

Greenwood, Tembora A

From: Higgins, Jennifer B
Sent: Wednesday, October 07, 2009 10:30 AM
To: Tancredi, June R; Roberts, Rhonda J; Chiorazzi, Anne
Cc: Runge, Elizabeth A; O'Bryon, Laurie E
Subject: RE: New overseas representation form
Attachments: Representation of an applicant for admission to the US during elig. hearing.pdf

June - I've confirmed that this does not change who is eligible for representation. It only allows foreign attorney's the ability to represent those CURRENTLY entitled to representation if he/she is licensed to practice in that country, is in good standing, and is not the subject of disciplinary action. Ron Rosenberg was involved in some of the comments on the form and was particularly sensitive to the issue in the context of refugees. The attached opinion still stands.

-----Original Message-----

From: Higgins, Jennifer B
Sent: Tuesday, October 06, 2009 6:06 PM
To: Tancredi, June R; Roberts, Rhonda J; Chiorazzi, Anne
Cc: Runge, Elizabeth A; O'Bryon, Laurie E
Subject: Re: New overseas representation form

Nope. This is the first I've heard of it. We would honor it for purposes of releasing info just like the old one but refugees can't be represented so that's all it can do. Let me see if I can find out who worked on it....

----- Original Message -----

From: Tancredi, June R
To: Higgins, Jennifer B; Roberts, Rhonda J; Chiorazzi, Anne
Cc: Runge, Elizabeth A; O'Bryon, Laurie E
Sent: Tue Oct 06 17:34:39 2009
Subject: Re: New overseas representation form

Did you know about this new form? Who is it for?

----- Original Message -----

From: Higgins, Jennifer B
To: Roberts, Rhonda J; Tancredi, June R; Chiorazzi, Anne
Cc: Runge, Elizabeth A; O'Bryon, Laurie E
Sent: Tue Oct 06 13:26:42 2009
Subject: Re: New overseas representation form

No. Refugees cannot be represented overseas.

----- Original Message -----

From: Roberts, Rhonda J
To: Higgins, Jennifer B; Tancredi, June R; Chiorazzi, Anne
Cc: Runge, Elizabeth A; O'Bryon, Laurie E
Sent: Tue Oct 06 13:13:59 2009
Subject: New overseas representation form

From yesterday's USCIS Today. Are we using? Should we include for SROs?

USCIS Policy and Procedure Update

New Forms G-28 and G-28I

A revised Notice of Entry of Appearance as Attorney or Accredited Representative (Form G-28) and the new Notice of Entry of Appearance as Attorney in Matters Outside the Geographical Confines of the United States (Form G-28I) has been issued. To obtain the new Form G-28 and G-28I, and instructions for completion of the forms, please visit the USCIS forms page <<http://www.uscis.gov/forms>> .

Rhonda J. Roberts

Chief, Training & Program Integrity

Refugee Affairs Division

USCIS

Tel: 202-272-9134

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Greenwood, Tembora A

From: Higgins, Jennifer B
Sent: Thursday, January 08, 2009 7:47 AM
To: Ruppel, Joanna; Strack, Barbara L; Bucher, Steve P; Langlois, Joseph
Cc: Tancredi, June R; Bird, John W
Subject: RE: AILA/RAIO meeting this Friday.

Joanna - The attachment is an old counsel opinion. Of course, we will share case info with family, reps, etc if there is written authorization, but I think we need to clarify the difference between allowing attys, reps, and others to assist applicants in obtaining info on their case and "representing" them in a formal sense at the interview.

I'm not sure if I saw the email string re Lautenberg....Barbara, if you have it, could you send?

Jennifer B. Higgins
Deputy Chief, Programs
Refugee Affairs Division
USCIS
202.272.0979
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-----Original Message-----

From: Ruppel, Joanna
Sent: Thursday, January 08, 2009 8:40 AM
To: Higgins, Jennifer B; Strack, Barbara L; Bucher, Steve P; Langlois, Joseph
Cc: Tancredi, June R; Bird, John W
Subject: Re: AILA/RAIO meeting this Friday.

Unfortunately, I can't open the pdf attachment on my bberry, so it may contain the whole long discussion with OCC on this issue re the Lautenberg cases last year. I don't have access to my e-mails, but it would be good to stick with the language we provided. I believe Barbara was on that chain so may be able to find it.

And yes, I'd we have written authorization from an applicant, we will share info with the rep.

Joanna

----- Original Message -----

From: Higgins, Jennifer B
To: Strack, Barbara L; Bucher, Steve P; Langlois, Joseph; Ruppel, Joanna
Cc: Tancredi, June R
Sent: Thu Jan 08 07:43:31 2009
Subject: RE: AILA/RAIO meeting this Friday.

(b)(5)

Jennifer B. Higgins

Deputy Chief, Programs

Refugee Affairs Division

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-----Original Message-----

From: Strack, Barbara L

Sent: Wednesday, January 07, 2009 6:19 PM

To: Bucher, Steve P; Langlois, Joseph; Ruppel, Joanna

(b)(5)

Cc: Higgins, Jennifer B; Tancredi, June R

Subject: RE: AILA/RAIO meeting this Friday.

Barbara L. Strack

Chief, Refugee Affairs Division

US Citizenship & Immigration Services

Department of Homeland Security

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202-272-1664

-----Original Message-----

From: Bucher, Steve P

Sent: Wednesday, January 07, 2009 6:10 PM

To: Langlois, Joseph; Strack, Barbara L; Ruppel, Joanna

Subject: Fw: AILA/RAIO meeting this Friday.

Joe--fyi, Paul's review of the 'double coverage' issue on some of the questions for Friday's meeting.

Barbara/Joanna--Please also see the additional question regarding atty representation of refugees and let me know whether you would be okay discussing this on Friday or postponing until the next meeting. Thanks--Steve

----- Original Message -----

From: Paul O'Dwyer <paulodwyer@earthlink.net>

To: 'Bucher, Steve P' <steve.bucher@dhs.gov>

Sent: Wed Jan 07 17:54:49 2009

Subject: AILA/RAIO meeting this Friday.

Steve,

A few agenda issues before our meeting Friday.

First, Q. 10 on the agenda, regarding reinstatement of removal, can be disregarded, because the answer is in the regulations.

Second, we have a late request from a member to consider the question at the end of this email. I don't know if you guys have time to add this to the agenda or properly consider it, but if not for this meeting then maybe for the next one.

Finally, from a comparison of our agenda with the minutes of the December 9

NGO/RAIO meeting, it seems as if only Question 3 from our agenda (recent statistics) was fully answered there. The specific topics in questions 7 and 8 on my agenda (EADs and asylum office delays) were addressed generally at that meeting, but the specific issues raised by me were not. I'd like to see if we can discuss with some specificity the "exceptional circumstances" issue in EAD clock delays, and the overall issue with asylum office delays (the December 9 meeting talked about ZNY only). The other questions haven't been raised yet.

But, I do agree that it's not in anyone's interest to have two committees of immigration lawyers asking similar or related questions of the same government officials at different times, so maybe I'll talk to Alexandra Wistosky at Human Rights First who organizes those meetings and then we can discuss further on Friday.

See you then.

The additional question for the agenda is below:

"Overseas offices of USCIS disclose refugee records upon request, and attorneys are thus able to represent refugee applicants. However, IOM (International Institute on Migration) refuses to disclose refugee records or respond to attorney inquiries on client matters, citing DOS instructions that prohibit it from interacting with client representatives on refugee matters. See e.g., 9 FAM Appendix O, 1000.

A. Is RAIO aware of this DOS policy, and does RAIO have any

advice for AILA attorneys in this position?

B. Can USCIS overseas be of assistance in serving as a liaison between the refugee's attorney and DOS in resolving problems that arise in this context, and if so, how can we facilitate this?

Paul O'Dwyer

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Greenwood, Tembora A

From: Higgins, Jennifer B
Sent: Friday, February 20, 2009 7:15 AM
To: 'Heinlein, Simone G'
Subject: RE: G-28's as proof of representation as a client

Simone – USCIS has always accepted a G-28 as a waiver of confidentiality. Applicants cannot be legally represented overseas, this has not changed, but the G-28 is treated as any other waiver allowing USCIS to release information. How DOS handles this, I don't know, but USCIS will continue to recognize the G-28 as granting a release.

Jennifer B. Higgins
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From: Heinlein, Simone G [mailto:HeinleinSG@state.gov]
Sent: Tuesday, February 10, 2009 8:53 AM
To: Higgins, Jennifer B
Subject: FW: G-28's as proof of representation as a client

Jennifer,

See highlighted text of e-mail below. Do you know anything about this? We don't accept G-28 but are they accepted when there is a request for reconsideration?

Simone Graves
Bureau of Population, Refugees, and Migration
(202) 663-1050
HeinleinSG@state.gov

From: Finerty, Tressa R(Baghdad)
Sent: Tuesday, February 10, 2009 6:45 AM
To: Heinlein, Simone G; Siram, Sumitra; Bartlett, Lawrence E
Subject: G-28's as proof of representation as a client

Per the email below from the List Project, can you confirm that DHS will now accept submission of G-28's as proof of representation as a client, and as such will release information about the client to the named person on the G-28? Also, if DHS is indeed accepting these, are there plans for PRM to do accept something similar for USRAP applicants?

Thanks,
Tressa