



International Refugee
Assistance Project

FOR IMMEDIATE RELEASE

June 12, 2019

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IRAP LAWSUIT REVEALS GOVERNMENT FLOUTS CONGRESS, REPORTS INACCURATE PROCESSING TIMES IN SIV PROGRAM

(Washington, DC) – Yesterday, the [International Refugee Assistance Project](#) (IRAP) and Freshfields filed a supplemental brief in support of their motion for a preliminary injunction in *Afghan and Iraqi Allies v. Pompeo*, which challenges the widespread delays in processing of Special Immigrant Visa applications for Afghan and Iraqi allies. The brief contains an analysis of government-provided data and testimony by government officials that contradict and undermine the validity of the quarterly reports on the status of the programs mandated by Congress and provided on the State Department's website.

The Afghan and Iraqi Special Immigrant Visa (SIV) programs were established to provide a legal pathway to safety for Afghan and Iraqi nationals who have supported the U.S. government and military in their home countries and, as a result, have been the targets of militias. Despite their precarious situations, thousands of applicants are facing egregious delays in a process that is supposed to be completed within nine months, as mandated by Congress. To track compliance with this mandate, Congress also required the State Department to publish quarterly reports.

Court-ordered discovery, including data produced by the government and deposition testimony from government officials, shows that the mandated quarterly reports published by the government provide an inaccurate and incomplete picture of the true waiting times applicants have to endure in the SIV process. The government's data paints a bleak reality: virtually all of the SIV applicants waiting for the government to make a final decision on their applications have already waited more than nine months for the government to do so. These applicants can reasonably expect to spend more than four years waiting in the SIV application process before they are ever issued a visa.

IRAP Litigation Supervising Attorney, Deepa Alagesan, stated: "It is shocking that the government is taking years to process our class members' applications that Congress mandated to be adjudicated in nine months. Worse yet, the government has been publishing reports that mask the extent of the delays. Thousands of Afghans and many Iraqis are waiting in life-threatening conditions and, after serving our country during war, the least the U.S. government owes them is the fair and efficient process directed by Congress."



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A hearing is scheduled for July 26 in the U.S. District Court for the District of Columbia.

To view the press release, [click here](#).

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