



Testimony of Peter Lucier

Team America Relief

House Foreign Affairs Committee

“During and After the Fall of Kabul:  
Examining the Administration’s Emergency Evacuation from Afghanistan”

March 8, 2023

## **Introduction**

Chairman McCaul, Ranking Member Meeks, members of the committee; thank you for inviting me to testify today regarding the evacuation and relocation efforts that followed the fall of Kabul to the Taliban in August of 2021.

I am grateful for the opportunity to speak to this committee today, along with fellow veterans, who volunteered their time, talent, and treasure as civilian volunteers, or who were on active duty and were deployed to Kabul during the non-combatant evacuation operation (NEO) of August 2021. We are here today to speak for those to whom we owe a debt – those Afghans who supported the US mission in Afghanistan for the twenty years US troops deployed there. Afghans who have made it to the United States face an uncertain legal future, given Congress's current failure to pass an Adjustment Act, and those left behind in Afghanistan are facing dire circumstances - a deepening humanitarian crisis, and constant threat of persecution by the new Taliban regime.

I am incredibly proud of, and grateful for, the work of my fellow witnesses today, as well as for the efforts of many hundreds of such volunteers and service members who they represent. Veterans, activists, advocates, attorneys, diplomats, schoolteachers, scientists, business men, clergy, Afghan Americans -- hundreds of persons from all backgrounds and from all over the United States leapt into action in those two chaotic weeks in August, and have continued working tirelessly since then to assist those still at risk. This effort is comprised of a true cross-section of America, united in our mission to ensure that America lives up to its obligations, and makes good on its promises.

Many mistakes made over the course of the last 22 years have led us to this moment. Our examination of those mistakes must include an urgent focus on finding solutions to the grave threats so many Afghans face today. If I leave this committee with only one message today, let it be this: it is not too late.

It is not too late for the United States to take proactive steps that will make an immediate and lasting difference in the lives of so many Afghans, whose stories we relay with our testimony today. Failing to act now is detrimental to our national security, and betrays the sacred promises the United States made to Afghans now at risk. I urge the members of this committee to exercise the authority of their offices, and their positions as leaders, to take those steps.

## **Background**

The evacuation efforts that are the subject of this hearing can be divided into three distinct phases. The first phase spans from April of 2021, when the final withdrawal date was announced, until August of 2021, when Kabul fell. During that period prior to the non-combatant evacuation operation (NEO), the remaining U.S. and coalition troops conducted a retrograde to fully withdraw from Afghanistan. At the same time, civil society groups engaged with the administration and urged rapid action to safeguard those Afghan allies who had not yet been able to depart Afghanistan.

The second phase consists of the non-combatant evacuation operation itself, which lasted from August 15th until August 31st. US military service members rapidly deployed to Kabul and were able to evacuate more than 100,000 Americans, Afghan nationals, and others, seeking safe passage after the Taliban takeover.

The third phase consists of the on-going relocation efforts supported by the United States since September of 2021, which continues today.

## **Pre-NEO**

### **Civil Society Engagement**

Prior to the fall of Kabul in August 2021, both Congress and the Biden administration were engaged by civil society to take a fresh look at not only how the withdrawal would impact our Afghan allies but also how to mitigate those repercussions. Many groups worked with both branches of government to think about the consequences of what was then called the “retrograde,” a military term that was used to describe the operation to fully extricate the last few thousand American and NATO troops. As the troop drawdown took place, these groups attempted to pressure Congress and the White House to create a plan in the event of a Taliban takeover.

As early as May of that year, civil society groups like the Evacuate Our Allies coalition were meeting with the White House to draw attention to the critical situation in Afghanistan. For years, these organizations had been raising the alarm on the Special Immigrant Visa program and the U.S. Refugee Assistance Program and its deficits in assisting our Afghan allies. They were asking the White House, and the American people, to pay attention and plan for a disaster. These concerns were largely dismissed, not only by the National Security Council and the White House, but by the political establishment writ large. Save for a few members of Congress who created the [Honoring Our Promises](#) working group, the majority of the American political establishment buried their heads in the sand when it came to Afghanistan. This attitude of apathy, and failure to act, is unfortunately all too representative of the manner in which the United States approached military operations in Afghanistan since our involvement began in 2001.

### **Warnings Within Government**

From the perspective of civil society and others, it appeared that there were serious divisions within the United States Government on the level of preparations for a possible Taliban takeover of the country after the U.S. withdrawal was complete. Within the Administration, there seemed to be a willingness on the part of the Department of Defense to think strategically about a rapid relocation of Afghan Special Immigrant Visa (SIV) applicants and other vulnerable Afghans should the White House deem it necessary. This honesty on the part of the Department of Defense emboldened the advocacy community and kept them engaged as the White House unveiled Operation Allies Refuge in the summer of 2021. On multiple occasions, DOD had taken the unprecedented step of highlighting policy differences with the White House on the Afghanistan withdrawal. In the late Spring and early Summer of 2021, Chairman Milley was unusually vocal<sup>1</sup> about the military’s ability to manage an evacuation or large-scale relocation of Afghan Special Immigrant Visa applicants and others should the President make the determination that such action was necessary.

While the Department of Defense eventually limited its public comments on the withdrawal, they were not the only agency preparing the American public for its effects. The Department of Veterans Affairs (VA) launched a major push in the months prior to the Kabul evacuation to offer support and resources to veterans struggling to come to terms with their service as the War in Afghanistan came to an end. In those months, at Secretary Dennis McDonough’s direction, the VA reached out to over 240 community and partner organizations that work with veterans on a daily basis. Their goal was to provide the mental health

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<sup>1</sup> Copp, T., & Feldscher, J. (2021, June 3). Austin asks top general for 'options' to evacuate Afghans. Defense One. Retrieved March 5, 2023, from <https://www.defenseone.com/threats/2021/06/austin-asks-top-general-options-evacuate-afghans/174457/>

and material support that veterans would inevitably need. The VA's Veterans Experience Office used every tool at its disposal to reach the public, resulting in millions of points of contact with veterans through newsletters, social media outreach, and videos. For example, the VA created a four-part [video series](#), with links and resources to mental health and resettlement opportunities for veterans.

### **During the NEO**

As the defenses around Kabul fell throughout the month of August, veterans around the country felt a collective sense of horror as we watched the crumble of a society we had spent decades living and serving alongside. While some within the government had been preparing the veteran community for this moment, as a whole, the American public was caught totally unaware. How could this happen and how could it happen so quickly? These were among the many questions that the veteran community and American people at large were asking their leaders.

### **Specific Challenges During the NEO**

- Coordination with Government
- Private Groups Prioritizing Personal Connections

### **Team America**

The deployment of US troops to Kabul to assist in a rapid evacuation was accompanied by a massive, grassroots, decentralized volunteer effort in the United States, to assist those seeking the safety and safe passage inside the gates of Hamid Karzai International Airport.

I became involved in that effort somewhat by chance. When I learned that it was likely the Taliban would seize Kabul in August, I began fundraising efforts for two highly regarded charities in the US which supported resettlement of SIVs in the United States – Keeping Our Promise, and Hearts and Homes for Refugees, both located in New York state. The two campaigns raised in total more than \$50,000 in the span of only a few days. However, shortly after the launch, the director of HHR, and a staff member, contacted me, asking if I had any connections which could assist the spouse of a naturalized American citizen who had come to the US as an SIV. The SIV's wife was an Afghan national, a young woman only 19 years old. She had an approved immigration petition, and had received instructions to make her way to the airport, but was unable to make it through the crowd.

One case. One young woman. Safe passage from her home in Kabul, and entry through the gates of HKIA. That was the sum of what I hoped to accomplish in those first days. In seeking to assist that one woman, I encountered more and more Americans with cases of their own they were seeking to assist. I met a newly founded group of rag tag volunteers, Team America, and joined with them. By August 31<sup>st</sup>, I had gone from seeking to assist a single woman, to a list of more than 4,000 names. Today, Team America's "list" consists of approximately 70,000 names. At the peak of our operations, Team America had more than 200 active American volunteers, each spending at least a few hours each week processing and cleaning data, and communicating directly with Afghans seeking assistance.

### **The ecosystem of private volunteer groups**

Team America was not the only such organization. The chaotic and uncoordinated evacuation effort also created a set of circumstances where private, self-organized groups advised, assisted, and supported the movement of large swaths of Afghans. Many of these efforts were undertaken by private groups on their own accord, and without oversight, both overland and through charter flights.

While well meaning, these efforts were not equitable, creating an evacuation of the well connected through the NEO and leaving thousands of Afghans stranded in third countries to this day without a pathway to viable resettlement. Without government oversight, thousands of Afghans were hastily moved overland to Pakistan, or through privately funded flights to third countries like Albania and the United Arab Emirates. Many Afghans who took such trips supported or advised by private groups, did not have any direct ties to the United States, or were not apparently eligible for entry into the United States, or traveled in blended family groups in which only some travelers were eligible, while others were not. Entry into some third countries occurred without valid entry visas, scarce resources, and inadequate humanitarian support. In addition, in some cases, host countries had been assured that those entering would be quick stop overs, but without legal pathways to the United States there are still hundreds of Afghans awaiting further processing in several of these destinations.

### **Post-NEO**

Building off the collaboration of the NEO, civil society groups broadened their efforts from immediate evacuation support to addressing systemic issues in the SIV and immigrant visa process, in order to enable Afghan allies to move more seamlessly through the system. Veterans groups and volunteers working alongside Afghans through the several-step SIV process were able to identify processing issues that often cause weeks or months of delays. Civil society groups identified and developed best practices for overcoming SIV application denials that often were the result of simple clerical errors. Volunteers noted that lengthy SIV processing time meant that applicants' required medical exams often expired before their visa was issued, leading to additional administrative time and personal cost in order to redo these exams and complete the final steps of their application process. To support Afghans awaiting SIVs outside of Afghanistan, volunteers worked with the Department of State to defer SIV medicals until after Administrative Processing is complete (post interview), as was routine in Embassy Kabul. Afghans processing their visas in third countries for more than six months would become subject to additional civil document requirements, such as police certificates. In some cases these were unobtainable, and groups were able to identify this impediment early, communicate it to the State Department, which was able to issue categorical waivers in certain countries.

This case work became even more crucial as the U.S. government built out an ongoing relocation program and delineated the priority groups for movement, which included SIV applicants at the last stages of their processing, the immediate family members of American citizens and legal permanent residents, and U.S. Embassy staff. In this relocation structure, ensuring that Afghans can move beyond the inefficiencies of the SIV program to receive their chief of mission approval is essential to their access to life-saving relocation flights. While civil society and U.S. government collaboration remains essential to shortening the processing time for Afghan allies, in turn giving them faster access to relocation flights, there remain larger and long standing structural flaws in the SIV program that need congressional and executive leadership to overcome.

### **Systemic Challenges Pre-dating Biden Administration**

The Biden administration's ability to respond effectively to the Afghan withdrawal crisis is inextricably linked to the politics surrounding immigration and foreign policy that have dominated the American electoral landscape over the last decade. While the Biden White House made serious mistakes and miscalculations, these do not sit in a vacuum. They have their roots in the isolationist and anti-immigrant policies that have been pushed by successive iterations of congressional leaders and former presidents. The Biden administration should not be exempt from meaningful oversight for their significant failures in Afghanistan, however, to look solely at the 16 days at the end of August as a discrete moment in time, without fully examining the antecedents, would be a dereliction of duty by Congress.

### **SIV Backlog**

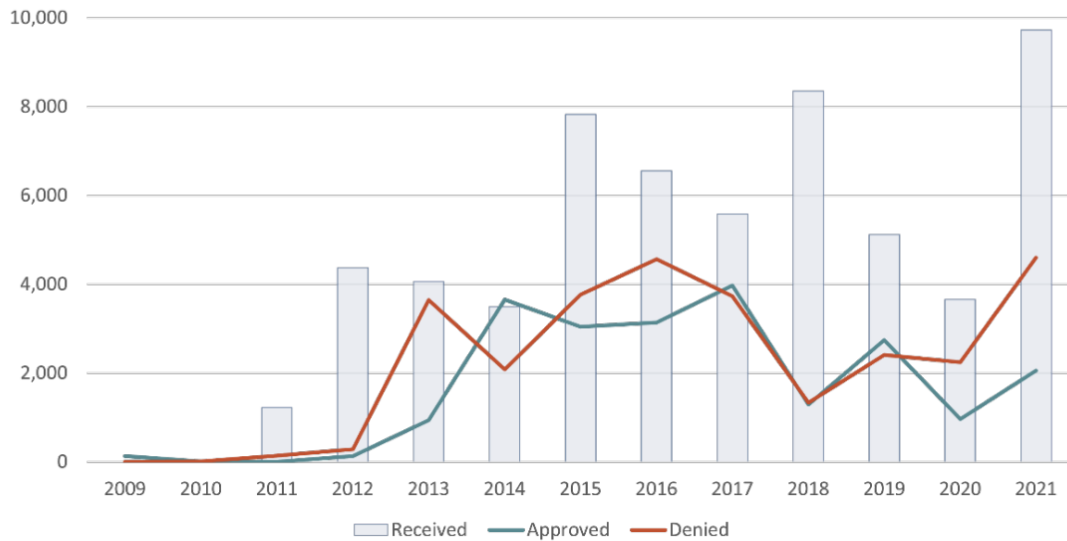
In 2009, Congress passed the Afghan Allies Protection Act of 2009. The Act provided special immigrant visas (SIVs) to Afghans who had worked for at least one year as translators or interpreters, or who were employed by, or on behalf of, the U.S. government in Afghanistan, and whose lives were threatened because of their work in support of the U.S. mission. The visas allow these wartime allies to resettle in the United States. It has been the central mechanism that the United States government has used to help those Afghans whose lives are under threat as a result of their services to our armed forces.

However, over the years, this vital program suffered from executive branch mismanagement and congressional neglect. By the time the Afghan withdrawal commenced, there was a backlog of nearly 18,000 applicants. On average, visas were taking 3-5 years to adjudicate, with applicants being sent through a byzantine morass of redundancy that often led them to submit the same supporting paperwork again and again, with frustratingly little progress on the part of the U.S. government. This was in spite of the Congressionally mandated 9-month timeline for processing Special Immigrant Visas.

The backlog was the result of accumulated policy failures over the last 14 years. However, starting in 2017, there were a set of disruptions to SIV processing that were unique to the Trump administration. While the Obama State Department had spent years building capacity and expertise within the team that specialized in Special Immigrant Visa applications, the Trump administration initiated a policy of hollowing out the State Department and scrutinizing all immigration programs. The weight of the Tillerson and Pompeo initiatives within the Department of State caused a serious reduction in the number of visas processed. For example, In [FY 2017](#), at the beginning of the Trump administration, the Department issued 16,170 SIVs to Afghans including 4,120 principal applicants. Yet, at the end of [FY 2020](#), the number of visas issued to principal applicants for the entire year was 1,799. By contrast, in the months leading up to the withdrawal, from April to August 2021, the Biden administration rushed resources and human capital to the SIV program to approve 1,754 visas - nearly the entire amount the Trump administration had done the year prior.

Still, this was not enough to meet the needs of the program that had suffered neglect for so long and thus contributed to a desperate population and chaotic withdrawal. Had the Trump administration continued the Obama State Department's pace of roughly 3,600 visas per year, then when the withdrawal came into effect the backlog would have been reduced by 25%. Had the Trump administration continued to meet its own first-year capacity of 4,120 visas approved each year, then by the time of Biden's April withdrawal announcement, an additional 6,500 visas could have been approved - representing thousands of our allies being brought to the United States in a more efficient and less traumatic manner than the Kabul evacuation.

**[Figure:](#) Annual SIV Applications Received, Approved, and Denied: 2009 - 2021**



**Source:** Generated by OIG based on an analysis of data provided by CA and USCIS. Pertains only to principal applicants (i.e., Afghan nationals who may be eligible to receive an SIV).

The backlog was a major factor in the panic that gripped Afghanistan in the summer of 2021. This short-sighted effort to limit the State Department’s capacity to adequately process SIVs helped create a foreign policy blunder that not only put at risk the lives of our Afghan allies but also American service members. It was not an accident. This was a deliberate attempt by the Trump administration to put ideology above national security and sound foreign policy. By the beginning of 2021, the Special Immigrant Visa program was [broken](#) and in need of serious support. That the Biden administration was unable to immediately correct this decay is itself a failure; however, it is understandably difficult to see how they could have done so in the 8 months before the initial September 2021 withdrawal deadline.

### **Trump Era Muslim Ban and “Extreme Vetting”**

While there were longstanding issues within the State Department, one of the main reasons that the Special Immigrant Visa backlog existed to the extent that it did at the beginning of 2021 was because of an ideological attack on immigration by the Trump White House. The administration led a policy to target immigration initiatives, especially refugees, from countries that were majority Muslim. This policy was painfully evident for all to see as it slowed the processing times of SIV applicants. [Courts](#) agreed. In 2019, a [federal judge](#) ruled in favor of thousands of Afghans and Iraqis who supported the U.S. missions in their home countries but who had been waiting for longer than nine months in dangerous conditions while waiting for their Special Immigrant Visas applications to be processed. The judge held that the delays experienced by the plaintiffs and class members similarly situated to them were unreasonable and unlawful. The previous administration’s racist ban on migrants from majority Muslim countries had a major impact on the ability of the United States Government to effectively plan for the withdrawal.

This policy was consistently articulated to the public by using the term “extreme vetting.” The extreme vetting narrative would be used to wrongly imply that our Afghan allies, and others, had not gone through an appropriately rigorous amount of security checks prior to entering the United States. This would stoke anti-immigrant sentiment among some members of the political class which made it more difficult to enact meaningful fixes to the SIV program. This anti-American agenda was implemented through a series of formal

and informal policies and initiatives within the Trump administration that made it difficult for people to legally access the immigration system if they were from non-Western, and especially Muslim majority, countries. Just like the SIV backlog was increased as a result of an unwillingness to approve visas, so too were other forms of migration out of Afghanistan curbed by redundant and deliberately slow screenings under the guise of national security vetting.

### **Presidential Determination on Refugees and Civil Society's Diminished Capacity**

Just as the Muslim Ban had the effect of reducing the trust that countries in the region had for the United States, the decline in refugee admissions caused a cascading collapse of the civil society support structures that could have assisted in the withdrawal. In 2016, President Obama signed a [Presidential Determination of Refugee Admissions for Fiscal Year 2017](#) that authorized up to 110,000 refugees to enter the United States. By the end of the Trump administration, a mere seven months before the collapse of Afghanistan, that number had been reduced to [15,000](#).

This 87% drop in admissions over four years caused a serious capacity drain at the civil society groups responsible for resettling refugees, groups that would have been incredibly useful in the lead-up to, execution, and aftermath of the Afghanistan withdrawal. Resettlement agencies were left [without resources](#) and were simply unprepared for the humanitarian need as a result of the deliberate reduction of refugee capacity that the Trump administration implemented. While the Biden administration attempted to reestablish a meaningful and functioning refugee infrastructure in the first months of 2021, they were hampered by the effects of the Trump administration's anti-immigrant policies.

### **State Department Staffing**

When the Trump Administration entered office in 2017, it inherited a robust State Department that had managed crises in the region over the past eight years. Then-Secretary Rex Tillerson called for an [8% reduction](#) in the size of the State Department, a rapid shift in policy from previous administrations which saw diplomacy and a robust Foreign Service as important tools to ensure international and domestic goals were realized. Four years of [neglect](#) by the Trump administration of the State Department left the incoming Biden team with limited expertise of senior leaders within the civil service and foreign service officer corps. The years-long loss of these State Department officials resulted in an experience gap and morale deficit that was difficult to overcome in the beginning months of the Biden administration.

### **Recommendations**

#### **Codify Government Collaboration with Civil Society**

One of the main causes of the moral injury veterans and other Americans faced when the Islamic Republic of Afghanistan collapsed was the backlog of immigrant visas for our allies. Had there been meaningful coordination between the public and the government, this would not have happened. Congress must mandate an executive branch body to ensure the continued relocations of Afghan allies to the United States. The State Department is currently doing this work every day with groups like AfghanEvac, a 501(c)3 tax-exempt charity whose mission is to bring together organizations with a shared commitment to fulfilling the United States' duty to our Afghan allies. Right now, the State Department's Coordinator for Afghan Relocation Efforts (CARE) Team meets regularly with groups like AfghanEvac, Evacuate Our Allies, and other civil society coalitions to not only ensure that the mistakes of the past are not repeated but also to make sure that we do right by our American veterans and continue to help our Afghan allies that are here in the United States as well as left behind in Afghanistan. The current State Department's relationship with civil society should be



codified into statute, so that in the future, for the next inevitable crisis, our government is not found at a loss for civil society partners.

### **Increased Congressional Oversight**

We have seen what can happen when Congress does not ensure proper oversight of an executive when major national security measures are at stake. Congress failed in its responsibility to the American people for twenty years. There were never any meaningful measures made to ensure that we were honoring our promises to the Afghan people, and when attempts were made, like the 2009 Afghan Allies Protection Act, which created the Special Immigrant Visa program, each year advocates had to return to congress to ensure that they would add enough visas for those left behind, and fight off attempts by ideologues to water down that legislation and betray the commitments that our service members made to those they fought alongside.

Without further action on the part of Congress all of the work that our veterans, service members, frontline civilians, and other civil society groups have done to ensure the continued relocation of Afghans could disappear in the next administration or appropriations bill. Too many of us worked so hard, and so long, to create a lasting partnership with government institutions after witnessing the failures of the NEO, for this work to evaporate after the next election cycle.

### **Conclusion**

The Fall of Kabul and the noncombatant evacuation operation that followed was a disaster. It affected American civic life, our veteran community, and our international prestige and honor; but most importantly, the lives of millions of Afghans - our allies for more than two decades - will be forever altered by what happened. We've seen what happens when the United States Government wants to help a free people defend themselves against tyranny and we've seen what happens when we honor our promises to help refugees. Look no further than the current crisis in Ukraine. The Biden administration created processes that helped the Ukrainian people flee within weeks of the start of an illegal invasion. Yet when the Taliban broke their own peace deal with the United States and started a violent campaign to overthrow the government, it took the collapse of a nation for this White House to do the same.

However, we also cannot ignore the roots of this crisis. Systemic issues over multiple administrations from both parties contributed to a major humanitarian need that neither party was willing to address. Isolationist policies of the previous administration and the implementation of anti-immigrant "extreme vetting" protocols denied Afghans the opportunity to take control of their own destiny and prevented American bureaucrats from using tools that could save lives. Thousands of Afghans had their rights and humanity disrespected by the United States government over the last two decades, including many who were explicitly promised a pathway to safety.

This is not the story of a Biden failure or a Trump failure. This is the story of an American failure, and the effect it has had, and continues to have, on the Afghans who served alongside myself, and my brothers and sisters in uniform. I end my testimony as I started. The failures that led to this point are owned and shared by four administrations, by Congress, and by all Americans. It is crucial we learn from these failures to know what actions must now be undertaken. And most importantly, it is not too late. For years we have failed our allies. But even now, swift action will make a dramatic impact in the lives of many, and is in keeping with the highest ideals we share as a nation. Again, thank you for the opportunity to share my testimony with you today.