“Visas for Our Afghan Partners: What Does the United States Owe Its Afghan Allies?”

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FEATURING
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I’m the senior vice president here at CSIS, the Center for Strategic and International Studies. I want to welcome our viewers who are livestreaming this event for this very important conversation on what the United States owes its Afghan allies. Thank you all for joining us today. Today’s discussion is “Visas for Our Afghan Partners: What Does the United States Owe Its Afghan Allies?” I would have preferred that we maintain a small number of troops in Afghanistan, but that decision has been made.

The events in Afghanistan are moving rapidly. Those Afghans that worked closely with the U.S. military, with our allies, with the U.S. diplomatic, development, and intelligence communities are going to be at heightened risk to Taliban attack going forward. There are easily tens of thousands of Afghans who aided the U.S. over the last 20 years. And not just military operations, but also in the development, diplomatic, and intelligence communities. Most of these Afghans have families. What obligation do we have to all of these people? I would argue we have a major obligation to all these Afghans and their families.

There has been significant action in the Congress to streamline the so-called special immigrant visa, so-called SIVs process for our Afghan partners who worked with the U.S. military. That is one part of the Afghan community that I think we have an obligation to. There are likely going to be many other actions that may be needed. There are a lot of questions, such as why does it take so long to process one of these SIVs? How and where might an evacuation process take place. Who might be included? What other visa options exist outside of the SIV process?

Let’s jump right into our conversation. I want to welcome our panelists. We have with us Senator Jeanne Shaheen, who is the chair of the Senate Foreign Relations Subcommittee on Europe and Regional Security Cooperation. And she’s the co-chair of the Senate NATO observer group. And she’s been a consistent leader on these issues. Thank you, Senator Shaheen, for being with us. We also have with us today Ambassador Earl Anthony Wayne, who’s a former deputy ambassador to Afghanistan. He’s a senior advisor at CSIS. And he’s been a conscience on Afghanistan with us here at CSIS. I’m really grateful to Ambassador Janice Jacobs, who’s a former U.S. ambassador and former assistant secretary of state for consular affairs, to help give us a better perspective on SIVs and visa processing.

I’m also really grateful to Ambassador Ryan Crocker, someone I really admire, who is a former U.S. ambassador to Afghanistan, Iraq, and Pakistan, and is an advisor to an organization called No One Left Behind, an advocacy group that focuses on the SIV process. And finally, last but not least, I’m very
grateful to have Jill Marine Bussey, who’s the director of public policy for the Lutheran Immigration and Refugee Service. Jill focuses on the administration advocacy and key immigration areas – one of those being the SIVs for Afghan wartime allies – and has a lot of up-to-date information on the situation in Afghanistan and is going to bring a lot of really relevant information to this conversation.

Thank you all for joining me today. I want to quickly remind our online viewers that this is an interactive online event. I invite you all to participate through submitting questions to our panel. To submit your questions, please go to our webpage at CSIS.org and click on “Ask Live Questions Here” button.

Let me start with you, Ambassador Wayne. You have been a real partner to me on this issue. What is the challenge we are currently facing in Afghanistan?

Earl Anthony Wayne:

Well, of course, the big challenge is, how do you move out of a war and still retain credibility and have good outcomes? And a number of the things we’re going to talk about today are about U.S. credibility and responsibility, reflecting our 20 years in Afghanistan.

When the announcement was made by the president that U.S. troops were going to leave, it was also announced that we would remain engaged diplomatically, that we would provide financial assistance, that we would provide military security assistance to those in Afghanistan with whom we’d been working for the last 20 years. We’ve seen in recent weeks, however, a rising tide of the expansion of Taliban power, they now control over half of the district centers in Afghanistan. This is faster progress than they’ve been making than many foresaw and it has many people worried in Afghanistan, but it also reflects the fact that Afghan morale really sunk very quickly in a number of the security units and it has set off also large numbers of people moving across Afghanistan. The U.N. estimates that almost 300,000 Afghans have been internally displaced since January of this year. So there’s a lot going on.

What we’re going to look at today in detail is what responsibility do we have for those Afghans who worked with us, with the military but also with the State Department, with USAID, with others, going forward? And I’m sure we’re going to touch upon the issues of what responsibilities do we have vis-a-vis those Afghans who believed in us and believed in the values that we were talking about in the objectives we were setting. Some of them were women activists; others were activists for democracy, the people who maintained a free press in Afghanistan, which stands out in that part of the world, and many others. So we’re going to, I think, talk about that, and all this does get back to U.S. credibility. It may not be an easy way ever to leave a war situation but much better if you can leave with your credibility intact.
And so just let me mention three big challenges as we go ahead. One is how – in the immediate, what are we going to do to bring people out who worked with us who are really in danger? Secondly, are there things that we can do to help rally morale among those in Kabul and other places who really don’t agree with the Taliban and don’t foresee a future of Afghanistan ruled by the Taliban with many of the same practices that they used when they ruled in the 1990s? And then, third, related to that, what can you do, or what should you be doing, to have contingency plans for the future, not knowing which way things are going to go? I think a U.S. objective still needs to be an Afghanistan at peace, an Afghanistan that reflects the diversity of its people, an Afghanistan that can ideally bring elements from the Taliban, from the non-Taliban forces that make up the government in Kabul, different parts of the country, women, pro-democracy advocates, and others, all living together peacefully within a framework. If we can get there, what should come next?

So we’re going to grapple with some of these problems today. It’s a lot bigger than we can talk about, but there’s some very important things we can do for tens of thousands of Afghans who we know are in danger because they worked with us very closely.

Thank you.

Daniel F. Runde: Senator Shaheen, you’ve been very active and vocal on SIVs for Afghanistan. Thank you very much. And there’s been a lot of energy on Capitol Hill, especially in the last couple months, and you’ve been a great part of that. Could you walk us through your thinking on how to proceed and the current activity in Congress, Senator?

Senator Jeanne Shaheen: Yes, and as Ambassador Wayne says, this is about the credibility of the United States; it’s also about what we should do from a humanitarian perspective to ensure that those people who made a commitment to help us who we promised to make sure that they were not threatened are not slaughtered by the Taliban as the Taliban expands their influence throughout Afghanistan.

I started working on this issue over 10 years ago with John McCain, because, as far back as 2010, we knew we had a problem with the SIV process. It was cumbersome. It was difficult. The paperwork that was required for applicants to show that they had worked with Americans was challenging for many Afghans. And so we – I have been working on it ever since, and John McCain worked very hard. It's one of his legacies that he felt very strongly that we needed to make sure that those people who helped American troops did not wind up being killed because of that help.
So right now, as we look at the challenge we’re facing as America is almost out of Afghanistan – at least our troops – it is that we have thousands of Afghans who have helped us who would like to get out of the country because they are threatened. When President Biden announced that he was going to be withdrawing troops we had over 17,000 SIV applicants in the queue, and we know that there are more than that number as we think about their families and the other people who have come forward since the announcement of America’s withdrawal.

We have legislation right now in both the House and Senate. Our bill – my bill in the Senate has bipartisan support from Senator Ernst, Senator Wicker, others, and I’m very pleased to see the amount of bipartisan support for this effort. There is a similar effort in the House. Our legislation would increase the number of SIV applicants over the House number, which is 8,000, to 20,000. It also changes the process that makes it easier to get the paperwork. We reduced the amount of time required to help Americans from two years down to one. We also changed the medical exam, which has often been a real difficulty for Afghans. They’ll get the medical exam that’s required to get into the United States and then, because it takes a long time to get the other paperwork processed, they get that done and then they need to get another medical exam. We have waived that.

We know that the president earlier this week announced that the State Department was going to be heading up an effort to see that Afghans could get to a third country while they wait for their applications to be processed. But I think this is an all-hands-on-deck moment when we’ve got to do everything we can to ensure that those people who were depending on the United States know that we are still there in support of what – the sacrifices they made to help us.

Daniel F. Runde: Thank you, Senator. I wholeheartedly agree.

Jill, could you tell us what is Operation Ally Refuge? And can you give us a better understanding of what the situation is, especially in the last 72 hours, please?

Jill Marie Bussey: Sure. Thank you, Dan and the Center, for the invitation to this distinguished panel and a discussion on a topic that is incredibly urgent for our Afghan allies who seek safety and protection.

Lutheran Immigration and Refugee Services, or LIRS, has operated for over 80 years offering welcome and hope to more than a half-million refugees. We’ve played a major role in resettling over 9,000 Afghan allies, providing direct services, and we also advocate for their rights and the improvements in the SIV program.
We have been working very closely in coalition with our nongovernmental partners Human Rights First, Veterans for American Ideals, the International Refugee Assistance Project, and the Association of Wartime Allies, as well as congressional champions like the senator, to call on the administration to evacuate this 18,000 Afghan ally population who have already applied for the special immigrant visa. After months of escalating advocacy, the Biden administration finally announced on Wednesday – just this Wednesday, July 14 – a plan called Operation Allies Refuge to evacuate certain Afghan special immigrant visa applicants and others who may be particularly vulnerable.

This is what we’ve learned so far. Evacuation flights are to begin the last week of July. The State Department is to charter commercial aircraft as opposed to using military aircraft. With respect to leadership, Russ Travers, the deputy homeland security advisor and former head of the National Counterterrorism Center, is coordinating the interagency policy process. Allocation destinations are still in flux, but Ambassador Tracey Jacobson – a three-time chief of mission in Tajikistan, Turkmenistan, and Kosovo – is leading the State Department coordination unit, lending credence to the earlier reports that Central Asian countries may be one of the destinations.

With respect to actual evacuations, we do not know who will be selected, how many of the 18,000 SIV applicants in the pipeline and their more than 50,000 family members will be saved through evacuation, and where they will go. We are also deeply concerned about how people who are outside of Kabul would even access the evacuation. We’re seeing various reports about the potential initial tranche of 2,500 Afghans who may be evacuated to U.S. military installations, and then other reports stating that they would not – the administration would not public release information on destinations or numbers of Afghans. So a lot is unclear. We’ve also seen varying reports about the locations for evacuation, whether some may be brought directly to the United States, or U.S. territory, or third countries.

On July 2nd, there were leaks from the White House indicating that they were considering these three Central Asian countries – Kazakhstan, Tajikistan, and Uzbekistan. But we have not seen any evidence that the countries have actually consented to receive evacuees. Pentagon Press Secretary John Kirby said in a briefing on Wednesday that all options are being considered, and that would include for the potential for short-term use of CONUS based U.S. installations. From our perspective of advocates, the location matters greatly. As we advocate, it should be U.S. soil to ensure the safety and rights of the applicants.

This plan, which was just released, as I mentioned, on Wednesday, is a vital first step in honoring the promise to Afghan allies. But it’s concerningly scarce in essential details. Much like the president’s remarks on Afghanistan last Thursday, we are left with more questions than answers. We understand
the sensitivity of military operations, but these outstanding questions seem
distant and disparate from the U.S. security considerations. We hope that the
administration will recognize the need for information and prevent anxiety
and further chaos by releasing details as soon as possible. Thank you.

Daniel F. Runde:  Great. Thank you very much.

Ambassador Jacobs, thanks for being here. Could you tell us, what is the
process like and why is it so challenging? Ambassador Jacobs.

Janice Jacobs:  All right. Thank you. And I want to thank all of the distinguished participants
in today's panel. Everyone brings so much dedication and expertise on this
subject. And also let me say that there isn't anyone involved in the SIV
process that doesn't firmly believe that we owe the Afghans that have helped
us. There's certainly a widespread commitment to try to do that.

This is a complicated visa process. Since it was – the SIV program was
established in 2009, we've issued over 20,000 SIVs. We still have a long way
to go. It is complicated, in part, because of legislation and requirements laid
out there, but also because of some of the difficulties involved for the
Afghans themselves in trying to meet the criteria, in trying to gather the
required documents. This has been a challenge, especially for those who
worked for the military. Oftentimes supervisors are no longer active
members of the military, and it's hard to track them down. It's hard to get the
proof of employment. It's hard to get the letter of recommendation. There is
a list of documents required.

But basically, the process is that you have to show that you've been – that
you worked either for the U.S. government or for the international forces.
After September 15th, it's a two-year employment requirement. Before that,
one year. You have to have a letter of recommendation. You go through what
is called a chief of mission approval process, that there is a committee within
the State Department that gets together to look at required documentation,
and then send that to the embassy in Kabul with a recommendation for
approval. Once that approval is received, then the applicant has to file a
petition with U.S. Citizenship and Immigration Services. That petition then
has to be approved. There are more documentation requirements for that.

Eventually, once all of the paperwork is in order, someone can set up an
appointment for a visa interview. That interview takes place. And then there
is what is called administrative processing. And I have to tell you that that
right now, and I think historically, has been the longest delay in processing
these applications. And what is that exactly? That's really a security vetting –
a security review by different agencies in Washington to make sure that the
applicant presents no threat to the United States. Once that is done, then
they can – and the applicant is approved – they go ahead with the medical.
Senator Shaheen has explained efforts to try to streamline some of this, certainly to step on the medical makes a lot of sense, so that they don't have to do that more than once.

But it is a complicated process. And it can be difficult for people to especially get all the required documentation. The other challenge right now, of course, is we have a pandemic. And the visa sections around the world were closed for over a year. And so not much, if any, processing took place then. I will say that Embassy Kabul is trying now very hard to, you know, process as many visas as they can. Unfortunately, they still have COVID issues. They had to shut down for two weeks not too long ago because there was a COVID infection within the embassy. So it is – it is a complicated process. And I think anyone involved in it will admit to that. And it can get delayed at any one of those steps along the way.

Let me just say real quickly, on the latest effort to try to evacuate the people. And the pipeline – the pipeline has roughly 18,000 people in it right now. But that pipeline’s never really going to diminish, because you can apply for this up until December of 2022. So the pipeline is always going to be constantly refilled, you know, sort of as it’s emptied out. So the numbers, yes, are significant. And we need to pay attention to that. But one shouldn’t believe that, you know, once we address the 18,000 people and their family members that it’s over. No. This will continue until 2022.

As far as taking applicants to a third country, and I suspect that there are negotiations taking place. Certainly Ambassador Tracey Jacobson is the perfect person, I think, to be leading this effort at the State Department, because she has a lot of experience in Central Asia. For any country that takes – agrees to take on at least a certain number of the Afghan applicants, normally they’re going to want a guarantee that the visas will be issued. In other words, if they let thousands of people in, these people are not going to be staying. They’ll probably want guarantees on how long will they stay? And for sure we want to know that they’ll all going to get visas.

We’re not going to be able to offer those guarantees. We can never guarantee in advance that someone will get a visa. So there will be a certain number of people, just as there are now, who are going to be denied because they didn’t meet one of the requirements that has been established. So there’s that. And let me add that bringing applicants into the U.S. presents a huge issue for the State Department because it could present challenges to the consular non-reviewability doctrine that is currently in place. And what is that? When decisions on visas are made overseas denials cannot be challenged in U.S. courts. Once you get them on U.S. soil, denials can be and probably will be taken into U.S. courts. And that is – that’s a serious concern for the State Department. The non-reviewability has been carefully protected by the department. There are important reasons for that to remain in place.
So those are some of the challenges. Deciding who is actually going to be evacuated, which family members are going to be able to accompany the principal applicants, as people have mentioned here, getting the word out into far-flung areas of Afghanistan, all of these are special challenges. And the White House is talking about moving people by the end of this month. So I suspect that Ambassador Jacobson and Russ Travers and others working on this are getting very little sleep because it is a huge, huge challenge. But I do know that the White House is committed to helping those that have helped us. And I can tell you, as I said at the beginning, the people involved from the consular perspective, from the visa perspective, also share that commitment.

And one last thing is that certainly the State Department is going to be asked to surge, to put additional consular officers onto this task. Consular affairs is fee-funded. And unfortunately during the pandemic, especially with the halt in visa operations, the revenue for consular affairs really dried up. So there are some financial issues because you may have also seen in the news that the State Department is really being pressured to shorten the wait times for U.S. passports, so there are only a certain number of resources to go around. And I know that the State Department will certainly put as many resources as they can on the – on processing SIVs, but do keep in mind that there are some challenges there as well.

Thanks.

Daniel F. Runde: Thank you.

Ambassador Crocker, thank you for being here. What obligations do we have to the Afghans? And when we talk about SIVs is that the totality of the universe of folks we need to be thinking about?

Ryan Crocker: Thanks for having me, Dan.

And I’d like to start by thanking Senator Shaheen for her extraordinary efforts over the last 10 years to look after the people who looked after us. We are facing a lot of challenges, as my colleagues have just pointed out. We would be facing a lot more had it not been for her continuous, steadfast dedication to fixing this problem, and a lot of fixes are clearly needed. But thank you, Senator. You’ve made a huge difference.

Senator Jeanne Shaheen: Thank you.

Ryan Crocker: I would say that it is, you know, again, a very fraught situation we face right now. We have those 18,000, and as we seek to move them out through a plan that dearly is being put together as it is implemented none of this is going to be easy.
One of the key concerns I think all of us would have is that, frankly, agency has now passed to the Taliban. We are effectively out of Afghanistan and we are seeing what the Taliban is doing – taking over border-crossing points, seizing district centers as Tony Wayne pointed out. They are on the move. Anything we do on evacuations is going to require Taliban assent. Let’s face it. You know, we will not be there to secure the airport. Afghan national security forces I’m sure will be part of this, but again, given the demoralization that our whole negotiating process has inflicted I’m not sure how steady they are going to be.

The Turks have said they would send forces in to secure the airport, not directly related to these evacuations. The Taliban has publicly warned them not to do it.

So with all of the other complications we’re looking at, we’ve got to bear in mind that we gave up, effectively, U.S. agency on this matter and anything else relating to Afghanistan. Again, let’s face it. So it’s kind of up to the Taliban, and that is a very, very bad place to be.

To the broader question, I think it is crucial that we find a way to do the right thing or things. We have a moral obligation here. It’s also about our own national security. It is a – it is a truly global situation we face out there. What happens in one place has impacts elsewhere. And the world is watching to see what we do. We will be in future conflicts. Those conflicts are going to be the kind of messy, complicated things that we’ve seen in Iraq and Afghanistan. We will have an urgent need for interpreters, not just to translate languages but to translate cultures. The Foreign Service has always known this. FSNs – Foreign Service nationals – around the world are the backbones of our embassies. We could not function, literally, without them. The military is now learning this, and that is a – that is a very good thing if we do the right thing.

After this Afghan experience, if we are seen to be unwilling or ineffective or both, and people who served us die because of that, there’s not exactly going to be a long line of folks willing to interpret for us in other places of conflict and of urgent security need for our own national security. So this is just the beginning of what’s going to be a very long, hard slog to make the right decisions, to do the right thing, and to make sure we get these people to safety.

Senator Shaheen said it best. This is an all-hands-on-deck moment. This is not business as usual. It has to be a presidential priority. Thanks.

Daniel F. Runde: Senator Shaheen, I wanted to give you a chance to react to some of the things that have been put on the table; then I want to put a couple of questions from the audience, and I’m cognizant of the fact that you have to leave a little bit
early, so I want to give you a little bit of airtime to react to what you’ve heard, and then I’ll put a couple questions that give you a chance to also react to some of the questions.

**Senator Jeanne Shaheen:**

Well, I think everybody, from slightly different perspectives, has laid out the challenge. I very much appreciate Ambassador Crocker’s nice words and the work that he has done over the years, along with everyone on this panel, to try and address the challenge that we have in getting out of Afghanistan those people who put their lives at risk to help us. And we’ve got to – we’ve got to look at what we can do now to streamline the process, to ensure that we can get those out who are most at risk.

I can’t remember who said it, perhaps it was Jill, that one of the challenges also is that while Kabul has some security, although not a whole lot, but certainly people who are in many of the provinces around the country are even more at risk than those in Kabul, and at risk of being able to get some place where they can be evacuated out of the country, if they’re applicants who make the cut. So we’ve also got to bear that in mind.

And as Ambassador Crocker says, to some extent, the Taliban are going to have to be willing to let this happen. While we do have Turkish forces that are guarding the airport in Kabul, we know that the Taliban can be very disruptive and pose a threat to all of the operations that we might continue to have in Afghanistan. So thinking about how we can actually execute the movement of people outside the country to a third country is going to be critical, and then how we protect them when they are in a third country for a period of time until their application is processed is another, whole different challenge.

**Daniel F. Runde:**

So I want to get several questions that have been posed while taking advantage of your presence, Senator. One is from my friend Bill Sweeney, who’s an affiliate here at CSIS. He’s the retired CEO of IFES.

Congress will not be in session for most of August and September. What congressional actions are necessary in the next few weeks to facilitate the safe passage of as many Afghans who worked with and for the United States in the next few weeks?

That’s a question for you, Senator Shaheen.

Perhaps you, Jill.

But let me just put a couple more on the table. This is from Angelea Preston from Harvard University: How many of the Afghans that get visas will be girls and women, given that they are half of the population?
And then, finally, another question from my friend Annie Pforzheimer, who’s also an affiliate of CSIS and a former – is a retired Foreign Service officer: Refugee status is a huge step, plus a brain drain; how can the U.S. government find interim or temporary options for human rights defenders who want to stay with knowledge that they can leave if threatened, such as education-related visas?

So maybe that’s a question for Ambassador Jacobs and maybe Jill to take on.

So, Senator Shaheen, I’m not expecting you to take on all three of those questions –

Senator Jeanne Shaheen: Good.

Daniel F. Runde: – but I wanted to give you a chance to react to any of those three, and then I’d like the rest of the panel to kind of take on any of those three questions. But Senator Shaheen, I wanted to give you a chance to take a first stab.

Senator Jeanne Shaheen: Well thank you. With respect to congressional action, I do think we’re in a place where we have the potential for Congress to act before the August recess. We are working on the national defense bill, which will be marked up next week. There will be a provision in that to address SIVs. We expect a separate provision that’s already in an appropriations bill that’s on the table. The House has already passed out of the relevant committee their bill that has many of the things that I talked about, a little lower number in terms of applicants, but certainly an expedited process that should help us. We also need to provide the funding. So I am cautiously optimistic that there is very strong bipartisan support and a sense of urgency about the need to get this done and to provide the funding and to make sure that we can expedite the current legislation to make it address this crisis situation.

I want to also speak to the situation for Afghan women and girls because the point that is being raised, how many of these SIVs are women and girls, it’s a disproportionately low number because most of the folks who helped our military – so interpreters, the logistics people, those people who have been covered historically under the SIV process have been heavily weighted towards men. And yet, right now my biggest fear, in addition to are we going to help those people who helped us, is what’s going to happen to the women and girls in Afghanistan because we know what the Taliban’s position is and we know where they have control of the provinces they have already put back in place very restrictive Sharia laws that make it difficult, that don’t allow girls to go to school in most cases, that don’t allow women to work, that don’t allow freedom of movement for women. This is a huge issue and something that the United States needs to continue to speak out loud and clear in the international arena about, and we need to continue to do everything we can to support efforts to help women and girls in Afghanistan.
Daniel F. Runde: OK. I also want you to hear, Senator Shaheen – I’ve got one other question. I’m not necessarily asking you to respond to this, but I’d like – I’m hoping to hear from other panelists and I hope you hear the answer to this question. This is from Hadia Oriyakal who’s the daughter of an SIV applicant: My question is that we all know that the SIV process is broken and they have denied lots of people who were faithful to working with the U.S. – this is – I’m interpreting a little of this – including my father. So what will be the future of those who have missing documents because they can’t find their supervisors? Are we just going to leave those folks behind? So I’m not asking you, Senator Shaheen, to answer that question, but how about Ambassador Jacobs or Jill? Could you take that question on specifically while we have Senator Shaheen listening, please, just on that specific question?

Janice Jacobs: OK. I’ll take a stab at it and then I’ll let Jill add anything that she has.

Basically, yes, people have been denied SIVs. It’s normally because they’re missing documentation or the security check turned up something unexpected. For those that have been denied, there is an appeal process – not for those who have been denied for security reasons, but in the beginning stages. The chief of mission approval process, they can appeal that. And if at that time they’re able to present missing documentation or other evidence that meets the requirements, they are – they are able to do so.

But this is something that, as I mentioned earlier, is going to happen with all of those people in the pipeline. The vast majority will be issued eventually, but there will be a few who are denied. And that is – that is just sort of the nature of the visa process.

And Jill, I don’t know if you have anything to add to that.

Daniel F. Runde: Jill?

Jill Marie Bussey: Yes. I would add that we are quite aware of the denial rate because of the systemic issues with the SIV process. And so that is why we are advocating for evacuation to Guam or U.S. territory, where individuals would be able to access other forms of protection if they were – if their cases are denied and they would be able to access legal counsel to help them through the application process. Those who are represented and have legal counsel or assistance with their applications have a much greater application approval rate. And so that is why we are calling on the evacuation to a place of not only safety, but also that would respect the rights of the individual applicants.

I would also say with respect to other vulnerable populations that should receive protection there are many Afghans fleeing violence and persecution, and the lives of countless U.S.-affiliated Afghans who do not qualify for SIV or
other Afghan refugees and family members of Afghans in the United States will be – are in grave danger following this withdrawal. We are one of many members of the Refugee Council USA, which recently urged the Biden administration to open and expedite additional pathways such as utilizing the U.S. – U.S. refugee resettlement, family reunification, and humanitarian parole programs to ensure that these Afghans are not left behind.

For example, we’ve asked that the administration consider the use of humanitarian parole pursuant to INA 212(d)(5) and would allow admission of Afghans for urgent humanitarian reasons or significant public benefit. DHS should also establish these parole programs for groups at risk such as activists, journalists, humanitarian workers, and at-risk women and children to give them expedited access and processing.

Daniel F. Runde: Senator Shaheen, do you want to react to anything you've just heard?

Senator Jeanne Shaheen: No, just to agree with Jill. I think it’s very important for us to look at other ways to help those people who may not qualify under the SIV process but who are in danger because they worked with us in various other capacities.

And, again, just to reiterate, this is a real crisis situation and so we’ve got to be creative about how we address it and recognize that the bureaucracy may have originally been set up because of certain circumstances, but this is a situation now where we’ve got to look for ways to make the bureaucracy work to help those people who are in danger.

Daniel F. Runde: But let me add one more question. Then I want to bring in Ambassador Wayne, Ambassador Crocker, and Ambassador Jacobs. The focus has been on SIVs. Is consideration being given to processing Afghans of interest as refugees or under humanitarian parole? This is from Michael Eiland, who was former refugee coordinator for the U.S. Embassy in Bangkok between 1980 and 1983.

So any of the questions – let me – Ambassador Wayne, let me give you a chance to come into this conversation and react to any of the questions that have been put on the table, including this last one.

Earl Anthony Wayne: Thank you, Dan, and thanks to everybody. Senator, thank you for all you've done also, and Jill, thanks for all you are doing now, you and your colleagues, and, of course, for Ryan, who's been a voice of reason on Afghanistan for a long time.

I think maybe I’d just give one experience. This morning I happened to talk to a woman who has been very – Afghan woman in Afghanistan who runs a program for young women to provide them with education, and she said – basically, she said, look, we’re all very concerned about the future. It’s a very
emotional time. We hear all the stories of what the Taliban are doing. They're going back to their old practices in the districts they've taken over. They're burning schools and books. They're making – you know, girls and women can't come out unless they're covered.

On the other hand, we don't want the Taliban to win. We want to stay and do all we can to preserve the Afghanistan we have and make it better. So her bottom line was, basically, please prepare ways that if worse comes to worse you can help us. But right now, give us – give us – you know, give us what we need to sustain ourselves also.

So be supportive of us where we are. Be prepared to help us if we need that extra help in the future. But we want to keep Afghanistan that we know now of diversity, of more rights for children and women, because all of us who right now are the leaders we can't take all the kids with us. We can't take all the girls with us. We want – we care for them.

Daniel F. Runde: Ambassador Crocker, I'd love to bring you into this, and then Ambassador Jacobs.

Ryan Crocker: Thanks. I would just add my own voice to the issue of Afghan women and girls. That was a very early part of our efforts in Afghanistan. We had our first girls schools up and running in January 2002. Then Chairman Biden came to visit. I was his host. He referred to that in his remarks last week. Is that part of the nation building that the president believes we should not be doing? Because we made education of girls a priority.

When I got to Afghanistan the first time beginning of ’02, there were 900,000 students, more or less, in Afghan schools and all of them were boys. When I – when I left Afghanistan for the last time as ambassador in 2012, we’re talking about 8 million students, 35 percent girls.

So now what? Those girls, those women, stepped forward because we were saying, in effect, you step forward in education, in business, in the military, in journalism – you step forward we got your back. Except that was then and this is now and, oh my goodness, look at the time. We have to be going.

So in addition to the obligation we’ve had and continue to have for folks who served us directly, I believe we have a profound obligation to, again, the females in Afghanistan who are ready to reshape Afghan society. We’re now walking out on them. And it is – the consequences, as we just heard, it’s not going to be pretty. The Taliban have been pretty clear on what they’re going to do, not in statements but in actions. And this was quite foreseeable. So it’s pretty tough to figure out what meaningful action is, if you’ve given up your leverage – which we pretty much have. But, boy oh boy, we need to be in overdrive, as the senator suggests, to figure out what we can do to protect
and save those who helped us directly, but also all those who envisioned a
different society in Afghanistan because of our presence and our
commitment. So we got to figure out what’s next. And what’s next is most
definitely – cannot be just turning our backs.

Daniel F. Runde: Ambassador Jacobs, I’d love to bring you into this.

Janice Jacobs: Yes. Well, from the last set of comments it sounds like there are a good
number who really don’t want to leave Afghanistan, who want to stay there
and create the society that they envision that is more diverse, and certainly
more freedoms for women and girls. For the option for leaving, we have the
SIV process, we’ve heard a lot today about how complicated that is. Other
options might be – and of course, this depends on a permissive environment
and an airport that’s open – you could establish an in-country refugee
program. If the Taliban does wind up being in charge, that could be very
difficult. But that is an option for identifying people who are being
persecuted and need to leave the country.

And then Jill mentioned humanitarian parole. That would be another option.
That is under the authority of the Department of Homeland Security. I will
say that traditionally humanitarian parole has not been used to move large
groups of people. It’s usually something that is used sparingly. But that
doesn’t mean that it couldn’t be used in this particular instance to help
women and girls in particular who are not going to be part of the SIV
program. So there are options, but what I’m hearing today is what can the
U.S. do to help those that want to stay, but to continue to improve Afghan
society and be more inclusive, and certainly continue with rights for women
and girls. And that I don’t have an answer for. I don’t know if anyone else has
comments on that.

Daniel F. Runde: Jill.

Jill Marie Bussey: May I just add something about this concept of choice? Because during the
president’s remarks on the Afghanistan wind down last Thursday, he
repeated what we believe to be a false claim, that half of Afghans who were
issued SIVs this year did not want to come to the United States and are
remaining in Afghanistan by choice. We were really shocked and saddened
to hear that claim made, as it doesn’t comport at all with our experience in
serving SIV visa holders. From our experience, our allies want desperately to
come to the United States, as they have often been tracked by the Taliban in
their own neighborhoods.

However, the tickets for the few commercial flights out of Afghanistan are
often cost-prohibitive for most Afghans who have been fortunate enough –
the few – to secure a visa. For those who cannot afford flights, they have to
wait for an IOM flight. In the past, it can take months for those flights to be
scheduled. And it's what causes the daylight between the visa issuance and arrival in the United States.

When SIV recipient arrive by an IOM flight, then they can be connected with us and our resettlement agency. We will pick them up in the airport. We'll arrange for modest housing. We'll support them as they integrate. This is the work of welcome that we do. In fact, today we're welcoming a family of 12 in one of our locations, and we're honored to be doing that. I think this concept of choice needs to be critically reviewed, for sure, and particularly as the narrative concerns SIV applicants.

Daniel F. Runde: Let me just add a couple more questions here. Currently this is a requirement for an SIV letter of recommendation: the supervisor's explanation of any ongoing serious threat you have experience or are experiencing as a consequence of your employment by or on behalf of the U.S. government. Is the current situation, with the Taliban effectively taking control of many regions, sufficient to comply with this requirement that supervisors must explain a serious threat? This from Jackie Duclos from DAI Global.

This or any other of the questions out there. Ambassador Wayne, Ambassador Crocker, or Ambassador Jacobs? Please, Ambassador Jacobs.

Janice Jacobs: I am not aware of any sort of new development with the – they do – the applicants do have to make a statement of what the threat is that they are experiencing. So I'm not aware of any change to that.

Daniel F. Runde: OK. Ambassador Wayne?

Earl Anthony Wayne: Well, I mean, I'm sure the changing security situation in Afghanistan itself will change the argument that the applicants can make and will strengthen that argument – especially if they come from areas that are no longer under government control. So, yes, I'm sure that's part of it. And I just want to say, right now we are looking at the SIV question at this time. But as Ambassador Crocker said, and as others have talked about and written about eloquently, this is still a time when we need to be investing heavily as a government in diplomatic and assistance support for the government in Kabul.

They do still need security assistance, they still need financial assistance, and they need diplomatic assistance. We should be having all of the countries of the region, as many as we can get, and others sending clear messages to the Taliban to seek a peaceful solution to this, and to accept the other parts of the society in Afghanistan that don’t share their views. So far, they have not done that. They have not indicated any willingness to do that. Part of the whole initial agreement that we – the United States negotiated with the
Taliban had, as part of that, that they were going to have a dialogue with the – with the government in Kabul.

That dialogue really has gotten nowhere. It has not been serious. And I’m sure right now it’s – well, in recent weeks and months it’s been less serious. And even though it’s not as much leverage as we would have had, as Ambassador Crocker made clear, did we still have all of our tools there and our troops there, we still need to use all the leverage we do have, which is the fact that Afghanistan gets 80 percent of its money to function from international donors. That’s not going to change in the future, and people are not going to want to give any money to a government that oppresses big chunks of the population.

Plus, you could have massive humanitarian needs emerging over the months ahead. And right now, there are over 2 ½ million Afghan refugees outside of the country. You could see those numbers soar in a chaotic situation that evolves in the weeks and months ahead.

Daniel F. Runde: Ambassador Crocker, I’d love to bring you into this conversation. Sir, you’re on mute. You’re on.

Ryan Crocker: So what Tony said, of course, is something we all aspire to, people doing the right thing. Well, this is – frankly, it’s not going to happen. The Taliban have been pretty clear on what their agenda is. And this is the same Taliban that chose to give up power and give up the country rather than turn over to us the al-Qaida leadership that had perpetrated 9/11. So frankly, to say that they must now negotiate when they think they’ve already won – and with justification – it just simply isn’t going to happen.

Look, this – where we are now, that path was set when the Trump agreed to sit down with the Taliban without the Afghan government in the room. Longstanding Taliban demand; we acceded to it and in doing so delegitimized the Afghan government and legitimized the Taliban. I made those points right from the start.

At one level, though, I’d have to say, you know, I wasn’t terribly surprised. I wasn’t really sure that I expected anything better from the Trump administration. I did expect better from the Biden administration, and boy has that been a crushing disappointment. He has out-Trumped Trump. He is the one who made the decision that gets us militarily all the way out, gives Taliban agency. So it was quite a shock to hear him actually make that decision. Now he owns this policy, and I think he will live to regret that. I think this will be a permanent stain on this president.

Daniel F. Runde: Let me give – we got five minutes left. I want to give folks sort of a minute to think about what are the immediate next steps we need to be taking over the
Jill Marie Bussey: I would like to see the evacuation flights start now and getting people to Guam. The Guam leadership has said that they’re ready, willing, and able to welcome our allies who have served. They have done it before. There is precedent for it. And they, frankly, have the hotel space, et cetera, to welcome our allies. So I would like to see those flights being taken right this very minute. There’s no reason to delay any further for that.

Earl Anthony Wayne: Well, we do need to move vigorously with the evacuation process and also with the processing of others – not only those who are in the pipeline, but those who have legitimate cases to be considered, and I think there are many. A lot of people got bumped out for questionable reasons, imperfect information. That needs to be really an active process.

Secondly, we need to find ways to get support into Kabul and to others, both humanitarian support but also economic/financial support and military support. And hopefully, there will be a rallying together to help hold this – hold this situation and get us back to a position where there can be more serious engagement to get to peace.

And then, third, we need to develop our contingency planning for those who are going to need assistance, both humanitarian assistance when they’re on the move in the country or out of the country, but also those who worked very closely with us if not – but not for us in those contingency situations and those who want to right now work and preserve the values they believe in. But we have to be ready to help them no matter what evolves, it seems to me.

Janice Jacobs: Well, I would say any efforts by Congress to streamline the SIV process are welcome. So hopefully – Senator Shaheen talked about a number of measures. Hopefully, those will get through.

I agree with Jill that we need to start moving people as soon as possible. I understand the security reasons that the White House doesn’t want to talk a lot about countries that we’re talking to and all of that, but I – eventually they’re going to have to make public the evacuation plan and where these people are going.
And then Consular Affairs and also Homeland Security will have to figure out a surge program in order to have the – to have sufficient resources to process large numbers of people hopefully more quickly than has happened in the past. And I have to say I’m hoping that they brought Russ Travers onboard so that he can help speed up the security vetting, the so-called administrative processing that takes place, because that really has been one of the major bottlenecks. And that, of course, depends on a lot of different agencies also throwing sufficient resources at this issue and, you know, moving more quickly.

Daniel F. Runde: OK. Ambassador Crocker, I’m going to give you the last word.

Ryan Crocker: Two points.

First, treat this as the emergency it is with respect to those who served us. All of these changes to SIV processing, important stuff. It isn’t going to help now. We have got to resort to emergency measures. We need to drop requirements for all 14 or 13 boxes to have been checked. We need to get these people to safety and then sort it out.

Second point, we need to do something concrete to show that we do, indeed, support Afghan national security forces, particularly the air force, because it’s not just our troops who are leaving. Our contractors leave with them, and the Afghan Air Force cannot function without contractor support. The administration needs to move right now to produce a different scope of work and to get contractors back into country, particularly for the air force, so that they can again have air support for their forward deployments, but most significantly to show that we really mean it when we say we’re not completely backing out of this. It would be as important for morale as it would be for operational effectiveness.

Daniel F. Runde: OK. Our time is up. I want to thank everybody. Thanks so much for doing this today. We’ll continue to keep working on this. Like, we couldn’t do this without all of our great panelists. Thank you so much and we’re going to end it here. Thank you.