



**AILA ROME DISTRICT CHAPTER
CONSULAR LIAISON COMMITTEE**

U.S. EMBASSY LONDON

FEBRUARY 11, 2011

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News & Updates:

Online Portal to Book Appointments:

The Embassy has developed a new web portal to accommodate large group bookings. The portal allows a single user to make bookings for groups of nine or more applicants, taking in each applicant's biographical data (name, date of birth, passport number, nationality) and USCIS petition receipt number (if applicable). The person making the booking may pay the fees collectively online or the individual appointees may call the call center and pay individually after the biographic data has been entered. The system allows the user to book a mix of applicants applying for different visa categories (e.g. O-1, H-1B, L-1) and different locations within the consular post (e.g. U.S. Consulate General Belfast and U.S. Embassy London). There is no fee to use the online booking systems.

Being able to register online and call in to pay fees will save time because operators have the ability to indicate appointment availability. In general, O and P visa appointments are scheduled for 8:00 am and J visa appointments are scheduled for 8:00 am or 8:30 am. The portal offers the first available appointment date and time. The date of the appointment can be changed through the portal, but not the time; this only be done

through the call center. The user may contact the call center to reschedule the appointment by referencing the applicant's biographical data used to schedule the appointment online.

The group booking web portal may be accessed at: <https://embassy.response-relatis.com/servlet/EmbassyPortal.OGBServlet>

Visa Reissuance:

The Visa Reissuance Program allows eligible applicants renewing an O or P visa to apply for a new visa without having to attend a visa interview. In order to qualify for the program, the applicant must have been ten-printed at a previous O or P application, the applicant's previous O or P visa must be valid or have expired within the last 12 months, the applicant must currently reside in the U.K. or have previously resided in the U.K. immediately prior to residing in the U.S., and the applicant must not have an admissibility ineligibility or have previously been subject to additional administrative processing. The Embassy will typically issue a new O or P visa under the Visa Reissuance Program within five to seven working days.

More information on eligibility of an applicant for visa reissuance may be found at: http://london.usembassy.gov/biometric_reuse_instructions.html. In addition, the Embassy's reissuance wizard can be used to determine eligibility for visa reissuance and may be found at: <http://london.usembassy.gov/visa-reissue-wizard/index.html>.

Renunciations:

London has the highest number of U.S. citizenship renunciations in the world. Due to the high volume of applications and extensive backlogs, the Passports & Citizenship Unit within American Citizen Services (ACS) has devised a streamlined approach to renunciation applications and added significant resources to cut down on long wait times. Attorneys wishing to assist clients with renouncing/relinquishing their U.S. citizenship must now email ACS at londonpassports@state.gov, to request an interview and provide the client's full name and the attorney's contact details. Upon receipt of the request, ACS will mail an information packet to the attorney of record. After meeting with the client to discuss the ramifications of renouncing/relinquishing U.S. citizenship and the process, the attorney of record must contact ACS to inform the unit that the client is prepared for the renunciation/relinquishment interview. ACS will then work with the attorney of record to schedule a telephone conference call to ensure the client is fully aware of the ramifications of renunciation. After completion of this informal conference call, the attorney and client must then attend a final renunciation/relinquishment interview to formalize the act under INA §349(a).

Questions & Answers

1. There continue to be issues with LES staff members at the intake windows, particularly the intake officers, not taking all documents presented by clients (e.g.,

only taking the DS-160 and MRV fee and not accepting any supporting documentation evidencing ties, not accepting evidence that the applicant meets the criteria for the visa category, not accepting attorney representation letters, and/or not accepting documentation relating to arrests or convictions). Would you please therefore provide us with feedback regarding this?

Answer: LES staff members at the intake windows have been instructed to accept only the DS-160 confirmation, the applicant's passport, MRV fee receipt and relating forms (such as I-797 approval notice, DS-2019, etc) as Consular Officers are unable to review significant documents prior to the visa interview. The Consular Officers will typically determine visa eligibility on the essential documentation provided and the interview with the applicant. The Consular Officer will request additional documentation from the applicant if required during the course of the interview.

2. There appears to be a recent rise in significant reviews and revocations of approved I-129 petitions by consular officers at the Embassy. While it is completely understandable that the consular officer's job is to identify inconsistencies particularly highlighting any fraud relating to additional inconsistent information not available to USCIS at the time the petition was submitted, there are a number of recent cases where the consular officer appears to be readjudicating the petition by asking questions that do not fall into any fraud pattern but instead question USCIS's logic in approving the petition. For example, an O-1 beneficiary being asked why he did not have any awards, or an H-1B beneficiary being questioned extensively about his work experience. Would you please therefore explain the rise in this type of review?

Answer: The I-797 approval notice is prima facie evidence of eligibility but the applicant still must prove eligibility at the time of the interview. Consular officers will send a petition back to USCIS for revocation if, as a result of the applicant's interview, it appears the petition was approved in error (e.g., if applicant doesn't have Bachelor's/equivalent work experience for an H-1B or the petitioning company is not real). The consular officer may request additional documents to ensure the information submitted in the petition is accurate (e.g., O-1 applicants may be asked to show evidence of achievement). In some situations, if an applicant is not responding to consular officer's questions clearly or is being evasive, this may lead to a fraud check due to the suspicious nature of the application. It is therefore in the applicant's best interest to be forthcoming and not provide one-word answers to consular officer's questions.

3. Is it possible to expedite a INA §212(d)(3) waiver application if a client has to visit the U.S. on extremely short notice (e.g. to attend a funeral)? If yes, what is the procedure?

Answer: In order to request expedited visa issuance in light of a truly emergent situation, an email must be sent to the londonconsular@state.gov email address with a CIU code (obtained from the Call Centre). The email should indicate

“URGENT” in the subject line to receive quickest attention. The email should describe the reason why the person is required in the U.S. immediately. Please note that business reasons rarely rise to the level required to expedite issuance of a visa or waiver application.

4. What is the Embassy’s view on adjudicating B visas for orphans who may be adopted by U.S. citizen family members?

Answer: Orphans are not eligible for B visas under INA §214(b) as there is no assurance that the child will return to the U.K. In most cases, the adoption process must be completed in the U.K., which requires the U.S. citizen to become resident in the U.K. for up to 10 weeks.

5. Will the Embassy extend fingerprint recapture and reuse to categories other than the “pilot” categories (O and P visas)? If so, are there any timelines for this?

Answer: Visa reissuance is now available to J and C-1/D Aircrew as well as O and P visa applicants and will be an option for F applicants in coming months. The same re-issuance requirements apply as indicated above. For more information regarding visa revalidation see:
<http://london.usembassy.gov/visa-reissuance.html>

6. When does the Embassy reject an applicant due to insufficient information contained in the DS-160?

Answer: The Embassy will reject an applicant if there are additional fields to be completed (e.g., additional education history that was not provided) or a question was wrongly answered that closed off additional questioning (e.g., selecting female instead of male for an applicant aged 16 to 45). The consular officers however are able to correct typos which the applicant may ask to correct at the time of the interview (misspelling of an address or incorrect phone number).

7. Is there any news in the E Visa Unit?

Answer: The current E Visa Unit officer will be on maternity leave shortly but will be replaced by a new, fully qualified E Visa Unit officer. Currently there are three staff members within the E Visa Unit, including two LSE staff members.

The E Visa Officer asks that E applications be organized in a binder with tabs to clearly separate documentation as instructed on the Embassy’s website. It is helpful to highlight relevant information in the supporting documents. In addition, financial projections should be backed up with resources and information supporting how the projections were developed.

8. Is there any more information about the timeframe for I-130 centralized processing? How much longer will London Field Office continue to process I-130s for U.S. citizens residing in the jurisdiction?

Answer: According to the most recent information the Embassy has from the USCIS, it is expected that non-U.S. based I-130 petition processing may be centralized by the Autumn/Winter 2011.