



Annual Report on the Use of Special Immigrant Status for Citizens or Nationals of Afghanistan or Iraq

Fiscal Year 2021

Report to Congress



Homeland
Security

*U.S. Citizenship and
Immigration Services*



**Homeland
Security**

Message from the Assistant Secretary

June 14, 2022

I am pleased to submit the Annual Report on the Use of Special Immigrant Status for Citizens or Nationals of Afghanistan or Iraq, fiscal year (FY) 2021, prepared by U.S. Citizenship and Immigration Services.

Pursuant to congressional requirements, this report is being provided to the following Members of Congress:

The Honorable Adam Smith
Chairman, House Committee on Armed Services

The Honorable Mike Rogers
Ranking Member, House Committee on Armed Services

The Honorable Gregory W. Meeks
Chairman, House Committee on Foreign Affairs

The Honorable Michael McCaul
Ranking Member, House Committee on Foreign Affairs

The Honorable Jerrold Nadler
Chairman, House Committee on the Judiciary

The Honorable Jim Jordan
Ranking Member, House Committee on the Judiciary

The Honorable Jack Reed
Chairman, Senate Committee on Armed Services

The Honorable James M. Inhofe
Ranking Member, Senate Committee on Armed Services

The Honorable Robert Menendez
Chairman, Senate Committee on Foreign Relations

The Honorable Jim Risch
Ranking Member, Senate Committee on Foreign Relations

The Honorable Richard Durbin
Chairman, Senate Committee on the Judiciary

The Honorable Chuck Grassley
Ranking Member, Senate Committee on the Judiciary

Inquiries relating to this report may be directed to me at (202) 447-5890.

Sincerely,

A handwritten signature in cursive script that reads "Alice Lugo".

Alice Lugo
Assistant Secretary for Legislative Affairs

Executive Summary

This report fulfills the requirement set forth in Section 602(b)(11) of the Afghan Allies Protection Act of 2009, title VI of division F of the Omnibus Appropriations Act, 2009, Pub. L. 111-8. The statutory requirement is for the Secretary of Homeland Security to report annually on the number of citizens or nationals of Afghanistan and Iraq who have applied for status as special immigrants under the Afghan Allies Protection Act of 2009 or under the Refugee Crisis in Iraq Act of 2007, subtitle C of title XII of division A of the National Defense Authorization Act for Fiscal Year 2008, Pub. L. 110-181.

This report covers activity during fiscal year (FY) 2021 (October 1, 2020, through September 30, 2021). It provides data from U.S. Citizenship and Immigration Services (USCIS) showing the number of special immigrant petitions filed by Iraqis and Afghans pursuant to the aforementioned statutes in FY 2021 and the numbers of such petitions that were approved and denied.



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I. Legislative Requirement

This report fulfills the requirement set forth in Section 602(b)(11) of title VI of division F of the Omnibus Appropriations Act, 2009, Pub. L. 111-8, also known as the Afghan Allies Protection Act of 2009. The statutory reporting requirement is as follows:

SEC. 602(b)(11). ANNUAL REPORT ON USE OF SPECIAL IMMIGRANT STATUS.—

- (A) **REQUIREMENT.**—Not later than 120 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Homeland Security shall submit to the appropriate committees of Congress a report on the number of citizens or nationals of Afghanistan or Iraq who have applied for status as special immigrants under this subsection or section 1244 of the Refugee Crisis in Iraq Act of 2007 (Public Law 110-181; 122 Stat. 396).
- (B) **CONTENT.**—Each report required by subparagraph (A) submitted in a fiscal year shall include the following information for the previous fiscal year:
 - (i) The number of citizens or nationals of Afghanistan or Iraq who submitted an application for status as a special immigrant pursuant to this section or section 1244 of the Refugee Crisis in Iraq Act of 2007 (Public Law 110-181; 122 Stat. 396), disaggregated—
 - (I) by the number of principal aliens applying for such status; and
 - (II) by the number of spouses and children of principal aliens applying for such status.
 - (ii) The number of applications referred to in clause (i) that—
 - (I) were approved; or
 - (II) were denied, including a description of the basis for each denial.

II. Data Report

Cases Pursuant to Section 1244 of the Refugee Crisis in Iraq Act of 2007 and Section 602 of the Afghan Allies Protection Act of 2009

The table below shows the number of individuals who applied for status as special immigrants in FY 2021 under the programs authorized by Section 1244 of the Refugee Crisis in Iraq Act of 2007 and Section 602(b) of the Afghan Allies Protection Act of 2009.

FY 2021

	Section 1244 of the Refugee Crisis in Iraq Act of 2007		Section 602(b) of the Afghan Allies Protection Act of 2009		Grand Total
	Iraqis		Afghans		
	Principals	Dependents ¹	Principals	Dependents ¹	
Visas Issued / Adjustment of Status ²	15	43	1,952	6,839	8,849
Conditional Visas Issued / Conditional Adjustment of Status ³	0	0	260	1,042	1,302
I-360 Petitions Filed ⁴	79	N/A	8,020	N/A	8,099
I-360 Approved	13	N/A	4,955	N/A	4,968
I-360 Denied ⁵	16	N/A	24	N/A	40
I-360 Admin Closed ⁶	3	N/A	49	N/A	52
I-360 Revoked ⁷	0	N/A	2	N/A	2

¹ USCIS adjudicates Form I-360, Petition for Amerasian, Widow(er), or Special Immigrant, for Iraqi and Afghan principal applicant only. USCIS does not adjudicate Form I-360 petitions for dependents. Qualifying family members are considered at the time of the principal applicant's interview process overseas by the appropriate U.S. embassy or consulate or when the dependent adjusts status through the filing and approval of Form I-485.

² This data represents visas issued by the Department of State (DOS) and USCIS adjustments of status in FY 2021, which may include visas for principal applicants whose I-360 petitions were approved prior to FY 2021.

³ Conditional SQ Visa Category (CQ) – Certain Afghan special immigrant visa (SIV) applicants who were physically present in Afghanistan and had completed all steps of the Afghan SIV application process except for the panel physician exam, and were deemed eligible, were issued CQ visas pursuant to a medical exam waiver authorized by the Secretary of State and the Secretary of Homeland Security in August 2021.

⁴ Some petitions approved, denied, admin closed, or revoked may have been received in the previous reporting period.

⁵ This data refers to the petitions denied due to the following reasons: lack of valid Chief of Mission approval letter; lack of proper identification; failure to sign the I-360; lack of valid supervisor or flag officer's letter of recommendation; and failure to respond to a Request for Evidence issued by USCIS in the course of its adjudication of the I-360 petition. It does not include the number of visa requests denied by DOS.

⁶ Admin Closed refers to petitions that have been closed for reasons not related to the petitioner's eligibility (petitioner withdrew petition, government discovered multiple petitions from same petitioner, interview cancelled at petitioner's request without prejudice to refiling, etc.).

⁷ All I-360 petition revocations were based on recommendations from a U.S. embassy or consulate following revocation of the COM approval, a requirement for approval of the I-360 petition.

NOTE: The preceding table captures only cases filed and those with a final adjudicative action—approved, denied, administratively closed, or revoked—during the given fiscal year per the statutory reporting requirement. The table in this report does not capture additional steps in the special immigrant process that are managed by the Department of State (DOS). For

information pertaining to the DOS special immigrant visa process and related statistics, please refer to the following:

- <https://travel.state.gov/content/travel/en/us-visas/immigrate/special-immg-visa-afghans-employed-us-gov.html>
- <https://travel.state.gov/content/travel/en/us-visas/immigrate/special-immg-visas-iraqis-employed-us-gov.html>
- <https://travel.state.gov/content/travel/en/legal/visa-law0/visa-statistics/immigrant-visa-statistics.html>