

Factsheet: FY 2022 Continuing Resolution

September 23, 2021

Background: On September 21st, the House passed [H.R.5304](#), the FY 2022 Continuing Resolution. A similar but not identical [version](#) was introduced by Senator Shelby on behalf of Senate Republicans, currently pending passage. If approved, the FY22 CR would go until December 3, 2021.

The House-passed CR is an important step in the right direction toward serving vulnerable communities of people seeking protection in the United States, including helping at-risk Afghans arriving with nothing following the fall of the Afghan elected government. But there is still more for Congress and the Biden administration to do to offer stability to arriving Afghans following U.S. withdrawal from Afghanistan. For example:

- Congress should pass the Afghan Adjustment Act in upcoming must-pass legislation (i.e., NDAA / FY22 omni)
- Congress should hold the [Biden administration accountable](#) to the following:
 - The administration needs a plan to evacuate those who remain in Afghanistan and to bring those in host countries to safety (via USRAP, parole, etc.)
 - The administration should create a categorical parole program for Afghans
 - The administration should waive all application fees associated with humanitarian parole applications.

Afghan Parolee Resettlement Services

Eligibility

The House-passed CR authorizes Afghans arriving with humanitarian parole to receive the same services as refugees (admitted under Section 207 of the INA), including ORR assistance, reception and placement, and other entitlement programs like food assistance. ORR services include services like healthcare, emergency housing, English language classes, job training, and case management.

Eligible Afghans are those paroled into the United States between July 31, 2021 and September 30, 2022; those paroled into the United States after September 30, 2022; and, either the spouse or child of such a parolee or the parent or legal guardian of an unaccompanied child paroled during that period.

Duration

The House-passed CR provides eligibility for Afghan parolees to receive resettlement benefits until March 31, 2023, or the term of parole granted, whichever is later. Such parolees would not be precluded from pursuing other immigration benefits for which they are eligible.

Senator Shelby's [counterpart](#) provides eligibility for services through March 31, 2023. **We recommend the duration of eligibility contained in the House-passed CR.**

Additional Benefits

The House-passed CR would make Afghan parolees eligible for a driver's license or identification card under Section 202 of the REAL ID Act of 2005. And it would make Afghan parolees deemed to be unaccompanied children eligible for Unaccompanied Refugee Minor (URM) services.

Senator Shelby's [counterpart](#) does not preclude an Afghan parolee from applying for a driver's license or identification card for which they are eligible under state law. **We recommend the driver's license language contained in the House-passed CR.**

U.S. Department of Health and Human Services

Office of Refugee Resettlement

The House-passed CR provides an additional **\$1.68 billion for Afghans arriving with humanitarian parole**, as well as an additional **\$2.5 billion for unaccompanied children**¹ and an authorization for an apportioned rate of spend for all other ORR populations.²

Children and Families

The House-passed CR provides an additional **\$7.773 million for children and families programs** for Afghans.

Centers for Disease Control and Prevention

The House-passed CR provides an additional **\$21.5 million for CDC-Wide Activities and Program Support**, including medical support, screening, and related public health activities for Afghan arrivals and refugees.

The Department of Homeland Security

U.S. Citizenship and Immigration Services

The House-passed CR provides an additional **\$193 million to USCIS to support activities related to Operation Allies Welcome**, as well as an additional amount to USCIS for application processing, the reduction of backlogs within asylum, field, and service center offices, and support of the refugee program offices **at a rate for operations of \$250 million**.

The Department of State

International Disaster Assistance

The House-passed CR provides an additional **\$400 million to the U.S. Agency for International Development (USAID) for International Disaster Assistance (IDA)** to provide life-saving humanitarian support to the most vulnerable populations inside Afghanistan and in the region, including women and girls and minority groups, and other displaced persons.

Migration and Refugee Assistance

The House-passed CR provides an additional **\$415 million for Migration and Refugee Assistance (MRA)** to respond to the needs of Afghan refugees, conflict victims, and internally displaced Afghans, both inside and outside Afghanistan. Additionally, it makes funds available for support of processing Priority 1, and at-risk Afghans who received Priority 2 referrals.

Emergency Refugee and Migration Assistance

The House-passed CR provides an additional **\$1.076 billion for the Emergency Refugee and Migration Assistance (ERMA) account, including \$100,000,000 to respond to other unexpected and urgent humanitarian emergencies and \$976.1 million for Operation Allies Welcome**. Support for Operational Allies Welcome includes additional relocations of individuals at risk as a result of the situation in Afghanistan and related expenses. The explanatory language accompanying the bill suggests that these funds can be used to provide “basic need requirements and resettlement services for at-risk Afghans in the United States, including medical testing, processing, and life support services.”

Diplomatic and Consular Services

The House-passed CR appropriates **\$276.9 million for Emergencies in the Diplomatic and Consular Services (EDCS)** for the costs of the evacuation and contingency support for the temporary transit sites

¹ The House-passed CR includes additional legislative language regarding unaccompanied children:

- Mandating a report describes steps to phase out the use of emergency intake sites.
- Mandating a report on released unaccompanied children and unaccompanied children receiving post-release services.
- Mandating a report on the use of transferred funds for unaccompanied children services.

² This would allow ORR to spend during the duration of the CR at a rate necessary to carry out its statutory responsibilities with respect to populations it serves. This is important for the agency to avoid Anti-Deficiency Act violations.

outside Afghanistan of private United States citizens, lawful permanent residents, and Afghans at-risk from Afghanistan.

Report on Use of Funds

The House-passed CR requires the Secretary of State to report to the Committees on Appropriations on the proposed use of ERMA and Diplomatic and Consular Service funds appropriated by the bill.

Department of Justice

Federal Bureau of Investigation

The House-passed CR provides an additional **\$50 million to help with Afghan resettlement security vetting.**

Additional Legislative Language

Expedited Consideration of Afghan Parolees' Asylum Applications

The House-passed CR provides for “expeditious adjudication of asylum applications” for Afghan parolees. It would require DHS to conduct the initial interview on the asylum application not later than 45 days after the date on which the application is filed and, in the absence of exceptional circumstances, issue a final administrative adjudication on the asylum application within 150 days after the date the application is filed.

Senator Shelby’s [counterpart](#) similarly provides for expedited asylum adjudications for Afghans but reduces the time period for an initial interview to 15 days. **We recommend the language contained in the House-passed CR.**

Report on Afghan Evacuee Resettlement Strategy

The House-passed CR requires the Secretary of Health and Human Services, the Secretary of State, and the Secretary of Homeland Security to jointly submit a strategy on Afghan evacuee resettlement to the appropriate congressional committees and leadership describing agency roles and responsibilities, vetting, immigration status of each Afghan, and anticipated costs associated with implementing such strategy.

Report on the Status of Afghan Evacuees

The House-passed CR requires the Secretary of Homeland Security, in coordination with the head of any other applicable Federal agency, to make periodic detailed reports to Congress on the status of Afghan evacuees. Reports will include many data points, such as the number of the Afghan evacuees present in the United States, located at overseas bases of the United States Armed Forces, or located in third countries who are not located at such a base; the number of the Afghan evacuees who have been paroled into the United States; and the number of Afghan evacuees who have been interviewed by USCIS in connection with an application or petition for immigration benefits.

Report on the Status of Afghan P-2 Designations

The House-passed CR requires the Secretary of State, in consultation with the Secretary of Homeland Security and the heads of other relevant Federal agencies, to “submit to the Committees on Appropriations a report on the status of the Priority 2 (P-2) designation granting United States Refugee Admissions Program (USRAP) access for certain at-risk Afghan nationals and their eligible family members that was announced by DOS on August 2, 2021.” The report also is required to include a plan for augmenting personnel needed for refugee processing or humanitarian parole.

For more information, please contact:

Meredith Owen at mowen@cwsglobal.org, Liz Mandelman at elizabeth.mandelman@hias.org, and Jenny Yang at JYang@wr.org.

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