

DIPLOMATIC AND OFFICIAL VISA NEWS

August 2008, Issue 2



Welcome back, and thanks for the positive reception to our first issue! A quick reminder, if you would like to be added to our electronic distribution list, please e-mail JordanRL@state.gov. We also welcome your feedback on this issue, as well as topics you would like to see addressed in future issues.



Importance of Applying Early for Visa Renewals, Especially if Subject to Administrative Processing

Please bear in mind our usual minimum turnaround time is three to five business days for cases not subject to administrative processing, and six to eight weeks for administrative processing cases. If you learn of an urgent (which we define as life or death) circumstance, please contact Division Chief Carrie Muntean at 202-663-3211, and she will do her best to get the visa returned to you in less than three days. If you do not contact Carrie, we will not consider any case urgent, even if it is marked as such on the envelope. Waiting until the day before a planned trip to realize a visa has expired does not constitute an emergency, and we will not expedite processing in such cases.

What Does Visa Type Mean?

Visa type is different from visa class (e.g., A, G, or NATO). All U.S. visas are annotated as one of three types: diplomatic (D), official (O), and regular (R). D and O visa types indicate that ports of entry should extend expedited processing, as appropriate, as well as that U.S. embassies should waive personal appearance requirements and fees for visas. Generally, a prerequisite to receiving a D-type visa is possession of a diplomatic passport. Most A and G visa holders who do not possess diplomatic passports would therefore receive O-type visas, which are equivalent to D in the treatment that should be afforded.

Important Note: Employing New Staff

Non-A or G visa holders may not work at an IO or Embassy until USCIS has approved their change of status. USCIS recently has denied several change of status applications because new employees have started working prior to USCIS approval, so please be very aware of the implications of not following this guidance.

How to Prevent DS-1648s from Coming Back or Being Delayed!

We are now refusing DS-1648s received without a seal or diplomatic note; recall that one or the other is required for processing applications. Applications are also being delayed due to photos more than six months old, incorrect or incomplete names (they must match the passport), extra spaces after names, and spaces in passport numbers, which make visas unreadable at ports of entry. Applicants choosing the wrong filing destination also results in delays, so please ensure all confirmation pages list the Diplomatic Liaison Division.

Relevance of the I-530 Form

For change of status, replacement I-94, and extension of stay cases, USCIS uses the I-530 to update their database, so applicants must submit one for their status to be correct with USCIS, which may impact their ability to get Social Security cards and driver licenses. I-530s are available at our Diplomatic Reception Window.

Envelopes Used for Passport and Document Delivery

Please ensure envelopes used for delivering cases to our window include the name of the Embassy/IO and applicant on the outside. Also, only include related family members in the same envelope, to avoid any possibility of passports being mis-directed by our office.

*United States Department of State, Diplomatic Liaison Division
2401 E Street, N.W., Washington, D.C. 20522-0106
Tel: (202) 663-1743 Fax: (202) 663-1608
http://travel.state.gov/visa/temp/types/types_1280.html*

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Change of Status Requirements

Changing into A or G Status

Applicants requesting a change of status to either the A or G category must first submit two originals of Form I-566 (available under immigration forms on www.uscis.gov) to the Department of State, Office of Protocol. Upon receipt of the signed Forms I-566 from the Office of Protocol, the foreign mission or international organization should submit both I-566 forms, the I-539, the I-530, the I-94, the applicant's passport, a diplomatic note, and DS-1648 visa application, along with any other required documents (such as the original DS-2019 for J visa holders or I-20 for F visa holders), to our office. Please remember the new employee cannot start working until USCIS approves the change of status!

Changing out of A or G Status

The foreign mission or international organization must first notify the State Department's Office of Protocol of an applicant's termination. Then, if the applicant intends to remain in the United States for more than 60 days past termination, s/he should submit two copies of Form I-566 within 30 days of termination directly to our office with any relevant supporting documents (such as an I-20 if changing to student, F-1, status). We will verify that registration with Protocol has been terminated, and then return the I-566 forms to the applicant with our signature and recommendation. The applicant then must contact the USCIS office specified in the I-566 instructions for a final decision on the change of status request.

A and G Visas Trump All Others

An important reminder that any applicant entitled to an A or G visa (including spouses and dependent children of principal applicants) must hold that visa class. In other words, the spouse of an A or G visa holder cannot continue to hold an L-1 or H-1B, unless the two spouses are residing in separate households. Additionally, unmarried children who are dependent on their parents must continue in (change to, if their parent does) A or G status until such point as they are financially independent or married.

Phone Call Hours, Useful Numbers

We take phone calls ONLY between 2 and 4 on business days. Calls will not be accepted outside these hours. We also only handle calls related to A, G, or NATO visas; for questions about other topics, please find additional useful resources below:

For questions about *other visa classes* – the Visa Office's Public Inquiries line is 202-663-1225.

For questions about *Protocol services* (such as registration, accreditation, termination, ID cards, privileges and immunities, etc.) – 202-274-1217.

For questions about *OFM services* (such as driver licenses, Tax ID cards, etc.) – 202-895-3500.

For *USCIS services* not facilitated by our office – 1-800-375-5283.

A-3 and G-5 I-94 Extensions

Applications for I-94 extensions from A-3 and G-5 visa holders (none of whom can renew their visas here) must be received before the I-94 expires, and must be accompanied by copies of the employer's valid visa and front and back of the employer's I-94. Therefore, depending when the employer's visa expires, it may make sense to apply for their visa renewal at the same time.

Children Born in the U.S.

When new babies are registered with Protocol, the Office of Overseas Citizen Services (OCS) must make a citizenship determination. The parents must then submit the resulting letter from OCS with all visa applications. If OCS determines the child acquired U.S. citizenship at birth, then U.S. law dictates s/he must enter the U.S. on a U.S. passport, and cannot receive a visa.