

MISSION MEXICO
AILA Liaison Notes from Meeting at Tijuana and Mexico City

U.S. Consulate, Tijuana, Mexico (Tour organized by the San Diego Consular Liaison Committee)

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Mission Mexico

- Largest visa operation in the world
- 14 Applicant Support Centers (ASCs) (4 where there is no consulate)
- Over 2 million visas adjudicated last year
- Low refusal rate (NOTE: In Mexico City, the consulate indicated that the denial rate for B visas in Mexico City is about 12-13%)
- Visa workload is about 30% higher from previous years
- 5 million border crossing cards renewals
- Increased revenue for travel from Mexico (\$9 billion last year)
- Staff doubled on the Nonimmigrant Visa (NIV) side
- Workload appears to be leveling off, now that increased staff has been added
- GSS contract:
 - Offsite ASCs used for renewals and is the only stop for most renewals
 - More flexible for applicants
 - Bit of a rocky start, but appears to be popular
 - Better for applicants because now there are no courier fees, e.g.
- Last year, 700,000 renewals
- 47 windows at new TJ office (was 20 at previous office) with ability to grow
- President's initiative to increase travel and tourism – Interview Waiver Program
 - Visa valid for up to 48 months
- No posts take longer than a week for a visa appointment (**AILA Liaison NOTE:** TJ reported this, but after speaking with DOS Mexico City, this may not be accurate for all of Mission Mexico.)
- Developed mechanism to transfer renewals to post which has decreased workload

American Citizen Services (ACS)

- Violence has decreased, but there is still a travel warning for Mexico
- Last February, DOS began to divide travel warnings by states within Mexico on where to travel
- ACS department is for more “special services” (not passports)
- On average, every day there is a USC death, kidnapping, hospitalization, etc.
- Try to visit USC prisoners once a month (or at least once every six months for those located in very remote locations).

NIV Processing

- 229,000 visas issued last year, which was a record for TJ
- 40% of workload completed without an interview (due to GSS interview waiver)

- If there is a question by an officer for an interview waiver case, the officer can always call the applicant in. Occurs about 10% of the time.
- 96% or more of visas processed at TJ are border crossing cards
- No Immigrant Visas (IVs) are processed at TJ.
- Social Media:
 - US Consulate in TJ tweets and uses Facebook to post wait times (on 1st business day)
 - Hold monthly chats on Facebook to answer applicant or AOR questions
- Who can apply at TJ?
 - Any Mexican citizen can apply at TJ. It does not matter where the applicant lives.
 - A Third Country National (TCN) applicant may apply at TJ, if resident of Mexico.
 - TCNs living in the US can renew visas at TJ, as long as they are renewing for the exact same visa classification. (e.g. NOT H-1 to H-4, NOT E-1 to E-2)
 - TCNs changing status CANNOT change status at TJ.
 - If TCN loses visa while in Mexico, TJ will re-issue. If TCN lost passport/visa while in the US, TJ will not re-issue.
 - Canadians (or VWP) that were not issued a visa, cannot change at TJ.
 - Es issued only in Mexico City, Monterrey and TJ
 - If dual national (Mexico and another country, eg Spain) and want E visa issued in Spanish passport for strategic reasons, that is ok.
- Mission Mexico Policy: No third party (including AORs) is allowed into the consulate, unless applicant is a child, needs a translator, etc.
- Goal for TJ: applicants attending the visa interview will be in and out of the Consulate in no more than 90 minutes.
- **NOTE:** Name used for women is the name on the passport, so the name listed on the visa will be the maiden name.
- TJ tries to respond to inquiries within 48 hours, unless the issue needs to go to the Visa Office (VO) or LegalNet (legalnet@state.gov).
- Video posted on the website shows an applicant what the interview will be like, so that the applicant can feel a bit more comfortable when arriving at their interview. See the video at this link and to the right of the screen. <http://tijuana.usconsulate.gov/niv.html>
- ASCs are open on Saturdays
- Goal for ASC appointment is within 20 minutes. This is being met at TJ and Mexicali
- Applicant can go to any ASC within Mission Mexico, if it is more convenient
- **Practice Tip:** If a third person is coming to pick up the visa, be sure to send a notarized letter from the applicant granting permission. This is not necessary if an individual is dropping off documents.

U.S. Consulate, Mexico City, Mexico

Abraham Wise, Department of State, Consular Officer (DOS Tour Guide)

ASC and Consulate Tour

- **Practice Tip:** How to successfully complete an ASC appointment in Mexico
 - Bring a passport with
 - i. a six-month validity period
 - ii. at least one empty page

- iii. undamaged
 - o DS-160 appointment notice printed from a **laser** printer, so that the computer can read the barcode.
 - o Alert clients that “coyotes” wait outside of the ASC and try to convince applicants to pay for unnecessary applications. Do not use these individuals.
- 3 goals of the consular officers:
 - o Interview quickly (90 seconds). [Consular Officers are to complete 110-120 visa interviews before 12 noon. Less experienced officers sometimes take longer.]
 - o Do not issue visas to terrorists
 - o Do not issue visas to those who are ineligible or to NIV applicants who appear to have immigrant intent
- Consular Officers pretty much never look at supplemental documents (for B visas). Instead, they decide based on the answers given to the Consular Officers, who usually ask about 3 questions.
- **Practice Tip:** How to submit an effective public inquiry with Mission Mexico
 - o Queries to Mission Mexico should be sent to visas_mexico@state.gov
 - o Include the following information for a quick and informative response:
 - Full Name
 - Date of Birth
 - Passport Number
 - Visa Class, especially if it is not a B visa
 - Attach the G-28
 - Attach any relevant other documents
- Immigrant Visa Unit indicated that the biggest problem they see is out-of-order adoptions

U&T Meeting

Consular Officers: Abraham Wise & Jason Roberts

- U&T e-mail address: U_Tvisasmexico@state.gov
- Training Consular Officers receive: 6 weeks of training, 4 weeks of that on visas, about 20 minutes or so is on U&Ts.
- Consular Officers do review the supporting relevant documents for U&Ts
- Interviews may be between 5-30 minutes.
- Consular Officer is looking for:
 - o The relationship, usually to the principal U-1 and applicant the derivatives
 - o Grounds of ineligibility
- Asked if Third Country Nationals applying for a U visa can be interviewed with visa issuance in Mexico City. DOS stated they did not see why not.
- Tell clients to alert the Consular Officer that they are there for a U visa
- Same day appointments for DOS fingerprints and visa interviews are available
- Common problems:
 - o Consular Officers sometimes cannot read the document from USCIS that is handwritten and lists each ineligibility that was waived. The document is hard to read and sometimes DOS cannot approve the visa at that time, as DOS needs to ask USCIS for a clear list of the inadmissibilities that are waived.

- Because the list of approved waivers is so hard to read, DOS suggested giving the client the I-192 form submitted to USCIS because it may help the officers to understand what USCIS has written.
- When asked about issuing a visa without a passport (for example, in the case of a minor child who cannot get both parents' consent for a passport, but has an approved I-193 waiver of the passport requirement), they said they "don't like to do it."
- About half of U visa applicants with ineligibilities (because of being a U) do not have the proper waivers.
- The consulate has many U applicants that have all approved waivers, but the person has not shown up at the consulate. If the reason is due to money for plane fare, etc, DOS understands and tries to go through the entire interview and then request them to submit whatever information is missing via hand-delivery or DHL. This way, the person is not required to return in-person. Also, if the case is approved, the person can pick up their visa the next day, or it can be sent via DHL.
- A 221(g) letter indicating that information is missing will get the applicant back into the consulate without an appointment letter.
- **Practice Tips:**
 - Applicants and derivatives should bring original documents with them to their interview, even if the documents have already been scanned. Documents include: birth certificate, marriage certificate (even for child because sometimes the U-1 is a step parent and the U-2 is the biological parent), and any documents that USCIS has sent (e.g. I-797s). The client should also alert the Consular Officer that he/she is applying for a "U" visa.
 - Most applicable to the U-1. If the applicant has ever had issues with U.S. law enforcement (such as a petty theft), be sure to send in court documents. DOS wants to ensure that nothing is lingering before a court somewhere.
 - The most common reason for a refusal is lack of proper waivers. Make sure you identify the specific ineligibilities that apply to the applicant and seek a waiver from USCIS for those ineligibilities. Please note that USCIS only waives ineligibilities that it has found apply against the applicant at the time you request the waiver. USCIS does not grant "blanket" waiver for any current/future/hypothetical ineligibilities. Thus, for example, if the applicant's waiver is approved but the applicant goes on to accrue a new ineligibility (which often occurs if the applicant submitted the application while living in the U.S., but then exits the U.S. for another country), the applicant must submit a new waiver request.