



**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 fourth quarter (Q4) of Fiscal Year (FY) 2022 (July 1, 2022, to September 30, 2022)?

Iraqi Principal Applicants Issued in Q4	Iraqi Derivative Applicants Issued in Q4	Total Iraqi SIVs Issued in FY 2022 (October 1, 2021, through September 30, 2022)	Total Iraqi Numbers Used ¹	Remaining SIVs for Iraqi Principal Applicants
9	38	242	2,272	228

What efficiency improvements have been made to Iraqi SIV processing?

U.S. Embassy Baghdad continues to work toward a resumption of consular services to the public, including SIVs, 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 Embassy

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

Baghdad is beginning to resume very limited consular services to the public, including small numbers of immigrant visas (which includes SIVs) while it addresses additional security challenges.

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 depend solely on the applicant's initiative and are outside the control of the U.S. government. Additionally, within each step included below, 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 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.

	2	NVC reviews documents for completeness.	1	134 ⁴
	3	NVC sends completed application package to U.S. Embassy Baghdad.	N/A	N/A ⁵
	4	U.S. Embassy Baghdad reviews COM application and the 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	47	28
Visa Interview Process, including pre- and	7	NVC sends instruction packet to applicant requesting standard immigrant visa documentation,	8	9

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 because the program is over. It 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.

⁶ The deadline for Iraqi principal applicants to submit new applications for chief of mission 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.

post-interview ⁸		including DS-260 immigrant visa application.		
	8	Applicant submits required documentation to NVC.	Applicant-controlled	N/A
	9	NVC reviews documents for completeness, corresponding with applicant when additional documentation is needed.	115	35
	10	When the visa application is complete, NVC schedules applicant for next available interview at a U.S. Embassy. ⁹	43	7
	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	11

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.

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.	259	21
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	473	N/A

Why are applications pending longer 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, essential to the integrity of the SIV program and U.S. national security. The current high average reflects the fact that two long-outstanding cases from 2016 were closed in the current reporting period, and only 17 new cases entered this step. If those 2016 cases were omitted from these statistics, the average processing times for the remaining 19 cases would have been 52 days, a much lower figure. Because new cases are frequently resolved quickly, the resolution of complex long-outstanding cases coupled with the low number of

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.

quickly resolved new cases leads to an increased average when calculating processing times.

How many SIV applications are pending as of September 30, 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 – 42 Iraqi principal applicants had a Form I-360 petition pending with USCIS.

Step 10 – There are no principal applicants and no derivative family members pending scheduling for visa interviews.

Step 12 – Applications for 58 principal applicants and 33 family members were undergoing administrative processing as of September 30, 2022.

How many SIV applicants were interviewed in Q4 of FY 2022?

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 fourth quarter of FY 2022.

The following chart shows the number of Iraqi applicants who executed an application for an SIV at a visa interview in the fourth quarter of FY 2022 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
July	2	8	10
August	8	35	43
September	1	0	1
Total	11	43	54

How many denials were there in the Q4 of FY 2022?

No principal applicants were deemed unqualified to receive COM approval or had their approval revoked during the fourth 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.

USCIS denied 19 principal applicants' Form I-360 petition during FY 2022 Q4.

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.