

**AILA Minutes from the Nebraska Service Center Thursday, February 9, 2017 Stakeholder
Teleconference on Humanitarian, Family, Document Production & Status, and Other Issues**

Includes the following topics:

- * I-765 classifications other than (c) (9), (a) (5), and (c)(8)
- * I-130s
- * I-129F riding with I-130s
- * N-400
- * I-821 (Haiti & Nepal TPS)
- * Legalization/I-817
- * I-102
- * I-131 Reentry Permits/Refugee Travel Documents
- * N-565
- * I-601
- * I-824 as appropriate
- * Waivers as appropriate

NOTE: *These minutes are notes from an informal stakeholder call hosted by the Nebraska Service Center to provide general information on issues and questions submitted to the Nebraska Service Center. Statements made during this call are not to be considered binding policy on the Nebraska Service Center or the United States Citizenship & Immigration Services.*

Present on the call: Janelle Herres, NSC Community Engagement Officer, who will be the facilitator on the call and Kevin Smith with the I-918 unit to cover U visa topics.

Please direct any specific concerns or to be added to the mailing list to Janelle Herres, NSC Community Engagement Officer at CEO.NSC2@uscis.dhs.gov. Please direct any policy related questions to USCIS HQ at SCOPSSCATA@uscis.dhs.gov.

NSC only received questions related to U Visas. Kevin Smith responded to those.

U Visas

1. Processing Times for U visa applications
 - a. What filing date is NSC working on at this time?
Response: August 8, 2014 is the oldest date that NSC currently has on the shelf.
 - b. How many of the initial transferred cases have been adjudicated?
Response: There have been roughly 6800 cases transferred to the NSC since last August and of those approximately 2500 have been adjudicated.
 - c. Are the processing times for NSC the same as for VSC for both U visa filings and RFEs?
Response: Every effort is being made to keep the processing times the same at both service centers.

- d. What are the processing times for Form I-918A applications by qualifying family members where the U visa was already granted for the principal?
Response: 918As are placed in receipt date order and are processed accordingly.
 - e. Members report that some EAD renewal applications are being delayed beyond the 90 days. What is the reason for the delay and are efforts being made to address the delays?
Response: If your EAD renewal is beyond 90 days email the customer service hotline.
 - f. Where can we check processing times?
Response: Since the VSC and NSC are working the same dates only one processing time is being provided and that can be found in the usual location on the USCIS website.
2. There is a lot of confusion regarding the envelopes provided by NSC with the RFE. Can NSC clarify this system?
- a. What is the significance of the different color coded envelopes?
Response: The envelopes are used to help more easily identify certain cases when they come back to NSC in the mail. The yellow striped envelope is used only for 918s. It alerts the mailroom as to what it is and can be easily matched up to the file. NSC is aware that occasionally the wrong envelope goes out and apologizes for that. Even if that happens and response is sent in the envelope provided or another envelope entirely it will still get matched up.
 - b. Often RFE responses are more than a few pages long and do not fit within the envelope that NSC provides. Does NSC prefer that the envelope be attached to the RFE response or taped to the front of the shipping envelope?
Response: It is best to attach the envelope to the front of the RFE. Use the address provided on the RFE.
 - c. There are reports of the same type of RFE being issued with different color coded envelopes and different addresses. For example, the attorney copy has color-coded envelope with one address and the client copy has a different colored-coded envelope with a different address. In such instances, where should the response be sent? Are there different addresses and/or color codes for responses submitted by counsel?
Response: The yellow envelope is the correct envelope. The address on the correspondence is the correct address. If there is confusion always use the address on the correspondence. Regardless of the envelope used it will still get to the appropriate location.
 - d. Has NSC set up a special PO box for U visa RFEs?
Response: The PO Box is 87918. That is the address on the yellow striped envelope as well as the RFE.
 - e. When receiving mail or an RFE from NSC when the case was originally filed with VSC, do we need to reply to both VSC and NSC?
Response: No, just respond to the NSC.

3. Given the extremely lengthy wait times for U applicants on the waitlist, can USCIS issue Deferred Action letters when applicants renew their work permits while on the waitlist? In many states, DMVs do not issue driver's license based on the showing of an EAD (or I-797 approval notice for an I-765) and will issue a driver's license only within one or two years of the date of the original issuance of the DA letter.

Response: NSC understands the frustration but this is a policy decision and USCIS is unable to issue deferred action letters at this time.

4. Is NSC issuing new biometric notices for U visas that are transferred from VSC? Several attorneys have reported that they have received a second biometric notice after the case was transferred to NSC. Is this standard protocol to require U visa applicants to do their biometrics a second time?

Response: An upfront sweep is being conducted when files are received at the NSC from the VSC to see if any biometrics exists. If no biometrics in the system then the individual is scheduled.

5. Change of Address

- a. If a case is at NSC, what is the best way to notify the service center of a change of address? Should we notify the VSC hotline or do we need to file Form AR-11?

Response: Do not complete Form AR-11. It is critical to submit the change of address the same way as always through the VSC hotline.

- b. What if the applicant is a pro se client who wishes to file a change of address?

Response: Submit letter with original signature requesting change of address.

6. Workshare with VSC

- a. When will the next set of U visa cases be transferred from VSC?

Response: Next shipment of 2000 principal applicants is currently in process.

- b. Will the public be notified when this occurs?

Response: The public is not notified but a transfer notice will be sent to each applicant and attorney of record for cases that are transferred to the NSC.

- c. Is training complete?

Response: Yes, training is complete.

- d. Are there additional adjudicators?

Response: There have been no additional adjudicators added since the initial training.

- e. Are there any changes being considered to the workshare structure under the new administration?

Response: Changes being made under the new administration have not been discussed.

7. Can you provide any updates regarding when NSC anticipates implementing its own hotline communication address and system for U visa cases?

Response: NSC hopes to have something in place at the NSC by May 2017.

8. Can you provide any updates on the creation of a visa bulletin to let applicants know their place on the waitlist?

Response: At this time USCIS will not be creating a separate visa bulletin for waitlisted U visa petitions.

9. Is NSC planning on doing an annual in person stakeholder meeting similar to those held by VSC? AILA and the community of U visa advocates would welcome the opportunity to share information with and meet the officers and group supervisors.

Response: That is something still being discussed and NSC will let stakeholders know once they have additional information.

FOLLOW UP QUESTIONS & ANSWERS

1. International Rescue Committee reported an issue regarding EADs filed on behalf of refugees upon entry to the U.S. There are a number of cases from around the country where refugees have been in the US for five months but have not received their EADs or any correspondence regarding their EADs. Since there is no G-28 on file it is difficult to follow up on these cases. Recent attempts to follow up with the National Customer Service number have been unsuccessful and it is difficult to get through. Is there a way to follow up?

Response: Janelle has received a few of the same type of inquiries. If A# is available call the National Customer Service Center number and ask to be transferred to Tier 2. Janelle will follow up on how to assist these people. Can also contact service center operations at SCOPSSCATA@uscis.dhs.gov email. To use the NSC follow up mailbox you must first have created an SRMT and provide that number and must not have received a response for 30 days. Can also go online and create a case referral.

2. What is the August 8, 2014 filing date?

Response: It is the receipt date for the actual U visas that NSC has on the shelf. NSC works closely with VSC to make sure that they are adjudicating about the same date range and that is August 8, 2014 right now. This is the oldest date on the shelf. Anything older should be with an officer. Anything after that is on the shelf waiting to be pulled.

3. Please confirm where pro se applicants should send their change of address requests?

Response: Send the request to VSC even if the case was transferred to NSC. Anything customer related should still go to VSC which has the processes and communicates the information to NSC.

4. How many U visas have been issued for this fiscal year and how far are they into the cap?

Response: VSC is working all of those cases and NSC only working on backlogged cases that are being waitlisted.

5. Any anticipated holds on document production for refugee travel documents or adjudication of cases at NSC due to the Executive Orders?

Response: There are no delays and it is business as usual and we are in full compliance with the injunction.

6. Until what filing dates have been transferred to NSC?

Response: Don't have exact dates but coordinating with Vermont to make sure that NSC is not getting too far ahead of them and that both are working on the same range of cases.

7. When can we expect the next transfer of cases from VSC?

Response: In the process of transferring 2000 cases right now. Not sure exactly when the transfer notices will go out.

Contact Information

National customer service center no. is 800-375-5283. Can also go online and create a case referral.

Service center processing times are on the USCIS.gov website. Go to "Tools" on upper right hand corner and scroll down to "See Office Case Processing Times" and select the Service Center.

NEXT STAKEHOLDER ENGAGEMENT

The Next Stakeholder Engagement will be on June 8, 2017 covering Business related issues.