

# Congress of the United States

Washington, DC 20515

February 4, 2022

The Honorable Antony J. Blinken, Secretary  
U.S. Department of State  
2201 C Street NW  
Washington, D.C. 20520

The Honorable Alejandro Mayorkas, Secretary  
U.S. Department of Homeland Security  
301 7th Street SW  
Washington, D.C. 20528

Dear Secretaries Blinken and Mayorkas:

We write urging you to safeguard Afghan nationals currently participating in, or very recent alumni of, the Fulbright Foreign Student Program by issuing a categorical waiver and temporary protected status for these at-risk Afghans and America allies. Due to the current situation in Afghanistan, many current Fulbright scholars and alumni cannot fulfill their required two-year residency in their home country following completion of their Fulbright studies in the United States and require a waiver to pursue an alternate American visa.

To our knowledge, there are more than 150 Afghan Fulbright scholars and recent alumni currently studying or residing in the United States. These Afghans are in a precarious position because they entered the United States on J-1 visas as part of the U.S. government-sponsored Fulbright program. As you may know, this type of visa requires holders to return to their country of origin for a two-year period of residence after the completion of their studies in the United States. Until this two-year residency is completed, they cannot apply for alternate types of American visas or remain lawfully in the United States. Because of the situation in Afghanistan, Afghan scholars currently studying in the United States and recent Afghan Fulbright alumni who are in Afghanistan or third-party countries cannot satisfy their two-year residency requirement.

Section 212(e) of the *Immigration and Nationality Act* provides an avenue to apply for a waiver to this requirement, but it is a lengthy process for each individual applicant. Without action by your Departments, Afghan Fulbright scholars will be forced upon conclusion of their studies in the United States to either leave the country or remain with an expired J-1 visa, just so that they could begin to apply for yet another visa. Similarly, those Afghans in Afghanistan and third-party countries would be forced to wait for an approval to waive the two-year residency requirement before even applying for another type of visa. Given the extraordinary circumstances, this is an unnecessary bureaucratic hurdle and places these America-educated Afghans into an impossible position: overstay their J-1 visas or depart for an uncertain future abroad where they face almost certain persecution by the Taliban.

The United States' ability to educate students and host scholars from around the world is a critical foreign policy asset. Fulbright scholars are chosen after a rigorous process and have strong academic and social ties to the United States. These same ties are why Afghans who participated in the Fulbright program and their families have reportedly been targeted by the Taliban.

Specifically, we ask that you issue a categorical waiver of the two-year home residency requirement, based on hardship and persecution, for all Afghan Fulbright exchange visitors and alumni residing in the

United States with a current or expired J-1 visa, as well as for all Afghan Fulbright exchange visitors and alumni who are residing in Afghanistan or a third country and wish to apply for a different category of American visa. We also ask that you expedite the review of visas for Afghan Fulbright scholars and alumni so that they can seek lawful full-time employment in the United States. Finally, we ask that you grant Afghan Fulbright scholars and alumni a Temporary Protected Status so that they are not deported while any waivers or visas are processed and then issued.

We hope you agree that safeguarding our allies, like those Afghans who successfully completed the Fulbright Foreign Student Program at American colleges and universities, should be a top priority. Thank you for your attention to this critical matter.

Sincerely,



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John Garamendi  
Member of Congress



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Adriano Espaillat  
Member of Congress



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James P. McGovern  
Member of Congress



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Melanie Stansbury  
Member of Congress



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Mike Thompson  
Member of Congress



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Grace Meng  
Member of Congress



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Joe Neguse  
Member of Congress



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Sara Jacobs  
Member of Congress



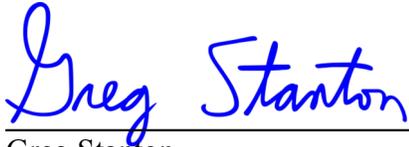
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Tom Malinowski  
Member of Congress



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Dina Titus  
Member of Congress



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Greg Stanton  
Member of Congress



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Anthony G. Brown  
Member of Congress



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Jim Cooper  
Member of Congress