

PETITION FOR PROTECTION
UNDER THE AFGHAN ALLIES PROTECTION ACT § 602(b)(6)
FOR ALL SPECIAL IMMIGRANT VISA APPLICANTS

SUBMITTED TO
THE UNITED STATES DEPARTMENT OF STATE

By The International Refugee Assistance Project

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THE INTEREST OF THE PETITIONER

The International Refugee Assistance Project (“IRAP”), is a 501(c)(3) non-profit organization that leverages legal services, litigation, and policy advocacy to ensure that refugees and other displaced persons can find a safe place to live and a safe way to get there. IRAP is, to its knowledge, the only organization providing large-scale legal aid to Afghans applying for Special Immigrant Visas (“SIV”). IRAP has provided free, direct legal representation to hundreds of SIV applicants in Afghanistan just in the past year and has provided legal advice to thousands more. IRAP is also currently class counsel in *Afghan & Iraqi Allies Under Serious Threat Because of Their Faithful Service to the United States v. Pompeo*, 334 F.R.D. 449 (D.D.C. 2020), which challenges the systemic delays in the processing of SIV applications on behalf of over ten thousand SIV applicants who have been waiting for the U.S. government to adjudicate their visas for longer than the statutorily-mandated nine months. IRAP is incorporated under New York law and headquartered in New York City, with additional offices in Amman, Beirut, Berlin, and Washington, D.C.

REASONS FOR GRANTING THE PETITION

Petitioner IRAP currently represents, on an individual and class basis, over ten thousand Afghans who, as applicants for the SIV program, are facing the risk of death because of their work for the U.S. government. Each of these Afghans has applied for special immigrant status under the Afghan Allies Protection Act of 2009 (“AAPA”), as amended,¹ and are awaiting processing by the U.S. government. Each of them is in imminent danger now that the Taliban has taken control over Afghanistan. Accordingly, we request that you provide all Afghan SIV applicants with open cases in Afghanistan with protection or immediate removal out of the country, as required by federal law.

I. The United States Promised a Path to Safety to Afghan Allies.

In 2009, Congress passed the AAPA in recognition of the critical work that Afghans were doing to support U.S. efforts in their home country. This law created the SIV program for “Afghan Allies”—those who provide faithful and valuable service for the United States in various capacities, including as interpreters for the military and defense contractors, as advocates for women’s rights and democracy, and as managers on international development projects. The law paved a path to permanent residency in the United States to Afghan Allies who are targeted by the Taliban and others because of their affiliation with the United States.

The State Department administers the SIV program as a 14-step process, with the first step being approval to apply for a SIV from the Chief of Mission (“COM”) of the U.S. Embassy in Afghanistan. The program then requires layers of applications, reviews, an interview, and a medical exam before visas are issued.

II. Afghan Allies Are in Imminent Danger.

This Sunday, August 15, the Taliban marched into Kabul and quickly seized the presidential palace, cementing the group’s takeover of the country following the United States’ withdrawal after twenty years of war. As province after province fell in the last few weeks, IRAP received a continuous stream of fraught emails from clients informing us that they had gone into hiding, were burning their documents identifying their work with U.S. entities, and, too fearful to leave the house, were running out of food. In areas where they have taken control, the Taliban has been accused of forced marriages, sexual and gender-based violence,² and massacring

¹ Pub. L. 111-8, 123 Stat. 807 (2009), codified as a note to 8 U.S.C. § 1101.

² *UN Security Council calls for talks to form new Afghan government*, Al Jazeera, Aug. 16, 2021, <https://www.aljazeera.com/news/2021/8/16/un-chief-urges-security-council-not-to-abandon-afghanistan>.

civilians in revenge killings.³ Reports have also emerged of Taliban members knocking on doors in search of any individuals affiliated with the U.S. presence in Afghanistan.⁴

The Hamid Karzai International Airport in Kabul (“Kabul Airport”) now remains the only shelter against the Taliban, but even its safety is precarious. Some of IRAP’s SIV clients who are still waiting on the U.S. promise of a path to safety include:⁵

- *Mr. Ahmadi:* Mr. Ahmadi is currently hiding a few meters away from where the Taliban are stationed with tanks and heavy weapons, and he is hoping for an evacuation flight to take him and his wife—who is six months pregnant with their first child—to the United States. Mr. Ahmadi served as an interpreter for several years under the supervision of U.S. Marine Corps members, who supported his SIV application and affirmed that his “faithful and valuable Service to the U.S. government as an interpreter was crucial” to their work. After waiting for years for his SIV, he and his wife passed the interview at Embassy Kabul in June 2021 and the Embassy told him that they would be evacuated to Fort Lee, Virginia on August 1st. In reliance on this information, Mr. Ahmadi sold his home and resigned from his job in Kabul; but on July 30th, the State Department notified him that their tickets for the flight the next day could not be processed, without citing any explanation for the delay. Mr. Ahmadi was then rescheduled on an August 17th flight, but the weekend before, the State Department informed him that he could not be relocated on the scheduled flight because of the security conditions and told him to shelter in place. He is still sheltering, waiting to hear from the State Department.
- *Mr. Azizi:* Mr. Azizi worked in the armory at Kabul Airport for over six years—up until a few days ago, when the Taliban invaded Kabul and his U.S. military colleagues advised him to go into hiding. Mr. Azizi has been unable to access a secure location to hide and has burned all of the documents related to his work, including photographs with mentors and advisors, lest they be found by the Taliban. Mr. Azizi knows of at least five translators who have been murdered by the Taliban in the last two days. He says: “*I do not know when [it] is my turn but they will find me too. I do pray not just for myself but for all my teammates to stay safe and find a chance to refuge from Afghanistan alive and live in a secure place. I do not want to hear any bad news regarding my teammates. They*

³ *Taliban Accused of ‘Massacring Civilians’ in Afghan Border Town*, Al Jazeera, Aug 2, 2021, <https://www.aljazeera.com/news/2021/8/2/taliban-accused-of-massacring-civilians-in-afghan-border-town> (citing reports from UK and US embassies of dozens of revenge killings of civilians); Michelle Nichols, *U.S. Says Afghan War Has Entered ‘Deadlier and More Destructive Phase,’* Reuters, Aug. 6, 2021, <https://www.reuters.com/world/asia-pacific/un-says-afghan-war-has-entered-deadlier-more-destructive-phase-2021-08-06/> (reporting over 1,000 civilians killed in the past month).

⁴ *With the Taliban in Control, Uncertainty and Fear Grip Afghanistan*, N.Y. Times, Aug. 16, 2021, www.nytimes.com/live/2021/08/16/world/taliban-afghanistan-news/with-the-taliban-in-control-uncertainty-and-fear-grip-afghanistan (describing “reports that fighters were searching for people they consider collaborators of the Americans and the fallen government”); Christina Goldbaum & Najim Rahim, *A Week Into Taliban Rule, One City’s Glimpse of What the Future May Hold*, N.Y. Times, Aug. 15, 2021, <https://www.nytimes.com/2021/08/15/world/asia/afghanistan-taliban-kunduz.html> (quoting a Taliban-appointed mayor as asserting “our jihad is against . . . those who defend the occupiers” and noting Taliban intolerance of women workers).

⁵ All client names are pseudonyms to protect the safety of our clients.

are all young literate, educated, academic individuals who has provided services for years to both U.S. and Afghan government and I love them all.” Mr. Azizi is in hiding in Kabul and has a wife and young son who are also in immediate danger of being murdered due to his service to the U.S. government.

- *Mr. Ghulam:* Mr. Ghulam worked as an interpreter for the U.S. government for over seven years. He has been waiting for his SIV for four and a half years and was finally invited to interview this month at the U.S. Embassy, except now he cannot complete that step because the Embassy has been abandoned. Mr. Ghulam is stranded in Kabul in hiding with his wife and two young children. He has been threatened by the Taliban multiple times and now hears the Taliban driving down the street, threatening to hunt and kill “infidels” who worked for the U.S. government.
- *Mr. Khan:* Mr. Khan is waiting with his 35-week pregnant wife for a flight to the United States, hoping to avoid the fate of his brother-in-law who, earlier this year, was killed by the Taliban a month after receiving COM approval.⁶ In late July of this year, years after Mr. Khan began the SIV application process, he received an interview appointment with the U.S. embassy. Mr. Khan escaped his home province as it was falling to the Taliban and managed to pass two insurgent checkpoints, likely only because he had arranged an ambulance taxi and could say he was taking his pregnant wife to the hospital. Mr. Khan, his wife, and three-year-old son are now in Kabul and have been issued their SIVs. They are changing their locations constantly to remain safe. They were scheduled to be on a flight on August 17th, but they could not enter the airport that day and the flight did not take off because of the chaos on the ground. They remain uncertain of when, or if, they will be able to leave Afghanistan.
- *Mr. Mirza:* Mr. Mirza first sought an SIV more than six years ago based on his work with U.S. forces as an interpreter beginning in 2006. Mr. Mirza regularly accompanied the U.S. military on confidential and secure missions and his work was highly visible to the Taliban. At one point he had to flee to Pakistan where he lived as a refugee with his wife and young children for several years until Pakistan became too unstable for refugees and he and his family had to return to Afghanistan. After years spent navigating the SIV process, Mr. Mirza had his visa interview in May 2021. Mr. Mirza has been forced to move homes more than five times. Mr. Mirza is currently in hiding with his wife and young children. Regarding his current situation, Mr. Mirza states: *“America promised us safety in reward for our faithful services with the US troops during the war enduring freedom and the war against terror, but the same America is now leaving me and my family all alone in the middle of the same terrorists which we both fought shoulder to shoulder together for a long while.”*
- *Mr. Mohammadi:* Mr. Mohammadi has been in the SIV application process since 2014. After years of submitting documents, waiting for a decision, and facing government delays, Mr. Mohammadi finally received his COM approval in September 2020, and his

⁶ Mr. Khan’s and his brother’s story has been covered in the Atlantic. See George Packer, *Biden’s Betrayal of Afghans Will Live in Infamy*, The Atlantic, Aug. 15, 2021, <https://www.theatlantic.com/ideas/archive/2021/08/bidens-betrayal-of-afghans-will-live-in-infamy/619764/>.

visa interview was scheduled for this month. As Mr. Mohammadi prepared for the interview, he watched the Taliban assume control of his hometown. He managed to undertake a dangerous journey to flee the immediate area with his wife and young children, but with the Embassy evacuated and all interviews canceled, he has no pathway to safety absent an immediate evacuation.

- *Mr. Rahmani:* Mr. Rahmani worked for the U.S. government for over three years, and he applied for a SIV in early 2018. In the over three years that Mr. Rahmani has been waiting for his SIV processing, he has been repeatedly called an infidel, followed, and threatened by masked men. Once, members of the Taliban stopped him near his home and, as he drove away, shot at him, and hit his car. After three years of waiting for a decision, Mr. Rahmani's application was denied in 2020. The sole basis for the denial was the State Department's erroneous conclusion that Mr. Rahmani's three years of employment did not qualify him for an SIV—a conclusion that was based on an outdated legal requirement that Congress repealed in December 2019, before his application was decided. While Mr. Rahmani waits for the State Department to correct its error and affirm his eligibility to apply for an SIV, the danger he and his family face as a result of his U.S.-affiliated work grows more acute by the day.
- *Mr. Sayyed:* Mr. Sayyed is currently too afraid to leave his home as he believes he would be easily identified by the Taliban given his service to the United States. Mr. Sayyed is a highly skilled interpreter who was regularly sought after by the U.S. government. In addition to interpretation, he provided cultural orientation and was instrumental in the success of U.S. combat missions. Mr. Sayyed even sat in on talks between extremist groups and the U.S. government as an interpreter. As a result, he is easily recognizable by members of the Taliban. Mr. Sayyed's SIV application is supported by strong recommendations and his service to the U.S. government is clear, and he is awaiting a decision on his COM appeal. As a result of his service, Mr. Sayyed fears for his life and that of his wife and young children.
- *Mr. Shah:* Mr. Shah has been awaiting a decision on his SIV application for more than five years, since 2016. He worked closely with the U.S. government for several years in a role that put him and his family in direct danger. He has already uprooted his family and fled his hometown due to threats he faced, and now he continues to be at risk because of his recent work for the Afghan government. His SIV application process has been ongoing since 2016 and he has faced numerous delays, despite his timely submission of everything required of him. Mr. Shah is now trying to keep his wife and young children safe, including a newborn baby, while he desperately hopes for news that they will be evacuated.

III. Afghan Allies Are in Imminent Danger Because of Unlawful Delays in SIV Processing.

Over ten thousand Afghan Allies are stranded in Afghanistan today because of unlawful delays in processing their SIVs. In 2013, aware of delays in the SIV program and the risk that they pose to applicants, Congress amended the AAPA to require that SIV decisions be made in nine months. Yet, the State Department has been flouting this requirement for nearly a decade:

almost all SIV applicants wait more than nine months, and most can reasonably expect to wait four years until they are issued a visa.

The State Department has long had notice of these delays and has done little to resolve them. In 2015, IRAP filed a federal lawsuit on behalf of several clients whose applications had been delayed; the Department agreed to adjudicate those applications but failed to take actions that would remedy systemic issues.⁷ Because of this inaction, IRAP filed a class action suit in 2018 and secured a federal court decision finding the delays in the program to be egregious and unlawful.⁸

Even after this victory, the State Department has been slow to process the SIV applications as required, repeatedly failing to meet benchmarks for processing ordered by the court. These delays and inactions have led directly to today's crisis of tens of thousands of SIV applicants stranded in Afghanistan.

IV. Afghan Allies Are in Imminent Danger Because of Persistent Incompetence in SIV Processing.

Delays in the SIV process are compounded by shoddy decision-making at the COM stage—the first step of SIV processing at which COM is supposed to verify an applicant's employment eligibility for the SIV. COM regularly denies eligible applicants for erroneous and arbitrary reasons, forcing those applicants to spend time appealing the negative decisions or filing new applications. For example, COM has denied applications on the basis that the employer did not have a contract with the U.S. government, which IRAP proved wrong with a simple Freedom of Information Act request to the U.S. Army. COM has also denied applications for failure to satisfy a requirement that the employment be in a “sensitive and trusted” position—even nearly a year after Congress had repealed the requirement.⁹ Faulty guidance on this issue appeared on the State Department's website well into 2021, long after IRAP and applicants had alerted the government to the problem.¹⁰ More recently, COM required applicants to satisfy an outdated length-of-service requirement after Congress had reduced the required term.

There are frequently procedural issues with decision-making as well. For example, although Congress required that COM denials include an explanation to facilitate appeals, COM often raises new issues for the first time to reject an appeal, effectively precluding the applicant

⁷ *Nine Iraqi Allies Under Serious Threat Because of Their Faithful Service to the United States v. Kerry*, No. 1:15-cv-00300 (D.D.C. filed Feb. 27, 2015).

⁸ *Afghan & Iraqi Allies v. Pompeo*, No. 18-cv-01388, 2019 WL 4575565 (D.D.C. Sept. 20, 2019).

⁹ International Refugee Assistance Project, *Recommendations on the Reform of the Special Immigrant Visa Program for U.S. Wartime Partners* (June 2020), at 42, refugeerights.org/wp-content/uploads/2020/12/IRAP_SIV_Report_2020.pdf (noting problems as of June 2020).

¹⁰ See Dep't of State, *How to Apply for Chief of Mission Approval*, https://web.archive.org/web/20210217195005/https://travel.state.gov/content/dam/visas/SIVs/Afghan_SIV_Guidelines_and_DS157_Instructions_Dec%202018.pdf (captured Feb. 17, 2021); Dep't of State, Foreign Affairs Manual, 9 FAM 502.5, Special Immigrants, <https://web.archive.org/web/20210122023750/https://fam.state.gov/fam/09FAM/09FAM050205.html> (captured Jan. 22, 2021) (reflecting legally erroneous policy).

from moving forward in the process and requiring them to start the entire process over with a new initial COM application or to attempt a re-appeal. It is not uncommon for an ultimately successful applicant to have pursued COM approval for many years, through multiple applications and appeals.¹¹

IRAP has raised these issues with COM to the State Department over the years, but the problems have persisted. The upshot of this entrenched incompetence, combined with the delays, is that tens of thousands of Afghan Allies who should have arrived in the United States long ago are still in Afghanistan today.

V. The Secretary Has Protection Obligations Under the Afghan Allies Protection Act.

In the AAPA, Congress created SIVs for Afghan nationals whose lives are in danger because of their service to the United States during our military mission in Afghanistan. In providing that visa route, Congress also determined that Afghans applying for SIVs should be protected while they remain in their home country during processing. The AAPA thus directs the Secretary of State, in consultation with other agency heads, to make “reasonable effort[s]” to provide protection to Afghans seeking special immigrant status (and their families) who are in imminent danger, “or to immediately remove [them] from Afghanistan, if possible.” AAPA, § 602(b)(6).

In recognition of this congressional directive, the moral imperative underlying it, and the imminent danger faced by SIV applicants as the U.S. military withdraws from Afghanistan, the State Department recently began coordinating “Operation Allies Refuge” to evacuate some Afghan SIV applicants who are at the final stages of visa processing.¹² Under Operation Allies Refuge, a limited number of applicants and their families are being removed from Afghanistan and taken to the United States or to a third country to await the completion of their visa processing in safety.

Unfortunately, tens of thousands of SIV applicants were left out of the first phase of Operation Allies Refuge—including a significant number of IRAP clients—because they had not yet received their visas or reached medical exams, which is the final stage of visa processing. For several reasons, we ask that the evacuation be expanded to include the SIV applicants who remain in Afghanistan, including but not limited to IRAP’s clients.

First, the congressional mandate to protect or evacuate Afghan special immigrant applicants in danger plainly applies to all SIV applicants, whether they are at earlier or later stages of processing.

¹¹ See George Packer, *A Debt of Honor*, The Atlantic, Mar. 26, 2021, <https://www.theatlantic.com/ideas/archive/2021/03/we-cant-abandon-afghans-who-helped-us/618416/> (telling the story of “Mohammad,” who sought COM approval for 10 years and was murdered by the Taliban not long after receiving approval).

¹² See, e.g., Statement of President Joe Biden on the Arrival of the First Flight of Operation Allies Refuge (July 30, 2021), <https://www.whitehouse.gov/briefing-room/statements-releases/2021/07/30/statement-of-president-joe-biden-on-the-arrival-of-the-first-flight-of-operation-allies-refuge/>.

Similarly, the moral imperative to protect those Afghans who have risked their lives to work alongside the United States in Afghanistan is in no way based on particular visa processing stages.¹³ Given the arbitrary denials and unlawful delays plaguing the SIV program as described above,¹⁴ grafting evacuation eligibility onto stages of processing only aggravates and amplifies the years-long neglect of the Afghan SIV program and makes life-saving evacuation needlessly dependent on the vagaries of the visa processing bureaucracy.

And to be clear, each SIV applicant faces imminent danger: the grave and growing threat from the Taliban, which has swiftly retaken the country save the airport in Kabul. As the country has fallen to Taliban control, news outlets have reported widespread revenge killings of civilians associated with foreign governments.¹⁵ This reality is well known to the U.S. Government, which has advised SIV applicants to shelter in place while the U.S. military works to evacuate U.S. citizens.

Evacuation from Afghanistan is also still plainly possible, as demonstrated by the ongoing evacuation of American citizens, notwithstanding the Taliban's gains. Even before that, Operation Allies Refuge demonstrated the feasibility of evacuating our Afghan Allies to safety while their visa processing concludes, and senior military officials have stated publicly,

¹³ See, e.g., *Interview: Secretary Antony J. Blinken On CNN's State of the Union with Dana Bash*, U.S. DEPARTMENT OF STATE (June 13, 2021), <https://www.state.gov/secretary-antony-j-blinken-on-cnns-state-of-the-union-with-dana-bash/> (Statement of Secretary Blinken) (“We’re determined to make good on our obligation to those who helped us, who put their lives on the line, put their families’ lives on the line working with our military, working with our diplomats. . . . We want to make sure that anyone who has helped us we are making good on our obligation to help them.”); *The Fiscal Year 2022 National Defense Authorization Budget Request from the Department of Defense: Hearing Before the H. Armed Servs. Comm.*, 117th Congress (June 23, 2021), available at <https://armedservices.house.gov/hearings?ID=AEFE8C4B-54FF-463C-89C5-0F218774D7B0> (hereinafter “June 2021 H. Armed Servs. Comm. Hearing”) (Statement of Gen. Mark A. Milley, the Chairman of the Joint Chiefs of Staff) (“I consider it a moral imperative to take care of those that have served along our side.”).

¹⁴ See generally Office of Inspector General, U.S. DEPARTMENT OF STATE, *Review of the Afghan Special Immigrant Visa Program* (June 2020), www.stateoig.gov/system/files/aud-mero-20-35.pdf; International Refugee Assistance Project, *Recommendations on the Reform of the Special Immigrant Visa Program for U.S. Wartime Partners* (June 2020), refugeerights.org/wp-content/uploads/2020/12/IRAP_SIV_Report_2020.pdf; see also John S. McCain National Defense Authorization Act Fiscal Year 2019, H. Rep. 115-874, at 980 (2018) (Conf. Rep.) (“The conferees are concerned by reports that the SIV application process continues to suffer from inadequate interagency coordination which has resulted in undue delay, needless stress on applicants, and a sizable drop in SIV admissions this year.”).

¹⁵ See *With the Taliban in Control, Uncertainty and Fear Grip Afghanistan*, N.Y. Times, Aug. 16, 2021, www.nytimes.com/live/2021/08/16/world/taliban-afghanistan-news/with-the-taliban-in-control-uncertainty-and-fear-grip-afghanistan (describing “reports that fighters were searching for people they consider collaborators of the Americans and the fallen government”); Christina Goldbaum & Najim Rahim, *A Week Into Taliban Rule, One City's Glimpse of What the Future May Hold*, N.Y. Times, Aug. 15, 2021, www.nytimes.com/2021/08/15/world/asia/afghanistan-taliban-kunduz.html (quoting a Taliban-appointed mayor as asserting “our jihad is against . . . those who defend the occupiers” and noting Taliban intolerance of women workers); Michelle Nichols, *U.S. Says Afghan War Has Entered 'Deadlier and More Destructive Phase'*, Reuters, Aug. 6, 2021, www.reuters.com/world/asia-pacific/un-says-afghan-war-has-entered-deadlier-more-destructive-phase-2021-08-06/ (reporting over 1,000 civilians killed in the past month); *Taliban Accused of 'Massacring Civilians' in Afghan Border Town*, Al Jazeera, Aug 2, 2021, www.aljazeera.com/news/2021/8/2/taliban-accused-of-massacring-civilians-in-afghan-border-town (citing reports from UK and US embassies of dozens of revenge killings of civilians).

including in sworn testimony to Congress, that the United States could evacuate far more Afghans than just those SIV applicants at the latter stages of processing.¹⁶

President Biden recently promised that “those who helped us are not going to be left behind.”¹⁷ With the recent fall of Afghanistan’s provincial and central governments to the Taliban, however, it is clear that failing to act now to evacuate Afghans who assisted the United States will be a deeply consequential betrayal of our Afghan Allies and our obligations to them.

¹⁶ *Press Conference: President Biden on Afghanistan Withdrawal* (July 8, 2021), available at www.c-span.org/video/?513249-1/president-biden-us-military-operations-afghanistan-end-september (“[O]ur message to [our Afghan allies] is clear: There is a home for you in the United States if you so choose, and we will stand with you just as you stood with us. . . . [W]e can guarantee their safety, if they wish to leave, by taking them to third countries [to complete processing]” (emphasis added)); June 2021 H. Armed Servs. Comm. Hearing, *supra* note 3 (Statement of Gen. Mark A. Milley, the Chairman of the Joint Chiefs of Staff) (“We have the military capability to do whatever’s directed by the President of United States with respect to our allies and those that have worked with us. . . . We are prepared to execute whatever we are directed.”); *id.* (Statement of Secretary of Defense Lloyd J. Austin III) (“[W]e stand ready to provide resources to accelerate this [evacuation] if it’s possible, and it is possible”); *Hearing to Receive Testimony on the Transition of All United States and Coalition Forces From Afghanistan and Its Implications: Hearing Before the S. Armed Servs. Comm.*, 117th Congress (May 20, 2021), available at https://www.armed-services.senate.gov/imo/media/doc/21-41_05-20-2021.pdf (Statement of David Helvey, Acting Assistant Secretary of Defense for Indo-Pacific Security Affairs) (“We do have a moral obligation to help those that have helped us over the past 20 years, and we are working intensely . . . to identify those mechanisms and the resources required to provide that type of assistance [given to our allies when the United States left Vietnam] This is an important thing that we should do. And if the security conditions deteriorate and if we are given an order to take other means and other mechanisms, we would have the ability to do that.”).

¹⁷ *Press Conference: President Biden* (June 24, 2021), available at www.c-span.org/video/?c4967837/user-clip-biden-afghan-evacuation. See also *id.* (“They are welcome here, just like anyone else who risked their lives to help us.”).

CONCLUSION

For the foregoing reasons, we respectfully request that you provide for the protection or immediate evacuation from Afghanistan of all SIV applicants, including all of IRAP's clients. *See* AAPA, § 602(b)(6). Consistent with the Administrative Procedure Act, we expect a response "within a reasonable time," 5 U.S.C. § 555(b), which, given the exigencies, we believe is immediately.

Respectfully submitted,

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