

September 20, 2021

President Joseph R. Biden
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

The Hon. Alejandro Mayorkas
Office of the Secretary
U.S. Department of Homeland Security
Washington, DC 20528

The Hon. Antony J. Blinken
Office of the Secretary
U.S. Department of State
2201 C Street, NW
Washington, DC 20520

Dear President Biden, Secretary Blinken, and Secretary Mayorkas:

We are a coalition of U.S. news organizations that have provided the American people and the world with coverage of Afghanistan for the past two decades. We write to you regarding the U.S. Refugee Admission Program Priority 2 Designation (“P-2”). Specifically, we write, first, to seek immediate clarification from the Administration regarding whether it will process P-2 applications made by otherwise eligible Afghans evacuated into the United States and, second, to urge the Administration to expedite processing P-2 applications, so that eligible Afghan evacuees may continue their careers and begin rebuilding their lives.

On August 2, 2021, the U.S. State Department created a P-2 refugee designation granting U.S. Refugee Admissions Program access to Afghan nationals who worked for the U.S. military, U.S. Government-funded programs, and U.S.-based non-governmental organization and media companies. The stated purpose of the P-2 designation was to provide these Afghans and their immediate family members with an opportunity for refugee resettlement in the United States.

Since August 2, members of this coalition have worked tirelessly to assist P-2 eligible Afghans to apply for the program and evacuate from Afghanistan. These evacuees are employees, contractors, and colleagues upon whom coalition members relied in Afghanistan. They braved significant danger to support our work there and more recently endured extraordinary hardship and loss to escape the Taliban advance. However, having escaped immediate danger, they still face an uncertain legal future.

Many P-2 eligible Afghans were evacuated to military bases in the United States or received humanitarian parole to enter the country. We are grateful to the Administration for exercising its authority to quickly provide safety in the United States in these extraordinary circumstances. But there is now confusion regarding their access to the P-2 program, and that of future parolees.

On September 17, officials within the State Department informed The New York Times that Afghans evacuated into the United States would have their P-2 applications closed, merely because they are present inside the United States. We understand this to mean that Afghans

paroled or evacuated into the United States must instead file asylum claims, which are evaluated under a different legal standard—one not designed for their circumstances.

That approach would effectively exclude many P-2 eligible Afghans from the very program that was designed to help them. And it threatens to overwhelm the already-burdened asylum system with potentially tens of thousands of unnecessary cases that may take years to resolve, at great cost. Requiring that P-2 processing only take place outside the United States would be contrary to the best interests of Afghan evacuees and to the Government agencies tasked with refugee and immigration processing.

In addition, there appears to be no legal barrier to processing P-2 refugee applications within the United States. As far back as 1980, the Justice Department's Office of Legal Counsel advised that U.S. law "does not require that the alien be processed overseas or that he apply for refugee status in a third country."

We urge the Administration, as a matter of priority, to clarify its approach and permit P-2 refugee processing to proceed in the United States. We also urge the Administration to ease P-2 eligible Afghans' path to permanent resettlement by facilitating prompt work authorization and access to other benefits.

We also urge the government to invest the necessary resources to expedite USCIS processing of P-2 applications outside the United States. Many P-2 eligible Afghans have found temporary refuge in third countries. There, they await potentially lengthy processing times, often unable to lawfully work, attend school, or access other basic services. We urge the Government to accelerate processing of their applications or to facilitate parole into the United States if prompt processing is not provided. We further urge the Government to use all diplomatic means at its disposal to ensure the safety and wellbeing of Afghan P-2 applicants in third countries awaiting adjudication of their applications for admission to the United States as refugees.

Finally, several media organizations still are working to evacuate P-2 eligible individuals from Afghanistan. In many instances, evacuation is hindered by difficulties obtaining visas and other necessary travel permissions. We urge the Administration to assist this ongoing effort, including through diplomatic means.

We would welcome an opportunity to discuss the path forward with the Administration and we thank you for your consideration of this important issue.

Sincerely,

The Associated Press
The Atlantic Monthly Group LLC
Bloomberg News
CBS News
Center for Investigative Reporting, Inc. (d/b/a "Reveal")
Dow Jones & Company, Inc.
First Look Institute, Inc.
FOX News Media
Hearst Corporation

Los Angeles Times Communications LLC
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NBCUniversal News Group
The New York Times Company
The New Yorker
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Committee to Protect Journalists
The National Association of Broadcasters
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