



International Refugee
Assistance Project

Afghan SIV Explainer

January 14, 2019

IRAP provides this background on the Afghan SIV program and protection for wartime partners of the United States.

What is the Afghan SIV Program?

The [Afghan Special Immigrant Visa \(SIV\) program](#) was established by Congress in 2009 to provide a pathway to safety for Afghan employees of the United States government who served in Afghanistan. To qualify, [Afghans must demonstrate](#) that they provided faithful and valuable service to the United States, worked for at least two years in a qualifying capacity, and face serious and ongoing threats because of their work. Each applicant must provide supporting documentation, including a personal letter of support from U.S. citizens and proof of employment, and pass extensive security checks.

Why did Congress establish the SIV program?

According to the Department of Defense, the SIV program “makes an important contribution to the U.S. strategic mission in Afghanistan,” and that a “failure to honor our commitments to those who have supported U.S. forces in carrying out our missions in Afghanistan and Iraq would undermine our diplomatic and military efforts.” Leading [generals](#) and [diplomats](#) have urged Congress to extend protection for Afghans who worked alongside U.S. troops, diplomats, aid workers, and other government employees.

How long does it take to obtain an SIV?

Afghan SIV applicants must present initial evidence of eligibility, file a visa petition, complete a visa application, present biographic information, attend an in-person interview, complete a medical examination, and be cleared through security checks. According to the State Department, government processing of the average case takes almost two years; Congress mandated that applications should be processed in no more than nine months.



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How many people have received Afghan SIVs?

The State Department issued more than 4,000 visas to Afghan SIV applicants in fiscal year 2017. In 2018, government security checks stretched longer and longer, leading to a 60% decrease in fiscal year 2018 and leaving applicants waiting in danger for their visas.

Have SIV applicants ever been detained in airports before?

The first challenge to the January 27, 2017, travel ban was filed on behalf of an [Iraqi translator](#) who had served for more than a decade alongside U.S. troops and who received an SIV after years of processing. In March 2017, an Afghan SIV recipient was [detained on arrival](#), saw his visa revoked without explanation, and was held in detention for more than a year while he applied for asylum. Another [former interpreter](#) was detained with his family overnight in March 2017 before being released and admitted to the United States. In 2017, numerous SIV recipients were denied boarding for their flights to the United States.

Is the Afghan SIV program the only program for Iraqi and Afghan wartime partners?

The Afghan SIV program is one of four programs established to protect Iraqi and Afghan partners. In 2006, Congress established the [1059 SIV program](#), which provides 50 visas per year for certain Iraqi and Afghan translators. The [Iraqi SIV program](#) provided protection similar to the Afghan SIV program for Iraqi employees of the U.S. government, but closed in 2014 to new applications. The SIV programs operate separately from the U.S. Refugee Admissions Program. The final program, the Direct Access Program, allows Iraqis with U.S. affiliations to apply for refugee status in the United States.

What is the current status of the legal protections for wartime partners?

The Afghan SIV program continues to accept new applications. Thousands of applicants are waiting through the many stages of visa processing. Their expected processing time, already an average of almost two years, is increasing as delays from security checks increase. The Afghan SIV program requires Congress to authorize visas on a regular basis,

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but Congress did not allocate any visas to the program in 2018. Congressional action is needed to ensure that visas are processed quickly and that additional visas are authorized.

[Iraqi wartime partners](#) no longer have access to the Iraqi SIV program, which closed to new applications in 2014. Instead, Iraqis must apply to the Direct Access Program, part of the U.S. refugee resettlement program. This program faces a [backlog of more than 100,000 applications](#), with fewer than 100 applicants admitted to the United States in fiscal year 2018. Congress must demonstrate concern with these appalling backlogs and ensure that Iraqi partners who face danger because of their service have a pathway to safety.