



A QUICK GUIDE TO SUPPORT THE AFGHAN WORKFORCE

On June 8, 2023, the U.S. Department of Homeland Security (DHS) announced two processes for certain Afghan nationals to maintain parole and employment authorization for up to two years:

Process 1

Certain Afghan nationals can apply for a new period of parole, or re-parole, and employment authorization for up to two years through a new streamlined, fee-exempt application process. They may apply online or on paper by submitting Form I-131, Application for Travel Document, found at uscis.gov/i-131, to USCIS.

Process 2

Eligible Afghan parolees with the following applications pending with USCIS will be considered on a case-by-case basis for an extension of their initial parole and employment authorization for up to two years, without needing to submit a Form I-131 requesting re-parole.

- Form I-485, Application to Register Permanent Residence or Adjust Status (uscis.gov/i-485)
- Form I-589, Application for Asylum and for Withholding of Removal (uscis.gov/i-589)

NOTE: Employers must allow their employees to present acceptable Form I-9 documentation of their choice based on the guidance in the table below. During both initial verification and reverification, a worker may choose which documentation to present from the List of Acceptable Documents.

What Employers Need to Know

If an Afghan parolee has an OAR or PAR class of admission and has a current parole period, then they are employment authorized incident to their parole and can work. The Form I-94, Arrival/Departure Record, for those with PAR class of admission must indicate Afghanistan as the country of citizenship. Once an eligible Afghan national is approved for a new period of parole through the streamlined re-parole application process or has their initial parole extended, they can continue or begin working immediately upon approval of their parole.

Use the chart below to understand the acceptable documents Afghan employees may present to verify their identity and employment authorization for purposes of Form I-9, Employment Eligibility Verification.

MY EMPLOYEE WAS APPROVED FOR RE-PAROLE UNDER THE STREAMLINED FEE-EXEMPT APPLICATION PROCESS (PROCESS 1)

An unexpired Form I-94 is acceptable to show identity and employment authorization for Form I-9 purposes for up to 90 days from the date of hire (or in the case of reverification, the date employment authorization expires).

After the 90-day period or when Form I-94 expires, whichever comes first, such parolees must present an unexpired Employment Authorization Document (EAD) or a combination of an unrestricted Social Security card and a List B identity document, such as a driver's license or identification card.

Afghan parolees with OAR and PAR classes of admission do not need to wait for an EAD to work legally in the United States. Forms I-94 with class of admission PAR must indicate Afghanistan as the country of citizenship.

Note that the List C unrestricted Social Security card may not be available to individuals who are not admitted to the United States on a permanent basis.

MY EMPLOYEE WAS GRANTED AN EXTENSION OF INITIAL PAROLE (PROCESS 2)

Afghan parolees who have an EAD with a C11 category and have been granted an extension of initial parole and employment authorization may present Form I-797C, Notice of Action, along with their facially expired C11 EAD as an acceptable List A document that is evidence of identity and employment authorization to complete Form I-9. The Form I-797C notice extends the validity of their facially expired C11 EAD if they have one. USCIS will not automatically send another physical EAD, because an updated EAD is not necessary to establish work authorization.

If your employee wants a new EAD that matches the dates of their extended parole period, or if they would like a new EAD based on a different status such as having a pending asylum or adjustment of status application, they may apply for one that will have their new EAD expiration date by submitting a Form I-765, Application for Employment Authorization, at uscis.gov/i-765.

Afghans granted an extension of parole can print an updated Form I-94 at <https://i94.cbp.dhs.gov>. This unexpired Form I-94 with a class of admission of PAR that indicates Afghanistan as citizenship or an OAR class of admission is acceptable to show identity and employment authorization for Form I-9 purposes for up to 90 days from the date of hire (or in the case of reverification, the date employment authorization expires).

If your employee did not receive their EAD or lost it, they may request a replacement at uscis.gov/i-765.

Reminder

If your employee has recently moved to a new location, even if it is to a temporary location, they must update their address with USCIS. They can update their address either in their USCIS online account at [my.USCIS.gov](https://my.uscis.gov) or by submitting Form AR-11, Alien's Change of Address Card, at uscis.gov/ar-11. Parolees must update their address with USCIS each time they move as a condition of their parole. Please remember that changing an address with the U.S. Postal Service or another U.S. government agency will not change the address with USCIS.

Helpful Resources

- Visit the USCIS Information for Afghan Nationals page to learn more about available immigration options for certain Afghans at uscis.gov/allieswelcome. Also visit the Re-parole Process for Certain Afghans page and our FAQs page at uscis.gov/re-parole-process-for-certain-afghans.
- Learn more about certain Afghan parolees being employment authorized incident to parole at uscis.gov/afghan-parolees-employment-authorized.
- See Form I-9 Acceptable Documents at uscis.gov/i-9-central/form-i-9-acceptable-documents.
 - » Employers cannot, based on someone's citizenship, immigration status, or national origin, request more or different documents than are required to verify employment authorization and identity; reject documents that reasonably appear to be genuine and relate to the employee; or specify certain documents that the worker should present. The Department of Justice offers important information about employers and employees at justice.gov/crt/immigrant-and-employee-rights-section.
- The Immigrant and Employee Rights Section (IER) of the U.S. Department of Justice's Civil Rights Division provides helpful resources to ensure employers are aware of what they may and may not lawfully ask employees during the hiring, firing, and recruitment process. To learn more, please visit justice.gov/crt/immigrant-and-employee-rights-section.
- The U.S. Equal Employment Opportunity Commission enforces federal equal employment opportunity laws that prohibit employment discrimination against applicants, employees, and former employees. To learn more about workplace discrimination, visit eoc.gov/overview.