Allies Ep. 7: Adjustment V1

05-24-22 MJ

A warning for listeners. This podcast features harsh language and descriptions of war, terrorism and violence. It's important to hear... but it can also be disturbing.

In our last episode... you heard about the Afghans who left during the U-S withdrawal. In this episode... we'll tell you about someone who made it here... but doesn't know how long she'll be able to stay.

Mahnaz is an Afghan woman raised in Iran. Around 2010... she decided to return to Afghanistan because things seemed to be going well in her country. It was during the Surge... near the height of U-S troop numbers in Afghanistan...

Here's Mahnaz.

[Mahnaz: "... a lot ... of good things happening in Afghanistan because ... US soldiers came to Afghanistan, and the security is good."]

When she came home... Mahnaz was excited about her country's future. And she wanted to be a part of it. So in 2011... she decided to join the Afghan Military.

[Mahnaz: "When you go to military and join to them, like, you can like find yourself in your country and you can feel your country with all your body, with your heart, with your heart or on your mind ... so it was really good for me..."]

Mahnaz joined what's called a 'Female Tactical Platoon.' It's made up of Afghan women. Soldiers who helped capture or kill Taliban leaders.

The F-T-P went out on night raids with the Afghan Military. Soldiers like Mahnaz were equipped with rifles and night-vision goggles. Their targets were often at home with their families — women and children. Soldiers like Mahnaz would be there to speak with them.

[Mahnaz: "Like the job of female tactical platoon was like searching and ... protecting female and children in missions ... we go to the, like a high rank

positions Talibans house ... there was female and children in the house ... and so FTP was at that missions."]

The US and Afghan governments thought The Female Tactical Platoon represented a key part of Afghanistan's future. An elite group of highly-trained Afghan women to fight insurgents. But this work made them big targets for the Taliban... who restrict women's participation in all aspects of public life.

So Mahnaz had to keep her work a secret. But she *loved* her job. She flew across the country in military planes. She saved lives... making lifelong friends.

[Mahnaz: "We really love our job. Like it was really dangerous job. ... every time that you go to the mission, you know that maybe you don't come back ... but we know like this kind of danger, but we accept that."]

[MUSIC]

But the work changed in 20-20. The Americans were starting to leave... and the Taliban ramped up their attacks against the Afghan Army.

[Mahnaz: "We have a lot of civil war ... in every provinces or other like villages, we had a lots of a war that was going on in the country, especially the five or six months before evacuation."]

Mahnaz wasn't going out on many missions around this time. The FTP exclusively worked at night. But now the fighting between the Army and the Taliban was almost constant during the day.

So Mahnaz was forced to watch as the Taliban took over Afghanistan... and headed toward Kabul. In the meantime... she was trying to plan in the event of a Taliban victory.

[Mahnaz: "Our advisors in the US ... like they were trying to put us in SIV program ... We thought maybe we can go to the US and get their citizenship and then maybe come back to Afghanistan.

I didn't believe that Kabul will fall because I believed in soldiers, I believed in my colleagues ... I believed in commander."]

But then the Taliban took Kabul on August 15th... and the Afghan President fled.

[Mahnaz: "... you could feel like fear, like in faces ... you could feel that they have a fear, they fear of maybe losing their young son or losing like young daughters or something like that.

The city is different ... like in downtown, all the streets was empty and, or shops, and hotel, restaurants, and everything was closed ... like they couldn't see anything"]

Mahnaz got in touch with other members of her platoon sprinkled across Kabul. They heard the Taliban was searching for them. So the women were getting rid of any paper trail that led back to the Female Tactical Platoon.

[Mahnaz: "I remember one of my colleagues called me that, say that, 'hey, the Taliban are near our house and I'm going to burn all my documents.' ... they start to burn them."]

[ALLIES THEME]

From Lawfare and Goat Rodeo... This is Allies... a podcast about America's eyes and ears in the War in Afghanistan.

I'm your host Bryce Klehm.

In our final episode... you'll learn about the efforts to get people like Mahnaz resettled in the U-S. You'll hear about the bureaucratic mess that they're *still* going through. And how Congress could pass legislation to help... legislation that might not even come up for a vote.

This is Episode 7: Adjustment

[MUSIC FADES]

This is Mahnaz's friend Rebekah Edmondson. She's an American soldier who helped train the members of the Female Tactical Platoon... including Mahnaz.

[Rebekah: "As an American woman ... entering that environment with all of the ideas that I had and ... we were all kind of scratching our heads saying like, really, is this going to work?

And they proved that not only did it work, but they were incredibly successful and such an asset to the mission that ... that kind of made people think like, 'why have we not been doing this the whole time?'"]

During the withdrawal Rebekah was in touch with the members of the Female Tactical Platoon.

Many of those women took pictures of their employment documents before they were destroyed. These documents identified them... and were the same ones they might need if they came to the U-S.

[Rebekah: "... so the unfortunate thing is, is that the ones that didn't prepare in that manner are now ... left without those artifacts and those things that help substantiate their cause. Especially as we're talking about the way forward with asylum and justifying their presence in the United States, it's just, it's a really tough spot to be in because they felt that they had no other choice and it is what it is."]

While the Taliban took control of Kabul... Rebekah knew the F-T-P would have to flee the country. But it was going to be complicated.

The women weren't eligible for a Special Immigrant Visa. Because they were employees of the *Afghan* government... not the *U-S* government. It's a distinction that Rebekah *says* seems pointless.

[Rebekah: "... their unit was funded directly by US sources and it certainly doesn't make sense to me – why one person that was paid through said contract and then this other category of humans that by all means, supported our cause in Afghanistan for a very long time, wouldn't meet the same criteria."]

They'd have to figure out Mahnaz's immigration status later. After the Afghan government fell... the only priority was just to get her out.

[MUSIC]

Some American partners told Mahnaz that she had to head to the airport. So she and two of her nieces met up with some other members of the Platoon. At midnight... they made their way to the airport.

Afghans were crowding around the gates trying to get in. So Mahnaz was told that her group *had to stay together* in the crowd.

[Mahnaz: "All FTP should be together and their hands should be tied to each other ... – you have to be together – if you miss each other like, we can't help you."]

The group fought their way through the crowd outside the gates... and made it into the airport.

[Mahnaz: "... and it was really hard ... and it takes like a couple hours to go inside ... after a couple hours of trying to just get inside the airport for maybe 30 or 40 of them with family."]

[Bryce: "And Rebekah, when did you hear word that she had finally gotten into the airport?

Rebekah: "Oh, which time? Because Mahnaz made it in. And willingly left ... to go back out into the crowds and find her other teammates...."]

[Mahnaz: "... one of the thing that I supposed to do to find the girls between the crowd and show them like to the American soldiers to help them to bring them inside the airport..."]

Mahnaz repeatedly left the airport to go back into the chaos to get her colleagues. She was able to help track down the rest of her group... and get them through the gate. She did this for *three or four days*. Her memory is a bit hazy because she barely had a chance to eat or sleep.

Mahnaz was so worn down that an American partner said she had to leave. So Mahnaz got her last bit of paperwork and screening done... and got on a plane.

[Rebekah: "We were all in this Signal chat together and everybody was passing up information as they were receiving it. And when we all got word that Mahnaz had made it through, it was a huge relief."]

[PLANE SFX]

As Mahnaz stepped onto a military cargo plane... the aircraft gave her a surreal feeling. She had been on planes like this countless times over the years to go on missions throughout Afghanistan.

But now... this one was taking her away from her country.

This plane was taking her away from her life... her job... her friends and family. It was taking her away... from her home.

[Mahnaz: "And when I saw the plane, I just remember all the memories and it was really awful for me at that time I didn't really like that plane."]

[PLANE TAKES OFF]

During the flight... Mahnaz was packed in with other Afghans. And she remembers... how *quiet* the plane was. How everyone was leaving a warzone... but no one said a word.

[Mahnaz: "... I don't know how to explain that ... like somebody has like a baby, someone was pregnant, some man was old ... everybody was kind of silent. ... even baby didn't cry...."]

[PLANE FLYING... MUSIC]

[Bryce: "... Rebekah, do you remember when she arrived in the United States?"

Rebekah: "Oh, I actually do ... yeah, it was very somber. I don't really know a more appropriate word to give it.

Sometimes you see these depictions of people arriving to the United States and it's this very joyous and heartfelt moment. But, upon seeing Mahnaz for the first time in many years, ... I could just sense that whatever she'd been through is far more intense than I could even really comprehend.

I wanted to hug her and, you know, express my gratitude for her having made it here. But none of that really seemed appropriate. It was, I can't even call it bittersweet because I don't know there was a lot of sweetness. It was just, it was very difficult.

And ... I'll never forget that day."

[MUSIC]

Mahnaz: "... like when you're going out to travel to another country, maybe people are happy because it is their choice to go to another country because they want to go another country. But at that time, it wasn't our choice.

When I landed to US, like my family was in Afghanistan, my colleague was in Afghanistan. What happened to them?

I lost everything in Afghanistan. And so ... I didn't have a good feeling about coming to the U-S..."]

[MUSIC FADES]

So... during the U-S withdrawal... around 80,000 Afghans made it out. Now that they're here... will they even be able stay in the US permanently?

Mahnaz is here under what's called "Parole." She's allowed temporary entrance because can't safely return to her country of origin. Most of the Afghans who came here during the withdrawal are under this parole status.

Her friend Rebekah says they don't know what the future will hold.

[Rebekah: "... there's not a clear outcome that we're aware of at this point, because they are here as parolees. ... And I think that that's just such a huge source of the daily stress is not knowing, you know, what exactly is going to happen. Compounded with all the other things with their families being still behind and everything else. So that uncertainty is really wearing on folks."]

That Parole status is a lot different than the Special Immigrant Visa that we've been telling you about. SIV holders like Fred or Janis get permanent residency – also known as a green card – when they get their visa. *Parole* basically lets you work and live in the US for a *limited* time.

So Afghans (like Mahnaz) have 24 months from their entry into the U-S to apply for something called asylum.

[Gafary: "We've got a lot of folks that are here, 76,000 evacuees. We want to make sure that everyone has a decent chance of staying here permanently and not having to fear being returned forcibly back to a country that they fled..."]

That's Shala Gafary... a managing attorney for Project Afghan Legal Assistance at Human Rights First. She's been helping Afghan evacuees with their immigration applications in the U-S...

[Gafary: "... and making sure that you know, them being here, that they have a shot to bring their loved ones here as well."]

But many Afghans have to figure out what their path to a green card is. And what to do about their family members still in Afghanistan.

[Gafary: "A lot of men left their wife, their infant children, their pregnant wives, their elderly parents they're, you know, disabled siblings, for example, back home with them ... it is even more upsetting because they know the fact that they don't have permanent status means that there's no solution for their family members that they left behind."]

So... these Afghans have to apply for asylum. What does that mean?

The requirements to claim asylum are that you would have been persecuted for things like political opinions or religious beliefs. So you can't return to your home country.

Gafary says with the Taliban now in control of Afghanistan... many people have a strong asylum case. Many of these Afghans were religious or ethnic minorities. Others built their lives around a new Afghanistan.

[Gafary: "We've also got a lot of artists, a lot of athletes, musicians, diplomats, scholars, academics, women's rights activists, human rights activists, that were lucky enough to be evacuated, the vast majority were not evacuated."]

But their path to actually get asylum in the U-S is difficult.

[MUSIC]

After you submit your application... you have to have an interview at an asylum office.

The questions are supposed to center on the reasons for your claiming asylum. Things like... what is it you fear about returning to your home country? How have you been persecuted?

[Gafary: "But instead, what we're seeing is ... some minority percentage of those questions being asked about the persecution and the harm and the fear they have of return and the large majority focusing on questions surrounding security..."]

Gafary says these interviews are focused on *vetting* asylum applicants. Some of the questions are easy to answer: have you ever fought alongside the Taliban? Have you helped them or trained with them?

[Gafary: "These are questions that the government can and should ask, because we certainly don't want to let people in this country that aren't passing security measures, right?

But instead, the kind of questions that we're seeing are, you know, are you sending money back home to Afghanistan? Yes. Who is it going to? A family member. What are they doing with that money?"]

Gafary says these questions slow down and complicate an already tedious process. But the federal government recently created some exemptions to account for these payments.

Still there aren't enough immigration attorneys to help applicants through the process. So lots of Afghans are sifting through the American legal system with little help.

[Gafary: "So we've really feared that among folks that they start panicking and filing for asylum on their own, that a lot of those folks could be denied for avoidable reasons.

And they end up having their cases sent over to the immigration court where they have another shot at filing for asylum. But the backlog there is just unbelievable or it's a five and six years in some cities, so clogging an already clogged immigration court system."]

The frustration during this process is so palpable... that Gafary says some of her clients regret coming to the U-S. Others have even considered returning to Afghanistan.

[MUSIC]

The US government did all this work to bring these people here. But applying for asylum has lots of problems... so they might not be able to stay.

In the face of all this... some are pushing for legislation called 'The Afghan Adjustment Act' or Triple - A. It could change the way Afghan refugees are processed into this country.

Shawn VanDiver is a veteran of the U-S Navy and a founder of the Afghan Evac Coalition. Thats a group of public and private organizations working on resettlement issues. The Evac Coalition... plus others like Lutheran Immigration and Refugee Service want Congress to pass the Triple A to help Afghan refugees.

[VanDiver: "... Yes, they could request asylum, that incurs a lot of legal bills, it's still very stressful, right? And there's like all these hoops that you have to jump through. But like they didn't get here on their own. We brought them here outside of the normal immigration processes. And that's why this adjustment is so important."]

The language is still being hashed out... but here's some basics. VanDiver says the Triple A could let Afghans apply for a green card after just one year of parole. That way they wouldn't have to go through a lengthy asylum process. That could prevent a bottleneck of asylum applications.

[VanDiver: "So I think we're approaching that time where we hope to see a large number of asylum claims ... without the Afghan Adjustment Act, that's going to mean a lot of money in legal fees because there just aren't enough pro bono attorneys and there aren't enough attorneys that are trained in this..."]

Plus... VanDiver says many of these Afghans were already screened when they flew over. The Triple-A could sort of cut out the middleman and streamline that whole process.

[VanDiver: "If we get the Afghan adjustment act ... all an adjustment of status would do, is kind of normalize that and put them on a pathway to lawful permanent resident status, and then perhaps American citizenship someday."]

Separate from asylum reforms... this bill could make a bunch of other tweaks to resettlement. It could expand SIV eligibility to include partner forces the U-S trained. Groups like the Female Tactical Platoon.

And The Triple A could waive fees for applicants that are applying for lawful permanent residence.

[VanDiver: "We've asked that it include vetting ... I mean, that's the big, that's the big draw for Republicans for the Afghan Adjustment Act, right? Is that it includes another round of vetting.

And it includes a bunch of improvements to the efficiency of the SIV program and ... the United States refugee admissions program to make that smarter, faster, better, and more inclusive."

[MUSIC FADES]

Supporters have tried to get the bill attached to larger legislation. In this case... they hoped the Afghan Adjustment Act would be part of an aid package for Ukrainian defense. But when it came time to have that bill signed into law... the Triple A was removed.

It was knocked down by Republicans Jim Jordan and Chuck Grassley.

VanDiver says he's heard the same concerns that SIV advocates have been hearing for years: broad questions about vetting and security.

[VanDiver: "A bipartisan effort in August should be a bipartisan effort now. And it's frankly, it's really disappointing to see folks doing their, their gymnastics. Uh, they didn't seem to care a lot about this stuff back then."]

Now the future of the bill is up in the air. VanDiver says it's unlikely that the Triple A will get voted on during the rest of this Congressional term. And if Republicans take back the majority in 20-22... it will be even less likely to pass.

[VanDiver: "I wish I could be more optimistic with you. If we saw Republicans get on board – because all the Democrats support this – if we saw Republicans get on board, this could pass tomorrow...

And, I just, I guess I don't understand why our members of Congress ... would even have to think twice about supporting something like this and getting it right rather than retreating to their nonsense, partisan bullshit."]

So without the Afghan Adjustment Act... VanDiver says they're preparing to be inundated with asylum applications. They're preparing for *more* roadblocks, *more* bottlenecks, *more* frustration. They're preparing for more Afghans to yet again get lost in a bureaucratic maze.

[VanDiver: "...frankly, I don't think anything's going to pass. That's why we're starting to look at like, okay, so how do we train up these lawyers to apply for asylum?

And like, of course we have to do it the hard way, because we're going to treat wartime allies even worse than we treat veterans, right? Like we say that we care, but ... when push comes to shove, we're not willing to do the bare minimum..."]

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Despite the setbacks... some good news came in June. It's a bit complicated... but The Department of Homeland Security and the State Department <u>announced</u> new policies for Afghan evacuees. They removed some barriers to asylum and visa applications for those in the U.S. or in third countries. For example, until now paying to get through a Taliban checkpoint could have qualified as "material support to a terrorist organization." Now DHS can apply exemptions on a case by case basis. Other exemptions could apply to people like civil servants who may have been forced to work under the Taliban regime. Or those who fought alongside U-S coalition forces.

But it's still not enough for the tens of thousands of people the U-S left behind in Afghanistan. Their future is in the hands of a government and a congress that's unlikely to do anything substantial to help them.

These Afghans face the same uncertainty that's followed them for two decades. It's the same inaction that got interpreters like Shaker Jeffrey and Billy left behind. It's the same inaction that left Fred and Janis on a battlefield for years while they waited for visas. It's the same inaction that made Hakimi and Jawad fight through crowds to get out of Kabul.

It's been 20 years since this war started... and over a decade since the SIV program was expanded. And yet we're still asking the same question: how did we end up here?

[MUSIC]

Over 7 episodes... you've heard from a lot of people who have tried to answer that question. They're Afghans, veterans, politicians, diplomats and ambassadors. Citizens

who saw this problem up close and decided they had to do something about it. Many weren't immigration experts or lawyers or government employees. Many had never been to Afghanistan. But they did whatever they could to try and honor America's promise to its allies.

Some lobbied Congress, others welcomed Afghans into their neighborhoods.

And they're people who are *worried* about what those broken promises mean for this country going forward.

Journalist George Packer.

[Packer: "It doesn't create much reassurance for other people that Americans are going to stand by their word, which is painful to say ...

Can you trust us? Are we as good as our word? If we ask you to risk your life for something that we say is important for us and you, would you do it?"]

Kori Schake... a member of President George Bush's national security council.

[Schake: "The way we left Afghanistan, leaving allies to get themselves out of the country when they didn't have the ability to get themselves out of the country ... not only is that a disgrace of our honor, but it's going to make it harder to find allies ... willing to run risks alongside us for what we're trying to create in the world. It will make everything we do going forward harder and costlier because we have demonstrated we're an unreliable ally."]

Veteran and writer Elliott Ackerman.

[Ackerman: "Anyone can come to the United States. And if they buy into our values and our way of life, they become American. And so many of the people who aspire to those values or believe in those values ... and are willing to put the most on the line for them are people who don't hold American passports.

It's very important how we treat those people...

... Are we actually gonna argue that there's no correlation between ... this catastrophic evacuation and how weak it made NATO look, are we honestly going to argue that there's absolutely no correlation to what Russia has just done in Europe ... a few months later....

There are costs to this..."]

Advocate and author Kirk Johnson...

[Johnson: "This is just a really fundamental question of what kind of country do we want to be?

Do we owe these people or don't we? Do we wanna be the kind of... country that just decides, 'hey, tough luck, you went for the wrong team, good luck out there.' Or do we wanna honor that?

... I, just to my dying breath, will always question why we make this so hard for ourselves. I just, frankly, just wish we were better than we are."]

[MUSIC FADES]

Right now... the US government... nonprofits and advocacy groups are still trying to get people out of Afghanistan. Mahnaz... the Afghan who you heard at the top of this episode... worries about her country every day.

[anchor: " ... The Taliban have ordered women to cover up from head to toe ... the hardline pivot is confirming the worst fears of rights activists..."

<u>anchor</u>: "... the economy is in freefall and people are suffering, the world food program estimates half the country's population will be acutely food insecure this year..."

<u>anchor</u>: " ... The Taliban are on a campaign of revenge killings ... slaughtering the Afghans who fought against them over the past two decades..."]

[Mahnaz: "I have a connection with my colleagues in Afghanistan ... they are not in good situation because they were soldiers before in Afghanistan and the Taliban looking for them ... and one month ago they capture like about around eight of my best colleagues, that every single day I had a lot of good memories with them.

My colleagues, they, they send me a message and they call me, – 'what is going on? Do you know that the US government have a plan to help us to come inside

the United States,' but they don't have any answer to them because nobody wants like help them to come here."]

Mahnaz thinks about her work often. She thinks about the missions. She thinks about her friends. She thinks about what it felt like to fight for her country.

[Mahnaz: "I want to say to the people ... The people are hungry. The Taliban they're hunting them. They are killing them.

They need somebody ... they need help ... And I'm going to say that don't forget my country. Don't forget Afghanistan."]

[ALLIES THEME]

Allies was created, written and produced by the show's Lead Producers Max Johnston... and me, Bryce Klehm.

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Thank you for listening to Allies... a production from Lawfare & Goat Rodeo. You can find it wherever you get your podcasts. Please rate & Review the show... it helps spread the word.