



Special Immigrant Visa Backgrounder

Credit: FLICKR US Army photo by Sgt Christopher Klutts 170th IBCT Public Affairs

“I think there is nothing more important than the United States of America saying to people in Iraq and anywhere in the world, if you stand by us, we will stand by you.”

-Mike Pence, then-Congressman to Indiana¹

“As you know, the Afghan SIV program allows Afghan individuals who supported our military and the U.S. mission in Afghanistan and that face threats as a result of their service to apply for refuge status in the United States. Over the years, we have worked in a bipartisan manner to replenish the number of visas available for this critical program.”

-Senator Charles Grassley (R-IA) and Senator Jeanne Shaheen (D-NH)²

The History of the Special Immigrant Visa

Since 2001, the United States has been involved in Afghanistan and Iraq in a military and a nation-building capacity. During these efforts, thousands of U.S. troops, diplomats and government humanitarian personnel relied heavily on Iraqi and Afghan nationals to provide translation, interpretation, security, transportation, and other vital services. Many of these allies are credited with saving lives. They have provided faithful service and in doing so, they have put their lives and the lives of their loved ones at risk from groups such as ISIS, Al-Qaeda and the Taliban.

To address this commitment, Congress authorized bi-partisan humanitarian programs to provide Special Immigrant Visas (SIV) for nationals from Iraq and Afghanistan who provided a valuable service to the United States’ Missions in their countries and who were consequently threatened.³ The SIV programs provide for U.S. admission, resettlement services, and legal permanent residence for the approved principal applicants and their spouses and children.⁴

Iraqis

Annually from 2008 to 2014, Congress authorized Iraqi special immigrant visa slots.⁵ The Iraqi SIV program stopped taking new applications after September 30, 2014.⁶ Besides having the SIV pathway to protection, Iraqis who served with the U.S. Mission in Iraq are also eligible to apply for entry as refugees through the Preference 2 (P-2) program, as a group

of special humanitarian concern to the United States. In FY 2018, the majority of Iraqis in the SIV program resettled in Texas, California, Nebraska, New York, and Tennessee.⁷

Afghans

From 2009 to 2018, Congress annually authorized new Afghan SIV slots. There are continued efforts to authorize 4000 more through the ongoing FY2019 appropriations process. In FY2018, the majority of Afghans in this program resettled in the following states: California, Texas, Virginia, Washington, and Maryland.⁸

Bi-Partisan Support for the SIV Program

As illustrated by over a decade of annual authorizations of SIV slots, Congress has a longtime bi-partisan commitment to the SIV program. Proponents laud the program for allowing the United States to give back to those who faithfully served, those who not only carried out mission-critical tasks but played a crucial role in creating trust between U.S. personnel and the surrounding communities. Supporters of the program explain its important humanitarian and strategic purposes. Failure to protect current allies leaves them and their families in danger. Also, abandoning those who have made great sacrifice may dissuade others from being allies in the future, thus jeopardizing future U.S. missions.⁹

Hussain's story

"I came to the U.S. from Afghanistan under the Special Immigrant Visa program about 4 years ago. In my home country, I served as a linguist and cultural specialist for the U.S. Military for 10 years. I had the privilege and honor to serve alongside more than 10 different U.S. Military units who deployed to Afghanistan over the course of 10 years. When I started working for the U.S. Mission, I didn't know that one day my relationship with the U.S. military would endanger my life and my family's life. I feel proud now that I work for an agency that welcomes and serves refugees, immigrants, other vulnerable populations who need the most help." Hussain now works in Resettlement Services at the United States Conference of Catholic Bishops. For more of Hussain's story, visit our Faces of Migration page.

Next steps for advocacy

For Afghans, as of the end of the 3rd quarter of FY2018, there were only 3,795 principal SIVs available.¹⁰ The need far exceeds the number of available visas, and these allies and their families continue to live in serious danger. Support for the program is crucial not only to increase the number of visas in the coming years, but to secure the number proposed for FY2019. The estimated need for fiscal year 2019 is at least 4,000 slots for primary Afghan applicants. For Iraqis, they continue to need protection because of the service they provided to the U.S. mission. It is important to keep open the avenues for Iraqis, including as P-2 refugees and also as SIVs. Given the dangers these Afghans and Iraqis and their families face, it is also crucial to remove obstacles to expeditious processing of their applications. For example, only 605 Iraqi SIVs and 140 Iraqi refugees came to the U.S. in FY2018.¹¹ As of August 2018, there continued to be an estimated 100,000 Iraqi allies eligible for U.S. resettlement through the SIV or P-2 program.¹² Likewise, 11,517 Afghans had pending SIV applications as of the end of the 3rd quarter FY2018, and many more are eligible and in need of SIV protection.¹³

How to Help

[Learn more](#) about SIVs and their work. Advocate for additional Afghan SIVs, a higher annual refugee admissions goal--at least 75,000--to enable protection of more Afghans and Iraqis through the refugee program, and removal of obstacles to expeditious processing for both SIVs and refugees. Also advocate to address the root causes of conflict and secure a just peace in both countries, enabling Iraqis and Afghans to safely thrive in their home countries.

Sign up for the Justice for Immigrants Newsletter to stay informed and receive updates and action alerts to strengthen policies and programs for these Afghans and Iraqis and other at-risk refugees and migrants.

Endnotes

¹ Walter Cooper, *The Hill*, “Let us remember to protect our wartime allies and trusted Iraqi friends,” March 15, 2018, <https://thehill.com/opinion/national-security/378058-let-us-remember-to-protect-our-wartime-allies-and-trusted-iraqi> (accessed 1/11/2019).

² Senators Grassley and Shaheen, Letter to Senate Appropriators, 8/12/18 (accessed 1/14/2019).

³ In 2006, Congress authorized a small, permanent program for Afghan and Iraqi translators for 50 principle SIVs annually. See National Defense Authorization Act for Fiscal Year 2006 § 1059 (2006). Two later bills establish additional Iraqi and Afghan SIV programs, enabling SIVs’ spouses and children to join, and after that Congress extended those programs numerous times allocating additional SIVs, as needed, and also directed the Administration to expeditiously process the applications, due to ongoing safety risks for applicants. See two later bills: Refugee Crisis in Iraq Act of 2007 (RCIA) §1241-44 (signed into law January 2008), and Afghan Allies Protection Act of 2009 (AAPA) § 601-602 (Section 1244 of the National Defense Authorization Act for FY 2008).

⁴ Id.

⁵ Andorra Bruno, *Iraqi and Afghan Special Immigrant Visa Program*, Congressional Research Office, February 26, 2016, pp. 4-6.

⁶ See Iraqi SIV application instructions. <https://travel.state.gov/content/travel/en/us-visas/immigrate/special-immg-visas-iraqis-employed-us-gov.html> (accessed 1/13/2019).

⁷ Id.

⁸ Id.

⁹ See *A Question of Honor: The ongoing importance of the Afghan SIV Program* (March 2017) and *Fifteen Years On: Protecting Iraqi Wartime Partners* (March 2018), IRAP/Urban Justice Center.

¹⁰ See https://travel.state.gov/content/dam/visas/SIVs/Q3-Afghan_SIV_Report_July_2018.pdf (accessed 1/14/2019)

¹¹ See <http://www.wrapsnet.org/admissions-and-arrivals/> (accessed 1/14/2019).

¹² *Fact Sheet: How the Trump Administration’s Executive Orders on Refugees Harm Our Iraqi Wartime Allies*, Human Rights First, September 2018.

¹⁴ See https://travel.state.gov/content/dam/visas/SIVs/Q3-Afghan_SIV_Report_July_2018.pdf (accessed 1/14/19).
(Updated January, 2019)



we are one family under God