

State of Vermont Senate Chamber



Montpelier, Vermont

Joint Senate Resolution

By Senators Harrison, Baruth, Bray, Brock, Campion, Chittenden, Clarkson, Collamore, Cummings, Gulick, Hardy, Hashim, Ingalls, Lyons, MacDonald, Mazza, McCormack, Ram Hinsdale, Starr, Vyhovsky, Watson, Weeks, White and Williams,

J.R.S. 17. Joint resolution urging U.S. Citizenship and Immigration Services to comply with the expedited asylum hearing provisions of the Afghan Supplemental Appropriations Act of 2022.

Whereas, the final departure of American military personnel from Afghanistan in August 2021 meant that the Taliban would assume complete control of the Afghan government and society, greatly endangering Afghans and members of their families who worked for or were otherwise associated with the United States government, and

Whereas, recognizing that this imminent departure would pose an immediate threat, the United States Department of Homeland Security established an evacuation and resettlement program known as Operation Allies Welcome that paroled certain Afghan nationals into the United States for a two-year period, and

Whereas, despite the activation of Operation Allies Welcome, in the tumult of the Americans' departure, many Afghans, including Hazaras, human rights activists, journalists, members of the LGBTQI community, Shias, and others who are associated with the U.S. government, were unable to depart, and

Whereas, Congress also responded to this dire situation and adopted the Afghan Supplemental Appropriations Act of 2022 (the Act), Pub. L. 117–43, Division C, and

Whereas, as provided in Sec. 2502 (a) of the Act, “a citizen or national of Afghanistan (or a person with no nationality who last habitually resided in Afghanistan)” is entitled, per section 2502(c), to an expedited U.S. Citizenship and Immigration Services (USCIS) asylum review process directing that the initial interview on the asylum application be conducted not later than 45 days after the application’s filing date, and that, “in the absence of exceptional circumstances, [USCIS shall] issue a final administrative adjudication on the asylum application within 150 days after the date the application is filed,” and

Whereas, USCIS has not been observing the 150-day asylum decision deadline, even when the application does not present extraordinary circumstances, and

Whereas, lawyers from the Association of Africans Living in Vermont and the U.S. Committee for Refugees and Immigrants Vermont have filed more than 40 Afghan asylum applications for which no federal government response has been received for a period of longer than 150 days, and

Whereas, Afghans living in the United States on parole status must have their own asylum application approved before petitioning for relatives who remain in Afghanistan or who have fled to Pakistan to be admitted into the United States, and

Whereas, for Afghan asylum applicants residing in Vermont, this bureaucratic delay is preventing them from building new lives, but it is life-threatening for their family members who remain in Afghanistan or are living as refugees in a third country, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the General Assembly urges USCIS to comply fully with the accelerated asylum hearing provisions of the Afghan Supplemental Appropriations Act of 2022, *and be it further*

Resolved: That the Secretary of State be directed to send a copy of this resolution to USCIS Director Ur M. Jaddou and to the Vermont Congressional Delegation.