



Office of Inspector General
United States Department of State

AUD-MERO-23-01

Office of Audits

October 2022

Compliance Follow-Up Review of the Afghan Special Immigrant Visa Program

MIDDLE EAST REGION OPERATIONS



HIGHLIGHTS

Office of Inspector General
United States Department of State

AUD-MERO-23-01

What OIG Reviewed

Following the Department of State (Department) evacuation and suspension of operations at U.S. Embassy Kabul, Afghanistan, on August 31, 2021, multiple congressional committees requested that the Office of Inspector General (OIG) review the status of previous OIG recommendations made concerning the Afghan Special Immigrant Visa (SIV) program. In June 2020, OIG reported¹ that the Bureau of Consular Affairs' (CA) method for collecting, verifying, and reporting Afghan SIV application processing times was inconsistent and potentially flawed. In that report, OIG made three recommendations to CA to address deficiencies. In June 2020, OIG also reported² that the Department's staffing was insufficient to reduce the Afghan SIV application backlog and contributed to delays in processing Afghan SIVs. In addition, the Department lacked a centralized database to document the identity of Afghan SIV applicants and relied on multiple interoperable IT systems. OIG made six recommendations to address deficiencies. OIG conducted this compliance follow-up review from January to July 2022 to determine whether the Department's actions to implement recommendations from OIG's prior review of the Afghan SIV program improved the deficiencies identified.

What OIG Recommends

OIG is closing the remaining prior open recommendation and made nine new recommendations that are intended to further improve the Afghan SIV program. On the basis of the Department's response to a draft of this report, OIG considers three recommendations unresolved and six recommendations resolved, pending further action. A synopsis of the Department's comments and OIG's reply follow each recommendation in the Results section. The Department's response is reprinted in Appendix D and OIG's reply is in Appendix E.

October 2022

OFFICE OF AUDITS

MIDDLE EAST REGION OPERATIONS

Compliance Follow-Up Review of the Afghan Special Immigrant Visa Program

What OIG Found

CA's actions to address prior OIG recommendations provided minor improvements to quarterly reporting but did not improve methods for collecting or verifying Afghan SIV application processing times. Specifically, CA established a standard operating procedure (SOP) for calculating the average processing time for Afghan SIV applications. However, the Department continued to use inconsistent methods for calculating average processing times because the SOP did not provide sufficiently detailed guidance and did not encompass the entire Afghan SIV process. In addition, although CA included explanations in its quarterly reports for failures to process applications within 9 months, the Department lacked internal controls for verifying Afghan SIV data, resulting in inaccurate information. Failure to report accurate processing times hinders Department leadership's ability to address program deficiencies and make timely improvements.

OIG also found that, despite taking some recommended actions, the Department continues to face a significant Afghan SIV application backlog. Specifically, the Department appointed an SIV Senior Coordinating Official (SCO), conducted a multi-bureau staffing assessment, utilized a Department of Defense (DoD) database for employment verification, and provided protections to Afghans in imminent danger through safe havens and humanitarian parole.

Notwithstanding these actions, OIG found the SCO is not sufficiently coordinating and monitoring the implementation of improvements to the SIV program. In addition, the SCO did not ensure sufficient staffing to address the Afghan SIV application backlog. The Department has also struggled to complete applicant employment verification because of limited coordination with DoD. Furthermore, the Department has not prioritized SIV functionality within its consular system modernization process. These deficiencies have contributed to Afghan SIV applicant processing times exceeding the 9-month goal set by Congress and may have delayed vulnerable Afghan allies from reaching safety in the United States.

¹ OIG, *Management Assistance Report: Quarterly Reporting on Afghan Special Immigrant Visa Program Needs Improvement* (AUD-MERO-20-34, June 2020).

² OIG, *Review of the Afghan Special Immigrant Visa Program* (AUD-MERO-20-35, June 2020).

CONTENTS

OBJECTIVE	1
BACKGROUND	1
The Afghan SIV Program	2
Results and Compliance Status of the 2020 OIG Review of the Afghan SIV Program	4
REVIEW RESULTS	8
Finding A: The Department Made Minor Improvements to the Reporting of Afghan Special Immigrant Visa Application Processing Times	8
Finding B: The Department Took Some Actions To Improve the Afghan Special Immigrant Visa Process, but a Significant and Increasing Application Backlog Remains	19
RECOMMENDATIONS	34
APPENDIX A: PURPOSE, SCOPE, AND METHODOLOGY	36
Data Reliability	37
Work Related to Internal Control	38
Prior Office of Inspector General Reports	39
APPENDIX B: CONGRESSIONAL REQUEST LETTERS	41
APPENDIX C: AFGHAN SPECIAL IMMIGRANT VISA PROCESS	48
APPENDIX D: DEPARTMENT OF STATE RESPONSE	49
Tab 1 – Comments on Compliance Follow Up Review	61
APPENDIX E: OIG REPLY TO COMMENTS FROM THE DEPARTMENT OF STATE	75
ABBREVIATIONS	84
OIG REVIEW TEAM MEMBERS	85

OBJECTIVE

The Department of State (Department), Office of Inspector General (OIG), conducted this compliance follow-up review from January to July 2022 in response to specific congressional questions involving the Afghan Special Immigrant Visa (SIV) process¹ to determine whether the Department's actions to implement recommendations from OIG's prior review of the Afghan SIV program² improved deficiencies identified. This review did not re-audit the findings from previous OIG reports; rather, this review assessed whether the Department's actions to implement OIG's previous recommendations improved the SIV program. In addition, when conducting this follow-up review, to determine whether the recommendations previously offered remained relevant to improving the SIV program, OIG considered the significant events that occurred during the summer of 2021, including the suspension of operations at U.S. Embassy Kabul, Afghanistan, and the resulting surge in Afghan SIV applications.³

BACKGROUND

On April 14, 2021, President Biden announced plans to complete the U.S. military withdrawal from Afghanistan by September 11, 2021. As the Taliban entered Kabul on August 15, 2021, the Afghan President fled the country, and the country's security forces collapsed. In response, the U.S. Department of State and Department of Defense (DoD) evacuated U.S. citizens, lawful permanent residents, and allies, including Afghan SIV applicants, from Afghanistan. After the evacuation, the Department suspended operations at Embassy Kabul on August 31, 2021, and moved some of its operations to Doha, Qatar, in September 2021. By May 2022, there was a backlog of 61,888 principal Afghan SIV applicants⁴ in process with an additional 325,000

¹ This report is part of a series in response to congressional committee requests for an OIG review of the Afghan SIV program, the refugee admission and resettlement process, the resettlement of visa recipients, and factors under consideration to relocate processing capabilities away from Embassy Kabul. For the full text of the congressional letters, see Appendix B of this report.

² OIG, *Management Assistance Report: Quarterly Reporting on Afghan Special Immigrant Visa Program Needs Improvement* (AUD-MERO-20-34, June 2020); OIG, *Review of the Afghan Special Immigrant Visa Program* (AUD-MERO-20-35, June 2020).

³ In response to a draft of this report, the Department questioned why OIG previously found its corrective actions "sufficient" to close the prior recommendations but no longer considered that to be the case (see Appendix D). As explained throughout this report, the scope of this review was from January to July 2022 and focused on whether the Department's actions to address OIG's prior recommendations had in fact improved the SIV program.

⁴ 9 Foreign Affairs Manual (FAM) 502.1-1(C)(1), "Principal Applicants/Beneficiaries," states that a principal applicant, or beneficiary, is the applicant on whose behalf a petition can be filed directly. The principal is the applicant who qualifies for the program on their own merits. The derivatives qualify based on their relationship to the principal. 9 FAM 502.1-1(C)(2), "Derivative Applicants/Beneficiaries." For SIV principal applicants, eligible derivatives include a spouse and children under 21. 8 United States Code (U.S.C.) § 1101 note, "Afghan Allies Protection," § 602(b)(2)(B). Department officials stated that there is an estimated average of 4.2 derivative eligible family members per principal applicant. This is an average of all principal applicants, including single individuals and those who apply with multiple derivative applicants (e.g., spouse, parents, and children).

unopened emails in the SIV application email inbox. Processing times⁵ for Afghan SIV applicants have consistently exceeded guidelines,⁶ with applications stalled at various stages of the process.

Following the evacuation and suspension of operations at Embassy Kabul, multiple congressional committees requested that OIG review a range of topics regarding the Afghan SIV program.⁷ OIG is issuing a series of reports in response to the requests. This report responds to specific congressional questions involving the status of recommendations OIG made to the Department in its June 2020 reports of the Afghan SIV program. The congressional requests are reprinted in Appendix B.

The Afghan SIV Program

In 2009, Congress established a visa program to resettle Afghans who worked on behalf of the United States in Afghanistan and experienced an ongoing and serious threat as a result of their employment with the U.S. government.⁸ The Afghan Allies Protection Act of 2009 authorized visas, also known as SIVs, to Afghans who were or are “employed by or on behalf of, the [U.S.] Government in Afghanistan . . . ; provided faithful and valuable service to the [U.S.] Government . . . ; and [have] experienced or [are] experiencing an ongoing serious threat as a consequence of [their] employment by the [U.S.] Government.”⁹ The Act stipulates that Afghan SIV processing “should be completed” within a period of 9 months, with some exceptions related to national security concerns.¹⁰

Roles and Responsibilities

Multiple Department, DoD, and Department of Homeland Security (DHS) offices carry out Afghan SIV application processing. The Department is responsible for gathering applicants’ employment and biographic information, notifying applicants whether they meet Afghan SIV program requirements, conducting visa interviews, and ultimately issuing SIVs. DoD assists in

⁵ Although the Afghan Allies Protection Act of 2009 refers to the period of time an applicant is going through the Afghan SIV process as “wait time,” for the purposes of this report, OIG will refer to this period as “processing time.” 8 U.S.C. § 1101 note, “Afghan Allies Protection,” § 602(b)(11)(B)(vi).

⁶ Afghan Allies Protection Act of 2009 states that SIV processing “should be completed not later than 9 months after the date on which an eligible alien submits all required materials to complete an application for such visa,” with some exceptions. 8 U.S.C. § 1101 note, “Afghan Allies Protection,” § 602(b)(4)(A).

⁷ Letter from Rep. Ami Bera, M.D., Chairman, Subcommittee on Asia, the Pacific, Central Asia, and Nonproliferation, September 30, 2021; Letter from James E. Risch, Ranking Member, Senate Foreign Relations Committee; James M. Inhofe, Ranking Member, Senate Armed Services Committee; and Rob Portman, Ranking Member, Senate Homeland Security and Governmental Affairs Committee, October 21, 2021.

⁸ Afghan Allies Protection Act of 2009, Public Law 111-8, March 11, 2009, § 602(b), codified at 8 U.S.C. § 1101 note, “Afghan Allies Protection.”

⁹ Ibid.

¹⁰ 8 U.S.C. § 1101 note, “Afghan Allies Protection,” § 602(b)(4)(A); Section 602(b)(4)(B), clarifies that “nothing in this section shall be construed to limit the ability of a Secretary . . . to take longer than 9 months to complete those steps incidental to the issuance of such visas in high-risk cases for which satisfaction of national security concerns requires additional time.”

the employment verification process, and DHS classifies applicants as special immigrants. Roles and responsibilities include the following:

- *Senior Coordinating Official (SCO)*: The Department is required to designate an SCO to oversee the Afghan SIV program.¹¹ The SCO, a position currently held by the Deputy Secretary of State for Management and Resources, is required to develop proposals to improve the efficiency and effectiveness of the Afghan SIV program, coordinate and monitor implementation of those improvements, and include these improvements in their reports to Congress.¹² The SCO is also responsible for coordinating with DoD and DHS on interagency Afghan SIV-related matters.¹³
- *Bureau of Consular Affairs (CA)*: Within CA, two offices are involved in processing Afghan SIVs: the National Visa Center (NVC) and the Directorate of Visa Services. NVC, located in Portsmouth, NH, acts as the primary public facing organization within the Department during the Afghan SIV process and is responsible for gathering initial application data and documents to create a new case for an Afghan SIV. In addition, NVC routes the application to the next review phase after processing is complete in each phase of the program.¹⁴ NVC also communicates approval or denial to applicants and schedules their visa interviews. The Directorate of Visa Services is responsible for all visa policies, procedures, and information related to U.S. visa issuance to foreign citizens.
- *Afghan Special Immigrant Visa (ASIV) Unit*: The ASIV Unit was created in 2016 within the Executive Office for the Bureau of Near Eastern Affairs and Bureau of South and Central Asian Affairs (NEA-SCA/EX), to address the Chief of Mission (COM) approval phase of the Afghan SIV process.¹⁵ The ASIV Unit makes recommendations to the COM as to whether the principal applicant meets the Afghan SIV program's employment requirement, and the COM determines whether program requirements were met. COM approval indicates that the

¹¹ 8 U.S.C. § 1157 note, "Iraq Refugee Crisis," § 1248(h)(1).

¹² Beginning in 2014, Secretaries of Homeland Security and State are required to publish quarterly reports on the Department's website, which describes "the average wait times for an applicant" for four phases: (1) receiving approval from the Chief of Mission (COM), (2) completing the adjudication of form I-360, (3) conducting a visa interview, and (4) issuing the visa to an eligible applicant. National Defense Authorization Act for Fiscal Year 2014 (FY 2014 NDAA), Public Law 113-66, December 26, 2013, § 1219, codified at 8 U.S.C. § 1101 note, "Afghan Allies Protection," § 602(b)(12).

¹³ The FY 2014 NDAA specifically required the Department, DHS, and DoD each to designate SCOs with "sufficient expertise, authority, and resources, to carry out the duties" of the position (Public Law 113-66, § 1218(3), "SENIOR COORDINATING OFFICIALS," codified at 8 U.S.C. § 1157 note, "Iraq Refugee Crisis"). Accomplishment of many of the duties described in the FY 2014 NDAA requires coordination among all three agencies (e.g., the production of a joint report to Congress that describes improvements made on how SIV applications are processed). Accordingly, as the senior officials responsible for overseeing the program, the three agency SCOs necessarily must ensure that coordination is occurring and is effective.

¹⁴ See Appendix C for a flow chart of the entire Afghan SIV process by phase.

¹⁵ In response to a draft of this report, the Department noted that although the ASIV Unit was created in 2016, "a similar group had been supporting the COM approval process from within the Management Section of Embassy Kabul" before the function was transferred to the ASIV Unit.

COM, or the COM's designee, has determined that the applicant has met all requirements for COM approval as set forth in the Afghan Allies Protection Act of 2009, as amended.¹⁶

- *Afghanistan Affairs Unit (AAU) in Doha, Qatar:* Following the United States' withdrawal from Afghanistan, Embassy Kabul shifted operations to Doha, Qatar. In February 2022, the Department officially established the AAU as a remote diplomatic mission focused on Afghanistan issues. AAU consular staff operate from U.S. Army Base, Camp As Sayliyah, in Doha to process Afghan SIV applications, including issuing visas to applicants who successfully complete all steps of the Afghan SIV program.
- *DoD:* During the COM approval process, the applicant provides letters of employment and recommendation to demonstrate employment eligibility for the Afghan SIV program. To confirm employment eligibility, DoD verifies the authenticity of the applicant's letter of employment and status for applicants employed by or on behalf of DoD.
- *DHS:* Within DHS, U.S. Citizenship and Immigration Services (USCIS) processes each Afghan SIV applicant's I-360 form,¹⁷ which is used to classify an applicant as a Special Immigrant.

Results and Compliance Status of the 2020 OIG Review of the Afghan SIV Program

In its June 2020 management assistance report¹⁸ on the Department's reporting requirements under the FY 2014 National Defense Authorization Act (FY 2014 NDAA), OIG found that the method for collecting, verifying, and reporting on Afghan SIV applicant "[processing] times" was inconsistent and potentially flawed. To address the deficiencies identified, OIG made three recommendations to CA to improve the Afghan SIV reporting process. Table 1 shows the recommendations from the June 2020 management assistance report.

Table 1: Recommendations From AUD-MERO-20-34

Recommendation Number and Text	
1	OIG recommends that the Assistant Secretary for Consular Affairs develop and implement guidance for the entities involved with the processing of Afghan special immigrant visas that establishes a uniform method to be used for calculating and reporting average wait times.

¹⁶ The Department noted in response to a draft of this report that, as of July 20, 2022, the COM approval letter also serves as an approval of the DS-157, Petition for Special Immigrant Classification for Afghan SIV Applicants.

¹⁷ I-360, Petition for Amerasian, Widow(er), or Special Immigrant, is a form issued by USCIS. It is called a "petition," because it starts the process of applying for a permit allowing a foreign national to live and work in the United States.

¹⁸ AUD-MERO-20-34, June 2020.

Recommendation Number and Text

-
- 2 OIG recommends that the Assistant Secretary for Consular Affairs direct the Immigration and Employment Division to comply with the reporting requirements outlined in the Afghan Allies Protection Act of 2009, as amended, including providing detailed explanations for the failure to process any applications that have been pending for longer than 9 months, consistent with the requirements established in the National Defense Authorization Act of FY 2014, Section 1219, Paragraph 12, Reports on Improvements.
-
- 3 OIG recommends that the Assistant Secretary for Consular Affairs develop and implement internal management controls to verify and validate the accuracy and completeness of the information obtained from the entities involved with the processing of Afghan special immigrant visas, and require that identified efficiency improvements are reported quarterly, in accordance with the Afghan Allies Protection Act of 2009, as amended.
-

Source: Generated by OIG based on recommendations contained in AUD-MERO-20-34.

In June 2020, OIG also completed a congressionally requested report¹⁹ on obstacles to effective implementation and improvements of the Afghan SIV program. OIG reported, among other deficiencies, that staffing shortfalls and a lack of a centralized database to effectively document the identity of locally employed staff and contractors were impediments to meeting the statutory goal of issuing Afghan SIVs within a 9-month timeframe. To address the deficiencies, OIG made a total of six recommendations to the Secretary of State and the SCO intended to improve the Afghan SIV process. Table 2 shows the recommendations from the June 2020 report.

Table 2: Recommendations From AUD-MERO-20-35

Recommendation Number and Text

-
- 1 OIG recommends that the Secretary of State or his designee, in accordance with the FY 2014 National Defense Authorization Act, appoint a Senior Coordinating Official (Special Immigrant Visa Coordinator) to oversee all aspects of the special immigrant visa program, including operations within the Bureau of Consular Affairs, the Bureau of Near Eastern Affairs, and the Bureau of South and Central Asian Affairs, and in coordination with the Department of Defense and the Department of Homeland Security.
-
- 2 OIG recommends that the Senior Coordinating Official assess staffing levels at each stage of the Afghan Special Immigrant Visa program and report to OIG how the Department of State plans to (a) reduce the backlog of Afghan Special Immigrant Visa applicants to comply with the 9-month timeframe established by Congress, (b) maintain special immigrant visa staffing at an appropriate level to comply with the 9-month timeframe established by Congress, and (c) incorporate this information into congressional reporting.
-
- 3 OIG recommends that the Senior Coordinating Official evaluate the staffing level at the Office of Screening, Analysis, and Coordination and determine the appropriate staffing needed to review applications.
-

¹⁹ AUD-MERO-20-35, June 2020.

Recommendation Number and Text

- 4 OIG recommends that the Secretary of State or his designee, in consultation with the Secretary of Defense, the Administrator of U.S. Agency for International Development, and the Secretary of Homeland Security, re-examine options for establishing a unified database of information related to personnel conducting work on executive agency contracts, grants, or cooperative agreements that can be used to adjudicate special immigrant visas or, alternatively, use an existing database such as the Synchronized Predeployment and Operational Tracker.
 - 5 OIG recommends that the Secretary of State or his designee direct an evaluation to determine if legacy systems should be updated or made interoperable or if a new system should instead be developed to minimize redundancy in data entry. The evaluation results should include (a) deployment dates for the updated, modified, or new system or an explanation as to why these improvements would not be prudent to execute and (b) other improvements that can be made to promote the efficacy of the Afghan Special Immigrant Visa program. The results of this evaluation should be provided to OIG and, as appropriate, incorporated into congressional reporting.
 - 6 OIG recommends that the Secretary of State or his designee, in consultation with the Secretary of Defense, the Administrator of U.S. Agency for International Development, and the Secretary of Homeland Security, examine whether and how protection could be provided for special immigrant visa applicants experiencing “imminent danger” as they await processing of their applications for immigration to the United States.
-

Source: Generated by OIG based on recommendations contained in AUD-MERO-20-35.

OIG Compliance Process

The Office of Management and Budget requires each agency to ensure that systems are in place to promptly and properly resolve and implement audit recommendations.²⁰ The Department’s Foreign Affairs Manual establishes policies for compliance with OIG recommendations.²¹ The OIG formal compliance process includes the activities needed to track the status of recommendations and verify that corrective actions have been taken to implement a report’s agreed-upon findings and recommendations.

Specifically, upon issuance of the draft report, OIG allows bureaus 14 calendar days to provide their official written response related to the recommendations included in the draft report. OIG requests that responses to the draft report include a management decision indicating agreement or disagreement with recommended actions. When issuing a final audit report, OIG instructs action entities to provide OIG a written response for each recommendation within 30 calendar days from the date of the transmittal memorandum or letter accompanying the final report. When the Department agrees with a recommendation, OIG asks management to provide a progress report describing planned actions to implement the recommendation and the corresponding implementation milestone date. When the Department disagrees with a recommendation, OIG asks management to explain the reason for the disagreement and provide alternative actions that can be taken to meet the intent of the recommendation.

²⁰ Office of Management and Budget Circular A-50 Revised, “Audit Followup,” § 5, “Policy” (September 29, 1982).

²¹ 1 FAM 056, “Audit and Inspection Recommendation Compliance.”

OIG considers a recommendation unresolved, resolved, or closed based on actions that the Department has taken or plans to take in response to the recommendation.²² A recommendation is considered unresolved if there is no agreement between OIG and the Department on the recommendation or proposed corrective action. A recommendation is considered resolved when there is an agreement on the recommendation and proposed corrective action, but implementation has not been completed. Open recommendations include both unresolved and resolved recommendations.

A recommendation is considered closed when the agreed-upon action has been completed. It is important to note that OIG does not evaluate the efficacy of the Department's actions when determining whether to close a recommendation.²³ Rather, OIG determines whether documentation provided by the Department demonstrates that it has completed the actions recommended or has implemented an acceptable alternative that meets the intent of the recommendation. OIG requires compliance correspondence from the action entity for open recommendations every 30 to 90 days, depending upon the complexity of the recommendation. Correspondence continues until the Department provides documentary evidence of the completed actions and OIG closes the recommendation.

Status of Prior Recommendations

As of April 2021, all three recommendations OIG made in its June 2020 management assistance report were considered implemented and closed, and five of the six recommendations OIG made in its June 2020 report were considered implemented and closed. As of May 2022, one recommendation remained open and was considered resolved, pending further action. Table 3 shows the status and date of closure, if applicable, of the nine total recommendations.

Table 3: Status and Closure of Recommendations from AUD-MERO-20-34 and AUD-MERO-20-35 as of May 2022

Recommendation	Status	Date of Closure
AUD-MERO-20-34, Recommendation 1	Closed	April 2021
AUD-MERO-20-34, Recommendation 2	Closed	April 2021
AUD-MERO-20-34, Recommendation 3	Closed	April 2021
AUD-MERO-20-35, Recommendation 1	Closed	June 2020

²² 1 FAM 056.1, "Definitions."

²³ In response to a draft of this report, the Department questioned why OIG developed new findings given that OIG considered the corrective actions previously taken "sufficient" to close the prior recommendations. In response to these comments, OIG added additional details to the final report to clarify its compliance process and evaluation of actions taken in response to recommendations.

Recommendation	Status	Date of Closure
AUD-MERO-20-35, Recommendation 2	Closed	April 2021
AUD-MERO-20-35, Recommendation 3	Closed	April 2021
AUD-MERO-20-35, Recommendation 4	Closed	December 2020
AUD-MERO-20-35, Recommendation 5	Open	Not Applicable
AUD-MERO-20-35, Recommendation 6	Closed	December 2020

Source: Generated by OIG based on compliance records maintained by the OIG Audit Operations, Quality, Compliance Division and specific to the nine recommendations contained in AUD-MERO-20-34 and AUD-MERO-20-35.

REVIEW RESULTS

Finding A: The Department Made Minor Improvements to the Reporting of Afghan Special Immigrant Visa Application Processing Times

OIG found that the actions taken by CA in response to OIG’s June 2020 management assistance report²⁴ provided minor improvements to its quarterly Afghan SIV reporting but did not improve methods for collecting or verifying Afghan SIV application processing times. Specifically, CA established a standard operating procedure (SOP) for calculating the average processing time for Afghan SIV applications. However, OIG found in this review that the Department continued to use inconsistent methods for calculating average processing times in quarterly reports because the SOP CA developed did not provide sufficient details and did not encompass the entire Afghan SIV application process. OIG also found that CA included explanations in quarterly reports for failures to process applications pending longer than 9 months. Finally, OIG found that, even though CA required all offices to verify the accuracy of calculations prior to data submission for Afghan SIV quarterly reporting, the Department lacked internal controls for verifying data. This resulted in inaccurate and unreliable information. Therefore, the Department cannot be assured it accurately reported an Afghan SIV application’s complete processing time. Failing to report accurate processing times hinders Department leadership’s ability to address program deficiencies and make timely improvements.

Status of Recommendation 1 – The Department’s Standard Operating Procedures Did Not Improve Reporting of Afghan SIV Applicant Processing Times

In OIG’s June 2020 management assistance report, Recommendation 1 advised the Department to establish a uniform method for calculating and reporting average processing times for the entities involved with the processing of Afghan SIVs. OIG closed this recommendation when CA provided OIG with an SOP titled “SOP for Quarterly Congressional Reports,” that included a

²⁴ AUD-MERO-20-34, June 2020.

methodology for calculating average processing times and a requirement for verifying data, as recommended. The SOP stated that the Directorate of Visa Services will request data for the quarterly reports starting three weeks after the end of the fiscal year quarter. Each office should receive a draft of the quarterly report to update with the average processing time for the step it controls. The SOP also required offices to report efficiency improvements made within the quarter. Finally, the SOP established the average processing time calculation. It stated that any office providing average processing times for the quarterly report must use the following averaging method:

1. Calculate the total number of cases that completed processing at your reporting step within this quarter.
2. Calculate the number of calendar days these cases spent in your reporting step for 100 percent of those cases. Divide number of days by number of cases and report the average.
3. If the average processing time for your reporting step is more than 3 months (90 days), include an explanation for why applications are pending longer than 3 months. This explanation will be included in the quarterly report.

Although the SOP CA provided appeared to meet the intent of the recommendation, during this review, OIG found that the Department was not using a consistent method to calculate average processing times. Specifically, each of the Department offices that must report information for the quarterly report—the ASIV Unit and NVC—used different techniques and sampling approaches to provide their processing times to CA.

Standard Operating Procedures Did Not Provide Sufficient Guidance

The Department's use of inconsistent methods for calculating processing times for Afghan SIVs occurred, in part, because CA's SOP did not provide sufficient details and did not encompass the entire application process. OIG's recommendation did not specifically identify all factors that CA should consider when developing its SOP. Nonetheless, CA should have taken steps to ensure that its SOP met the intent of the recommendation to consistently calculate reported processing times and include internal controls that would encompass the entire application process.

For example, OIG found that the ASIV Unit used an inconsistent methodology to calculate average processing times for three consecutive Afghan SIV quarterly reports and excluded appeals²⁵ and revocation²⁶ cases from their calculations. An ASIV Unit official stated they did not use the SOP because it did not provide specific guidance on how the ASIV Unit should determine the average processing time. As reported in OIG's June 2020 management assistance report, the ASIV Unit, unlike the other offices, calculated average processing times by selecting

²⁵ Appeals are cases that have been initially denied and the applicant appeals within 120 days. Appeals can be denied or approved.

²⁶ Revocation cases occur when a case that is already approved by the COM is subsequently denied. This is usually when derogatory information is discovered after the initial COM approval.

a random sample of 100 applicant cases out of the total.²⁷ ASIV Unit officials stated they used this methodology for quarterly reports through the third quarter of FY 2021. In addition, for the fourth quarter of FY 2021, the ASIV Unit used the document title date²⁸ as the end date but for the first quarter of FY 2022 it used the agenda date²⁹ as the end date. Using different end dates to calculate average processing times misrepresents the actual amount of time a case takes from start to finish. In addition, ASIV Unit officials also told OIG that they face software challenges that cause them to exclude appeals and revocation cases from their sample. Specifically, ASIV Unit officials stated they do not include appeal and revocation cases because their software does not allow them to accurately track the dates needed to calculate average processing times. The ASIV Unit officials added that appeal and revocation cases account for about 17 percent of all cases.³⁰ Excluding appeals and revocations data provides an incomplete picture of processing times and may result in decreased average processing time and inaccurate reporting.

NVC officials told OIG that they follow the guidelines established in CA's SOP but, for portions of the application steps,³¹ NVC used a default period of time instead of the actual time for processing Afghan SIVs. For example, beginning in the first quarter of FY 2021, NVC automatically assigned 1 and 5 days to steps three and five, respectively, as the average processing times.³² NVC officials stated that they did this because, historically, it is the time they take to send the relevant communication to finalize those steps of the Afghan SIV process. However, historical data do not consider the surge in Afghan SIV applications since August 2021. NVC also excluded appeals and revocation cases from their calculation of average Afghan SIV processing times. Like the ASIV Unit, NVC does not include appeal and revocation cases in their processing time calculation because they do not have the capability of tracking them. Using this calculation methodology misrepresents the Afghan SIV average processing times.

USCIS, Office of Performance and Quality officials stated that they were not using the CA SOP for calculating Afghan SIV processing times because they were not provided the SOP and were unaware of a requirement to use it. According to USCIS officials, their methodology was provided to them by the Service Center Operations office³³ through an informal meeting

²⁷ AUD-MERO-20-34, June 2020, page 7.

²⁸ Document title date is the date a decision is made regarding whether a case gets COM approval. As discussed in Appendix E, Comment 11, the Department's Center for Analytics stated that its data source and methodology note the document title date for calculating the average processing time.

²⁹ Agenda date is the date when the ASIV Unit makes an eligibility recommendation to COM.

³⁰ In response to a draft of this report (see Appendix D), the Department stated that "ASIV has calculated the actual percentage of cases made up by appeals, revocations, and appeals of revocations for the fourth quarter of FY 2021 and the first quarter of FY 2022, which were 15 percent and 12 percent, respectively." OIG has not verified or validated the data provided in the Department's comments regarding the percentage of cases that were appeals or revocations.

³¹ NVC performs steps 2, 3, 5, 8, 10 and 11 of the Afghan SIV process. For details about the entire Afghan SIV process, see Appendix C.

³² During the first quarter of FY 2022, NVC updated their systems to allow applicants to be notified automatically by email once COM decides, thereby eliminating step five of the SIV process. Therefore, beginning in the second quarter of FY 2022, step five no longer exists.

³³ Service Center Operations is a USCIS office that provides services for persons seeking immigration benefits.

discussion and not from CA as an SOP.³⁴ Without an SOP that details the entirety of the Afghan SIV process, the Department cannot be assured all offices are reporting accurate Afghan SIV processing times.

Department Used Multiple IT Systems To Process SIV Applications

The storing and transfer of Afghan SIV data on and between multiple IT processing systems further complicates the consistent calculation of application processing times. This also increases the risk of data entry errors because Afghan SIV processing systems are not interoperable. Department officials must manually transfer data between systems, which includes transferring data from applicant emails to the SQ-SIV application,³⁵ transferring data from SQ-SIV to SIV Manager,³⁶ and documenting event dates that are not automatically generated by SQ-SIV. Furthermore, Department officials stated the systems used for processing Afghan SIVs were not created with the capability to track the processing time of an application as it moves through the entire Afghan SIV process. Within the various systems used to process SIV applications, data fields do not always match, further complicating the methodology used for calculating processing times.

Afghan SIV data are transferred between IT systems within the different phases of the Afghan SIV process. The SIV process (as it existed prior to and during OIG's fieldwork for this report, which preceded a July 2022 process change) included three separate phases: COM Approval Phase, in which an applicant submits an application to NVC for COM approval; I-360 Petition Phase, in which the applicant submits an I-360 petition to USCIS;³⁷ and Visa Application and Petition Phase, in which the applicant submits a visa application and is interviewed. Within these phases, relevant personnel transfer an application through different systems. Specifically, after receiving an SIV application via email, NVC creates a case in CA's SQ-SIV by manually entering the applicant's documentation. Once NVC confirms the application package is documentarily complete,³⁸ the ASIV Unit obtains the case from SQ-SIV and manually transfers the data into SIV Manager for COM approval. The ASIV Unit enters an NVC system to determine

³⁴ In a prior report, OIG found that USCIS underlying data was sufficiently reliable and was able to calculate average processing times for Afghan SIVs. OIG, *Information Report: Afghan Special Immigrant Visa Metrics* (AUD-MERO-22-38, September 2022), page 15.

³⁵ SQ-SIV is a consular information system used to process an SIV before and after COM approval. It is operated and maintained by the Office of Consular Systems and Technology, and it is designed to support CA, NVC, and the ASIV Unit. "SQ" is the visa code used by the Department to identify Afghan SIVs.

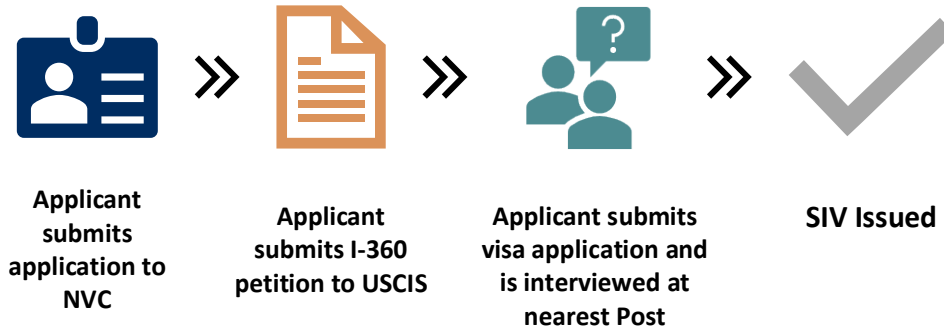
³⁶ The ASIV Unit uses SIV Manager, an NEA-SCA/EX IT system, for processing applicants to verify and determine the applicant's eligibility for COM approval.

³⁷ Starting July 20, 2022, new applicants will no longer need to file Form I-360 with USCIS. Instead, applicants will submit a Department nonimmigrant visa application, revised Form DS-157, during the COM approval phase.

³⁸ Documentarily complete is when NVC determines an application has all documents necessary to continue to the COM approval phase.

which cases are documentarily complete on a semi-weekly basis.³⁹ The three phases as of June 2022 are depicted in Figure 1.

Figure 1: Phases of the Afghan SIV Application Process as of June 2022



Note: An application may be denied at any phase if the applicant fails to demonstrate qualifications for the program or is deemed ineligible for a visa.

Source: Generated by OIG from information obtained from congressional legislation including the Afghan Allies Protection Act of 2009, as amended, authorizing the Afghan SIV program and from interviews with Department and USCIS officials and Department flowcharts depicting the Afghan SIV review process.

After an applicant receives a successful I-360 adjudication in the second phase, they begin the final phase by completing Form DS-260, Immigrant Visa Electronic Application.⁴⁰ NVC then reviews and inputs the DS-260 information into the Immigrant Visa Information System (IVIS), which is another system for processing SIV applicants. The DS-260 information contained in IVIS transfers automatically to the Immigrant Visa Overseas System (IVO). However, information from the SIV application contained in SQ-SIV does not. Therefore, NVC must transfer that employment information and documentation to the Electronic Document Processing system manually, which subsequently transfers to IVO. If the applicant's case is approved after an interview at the nearest embassy or consulate, the application will go through administrative processing⁴¹ and when complete, the visa will be issued. Despite the challenge of transferring applicant data through four disparate systems, the Department will not separately update these legacy consular systems to meet the reporting needs of the Afghan SIV program because, as this report discusses further in Finding B, the Department has committed to incorporating the Afghan SIV processing improvements into the broader legacy system update known as

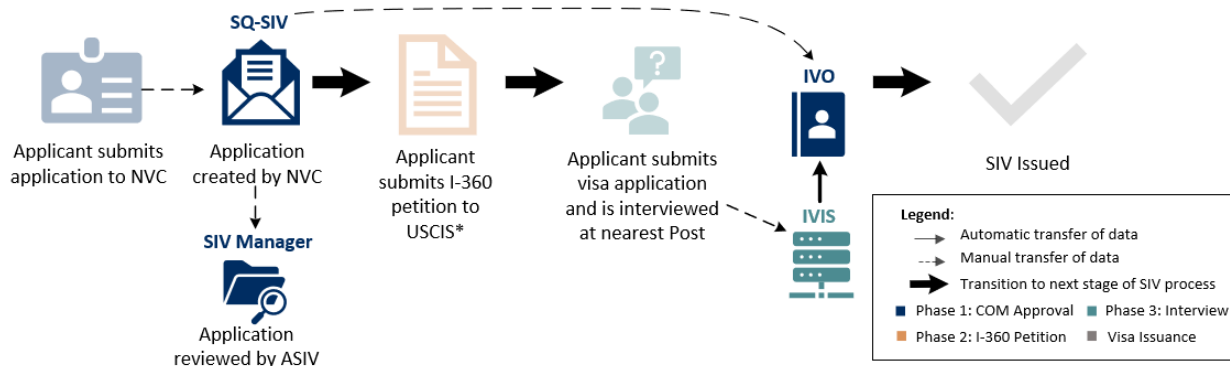
³⁹ In response to a draft of this report, the Department stated, "Once NVC confirms the application package is documentarily complete, NVC marks the case as such in SQ-SIV. Semi-weekly since September 2021, ASIV obtains from Consular Affairs (CA) Consular Systems and Technology team a complete data set of all cases in the SQ-SIV database. ASIV then (i) manually transfers the data pertaining to newly documentarily complete cases and appeals into SIV Manager for use during the COM approval application review process and (ii) marks these cases in SQ-SIV to indicate that they are currently referred to ASIV for COM review." See Appendix D for the full text of the Department's comments.

⁴⁰ DS-260 is an immigrant visa electronic application that an applicant must complete as part of the Afghan SIV process.

⁴¹ Administrative processing is a process that may include a variety of security, fraud, or criminal background checks that are required before the visa can be issued and are essential to the integrity of the SIV program and U.S. national security.

Consular Systems Modernization.⁴² See Appendix C for a flow chart of the entire SIV process by phase. The transfer of applicant information between four disparate Department legacy systems—from SQ-SIV, to SIV Manager, to IVIS and IVO—is shown in Figure 2.

Figure 2: Afghan SIV Data Flowchart



* Starting July 20, 2022, new applicants will no longer need to file Form I-360 with USCIS.

Source: Generated by OIG from information obtained from the Afghan Allies Protection Act of 2009, as amended, authorizing the Afghan SIV program and from the Department flowcharts depicting the Afghan SIV review process.

Comprehensive Procedures Needed To Ensure Accurate Reporting

Given the complexity of processing Afghan SIV applications, it is important for the Department to develop and implement a uniform method for calculating and reporting the average processing time for Afghan SIV applications. Without a comprehensive SOP that addresses all Department-controlled aspects of the SIV process, including the various offices, data, and systems used, the Department will continue to use inconsistent methods to calculate the average processing times. Failure to calculate processing times consistently can lead to inaccurate reporting, hindering Department leadership from addressing the SIV process shortcomings and making timely improvements. Therefore, OIG is offering the following recommendation.

Recommendation 1: OIG recommends that the Special Immigrant Visa (SIV) Senior Coordinating Official, in coordination with the Bureau of Consular Affairs, Afghan Special Immigrant Visa Unit, the National Visa Center, and data scientists, revise the Standard Operating Procedures for Quarterly Congressional Reports to include specific steps and procedures for calculating and reporting average processing times for Department of State-controlled stages of the Afghan SIV application process so that reported data reflect the actual average processing times.

Management Response: The Department did not concur with the recommendation and stated that quarterly reports are the responsibility of the Department and DHS, in consultation with DoD. The Department added that it has no authority to control USCIS'

⁴² Consular Systems Modernization is the Department's multi-year modernization activity to improve all core consular services. See Finding B for additional details related to Consular Systems Modernization.

data systems and methodology. In addition, the Department stated that “OIG does not explain why the SOPs developed in response to the June 2020 recommendation were deemed to be sufficient previously but are now viewed to be inadequate,” adding that the inaccuracies or inconsistencies discussed in the report were “either historical issues that have since been rectified or were based on misunderstandings about the SIV process.” See Appendix D for the full Department response.

OIG Reply: On the basis of the Department’s response, OIG considers the recommendation unresolved. In response to the Department’s comments, and in consideration of the change in the SIV process effective July 2022, OIG removed a reference to USCIS made in this recommendation in a draft of this report. The final recommendation is now addressed only to Department entities, which, as noted in Finding A, had inconsistent methodologies for calculating and reporting processing times. In addition, OIG added language to the Background section of this final report to clarify that OIG does not evaluate the efficacy of the Department’s actions when determining whether to close a recommendation; rather, OIG determines whether documentation provided by the Department demonstrates that it has completed the actions recommended or has implemented an acceptable alternative that meets the intent of the recommendation.

OIG will consider this recommendation resolved when the Department agrees to revise the SOPs to include specific steps and procedures for calculating and reporting average processing times for Afghan SIV applicants or identifies an acceptable alternative to accurately report average processing times. The recommendation will be closed when OIG receives documentation demonstrating that the reported data for Afghan SIV applications reflect the actual average Department-controlled processing time from the applicant’s initial Afghan SIV application submission through visa issuance.

Status of Recommendation 2 – Quarterly Reports Included Explanations for Application Processing Times Longer Than Nine Months

In OIG’s June 2020 management assistance report, Recommendation 2 advised the Department to include detailed explanations in the Afghan SIV quarterly reports for the failure to process any applications that have been pending for longer than 9 months. OIG closed this recommendation when CA included language in the FY 2020 first quarter report, explaining why applications were taking longer than 9 months to process. Specifically, the quarterly report⁴³ stated that some causes of cases pending more than 9 months were low program staffing, and high caseload volume. Throughout FY 2020 and the first quarter of FY 2021, quarterly reports consistently identified the same causes. In the second quarter of FY 2021, the quarterly report⁴⁴ stated that increases in processing times were due to a greater number of older cases being

⁴³ *Joint Department of State/Department of Homeland Security Report: Status of the Afghan Special Immigrant Visa Program*, January 2020, page 4. This Afghan SIV quarterly report is available at <https://travel.state.gov/content/dam/visas/SIVs/Afghan-SIV-Report-January-2020.pdf>.

⁴⁴ *Joint Department of State/Department of Homeland Security Report: Status of the Afghan Special Immigrant Visa Program*, April 2021, page 5. This Afghan SIV quarterly report is available at <https://travel.state.gov/content/dam/visas/SIVs/Afghan-Public-Quarterly-Report-Q2-April-2021-Final.pdf>.

processed, which caused the average individual case processing time to increase. The quarterly report also stated that limited staffing, COVID-19 safety conditions, and decreased SIV interviews and issuances increased processing times during the quarter. For the fourth quarter of FY 2021,⁴⁵ CA highlighted that, although delays had been significantly reduced since the third quarter of FY 2021, cases were pending for more than 9 months due to high caseload volume.⁴⁶ Based on OIG's review, all quarterly reports from FY 2020 and FY 2021 stated why cases were pending for more than 9 months, as required.

Identifying and reporting the challenges affecting the SIV program is not only required, but essential for decision-making. This information informs Department leadership of areas needing improvement to reduce processing times. For example, NVC and the ASIV Unit identified high caseload volume and limited staffing as obstacles to achieving the statutory 9-month processing goal. To address these issues, both entities increased their staffing levels in the third quarter of FY 2021. Increased staffing enabled the ASIV Unit to cut their processing time by half in the subsequent quarter, assisting with Afghan Allies Protection Act of 2009, as amended, compliance. Because CA's actions fulfilled the intent of the original recommendation offered and thereby addressed the deficiency identified, OIG is not offering a new recommendation related to this topic.

Status of Recommendation 3 – The Department Did Not Implement Internal Controls To Validate Processing Time Data

In OIG's June 2020 management assistance report, Recommendation 3 advised the Department to verify and validate the accuracy and completeness of the data collected for Afghan SIV reporting and provide quarterly updates on efficiency improvements to the Afghan SIV process. OIG closed this recommendation when CA established an SOP for quarterly reports requiring entities to verify the accuracy of their calculations. Specifically, the SOP stated that "[a]ll offices must verify the accuracy of calculations before submitting [the average processing times for SIV applications]" to CA.⁴⁷ CA developed this SOP as its control to require verification; however, these actions fell short of meeting the intent of the recommendation. Specifically, during this review, OIG found that, even though CA developed an SOP, the SOP did not contain sufficient controls to verify and validate the accuracy and completeness of the information obtained from the entities involved with the processing of Afghan SIVs.

The Bureau of Consular Affairs Cannot Verify the Accuracy of Quarterly Reports

OIG found that CA requires its Immigration and Employment Division to verify data received from the entities involved in Afghan SIV processing; however, the Immigration and Employment

⁴⁵ *Joint Department of State/Department of Homeland Security Report: Status of the Afghan Special Immigrant Visa Program*, October 2021, page 5. This Afghan SIV quarterly report is available at <https://travel.state.gov/content/dam/visas/SIVs/Afghan-Public-Quarterly-Report-Q4-October-2021.pdf>.

⁴⁶ The FY 2021 third quarter report stated that step four of the Afghan SIV process took an average of 554 calendar days, and the FY 2021 fourth quarter stated that step four of the Afghan SIV process took an average of 277 calendar days, representing a decrease of 50 percent in the average processing time.

⁴⁷ CA, "SOP for Quarterly Congressional Reports."

Division did not implement internal controls that assure the accuracy of the data. According to the Government Accountability Office's (GAO) *Standards for Internal Control in the Federal Government*, management should design control activities to achieve objectives and respond to risk, such as reviewing data entry and comparing file totals when dealing with information processing.⁴⁸ However, because CA's Immigration and Employment Division officials do not have access to the systems used by the ASIV Unit and USCIS to calculate the average processing times for the quarterly reports, they cannot review data entry to verify its accuracy. They can only compare the data received to previous weekly and quarterly reports and verify any outliers in the data. Furthermore, the data from weekly reports show the number of applicants at each phase, while quarterly reports show the number of cases processed. Since the data collected for quarterly and weekly reports represent different information, CA cannot verify the accuracy of the quarterly data by comparing it to weekly reports. Therefore, the Department cannot be certain that its quarterly reporting is accurate, which is important for identifying challenges to the Department's Afghan SIV processing and making timely improvements.

Department Data for Quarterly Reports Are Not Sufficiently Reliable

Reliable data are critical to achieving accuracy, and management should use quality information to achieve the entity's objectives.⁴⁹ NVC officials stated that, to verify the accuracy of reported Afghan SIV processing times, a management analyst recreates the average processing time developed by NVC staff using SQ-SIV. ASIV Unit officials also stated internal analysts review outliers to "double-check" the data within SIV Manager; they also review the data for errors or blank fields to assure that calculations for quarterly reports are correct.

ASIV Unit officials explained that a software limitation allowed incomplete updates to ongoing cases and caused anomalies in quarterly report data. The software allows for dates to be manually manipulated as an application progresses through the review process. For example, an application can transition from "not approved" to "documentarily complete." It may subsequently revert to "not approved" if derogatory information about the applicant is found. Additionally, data manipulation may occur in one application processing system (SIV Manager) without updating the other (SQ-SIV) because the systems are not interoperable. Without system interoperability or manual reviews of each case for consistency and synchronization, calculating processing times for applicants with manipulated data will produce unreliable results. However, it is equally important to note that the effort required to review each case individually would consume resources that are currently used to process new Afghan SIV cases.

According to GAO's *Standards for Internal Control in the Federal Government*, the design of information systems should achieve objectives and respond to risks, and such objectives may include complete and accurate data.⁵⁰ Because the data used to calculate COM application processing times are not sufficiently reliable,⁵¹ OIG could not independently calculate the

⁴⁸ GAO, *Standards for Internal Control in the Federal Government* (GAO-14-704G), September 2014, Principle 10, pages 45 and 47.

⁴⁹ GAO-14-704G, September 2014, Principle 13, page 59.

⁵⁰ GAO-14-704G, September 2014, Principle 11, pages 51–52.

⁵¹ AUD-MERO-22-38, September 2022, pages 14–15.

average processing times to verify the accuracy of the quarterly reports. Similar limitations and an inability to access SIV Manager prevent CA from validating data retrieved from NVC and the ASIV Unit. OIG acknowledges that the Department has identified and addressed some SIV program problems (such as the staffing needs discussed previously) with currently available data; however, data that cannot be validated may hinder management from optimally improving the efficiency and effectiveness of the Afghan SIV program.

The Department Should Implement Effective Internal Controls To Verify Its Quarterly Data

Per the Afghan Allies Protection Act of 2009, as amended, the quarterly reports should convey improvements to the SIV process, the average processing time for an application at each phase, and why applications may be pending longer than 9 months.⁵² The Department should address poor internal controls through monitoring activities and evaluation results to ensure controls are effective.⁵³ Without effective controls, the Department may be presenting inaccurate data in quarterly reports, which prevents policy makers and Department leadership from making fully informed decisions to improve processes and address challenges in the SIV program. Therefore, OIG is offering the following recommendations.

Recommendation 2: OIG recommends the Special Immigrant Visa (SIV) Senior Coordinating Official, in coordination with the National Visa Center and the Afghan SIV Unit, design and implement control activities in accordance with the Government Accountability Office's *Standards for Internal Control in the Federal Government* to monitor, verify, and validate the accuracy and completeness of the Department of State-controlled data used to generate the average processing time reported in the Afghan SIV quarterly reports.

Management Response: The Department did not concur with the recommendation, stating, "OIG does not explain why the SOP developed in response to the June 2020 recommendation was deemed to be sufficient previously but is now viewed to be inadequate." Furthermore, the Department stated that "implementing control activities specifically consistent with the Government Accountability Office's *Standards for Internal Control in the Federal Government* is a very resource- and time-intensive process and would require significant time by those staff currently processing [Afghan] SIV cases. Pulling them away from SIV case processing activities to institute control activities would lengthen SIV case processing times." See Appendix D for the full Department response.

OIG Reply: On the basis of the Department's response, OIG considers the recommendation unresolved. OIG offered this recommendation to improve the accuracy and completeness of the data used to generate the average processing time reported in the Afghan SIV quarterly reports. As described in this report, OIG found that incomplete updates caused anomalies in the data because the systems lack interoperability and allow for manual manipulation of dates. Internal controls prescribed by GAO help organizations run their operations efficiently and effectively, report reliable information about operations, and comply with

⁵² 8 U.S.C. § 1101 note, "Afghan Allies Protection," § 602(b)(12).

⁵³ GAO-14-704G, September 2014, Principle 16, page 66.

applicable laws and regulations; moreover, implementing internal controls is required by law.⁵⁴ The recommendation will be considered resolved when the Department agrees to design and implement internal control activities to monitor, verify, and validate the accuracy and completeness of the data used to generate the average processing time reported in the Afghan SIV quarterly reports. The recommendation will be closed when OIG receives documentation demonstrating that actions have been taken to ensure the data used to generate the average processing time reported in the Afghan SIV quarterly reports is accurate and complete.

Recommendation 3: OIG recommends the Special Immigrant Visa (SIV) Senior Coordinating Official, in coordination with the Bureau of Consular Affairs, design and implement control activities in accordance with the Government Accountability Office's *Standards for Internal Control in the Federal Government* to verify and validate the accuracy and completeness of the information obtained from the entities involved with processing Afghan SIV applications.

Management Response: The Department did not concur with the recommendation, stating that "OIG does not explain why the SOP developed in response to the June 2020 recommendation was deemed sufficient previously but is now viewed as inadequate." Further, the Department stated that "implementing control activities specifically consistent with the Government Accountability Office's *Standards for Internal Control in the Federal Government* is a very resource- and time-intensive process and would require significant time by those staff currently processing [Afghan] SIV cases. Pulling them away from SIV case processing activities to institute control activities would lengthen SIV case processing times." See Appendix D for the full Department response.

OIG Reply: On the basis of the Department's response, OIG considers the recommendation unresolved. OIG offered this recommendation to improve the reporting process for the Afghan SIV program by ensuring that data obtained from entities involved with the Afghan SIV application process is accurate and complete. As described in this report, OIG found that internal controls to verify and validate the accuracy and completeness of the information obtained from the entities involved with processing Afghan SIV applications needed improvement.⁵⁵ In addition, as previously stated, implementing internal controls consistent with standards issued by the Comptroller General is required by law.⁵⁶ The recommendation will be considered resolved when the Department agrees to design and implement control activities to verify and validate the accuracy and completeness of the data used to generate the Afghan SIV average processing time. This recommendation will be closed when OIG receives documentation demonstrating that actions have been taken to

⁵⁴ Federal Managers' Financial Integrity Act of 1982, 31 U.S.C. § 3512(c), requires agency heads to establish internal controls consistent with standards issued by the Comptroller General, which are the standards detailed in GAO-14-704G, September 2014.

⁵⁵ GAO-14-704G, September 2014, Principle 13, page 59, states "[m]anagement should use quality information to achieve the entity's objective."

⁵⁶ 31 U.S.C. § 3512(c).

ensure entities involved with processing Afghan SIV applications provide complete and accurate data regarding the Afghan SIV program.

Finding B: The Department Took Some Actions To Improve the Afghan Special Immigrant Visa Process, but a Significant and Increasing Application Backlog Remains

OIG found that the Department took some actions for five of six recommendations from OIG's June 2020 report;⁵⁷ however, these actions have been insufficient to address the Afghan SIV application surge and the resulting increased backlog. Specifically, the Department appointed three successive SCOs since March 2020, conducted a multi-bureau staffing assessment, began utilizing DoD databases to assist in employment verification, and provided limited protections to Afghans in imminent danger. However, OIG found that SCO efforts to coordinate and monitor the implementation of improvements as required by the federal statute governing the Afghan SIV program have been limited.⁵⁸ SIV staffing issues also were not adequately addressed or coordinated, leaving the Department with insufficient staff to address the existing SIV application backlog and new applications in the months following President Biden's announcement of the U.S. troop withdrawal by September 2021. Additionally, the Department continued to face challenges with efficient employment verification because of limited coordination with DoD. Moreover, the Department has not prioritized SIV functionality in the consular systems' modernization process, and the completion date of the modernization will not occur until after 2025. Inadequate staff resources, lack of planning and coordination, and technology system challenges have led to long application processing times and have left the Department unable to meet the statutory 9-month goal on Afghan SIV processing. Consequently, the long applicant processing times may have delayed vulnerable Afghan allies from reaching safety in the United States.

Status of Recommendation 1 – The Department Appointed an SIV Senior Coordinating Official, but the SIV Program Would Benefit from Improved Internal and External Coordination

In OIG's June 2020 report, Recommendation 1 advised that the Secretary of State or their designee appoint an SCO to oversee the Afghan SIV program in accordance with the FY 2014 NDAA. OIG closed this recommendation based on the Department's response to a draft of the June 2020 report and evidence that the Secretary of State designated the Under Secretary of State for Management as the SCO in March 2020. On June 1, 2021, the Department changed the SCO designation from the Under Secretary to the Deputy Secretary of State for Management and Resources.

⁵⁷ AUD-MERO-20-35, June 2020.

⁵⁸ FY 2014 NDAA, Public Law 113-66, § 1218(3), "SENIOR COORDINATING OFFICIALS," codified at 8 U.S.C. § 1157 note, "Iraq Refugee Crisis."

The Senior Coordinating Official Performed Limited Coordination and Monitoring of Improvements to the Afghan SIV Program

Despite the Department's designation of an SCO, OIG found that the three officials appointed to the role since March 2020 carried out the SCO duties set forth in the FY 2014 NDAA to varying degrees. As reported in June 2020, the SCO is responsible for providing authoritative direction across multiple offices ensuring coordination occurs with other U.S. government agencies that play a role in the execution of the Afghan SIV program.⁵⁹ Specifically, the SCO is required to develop proposals to improve the efficiency and effectiveness of the SIV program; coordinate and monitor implementation of those proposals; and include such proposals in the Department's public quarterly SIV reports.⁶⁰

The SCO appointed in March 2020, departed the Department during the change of Administrations in January 2021. Following his departure, the SCO role was filled by the acting Under Secretary of State for Management until June 2021. The former acting Under Secretary⁶¹ told OIG that she had limited involvement in the Afghan SIV program, and had received no "handover" or communication of SCO duties from the previous Under Secretary.⁶² With respect to the period of the SCO appointed in March 2020, the current SCO told OIG in June 2022 that he believed there was stagnation in the Afghan SIV program from 2020 through January 2021 because of general disinterest in immigration to the United States and recurrent COVID-19 outbreaks in Kabul, Afghanistan.

Although the former acting Under Secretary of State for Management was the designated SCO until June 2021, the current SCO told OIG that he began receiving briefings and working on aspects of the Afghan SIV program in April 2021, shortly after he joined the Department. Even though he was working with some Department officials, OIG found limited evidence of the direct coordination between Department SCOs and the appointed DoD and DHS SCOs contemplated in Recommendation 1 of AUD-MERO-20-35, with which the Department concurred. For example, when OIG asked for evidence of interagency SCO coordination, the Department referred to a July 2021 meeting at the Deputy Secretary level regarding Afghan SIVs. However, the Department could not provide details about who attended, the content discussed, or how it related to Afghan SIV-related decisions—OIG noted that Deputy Secretaries

⁵⁹ AUD-MERO-20-35, June 2020, page 16. The FY 2014 NDAA specifically required the Department, DHS, and DoD each to designate SCOs with "sufficient expertise, authority, and resources, to carry out the duties" of the position (Public Law 113-66, § 1218(3), "SENIOR COORDINATING OFFICIALS," codified at 8 U.S.C. § 1157 note, "Iraq Refugee Crisis"). Accomplishment of many of the duties described in the FY 2014 NDAA requires coordination among all three agencies (e.g., the production of a joint report to Congress that describes improvements made on how SIV applications are processed). Accordingly, as the senior officials responsible for overseeing the program, the three agency SCOs necessarily must ensure that coordination is occurring and is effective.

⁶⁰ FY 2014 NDAA, Public Law 113-66, § 1218(3), "SENIOR COORDINATING OFFICIALS," codified at 8 U.S.C. § 1157 note, "Iraq Refugee Crisis."

⁶¹ The acting Under Secretary of State for Management was replaced by the Senate confirmed Under Secretary of State for Management in December 2021.

⁶² OIG did not interview the former Under Secretary of State for Management regarding his duties from March 2020 to January 2021 for this review, and, as noted by the former acting Under Secretary, there were no documents available for OIG to review related to her SCO duties.

at DoD and DHS are not the designated SCOs.⁶³ Furthermore, when OIG asked the DoD SCO whether she had met with the Department's SCO, she said she had never had a meeting specific to the Afghan SIV program with him.

The disparate ranks of the Department, DoD, and DHS SCOs may be hindering effective interagency coordination. The Department's response to a draft of this report highlighted examples of recent interagency coordination that facilitated improvements to the Afghan SIV program, such as the July 2022 announcement from the Department and DHS of a change to the SIV program that streamlined the application process for applicants; therefore, new applicants no longer need to file Form I-360, Petition for SIV Status with DHS. The Department's response also noted coordination with DoD to develop Project Rabbit, which is intended to address challenges related to employment verification of Afghan SIV applicants who sought to demonstrate eligibility through DoD-related employment. However, during this review OIG found that the Department and DoD's differing outlooks on the future of Project Rabbit demonstrated the need for further SCO coordination (as detailed in "Status of Recommendation 4 – Afghan SIV Applicant Employment Verification Process Needs Improvement" in this report). Direct and consistent interagency communication and coordination between SCOs may lead to improvements in the efficiency and effectiveness of the Afghan SIV program.

Although the July 2022 example of coordination is promising, according to GAO, key considerations of effective interagency coordination include defining short-term and long-term outcomes, reaching agreement on roles and responsibilities, and the facilitating of decision making.⁶⁴ Another key to successful interagency coordination according to GAO is articulating agreements in formal documents, which can strengthen agencies' commitment to working collaboratively.⁶⁵ The Afghan SIV program could benefit from the SCOs adopting these key considerations for future interagency coordination.

In addition, OIG found that the SCO's internal coordination and monitoring of the implementation of improvements to the SIV program was limited. Although the SCO told OIG that he began to receive briefings in April 2021, officials from various Department offices told OIG that they were not aware of the SCO's involvement in strategic decisions about their respective offices. Officials also told OIG that they received limited to no guidance from the SCOs regarding Afghan SIV processing. For example, an NVC official told OIG that she had to make staffing decisions without any recommendations from the Department's SIV SCO, and ASIV Unit officials said SCO interaction for resource improvements would be beneficial. ASIV Unit officials also told OIG that they have not had any interaction with the SCO on Afghan SIV program staffing and believed SCO involvement would be beneficial for increased productivity.

⁶³ During this review, the DoD SCO was the Deputy Assistant Secretary of Defense for Afghanistan, Pakistan, and Central Asia and the DHS SCO was the Associate Director of Refugee, Asylum and International Operations at USCIS.

⁶⁴ GAO, *Managing for Results: Key Considerations for Implementing Interagency Collaborative Mechanisms* (GAO-12-1022, September 2012), pages 11, 15, and 16.

⁶⁵ *Ibid.*, page 25.

Without coordinated leadership focused on the Afghan SIV process, the Department's management of resources for the Afghan SIV program is decentralized and lacks focus to evaluate the program and seek improvements. Although the Department has taken some actions that demonstrate interagency coordination, given the ongoing challenges identified in the program and to ensure that coordination continues on a regular basis; OIG is offering the following recommendations.

Recommendation 4: OIG recommends the Special Immigrant Visa (SIV) Senior Coordinating Official (SCO) develop and implement a policy and procedures to establish ongoing interagency coordination with all designated SCOs until the Afghan SIV program concludes.

Management Response: The Department did not concur with the recommendation, stating that the FY 2014 NDAA does not explicitly require interagency coordination and that the statute instructs each SCO to carry out these duties individually and not in collaboration with one another. The Department also stated that the "OIG report does not acknowledge the significant coordination that already does take place under the [Department] SCO's auspices as well as at other levels." See Appendix D for the full Department response.

OIG Reply: On the basis of the Department's response and in consideration of stated actions underway, OIG considers this recommendation resolved. OIG offered this recommendation because interagency coordination is critical to effectively developing and implementing improvements to the Afghan SIV program, even if such coordination is not explicitly articulated in the FY 2014 NDAA. The FY 2014 NDAA specifically required the Department, DHS, and DoD each to designate an SCO with "sufficient expertise, authority, and resources, to carry out" their duties of the position.⁶⁶ Accomplishment of many of the duties described in the FY 2014 NDAA requires coordination among all three agencies (e.g., the production of a joint report to Congress that describes improvements made on how SIV applications are processed). Accordingly, as the senior officials responsible for overseeing the program, the three agency SCOs must ensure that coordination is occurring and is effective. OIG added examples, noted in the Department's response, to this final report to recognize Department efforts regarding interagency coordination and the recent improvements that have been achieved in the Afghan SIV program with interagency coordination among the Department, DHS, and DoD. One example (Project Rabbit), however, also demonstrated the need for further SCO coordination. OIG also added reference to, and a summary of, GAO's key considerations for successful interagency collaboration. The recommendation will be closed when OIG receives documentation demonstrating that the Department has taken actions to develop and implement a policy and procedures, or adopted acceptable alternative corrective actions, to ensure continued ongoing interagency coordination with all designated SCOs.

⁶⁶ FY 2014 NDAA, Public Law 113-66, § 1218(3), "SENIOR COORDINATING OFFICIALS," codified at 8 U.S.C. § 1157 note, "Iraq Refugee Crisis."

Recommendation 5: OIG recommends the Special Immigrant Visa (SIV) Senior Coordinating Official (SCO) develop and implement a policy and procedures to monitor the implementation of improvements to address known challenges within the Afghan SIV program.

Management Response: The Department did not concur with the recommendation, and noted that, since May 2022 it has undertaken some actions to monitor the implementation of proposals to improve the SIV program. The Department stated that “OIG does not describe the current means by which the SCO coordinates and monitors implementation of such proposals, including meetings, regular information memos, and briefings.” Furthermore, the Department asserted that the conclusion that the SIV SCO was not “sufficiently monitoring or coordinating these efforts appears to be based on ad-hoc comments from a handful of Department officials who may not personally be aware of direct communications and regular meetings between [the Deputy Secretary] and their bureaus’ leadership.” See Appendix D for the full Department response.

OIG Reply: On the basis of the Department’s response to the recommendation and in consideration of stated actions underway, OIG considers this recommendation resolved, pending further action. Although the Department stated it did not concur with the recommendation, OIG finds the actions described in the response, including “meetings, regular information memos, and briefings” meet the intent of the recommendation. During fieldwork for this review, which included widespread meetings and information requests, the Department was unable to provide evidence of such monitoring. The recommendation will be closed when OIG receives documentation demonstrating the actions described by the Department, including meetings, regular information memos, and briefings that are inclusive of all the Department entities involved in Afghan SIV processing, have been implemented to monitor and address known challenges within the Afghan SIV program.

Status of Recommendations 2 and 3 – The Department’s Assessment of SIV-Related Staffing Levels Had Limited Impact

In OIG’s June 2020 report, Recommendations 2 and 3 advised that the Department SCO assess staffing levels at each phase of the Afghan SIV program and evaluate the staffing level at the Office of Screening, Analysis, and Coordination,⁶⁷ then determine the appropriate staffing needed. When the June 2020 OIG report was published, the then-Under Secretary of State for Management agreed with the OIG recommendation to assess staffing and stated that “each Department of State office involved in the Afghan Special Immigrant Visa program will conduct a general review of its staffing levels pertaining to the Afghan Special Immigrant Visa program, in particular the Afghan Special Immigrant Visa Unit; the relevant office at Embassy Kabul; and the relevant offices within the [Bureau of Consular Affairs]” and “[e]ach office will provide an assessment to the Under Secretary for Management, noting gaps.” OIG closed both recommendations when the Department provided a staffing assessment dated February 2021.

⁶⁷ The Office for Screening, Analysis, and Coordination, which is part of CA, renders Security Advisory Opinions on the visa eligibility of foreign nationals based on the Immigration and Nationality Act.

The 2021 Staffing Assessment for the SIV Program Was Not Implemented and Subsequent Staffing Efforts Were Not Coordinated

The February 2021 Afghan SIV staffing assessment included specific recommendations to Embassy Kabul, NVC, and the ASIV Unit; however, neither SCO OIG interviewed during this review was familiar with the assessment. To address the Afghan SIV application backlog, the assessment included recommendations for (1) allocating more temporary duty staff to the Embassy Kabul consular section, (2) offshoring some of the Consular workload, such as handling email correspondence about cases, and (3) conducting SIV interviews at other posts in the region. The assessment also noted that “the 9-month application processing guideline is consistently not being met and as a result a significant backlog of applications has accumulated.”⁶⁸ OIG found that several offices took some actions to adjust staffing, but OIG did not find evidence that staffing decisions were coordinated across all Afghan SIV-processing offices or from a Department-wide perspective. Department SCO awareness of the staffing assessment and coordination of staffing decisions could have improved Department-wide consideration and implementation of the assessment results.

The Department Still Faces a Significant and Increasing Backlog Despite Staffing Increases

Although the Department took some actions to increase staffing levels to address the Afghan SIV application backlog, those efforts were insufficient to reduce application processing time and occurred too late to be effective. Staff increases were not timely, especially given the increases in Afghan SIV applications after the April 2021 decision to withdraw U.S. forces by September 11, 2021,⁶⁹ and after the fall of the Afghan government and U.S. evacuation in August 2021.

In January 2021, the ASIV Unit had 8 staff members, and by July 2021 the ASIV Unit’s staff had increased to 42 members. However, the increase was not sufficient to address the existing application backlog while absorbing additional new applications. In NVC, the application backlog is related to opening emails sent to NVC’s Afghan SIV email account.⁷⁰ As of May 2022, the email account had over 325,000 unread messages, and OIG observed that NVC staff were still opening unread emails dated from August 2021.⁷¹ According to Department officials, in May 2021, NVC began increasing its staff dedicated to working on Afghan SIV processing from 9 to 63 members. The new staff were not fully trained until July 2021. In December 2021, NVC estimated that it would need 263 total staff members to process the backlog (about 190,000 emails at the time) in 30 days. Then, in May 2022, NVC officials told OIG that they would be adding 72 additional staff members to assist with processing the email backlog.

⁶⁸ Staffing Analysis of Offices Involved in the Afghan Special Immigrant Visa Program for the Under Secretary for Management, February 2021, page 2.

⁶⁹ On February 29, 2020, the United States signed the Doha Agreement, which included an agreement for a full withdrawal of all North Atlantic Treaty Organization forces by May 2021. In April 2021, President Biden announced an extension of the deadline for a full withdrawal to September 2021.

⁷⁰ The NVC maintains a single email account that receives messages related to the initial step of applying for an SIV, including messages with the required application documents and general inquiries.

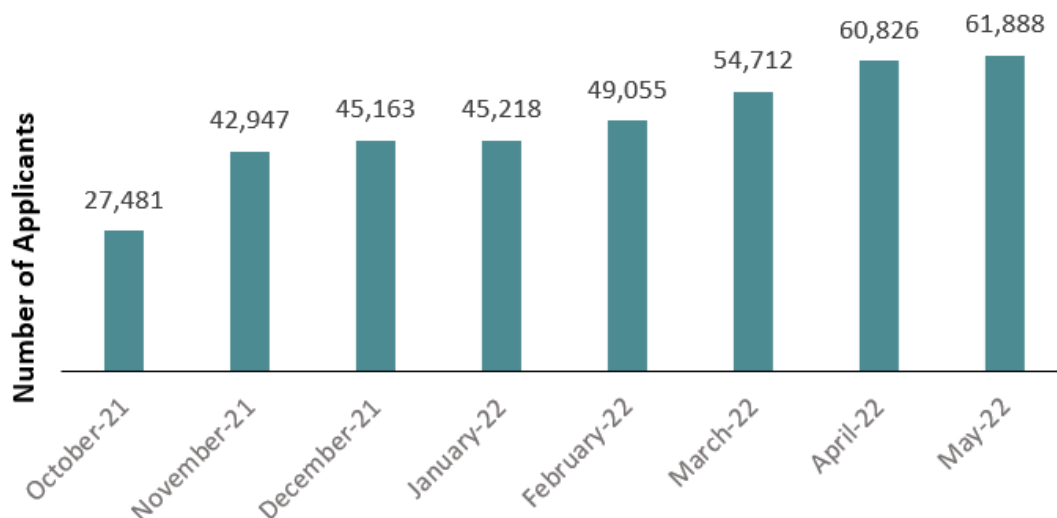
⁷¹ AUD-MERO-22-38, September 2022, page 13.

According to former Embassy Kabul officials, prior to the suspension of operations on August 31, 2021, the Embassy Kabul consular section increased its staff who were conducting critical SIV processing steps such as in-person interviews and visa issuance; however, officials told OIG those efforts came too late to have a positive impact. In addition, officials told OIG that processing of Afghan SIVs at Embassy Kabul was hindered by COVID-19 restrictions that forced Embassy Kabul to halt all Afghan SIV-related interviews from March 2020 through February 2021 and again from May 2021 through mid-July 2021. According to former Embassy Kabul officials, the embassy resumed Afghan SIV interviews and visa issuance in July 2021, at which time the embassy began to receive some temporary duty consular staff to help process Afghan SIVs. The former embassy officials stated that, with this additional consular staff, they were able to process a significant number of applications and issue visas in the weeks leading up to the suspension of operations at Embassy Kabul. However, with the evacuation and suspension of operations, the Department eliminated all the consular staff who were conducting in-person Afghan SIV interviews and issuing visas within Afghanistan.

Following the August 31, 2021, evacuation and suspension of operations at Embassy Kabul, the Department began working to establish a presence to process Afghan SIV applicants in Doha, Qatar, as part of the AAU. However, according to officials, staff resources focused on Afghan SIV processing in Doha have been limited, even as the application backlog for principal applicants continues to grow, month after month. The AAU consular staff conduct critical Afghan SIV processing steps such as in-person interviews and visa issuance. According to Department officials, as of March 2022, the AAU consular staff working on Afghan SIV processing consisted of only two full-time staff members, supplemented with several temporary duty staff who typically stay for about 3 weeks.⁷²

Despite staffing adjustments, the Department currently faces an even larger application backlog, in part, because of the increase in applications following the events of August 2021. According to the Department, as of May 2022, there were 61,888 principal applications in process and an estimated 259,930 additional eligible family members of those principal applicants, for a total of about 322,000 estimated Afghan SIV applicants. The principal application backlog has been increasing consistently since at least October 2021. The increase in the Department's reported backlog of Afghan SIV applications from October 2021 through May 2022 is shown in Figure 3.

⁷² In response to a draft of this report, the Department noted that since September 2021 it has processed Afghan SIVs at 47 locations worldwide and has dispatched temporary duty consular staff to support the top three issuance locations. In addition, the Department noted that the AAU has issued more than 1,000 visas each month to principal applicants and dependents in June and July 2022. (Supporting documentation was not provided with the comments; therefore, OIG has not verified or validated the Department's comment.) See Appendices D and E for the full text of the Department's comments and OIG's reply, respectively.

Figure 3: Number of Afghan SIV Principal Applications in the Pipeline To Be Processed

Source: Generated by OIG from the Department’s Office of Management Strategy and Solutions Afghan SIV applicant data provided from October 6, 2021, through May 31, 2022.

The Department Should Analyze Staffing Resources Addressing the Afghan SIV Backlog

Despite some staffing resources allocated to address the Afghan SIV backlog since OIG’s June 2020 report,⁷³ OIG found that the Department is still not directing sufficient resources to meet the 9-month goal established by Congress for processing SIV cases. In September 2022, OIG reported more specific analysis of the average time taken to process an Afghan SIV application from submission to issuance or denial.⁷⁴ By not effectively addressing the Department-controlled aspects of the Afghan SIV applicant backlog, the Department leaves eligible Afghans at risk for longer periods of time. Because of the significant changes in the Department’s processing of Afghan SIV applications, including having no presence in Afghanistan, and the continuing increase of Afghan SIV applications, the SCO should monitor staffing throughout the SIV processing phases. Therefore, OIG is offering the following recommendations.

Recommendation 6: OIG recommends the Special Immigrant Visa (SIV) Senior Coordinating Official (SCO) develop and implement an updated staffing plan to adjust resources for all Department of State offices involved with the Afghan SIV program to reduce the current Afghan SIV application backlog.

Management Response: The Department did not concur with the recommendation, and stated that the “recommendation is premised on the incorrect assertion that Congress ‘mandated’ Afghan SIV applications to be processed within nine months” and that “[t]he Department encourages the drafters to ensure throughout the report that the nine-month statutory benchmark is accurately characterized as a target timeframe for actions under the Department’s control but does not include time waiting for applicant or third-party action

⁷³ AUD-MERO-20-35, June 2020.

⁷⁴ AUD-MERO-22-38, September 2022, pages 13–16.

nor additional time that might be necessary for high-risk cases to satisfy national security concerns.” In addition, the Department stated, “it is unclear how the drafters concluded that ‘updating the staffing plan’ will accomplish SIV processing within a nine-month window given the delays noted.” See Appendix D for the full Department response.

OIG Reply: On the basis of the Department response to the recommendation, OIG considers the recommendation resolved. In response to the Department’s comments, OIG removed the reference to a 9-month statutory benchmark in the recommendation and made appropriate adjustments to other references to the 9-month processing goal throughout the report. Because the Department’s nonconcurrency centered on a technical concern with the description of the 9-month benchmark as a statutory “mandate,” which OIG has addressed, and because the Department has made staffing adjustments to address some specific SIV program challenges, as highlighted in the Department’s response to a draft of this report, OIG considers the recommendation resolved. OIG maintains that an updated, comprehensive staffing analysis and plan will help to optimize program-wide staffing and improve the Departments’ ability to address the growing backlog of SIV applicants. As reported, the Department’s February 2021 staffing plan—which was provided to OIG and served as the basis for OIG closing the original June 2020 recommendation—acknowledged Department-wide staffing shortages as a primary reason for the backlog in Afghan SIV processing but was never implemented by the Department. Given the Department’s prior staffing plan findings, and the major changes in the volume and operations of Afghan SIV processing following the events of August 2021, OIG is recommending that the Department develop a new staffing analysis and plan. The recommendation will be closed when OIG receives documentation demonstrating that the Department has taken actions to develop and implement an updated staffing analysis and plan for all Department offices involved with the Afghan SIV program, or adopted acceptable alternative corrective actions, to ensure that appropriate support and resource allocation to address the Afghan SIV application backlog is provided.

Recommendation 7: OIG recommends the Special Immigrant Visa (SIV) Senior Coordinating Official develop a process and procedures to monitor the implementation, effectiveness, and efficiency of the staffing plan for all Department offices involved in the Afghan SIV program to reduce the current Afghan SIV application backlog.

Management Response: The Department did not concur with the recommendation, and noted that OIG closed the previous June 2020 recommendation, which was to develop a staffing plan to address the application backlog and comply with the 9-month timeframe established by Congress. The Department also highlighted some efforts to increase the rate of SIV processing and characterized the balance of SIV applications as “workflow” and not “backlogs.” See Appendix D for the full Department response.

OIG Reply: On the basis of the Department’s response to the recommendation, OIG considers the recommendation resolved. In response to the Department’s comments, OIG removed the reference to a 9-month statutory benchmark in the recommendation and made appropriate adjustments to other references to the 9-month processing goal

throughout the report. Because the Department's nonconcurrency centered on a technical concern with the description of the 9-month benchmark as a statutory "mandate," which OIG has addressed, OIG considers the recommendation resolved. However, given the increasing backlog and the major changes in the operations of Afghan SIV processing following the events of August 2021, OIG is recommending the Department develop a process and procedures for monitoring the implementation, effectiveness, and efficiency of any staffing and resource allocations made to support the program and address the backlog. The recommendation will be closed when OIG receives documentation demonstrating that the Department has taken actions to develop a process and procedures, or adopted acceptable alternative corrective actions, for monitoring the implementation, effectiveness, and efficiency of any staffing and resource allocations made to reduce the current Afghan SIV application backlog.

Status of Recommendation 4 – Afghan SIV Applicant Employment Verification Process Needs Improvement

In OIG's June 2020 report, Recommendation 4 advised to improve the Afghan SIV employment verification process by establishing a unified database of personnel employed by U.S. government contractors. OIG closed this recommendation based on the Department's correspondence with OIG, which indicated that it began using DoD's Synchronized Predeployment and Operational Tracker (SPOT). The Department considered SPOT to be a unified and reliable database to access information related to contracts, grants, and cooperative agreements. However, during this review, OIG found that challenges remain with the Department's use of DoD systems to verify Afghan SIV applicants' employment. Specifically, challenges remain with identifying individual personnel details and coordinating with DoD.

The Backlog of Applications Remains Significant Despite Improvements to Employment Verification

Since the June 2020 report, the Department has made little progress in verifying Afghan SIV employment using SPOT. SPOT is a repository of military and government contractors and contract information. Though the Department has verified some applicants' contracts, it generally lacks the personnel details required to fully verify employment for individuals who may have worked for a company under a DoD contract. For example, the spelling of applicant names, their employment dates, and identification numbers were often inconsistent with information provided by SPOT, making matching applicant information to employment documentation challenging. ASIV Unit officials sent 355 contract verification requests to SPOT administrators at DoD, who could only confirm 70 of the contracts.

Currently, SPOT does not contain the data fields necessary for SIV employment verification. To improve efficiency of the employment verification process, DoD developed Project Rabbit in August 2021, which allows DoD officials to match SIV applicants to human resource and employment data provided by DoD contractors. They then provide a letter vouching for the information originally provided by the contracting company related to the applicant's qualifying employment. According to ASIV Unit officials, Project Rabbit has improved employment

verification processing times for Afghan SIV applicants. From August 2021 to February 2022, Project Rabbit collected over 9,000 employment records and matched 5,071 employment records with Afghan SIV applicant data. Though Project Rabbit has increased the number of employment verifications, the backlog of Afghan SIV applications pending COM adjudication remains significant: 51,185 applicants as of May 2022.⁷⁵

Coordination Between the Department and DoD for Employment Verification Is Insufficient

Though the Department communicates with DoD to obtain data from SPOT and Project Rabbit, coordination between the Department and DoD to verify employment remains insufficient. DoD seeks to convert Project Rabbit into an online portal, where DoD contractors can enter the employment data required for verification. According to DoD officials, the Department will have access to the portal to verify employment data and documentation provided by applicants. DoD and the Department agree that future iterations of SPOT should include fields that address the requirements for SIV employment verification, but an improved iteration of SPOT does not address current Afghan SIV employment verification challenges. Additionally, Department officials expressed concern to OIG that DoD would withdraw resources from Project Rabbit, which is not a formally established DoD responsibility. OIG found that the Department and DoD had limited communication concerning the path forward for Project Rabbit. The DoD SCO confirmed that she did not have regular and recurring communication with the Department SCO concerning SIV issues. Similarly, ASIV Unit officials and DoD Project Rabbit officials have not met regularly since December 2021. Moreover, OIG found that DoD and the ASIV Unit's parent entity, NEA-SCA/EX, had not established an official agreement regarding the path forward for Project Rabbit. Failure to coordinate hinders the efficiency of the employment verification process and prevents interagency improvements to the Afghan SIV process. Inefficient employment verification may also hinder vulnerable Afghan allies from reaching safety in the United States.

The Department Needs To Collaborate With DoD To Address Employment Verification

Because many Afghan SIV applicants were employed by DoD contractors, the Department's ability to successfully perform its portion of the employment verification process depends on effective collaboration with DoD to obtain accurate employment documentation. To achieve the Biden Administration's priority of timely Afghan SIV adjudication,⁷⁶ sustained collaboration between the Department and DoD will be critical to continuing to improve the efficiency of the verification process, ensuring Project Rabbit responsibilities are established, and ensuring that Project Rabbit continues for the duration of Afghan SIV processing. Therefore, OIG is offering the following recommendation.

⁷⁵ The SIV applicants awaiting COM adjudication include 46,210 applicants who have SIV cases initiated but whose applications are not documentarily complete (i.e., are pre-COM approval) and 4,975 at the COM phase, for a total of 51,185 applicants.

⁷⁶ Executive Order 14013, Rebuilding and Enhancing Programs to Resettle Refugees and Planning for the Impact of Climate Change on Migration, February 4, 2021, at § 1(j) states that, "The Federal Government should ensure that [the Special Immigrant Visa programs for Afghan and Iraqi allies] are administered without undue delay."

Recommendation 8: OIG recommends that the Special Immigrant Visa (SIV) Senior Coordinating Official (SCO), in collaboration with the Department of Defense (DoD) SCO, establish a memorandum of understanding between the Department of State (Department) SCO and the DoD SCO defining the roles and responsibilities of the Department and DoD for efficiently and accurately collecting employment documentation of Afghan SIV applicants who worked for DoD contractors. The Department and DoD SCOs should also meet regularly to address efficient employment verification until the Department resolves the backlog of Afghan SIV applications.

Management Response: The Department did not concur with the recommendation, stating that although OIG cited a lack of coordination between the Department and DoD, it did not explain why coordination that occurred between the Department SCO and the Deputy Undersecretary for Defense was not considered equally as effective as coordination with the DoD SIV SCO. The Department added that the initiation of Project Rabbit involved coordination between the Department and DoD, which demonstrates that collaboration occurred between the two entities. The Department questioned how and from what source OIG determined that 46,210 applicants were awaiting COM adjudication. See Appendix D for the full Department response.

OIG Reply: On the basis of the Department's response to the recommendation and in consideration of stated actions underway, OIG considers the recommendation resolved. Although OIG acknowledges there has been coordination between the Department and DoD, OIG offered this recommendation to formalize such interagency coordination through a memorandum of understanding and regular meetings between the Department and DoD SIV SCOs. As discussed in conjunction with Recommendation 4, GAO key considerations for effective interagency coordination recommend articulating responsibilities through formal documents such as a memorandum of understanding to enhance coordination and strengthen the commitment of agencies to work collaboratively.⁷⁷ OIG added footnote 75 to this final report, revising the number of applicants awaiting COM adjudication in accordance with the Afghan SIV pipeline report for May 2022. This recommendation will be closed when OIG receives documentation that actions have been taken by the Department and DoD SCOs to develop and sustain an efficient employment verification process and resolve the backlog of Afghan SIV applications through a formal arrangement, such as a memorandum of understanding, or an acceptable alternative approach.

Status of Recommendation 5 – The Bureau of Consular Affairs Has Not Prioritized Consular Data System Modernization

In OIG's June 2020 report, Recommendation 5 advised to minimize redundancy in Afghan SIV data entry through the use of a new or modified system. As of May 2022, this recommendation remains open and was considered resolved, pending further action. In December 2020, CA's Office of Consular Systems and Technology stated it will not separately update individual legacy consular systems unless mandated by law. As a result, the Department has not improved

⁷⁷ GAO-12-1022, September 2012, page 25.

systems used to process Afghan SIV applications. Instead, the Department has committed to reducing redundancy through Consular Systems Modernization, the Department's multi-year modernization effort to comprehensively improve all core consular services systems. Consular Systems Modernization will convert paper-based services to an online system that will store data pertaining to processing visa, passport, and citizen services. The Department initially informed OIG that this modernization would begin in 2021 and end in 2025.⁷⁸ However, because of competing priorities, the Department determined that legacy programs used for the Afghan SIV program will not be decommissioned until after 2026. Inefficiencies within legacy systems remain and continue to delay Afghan SIV processing, and CA has not provided clear estimates of when this recommendation will be implemented.

Disparate SIV Data Systems Remain Problematic Despite Limited Efforts To Integrate Them

OIG found that CA made limited efforts to integrate the separate Afghan SIV-specific systems into CA's overall system of processing other immigrant visas. These disparate systems used across the Afghan SIV process have caused technical issues and delays for the ASIV Unit and AAU consular staff.⁷⁹ These issues include the existence of duplicate applications during the COM approval phase. Additionally, during the interview phase of the SIV process, OIG observed the network shut down while AAU consular staff used it, which they explained was a common occurrence. Although the Afghan SIV program will accept new applications through December 2023, SIV applications will continue to be processed until the Department resolves the status of all pending applications. According to CA, modernization of their technical systems is significant to improving the program's efficiency; however, Consular Systems Modernization delivery remains at least 3 years away, according to Department officials.

The Bureau of Consular Affairs Has Not Prioritized Improving SIV-Specific Systems

Although the SCO is aware of Afghan SIV systems' inefficiency, the Department has not prioritized the timely improvement of Afghan SIV systems. For example, officials from the Office of Consular Systems and Technology stated they had received no guidance from the Department SCO regarding Afghan SIV systems. Additionally, the Department's 2020 contract providing support for Consular Systems Modernization does not specifically address Afghan SIV systems modernizations. The Office of Consular Systems and Technology's head of New Design and Development also confirmed that the contract included no modernization efforts specific to Afghan SIV systems.

In February 2021, after President Biden's executive order mandated SIV programs be administered "without undue delay,"⁸⁰ the Office of Consular Systems and Technology worked with the ASIV Unit and White House Digital Services to improve the efficiency of Afghan SIV

⁷⁸ OIG previously reported in its *Inspection of the Bureau of Consular Affairs, Office of Consular Systems and Technology* (ISP-I-17-04, December 2016) and *Review of the Bureau of Consular Affairs' ConsularOne Modernization Program—Significant Deployment Delays Continue* (ISP-I-22-03, November 2021) that the Department has consistently delayed deployment dates for Consular Systems Modernization.

⁷⁹ For more information about the systems used to process SIV applicant data, refer to Finding A of this report.

⁸⁰ Executive Order 14013, at § 1(j).

processing. However, Office of Consular Systems and Technology officials informed OIG that competing priorities had prevented them from consistently focusing on improving Afghan SIV functionality. Instead, they could only offer limited “quick fixes” to address interoperability and latency issues within SQ-SIV. Such quick fixes included allowing the ASIV Unit to update multiple cases at a time. These measures have not led to holistic improvements of systems involved in SIV processing. The Office of Consular Systems and Technology has no plans to improve SIV systems outside of Consular Systems Modernization within the next 2 years.

The Bureau of Consular Affairs Should Prioritize Improving SIV-Specific Systems To Address the Application Backlog

CA has long deferred improvements to SIV-specific systems, asserting that Consular Systems Modernization will resolve redundant data entry issues and improve systems’ interoperability. Despite the Afghan SIV program’s importance, CA has not made significant, timely improvements to SIV systems. CA’s failure to prioritize SIV systems’ interoperability compounds the Department’s insufficient staffing of the Afghan SIV program because legacy system inefficiencies divert staff time from other functions. Failure to prioritize Afghan SIV functionality within consular systems contributes to the growing backlog of 61,888 (as of May 2022) Afghan SIV principal applications in SIV processing and ultimately delays vulnerable Afghan allies from reaching the United States. Therefore, OIG is closing the prior recommendation (AUD-MERO-20-35, Recommendation 5), and is offering the following new recommendation.

Recommendation 9: OIG recommends that the Special Immigrant Visa (SIV) Senior Coordinating Official, in coordination with the Bureau of Consular Affairs, review obstacles to timely Afghan SIV processing at each phase of the process and present a list of requirements to the Office of Consular Systems and Technology to optimize SIV systems through Consular Systems Modernization or within legacy systems.

Management Response: The Department concurred with the recommendation.

OIG Reply: On the basis of the Department’s concurrence with the recommendation, OIG considers the recommendation resolved, pending further action. OIG notes that the final recommendation includes “Consular Systems Modernization” rather than “ConsularOne,” which was changed throughout the report in response to the Department’s general comments to a draft of this report (see Appendix D). This recommendation will be closed when OIG receives documentation demonstrating that the SIV SCO and CA have reviewed obstacles to timely Afghan SIV processing at each phase of the process and presented a list of requirements to the Office of Consular Systems and Technology to optimize SIV systems through Consular Systems Modernization.

Status of Recommendation 6 – The Department Provided Some Protections for Afghan SIV Applicants Overseas

In OIG’s June 2020 report, Recommendation 6 advised that the Department examine ways to provide protections for Afghan SIV applicants experiencing “imminent danger” as they await processing of their applications for immigration to the United States. In December 2020 the

Department provided the results of its analysis, conducted in consultation with DoD, the U.S. Agency for International Development, and DHS, which ultimately concluded that they had limited authority with respect to protecting Afghan SIV applicants overseas. At that time, OIG closed the recommendation.

The Department Made Efforts To Protect Afghans in Imminent Danger

Although it had concluded in December 2020 that there was limited authority, following President Biden's April 2021 announcement that the United States would complete its troop withdrawal by September 11, 2021,⁸¹ the Department established a plan for the relocation of some Afghan SIV holders and their immediate family members from Afghanistan to the United States. The Department had relocated 1,698 Afghan SIV holders and applicants by August 14, 2021.⁸² Since the fall of the government of the Afghan Republic in August 2021, the Department and DoD, in accordance with the Biden Administration's direction, prioritized relocating Afghans in imminent danger to safe havens within and outside the United States. Additionally, during the August 2021 evacuation from Afghanistan, some Afghan SIV applicants whose applications remained in-process received humanitarian parole⁸³ to enter the United States. In addition, the Department has been negotiating with the Taliban to provide freedom of movement for Afghans attempting to leave Afghanistan. The Department's actions are consistent with the intent of OIG's original recommendation to "examine whether and how protection could be provided for special immigrant visa applicants experiencing 'imminent danger' as they await processing of their applications." Recognizing the present challenges and limits to the Department's authority to offer additional protections, OIG is not offering a new recommendation related to this topic.

⁸¹ In July 2021, the Biden Administration changed the withdrawal date to August 31, 2021.

⁸² In response to a draft of this report (see Appendix D), the Department stated that "[t]he Department had relocated 1,962 Afghan SIV holders and other SIV applicants in the final stages of visa processing by August 15, 2021." OIG has not verified or validated the data provided in the Department's comments regarding the number of relocated Afghan SIV holders and other SIV applicants as of August 15, 2021.

⁸³ According to USCIS, humanitarian parole is a status that allows an individual who may be inadmissible or otherwise ineligible for admission into the United States to be in the United States for a temporary period for urgent humanitarian reasons or significant public benefit.

RECOMMENDATIONS

Recommendation 1: OIG recommends that the Special Immigrant Visa (SIV) Senior Coordinating Official, in coordination with the Bureau of Consular Affairs, Afghan Special Immigrant Visa Unit, the National Visa Center, and data scientists, revise the Standard Operating Procedures for Quarterly Congressional Reports to include specific steps and procedures for calculating and reporting average processing times for Department of State-controlled stages of the Afghan SIV application process so that reported data reflect the actual average processing times.

Recommendation 2: OIG recommends the Special Immigrant Visa (SIV) Senior Coordinating Official, in coordination with the National Visa Center and the Afghan SIV Unit, design and implement control activities in accordance with the Government Accountability Office's *Standards for Internal Control in the Federal Government* to monitor, verify, and validate the accuracy and completeness of the Department of State-controlled data used to generate the average processing time reported in the Afghan SIV quarterly reports.

Recommendation 3: OIG recommends the Special Immigrant Visa (SIV) Senior Coordinating Official, in coordination with the Bureau of Consular Affairs, design and implement control activities in accordance with the Government Accountability Office's *Standards for Internal Control in the Federal Government* to verify and validate the accuracy and completeness of the information obtained from the entities involved with processing Afghan SIV applications.

Recommendation 4: OIG recommends the Special Immigrant Visa (SIV) Senior Coordinating Official (SCO) develop and implement a policy and procedures to establish ongoing interagency coordination with all designated SCOs until the Afghan SIV program concludes.

Recommendation 5: OIG recommends the Special Immigrant Visa (SIV) Senior Coordinating Official (SCO) develop and implement a policy and procedures to monitor the implementation of improvements to address known challenges within the Afghan SIV program.

Recommendation 6: OIG recommends the Special Immigrant Visa (SIV) Senior Coordinating Official (SCO) develop and implement an updated staffing plan to adjust resources for all Department of State offices involved with the Afghan SIV program to reduce the current Afghan SIV application backlog.

Recommendation 7: OIG recommends the Special Immigrant Visa (SIV) Senior Coordinating Official develop a process and procedures to monitor the implementation, effectiveness, and efficiency of the staffing plan for all Department offices involved in the Afghan SIV program to reduce the current Afghan SIV application backlog.

Recommendation 8: OIG recommends that the Special Immigrant Visa (SIV) Senior Coordinating Official (SCO), in collaboration with the Department of Defense (DoD) SCO, establish a memorandum of understanding between the Department of State (Department)

SCO and the DoD SCO defining the roles and responsibilities of the Department and DoD for efficiently and accurately collecting employment documentation of Afghan SIV applicants who worked for DoD contractors. The Department and DoD SCOs should also meet regularly to address efficient employment verification until the Department resolves the backlog of Afghan SIV applications.

Recommendation 9: OIG recommends that the Special Immigrant Visa (SIV) Senior Coordinating Official, in coordination with the Bureau of Consular Affairs, review obstacles to timely Afghan SIV processing at each phase of the process and present a list of requirements to the Office of Consular Systems and Technology to optimize SIV systems through Consular Systems Modernization or within legacy systems.

APPENDIX A: PURPOSE, SCOPE, AND METHODOLOGY

The Department of State (Department), Office of Inspector General (OIG) conducted this compliance follow-up review in response to specific congressional questions involving the Afghan Special Immigrant Visa (SIV) process¹ to determine whether the Department's actions to implement recommendations from OIG's prior review of the Afghan SIV program² improved deficiencies identified.

In September and October 2021, several congressional committees requested a comprehensive review of the SIV process in Afghanistan.³ The requests included an examination of several distinct issues related to the Afghan SIV process, such as statistics on application numbers and average processing times, applicant vetting, impacts of the COVID-19 pandemic, status and resolution of prior OIG recommendations,⁴ and resettlement outcomes. OIG is responding to these requests in a series of reports. This review focused on the actions the Department has taken to implement OIG's Afghan SIV-related recommendations dated June 2020. OIG also coordinated its work with Offices of Inspectors General for other agencies conducting reviews involving various aspects of U.S. government activities following the evacuation and suspension of operations at U.S. Embassy Kabul, Afghanistan, through participation in the OIG Afghanistan project coordination working group.⁵

OIG conducted this review from January to July 2022 in the Washington, DC, metropolitan area; Portsmouth, NH; and Doha, Qatar. To determine the actions taken to implement recommendations from OIG's June 2020 reports that served as the basis to close those recommendations, OIG assessed compliance correspondence obtained from the Department by OIG's Audit Operations, Quality, and Compliance Division, analyzed information for each recommendation, and described the status of the recommendations and how they were closed in accordance with the Foreign Affairs Manual. The compliance correspondence included memos and supporting documentation from the Under Secretary of State for Management, Bureau of Consular Affairs (CA), and the Bureau of Diplomatic Security.

To assess the extent to which the actions taken to close recommendations improved the Afghan SIV program and reporting, OIG reviewed relevant legislation, including the Afghan

¹ This report is part of a series in response to congressional committee requests for an OIG review of the Afghan SIV program, the refugee admission and resettlement process, the resettlement of visa recipients, and Embassy Kabul's emergency action planning and execution. For the full text of the congressional letters, see Appendix B of this report.

² OIG, *Management Assistance Report: Quarterly Reporting on Afghan Special Immigrant Visa Program Needs Improvement* (AUD-MERO-20-34, June 2020); OIG, *Review of the Afghan Special Immigrant Visa Program* (AUD-MERO-20-35, June 2020).

³ See Appendix B for the request by the U.S. House of Representatives Committee on Foreign Affairs and the request by the U.S. Senate Foreign Relations Committee.

⁴ AUD-MERO-20-34, June 2020, and AUD-MERO-20-35, June 2020.

⁵ The Department of Defense (DoD) OIG, the Department of Homeland Security OIG, U.S. Agency for International Development OIG, and Special Inspector General for Afghanistan Reconstruction were also addressed in the Congressional requests for a comprehensive joint review of the SIV process in Afghanistan.

Allies Protection Act of 2009,⁶ and the National Defense Authorization Act of 2014 (FY 2014 NDAA).⁷ In addition to assessing the actions taken to close prior OIG recommendations, OIG considered the significant events that occurred during the summer of 2021 to ensure any recommendations offered remained relevant to the Afghan SIV program following the suspension of operations at U.S. Embassy Kabul, Afghanistan, and the resulting surge in Afghan SIV applications. OIG also interviewed and reviewed correspondence and documentation from the Deputy Secretary of State for Management and Resources and officials from the Bureaus of Consular Affairs and South and Central Asian Affairs, the Afghan Special Immigrant Visa Affairs Unit, and the National Visa Center, Embassy Doha, and the Afghan Affairs Unit. In addition, OIG interviewed Department of Defense, Department of Homeland Security, and U.S. Citizenship and Immigration Services officials. OIG also visited U.S. Army Base, Camp As Sayliyah, in Doha, Qatar, which included observations of SIV applicants' arrival from Afghanistan, in-processing for those applicants to reside in temporary housing at Camp As Sayliyah, and in-person interviews of applicants before final SIV issuance and travel to the United States.

This report relates to Overseas Contingency Operations Freedom's Sentinel and Enduring Sentinel and was completed in accordance with OIG's oversight responsibilities described in Section 8L of the Inspector General Act of 1978, as amended.⁸ OIG conducted this review in accordance with the Council of the Inspectors General on Integrity and Efficiency's *Quality Standards for Inspection and Evaluation*, December 2020. These standards require that OIG plan and perform the review to obtain sufficient, appropriate evidence to provide a reasonable basis for the findings and conclusions based on the review objective. OIG faced challenges in completing this work because of the COVID-19 pandemic. These challenges included limitations on in-person meetings, difficulty accessing information, and related difficulties within the Department that affected its ability to respond to OIG requests for information in a timely manner. Despite the challenges, OIG believes that the evidence obtained provides a reasonable basis for the findings and conclusions presented in this report.

Data Reliability

This compliance follow-up review drew from Department compliance correspondence that OIG used as a basis to close its recommendations made in June 2020. OIG verified and corroborated the compliance data through interviews, email correspondence, and data gathering. OIG found that the data provided by the Department in the compliance correspondence were reliable for the purposes of this report. In addition, because this report is part of a series that addresses

⁶ Afghan Allies Protection Act of 2009, Public Law 111-8, March 11, 2009, codified at 8 U.S. Code. § 1101 note, "Afghan Allies Protection."

⁷ FY 2014 NDAA, Public Law 113-66, December 26, 2013, §§ 1218 and 1219.

⁸ On October 1, 2021, DoD terminated the Operation Freedom Sentinel mission and initiated Operation Enduring Sentinel, a new mission to protect U.S. national interests by disrupting violent extremist organizations and their external operations that threaten the U.S. homeland, partners, and allies from Afghanistan. The Operation Freedom Sentinel mission began January 2015, when the United States joined the North Atlantic Treaty Organization-led Resolute Support Mission in Afghanistan to develop the capacity of Afghan security ministries and to train, advise, and assist the Afghan National Defense and Security Forces. This review is about the Department's implementation of the Afghan SIV program, a long-standing effort to support Afghan nationals who have assisted the U.S. government in the fight against terrorism since 2001, which is subject to Section 8L oversight.

many aspects of the Afghan SIV program, OIG refers to SIV average processing times of the Chief of Mission (COM) approval from its *Information Report: Afghan Special Immigrant Visa Program Metrics* (AUD-MERO-22-38, September 2022). As described in AUD-MERO-22-38, OIG found that the data used to calculate Afghan SIV applicant processing times at the COM phase are not sufficiently reliable to produce accurate reporting. Specifically, to calculate COM processing time OIG needed two dates for each application: (1) the date that the application became documentarily complete and (2) the subsequent date when the Afghan Special Immigrant Visa Unit completes its review of the COM application, referred to as the “agenda date.” OIG found three types of anomalies within 22,637 of the 62,978 applications (36 percent) that had received a COM decision in the data CA provided OIG.

Work Related to Internal Control

During this review, OIG considered a number of factors, including the subject matter of the project, to determine whether internal control was significant to the objective. Based on its consideration, OIG determined that internal control was significant for this review. OIG then considered the components of internal control and the underlying principles included in the *Standards for Internal Control in the Federal Government*⁹ to identify internal controls that were significant to the review objective. Considering internal control in the context of a comprehensive internal control framework can help determine whether underlying internal control deficiencies exist.

For this review, OIG concluded that three of five internal control components from the *Standards for Internal Control in the Federal Government*, Control Activities, Information and Communication, and Monitoring, were significant to the review objective. The Control Activities component includes the actions management establishes through policies and procedures to achieve objectives and respond to risks in the internal control system, which includes the entity’s information system. The Information and Communication component relates to the quality information that management and personnel communicate and use to support the internal control system. The Monitoring component relates to activities management establishes and operates to assess the quality of performance over time and promptly resolve the findings of audits and other reviews. OIG also concluded that four of the principles related to the selected components were significant to the review objective as described in Table A.1.

Table A.1: Internal Control Components and Principles Identified as Significant

Components	Principles
Control Activities	Principle 10: Management should design control activities to achieve objectives and respond to risks. Principle 11: Management should design the entity’s information system and related control activities to achieve objectives and respond to risks.
Information and Communication	Principle 13: Management should use quality information to achieve the entity’s objectives.

⁹ Government Accountability Office, *Standards for Internal Control in the Federal Government* (GAO-14-704G, September 2014).

Components	Principles
Monitoring	Principle 16: Management should establish and operate monitoring activities to monitor the internal control system and evaluate the results.

Source: Generated by OIG from an analysis of internal control components and principles from the Government Accountability Office, *Standards for Internal Control in the Federal Government* (GAO-14-704G, September 2014).

OIG then reviewed documents, conducted interviews, and performed walkthroughs of the process to obtain an understanding of the internal controls related to the components and principles identified as significant for this review. OIG performed procedures to assess the operating effectiveness of key internal controls. Specifically, OIG:

- Interviewed Department entities to understand whether and how they verified data while calculating application processing times to assess control activities.
- Reviewed the Department's data entry processes to determine the completeness of the data and whether that data accurately reflected processing times.
- Interviewed Department officials concerning the methodology used to calculate Afghan SIV application processing times; inquired about how consistently the methodology was used to assess the quality of information across these entities.
- Interviewed the Senior Coordinating Official of the Afghan SIV process to understand the extent to which monitoring activities occurred.

Internal control deficiencies identified during the review that are significant within the context of the review objective are presented in the Results section of this report.

Prior Office of Inspector General Reports

In its *Information Report: Afghan Special Immigrant Visa Program Metrics* (AUD-MERO-22-38, September 2022), OIG provided a detailed description of the Afghan SIV application process. In addition, OIG reported that, from 2009 through 2021, the Department received 59,977 Afghan SIV applications, from which it subsequently issued 22,085 SIVs and denied 28,821. The Department was still reviewing up to 9,071 applications. From President Biden's announcement of the U.S. troop withdrawal through the eventual evacuation and suspension of operations at Embassy Kabul (i.e., from April 2021 through August 2021), the Department issued 1,754 SIVs. In addition, as of May 31, 2022, 15,678 Afghan SIV applications were in process: 4,975 were in the COM application phase, 1,095 in the I-360 petition phase, and 9,608 were in the visa application phase. OIG was unable to determine overall average processing time of the 22,085 issued SIVs because a key data element necessary to calculate processing time for the COM approval phase was not sufficiently reliable. However, from 2017 through 2020 the visa application processing time exceeded 9 months, and the combined average processing time for these phases in 2021 was 5.5 months. OIG did not offer recommendations in the information report, as other SIV reviews will aim to offer improvements to the Afghan SIV program.

In its *Management Assistance Report: Quarterly Reporting on Afghan Special Immigrant Visa Program Needs Improvement* (AUD-MERO-20-34, June 2020), OIG found that the Department's method for collecting, verifying, and reporting the average processing times for SIV applications

was inconsistent and potentially flawed. The entities responsible for calculating and reporting these processing times employed different methodologies, which sometimes failed to capture all application processing times. Without accurate processing time reporting, the quarterly reports did not reflect the state of the SIV program and limited both the Department's and Congress' ability to make informed decisions about the program. OIG offered CA three recommendations which sought to improve the accuracy of quarterly reporting, all of which had been implemented and closed in April 2021.

In its *Review of the Afghan Special Immigrant Visa Program* (AUD-MERO-20-35, June 2020), OIG reported on factors that negatively impacted the Department's ability to implement the Afghan SIV program in response to a request from Congress to review the program. Specifically, staffing levels across program offices were not sufficient to reduce the applicant backlog and the lack of interoperability between technological systems caused delays in processing applicants. Applicants experienced long processing times in receiving COM approval and in post-visa interview administrative processing. OIG attributed delays in SIV processing, in part, to the absence of an appointed SIV Senior Coordinating Official, who is authorized to direct the management of the SIV program and respond to deficiencies in SIV processing. OIG offered six recommendations to the Department aimed at improving the Department's processing of SIV applications. Five of the recommendations were closed as of April 2021 and one remains open and is considered resolved, pending further action.

APPENDIX B: CONGRESSIONAL REQUEST LETTERS

AMI BERA, M.D.
7TH DISTRICT, CALIFORNIA
COMMITTEE ON FOREIGN AFFAIRS:
SUBCOMMITTEES:
CHAIRMAN, ASIA, THE PACIFIC, CENTRAL ASIA,
AND NONPROLIFERATION
AFRICA, GLOBAL HEALTH, AND GLOBAL HUMAN RIGHTS
COMMITTEE ON SCIENCE, SPACE, AND
TECHNOLOGY:
SUBCOMMITTEES:
SPACE
INVESTIGATIONS AND OVERSIGHT



Congress of the United States
House of Representatives

September 30, 2021

WASHINGTON OFFICE
172 CANNON HOUSE
OFFICE BUILDING
WASHINGTON, DC 20515
PHONE: (202) 225-6716
FAX: (202) 226-1298

DISTRICT OFFICE
8950 CAL. CENTER DRIVE
BUILDING 3, SUITE 100
SACRAMENTO, CA 95826
PHONE: (916) 635-0505
FAX: (916) 635-0514

[HTTPS://BERA.HOUSE.GOV](https://bera.house.gov)
AMI.BERA@MAIL.HOUSE.GOV

Diana Shaw
Acting Inspector General
U.S. Department of State
Office of Inspector General
SA-39, 1700 North Moore Street
Arlington, VA 22209

Sean O'Donnell
Acting Inspector General
U.S. Department of Defense
Office of Inspector General
4800 Mark Center Drive
Alexandria, VA 22350

Thomas J. Ullom
Acting Inspector General
U.S. Agency for International Development
Office of Inspector General
1300 Pennsylvania Avenue NW
Washington, DC 20523

John F. Sopko
Special Inspector General
Special Inspector General for Afghanistan Reconstruction
2530 Crystal Drive
Arlington, VA 22202

Dear Acting Inspector General Shaw, Acting Inspector General O'Donnell, Acting Inspector General Ullom, and Special Inspector General Sopko,

I request the U.S. Department of State Office of Inspector General (State OIG), U.S. Department of Defense Office of Inspector General (DOD OIG), U.S. Agency for International Development Office of Inspector General (USAID OIG), and Special Inspector General for Afghanistan Reconstruction (SIGAR) conduct a comprehensive joint audit of the Special Immigrant Visa (SIV) process in Afghanistan.

The Afghan SIV program was enacted through the Afghan Allies Protection Act of 2009 to provide a lifesaving path to resettlement for Afghan nationals who have assisted U.S. military and government officials. Although the law requires SIV applications to be processed within nine months, the program has been plagued by backlogs leading to processing times that can last over three years. These delays put our Afghan allies at an increased risk of facing violent retribution by the Taliban.

As Congress conducts oversight on U.S. involvement in Afghanistan, it is critical that we examine the execution of the SIV program, and ways in which the program can be streamlined. Therefore, I am interested in the IG community's past and future oversight of the SIV program to identify where the United States succeeded, fell short, and must improve to protect our allies.

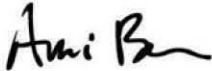
The IG community should thoroughly examine individual department and interagency processes and practices pertaining to the Afghan SIV process. I request all responses be provided in an unclassified form, to the extent possible, with a classified annex where necessary. At a minimum, the review should include:

- 1) the numbers of SIV applications received, approved, and denied, by year, since enactment of The Afghan Allies Protection Act of 2009;
- 2) the average time taken to process an application from the date of submission until final disposition;
- 3) the degree to which the Department of State implemented recommendations made by the Department of State Office of Inspector General in its June 2020 reports on Review of the Afghan Special Immigrant Visa Program (AUD-MERO-20-35) and Management Assistance Report: Quarterly Reporting on Afghan Special Immigrant Visa Program Needs Improvement (AUD-MERO-20-34);
 - a) the success implementation of report recommendations had in addressing barriers in the SIV program;
- 4) what changes, if any, the Department of State made in vetting SIV applicants since the establishment of Special Representative for Afghanistan Reconciliation (SRAR) in 2018;
- 5) the extent to which the Department of State adjusted practices and procedures to vet applicants at any point following the February 2020 Doha Agreement with the Taliban;
- 6) the impact of Coronavirus Disease 2019 (COVID-19) on the Afghan SIV process, if any, and adjustments the Department of State made to account for COVID-19 impacts;
- 7) to the extent practicable, the current location and status of all SIV applicants; where not possible, a description of the approximate number of applicants;
- 8) the resettlement outcomes for SIV recipients as compared to U.S. Refugee Admissions Program (USRAP);
 - a) factors to be examined should include location of resettlement, school enrollment, employment status, and housing placement during the Reception and Placement (R&P) program, as well as the number of recipients who become naturalized U.S. citizens;
- 9) recommendations to strengthen and streamline the SIV process;

- 10) the lessons learned on best practices for SIV programs in countries with ongoing U.S. military involvement; and
- 11) any additional points of interest deemed necessary by the IG community.

I request that all agencies utilize existing audits while compiling the report to avoid duplicative efforts. Thank you for your attention to this important matter and consideration of this request.

Sincerely,

A handwritten signature in black ink that reads "Ami Bera". The signature is stylized with a large, looped "A" and a cursive "Bera".

Ami Bera, M.D.
Chairman
Subcommittee on Asia, the Pacific,
Central Asia, and Nonproliferation

United States Senate
WASHINGTON, DC 20510

October 21, 2021

The Honorable Diana Shaw
Acting Inspector General
U.S. Department of State
Office of Inspector General
SA-39, 1700 North Moore Street Arlington, VA 22209

The Honorable Sean O'Donnell
Acting Inspector General
U.S. Department of Defense
Office of Inspector General
4800 Mark Center Drive Alexandria, VA 22350

The Honorable Joseph Cuffari
Inspector General
U.S. Department of Homeland Security
Office of Inspector General
3801 Nebraska Ave N.W., Washington, DC 20016

The Honorable Thomas Ullom
Acting Inspector General
U.S. Agency for International Development
Office of Inspector General
1300 Pennsylvania Avenue N.W. Washington, DC 20523

Dear Ms. Shaw, Mr. O'Donnell, Mr. Cuffari, and Mr. Ullom:

We write to request the U.S. Department of State Office of Inspector General, U.S. Department of Defense Office of Inspector General, U.S. Department of Homeland Security Office of Inspector General, and the U.S. Agency for International Development Office of Inspector General launch a comprehensive joint review and audit of the Afghan Special Immigrant Visa (SIV) program. While we appreciate the U.S. Department of State Office of Inspector General's commitment to carry out a review of the SIV program, we feel any audit must be comprehensive in scope and consider the role of other key agencies, notably the Department of Homeland Security and the Department of Defense.

For the past 20 years, the U.S. mission in Afghanistan has relied heavily on brave Afghans who put their lives on the line and knowingly risked Taliban retribution to serve our soldiers and diplomats. Without their support, our mission would not have been possible. Now, in the aftermath of the chaotic and haphazard U.S. withdrawal, in which thousands of SIV applicants were

The Honorable Diana Shaw
The Honorable Sean O'Donnell
The Honorable Joseph Cuffari
The Honorable Thomas Ullom
October 21, 2021
Page 2

shamefully left behind, these same Afghans are at grave risk, vulnerable to retaliation from the Taliban due to their association with the United States.

Under the Afghan Allies Protection Act of 2009, the SIV program was expanded to grant Afghan interpreters, translators, and others access to U.S. visas in cases of imminent risk. In an effort to safeguard the security of our partners on the ground, the law mandates a maximum nine-month processing window for each principal applicant. However, the Afghan SIV program, much like its Iraqi counterpart, has long been plagued by lengthy processing delays. It is estimated that the resource intensive 14-step, inter-agency, process takes an average three and half years to complete, resulting in a backlog of well over 20,000 principle applicants before the U.S. military withdrawal on August 31, 2021. Since then, the number of credible threats against our partners and their families in Afghanistan continues to increase by the day, as the Taliban continues to solidify its violent grip over the country.

The United States pledged to support those who served our mission in Afghanistan. This is vital if we are to uphold our commitment to those who helped defend core U.S. national security interests. Failing to do so would lead allies and adversaries alike to call into question our reliability and credibility as a partner in future conflicts.

This investigation should thoroughly review each individual executive department that holds responsibilities in the SIV process, as well as their respective bureaus, offices, and missions, and the interagency processes in place to help facilitate communication and coordination between them. We request all responses be provided in an unclassified form, to the extent possible, with a classified annex where necessary. At a minimum, the review should include:

- 1) A detailed step-by-step description of the SIV process together with the number of days allotted by the U.S. government for the completion of each step;
- 2) The numbers of SIV applications received, approved, and denied, by year, since enactment of the Afghan Allies Protection Act of 2009;
- 3) The specific number of applications approved between April 2021 and August 2021;
- 4) An assessment of the average length of time required to process an SIV application from the date of submission to final disposition;
- 5) An accounting of how many SIV applicants remain in the pipeline;

The Honorable Diana Shaw
The Honorable Sean O'Donnell
The Honorable Joseph Cuffari
The Honorable Thomas Ullom
October 21, 2021
Page 3

6) The extent to each participating department or agency of the U.S. government, including the Department of State and the Department of Homeland Security, adjusted SIV processing practices and procedures to vet applicants and expand processing capacity since the February 29, 2020, Doha Agreement between the United States and the Taliban;

7) A list of the specific steps, if any, taken between January 20, 2021 and August 31, 2021, to streamline Afghan SIV applicant processing and address longstanding bureaucratic hurdles, while improving security protocols;

8) An assessment of the continuing viability of the current SIV process in light of the recent Taliban takeover;

9) Recommendations to strengthen and streamline the SIV process going forward, in light of the Taliban takeover, particularly with respect to the timeline for granting Chief of Mission approval;

10) Factors under consideration with respect to efforts to relocate processing capabilities away from Kabul, including obstacles, barriers, and limitations to doing so;

11) The degree to which the Department of State implemented recommendations made by the Department of State Office of Inspector General in its June 2020 reports on Review of the Afghan Special Immigrant Visa Program (AUD-MERO-20-35) and Management Assistance Report: Quarterly Reporting on Afghan Special Immigrant Visa Program Needs Improvement (AUD-MERO-20-34);

12) An assessment of the extent to which challenges in verifying applicants' employment with the Department of Defense contributed to delays in the SIV process, and an accounting of the specific steps taken since February 29, 2020 to address issues surrounding employment verification;

13) An assessment of efforts to develop contingency plans for the safe evacuation of SIV holders from Afghanistan to the United States before August 31, 2021, and an accounting of the number of SIV holders remaining in Afghanistan after August 31, 2021;

14) The resettlement outcomes for SIV recipients as compared to like outcomes for participants in the U.S. Refugee Admissions Program. Among the outcomes to be assessed are: location of resettlement, school enrollment, employment status, and housing placement during the Reception and Placement phases of each program, as well as the number of participants who became naturalized U.S. citizens;

The Honorable Diana Shaw
The Honorable Sean O'Donnell
The Honorable Joseph Cuffari
The Honorable Thomas Ullom
October 21, 2021
Page 4

- 15) The lessons learned from the Afghan SIV program that could be applied to enhance SIV programs in other countries with ongoing U.S. military involvement; and
- 16) Any additional matters deemed appropriate by the participating Inspectors General.

As you carry out your investigation, we request that you draw on past audits, investigations, assessments, and other relevant oversight documents from across the inter-agency to inform the direction of your work. I request that the completed report of your review and audit be provided to the Ranking Members of the Senate Foreign Relations Committee, Senate Armed Services Committee, and Senate Homeland Security and Governmental Affairs Committee in an unclassified form, to the extent possible, with a classified annex as necessary.

Sincerely,



JAMES E. RISCH
Ranking Member
Senate Foreign Relations Committee



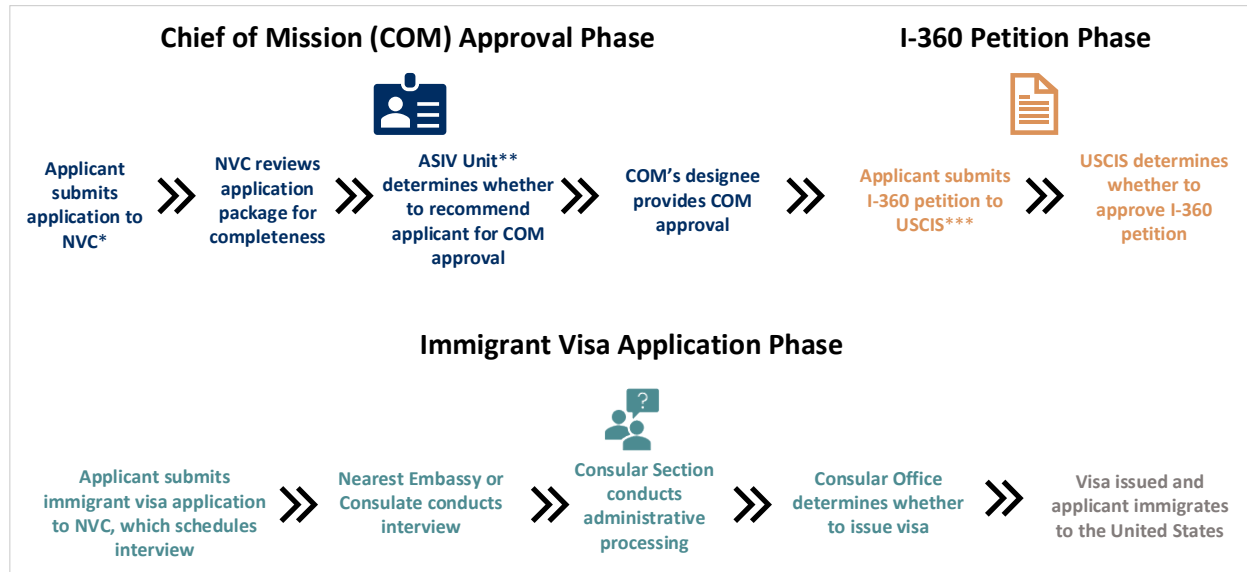
JAMES M. INHOFE
Ranking Member
Senate Armed Services Committee



ROB PORTMAN
Ranking Member
Senate Homeland Security and
Governmental Affairs Committee

APPENDIX C: AFGHAN SPECIAL IMMIGRANT VISA PROCESS

Figure C.1: Afghan Special Immigrant Visa Application Process Flowchart



* National Visa Center (NVC)

** Afghan Special Immigrant Visa (ASIV) Unit

*** Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS)

Source: Generated by the Office of Inspector General based on information obtained from congressional legislation including the Afghan Allies Protection Act of 2009, as amended authorizing the Afghan SIV program and from information obtained from interviews with Department of State (Department) and USCIS officials and Department flowcharts depicting the SIV review process.

APPENDIX D: DEPARTMENT OF STATE RESPONSE



United States Department of State
*Under Secretary of State
for Management*
Washington, D.C. 20520

UNCLASSIFIED

September 13, 2022

MEMORANDUM

TO: OIG – Diana Shaw

FROM: D-MR – Brian P. McKeon *BSM*

SUBJECT: Response to the Compliance Follow Up Review of the
Afghan Special Immigrant Visa Program

(U) Thank you for the opportunity to comment on the Office of the Inspector General's Compliance Follow Up Review of the Afghanistan Special Immigrant Visa Program.

(U) After thoughtful consideration of OIG's recommendations, we have the following responses:

Recommendation 1: OIG recommends that the Afghan Special Immigrant Visa (SIV) Senior Coordinating Official, in coordination with the Bureau of Consular Affairs, Afghan Special Immigrant Visa Unit, the National Visa Center, U.S. Citizenship and Immigration Services, and data scientists, revise the Standard Operating Procedures for Quarterly Congressional Reports to include specific steps and procedures for calculating and reporting average processing times for Afghan SIV applications so that reported data reflect the actual average processing time from the applicant's initial Afghan SIV application submission through visa issuance.

Management Response: The Department respectfully does not concur with this recommendation. Recommendation 1 appears to be based on a premise that the quarterly reports and the data provided therein, including the verification of that data, is the sole responsibility of the

UNCLASSIFIED

-2-

Department of State; however, the AAPA requires the Department of State *and* the Department of Homeland Security, in consultation with the Department of Defense, to submit this report, and the Department of State has no authority or control over USCIS data systems and methodology, nor can State require USCIS to use the State SOPs developed in response to OIG's June 2020 recommendation. Moreover, OIG does not explain why the SOPs developed in response to the June 2020 recommendation were deemed to be sufficient previously but are now viewed to be inadequate. In addition, OIG recommends generally that these SOPs be revised but does not identify the specific concerns that OIG believes these revised SOPs need to address, within the capabilities of current data systems. As detailed in the Department's comments on the Draft OIG Metrics Report, many of the so-called inaccuracies or inconsistencies that the Report discusses were either historical issues that have since been rectified or were based on misunderstandings about the SIV process. These corrections should be reflected in OIG's analysis in the *Compliance Follow Up Review of the Afghan Special Immigrant Visa Program* Report as well.

Recommendation 2: OIG recommends the Afghan Special Immigrant Visa (SIV) Senior Coordinating Official, in coordination with the National Visa Center and the Afghan SIV Unit, design and implement control activities in accordance with the Government Accountability Office's Standards for Internal Control in the Federal Government to monitor, verify, and validate the accuracy and completeness of the data used to generate the average processing time reported in the Afghan SIV quarterly reports.

Management Response: The Department respectfully does not concur with this recommendation. Again, a similar recommendation to implement internal controls in the June 2020 review was closed following the Department's response to that recommendation. OIG does not explain why the SOP developed in response to the June 2020 recommendation was deemed to be sufficient previously but is now

-3-

viewed to be inadequate. Furthermore, implementing control activities specifically consistent with the Government Accountability Office's Standards for Internal Control in the Federal Government is a very resource- and time-intensive process and would require significant time by those staff currently processing SIV cases. Pulling them away from SIV case processing activities to institute control activities would lengthen SIV case processing times.

Recommendation 3: OIG recommends the Afghan Special Immigrant Visa (SIV) Senior Coordinating Official, in coordination with the Bureau of Consular Affairs, design and implement control activities in accordance with the Government Accountability Office's Standards for Internal Control in the Federal Government to verify and validate the accuracy and completeness of the information obtained from the entities involved with processing Afghan SIV applications.

Management Response: The Department respectfully does not concur with this recommendation. Again, a similar recommendation to implement internal controls in the June 2020 review was closed following the Department's response to that recommendation. OIG does not explain why the SOP developed in response to the June 2020 recommendation was deemed to be sufficient previously but is now viewed to be inadequate. Furthermore, implementing control activities specifically consistent with the Government Accountability Office's Standards for Internal Control in the Federal Government is a very resource- and time-intensive process and would require significant time by those staff currently processing SIV cases. Pulling them away from SIV case processing activities to institute control activities would lengthen SIV case processing times.

Recommendation 4: OIG recommends the Afghan Special Immigrant Visa (SIV) Senior Coordinating Official (SCO) develop and implement a policy and procedures to establish ongoing interagency coordination with all designated SCOs until the Afghan SIV program concludes, in

-4-

accordance with the SCO duties outlined in the National Defense Authorization Act of FY 2014, Public Law 113-66, Section 1218, codified at 8 U.S.C. § 1157 note.

Management Response: The Department respectfully does not concur with this recommendation. Section 1218 of the National Defense Authorization Act for Fiscal Year 2014 (“2014 NDAA”) mandated the Secretaries of Homeland Security, the Department of State, and the Department of Defense to designate senior coordinating officials for their respective agencies and for “each senior coordinating official designated” to A) develop proposals to improve the efficiency of the Afghan special immigrant visa program; B) coordinate and monitor the implementation of such proposals; C) include the proposals in a one-time “Report on Improvements” due to Congress 120 days after enactment of the 2014 NDAA and also in quarterly reports; and D) to implement appropriate actions to carry out improvements outlined in the Report on Improvements. The statute instructed “each” senior coordinating official to carry out these duties individually and not in collaboration with one another. Thus, while it may be OIG’s opinion that greater coordination among the SCOs would be beneficial to the Afghan SIV program, it is incorrect to state that the SCOs should be doing so “in accordance with the SCO duties outlined in the National Defense Authorization Act of FY 2014” since that type of interagency coordination is neither mandated nor suggested in the statute.

Moreover, given that the agencies have elected to designate SCOs at different levels within the respective agency, the recommendation does not account for the fact that the designation of the Under Secretary or Deputy Secretary-level official as the SCO for the Department of State would naturally result in that official coordinating as necessary with officials of equivalent seniority within the other agencies, including in the multiple Deputies Committee meetings convened by the National Security Council that have addressed the SIV program since January 2021. While greater interagency coordination among the three agencies may have benefits, the OIG report does not acknowledge the significant

-5-

coordination that already does take place under the State SCO's auspices as well as at other levels, and moreover does not specify exactly what is lacking from the current coordination and how that has negatively impacted the program such that the development of a formal "policy and procedures to establish ongoing coordination with all designated SCOs" would be warranted, nor does it account for why procedures coordinating among SCOs of different ranks might be inappropriate.

Recommendation 5: OIG recommends the Afghan Special Immigrant Visa (SIV) Senior Coordinating Official (SCO) develop and implement a policy and procedures to monitor the implementation of improvements to address known challenges within the Afghan SIV program, in accordance with the SCO duties outlined in the National Defense Authorization Act of FY2014, Public Law 113-66, Section 1218, codified at 8 U.S.C. § 1157 note.

Management Response: The Department respectfully does not concur with this recommendation. Similar to Recommendation 4, the language "in accordance with" in Recommendation 5 implies that the SCO's current methods for coordinating and monitoring implementation of proposals to improve the SIV process does not satisfy the SCO's statutory duties, so this language of the recommendation should be modified to avoid that inaccurate implication. Moreover, OIG does not describe the current means by which the SCO coordinates and monitors implementation of such proposals, including meetings, regular information memos, and briefings, or specifically explain why that system is insufficient and a new formal "policy and procedures" is warranted. For example, CA has been sending Information Memos (IMs) to the Secretary on a biweekly basis since May 19, 2022, which detail where SIV applicants are in the various stages of the application process, throughput metrics, the extent to which throughput has increased, and any impediments to increasing throughput further. The support for the conclusions that, currently, D-MR is not sufficiently monitoring or coordinating these efforts appears to be based on ad-hoc

-6-

comments from a handful of Department officials who may not personally be aware of direct communications and regular meetings between D-MR and their bureaus' leadership. As such, the Report's conclusions appear to be based on incomplete and inaccurate information, and the Department would encourage the drafters to reevaluate with a more comprehensive factual foundation, which the Department would be pleased to provide.

Recommendation 6: OIG recommends the Afghan Special Immigrant Visa (SIV) Senior Coordinating Official (SCO) develop and implement an updated staffing plan to adjust resources for all Department offices involved with the Afghan SIV program to reduce the current Afghan SIV application backlog and achieve the statutorily mandated 9-month processing time for Afghan SIV applications.

Management Response: The Department respectfully does not concur with this recommendation. This recommendation is premised on the incorrect assertion that Congress "mandated" Afghan SIV applications to be processed within nine months. In fact, Section 602(b)(4)(A) of the Afghan Allies Protection Act, 2009, as amended ("AAPA"), states "all steps under the control of the respective departments incidental to the issuance of such visas, including required screenings and background checks, *should be* [emphasis added] completed not later than 9 months after the date on which an eligible alien submits all required materials to complete an application for such visa." The nine-month benchmark is a recommendation, not a requirement. In addition, this time period is explicitly limited to steps "under the control of the respective departments," acknowledging that the U.S. government must wait for applicants to provide documentation required by law or regulation or for other third parties (such as former employers or supervisors) to respond to requests for information. At various steps, it is incumbent upon applicants to file forms that are necessary to make it to the next phase of the application process. Applicant response times are heavily impacted by conditions in Afghanistan. Taliban-imposed restrictions on travel by

-7-

some Afghans have also impacted applicants' ability to attend visa interviews, which in turn has impacted response times for applicants to take the steps incumbent upon them to schedule those interviews. All of these factors impact the amount of time it takes to complete an SIV application. Even if the Department processed SIV applications in perfect and unerring efficiency, many SIV applicants would still take over nine months to complete the process for reasons outside the U.S. government's control. Additionally, the Report does not include any reference to section 602(b)(4)(B), which clarifies that "Nothing in this section shall be construed to limit the ability of a Secretary...to take longer than 9 months to complete those steps incidental to the issuance of such visas in high-risk cases for which satisfaction of national security concerns requires additional time." National security remains the Department's number one priority, and, by this provision, Congress acknowledged that the Department might need more than nine months to process an SIV application without jeopardizing national security. The Department encourages the drafters to ensure throughout the report that the nine-month statutory benchmark is accurately characterized as a target timeframe for actions under the Department's control but does not include time waiting for applicant or third-party action nor additional time that might be necessary for high-risk cases to satisfy national security concerns.

In addition, and related to the foregoing comments regarding the mischaracterization of the statutory benchmark, it is unclear how the drafters concluded that "updating the staffing plan" will accomplish SIV processing within a nine-month window given the delays noted above outside of the Department's control that relate to applicants' ability to complete required application steps and, following the suspension of operations in Embassy Kabul, travel outside of Afghanistan and appear at an immigrant visa processing post. Additional comments on the recommendation for an updated staffing plan are included below in response to Recommendation 7.

-8-

Recommendation 7: OIG recommends the Afghan Special Immigrant Visa (SIV) Senior Coordinating Official develop a process and procedures to monitor the implementation, effectiveness, and efficiency of the staffing plan for all Department offices involved in the Afghan SIV program to achieve the statutorily mandated 9-month processing time for Afghan SIV applications.

Management Response: The Department respectfully does not concur with this recommendation. It is unclear on what basis OIG concluded that the previous staffing plan developed in response to OIG recommendations and accepted by OIG when it closed that recommendation is now insufficient, other than to conclude without explanation that it was not “coordinated” nor “timely.” The Report implies that a more coordinated staffing plan could have somehow accounted for the events that unfolded in August and September 2021 or avoided the impact those events had on the SIV program. However, no staffing plan could have mitigated the impact of the suspension of operations at Embassy Kabul on the Afghan SIV program. Moreover, although the Report states that it covers the period up to and including August 2022, it does not include the latest staffing numbers at NVC or in other parts of the Department or the progress that NVC has made to eliminate the backlog that resulted from the surge of Afghan SIV applications received in August and September 2021. The report also does not reflect that the Department temporarily tasked 19 officers and 64 locally engaged staff from Mission Brazil to assist with the NVC backlog, ultimately processing 120,000 emails. The staffing surges at NVC, meanwhile, contributed to significant increases in case processing output that are also not reflected in the report. For instance, in Q3 of FY21, NVC processed 12,650 cases for pre-COM document review and 565 cases for pre-visa application document review. In Q1 of FY22, NVC processed 93,346 cases for pre-COM document review and 36,801 cases for pre-visa application document review. These are exponential increases in productivity for which the report does not account. Additionally, the Report does not appear to consider or account for the

-9-

significant uptick in the Department's visa processing which took place during the period from Spring 2021 until August 2021, when the suspension of operations necessarily created new barriers to immigrant visa processing. By August 2021, State was issuing an average of 800 visas per week (a significant increase from approximately 100 visas issued per week in March 2021).

Staffing increases at the ASIV Unit have also yielded significant results in processing output which are not reflected in the report. The Report states, "In January 2021, ASIV had 8 staff members, and by July 2021 ASIV's staff had increased to 42 members. However, the increase was not sufficient to address the existing application backlog while absorbing additional new applications." OIG does not proffer evidence to support this conclusion. From January through June 2021, ASIV completed processing on 3,930 applications. From July through December 2021, ASIV completed processing on 11,656 applications. The number of cases "At COM" awaiting processing during that time has ebbed and flowed – from 4,531 on January 1, 2021; to 3,159 on April 1, 2021; to 5,355 on July 1, 2021; to 6,217 on October 1, 2021; to 3,871 on January 1, 2022, as the completed cases left the "At COM" stage only to be replaced by newly documentarily complete cases from NVC that started their time "At COM." These balances are not "backlogs"; they are "workflow." Further, while increasing greatly the number of cases completed, ASIV has also greatly decreased the average processing time, from 884 days on January 1, 2021, to 82 days on July 1, 2022. ASIV believes this data leads to the opposite conclusion to that arrived at by OIG, namely, that direct efforts by the Department to increase staffing was extremely successful in addressing the existing application backlog while absorbing additional new applications.

Recommendation 8: OIG recommends that the Afghan Special Immigrant Visa (SIV) Senior Coordinating Official (SCO), in collaboration with the Department of Defense (DoD) SCO, establish a memorandum of understanding between the Department of State (Department) SCO and the DoD SCO defining the roles and

-10-

responsibilities of the Department and DoD for efficiently and accurately collecting employment documentation of Afghan SIV applicants who worked for DoD contractors. The Department and DoD SCOs should also meet regularly to address efficient employment verification until the Department resolves the backlog of Afghan SIV applications.

Management Response: The Department respectfully does not concur with this recommendation. This recommendation is based on conclusions and findings that appear to be based on incorrect assumptions about the role DoD plays in employment verification at the COM stage. It also does not take into account or explain why coordination between D-MR and his DoD equivalent is less effective than coordination between D-MR and the DoD SCO of lower rank. The premise for OIG's recommendation seems to be based at least in part on the previous review in 2020 of how DoD's SPOT database might be utilized to verify employment information. However, the use of SPOT rarely proved to be an efficient means for ASIV to verify employment information. Instead, the Department and DoD – as a result of months of close coordination – developed the framework for Project Rabbit, whereby DoD reviews records submitted to NVC, those of DoD contractors, and its own records. Once they have confirmed an SIV applicant's employment information, DoD provides to ASIV a letter of recommendation confirming that experience as required by statute. Project Rabbit established a verification mechanism much more effective than SPOT and rendered the use of the SPOT database largely obsolete. It is unclear what further role OIG believes that DoD can or should play in the verification of employment information for applicants who worked for DoD or its contractors than is already provided for by Project Rabbit.

ASIV rarely uses DoD databases to verify Afghan SIV applicants' employment, and the Department does not believe that more access to DoD databases would enhance the Department's ability to verify COM applications. If the Draft Report retains this conclusion, it should

-11-

explain which DoD databases and verification details the Department lacks access to and specifically how access to those databases would enhance verification. In the Department's experience, the most efficient way to verify employment experience with a U.S. government agency or on an agency contract is for the U.S. government agency that employed the applicant or oversaw implementation of the contract to reach out to their contractors and subcontractors and work with them to verify that experience. This is how Project Rabbit functions, and why it has proven to be such an efficiency gain for COM applications by former employees of DoD contractors, or subcontractors. It is also unclear from the Draft Report how OIG reached the conclusion that any perceived access to verification details is a result of "limited coordination with DoD." The Department coordinated closely with DoD in the development and execution of Project Rabbit and continues to coordinate with DoD to ensure that valuable initiative continues. In fact, the Department has implemented its own version of Project Rabbit to streamline the verification process for COM applications submitted by employees of Department contractors or subcontractors. The Report also states, without source or explanation, that, "Though Project Rabbit has increased the number of employment verifications, the backlog of Afghan SIV applications pending COM adjudication remains significant: 46,201 applicants as of May 2022." It is unclear how the OIG determined there were 46,201 applicants pending COM adjudication. If this refers to the total number of applicants in the pipeline who have opened SIV cases with NVC but have not yet had their COM application adjudicated, it sweeps in all those applicants who have not yet submitted the necessary documentation to make a COM application and be ready for COM adjudication. These applicants are not pending COM adjudication, but rather remain in the "pre-COM" phase of the Program. As of May 17, 2022, the number of documentarily complete applicants pending COM adjudication was 5,274. Moreover, OIG does not explain or provide any support for the conclusion that the reason applicants are pending COM adjudication is a

-12-

result of some perceived shortcomings of Project Rabbit, a conclusion that is inconsistent with the Department's experience.

Recommendation 9: OIG recommends that the Afghan Special Immigrant Visa (SIV) Senior Coordinating Official, in coordination with the Bureau of Consular Affairs, review obstacles to timely Afghan SIV processing at each phase of the process and present a list of requirements to the Office of Consular Systems and Technology to optimize SIV systems through the ConsularOne modernization or within legacy systems.

Management Response: The Department concurs with Recommendation 9.

Attachments

Tab 1 – Comments on Compliance Follow Up Review

Tab 1 – Comments on Compliance Follow Up Review**Comments on Compliance Follow Up Review of the
Afghan Special Immigrant Visa Program**

In addition to the Department’s responses to the Recommendations in the Draft Report and the comments contained therein, the Department provides the following General Comments on the Draft Report:

Comment 1: The OIG’s Draft Compliance Follow Up Review is dated for August 2022; however, it does not reflect the most up-to-date processing figures available, nor does it capture the SIV program improvements enacted after June 2022. On pages 1 and 19, the Compliance Follow Up Review states, “By May 2022, there was a backlog of 61,888 principal Afghan SIV applicants in process with an additional 325,000 unopened emails from potential applicants.” As of August 31, 2022, the number of unopened emails from potential applicants was 140,175, almost half the May 2022 figure. This number continues to drop as the National Visa Center benefits from significant staffing increases and continues to use a technological solution to work through the backlog of emails. In addition, in July 2022, the Department of State (State) and United States Citizenship and Immigration Services (USCIS) introduced a revised SIV petition process which aims to reduce SIV processing time and make the application process less burdensome on the applicant. Therefore, information included in the Compliance Follow Up Review referencing the required submission of a I-360 petition to USCIS is not accurate for all (or even most) applicants. To avoid confusion among SIV applicants and stakeholders and improve the accuracy and relevance of the report, the OIG’s Compliance Follow Up Review should make clear up front the period of review and the fact that the process described throughout the report is no longer current.

Comment 2: OIG’s Draft Compliance Follow-Up Review makes clear that OIG closed or, in one case, considered resolved pending further action all of OIG’s recommendations from the June 2020 reports. However, the report then goes on to find that the Department’s

-2-

responses to these OIG recommendations were “insufficient to address the Afghan SIV application surge and the resulting increased backlog.” This finding seems to ignore the fact that OIG’s June 2020 recommendations and the actions the Department took to comply with those recommendations pre-date the significant events that occurred in the summer of 2021 and the resulting surge in Afghan SIV applications as well as the July 2021 legislative modification (the Emergency Security Supplemental Appropriations Act, 2021) that lowered the time-in-service requirement from two years to one year, thereby opening up the program to more applicants. Any analysis focused on the actions taken by the Department in response to those recommendations – actions OIG itself assessed as sufficient to close the July 2020 recommendations or consider them resolved – will not be relevant to nor take into account the current realities of the Afghan SIV program and the full scope of actions the Department has taken separate and apart from OIG’s previous recommendations to improve the SIV program.

Comment 3: Throughout the report, OIG makes broad conclusions which underpin its recommendations without explaining the foundation for the conclusion, other than – in some cases – ad-hoc comments by Department or other agency officials. For example, the Draft Report appears to conclude based on comments from various Department officials that D-MR as the SCO does not have a policy and procedure in place to monitor the implementation of improvements to address challenges in the SIV program. Similarly, the Draft Report concludes that the Department has not sufficiently collaborated with the Department of Defense to improve the efficiency of the verification process for COM applicants employed by DoD or DoD contractors and that this coordination is necessary to “obtain accurate employment documentation.” Both of these conclusions fail to take into account other contrary evidence or factual information, such as the number of meetings and briefings on Afghanistan and the SIV Program that D-MR and his staff have engaged in since D-MR’s appointment in March 2021 (which preceded his appointment as the SCO by over two months) or the State and DoD coordination and interagency processes throughout the

spring and summer of 2021 in order to launch Project Rabbit. In fact, D-MR had consistent communication with his DoD equivalents, including a call with Deputy Secretary of Defense Hicks on February 28, 2022, where she agreed to continue supporting Project Rabbit. It would be helpful for the Draft Report to explain in more detail the sources and foundations for OIG's conclusions so the Department could understand whether OIG intentionally discounted certain information or was not sufficiently informed based on the interviews and document reviews conducted.

Additional Comments on Recommendations 1-9:

Comment 4: Similar to Recommendation 1, Recommendations 2 and 3 are based on a premise that the Department's current data is unreliable. The Department provided numerous comments in response to the Draft OIG Report on SIV Metrics explaining why perceived inconsistencies in reported data were not actually inconsistencies. In making Recommendations 2 and 3, the Draft OIG Report also fails to consider whether – even if the development and implementation of internal controls for SIV data beyond those already in place would have some benefits – those benefits might be outweighed by the amount of time and resources the development and implementation of such controls would require from the same bureaus, offices, and agency officials engaged in SIV case processing, thereby detracting from the overarching goal of continuing to improve the efficiency of the program. It is the Department's view that such efforts would, in fact, displace resources from actual SIV case processing and would thereby negatively impact the efficiency of the program.

Comment 5: Recommendation 9 refers to "ConsularOne," which is a term that is no longer in use. Instead, the more descriptive term "Consular Systems Modernization" is used to reflect the continuous process of updating and enhancing IT tools as legacy systems are replaced.

Other Comments on the Follow Up Review:

Comment 6: On pages 1 and 3, the Compliance Follow Up Review refers to “primary applicants” to the Afghan SIV program. The correct term for the main beneficiary of an immigrant petition is “principal applicant.”

Comment 7: On page 3, the Compliance Follow Up Review states that “ASIV determines whether the primary applicant meets the Afghan SIV program’s employment requirements.” It is the Embassy Kabul Chief of Mission (COM) or COM’s designee, not ASIV, that determines whether the primary applicant meets the requirements for COM approval. ASIV merely makes recommendations to the COM or COM’s designee.

Comment 8: On page 3, the Compliance Follow Up Review states that “ASIV was created in 2016 to address the Chief of Mission (COM) approval phase within the Afghan SIV process.” While it is true that ASIV is located in NEA-SCA/EX and was created in 2016 to help manage the COM process, since the inception of the Afghan SIV program, a similar group had been supporting the COM approval process from within the Management Section of Embassy Kabul. This function was offshored to Washington in 2016, not created.

Comment 9: On page 3, the Compliance Follow Up Review states that “COM approval indicates that the applicant has submitted all required employment documentation and has been approved by the COM at Embassy Kabul.” This sentence is not completely accurate, because efforts such as Project Rabbit allow for certain applicants to qualify for COM approval without such applicants personally submitting all required documentation, COM approval is currently exercised by the COM designee, not the COM, and to grant approval the COM must do more than verify employment documentation—under section 602(b)(2)(D), the COM must conduct a risk assessment of the applicant and confirm that they provided “faithful and valuable” service. This sentence is thus more correctly written as follows: “COM approval

-5-

indicates that the COM or the COM's designee has determined that the applicant has met all requirements for COM approval as set forth in the Afghan Allies Protection Act." As of July 20, 2022, a COM approval letter is also an approval of the DS-157 petition, which replaced the I-360 petition requirement on that date. OIG may or may not wish to mention this fact in their report, but its inclusion would be more comprehensively accurate and current than its omission.

Comment 10: On page 3, the Compliance Follow Up Review states that, "To confirm employment eligibility, DoD verifies the authenticity of the applicant's letter of employment and status for applicants employed by or on behalf of DoD." Outside of Project Rabbit, DoD does not play any role in verifying the authenticity of the applicant's letter of employment or status for applicants employed on behalf of DoD. For applicants who were direct hires of DoD, verification of such employment, and the required evaluation or recommendation, is performed by individual military personnel, or former military personnel, in their individual capacities, after being contacted by ASIV. Rarely, ASIV will be able to use a military database to successfully confirm the presence and employment of an applicant.

Comment 11: On pages 8 and 9, the Compliance Follow Up Review states that "In addition, for the fourth quarter of FY 2021, ASIV used the document title date as the end date but for the first quarter of FY 2022 it used the agenda date as the end date. Using different end dates to calculate average processing times misrepresents the actual amount of time a case takes from start to finish."¹ On the contrary, using different end dates was absolutely necessary to calculate *more accurate* average processing times that correctly represent, not misrepresent, the actual

¹ ASIV is unfamiliar with the term "document title date", as this is not a term used by ASIV. We believe OIG is using "document title date" as referring to the date a COM approval or non-approval letter was uploaded into the SQ-SIV database, since that is the actual date ASIV used to calculate the average processing time during the fourth quarter of FY 2021. The COM approval letter upload date was – in 4Q of FY2021 – the date value captured by the SQ-SIV database closest to the actual date the COM designee made the final COM approval or non-approval decision on a particular case.

amount of time a case takes from start to finish. The Department made many processing changes to the COM process between 4Q FY2021 and 1Q FY2022. Among them were the elimination of the COM Review Committee and the beginning of daily agendas for COM approval decisions, both of which have served to streamline and improve the efficiency of the SIV process. Prior to these processing changes, there were often several weeks that elapsed between the agenda date and the date the COM designee made a final approval or non-approval decision. The change in end dates used to calculate processing times in these consecutive quarters reflects these changes to the COM process; it is neither a misrepresentation of the actual amount of time the case takes nor an example of “inconsistent” methodology.

Comment 12: On page 9, the Compliance Follow Up Review states that “Specifically, ASIV officials stated they do not include appeal and revocation cases because their software does not allow them to accurately track the dates needed to calculate average processing times. ASIV added that appeal and revocation cases account for about 17 percent of all cases. Excluding appeals and revocations data provides an incomplete picture of processing times and may result in decreased average processing time and inaccurate reporting.” ASIV is not sure where OIG derived the 17 percent figure, and the Report should explain OIG’s source or methodology for this finding. ASIV has calculated the actual percentage of cases made up by appeals, revocations, and appeals of revocations for the fourth quarter of FY 2021 and the first quarter of FY 2022, which were 15 percent and 12 percent, respectively. Further, given that the “appeal dates” included in available databases did not, until this issue was resolved in March 2022, reflect the date the case was actually transferred to ASIV for review (they were usually weeks if not months prior to the actual transfer), and that revocation cases rarely included an “appeal date” that ASIV can use to make calculations about average processing times for these cases, including appeal, revocation and appeal of revocation cases in the calculation of average processing times for the quarterly reports would likely have been materially *more* inaccurate than omitting them. ASIV has been working to improve its

-7-

data and can now correctly calculate processing times for appeal, revocation and appeal of revocation cases, which is used for internal management purposes. However, given the historic limitations, ASIV believes continuing to use only new applications and reapplications to calculate reported average processing times for the quarterly reports permits more accurate comparisons of average processing times between quarters.

Comment 13: On page 10, the Compliance Follow Up Review states, “Department officials must manually transfer data between systems, which includes... transferring documents from SQ-SIV to SIV Manager.” No documents are transferred from SQ-SIV to SIV Manager, as SIV Manager does not have storage capacity for documents. This means that ASIV analysts must open the document pdfs in SQ-SIV and constantly click back and forth between tabs/ screens/ systems in order to review the documents necessary to complete case processing in SIV Manager.

Comment 14: On page 10, the Compliance Follow Up Review states, “Once NVC confirms the application package is documentarily complete, ASIV obtains the case from SQ-SIV and manually transfers the data into SIV Manager for COM approval. ASIV enters an NVC system to determine which cases are documentarily complete on a semi-weekly basis.” It would be more accurate to say: “Once NVC confirms the application package is documentarily complete, NVC marks the case as such in SQ-SIV. Semi-weekly since September 2021, ASIV obtains from CA’s Consular Systems and Technology team a complete data set of all cases in the SQ-SIV database. ASIV then (i) manually transfers the data pertaining to newly documentarily complete cases and appeals into SIV Manager for use during the COM approval application review process and (ii) marks these cases in SQ-SIV to indicate that they are currently referred to ASIV for COM review.”

Comment 15: On page 10 in footnote 31, the Compliance Follow Up Review states, “Instead, applicants will submit an expanded Department

nonimmigrant visa application, Form DS-157, during the COM approval phase.” This is not accurate. The Form DS-157 has long been a document required for COM applications and thus is not an expansion of the existing document requirements. The change in process is that the Form DS-157 already submitted to NVC as part of the COM application will now also serve as the petition, alleviating the need for most applicants to separately file a petition with USCIS, once they receive COM approval. No existing applicant who has already submitted a DS-157 to NVC needs to do anything further. The only change is that new applicants making COM applications will now submit a revised version of the DS-157, now called the Petition for Special Immigrant Classification for Afghan SIV Applicants, published on July 20, 2022.

Comment 16: On page 15, the Compliance Follow Up Review states, “Additionally, although the Department used DoD databases to verify Afghan SIV applicants’ employment, the Department lacks access to necessary verification details because of limited coordination with DoD.” ASIV rarely uses DoD databases to verify Afghan SIV applicants’ employment and the Department does not believe that more access to DoD databases would enhance the Department’s ability to verify COM applications. If the Draft Report retains this conclusion, it should explain which DoD databases and verification details the Department lacks access to and specifically how access to those databases would enhance verification. In the Department’s experience, the most efficient way to verify employment experience with a U.S. government agency or on an agency contract is for the U.S. government agency that employed the applicant or oversaw implementation of the contract to reach out to their contractors and subcontractors and work with them to verify that experience. This is how Project Rabbit functions, and why it has proven to be such an efficiency gain for COM applications by former employees of DoD contractors, or subcontractors. It is also unclear from the Draft Report how OIG reached the conclusion that any perceived access to verification details is a result of “limited coordination with DoD.” The Department coordinated closely with DoD in the development and execution of Project Rabbit and continues

to coordinate with DoD to ensure that valuable initiative continues. In fact, the Department has implemented its own version of Project Rabbit to streamline the verification process for COM applications submitted by employees of Department contractors or subcontractors. The Report also states without source or explanation that, "Though Project Rabbit has increased the number of employment verifications, the backlog of Afghan SIV applications pending COM adjudication remains significant: 46, 201 applicants as of May 2022." It is unclear how the OIG determined there were 46,201 applicants pending COM adjudication. If this refers to the total number of applicants in the pipeline who have opened SIV cases with NVC but have not yet had their COM application adjudicated, it sweeps in all those applicants who have not yet submitted the necessary documentation to make a COM application and be ready for COM adjudication. These applicants are not pending COM adjudication, but rather, remain in the "pre-COM" phase of the Program. As of May 17, 2022, the number of documentarily complete applicants pending COM adjudication was 5,274. Moreover, OIG does not explain or provide any support for the conclusion that the reason applicants are pending COM adjudication is a result of some perceived shortcomings of Project Rabbit, a conclusion that is inconsistent with State's experience.

Comment 17: On page 17, the Report states, "ASIV officials said SCO interaction for resource improvements would be beneficial. ASIV officials also told OIG that they have not had any interaction with the SCO on Afghan SIV program staffing and believed SCO involvement would be beneficial for increased productivity." This is incorrect. The Director of ASIV has had frequent personal interaction with SCO since the beginning of her term as Director in August 2021, and each time discussed resources and staffing and whether any further SCO support was needed. This section should be rewritten to state, "ASIV officials said SCO interaction for resource improvements has been very beneficial. ASIV officials also told OIG that they have had frequent interaction with the SCO on Afghan SIV program staffing and find SCO

involvement is and continues to be beneficial for increasing productivity.”

Comment 18: Starting at page 18, under the subsection “The Department Still Faces a Significant and Increasing Backlog Despite Staffing Increases,” OIG contends that staffing increases were insufficient and occurred too late to reduce application processing time and resolve the growing backlog of cases. On page 19, OIG states, “the number of SIVs issued has been limited as the backlog has continued to grow.” OIG also reports that as of March 2022, the AAU had only two dedicated full-time staff working on SIV processing, with support from TDYers. This seemingly suggests the Department is not issuing more SIVs because there are not enough staff to interview applicants. This is incorrect. Since the suspension of operations at the U.S. Embassy in Kabul, the Department has made accommodations for Afghan SIV applicants to request to have their case transferred to whatever U.S. consulate or embassy outside of Afghanistan they are able to reach. Posts have been instructed to prioritize these applicants, and SIVs have been issued at 47 locations worldwide since September 2021. Nevertheless, leaving Afghanistan under the Taliban is very difficult, and the majority of applicants who have reached the interview-ready stage are unable to make it to an interview outside Afghanistan. These barriers imposed by the Taliban and third countries to which applicants may attempt to travel are beyond the control of the Department, and as stated above, additional consular staffing would not impact these challenges.

Comment 19: On page 19, OIG states, “Since the August 31, 2021, evacuation and suspension of operations at Embassy Kabul, the Department has established a presence to process Afghan SIV applicants in Doha, Qatar, as part of the AAU.” This sentence implies that SIV processing has been available in Doha since the closure of Embassy Kabul and suggests that this is the only location processing SIVs. SIV and other processing was not possible at Camp As Sayliyah (CAS) in Doha until after the November 2021 signing of the agreement between

-11-

the United States and Qatar. The AAU consular operation at CAS was subsequently established in December 2021. However, because of a months'-long pause in Department relocation flights related to a dispute between the Taliban and Qatar that began in December 2021 and concluded in February/March 2022, there was not a constant flow of SIV applicants available for the AAU consular team to interview during those months. These limitations in relocation flights, which were outside of the control of the Department, necessarily limited the numbers of SIV cases present in Doha for the AAU to process, and do not inherently indicate processing limitations due to insufficient resourcing at CAS. Furthermore, additional delays in establishing onsite panel medical exams and other logistical challenges at CAS also hampered efforts to adjudicate SIV cases after flights resumed in March 2022. Following the resumption of regularized flights and resolution of logistical issues, the AAU consular team issued more than 1,000 SIVs per month to principal applicants and derivatives in June and July 2022. Furthermore, 47 IV processing locations worldwide have issued SIVs since September 2021. The top three issuing locations are Camp As Sayliyah in Doha, Embassy Abu Dhabi, and Embassy Islamabad. The Department has dispatched TDY consular officers and staff to all these locations to boost SIV processing capacity and is prepared to send additional support to other posts if significant populations of SIV applicants materialize there. For instance, since November 2021, as of September 2022 the Department had dispatched more than 75 temporary duty staff on rotation to support SIV processing at CAS and other high-volume SIV processing posts such as Islamabad and Abu Dhabi. The report does not appear to account for these staffing surges.

Comment 20: On page 19, OIG also states, "According to Department officials, as of March 2022, the AAU consular staff working on Afghan SIV processing consisted of only two full-time staff members, supplemented with several temporary duty staff who typically stay for about 3 weeks." This suggests that staffing size and composition at CAS negatively impacts SIV processing capacity. It fails to acknowledge that nearly all Department personnel working at CAS are TDYers. The

AAU consular team was one of the earliest to have dedicated full-time staff and is in the process of converting all officer positions to full-time. Consular workspace and OpenNet system drops are both limited at CAS, but the team at its current size has still issued more than 1,000 SIVs per month to principal applicants and derivatives as of June and July 2022. In other words, staffing levels did not hamper significant visa issuance output once other limitations as described above were resolved.

Comment 21: On page 22, the Report states, “Project Rabbit matches SIV applicants to human resource and employment data provided by DoD contractors and obtains a letter of recommendation from the applicant’s former DoD contract employer.” This is inaccurate. Project Rabbit does not obtain a letter of recommendation from the applicant’s former DoD contract employer. Rather, DoD itself provides a letter vouching for the information originally provided by the contracting company related to the SIV applicant’s qualifying employment.

Comment 22: On page 25, OIG states, “The Department had relocated 1,698 Afghan SIV holders by August 14, 2021.” This does not reflect the actual scope of Operation Allies Refuge. Corrected version: “The Department had relocated 1,962 Afghan SIV holders and other SIV applicants in the final stages of visa processing by August 15, 2021.”

Comment 23: On page 9, OIG reports that “. . . NVC used a default period of time instead of the actual time for processing Afghan SIVs. For example, beginning in the first quarter of FY 2021, NVC automatically assigned one and five days to steps three and five, respectively, as average processing times. NVC officials stated that they did this because, historically, it is the time they take to send the relevant communication to finalize those steps of the Afghan SIV process. However, historical data do not consider the surge in Afghan SIV applications since August 2021.” These assertions are not wholly accurate. For instance, in the October 1, 2021 – December 31, 2021, quarterly report, State reported to Congress that it had upgraded its systems for Step 5 to allow for applicants to be notified automatically by

-13-

e-mail once the COM's designee makes a decision, and that future reports would no longer include this step as the time spent on this activity will be negligible. The report does not appear to account for this development, and its analysis of reporting on Step 5 is therefore not current. The use of the term "historical" to describe NVC processing timeframes also is misleading as the processing times are in fact current and reflective of the actual processing times for the period under review, based on the fact that once the status of an Afghan SIV COM case has been updated to "Documentarily Complete" it is immediately available in the system for ACOM to start processing. There is no lag time for case transmission.

Comment 24: On page 11, the Report states, "The DS-260 information contained in IVIS transfers automatically to the Immigrant Visa Overseas System (IVO). However, information from the SIV application contained in SQ-SIV does not. Therefore, AAU Consular Section staff at post must transfer that employment information and documentation to IVO manually." This is incorrect. It is not the AAU Consular Section (or any of the other consular sections that process Afghan SIV cases) that manually transfers employment documentation. Rather, NVC uploads the Chief of Mission Approval Letter, HR Letter, Letter of Recommendation, and any badges from SQ-SIV to eDP, and these transfer to IVO.

Comment 25: The Report minimizes the impact of COVID-19 on operations at Embassy Kabul. For example, a serious COVID-19 outbreak from July 13-July 5, 2021, forced a three-week suspension of in-person SIV interviews. The decision to suspend in-person SIV interviews was a difficult, but necessary decision due to the risk posed to the applicants, U.S. employees, and the staff. Nonetheless, Embassy Kabul continued to process applications that could move forward without significant in-person interaction and issued more than 1,000 visas to those who had completed the final steps of the SIV process. Moreover, the Report fails to recognize the efforts of the Department to restart the SIV program, which had largely stalled due to the fact that no

-14-

interviews had occurred in Kabul since March 20, 2020, because of COVID-19 protocols. In February 2021, the President issued an Executive Order directing a review of the SIV program. This review enabled the Department to identify process improvements and direct additional resources to the program, including by augmenting staffing both in Kabul and in Washington. The Department dispatched additional SIV adjudicators to Embassy Kabul, and eventually doubled staffing to the maximum that could be accommodated by the size of the visa section, even after Embassy Kabul was put on Ordered Departure status on April 27, 2021.

APPENDIX E: OIG REPLY TO COMMENTS FROM THE DEPARTMENT OF STATE

The Department of State (Department) provided general comments in response to a draft of this report (attached as “Tab 1” to the Department’s response in Appendix D). The paragraphs that follow summarize the comments and the Office of Inspector General’s (OIG) reply to each.

Comment 1: The Department noted that the number of unopened emails from potential applicants continues to drop as the National Visa Center (NVC) “benefits from significant staffing increases” and “a technological solution,” and in July 2022 along with the Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS), it revised the Special Immigrant Visa (SIV) petition process “to reduce SIV processing time and make the application process less burdensome on the applicant.” The Department requested that OIG revise the report to clarify “up front” the period of the review and that the process is “no longer current” to avoid confusion about the process among SIV applicants and stakeholders.

OIG Reply: As stated in Appendix A, “Purpose, Scope, and Methodology,” OIG’s fieldwork for this review ended in July 2022, which was the end of the period covered by the report. However, in response to the comment, OIG included additional references to the scope period covered by this report, including on the Highlights page.

Comment 2: The Department highlighted that “OIG’s June 2020 recommendations and the actions the Department took to comply with those recommendations pre-date the significant events that occurred in the summer of 2021 and the resulting surge in Afghan SIV applications as well as the July 2021 legislative modification . . . that lowered the time-in-service requirement from two years to one year, thereby opening up the program to more applicants.” Further stating, “[a]ny analysis focused on the actions taken by the Department in response to those recommendations . . . will not be relevant to nor take into account the current realities of the Afghan SIV program.”

OIG Reply: OIG recognizes that the Afghan SIV program has changed due to significant events, including those noted by the Department. As described in Appendix A, OIG assessed the extent to which the actions taken to close the prior recommendations improved the Afghan SIV program and reporting. As detailed throughout the Results section, OIG considered relevant recent significant events that affected the SIV program when drawing its conclusions and offering new recommendations that are intended to improve the Afghan SIV program. In addition, in response to the Department’s comment, OIG added language to the Objective section of this final report to clarify that this review did not re-audit the findings from previous OIG reports; rather, this review assessed whether the Department’s actions to implement OIG’s previous recommendations improved the SIV program. In addition, to determine whether the recommendations offered previously remained relevant to improving the SIV program, OIG considered the significant events that occurred during the summer of 2021, including the suspension of operations at U.S. Embassy Kabul, Afghanistan, and the resulting surge in Afghan SIV applications.

Comment 3: The Department stated that OIG made broad conclusions in support of its recommendations without explaining the “foundation” for each conclusion, including the conclusion that “the Department has not sufficiently collaborated with the Department of Defense [DoD] to improve the efficiency of the verification process for COM applicants employed by DoD or DoD contractors.” The Department noted that the Deputy Secretary “had consistent communication” with DoD equivalents, including a call with the Deputy Secretary of Defense on February 28, 2022, regarding Project Rabbit. Finally, the Department questioned whether OIG “intentionally discounted certain information or was not sufficiently informed based on the interviews and document reviews conducted.”

OIG Reply: OIG considers and incorporates as appropriate all relevant, credible information identified in the conduct of its oversight. OIG is reliant upon the Department to provide all necessary, relevant information requested during interviews and in document requests, and it is incumbent upon the Department to provide all such information to OIG. With regard to coordination between the Department and DoD, as described in Finding B, OIG requested during this review, evidence of any meetings on Afghan SIV issues between the Deputy Secretary and the DoD Senior Coordinating Official (SCO); however, no such evidence was provided, nor was evidence provided for the cited meeting with the Deputy Secretary of Defense. Furthermore, OIG met with the DoD SCO on May 10, 2022, and she said that she had never met with the Deputy Secretary regarding the Afghan SIV program. In addition, OIG provided the Department a summary of the report’s findings and a copy of all recommendations at the August 8, 2022, exit conference, which, among other things, specifically noted that the “Department has also struggled to complete applicant employment verification because of limited coordination with DoD.” The Department did not identify or provide any additional information for OIG’s consideration at that time.

Finally, contrary to the Department’s suggestion, OIG’s findings and conclusions in this report are fully supported consistent with the purpose, objective, and scope of this review as described in Appendix A and in accordance with applicable professional standards.

Comment 4: The Department provided additional comments related to Recommendations 1, 2, and 3, including referencing comments provided in response to a draft of OIG’s *Information Report: Afghan Special Immigrant Visa Program Metrics*.¹ The Department also stated that OIG fails to consider whether “the development and implementation of internal controls for SIV data . . . benefits might be outweighed by the amount of time and resources the development and implementation of such controls would require . . . [i]t is the Department’s view that such efforts would, in fact, displace resources from actual SIV case processing and would thereby negatively impact the efficiency of the program.”

OIG Reply: OIG addressed the Department’s concern about following the Government Accountability Office’s (GAO) *Standards for Internal Control in the Federal Government* in the

¹ OIG, *Information Report: Afghan Special Immigrant Visa Program Metrics* (AUD-MERO-22-38, September 2022). See Appendices E and F of that report for the Department’s comments and OIG’s reply.

“OIG Reply” to Recommendations 2 and 3. Specifically, internal controls prescribed by GAO help organizations run their operations efficiently and effectively, report reliable information about operations, and comply with applicable laws and regulations. Moreover, implementing internal controls is required by law.² OIG did not make any changes to the final report based on this comment.

Comment 5: The Department noted that the Department no longer uses the term “ConsularOne” and now uses “Consular Systems Modernization.”

OIG Reply: OIG replaced all references to “ConsularOne” in the final report with “Consular Systems Modernization.”

Comment 6: The Department noted that the correct term for the main beneficiary of an immigrant petition is called the “principal applicant,” not “primary applicant,” which OIG used on a few pages of the draft report.

OIG Reply: OIG replaced the mistaken references to “primary applicant” with “principal applicant” in this final report.

Comment 7: The Department clarified that “It is the Embassy Kabul Chief of Mission (COM) or COM’s designee, not [the Afghan Special Immigrant Visa (ASIV) Unit], that determines whether the [principal] applicant meets the requirements for COM approval. ASIV merely makes recommendations . . .”

OIG Reply: OIG updated language in this final report to clarify that the Embassy Kabul COM or COM’s designee determines whether the principal applicant meets the requirements for COM approval.

Comment 8: The Department clarified that the ASIV Unit “functions” were “not created” in 2016, but rather “a similar group had been supporting the COM approval process from within the Management Section of Embassy Kabul” prior to being relocated to the newly created ASIV Unit in Washington, DC, in 2016.

OIG Reply: OIG added a footnote to this final report with the Department’s clarification (see footnote 15).

Comment 9: The Department noted that, due to a variety of circumstances, the statement, “COM approval indicates that COM or the COM’s designee has determined that the applicant has met all requirements for COM approval as set forth in the Afghan Allies Protection Act,” is more accurate than the sentence included in OIG’s draft report regarding the process. The Department also noted that OIG “may or may not wish to mention” the change to the SIV

² Federal Managers’ Financial Integrity Act of 1982, 31 United States Code (U.S.C.) § 3512(c), requires agency heads to establish internal controls consistent with standards issued by the Comptroller General, which are the standards detailed in GAO’s *Standards for Internal Control in the Federal Government* (GAO-14-704G, September 2014).

process on July 20, 2022, which would provide a more complete description of the COM approval process.

OIG Reply: OIG concurred with the Department's suggested revision and incorporated the language in the final report. In addition, OIG added footnotes regarding the change to the SIV process (see footnotes 16 and 37).

Comment 10: The Department referred to page 3 of the draft report and noted that "Outside of Project Rabbit, DoD does not play any role in verifying the authenticity of the applicant's letter of employment or status for applicants employed on behalf of DoD." Additional explanations were provided regarding DoD direct hires and the ASIV Unit's ability to use military databases.

OIG Reply: OIG notes that the page and information referenced in the Department's comment are provided as background information for the reader and were not intended to be comprehensive. OIG did not make changes to this final report in response to this comment.

Comment 11: The Department noted that using different end dates to calculate average processing times was "absolutely necessary to calculate *more accurate* average processing times that correctly represent, not misrepresent, the actual amount of time a case takes from start to finish." The Department added that many processing changes were made to the COM process between the fourth quarter of FY 2021 and the first quarter of FY 2022 to streamline and improve the efficiency of the SIV process. The Department added that the change in end dates used to calculate processing times in these consecutive quarters reflects these changes to the COM process. Furthermore, in a footnote the Department noted that the ASIV Unit was unfamiliar with the term "document title date," as they do not use that term.

OIG Reply: As stated in Finding A, given the complexity of processing Afghan SIV applications and changes to the process, it is important for the Department to develop and implement a uniform method for calculating and reporting the average processing time for Afghan SIV applications. Regarding the term "document title date," OIG was provided this information from the Department's Center for Analytics; ASIV Unit officials told OIG that the ASIV Unit had requested the Center for Analytics to calculate the average processing time. The Center for Analytics informed the ASIV Unit that document title date was part of their data source and methodology, data obtained from SIV Manager and SQ-SIV, systems the ASIV Unit uses. Because this data was the identified source of the Department's processing time, it was the data that OIG used as well. OIG did not make any changes to this final report based on this comment.

Comment 12: The Department questioned "where OIG derived the 17 percent figure" for the percentage of SIV cases related to appeals and revocations, stating that the report should explain OIG's source or methodology for this finding. In addition, the Department stated that "ASIV has calculated the actual percentage of cases made up by appeals, revocations, and appeals of revocations for the fourth quarter of FY 2021 and the first quarter of FY 2022, which were 15 percent and 12 percent, respectively. . . . ASIV has been working to improve its data

and can now correctly calculate processing times for appeal, revocations, and appeal of revocation cases. . . . However, given the historic limitations, ASIV believes continuing to use only new applications and reapplications to calculate reported average processing times for the quarterly reports permits more accurate comparisons of average processing times between quarters.”

OIG Reply: OIG did not derive the 17 percent figure; that percentage was provided by ASIV Unit officials. OIG added language and a footnote to this final report to clarify the source of the data and to further state that OIG did not verify or validate the data (see footnote 30). In addition, OIG included the percentages provided by the Department. However, OIG did not change its conclusion that excluding data for cases that are taking longer (because they are being appealed) would impact the calculated average processing time.

Comment 13: The Department clarified that “[n]o documents are transferred from SQ-SIV to SIV Manager, as SIV Manager does not have storage capacity for documents.” Instead, an ASIV Unit analyst must open documents in SQ-SIV and move back and forth between systems to review the documents necessary to complete case processing in SIV Manager.

OIG Reply: OIG changed this final report in response to the Department’s clarification to reflect that data, rather than documents, are manually transferred between the systems.

Comment 14: The Department provided comments to improve the accuracy of the description of the NVC role. Specifically, “NVC confirms the application package is documentarily complete, NVC marks the case as such in SQ-SIV. Semi-weekly since September 2021, ASIV obtains from [the Bureau of Consular Affairs (CA), Office of] Consular Systems and Technology team a complete data set of all cases in the SQ-SIV database. ASIV then (i) manually transfers the data pertaining to newly documentarily complete cases and appeals into SIV Manager for use during the COM approval application review process and (ii) marks these cases in SQ-SIV to indicate that they are currently referred to ASIV for COM review.”

OIG Reply: OIG included the additional information provided by the Department in this final report.

Comment 15: The Department stated that Form DS-157 had already been a document required for COM applications and is not an expansion of the existing document requirements. The change in the [SIV] process is that “Form DS-157 . . . will now also serve as the petition alleviating the need for most applicants to separately file a petition with USCIS.” The only change is that COM applicants “will now submit a revised version of the DS-157.”

OIG Reply: OIG changed its description of Form DS-157 in this final report to reflect the Department’s comment.

Comment 16: The Department noted that although the draft report states it used DoD databases to verify employment, the ASIV Unit rarely uses DoD databases to verify Afghan SIV

applicants' employment and requested that the report (if it retained this statement) explain which DoD databases and verification details the Department lacks. In the remainder of the comment, the Department made remarks similar to those in the response to Recommendation 8. Specifically, in response to Recommendation 8, the Department stated that although OIG cited a lack of coordination with DoD, it did not explain why coordination that occurred between the Department SCO and the Deputy Undersecretary for Defense was not considered equally as effective as coordination with the DoD SIV SCO. The Department added that the initiation of Project Rabbit involved coordination with DoD, which demonstrates that collaboration occurred between the two entities. The Department also questioned how and from what source OIG determined that 46,210 applicants were awaiting COM adjudication.

OIG Reply: OIG acknowledges the Department's comment concerning the use of DoD databases and removed that phrase from this final report. In addition, OIG explained the Department's use of the Synchronized Predeployment Tracker, a DoD database, in Finding B of this report. Furthermore, OIG acknowledges there has been some coordination between the Department and DoD, though limited. However, OIG offered Recommendation 8 to formalize such interagency coordination consistent with GAO guidance through a memorandum of understanding and regular meetings between the Department and DoD SIV SCOs. Moreover, OIG added footnote 75 of this final report, revising the number of applicants awaiting COM adjudication, in accordance with the Afghan SIV pipeline report for May 2022.

Comment 17: The Department stated that the Director of the ASIV Unit had interacted frequently with the SCO since August 2021 and that during each interaction, they discussed resources, staffing, and whether additional SCO support was needed. The Department asked OIG to rewrite a section of the report that recounted statements made to OIG by ASIV officials asserting that ASIV did not interact with the SCO.

OIG Reply: The statement that the Department referred to in the report is based on OIG's interviews during fieldwork, which were conducted from January to July 2022 (as described in Appendix A). During those interviews, ASIV Unit officials told OIG that their interaction outside of CA was limited and that they would have benefited from more discussions regarding resources. It is not clear to OIG why there would be such contradictory claims regarding interactions with the SCO; however, it highlights the need for continued communication and involvement of the SCO with the officials executing the Afghan SIV program. Because OIG accurately reported the statements made to it by ASIV officials during fieldwork interviews, OIG did not make any changes to this final report based on the Department's comment.

Comment 18: The Department noted that OIG suggests that insufficient staffing has, in part, caused a limited number of Afghan SIVs to be issued, stating that this was incorrect. The Department noted that since the suspension of operations at the embassy in Kabul, it has made accommodations for Afghan SIV applicants to have their case transferred to whatever U.S. consulate or embassy they may reach, and posts have been instructed to prioritize Afghan SIV applicants. The Department added that because the Taliban have imposed restrictions on travel

outside Afghanistan, Afghans have struggled to reach these posts, which is outside the Department's control, and that additional staffing would not impact these challenges.

OIG Reply: OIG agrees that there are many circumstances affecting the SIV program that are outside of the Department's control, especially since the suspension of operations at the embassy in Kabul, and that contribute to delays in visa issuance. OIG added a footnote to this section of the report noting actions the Department stated it has taken to address the comment (see footnote 72). However, during this review, OIG found that Department-wide staffing challenges remained one of the primary challenges that limited the Department's ability to address the significant application backlog. Therefore, in Recommendations 6 and 7 of this report, OIG recommended that the Department develop, implement, and monitor the effectiveness and efficiency of an updated staffing plan to adjust resources for all Department offices involved with the Afghan SIV program to reduce the current Afghan SIV application backlog. OIG did not change its conclusion that staffing improvements to the Afghan SIV program are needed; however, OIG clarified that recommendations may be closed through alternative actions that meet the intent of the recommendations (in accordance with OIG's compliance processes, which are described in the Background section of this report).

Comment 19: The Department indicated that the report implied Afghan SIV processing has been available in Doha, Qatar, since August 2021 because OIG wrote that the Department had established a presence to process SIVs there since the "evacuation and suspension of operations at Embassy Kabul." The Department noted that this also implied that Doha was the only location processing Afghan SIVs, and clarified that AAU consular operations began at Doha in December 2021. However, a variety of logistical challenges limited applications that were processed there through March 2022. The Department added that that they have issued Afghan SIVs at 47 locations worldwide and have dispatched temporary duty consular staff to the top three Afghan SIV issuing locations. The Department stated that OIG's report "does not appear to account for these staffing surges."

OIG Reply: OIG edited the language in this final report to clarify that the Department's efforts to establish a presence to process Afghan SIV applicants in Doha, Qatar, as part of the AAU, began in August 2021, though the AAU was not formally established at that time. The Background section of the report notes that the Department officially established the AAU as a remote diplomatic mission in February 2022. OIG added a footnote to this section of the report noting the additional actions the Department stated it has taken to support SIV processing at locations other than Doha (see footnote 72).

Comment 20: The Department provided additional comments on the temporary duty consular staff at the AAU and noted that OIG did not acknowledge that nearly all Department personnel working at Camp As Sayliyah, the visa processing location in Doha with the AAU, were temporary duty staff. The Department added that the AAU consular team issued more than 1,000 SIVs per month in June and July 2022, which indicates that staffing did not affect visa issuance.

OIG Reply: OIG did not review the composition of the AAU as part of this review. As noted in reply to Comment 18, OIG added a footnote in response to the Department's comment, which included additional details provided in Comment 20 (see footnote 72).

Comment 21: The Department stated that Project Rabbit does not obtain a "letter of recommendation" from applicants' former employers. Rather, DoD provides "a letter vouching for the information originally provided by the contracting company related to the SIV applicant's qualifying employment."

OIG Reply: OIG concurred with the Department's clarification and corrected the language in this final report.

Comment 22: The Department indicated the draft report did not reflect the actual scope of Operation Allies Refuge when OIG stated that the Department had relocated 1,698 Afghan SIV holders by August 14, 2021. The Department suggested that a corrected version should read: "The Department had relocated 1,962 Afghan SIV holders and other SIV applicants in the final stages of visa processing by August 15, 2021."

OIG Reply: OIG did not receive any documentation from the Department to verify the new number provided; however, OIG added a footnote to this final report (see footnote 82) noting the Department's comments.

Comment 23: The Department noted that in the October–December 2021 quarterly report to Congress, the Department reported that applicants received an automatic email once the COM's designee reached a decision at step 5 and that future reports would no longer include this step because time attributable to it would be negligible. The Department also disagreed with OIG's use of the term "historical" to describe NVC processing times, adding that processing times are current and accurate; once a case is updated as "Documentarily Complete" it is immediately available in the system.

OIG Reply: OIG confirmed the Department's clarification that step 5 was eliminated after quarter one of FY 2022 as reflected in quarter two of the FY 2022 report released in July 2022, which was after fieldwork for this review ended. Nonetheless, OIG added a footnote to this final report to reflect the change (see footnote 32). However, "historical" was the term NVC used to describe their methodology for these steps; therefore, OIG did not change that language in this final report.

Comment 24: The Department stated that AAU consular staff do not manually transfer employment information from SQ-SIV to the Immigrant Visa Overseas system (IVO). Rather, NVC uploads the COM approval letter, human resources letter, letter of recommendation, and badges from SQ-SIV to the Electronic Document Processing system. This information then transfers to IVO.

OIG Reply: OIG concurred with the Department’s clarification and updated this final report to state, “NVC must transfer that employment information and documentation to the Electronic Document Processing system manually, which subsequently transfers to IVO.”

Comment 25: The Department stated that the report “minimizes the impact of COVID-19 on operations at Embassy Kabul,” and cites a “serious COVID-19 outbreak” that forced a three-week suspension of in-person SIV interviews in June and July 2021.³ The Department also noted that the report does not identify process improvements such as “augmenting staffing both in Kabul and in Washington.”

OIG Reply: OIG acknowledges on page 25 of the report that COVID-19 hindered SIV processing at Embassy Kabul. At the exit conference for this review, OIG informed the Department, that multiple reports would be issued and not all aspects of the Afghan SIV program would be addressed in this report. OIG intends to address the impact of COVID-19 in a separate report. Specifically, Congress asked OIG to “[d]escribe the impact of Coronavirus Disease 2019 (COVID-19) on the Afghan SIV process, if any, and adjustments the Department of State made to account for COVID-19 impacts.” See Appendix B for the full text of the congressional request letters.

³ OIG notes that there is a typographical error in the Department’s comments that states “July 13-July 5, 2021” rather than June 13–July 5, 2021.

ABBREVIATIONS

AAU	Afghanistan Affairs Unit
ASIV	Afghan Special Immigrant Visa
CA	Bureau of Consular Affairs
COM	Chief of Mission
DHS	Department of Homeland Security
DoD	Department of Defense
GAO	Government Accountability Office
IVIS	Immigrant Visa Information System
IVO	Immigrant Visa Overseas system
NDAA	National Defense Authorization Act
NEA-SCA/EX	Executive Office of the Bureaus for Near Eastern Affairs and South and Central Asian Affairs
NVC	National Visa Center
OIG	Office of Inspector General
SCO	Senior Coordinating Official
SIV	Special Immigrant Visa
SOP	standard operating procedure
SPOT	Synchronized Predeployment and Operational Tracker
USCIS	Department of Homeland Security, U.S. Citizenship and Immigration Services
U.S.C.	United States Code

OIG REVIEW TEAM MEMBERS

Mike Vennemann, Division Director
Middle East Region Operations
Office of Audits

Bryan Chavez, Audit Manager
Middle East Region Operations
Office of Audits

Margaret Hardy, Senior Auditor
Middle East Region Operations
Office of Audits

Roberto Gonzalez-Perez, Senior Auditor
Middle East Region Operations
Office of Audits

Anjali Khatri, Auditor
Middle East Region Operations
Office of Audits



HELP FIGHT FRAUD, WASTE, AND ABUSE

1-800-409-9926

[Stateoig.gov/HOTLINE](https://stateoig.gov/HOTLINE)

If you fear reprisal, contact the
OIG Whistleblower Coordinator to learn more about your rights.

WPEAOmbuds@stateoig.gov