

## Support our Afghan Fulbrighters & Other Exchange Visitors February 25, 2022

Both executive and [congressional actions](#) are needed in order to provide safe, legal pathways for our Afghan allies who wish to pursue higher education opportunities in the United States. In particular, relief is needed for Afghan Fulbright scholars and other exchange visitors, both current and alumni of the program.

### **Afghan Fulbrighters and Other Exchange Visitors Need Waivers from 2-year Home Residency Requirement**

**Background:** Fulbright students and scholars receive J-1 visas to study in the United States. This type of visa requires that holders who have received U.S. government funding return to their home country for a two-year period before they are eligible to apply for another more permanent type of immigration status in the United States.

Until they receive a waiver for this requirement from DHS, under the advice of DOS, our Afghan scholars who have participated in the Fulbright program cannot do any of the following:

- [Change status](#) in the United States to a nonimmigrant temporary worker (H) or intracompany transferee (L);
- [Adjust status](#) in the United States to immigrant visa/lawful permanent resident status (LPR);
- Receive an immigrant visa at a U.S. Embassy or Consulate; or,
- Receive a temporary worker (H), intracompany transferee (L), or fiancé (K) visa.

Immigration law provides for a waiver process for this two-year residency requirement, but the process is lengthy. Because Afghan Fulbright students and alumni in the U.S. cannot return to Afghanistan, this two-year residency requirement is currently preventing Afghan Fulbright students and alumni from applying to adjust their immigration status. Without a waiver, Afghan students and alumni currently in the United States either would be forced to return to Afghanistan (not a viable option) or remain in the country in legal limbo. 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 applying for these other immigrant visa types.

A letter from Congress, led by Rep. John Garamendi (Calif-3rd district) asks for a blanket waiver of the two-year residency requirement for all Afghan Fulbright students so they can begin applications for other visas. It also requests that the review of visas for Afghan Fulbright scholars and alumni be expedited and that Afghan Fulbright scholars and alumni be issued Temporary Protected Status so that they do not risk deportation while any waivers or visas are processed and then issued.

Rep. Garamendi has also introduced a bill (H.R.5482) that would provide Special Immigrant Visas (SIVs) for Afghan Fulbrighters and other exchange visitors. Read more about our congressional advocacy [here](#).

## Designated Parole Program

The Presidents' Alliance joined [a letter of 158 organizations requesting the creation of a designated parole program for at-risk Afghans](#) in need of protection and seeking reunification with family. According to the New York Times, very few Afghan applications for entry on humanitarian parole have been processed, and most have been denied.