



Fact Sheet

August 3, 2006

SPECIAL IMMIGRANT STATUS NOW AVAILABLE FOR CIVILIAN TRANSLATORS

Afghan and Iraqi Nationals Working with United States Military Eligible to Immigrate

Special immigrant status is now available to Afghan and Iraqi nationals who have worked directly for the United States Military as translators. Created by the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163), this new immigration category allows translators and their families to gain admission to the United States, apply for permanent residency and eventually acquire U.S. Citizenship. To request special immigrant status, translators must file a “Petition for Amerasian, Widow (er), or Special Immigrant” (Form I-360) with the required evidence listed below.

Eligibility for Special Immigrant Translator Status:

Applicants filing for special immigrant translator status **must meet the following criteria:**

- Be a national of Iraq or Afghanistan,
- Have worked directly with the U.S. Armed Forces as a translator for a period of at least 12 months,
- Have obtained a favorable written recommendation from a General or Flag Officer in the chain of command of the unit supported by the translator,
- Have cleared a background check and screening as determined by a General or Flag Officer in the chain of command of unit supported by the translator. The Department of Defense will determine the type of background check and screening required on a case-by-case basis, and
- Be otherwise eligible to receive an immigrant visa and otherwise admissible to the United States for permanent residence. In determining such admissibility, the grounds for inadmissibility relating to “public charge” shall not apply.

Required evidence at time of filing:

- A copy of the passport or birth certificate showing the alien is a national of Iraq or Afghanistan,
- Proof, issued by the U.S. Armed Forces, of working as a translator with the Armed Forces for at least 12 months,
- Proof of background check and screening by the U.S. Armed Forces. The Department of Defense will determine the type of background check and screening required on a case-by-case basis,
- A recommendation letter from General or Flag Officer, and
- A copy of the front and back of the applicant’s Arrival-Departure Record (Form I-94) if filed in the United States.

Numerical Limitations:

The total number of principal aliens who may receive special immigrant translator status during any fiscal year cannot exceed 50. Only the principal aliens count toward the numerical limit. The spouse and children of the principal alien may be able to follow or to join the principal alien after the adjustment of status or visa issuance.

Aliens inside the United States:

Some Afghan and Iraqi translators have been paroled into the United States on the basis of their service as translators for the U.S. Armed Forces. If documents were submitted regarding an earlier parole request (proof of a U.S. Armed Forces background check and screening and a written recommendation from a General or Flag officer), it is not necessary for the alien to obtain new documents for the I-360. If these documents are not in the record relating to the parole, and are not submitted with the Form I-360, USCIS will send the applicant a request for evidence asking for the documents.

Aliens in the United States must file Forms I-360 and I-485 with the Nebraska Service Center (NSC). The filing fee for the I-360 is \$190.00. The filing fee for I-485 is \$325.00 plus \$70.00 biometric fees. The NSC will adjudicate both forms. Family members would file their I-485s once the I-360 has been approved and the principal files his/her I-485.

Aliens outside the United States:

Aliens outside the United States must file Form I-360 with the USCIS Overseas Office that has jurisdiction for their country of residence. The filing fee for the I-360 is \$190.00. The USCIS Overseas Office then forwards the form to NSC for adjudication. 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.

Where to file:

Aliens present in the United States must mail their I-360 and supporting evidence to the Nebraska Service Center, using the following address:

Regular Mail:
USCIS / Nebraska Service Center (NSC)
P. O. Box 87360
Lincoln, NE 68501-2521

Overnight Deliveries:
850 "S" Street
Lincoln, NE 68508.

Aliens present outside the United States must mail their I-360 and supporting evidence to the USCIS Overseas Office that has jurisdiction for the country where the alien lives.

Translators in Afghanistan must file with the DHS USCIS office in Islamabad, Pakistan

Regular mail and all Express Mail from outside the U.S., use the following address:

Officer in Charge
U.S. Citizenship and Immigration Services, Department of Homeland Security
U.S. Embassy Diplomatic Enclave
Ramna-5
Islamabad, Pakistan

Phone: 92-51-208-2149
Fax: 92-51-208-2305

Translators in Iraq must file with the DHS USCIS office in Rome, Italy:

Regular mail and all Express Mail from outside the U.S., use the following address:

District Director,
U.S. Citizenship and Immigration Services, Department of Homeland Security
American Embassy,
Via Boncompagni, 2, 00187
Rome, Italy

Phone: 39-06-4674-2286 (from outside of Italy) or 06-4674-2286 (from within Italy)
Fax: 39-06-4674-2920 (from outside of Italy) or 06-4674-2920 (from within Italy)
The U.S. Embassy Rome's website is <http://rome.usembassy.gov/>

Contact Information:

If there are any questions concerning this fact sheet, please contact Patricia Boynton in Service Center Operations (202) 272-1528 or Hailu Kebede in the Office of International Affairs (202) 272-1673.

All needed immigration forms are available on the USCIS website at www.uscis.gov.

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On March 1, 2003, U.S. Citizenship and Immigration Services became one of three legacy INS components to join the U.S. Department of Homeland Security. USCIS is charged with fundamentally transforming and improving the delivery of immigration and citizenship services, while enhancing the integrity of our nation's security.