

**Joint Department of State/Department of Homeland Security Report:  
Status of the Iraqi Special Immigrant Visa Program**

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 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 3rd Quarter of FY 2020 (April 1, 2020 to June 30, 2020)?**

Iraqi SIVs Issued in Q3 FY2020	Iraqi SIVs Issued in FY 2020	Iraqi SIVs Issued overall	Remaining SIVs for Iraqi applicants
4	30	2,114	386

**What efficiency improvements have been made to Iraqi SIV processing?**

In the third quarter of FY 2020, there were no changes related to efficiency improvements in Iraqi SIV processing.

**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 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 with the applicant’s initial submission of documents to State’s National Visa Center (“NVC”) and ending with the date of visa issuance at a U.S. embassy or consulate.<sup>1</sup> It does not capture those steps in the SIV process that depend solely on the applicant’s initiative and is outside the control of the U.S. government.

<b>Special Immigrant Visa (SIV) Processing Steps<sup>1</sup></b>				
<b>Stage</b>	<b>Step</b>	<b>Description</b>	<b>Average processing times in calendar days</b>	<b># of Cases Processed</b>
Chief of Mission	1	Applicant submits COM application	Applicant-controlled	N/A

<sup>1</sup> The Department of State’s National Visa Center (“NVC”) should not be confused with the National Vetting Center, also known as NVC, established under the National Security Presidential Memorandum 9.

(COM) application process		package to State's NVC. (The deadline for this step was September 30, 2014. See page 5 for additional details.)		
	2	NVC reviews documents for completeness.	1	0
	3	NVC sends completed COM package to U.S. Embassy Baghdad.	1	0
	4	U.S. Embassy Baghdad reviews COM application and makes a decision to approve or deny.	N/A <sup>2</sup>	0
	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.)	1	0
Form I-360 adjudication process	6	Applicant self-petitions to DHS U.S. Citizenship and Immigration Services ("USCIS") using form I-360.	Applicant-controlled	N/A
	7	USCIS adjudicates petition and sends to NVC if approved. <sup>3</sup>	15	5
Visa Interview Process, including pre- and post-interview <sup>4</sup>	8	NVC sends instruction packet to applicant requesting standard immigrant visa documentation.	1	6
	9	Applicant submits required	Applicant-controlled	N/A

		documentation to NVC.		
	10	NVC reviews documents for completeness.	3	0
	11	NVC schedules applicant for next available interview at a U.S. Embassy. <sup>5</sup>	100	12
	12	Applicant is interviewed by consular officer on the scheduled appointment date. Administrative processing is initiated following the interview.	1	
	13	The applicant's case undergoes administrative processing. <sup>6</sup>	745	5
Visa issuance to eligible applicants	14	Upon completion of administrative processing, the applicant is instructed to obtain a medical exam. 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	N/A
		<b>Total U.S. government processing time in calendar days<sup>7</sup></b>	<b>867</b>	<b>N/A</b>
<sup>1</sup> 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.				
<sup>2</sup> The deadline for Iraqi principal applicants to submit new applications for Chief of Mission approval was September 30, 2014.				
<sup>3</sup> For I-360 petitions filed with USCIS between April 1, 2020 and June 30, 2020.				
<sup>4</sup> 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 <a href="#">adjustment of status</a> from USCIS.				

<sup>5</sup>As of November 2017, NVC began scheduling SIV applicants at other embassies on behalf of the U.S. Embassy Baghdad.

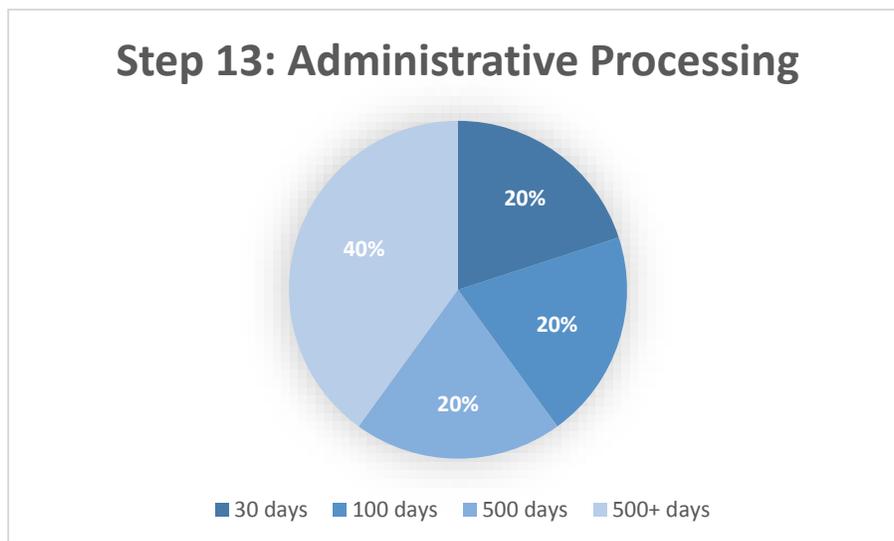
<sup>6</sup>Line 13 totals include data for SIV applicants who completed administrative processing between April 1, 2020 and June 30, 2020. Average processing time for cases that remain pending cannot be calculated until they are completed. A high number in this field reflects older cases being completed, not older cases languishing.

<sup>7</sup> 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.

### Why are applications pending longer than nine months?

Certain applications may be pending longer than nine months for completion of administrative processing (Step 13). Administrative processing often involves rigorous background checks, which are essential to the integrity of the SIV program. Average processing times are also impacted by the reality that the Department has issued long-pending cases this quarter.

On March 20, 2020, the Department of State temporarily suspended routine visa services at all U.S. embassies and consulates due to the global COVID-19 pandemic. Embassies and consulates continued to provide emergency and mission critical visa services, which include SIV services, where possible. However, the limited staffing as well as local safety conditions directly related to the COVID-19 pandemic impacted the number of SIV visa application interview appointments and issuances and increased processing times during this quarter.



### How many SIV applications are pending as of June 30, 2020?

- Step 1 – There are 0 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 7 – Twelve Iraqi principal applicants had a Form I-360 petition pending with USCIS.
- Step 11 – There are 2 principal applicant and 2 derivative family members at the documentation submission stage of the process.
- Step 13 – Applications for 43 principal applicants and 10 family members were undergoing administrative processing as of June 28, 2020.

### **How many SIV Applicants were there in the Third Quarter of FY 2020?**

The deadline to submit an application for COM approval was September 30, 2014. There were no SIV Applicants who, subsequent to COM approval, were scheduled for an interview in the third quarter of FY 2020.

### **How many denials were there in the third quarter of FY 2020?**

- No principal applicants were deemed unqualified to receive COM approval or had their approval revoked during the third quarter of FY 2020. Applicants whose COM applications are denied or revoked are able to submit one appeal within 120 days of receiving the denial or revocation letter. One principal applicant submitted an appeal during the third quarter of FY 2020.
- No principal applicants had a Form I-360 petition denied by USCIS during the third quarter of FY 2020.

### **What are the reasons for a COM denial?**

As reflected in denial letters sent by the COM designee at U.S. Embassy Baghdad, 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.* State has considered the employment requirement satisfied for an alien hired under a direct-hire appointment, or through an agency’s personal services agreement or personal services contract authority. State has also considered Iraqi nationals hired by and paid through a U.S. government contractor or subcontractor to meet the broader criteria for employment “by or on behalf of” the U.S. government. State has not considered the requirement under 1244 to be “employed by or on behalf of the United States government” satisfied in other situations, such as individuals employed by an entity funded by a grant or cooperative agreement with the U.S. government, or self-employed businesspersons who operate under a license with the U.S. government.
- *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.