

Draft Minutes - AILA / Atlanta CIS liaison meeting March 4, 2011

Attendees: For USCIS – Denise Frazier, District Director; Paul Onyango, Field Office Director; Connie Roberts, Congressional Liaison Officer; Stephanie Reither, Section Manager; Richard Lee, Acting Section Manager; Joe Kernan, District Community Relations Officer.

For AILA: Layli Eskandari Deal, Chapter Chair; David Soloway, Chapter First Vice Chair; Elizabeth Garvish, Chapter Treasurer; and Nellie Navidi, Liaison Committee Member.

1. Please explain the new number ticket system. We have noticed some officers calling names and other officers calling numbers. There was also no particular order of numbers being called, such as Q37 followed by Q11, so we could not determine how much longer we would be waiting. In addition, the First In, First Off the Top system didn't seem to be followed. Customers who arrived upstairs well after others were nevertheless called first.

The Q Flow System was implemented to eliminate excessive wait times and improve timing. Tickets are issued based on location of the file and type of case. The letter corresponds to the type of case it is. The number is assigned through Atlanta's internal system and is not in numerical order. If an attorney has waited for more than one hour, they should go to the Triage area on the first floor to request to speak with the Duty Supervisor. The attorney should be issued an "S" ticket to speak with the Duty Supervisor.

Triage should issue one ticket per family even if the interviews are scheduled for different times.

Triage will issue tickets up to thirty minutes before the scheduled interview (but this does not apply when a family group is together).

2. Please confirm if CIS policy continues to be that one of his/her law partners of the attorney listed on the Form G-28 may provide representation at an immigration interview or hearing without providing a new Form G-28 (but the partner may be asked to provide identification and to sign the existing Form G-28).

The attorney may be asked to provide a new G-28 but the officer retains discretion on this issue. If an attorney is representing the individual only at the interview, we suggest that a G-28 be submitted which limits their representation to only the interview.

3. Please specify the steps by which an attorney, who arrives at the Atlanta Office before a scheduled I-485 or N-400 appointment, may confirm whether his client has already checked-in and been sent to another floor of the building.

The Q Flow System requires that attorneys contact their clients directly. Triage is unable to confirm if the client has checked in and/or which floor they will be interviewed. However, Triage retains discretion to accept attorney inquiries if there is a short line. Atlanta will permit cell phone calls in the waiting areas and common areas. These phone calls should be brief and not disruptive to others.

The USCIS will consider changing signage about cell phones and will instruct the security staff to discontinue keeping people out of the building until 30 minutes before their scheduled interview.

4. Please confirm Atlanta CIS policy regarding overlapping or potentially overlapping interview appointments scheduled at the Atlanta office. Do we continue to advise USCIS through the Liaison lockbox process (currently sent to Marshall Cohen) so that it will make accommodations that will allow the attorney to be present at all appointments.

The USCIS will accommodate attorneys with overlapping appointments. Please continue to notify USCIS of overlapping or potentially overlapping interviews through the Liaison email (to Marshall Cohen) who will forward the information to the CIS Liaison Officer. Once the CIS Liaison Officer has the information, they will advise Triage. A supervisor will assist and issue an "S ticket."

5. If attorneys are expected to communicate with clients by cell phone in the building, please confirm that cell phone use will be permitted in the waiting rooms on all floors.

See response to Question 3.

6. Please confirm CIS policy regarding removal of body piercings to pass through security to enter an ASC or CIS facility. For example: a female client (over 40 years old) was asked by an Atlanta ASC security guard to remove her nose ring which was difficult for her to remove without considerable pain and time. The guard advised her that earrings were okay and did not have removed to enter the facility. We would like to know if this was an isolated incident or current policy.

There is no policy in place regarding jewelry such as earrings or body piercings. An individual cannot wear jewelry which prevents USCIS from capturing a proper photograph at their biometrics appointment. Attorneys are asked to notify the USCIS through Liaison email of examples of problems with security involving nose rings and similar jewelry.

7. Please confirm the Atlanta CIS policy regarding sentence modifications or clarifications. There have been at least a few recent instances in which officers (Officer Burchard and

Officer Roth) stated during an interview that they did not need to follow or were unaware of *Cota-Vargas*. Please confirm if there has been or will be any new training or USCIS memo on the topic.

There is no USCIS memo on this topic. The USCIS will follow-up with training on this issue.

8. At an interview with Officer J. Williams, when we asked for the return of personal identification documents that had been taken by ICE at the time of the applicant's immigration arrest (such as his Brazilian identification card), we were advised that those documents could not be returned presently and we were advised to file a Form G-884. It is my understanding that the G-884 is not needed if the applicant makes a personal request at the time of the I-485 interview and that such documents (including driver's license, passport, country identifications etc.) are to be returned. Please confirm if the G-884 is required only in cases where there has been no in-person request.

The attorney or individual must file a G-884 in all situations. This certifies and confirms that the document was given back to the individual. The G-884 can be provided to the officer at the interview. However, the document will not be returned at the interview but will be mailed directly to the individual.

9. We know that the Atlanta ASC will complete biometrics for applicants for reentry permits if they have a receipt notice and will be departing the United States shortly. If we can secure the receipt number, but do not have the actual receipt notice yet, can an applicant appear at the ASC to be fingerprinted with proper id and documentation of their departure from the United States? If so, would the Atlanta Office allow such applicants to walk-in to an InfoPass appointment to secure the needed receipt number if such an appointment is not available online?

Individuals need a receipt to request a walk-in biometrics appointment. There is an exception for individuals who have lost their receipt and the ASC can verify the receipt was issued. If you only have the receipt number, you can request scheduling of the biometrics appointment through CIS liaison chair Marshall Cohen in time-sensitive situations. Individuals should not schedule an Infopass appointment to request scheduling of biometrics. Please note that walk-in appointments are permitted at the Atlanta ASC but are not guaranteed.

10. We have had many problems with cases after proceedings are terminated and files are remanded back to USCIS for interview and adjudication of I-485s. In many cases, files were transferred back and forth from USCIS to ICE for no apparent reason. In one case in particular, in which I am working with the I-485 liaison, proceedings were terminated

over a year and half ago and we are still waiting for an interview. In the meantime, the client can't even apply for EAD because the I-485 still appears in the system as denied.

Please forward an email to AILA CIS liaison chair Marshall Cohen the day the proceedings are terminated. Please write "Remand Case" in the subject line.

11. What is the current Atlanta CIS policy regarding walk-in Infopass appointments when there are no appointments available online and the client needs to obtain an I-551 stamp due to a family emergency or urgent business travel?

Walk-in Infopass appointments are accepted on a case by case basis. There are approximately 150 Infopass appointments each day. Additional appointments may become available throughout the day. We recommend that individuals try to make an appointment at the Kiosk located at the Atlanta field office entrance prior to requesting a walk-in appointment. If no appointments are available, the individual must go to Triage and request help from a Supervisor. An attorney cannot come without the individual, except in extraordinary circumstances; additionally, a parent may seek an I-551 for a young child.

12. What is the current processing time to review I-485s for secondary review or scheduling for an interview? Does the Atlanta CIS office have any plans to reallocate staff or hire new staff to process the backlogged cases?

The USCIS has hired six new officers. Effective 3/14/2011, the USCIS will begin a new plan to work on the backlog by conducting N-400 interviews only between 7:15 and 11:45 and I-485 interviews only between 7:15 and 11:00. The afternoon will be dedicated to working on the backlog. Officers should be working on their own cases, if possible. It is currently taking 9 months (from the last action) for secondary review.

13. Please confirm if you are aware if there have been any resolution to problems related to SAVE updates. We have been unsuccessful in attempting to resolve problems by using the SAVE helpdesk and email. They advised us to contact deferred inspection. However, deferred inspection referred us to the field office. Individuals are unable to renew their driver's license for over four months. It is our understanding that the DDS should be able to conduct a manual verification. However, on multiple occasions individuals were instructed that DDS is unable to perform this function.

The SAVE Program is used to verify an applicant's status when requesting public benefits, such as from DDS, SSA, HHS and OPM. The SAVE verification process progressively uses three steps: (1) electronic verification that requires only a few seconds; (2) requirement of additional information from the agency or the applicant,

requiring 3-5 working days; and (3) submission of Form G-845 by the agency, requiring 10-20 working days. If results are not obtained using only Step 1, the agency should inform the applicant when to return. Each Step requires an additional payment by the agency.

In instances of an applicant with an H-1B renewal, it may be helpful to specifically ask the DDS to complete Step 3 and provide a copy of the Form G-845 to assure it contains no errors. District Director Denise Frazier will try to address ongoing problems involving people with H-1Bs and she requests that specific examples of problems continuing for six weeks without resolution be communicated via Liaison email.

In instances of an applicant with a pending I-751, an Infopass appointment may be used to obtain a temporary I-551 stamp (but note that some DDS offices still do not accept the I-551 stamp).

In the event of a DDS delay of more than one and one-half months from initial application for a driver's license, Joe Kernan may be contacted at [joseph.kernan@dhs.gov](mailto:joseph.kernan@dhs.gov) to request his assistance.

Individuals can make an Infopass appointment to request corrections to their record. These individuals must bring a referral sheet indicating that they require a correction. Individuals can go to Deferred Inspection to resolve issues related to erroneously issued I-94s