Office of Communications
U.S. Citizenship and Immigration Services

Fact Sheet

July 2, 2007

EXPANDED SPECIAL IMMIGRANT STATUS FOR AFGHAN AND IRAQI TRANSLATORS AND INTERPRETERS

Temporary Increase Allows 500 to Immigrate – Includes Work for Chief of Mission

Special immigrant status is available under section 1059 of the National Defense Authorization Act for Fiscal Year 2006 to Afghan and Iraqi nationals who worked directly for the United States Armed Forces, or under the authority of the Chief of Mission, as a translator or interpreter, and to their spouses and children. As recently amended by section 3812 of Public Law 110-28 (May 25, 2007) and by Public Law 110-158 (June 15, 2007), the section 1059 program also includes a temporary increase, from 50 to 500, in the number of translators and interpreters allowed to immigrate each year in Fiscal Years 2007 and 2008. Once admitted to the United States as permanent residents, these individuals and their families may eventually acquire U.S. Citizenship.

Applicants filing for special immigrant status under this program must meet the following criteria:

- A national of Iraq or Afghanistan;
- Worked directly as a translator or interpreter with the U.S. Armed Forces, or under the authority of the Chief of Mission, for a period of at least 12 months;
- Obtain a favorable written recommendation from the Chief of Mission or a general or flag officer in the chain of command of the U.S. military unit supported by the translator or interpreter;
- Clear a background check and screening, as determined by the Chief of Mission or a general or flag officer in the chain of command of the U.S. military unit supported by the translator or interpreter; and
- Otherwise eligible to receive an immigrant visa and admission to the United States for permanent residence, except that the grounds for inadmissibility relating to "public charge" shall not apply.

To request special immigrant status under this program, applicants must file a "Petition for Amerasian, Widow(er), or Special Immigrant" (Form I-360) with the following documents:

- A copy of the passport or birth certificate showing the individual is a national of Iraq or Afghanistan;
- Proof, issued by the U.S. Armed Forces or the Chief of Mission, of working as a translator or interpreter for at least 12 months;
- Proof of background check and screening by the U.S. Armed Forces or the Chief of Mission (the type of background check and screening required is determined on a case-by-case basis by the Department of Defense or Department of State);
- A letter of recommendation from the Chief of Mission, or a general or flag officer; and
- A copy of the front and back of the applicant's Arrival Departure Record (Form I-94) if filed by an applicant in the United States.

The number of translators or interpreters who may receive special immigrant status during Fiscal Years 2007 and 2008 cannot exceed 500. The maximum number for all other fiscal years is 50, and only the principal translator or interpreter counts toward the numerical limit. The spouse and children do not count toward that limit.

Afghan and Iraqi nationals who have been paroled into the United States because of their service as translators or interpreters and who are otherwise eligible under section 1059 may apply to become lawful permanent residents. USCIS will send the applicant a request for any missing documents.

Afghan and Iraqi translators or interpreters who are already in the United States must mail their Form I-360 with supporting documents and evidence and all required fees with the Nebraska Service Center (NSC) using the following address:

Regular Mail:	Overnight Deliveries:
USCIS / Nebraska Service Center (NSC) P. O. Box 87360 Lincoln, NE 68501-2521	USCIS / Nebraska Service Center (NSC) 850 “S” Street Lincoln, NE 68508

The NSC will adjudicate the Form I-360. Family members would file their Application to Register Permanent Residence or Adjust Status (Form I-485) once the I-360 has been approved and the principal files his or her I-485.

Translators or interpreters outside the United States may also file the Form I-360 file directly with the NSC at the above address. The NSC will send all approved forms to the Department of State’s National Visa Center; they will be prepared for immigrant visa processing at an overseas consulate. The Department of State will advise the petitioner of the visa application fees.

Applicants should check the USCIS website for current filing fees as an increase goes into effect on July 30, 2007.

As of the end of June 2007, USCIS has approved 647 petitions for translators and interpreters in this visa category, which will fully utilize the Fiscal Year 2007 allocation of visas as well as a majority of the Fiscal Year 2008 allocation.

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