

Congress of the United States
Washington, DC 20515

December 22, 2022

The Honorable Joseph Biden
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear Mr. President,

We write to you regarding the case of Abdul Wasi Safi, an Afghan Special Forces Commando who is currently being detained by U.S. Customs and Border Protection (CBP) for illegal entry into the United States. It is our understanding that Mr. Safi has requested asylum into our country.

Mr. Safi served honorably in the Afghan National Army Special Forces as an officer, defending his country from Taliban insurgents and ISIS terrorists, shoulder to shoulder with American special operations forces.

As a result of the fall of Kabul and the disastrous, hasty withdrawal of U.S. forces from Afghanistan, the biometric data of Afghans who had helped U.S. forces was left behind and fell into Taliban hands. With this information, the Taliban launched a campaign of reprisals against the former Afghan government's security forces, hunting them down, jailing, torturing, and killing them and their families.

Because of these concerns, Mr. Safi was forced to flee Afghanistan and crossed into Pakistan. From there, he was able to secure a Brazilian visitor's visa. While waiting for an entry visa into the United States to reunite with his brother, himself a Special Immigrant Visa recipient, Mr. Safi was beaten and robbed.

As his personal situation worsened, Mr. Safi made the difficult decision to trek north, towards the U.S. southern border. On September 30, 2022, Mr. Safi was arrested by Border Patrol agents near Eagle Pass, Texas. Mr. Safi freely admitted to illegally entering the United States and was deemed inadmissible pursuant to Section 212(a)(7)(A)(i)(I) of the Immigration and Naturalization Act (INA) and subject to expedited removal under Section 235(b)(1).

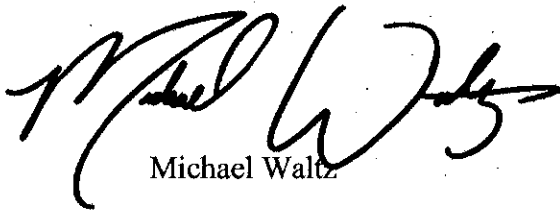
As you know, INA 235(b)(1) allows a person to pursue asylum if that person shows a credible fear of persecution. The statute defines credible fear as "there is a significant possibility, taking

into account the credibility of the statements made by the alien in support of the alien's claim and such other facts as are known to the officer, that the alien could establish eligibility for asylum.”

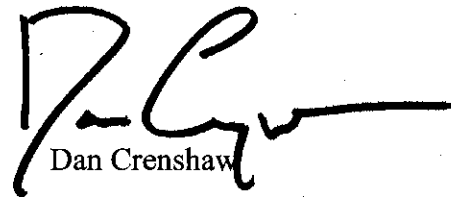
Given the Taliban's noted brutality against former Afghan security forces personnel, especially those that worked and fought alongside American special operations forces, Mr. Safi is in inherent danger should he return to Afghanistan. We firmly believe that Mr. Safi will more likely than not be granted asylum once his case is adjudicated.

With these factors and his gallant service with American forces in mind, and in accordance with all applicable rules and regulations at your disposal and discretion, we ask that you consider paroling Mr. Safi into the United States while he awaits a hearing on his justifiable asylum claim.

Cordially,



Michael Waltz



Dan Crenshaw

cc: The Honorable Alejandro Mayorkas, Secretary of Homeland Security