

POLICY REPORT

Afghan Family Reunification

April 9, 2024



“The world around me changed into darkness, distress, and confusion. I was always crying and wishing that my family were here.”

“I tried a lot to focus on my new life here, but I was not able to do that because I was suffering from family separation.”

—Geeta Rahimi, who arrived in the United States from Afghanistan in 2015 through a Special Immigrant Visa

“I cannot express the feeling I had... It was a kind of miracle for me that I saw my mom.”

“It was not just physical reunion—it was our spirits that were restored. It was a testament to the power of love, resilience, and the belief that family reunification is not a privilege for refugees. It’s a right for every human being to be with their family.”

—Geeta Rahimi, on reuniting with her mother after six years

An [advocate for the multi-stakeholder pledge on family reunification](#), Geeta Rahimi served as a Refugee Congress delegate to the 2023 Global Refugee Forum. Rahimi is a Supervisory Program Officer at the U.S. Committee for Refugees and Immigrants (USCRI).

Two and a half years ago, the Taliban takeover of Afghanistan separated countless Afghan families. Amid a rapid and frenetic evacuation effort, thousands of Afghans boarded planes leaving the Kabul airport—but untold spouses, children, parents, siblings, and other loved ones were left behind.

In the months and years since, Afghan parolees have gradually received more permanent relief in the United States, such as grants of asylum or lawful permanent residency through their Special Immigrant Visas (SIVs). But, for many, refuge in the United States has come with heartbreak as their closest family members remain behind in Afghanistan.

This report provides an overview of family reunification options for Afghan nationals in the United States. It discusses the different processes that Afghan nationals can pursue to reunite with family members who are currently outside of the United States, particularly those in Afghanistan. It concludes with policy recommendations to improve family-based immigration for Afghans.

The report is based on reports, government data, and interviews with U.S. Committee for Refugees and Immigrants (USCRI) staff and partners, such as Human Rights First.

Background

As U.S. and coalition troops withdrew from Afghanistan, the Taliban took control of provincial capitals across the country before seizing the capital Kabul on August 15, 2021. From August 14 to 31, 2021, the United States conducted a massive [non-combatant evacuation operation](#) (NEO) to airlift U.S. citizens, lawful permanent residents, and Afghan nationals from Hamid Karzai International Airport. With Taliban checkpoints across Kabul and an Islamic State attack outside the airport's Abbey Gate, many Afghans were unable to reach the airport safely before the NEO ended.

Instances of family separation were immediately apparent on the Safe Havens, the domestic military bases that processed Afghans who arrived during Operation Allies Welcome (OAW). Hundreds of Afghan children were evacuated without their parents or guardians. These children separated from their parents or caregivers were classified as "[unaccompanied Afghan minors](#)" (UAMs), a distinct category entitled to the same benefits available to unaccompanied refugee children except that they had no permanent legal status.

Immigration relief, including family-based immigration pathways, is primarily accessed through filings or applications prepared by clients or licensed attorneys to agencies in the U.S. federal government. Initially, legal service providers dedicated their efforts toward obtaining Employment Authorization Documents (EADs) for their Afghan clients and fixing entry dates, classes of admission, lengths of parole, and other mistakes on documents such as Forms I-94 Arrival/Departure Records. "Our primary focus at the beginning of this work was to maintain status for people who were entering on parole and to fix errors on their initial parole period," said Jacob Mantey, USCRI's Legal Services Network Coordinator.

Along with other parts of the [Afghan resettlement response](#), legal services for Afghans have changed over the intervening two years. At some points, attorneys prioritized asylum applications or SIV-based adjustment-of-status applications. During other periods, there were specific time-sensitive needs to file for short-term relief, like [re-parole](#) or [Temporary Protected Status \(TPS\)](#), to ensure Afghan parolees did not see lapses in parole or work authorization.

Shifting needs, complicating factors

With more Afghans securing a status—and, in many cases, a permanent status—legal service providers note a clear shift in the questions and requests at Afghan Support Centers, which are gatherings of government agencies and legal, medical, housing, and other service providers to offer assistance to Afghans across the country. Afghans have relatively fewer questions about their status but, rather, inquiries about how to be reunited with family members.

"Overwhelmingly, the number one question and concern is family reunification," said Sara Lowry, USCRI's Associate Director of Legal Services.

“Family reunification is the number one question we get at Support Centers across the board,” said Amie Kashon, the Evacuate Our Allies’ Operations Center program manager. “A lot of the questions we get are [on] reunifying with parents, reunifying with siblings, reunifying with married children.”

[Family reunification options](#) are often based on one’s immigration or citizenship status and one’s manner of entry into the United States—so the sections of this report reflect options available to different statuses. The focus on family unity, however, does not vary across status. “There is no distinguishing factor of who is concerned about this,” Lowry said.

A major tension throughout these processes is that many family-based petitions only apply to immediate family members— such as spouses or unmarried children under the age of 21. This conceptualization of family in U.S. immigration law is much narrower than what many Afghans view as close family. “What the U.S. government considers family reunification and what the Afghan community considers family are two different things,” Kashon said.

The lack of consular processing available in Afghanistan is also a significant hindrance to Afghan family reunification. Even though many family-based pathways are routed through U.S. Citizenship and Immigration Services (USCIS), consular processing at the U.S. Department of State is eventually required at later stages of these processes. The [U.S. Embassy in Kabul](#) suspended operations on August 31, 2021, at the end of the NEO. These operations have not resumed, and the U.S. government is unable to provide visas services, including interviews, in Afghanistan at this time.

Amid crushing wait times for some family-based pathways, disinformation and scams can flourish, as bad actors try to take advantage of people desperate to reunite with family. Lowry noted a recent viral TikTok video in Dari that falsely promised lawful permanent residents could immediately petition for siblings or parents.

Afghans interested in family reunification should beware of immigration-related scams and consult with licensed attorneys to discuss family reunification options based on their status and situation.

U.S. Citizens and Lawful Permanent Residents (LPRs)

U.S. citizens can file a petition for a spouse, their unmarried children under the age of 21, or their parents through the **Form I-130** Petition for Alien Relative process with USCIS. As amended, the Immigration and Nationality Act (INA) [includes](#) a numerically unlimited category for these immediate relatives of U.S. citizens.

U.S. citizens may also petition for other relatives such as siblings and unmarried adult children—but they can only immigrate once a visa becomes available.

Lawful permanent residents (LPRs) can also file a petition for a spouse or their unmarried children under the age of 21 through the Form I-130.

If USCIS approves a family-based petition from a citizen or LPR, the National Visa Center (NVC) will contact family members to apply for immigrant visas. The NVC may ask for more steps to be completed like a Form I-864 Affidavit of Support Under Section 213A of the INA.

Afghan SIVs

The [Afghan Special Immigrant Visa](#) (SIV) program provides a pathway to LPR status for Afghans who worked directly with the U.S. government, U.S. military, or the International Security Assistance Force or a successor mission in Afghanistan.

Afghans must provide extensive documentation and supporting materials to demonstrate their eligibility for the program and receive Chief of Mission (COM) approval under a Department of State process. Then, SIV applicants who receive COM approval can request an adjustment of status to become an LPR through the I-485, Application to Register Permanent Residence or Adjust Status.

For Afghans who receive COM approval, they can file a **Form I-824** Application for Action on an Approved Application or Petition with USCIS to petition for their spouse or unmarried minor children. However, the I-824 can only be considered once the I-485 is approved—since the request to petition for a family member relies upon the approval of the underlying status of the principal applicant (in this case, the LPR request from an Afghan SIV applicant with COM approval).

Eligible family members included on a SIV case that is COM-approved and documentarily complete are eligible for relocation assistance from the Department of State, which is discussed later in this report.

Asylees and Refugees

Through the humanitarian pathways of U.S. refugee and asylum law, thousands of Afghans are on a pathway to a permanent status in the United States due to a threat of persecution or a well-founded fear of persecution in Afghanistan.

More than 20,000 asylum applications have been filed by Afghan nationals who arrived during OAW—with the vast majority of considered applications granted asylum. Other Afghans have been admitted to the United States as refugees under the formal U.S. Refugee Admissions Program (USRAP). Under U.S. law, asylees and refugees physically present in the United States for one year can apply to adjust their status to get LPR status (i.e., a Green Card).

Asylees and refugees in the United States can file a **Form I-730**, Refugee/Asylee Relative Petition to petition for eligible relatives to receive “follow-to-join” status. Afghan asylees and refugees are increasingly doing so, legal service providers note. “We’re seeing a surge of the traditional family reunification requests as asylum applications are approved,” Mantey said.

There is a two-year filing deadline for the I-730 from the date a refugee is admitted or an individual is granted asylum, although one can request a waiver for this deadline.

Refugees and asylees from certain designated countries, including Afghanistan, can use a **Form DS-7656**, Affidavit of a Relationship (AOR), to petition for parents, spouses, and unmarried children under the age of 21. However, only a domestic resettlement agency can file an AOR.

Parolees and Unaccompanied Afghan Minors

In January 2023, the Department of State [established](#) the **Form DS-4317**, Family Reunification Assistance for Afghan Parolees who are in the United States. The DS-4317 is available for Afghans paroled into the United States that remain parolees or those who were subsequently granted TPS. These individuals can request U.S. government relocation assistance for a spouse or unmarried children under the age of 21 to leave Afghanistan and eventually be admitted to the United States as refugees.

Parolees must enter information from their EAD and provide documentation demonstrating their familial relationships, such as birth or marriage certificates.

The launch of the DS-4317 was a significant development in Afghan family reunification, as it allowed parolees to directly forward information for family reunification purposes to the U.S. government. “It has filled a space that civil society and resettlement case managers were playing beforehand,” Kashon said.

“The benefits of the DS-4317 are it’s quick and easy to file and that you can file it without obtaining a different status,” Mantey added. However, Mantey noted the form is only provided in English, is only provided online, and all follow-up to the form is located online—which can create technological or language barriers with some clients.

Through the DS-4317, Unaccompanied Afghan Minors (UAMs) can also request family reunification with their primary caregiver, including but not limited to a parent, legal guardian, and the spouse and minor children of the primary caregiver.

Through an [inquiry webpage with the Department of State](#), DS-4317 applicants can request an update on the status of their request. This update form is also on the [Department of State’s landing page on Afghan family reunification](#), which [launched in November 2022](#).

Practitioners say it remains to be seen how significant of a pathway the DS-4317 can become—in part because of the inherent challenges from a lack of consular processing in Afghanistan. “I don’t know that we understand the next steps from filing DS-4317 to families reunifying in the United States,” Kashon said. “It’s still soon to say how that has translated into actual relocations.”

Recommendations

To improve family reunification for Afghan nationals, USCRI recommends the following:

A dedicated parole program for Afghan family reunification: The White House, the Department of Homeland Security (DHS), and USCIS should consider implementing a new family reunification parole program for Afghans.

Across administrations, DHS has used its discretionary parole authority to establish dedicated family reunification parole (FRP) processes for various nationalities and administer them through USCIS. Cuban and Haitian FRP programs were established in 2007 and 2014, respectively. The Biden

administration [announced](#) FRP processes for nationals of Colombia, El Salvador, Guatemala, and Honduras in July 2023. DHS [modernized](#) the FRP processes for Cuba and Haiti in August 2023. Most recently, USCIS [established](#) a new FRP process for Ecuador in November 2023.

A dedicated FRP program for Afghans would provide a more streamlined process for what is an enduring need across Afghan populations in the United States, whether they are parolees or have been granted another status. It would represent a continuation of many of the policy aims and developments under Operation Enduring Welcome, such as continued relocation efforts and the DS-4317.

Such a program would also match the Biden administration's emphasis on "safe, legal, orderly" migration pathways. When it established the Cuban FRP program in 2007, the Bush administration [recognized](#) there was a significant public benefit of "reducing the perceived need for family members left behind in Cuba to make irregular and inherently dangerous attempts to arrive in the United States." This policy aim is also present in the need for an Afghan FRP program, as Afghans have resorted to [irregular migration patterns like flying to Brazil, traversing the Darién Gap, and continuing onward to the United States' southern border](#) amid crushing waits for [protection under other pathways like USRAP, the Afghan SIV program, and humanitarian parole](#).

Continued support for relocation efforts: The [Coordinator for Afghan Relocation Efforts \(CARE\) office](#) in the Department of State's Bureau of South and Central Asian Affairs is "the centerpiece of the U.S. government's interagency effort to relocate Afghan allies to whom we have an enduring commitment."

The CARE team is a vital continuation of the bipartisan work to support America's wartime allies, such as the previous establishment of the Iraqi and Afghan SIV programs. Many of the groups [eligible for CARE relocation assistance](#) can be family-based, such as eligible family members included on SIV or refugee cases.

An administration of either party must continue this work in 2025—and champions in the 118th or 119th Congress can support CARE through its appropriations or authorization work. This continued support from the federal government and Congress is vital to Afghan family reunification and Afghan continued relocation efforts more broadly.

Authorization of additional Afghan SIVs: Last month, Congress authorized 12,000 more visas for the Afghan SIV program—the first SIV reauthorization vote by lawmakers since December 2022. Congress and the administration should closely monitor how many visas are issued over the remainder of the fiscal year and consider authorizing additional visas in FY 2025. Advocates and legal service providers [agree](#) that the demand for visas from SIV-eligible Afghans continues to far outpace the supply of visas authorized by Congress.

A robustly authorized Afghan SIV program is essential to promote familial unity among Afghans who served honorably alongside the United States.

Improved Afghan access to the U.S. refugee admissions (USRAP), including P-3 and P-4 processing: In addition to P-1 and P-2 processing, [Afghanistan is also designated for P-3 processing for refugee status](#), which is a category within USRAP for refugees and asylees to petition for immediate family relatives.

The Department of State should continually evaluate solutions to bottlenecks and barriers in P-3 processing of Afghan cases, such as the lack of consular services in Afghanistan, the completion of DNA tests to confirm familial relations, and more.

In December 2023, the Welcome Corps private sponsorship program opened applications for groups of U.S. citizens or LPRs to directly refer individuals to USRAP under the new P-4 category. This ability to name specific people for resettlement has family reunification potential for individuals who often fall out of the purview of narrower follow-to-join petitions like the I-730.

On paper, Welcome Corps processing is possible in the largest host nation for Afghan refugees: Pakistan, which was left off the [list of countries excluded from Welcome Corps referrals](#). But individuals can only be eligible for Welcome Corps if they were registered as refugees by the UN Refugee Agency or their host country by September 30, 2023. This requirement may pose challenges with barriers for Afghans getting registered as refugees in Pakistan, [as Refugees International and other organizations have documented](#).

The Department of State and the Welcome Corps' nonprofit consortium must continually refine the eligibility criteria for the Welcome Corps to ensure the program remains broadly accessible to Afghan refugees, many of whom may be referred to USRAP through familial ties.

Afghan adjustment-of-status legislation: In the vacuum of a comprehensive solution from Congress, Afghans have pursued varying forms of immigration relief, from asylum and SIVs for an enduring status to re-parole and TPS for short-term relief. This hodgepodge of overlapping efforts has been detrimental to all parties involved, but most importantly to Afghans themselves.

Afghan adjustment-of-status legislation, either in the bipartisan [Afghan Adjustment Act](#) or the 'Fulfilling Promises to Afghan Allies' section of [a proposed supplemental deal in February](#), would provide Afghan parolees a pathway to lawful permanent resident status. Crucially, Afghan adjustment-of-status legislation would help codify the time accrual of physical presence and residency in the United States necessary toward filing family-based petitions at a later time. An adjustment-of-status process would essentially make it faster for people to access the family-based immigration system because they would be able to become LPRs and eventually U.S. citizens.

Afghan adjustment-of-status legislation would also improve consular processing of applications from Afghan nationals, which has served as the bottleneck on family-based requests, through the establishment of an office in lieu of an operational embassy in Kabul.

Supplemental support for family-based immigration: The [February 4, 2023, supplemental bill](#) from Senators Chris Murphy of Connecticut, James Lankford of Oklahoma, and Senators Kyrsten Sinema of Arizona included [more family-based visas and additional funding to USCIS](#).

These provisions were not included in the [Senate-passed supplemental bill](#).

Additional funds and visas are both critical if the U.S. government is to clear its enormous immigration-related backlogs, from asylum applications to family-based petitions. This would have positive ramifications for Afghans and other populations that request family reunification amid crises in their home countries.

Administrative, Congressional action on humanitarian parole for Afghans: Humanitarian parole through the Form I-131 Application for Travel Document process has largely been an ineffectual pathway for Afghans to the United States. Freedom of Information Act record requests [showed last year](#) only a tiny fraction of humanitarian applications from Afghans had been conditionally approved while USCIS collected millions in fees. “Friends, family members, advocates, and veterans raised thousands of dollars to file applications to help people get out of danger in Afghanistan, only to see no movement in their cases,” according to [International Refugee Assistance Project and American Immigration Council](#). Roughly 34,500 humanitarian parole cases from Afghan nationals remained pending [earlier this year](#). “There’s no noticeable movement on humanitarian parole for the cases that have been filed,” said Nadia Khalid, Human Rights First’s Senior Supervising Attorney.

While not explicitly family-based, humanitarian parole has become a de-facto option for Afghans to request reunification with family members like siblings, cousins, and others not covered by forms like the I-730 or DS-4317, Khalid said.

The administration should explore ways to expedite processing of Afghan humanitarian parole requests, as it has for other forms of relief for Afghans. It should also consider making humanitarian parole applications from Afghans fee-exempt.

Congress should also authorize Afghan humanitarian parolees arriving after September 30, 2023, to be eligible for resettlement services and other benefits available to refugees. [This authorization](#), first created by the Afghanistan Supplemental Appropriations Act, 2022, lapsed in the fall and has not been revived in any major legislative proposal.

Conclusion

Security and humanitarian conditions in Afghanistan are dire. The country remains in one of the world’s worst humanitarian crises exacerbated by the Taliban’s ruthless rule and shock events, such as [last fall’s earthquakes in Herat Province](#). Afghan women and girls are [banned](#) from accessing public spaces, higher education, and other aspects of public life. The Taliban continue to [hunt down](#) former members of the Afghan government and security forces with impunity.

For recently arrived Afghans who have gained statuses or become more settled in their new communities, the solace of receiving refuge in the United States is incomplete—so long as their family members remain in precarious situations in Afghanistan or third countries like Pakistan.

Familial unity is a bedrock principle in U.S. immigration law. With U.S. commitments to support its Afghan allies after nearly two decades of partnership in conflict, familial unity for Afghan arrivals

must be a heightened priority across the U.S. government through improving long-standing family-based pathways, delivering on current processes like the DS-4317, and creating and expanding access to new family reunification options.

USCRI will continue to work with its partners in the Evacuate Our Allies coalition to advocate for improved family reunification options for Afghans.