



**Report to Congress on
Posting of the Afghan Special Immigrant Visa Quarterly Report on the
Department of State's Website
Section 1219 of the National Defense Authorization Act for Fiscal Year
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 Afghan special immigrant visa (SIV) program are committed to helping Afghans who have taken significant risks to support our military and civilian personnel. Congress, under section 602(b) of the Afghan Allies Protection Act of 2009, as amended, requires this quarterly report to review statistical data on nationals of Afghanistan who have applied for status as special immigrants.

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

Afghan Principal Applicants Issued in Q1	Afghan Derivative Applicants Issued in Q1	Total Afghan SIVs Issued in Q1	Total Afghan Numbers Used ¹	Remaining SIVs for Afghan Principal Applicants ²
816	2,445	3,261	21,194	17,306 ³

¹ Total number of visas issued to SIV principal applicants overseas combined with SIV numbers used through domestic adjustments of status since permanent numbers became available on November 25, 2015.

² Numbers remaining are preliminary and subject to change. They are accurate as of the date of publication and account for recaptured numbers.

³ The Consolidated Appropriations Act, 2023, as enacted on December 29, 2022, authorized 4,000 additional SIVs for Afghan principal applicants and extended the program through December 31, 2024.

What efficiency improvements have been made to Afghan SIV processing?

Effective July 20, 2022, State and DHS simplified and streamlined the SIV application process for Afghan applicants. New Afghan SIV applicants filing on or after July 20, 2022, only need to file one form with State, a revised form DS-157, as their SIV classification petition, instead of having to file the Form I-360, Petition for Special Immigrant Status, with U.S. Citizenship and Immigration Services (USCIS). For more information, see instructions on State's website on "Special Immigrant Visas for Afghans – Who Were Employed by/on Behalf of the U.S. Government".

In addition, on October 7, 2022, the National Visa Center (NVC) eliminated its pre-chief of mission (COM) backlog of emails and has maintained a response time of less than 10 business days on incoming inquiries in the pre-COM stage. See the chart below for the steps in the application process

To ensure individuals issued SIVs abroad can be issued their lawful permanent resident cards in the mail more quickly upon arrival to the United States, USCIS has been working in coordination with State to transition from a paper-based to an electronic-based process to more efficiently and swiftly share content between USCIS and State. Immigrant visa applicants with current family-based petitions can now complete all of their required pre-interview processes through the Consular Electronic Application Center website.

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

The stages and steps in the Afghan SIV application process are outlined below and include the current average processing time for each step, to include the time required by the relevant 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 the NVC and ending with the date of visa issuance at a U.S. embassy or consulate. It does not capture time taken for 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 listed below likely overestimates the total processing time solely attributable to the U.S. government entities involved.

Special Immigrant Visa (SIV) Processing Steps ^{4,5}				
Stage	Step	Description	Average processing time in calendar days	Number of Cases Processed
Chief of Mission (COM) application process	1	Applicant submits COM application package to State's NVC. ⁶	Applicant-controlled	N/A
	2	NVC reviews documents for completeness.	11 ⁷	194,984 ⁸

⁴ Processing steps are for SIVs authorized under section 602(b) of the Afghan Allies Protection Act of 2009, as amended. Afghan nationals processed under 602(b) are given the SQ SIV classification.

⁵ Previous versions of this report listed 14 steps. During the first quarter of FY 2022, Step 5 "The ACOM advises NVC if the application is approved. If approved, NVC immediately sends approval letter to applicant" was fully automated and no longer requires manual processing. For this reason, as noted in the report covering the first quarter of FY 2022, the Department will no longer include this step in reporting.

⁶ At this stage, the applicant has contacted NVC to express interest in the program and provide the documents necessary to begin processing.

⁷ The Afghan evacuation in August 2021 resulted in a significant increase of emails sent to the Afghan Chief of Mission application mailbox at the NVC: 350,000 in six weeks, which increased to more than 500,000 by the end of 2021. Not all these emails were related to an SIV application. The unprecedented volume of received emails necessitated the development of a new case management system and bringing on additional staff to address the backlog; as of September 30, 2022, NVC had 204 case processors working to eliminate the backlog at the pre-COM stage. Although the average processing time grew during this quarter, the NVC made significant progress in eliminating the backlog and reducing processing times. The backlog at the pre-COM stage was eliminated in its entirety and normal processing times were met on October 7.

⁸ This number reflects the number of case reviews conducted by the NVC within the quarter. The NVC 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 NVC because an individual case might be reviewed multiple times in a single quarter.

Special Immigrant Visa (SIV) Processing Steps ^{4,5}				
Stage	Step	Description	Average processing time in calendar days	Number of Cases Processed
	3	NVC sends completed application package to the Afghan COM designee. ⁹	1	36,771
	4	COM staff reviews the COM application and DS-157 petition for special immigrant status and the COM or COM Designee makes a decision. The applicant is automatically informed of the decision. ¹⁰	101	3,975
Form I-360 adjudication process	5	Applicant self-petitions to DHS U.S. Citizenship and Immigration Services (USCIS) using Form I-360. ¹¹	Applicant-controlled	N/A

⁹ COM approval may be provided by the “appropriate Chief of Mission, or the designee of the appropriate Chief of Mission” (See Afghan Allies Protection Act of 2009 (Public Law 111-8), Section 602(b)(2)(D)). ACOM was the COM’s designee throughout this reporting period. Since the COM dissolved the COM Committee on August 19, 2021, ASIV sends COM approval agendas directly to the ACOM for a decision.

¹⁰ The COM Approval process involves verifying the SIV applicant’s ability to qualify for special immigrant status based on the information submitted in Step 1 above. This process may require input from third parties. Accordingly, the length of time spent at this stage may vary depending on the responsiveness of such third parties, as well as other factors.

¹¹ Certain applicants, such as those already in the United States who had filed an unsigned DS-157 or applicants anywhere in the world who had not filed a DS-157 at all, will need to file an I-360 to petition for special immigrant status. Additionally, applicants who filed an I-360 before July 20, 2022, are required to await a USCIS decision on their I-360; they may not switch to the DS-157 petition process.

Special Immigrant Visa (SIV) Processing Steps ^{4,5}				
Stage	Step	Description	Average processing time in calendar days	Number of Cases Processed
	6	USCIS adjudicates petition and sends to NVC if approved. ¹²	41 ¹³	809
Visa interview process, including pre- and post-interview ¹⁴	7	NVC sends instruction packet to applicant requesting standard immigrant visa documentation, including Form DS-260.	15	2,566
	8	Applicant submits required documentation to NVC.	Applicant-controlled	N/A
	9	NVC reviews documents for completeness; corresponds with applicant when additional documentation is needed.	97 ¹⁵	91,198 ¹⁶

¹² Form I-360 petitions filed with USCIS between October 1, 2022, and December 31, 2022. Since the transition of the adjudication of I-360 petitions to Department of State on July 20, 2022, there have been decreasing numbers of receipts to USCIS.

¹³ As of Q4 2022, the methodology for calculating the average processing time reflects the average time it took USCIS to adjudicate an I-360 petition completed in the quarter; the processing time which is calculated from the date USCIS receives the petition to the date a final adjudicative decision is rendered on the petition (i.e., approved, denied or administratively closed). Petitions where a request for evidence ("RFE") or notice of intent to deny ("NOID") was sent to the petitioner prior to final decision are filtered out of the processing time calculation. The petitioner's response time to the RFE or NOID is not calculated as part of the USCIS processing time.

¹⁴ The majority of applicants receive special immigrant status by going through the process explained in this chart. Applicants who obtain special immigrant status in the United States apply for adjustment of status from USCIS.

¹⁵ The Afghan evacuation in August 2021 resulted in a significant increase in the number Afghan SIV applications submitted to the NVC.

¹⁶ As in Step 2, this number reflects the number of case reviews conducted by the NVC. The NVC 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 NVC because an individual case might be reviewed multiple times in a single quarter.

Special Immigrant Visa (SIV) Processing Steps ^{4,5}				
Stage	Step	Description	Average processing time in calendar days	Number of Cases Processed
	10	When the immigrant visa application is complete, and when the desired post of interview communicated to NVC by the applicant has interview availability, NVC schedules applicant for interview at a U.S. embassy or consulate. ¹⁷	38 ¹⁸	510
	11	Applicant is interviewed and biometrics are collected by consular officer on the scheduled appointment date. Administrative processing, if needed, is initiated following the interview. ¹⁹	N/A	1,500 ²⁰

¹⁷ This number only includes interviews scheduled by the NVC immediately following the case being documentarily completed. It does not include the interviews scheduled locally by an embassy or consulate following a case transfer from Embassy Kabul. Since the U.S. Embassy in Kabul suspended visa operations on August 31, 2021, NVC has been scheduling SIV applicants for visa interviews at any immigrant visa processing U.S. embassy or consulate in the world where the applicant is able to appear.

¹⁸ NVC schedules interviews for documentarily complete applicants who can appear at a designated immigrant visa processing post for an interview. In some cases, a lengthy period of time may elapse before an applicant notifies NVC that they are able to travel to such a post. Although the applicant's ability to travel to a third country post is outside State's control, this figure nonetheless includes the time periods during which applicants are documentarily complete, but are unable to travel to a designated immigrant visa processing post for an interview. Therefore, the average processing time for Step 10 is overinclusive and reflects time during which the applicant is not waiting for government-controlled action.

¹⁹ Administrative processing may include a variety of security, fraud, or criminal background checks that are required before the visa may be issued.

²⁰ Line 11 reflects the number of SQ SIV principal applicant interviews conducted at embassies or consulates worldwide.

Special Immigrant Visa (SIV) Processing Steps ^{4,5}				
Stage	Step	Description	Average processing time in calendar days	Number of Cases Processed
	12	The applicant's case undergoes administrative processing, if required. ²¹	10	1,904
Visa issuance to eligible applicants	13	Upon completion of administrative processing, the visa is issued if applicant is eligible.	Applicant-controlled	N/A
		Total U.S. government processing time in calendar days²²	314	N/A

Why are applications pending longer than nine months in U.S. government-controlled stages of the SIV application?

The U.S. Embassy in Kabul, Afghanistan, suspended operations on August 31, 2021. Nevertheless, the U.S. government continues to process SIV applications at all stages, and applicants may request a visa interview at any U.S. embassy or consulate outside Afghanistan where they are able to appear. The average processing time at Step 10 includes days that are not under the control of the U.S. government; these days include when an application is documentarily complete, but the applicant has not communicated to the government which U.S. embassy or consulate the applicant has selected for the required visa interview, or when the applicant

²¹ Line 12 totals include data for SIV applicants who completed administrative processing between July 1, 2022, and September 30, 2022. 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.

²² 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.

is scheduled for a visa interview but is unable to travel to the interview. Steps two and three also include time that is not under the control of the U.S. government; these steps often entail multiple email exchanges between NVC and the applicants regarding required documentation. For example, significant time may elapse between when NVC requests additional documents and when the applicant provides them.

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

Step One – There were 76,778 principal applicants who had submitted some, but not all, of the documents required to apply for COM approval.

Step Four – There were 62,919 principal applicants who were pending COM approval. These applicants submitted all their documents and were being reviewed for COM approval.

Step Six – There 288 principal applicants who had Form I-360 petitions pending with the USCIS.

Step 10 – There were 7,200 principal applicants and 34,151 derivative family members who were pending scheduling of visa interviews. Applicants outside of Afghanistan may be interviewed at any U.S. embassy or consulate that adjudicates immigrant visa applications.

Step 12 – Applications for approximately 183 principal applicants and 212 derivative family members were undergoing administrative processing.

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

In Q1 of FY 2023, 1,500 Afghan SIV principal applicants who received COM approval were interviewed at a U.S. embassy or consulate. This number does not include applicable derivative family members. As of FY 2023, 56 consular posts worldwide interviewed at least one Afghan SIV applicant. Of these, the vast majority of interviews were conducted by the U.S. Mission

to Afghanistan in Doha, Qatar and U.S. Embassies in Abu Dhabi and Islamabad.

The following chart shows the number of Afghan nationals who underwent a visa interview in the first quarter of FY 2023 as part of their application for an SIV under section 602(b) of the Afghan Allies Protection Act of 2009, as amended.

Month	Principal Applicants	Derivative Family Members	Total
October	332	1,106	1,438
November	384	1,230	1,614
December	784	2,294	3,078
Total	1,500	4,630	6,130

How many denials were there in Q1 of FY 2023?

At the end of this quarter, the following numbers of applications were denied at one of the application stages:

There were 2,044 Afghan principal applicants who were deemed unqualified to receive COM approval or had the approval revoked during the first quarter of FY 2023. Applicants whose COM applications are denied or revoked may appeal the decision once within 120 days of notification, or thereafter at the discretion of the Secretary of State. In the first quarter of FY 2023, 401 appeals were adjudicated. Of the appeals adjudicated during this quarter, 142 were approved after the applicant submitted additional information.

USCIS denied 175 principal applicants' Form I-360 petition during the first quarter of FY 2023.

What are the reasons for a COM denial?

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

Failure to establish qualifying employment by or on behalf of the U.S. government, or by the International Security Assistance Force (ISAF) or a successor mission. 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-visa-afghans-employed-us-gov.html>.

Insufficient documentation. Applications are denied for this reason if the applicant fails to provide a required document, or if there is a deficiency in a document provided by the applicant.

Failure to establish at least one year of employment by or on behalf of the U.S. government, or by ISAF or a successor mission, during the period specified in section 602(b) of the Afghan Allies Protection Act of 2009, as amended.

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.