



## LEGISLATIVE POINT PAPER

### SUPPORT OUR AFGHAN ALLIES

#### BACKGROUND

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In August 2021, the United States ended 20 years of war in Afghanistan, the longest war in American history. It ended as it started: with the Taliban in power. The chaotic withdrawal and rush to evacuate Americans and Afghans alike brought tens of thousands of Afghans to the U.S. but left as many as 160,000 Afghan allies who worked alongside the U.S. without a guaranteed exit from the country, rendering them vulnerable to Taliban retaliation. These Afghan nationals include those who supported the U.S. mission in Afghanistan, human rights defenders, women in government, and others at risk under the new government.

The war effort relied on the life-saving assistance of thousands of Afghans who put themselves in danger to serve alongside U.S. troops, diplomats, and contractors. These individuals provided indispensable linguistic, cultural, and geographic knowledge to the U.S. at great personal risk to themselves and their loved ones. The Afghan Special Immigrant Visa (SIV) program was established in 2009 to support those Afghans who aided the U.S. mission and provide them with a new start in the U.S. after their service ended.

Currently, Afghans who were brought to safety during the military evacuation and admitted to the U.S. under temporary humanitarian parole have protection for two years is set to expire in August and September of this year. These wartime evacuees can only pursue a means to stay here long-term with lawful permanent residence through the asylum system or for a discrete population of allies, the Afghan SIV program. Both options face severe backlogs, long processing times, and logistical obstacles for Afghans who were brought to the U.S. under emergency circumstances. Congress has passed SIV and adjustment legislation to address issues like this in the wake of other wartime evacuations and humanitarian crises, including the Vietnam and Iraq Wars.

Though the war is over, the U.S. government must continue its support for our wartime partners. To do this, both Congress and the Executive Branch must work together and fulfill their responsibilities to the SIV program and uphold our commitment to the Afghans who need it. We must also create a pathway to permanent residency in the U.S. for those refugees not currently eligible for the SIV program but were brought to this country with the promise of a safe future.

## KEY POINTS

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- We have a code in the U.S. military, “no one left behind.” For two decades, we fought shoulder-to-shoulder with brave Afghan allies who served with and protected American forces, fighting for the freedom of Afghanistan, and its people. We must honor the promises we made as a nation by providing genuine and lasting protection to the Afghans who have made it safely to the U.S and to those who have been left behind.
- The Afghan Special Immigrant Visa (SIV) program’s eligibility is limited and helps only some of those who supported the U.S. military mission in Afghanistan. For instance, none of the Afghan military pilots, Female Tactical Platoons, Afghan Special Forces, or other Afghan military partners who were employed by the Afghan rather than the U.S. government are eligible for protection under the U.S. SIV program – despite assisting the U.S. in joint missions in Afghanistan for over 20 years.
- Litigation of the 20-Year War in Afghanistan, overseen by two Democratic and two Republican presidents – or the chaotic nature of the U.S. withdrawal from the country – cannot happen on the backs of the Afghans, servicemembers, and veterans who were asked to sacrifice for its mission. We defer all such reviews to the appropriate venue: the Afghanistan War Commission, the nonpartisan, independent commission formally authorized as part of the 2022 National Defense Authorization Act (NDAA) to examine every aspect of the war in Afghanistan, including the political and strategic decisions that transformed a focused military mission into a vast, nation-building campaign that became the longest war in U.S. history.

## WHAT CONGRESS CAN DO

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- Pass legislation updating the Afghan Allies Protection Act to fix the Special Immigrant Visa program and ensure it endures as a permanent tool of American foreign policy.
- Reintroduce and pass the Afghan Adjustment Act, a bipartisan piece of legislation from the 117th Congress that would grant permanent legal status to Afghan refugees and improve the Special Immigrant Visa process for Afghans who served alongside U.S. servicemembers.

## RELEVANT RESOLUTIONS

- Resolution No. 15 (2018): Recognition for Afghan and Iraqi Combat Translators.<sup>1</sup>

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<sup>1</sup> The American Legion Resolution No. 15 (2018): [\*Recognition for Afghan and Iraqi Combat Translators\*](#)