

Questions and Answers

USCIS International Operations (IO) Division in Athens Meeting with American Immigration Lawyers Association (AILA) May 4, 2016

Overview

On May 4, 2016, U.S. Citizenship and Immigration Services (USCIS) International Operations (IO) Division in Athens, Greece, met with the American Immigration Lawyers Association (AILA) representatives.

USCIS addressed questions from AILA. The information below provides a review of the questions presented by AILA and the responses provided by USCIS.

Questions and Answers

General Operations

1. How many employees (local and U.S. staff) are on site? Are there any significant staffing changes anticipated in the near future?

Response: USCIS Athens currently has 3 U.S. citizen staff (1 field office director and 2 overseas adjudications officers) and 2 locally employed staff. We don't anticipate any upcoming staffing changes.

2. Please provide an overview of current initiatives and priorities of USCIS in Athens.

Response: USCIS Athens' most significant workloads are Requests for Review of Refugee Denials and I-602 refugee waivers. We also process smaller numbers of Form I-130, military Form N-400, Form I-407 and Form I-590.

3. USCIS's May 2012 memo on the role of private attorneys states that an applicant has a right to an attorney in interviews conducted by USCIS International Operations offices abroad.¹
 - a. Are attorneys who have a G-28 on file permitted to attend interviews with their clients at the Athens Field Office?

Response: The policy memorandum provides guidance regarding representation and appearances before USCIS and applies to the adjudication processes of the

¹ USCIS Final Memo on the Role of Private Attorneys, AILA Doc. No. 12052940.

International Operations Division of the Refugee, Asylum, and International Operations Directorate, to include the USCIS Athens Field Office.

- b. Are attorneys who have a G-28 on file allowed to attend an InfoPass appointment on behalf of their client to inquire about a case, or would your office prefer the attorney to inquire via e-mail?²

Response: USCIS Athens does not currently use InfoPass to arrange appointments for inquiries. Attorneys should contact the Athens Field Office by email at USCIS.Athens@uscis.dhs.gov or via phone at +30 210 720 2404 or +30 210 720 2405 for inquiries about cases.

4. Per the USCIS Athens website, public hours are Monday through Friday from 8:30 to 11:45 a.m. The website later indicates that USCIS Athens does not accept walk-ins. As such, please clarify if public hours are for appointments only.

Response: That is correct. Public hours are when appointments are scheduled. Accommodations for later appointment times are possible, on a case by case basis.

5. Unlike some other USCIS international offices, the Athens Field Office does not appear to use the InfoPass system for requesting an appointment. Does USCIS Athens expect to utilize the InfoPass system in the future?

Response: We are discussing the possible future use of InfoPass, but at this time do not have a firm start date.

Visa Fees

6. We understand that USCIS international offices generally use the State Department payment options for filing petitions.³ Per the USCIS Athens website, payment can be made by U.S. dollars, euros, postal money orders, cashier's checks, traveler's checks or credits cards, such as Visa, MasterCard, and American Express.⁴

- a. Please advise if the postal money orders must be **U.S.** Postal Service money orders drawn from a U.S. bank.

Response: Postal money orders must be U.S. Postal Service money orders in U.S. dollars.

² Greece – USCIS Athens Field Office, <https://www.uscis.gov/about-us/find-uscis-office/international-offices/greece-uscis-athens-field-office>

³ AILA Agenda USCIS International Operations Responses, Dec. 2014, Q16(a), http://www.uscis.gov/sites/default/files/USCIS/Outreach/PED_Agenda_IO-AILA_11Dec2014_RESPONSES_2.pdf; AILA Doc. No. 15020563, <http://www.aila.org/infonet/uscis-intl-ops-liaison-minutes-12-11-14>.

⁴ Greece – USCIS Athens Field Office, <https://www.uscis.gov/about-us/find-uscis-office/international-offices/greece-uscis-athens-field-office>

- b. Please advise if cashier's checks must be drawn from a U.S. bank.

Response: Bank checks (cashier's checks) are accepted in euros only. They must be made out to the American Embassy from one of the following banks: National Bank of Greece, Alpha Bank, Eurobank, Bank of Piraeus, Attica Bank, CitiBank, HSBC, or Geniki Bank.

- c. Please also confirm whether money orders, cashier's checks and traveler's checks must be in U.S. dollars, or if they can be in euros.

Response: U.S. Postal Service money orders and American Express money orders and traveler's checks must be in U.S. dollars.

For cashier's checks, please see answer to #6b above.

The U.S. Embassy in Athens also posts information about the forms of payment it accepts on its [website](#).

7. AILA understands that payments submitted to USCIS international offices are made through the State Department cashier. The USCIS Athens website advises money orders, cashier's checks or traveler's checks should be made payable to the "American Embassy" or "U.S. Treasury Department;" however, the general USCIS website states that fees should be made payable to the "U.S. Department of Homeland Security."⁵

Please confirm to whom checks or money orders should be made payable.

Response: Bank checks, money orders or travelers' checks should be made out to "American Embassy Athens" or "US Embassy Athens" not "U.S. Department of Homeland Security." The [Paying Immigration Fees](#) site referenced in this question says that you should check the website of the USCIS office where you wish to file, or contact the appropriate U.S. Embassy or Consulate for information on what forms of payment are accepted and how to pay at your local U.S. Consulate or Embassy.

Communications

8. Please confirm that the best contact information for USCIS Athens is: Telephone: 011-30-210-720-2404 or 011-30-210-720-2405; Email: USCIS.Athens@uscis.dhs.gov.⁶

Response: That is correct.

9. Per the USCIS Athens website, it appears that USCIS Athens prefers to receive specific case inquiries through fax rather than email. Please confirm this is correct.⁷

⁵ *Paying Immigration Fees*, <http://www.uscis.gov/forms/paying-immigration-fees>

⁶ *Contact Us – USCIS Athens Field Office*, <https://www.uscis.gov/about-us/find-uscis-office/international-offices/contact-us-uscis-athens-field-office>

Response: Email is generally the best method to submit case inquiries. We have updated our website to reflect this.

10. What is the current estimated response time for fax and email inquiries?

Response: The current estimated response time is 2-3 business days from receipt.

11. If different from the current response time, what is the response time goal?

Response: The response time goal is 5 business days from receipt.

Biometrics

12. Per the USCIS Athens website, fingerprinting services may be available for overseas applicants in “rare” circumstances.⁸ Understanding that some examples of those who may file or receive fingerprint collection services are listed on the website, please advise if financial and time impact to the applicant might be a consideration of whether an applicant may qualify for biometrics abroad.

Response: In general, financial and time impact would not be considered extenuating circumstances, but each instance will be judged on a case-by-case basis.

13. The USCIS Athens website also indicates that individuals may contact USCIS Athens to determine eligibility on a particular case.

- a. Understanding that an individual residing in a location covered by the USCIS Athens Field Office⁹ (but not living in Greece) who needs biometrics taken for a compelling reason cannot normally obtain a biometrics appointment in Athens, and instead should either contact the local consulate or travel back to the U.S. However, is there any flexibility on this practice in extenuating circumstances, such as a major health concern?

Response: The Athens Field office will assess requests to provide biometric services on a case by case basis. Please see answer to #12 above.

⁷ Greece – USCIS Athens Field Office, <https://www.uscis.gov/about-us/find-uscis-office/international-offices/greece-uscis-athens-field-office>

⁸ Greece – USCIS Athens Field Office, <https://www.uscis.gov/about-us/find-uscis-office/international-offices/greece-uscis-athens-field-office>

⁹ Albania, Bulgaria, Greece, Bahrain, Cyprus, Egypt, Iran, Iraq, Israel, Kuwait, Lebanon, Oman, Qatar, Romania, Saudi Arabia, Syria, Turkey, United Arab Emirates and Yemen. Greece – USCIS Athens Field Office, <https://www.uscis.gov/about-us/find-uscis-office/international-offices/greece-uscis-athens-field-office>

- b. If the applicant believes that biometrics should be taken by the USCIS Athens Field Office, should the applicant or attorney contact USCIS using the email address previously listed to request scheduling the biometrics?

Response: Yes, the applicant should email the USCIS.Athens@uscis.dhs.gov mailbox requesting an appointment and detailing the extenuating circumstances.

Abandonment of Resident Status (Form I-407)

- 14. Some individuals wishing to file an I-407 are also interested in obtaining a nonimmigrant visa upon adjudication of the I-407. USCIS advises that I-407 applications can be filed by scheduling an appointment or by mailing in the application.¹⁰

- a. Does USCIS offer same-day processing of Form I-407 for those who file in-person?

Response: Individuals who make an appointment and submit Form I-407 in person generally receive same-day processing at USCIS Athens and receive a copy of the signed Form I-407.

- b. Can applicants accomplish both the I-407 appointment and the nonimmigrant visa interview during the same visit to the Embassy? (For example, are I-407 appointments only in the afternoon, which would make an NIV appointment on the same-day impossible? AILA understands two separate appointments would need to be made – one with USCIS Athens and one with the consulate for the nonimmigrant visa interview.)

Response: USCIS Athens does not control scheduling of NIV interviews or coordinate Form I-407 appointments with NIV interview appointments. All USCIS Athens appointments are scheduled during our public hours (8:30– 11:45 a.m.), so it may be possible to schedule both appointments on the same day.

- c. How many I-407 appointments are offered daily?

Response: Appointments will be scheduled during public hours, and there is no set maximum per day. The number of appointments per day is only limited by the amount of time required for each.

- d. What are the general processing times of I-407s filed through mail?

Response: The IO-wide goal is to complete at least 80 percent of Form I-407s within 30 days adjusted processing time.

¹⁰ Greece – USCIS Athens Field Office, <https://www.uscis.gov/about-us/find-uscis-office/international-offices/greece-uscis-athens-field-office>

- e. Is the I-407 considered processed when the individual is provided a signed copy as record of the action, or once the signed I-407 and supporting documentation are processed by USCIS stateside?

Response: Form I-407 is considered processed when USCIS Athens provides the individual with a signed copy. Note that “processing” Form I-407 simply creates a record that the individual has informed us that they are abandoning their lawful permanent resident (LPR) status. We do not make a formal “finding” or “adjudication” of when the abandonment actually occurred.

- 15. Can Third-Country Nationals (TCNs) file I-407s in Athens? If so, does the applicant have to be a resident of Greece?

Response: TCNs can file Form I-407 in Greece. The individual submitting the form does not have to be a resident of Greece.

- 16. What other documents (besides death certificate, custody decree or guardianship papers) can individuals submit to show they have sole legal custody of the minor to file Form I-407 on behalf of the minor? For instance, will secondary evidence be considered in the event that primary evidence is not available?

Response: Individuals may submit any documents showing a formal grant of legal custody in accordance with the law of the place where custody was granted. Generally, applicants must provide primary evidence—a copy of the actual public document that grants custody. This may be a court order or an administrative order, depending on how a formal grant of custody is made in the relevant jurisdiction.

If this primary evidence is not available, applicants may submit secondary evidence or tertiary evidence (affidavits or other statements under penalty of perjury) if neither primary nor secondary evidence is available.

As specified in 8 CFR 103.2(b), the individual must establish—by certification from the official who would have the public record, if it existed—that primary evidence is not available to submit secondary evidence.

- 17. What is the procedure if, at the interview, the officer determines that the individual abandoning their LPR status is not acting voluntarily?

Response: USCIS Athens will not accept a Form I-407 if an officer finds that the individual is not acting voluntarily with the intent of giving up LPR status.

Immigrant Visas

- 18. The USCIS Athens website advises that I-130 petitions must be filed in person.¹¹

¹¹ *Id.*

- a. When submitting an I-130 petition locally, would USCIS Athens prefer for the petitioner and beneficiary to both attend the appointment?

Response: USCIS Athens would prefer that both the petitioner and the beneficiary be present at the filing of the Form I-130.

- b. Does USCIS Athens prefer that applicants submit I-130 petitions during public hours, or by making an appointment by phone or email?

Response: USCIS does not take walk-ins during public hours. All Form I-130 submissions must be done by appointment. Exceptions may be made on a case-by-case basis.

19. In an effort to prevent a Request for Evidence (RFE) on petitions submitted to the USCIS Athens field Office, please advise if there are any common problems with I-130 petitions submitted to USCIS Athens. (For example, do petitioners and their attorneys make common mistakes, of which AILA could remind its members to be mindful?)

Response: The most common omission USCIS Athens sees is failure to provide evidence showing termination of all prior marriages in spousal petition cases, failure to submit evidence of petitioner residence in Greece, and failure to submit certified translations of all foreign language documents.

20. As of April 2016, locally filed I-130s are adjudicated in less than one month.¹² What is the wait time between USCIS I-130 adjudication and transfer of the file to the State Department in Athens for IV issuance?

Response: Form I-130s are generally delivered to the Department of State visa unit within 1-2 business days of the date that USCIS Athens completes them.

21. As a result of the limitation on direct filing of immigrant visas at posts where no USCIS office is co-located, USCIS permits the State Department to request an exception for filing directly with post.

- a. What is the most common reason for the direct filing exception request?

Response: Short notice that the petitioner will be relocating for a job position is the most common circumstance provided by DOS for requests to accept a locally filed I-130.

- b. What is the most common reason for denying the filing exception request?

¹² USCIS Processing Time Information for the Athens Greece Field Office, <https://egov.uscis.gov/cris/processingTimesIntlDisplay.do>

Response: In general, petitioners who are not approved have failed to provide evidence that they face exceptional circumstances requiring them to depart to the United States before the case could be processed domestically.

- c. Is there a particular country from where most exceptional circumstance requests derive?

Response: USCIS Athens receives requests from a number of the posts within our jurisdiction. Jerusalem and Abu Dhabi are probably the posts we see requests from most often.

Adoption

22. What are the biggest challenges that USCIS encounters in facilitating international adoption applications, and is there anything AILA members can do to help make the process more efficient?

Response: USCIS Athens has not experienced significant challenges in processing international adoption-related applications and petitions. The process is most efficient when all required evidence is submitted with the filing of the petition. USCIS Athens receives very few international adoption-based immigration petitions.

Transportation Letters

23. Throughout the globe, Transportation Letters are obtained through various agencies (CBP, USCIS or ICE). Per the Athens USCIS Field Office website, it appears that CBP issues Transportation Letters in Athens.¹³ Per the AILA/USCIS International Operations (IO) meeting in Washington, D.C. in April 2016, IO advised that in the future, USCIS and the State Department will issue either Transportation Letters or boarding foils, respectively.

Are there any plans in the future for USCIS Athens to issue Transportation Letters?

Response: USCIS Athens took over the issuance of transportation letters from ICE/HSI in Athens as of May 2, 2016. The USCIS Athens website was updated to reflect this change. Appointments for transportation letters can be made through the USCIS.Athens@uscis.dhs.gov mailbox or by phone at +30 210 720 2404.

Naturalization

24. Do USCIS Athens personnel travel to locations throughout its jurisdiction to conduct U.S. naturalization ceremonies, such as U.S. bases in Bahrain, Saudi Arabia and Kuwait?

¹³ Greece – USCIS Athens Field Office, <https://www.uscis.gov/about-us/find-uscis-office/international-offices/greece-uscis-athens-field-office>

Response: USCIS Athens conducts naturalization ceremonies for military members and spouses in several countries throughout our jurisdiction, based on caseload.