

Congress of the United States
Washington, DC 20515

President Barack Obama
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

March 5, 2013

Dear Mr. President:

I write to express our concern regarding the pending expiration, and opportunities for reform, of the Special Immigrant Visa (SIV) programs which are available to Iraqis and Afghans facing an ongoing serious threat as a result of their employment by or on behalf of the U.S. Government. We look forward to working with you and your administration to constructively address the issues outlined in this letter.

The SIV programs authorized in the *National Defense Authorization Act for Fiscal Year 2008* and the *Afghan Allies Protection Act of 2009* expire at the end of this Fiscal Year and in Fiscal Year 2014 respectively. It is our belief that the purpose of these programs has not yet been fulfilled and must be reformed and extended in order to meet their Congressional intent.

These programs seek to provide safe refuge for Iraqi and Afghan men and women who have provided "faithful and valuable service" to the U.S. Government in those countries and have faced or are facing "ongoing serious threat" as a consequence of that service. Through these programs, between FY08-FY12, only 22% of the available Iraqi SIVs (5,500 visas out of 25,000 visas) have been issued and 12% of the available Afghan SIVs (1,051 visas out of 8,500 visas) have been issued. In October 2012, the *Washington Post* reported that over 5,000 documentarily complete Afghan SIV applications remained in a backlog.

Innumerable Afghans who served the U.S. Government wait in peril, their lives and family threatened. The extension and reform of these programs is a matter of national security, and these programs represent an important tool for the U.S. operations in Afghanistan.

It is important to improve the efficiency and effectiveness of the SIV programs, which face numerous challenges, given the extensive paperwork required, the numerous agencies and timelines involved, and necessary background checks. Applicants frequently have effusive recommendations from numerous military personnel (in some instances, as many as nine personnel), have served the U.S. war efforts for many years (in some instances, nearly eight years), and have served valiantly (in some instances, literally taking a bullet for a U.S. service member). Often, sterling SIV applications are denied, and perhaps for good reason, but under the current program, the Chief of Mission (COM) at Embassies Baghdad and

Kabul can approve or deny an applicant with little transparency into how that decision was made. Further, SIV applicants have no means of challenging or appealing an adverse COM decision. We look forward to working with you to build greater transparency into these programs, and develop a process by which applicants can appeal a decision.

We also hope to address incongruities in the two SIV programs. Unlike the Iraq SIV program, the *Afghan Allies Protection Act of 2009* only permits an applicant's spouse and children under the age of 21 to accompany an applicant, even if other family members face immediate, serious threats of death because of the applicant's service. When Iraqi allies and their close family members came under threat in Iraq, Congress created separate provisions in the *Refugee Crisis in Iraq Act of 2007* that utilized the U.S. Refugee Admissions Program for other family members under threat. No such path exists for Afghan family members under threat from the Taliban. We look forward to working with you and your administration to find the most effective way to also protect family members of Afghan recipients of SIVs who are currently under serious threat because of the applicant's work.

The U.S. has a responsibility to follow through on our promise to protect those Iraqis and Afghans who have risked their lives to aid our troops and protect America's security. WE look forward to working with you to amend the implementing legislation to extend the availability of the SIVs until they are exhausted. We commend you for the recent progress that has been made to improve the Iraq SIV program, and we look forward to working with you to ensure that the Afghan SIV program begins processing applications at a pace that will eliminate the backlog as safely and quickly as possible, and create space for family members also currently under threat.

Sincerely,



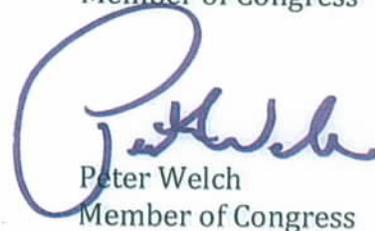
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Member of Congress



Adam Kinzinger
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Steve Stivers
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Peter Welch
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Andre Carson
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Tammy Duckworth
Member of Congress



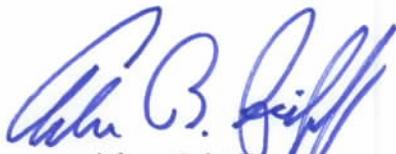
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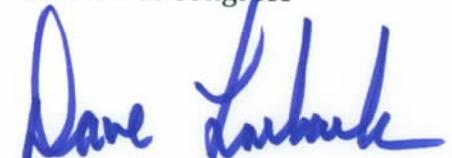
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Alan Lowenthal
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Cc:

The Honorable Chuck Hagel, Secretary of Defense;
The Honorable John Kerry, Secretary of State;
The Honorable Janet Napolitano, Secretary of Homeland Security