



**Report to Congress on the
Process by which Applications for Special Immigrant Visas under
Special Immigrant Status for Certain Iraqis Are Processed
Section 1218 (g) of the National Defense Authorization Act of 2014
(P.L.113-66)**

The Department of State (State), the Department of Homeland Security (DHS), and other U.S. government departments and agencies involved in the Iraqi special immigrant visa (SIV) program are committed to helping the Iraqi men and women who have taken significant risks to support our military and civilian personnel. The U.S. government has devoted substantial resources to reducing the amount of time required to complete the Iraqi SIV process, authorized under section 1244 of the *Refugee Crisis in Iraq Act of 2008*, as amended, while still ensuring thorough screening for national security concerns, and we continue to strive for improvements to the process.

How many Iraqi SIVs have been issued in the first quarter (Q1) of Fiscal Year (FY) 2023 (October 1, 2022, to December 31, 2022)?

Iraqi Principal Applicants Issued in Q1	Iraqi Derivative Applicants Issued in Q1	Total Iraqi SIVs Issued in FY 2023 (October 1, 2022, through December 31, 2022)	Total Iraqi Numbers Used ¹	Remaining SIVs for Iraqi Principal Applicants
17	48	65	2,289	211

¹ Number of visas issued since permanent numbers became available on January 1, 2014.

What efficiency improvements have been made to Iraqi SIV processing?

U.S. Embassy Baghdad continues to work toward a full resumption of consular services to the public, which was not possible for nearly three years after a December 2019 attack severely damaged the public entryway to the embassy compound. The entrance re-opened in October 2022, and U.S. Embassy Baghdad has resumed limited immigrant visa services, including SIV interviews. U.S. Citizenship and Immigration Services continues to expedite the adjudication of special immigrant petitions. Receipts of Iraqi Form I-360, "Petition for Special Immigrant Status," have decreased 21 percent from Q3 to Q4 of FY 2022.

What is the average U.S. government processing time for Iraqi SIVs and how many cases are processed in that time?

All steps in the Iraqi SIV application process are outlined below and include the current average processing time for all involved U.S. government entities. This statistic captures total U.S. government processing time in calendar days, beginning when the applicant first expresses interest in the program to State's National Visa Center (NVC) and ending with the date of visa issuance at a U.S. embassy or consulate. It does not capture those steps in the SIV process that are outside the control of the U.S. government and that depend solely on the applicant's initiative. Additionally, even within each step below that is identified as under the control of the U.S. government, there may be time – often significant time – spent waiting on applicant or third-party action not attributable to the U.S. government entities involved. Therefore, the average processing time likely overestimates the total processing time attributable to the U.S. government entities involved.

SIV Processing Steps ^{2,3}				
Stage	Step	Description	Average processing times in calendar days	Number of Cases Processed
Chief of Mission (COM) application process	1	Applicant submits COM application package to State's NVC. (The deadline for this step was September 30, 2014)	Applicant-controlled	N/A
	2	NVC reviews documents for completeness.	1	121 ⁴
	3	NVC sends completed application package to U.S. Embassy Baghdad.	N/A	N/A ⁵

² Processing steps are for SIVs authorized under section 1244 of the Refugee Crisis in Iraq Act of 2008, as amended. This applies to Iraqi nationals in the SQ classification.

³ Previous versions of this report listed 14 steps. During the first quarter of FY 2022, Step 5 "U.S. Embassy Baghdad advises NVC if COM application is approved. NVC immediately sends approval letter to applicant. (If any documents reveal that the applicant does not qualify for the program, the COM application is denied.)" was fully automated and no longer requires manual processing. As such, the Department will no longer include information on this step in its reporting.

⁴ This number reflects the number of case reviews conducted by the NVC within the quarter. This number does not include any new cases or appeals. This number includes the number of cases reviewed for people trying to apply, seeking status on old denied cases, seeking general assistance, or misdirected inquiries. This number may be larger than the total number of cases pending at the NVC because an individual case might be reviewed multiple times in a quarter.

⁵ During this quarter, there were no cases completed at this stage.

	4	U.S. Embassy Baghdad reviews COM application and the COM or COM Designee decides to approve or deny.	N/A	N/A ⁶
Form I-360 adjudication process	5	Applicant self-petitions to DHS U.S. Citizenship and Immigration Services (USCIS) using Form I-360.	Applicant-controlled	N/A
	6	USCIS adjudicates petition and sends to NVC if approved. ⁷	57	31
Visa Interview Process, including pre- and post-interview ⁸	7	NVC sends instruction packet to applicant requesting standard immigrant visa documentation, including DS-260 immigrant visa application.	7	6
	8	Applicant submits required	Applicant-controlled	N/A

⁶ The deadline for Iraqi principal applicants to submit new applications for COM approval was September 30, 2014. The Baghdad COM did not receive any new cases or appeals in the current quarter.

⁷ For I-360 petitions filed with USCIS between April 1, 2022, and June 30, 2022.

⁸ The majority of applicants receive SIV status by going through the process explained in this chart. Applicants who obtain SIV status in the United States apply for adjustment of status from USCIS.

		documentation to NVC.		
	9	NVC reviews documents for completeness, corresponding with applicant when additional documentation is needed.	97	60
	10	When the visa application is complete, NVC schedules applicant for next available interview at a U.S. Embassy. ⁹	21	9
	11	Applicant is interviewed and biometrics are collected by consular officer on the scheduled appointment date. Administrative processing is initiated following the interview. ¹⁰	N/A	27

⁹ As of November 2017, NVC began scheduling SIV applicants at other embassies on behalf of the U.S. Embassy Baghdad.

¹⁰ Administrative processing may include a variety of security, fraud, or criminal background checks that are required before the visa may be issued.

	12	The applicant's case undergoes administrative processing.	56	786
Visa issuance to eligible applicants	13	Upon completion of administrative processing, the applicant is instructed to obtain a medical exam. Once the medical exam is completed, the visa is issued if the applicant is eligible. In some cases, the passport will have expired and requires renewal by the applicant.	Applicant-controlled	
		Total U.S. government processing time in calendar days¹¹	239	N/A

Why are applications pending longer than nine months?

As of December 31, 2022, most applications for Iraqi SIVs are being processed in less than nine months. Certain applications may be pending longer than nine months due to administrative processing (Step 12). Administrative processing often involves rigorous background checks,

¹¹ The statistics in this chart were formerly reported in business days in reports published April 2014 - April 2016. U.S. government processing times do not factor in applicant-controlled steps. Overall processing times are greater than U.S. government processing times.

essential to the integrity of the SIV program and U.S. national security. The current average reflects the fact that two cases from 2021 were closed in the current reporting period; however, the other 12 closed cases cleared within 40 days. Because new cases are frequently resolved quickly, the resolution of complex long-outstanding cases leads to an increased average when calculating processing times.

How many SIV applications are pending as of December 31, 2022?

Step 1 – There were no new COM applications submitted by Iraqi principal applicants pending at NVC during this period. The deadline for Iraqis to apply for COM approval was September 30, 2014.

Step 6 – 30 Iraqi principal applicants had a Form I-360 petition pending with USCIS.

Step 10 – There are seven principal applicants and 23 derivative family members pending scheduling for visa interviews.

Step 12 – Applications for 64 principal applicants and 45 family members were undergoing administrative processing.

How many SIV applicants were interviewed in Q1 of FY 2023?

The deadline to submit an application for COM approval was September 30, 2014. There were 11 SIV applicants who, after COM approval, were scheduled for an interview in the first quarter of FY 2023.

The following chart shows the number of Iraqi applicants who executed an application for an SIV at a visa interview in the first quarter of FY 2023 under section 1244 of the *Refugee Crisis in Iraq Act of 2008*, as amended, after receiving COM approval:

Month	Principal Applicants	Derivative Family Members	Total
October	10	17	27
November	7	12	19
December	10	33	43
Total	27	62	89

How many denials were there in the Q1 of FY 2023?

No principal applicants were deemed unqualified to receive COM approval or had their approval revoked during the first quarter of FY 2023. Applicants whose COM applications are denied or revoked can submit one appeal within 120 days of receiving the denial or revocation letter.

USCIS denied 23 principal applicants' Form I-360 petition during FY 2023 Q1.

What are the reasons for a COM denial?

Denial of a COM application generally occurs for one or more of the following four reasons:

- *Failure to establish employment by or on behalf of the U.S. government.* Applications are denied for this reason if the applicant fails to establish qualifying employment. For information on qualifying employment, see the Department of State website at: <https://travel.state.gov/content/travel/en/us-visas/immigrate/special-immg-visas-iraqis-employed-us-gov.html>.
- *Failure to establish at least one year of employment by or on behalf of the U.S. government between March 20, 2003, and September 30, 2013.*
- *Failure to establish providing faithful and valuable service to the U.S.*

government. Applications denied for this reason generally have involved cases lacking the requisite positive recommendation or evaluation. In some instances where faithful and valuable service was not confirmed, employment by or on behalf of the U.S. government had been terminated for cause.

- *Derogatory information associated with the applicant that is incompatible with the requirements of the SIV program.* This reason for denial generally relates to information that the applicant engaged in an unlawful, unethical, criminal, or terrorism-related activity.