



**Report to Congress on  
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 of Fiscal Year (FY) 2022 (October 1, 2021, to December 31, 2021)?**

Iraqi Principal Applicants Issued	Iraqi Derivative Applicants Issued	Total Iraqi SIVs Issued in FY 2022 (to December 31, 2021)	Total Iraqi Numbers Used <sup>1</sup>	Remaining SIVs for Iraqi Principal Applicants
16	28	44	2,158	342

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

During the first quarter of FY 2022, locally employed staff returned to work on the embassy compound in Baghdad. The consular section now has four staff assigned to process immigrant visas.

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<sup>1</sup> Number of visas issued since permanent numbers became available on January 1, 2014.

Even though the embassy is still closed to the public, post can interview and process SQ visa cases for applicants who are still employed by the embassy and have access to the compound. Post also processes cases for applicants who do not have access to the compound, but whose cases can be adjudicated without requiring a new oath or interview.

The Chief of Mission Committee meeting occurred on November 14, 2021, and subsequent meetings occurred on November 22, November 29, and December 8, 2021.

**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)<sup>2</sup> 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 depend solely on the applicant’s initiative and are outside the control of the U.S. government. However, within each step included below, there may be time – and often significant time – spent waiting on applicant or third-party action that is not attributable to the U.S. government entities involved.

<b>Special Immigrant Visa (SIV) Processing Steps<sup>3</sup></b>				
<b>Stage</b>	<b>Step</b>	<b>Description</b>	<b>Average processing times in calendar days</b>	<b>Number of Cases Processed</b>
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

<sup>2</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.

<sup>3</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.

	2	NVC reviews documents for completeness.	1	61 <sup>4</sup>
	3	NVC sends completed application package to U.S. Embassy Baghdad.	N/A	0
	4	U.S. Embassy Baghdad reviews COM application and makes a decision to approve or deny.	N/A <sup>5</sup>	29
	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.)	N/A	0 <sup>6</sup>
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>7</sup>	46	16
Visa Interview Process, including pre- and	8	NVC sends instruction packet to applicant requesting standard immigrant visa documentation, including DS-260 immigrant visa application.	3	2

<sup>4</sup> This number reflects the number of case reviews conducted by the National Visa Center within the quarter. The National Visa Center counts a review each time an SIV applicant submits additional documents to complete their case. This number may be larger than the total number of cases pending at the National Visa Center because an individual case might be reviewed multiple times in a quarter.

<sup>5</sup> The deadline for Iraqi principal applicants to submit new applications for chief of mission approval was September 30, 2014.

<sup>6</sup> Decision memorandums for the 29 cases approved in Step 4 during the reporting period were sent in January 2022. As of February 2, 2022, all 31 outstanding COM appeals cases have been adjudicated and the applicants notified by NVC.

<sup>7</sup> For I-360 petitions filed with USCIS between October 1, 2021, and December 31, 2021.

post-interview <sup>8</sup>	9	Applicant submits required documentation to NVC.	Applicant-controlled	N/A
	10	NVC reviews documents for completeness, corresponding with applicant when additional documentation is needed.	78	31
	11	When the visa application is complete, NVC schedules applicant for next available interview at a U.S. Embassy. <sup>9</sup>	5	1
	12	Applicant is interviewed and biometrics are collected by consular officer on the scheduled appointment date. Administrative processing is initiated following the interview. <sup>10</sup>	1	29
	13	The applicant's case undergoes administrative processing.	306	47
Visa issuance to eligible applicants	14	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	16

<sup>8</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 [adjustment of status](#) from USCIS.

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

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

		<b>Total U.S. government processing time in calendar days<sup>11</sup></b>	<b>440</b>	<b>N/A</b>
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### **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 and U.S. national security. The current high average reflects the fact that some long outstanding cases, including eleven cases older than one year, were closed in the current reporting period, even though incoming case numbers continue to increase.

### **How many SIV applications are pending as of December 31, 2021?**

- 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. Thirty-one principal applicants were in appeal status during the first quarter of FY 2022.<sup>12</sup>
- Step 7 – Fifty-six Iraqi principal applicants had a Form I-360 petition pending with USCIS.
- Step 11 – There is one principal applicant and one derivative family member pending scheduling for visa interviews.
- Step 13 – Applications for 49 principal applicants and 24 family members were undergoing administrative processing as of December 31, 2021.

### **How many SIV applicants were interviewed in the First Quarter of FY 2022?**

The deadline to submit an application for COM approval was September 30, 2014. There was one SIV applicant who, subsequent to COM approval, was scheduled for an interview in the first quarter of FY 2022.

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<sup>11</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.

<sup>12</sup> The 31 applicants with outstanding appeal cases were all informed of COM decisions in January of 2022 and will be reported in the FY2022 Q2 quarterly report. One case reported in the FY2021 Q4 report was determined not to require a new decision as their case had in fact already received a determination.

## **How many denials were there in the First Quarter of FY 2022?**

- No principal applicants were deemed unqualified to receive COM approval or had their approval revoked during the first quarter of FY 2022. Applicants whose COM applications are denied or revoked can submit one appeal within 120 days of receiving the denial or revocation letter.
- Fourteen principal applicants had a Form I-360 petition denied by USCIS during the first quarter of FY 2022.

## **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-immig-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.