asia to adjust their parole status to Lawful Permanent Residents (LPR) status. More than 174,000 refugees obtained LPR status from 1971 to 1990, attributing to the continued growth of the U.S. refugee program.

In 2000, Congress passed the Indochinese Parole Adjustment Act, which fell under the Foreign Operations Appropriations Act of 2001. This act allowed additional Southeast Asian refugees to adjust to LPR status, as well as granted them work authorization.



Over the past half-century, Vietnamese Americans have become integral parts of American society, rising to prominent roles in civil society, public service, business, and the military.

## **CUBAN ADJUSTMENT ACT**

After the rise of the Castro regime in Cuba, Congress enacted the Cuban Adjustment Act (CAA) in 1966, which created a pathway to permanent status and citizenship for qualifying Cubans in the United States.

Since the passage of the CAA in 1966, over 1.2 million Cubans have obtained LPR status under the terms of the bill. Cuban migration has remained significant over the last six decades, with Cuban immigrants accounting for roughly 3 percent of the total immigrant population in the U.S.

Cuban immigrants have also seamlessly woven their traditions and culture into American society, with the CAA playing an important role. A clear example of the CAA's success can be seen in the bustling city of Miami, where Cuban Americans are central to the city's culture and governance. From restaurants to music to serving as mayor and in Congress, in Miami and elsewhere, Cuban immigrants continue to show their welcomed impact on American life.

## **Other Adjustment Acts**

Though the Vietnam and Cuban Adjustment Acts are the most widely known, Congress has also enacted additional adjustment legislation in recent decades.

In 1997, the Nicaraguan Adjustment and Central America Relief Act, or NACARA, was passed to provide a variety of immigration benefits and relief from deportation to specific populations of Nicaraguans, Cubans, Salvadorans, Guatemalans, nationals of former Soviet bloc countries and their dependents, who applied for asylum. About 70,000 refugees were legalized through the NACARA process.

A few years after Operation Desert Storm, Congress used the Omnibus Appropriations Act of 1999 to create an avenue for Iraqi nationals seeking asylum to attain LPR status. Under Section 128 of the bill, Iraqi nationals (including Iraqi Kurds) who supported the U.S. government or were evacuated to Guam by the U.S. government were qualified to attain LPR status. The number of refugees who have benefited from the process is relatively small – less than 5,000 Iraqis. Following Operation Iraqi Freedom, Congress created an expedited pathway to LPR status for Iraqis who served with the U.S. under the National Defense Authorization Act of 2008 (NDAA). Under Section 1244 of the NDAA, Iraqis who had provided at least one year of service to the U.S. government were provided with protections to receive special immigrant visas (SIVs) and were eligible to adjust to LPR status if they were already located in the U.S. The program has authorized over 7,000 visas in total but has not been expanded or extended since 2014.

These pieces of adjustment legislation – along with other adjustment bills – have covered relatively small populations, but provided helpful, commonsense, expedited pathways to LPR status and citizenship to U.S. allies and others in need.



## Conclusion

The AAA or similar Afghan adjustment legislation is consistent with our history of providing protection and safety to U.S. allies in war and others facing danger by their service to our country. It is also consistent with American values repeatedly put into practice in the examples cited above. To reflect that history and those values, Congress should move swiftly to pass the AAA. This legislation would not only serve to provide our Afghan allies with the safety and stability that they earned, but it would strengthen our national security by reassuring future allies that America keeps its promises. The AAA would provide the “gold standard” of vetting processes, bolstering our national security, while allowing the Afghan evacuee population to better integrate into American society.

The U.S. has an undeniable, legal obligation to provide protections and viable pathways to permanent residency to those Afghan interpreters who qualify for the existing Special Immigrant Visa Program. However, the AAA addresses our parallel moral imperative to extend similar opportunities to those wartime allies in affected Afghan communities who advanced our national objectives in the region by believing in and struggling for a future version of Afghanistan that was supportive of our interests. This legislation would align America's actions and immigration policies with our consistently professed values to advance the cause of freedom around the world.

Providing such a remedy would not be a first. The United States has successfully enacted various status adjustment acts, which have allowed our allies to become integral parts of American society, making it more secure and economically vibrant.

Our Afghan allies deserve better. Congress should act with urgency to help our Afghan friends and allies.