

Management Assistance Report: Quarterly Reporting on Afghan Special Immigrant Visa Program Needs Improvement, AUD-MERO-20-34, June 2020

Summary of Review

In 2009, Congress established a special immigrant visa (SIV) program to resettle Afghans who worked on behalf of the United States and experienced an ongoing and serious threat as a result of their employment with the U.S. Government. The Afghan Allies Protection Act of 2009 establishes a program to provide SIVs to Afghan nationals who were or are employed by, or on behalf of, the U.S. Government in Afghanistan.¹ The FY 2020 National Defense Authorization Act (NDAA) directed the Department of State (Department), Office of Inspector General (OIG), to review and issue a report that evaluates obstacles to effective protection of Afghan allies.²

During the course of this mandated review of the Afghan SIV Program, which is currently underway, OIG found that the method for collecting, verifying, and reporting on applicant “wait times” is inconsistent and potentially flawed. The FY 2014 NDAA requires the Secretaries of Homeland Security and State to publish quarterly reports that describe the average wait times for an applicant for four stages: 1) receiving approval from the Chief of Mission, 2) completing the adjudication of Form I-360, 3) conducting a visa interview, and 4) issuing the visa to an eligible applicant.³ The FY 2014 NDAA also states that these quarterly reports should describe efficiency improvements and provide the reasons for the failure to process any applications that have been pending for more than 9 months.

OIG found that the entities responsible for reporting applicant wait times at each of the four stages of the Afghan SIV process are using differing methodologies to perform their calculations. For example, the Department’s National Visa Center and the Afghan Special Immigrant Visa Unit (ASIV Unit) use the total number of applicant packages processed as the basis of calculations but the Department of Homeland Security’s U.S. Citizenship and Immigration Services uses the total number of applicant packages it received as the basis of its calculations. In addition, some entities do not capture all applicant wait times. OIG also found that none of the 23 quarterly reports published by the Department between April 2014 and October 2019 included descriptions of the efficiency improvements, as required by Congress.

The differing methodologies used and the incomplete quarterly reports occurred because the Department, having assumed the lead role in preparing and publishing the quarterly reports regarding the Afghan SIV program, has not developed guidance that ensures that each entity involved with the Afghan SIV process is using a uniform and consistent method to calculate and report the average wait times. Similarly, the Department has not put in place internal

¹ Afghan Allies Protection Act of 2009, Pub. L. 111 8, March 11, 2009, § 602(b).

² FY 2020 National Defense Authorization Act, Section 1215, “Special Immigrant Visa Program Reporting Requirement,” 435.

³ FY 2014 NDAA, Section 1219, Improvement of the Afghan Special Immigrant Visa Program, (12) Report on Improvements, (B) Contents, (13) Public Quarterly Reports, 245.

controls that ensure that information in the quarterly reports is complete and fulfills the requirements set forth by Congress. Until these deficiencies are corrected, the quarterly reports may not be providing information responsive to Congress's requirements.

OIG made three recommendations to the Assistant Secretary for Consular Affairs to prompt actions to address the identified deficiencies. The Assistant Secretary for Consular Affairs agreed with all three recommendations. On the basis of his response to a draft of this report, OIG considers all three recommendations resolved, pending further action. A synopsis of the comments regarding the recommendations offered and OIG's reply follow each recommendation in the Results section of this report. The Assistant Secretary's response to a draft of this report is reprinted in its entirety in Appendix A. In addition, U.S. Embassy Kabul, Afghanistan, agreed with the recommendations offered and provided written comments. Those comments are reprinted in Appendix B.