From: Enis, Jill S
Sent: Friday, April 15, 2011 10:12 AM
To: McElrath, Lisa; Garcia, Oscar; Ratcliff, Dora T; Sapp, Jerry D
Subject: FW: Field Interaction with Attorneys and Representatives

Importance: High
Please make sure your officers are aware of this policy.

Thanks,

Jill

From: Tarango, Tracy
Sent: Thursday, April 14, 2011 1:35 PM
To: Enis, Jill S; Nash, Randall E; Hanvey, Tom E
Subject: FW: Field Interaction with Attorneys and Representatives
Importance: High

Please be sure all of your officers are aware of this policy.

Tracy Tarango
Field Office Director
U.S. Citizenship and Immigration Services
Dallas Field Office
tracy.tarango@dhs.gov

From: Garman, Gary G
Sent: Thursday, April 14, 2011 12:28 PM
To: Adams, Kim; Adams, Raymond P; Blakeway, Albert W; Brownrigg, Thomas; Conway, Michael J; Dedvukaj, Mick; Dooley, Sharon V; Dorochoff, Ruth A; Ferguson, Donald P; Gallegos, Cheryl L; Garman, Gary G; Hamilton, Ricky W; Hansen, Mark B; Heathman, Sandy M; Jaromin, Michael T; Kehl, Lisa M; Kent, Jeanne M; Lee, Elizabeth N; Lee, Kamsing V; Leopold, Kay F; Lopez, Antonio; Loutas, Aphrodite G; Mather, Robert B; Mischke, Mary L; Moyer, Chester S; Mueller-Cantu, Elaine; Nicholas, Tommie; Olivares, Jose R; Ortiz, Mario R; Perry, Michelle C; Pool, Christine A; Pratt, Caroline R; Tarango, Tracy; Tasch, Helaine S; Verderosa, Geoffrey J; Zarybnicky, Kenneth A
Cc: Upchurch, Evelyn M; Langton, Lynn M; Gallagher, Kevin E; Hacker, Kathy J; Gonzalez, Alfonso G; Cabrera, Marilu; Counts, Timothy J; Garcia-Upson, Maria
Subject: FW: Field Interaction with Attorneys and Representatives
Importance: High

Field Leadership:

Please disseminate this email to all personnel who interact with attorneys and representatives.
Verbally remind your staff of the below guidance at your next townhall / all-hands meeting.

(b)(6)

Regards,

Gary Garman|Associate Regional Director, Operations|DHS|USCIS|Central Regional Office|☎: [redacted]**|🖷:** 214-905-5435| ✉: gary.g.garman@uscis.dhs.gov WARNING: This message is FOR OFFICIAL USE ONLY (FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552) This document is to be controlled, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to Sensitive But Unclassified (SBU) information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval from the originator.

From: Monica, Donald J [mailto:djmonica@fins3.dhs.gov]
Sent: Thursday, April 14, 2011 7:27 AM
To: Renaud, Tracy L; Upchurch, Evelyn M; Muzyka, Carolyn L; Redman, Kathy A; Goodwin, Shelley M; Garman, Gary G; Booe, Jim C; Tierney, Terry
Cc: Pietropaoli, Lori; Dominguez, Kathy; Harrison, Julia L; Cowan, Robert M; Robinson, Terri A
Subject: Field Interaction with Attorneys and Representatives

Field Leadership:

Please disseminate the following to all personnel who interact with attorneys and representatives.

We have received reports that several offices appear not to be in compliance with current USCIS practice when dealing with attorneys and representatives. Although Section 12 of the Adjudications Field Manual (AFM) related to this topic is being revised and is unavailable, several pieces of guidance are available including:

1. Section 15 of the AFM includes the following:

> Role of Attorney or Representative in the Interview Process.
>
> Frequently an attorney will be present to represent a subject. The following rules should be followed when the person being interviewed is accompanied by legal counsel:
>
> · Interviewing officers should verify that a properly executed Notice of Entry of Appearance as Attorney or Representative (Form G-28) is part of the record.
> · The attorney's role at an interview is to ensure that the subject's legal rights are protected. An attorney may advise his client(s) on points of law but he/she cannot respond to questions the interviewing officer has directed to the subject. The attorney's role is even more restricted with regard to a sworn statement taken from an applicant for admission in conjunction with removal proceedings to determine admissibility, where the alien has not yet legally entered the United States.
> · Officers should not engage in personal conversations with attorneys during the course of an interview.

2. Our public website has a summary of a Stakeholder meeting help in May 2010 and includes the following:

> Role of the Attorney/Representative
>
> Stakeholders continue to be concerned about how some attorneys are treated by USCIS adjudicators in the context of benefit interviews, particularly with regard to seating arrangements. FO leaders agree that, barring safety or security concerns, attorneys and/or accredited representatives should be able to sit next to their clients during benefit interviews. We are working on guidance to address concerns expressed by stakeholders and will post it once available on the USCIS website.
>
> If an attorney or accredited representative feels that an adjudicator is asking inappropriate questions during the interview, they should ask to speak with a supervisor. USCIS has spent a considerable amount of time training the ISOs on interview techniques; the FO Directorate also has a quality assurance process on test administration to identify and address issues of concern.
>
> The Agency respects the attorney-client relationship and asks that attorneys and accredited representatives likewise respect USCIS staff in the context of benefit and other interviews/interactions. Future guidance will address how ISOs should report instances involving perceived inappropriate conduct by attorneys and/or accredited representatives and also the reverse (i.e., how attorneys and/or accredited representatives should report perceived inappropriate behavior by ISOs).

3. Repeated below (although slightly edited) is an email from then Associate Director for Field Operations Debra Rogers which is still in effect.

Regards,

Donald J. Monica
Acting Associate Director
Field Operations

From: Rogers, Debra A
Sent: Thursday, March 18, 2010 11:04 AM:

Dear Field Operations Leadership Team:

I want to bring to your attention an issue of concern that was raised yesterday. Several in attendance at [the USCIS] stakeholder meeting noted their experience of not being treated properly during client interviews. In particular, stakeholders maintained that attorneys and/or accredited representatives are not allowed to sit beside their clients in some field offices. I found this information troubling and at first doubted its veracity. To my surprise, however, it appears this practice is fairly standard in some USCIS offices.

Further, the practice has been reinforced by an interviewing techniques module delivered at ISO BASIC training. Officers are taught that an attorney or accredited representative accompanying an applicant should be seated "next to or behind" the applicant. In speaking with the training coordinator, I was informed that this directive was designed to address space constraints and the requirement that some interviews be video-taped. The training material advises that the applicant must always sit in front for full visibility, which is why attorney placement depending on the size and shape of the interview room can vary. This guidance will be removed from BASIC training and replaced with a more appropriate message.

Please advise all ISO's under your direction that it is essential to afford attorneys and accredited representatives the option of sitting next to their client whenever possible. The proximity of an attorney or accredited representative to his or her client is to be determined within that relationship, and not by us.

It has also come to my attention that in some USCIS offices, attorneys or accredited representatives are asked to sit in the back of the interview room based on the belief that such seating affords the ISO better control of the interview. This practice must cease immediately. Please talk to your ISO's about proper seating during adjudicative interviews, and the critical importance of USCIS not engaging in behavior that could be perceived as, or have the effect of, undermining the integrity of the attorney/client relationship.

Any concerns regarding disruptive behavior by a particular attorney or accredited representative should be raised through appropriate channels within the Office of the Chief Counsel.

Thank you for your hard work and dedication.

Debbie

Debra Rogers
Associate Director
Field Operations
USCIS

From: Nicholas, Tommie
Sent: Tuesday, April 19, 2011 11:58 AM
To: Kehl, Lisa M; Olivares, Jose R
Subject: RE: FOIA REQUEST COW2011000315

We received information about attorney participation in interviews from Gary Garmin. The information is as follows. This is the only thing that I can think of that relates.

Field Leadership:

Please disseminate this email to all personnel who interact with attorneys and representatives. Verbally remind your staff of the below guidance at your next townhall / all-hands meeting.

Regards,

(b)(6)

Gary Garman|Associate Regional Director, Operations|DHS|USCIS|Central Regional Office|☎: [redacted]
[redacted]: 214-905-5435| ✉: gary.g.garman@uscis.dhs.gov WARNING: This message is FOR OFFICIAL USE ONLY (FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552) This document is to be controlled, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to Sensitive But Unclassified (SBU) information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval from the originator.

From: Monica, Donald J [mailto:djmonica@fins3.dhs.gov]
Sent: Thursday, April 14, 2011 7:27 AM
To: Renaud, Tracy L; Upchurch, Evelyn M; Muzyka, Carolyn L; Redman, Kathy A; Goodwin, Shelley M; Garman, Gary G; Booe, Jim C; Tierney, Terry
Cc: Pietropaoli, Lori; Dominguez, Kathy; Harrison, Julia L; Cowan, Robert M; Robinson, Terri A
Subject: Field Interaction with Attorneys and Representatives

Field Leadership:

Please disseminate the following to all personnel who interact with attorneys and representatives.

We have received reports that several offices appear not to be in compliance with current USCIS practice when dealing with attorneys and representatives. Although Section 12 of the Adjudications Field Manual (AFM) related to this topic is being revised and is unavailable, several pieces of guidance are available including:

1. Section 15 of the AFM includes the following:

Role of Attorney or Representative in the Interview Process.

Frequently an attorney will be present to represent a subject. The following rules should be followed when the person being interviewed is accompanied by legal counsel:

- Interviewing officers should verify that a properly executed Notice of Entry of Appearance as Attorney or Representative (Form G-28) is part of the record.
- The attorney's role at an interview is to ensure that the subject's legal rights are protected. An attorney may advise his client(s) on points of law but he/she cannot respond to questions the interviewing officer has directed to the subject. The attorney's role is even more restricted with regard to a sworn statement taken from an applicant for admission in conjunction with removal proceedings to determine admissibility, where the alien has not yet legally entered the United States.
- Officers should not engage in personal conversations with attorneys during the course of an interview.

2. Our public website has a summary of a Stakeholder meeting help in May 2010 and includes the following:

Role of the Attorney/Representative

Stakeholders continue to be concerned about how some attorneys are treated by USCIS adjudicators in the context of benefit interviews, particularly with regard to seating arrangements. FO leaders agree that, barring safety or security concerns, attorneys and/or accredited representatives should be able to sit next to their clients during benefit interviews. We are working on guidance to address concerns expressed by stakeholders and will post it once available on the USCIS website.

If an attorney or accredited representative feels that an adjudicator is asking inappropriate questions during the interview, they should ask to speak with a supervisor. USCIS has spent a considerable amount of time training the ISOs on interview techniques; the FO Directorate also has a quality assurance process on test administration to identify and address issues of concern.

The Agency respects the attorney-client relationship and asks that attorneys and accredited representatives likewise respect USCIS staff in the context of benefit and other interviews/interactions. Future guidance will address how ISOs should report instances involving perceived inappropriate conduct by attorneys and/or accredited representatives and also the reverse (i.e., how attorneys and/or accredited representatives should report perceived inappropriate behavior by ISOs).

3. Repeated below (although slightly edited) is an email from then Associate Director for Field Operations Debra Rogers which is still in effect.

Regards,
Donald J. Monica
Acting Associate Director
Field Operations

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USCIS Response: Over the past several years USCIS has instituted several tools to assist customers in obtaining information about their case status. These tools include "My Case Status," the National Customer Service Center, and Infopass appointments. For general case status inquiries, all customers, including attorneys, should use these tools. Field Operations has discouraged the use of special email addresses for certain stakeholders as it provides unequal access and is fundamentally unfair particularly for applicants who file *pro se*. If you have an inquiry, we recommend that you submit your questions through established processes. If you feel that your inquiry was not responded to appropriately, you are encouraged to raise your concerns to a supervisor.

b. Where attorneys are scheduled for multiple interviews simultaneously, there appears to be no policy or procedure to communicate with the field office to work out a resolution and re-schedule appointments. When two interviews are scheduled for the same attorney on the same date, at the same time, what steps should the attorney take to notify the Field Office of the scheduling conflict? Will the field office reschedule the interviews to ensure that the attorney can appear with both clients?

USCIS Response: Please follow the instructions on the appointment notice to request that one of the interviews be rescheduled. You may also make a rescheduling request by contacting the National Customer Service Center (NCSC) at 1-800-375-5283.

c. Appointments are sometimes scheduled with only ten days notice between the mailing and notice date and the date of the interview. This leaves little time for the applicants to make any necessary arrangements to attend the interview (request time off from work, secure child care, etc.) and to adequately prepare for the interview. Is it possible to extend the period of notice for the interview to a more reasonable time?

USCIS Response: USCIS strives to process and adjudicate applications in a timely manner and we believe that customers appreciate these efforts. If an applicant cannot attend a scheduled interview, he or she may request that the interview be rescheduled. Please keep in mind, however, that a request to reschedule an interview may delay the processing of the case.

Question 4: Right to Effective Representation during Interviews of Applicants and Petitioners

a. Section 15.8 of the USCIS *Adjudicator's Field Manual* (AFM), "Role of Attorney or Representative in the Interview Process" states:

> *The attorney's role at an interview is to ensure that the subject's legal rights are protected. An attorney may advise his client(s) on points of law but he/she cannot respond to questions the interviewing officer has directed to the subject.*
>
> *Officers should not engage in personal conversations with attorneys during the course of an interview.*

Additionally, Subsection (b) of Chapter 15.4 provides that:

> An adjudicator may terminate an interview, even when all essential information has not been elicited, but when "[a]n attorney insists on responding to questions or coaching the person being interviewed."

However, 8 CFR §292.5(b) states:

> ***Right to representation.*** *Whenever an examination is provided for in this chapter, the person involved shall have the right to be represented by an attorney or representative who shall be permitted to examine or cross-examine such person and witnesses, to introduce evidence, to make objections which shall be stated succinctly and entered on the record, and to submit briefs.*

The regulation permits counsel to play a much broader role in the representation of clients during interviews than that set forth in the AFM. We respectfully request that this issue be studied with a view toward amending the AFM to better conform with the scope of the regulations.

USCIS Response: On April 23, 2011, USCIS Director Alejandro Mayorkas met with representatives from AILA and the American Immigration Council (AIC) to discuss this issue. The Agency respects the attorney-client relationship and asks that attorneys and accredited representatives likewise respect USCIS staff in the context of benefit and other interviews/ interactions. Attorneys or accredited representatives may voice objections to questions, point out errors on points of law, and provide a closing statement on behalf of their client. They may not, however, answer questions for their client unless requested to do so by the adjudicator, or impede proper questioning by the adjudicator. Where a private attorney or accredited representative believes that an interview is being conducted improperly or in disregard of the law, he or she may bring their concern to the attention of a supervisor as directed locally. Adjudicators are likewise responsible for reporting through proper supervisory channels behavior by an attorney or accredited representative that they believe is unethical or in violation of the law.

Future guidance will address how ISOs should report instances involving perceived inappropriate conduct by attorneys and/or accredited representatives and also the reverse (i.e., how attorneys and/or accredited representatives should report perceived inappropriate behavior by ISOs).

b. **Role of the Attorney**. We have received reports that some field offices restrict the involvement of the attorney during the interview process. The USCIS Milwaukee Field Office has stated that it follows AFM §15.8, which explains that the attorney's role at the interview is limited to advising his or her clients on points of law, and that the attorney may not respond to questions the interviewing officer has asked the applicant. The office has stated that after the interview, the attorney may follow-up with any concerns regarding the interview and interview questions, or may submit additional information in response to a Notice of Intent to Deny. While we understand the attorney may not answer any questions on

behalf of the applicant, there are often times where it is not only appropriate, but helpful to the examiner for an attorney to help clarify a point of confusion, provide prepared documents on a legal issue, or explain a complicated procedural issue in the applicant's immigration history that the applicant might not fully understand. What guidance, if any, in addition to the AFM, has been provided to USCIS examiners regarding the role of the attorney in the interview process?

USCIS Response: USCIS has spent a considerable amount of time training the ISOs on interview techniques. This training is provided at the field offices and at the ISO Basic training and includes information on the role of the attorney or representative in the interview. Also, as discussed at the meeting with AILA, AIC, and USCIS in April 2011, we welcome suggested language from AILA to potentially incorporate into any guidance USCIS creates regarding this topic.

c. **Attorney Seating**. We have been informed that during interview for immigration benefits, attorneys are sometimes instructed to sit in a corner of the room, behind or otherwise apart from the applicant. Examiners have remarked that this rule is to prevent attorneys from participating in the interview. Such a rule conflicts with the right to representation as provided under 8 CFR §292.5(b). Would Field Operations send clear guidance to the field offices stating that attorneys have a right to attend and represent their clients at interviews for immigration benefits, and should be permitted to sit next to their clients, or make other comparable arrangements if space does not easily permit, that would allow the attorney to properly observe the interview and provide appropriate legal assistance?

USCIS Response: Field Operations provided guidance to its offices regarding seating of attorneys during interviews in May 2010 and again in April 2011.

It is critical that USCIS respect the integrity of the attorney/client relationship. Attorneys and/or accredited representatives should, barring safety or security concerns, be permitted to sit next to their clients during interviews. In terms of safety and security, in directing seating during benefit interviews, adjudicators should ensure that:

- Officers have a full view of everyone in the room,
- No one in the room, other than the officer, is seated in view of a government computer/monitor screen, and
- Egress is not blocked for any of those present in the interview room.

Please understand that some interview rooms are not large enough to accommodate the applicant(s) and attorney all sitting in the same row. In these situations, an attorney may be asked to sit behind his or her client.

Question 5: Post-Interview Follow-up Notices Not Sent to Attorneys

Members have reported instances where USCIS concluded an interview with the G-28 attorney present, and USCIS has later contacted the applicant without notifying the attorney, to request

that the applicant return to USCIS for a second interview, to sign a sworn statement, or to request more evidence. Absent an attorney's written waiver of appearance or withdrawal of representation, what is the protocol for a field office to contact a represented individual without counsel present?

USCIS Response: ISOs should contact the attorney or representative of record; however, on occasion this does not happen. USCIS believes that these are isolated incidents and would welcome examples. We have asked field leadership to remind ISOs that represented applicants should not be contacted without first notifying the attorney and any notices or correspondence should also be sent to the attorney.

Question 6: Adjudications of Form I-751

At the January 2011 Field Operations Directorate Liaison Meeting, AILA asked if, in the wake of a series of reports of harsh treatment of petitioner interviewees under the I-751 hardship and abuse category, USCIS would establish training of officers interviewing these cases similar to that of the VAWA adjudicators at the Vermont Service Center.

While we understand that unprofessional conduct by an adjudicator may also be reported to a supervisor, we believe that an officer who adjudicates cases under this category is in a similar situation to those adjudicating I-360 petitions and should, therefore, have a heightened level of training in the effects of abuse which is afforded to the VAWA adjudicators. Could USCIS designate specific officers with training in that area to adjudicate these petitions?

USCIS Response: It is not always feasible nor is it efficient, particularly in smaller offices, to designate officers for specific types of cases. USCIS is working with the training division to develop a training module focusing on interviewing techniques for victims of abuse or trauma.

Question 7: Defense of Marriage Act Cases

Same-sex marriage is legal in many jurisdictions within the United States, and the Administration recently announced it will no longer defend the constitutionality of section 3 of the Defense of Marriage Act (DOMA) (AILA Doc. No. 11032830).[3]

a. After stating that USCIS would hold I-130 same-sex marriage cases in abeyance while awaiting judicial review, USCIS reversed its position and announced that these cases will move forward. What instructions have field offices received, or will they receive, on these cases, and in particular, how will USCIS adjudicate these I-130s in districts where federal courts have struck down DOMA?

USCIS Response: USCIS briefly held cases to await guidance; USCIS's actions regarding DOMA were misconstrued in the media. USCIS stated on March 28, 2011, "USCIS has issued

[3] See AILA Doc. No. 11032830, http://www.aila.org/content/default.aspx?docid=34956

decision. However, there are times when the information in a case and/or statutory requirements warrants a denial by USCIS without sending an RFE.

- **Role of the Attorney/Representative**

Stakeholders continue to be concerned about how some attorneys are treated by USCIS adjudicators in the context of benefit interviews, particularly with regard to seating arrangements. FO leaders agree that, barring safety or security concerns, attorneys and/or accredited representatives should be able to sit next to their clients during benefit interviews. We are working on guidance to address concerns expressed by stakeholders and will post it once available on the USCIS website.

If an attorney or accredited representative feels that an adjudicator is asking inappropriate questions during the interview, they should ask to speak with a supervisor. USCIS has spent a considerable amount of time training the ISOs on interview techniques; the FO Directorate also has a quality assurance process on test administration to identify and address issues of concern.

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- **Role of the Attorney/Representative**

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Greenwood, Tembra 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

Fax:202-272-1678

Greenwood, Tembra 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
Jennifer.B.Higgins@dhs.gov

-----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 (b)(5)
Cc: Tancredi, June R
Sent: Thu Jan 08 07:43:31 2009
Subject: RE: AILA/RAIO meeting this Friday.

****

Jennifer B. Higgins

Deputy Chief, Programs

Refugee Affairs Division

USCIS

202.272.0979

Jennifer.B.Higgins@dhs.gov

-----Original Message-----
From: Strack, Barbara L
Sent: Wednesday, January 07, 2009 6:19 PM
To: Bucher, Steve P; Langlois, Joseph; Ruppel, Joanna
Cc: Higgins, Jennifer B; Tancredi, June R
Subject: RE: AILA/RAIO meeting this Friday.

(b)(5)

Barbara L. Strack

Chief, Refugee Affairs Division

US Citizenship & Immigration Services

Department of Homeland Security

barbara.strack@dhs.gov

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

Law Office of Paul O'Dwyer

134 West 26 Street, Suite 902

New York NY 10001

646.230.7444

paulodwyer@earthlink.net

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Greenwood, Tembra 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
Deputy Chief, Programs
Refugee Affairs Division
USCIS
202.272.0979
Jennifer.B.Higgins@dhs.gov

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

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Greenwood, Tembra A

From: Higgins, Jennifer B
Sent: Wednesday, October 05, 2011 9:15 PM
To: USCIS RAIO; Allen, Eugene A; Beaudoin, Duane A; Bird, John W; Chiang, James Y; Kim, Ted H; Liberto, James; Potts, LeRoy G; Valverde, Michael
Cc: Chiorazzi, Anne; Defensor, Michael R; Geddy, Monique (CTR); Johnson, Katherine E; Kilgore, Garry; Langlois, Joseph; Papas, Georgia; Ripley French, Katherine; Ruppel, Joanna; Strack, Barbara L
Subject: RE: 12:00noon COB Tuesday, October 4, 2011 KTC08162011-01 Role of Private Attorneys PM (Round 2)
Attachments: Updated Draft Role of Private Attorneys PM (9-16-11).doc

Garry – This doc still does not address our concern about attorneys in the refugee interview process. I've made another comment accordingly that has been coordinated with OCC.

Thanks, Jennifer

From: USCIS RAIO
Sent: Friday, September 30, 2011 12:06 PM
To: Allen, Eugene A; Beaudoin, Duane A; Bird, John W; Chiang, James Y; Higgins, Jennifer B; Kim, Ted H; Liberto, James; Potts, LeRoy G; Valverde, Michael
Cc: Chiorazzi, Anne; Defensor, Michael R; Geddy, Monique M; Johnson, Katherine E; Kilgore, Garry; Langlois, Joseph; Papas, Georgia; Ripley French, Katherine; Ruppel, Joanna; Strack, Barbara L; USCIS RAIO
Subject: RE: 12:00noon COB Tuesday, October 4, 2011 KTC08162011-01 Role of Private Attorneys PM (Round 2)

Hello All,

This document has come out for another round of comments. Please review the attached document and provide your information by 12:00noon COB Tuesday, October 4, 2011.

Below and attached you will see that Barbara Strack Non-Concurred on behalf of RAD/RAIO.

Thank you.

Respectfully,
Garry R. Kilgore
Mission Support Specialist
Refugee, Asylum and International Operations
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
202.272.0925 (office)
202.230.7142 (BlackBerry)

From: Whitney, Ronald W
Sent: Thursday, September 08, 2011 10:26 AM
To: Strack, Barbara L; USCIS RAIO; Allen, Eugene A; Beaudoin, Duane A; Bird, John W; Chiang, James Y; Kim, Ted H; Liberto, James; McAllum, Jessica L; Potts, LeRoy G; Strong, Stacy K; Valverde, Michael
Cc: Defensor, Michael R; Geddy, Monique M; Johnson, Katherine E; Kilgore, Garry; Langlois, Joseph; Papas, Georgia; Ripley French, Katherine; Ruppel, Joanna; Groom, Molly M
Subject: RE: Wednesday, September 7, 2011 KTC08162011-01 Role of Private Attorneys PM

I agree with Barbara's concern here. Maybe Exec Sec could send it out again for another round of comments after incorporating those already received. Then we can make edits to address the legal opinion.

From: Strack, Barbara L
Sent: Friday, September 02, 2011 12:34 PM
To: USCIS RAIO; Allen, Eugene A; Beaudoin, Duane A; Bird, John W; Chiang, James Y; Kim, Ted H; Liberto, James; McAllum, Jessica L; Potts, LeRoy G; Strong, Stacy K; Valverde, Michael
Cc: Defensor, Michael R; Geddy, Monique M; Johnson, Katherine E; Kilgore, Garry; Langlois, Joseph; Papas, Georgia; Ripley French, Katherine; Ruppel, Joanna; Groom, Molly M; Whitney, Ronald W
Subject: RE: Wednesday, September 7, 2011 KTC08162011-01 Role of Private Attorneys PM

RAD non-concurs because the memo isn't consistent with the existing legal opinion on representation by counsel at refugee interviews. See attached.

Barbara L. Strack
Chief, Refugee Affairs Division
US Citizenship & Immigration Services
Department of Homeland Security
barbara.strack@dhs.gov
202-272-1664

From: USCIS RAIO
Sent: Wednesday, August 31, 2011 1:51 PM
To: Allen, Eugene A; Beaudoin, Duane A; Bird, John W; Chiang, James Y; Kim, Ted H; Liberto, James; McAllum, Jessica L; Potts, LeRoy G; Strong, Stacy K; Valverde, Michael
Cc: Defensor, Michael R; Geddy, Monique M; Johnson, Katherine E; Kilgore, Garry; Langlois, Joseph; Papas, Georgia; Ripley French, Katherine; Ruppel, Joanna; Strack, Barbara L; USCIS RAIO
Subject: Due: Wednesday, September 7, 2011 KTC08162011-01 Role of Private Attorneys PM

All,

Please see the below tasking from Exec Sec and provide your information to the USCIS RAIO email account by COB Wednesday, September 7, 2011.

Respectfully,
Garry R. Kilgore
Mission Support Specialist
Refugee, Asylum and International Operations
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
202.272.0925 (office)
202.230.7142 (BlackBerry)

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 30, 2011 4:31 PM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K; Transformation Executive Correspondence
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Davis, Marla J; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R;

Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM

HCP TASK

Please copy uscisexecsec@dhs.gov and EXSOTaskCoordination@dhsconnect.dhs.gov on all e-mail traffic regarding this task and include the Action Item name provided below in the subject line of your e-mails. Thank you.

All:

Draft materials are available for your review on EXSO-ECN. This is the second review for this PM, which FOD updated based on your comments and edits – link to the latest draft: http://mgmt-sp.dhs.gov/uscis/SiteDirectory/exso/Documents/AFM%20Ch%2012%20update%20Private%20Attorneys%20and%20Other%20Representatives%20hq%20component%20clearance%20v%202.doc.

Action Item: KTC08162011-01 Role of Private Attorneys PM
Originating POD/POC: FOD/Julia Harrison; 2-1709
EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Prompt
Suspense Date: Wednesday, September 7, 2011

USCIS Office of the Executive Secretariat
(202) 272-0990 – office
(202) 272-0970 – fax
EXSO Connect Page
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Please upload all actions for which Forms G-1056 are used to EXSO-ECN.
Please send all official actions to uscisexecsec@dhs.gov.

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 16, 2011 11:01 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Davis, Marla J; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM

HCP TASK

Please copy uscisexecsec@dhs.gov and EXSOTaskCoordination@dhsconnect.dhs.gov on all e-mail traffic regarding this task and include the Action Item name provided below in the subject line of your e-mails. Thank you.

All:

Draft materials are available for your review on EXSO-ECN.

Action Item: KTC08162011-01 Role of Private Attorneys PM
Originating POD/POC: FOD/Julia Harrison; 2-1709
EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Routine
Suspense Date: Thursday, August 25, 2011

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Please upload all actions for which Forms G-1056 are used to EXSO-ECN.
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Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Refugee, Asylum and International Operations Directorate
Washington, DC 20529

U.S. Citizenship and Immigration Services

120/9.15

November 8, 2007

Memorandum

TO: Asylum Office Directors
Asylum Office Deputy Directors

FROM: Joseph E. Langlois, Chief /s/
Asylum Division

SUBJECT: Guidelines for Partnerships between Asylum Offices and Non-Governmental Organizations to Provide Access to Legal Consultation for Applicants in the Credible Fear Process

The purpose of this memorandum is to provide general guidance for Asylum Offices in establishing partnerships with non-governmental organizations (NGOs) to facilitate access to pro bono consultants for individuals in the credible fear process. Asylum Offices are encouraged to establish partnership arrangements with NGOs pursuant to the terms of this memorandum, using internal procedures appropriate to each individual office.

Background

Since 2000, the Arlington Asylum Office and the Capital Area Immigrants' Rights (CAIR) Coalition, comprising a network of thirty NGOs, have partnered to provide access to pro bono consultants for applicants in the credible fear process. The Arlington Asylum Office's internal procedures address determining whether an applicant would like access to a pro bono consultant and referring the CAIR Coalition to the applicant. During the credible fear orientation, the Asylum Pre-Screening Officer (APSO) confirms whether the applicant would like to meet with a consultant if there is not an attorney of record. The APSO notifies the CAIR Coalition that a consultant is requested for the credible fear interview and provides the gender, country of nationality and age of the applicant. The Arlington Asylum Office does not provide any identifying information or potential claim of the applicant.

Generally, on the date of the credible fear interview, the APSO introduces the consultant to the applicant, and allows them to privately confer for a short period of time prior to the interview. The

Arlington Asylum Office also established a similar partnership with the Atlanta Bar Asylum Project to facilitate access to consultants to applicants in the credible fear process within the jurisdiction of Arlington's Atlanta Office.

In 2005, the United States Commission on International Religious Freedom (CIRF) issued a *Report on Asylum Seekers in Expedited Removal.*[1] CIRF referenced the Arlington Asylum Office's partnership with the CAIR Coalition and concluded that the access to consultants was a factor in its higher dissolve rate. CIRF also noted that legal consultation may contribute to the efficiency of the credible fear process since an applicant may dissolve his or her claim if advised by a consultant that the claim does not meet the criteria for asylum.[2] The CIRF report recommended an expansion of the Arlington Asylum Office's pro-bono partnership program to all eight Asylum Offices.

General Guidelines for Partnerships with Non-Governmental Organizations

Pursuant to 8 C.F.R. § 208.30(d)(4), applicants in the credible fear process are entitled to:

> consult with a person or persons of the alien's choosing prior to the interview or any review thereof, and may present other evidence, if available. Such consultation shall be at no expense to the Government and shall not unreasonably delay the process. Any person or persons with whom the alien chooses to consult may be present at the interview and may be permitted, in the discretion of the asylum officer, to present a statement at the end of the interview. The asylum officer, in his or her discretion, may place reasonable limits on the number of persons who may be present at the interview and on the length of the statement.[3]

Consultation generally facilitates the credible fear process and helps to ensure that asylum seekers' claims are fully elicited in the credible fear interview. Partnerships with NGOs further facilitate the credible fear process by assisting applicants gain access to consultants to discuss legal options, explore potentially valid claims, or dissolve claims that do not appear to have a legal basis for a grant of asylum or withholding of removal.

An Asylum Office may enter into informal partnerships with an NGO or multiple NGOs, if the Asylum Office is approached by the NGOs. **Asylum Offices may not in any way create the appearance that the Asylum Office favors specific NGOs.** Therefore, Asylum Offices may not

---

[1] *See* http://www.uscirf.gov/mediaroom/press/2005/february/02072005%5Fuscirf.html.

[2] In the first part of fiscal year 2007, approximately 25% percent of the applicants in the credible fear process within the jurisdiction of the Arlington Asylum Office chose to dissolve their credible fear claims, giving the Arlington Asylum Office a higher credible fear dissolve rate than other asylum offices. The twenty-five percent dissolve rate for the Arlington Asylum Office includes the credible fear statistics from October to May 2007. In fiscal years 2005 and 2006, the Arlington Asylum Office's credible fear dissolve rates were 35.71% and 31.78%, respectively, giving it the highest rate of credible fear dissolves of any Asylum Office in the country for those fiscal years.

[3] *See also* Joseph E. Langlois Memorandum to Asylum Directors, Supervisory Asylum Officers, and Asylum Officers, *Role of Consultants in the Credible Fear Interview*, (Washington, DC: 17 November 1997), accessed at http://z02rsccow12:8080/docushare/dsweb/View/Collection-10364.

approach NGOs to enter into a partnership, as such actions may appear as favoritism by the government to a specific group or counsel.

Consistent with the regulations, the consultations must be at no expense to the government. Therefore, NGOs should be made aware that they are responsible for securing any funding for creating a program to provide pro bono legal consultation to applicants in the credible fear process. NGOs must also provide interpreters, if necessary, to facilitate communications between the consultants and the applicants. USCIS will continue to provide interpreter services for the orientation, interview, and service of the decision. However, government contract interpreters may not be used for the purpose of facilitating communication between the NGOs and the applicant, outside of the course of the regular credible fear orientation and interview process.

Also consistent with regulations, informal partnerships with NGOs to facilitate access to consultants may not cause unreasonable delay to the credible fear process. Any policies developed at the local asylum offices to facilitate consultation should be consistent with regulations and take into account the timeliness goals of the program. However, every effort should be made to ensure that a consultant is present at the interview, if the applicant desires such a person's presence, as long as it does not unreasonably delay the process.[4]

Finally, any process entered into with an NGO for the purpose of providing pro bono legal consultation to applicants in the credible fear process must incorporate confidentiality restrictions provided by the federal regulations at 8 CFR § 208.6. The regulations generally prohibit the disclosure to third parties of information contained in or pertaining to asylum applications, credible fear determinations and reasonable fear determinations, including information contained in RAPS or APSS, except under certain limited circumstances.[5]

The Asylum Division encourages the Asylum Offices to establish informal partnerships to provide pro bono legal consultation to applicants in the credible fear process if approached by reputable NGOs. Asylum Offices are encouraged to coordinate the outreach of information to the NGO community, including sharing this memorandum with NGOs, so that the community is aware of these guidelines. NGOs should also be made aware of confidentiality concerns regarding asylum seekers and the limited amount information that will be related to them by the Asylum Office before the credible fear interview.

Asylum Division Headquarters is available to provide support in establishing partnerships with the NGO community. Please contact Jedidah Hussey at 202-272-1614 to discuss any issues regarding partnerships with NGOs.

---

[4] See *Credible Fear Procedures Manual*, at http://z02rsccow12:8080/docushare/dsweb/View/Collection-12202.

[5] See *Fact Sheet on Confidentiality: Federal Regulations Protecting Confidentiality of Asylum Applicants*, at http://z02rsccow12:8080/docushare/dsweb/View/Collection-10131.

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Greenwood, Tembra A

From: Groom, Molly M
Sent: Tuesday, January 17, 2012 8:18 AM
To: Greenwood, Tembra A
Subject: FW: Letter to D1 re: Access to Counsel
Attachments: Letter re Access to Counsel with Red-lined AFM.FIN.pdf

2 of 3

From: Groom, Molly M
Sent: Thursday, July 28, 2011 4:26 PM
To: Hahn, Elizabeth M
Cc: Kim, Ted H; Stone, Mary M; Turo, Karen M
Subject: FW: Letter to D1 re: Access to Counsel

Liz,

Can you please take a look at Ted's email below and go through the attached document keeping in mind the modifications in line with the bullets below and spot any issues where we differ? After we have identified any differences, we can raise those where it is significant.

Thanks so much, Molly

From: Kim, Ted H
Sent: Thursday, July 21, 2011 12:59 PM
To: Groom, Molly M
Cc: Langlois, Joseph; Ruppel, Joanna; Strack, Barbara L (b)(5)
Subject: FW: Letter to D1 re: Access to Counsel

Molly -- In the meeting with Lori today, the group went through AILA's recommended revisions to the AFM section on representation during interviews and resolved a lot of our initial concerns below –

Thanks,
Ted

From: Kim, Ted H
Sent: Thursday, July 07, 2011 4:51 PM
To: Groom, Molly M
Subject: FW: Letter to D1 re: Access to Counsel

(b)(5)

Molly – Can you please take the lead in coordinating Asylum's feedback on this document? Let's aim for July 14th to get it together, as Lori Scialabba would like to meet with everyone to discuss in "mid-July." It may not amount to anything at the end (i.e. Asylum may be exempted from incorporating any of this), but as Lori Gill suggests, it could go the other way as well.

[redacted]

Thanks,
Ted

From: Gill, Lori Rothamel
Sent: Thursday, July 07, 2011 10:46 AM
To: Ripley French, Katherine; Strack, Barbara L; Kim, Ted H; Ruppel, Joanna
Cc: Papas, Georgia; Johnson, Katherine E; Langlois, Joseph; Bucher, Steve P
Subject: FW: Letter to D1 re: Access to Counsel

Since both Steve and Joe are out, I'm forwarding the below message and attachment to Kathie, Barbara, Ted and Joanna to be sure everyone has a chance to review this document. The attachment is a letter that the American Immigration

Council and AILA sent to Director Mayorkas regarding the role of attorneys in USCIS interviews. They also provided suggested red-lined edits to the Adjudicators Field Manual, which are included in the attachment to this message.

I know the proposed changes are to the AFM, however if they make sense for the AFM, we may need to incorporate them into RAD, Asylum, and IO's SOPs, so please do take a look at the attachment and provide your feedback.

Thanks, all.

Lori

Lori Rothamel Gill | Special Assistant | Office of the Deputy Director |
U.S. Citizenship and Immigration Services (USCIS) | U.S. Department of Homeland Security (DHS) |
202-272-1363 | lori.gill@dhs.gov

From: Gill, Lori Rothamel
Sent: Thursday, July 07, 2011 10:36 AM
To: Monica, Donald J; Pietropaoli, Lori; Neufeld, Donald; Velarde, Barbara Q; Bucher, Steve P; Langlois, Joseph
Cc: Scialabba, Lori; Carpenter, Dea D; Vanison, Denise; Elkiss, Liz R; Lai, Victoria W
Subject: Letter to D1 re: Access to Counsel

Don, Don, Steve, Lori, Barbara and Joe:

I'm forwarding this message to you per Lori Scialabba's request. The attachment is a letter that the American Immigration Council and AILA sent to Director Mayorkas regarding the role of attorneys in USCIS interviews. They also provided suggested red-lined edits to the Adjudicators Field Manual, which are included in the attachment to this message. Please take a careful look at their proposed changes to the AFM. Lori will be scheduling a meeting in mid-July to discuss your views on these proposed edits.

If you have any questions, please don't hesitate to let us know.

Best,
Lori Gill

Lori Rothamel Gill | Special Assistant | Office of the Deputy Director |
U.S. Citizenship and Immigration Services (USCIS) | U.S. Department of Homeland Security (DHS) |
202-272-1363 | lori.gill@dhs.gov

From: Mayorkas, Alejandro N
Sent: Wednesday, July 06, 2011 1:00 PM
To: Scialabba, Lori; Carpenter, Dea D; Vanison, Denise
Cc: Carson, Rebecca S; Gill, Lori Rothamel
Subject: FW:

I believe I have forwarded this to you before, but I wanted to make sure and therefore do so again. I look forward to everyone's views (Lori, I assume you will distribute to the directorates). Thanks. Ali

Alejandro N. Mayorkas
Director
U.S. Citizenship and Immigration Services
20 Massachusetts Ave., N.W.
Washington, DC 20529
(202) 272-1000
Alejandro.Mayorkas@dhs.gov

From: Melissa Crow [mailto:MCrow@immcouncil.org]
Sent: Tuesday, June 14, 2011 11:47 PM
To: alejandro.mayorkas@dhs.gov
Cc: Groom, Molly M; Crystal Williams; Ben Johnson
Subject:

Dear Director Mayorkas: Please see the attached correspondence from Ben Johnson and Crystal Williams, which includes proposed revisions to the sections of the Adjudicator's Field Manual regarding the attorney's role in USCIS interviews. We look forward to seeing you in San Diego. Warm regards, Melissa Crow

Melissa Crow
Director, Legal Action Center
American Immigration Council
1331 G Street, NW
Suite 200
Washington, DC 20005
Tel: (202) 507-7523
Fax: (202) 742-5619
mcrow@immcouncil.org

Please support the American Immigration Council with a financial contribution today! DONATE

Please join me for our Annual Benefit in San Diego on June 17th!

Greenwood, Tembra A

From: Groom, Molly M
Sent: Tuesday, January 17, 2012 8:18 AM
To: Greenwood, Tembra A
Subject: FW: Letter to D1 re: Access to Counsel
Attachments: Letter re Access to Counsel with Red-lined AFM.FIN.pdf

2 of 3

From: Groom, Molly M
Sent: Thursday, July 28, 2011 4:26 PM
To: Hahn, Elizabeth M
Cc: Kim, Ted H; Stone, Mary M; Turo, Karen M
Subject: FW: Letter to D1 re: Access to Counsel

Liz,

Can you please take a look at Ted's email below and go through the attached document keeping in mind the modifications in line with the bullets below and spot any issues where we differ? After we have identified any differences, we can raise those where it is significant.

Thanks so much, Molly

From: Kim, Ted H
Sent: Thursday, July 21, 2011 12:59 PM
To: Groom, Molly M
Cc: Langlois, Joseph; Ruppel, Joanna; Strack, Barbara L
Subject: FW: Letter to D1 re: Access to Counsel (b)(5)

Molly -- In the meeting with Lori today, the group went through AILA's recommended revisions to the AFM section on representation during interviews and resolved a lot of our initial concerns below –

Thanks,
Ted

From: Kim, Ted H
Sent: Thursday, July 07, 2011 4:51 PM
To: Groom, Molly M (b)(5)
Subject: FW: Letter to D1 re: Access to Counsel

Molly – Can you please take the lead in coordinating Asylum's feedback on this document? Let's aim for July 14th to get it together, as Lori Scialabba would like to meet with everyone to discuss in "mid-July." It may not amount to anything at the end (i.e. Asylum may be exempted from incorporating any of this), but as Lori Gill suggests, it could go the other way as well.

Thanks,
Ted

From: Gill, Lori Rothamel
Sent: Thursday, July 07, 2011 10:46 AM
To: Ripley French, Katherine; Strack, Barbara L; Kim, Ted H; Ruppel, Joanna
Cc: Papas, Georgia; Johnson, Katherine E; Langlois, Joseph; Bucher, Steve P
Subject: FW: Letter to D1 re: Access to Counsel

Since both Steve and Joe are out, I'm forwarding the below message and attachment to Kathie, Barbara, Ted and Joanna to be sure everyone has a chance to review this document. The attachment is a letter that the American Immigration

Council and AILA sent to Director Mayorkas regarding the role of attorneys in USCIS interviews. They also provided suggested red-lined edits to the Adjudicators Field Manual, which are included in the attachment to this message.

I know the proposed changes are to the AFM, however if they make sense for the AFM, we may need to incorporate them into RAD, Asylum, and IO's SOPs, so please do take a look at the attachment and provide your feedback.

Thanks, all.

Lori

Lori Rothamel Gill | Special Assistant | Office of the Deputy Director |
U.S. Citizenship and Immigration Services (USCIS) | U.S. Department of Homeland Security (DHS) |
202-272-1363 | lori.gill@dhs.gov

From: Gill, Lori Rothamel
Sent: Thursday, July 07, 2011 10:36 AM
To: Monica, Donald J; Pietropaoli, Lori; Neufeld, Donald; Velarde, Barbara Q; Bucher, Steve P; Langlois, Joseph
Cc: Scialabba, Lori; Carpenter, Dea D; Vanison, Denise; Elkiss, Liz R; Lai, Victoria W
Subject: Letter to D1 re: Access to Counsel

Don, Don, Steve, Lori, Barbara and Joe:

I'm forwarding this message to you per Lori Scialabba's request. The attachment is a letter that the American Immigration Council and AILA sent to Director Mayorkas regarding the role of attorneys in USCIS interviews. They also provided suggested red-lined edits to the Adjudicators Field Manual, which are included in the attachment to this message. Please take a careful look at their proposed changes to the AFM. Lori will be scheduling a meeting in mid-July to discuss your views on these proposed edits.

If you have any questions, please don't hesitate to let us know.

Best,
Lori Gill

Lori Rothamel Gill | Special Assistant | Office of the Deputy Director |
U.S. Citizenship and Immigration Services (USCIS) | U.S. Department of Homeland Security (DHS) |
202-272-1363 | lori.gill@dhs.gov

From: Mayorkas, Alejandro N
Sent: Wednesday, July 06, 2011 1:00 PM
To: Scialabba, Lori; Carpenter, Dea D; Vanison, Denise
Cc: Carson, Rebecca S; Gill, Lori Rothamel
Subject: FW:

I believe I have forwarded this to you before, but I wanted to make sure and therefore do so again. I look forward to everyone's views (Lori, I assume you will distribute to the directorates). Thanks. Ali

Alejandro N. Mayorkas
Director
U.S. Citizenship and Immigration Services
20 Massachusetts Ave., N.W.
Washington, DC 20529
(202) 272-1000
Alejandro.Mayorkas@dhs.gov

From: Melissa Crow [mailto:MCrow@immcouncil.org]
Sent: Tuesday, June 14, 2011 11:47 PM
To: alejandro.mayorkas@dhs.gov
Cc: Groom, Molly M; Crystal Williams; Ben Johnson
Subject:

Dear Director Mayorkas: Please see the attached correspondence from Ben Johnson and Crystal Williams, which includes proposed revisions to the sections of the Adjudicator's Field Manual regarding the attorney's role in USCIS interviews. We look forward to seeing you in San Diego. Warm regards, Melissa Crow

Melissa Crow
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Attachments: Letter re Access to Counsel with Red-lined AFM.FIN.pdf

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From: Groom, Molly M
Sent: Friday, July 22, 2011 9:05 AM
To: Stone, Mary M
Subject: FW: Letter to D1 re: Access to Counsel

MM

I am thinking that someone on your team would be best suited for this—Liz Hahn? Or do you recommend someone else? Thanks, Molly

---

From: Kim, Ted H
Sent: Thursday, July 21, 2011 12:59 PM
To: Groom, Molly M
Cc: Langlois, Joseph; Ruppel, Joanna; Strack, Barbara L
Subject: FW: Letter to D1 re: Access to Counsel (b)(5)

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Lori

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Best,
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U.S. Citizenship and Immigration Services (USCIS) | U.S. Department of Homeland Security (DHS) |
202-272-1363 | lori.gill@dhs.gov

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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:07 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM
Attachments: PM The Role of Private Attorneys and other Representatives (2).doc

---

From: OCC-Clearance
Sent: Tuesday, August 16, 2011 11:19 AM
To: McCarthy, Rachel A
Cc: Hinds, Ian; Gallagher, Ellen M; Flynn, Patricia H; Tournay, Frederick H; Muhletaler, Catherine
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

Hi Rachel,

Please review the attached document. Please respond to the OCC-Clearance Box with your edits/comments by next Tuesday, August 23.

Since this is an Exec Sec ECN tracked review, the Box will upload the OCC response to ECN. Thanks, Cathy

---

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 16, 2011 11:08 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; Harrison, Julia L; Davis, Marla J; USCIS Exec Sec; exsotaskcoordination@dhsconnect.dhs.gov; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM

My apologies all, this is actually due Thursday, August 25th, not Friday, August 26th.

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
202-272-0990 (Office)
EXSO Connect Page
EXSO ECN Page
Please send all official actions to uscisexecsec@dhs.gov.

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 16, 2011 11:01 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
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Subject: KTC08162011-01 Role of Private Attorneys PM

HCP TASK

Please copy uscisexecsec@dhs.gov and EXSOTaskCoordination@dhsconnect.dhs.gov on all e-mail traffic regarding this task and include the Action Item name provided below in the subject line of your e-mails. Thank you.

All:

Draft materials are available for your review on EXSO-ECN.

Action Item: KTC08162011-01 Role of Private Attorneys PM
Originating POD/POC: FOD/Julia Harrison; 2-1709
EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Routine
Suspense Date: Thursday, August 25, 2011

USCIS Office of the Executive Secretariat
(202) 272-0990 – office
(202) 272-0970 – fax
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Please upload all actions for which Forms G-1056 are used to EXSO-ECN.
Please send all official actions to uscisexecsec@dhs.gov.

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Sent: Friday, December 02, 2011 11:08 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM
Attachments: PM The Role of Private Attorneys and other Representatives (2) RAM EDITS 081611.doc

---

From: McCarthy, Rachel A
Sent: Tuesday, August 16, 2011 1:16 PM
To: OCC-Clearance
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://uscis.dhs.gov/bc/

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Level of Urgency: Routine
Suspense Date: Thursday, August 25, 2011

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(202) 272-0970 – fax
EXSO Connect Page
EXSO ECN Page

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From: McCarthy, Rachel A
Sent: Tuesday, August 16, 2011 1:16 PM
To: OCC-Clearance
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://uscis.dhs.gov/bc/

From: OCC-Clearance
Sent: Tuesday, August 16, 2011 11:19 AM
To: McCarthy, Rachel A
Cc: Hinds, Ian; Gallagher, Ellen M; Flynn, Patricia H; Tournay, Frederick H; Muhletaler, Catherine
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

Hi Rachel,

Please review the attached document. Please respond to the OCC-Clearance Box with your edits/comments by next Tuesday, August 23.

Since this is an Exec Sec ECN tracked review, the Box will upload the OCC response to ECN. Thanks, Cathy

---

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 16, 2011 11:08 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; Harrison, Julia L; Davis, Marla J; USCIS Exec Sec; exsotaskcoordination@dhsconnect.dhs.gov; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya;

Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM

My apologies all, this is actually due Thursday, August 25th, not Friday, August 26th.

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
202-272-0990 (Office)
EXSO Connect Page
EXSO ECN Page
Please send all official actions to uscisexecsec@dhs.gov.

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Subject: KTC08162011-01 Role of Private Attorneys PM

HCP TASK

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Level of Urgency: Routine
Suspense Date: Thursday, August 25, 2011

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Sent: Friday, December 02, 2011 11:08 AM
To: Greenwood, Tembra A
Subject: FW: Am confused about what's happing w/the AFM Chapter 12 update

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From: McCarthy, Rachel A
Sent: Thursday, August 18, 2011 6:07 PM
To: Pitcairn, Rodger; OCC-Clearance
Cc: Phillips, Mark
Subject: Re: Am confused about what's happing w/the AFM Chapter 12 update

Rodger
I copied in the occ-clearance box as these matters are tracked in OCC there.
Rachel
Rachel A. McCarthy (message sent from Blackberry)
Bar Counsel
U.S. Citizenship and Immigration Services
(802) 660-1779 (phone)
(802 660-5067 (fax)

From: Pitcairn, Rodger
Sent: Thursday, August 18, 2011 03:48 PM
To: McCarthy, Rachel A (b)(5)
Cc: Phillips, Mark
Subject: Am confused about what's happing w/the AFM Chapter 12 update

Hi Rachel,

[redacted]

Thanks

Rodger Pitcairn, Adjudications Officer (Policy)
U.S. Citizenship and Immigration Services
Office of Policy and Strategy
20 Massachusetts Ave NW
Washington, DC 20529
Phone: 202-272-8427; fax 202-272-8518
e-mail: rodger.pitcairn@dhs.gov

From: Pitcairn, Rodger
Sent: Thursday, August 18, 2011 3:02 PM
To: Shaul, Michael L
Cc: Lai, Victoria W; Dawkins, Laura (b)(5)
Subject: Chapter 12 - historical status

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Victoria W. Lai
Counselor to the Director
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Department of Homeland Security
202-272-8024 direct

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Suspense Date: Thursday, August 25, 2011

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(b)(5)

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Attachments: PM The Role of Private Attorneys and other Representatives.doc

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Draft PM attached…

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
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I copied in the occ-clearance box as these matters are tracked in OCC there.
Rachel
Rachel A. McCarthy (message sent from Blackberry)
Bar Counsel
U.S. Citizenship and Immigration Services
(802) 660-1779 (phone)
(802 660-5067 (fax)

From: Pitcairn, Rodger
Sent: Thursday, August 18, 2011 03:48 PM
To: McCarthy, Rachel A
Cc: Phillips, Mark
Subject: Am confused about what's happing w/the AFM Chapter 12 update

Hi Rachel, (b)(5)

Thanks

Rodger Pitcairn, Adjudications Officer (Policy)
U.S. Citizenship and Immigration Services
Office of Policy and Strategy
20 Massachusetts Ave NW
Washington, DC 20529
Phone: 202-272-8427; fax 202-272-8518
e-mail: rodger.pitcairn@dhs.gov

From: Pitcairn, Rodger
Sent: Thursday, August 18, 2011 3:02 PM
To: Shaul, Michael L
Cc: Lai, Victoria W; Dawkins, Laura
Subject: Chapter 12 - historical status

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Here is my assignment from the AFM update spreadsheet.

AD05-01	**Representation by Attorneys Ch 12**	**McCarthy-OCC**	**Assigned on 10/20/04**	**07/09/2007 \ concurrenc rec'd, send Subsystem**

Victoria said that Julia Harrison in OFO recently forwarded the current draft Chapter 12 to Exec Sec for G-1056 circulation. If you could forward Victoria's inquiry to the appropriate person in EXSO, would you please do so [redacted] f that is the case w/Ch 12 and 15, I'll assign an AFM update number. I inserted Victoria's e-mail to me below.

Thanks for your help.

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(b)(5)

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Subject: AFM Chapter 12

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Victoria

Victoria W. Lai
Counselor to the Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
202-272-8024 direct

Greenwood, Tembra A

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Sent: Friday, December 02, 2011 11:10 AM
To: Greenwood, Tembra A
Subject: FW: Am confused about what's happing w/the AFM Chapter 12 update

---

From: OCC-Clearance
Sent: Friday, August 19, 2011 10:30 AM
To: McCarthy, Rachel A
Subject: FW: Am confused about what's happing w/the AFM Chapter 12 update

Rachel,

Do you know what this is all about? Cathy

From: Pitcairn, Rodger (b)(5)
Sent: Friday, August 19, 2011 10:26 AM
To: USCIS Exec Sec
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; Harrison, Julia L; Davis, Marla J; HQ Field Operations; OCC-Clearance; Lai, Victoria W; OCC-Clearance; Shaul, Michael L; Dawkins, Laura; Phillips, Mark
Subject: RE: Am confused about what's happing w/the AFM Chapter 12 update



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Office of Policy and Strategy
20 Massachusetts Ave NW
Washington, DC 20529
Phone: 202-272-8427; fax 202-272-8518
e-mail: rodger.pitcairn@dhs.gov

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Friday, August 19, 2011 10:19 AM
To: Pitcairn, Rodger
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Draft PM attached…

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
202-272-0990 (Office)

EXSO Connect Page

EXSO ECN Page

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Subject: KTC08162011-01 Role of Private Attorneys PM

HCP TASK

Please copy uscisexecsec@dhs.gov and EXSOTaskCoordination@dhsconnect.dhs.gov on all e-mail traffic regarding this task and include the Action Item name provided below in the subject line of your e-mails. Thank you.

All:

Draft materials are available for your review on EXSO-ECN.

Action Item: KTC08162011-01 Role of Private Attorneys PM
Originating POD/POC: FOD/Julia Harrison; 2-1709
EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Routine
Suspense Date: Thursday, August 25, 2011

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(202) 272-0990 – office
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Subject: RE: Am confused about what's happing w/the AFM Chapter 12 update

All- I discussed this with Mark Phillips before proceeding in this fashion. I did have the 2007 version of Ch 12- I used a lot of the language from that version in this memo as well as incorporating the input we received from AILA (as approved by the front office). This was not a FOD initiative- we were tasked by the front office with a very short timeline- sorry if this caught you off guard. Julia

Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: Pitcairn, Rodger
Sent: Friday, August 19, 2011 10:26 AM (b)(5)
To: USCIS Exec Sec
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Counselor to the Director
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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:11 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM
Attachments: PM The Role of Private Attorneys and other Representatives (2) RAM EDITS 081611 cm.doc

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Cc: Muhletaler, Catherine
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Hi Rachel,

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Let me know you thoughts.

Thanks, Cathy

From: McCarthy, Rachel A
Sent: Tuesday, August 16, 2011 1:16 PM
To: OCC-Clearance
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://uscis.dhs.gov/bc/

From: OCC-Clearance
Sent: Tuesday, August 16, 2011 11:19 AM
To: McCarthy, Rachel A
Cc: Hinds, Ian; Gallagher, Ellen M; Flynn, Patricia H; Tournay, Frederick H; Muhletaler, Catherine
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

Hi Rachel,

Please review the attached document. Please respond to the OCC-Clearance Box with your edits/comments by next Tuesday, August 23.

Since this is an Exec Sec ECN tracked review, the Box will upload the OCC response to ECN. Thanks, Cathy

---

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 16, 2011 11:08 AM
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My apologies all, this is actually due Thursday, August 25th, not Friday, August 26th.

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
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Subject: FW: KTC08162011-01 Role of Private Attorneys PM

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Let me know you thoughts.

Thanks, Cathy

From: McCarthy, Rachel A
Sent: Tuesday, August 16, 2011 1:16 PM

To: OCC-Clearance
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://uscis.dhs.gov/bc/

From: OCC-Clearance
Sent: Tuesday, August 16, 2011 11:19 AM
To: McCarthy, Rachel A
Cc: Hinds, Ian; Gallagher, Ellen M; Flynn, Patricia H; Tournay, Frederick H; Muhletaler, Catherine
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

Hi Rachel,

Please review the attached document. Please respond to the OCC-Clearance Box with your edits/comments by next Tuesday, August 23.

Since this is an Exec Sec ECN tracked review, the Box will upload the OCC response to ECN. Thanks, Cathy

---

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 16, 2011 11:08 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; Harrison, Julia L; Davis, Marla J; USCIS Exec Sec; exsotaskcoordination@dhsconnect.dhs.gov; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM

My apologies all, this is actually due Thursday, August 25th, not Friday, August 26th.

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
202-272-0990 (Office)
EXSO Connect Page
EXSO ECN Page
Please send all official actions to uscisexecsec@dhs.gov.

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Subject: KTC08162011-01 Role of Private Attorneys PM

HCP TASK

Please copy uscisexecsec@dhs.gov and EXSOTaskCoordination@dhsconnect.dhs.gov on all e-mail traffic regarding this task and include the Action Item name provided below in the subject line of your e-mails. Thank you.

All:

Draft materials are available for your review on EXSO-ECN.

Action Item: KTC08162011-01 Role of Private Attorneys PM
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EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Routine
Suspense Date: Thursday, August 25, 2011

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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:12 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM
Attachments: PM The Role of Private Attorneys and other Representatives (2) RAM EDITS 081611 cmeg.doc

---

From: Gallagher, Ellen M
Sent: Friday, August 19, 2011 1:19 PM
To: OCC-Clearance; Muhletaler, Catherine; Hinds, Ian
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

(b)(5)

E

Ellen Gallagher
Special Counsel
USCIS Office of the Chief Counsel
(202) 604-1553

From: Muhletaler, Catherine
Sent: Friday, August 19, 2011 12:16 PM
To: Hinds, Ian; Gallagher, Ellen M
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

Hi Ian & Ellen,

Just wanted to loop you in on this draft PM. The attached contains my & Rachel's comments and edits.

Please review and let me know if you have any edits/comment. This PM is meant to supersede AFM Chpt 12 on this subject. Thanks, Cathy

---

From: OCC-Clearance
Sent: Friday, August 19, 2011 11:09 AM
To: McCarthy, Rachel A
Cc: Muhletaler, Catherine
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Hi Rachel,

Please take a look at my edits – especially my comment on the section titled - Representatives Serving as Interpreter. – is this a policy call or by regulation?

Let me know you thoughts.

Thanks, Cathy

From: McCarthy, Rachel A
Sent: Tuesday, August 16, 2011 1:16 PM
To: OCC-Clearance
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
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Kerry T. Contaldi
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EXSO POC: Kerry Contaldi; 2-8306
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FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Routine
Suspense Date: Thursday, August 25, 2011

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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:12 AM
To: Greenwood, Tembra A
Subject: FW: Am confused about what's happing w/the AFM Chapter 12 update

---

From: McCarthy, Rachel A
Sent: Friday, August 19, 2011 3:43 PM
To: OCC-Clearance
Subject: Re: Am confused about what's happing w/the AFM Chapter 12 update

I do not. Sorry
Rachel A. McCarthy (message sent from Blackberry)
Bar Counsel
U.S. Citizenship and Immigration Services
(802) 660-1779 (phone)
(802 660-5067 (fax)

From: OCC-Clearance
Sent: Friday, August 19, 2011 10:29 AM
To: McCarthy, Rachel A
Subject: FW: Am confused about what's happing w/the AFM Chapter 12 update

Rachel,

Do you know what this is all about? Cathy

From: Pitcairn, Rodger (b)(5)
Sent: Friday, August 19, 2011 10:26 AM
To: USCIS Exec Sec
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; Harrison, Julia L; Davis, Marla J; HQ Field Operations; OCC-Clearance; Lai, Victoria W; OCC-Clearance; Shaul, Michael L; Dawkins, Laura; Phillips, Mark
Subject: RE: Am confused about what's happing w/the AFM Chapter 12 update

Rodger Pitcairn, Adjudications Officer (Policy)
U.S. Citizenship and Immigration Services
Office of Policy and Strategy
20 Massachusetts Ave NW
Washington, DC 20529
Phone: 202-272-8427; fax 202-272-8518
e-mail: rodger.pitcairn@dhs.gov

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Friday, August 19, 2011 10:19 AM
To: Pitcairn, Rodger
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Davis, Marla J; HQ Field Operations; OCC-Clearance; Lai, Victoria W
Subject: RE: Am confused about what's happing w/the AFM Chapter 12 update

Draft PM attached…

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
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202-272-0990 (Office)
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From: Pitcairn, Rodger
Sent: Friday, August 19, 2011 10:14 AM
To: Shaul, Michael L
Cc: Contaldi, Kerry
Subject: FW: Am confused about what's happing w/the AFM Chapter 12 update

(b)(5)

Well, at least we know where the document is and that Kerry Contaldi is the EXSO POC. I tried using the EXSO-ECN link but was denied access, so I couldn't see the draft memo

Rodger Pitcairn, Adjudications Officer (Policy)
U.S. Citizenship and Immigration Services
Office of Policy and Strategy
20 Massachusetts Ave NW
Washington, DC 20529
Phone: 202-272-8427; fax 202-272-8518
e-mail: rodger.pitcairn@dhs.gov

From: OCC-Clearance
Sent: Friday, August 19, 2011 10:07 AM
To: McCarthy, Rachel A; Pitcairn, Rodger
Cc: Phillips, Mark
Subject: RE: Am confused about what's happing w/the AFM Chapter 12 update

OCC received the message below from Exec Sec to review the draft PM referenced in the tasking. Response date is next Thursday. Cathy

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From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 16, 2011 11:01 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons,

Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
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Subject: KTC08162011-01 Role of Private Attorneys PM

HCP TASK

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From: McCarthy, Rachel A
Sent: Thursday, August 18, 2011 6:07 PM
To: Pitcairn, Rodger; OCC-Clearance
Cc: Phillips, Mark
Subject: Re: Am confused about what's happing w/the AFM Chapter 12 update

Rodger
I copied in the occ-clearance box as these matters are tracked in OCC there.
Rachel
Rachel A. McCarthy (message sent from Blackberry)
Bar Counsel
U.S. Citizenship and Immigration Services
(802) 660-1779 (phone)

(802 660-5067 (fax) (b)(5)

From: Pitcairn, Rodger
Sent: Thursday, August 18, 2011 03:48 PM
To: McCarthy, Rachel A
Cc: Phillips, Mark
Subject: Am confused about what's happing w/the AFM Chapter 12 update

Hi Rachel,

[redacted]

Thanks

Rodger Pitcairn, Adjudications Officer (Policy)
U.S. Citizenship and Immigration Services
Office of Policy and Strategy
20 Massachusetts Ave NW
Washington, DC 20529
Phone: 202-272-8427; fax 202-272-8518
e-mail: rodger.pitcairn@dhs.gov

From: Pitcairn, Rodger
Sent: Thursday, August 18, 2011 3:02 PM
To: Shaul, Michael L
Cc: Lai, Victoria W; Dawkins, Laura
Subject: Chapter 12 - historical status

Hi Mike,

Here's my latest e-mail traffic on chapter 12. The e-mails include communication between me and EXSO's web team. Also, the attached e-mails explain Chapter 12's history, or at least the history that I know about. Apparently, the AD05-01 update went to Mike Aytes but progressed no further. See below. I have extensive electronic files containing drafts, the concurrence sheet, etc.

Here is my assignment from the AFM update spreadsheet.

AD05-01	Representation by Attorneys Ch 12	McCarthy-OCC	Assigned on 10/20/04	07/09/2007 \ concurrenc rec'd, send Subsystem

(b)(5)

Victoria said that Julia Harrison in OFO recently forwarded the current draft Chapter 12 to Exec Sec for G-1056 circulation. If you could forward Victoria's inquiry to the appropriate person in EXSO, would you please do so.

If that is the case w/Ch 12 and 15, I'll assign an AFM update number. I inserted Victoria's e-mail to me below.

Thanks for your help.

Rodger Pitcairn, Adjudications Officer (Policy)
U.S. Citizenship and Immigration Services
Office of Policy and Strategy
20 Massachusetts Ave NW
Washington, DC 20529
Phone: 202-272-8427; fax 202-272-8518
e-mail: rodger.pitcairn@dhs.gov

From: Lai, Victoria W
Sent: Wednesday, August 17, 2011 4:10 PM
To: Pitcairn, Rodger; Mattice, Michael
Subject: AFM Chapter 12

Hi Rodger,

I'm working with OFO to revise Chapter 12 and part of Chapter 15 of the AFM. OFO would like to release the revisions in a Policy Memo format that replaces and supersedes AFM Chapters 12.1-12.5 and 4(b) of Chapter 15. I just wanted to check in with you to see what the web links to these policies would look like to our adjudicators and to the public.

Can we chat when you have a moment?

Thanks,
Victoria

Victoria W. Lai
Counselor to the Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
202-272-8024 direct

Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:12 AM
To: Greenwood, Tembra A
Subject: FW: Am confused about what's happing w/the AFM Chapter 12 update

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From: Carpenter, Dea D (b)(5)
Sent: Friday, August 19, 2011 3:54 PM
To: OCC-Clearance; Hinds, Ian
Cc: Muhletaler, Catherine; McCarthy, Rachel A
Subject: RE: Am confused about what's happing w/the AFM Chapter 12 update

[redacted]

Dea Carpenter
Acting Chief Counsel
U.S. Citizenship & Immigration Services
202 272 1441

From: McCarthy, Rachel A
Sent: Friday, August 19, 2011 3:43:15 PM
To: OCC-Clearance
Subject: Re: Am confused about what's happing w/the AFM Chapter 12 update
Auto forwarded by a Rule

I do not. Sorry
Rachel A. McCarthy (message sent from Blackberry)
Bar Counsel
U.S. Citizenship and Immigration Services
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Subject: Re: Am confused about what's happing w/the AFM Chapter 12 update

Rodger
I copied in the occ-clearance box as these matters are tracked in OCC there.
Rachel
Rachel A. McCarthy (message sent from Blackberry)
Bar Counsel
U.S. Citizenship and Immigration Services
(802) 660-1779 (phone)
(802 660-5067 (fax)

From: Pitcairn, Rodger
Sent: Thursday, August 18, 2011 03:48 PM
To: McCarthy, Rachel A
Cc: Phillips, Mark
Subject: Am confused about what's happing w/the AFM Chapter 12 update

(b)(5)

Hi Rachel,

Thanks

Rodger Pitcairn, Adjudications Officer (Policy)
U.S. Citizenship and Immigration Services
Office of Policy and Strategy
20 Massachusetts Ave NW
Washington, DC 20529
Phone: 202-272-8427; fax 202-272-8518
e-mail: rodger.pitcairn@dhs.gov

From: Pitcairn, Rodger
Sent: Thursday, August 18, 2011 3:02 PM
To: Shaul, Michael L
Cc: Lai, Victoria W; Dawkins, Laura
Subject: Chapter 12 - historical status

Hi Mike,

Here's my latest e-mail traffic on chapter 12. The e-mails include communication between me and EXSO's web team. Also, the attached e-mails explain Chapter 12's history, or at least the history that I know about. Apparently, the AD05-01 update went to Mike Aytes but progressed no further. See below. I have extensive electronic files containing drafts, the concurrence sheet, etc.

Here is my assignment from the AFM update spreadsheet.

AD05-01	Representation by Attorneys Ch 12	McCarthy-OCC	Assigned on 10/20/04	07/09/2007 concurrenc rec'd, send Subsystem

Victoria said that Julia Harrison in OFO recently forwarded the current draft Chapter 12 to Exec Sec for G-1056 circulation. If you could forward Victoria's inquiry to the appropriate person in EXSO, would you please do so.

(b)(5)

If that is the case w/Ch 12 and 15, I'll assign an AFM update number. I inserted Victoria's e-mail to me below.

Thanks for your help.

Rodger Pitcairn, Adjudications Officer (Policy)
U.S. Citizenship and Immigration Services
Office of Policy and Strategy
20 Massachusetts Ave NW
Washington, DC 20529
Phone: 202-272-8427; fax 202-272-8518
e-mail: rodger.pitcairn@dhs.gov

From: Lai, Victoria W.
Sent: Wednesday, August 17, 2011 4:10 PM
To: Pitcairn, Rodger; Mattice, Michael
Subject: AFM Chapter 12

Hi Rodger,

I'm working with OFO to revise Chapter 12 and part of Chapter 15 of the AFM. OFO would like to release the revisions in a Policy Memo format that replaces and supersedes AFM Chapters 12.1-12.5 and 4(b) of Chapter 15. I just wanted to check in with you to see what the web links to these policies would look like to our adjudicators and to the public.

Can we chat when you have a moment?

Thanks,
Victoria

Victoria W. Lai
Counselor to the Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
202-272-8024 direct

Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:13 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

Importance: High

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Monday, August 22, 2011 7:36 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; exsotaskcoordination@dhsconnect.dhs.gov; Harrison, Julia L; Davis, Marla J; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM
Importance: High

All:

A new version of this PM has been uploaded to EXSO-ECN. An *AFM* update has been added. The existing content has been assimilated into the *AFM* update.

Please review the new version of the PM titled: "AFM Ch 12 update Private Attorneys and Other Representatives."

Your responses are still due this Thursday, August 25th.

Thank you.

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
202-272-0990 (Office)

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Sent: Tuesday, August 16, 2011 11:01 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri;

Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
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Subject: KTC08162011-01 Role of Private Attorneys PM

HCP TASK

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All:

Draft materials are available for your review on EXSO-ECN.

Action Item: KTC08162011-01 Role of Private Attorneys PM
Originating POD/POC: FOD/Julia Harrison; 2-1709
EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Routine
Suspense Date: Thursday, August 25, 2011

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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:14 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM
Attachments: PM The Role of Private Attorneys and other Representatives (2) RAM EDITS 082211 cm.doc

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From: McCarthy, Rachel A
Sent: Monday, August 22, 2011 7:57 AM
To: OCC-Clearance
Cc: Muhletaler, Catherine
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

(b)(5)

Cathy –

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://uscis.dhs.gov/bc/

From: OCC-Clearance
Sent: Friday, August 19, 2011 11:09 AM
To: McCarthy, Rachel A
Cc: Muhletaler, Catherine
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Hi Rachel,

Please take a look at my edits – especially my comment on the section titled - Representatives Serving as Interpreter. – is this a policy call or by regulation?

Let me know you thoughts.

Thanks, Cathy

From: McCarthy, Rachel A
Sent: Tuesday, August 16, 2011 1:16 PM

To: OCC-Clearance
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://uscis.dhs.gov/bc/

From: OCC-Clearance
Sent: Tuesday, August 16, 2011 11:19 AM
To: McCarthy, Rachel A
Cc: Hinds, Ian; Gallagher, Ellen M; Flynn, Patricia H; Tournay, Frederick H; Muhletaler, Catherine
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

Hi Rachel,

Please review the attached document. Please respond to the OCC-Clearance Box with your edits/comments by next Tuesday, August 23.

Since this is an Exec Sec ECN tracked review, the Box will upload the OCC response to ECN. Thanks, Cathy

---

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 16, 2011 11:08 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; Harrison, Julia L; Davis, Marla J; USCIS Exec Sec; exsotaskcoordination@dhsconnect.dhs.gov; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM

My apologies all, this is actually due Thursday, August 25th, not Friday, August 26th.

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
202-272-0990 (Office)
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Subject: KTC08162011-01 Role of Private Attorneys PM

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EXSO POC: Kerry Contaldi; 2-8306
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FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Routine
Suspense Date: Thursday, August 25, 2011

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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:14 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM
Attachments: AFM Ch 12 update Private Attorneys and Other Representatives.doc

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From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Monday, August 22, 2011 8:47 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
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Subject: KTC08162011-01 Role of Private Attorneys PM
Importance: High

All:

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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:15 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM
Attachments: PM The Role of Private Attorneys and other Representatives (2) RAM EDITS 081611 cmeg.doc

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From: OCC-Clearance
Sent: Monday, August 22, 2011 11:20 AM
To: Hinds, Ian
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

Ok – I reviewed both documents and essentially they are the same – a few sections are in different order, but the content is the same.

In an effort not to redo everything Rachel, Ellen, and I have done, I will probably forward Julia Harrison the attached with the understanding that we are aware that the new version came out, but we had already coordinated our comments/edits on the attached. If you want to add any comments/edits to the attached, that would be great – and that way I can send just one document to Julia from OCC. I also need to check with Dea to see if she wants to review at this stage.

Cathy

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Monday, August 22, 2011 8:47 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
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Action Item: KTC08162011-01 Role of Private Attorneys PM
Originating POD/POC: FOD/Julia Harrison; 2-1709
EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Routine
Suspense Date: Thursday, August 25, 2011

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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:16 AM
To: Greenwood, Tembra A
Subject: FW: Dea - do you want to review at this stage - FW: KTC08162011-01 Role of Private Attorneys PM
Attachments: PM The Role of Private Attorneys and other Representatives (2) RAM EDITS 081611 cmeg.doc

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From: OCC-Clearance
Sent: Monday, August 22, 2011 6:28 PM
To: Carpenter, Dea D
Subject: Dea - do you want to review at this stage - FW: KTC08162011-01 Role of Private Attorneys PM

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Cathy

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Monday, August 22, 2011 8:47 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
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From: Carpenter, Dea D
Sent: Tuesday, August 23, 2011 12:45 PM
To: OCC-Clearance
Subject: RE: Dea - do you want to review at this stage - FW: KTC08162011-01 Role of Private Attorneys PM

Go ahead and send back – I would like to see at the next stage. Thanks!

Dea Carpenter
Acting Chief Counsel
U.S. Citizenship & Immigration Services
202 272 1441

From: OCC-Clearance
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To: Carpenter, Dea D
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Sent: Tuesday, August 23, 2011 5:20 PM
To: Harrison, Julia L
Cc: USCIS Exec Sec; Contaldi, Kerry
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

Hi Julia,

The attached contains OCC's edits and comments in redline.

Please accept our comments and edits on the PM document version that was initially provided for review last week. OCC had a few folks review last week and all the comments were placed on 1 document (attached), before the new version was issued. We did review the new version and saw that the content was essentially the same with only a few sections in different orders. So please accept our comments on the PM as this will save us a lot of time transferring all the redlines. If this is too problematic, please let me know.

Thanks for your understanding, Cathy

Catherine Muhletaler
Special Counsel
DHS•USCIS•Office of the Chief Counsel

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USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
202-272-0990 (Office)
EXSO Connect Page
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Please send all official actions to uscisexecsec@dhs.gov.

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Sent: Tuesday, August 16, 2011 11:01 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski,

Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Davis, Marla J; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM

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EXSO POC: Kerry Contaldi; 2-8306
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FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Routine
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(b)(5)

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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:17 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

From: Harrison, Julia L
Sent: Tuesday, August 23, 2011 5:23 PM
To: OCC-Clearance
Cc: USCIS Exec Sec; Contaldi, Kerry
Subject: Re: KTC08162011-01 Role of Private Attorneys PM

Catherine- thanks very much-I'm happy to use comments from this version. Julia
Julia L. Harrison
Chief, Operations Division
Field Operations
202.272.1709

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From:
Sent:
To:
Subject:

From: [redacted]
Sent: Monday, [redacted]
To: OCC-Clearance
Subject: RE: KTC[redacted]

Catherine- Do you [redacted] for reporting misconduct by [redacted]

Julia L. Harrison
Chief, Operations Div[redacted]
Field Operations
111 Massachusetts [redacted]
202.272.[redacted]

From: OCC-Clearance
Sent: Tuesday, [redacted]
To: Harrison, Julia [redacted]
Cc: USCIS Exec Sec; [redacted]
Subject: RE: KTC[redacted]

Thanks so much!

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Sent: Tuesday, [redacted]
To: OCC-Clearance
Cc: USCIS Exec Sec; [redacted]
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Attachments: AFM Ch 12 update Private Attorneys and Other Representatives hq component clearance round 2.doc

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From: Harrison, Julia L
Sent: Monday, August 29, 2011 12:50 PM
To: Harrison, Julia L; OCC-Clearance; Muhletaler, Catherine
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

OCC/Catherine. Please see attached. There are two places in the document where I need your input. See comments on page 4 & 7. fyi-this doc is a priority for the front office- please try to get back to me this week. Thanks!!

Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: Harrison, Julia L
Sent: Monday, August 29, 2011 11:06 AM
To: OCC-Clearance; Muhletaler, Catherine
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Catherine- Do you have any guidance that I can add to this memo on the process for reporting misconduct by the private attny/rep to the DHS Disciplinary Council?

Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: OCC-Clearance
Sent: Tuesday, August 23, 2011 5:24 PM
To: Harrison, Julia L
Cc: USCIS Exec Sec; Contaldi, Kerry
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Thanks so much.

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Sent: Tuesday, August 23, 2011 5:23 PM
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Cc: USCIS Exec Sec; Contaldi, Kerry
Subject: Re: KTC08162011-01 Role of Private Attorneys PM

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Chief, Operations Division
Field Operations
202.272.1709

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Special Counsel
DHS•USCIS•Office of the Chief Counsel

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Sent: Monday, August 22, 2011 8:47 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
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EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
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Sent: Friday, December 02, 2011 11:20 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM
Attachments: AFM Ch 12 update Private Attorneys and Other Representatives hq component clearance round 2.doc

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Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Cathy (b)(5)

Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://uscis.dhs.gov/bc/

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To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; exsotaskcoordination@dhsconnect.dhs.gov; Harrison, Julia L; Davis, Marla J; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM
Importance: High

All:

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Your responses are still due this Thursday, August 25th.

Thank you.

Kerry T. Contaldi
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202-272-8306 (Desk)
202-272-0990 (Office)
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Originating POD/POC: FOD/Julia Harrison; 2-1709
EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
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Greenwood, Tembra A

From: OCC-Clearance
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To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM
Attachments: AFM Ch 12 update Private Attorneys and Other Representatives hq component clearance round 2.doc

---

From: OCC-Clearance
Sent: Tuesday, August 30, 2011 10:53 AM
To: Hinds, Ian
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Here is the attachment.

From: Hinds, Ian
Sent: Tuesday, August 30, 2011 9:59 AM
To: OCC-Clearance
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Can you send me the version of the document (w/Julia's comments) that Rachel is commenting on? I must have deleted it. Thanks, Ian

---

From: OCC-Clearance
Sent: Tuesday, August 30, 2011 9:48 AM
To: McCarthy, Rachel A
Cc: Hinds, Ian; Flynn, Patricia H
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Thanks for the comments Rachel – please send me the link you reference below so I can send it to Julia. Cathy

---

From: McCarthy, Rachel A
Sent: Tuesday, August 30, 2011 8:19 AM
To: OCC-Clearance
Cc: Hinds, Ian; Flynn, Patricia H
Subject: RE: KTC08162011-01 Role of Private Attorneys PM (b)(5)

Cathy

[redacted]

(b)(5)

[redacted]

Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://uscis.dhs.gov/bcl

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Sent: Monday, August 29, 2011 12:53 PM
To: McCarthy, Rachel A
Cc: Harrison, Julia L
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

Hi Rachel,

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Sent: Monday, August 29, 2011 12:50 PM
To: Harrison, Julia L; OCC-Clearance; Muhletaler, Catherine
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

OCC/Catherine. Please see attached. There are two places in the document where I need your input. See comments on page 4 & 7. fyi-this doc is a priority for the front office- please try to get back to me this week. Thanks!!

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Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

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Sent: Monday, August 29, 2011 11:06 AM
To: OCC-Clearance; Muhletaler, Catherine
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

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Sent: Tuesday, August 23, 2011 5:24 PM
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Cc: USCIS Exec Sec; Contaldi, Kerry
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

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Catherine Muhletaler
Special Counsel
DHS•USCIS•Office of the Chief Counsel

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Subject: KTC08162011-01 Role of Private Attorneys PM

HCP TASK

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EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Routine
Suspense Date: Thursday, August 25, 2011

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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:22 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

From: OCC-Clearance
Sent: Tuesday, August 30, 2011 11:34 AM
To: Harrison, Julia L
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

Hi Julia,

Please see Rachel's comments below. Let us know if you have any questions.

Please send us the updated/edited version of this PM/AFM when ready so OCC can review and provide concurrence.

Thanks, Cathy

From: McCarthy, Rachel A
Sent: Tuesday, August 30, 2011 8:19 AM (b)(5)
To: OCC-Clearance
Cc: Hinds, Ian; Flynn, Patricia H
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Cathy

[redacted]

Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security

70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://uscis.dhs.gov/bc/

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Cc: Harrison, Julia L
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

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From: Hinds, Ian
Sent: Tuesday, August 30, 2011 12:08 PM
To: McCarthy, Rachel A; OCC-Clearance; Elder, Phillip D
Cc: Flynn, Patricia H; Sheridan, Michael J
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Adding Phillip who may know if the change Rachel proposes below can still be added to the pending AAO reg. which, among other things, deals with amicus procedures before that office. AAO, of course, would need to weigh in as well.

Ian

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(b)(5)

Cathy

Rachel

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Disciplinary Counsel
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Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: Harrison, Julia L
Sent: Monday, August 29, 2011 11:06 AM
To: OCC-Clearance; Muhletaler, Catherine
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Catherine- Do you have any guidance that I can add to this memo on the process for reporting misconduct by the private attny/rep to the DHS Disciplinary Council?

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Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: OCC-Clearance
Sent: Tuesday, August 23, 2011 5:24 PM
To: Harrison, Julia L
Cc: USCIS Exec Sec; Contaldi, Kerry
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

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From: Harrison, Julia L
Sent: Tuesday, August 23, 2011 5:23 PM

To: OCC-Clearance
Cc: USCIS Exec Sec; Contaldi, Kerry
Subject: Re: KTC08162011-01 Role of Private Attorneys PM

Catherine- thanks very much-I'm happy to use comments from this version. Julia
Julia L. Harrison
Chief, Operations Division
Field Operations
202.272.1709

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Thanks for your understanding, Cathy

Catherine Muhletaler
Special Counsel
DHS•USCIS•Office of the Chief Counsel

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Monday, August 22, 2011 8:47 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
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202-272-0990 (Office)
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Importance: High

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Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
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EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Routine
Suspense Date: Thursday, August 25, 2011

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Subject: FW: KTC08162011-01 Role of Private Attorneys PM

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Subject: RE: KTC08162011-01 Role of Private Attorneys PM

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From: OCC-Clearance
Sent: Tuesday, August 30, 2011 11:34 AM
To: Harrison, Julia L
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

Hi Julia,

Please see Rachel's comments below. Let us know if you have any questions.

Please send us the updated/edited version of this PM/AFM when ready so OCC can review and provide concurrence.

Thanks, Cathy

From: McCarthy, Rachel A
Sent: Tuesday, August 30, 2011 8:19 AM (b)(5)
To: OCC-Clearance
Cc: Hinds, Ian; Flynn, Patricia H
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Cathy

Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://uscis.dhs.gov/bc/

(b)(5)

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To: McCarthy, Rachel A
Cc: Harrison, Julia L
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

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---

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EXSO POC: Kerry Contaldi; 2-8306
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Level of Urgency: Routine
Suspense Date: Thursday, August 25, 2011

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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:23 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 30, 2011 4:31 PM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K; Transformation Executive Correspondence
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Level of Urgency: Prompt
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Sent: Tuesday, August 30, 2011 4:52 PM
To: Hinds, Ian; McCarthy, Rachel A; OCC-Clearance
Cc: Flynn, Patricia H; Sheridan, Michael J
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

We're certain to receive another fairly substantial passback from DHS on the AAO rule so we can consider adding something in this area when we do. But this appears to be about briefs outside of the appeals context.

From: Hinds, Ian
Sent: Tuesday, August 30, 2011 12:08 PM
To: McCarthy, Rachel A; OCC-Clearance; Elder, Phillip D
Cc: Flynn, Patricia H; Sheridan, Michael J
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Adding Phillip who may know if the change Rachel proposes below can still be added to the pending AAO reg. which, among other things, deals with amicus procedures before that office. AAO, of course, would need to weigh in as well.

Ian

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Sent: Tuesday, August 30, 2011 8:19 AM
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Cc: Hinds, Ian; Flynn, Patricia H
Subject: RE: KTC08162011-01 Role of Private Attorneys PM (b)(5)

Cathy

Rachel

Rachel A. McCarthy

Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
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From: OCC-Clearance
Sent: Tuesday, August 23, 2011 5:24 PM
To: Harrison, Julia L

Cc: USCIS Exec Sec; Contaldi, Kerry
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Thanks so much.

From: Harrison, Julia L
Sent: Tuesday, August 23, 2011 5:23 PM
To: OCC-Clearance
Cc: USCIS Exec Sec; Contaldi, Kerry
Subject: Re: KTC08162011-01 Role of Private Attorneys PM

Catherine- thanks very much-I'm happy to use comments from this version. Julia
Julia L. Harrison
Chief, Operations Division
Field Operations
202.272.1709

From: OCC-Clearance
Sent: Tuesday, August 23, 2011 05:19 PM
To: Harrison, Julia L
Cc: USCIS Exec Sec; Contaldi, Kerry
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

Hi Julia,

The attached contains OCC's edits and comments in redline.

Please accept our comments and edits on the PM document version that was initially provided for review last week. OCC had a few folks review last week and all the comments were placed on 1 document (attached), before the new version was issued. We did review the new version and saw that the content was essentially the same with only a few sections in different orders. So please accept our comments on the PM as this will save us a lot of time transferring all the redlines. If this is too problematic, please let me know.

Thanks for your understanding, Cathy

Catherine Muhletaler
Special Counsel
DHS•USCIS•Office of the Chief Counsel

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Monday, August 22, 2011 8:47 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; exsotaskcoordination@dhsconnect.dhs.gov; USCIS Exec Sec;

Harrison, Julia L; Davis, Marla J; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM

For those of you who have been encountering difficulties accessing EXSO-ECN, the document for review is attached.

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
202-272-0990 (Office)
EXSO Connect Page
EXSO ECN Page
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From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Monday, August 22, 2011 7:36 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; exsotaskcoordination@dhsconnect.dhs.gov; Harrison, Julia L; Davis, Marla J; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM
Importance: High

All:

A new version of this PM has been uploaded to EXSO-ECN. An *AFM* update has been added. The existing content has been assimilated into the *AFM* update.

Please review the new version of the PM titled: "AFM Ch 12 update Private Attorneys and Other Representatives."

Your responses are still due this Thursday, August 25th.

Thank you.

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
202-272-0990 (Office)
EXSO Connect Page
EXSO ECN Page
Please send all official actions to uscisexecsec@dhs.gov.

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 16, 2011 11:01 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
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Subject: KTC08162011-01 Role of Private Attorneys PM

HCP TASK

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All:

Draft materials are available for your review on EXSO-ECN.

Action Item: KTC08162011-01 Role of Private Attorneys PM
Originating POD/POC: FOD/Julia Harrison; 2-1709
EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Routine
Suspense Date: Thursday, August 25, 2011

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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:24 AM
To: Greenwood, Tembra A
Subject: FW: Wednesday, September 7, 2011 KTC08162011-01 Role of Private Attorneys PM
Attachments: INS Memo re Right to Representation, 1992.pdf

From: Whitney, Ronald W
Sent: Wednesday, September 07, 2011 12:51 PM
To: OCC-Clearance
Subject: FW: Wednesday, September 7, 2011 KTC08162011-01 Role of Private Attorneys PM

Who is reviewing this for OCC?

From: Strack, Barbara L
Sent: Friday, September 02, 2011 12:34 PM
To: USCIS RAIO; Allen, Eugene A; Beaudoin, Duane A; Bird, John W; Chiang, James Y; Kim, Ted H; Liberto, James; McAllum, Jessica L; Potts, LeRoy G; Strong, Stacy K; Valverde, Michael
Cc: Defensor, Michael R; Geddy, Monique M; Johnson, Katherine E; Kilgore, Garry; Langlois, Joseph; Papas, Georgia; Ripley French, Katherine; Ruppel, Joanna; Groom, Molly M; Whitney, Ronald W
Subject: RE: Wednesday, September 7, 2011 KTC08162011-01 Role of Private Attorneys PM

(b)(5)

Barbara L. Strack
Chief, Refugee Affairs Division
US Citizenship & Immigration Services
Department of Homeland Security
barbara.strack@dhs.gov
202-272-1664

From: USCIS RAIO
Sent: Wednesday, August 31, 2011 1:51 PM
To: Allen, Eugene A; Beaudoin, Duane A; Bird, John W; Chiang, James Y; Kim, Ted H; Liberto, James; McAllum, Jessica L; Potts, LeRoy G; Strong, Stacy K; Valverde, Michael
Cc: Defensor, Michael R; Geddy, Monique M; Johnson, Katherine E; Kilgore, Garry; Langlois, Joseph; Papas, Georgia; Ripley French, Katherine; Ruppel, Joanna; Strack, Barbara L; USCIS RAIO
Subject: Due: Wednesday, September 7, 2011 KTC08162011-01 Role of Private Attorneys PM

All,

Please see the below tasking from Exec Sec and provide your information to the USCIS RAIO email account by COB Wednesday, September 7, 2011.

Respectfully,
Garry R. Kilgore
Mission Support Specialist
Refugee, Asylum and International Operations
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security

(b)(6)

202 272 0925 (office)
[redacted] (BlackBerry)

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 30, 2011 4:31 PM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K; Transformation Executive Correspondence
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Davis, Marla J; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM

HCP TASK

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All:

Draft materials are available for your review on EXSO-ECN. This is the second review for this PM, which FOD updated based on your comments and edits – link to the latest draft: http://mgmt-sp.dhs.gov/uscis/SiteDirectory/exso/Documents/AFM%20Ch%2012%20update%20Private%20Attorneys%20and%20Other%20Representatives%20hq%20component%20clearance%20v%202.doc.

Action Item: KTC08162011-01 Role of Private Attorneys PM
Originating POD/POC: FOD/Julia Harrison; 2-1709
EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Prompt
Suspense Date: Wednesday, September 7, 2011

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From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 16, 2011 11:01 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS -

ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Davis, Marla J; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM

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FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Routine
Suspense Date: Thursday, August 25, 2011

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(b)(5)

Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:25 AM
To: Greenwood, Tembra A
Subject: FW: Wednesday, September 7, 2011 KTC08162011-01 Role of Private Attorneys PM
Attachments: INS Memo re Right to Representation, 1992.pdf; PM The Role of Private Attorneys and other Representatives (2) RAM EDITS 081611 cmeg.doc

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From: OCC-Clearance
Sent: Wednesday, September 07, 2011 9:17 PM
To: Whitney, Ronald W; McCarthy, Rachel A
Cc: Hinds, Ian; Muhletaler, Catherine; Gallagher, Ellen M
Subject: FW: Wednesday, September 7, 2011 KTC08162011-01 Role of Private Attorneys PM

Ron,

All copied on this message reviewed the draft and provided edits & comments. Attached are the redlines we sent back to the client. We are still waiting for the next updated version to review. Cathy

---

From: Whitney, Ronald W
Sent: Wednesday, September 07, 2011 12:51 PM
To: OCC-Clearance
Subject: FW: Wednesday, September 7, 2011 KTC08162011-01 Role of Private Attorneys PM

Who is reviewing this for OCC? (b)(5)

From: Strack, Barbara L
Sent: Friday, September 02, 2011 12:34 PM
To: USCIS RAIO; Allen, Eugene A; Beaudoin, Duane A; Bird, John W; Chiang, James Y; Kim, Ted H; Liberto, James; McAllum, Jessica L; Potts, LeRoy G; Strong, Stacy K; Valverde, Michael
Cc: Defensor, Michael R; Geddy, Monique M; Johnson, Katherine E; Kilgore, Garry; Langlois, Joseph; Papas, Georgia; Ripley French, Katherine; Ruppel, Joanna; Groom, Molly M; Whitney, Ronald W
Subject: RE: Wednesday, September 7, 2011 KTC08162011-01 Role of Private Attorneys PM

[redacted]

Barbara L. Strack
Chief, Refugee Affairs Division
US Citizenship & Immigration Services
Department of Homeland Security
barbara.strack@dhs.gov
202-272-1664

From: USCIS RAIO
Sent: Wednesday, August 31, 2011 1:51 PM
To: Allen, Eugene A; Beaudoin, Duane A; Bird, John W; Chiang, James Y; Kim, Ted H; Liberto, James; McAllum, Jessica L; Potts, LeRoy G; Strong, Stacy K; Valverde, Michael
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All,

Please see the below tasking from Exec Sec and provide your information to the USCIS RAIO email account by COB Wednesday, September 7, 2011.

Respectfully,
Garry R. Kilgore
Mission Support Specialist
Refugee, Asylum and International Operations
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
202.272.0925 (office)
[redacted] (BlackBerry) (b)(6)

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To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K; Transformation Executive Correspondence
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HCP TASK

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Greenwood, Tembra A

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To: Greenwood, Tembra A
Subject: FW: Wednesday, September 7, 2011 KTC08162011-01 Role of Private Attorneys PM

From: Whitney, Ronald W
Sent: Thursday, September 08, 2011 10:25 AM
To: OCC-Clearance; McCarthy, Rachel A
Cc: Hinds, Ian; Muhletaler, Catherine; Gallagher, Ellen M
Subject: RE: Wednesday, September 7, 2011 KTC08162011-01 Role of Private Attorneys PM

Ok, I'll ask them to send it around for another round of comments so that we can address Barbara's concern, which is a valid one.

From: OCC-Clearance
Sent: Wednesday, September 07, 2011 9:17 PM
To: Whitney, Ronald W; McCarthy, Rachel A
Cc: Hinds, Ian; Muhletaler, Catherine; Gallagher, Ellen M
Subject: FW: Wednesday, September 7, 2011 KTC08162011-01 Role of Private Attorneys PM

Ron,

All copied on this message reviewed the draft and provided edits & comments. Attached are the redlines we sent back to the client. We are still waiting for the next updated version to review. Cathy

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To: OCC-Clearance
Subject: FW: Wednesday, September 7, 2011 KTC08162011-01 Role of Private Attorneys PM

Who is reviewing this for OCC?

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Sent: Friday, September 02, 2011 12:34 PM
To: USCIS RAIO; Allen, Eugene A; Beaudoin, Duane A; Bird, John W; Chiang, James Y; Kim, Ted H; Liberto, James; McAllum, Jessica L; Potts, LeRoy G; Strong, Stacy K; Valverde, Michael
Cc: Defensor, Michael R; Geddy, Monique M; Johnson, Katherine E; Kilgore, Garry; Langlois, Joseph; Papas, Georgia; Ripley French, Katherine; Ruppel, Joanna; Groom, Molly M; Whitney, Ronald W
Subject: RE: Wednesday, September 7, 2011 KTC08162011-01 Role of Private Attorneys PM

(b)(5)

Barbara L. Strack
Chief, Refugee Affairs Division
US Citizenship & Immigration Services
Department of Homeland Security
barbara.strack@dhs.gov
202-272-1664

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Cc: Defensor, Michael R; Geddy, Monique M; Johnson, Katherine E; Kilgore, Garry; Langlois, Joseph; Papas, Georgia; Ripley French, Katherine; Ruppel, Joanna; Strack, Barbara L; USCIS RAIO
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All,

Please see the below tasking from Exec Sec and provide your information to the USCIS RAIO email account by COB Wednesday, September 7, 2011.

Respectfully,
Garry R. Kilgore
Mission Support Specialist
Refugee, Asylum and International Operations
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security (b)(6)
202.272.0925 (office)
[redacted] (BlackBerry)

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Sent: Tuesday, August 30, 2011 4:31 PM
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Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Davis, Marla J; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM

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FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
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Suspense Date: Wednesday, September 7, 2011

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(b)(5)

[redacted]

Barbara L. Strack
Chief, Refugee Affairs Division
US Citizenship & Immigration Services
Department of Homeland Security
barbara.strack@dhs.gov
202-272-1664

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Garry R. Kilgore
Mission Support Specialist
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202.272.0925 (office) (b)(6)
[redacted] BlackBerry)

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Sent: Thursday, September 08, 2011 10:43 AM
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Cc: Hinds, Ian; Muhletaler, Catherine; Gallagher, Ellen M
Subject: RE: Wednesday, September 7, 2011 KTC08162011-01 Role of Private Attorneys PM

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

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To: OCC-Clearance; Whitney, Ronald W
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Subject: RE: Wednesday, September 7, 2011 KTC08162011-01 Role of Private Attorneys PM

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[redacted](BlackBerry) (b)(6)

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Sent: Tuesday, August 30, 2011 4:31 PM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K; Transformation Executive Correspondence
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Davis, Marla J; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM

HCP TASK

Please copy uscisexecsec@dhs.gov and EXSOTaskCoordination@dhsconnect.dhs.gov on all e-mail traffic regarding this task and include the Action Item name provided below in the subject line of your e-mails. Thank you.

All:

Draft materials are available for your review on EXSO-ECN. This is the second review for this PM, which FOD updated based on your comments and edits – link to the latest draft: http://mgmt-sp.dhs.gov/uscis/SiteDirectory/exso/Documents/AFM%20Ch%2012%20update%20Private%20Attorneys%20and%20Other%20Representatives%20hq%20component%20clearance%20v%202.doc.

Action Item: KTC08162011-01 Role of Private Attorneys PM
Originating POD/POC: FOD/Julia Harrison; 2-1709
EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Prompt
Suspense Date: Wednesday, September 7, 2011

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From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 16, 2011 11:01 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A;

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Subject: KTC08162011-01 Role of Private Attorneys PM

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EXSO POC: Kerry Contaldi; 2-8306
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FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Routine
Suspense Date: Thursday, August 25, 2011

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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:27 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

Importance: High

From: OCC-Clearance
Sent: Monday, September 12, 2011 12:49 PM
To: ALD
Subject: FW: KTC08162011-01 Role of Private Attorneys PM
Importance: High

FYI – friendly reminder that an OCC response is due on this item. Thanks, Cathy

---

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Monday, September 12, 2011 12:41 PM
To: OCC-Clearance; Graziadio, Josie; Kvortek, Steve P
Cc: Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Lai, Victoria W; Chang, Pearl B
Subject: RE: KTC08162011-01 Role of Private Attorneys PM
Importance: High

OCC and P&S:

We have not received your response for this task. Please update EXSO-ECN.

Thank you.

(b)(6)

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
[redacted] **(BlackBerry)**
202-272-0990 (Office)
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EXSO POC: Kerry Contaldi; 2-8306
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FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Prompt
Suspense Date: Wednesday, September 8, 2011

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Level of Urgency: Routine
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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:28 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

From: OCC-Clearance
Sent: Monday, September 12, 2011 12:56 PM
To: USCIS Exec Sec; Graziadio, Josie; Kvortek, Steve P
Cc: Drake, Johnetta; Harrison, Julia L; Lai, Victoria W; Chang, Pearl B
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Exec Sec,

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Please update ECN to indicate that OCC has responded, but are working with the originating component on resolving edits/comments. Thanks, Cathy

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Cc: Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Lai, Victoria W; Chang, Pearl B
Subject: RE: KTC08162011-01 Role of Private Attorneys PM
Importance: High

OCC and P&S:

We have not received your response for this task. Please update EXSO-ECN.

Thank you.

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
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Level of Urgency: Prompt
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Level of Urgency: Routine
Suspense Date: Thursday, August 25, 2011

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To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Monday, September 12, 2011 1:00 PM
To: OCC-Clearance
Cc: Drake, Johnetta; USCIS Exec Sec
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Just to clarify, are you referring to the updated version of the PM from 8/30 or the original version from 8/16?

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
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Subject: RE: KTC08162011-01 Role of Private Attorneys PM
Importance: High

OCC and P&S:

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Thank you.

Kerry T. Contaldi
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Cc: Drake, Johnetta; Harrison, Julia L; Lai, Victoria W; Chang, Pearl B
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We replied as well, sending our numerous comments directly to Julia.

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Sent: Monday, September 12, 2011 12:41 PM
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Sent: Tuesday, August 30, 2011 4:31 PM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K; Transformation Executive Correspondence
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Davis, Marla J; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara

Q
Subject: KTC08162011-01 Role of Private Attorneys PM

HCP TASK

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Action Item: KTC08162011-01 Role of Private Attorneys PM
Originating POD/POC: FOD/Julia Harrison; 2-1709
EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Prompt
Suspense Date: Wednesday, September 8, 2011

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(202) 272-0970 – fax

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From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 16, 2011 11:01 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
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Level of Urgency: Routine
Suspense Date: Thursday, August 25, 2011

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Greenwood, Tembra A

From: OCC-Clearance
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To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

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Importance: High

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Level of Urgency: Prompt
Suspense Date: Wednesday, September 8, 2011

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Level of Urgency: Routine
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Sent: Friday, December 02, 2011 11:29 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM
Attachments: AFM Ch 12 update Private Attorneys and Other Representatives hq component clearance round 2.doc

Importance: High

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To: OCC-Clearance; Graziadio, Josie; Kvortek, Steve P
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Subject: RE: KTC08162011-01 Role of Private Attorneys PM

The highlighted bit below was directed at P&S. You should proceed as usual.

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Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Davis, Marla J; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM

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Action Item: KTC08162011-01 Role of Private Attorneys PM

Originating POD/POC: FOD/Julia Harrison; 2-1709
EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Prompt
Suspense Date: Wednesday, September 8, 2011

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(202) 272-0970 – fax

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From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 16, 2011 11:01 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
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Sent: Friday, December 02, 2011 11:31 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM
Attachments: AFM Ch 12 update Private Attorneys and Other Representatives hq component clearance round 2 (RAM EDITS 091211)doc.doc

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From: McCarthy, Rachel A
Sent: Monday, September 12, 2011 2:52 PM
To: OCC-Clearance; Gallagher, Ellen M; Hinds, Ian; Muhletaler, Catherine; Whitney, Ronald W
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
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Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
[redacted](BlackBerry) (b)(6)
202-272-0990 (Office)
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Suspense Date: Wednesday, September 8, 2011

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To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM
Attachments: AFM Ch 12 update Private Attorneys and Other Representatives hq component clearance round 2 (RAM EDITS 091211 cm)doc.doc

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From: Muhletaler, Catherine
Sent: Tuesday, September 13, 2011 8:37 AM
To: McCarthy, Rachel A; OCC-Clearance; Gallagher, Ellen M; Hinds, Ian; Whitney, Ronald W
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Rachel,

(b)(5)

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Let me know.

Cathy

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To: OCC-Clearance; Gallagher, Ellen M; Hinds, Ian; Muhletaler, Catherine; Whitney, Ronald W
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Rachel A. McCarthy
Disciplinary Counsel
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[redacted] **(BlackBerry)**
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Cathy

[redacted]

Rachel

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Subject: KTC08162011-01 Role of Private Attorneys PM

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Cathy

[redacted]

Rachel

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To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K; Transformation Executive Correspondence
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Davis, Marla J; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM

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Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Prompt
Suspense Date: Wednesday, September 8, 2011

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I added some language to those sections as requested.
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Rachel A. McCarthy
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[redacted] **(BlackBerry)**
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Sent: Wednesday, September 14, 2011 8:23 AM
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From: McCarthy, Rachel A
Sent: Wednesday, September 14, 2011 7:40 AM (b)(5)
To: Hinds, Ian; Muhletaler, Catherine
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
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Rachel,

I guess we can't clear for now but should send back the latest round of comments once everyone has weighed in. Did you have the chance to address my other comments/edits – some were attempts to refine or seek clarification of your earlier edits.

Thanks,
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To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K; Transformation Executive Correspondence
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Davis, Marla J; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell

L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM

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EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Prompt
Suspense Date: Wednesday, September 8, 2011

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From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
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To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:35 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM
Attachments: AFM Ch 12 update Private Attorneys and Other Representatives hq component clearance round 2 (RAM EDITS 091311 cm)(RALD edits 091411)doc.doc

---

From: Whitney, Ronald W
Sent: Wednesday, September 14, 2011 11:16 AM
To: Hinds, Ian (ian.hinds@dhs.gov); Lay, Dorothea B; OCC-Clearance; McCarthy, Rachel A; Muhletaler, Catherine; Gallagher, Ellen M
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

We made a couple of edits to address the legal opinion on refugee representation.

From: McCarthy, Rachel A
Sent: Monday, September 12, 2011 2:52 PM
To: OCC-Clearance; Gallagher, Ellen M; Hinds, Ian; Muhletaler, Catherine; Whitney, Ronald W
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
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S. Burlington, VT 05403
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Cc: Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Lai, Victoria W; Chang, Pearl B

Subject: RE: KTC08162011-01 Role of Private Attorneys PM
Importance: High

OCC and P&S:

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Thank you.

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
(b)(6) [redacted] **(BlackBerry)**
202-272-0990 (Office)
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Level of Urgency: Prompt

Suspense Date: Wednesday, September 8, 2011

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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:35 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

From: McCarthy, Rachel A
Sent: Wednesday, September 14, 2011 11:43 AM
To: Hinds, Ian; Muhletaler, Catherine
Cc: OCC-Clearance
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Not yet.
I'll try to get to it this afternoon. I am out Thursday and Friday.

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
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website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

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From: Hinds, Ian
Sent: Wednesday, September 14, 2011 10:56 AM
To: McCarthy, Rachel A; Muhletaler, Catherine
Cc: OCC-Clearance
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Rachel,

I guess we can't clear for now but should send back the latest round of comments once everyone has weighed in. Did you have the chance to address my other comments/edits – some were attempts to refine or seek clarification of your earlier edits.

Thanks,
Ian

From: McCarthy, Rachel A
Sent: Wednesday, September 14, 2011 7:40 AM
To: Hinds, Ian; Muhletaler, Catherine
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

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[redacted]

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Sent: Tuesday, September 13, 2011 5:10 PM
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Subject: FW: KTC08162011-01 Role of Private Attorneys PM

[redacted]

Ian

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Cathy
I added some language to those sections as requested.
Rachel

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[redacted]

(b)(5)

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[redacted]

Let me know.

Cathy

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To: OCC-Clearance; Gallagher, Ellen M; Hinds, Ian; Muhletaler, Catherine; Whitney, Ronald W
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

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Sent: Monday, September 12, 2011 12:41 PM
To: OCC-Clearance; Graziadio, Josie; Kvortek, Steve P
Cc: Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Lai, Victoria W; Chang, Pearl B

Subject: RE: KTC08162011-01 Role of Private Attorneys PM
Importance: High

OCC and P&S:

We have not received your response for this task. Please update EXSO-ECN.

Thank you.

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
(b)(6)
[redacted] **(BlackBerry)**
202-272-0990 (Office)
EXSO Connect Page
EXSO ECN Page
Please send all official actions to uscisexecsec@dhs.gov.

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Sent: Tuesday, August 30, 2011 4:31 PM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K; Transformation Executive Correspondence
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Subject: KTC08162011-01 Role of Private Attorneys PM

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Originating POD/POC: FOD/Julia Harrison; 2-1709
EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Prompt

Suspense Date: Wednesday, September 8, 2011

USCIS Office of the Executive Secretariat
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Level of Urgency: Routine
Suspense Date: Thursday, August 25, 2011

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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:37 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

From: Muhletaler, Catherine **On Behalf Of** OCC-Clearance
Sent: Wednesday, September 14, 2011 11:53 AM
To: McCarthy, Rachel A; OCC-Clearance
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Yes – the one I just sent contains RALDs comments.

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Cathy
Does this one already have Ron's comments in it or do I need to input his and Ian's as well?
Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
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S. Burlington, VT 05403
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(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

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From: Muhletaler, Catherine **On Behalf Of** OCC-Clearance
Sent: Wednesday, September 14, 2011 11:44 AM
To: McCarthy, Rachel A; Hinds, Ian
Cc: OCC-Clearance
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Rachel,

Please use the attached version to input the redline changes. Thanks, Cathy

---

From: McCarthy, Rachel A
Sent: Wednesday, September 14, 2011 11:43 AM
To: Hinds, Ian; Muhletaler, Catherine
Cc: OCC-Clearance
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Not yet.

I'll try to get to it this afternoon. I am out Thursday and Friday.

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
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From: Hinds, Ian
Sent: Wednesday, September 14, 2011 10:56 AM
To: McCarthy, Rachel A; Muhletaler, Catherine
Cc: OCC-Clearance
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

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Thanks,
Ian

From: McCarthy, Rachel A
Sent: Wednesday, September 14, 2011 7:40 AM (b)(5)
To: Hinds, Ian; Muhletaler, Catherine
Subject: RE: KTC08162011-01 Role of Private Attorneys PM



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Sent: Tuesday, September 13, 2011 5:10 PM
To: Muhletaler, Catherine; OCC-Clearance; Gallagher, Ellen M; Whitney, Ronald W; McCarthy, Rachel A
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(b)(5)

[redacted]

Ian

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[redacted]

Let me know.

Cathy

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Subject: RE: KTC08162011-01 Role of Private Attorneys PM

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Ian

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(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: OCC-Clearance
Sent: Monday, September 12, 2011 1:35 PM

To: McCarthy, Rachel A; Gallagher, Ellen M; Hinds, Ian; Muhletaler, Catherine; Whitney, Ronald W
Subject: FW: KTC08162011-01 Role of Private Attorneys PM
Importance: High

Hi Everyone,

Please review the attached updated version of AFM Chpt 12 (and also PM). There was some confusion regarding which version we should be reviewing, but it's been sorted out.

Please review asap and send your edits to the Box. Thanks, Cathy

---

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Monday, September 12, 2011 12:41 PM
To: OCC-Clearance; Graziadio, Josie; Kvortek, Steve P
Cc: Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Lai, Victoria W; Chang, Pearl B
Subject: RE: KTC08162011-01 Role of Private Attorneys PM
Importance: High

OCC and P&S:

We have not received your response for this task. Please update EXSO-ECN.

Thank you.

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
(b)(6) [redacted] **(BlackBerry)**
202-272-0990 (Office)
EXSO Connect Page
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Please send all official actions to uscisexecsec@dhs.gov.

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 30, 2011 4:31 PM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K; Transformation Executive Correspondence
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Davis, Marla J; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM

HCP TASK

Action Item: KTC08162011-01 Role of Private Attorneys PM
Originating POD/POC: FOD/Julia Harrison; 2-1709
EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Routine
Suspense Date: Thursday, August 25, 2011

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(202) 272-0970 – fax

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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:38 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM
Attachments: AFM Ch 12 update Private Attorneys and Other Representatives hq component clearance round 2 (RAM EDITS 091311 cm)(RALD edits 091411)doc.doc

---

From: Whitney, Ronald W
Sent: Friday, September 23, 2011 4:28 PM
To: OCC-Clearance
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

Dear Box:

Did this go back to Exec Sec? I want to make sure that RALD's edits were included.

--Ron

From: Whitney, Ronald W
Sent: Wednesday, September 14, 2011 11:16 AM
To: Hinds, Ian (ian.hinds@dhs.gov); TLAY@fins2.dhs.gov; OCC-Clearance; McCarthy, Rachel A; Muhletaler, Catherine; Gallagher, Ellen M
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

We made a couple of edits to address the legal opinion on refugee representation.

From: McCarthy, Rachel A
Sent: Monday, September 12, 2011 2:52 PM
To: OCC-Clearance; Gallagher, Ellen M; Hinds, Ian; Muhletaler, Catherine; Whitney, Ronald W
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
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website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

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Kerry T. Contaldi
USCIS Office of the Executive Secretariat
(b)(6) **202-272-8306 (Desk)**
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Subject: KTC08162011-01 Role of Private Attorneys PM

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All:

Draft materials are available for your review on EXSO-ECN. This is the second review for this PM, which FOD updated based on your comments and edits.

Action Item: KTC08162011-01 Role of Private Attorneys PM
Originating POD/POC: FOD/Julia Harrison; 2-1709
EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Prompt
Suspense Date: Wednesday, September 8, 2011

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From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 16, 2011 11:01 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
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Sent: Friday, December 02, 2011 11:39 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

From: OCC-Clearance
Sent: Friday, September 23, 2011 5:04 PM
To: Whitney, Ronald W
Cc: OCC-Clearance
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Rachel is working on some additional revisions.

Ian

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Disciplinary Counsel
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Department of Homeland Security
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202-384-5368 (BlackBerry)
202-272-0990 (Office)

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EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Prompt
Suspense Date: Wednesday, September 8, 2011

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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:39 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

From: Hinds, Ian
Sent: Monday, September 26, 2011 10:15 AM
To: OCC-Clearance
Subject: RE: KTC08162011-01 Role of Private Attorneys PM (b)(5)

Cathy,

[redacted]

Ian

From: Contaldi, Kerry on behalf of USCIS Exec Sec
Sent: Monday, September 26, 2011 10:12:13 AM
To: OCC-Clearance
Cc: Harrison, Julia L; USCIS Exec Sec
Subject: RE: KTC08162011-01 Role of Private Attorneys PM
Importance: High
Auto forwarded by a Rule

OCC:

Please provide your response for this task and register your concurrence/non-concurrence in EXSO-ECN.

Thank you.

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
[redacted] **(BlackBerry)** (b)(6)
202-272-0990 (Office)
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All:

There seems to have been some confusion regarding this task. There was an intial and a secondary review period for this PM. During the secondary review, it seems that folks were submitting comments and edits on the original draft. To ensure that everyone has a chance to review and comment on the latest draft, we are opening another review period. All previous versions of the PM, previous concurrences, and previous comments and edits have been hidden from view in order to focus your attention on the updated draft of the PM. The draft PM is available for your review on EXSO-ECN.

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Originating POD/POC: FOD/ Julia Harrison - (202) 272-1709
EXSO POC: Kerry Contaldi - (202) 272-8306
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Level of Urgency: Prompt
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From: OCC-Clearance
Sent: Friday, December 02, 2011 11:40 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

From: OCC-Clearance
Sent: Monday, September 26, 2011 10:29 AM
To: Hinds, Ian
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Yes – saw the exchange. I'll let exec sec know that we're working on some issues and will hopefully get back with a response this week.

From: Hinds, Ian
Sent: Monday, September 26, 2011 10:15 AM
To: OCC-Clearance
Subject: RE: KTC08162011-01 Role of Private Attorneys PM (b)(5)

Cathy,

[redacted]

Ian

From: Contaldi, Kerry on behalf of USCIS Exec Sec
Sent: Monday, September 26, 2011 10:12:13 AM
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Sent: Friday, September 16, 2011 2:11 PM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Kurapatskie, Sarah H; Shaw, Rachael M; Diatta, Jamie J; Rosenberg, Alanna; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Samuels, Paulette M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; HQ Field Operations; Davis, Marla J; Atkinson, Ronald A; Karam, Lauren J; Crewson, Jean C; Kellner, Aris R; USCIS RAIO; Arroyo, Susan K; Fleet, Andrea B; Conway, Kathleen B; Jones, Rendell L; Correa, Soraya
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Neufeld, Donald; Velarde, Barbara Q; Eisaman, John E; Moore, Joseph; Quimby, Chris M; Hawkins, Donald K; David, Lashaunne G; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Graziadio, Josie; Kvortek, Steve P; Harrison, Julia L; Lai, Victoria W
Subject: KTC08162011-01 Role of Private Attorneys PM

HCP TASK

Please copy uscisexecsec@dhs.gov and EXSOTaskCoordination@dhsconnect.dhs.gov on all e-mail traffic regarding this task and include the Action Item name provided below in the subject line of your e-mails. Thank you.

All:

There seems to have been some confusion regarding this task. There was an intial and a secondary review period for this PM. During the secondary review, it seems that folks were submitting comments and edits on the original draft. To ensure that everyone has a chance to review and comment on the latest draft, we are opening another review period. All previous versions of the PM, previous concurrences, and previous comments and edits have been hidden from view in order to focus your attention on the updated draft of the PM. The draft PM is available for your review on EXSO-ECN.

Action Item: KTC08162011-01 Role of Private Attorneys PM
Originating POD/POC: FOD/ Julia Harrison - (202) 272-1709
EXSO POC: Kerry Contaldi - (202) 272-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV and SCOPS
Level of Urgency: Prompt
Suspense Date: Friday, September 23, 2011

USCIS Office of the Executive Secretariat
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(202) 272-0970 – fax

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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:40 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

From: OCC-Clearance
Sent: Monday, September 26, 2011 10:29 AM
To: Hinds, Ian
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Yes – saw the exchange. I'll let exec sec know that we're working on some issues and will hopefully get back with a response this week.

From: Hinds, Ian
Sent: Monday, September 26, 2011 10:15 AM
To: OCC-Clearance
Subject: RE: KTC08162011-01 Role of Private Attorneys PM (b)(5)

Cathy,

[redacted]

Ian

From: Contaldi, Kerry on behalf of USCIS Exec Sec
Sent: Monday, September 26, 2011 10:12:13 AM
To: OCC-Clearance
Cc: Harrison, Julia L; USCIS Exec Sec
Subject: RE: KTC08162011-01 Role of Private Attorneys PM
Importance: High
Auto forwarded by a Rule

OCC:

Please provide your response for this task and register your concurrence/non-concurrence in EXSO-ECN.

Thank you.

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
[redacted] **(BlackBerry)** (b)(6)
202-272-0990 (Office)
EXSO Connect Page

EXSO ECN Page

Please send all official actions to uscisexecsec@dhs.gov.

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Friday, September 16, 2011 2:11 PM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Kurapatskie, Sarah H; Shaw, Rachael M; Diatta, Jamie J; Rosenberg, Alanna; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Samuels, Paulette M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; HQ Field Operations; Davis, Marla J; Atkinson, Ronald A; Karam, Lauren J; Crewson, Jean C; Kellner, Aris R; USCIS RAIO; Arroyo, Susan K; Fleet, Andrea B; Conway, Kathleen B; Jones, Rendell L; Correa, Soraya
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Neufeld, Donald; Velarde, Barbara Q; Eisaman, John E; Moore, Joseph; Quimby, Chris M; Hawkins, Donald K; David, Lashaunne G; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Graziadio, Josie; Kvortek, Steve P; Harrison, Julia L; Lai, Victoria W
Subject: KTC08162011-01 Role of Private Attorneys PM

HCP TASK

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All:

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Action Item: KTC08162011-01 Role of Private Attorneys PM
Originating POD/POC: FOD/ Julia Harrison - (202) 272-1709
EXSO POC: Kerry Contaldi - (202) 272-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV and SCOPS
Level of Urgency: Prompt
Suspense Date: Friday, September 23, 2011

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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:40 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

From: OCC-Clearance
Sent: Monday, September 26, 2011 10:33 AM
To: USCIS Exec Sec
Cc: Harrison, Julia L
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Julia, Exec Sec,

OCC is actively reviewing this document. We are working on clarifying a legal issue in one of the sections – so as to avoid confusion when reading the document. We hope to have our response back to you this week.

Sorry for the delay. Please let us know if you have any questions. Thanks, Cathy

---

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Monday, September 26, 2011 10:12 AM
To: OCC-Clearance
Cc: Harrison, Julia L; USCIS Exec Sec
Subject: RE: KTC08162011-01 Role of Private Attorneys PM
Importance: High

OCC:

Please provide your response for this task and register your concurrence/non-concurrence in EXSO-ECN.

Thank you.

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
[redacted] **(BlackBerry)** (b)(6)
202-272-0990 (Office)
EXSO Connect Page
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Sent: Friday, September 16, 2011 2:11 PM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Kurapatskie, Sarah H; Shaw, Rachael M; Diatta, Jamie J; Rosenberg, Alanna; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E;

Roles, Rebecca J; Samuels, Paulette M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; HQ Field Operations; Davis, Marla J; Atkinson, Ronald A; Karam, Lauren J; Crewson, Jean C; Kellner, Aris R; USCIS RAIO; Arroyo, Susan K; Fleet, Andrea B; Conway, Kathleen B; Jones, Rendell L; Correa, Soraya
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Neufeld, Donald; Velarde, Barbara Q; Eisaman, John E; Moore, Joseph; Quimby, Chris M; Hawkins, Donald K; David, Lashaunne G; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Graziadio, Josie; Kvortek, Steve P; Harrison, Julia L; Lai, Victoria W
Subject: KTC08162011-01 Role of Private Attorneys PM

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Suspense Date: Friday, September 23, 2011

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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:40 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

From: Harrison, Julia L
Sent: Monday, September 26, 2011 10:44 AM
To: OCC-Clearance; USCIS Exec Sec
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Ok- Thanks. If you can have it back to me by COB Thursday I can finish this up and move to the next step (front office review) on Friday.

Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: OCC-Clearance
Sent: Monday, September 26, 2011 10:33 AM
To: USCIS Exec Sec
Cc: Harrison, Julia L
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Julia, Exec Sec,

OCC is actively reviewing this document. We are working on clarifying a legal issue in one of the sections – so as to avoid confusion when reading the document. We hope to have our response back to you this week.

Sorry for the delay. Please let us know if you have any questions. Thanks, Cathy

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From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Monday, September 26, 2011 10:12 AM
To: OCC-Clearance
Cc: Harrison, Julia L; USCIS Exec Sec
Subject: RE: KTC08162011-01 Role of Private Attorneys PM
Importance: High

OCC:

Please provide your response for this task and register your concurrence/non-concurrence in EXSO-ECN.

Thank you.

Kerry T. Contaldi

USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
[redacted] (BlackBerry)
202-272-0990 (Office) (b)(6)
EXSO Connect Page
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From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Friday, September 16, 2011 2:11 PM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Kurapatskie, Sarah H; Shaw, Rachael M; Diatta, Jamie J; Rosenberg, Alanna; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Samuels, Paulette M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; HQ Field Operations; Davis, Marla J; Atkinson, Ronald A; Karam, Lauren J; Crewson, Jean C; Kellner, Aris R; USCIS RAIO; Arroyo, Susan K; Fleet, Andrea B; Conway, Kathleen B; Jones, Rendell L; Correa, Soraya
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Neufeld, Donald; Velarde, Barbara Q; Eisaman, John E; Moore, Joseph; Quimby, Chris M; Hawkins, Donald K; David, Lashaunne G; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Graziadio, Josie; Kvortek, Steve P; Harrison, Julia L; Lai, Victoria W
Subject: KTC08162011-01 Role of Private Attorneys PM

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Level of Urgency: Prompt
Suspense Date: Friday, September 23, 2011

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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:40 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

From: OCC-Clearance
Sent: Monday, September 26, 2011 10:46 AM
To: Harrison, Julia L; USCIS Exec Sec
Cc: Hinds, Ian
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Thanks – we'll do our best to get it back to you by Thursday. Cathy

---

From: Harrison, Julia L
Sent: Monday, September 26, 2011 10:44 AM
To: OCC-Clearance; USCIS Exec Sec
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Ok- Thanks. If you can have it back to me by COB Thursday I can finish this up and move to the next step (front office review) on Friday.

Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: OCC-Clearance
Sent: Monday, September 26, 2011 10:33 AM
To: USCIS Exec Sec
Cc: Harrison, Julia L
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Julia, Exec Sec,

OCC is actively reviewing this document. We are working on clarifying a legal issue in one of the sections – so as to avoid confusion when reading the document. We hope to have our response back to you this week.

Sorry for the delay. Please let us know if you have any questions. Thanks, Cathy

---

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Monday, September 26, 2011 10:12 AM
To: OCC-Clearance
Cc: Harrison, Julia L; USCIS Exec Sec
Subject: RE: KTC08162011-01 Role of Private Attorneys PM
Importance: High

OCC:

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Thank you.

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
[redacted] **(BlackBerry)** (b)(6)
202-272-0990 (Office)
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From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Friday, September 16, 2011 2:11 PM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Kurapatskie, Sarah H; Shaw, Rachael M; Diatta, Jamie J; Rosenberg, Alanna; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Samuels, Paulette M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; HQ Field Operations; Davis, Marla J; Atkinson, Ronald A; Karam, Lauren J; Crewson, Jean C; Kellner, Aris R; USCIS RAIO; Arroyo, Susan K; Fleet, Andrea B; Conway, Kathleen B; Jones, Rendell L; Correa, Soraya
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Subject: KTC08162011-01 Role of Private Attorneys PM

HCP TASK

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EXSO POC: Kerry Contaldi - (202) 272-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV and SCOPS
Level of Urgency: Prompt

Suspense Date: Friday, September 23, 2011

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EXSO Connect Page
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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:41 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

From: Whitney, Ronald W
Sent: Monday, September 26, 2011 12:20 PM
To: OCC-Clearance
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Can you make sure to copy Jennifer Higgins when you send in our edits (and me as well)? Thanks.

Ron

From: OCC-Clearance
Sent: Friday, September 23, 2011 5:04 PM
To: Whitney, Ronald W
Cc: OCC-Clearance
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Rachel is working on some additional revisions.

Ian

From: Whitney, Ronald W
Sent: Friday, September 23, 2011 4:28 PM
To: OCC-Clearance
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

Dear Box:

Did this go back to Exec Sec? I want to make sure that RALD's edits were included.

--Ron

From: Whitney, Ronald W
Sent: Wednesday, September 14, 2011 11:16 AM
To: Hinds, Ian (ian.hinds@dhs.gov); TLAY@fins2.dhs.gov; OCC-Clearance; McCarthy, Rachel A; Muhletaler, Catherine; Gallagher, Ellen M
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

We made a couple of edits to address the legal opinion on refugee representation.

From: McCarthy, Rachel A
Sent: Monday, September 12, 2011 2:52 PM
To: OCC-Clearance; Gallagher, Ellen M; Hinds, Ian; Muhletaler, Catherine; Whitney, Ronald W
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: OCC-Clearance
Sent: Monday, September 12, 2011 1:35 PM
To: McCarthy, Rachel A; Gallagher, Ellen M; Hinds, Ian; Muhletaler, Catherine; Whitney, Ronald W
Subject: FW: KTC08162011-01 Role of Private Attorneys PM
Importance: High

Hi Everyone,

Please review the attached updated version of AFM Chpt 12 (and also PM). There was some confusion regarding which version we should be reviewing, but it's been sorted out.

Please review asap and send your edits to the Box. Thanks, Cathy

---

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Monday, September 12, 2011 12:41 PM
To: OCC-Clearance; Graziadio, Josie; Kvortek, Steve P
Cc: Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Lai, Victoria W; Chang, Pearl B
Subject: RE: KTC08162011-01 Role of Private Attorneys PM
Importance: High

OCC and P&S:

We have not received your response for this task. Please update EXSO-ECN.

Thank you.

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
[redacted] **(BlackBerry)** (b)(6)
202-272-0990 (Office)
EXSO Connect Page
EXSO ECN Page
Please send all official actions to uscisexecsec@dhs.gov.

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 30, 2011 4:31 PM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K;

David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K; Transformation Executive Correspondence
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Davis, Marla J; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
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HCP TASK

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All:

Draft materials are available for your review on EXSO-ECN. This is the second review for this PM, which FOD updated based on your comments and edits.

Action Item: KTC08162011-01 Role of Private Attorneys PM
Originating POD/POC: FOD/Julia Harrison; 2-1709
EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Prompt
Suspense Date: Wednesday, September 8, 2011

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(202) 272-0970 – fax

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From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 16, 2011 11:01 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Davis, Marla J; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM

HCP TASK

Please copy uscisexecsec@dhs.gov and EXSOTaskCoordination@dhsconnect.dhs.gov on all e-mail traffic regarding this task and include the Action Item name provided below in the subject line of your e-mails. Thank you.

All:

Draft materials are available for your review on EXSO-ECN.

Action Item: KTC08162011-01 Role of Private Attorneys PM
Originating POD/POC: FOD/Julia Harrison; 2-1709
EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Routine
Suspense Date: Thursday, August 25, 2011

USCIS Office of the Executive Secretariat
(202) 272-0990 – office
(202) 272-0970 – fax

EXSO Connect Page

EXSO ECN Page

Please upload all actions for which Forms G-1056 are used to EXSO-ECN.
Please send all official actions to uscisexecsec@dhs.gov.

Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:41 AM
To: Greenwood, Tembra A
Subject: FW: Follow up

From: Harrison, Julia L
Sent: Tuesday, September 27, 2011 3:48 PM
To: OCC-Clearance
Subject: Fw: Follow up

See below-I advised that I was expecting your comments by cob thursday and would have this to the front office by cob Friday.
Julia L. Harrison
Chief, Operations Division
Field Operations
202.272.1709

From: FitzGerald, Karen L
Sent: Tuesday, September 27, 2011 03:31 PM
To: Harrison, Julia L; Dominguez, Kathy
Subject: Follow up

Julia and Kathy,

Hello, I thought I would write to both of you as I am not sure who is best placed to assist.

The Front Office is trying to track down the draft revision of the AFM Section 12, which talks about changes to the role of private attorneys at Field Office interviews, etc. The hope is that it can move forward to the Front Office before the end of the week.

Can you help me find out where it is and whether we can get it here before the end of the month? If you would like to discuss I am on extension 2-8022.

Thanks so much,

Karen

Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:41 AM
To: Greenwood, Tembra A
Subject: FW: Follow up

From: Hinds, Ian **On Behalf Of** OCC-Clearance
Sent: Tuesday, September 27, 2011 3:59 PM
To: McCarthy, Rachel A
Cc: OCC-Clearance
Subject: FW: Follow up

Hi Rachel,

See new deadline below. If we won't be able to make it, we should let them know asap.

Thanks,
Ian

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From: OCC-Clearance
Sent: Friday, December 02, 2011 11:41 AM
To: Greenwood, Tembra A
Subject: FW: Follow up

From: McCarthy, Rachel A
Sent: Tuesday, September 27, 2011 4:20 PM
To: OCC-Clearance
Subject: RE: Follow up

(b)(5)

Ian

[redacted]

Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

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From: Hinds, Ian **On Behalf Of** OCC-Clearance
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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:42 AM
To: Greenwood, Tembra A
Subject: FW: Follow up

From: McCarthy, Rachel A
Sent: Tuesday, September 27, 2011 4:58 PM
To: OCC-Clearance
Subject: RE: Follow up (b)(5)

Ian

[redacted]

Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
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Thanks so much,

Karen

Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:43 AM
To: Greenwood, Tembra A
Subject: FW: Follow up

From: Hinds, Ian
Sent: Wednesday, September 28, 2011 10:42 AM
To: McCarthy, Rachel A; OCC-Clearance
Subject: RE: Follow up

Just spoke to Julia. She really needs it by COB Friday at the latest. Can that work?

Ina

From: McCarthy, Rachel A
Sent: Wednesday, September 28, 2011 10:24 AM
To: OCC-Clearance
Cc: Hinds, Ian
Subject: Re: Follow up

Ian
If possible, can we extend the deadline to cob monday? Its going well but I need to be realistic about what I. Can do well today.
This way I will stay home and focus on the history piece alone.
Rachel
Rachel A. McCarthy (message sent from Blackberry)
Bar Counsel
U.S. Citizenship and Immigration Services
(802) 660-1779 (phone)
(802 660-5067 (fax)

From: OCC-Clearance
Sent: Tuesday, September 27, 2011 05:18 PM
To: McCarthy, Rachel A
Cc: Hinds, Ian
Subject: RE: Follow up

Adding Ian

From: McCarthy, Rachel A
Sent: Tuesday, September 27, 2011 4:58 PM
To: OCC-Clearance
Subject: RE: Follow up

(b)(5)

Ian

(b)(5)

[redacted]

Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
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Karen

Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:42 AM
To: Greenwood, Tembra A
Subject: FW: Follow up

From: Hinds, Ian
Sent: Wednesday, September 28, 2011 10:34 AM
To: Harrison, Julia L
Cc: OCC-Clearance; McCarthy, Rachel A
Subject: FW: Follow up

(b)(5)

Hi Julia,

Thanks,
Ian

From: Harrison, Julia L
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Field Operations
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From: OCC-Clearance
Sent: Friday, December 02, 2011 11:42 AM
To: Greenwood, Tembra A
Subject: FW: Follow up

From: Hinds, Ian
Sent: Wednesday, September 28, 2011 10:26 AM
To: McCarthy, Rachel A; OCC-Clearance
Subject: RE: Follow up

I'll ask Julia.

From: McCarthy, Rachel A
Sent: Wednesday, September 28, 2011 10:24 AM
To: OCC-Clearance
Cc: Hinds, Ian
Subject: Re: Follow up

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If possible, can we extend the deadline to cob monday? Its going well but I need to be realistic about what I. Can do well today.
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(b)(5)

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[redacted]

(b)(5)

[redacted]

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Thanks so much,

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From: OCC-Clearance
Sent: Friday, December 02, 2011 11:43 AM
To: Greenwood, Tembra A
Subject: FW: revisions to AFM
Attachments: AFM Ch 12 update Private Attorneys and Other Representatives RAM REVISIONS 100311.doc

---

From: McCarthy, Rachel A
Sent: Monday, October 03, 2011 12:07 PM
To: Hinds, Ian; OCC-Clearance
Subject: revisions to AFM

As they say on tv, Ian, back to you.

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
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(802) 660-1779
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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:44 AM
To: Greenwood, Tembra A
Subject: FW: revisions to AFM
Attachments: AFM Ch 12 update Private Attorneys and Other Representatives RAM REVISIONS 100311 cm IGH2.doc

---

From: Hinds, Ian
Sent: Tuesday, October 04, 2011 6:04 PM
To: Muhletaler, Catherine; OCC-Clearance
Subject: FW: revisions to AFM

Here are my edits. Take a final quick look and we can send in the morning.

Thanks,
Ian

From: Muhletaler, Catherine
Sent: Tuesday, October 04, 2011 8:43 AM
To: Muhletaler, Catherine; Hinds, Ian
Subject: RE: revisions to AFM

OK – it would help if I attached the document.

From: Muhletaler, Catherine
Sent: Tuesday, October 04, 2011 8:42 AM
To: Hinds, Ian
Subject: RE: revisions to AFM

Hi Ian,

I've added a few more minor edits throughout the document. I agree with the comments by you and Maria.

Lets' send back and see what the client says. If you need me to do anything further on this end, pls let me know. Thanks, Cathy

---

From: Hinds, Ian
Sent: Monday, October 03, 2011 12:22 PM
To: Muhletaler, Catherine
Subject: FW: revisions to AFM

Hi Cathy,

Can you review as well? I think if we turn this around by COB tomorrow, we should be OK.

Ian

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To: Greenwood, Tembra A
Subject: FW: revisions to AFM
Attachments: AFM Ch 12 update Private Attorneys and Other Representatives RAM REVISIONS 100311 cm IGH2 cm.doc

---

From: Muhletaler, Catherine
Sent: Wednesday, October 05, 2011 9:40 AM
To: Hinds, Ian; OCC-Clearance
Subject: RE: revisions to AFM

Hi Ian, (b)(5)

I think it's come together nicely. The attached has a few very minor redline edits (pp. 5, 9) and here are my comments of suggested edits we should do before sending back to Julia (I did not add them to the document so as not to keep crowding it:

[redacted]

Let me know if you have any questions. Cathy

From: Hinds, Ian
Sent: Tuesday, October 04, 2011 6:04 PM
To: Muhletaler, Catherine; OCC-Clearance
Subject: FW: revisions to AFM

Here are my edits. Take a final quick look and we can send in the morning.

Thanks,
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Sent: Tuesday, October 04, 2011 8:43 AM
To: Muhletaler, Catherine; Hinds, Ian
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Sent: Monday, October 03, 2011 12:07 PM
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Subject: revisions to AFM

As they say on tv, Ian, back to you.

Rachel A. McCarthy
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U.S. Citizenship and Immigration Services
Department of Homeland Security
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---

From: Hinds, Ian
Sent: Wednesday, October 05, 2011 11:24 AM
To: McCarthy, Rachel A
Cc: OCC-Clearance; Muhletaler, Catherine
Subject: FW: revisions to AFM

Hi Rachel,

Here is a further revised version that needs some additional citations from you. I want to send to Julia asap today before the meeting tomorrow. Do you think you will have time to add the cites in the next couple of hours or should I just send and tell Julia that these additions will be forthcoming?

Thanks,
Ian

From: McCarthy, Rachel A
Sent: Monday, October 03, 2011 12:07 PM
To: Hinds, Ian; OCC-Clearance
Subject: revisions to AFM

As they say on tv, Ian, back to you.

Rachel A. McCarthy
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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:46 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

From: Hinds, Ian
Sent: Wednesday, October 05, 2011 1:13 PM
To: USCIS Exec Sec; OCC-Clearance
Cc: Drake, Johnetta; Harrison, Julia L; McCarthy, Rachel A
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

We will be getting our latest comments to Field Ops this afternoon (just adding some legal citations at this point) and meeting with them tomorrow to discuss.

Ian

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Wednesday, October 05, 2011 1:11 PM
To: OCC-Clearance
Cc: Drake, Johnetta; Harrison, Julia L; USCIS Exec Sec; Hinds, Ian
Subject: RE: KTC08162011-01 Role of Private Attorneys PM
Importance: High

OCC:

Please provide the status of your response.

Thank you.

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
[redacted] **(BlackBerry)**
202-272-0990 (Office)
EXSO Connect Page
EXSO ECN Page
Please send all official actions to uscisexecsec@dhs.gov.

(b)(6)

From: OCC-Clearance
Sent: Monday, September 26, 2011 10:46 AM
To: Harrison, Julia L; USCIS Exec Sec
Cc: Hinds, Ian
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Thanks – we'll do our best to get it back to you by Thursday. Cathy

---

From: Harrison, Julia L
Sent: Monday, September 26, 2011 10:44 AM
To: OCC-Clearance; USCIS Exec Sec
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Ok- Thanks. If you can have it back to me by COB Thursday I can finish this up and move to the next step (front office review) on Friday.

Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: OCC-Clearance
Sent: Monday, September 26, 2011 10:33 AM
To: USCIS Exec Sec
Cc: Harrison, Julia L
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Julia, Exec Sec,

OCC is actively reviewing this document. We are working on clarifying a legal issue in one of the sections – so as to avoid confusion when reading the document. We hope to have our response back to you this week.

Sorry for the delay. Please let us know if you have any questions. Thanks, Cathy

---

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Monday, September 26, 2011 10:12 AM
To: OCC-Clearance
Cc: Harrison, Julia L; USCIS Exec Sec
Subject: RE: KTC08162011-01 Role of Private Attorneys PM
Importance: High

OCC:

Please provide your response for this task and register your concurrence/non-concurrence in EXSO-ECN.

Thank you.

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
[redacted](BlackBerry) (b)(6)
202-272-0990 (Office)
EXSO Connect Page
EXSO ECN Page
Please send all official actions to uscisexecsec@dhs.gov.

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Friday, September 16, 2011 2:11 PM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Kurapatskie, Sarah H; Shaw, Rachael M; Diatta, Jamie J; Rosenberg, Alanna; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Samuels, Paulette M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; HQ Field Operations; Davis, Marla J; Atkinson, Ronald A; Karam, Lauren J; Crewson, Jean C; Kellner, Aris R; USCIS RAIO; Arroyo, Susan K; Fleet, Andrea B; Conway, Kathleen B; Jones, Rendell L; Correa, Soraya
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Neufeld, Donald; Velarde, Barbara Q; Eisaman, John E; Moore, Joseph; Quimby, Chris M; Hawkins, Donald K; David, Lashaunne G; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Graziadio, Josie; Kvortek, Steve P; Harrison, Julia L; Lai, Victoria W
Subject: KTC08162011-01 Role of Private Attorneys PM

HCP TASK

Please copy uscisexecsec@dhs.gov and EXSOTaskCoordination@dhsconnect.dhs.gov on all e-mail traffic regarding this task and include the Action Item name provided below in the subject line of your e-mails. Thank you.

All:

There seems to have been some confusion regarding this task. There was an intial and a secondary review period for this PM. During the secondary review, it seems that folks were submitting comments and edits on the original draft. To ensure that everyone has a chance to review and comment on the latest draft, we are opening another review period. All previous versions of the PM, previous concurrences, and previous comments and edits have been hidden from view in order to focus your attention on the updated draft of the PM. The draft PM is available for your review on EXSO-ECN.

Action Item: KTC08162011-01 Role of Private Attorneys PM
Originating POD/POC: FOD/ Julia Harrison - (202) 272-1709
EXSO POC: Kerry Contaldi - (202) 272-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV and SCOPS
Level of Urgency: Prompt
Suspense Date: Friday, September 23, 2011

USCIS Office of the Executive Secretariat
(202) 272-0990 – office
(202) 272-0970 – fax

EXSO Connect Page

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Please upload all actions for which Forms G-1056 are used to EXSO-ECN.
Please send all official actions to uscisexecsec@dhs.gov.

Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:46 AM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Wednesday, October 05, 2011 1:19 PM
To: Hinds, Ian
Cc: Drake, Johnetta; Harrison, Julia L; McCarthy, Rachel A; USCIS Exec Sec; OCC-Clearance
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Great, thanks.

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
[redacted] **(BlackBerry)** (b)(6)
202-272-0990 (Office)
EXSO Connect Page
EXSO ECN Page
Please send all official actions to uscisexecsec@dhs.gov.

From: Hinds, Ian
Sent: Wednesday, October 05, 2011 1:13 PM
To: USCIS Exec Sec; OCC-Clearance
Cc: Drake, Johnetta; Harrison, Julia L; McCarthy, Rachel A
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

We will be getting our latest comments to Field Ops this afternoon (just adding some legal citations at this point) and meeting with them tomorrow to discuss.

Ian

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Wednesday, October 05, 2011 1:11 PM
To: OCC-Clearance
Cc: Drake, Johnetta; Harrison, Julia L; USCIS Exec Sec; Hinds, Ian
Subject: RE: KTC08162011-01 Role of Private Attorneys PM
Importance: High

OCC:

Please provide the status of your response.

Thank you.

Kerry T. Contaldi

USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
[redacted]**BlackBerry)** (b)(6)
202-272-0990 (Office)
EXSO Connect Page
EXSO ECN Page
Please send all official actions to uscisexecsec@dhs.gov.

From: OCC-Clearance
Sent: Monday, September 26, 2011 10:46 AM
To: Harrison, Julia L; USCIS Exec Sec
Cc: Hinds, Ian
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Thanks – we'll do our best to get it back to you by Thursday. Cathy

---

From: Harrison, Julia L
Sent: Monday, September 26, 2011 10:44 AM
To: OCC-Clearance; USCIS Exec Sec
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Ok- Thanks. If you can have it back to me by COB Thursday I can finish this up and move to the next step (front office review) on Friday.

Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: OCC-Clearance
Sent: Monday, September 26, 2011 10:33 AM
To: USCIS Exec Sec
Cc: Harrison, Julia L
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Julia, Exec Sec,

OCC is actively reviewing this document. We are working on clarifying a legal issue in one of the sections – so as to avoid confusion when reading the document. We hope to have our response back to you this week.

Sorry for the delay. Please let us know if you have any questions. Thanks, Cathy

---

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Monday, September 26, 2011 10:12 AM
To: OCC-Clearance
Cc: Harrison, Julia L; USCIS Exec Sec
Subject: RE: KTC08162011-01 Role of Private Attorneys PM
Importance: High

OCC:

Please provide your response for this task and register your concurrence/non-concurrence in EXSO-ECN.

Thank you.

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk) (b)(6)
[redacted]**(BlackBerry)**
202-272-0990 (Office)
EXSO Connect Page
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Sent: Friday, September 16, 2011 2:11 PM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Kurapatskie, Sarah H; Shaw, Rachael M; Diatta, Jamie J; Rosenberg, Alanna; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Samuels, Paulette M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; HQ Field Operations; Davis, Marla J; Atkinson, Ronald A; Karam, Lauren J; Crewson, Jean C; Kellner, Aris R; USCIS RAIO; Arroyo, Susan K; Fleet, Andrea B; Conway, Kathleen B; Jones, Rendell L; Correa, Soraya
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Neufeld, Donald; Velarde, Barbara Q; Eisaman, John E; Moore, Joseph; Quimby, Chris M; Hawkins, Donald K; David, Lashaunne G; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Graziadio, Josie; Kvortek, Steve P; Harrison, Julia L; Lai, Victoria W
Subject: KTC08162011-01 Role of Private Attorneys PM

HCP TASK

Please copy uscisexecsec@dhs.gov and EXSOTaskCoordination@dhsconnect.dhs.gov on all e-mail traffic regarding this task and include the Action Item name provided below in the subject line of your e-mails. Thank you.

All:

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Action Item: KTC08162011-01 Role of Private Attorneys PM
Originating POD/POC: FOD/ Julia Harrison - (202) 272-1709
EXSO POC: Kerry Contaldi - (202) 272-8306

Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV and SCOPS
Level of Urgency: Prompt
Suspense Date: Friday, September 23, 2011

USCIS Office of the Executive Secretariat
(202) 272-0990 – office
(202) 272-0970 – fax

EXSO Connect Page

EXSO ECN Page

Please upload all actions for which Forms G-1056 are used to EXSO-ECN.
Please send all official actions to uscisexecsec@dhs.gov.

Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:47 AM
To: Greenwood, Tembra A
Subject: FW: Follow up
Attachments: AFM Ch 12 update Private Attorneys and Other Representatives RAM REVISIONS 100511 cm IGH2 cm.doc

---

From: Hinds, Ian
Sent: Wednesday, October 05, 2011 1:47 PM
To: Harrison, Julia L; McCarthy, Rachel A
Cc: OCC-Clearance; Muhletaler, Catherine
Subject: RE: Follow up

Julia,

See OCC's latest comments/edits attached. Sorry for the delay.

Ian

From: Harrison, Julia L
Sent: Tuesday, October 04, 2011 10:52 AM
To: Hinds, Ian; McCarthy, Rachel A
Subject: RE: Follow up

Hi. I just sent you an invite for Thursday- I need your input on some of the comments from fdns and I'm under the gun to get this to the front office so it seemed most efficient to have a quick meeting to discuss. Can you also please send me your comments/edits so I can be prepared to discuss any of them Thursday if needed. Thanks.

Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: Hinds, Ian
Sent: Wednesday, September 28, 2011 12:11 PM
To: Harrison, Julia L
Subject: FW: Follow up

I tried.

Ian

From: McCarthy, Rachel A
Sent: Wednesday, September 28, 2011 12:08 PM
To: Hinds, Ian
Subject: Re: Follow up

I am not in thurs or fri because its rosh hoshanah. I reallt don't want to slap it together. The last 90 minutes I have been at a funeral. Monday is really the best I can do.
Rachel A. McCarthy (message sent from Blackberry)
Bar Counsel
U.S. Citizenship and Immigration Services
(802) 660-1779 (phone)
(802 660-5067 (fax)

From: Hinds, Ian
Sent: Wednesday, September 28, 2011 10:42 AM
To: McCarthy, Rachel A; OCC-Clearance
Subject: RE: Follow up

Just spoke to Julia. She really needs it by COB Friday at the latest. Can that work?

Ina

From: McCarthy, Rachel A
Sent: Wednesday, September 28, 2011 10:24 AM
To: OCC-Clearance
Cc: Hinds, Ian
Subject: Re: Follow up

Ian
If possible, can we extend the deadline to cob monday? Its going well but I need to be realistic about what I. Can do well today.
This way I will stay home and focus on the history piece alone.
Rachel
Rachel A. McCarthy (message sent from Blackberry)
Bar Counsel
U.S. Citizenship and Immigration Services
(802) 660-1779 (phone)
(802 660-5067 (fax)

From: OCC-Clearance
Sent: Tuesday, September 27, 2011 05:18 PM
To: McCarthy, Rachel A
Cc: Hinds, Ian
Subject: RE: Follow up

Adding Ian

From: McCarthy, Rachel A
Sent: Tuesday, September 27, 2011 4:58 PM
To: OCC-Clearance
Subject: RE: Follow up

(b)(5)

Ian

[redacted]

Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: Hinds, Ian **On Behalf Of** OCC-Clearance
Sent: Tuesday, September 27, 2011 3:59 PM
To: McCarthy, Rachel A
Cc: OCC-Clearance
Subject: FW: Follow up

Hi Rachel,

See new deadline below. If we won't be able to make it, we should let them know asap.

Thanks,
Ian

From: Harrison, Julia L
Sent: Tuesday, September 27, 2011 3:48 PM
To: OCC-Clearance
Subject: Fw: Follow up

See below-I advised that I was expecting your comments by cob thursday and would have this to the front office by cob Friday.
Julia L. Harrison
Chief, Operations Division
Field Operations
202.272.1709

From: FitzGerald, Karen L
Sent: Tuesday, September 27, 2011 03:31 PM
To: Harrison, Julia L; Dominguez, Kathy
Subject: Follow up

Julia and Kathy,

Hello, I thought I would write to both of you as I am not sure who is best placed to assist.

The Front Office is trying to track down the draft revision of the AFM Section 12, which talks about changes to the role of private attorneys at Field Office interviews, etc. The hope is that it can move forward to the Front Office before the end of the week.

Can you help me find out where it is and whether we can get it here before the end of the month? If you would like to discuss I am on extension 2-8022.

Thanks so much,

Karen

PAGE WITHHELD PURSUANT TO (b)(5)

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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:47 AM
To: Greenwood, Tembra A
Subject: FW: Follow up

From: Harrison, Julia L
Sent: Wednesday, October 05, 2011 1:50 PM
To: Hinds, Ian; McCarthy, Rachel A
Cc: OCC-Clearance; Muhletaler, Catherine
Subject: RE: Follow up

Thanks! See you tomorrow. ☺

Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: Hinds, Ian
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Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: Hinds, Ian
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To: Harrison, Julia L
Subject: FW: Follow up

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Ian

From: McCarthy, Rachel A
Sent: Wednesday, September 28, 2011 12:08 PM
To: Hinds, Ian
Subject: Re: Follow up (b)(6)

[redacted]

Rachel A. McCarthy (message sent from Blackberry)
Bar Counsel
U.S. Citizenship and Immigration Services
(802) 660-1779 (phone)
(802 660-5067 (fax)

From: Hinds, Ian
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To: OCC-Clearance
Subject: RE: Follow up

(b)(5)

Ian

[redacted]

Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

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Sent: Tuesday, September 27, 2011 3:59 PM
To: McCarthy, Rachel A
Cc: OCC-Clearance
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Julia L. Harrison
Chief, Operations Division
Field Operations
202.272.1709

From: FitzGerald, Karen L
Sent: Tuesday, September 27, 2011 03:31 PM
To: Harrison, Julia L; Dominguez, Kathy

Subject: Follow up

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Can you help me find out where it is and whether we can get it here before the end of the month? If you would like to discuss I am on extension 2-8022.

Thanks so much,

Karen

Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:47 AM
To: Greenwood, Tembra A
Subject: FW: 12:00noon COB Tuesday, October 4, 2011 KTC08162011-01 Role of Private Attorneys PM (Round 2)

From: RAIO Clearance
Sent: Friday, October 07, 2011 11:09 AM
To: Harrison, Julia L; RAIO Clearance; OCC-Clearance
Cc: USCIS Exec Sec; RAIO Clearance
Subject: RE: 12:00noon COB Tuesday, October 4, 2011 KTC08162011-01 Role of Private Attorneys PM (Round 2)

Ms. Harrison,

Yes with the footnote included RAIO will concur.

Respectfully,
Garry R. Kilgore
Mission Support Specialist
Refugee, Asylum and International Operations
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
202.272.0925 (office)
[redacted] (BlackBerry) (b)(6)

From: Harrison, Julia L
Sent: Friday, October 07, 2011 9:36 AM
To: RAIO Clearance; OCC-Clearance; USCIS Exec Sec
Subject: Re: 12:00noon COB Tuesday, October 4, 2011 KTC08162011-01 Role of Private Attorneys PM (Round 2)

Thanks Gary. Does RAIO concur with the doc with the addition of the footnote?

Julia L. Harrison
Chief, Operations Division
Field Operations
202.272.1709

From: Harrison, Julia L
Sent: Friday, October 07, 2011 09:34 AM
To: RAIO Clearance; OCC-Clearance
Subject: Re: 12:00noon COB Tuesday, October 4, 2011 KTC08162011-01 Role of Private Attorneys PM (Round 2)

Julia L. Harrison
Chief, Operations Division
Field Operations

From: RAIO Clearance
Sent: Friday, October 07, 2011 09:25 AM
To: Harrison, Julia L
Cc: RAIO Clearance
Subject: FW: 12:00noon COB Tuesday, October 4, 2011 KTC08162011-01 Role of Private Attorneys PM (Round 2)

Ms Harrison,

This doc still does not address our concern about attorneys in the refugee interview process. We've commented accordingly and coordinated with OCC

Respectfully,
Garry R. Kilgore
Mission Support Specialist
Refugee, Asylum and International Operations
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
202.272.0925 (office) (b)(6)
[redacted] (BlackBerry)

From: USCIS RAIO
Sent: Friday, September 30, 2011 12:06 PM
To: Allen, Eugene A; Beaudoin, Duane A; Bird, John W; Chiang, James Y; Higgins, Jennifer B; Kim, Ted H; Liberto, James; Potts, LeRoy G; Valverde, Michael
Cc: Chiorazzi, Anne; Defensor, Michael R; Geddy, Monique M; Johnson, Katherine E; Kilgore, Garry; Langlois, Joseph; Papas, Georgia; Ripley French, Katherine; Ruppel, Joanna; Strack, Barbara L; USCIS RAIO
Subject: RE: 12:00noon COB Tuesday, October 4, 2011 KTC08162011-01 Role of Private Attorneys PM (Round 2)

Hello All,

This document has come out for another round of comments. Please review the attached document and provide your information by 12:00noon COB Tuesday, October 4, 2011.

Below and attached you will see that Barbara Strack Non-Concurred on behalf of RAD/RAIO.

Thank you.

Respectfully,
Garry R. Kilgore
Mission Support Specialist
Refugee, Asylum and International Operations
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
202.272.0925 (office) (b)(6)
[redacted] (BlackBerry)

From: Whitney, Ronald W
Sent: Thursday, September 08, 2011 10:26 AM
To: Strack, Barbara L; USCIS RAIO; Allen, Eugene A; Beaudoin, Duane A; Bird, John W; Chiang, James Y; Kim, Ted H;

Liberto, James; McAllum, Jessica L; Potts, LeRoy G; Strong, Stacy K; Valverde, Michael
Cc: Defensor, Michael R; Geddy, Monique M; Johnson, Katherine E; Kilgore, Garry; Langlois, Joseph; Papas, Georgia; Ripley French, Katherine; Ruppel, Joanna; Groom, Molly M
Subject: RE: Wednesday, September 7, 2011 KTC08162011-01 Role of Private Attorneys PM

I agree with Barbara's concern here. Maybe Exec Sec could send it out again for another round of comments after incorporating those already received. Then we can make edits to address the legal opinion.

From: Strack, Barbara L
Sent: Friday, September 02, 2011 12:34 PM
To: USCIS RAIO; Allen, Eugene A; Beaudoin, Duane A; Bird, John W; Chiang, James Y; Kim, Ted H; Liberto, James; McAllum, Jessica L; Potts, LeRoy G; Strong, Stacy K; Valverde, Michael
Cc: Defensor, Michael R; Geddy, Monique M; Johnson, Katherine E; Kilgore, Garry; Langlois, Joseph; Papas, Georgia; Ripley French, Katherine; Ruppel, Joanna; Groom, Molly M; Whitney, Ronald W
Subject: RE: Wednesday, September 7, 2011 KTC08162011-01 Role of Private Attorneys PM

[redacted]

(b)(5)

Barbara L. Strack
Chief, Refugee Affairs Division
US Citizenship & Immigration Services
Department of Homeland Security
barbara.strack@dhs.gov
202-272-1664

From: USCIS RAIO
Sent: Wednesday, August 31, 2011 1:51 PM
To: Allen, Eugene A; Beaudoin, Duane A; Bird, John W; Chiang, James Y; Kim, Ted H; Liberto, James; McAllum, Jessica L; Potts, LeRoy G; Strong, Stacy K; Valverde, Michael
Cc: Defensor, Michael R; Geddy, Monique M; Johnson, Katherine E; Kilgore, Garry; Langlois, Joseph; Papas, Georgia; Ripley French, Katherine; Ruppel, Joanna; Strack, Barbara L; USCIS RAIO
Subject: Due: Wednesday, September 7, 2011 KTC08162011-01 Role of Private Attorneys PM

All,

Please see the below tasking from Exec Sec and provide your information to the USCIS RAIO email account by COB Wednesday, September 7, 2011.

Respectfully,
Garry R. Kilgore
Mission Support Specialist
Refugee, Asylum and International Operations
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
202.272.0925 (office)
[redacted] BlackBerry)

(b)(6)

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 30, 2011 4:31 PM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; Atkinson, Ronald A; Crewson, Jean

C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K; Transformation Executive Correspondence
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Davis, Marla J; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM

HCP TASK

Please copy uscisexecsec@dhs.gov and EXSOTaskCoordination@dhsconnect.dhs.gov on all e-mail traffic regarding this task and include the Action Item name provided below in the subject line of your e-mails. Thank you.

All:

Draft materials are available for your review on EXSO-ECN. This is the second review for this PM, which FOD updated based on your comments and edits – link to the latest draft: http://mgmt-sp.dhs.gov/uscis/SiteDirectory/exso/Documents/AFM%20Ch%2012%20update%20Private%20Attorneys%20and%20Other%20Representatives%20hq%20component%20clearance%20v%202.doc.

Action Item: KTC08162011-01 Role of Private Attorneys PM
Originating POD/POC: FOD/Julia Harrison; 2-1709
EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Prompt
Suspense Date: Wednesday, September 7, 2011

USCIS Office of the Executive Secretariat
(202) 272-0990 – office
(202) 272-0970 – fax

EXSO Connect Page

EXSO ECN Page

Please upload all actions for which Forms G-1056 are used to EXSO-ECN.
Please send all official actions to uscisexecsec@dhs.gov.

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 16, 2011 11:01 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Davis, Marla J; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM

HCP TASK

Please copy uscisexecsec@dhs.gov and EXSOTaskCoordination@dhsconnect.dhs.gov on all e-mail traffic regarding this task and include the Action Item name provided below in the subject line of your e-mails. Thank you.

All:

Draft materials are available for your review on EXSO-ECN.

Action Item: KTC08162011-01 Role of Private Attorneys PM
Originating POD/POC: FOD/Julia Harrison; 2-1709
EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Routine
Suspense Date: Thursday, August 25, 2011

USCIS Office of the Executive Secretariat
(202) 272-0990 – office
(202) 272-0970 – fax

EXSO Connect Page

EXSO ECN Page

Please upload all actions for which Forms G-1056 are used to EXSO-ECN.
Please send all official actions to uscisexecsec@dhs.gov.

Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:48 AM
To: Greenwood, Tembra A
Subject: FW: Ch 12 of the AFM

From: McCarthy, Rachel A
Sent: Tuesday, October 11, 2011 8:01 AM
To: OCC-Clearance; Hinds, Ian
Subject: FW: Ch 12 of the AFM

I made a couple of edits – and I think that the rest is fine.
I will wait for OCC Clearance to weigh in on this, but I will also go ahead and forward the sample affidavits we did last



AFM Ch 12
update Privat...

week.

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: Atkinson, Ronald A
Sent: Friday, October 07, 2011 9:53 AM
To: Harrison, Julia L; McCarthy, Rachel A
Cc: Hinds, Ian; Muhletaler, Catherine; Kellner, Aris R; Karam, Lauren J
Subject: RE: Ch 12 of the AFM

FDNS comments and edits...



AFM Ch 12
update Privat...

(b)(6)

Ronald Alan Atkinson
Chief of Staff - FDNS
Phone: (202)272-0917
Fax: (202)272-8594
Mobile: [redacted]

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From: Harrison, Julia L
Sent: Thursday, October 06, 2011 6:46 PM
To: Harrison, Julia L; Atkinson, Ronald A; McCarthy, Rachel A
Cc: Hinds, Ian; Muhletaler, Catherine; Kellner, Aris R; Karam, Lauren J
Subject: RE: Ch 12 of the AFM

<< File: AFM Ch 12 update Private Attorneys and Other Representatives 100611.doc >>

Resending- I went through and updated the links to the websites.

Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: Harrison, Julia L
Sent: Thursday, October 06, 2011 5:57 PM
To: Atkinson, Ronald A; McCarthy, Rachel A
Cc: Hinds, Ian; Muhletaler, Catherine; Kellner, Aris R; Karam, Lauren J
Subject: RE: Ch 12 of the AFM

<< File: AFM Ch 12 update Private Attorneys and Other Representatives 100611.doc >>

I accepted all the changes and deleted the comments we address in the meeting. It would be good for us all to read over this one more time and if we have any additional comments/edits send them around before noon tomorrow. Thanks for everyone's efforts on this! Julia

Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: Atkinson, Ronald A
Sent: Thursday, October 06, 2011 3:26 PM
To: Atkinson, Ronald A; McCarthy, Rachel A; Harrison, Julia L
Cc: Hinds, Ian; Muhletaler, Catherine; Kellner, Aris R; Karam, Lauren J
Subject: RE: Ch 12 of the AFM

Neglected to attach document...

<< File: AFM Ch 12 update Private Attorneys and Other Representatives RAM REVISIONS 100611 cm IGH2 cm FDNS 10062011.doc >>

Ronald Alan Atkinson
Chief of Staff - FDNS
Phone: (202)272-0917
Fax: (202)272-8594 (b)(6)
Mobile: [redacted]

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Cc: Hinds, Ian; Muhletaler, Catherine; Kellner, Aris R; Karam, Lauren J
Subject: RE: Ch 12 of the AFM

Attached are FDNS edits and comments.

...Alan

(b)(6)

Ronald Alan Atkinson
Chief of Staff - FDNS
Phone: (202)272-0917
Fax: (202)272-8594
Mobile: [redacted]

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From: McCarthy, Rachel A
Sent: Thursday, October 06, 2011 12:17 PM
To: Harrison, Julia L; Atkinson, Ronald A
Cc: Hinds, Ian; Muhletaler, Catherine
Subject: RE: Ch 12 of the AFM

<< File: AFM Ch 12 update Private Attorneys and Other Representatives RAM REVISIONS 100611 cm IGH2 cm (2).doc >>

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

-----Original Appointment-----
From: Harrison, Julia L
Sent: Thursday, October 06, 2011 10:00 AM
To: McCarthy, Rachel A; Atkinson, Ronald A
Cc: Hinds, Ian; Muhletaler, Catherine
Subject: Updated: Ch 12 of the AFM
When: Thursday, October 06, 2011 11:00 AM-12:00 PM (GMT-05:00) Eastern Time (US & Canada).
Where: Juia's Office- 111 Mass; 2nd floor

When: Thursday, October 06, 2011 11:00 AM-12:00 PM (GMT-05:00) Eastern Time (US & Canada).
Where: Juia's Office- 111 Mass; 2nd floor

Note: The GMT offset above does not reflect daylight saving time adjustments.

~~*~*~*~*~*~*~*~*~*

Adding call in info
866-708-0497
Participant passcode: 6391771
Hi. I'm scheduling this meeting to discuss some of the comments I have received on this document (see attached). It would also be helpful if I could get the comments/edits from OCC before this meeting so that we can discuss if needed. Thanks!

<< File: Comments_2nd review.docx >>

Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:49 AM
To: Greenwood, Tembra A
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives
Attachments: SAMPLE AFFIDAVITS FOR CHAPTER 12 AFM.docx

From: McCarthy, Rachel A
Sent: Tuesday, October 11, 2011 8:04 AM
To: Harrison, Julia L; Atkinson, Ronald A; OCC-Clearance
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Julia –
Here are "sample" affidavits for chapter 12. They have a "SAMPLE" designation at the top. If you know how to do a large font shadow stamp of the word across the entire page of each sample, that would be best. I know that Linda Norford knows how to do this so I can contact her for help if we need to do so. OCC Clearance is reviewing the chapter doc.

Rachel

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(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:50 AM
To: Greenwood, Tembra A
Subject: FW: Ch 12 of the AFM

From: Hinds, Ian
Sent: Tuesday, October 11, 2011 11:21 AM
To: McCarthy, Rachel A; Muhletaler, Catherine; OCC-Clearance
Subject: FW: Ch 12 of the AFM

Here are some final edits. Rachel can you please review my edits on proper service of documents and let me know if this is accurate? Cathy let us know if you have anything else. Also, I will check with Dea to see if this is something she wants the new Chief Counsel to weigh in on before we give our final comments and formally non-concur.

Ian

From: McCarthy, Rachel A
Sent: Tuesday, October 11, 2011 8:01 AM
To: OCC-Clearance; Hinds, Ian
Subject: FW: Ch 12 of the AFM

I made a couple of edits – and I think that the rest is fine.
I will wait for OCC Clearance to weigh in on this, but I will also go ahead and forward the sample affidavits we did last



AFM Ch 12
update Privat...

week.

Rachel A. McCarthy
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(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: Atkinson, Ronald A
Sent: Friday, October 07, 2011 9:53 AM
To: Harrison, Julia L; McCarthy, Rachel A
Cc: Hinds, Ian; Muhletaler, Catherine; Kellner, Aris R; Karam, Lauren J
Subject: RE: Ch 12 of the AFM

Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: Atkinson, Ronald A
Sent: Thursday, October 06, 2011 3:26 PM
To: Atkinson, Ronald A; McCarthy, Rachel A; Harrison, Julia L
Cc: Hinds, Ian; Muhletaler, Catherine; Kellner, Aris R; Karam, Lauren J
Subject: RE: Ch 12 of the AFM

Neglected to attach document...

<< File: AFM Ch 12 update Private Attorneys and Other Representatives RAM REVISIONS 100611 cm IGH2 cm FDNS 10062011.doc >>

Ronald Alan Atkinson
Chief of Staff - FDNS
Phone: (202)272-0917
Fax: (202)272-8594
Mobile: [redacted]

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To: McCarthy, Rachel A; Harrison, Julia L
Cc: Hinds, Ian; Muhletaler, Catherine; Kellner, Aris R; Karam, Lauren J
Subject: RE: Ch 12 of the AFM

Attached are FDNS edits and comments.

...Alan

Ronald Alan Atkinson
Chief of Staff - FDNS
Phone: (202)272-0917
Fax: (202)272-8594
Mobile: [redacted]

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From: McCarthy, Rachel A
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To: Harrison, Julia L; Atkinson, Ronald A
Cc: Hinds, Ian; Muhletaler, Catherine
Subject: RE: Ch 12 of the AFM

<< File: AFM Ch 12 update Private Attorneys and Other Representatives RAM REVISIONS 100611 cm IGH2 cm (2).doc >>

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

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From: Harrison, Julia L
Sent: Thursday, October 06, 2011 10:00 AM
To: McCarthy, Rachel A; Atkinson, Ronald A
Cc: Hinds, Ian; Muhletaler, Catherine
Subject: Updated: Ch 12 of the AFM
When: Thursday, October 06, 2011 11:00 AM-12:00 PM (GMT-05:00) Eastern Time (US & Canada).
Where: Juia's Office- 111 Mass; 2nd floor

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Where: Juia's Office- 111 Mass; 2nd floor

Note: The GMT offset above does not reflect daylight saving time adjustments.

~~*~*~*~*~*~*~*~*

Adding call in info

866-708-0497

Participant passcode: 6391771

Hi. I'm scheduling this meeting to discuss some of the comments I have received on this document (see attached). It would also be helpful if I could get the comments/edits from OCC before this meeting so that we can discuss if needed. Thanks!

<< File: Comments_2nd review.docx >>

Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:50 AM
To: Greenwood, Tembra A
Subject: FW: Ch 12 of the AFM

From: McCarthy, Rachel A
Sent: Tuesday, October 11, 2011 1:24 PM
To: Hinds, Ian; Muhletaler, Catherine; OCC-Clearance
Subject: RE: Ch 12 of the AFM



AFM Ch 12
update Privat...

I revised the language in the service section to be more in line with the language in the regulation.

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

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Sent: Tuesday, October 11, 2011 11:21 AM
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Subject: FW: Ch 12 of the AFM

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Ian

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To: OCC-Clearance; Hinds, Ian
Subject: FW: Ch 12 of the AFM

I made a couple of edits – and I think that the rest is fine.
I will wait for OCC Clearance to weigh in on this, but I will also go ahead and forward the sample affidavits we did last week. << File: AFM Ch 12 update Private Attorneys and Other Representatives RAM 101011.doc >>

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
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Sent: Friday, October 07, 2011 9:53 AM
To: Harrison, Julia L; McCarthy, Rachel A
Cc: Hinds, Ian; Muhletaler, Catherine; Kellner, Aris R; Karam, Lauren J
Subject: RE: Ch 12 of the AFM

FDNS comments and edits...

<< File: AFM Ch 12 update Private Attorneys and Other Representatives FDNS 10072011.doc >>

Ronald Alan Atkinson
Chief of Staff - FDNS
Phone: (202)272-0917
Fax: (202)272-8594
Mobile: [redacted] (b)(6)

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From: Harrison, Julia L
Sent: Thursday, October 06, 2011 6:46 PM
To: Harrison, Julia L; Atkinson, Ronald A; McCarthy, Rachel A
Cc: Hinds, Ian; Muhletaler, Catherine; Kellner, Aris R; Karam, Lauren J
Subject: RE: Ch 12 of the AFM

<< File: AFM Ch 12 update Private Attorneys and Other Representatives 100611.doc >>

Resending- I went through and updated the links to the websites.

Julia L. Harrison

Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: Harrison, Julia L
Sent: Thursday, October 06, 2011 5:57 PM
To: Atkinson, Ronald A; McCarthy, Rachel A
Cc: Hinds, Ian; Muhletaler, Catherine; Kellner, Aris R; Karam, Lauren J
Subject: RE: Ch 12 of the AFM

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Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
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Subject: RE: Ch 12 of the AFM

Neglected to attach document...

<< File: AFM Ch 12 update Private Attorneys and Other Representatives RAM REVISIONS 100611 cm IGH2 cm FDNS 10062011.doc >>

Ronald Alan Atkinson
Chief of Staff - FDNS
Phone: (202)272-0917
Fax: (202)272-8594 (b)(6)
Mobile: [redacted]

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Chief of Staff - FDNS
Phone: (202)272-0917
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Mobile: [redacted] (b)(6)

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Cc: Hinds, Ian; Muhletaler, Catherine
Subject: RE: Ch 12 of the AFM

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website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

-----Original Appointment-----
From: Harrison, Julia L
Sent: Thursday, October 06, 2011 10:00 AM
To: McCarthy, Rachel A; Atkinson, Ronald A
Cc: Hinds, Ian; Muhletaler, Catherine
Subject: Updated: Ch 12 of the AFM
When: Thursday, October 06, 2011 11:00 AM-12:00 PM (GMT-05:00) Eastern Time (US & Canada).
Where: Juia's Office- 111 Mass; 2nd floor

When: Thursday, October 06, 2011 11:00 AM-12:00 PM (GMT-05:00) Eastern Time (US & Canada).

Where: Juia's Office- 111 Mass; 2nd floor

Note: The GMT offset above does not reflect daylight saving time adjustments.

~~*~*~*~*~*~*~*~*

Adding call in info

866-708-0497

Participant passcode: 6391771

Hi. I'm scheduling this meeting to discuss some of the comments I have received on this document (see attached). It would also be helpful if I could get the comments/edits from OCC before this meeting so that we can discuss if needed. Thanks!

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From: Harrison, Julia L
Sent: Tuesday, October 11, 2011 3:52 PM
To: McCarthy, Rachel A; Atkinson, Ronald A; OCC-Clearance
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Thanks- I do know how to add the watermark- I will add these to the chapter. When do you expect I will get the clearance from OCC on this chapter?

Alan- Does FDNS clear on the latest version?

Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: McCarthy, Rachel A
Sent: Tuesday, October 11, 2011 8:04 AM
To: Harrison, Julia L; Atkinson, Ronald A; OCC-Clearance
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Julia –
Here are "sample" affidavits for chapter 12. They have a "SAMPLE" designation at the top. If you know how to do a large font shadow stamp of the word across the entire page of each sample, that would be best. I know that Linda Norford knows how to do this so I can contact her for help if we need to do so. OCC Clearance is reviewing the chapter doc.

Rachel
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website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:51 AM
To: Greenwood, Tembra A
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives
Attachments: AFM Ch 12 update Private Attorneys and Other Representatives 101111.doc

---

From: Harrison, Julia L [mailto:Julia.Harrison@dhs.gov]
Sent: Wednesday, October 12, 2011 9:38 AM
To: Atkinson, Ronald A
Cc: McCarthy, Rachel A; OCC-Clearance
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

You've seen it but here it is again- I updated it w/the samples that Rachel sent. I just got off the phone with the front office- I have to send this up to them by COB tomorrow so please send your final clearance/comments to me no later than tomorrow at 2pm. Thanks.

Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: Atkinson, Ronald A
Sent: Tuesday, October 11, 2011 4:09 PM
To: Harrison, Julia L
Cc: McCarthy, Rachel A; OCC-Clearance
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Clear on the samples? Yes.

Clear on the chapter? I'm not sure if I've seen the latest version.

...Alan

Ronald Alan Atkinson
Chief of Staff - FDNS (b)(6)
Phone: (202)272-0917
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From: Harrison, Julia L
Sent: Tuesday, October 11, 2011 3:52 PM
To: McCarthy, Rachel A; Atkinson, Ronald A; OCC-Clearance
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Thanks- I do know how to add the watermark- I will add these to the chapter. When do you expect I will get the clearance from OCC on this chapter?

Alan- Does FDNS clear on the latest version?

Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: McCarthy, Rachel A
Sent: Tuesday, October 11, 2011 8:04 AM
To: Harrison, Julia L; Atkinson, Ronald A; OCC-Clearance
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Julia –
Here are "sample" affidavits for chapter 12. They have a "SAMPLE" designation at the top. If you know how to do a large font shadow stamp of the word across the entire page of each sample, that would be best. I know that Linda Norford knows how to do this so I can contact her for help if we need to do so. OCC Clearance is reviewing the chapter doc.

Rachel
Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:52 AM
To: Greenwood, Tembra A
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives

---

From: McCarthy, Rachel A
Sent: Wednesday, October 12, 2011 9:49 AM
To: OCC-Clearance; Hinds, Ian; Muhletaler, Catherine
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Did you guys receive my revisions yesterday?

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
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---

From: Harrison, Julia L
Sent: Wednesday, October 12, 2011 9:38 AM
To: Atkinson, Ronald A
Cc: McCarthy, Rachel A; OCC-Clearance
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

You've seen it but here it is again- I updated it w/the samples that Rachel sent. I just got off the phone with the front office- I have to send this up to them by COB tomorrow so please send your final clearance/comments to me no later than tomorrow at 2pm. Thanks.

Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: Atkinson, Ronald A
Sent: Tuesday, October 11, 2011 4:09 PM
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Cc: McCarthy, Rachel A; OCC-Clearance
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Clear on the samples? Yes.

Clear on the chapter? I'm not sure if I've seen the latest version.

...Alan

Ronald Alan Atkinson

(b)(6)

Chief of Staff - FDNS
Phone: (202)272-0917
Fax: (202)272-8594
Mobile: [redacted]

FOR OFFICIAL USE ONLY (FOUO) – LAW ENFORCEMENT SENSITIVE

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Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

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Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
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(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:52 AM
To: Greenwood, Tembra A
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives

---

From: Hinds, Ian
Sent: Wednesday, October 12, 2011 9:51 AM
To: McCarthy, Rachel A; OCC-Clearance; Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Yes. Cathy is reviewing them now.

From: McCarthy, Rachel A
Sent: Wednesday, October 12, 2011 9:49 AM
To: OCC-Clearance; Hinds, Ian; Muhletaler, Catherine
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Did you guys receive my revisions yesterday?

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
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Sent: Wednesday, October 12, 2011 9:38 AM
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Cc: McCarthy, Rachel A; OCC-Clearance
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Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

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Sent: Tuesday, October 11, 2011 4:09 PM
To: Harrison, Julia L
Cc: McCarthy, Rachel A; OCC-Clearance
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Clear on the samples? Yes.

Clear on the chapter? I'm not sure if I've seen the latest version.

...Alan

Ronald Alan Atkinson
Chief of Staff - FDNS
Phone: (202)272-0917 (b)(6)
Fax: (202)272-8594
Mobile: [redacted]

FOR OFFICIAL USE ONLY (FOUO) – LAW ENFORCEMENT SENSITIVE

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Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: McCarthy, Rachel A
Sent: Tuesday, October 11, 2011 8:04 AM
To: Harrison, Julia L; Atkinson, Ronald A; OCC-Clearance
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Rachel
Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services

Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:53 AM
To: Greenwood, Tembra A
Subject: FW: Ch 12 of the AFM

From: Hinds, Ian
Sent: Wednesday, October 12, 2011 10:14 AM
To: Muhletaler, Catherine; OCC-Clearance
Cc: McCarthy, Rachel A
Subject: FW: Ch 12 of the AFM

Cathy,

Please review this version.

Thanks,
Ian

From: McCarthy, Rachel A
Sent: Tuesday, October 11, 2011 1:24 PM
To: Hinds, Ian; Muhletaler, Catherine; OCC-Clearance
Subject: RE: Ch 12 of the AFM



AFM Ch 12
update Privat...

I revised the language in the service section to be more in line with the language in the regulation.

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: Hinds, Ian
Sent: Tuesday, October 11, 2011 11:21 AM
To: McCarthy, Rachel A; Muhletaler, Catherine; OCC-Clearance
Subject: FW: Ch 12 of the AFM

Here are some final edits. Rachel can you please review my edits on proper service of documents and let me know if this is accurate? Cathy let us know if you have anything else. Also, I will check with Dea to see if this is something she wants the new Chief Counsel to weigh in on before we give our final comments and formally non-concur.

Ian

From: McCarthy, Rachel A
Sent: Tuesday, October 11, 2011 8:01 AM
To: OCC-Clearance; Hinds, Ian
Subject: FW: Ch 12 of the AFM

I made a couple of edits – and I think that the rest is fine.
I will wait for OCC Clearance to weigh in on this, but I will also go ahead and forward the sample affidavits we did last week. << File: AFM Ch 12 update Private Attorneys and Other Representatives RAM 101011.doc >>

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: Atkinson, Ronald A
Sent: Friday, October 07, 2011 9:53 AM
To: Harrison, Julia L; McCarthy, Rachel A
Cc: Hinds, Ian; Muhletaler, Catherine; Kellner, Aris R; Karam, Lauren J
Subject: RE: Ch 12 of the AFM

FDNS comments and edits...

<< File: AFM Ch 12 update Private Attorneys and Other Representatives FDNS 10072011.doc >>

Ronald Alan Atkinson
Chief of Staff - FDNS
Phone: (202)272-0917
Fax: (202)272-8594
Mobile: [redacted]

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From: Harrison, Julia L
Sent: Thursday, October 06, 2011 6:46 PM
To: Harrison, Julia L; Atkinson, Ronald A; McCarthy, Rachel A
Cc: Hinds, Ian; Muhletaler, Catherine; Kellner, Aris R; Karam, Lauren J
Subject: RE: Ch 12 of the AFM

<< File: AFM Ch 12 update Private Attorneys and Other Representatives 100611.doc >>

Resending- I went through and updated the links to the websites.

Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: Harrison, Julia L
Sent: Thursday, October 06, 2011 5:57 PM
To: Atkinson, Ronald A; McCarthy, Rachel A
Cc: Hinds, Ian; Muhletaler, Catherine; Kellner, Aris R; Karam, Lauren J
Subject: RE: Ch 12 of the AFM

<< File: AFM Ch 12 update Private Attorneys and Other Representatives 100611.doc >>
I accepted all the changes and deleted the comments we address in the meeting. It would be good for us all to read over this one more time and if we have any additional comments/edits send them around before noon tomorrow. Thanks for everyone's efforts on this! Julia

Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: Atkinson, Ronald A
Sent: Thursday, October 06, 2011 3:26 PM
To: Atkinson, Ronald A; McCarthy, Rachel A; Harrison, Julia L
Cc: Hinds, Ian; Muhletaler, Catherine; Kellner, Aris R; Karam, Lauren J
Subject: RE: Ch 12 of the AFM

Neglected to attach document...

<< File: AFM Ch 12 update Private Attorneys and Other Representatives RAM REVISIONS 100611 cm IGH2 cm FDNS 10062011.doc >>

Ronald Alan Atkinson
Chief of Staff - FDNS
Phone: (202)272-0917
Fax: (202)272-8594
Mobile: [redacted] (b)(6)

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From: Atkinson, Ronald A
Sent: Thursday, October 06, 2011 3:26 PM
To: McCarthy, Rachel A; Harrison, Julia L
Cc: Hinds, Ian; Muhletaler, Catherine; Kellner, Aris R; Karam, Lauren J
Subject: RE: Ch 12 of the AFM

Attached are FDNS edits and comments.

...Alan

Ronald Alan Atkinson
Chief of Staff - FDNS
Phone: (202)272-0917
Fax: (202)272-8594 (b)(6)
Mobile: [redacted]

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From: McCarthy, Rachel A
Sent: Thursday, October 06, 2011 12:17 PM
To: Harrison, Julia L; Atkinson, Ronald A
Cc: Hinds, Ian; Muhletaler, Catherine
Subject: RE: Ch 12 of the AFM

<< File: AFM Ch 12 update Private Attorneys and Other Representatives RAM REVISIONS 100611 cm IGH2 cm (2).doc >>

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

-----Original Appointment-----
From: Harrison, Julia L
Sent: Thursday, October 06, 2011 10:00 AM
To: McCarthy, Rachel A; Atkinson, Ronald A
Cc: Hinds, Ian; Muhletaler, Catherine
Subject: Updated: Ch 12 of the AFM
When: Thursday, October 06, 2011 11:00 AM-12:00 PM (GMT-05:00) Eastern Time (US & Canada).
Where: Juia's Office- 111 Mass; 2nd floor

When: Thursday, October 06, 2011 11:00 AM-12:00 PM (GMT-05:00) Eastern Time (US & Canada).
Where: Juia's Office- 111 Mass; 2nd floor

Note: The GMT offset above does not reflect daylight saving time adjustments.

~~*~*~*~*~*~*~*~*

Adding call in info

866-708-0497

Participant passcode: 6391771

Hi. I'm scheduling this meeting to discuss some of the comments I have received on this document (see attached). It would also be helpful if I could get the comments/edits from OCC before this meeting so that we can discuss if needed. Thanks!

<< File: Comments_2nd review.docx >>

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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:53 AM
To: Greenwood, Tembra A
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives

---

From: Atkinson, Ronald A [mailto:Ronald.Atkinson@dhs.gov]
Sent: Wednesday, October 12, 2011 10:29 AM
To: Harrison, Julia L
Cc: McCarthy, Rachel A; OCC-Clearance
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

We'll clear. I'll update the ECN record accordingly.

Ronald Alan Atkinson
Chief of Staff - FDNS
Phone: (202)272-0917
Fax: (202)272-8594
Mobile: [redacted] (b)(6)

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Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

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Sent: Tuesday, October 11, 2011 4:09 PM
To: Harrison, Julia L

Cc: McCarthy, Rachel A; OCC-Clearance
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Clear on the samples? Yes.

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Field Operations Directorate
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Rachel A. McCarthy

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website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:54 AM
To: Greenwood, Tembra A
Subject: FW: Chapter 12 AFM

From: McCarthy, Rachel A
Sent: Friday, October 14, 2011 10:40 AM
To: OCC-Clearance
Subject: Fw: Chapter 12 AFM

Rachel A. McCarthy (message sent from Blackberry)
Bar Counsel
U.S. Citizenship and Immigration Services
(802) 660-1779 (phone)
(802 660-5067 (fax)

From: Harrison, Julia L
Sent: Friday, October 14, 2011 10:11 AM
To: FitzGerald, Karen L; McCarthy, Rachel A
Subject: Re: Chapter 12 AFM

Hi Karen- I will have this to you in about an hour. I'm still waiting on OCC to clear but I will send it regardless.
Julia L. Harrison
Chief, Operations Division
Field Operations
202.272.1709

From: FitzGerald, Karen L
Sent: Friday, October 14, 2011 09:06 AM
To: Harrison, Julia L; McCarthy, Rachel A
Subject: Chapter 12 AFM

Julia and Rachel,

Good morning, I am following up on the status of this item—we would like to get something sent forward to the Front Office, even if there are parts that are still under review. I am on detail here and have not been here long, but this item seems to be one that everyone is hoping to see as soon as possible—even if it isn't a completely finished product.

Let me know where things stand and we can figure out the next step.

Thanks,

Karen
Office of the Deputy Director

Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:54 AM
To: Greenwood, Tembra A
Subject: FW: AFM Ch 12
Attachments: AFM Ch 12 update Private Attorneys and Other Representatives 101411.doc; USCIS Comment Form AFM ch 12 update.doc

---

From: Hinds, Ian
Sent: Friday, October 14, 2011 12:38 PM
To: OCC-Clearance
Cc: McCarthy, Rachel A; Muhletaler, Catherine
Subject: FW: AFM Ch 12

From: Harrison, Julia L
Sent: Friday, October 14, 2011 11:55 AM
To: Hinds, Ian
Subject: FW: AFM Ch 12

fyi

Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: Harrison, Julia L
Sent: Friday, October 14, 2011 10:41 AM
To: USCIS Exec Sec
Cc: Contaldi, Kerry; FitzGerald, Karen L; HQ Field OPS Personnel
Subject: AFM Ch 12

The attached document is ready to be put into the front office clearance process. I received comments from OPE & OPS that I have addressed in the attached doc. I also received a small edit from RAIO which was incorporated. In addition, I had a meeting w/FDNS & OCC to address their edits and comments. FDNS clears on this version- Alan advised that he would update the Execsec ECN reflecting their concurrence. OCC has not given their final clearance but has indicated that they cannot clear 1 footnote in the document- this is identified in the doc- however, this language has been previously discussed and cleared by D1 for use in the fraud SOP.

Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

Greenwood, Tembra A

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Sent: Friday, December 02, 2011 11:54 AM
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Subject: FW: AFM Ch 12
Attachments: AFM Ch 12 update Private Attorneys and Other Representatives 101411.doc; USCIS Comment Form AFM ch 12 update.doc

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To: OCC-Clearance
Cc: McCarthy, Rachel A; Muhletaler, Catherine
Subject: FW: AFM Ch 12

From: Harrison, Julia L
Sent: Friday, October 14, 2011 11:55 AM
To: Hinds, Ian
Subject: FW: AFM Ch 12

fyi

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Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

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Cc: Contaldi, Kerry; FitzGerald, Karen L; HQ Field OPS Personnel
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Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:54 AM
To: Greenwood, Tembra A
Subject: FW: 292.5 -- service on atty

From: McCarthy, Rachel A
Sent: Tuesday, October 18, 2011 9:53 AM
To: 'Janette.Martinez@dhs.gov'; 'Rachel.Mccarthy@dhs.gov'
Cc: 'John.Miles@dhs.gov'; OCC-Clearance
Subject: Re: 292.5 -- service on atty

Janette
This is the subject of discussion now due to changes in auto notices. Its an operational issue as well. I copied in occ-clearance so they can fill you in.
Rachel
Rachel A. McCarthy (message sent from Blackberry)
Bar Counsel
U.S. Citizenship and Immigration Services
(802) 660-1779 (phone)
(802 660-5067 (fax)

From: Martinez, Janette M [mailto:Janette.Martinez@dhs.gov]
Sent: Tuesday, October 18, 2011 09:42 AM
To: McCarthy, Rachel A <Rachel.Mccarthy@dhs.gov>
Cc: Miles, John D <John.Miles@dhs.gov>
Subject: 292.5 -- service on atty (b)(5)

Hi Rachel,

[redacted]

Thanks,

Janette

Janette M. Martinez
Special Counsel for Field Management
Office of the Chief Counsel
U.S. Citizenship and Immigration Services
Office: 305 596 2946
Cell: 305 764 2207
Janette.M.Martinez@uscis.dhs.gov

Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:55 AM
To: Greenwood, Tembra A
Subject: FW: Role of Private Attorneys PM
Attachments: Draft Role of Private Attorneys PM (Packaged 10-14-11) w EXSO edits.doc

Importance: High

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Wednesday, October 19, 2011 11:42 AM
To: Harrison, Julia L; Davis, Marla J; HQ Field Operations
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; Shaul, Michael L; USCIS Exec Sec; Lai, Victoria W; OCC-Clearance
Subject: Role of Private Attorneys PM
Importance: High

Good morning FOD,

Please review the attached version of the PM and let us know if the comments and edits made by EXSO are acceptable.

While packaging the draft PM we reviewed it for formatting inconsistencies, which is a normal part of the clearance process. We made minor format corrections but also registered some substantive plain language comments and edits. EXSO acknowledges that these redline comments and edits should have been submitted to FOD during the established clearance period. In this single instance, they were supplied to the Front Office for visibility. After its initial review, the Front Office seeks your and OCC's input and will discuss this directly with you. Again, we recognize that this is outside the normal protocol and apologize for not raising these concerns during the clearance period.

Thank you.

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
[redacted] **(BlackBerry)** (b)(6)
202-272-0990 (Office)
EXSO Connect Page
EXSO ECN Page
Please send all official actions to uscisexecsec@dhs.gov.

From: Mattice, Michael
Sent: Wednesday, October 19, 2011 11:31 AM
To: Contaldi, Kerry
Subject: FW: Role of Private Attorneys PM

Thanks Kerry,

Please see below for suggested revised language.

Respectfully,

Mike

Michael C. Mattice, Chief
USCIS Office of the Executive Secretariat
202-272-1711 (Desk)
202-272-0990 (Office)
[redacted] (Cell) (b)(6)
EXSO Connect Page
EXSO ECN Page
Please send all official actions to uscisexecsec@dhs.gov.

From: Contaldi, Kerry
Sent: Wednesday, October 19, 2011 11:03 AM
To: Mattice, Michael
Subject: Role of Private Attorneys PM

Before I send it to FOD, please review the message below. Also, should we copy Victoria on the message to FOD?

Good morning FOD,

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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:56 AM
To: Greenwood, Tembra A
Subject: FW: Role of Private Attorneys PM
Attachments: AFM Ch 12 update Private Attorneys and Other Representatives RAM 101111 cm10-13.doc

(b)(5)

From: OCC-Clearance
Sent: Wednesday, October 19, 2011 3:48 PM
To: USCIS Exec Sec; Harrison, Julia L; Davis, Marla J; HQ Field Operations
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; Shaul, Michael L; Lai, Victoria W; McCarthy, Rachel A; Muhletaler, Catherine; Hinds, Ian; EXSOTaskCoordination@dhsconnect.dhs.gov; Flynn, Patricia H; Carpenter, Dea D
Subject: RE: Role of Private Attorneys PM

[redacted]

Thanks,
Ian

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Wednesday, October 19, 2011 11:42 AM
To: Harrison, Julia L; Davis, Marla J; HQ Field Operations
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; Shaul, Michael L; USCIS Exec Sec; Lai, Victoria W; OCC-Clearance
Subject: Role of Private Attorneys PM
Importance: High

Good morning FOD,

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From: Mattice, Michael
Sent: Wednesday, October 19, 2011 11:31 AM
To: Contaldi, Kerry
Subject: FW: Role of Private Attorneys PM

Thanks Kerry,

Please see below for suggested revised language.

Respectfully,

Mike

Michael C. Mattice, Chief
USCIS Office of the Executive Secretariat
202-272-1711 (Desk) (b)(6)
[redacted] (Office)
202-437-9475 (Cell)
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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:56 AM
To: Greenwood, Tembra A
Subject: FW: Role of Private Attorneys PM

From: Lai, Victoria W
Sent: Wednesday, October 19, 2011 4:08 PM
To: OCC-Clearance; Hinds, Ian
Subject: RE: Role of Private Attorneys PM

Ian,
Can you please clarify what the page 9 issue/edit is?
The version you attached is different than the one that reached the front office.

Feel free to call. 2-8024

Victoria

From: OCC-Clearance (b)(5)
Sent: Wednesday, October 19, 2011 3:48 PM
To: USCIS Exec Sec; Harrison, Julia L; Davis, Marla J; HQ Field Operations
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; Shaul, Michael L; Lai, Victoria W; McCarthy, Rachel A; Muhletaler, Catherine; Hinds, Ian; EXSOTaskCoordination@dhsconnect.dhs.gov; Flynn, Patricia H; Carpenter, Dea D
Subject: RE: Role of Private Attorneys PM

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Sent: Wednesday, October 19, 2011 11:42 AM
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Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; Shaul, Michael L; USCIS Exec Sec; Lai, Victoria W; OCC-Clearance
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202-272-0990 (Office)
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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:56 AM
To: Greenwood, Tembra A
Subject: FW: AFM Ch. 12 and 15
Attachments: Draft Role of Private Attorneys PM (EXSO) 10 25 11 OCC Edits.DOC

From: Hinds, Ian
Sent: Tuesday, October 25, 2011 2:32 PM
To: McCarthy, Rachel A
Cc: Muhletaler, Catherine; OCC-Clearance
Subject: RE: AFM Ch. 12 and 15

Hi Rachel,

See my additional comments attached. All but one I think are addressed to you. Please review and confirm/resolve what you can before we send back to Victoria.

Thanks,
Ian

From: McCarthy, Rachel A
Sent: Monday, October 24, 2011 10:36 AM
To: Hinds, Ian
Subject: RE: AFM Ch. 12 and 15

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: Hinds, Ian
Sent: Monday, October 24, 2011 10:21 AM
To: McCarthy, Rachel A
Subject: RE: AFM Ch. 12 and 15

Yes. I will add any additional comments that I have to that version.

Ian

From: McCarthy, Rachel A
Sent: Monday, October 24, 2011 10:20 AM
To: Hinds, Ian
Subject: RE: AFM Ch. 12 and 15

Yes.
Do you want to see it before I send it to Victoria?

Rachel A. McCarthy
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Sent: Monday, October 24, 2011 9:48 AM
To: McCarthy, Rachel A
Subject: RE: AFM Ch. 12 and 15

Rachel,

I have not had a chance to review yet. We did not back down on any of our previous comments so can you add the comment on the part of Chapter 15 that OCC can't clear on to your redlined document and resend? Thanks.

Ian

From: McCarthy, Rachel A
Sent: Monday, October 24, 2011 9:23 AM
To: Hinds, Ian
Subject: FW: AFM Ch. 12 and 15

Ian
the chapter 15 draft has the language describing an applicant/petitioner's voluntary decision to proceed with an interview without counsel.
There is no comment or indication that OCC cannot clear that part.
I wasn't sure if there had been additional discussion on that issue when I was out last week, so I did not comment on that in my review.

Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: Lai, Victoria W
Sent: Friday, October 21, 2011 4:47 PM
To: Borgen, Michael R; Monica, Donald J; Krebs, Kristie; McCarthy, Rachel A; Hinds, Ian
Subject: AFM Ch. 12 and 15

Hello,

As discussed with Michael and Ian, I have updated the AFM Chapter 12 with plain language changes. I have a few questions for OCC, which I have noted in track changes, and I hope we can discuss them on Monday.

This document looks longer than the one you may have previously reviewed. As discussed, in some places, it was more appropriate for the cleared language in this draft Chapter 12 to be added to Chapter 15. Therefore I pulled out these sections and added it to the existing sections of Chapter 15.

Please let me know your thoughts.

Many thanks! I hope you have a great weekend!

Victoria

Victoria W. Lai
Counselor to the Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
202-272-8024 direct

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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:57 AM
To: Greenwood, Tembra A
Subject: FW: AFM Chapter 15 on Interviews
Attachments: AFM 15.docx

From: ALD
Sent: Tuesday, October 25, 2011 2:43 PM
To: Miran, Maria; Nakajima, Simon T; Gupta, Julie C
Cc: Hinds, Ian (ian.hinds@dhs.gov); OCC-Clearance
Subject: FW: AFM Chapter 15 on Interviews

Will you please review together and get back to Ian by mid-morning tomorrow?

Robert Raymond
Deputy Chief
Adjudications Law Division
Office of the Chief Counsel
United States Citizenship and Immigration Services
20 Massachusetts Avenue NW Room 4210
Washington DC 20529
Telephone +1 202 272 1434
Fax +1 202 272 1478
robert.r.raymond@uscis.dhs.gov

From: Hinds, Ian
Sent: Tuesday, October 25, 2011 2:40 PM
To: Raymond, Robert R
Cc: ALD
Subject: AFM Chapter 15 on Interviews

Hi Bob,

Here is the AFM excerpt I was referring to. If I could get ALD's comments (if any) by mid morning tomorrow that would be great.

Thanks,
Ian

Ian G. Hinds
Special Counsel
Office of the Chief Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security

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From: Miran, Maria
Sent: Tuesday, October 25, 2011 3:55 PM
To: ALD; Nakajima, Simon T; Gupta, Julie C
Cc: Hinds, Ian (ian.hinds@dhs.gov); OCC-Clearance
Subject: RE: AFM Chapter 15 on Interviews

We'll do.

Maria Miran
Associate Counsel
Office of the Chief Counsel, ALD
202-272-1454 (desk)
[redacted] mobile) (b)(6)

From: ALD
Sent: Tuesday, October 25, 2011 2:43 PM
To: Miran, Maria; Nakajima, Simon T; Gupta, Julie C
Cc: Hinds, Ian (ian.hinds@dhs.gov); OCC-Clearance
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Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:57 AM
To: Greenwood, Tembra A
Subject: FW: AFM Ch. 12 and 15

From: McCarthy, Rachel A
Sent: Wednesday, October 26, 2011 8:16 AM
To: OCC-Clearance
Subject: Fw: AFM Ch. 12 and 15

Rachel A. McCarthy (message sent from Blackberry)
Bar Counsel
U.S. Citizenship and Immigration Services
(802) 660-1779 (phone)
(802 660-5067 (fax)

From: McCarthy, Rachel A
Sent: Wednesday, October 26, 2011 08:14 AM
To: Hinds, Ian
Subject: Re: AFM Ch. 12 and 15

I am now well and at home. If you need me to look at one specific comment can you please tell me which one? I only have a bb here.
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From: Hinds, Ian
Sent: Tuesday, October 25, 2011 02:31 PM
To: McCarthy, Rachel A
Cc: Muhletaler, Catherine; OCC-Clearance
Subject: RE: AFM Ch. 12 and 15

Hi Rachel,

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Thanks,
Ian

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Sent: Monday, October 24, 2011 10:36 AM
To: Hinds, Ian
Subject: RE: AFM Ch. 12 and 15

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
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website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

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(b)(5)

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From: Hinds, Ian
Sent: Wednesday, October 26, 2011 8:26 AM
To: McCarthy, Rachel A
Cc: OCC-Clearance
Subject: Re: AFM Ch. 12 and 15

Hi Rachel,

I am home sick today and can't specifically identify which one's you need to look at. As I remember only one of my comments is solely meant for Field Ops so please review and address all of the others.

Thanks.

Ian

From: McCarthy, Rachel A
Sent: Wednesday, October 26, 2011 08:14 AM
To: Hinds, Ian
Subject: Re: AFM Ch. 12 and 15

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To: McCarthy, Rachel A
Subject: RE: AFM Ch. 12 and 15

Yes. I will add any additional comments that I have to that version.

Ian

From: McCarthy, Rachel A
Sent: Monday, October 24, 2011 10:20 AM
To: Hinds, Ian
Subject: RE: AFM Ch. 12 and 15

Yes.
Do you want to see it before I send it to Victoria?

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: Hinds, Ian
Sent: Monday, October 24, 2011 9:48 AM
To: McCarthy, Rachel A
Subject: RE: AFM Ch. 12 and 15

Rachel,

I have not had a chance to review yet. We did not back down on any of our previous comments so can you add the comment on the part of Chapter 15 that OCC can't clear on to your redlined document and resend? Thanks.

Ian

From: McCarthy, Rachel A
Sent: Monday, October 24, 2011 9:23 AM (b)(5)
To: Hinds, Ian
Subject: FW: AFM Ch. 12 and 15

Ian

Rachel

Rachel A. McCarthy
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From: Lai, Victoria W
Sent: Friday, October 21, 2011 4:47 PM
To: Borgen, Michael R; Monica, Donald J; Krebs, Kristie; McCarthy, Rachel A; Hinds, Ian
Subject: AFM Ch. 12 and 15

Hello,

As discussed with Michael and Ian, I have updated the AFM Chapter 12 with plain language changes. I have a few questions for OCC, which I have noted in track changes, and I hope we can discuss them on Monday.

This document looks longer than the one you may have previously reviewed. As discussed, in some places, it was more appropriate for the cleared language in this draft Chapter 12 to be added to Chapter 15. Therefore I pulled out these sections and added it to the existing sections of Chapter 15.

Please let me know your thoughts.

Many thanks! I hope you have a great weekend!

Victoria

Victoria W. Lai
Counselor to the Director
U.S. Citizenship and Immigration Services
Department of Homeland Security
202-272-8024 direct

Greenwood, Tembra A

From: OCC-Clearance
Sent: Friday, December 02, 2011 11:58 AM
To: Greenwood, Tembra A
Subject: FW: AFM Chapter 15 on Interviews
Attachments: AFM 15 ALD edits 10-26.docx

From: Miran, Maria
Sent: Wednesday, October 26, 2011 11:19 AM
To: ALD; Nakajima, Simon T; Gupta, Julie C
Cc: Hinds, Ian (ian.hinds@dhs.gov); OCC-Clearance
Subject: RE: AFM Chapter 15 on Interviews

Hi Ian,
For your consideration - See our attached comments/suggested edits. Thanks.

Maria Miran
Associate Counsel
Office of the Chief Counsel, ALD
202-272-1454 (desk)
[redacted] (mobile) (b)(6)

From: ALD
Sent: Tuesday, October 25, 2011 2:43 PM
To: Miran, Maria; Nakajima, Simon T; Gupta, Julie C
Cc: Hinds, Ian (ian.hinds@dhs.gov); OCC-Clearance
Subject: FW: AFM Chapter 15 on Interviews

Will you please review together and get back to Ian by mid-morning tomorrow?

Robert Raymond
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Telephone +1 202 272 1434
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robert.r.raymond@uscis.dhs.gov

From: Hinds, Ian
Sent: Tuesday, October 25, 2011 2:40 PM
To: Raymond, Robert R
Cc: ALD
Subject: AFM Chapter 15 on Interviews

Hi Bob,

Here is the AFM excerpt I was referring to. If I could get ALD's comments (if any) by mid morning tomorrow that would be great.

Thanks,
Ian

Ian G. Hinds
Special Counsel
Office of the Chief Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security

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LEGAL ACTION CENTER

AMERICAN IMMIGRATION COUNCIL

June 14, 2011

The Honorable Alejandro Mayorkas
Director, U.S. Citizenship and Immigration Services
Department of Homeland Security
Washington, DC

Dear Director Mayorkas:

Thank you for your May 11, 2011 letter following our meeting regarding the role of counsel in immigration proceedings before USCIS. We appreciate your willingness to discuss problems we have identified through outreach and discussions with immigration attorneys throughout the country.

In your letter, you indicated that USCIS sent guidance to its Field Operations Directorate in spring 2010 emphasizing that attorneys and accredited representatives should have the option of sitting next to their clients whenever possible, and should not be relegated to the back of the interview room. You indicated further that a USCIS training module was modified to echo this guidance. As you requested, we will alert you if we learn of additional instances where USCIS officers are not complying with this guidance.

In our recent meeting you suggested that we recommend changes to the Adjudicator's Field Manual to clarify the scope of the attorney's role in USCIS interviews. Accordingly, we are forwarding a red-lined version of relevant sections of Chapter 12, *Attorneys and Other Representatives* (under revision as of June 16, 2006), and Chapter 15, *Interviewing Techniques*. In addition to these proposed revisions, we believe that USCIS should institute a publicly available complaint process for attorneys and accredited representatives who believe that USCIS adjudicating officers have improperly interfered with their ability to represent clients in USCIS interviews.

Among other issues, our proposed revisions to Chapter 12 address the role of counsel in an interview with the beneficiary of an I-130 petition. For the reasons discussed below, we believe that an I-130 beneficiary has a right to representation.

Under the Administrative Procedure Act (APA), the right to counsel applies to any person "compelled to appear" in immigration proceedings. 5 U.S.C. § 555(b). The immigration regulations provide that "[a]n applicant, a petitioner, a sponsor, a beneficiary, or other individual residing in the United States at the time of filing an application or petition may be *required* to appear for fingerprinting or for an interview." 8 C.F.R. § 103.2(b)(9) (emphasis added). *See also* USCIS, Adjudicator's Field Manual,

§ 15.1 (stating that a person may be "required" to appear for an interview). Serious consequences can result from a failure to appear. Specifically, "the application or petition shall be considered abandoned and denied" unless USCIS received a change of address or rescheduling request and the agency excuses the failure to appear. 8 C.F.R. § 103.2(b)(13)(ii).

Such a "required" appearance is a "compelled" appearance under 5 U.S.C. § 555(b) of the APA. *See* Dept. of Justice, Attorney General's Manual on the Administrative Procedure Act, 61-62 (1947) (finding that the APA's counsel provision applies where the appearance is "compelled or commanded" but does not apply to voluntary appearances or "mere requests" by an agency). This analysis applies whether the person "required" to appear is an applicant, petitioner or beneficiary.

In addition, 8 C.F.R. § 292.5(b) provides a right to counsel for individuals involved in an examination related to an application for a benefit and does not distinguish between a petitioner and a beneficiary. *See* 8 C.F.R. § 292.5(b) ("[w]henever an examination is provided for in this chapter, the person involved shall have the right to be represented by an attorney or representative . . . .").

Although 8 C.F.R. § 103.2(a)(3) indicates that a beneficiary is not a party to proceedings, this provision does not bar *representation* of beneficiaries. An interpretation of this provision to bar representation of beneficiaries in USCIS interviews would contradict the right to representation in 8 C.F.R. § 292.5(b), as well as the statutorily mandated right to counsel under the APA.

Furthermore, as we have previously emphasized, it is good policy to allow representation for noncitizens in interviews before USCIS. Access to counsel is not only vital for individuals attempting to navigate our complex immigration system, but also improves the quality and efficiency of immigration proceedings. Immigration attorneys, who customarily represent both petitioners and beneficiaries, can facilitate interviews by helping both categories of individuals better understand the proceedings, providing additional information to USCIS adjudicating officers, and answering legal questions.

We look forward to continuing our dialogue regarding the right to counsel in USCIS proceedings.

Sincerely,

Ben Johnson
American Immigration Council
bjohnson@immcouncil.org

Crystal Williams
American Immigration
Lawyers Association
cwilliams@aila.org

Recommendations for Amending the Adjudicators Field Manual

Chapter 12.1 – Representation in Immigration Proceedings

An alien or petitioner has the right to be represented by an attorney or other representative who has properly filed a ~~notice of appearance~~ Notice of Entry of Appearance as Attorney or Representative (Form G-28). Title 8 CFR 292 ~~sets out~~ sets forth the right to representation and the general rules ~~dealing with who may represent aliens~~ for representation of individuals ~~before USCIS or~~ in immigration proceedings before USCIS.

In an immigration proceeding, ~~such as a~~ including a removal hearing and any interview with USCIS, an alien subject to examination has the right to be represented at no expense to the government pursuant to 8 CFR § 292.5(b). ~~An alien does not have a right to representation during primary or secondary inspection when he or she is seeking admission to the United States. In all other matters, you should allow an alien to seek counsel to the extent that doing so does not hinder or unduly delay the adjudicative process.~~

Following the submission of an application for relief or benefits, the alien shall be advised of his or her right to representation by counsel or an accredited representative and shall be provided with a list of legal service providers. At the time of the alien's hearing or interview, s/he shall be required to sign a form acknowledging that s/he has been advised of such a right and, where applicable, has waived the right. The signed form shall be placed in the alien's file.

In all cases where an alien is represented, the representative must file a Form G-28. The notice should be signed by the alien before you recognize the representative. An important exception, however, arises when an alien is detained. When an alien is detained, the representative may be recognized without the alien's signature if it is the first time that representative appears on the alien's behalf.

You should be sure that the notice is signed by the alien being represented. ~~, especially in visa petition proceedings~~. In visa petition proceedings, representatives who have obtained the consent of the petitioner should be recognized in interviews with the petitioner. Representatives who have obtained the consent of the beneficiary should be recognized in interviews with the beneficiary. You should not schedule separate interviews with the petitioner and the beneficiary at the same time if an attorney represents both the petitioner and beneficiary. ~~of the beneficiary only can not act on behalf of the petitioner. The opposite is also true. Representatives who have obtained the consent of only the petitioner, but not the consent of the beneficiary, should not be recognized in matters pertaining to the beneficiary. (Remember that in visa petition proceedings the moving party is the petitioner and while most communication is with the petitioner and his or her representative, certain actions are directed only to the beneficiary. For example, if during a spousal I-130 interview you decide to question the petitioner and beneficiary separately, if the attorney represents only the petitioner, he or she should not be allowed to be~~

~~present when you are interviewing only the beneficiary. Likewise, when sending out a notice of decision, do not send a copy to an attorney who represents only the beneficiary.) When you decline to recognize a representative for~~ If a representative is unable to attend the interview for any reason, you may still consider statements and submissions ~~made~~ by the ~~would-be~~ representative. ~~[See 8 CFR 292.4.]~~

You should be aware that "attorney" is a defined term in the regulations. Title 8 CFR 1.1 (f) defines an "attorney" as someone who is eligible to practice law in, and a member in good standing of the bar of, any state or the District of Columbia and is not under any order restricting his right to practice law. It is thus not necessary that an attorney be admitted to the bar in your particular state in order to represent clients there for immigration purposes. Also, one need not necessarily be an "attorney" in order to represent aliens before USCIS.

There are four situations in which a non-attorney may represent an alien:

- If an individual has a pre-existing relationship with the alien, appears on an individual case basis, and is not being paid for his representation, he or she may represent the alien if the USCIS official allows the representation. You will encounter family members, friends, and clergy who will assist the alien in appearances before USCIS, and you should allow them to do so. The requirement that a pre-existing relationship exist between the alien and the representative may be waived in the discretion of the USCIS official.

- The second situation in which a non-attorney may represent aliens involves law students and law school graduates not yet admitted to the bar. Law students must certify that they are not being paid for their services and that they are appearing under the direct supervision of a faculty member or attorney in a clinical program or legal aid program conducted by their school. Law school graduates must certify that they are appearing under the supervision of an attorney or accredited representative and that they are not being paid for their representation. Neither a law school student nor a graduate may represent an alien before USCIS if the officer ~~does not choose to allow the representation~~ reasonably believes that such representation by a law school student or graduate will not adequately protect the rights of the individual or individuals to be represented, or if the representation by a law school student or graduate will impair the efficient conduct of the proceeding. The officer may also require that the supervising attorney or faculty member appear.

- It is very common for ethnic, social, charitable or religious organizations to provide assistance and representation to aliens. These organizations must be approved by the Board of Immigration Appeals before their members can represent aliens before USCIS or in immigration proceedings. The standards for accreditation of these organizations are set forth in 8 CFR 292.2.

• Although it is rare, you should be aware that an official of the alien's home government may represent an alien if the official appears in his official capacity and with the alien's consent.

Chapter 15.2 – Interview Environment

It is essential that the person being interviewed appreciate the importance and seriousness of the proceedings. To ensure this, the setting in which the interview takes place must be orderly and official in appearance. Desk tops should be uncluttered and files should be housed in cabinets. Flags, USCIS and DHS seals and other official displays can enhance the official appearance. Excessive amounts of personal items should not be displayed in view of applicants as these may be distracting or detract from the serious nature of the proceedings.

Because Adjudications units in local USCIS offices are generally very busy with a high volume of applicants appearing for adjustment, naturalization, marriage fraud and conditional resident removal interviews, it is essential that adequate office space be provided for each district adjudications officer. Ideally, individual offices or high-walled, acoustically insulated, modular offices with doors should be provided to ensure a reasonable level of privacy. Offices should be equipped with video or audio taping devices. If the district lacks sufficient recording equipment, arrangements should be made to provide such equipment for, at least, the most difficult cases. Each work station should be provided with sufficient storage space for files, supplies, research materials and personal items, so that the office remains uncluttered. Sufficient seating for the officer and applicant, attorney and family members should be provided. Seating directly next to the person being interviewed should be provided to an attorney or other representative to facilitate appropriate participation by the attorney or representative. The officer should not, under any circumstances, engage in conduct that could be perceived as or have the effect of undermining the integrity of the attorney-client relationship, or interfere with the right of the individual being interviewed to have his or her attorney or representative participate in the examination as provided in 8 CFR § 292.5(b). Acoustical ceiling tiles or other sound dampening material should be installed to minimize noise from other interviews and protect the privacy of each applicant. Lighting and ventilation should be adequate for a pleasant, comfortable and efficient working environment. Handicapped access should be available in at least some work stations. A public waiting area should be reasonably proximate to the interview area to minimize lost time between interviews.

Chapter 15.4 – Interview Procedures

(a) Basic Interview Procedures and Techniques.

Conducting successful interviews and interrogations is a skill which requires knowledge and experience. Successful approaches will vary widely depending on the interviewer, the interviewee, and subject and purpose of the interview. Certain standards (such as

those relating to the rights of the individual and the need for professionalism) remain constant, others change according to the circumstances. The following observations apply to all interviews:

- The successful interview process begins when USCIS issues a call-in notice. In addition to accurately explaining the purpose of the interview, the notice should instruct the attorney (or in an unrepresented case, the interviewee(s) themselves) on what to bring to the interview. In all cases, the notice should at least instruct the attorney/ interviewee(s) to bring the originals of all documents previously submitted as photocopies. (Whether the interviewing officer chooses to examine them during the interview or not, the original documents should be available.)

- Do not commence an interview, even though time may be limited, until you have reviewed the application or petition and related material. Depending upon the case, this may range from a rapid scanning of the file to an intensive study of all available material. However, it is essential that the review of the material be made before commencing the questioning in order that the adjudicator will have the requisite knowledge and understanding of all the facts and circumstances involved in the case. Otherwise, the questioning may not cover all pertinent points. The review should be sufficiently thorough to enable the adjudicator to cover all issues necessary for an adjudication, thereby avoiding any need for recalling the applicant, petitioner, or witness for further questioning on an issue which could have been covered during the initial interview. Review of the applicable provisions of the law and precedent decisions also should be made, if necessary, to ensure thorough familiarity with any legal issue involved which is to be developed by questioning. In addition, the adjudicator should review submissions made by an attorney or other representative before or at the time of an interview which may assist in resolving legal issues. The more complete the preliminary preparation of the case prior to beginning the interview, the better equipped you will be to conduct an efficient interview, without time-wasting repetition, needless questions, or illogical rambling.

- If complex issues are involved, prepare an outline of the logical sequence of questioning to be followed, the information to be developed, and the evidence to be utilized. Such outlines are most conducive to eliciting all essential facts. Additionally, it may be advisable to select certain material from the file or related files and arrange such material in the sequence of the plan of questioning. The extent of preliminary preparation necessary depends upon the issues involved in the individual case.

- In "marriage fraud" interviews or certain other types of cases where more than one individual is to be questioned, it is generally best to question each party separately, asking each party several of the same questions in order to identify discrepant answers. It may be necessary to recall the first party for further questioning after the second party provides discrepant answers. In other types of interviews, an entire family group may be interviewed collectively.

- Interview proceedings are not to be adversarial in nature. The purpose of the interview is to obtain the correct information in order to make the correct adjudication of the case, not to prove a particular point or to find a reason to deny the benefit sought. The purpose is to cover (and discover) all the pertinent information, both favorable and unfavorable to the applicant. An applicant or the applicant's attorney or representative, as provided in 8 CFR § 292.5(b), should be permitted to present documents or other evidence that may help to clarify an issue of concern to the interviewer. Where relevant, such evidence should be reviewed and added to the applicant's file. The applicant's attorney or representative should also be permitted to communicate with the applicant where necessary to facilitate communication during the interview, including for the purpose of verifying that the applicant understands the interviewer's questions; objecting to inappropriate questions; and correcting errors of law. The attorney or representative should also be permitted to make a statement at the conclusion of the proceedings.

- Greet the interviewee in a polite, dignified manner to put him or her at ease.

- Identify yourself, giving name and title.

- Begin the interview with an explanation in non-technical terms of the purpose of the interview.

- Obtain identification from all parties to the interview including interpreters and attorneys, unless identity has been previously established.

- Confirm that the interviewee has been advised of his or her right to representation by counsel or an accredited representative, and ask him or her to sign a form acknowledging that s/he has been so advised. Place the signed form in the subject's file.

- Administer the following oath: "Do you solemnly swear (or affirm) that the statements you are about to make will be the truth, the whole truth, and nothing but the truth?"

The oath or affirmation should always be administered in such a manner as to impress upon the person being interviewed the solemnity of the occasion and the importance of the testimony which s/he is about to give. The adjudicator and the person(s) to be sworn or affirmed should stand and raise their right hands during the administration of the oath or affirmation. The fact that the interview is being conducted under oath or affirmation should be noted in the transcript or in the file. If a verbatim question and answer statement is taken, the exact wording of the oath or affirmation should be included in the transcript. If such statement is not taken, the memorandum record of the interview should show that the person was under oath or affirmation.

- Inform the subject that willfully giving false testimony on a material matter under oath constitutes the crime of perjury, and that a person convicted of perjury is subject to a penalty of a fine, imprisonment or both.

- It should be kept in mind that all questions are either "closed-ended" or "open-ended". Closed-ended questions (such as "Have you ever been arrested?) call for specific, factual and usually brief responses. Open-ended questions ("Tell me about any arrest you have had.") solicit views, opinions, thoughts and feelings and generally call for longer, narrative-type responses. They are normally of much greater usefulness in assessing an individual's credibility and for eliciting statements which may later be supported and contradicted. Generally, leading questions (such as "You have never been arrested?") which assume a controversial fact or suggest the answer (usually "yes" or "no") should be avoided except to expedite obtaining preliminary identifying material.

- Persons being questioned should be permitted to give a full explanation of any issue involved in the case. Fairness requires consideration of all relevant evidence. In some instances, detailed questioning may be desirable in order to make it more difficult for the subject to disavow his statements at a later time or to fabricate a new story. In this connection, however, remember that an adjudicator is duty-bound to develop the facts, favorable as well as unfavorable, with equal fairness to the subject and to the interests of the Government.

- Should the interviewing officer be required to leave the office for any reason during the interview, the relating file(s) should be removed to avoid unauthorized review during the officer's absence.

- All USCIS proceedings shall be videotaped.

- An alien, or attorney or representative with a properly executed Form G-28, may request a personal review and/or copy of the record of proceedings, including any written record of an interview conducted before a USCIS officer. The requesting party may file a Freedom of Information/Privacy Act Request (Form G-639) with USCIS to gain access to other record material.

[See also Appendix 15-2, Techniques for Interviewing and Preparing Sworn Statements.]

(b) Rescheduling the Interview

For good cause, adjudicators should accommodate requests from attorneys, accredited representatives, applicants, petitioners, beneficiaries or other individuals, that an interview be rescheduled as instructed in 15.1(b)(2) of this Chapter. Adjudicators should consider such a request to be for good cause when the requestor has notified the adjudicator that he or she is unable to appear at the scheduled date and time because of circumstances beyond his or her control. With respect to requests by attorneys or accredited representatives, good cause shall include a scheduling conflict and any situation where two interviews of clients represented by the same attorney or representative are scheduled near in time and the earlier one lasts longer than anticipated.

~~In order to reschedule the interview, the adjudicator, in his or her discretion, must determine that the applicant, petitioner, beneficiary, or other individual is unable to appear at the scheduled date and time because of circumstances beyond the individual's control.~~

If the adjudicator determines that good cause exists, the adjudicator will reschedule the interview and mail a new interview notice. If the adjudicator determines that no good cause exists, the adjudicator will adjudicate the application or petition as instructed in AFM Chapter 15.1(d)(2).

~~(b)~~ (c) Terminating the Interview.

An adjudicator should not unnecessarily prolong an interview, but should terminate it when all necessary information has been elicited. The subject(s) should be thanked for cooperating and providing information.

On some occasions it may be necessary to terminate an interview even though all essential information has not been elicited; however, termination should be avoided whenever possible. ~~The most common reasons for such a~~ Termination may be necessary in the following situations, which are not intended to be exclusive~~are~~:

- The interviewee is unable to communicate without an interpreter, and one is not available.

- An interpreter clearly has difficulty in translating effectively.

- The officer has reasonable doubts about either the ability or impartiality of an interpreter supplied by the interviewee, and a USCIS or DHS interpreter is not immediately available.

- An attorney insists on responding to questions or coaching the person being interviewed. However, an interview should not be terminated if the attorney is merely attempting to facilitate communication by clarifying the officer's questions or the applicant's answers, objecting to inappropriate questions, or correcting errors of law.

- The subject refuses to respond to questions essential to the successful completion of the interview.

- The interviewee initially waives the presence of counsel but later, during the course of the interview, requests that counsel be present.

The interviewing officer should explain the reason(s) for the termination. ~~When appropriate, the~~ The interview should be rescheduled and (if needed) arrangements made for a competent interpreter. If the subject(s) or representative insists on continuing, a

supervisor should be informed of the reason for the termination. It is the responsibility of the supervisor to determine if termination is warranted and to deal with the subject(s) and/or representative if they refuse to accept an unfavorable determination.

Chapter 15.8 – Role of Attorney or Representative in the Interview Process

Frequently an attorney or other representative will be present to represent a subject. The following rules should be followed when the person being interviewed is accompanied by legal counsel:

• Interviewing officers should verify that a properly executed Notice of Entry of Appearance as Attorney or Representative (Form G-28) is part of the record.

• The attorney or representative's role at an interview is to ensure that the subject's legal rights are protected. An attorney or representative may advise his or her client(s) on points of law but s/he cannot respond to questions the interviewing officer has directed to the subject, except to ask clarifying questions. ~~The attorney or representative's role is even more restricted with regard to a sworn statement taken from an applicant for admission in conjunction with removal proceedings to determine admissibility, where the alien has not yet legally entered the United States.~~

• Officers should not engage in personal conversations with attorneys or representatives during the course of an interview.

• Officers should never argue with attorneys or representatives during the course of an interview. If a conversation becomes argumentative, a supervisor should be called to help resolve the issue. Where necessary, disagreements between adjudicating officers and attorneys or other representatives regarding the appropriate role of representatives in USCIS interviews should be elevated to the Assistant District Director.

PAGE WITHHELD PURSUANT TO

(b)(5)

U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://uscis.dhs.gov/bc/

From: Hinds, Ian
Sent: Monday, June 20, 2011 11:45 AM
To: McCarthy, Rachel A
Cc: Gallagher, Ellen M; Muhletaler, Catherine
Subject: FW: AIC Letter/Edits to AFM

Rachel,

See attached FYI. Let us know if you have any comments. Not sure what version of Chapter 12 they are editing.

Thanks,
Ian

From: Carpenter, Dea D
Sent: Wednesday, June 15, 2011 4:32 PM
To: Gallagher, Ellen M; Hinds, Ian; Muhletaler, Catherine
Subject: FW:

Would love your thoughts on this.

Dea Carpenter
Acting Chief Counsel
U.S. Citizenship & Immigration Services
202 272 1441

From: Mayorkas, Alejandro N [mailto:Alejandro.Mayorkas@dhs.gov]
Sent: Tuesday, June 14, 2011 11:52 PM
To: 'Lori.Scialabba@dhs.gov'; 'Dea.Carpenter@dhs.gov'; 'Denise.Vanison@dhs.gov'; Monica, Donald J; Crocetti, Don; Neufeld, Donald
Subject: FW:

To be considered and discussed. Thanks very much.
Ali

Alejandro N. Mayorkas
Director
U.S. Citizenship and Immigration Services
20 Massachusetts Ave., N.W.
Washington, DC 20529
(202) 272-1000
Alejandro.Mayorkas@dhs.gov

From: Melissa Crow [mailto:MCrow@immcouncil.org]
Sent: Tuesday, June 14, 2011 11:47 PM
To: alejandro.mayorkas@dhs.gov
Cc: Groom, Molly M; Crystal Williams; Ben Johnson
Subject:

Dear Director Mayorkas: Please see the attached correspondence from Ben Johnson and Crystal Williams, which includes proposed revisions to the sections of the Adjudicator's Field Manual regarding the attorney's role in USCIS interviews. We look forward to seeing you in San Diego. Warm regards, Melissa Crow

Melissa Crow
Director, Legal Action Center
American Immigration Council
1331 G Street, NW
Suite 200
Washington, DC 20005
Tel: (202) 507-7523
Fax: (202) 742-5619
mcrow@immcouncil.org

Please support the American Immigration Council with a financial contribution today! DONATE

Please join me for our Annual Benefit in San Diego on June 17th!

Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:44 PM
To: Greenwood, Tembra A
Subject: FW: I knew that Chapter 12 rang a bell; error on bottom of uscis.gov memo list pages
Attachments: AFM Ch 12 & App 12-1, Attys Reps Update Clean Final 07-03-2007.DOC

From: McCarthy, Rachel A
Sent: Tuesday, July 26, 2011 3:47 PM
To: Hinds, Ian; Carpenter, Dea D; Muhletaler, Catherine
Subject: FW: I knew that Chapter 12 rang a bell; error on bottom of uscis.gov memo list pages

Dea, Ian and Cathy

There is clearly a lot of interest all of a sudden in Chapter 12.
I will let Rodger and Bill know that the revisions to Chapter 12 have not been cleared.
Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://uscis.dhs.gov/bc/

From: Pitcairn, Rodger
Sent: Tuesday, July 26, 2011 3:31 PM
To: Bacon, William H
Cc: McCarthy, Rachel A; Conlon, Claudia M
Subject: I knew that Chapter 12 rang a bell; error on bottom of uscis.gov memo list pages

Bill,

In 2005, when we, i.e., the committee of which I was co-chair, was reviewing the AFM for its initial public online publication, we discovered that Chapter 12 was in the throes of revision. According to my AFM spreadsheet, Chapter 12 went to DOMO Associate Director Mike Aytes for concurrence on 07/09/2007 as AD05-01. See attached draft memo and draft AFM update. I see no evidence that Mike Aytes concurred on the Chapter 12 update, e.g., no memo was posted on uscis.gov under laws, policy memoranda. Obviously, there's nothing in the AFM.

Note that although Chapters 12.1-12.5 were apparently never updated, we added Chapter 12.6 around November 2005 as AD06-05, and then updated Ch 12.6 as AD11-34 on June 7, 2011.

ERROR on uscis.gov Immigration Policy and Procedural Memoranda page. The bottom of the page states, "Last updated: 04/20/2010"; however, the most recent memo is dated July 13, 2011/

Rachel,

Do you have any idea if Chapters 12.1-12.5 were ever concurred on? As I mentioned above, I see no evidence that the chapters were ever approved. Please let me and Bill Bacon know if you have any info about the current status of the Chapters 12.1-12.5 update. Thanks

Rodger Pitcairn, Adjudications Officer (Policy)
U.S. Citizenship and Immigration Services
Office of Policy and Strategy
20 Massachusetts Ave NW
Washington, DC 20529
Phone: 202-272-8427; fax 202-272-8518
e-mail: rodger.pitcairn@dhs.gov

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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:44 PM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

From: Gallagher, Ellen M
Sent: Friday, August 19, 2011 12:22 PM
To: Muhletaler, Catherine; Hinds, Ian
Subject: Re: KTC08162011-01 Role of Private Attorneys PM

Will do!

From: Muhletaler, Catherine
Sent: Friday, August 19, 2011 12:16 PM
To: Hinds, Ian; Gallagher, Ellen M
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

Hi Ian & Ellen,

Just wanted to loop you in on this draft PM. The attached contains my & Rachel's comments and edits.

Please review and let me know if you have any edits/comment. This PM is meant to supersede AFM Chpt 12 on this subject. Thanks, Cathy

---

From: OCC-Clearance
Sent: Friday, August 19, 2011 11:09 AM
To: McCarthy, Rachel A
Cc: Muhletaler, Catherine
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Hi Rachel,

Please take a look at my edits – especially my comment on the section titled - Representatives Serving as Interpreter. – is this a policy call or by regulation?

Let me know you thoughts.

Thanks, Cathy

From: McCarthy, Rachel A
Sent: Tuesday, August 16, 2011 1:16 PM
To: OCC-Clearance
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://uscis.dhs.gov/bc/

From: OCC-Clearance
Sent: Tuesday, August 16, 2011 11:19 AM
To: McCarthy, Rachel A
Cc: Hinds, Ian; Gallagher, Ellen M; Flynn, Patricia H; Tournay, Frederick H; Muhletaler, Catherine
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

Hi Rachel,

Please review the attached document. Please respond to the OCC-Clearance Box with your edits/comments by next Tuesday, August 23.

Since this is an Exec Sec ECN tracked review, the Box will upload the OCC response to ECN. Thanks, Cathy

---

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 16, 2011 11:08 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; Harrison, Julia L; Davis, Marla J; USCIS Exec Sec; exsotaskcoordination@dhsconnect.dhs.gov; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM

My apologies all, this is actually due Thursday, August 25th, not Friday, August 26th.

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
202-272-0990 (Office)
EXSO Connect Page
EXSO ECN Page
Please send all official actions to uscisexecsec@dhs.gov.

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 16, 2011 11:01 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Davis, Marla J; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM

HCP TASK

Please copy uscisexecsec@dhs.gov and EXSOTaskCoordination@dhsconnect.dhs.gov on all e-mail traffic regarding this task and include the Action Item name provided below in the subject line of your e-mails. Thank you.

All:

Draft materials are available for your review on EXSO-ECN.

Action Item: KTC08162011-01 Role of Private Attorneys PM
Originating POD/POC: FOD/Julia Harrison; 2-1709
EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Routine
Suspense Date: Thursday, August 25, 2011

USCIS Office of the Executive Secretariat
(202) 272-0990 – office
(202) 272-0970 – fax
EXSO Connect Page
EXSO ECN Page
Please upload all actions for which Forms G-1056 are used to EXSO-ECN.
Please send all official actions to uscisexecsec@dhs.gov.

Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:45 PM
To: Greenwood, Tembra A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

From: McCarthy, Rachel A
Sent: Wednesday, September 14, 2011 7:40 AM
To: Hinds, Ian; Muhletaler, Catherine (b)(5)
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

The sample affidavits were created by me years ago (as in when Robert was the Chief Counsel).
I was honestly surprised to see them back in this package for the reason that Ian stated. I have learned more than I ever wanted to know about the forms process over the last few years.

This chapter has been rewritten by a lot of different people, each of whom has a special interest to protect [redacted] which I did not catch at all in my review). What is our next step here?

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

(b)(5)

From: Hinds, Ian
Sent: Tuesday, September 13, 2011 5:10 PM
To: Muhletaler, Catherine; OCC-Clearance; Gallagher, Ellen M; Whitney, Ronald W; McCarthy, Rachel A
Subject: FW: KTC08162011-01 Role of Private Attorneys PM

[redacted]

Ian

From: McCarthy, Rachel A
Sent: Tuesday, September 13, 2011 9:21 AM
To: Muhletaler, Catherine; OCC-Clearance; Gallagher, Ellen M; Hinds, Ian; Whitney, Ronald W
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Cathy
I added some language to those sections as requested.
Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services

Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: Muhletaler, Catherine
Sent: Tuesday, September 13, 2011 8:37 AM
To: McCarthy, Rachel A; OCC-Clearance; Gallagher, Ellen M; Hinds, Ian; Whitney, Ronald W
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

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Rachel,

I made a few minor redline edits

[redacted]

Let me know.

Cathy

From: McCarthy, Rachel A
Sent: Monday, September 12, 2011 2:52 PM
To: OCC-Clearance; Gallagher, Ellen M; Hinds, Ian; Muhletaler, Catherine; Whitney, Ronald W
Subject: RE: KTC08162011-01 Role of Private Attorneys PM

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: OCC-Clearance
Sent: Monday, September 12, 2011 1:35 PM
To: McCarthy, Rachel A; Gallagher, Ellen M; Hinds, Ian; Muhletaler, Catherine; Whitney, Ronald W
Subject: FW: KTC08162011-01 Role of Private Attorneys PM
Importance: High

Hi Everyone,

Please review the attached updated version of AFM Chpt 12 (and also PM). There was some confusion regarding which version we should be reviewing, but it's been sorted out.

Please review asap and send your edits to the Box. Thanks, Cathy

---

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Monday, September 12, 2011 12:41 PM
To: OCC-Clearance; Graziadio, Josie; Kvortek, Steve P
Cc: Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Lai, Victoria W; Chang, Pearl B
Subject: RE: KTC08162011-01 Role of Private Attorneys PM
Importance: High

OCC and P&S:

We have not received your response for this task. Please update EXSO-ECN.

Thank you.

Kerry T. Contaldi
USCIS Office of the Executive Secretariat
202-272-8306 (Desk)
(b)(6) [redacted] **(BlackBerry)**
202-272-0990 (Office)
EXSO Connect Page
EXSO ECN Page
Please send all official actions to uscisexecsec@dhs.gov.

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 30, 2011 4:31 PM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K; Transformation Executive Correspondence
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Davis, Marla J; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM

HCP TASK

Please copy uscisexecsec@dhs.gov and EXSOTaskCoordination@dhsconnect.dhs.gov on all e-mail traffic regarding this task and include the Action Item name provided below in the subject line of your e-mails. Thank you.

All:

Draft materials are available for your review on EXSO-ECN. This is the second review for this PM, which FOD updated based on your comments and edits.

Action Item: KTC08162011-01 Role of Private Attorneys PM
Originating POD/POC: FOD/Julia Harrison; 2-1709
EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Prompt
Suspense Date: Wednesday, September 8, 2011

USCIS Office of the Executive Secretariat
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(202) 272-0970 – fax

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Please upload all actions for which Forms G-1056 are used to EXSO-ECN.
Please send all official actions to uscisexecsec@dhs.gov.

From: Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
Sent: Tuesday, August 16, 2011 11:01 AM
To: Rhew, Perry J; Grissom, John F; Rix, Donna L; OCC-Clearance; Patching, Laura; Eccleston, Hermene; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Parisi, Thomas M; Higdon, Jamie C; Simpson, Baxter; McCament, James W; Tintary, Ruth E; Roles, Rebecca J; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Graziadio, Josie; Kvortek, Steve P; Hawkins, Donald K; David, Lashaunne G; Samuels, Paulette M; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Wilson, Lynn M; Lacot, Rosalina; Gradowski, Leonard S; #USCIS - ESD Tasking List; FDNS Front Office Tasking; Atkinson, Ronald A; Crewson, Jean C; Karam, Lauren J; Kellner, Aris R; Fleet, Andrea B; Conway, Kathleen B; USCIS RAIO; Arroyo, Susan K
Cc: Mattice, Michael; Carter, Constance L; Drake, Johnetta; USCIS Exec Sec; Harrison, Julia L; Davis, Marla J; HQ Field Operations; Chang, Pearl B; Melero, Mariela; Herrmann, Mary K; Ellis, Rachel; Murnane, Kristin M; Simpson, Pamela R; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Neufeld, Donald; Velarde, Barbara Q
Subject: KTC08162011-01 Role of Private Attorneys PM

HCP TASK

Please copy uscisexecsec@dhs.gov and EXSOTaskCoordination@dhsconnect.dhs.gov on all e-mail traffic regarding this task and include the Action Item name provided below in the subject line of your e-mails. Thank you.

All:

Draft materials are available for your review on EXSO-ECN.

Action Item: KTC08162011-01 Role of Private Attorneys PM
Originating POD/POC: FOD/Julia Harrison; 2-1709
EXSO POC: Kerry Contaldi; 2-8306
Required to Respond: FDNS, OCC, P&S and RAIO
FYI: AAO, CSD, ESD, EXSO, MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, PRIV, and SCOPS
Level of Urgency: Routine
Suspense Date: Thursday, August 25, 2011

USCIS Office of the Executive Secretariat
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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:46 PM
To: Greenwood, Tembra A
Subject: FW: revisions to AFM
Attachments: AFM Ch 12 update Private Attorneys and Other Representatives RAM REVISIONS 100311.doc

---

From: Hinds, Ian
Sent: Monday, October 03, 2011 12:22 PM
To: Muhletaler, Catherine
Subject: FW: revisions to AFM

Hi Cathy,

Can you review as well? I think if we turn this around by COB tomorrow, we should be OK.

Ian

From: McCarthy, Rachel A
Sent: Monday, October 03, 2011 12:07 PM
To: Hinds, Ian; OCC-Clearance
Subject: revisions to AFM

As they say on tv, Ian, back to you.

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

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Attachments: AFM Ch 12 update Private Attorneys and Other Representatives RAM REVISIONS 100311 cm.doc

---

From: Muhletaler, Catherine
Sent: Tuesday, October 04, 2011 8:43 AM
To: Muhletaler, Catherine; Hinds, Ian
Subject: RE: revisions to AFM

OK – it would help if I attached the document.

From: Muhletaler, Catherine
Sent: Tuesday, October 04, 2011 8:42 AM
To: Hinds, Ian
Subject: RE: revisions to AFM

Hi Ian,

I've added a few more minor edits throughout the document. I agree with the comments by you and Maria.

Lets' send back and see what the client says. If you need me to do anything further on this end, pls let me know. Thanks, Cathy

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To: Hinds, Ian; OCC-Clearance
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Rachel A. McCarthy
Disciplinary Counsel

U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
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Sent: Monday, October 03, 2011 12:22 PM
To: Muhletaler, Catherine
Subject: FW: revisions to AFM

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Can you review as well? I think if we turn this around by COB tomorrow, we should be OK.

Ian

From: McCarthy, Rachel A
Sent: Monday, October 03, 2011 12:07 PM
To: Hinds, Ian; OCC-Clearance
Subject: revisions to AFM

As they say on tv, Ian, back to you.

Rachel A. McCarthy
Disciplinary Counsel

U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
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U.S. Citizenship and Immigration Services
(802) 660-1779 (phone)
(802 660-5067 (fax)

From: Hinds, Ian
Sent: Wednesday, September 28, 2011 10:42 AM
To: McCarthy, Rachel A; OCC-Clearance
Subject: RE: Follow up

Just spoke to Julia. She really needs it by COB Friday at the latest. Can that work?

Ina

From: McCarthy, Rachel A
Sent: Wednesday, September 28, 2011 10:24 AM
To: OCC-Clearance
Cc: Hinds, Ian
Subject: Re: Follow up

Ian
If possible, can we extend the deadline to cob monday? Its going well but I need to be realistic about what I. Can do well today.
This way I will stay home and focus on the history piece alone.
Rachel
Rachel A. McCarthy (message sent from Blackberry)
Bar Counsel
U.S. Citizenship and Immigration Services
(802) 660-1779 (phone)
(802 660-5067 (fax)

From: OCC-Clearance
Sent: Tuesday, September 27, 2011 05:18 PM
To: McCarthy, Rachel A
Cc: Hinds, Ian
Subject: RE: Follow up

Adding Ian

From: McCarthy, Rachel A
Sent: Tuesday, September 27, 2011 4:58 PM
To: OCC-Clearance
Subject: RE: Follow up

Ian
I am working from home tomorrow morning on the regs project and then should be in the office in the afternoon and hopefully I can focus on this project. My problem is that I am not able to find some the first generation of the 292.1 regulation – but it may be that appearances and representation were somewhere else in the regs and not in a separate part. Its been hard to focus on figuring that all out with everything else going on.
So tomorrow, I am going to try to do just that – work on one thing so that before I leave tomorrow for the holidays, this can be crossed off of our plates.
Rachel

Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:47 PM
To: Greenwood, Tembra A
Subject: FW: Follow up

From: Harrison, Julia L
Sent: Tuesday, October 04, 2011 11:03 AM
To: Hinds, Ian; McCarthy, Rachel A; Muhletaler, Catherine
Subject: RE: Follow up

Yes- that works. Thanks.

Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: Hinds, Ian
Sent: Tuesday, October 04, 2011 11:01 AM
To: Harrison, Julia L; McCarthy, Rachel A; Muhletaler, Catherine
Subject: RE: Follow up

Julia,

Can we move the meeting back to 11?

Ian

From: Harrison, Julia L
Sent: Tuesday, October 04, 2011 10:52 AM
To: Hinds, Ian; McCarthy, Rachel A
Subject: RE: Follow up

Hi. I just sent you an invite for Thursday- I need your input on some of the comments from fdns and I'm under the gun to get this to the front office so it seemed most efficient to have a quick meeting to discuss. Can you also please send me your comments/edits so I can be prepared to discuss any of them Thursday if needed. Thanks.

Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: Hinds, Ian
Sent: Wednesday, September 28, 2011 12:11 PM
To: Harrison, Julia L
Subject: FW: Follow up

I tried.

Ian (b)(6)

From: McCarthy, Rachel A
Sent: Wednesday, September 28, 2011 12:08 PM
To: Hinds, Ian
Subject: Re: Follow up

[redacted]

Rachel A. McCarthy (message sent from Blackberry)
Bar Counsel
U.S. Citizenship and Immigration Services
(802) 660-1779 (phone)
(802 660-5067 (fax)

From: Hinds, Ian
Sent: Wednesday, September 28, 2011 10:42 AM
To: McCarthy, Rachel A; OCC-Clearance
Subject: RE: Follow up

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Subject: Re: Follow up

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This way I will stay home and focus on the history piece alone.
Rachel
Rachel A. McCarthy (message sent from Blackberry)
Bar Counsel
U.S. Citizenship and Immigration Services
(802) 660-1779 (phone)
(802 660-5067 (fax)

From: OCC-Clearance
Sent: Tuesday, September 27, 2011 05:18 PM
To: McCarthy, Rachel A
Cc: Hinds, Ian
Subject: RE: Follow up

Adding Ian

From: McCarthy, Rachel A
Sent: Tuesday, September 27, 2011 4:58 PM

To: OCC-Clearance
Subject: RE: Follow up

Ian
I am working from home tomorrow morning on the regs project and then should be in the office in the afternoon and hopefully I can focus on this project. My problem is that I am not able to find some the first generation of the 292.1 regulation – but it may be that appearances and representation were somewhere else in the regs and not in a separate part. Its been hard to focus on figuring that all out with everything else going on.
So tomorrow, I am going to try to do just that – work on one thing so that before I leave tomorrow for the holidays, this can be crossed off of our plates.
Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: Hinds, Ian **On Behalf Of** OCC-Clearance
Sent: Tuesday, September 27, 2011 3:59 PM
To: McCarthy, Rachel A
Cc: OCC-Clearance
Subject: FW: Follow up

Hi Rachel,

See new deadline below. If we won't be able to make it, we should let them know asap.

Thanks,
Ian

From: Harrison, Julia L
Sent: Tuesday, September 27, 2011 3:48 PM
To: OCC-Clearance
Subject: Fw: Follow up

See below-I advised that I was expecting your comments by cob thursday and would have this to the front office by cob Friday.
Julia L. Harrison
Chief, Operations Division
Field Operations
202.272.1709

From: FitzGerald, Karen L
Sent: Tuesday, September 27, 2011 03:31 PM
To: Harrison, Julia L; Dominguez, Kathy
Subject: Follow up

Julia and Kathy,

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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:48 PM
To: Greenwood, Tembra A
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives

---

From: Hinds, Ian
Sent: Thursday, October 06, 2011 1:12 PM
To: Flynn, Patricia H
Cc: Muhletaler, Catherine; McCarthy, Rachel A
Subject: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Hi Patricia,

Do you see any 4.2 (or other) issues with the draft passage from the AFM below?

Thanks,
Ian

(b)(5)

Ian G. Hinds
Special Counsel
Office of the Chief Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security

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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:48 PM
To: Greenwood, Tembra A
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives

---

From: Hinds, Ian
Sent: Thursday, October 06, 2011 1:16 PM
To: Elder, Phillip D
Cc: Muhletaler, Catherine; McCarthy, Rachel A
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Hi Phillip,

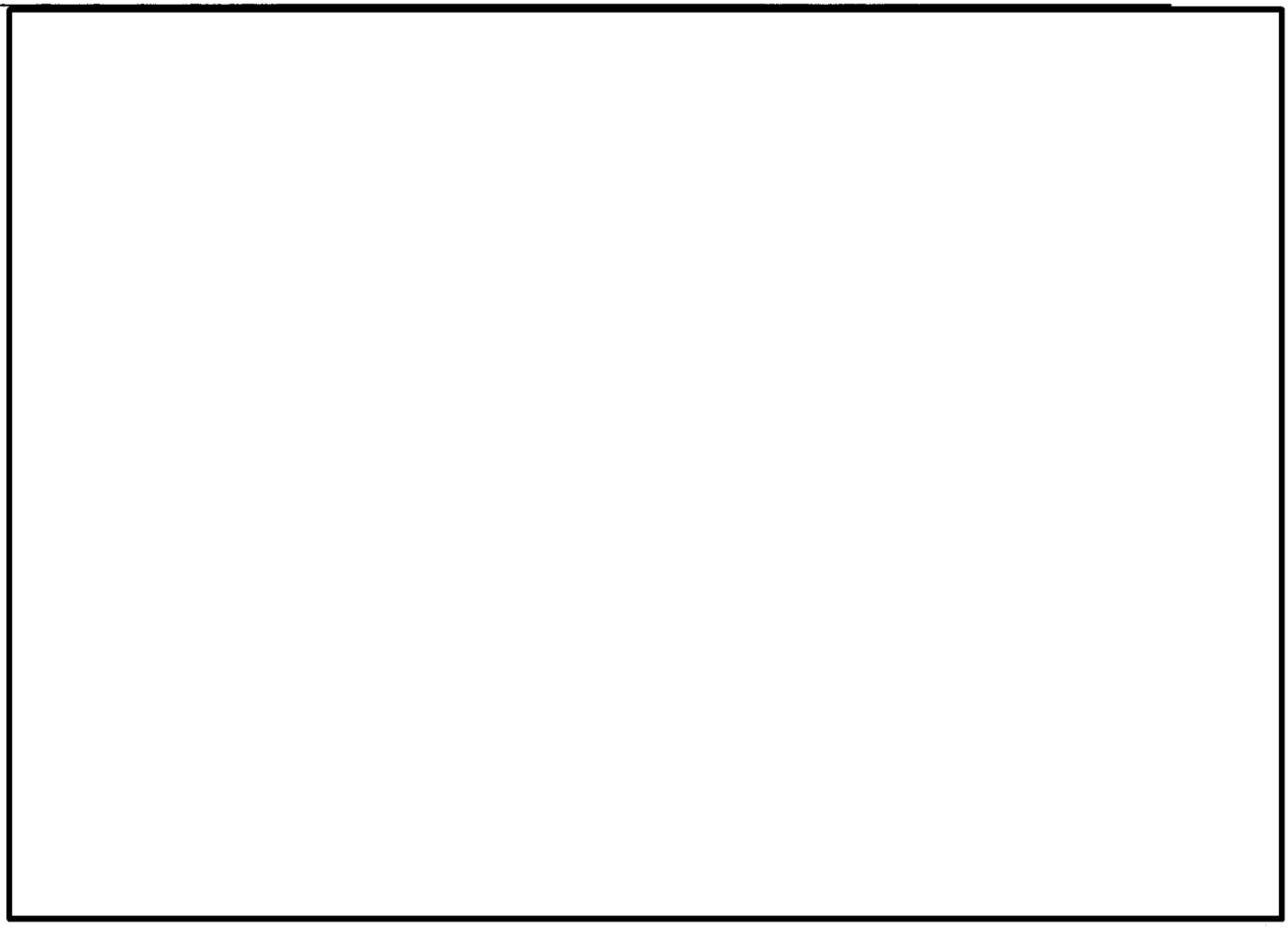
Do you see any PRA issues with making these attachments available to USCIS customers as "samples"?

Thanks,
Ian

(b)(5)

Appendix 12-1 is added as follows:

Appendix 12-1 Sample Affidavit



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U.S. Citizenship and Immigration Services
Department of Homeland Security

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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:48 PM
To: Greenwood, Tembra A
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives

---

From: McCarthy, Rachel A
Sent: Thursday, October 06, 2011 1:18 PM (b)(5)
To: Hinds, Ian; Elder, Phillip D
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

All:

[redacted]

Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: Hinds, Ian
Sent: Thursday, October 06, 2011 1:16 PM
To: Elder, Phillip D
Cc: Muhletaler, Catherine; McCarthy, Rachel A
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Hi Phillip,

Do you see any PRA issues with making these attachments available to USCIS customers as "samples"?

Thanks,
Ian

Appendix 12-1 is added as follows:

Appendix 12-1 Sample Affidavit

(SAMPLE)
AFFIDAVIT OF INDIVIDUAL REQUESTING PERMISSION TO APPEAR
BEFORE USCIS OFFICIAL

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The original of this document is to be maintained by the USCIS official in charge of the office in which the request was made, with a copy filed in the record of proceeding.

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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:48 PM
To: Greenwood, Tembra A
Subject: FW: Ch 12 of the AFM

From: Hinds, Ian
Sent: Thursday, October 06, 2011 1:20 PM
To: McCarthy, Rachel A; Muhletaler, Catherine
Subject: RE: Ch 12 of the AFM

OCC only.

Here is a version with all the changes accepted including a few new edits from me. Please read through and let me know if you have any additional comments.

Thanks,



AFM Ch 12 update Privat...

Ian

From: McCarthy, Rachel A
Sent: Thursday, October 06, 2011 12:17 PM
To: Harrison, Julia L; Atkinson, Ronald A
Cc: Hinds, Ian; Muhletaler, Catherine
Subject: RE: Ch 12 of the AFM

<< File: AFM Ch 12 update Private Attorneys and Other Representatives RAM REVISIONS 100611 cm IGH2 cm (2).doc >>

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

-----Original Appointment-----
From: Harrison, Julia L
Sent: Thursday, October 06, 2011 10:00 AM
To: McCarthy, Rachel A; Atkinson, Ronald A
Cc: Hinds, Ian; Muhletaler, Catherine
Subject: Updated: Ch 12 of the AFM

When: Thursday, October 06, 2011 11:00 AM-12:00 PM (GMT-05:00) Eastern Time (US & Canada).
Where: Juia's Office- 111 Mass; 2nd floor

When: Thursday, October 06, 2011 11:00 AM-12:00 PM (GMT-05:00) Eastern Time (US & Canada).
Where: Juia's Office- 111 Mass; 2nd floor

Note: The GMT offset above does not reflect daylight saving time adjustments.

~~*~*~*~*~*~*~*~*~*

Adding call in info
866-708-0497
Participant passcode [redacted] (b)(6)
Hi. I'm scheduling this meeting to discuss some of the comments I have received on this document (see attached). It would also be helpful if I could get the comments/edits from OCC before this meeting so that we can discuss if needed. Thanks!

<< File: Comments_2nd review.docx >>

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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:48 PM
To: Greenwood, Tembra A
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives

---

From: Elder, Phillip D
Sent: Thursday, October 06, 2011 1:28 PM
To: McCarthy, Rachel A; Hinds, Ian (b)(5)
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

---

From: McCarthy, Rachel A
Sent: Thursday, October 06, 2011 1:18 PM
To: Hinds, Ian; Elder, Phillip D
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

ALL:

Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
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website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: Hinds, Ian
Sent: Thursday, October 06, 2011 1:16 PM
To: Elder, Phillip D
Cc: Muhletaler, Catherine; McCarthy, Rachel A
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Hi Phillip,

Do you see any PRA issues with making these attachments available to USCIS customers as "samples"?

Thanks,
Ian

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U.S. Citizenship and Immigration Services
Department of Homeland Security

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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:49 PM
To: Greenwood, Tembra A
Subject: FW: Ch 12 of the AFM

From: McCarthy, Rachel A
Sent: Thursday, October 06, 2011 1:44 PM
To: Hinds, Ian; Muhletaler, Catherine
Subject: RE: Ch 12 of the AFM



AFM Ch 12 update Privat...

Some of the minor edits I made, I accepted into the document before I realized that I was going to add some language. It was just moving and consolidating some footnotes in the background section.

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
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(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: Hinds, Ian
Sent: Thursday, October 06, 2011 1:20 PM
To: McCarthy, Rachel A; Muhletaler, Catherine
Subject: RE: Ch 12 of the AFM

OCC only.

Here is a version with all the changes accepted including a few new edits from me. Please read through and let me know if you have any additional comments.

Thanks,
Ian << File: AFM Ch 12 update Private Attorneys and Other Representatives OCC 10.06.11.doc >>

From: McCarthy, Rachel A
Sent: Thursday, October 06, 2011 12:17 PM
To: Harrison, Julia L; Atkinson, Ronald A
Cc: Hinds, Ian; Muhletaler, Catherine
Subject: RE: Ch 12 of the AFM

<< File: AFM Ch 12 update Private Attorneys and Other Representatives RAM REVISIONS 100611 cm IGH2 cm (2).doc >>

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
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(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

-----Original Appointment-----
From: Harrison, Julia L
Sent: Thursday, October 06, 2011 10:00 AM
To: McCarthy, Rachel A; Atkinson, Ronald A
Cc: Hinds, Ian; Muhletaler, Catherine
Subject: Updated: Ch 12 of the AFM
When: Thursday, October 06, 2011 11:00 AM-12:00 PM (GMT-05:00) Eastern Time (US & Canada).
Where: Juia's Office- 111 Mass; 2nd floor

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Where: Juia's Office- 111 Mass; 2nd floor

Note: The GMT offset above does not reflect daylight saving time adjustments.

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Adding call in info (b)(6)
866-708-0497
Participant passcode [redacted]
Hi. I'm scheduling this meeting to discuss some of the comments I have received on this document (see attached). It would also be helpful if I could get the comments/edits from OCC before this meeting so that we can discuss if needed. Thanks!

<< File: Comments_2nd review.docx >>

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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:49 PM
To: Greenwood, Tembra A
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives

---

From: Hinds, Ian
Sent: Thursday, October 06, 2011 1:45 PM
To: Elder, Phillip D; McCarthy, Rachel A
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

---

From: Elder, Phillip D
Sent: Thursday, October 06, 2011 1:28 PM
To: McCarthy, Rachel A; Hinds, Ian
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

---

From: McCarthy, Rachel A
Sent: Thursday, October 06, 2011 1:18 PM
To: Hinds, Ian; Elder, Phillip D
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

ALL:

Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
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(802) 660-1779
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website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: Hinds, Ian
Sent: Thursday, October 06, 2011 1:16 PM
To: Elder, Phillip D

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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:49 PM
To: Greenwood, Tembra A
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives

---

From: Elder, Phillip D
Sent: Thursday, October 06, 2011 1:47 PM
To: Hinds, Ian; McCarthy, Rachel A
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

---

From: Hinds, Ian
Sent: Thursday, October 06, 2011 1:45 PM
To: Elder, Phillip D; McCarthy, Rachel A
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

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From: Elder, Phillip D
Sent: Thursday, October 06, 2011 1:28 PM
To: McCarthy, Rachel A; Hinds, Ian
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

---

From: McCarthy, Rachel A
Sent: Thursday, October 06, 2011 1:18 PM
To: Hinds, Ian; Elder, Phillip D
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

ALL:

Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services

Department of Homeland Security
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website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

From: Hinds, Ian
Sent: Thursday, October 06, 2011 1:16 PM
To: Elder, Phillip D
Cc: Muhletaler, Catherine; McCarthy, Rachel A
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Hi Phillip,

Do you see any PRA issues with making these attachments available to USCIS customers as "samples"?

Thanks,
Ian

(b)(5)

Appendix 12-1 is added as follows:

Appendix 12-1 Sample Affidavit

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From: Elder, Phillip D
Sent: Thursday, October 06, 2011 1:47 PM
To: Hinds, Ian; McCarthy, Rachel A
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

That would comply with the PRA. If they really think a form would work and want one they shouldn't seek short cuts and should develop and clear a form.

From: Hinds, Ian
Sent: Thursday, October 06, 2011 1:45 PM
To: Elder, Phillip D; McCarthy, Rachel A
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

From: Elder, Phillip D
Sent: Thursday, October 06, 2011 1:28 PM
To: McCarthy, Rachel A; Hinds, Ian
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

From: McCarthy, Rachel A
Sent: Thursday, October 06, 2011 1:18 PM
To: Hinds, Ian; Elder, Phillip D
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

ALL:

Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
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From: Hinds, Ian
Sent: Thursday, October 06, 2011 1:16 PM
To: Elder, Phillip D
Cc: Muhletaler, Catherine; McCarthy, Rachel A
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

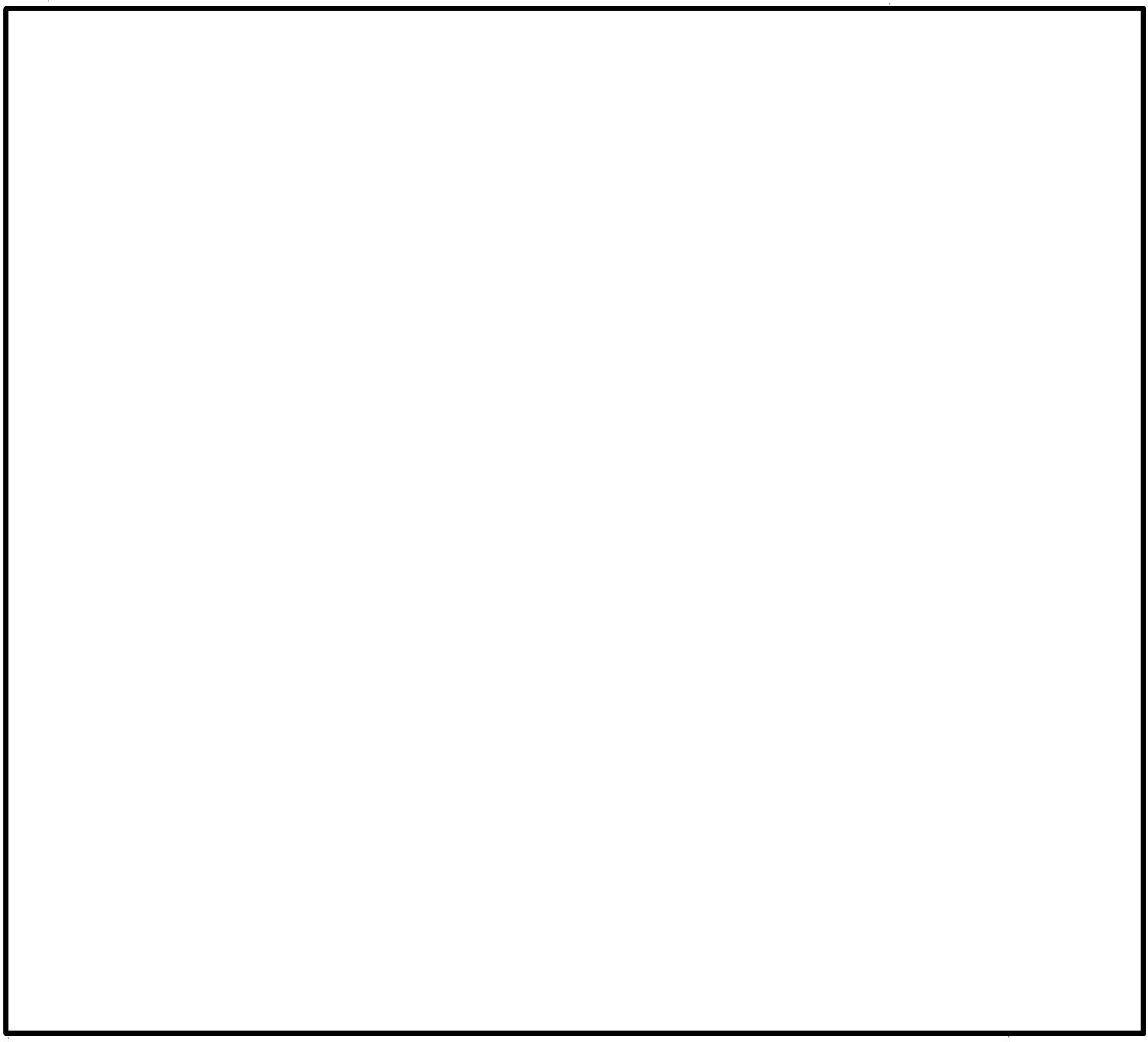
Hi Phillip,

Do you see any PRA issues with making these attachments available to USCIS customers as "samples"?

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Appendix 12-1 is added as follows:

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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:49 PM
To: Greenwood, Tembra A
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives

---

From: Hinds, Ian
Sent: Thursday, October 06, 2011 2:45 PM
To: McCarthy, Rachel A; Elder, Phillip D
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

I am fine with that. Do you want to break them up and put them into the draft?

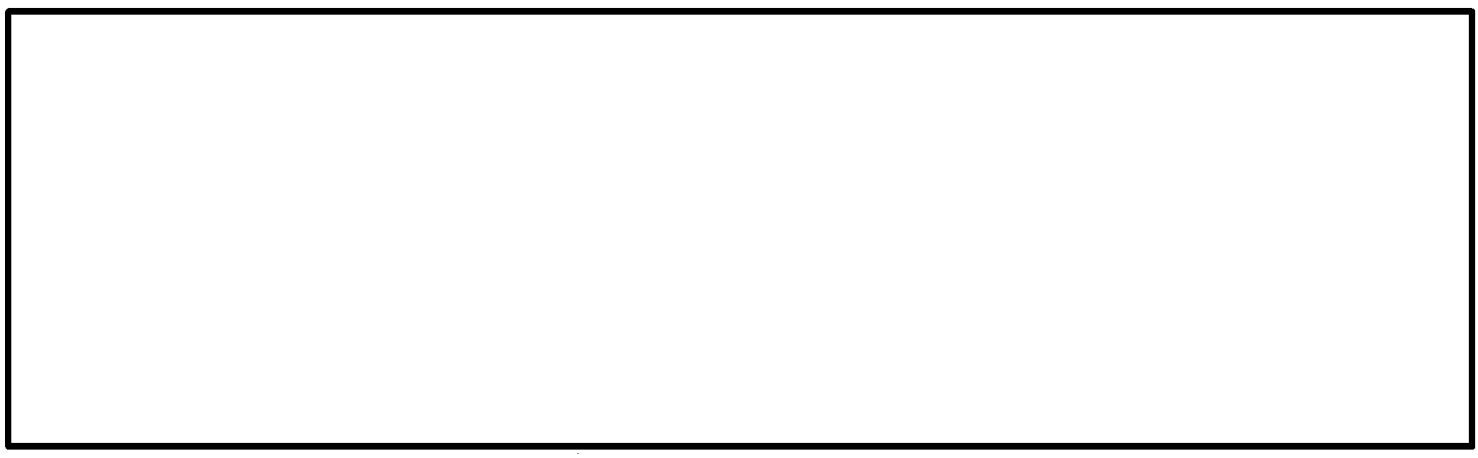
From: McCarthy, Rachel A
Sent: Thursday, October 06, 2011 2:40 PM
To: Hinds, Ian; Elder, Phillip D
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives



Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
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website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: Hinds, Ian
Sent: Thursday, October 06, 2011 2:10 PM
To: Elder, Phillip D; McCarthy, Rachel A
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives



PAGE WITHHELD PURSUANT TO (b)(5)

From: Elder, Phillip D
Sent: Thursday, October 06, 2011 1:47 PM
To: Hinds, Ian; McCarthy, Rachel A
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

[redacted]

From: Hinds, Ian
Sent: Thursday, October 06, 2011 1:45 PM
To: Elder, Phillip D; McCarthy, Rachel A
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

[redacted]

From: Elder, Phillip D
Sent: Thursday, October 06, 2011 1:28 PM
To: McCarthy, Rachel A; Hinds, Ian
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

[redacted]

From: McCarthy, Rachel A
Sent: Thursday, October 06, 2011 1:18 PM
To: Hinds, Ian; Elder, Phillip D
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

ALL:

[redacted]

Rachel

Rachel A. McCarthy
Disciplinary Counsel
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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:50 PM
To: Greenwood, Tembra A
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives

---

From: McCarthy, Rachel A
Sent: Thursday, October 06, 2011 2:52 PM
To: Hinds, Ian; Elder, Phillip D
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

sure

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
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From: Hinds, Ian
Sent: Thursday, October 06, 2011 2:45 PM
To: McCarthy, Rachel A; Elder, Phillip D
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

I am fine with that. Do you want to break them up and put them into the draft?

From: McCarthy, Rachel A
Sent: Thursday, October 06, 2011 2:40 PM
To: Hinds, Ian; Elder, Phillip D
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

[redacted] (b)(5)

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
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From: Elder, Phillip D
Sent: Thursday, October 06, 2011 1:47 PM
To: Hinds, Ian; McCarthy, Rachel A
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

[redacted]

From: Hinds, Ian
Sent: Thursday, October 06, 2011 1:45 PM
To: Elder, Phillip D; McCarthy, Rachel A
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

[redacted]

From: Elder, Phillip D
Sent: Thursday, October 06, 2011 1:28 PM
To: McCarthy, Rachel A; Hinds, Ian
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

[redacted]

From: McCarthy, Rachel A
Sent: Thursday, October 06, 2011 1:18 PM
To: Hinds, Ian; Elder, Phillip D
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

ALL:

[redacted]

Rachel

Rachel A. McCarthy
Disciplinary Counsel (b)(5)
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:50 PM
To: Greenwood, Tembra A
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives

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To: Greenwood, Tembra A
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives
Attachments: SAMPLE AFFIDAVITS FOR CHAPTER 12 AFM.docx

From: McCarthy, Rachel A
Sent: Thursday, October 06, 2011 3:02 PM
To: Hinds, Ian; Elder, Phillip D
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

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Sent: Thursday, October 06, 2011 2:10 PM
To: Elder, Phillip D; McCarthy, Rachel A
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives (b)(5)

How is this?

AFFIDAVIT OF INDIVIDUAL REQUESTING PERMISSION TO APPEAR
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From: Elder, Phillip D
Sent: Thursday, October 06, 2011 3:03 PM
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Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Attached.

From: McCarthy, Rachel A
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Rachel

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That works. Linda Norford has some way of stamping it in shadow across an entire form if we want to consider that option. I have seen it as "DRAFT" as well – but Julia may be able to do that if we want something to cover the page

Rachel A. McCarthy
Disciplinary Counsel
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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:50 PM
To: Greenwood, Tembra A
Subject: FW: Ch 12 of the AFM

From: Atkinson, Ronald A
Sent: Thursday, October 06, 2011 3:26 PM
To: McCarthy, Rachel A; Harrison, Julia L
Cc: Hinds, Ian; Muhletaler, Catherine; Kellner, Aris R; Karam, Lauren J
Subject: RE: Ch 12 of the AFM

Attached are FDNS edits and comments.

...Alan

Ronald Alan Atkinson
Chief of Staff - FDNS
Phone: (202)272-0917 (b)(6)
Fax: (202)272-8594
Mobile: [redacted]

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From: McCarthy, Rachel A
Sent: Thursday, October 06, 2011 12:17 PM
To: Harrison, Julia L; Atkinson, Ronald A
Cc: Hinds, Ian; Muhletaler, Catherine
Subject: RE: Ch 12 of the AFM

<< File: AFM Ch 12 update Private Attorneys and Other Representatives RAM REVISIONS 100611 cm IGH2 cm (2).doc >>

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
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(802) 660-1779
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website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

-----Original Appointment-----
From: Harrison, Julia L
Sent: Thursday, October 06, 2011 10:00 AM
To: McCarthy, Rachel A; Atkinson, Ronald A
Cc: Hinds, Ian; Muhletaler, Catherine
Subject: Updated: Ch 12 of the AFM
When: Thursday, October 06, 2011 11:00 AM-12:00 PM (GMT-05:00) Eastern Time (US & Canada).
Where: Juia's Office- 111 Mass; 2nd floor

When: Thursday, October 06, 2011 11:00 AM-12:00 PM (GMT-05:00) Eastern Time (US & Canada).
Where: Juia's Office- 111 Mass; 2nd floor

Note: The GMT offset above does not reflect daylight saving time adjustments.

~~*~*~*~*~*~*~*~*

Adding call in info
866-708-0497 (b)(6)
Participant passcode [redacted]
Hi. I'm scheduling this meeting to discuss some of the comments I have received on this document (see attached). It would also be helpful if I could get the comments/edits from OCC before this meeting so that we can discuss if needed. Thanks!

<< File: Comments_2nd review.docx >>

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To: Greenwood, Tembra A
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To: Atkinson, Ronald A; McCarthy, Rachel A; Harrison, Julia L
Cc: Hinds, Ian; Muhletaler, Catherine; Kellner, Aris R; Karam, Lauren J
Subject: RE: Ch 12 of the AFM

Neglected to attach document...



AFM Ch 12
update Privat...

Ronald Alan Atkinson
Chief of Staff - FDNS
Phone: (202)272-0917
Fax: (202)272-8594
Mobile: [redacted] (b)(6)

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Chief of Staff - FDNS
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Fax: (202)272-8594

(b)(6)

Mobile: [redacted]

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Sent: Thursday, October 06, 2011 12:17 PM
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Cc: Hinds, Ian; Muhletaler, Catherine
Subject: RE: Ch 12 of the AFM

<< File: AFM Ch 12 update Private Attorneys and Other Representatives RAM REVISIONS 100611 cm IGH2 cm (2).doc >>

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From: Harrison, Julia L
Sent: Thursday, October 06, 2011 10:00 AM
To: McCarthy, Rachel A; Atkinson, Ronald A
Cc: Hinds, Ian; Muhletaler, Catherine
Subject: Updated: Ch 12 of the AFM
When: Thursday, October 06, 2011 11:00 AM-12:00 PM (GMT-05:00) Eastern Time (US & Canada).
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Sent: Thursday, October 06, 2011 5:16 PM
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Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

That works. Linda Norford has some way of stamping it in shadow across an entire form if we want to consider that option. I have seen it as "DRAFT" as well – but Julia may be able to do that if we want something to cover the page

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

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From: Elder, Phillip D
Sent: Thursday, October 06, 2011 3:03 PM
To: McCarthy, Rachel A; Hinds, Ian
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Attached.

From: McCarthy, Rachel A
Sent: Thursday, October 06, 2011 3:02 PM
To: Hinds, Ian; Elder, Phillip D
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

If anyone knows how to add a "SAMPLE" stamp on top of these pages, that would be great.

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Sent: Thursday, October 06, 2011 2:52 PM
To: McCarthy, Rachel A; Elder, Phillip D
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

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(b)(5)

Rachel A. McCarthy
Disciplinary Counsel

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From: Elder, Phillip D
Sent: Thursday, October 06, 2011 1:47 PM
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Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

[redacted]

From: Hinds, Ian
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To: Elder, Phillip D; McCarthy, Rachel A
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Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Would it work then if the sample was filed in? I Fred Smith want to appear before Mary Jones on behalf or Peter Martin. I went to Podunk Law School etc, etc.

From: Elder, Phillip D
Sent: Thursday, October 06, 2011 1:28 PM
To: McCarthy, Rachel A; Hinds, Ian
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

[redacted]

From: McCarthy, Rachel A
Sent: Thursday, October 06, 2011 1:18 PM
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ALL:

[redacted]

Rachel

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U.S. Citizenship and Immigration Services
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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:51 PM
To: Greenwood, Tembra A
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives
Attachments: SAMPLE AFFIDAVITS FOR CHAPTER 12 AFM.docx

From: Muhletaler, Catherine
Sent: Thursday, October 06, 2011 5:16 PM
To: McCarthy, Rachel A; Elder, Phillip D; Hinds, Ian
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

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Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

That would comply with the PRA. If they really think a form would work and want one they shouldn't seek short cuts and should develop and clear a form.

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ALL:

Rachel

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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:51 PM
To: Greenwood, Tembra A
Subject: FW: Ch 12 of the AFM

From: Harrison, Julia L
Sent: Thursday, October 06, 2011 5:57 PM
To: Atkinson, Ronald A; McCarthy, Rachel A
Cc: Hinds, Ian; Muhletaler, Catherine; Kellner, Aris R; Karam, Lauren J
Subject: RE: Ch 12 of the AFM



AFM Ch 12
update Privat...

I accepted all the changes and deleted the comments we address in the meeting. It would be good for us all to read over this one more time and if we have any additional comments/edits send them around before noon tomorrow. Thanks for everyone's efforts on this! Julia

Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: Atkinson, Ronald A
Sent: Thursday, October 06, 2011 3:26 PM
To: Atkinson, Ronald A; McCarthy, Rachel A; Harrison, Julia L
Cc: Hinds, Ian; Muhletaler, Catherine; Kellner, Aris R; Karam, Lauren J
Subject: RE: Ch 12 of the AFM

Neglected to attach document...

<< File: AFM Ch 12 update Private Attorneys and Other Representatives RAM REVISIONS 100611 cm IGH2 cm FDNS 10062011.doc >>

Ronald Alan Atkinson
Chief of Staff - FDNS (b)(6)
Phone: (202)272-0917
Fax: (202)272-8594
Mobile: [redacted]

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release under the Freedom of Information Act (5 U.S.C.§ 552). This information shall not be distributed beyond the original addressees without prior authorization of the originator.

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Sent: Thursday, October 06, 2011 3:26 PM
To: McCarthy, Rachel A; Harrison, Julia L
Cc: Hinds, Ian; Muhletaler, Catherine; Kellner, Aris R; Karam, Lauren J
Subject: RE: Ch 12 of the AFM

Attached are FDNS edits and comments.

...Alan

Ronald Alan Atkinson
Chief of Staff - FDNS
Phone: (202)272-0917 (b)(6)
Fax: (202)272-8594
Mobile: [redacted]

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From: McCarthy, Rachel A
Sent: Thursday, October 06, 2011 12:17 PM
To: Harrison, Julia L; Atkinson, Ronald A
Cc: Hinds, Ian; Muhletaler, Catherine
Subject: RE: Ch 12 of the AFM

<< File: AFM Ch 12 update Private Attorneys and Other Representatives RAM REVISIONS 100611 cm IGH2 cm (2).doc >>

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
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S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

-----Original Appointment-----
From: Harrison, Julia L
Sent: Thursday, October 06, 2011 10:00 AM

To: McCarthy, Rachel A; Atkinson, Ronald A
Cc: Hinds, Ian; Muhletaler, Catherine
Subject: Updated: Ch 12 of the AFM
When: Thursday, October 06, 2011 11:00 AM-12:00 PM (GMT-05:00) Eastern Time (US & Canada).
Where: Juia's Office- 111 Mass; 2nd floor

When: Thursday, October 06, 2011 11:00 AM-12:00 PM (GMT-05:00) Eastern Time (US & Canada).
Where: Juia's Office- 111 Mass; 2nd floor

Note: The GMT offset above does not reflect daylight saving time adjustments.

~~*~*~*~*~*~*~*~*

Adding call in info
866-708-0497 (b)(6)
Participant passcode [redacted]
Hi. I'm scheduling this meeting to discuss some of the comments I have received on this document (see attached). It would also be helpful if I could get the comments/edits from OCC before this meeting so that we can discuss if needed. Thanks!

<< File: Comments_2nd review.docx >>

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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:51 PM
To: Greenwood, Tembra A
Subject: FW: Ch 12 of the AFM

From: Harrison, Julia L
Sent: Thursday, October 06, 2011 6:46 PM
To: Harrison, Julia L; Atkinson, Ronald A; McCarthy, Rachel A
Cc: Hinds, Ian; Muhletaler, Catherine; Kellner, Aris R; Karam, Lauren J
Subject: RE: Ch 12 of the AFM


AFM Ch 12
update Privat...

Resending- I went through and updated the links to the websites.

Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: Harrison, Julia L
Sent: Thursday, October 06, 2011 5:57 PM
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Ronald Alan Atkinson
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Sent: Thursday, October 06, 2011 12:17 PM
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Cc: Hinds, Ian; Muhletaler, Catherine
Subject: RE: Ch 12 of the AFM

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Participant passcode [redacted]

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Sent: Thursday, October 06, 2011 7:02 PM
To: Muhletaler, Catherine; Elder, Phillip D; Hinds, Ian
Subject: Re: AFM Chapter 12 Role of Private Attorneys and Other Representatives
(b)(5)

Cathy
If the draft stamp is there I can't see it on my BB.

Rachel
Rachel A. McCarthy (message sent from Blackberry)
Bar Counsel
U.S. Citizenship and Immigration Services
(802) 660-1779 (phone)
(802 660-5067 (fax)

From: Muhletaler, Catherine
Sent: Thursday, October 06, 2011 05:16 PM
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From: Hinds, Ian
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To: Elder, Phillip D; McCarthy, Rachel A
Cc: Muhletaler, Catherine
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How is this?

AFFIDAVIT OF INDIVIDUAL REQUESTING PERMISSION TO APPEAR
BEFORE USCIS OFFICIAL

[redacted]

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ALL:

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Rachel

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FDNS comments and edits...



AFM Ch 12
update Privat...

Ronald Alan Atkinson
Chief of Staff - FDNS
Phone: (202)272-0917 (b)(6)
Fax: (202)272-8594
Mobile: [redacted]

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Cc: Hinds, Ian; Muhletaler, Catherine; Kellner, Aris R; Karam, Lauren J
Subject: RE: Ch 12 of the AFM

<< File: AFM Ch 12 update Private Attorneys and Other Representatives 100611.doc >>

Resending- I went through and updated the links to the websites.

Julia L. Harrison
Chief, Operations Division

Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: Harrison, Julia L
Sent: Thursday, October 06, 2011 5:57 PM
To: Atkinson, Ronald A; McCarthy, Rachel A
Cc: Hinds, Ian; Muhletaler, Catherine; Kellner, Aris R; Karam, Lauren J
Subject: RE: Ch 12 of the AFM

<< File: AFM Ch 12 update Private Attorneys and Other Representatives 100611.doc >>
I accepted all the changes and deleted the comments we address in the meeting. It would be good for us all to read over this one more time and if we have any additional comments/edits send them around before noon tomorrow. Thanks for everyone's efforts on this! Julia

Julia L. Harrison
Chief, Operations Division
Field Operations Directorate
111 Massachusetts Ave.
202.272.1709

From: Atkinson, Ronald A
Sent: Thursday, October 06, 2011 3:26 PM
To: Atkinson, Ronald A; McCarthy, Rachel A; Harrison, Julia L
Cc: Hinds, Ian; Muhletaler, Catherine; Kellner, Aris R; Karam, Lauren J
Subject: RE: Ch 12 of the AFM

Neglected to attach document...

<< File: AFM Ch 12 update Private Attorneys and Other Representatives RAM REVISIONS 100611 cm IGH2 cm FDNS 10062011.doc >>

Ronald Alan Atkinson
Chief of Staff - FDNS
Phone: (202)272-0917 (b)(6)
Fax: (202)272-8594
Mobile: [redacted]

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Subject: RE: Ch 12 of the AFM

Attached are FDNS edits and comments.

...Alan

Ronald Alan Atkinson
Chief of Staff - FDNS
Phone: (202)272-0917 (b)(6)
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From: McCarthy, Rachel A
Sent: Thursday, October 06, 2011 12:17 PM
To: Harrison, Julia L; Atkinson, Ronald A
Cc: Hinds, Ian; Muhletaler, Catherine
Subject: RE: Ch 12 of the AFM

<< File: AFM Ch 12 update Private Attorneys and Other Representatives RAM REVISIONS 100611 cm IGH2 cm (2).doc >>

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

-----Original Appointment-----
From: Harrison, Julia L
Sent: Thursday, October 06, 2011 10:00 AM
To: McCarthy, Rachel A; Atkinson, Ronald A
Cc: Hinds, Ian; Muhletaler, Catherine
Subject: Updated: Ch 12 of the AFM
When: Thursday, October 06, 2011 11:00 AM-12:00 PM (GMT-05:00) Eastern Time (US & Canada).
Where: Juia's Office- 111 Mass; 2nd floor

When: Thursday, October 06, 2011 11:00 AM-12:00 PM (GMT-05:00) Eastern Time (US & Canada).
Where: Juia's Office- 111 Mass; 2nd floor

Note: The GMT offset above does not reflect daylight saving time adjustments.

~~*~*~*~*~*~*~*~*

Adding call in info

866-708-0497 (b)(6)

Participant passcode [redacted]

Hi. I'm scheduling this meeting to discuss some of the comments I have received on this document (see attached). It would also be helpful if I could get the comments/edits from OCC before this meeting so that we can discuss if needed. Thanks!

<< File: Comments_2nd review.docx >>

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(b)(5)

From: Hinds, Ian
Sent: Thursday, October 06, 2011 1:12 PM
To: Flynn, Patricia H
Cc: Muhletaler, Catherine; McCarthy, Rachel A
Subject: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Hi Patricia,

Do you see any 4.2 (or other) issues with the draft passage from the AFM below?

Thanks, (b)(5)
Ian

Ian G. Hinds
Special Counsel
Office of the Chief Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security

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(b)(5)

[redacted]

I hope this helps.

Patricia

(b)(6)

Patricia H. Flynn
Deputy Ethics Officer
Associate Counsel
DHS – USCIS
Patricia.H.Flynn@dhs.gov
Cell: [redacted]
Website: http://ethics.uscis.dhs.gov

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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:52 PM
To: Greenwood, Tembra A
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives

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From: Flynn, Patricia H
Sent: Wednesday, October 12, 2011 2:10 PM
To: McCarthy, Rachel A; Hinds, Ian
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Rachel,

I understand what you are saying, but not sure how to get around the 4.2 requirement.

Patricia

Patricia H. Flynn
Deputy Ethics Officer
Associate Counsel
DHS – USCIS (b)(6)
Patricia.H.Flynn@dhs.gov
Cell [redacted]
Website: http://ethics.uscis.dhs.gov

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From: McCarthy, Rachel A
Sent: Wednesday, October 12, 2011 2:08 PM (b)(5)
To: Flynn, Patricia H; Hinds, Ian
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Patricia

[redacted]

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Associate Counsel (b)(6)
DHS – USCIS
Patricia.H.Flynn@dhs.gov
Cell [redacted]
Website: http://ethics.uscis.dhs.gov

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Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
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website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

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To: Greenwood, Tembra A
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives

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From: Flynn, Patricia H
Sent: Wednesday, October 12, 2011 2:16 PM
To: McCarthy, Rachel A; Hinds, Ian
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Rachel,

Not sure what you mean by "not concur on this part as well;" but we should not concur with the language as written.

Patricia

Patricia H. Flynn
Deputy Ethics Officer
Associate Counsel (b)(6)
DHS – USCIS
Patricia.H.Flynn@dhs.gov
Ce[redacted]
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Patricia

[redacted]

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Cc: Muhletaler, Catherine; McCarthy, Rachel A
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Ian

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From: Hinds, Ian
Sent: Wednesday, October 12, 2011 4:34 PM (b)(5)
To: Carpenter, Dea D; Miles, John D; Busch, Philip B
Cc: Muhletaler, Catherine
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives

[redacted]

Ian

From: Flynn, Patricia H
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(b)(5)

Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Patricia

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Rachel

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Patricia.H.Flynn@dhs.gov
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(b)(5)

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Patricia

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If an attorney or other representative is unable to attend the interview for any reason, the individual being interviewed may elect to proceed with the interview without their representative. This decision must be solely that of the individual and must be voluntary. If the individual wishes to proceed without their representative the USCIS official should obtain a written statement from the individual.

Ian G. Hinds
Special Counsel
Office of the Chief Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security

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Ian

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Patricia H. Flynn
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Patricia.H.Flynn@dhs.gov
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Website: http://ethics.uscis.dhs.gov

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Rachel, (b)(5)

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Cel[redacted]
Website: http://ethics.uscis.dhs.gov

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From: Hinds, Ian
Sent: Thursday, October 06, 2011 1:12 PM
To: Flynn, Patricia H
Cc: Muhletaler, Catherine; McCarthy, Rachel A
Subject: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Hi Patricia,

Do you see any 4.2 (or other) issues with the draft passage from the AFM below?

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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:53 PM
To: Greenwood, Tembra A
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives
Attachments: AFM Ch 12 update Private Attorneys and Other Representatives RAM 101111 cm10-13.doc

Importance: High

From: Hinds, Ian
Sent: Friday, October 14, 2011 12:53 PM
To: Carpenter, Dea D
Cc: Muhletaler, Catherine
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives
Importance: High

Dea, (b)(5)

Here is the latest version of the chapter with the language (on page 9) revised in accordance with Patricia's guidance below. I have pasted the original language below for comparison.

Ian

[redacted]

From: Muhletaler, Catherine
Sent: Thursday, October 13, 2011 9:16 AM
To: Hinds, Ian
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Double UGH!!

OK – here are my edits. I cleaned up the redlines a little bc certain parts were getting too difficult to read with all the redlines.

(b)(5)

[redacted]

Let me know if you have any questions. Cathy

From: Hinds, Ian
Sent: Wednesday, October 12, 2011 4:34 PM
To: Carpenter, Dea D; Miles, John D; Busch, Philip B
Cc: Muhletaler, Catherine
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives

[redacted]

Ian

From: Flynn, Patricia H
Sent: Wednesday, October 12, 2011 2:16 PM
To: McCarthy, Rachel A; Hinds, Ian
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Rachel,

[redacted]

Patricia

Patricia H. Flynn
Deputy Ethics Officer
Associate Counsel
DHS – USCIS
Patricia.H.Flynn@dhs.gov (b)(6)
Cell [redacted]
Website: http://ethics.uscis.dhs.gov

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From: McCarthy, Rachel A
Sent: Wednesday, October 12, 2011 2:13 PM
To: Flynn, Patricia H; Hinds, Ian
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Patricia

[redacted]

Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: Flynn, Patricia H
Sent: Wednesday, October 12, 2011 2:10 PM
To: McCarthy, Rachel A; Hinds, Ian
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Rachel,

[redacted]

Patricia

Patricia H. Flynn
Deputy Ethics Officer
Associate Counsel
DHS – USCIS
Patricia.H.Flynn@dhs.gov (b)(6)
Cell [redacted]
Website: http://ethics.uscis.dhs.gov

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From: McCarthy, Rachel A
Sent: Wednesday, October 12, 2011 2:08 PM
To: Flynn, Patricia H; Hinds, Ian
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

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(b)(5)

(b)(5)

[redacted]

I hope this helps.

Patricia

Patricia H. Flynn
Deputy Ethics Officer (b)(6)
Associate Counsel
DHS – USCIS
Patricia.H.Flynn@dhs.gov
Cell [redacted]
Website: http://ethics.uscis.dhs.gov

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From: Hinds, Ian
Sent: Thursday, October 06, 2011 1:12 PM
To: Flynn, Patricia H
Cc: Muhletaler, Catherine; McCarthy, Rachel A
Subject: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Hi Patricia,

Do you see any 4.2 (or other) issues with the draft passage from the AFM below?

Thanks, (b)(5)
Ian

[redacted]

Ian G. Hinds
Special Counsel
Office of the Chief Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security

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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:53 PM
To: Greenwood, Tembra A
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives

---

From: Hinds, Ian
Sent: Friday, October 14, 2011 1:35 PM
To: Carpenter, Dea D
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

The latest version, correct?

From: Carpenter, Dea D
Sent: Friday, October 14, 2011 1:34 PM
To: Hinds, Ian
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Go ahead and return our edits as planned.

Dea Carpenter
Acting Chief Counsel
U.S. Citizenship & Immigration Services
202 272 1441

From: Hinds, Ian
Sent: Friday, October 14, 2011 12:53 PM
To: Carpenter, Dea D
Cc: Muhletaler, Catherine
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives
Importance: High

Dea, (b)(5)

Here is the latest version of the chapter with the language (on page 9) revised in accordance with Patricia's guidance below. I have pasted the original language below for comparison.

Ian

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[redacted]

Patricia

Patricia H. Flynn
Deputy Ethics Officer
Associate Counsel
DHS – USCIS
Patricia.H.Flynn@dhs.gov (b)(6)
Cel[redacted]
Website: http://ethics.uscis.dhs.gov

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From: McCarthy, Rachel A
Sent: Wednesday, October 12, 2011 2:13 PM
To: Flynn, Patricia H; Hinds, Ian
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Patricia

[redacted]

Rachel

Rachel A. McCarthy

Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: Flynn, Patricia H
Sent: Wednesday, October 12, 2011 2:10 PM
To: McCarthy, Rachel A; Hinds, Ian
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Rachel,

[redacted]

Patricia

Patricia H. Flynn (b)(5)

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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:53 PM
To: Greenwood, Tembra A
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives

---

From: Hinds, Ian
Sent: Friday, October 14, 2011 1:36 PM
To: Carpenter, Dea D
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Including the changes based on Patricia's advice.

From: Hinds, Ian
Sent: Friday, October 14, 2011 1:35 PM
To: Carpenter, Dea D
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

The latest version, correct?

From: Carpenter, Dea D
Sent: Friday, October 14, 2011 1:34 PM
To: Hinds, Ian
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Go ahead and return our edits as planned.

Dea Carpenter
Acting Chief Counsel
U.S. Citizenship & Immigration Services
202 272 1441

From: Hinds, Ian
Sent: Friday, October 14, 2011 12:53 PM
To: Carpenter, Dea D
Cc: Muhletaler, Catherine
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives
Importance: High (b)(5)

Dea,

Here is the latest version of the chapter with the language (on page 9) revised in accordance with Patricia's guidance below. I have pasted the original language below for comparison.

Ian

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From: Flynn, Patricia H
Sent: Wednesday, October 12, 2011 2:16 PM
To: McCarthy, Rachel A; Hinds, Ian
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Rachel,

[redacted]

Patricia

Patricia H. Flynn
Deputy Ethics Officer
Associate Counsel
DHS – USCIS
Patricia.H.Flynn@dhs.gov (b)(6)
Cell [redacted]
Website: http://ethics.uscis.dhs.gov

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From: McCarthy, Rachel A
Sent: Wednesday, October 12, 2011 2:13 PM
To: Flynn, Patricia H; Hinds, Ian
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Patricia

[redacted]

Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
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S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

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From: Flynn, Patricia H
Sent: Wednesday, October 12, 2011 2:10 PM
To: McCarthy, Rachel A; Hinds, Ian
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:54 PM
To: Greenwood, Tembra A
Subject: FW: AFM Chapter 12 Role of Private Attorneys and Other Representatives

---

From: Carpenter, Dea D
Sent: Friday, October 14, 2011 1:38 PM
To: Hinds, Ian
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Yes,

Dea Carpenter
Acting Chief Counsel
U.S. Citizenship & Immigration Services
202 272 1441

From: Hinds, Ian
Sent: Friday, October 14, 2011 1:36 PM
To: Carpenter, Dea D
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Including the changes based on Patricia's advice.

From: Hinds, Ian
Sent: Friday, October 14, 2011 1:35 PM
To: Carpenter, Dea D
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

The latest version, correct?

From: Carpenter, Dea D
Sent: Friday, October 14, 2011 1:34 PM
To: Hinds, Ian
Cc: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Go ahead and return our edits as planned.

Dea Carpenter
Acting Chief Counsel
U.S. Citizenship & Immigration Services
202 272 1441

From: Hinds, Ian
Sent: Friday, October 14, 2011 12:53 PM
To: Carpenter, Dea D

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Website: http://ethics.uscis.dhs.gov

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From: Hinds, Ian
Sent: Thursday, October 06, 2011 1:12 PM
To: Flynn, Patricia H
Cc: Muhletaler, Catherine; McCarthy, Rachel A
Subject: AFM Chapter 12 Role of Private Attorneys and Other Representatives

Hi Patricia,

Do you see any 4.2 (or other) issues with the draft passage from the AFM below?

Thanks, (b)(5)
Ian

Ian G. Hinds
Special Counsel
Office of the Chief Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security

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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:54 PM
To: Greenwood, Tembra A
Subject: FW: Just trying to get this right -- esp. given I-797 fiasco

---

From: Hinds, Ian
Sent: Monday, October 17, 2011 10:30 AM
To: Muhletaler, Catherine
Subject: FW: Just trying to get this right -- esp. given I-797 fiasco

Cathy,

Are you OK with Option B below?

(b)(5)

Thanks,
Ian

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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:54 PM
To: Greenwood, Tembra A
Subject: FW: Just trying to get this right -- esp. given I-797 fiasco

---

From: Hinds, Ian
Sent: Tuesday, October 18, 2011 8:30 AM
To: Muhletaler, Catherine
Subject: Re: Just trying to get this right -- esp. given I-797 fiasco

Great. I just need to paste that change in and send to EXSO. Thanks.

From: Muhletaler, Catherine
Sent: Tuesday, October 18, 2011 08:11 AM
To: Hinds, Ian
Subject: RE: Just trying to get this right -- esp. given I-797 fiasco

Yes – I think this is the best language so far. Clear and to the point. Cathy

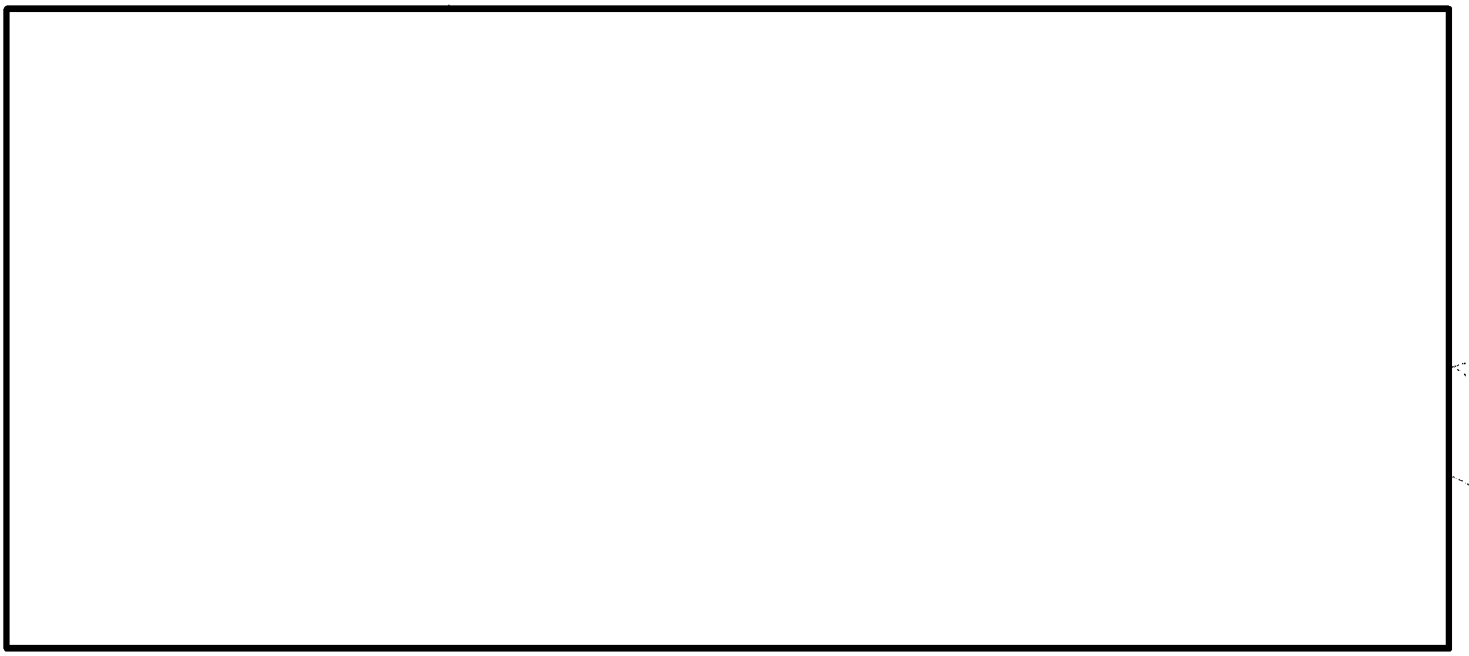
---

From: Hinds, Ian
Sent: Monday, October 17, 2011 10:30 AM
To: Muhletaler, Catherine
Subject: FW: Just trying to get this right -- esp. given I-797 fiasco

Cathy,

Are you OK with Option B below? (b)(5)

Thanks,
Ian



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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:54 PM
To: Greenwood, Tembra A
Subject: FW: 292.5 -- service on atty

From: Martinez, Janette M
Sent: Tuesday, October 18, 2011 11:33 AM
To: Muhletaler, Catherine; Hinds, Ian
Cc: Miles, John D
Subject: FW: 292.5 -- service on atty

Hi Cathy and Ian,

We've got an issue arising on the natz context and I've got a meeting later today on it. any chance you can send me some background on this information?

Thanks,

Janette

Janette M. Martinez
Special Counsel for Field Management (b)(6)
Office of the Chief Counsel
U.S. Citizenship and Immigration Services
Office: 305 596 2946
Cell: [redacted]
Janette.M.Martinez@uscis.dhs.gov

From: McCarthy, Rachel A [mailto:Rachel.Mccarthy@dhs.gov]
Sent: Tuesday, October 18, 2011 9:53 AM
To: 'Janette.Martinez@dhs.gov'; 'Rachel.Mccarthy@dhs.gov'
Cc: 'John.Miles@dhs.gov'; OCC-Clearance
Subject: Re: 292.5 -- service on atty

Janette
This is the subject of discussion now due to changes in auto notices. Its an operational issue as well. I copied in occ-clearance so they can fill you in.
Rachel
Rachel A. McCarthy (message sent from Blackberry)
Bar Counsel
U.S. Citizenship and Immigration Services
(802) 660-1779 (phone)
(802 660-5067 (fax)

From: Martinez, Janette M [mailto:Janette.Martinez@dhs.gov]
Sent: Tuesday, October 18, 2011 09:42 AM
To: McCarthy, Rachel A <Rachel.Mccarthy@dhs.gov>
Cc: Miles, John D <John.Miles@dhs.gov>
Subject: 292.5 -- service on atty

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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:54 PM
To: Greenwood, Tembra A
Subject: FW: 292.5 -- service on atty

From: Muhletaler, Catherine
Sent: Tuesday, October 18, 2011 11:42 AM
To: Martinez, Janette M; Hinds, Ian
Cc: Miles, John D
Subject: RE: 292.5 -- service on atty

(b)(5)

Hi Janette,

All the info that I have/or have been involved with is the re-write and update of AFM Chapter 12 – Role of Private Attorney. I pasted below the section of the chapter that deals with service to attorney – along with the redline comments that OCC provided.

I don't have any info an I-797 operational issue referenced by Rachel below.

Maybe Ian has some info. Cathy

[redacted]

6,

From: Martinez, Janette M
Sent: Tuesday, October 18, 2011 11:33 AM
To: Muhletaler, Catherine; Hinds, Ian
Cc: Miles, John D
Subject: FW: 292.5 -- service on atty

Hi Cathy and Ian,

We've got an issue arising on the natz context and I've got a meeting later today on it. any chance you can send me some background on this information?

Thanks,

Janette

Janette M. Martinez
Special Counsel for Field Management

Office of the Chief Counsel
U.S. Citizenship and Immigration Services
Office: 305 596 2946
Cell: [redacted]
Janette.M.Martinez@uscis.dhs.gov

(b)(6)

From: McCarthy, Rachel A [mailto:Rachel.Mccarthy@dhs.gov]
Sent: Tuesday, October 18, 2011 9:53 AM
To: 'Janette.Martinez@dhs.gov'; 'Rachel.Mccarthy@dhs.gov'
Cc: 'John.Miles@dhs.gov'; OCC-Clearance
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Sent: Tuesday, October 18, 2011 09:42 AM
To: McCarthy, Rachel A <Rachel.Mccarthy@dhs.gov>
Cc: Miles, John D <John.Miles@dhs.gov>
Subject: 292.5 -- service on atty

(b)(5)

Hi Rachel,

[redacted]

Thanks,

Janette

Janette M. Martinez
Special Counsel for Field Management
Office of the Chief Counsel
U.S. Citizenship and Immigration Services
Office: 305 596 2946
Cell: [redacted]
Janette.M.Martinez@uscis.dhs.gov

(b)(6)

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Greenwood, Tembra A

From: Muhletaler, Catherine
Sent: Monday, December 05, 2011 3:54 PM
To: Greenwood, Tembra A
Subject: FW: 292.5 -- service on atty

From: Hinds, Ian
Sent: Tuesday, October 18, 2011 12:12 PM
To: Martinez, Janette M; Muhletaler, Catherine; Mcgee, Ramona L
Cc: Miles, John D
Subject: Re: 292.5 -- service on atty (b)(5)

[redacted]

Ian

From: Martinez, Janette M
Sent: Tuesday, October 18, 2011 11:33 AM
To: Muhletaler, Catherine; Hinds, Ian
Cc: Miles, John D
Subject: FW: 292.5 -- service on atty

Hi Cathy and Ian,

We've got an issue arising on the natz context and I've got a meeting later today on it. any chance you can send me some background on this information?

Thanks,

Janette

(b)(6)

Janette M. Martinez
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Office of the Chief Counsel
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Cell: [redacted]
Janette.M.Martinez@uscis.dhs.gov

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Sent: Tuesday, October 18, 2011 9:53 AM
To: 'Janette.Martinez@dhs.gov'; 'Rachel.Mccarthy@dhs.gov'
Cc: 'John.Miles@dhs.gov'; OCC-Clearance
Subject: Re: 292.5 -- service on atty

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Rachel A. McCarthy (message sent from Blackberry)
Bar Counsel
U.S. Citizenship and Immigration Services
(802) 660-1779 (phone)
(802 660-5067 (fax)

From: Martinez, Janette M [mailto:Janette.Martinez@dhs.gov]
Sent: Tuesday, October 18, 2011 09:42 AM
To: McCarthy, Rachel A <Rachel.Mccarthy@dhs.gov>
Cc: Miles, John D <John.Miles@dhs.gov>
Subject: 292.5 -- service on atty

(b)(5)

Hi Rachel,

[redacted]

Thanks,

Janette

Janette M. Martinez
Special Counsel for Field Management
Office of the Chief Counsel
U.S. Citizenship and Immigration Services
Office: 305 596 2946
Cell: [redacted] (b)(6)
Jane[redacted]scis.dhs.gov

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: Memo re AFM Ch 12 and App 12-1 ready for Mike Aytes' review and signature

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: McCarthy, Rachel A
Sent: Thursday, July 05, 2007 10:57 AM
To: Muhletaler, Catherine; Pitcairn, Rodger
Cc: Phillips, Mark
Subject: RE: Memo re AFM Ch 12 and App 12-1 ready for Mike Aytes' review and signature

(b)(5)

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

From: Muhletaler, Catherine
Sent: Thursday, July 05, 2007 10:55 AM
To: McCarthy, Rachel A; Pitcairn, Rodger
Cc: Phillips, Mark
Subject: RE: Memo re AFM Ch 12 and App 12-1 ready for Mike Aytes' review and signature

(b)(5)

Rodger,

From: McCarthy, Rachel A
Sent: Thursday, July 05, 2007 10:48 AM

(b)(5)

To: Pitcairn, Rodger; Muhletaler, Catherine
Cc: Phillips, Mark
Subject: RE: Memo re AFM Ch 12 and App 12-1 ready for Mike Aytes' review and signature

Rodger and Cathy -

[redacted]

Pollyanna McCarthy

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

From: Pitcairn, Rodger
Sent: Tuesday, July 03, 2007 9:29 AM
To: Muhletaler, Catherine
Cc: McCarthy, Rachel A; Phillips, Mark
Subject: FW: Memo re AFM Ch 12 and App 12-1 ready for Mike Aytes' review and signature

Cathy, (b)(5)

I just sent the attached documents to Marla Davis, who in turn, will ask Mike Aytes (or Don Neufield) to review and sign the memo.

[redacted]

(b)(5)

Rodger Pitcairn
Phone: 202-272-8427, Fax: 202-272-8526
e-mail: *rodger.pitcairn@dhs.gov*

From: Pitcairn, Rodger
Sent: Tuesday, July 03, 2007 9:09 AM
To: Davis, Marla J
Subject: Memo re AFM Ch 12 and App 12-1 ready for Mike Aytes' review and signature

Marla,

Per our phone calls of a few mins ago and see subject line. Thanks.

Rodger Pitcairn
Adjudications Officer
U.S. Citizenship and Immigration Services

Office of Regulation and Product Management
111 Massachusetts Ave NW
Washington, DC 20529
Phone: 202-272-8427, Fax: 202-272-8526
e-mail: rodger.pitcairn@dhs.gov

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: Memo re AFM Ch 12 and App 12-1 ready for Mike Aytes' review and signature
Attachments: AFM Ch 12 & App 12-1, Attys Reps Update Clean Final 07-03-2007.DOC; USCIS Ops Clearance-Ch 12 Attys, AD05-01, as of 06-12-2006.doc; AFM Ch 12 Attys&Reps Routing Sheet for OCC 07-02-2007.pdf; USCIS Ops Clearance-Ch 12 Attys, AD05-01.doc; G-1019 Web Publication Request Form.doc

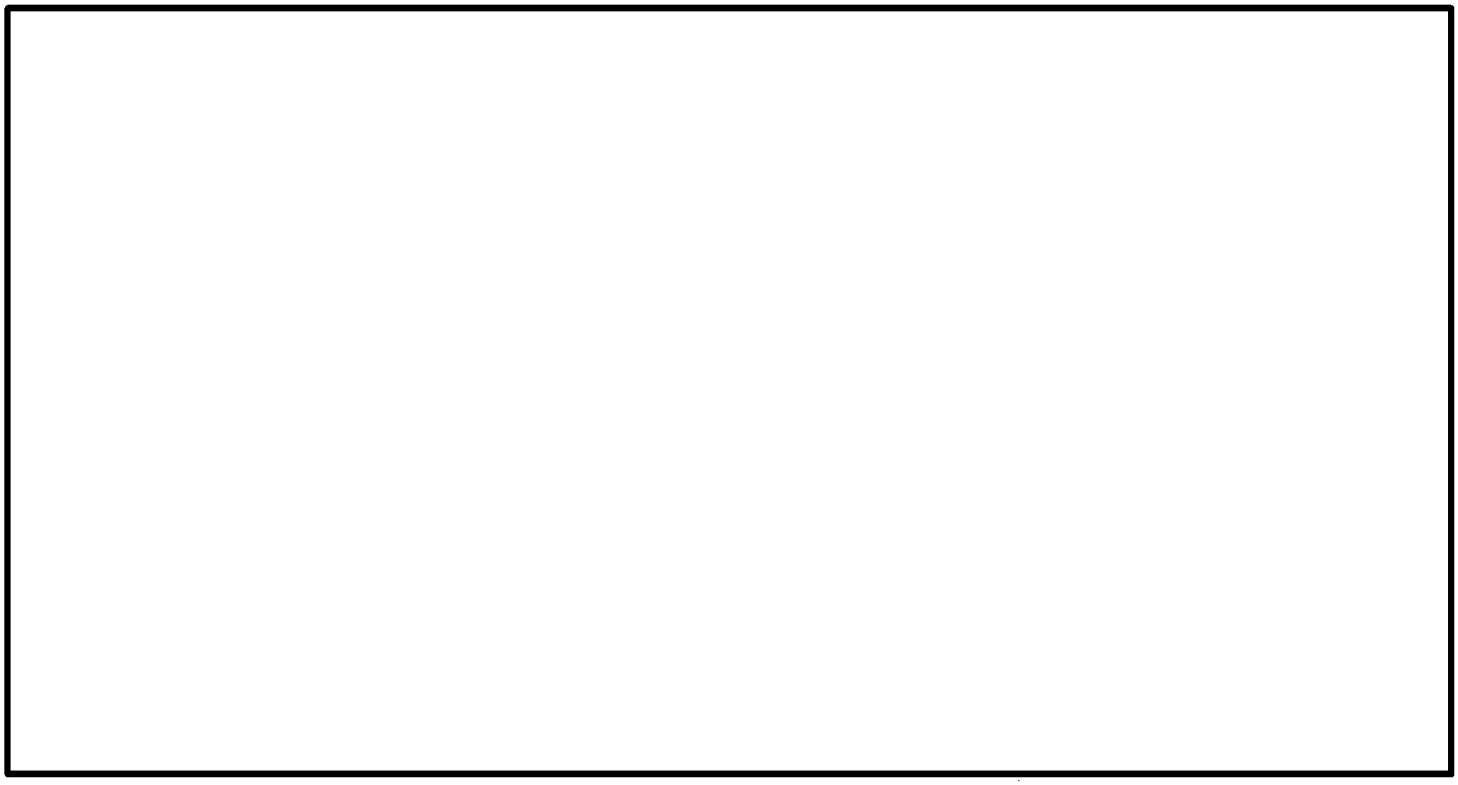
Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

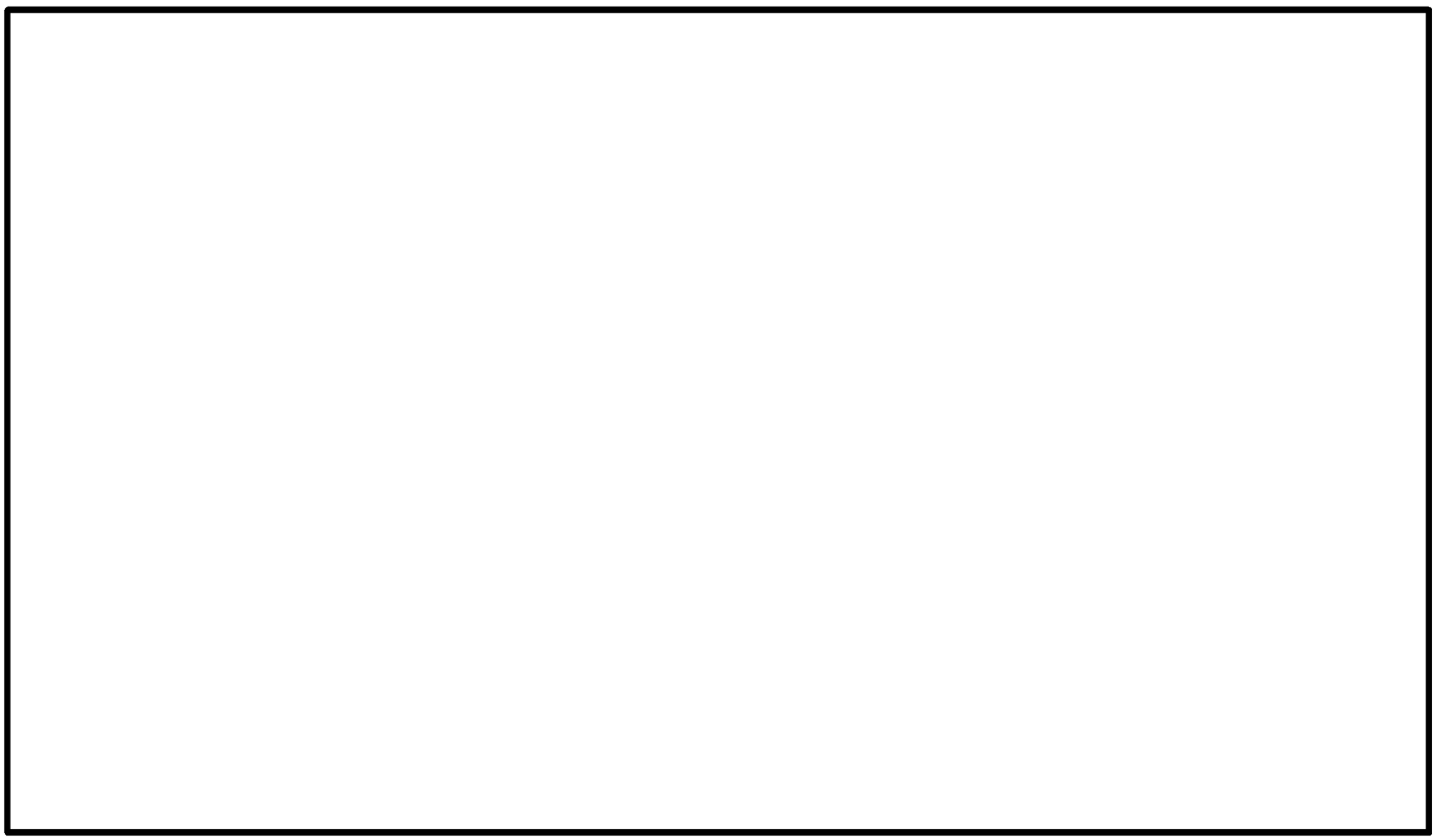
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From: Pitcairn, Rodger
Sent: Tuesday, July 03, 2007 9:29 AM
To: Muhletaler, Catherine
Cc: McCarthy, Rachel A; Phillips, Mark
Subject: FW: Memo re AFM Ch 12 and App 12-1 ready for Mike Aytes' review and signature

Cathy, (b)(5)

I just sent the attached documents to Marla Davis, who in turn, will ask Mike Aytes (or Don Neufield) to review and sign the memo.





Rodger Pitcairn
Phone: 202-272-8427, Fax: 202-272-8526
e-mail: *rodger.pitcairn@dhs.gov*

(b)(5)

From: Pitcairn, Rodger
Sent: Tuesday, July 03, 2007 9:09 AM
To: Davis, Marla J
Subject: Memo re AFM Ch 12 and App 12-1 ready for Mike Aytes' review and signature

Marla,

Per our phone calls of a few mins ago and see subject line. Thanks.

Rodger Pitcaim
Adjudications Officer
U.S. Citizenship and Immigration Services
Office of Regulation and Product Management
111 Massachusetts Ave NW
Washington, DC 20529
Phone: 202-272-8427, Fax: 202-272-8526
e-mail: rodger.pitcaim@dhs.gov

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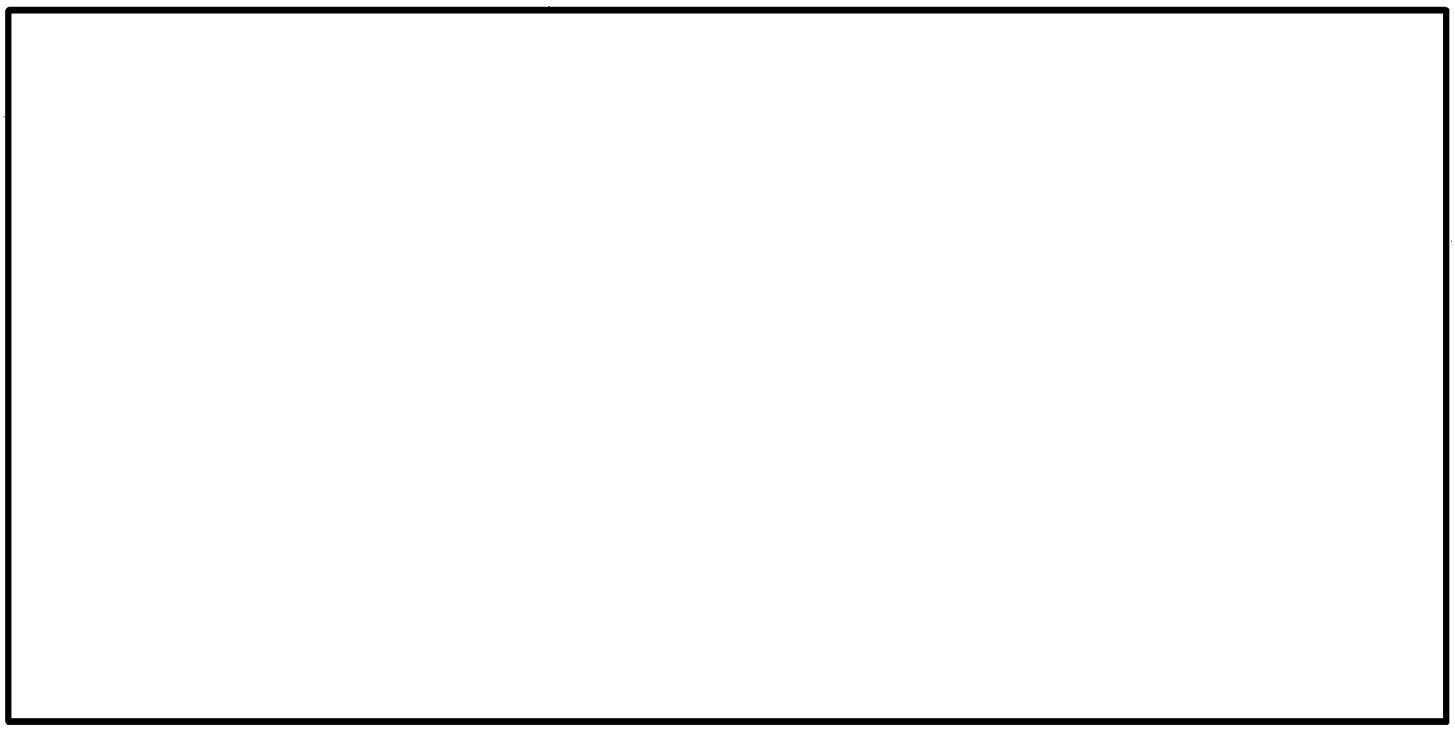
Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: AFM Ch. 12, Attorneys and Representatives

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
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(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

(b)(5)

From: McCarthy, Rachel A
Sent: Monday, June 16, 2008 7:59 AM
To: Rosenberg, Ron M; OCC-Clearance; Phillips, Mark; Groom, Molly M; Whitney, Ronald W; Mattice, Michael
Cc: Higgins, Jennifer B; Strack, Barbara L; Gardner, Todd E; Ruppel, Joanna; Valverde, Michael; Bird, John W; Bradford, Catherine M; Ripley French, Katherine; Langlois, Joseph; Hussey, Jedidah M; 'Bucher, Steve P'; Scialabba, Lori
Subject: RE: AFM Ch. 12, Attorneys and Representatives



Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

From: Rosenberg, Ron M (b)(5)
Sent: Friday, June 13, 2008 3:59 PM
To: OCC-Clearance; Phillips, Mark; McCarthy, Rachel A; Groom, Molly M; Whitney, Ronald W; Mattice, Michael
Cc: Higgins, Jennifer B; Strack, Barbara L; Gardner, Todd E; Ruppel, Joanna; Valverde, Michael; Bird, John W; Bradford, Catherine M; Ripley French, Katherine; Langlois, Joseph; Hussey, Jedidah M; Bucher, Steve P; Scialabba, Lori
Subject: AFM Ch. 12, Attorneys and Representatives

Mark,

[redacted]

Thanks,
Ron--

Ron Rosenberg, Special Assistant
Refugee, Asylum, & International Operations Directorate (RAIO)
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
20 Massachusetts Avenue, NW, Suite 3300
Washington, DC 20529
Ph: 202-272-1654 ◦ Ron.Rosenberg@dhs.gov

From: Phillips, Mark
Sent: Tuesday, June 10, 2008 2:51 PM
To: Bradford, Catherine M
Subject: Need RAIO Concurrence, AFM Chapter 12, Attorneys and Representatives
Importance: High

Hi Catherine, (b)(5)

[redacted]

Thank you very much.

Mark

R. Mark Phillips
Supervisory Adjudications Policy Officer
Domestic Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

20 Massachusetts Avenue NW, Suite 2304
Washington, DC 20529
Phone: (202) 272-8406
Fax: (202) 272-8518
Email: RMark.Phillips@dhs.gov

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: AFM Updates - Chapter 12
Attachments: AFM Ch 12 App 12-1 Attys Reps Update 8 09 07.DOC; FW: AFM Updates - Chapter 12; FW: AFM Updates - Chapter 12

Importance: High

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: McCarthy, Rachel A
Sent: Tuesday, June 10, 2008 2:25 PM
To: Phillips, Mark
Subject: FW: AFM Updates - Chapter 12
Importance: High

(b)(5)

[redacted]

sorry - have a nice walk down the hall!

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

From: McCarthy, Rachel A
Sent: Thursday, October 11, 2007 7:26 AM
To: Scialabba, Lori
Subject: FW: AFM Updates - Chapter 12 (b)(5)
Importance: High

Lori -

[redacted]

Rachel

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

From: McCarthy, Rachel A
Sent: Wednesday, September 19, 2007 12:58 PM
To: 'Blauvelt, Sally'
Subject: FW: AFM Updates - Chapter 12
Importance: High

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

From: McCarthy, Rachel A
Sent: Monday, September 17, 2007 7:38 AM
To: Muhletaler, Catherine
Cc: Flynn, Patricia H
Subject: FW: AFM Updates - Chapter 12 (b)(5)
Importance: High

Cathy -

I will hold off on sending these directly to Mark and the others until I hear back from you.
Rachel

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services

70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

From: Phillips, Mark
Sent: Friday, September 14, 2007 11:58 PM
To: McCarthy, Rachel A; Davis, Marla J
Cc: Hodgson, Matthew D; Valverde, Michael
Subject: FW: AFM Updates - Chapter 12 (b)(5)
Importance: High

Thanks.

Mark

R. Mark Phillips
Supervisory Adjudications Policy Officer
Domestic Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security
20 Massachusetts Avenue NW, Suite 2304
Washington, DC 20529
Phone: (202) 272-8406
Fax: (202) 272-8518
Email: RMark.Phillips@dhs.gov

From: Hodgson, Matthew D
Sent: Thursday, September 13, 2007 2:49 PM
To: Phillips, Mark
Subject: RE: AFM Updates - Chapter 12

Mark,

Here is the updated document with the edits and comments incorporated. Let me know if you need anything else done.

Matthew

From: Davis, Marla J
Sent: Thursday, August 09, 2007 10:39 AM
To: Phillips, Mark
Subject: AFM Updates - Chapter 12
Importance: High

Mark – As per our exchange yesterday....Here is what I have regarding the AFM updates for Chapter 12.

Do you want to send this around for concurrence or do you want me to that?

Thanks!

Marla Davis, PMP
Tauri Value Team

USCIS Office of Domestic Operations
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
marla.davis@dhs.gov
(202) 272-1905 office
(202) 272-1718 fax

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Greenwood, Tembra A

From: Howie, Craig S
Sent: Thursday, August 16, 2007 4:05 PM
To: Phillips, Mark
Cc: Herrera, Al T; Casale, Gerard D
Subject: FW: AFM Updates - Chapter 12
Attachments: OCC AFM Ch 12 Concurrence 07-02-2007.JPG; AFM Ch 12 App 12-1 Attys Reps Update 8 09 07.DOC; AFM Chpt 12 AttysReps Routing Sheet 8 09 07.pdf

Importance: High

Mark: [redacted] Please give him a call if you need further elaboration. Thanks. CH

Craig Howie
Chief of Staff/Field Operations
U.S. Citizenship & Immigration Services
202-272-1065

From: Casale, Gerard D
Sent: Thursday, August 16, 2007 12:10 PM
To: Howie, Craig S
Cc: Herrera, Al T
Subject: FW: AFM Updates - Chapter 12
Importance: High

Craig- (b)(5)

Al asked me to review and comment on the attached draft AFM section. We have not been allotted sufficient time to give the subject the study it deserves.

[redacted]

Jerry

From: Herrera, Al T
Sent: Thursday, August 16, 2007 9:43 AM
To: Casale, Gerard D
Cc: Howie, Craig S
Subject: FW: AFM Updates - Chapter 12
Importance: High

Hi Jerry,

Can you please review and provide any substantive comments that you may have back to Craig before he leaves today.

Thanks,
Al

From: Howie, Craig S
Sent: Thursday, August 16, 2007 8:57 AM
To: Tharpe, Jean; Herrera, Al T; Lester, David
Subject: FW: AFM Updates - Chapter 12
Importance: High

All: This AFM update deals with attorney representation. Let me know if you have any comments. I am only in today, then out until the 22nd. Thanks. CH

From: Phillips, Mark
Sent: Wednesday, August 15, 2007 2:37 PM
To: Howie, Craig S; Chiang, James Y
Subject: FW: AFM Updates - Chapter 12 (b)(5)
Importance: High

Craig and James,

Thank you very much.

Mark

From: Davis, Marla J
Sent: Thursday, August 09, 2007 10:39 AM
To: Phillips, Mark
Subject: AFM Updates - Chapter 12
Importance: High

Mark – As per our exchange yesterday....Here is what I have regarding the AFM updates for Chapter 12.

Do you want to send this around for concurrence or do you want me to that?

Thanks!

Marla Davis, PMP
Tauri Value Team

USCIS Office of Domestic Operations
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
marla.davis@dhs.gov
(202) 272-1905 office
(202) 272-1718 fax

Greenwood, Tembra A

From: Howie, Craig S
Sent: Thursday, August 16, 2007 4:05 PM
To: Phillips, Mark
Cc: Herrera, Al T; Casale, Gerard D
Subject: FW: AFM Updates - Chapter 12
Attachments: OCC AFM Ch 12 Concurrence 07-02-2007.JPG; AFM Ch 12 App 12-1 Attys Reps Update 8 09 07.DOC; AFM Chpt 12 AttysReps Routing Sheet 8 09 07.pdf

Importance: High

Mark: Field Ops concurs, and note the edits that Jerry outlines below. Please give him a call if you need further elaboration. Thanks. CH

Craig Howie
Chief of Staff/Field Operations
U.S. Citizenship & Immigration Services
202-272-1065

From: Casale, Gerard D
Sent: Thursday, August 16, 2007 12:10 PM
To: Howie, Craig S
Cc: Herrera, Al T
Subject: FW: AFM Updates - Chapter 12
Importance: High

Craig- (b)(5)

Al asked me to review and comment on the attached draft AFM section. We have not been allotted sufficient time to give the subject the study it deserves.

[redacted]

Jerry

From: Herrera, Al T
Sent: Thursday, August 16, 2007 9:43 AM
To: Casale, Gerard D
Cc: Howie, Craig S
Subject: FW: AFM Updates - Chapter 12
Importance: High

Hi Jerry,

Can you please review and provide any substantive comments that you may have back to Craig before he leaves today.

Thanks,
Al

From: Howie, Craig S
Sent: Thursday, August 16, 2007 8:57 AM
To: Tharpe, Jean; Herrera, Al T; Lester, David
Subject: FW: AFM Updates - Chapter 12
Importance: High

All: This AFM update deals with attorney representation. Let me know if you have any comments. I am only in today, then out until the 22nd. Thanks. CH

From: Phillips, Mark
Sent: Wednesday, August 15, 2007 2:37 PM
To: Howie, Craig S; Chiang, James Y (b)(5)
Subject: FW: AFM Updates - Chapter 12
Importance: High

Craig and James,

Thank you very much.

Mark

From: Davis, Marla J
Sent: Thursday, August 09, 2007 10:39 AM
To: Phillips, Mark
Subject: AFM Updates - Chapter 12
Importance: High

Mark – As per our exchange yesterday....Here is what I have regarding the AFM updates for Chapter 12.

Do you want to send this around for concurrence or do you want me to that?

Thanks!

Marla Davis, PMP
Tauri Value Team

USCIS Office of Domestic Operations
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
marla.davis@dhs.gov
(202) 272-1905 office
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Greenwood, Tembra A

From: Chiang, James Y
Sent: Tuesday, September 04, 2007 8:45 AM
To: Phillips, Mark
Subject: FW: AFM Updates - Chapter 12
Attachments: AFM Ch 12 App 12-1 Attys Reps Update 8 09 07 Status and Family.DOC

Importance: High

Mark,

[redacted]

I apologize for the delay in responding.

James

From: Velarde, Barbara Q
Sent: Tuesday, September 04, 2007 9:40 AM
To: Chiang, James Y; Allen, John M
Cc: Berez, Morrie R; Cox, Sophia; Hernandez, Efren; Holliday, Joseph J; Peck, Denis R
Subject: RE: AFM Updates - Chapter 12

yes

From: Chiang, James Y
Sent: Tuesday, September 04, 2007 8:14 AM
To: Allen, John M; Velarde, Barbara Q
Cc: Berez, Morrie R; Cox, Sophia; Hernandez, Efren; Holliday, Joseph J; Peck, Denis R
Subject: FW: AFM Updates - Chapter 12
Importance: High

John and Barbara,

[redacted]

Thanks,

James

From: Hernandez, Efren
Sent: Tuesday, September 04, 2007 8:45 AM
To: Holliday, Joseph J; Chiang, James Y; Allen, John M; Velarde, Barbara Q
Cc: Berez, Morrie R; Cox, Sophia; Peck, Denis R
Subject: RE: AFM Updates - Chapter 12

[redacted]

(b)(5)

[redacted]

-Efren

Efren Hernandez
Chief, Business and Trade Services
Office of Service Center Operations
USCIS
(202) 272-8411

From: Crawford, Jonathan
Sent: Monday, August 20, 2007 8:12 AM
To: Chiang, James Y
Cc: Rubinstein, Adonis F
Subject: FW: AFM Updates - Chapter 12

James,

If the edits have not yet gone up, please include this as a general note from SCOPS as it affects the entire document.

Thanks,

Jonathan

From: Rubinstein, Adonis F
Sent: Monday, August 20, 2007 8:01 AM
To: Crawford, Jonathan
Subject: RE: AFM Updates - Chapter 12 (b)(5)

Jonathan,

I was out on annual leave on Thursday so I did not get your message until this morning. I hope it is not too late to comment.

[redacted]

Adonis

-----Original Message-----
From: Crawford, Jonathan
Sent: Thursday, August 16, 2007 9:28 AM
To: Hock, Shelly A; Rubinstein, Adonis F; Young, Felecia; Khoudaghoulian, Minas
Cc: Cox, Sophia; Chiang, James Y
Subject: FW: AFM Updates - Chapter 12

Colleagues,

I just noticed that RPM asked for comments back on this ASAP. As such, please send me any comments you have by COB today. If I don't receive any from you, I'll take it that you don't have any. If you'd like more time, please let me know that as well.

Thanks,

Jonathan

From: Cox, Sophia
Sent: Wednesday, August 15, 2007 2:58 PM
To: Crawford, Jonathan ; Hock, Shelly A; Khoudaghoulian, Minas ; Rubinstein, Adonis F; Young, Felecia
Subject: FW: AFM Updates - Chapter 12
Importance: High

[redacted]

-----Original Message-----
From: Chiang, James Y
Sent: Wednesday, August 15, 2007 2:48 PM

(b)(5)

To: Cox, Sophia; Hernandez, Efren; Holliday, Joseph J; Peck, Denis R
Cc: Velarde, Barbara Q; Allen, John M
Subject: FW: AFM Updates - Chapter 12
Importance: High

Branch Chiefs:

Please take a look at this memo and provide your comments. Thank you.

James

From: Phillips, Mark
Sent: Wednesday, August 15, 2007 2:37 PM
To: Howie, Craig S; Chiang, James Y
Subject: FW: AFM Updates - Chapter 12
Importance: High

(b)(5)

Craig and James,

Thank you very much.

Mark

From: Davis, Marla J
Sent: Thursday, August 09, 2007 10:39 AM
To: Phillips, Mark
Subject: AFM Updates - Chapter 12
Importance: High

Mark – As per our exchange yesterday....Here is what I have regarding the AFM updates for Chapter 12.

Do you want to send this around for concurrence or do you want me to that?

Thanks!

Marla Davis, PMP
Tauri Value Team

USCIS Office of Domestic Operations
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
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(202) 272-1905 office
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Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: AFM Ch. 12, Attorneys and Representatives

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
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website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: McCarthy, Rachel A
Sent: Monday, June 16, 2008 7:59 AM
To: Rosenberg, Ron M; OCC-Clearance; Phillips, Mark; Groom, Molly M; Whitney, Ronald W; Mattice, Michael
Cc: Higgins, Jennifer B; Strack, Barbara L; Gardner, Todd E; Ruppel, Joanna; Valverde, Michael; Bird, John W; Bradford, Catherine M; Ripley French, Katherine; Langlois, Joseph; Hussey, Jedidah M; 'Bucher, Steve P'; Scialabba, Lori
Subject: RE: AFM Ch. 12, Attorneys and Representatives

(b)(5)

ALL:

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

(b)(5)

From: Rosenberg, Ron M
Sent: Friday, June 13, 2008 3:59 PM
To: OCC-Clearance; Phillips, Mark; McCarthy, Rachel A; Groom, Molly M; Whitney, Ronald W; Mattice, Michael
Cc: Higgins, Jennifer B; Strack, Barbara L; Gardner, Todd E; Ruppel, Joanna; Valverde, Michael; Bird, John W; Bradford, Catherine M; Ripley French, Katherine; Langlois, Joseph; Hussey, Jedidah M; Bucher, Steve P; Scialabba, Lori
Subject: AFM Ch. 12, Attorneys and Representatives

Mark,

[redacted]

Thanks,
Ron--

Ron Rosenberg, Special Assistant
Refugee, Asylum, & International Operations Directorate (RAIO)
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
20 Massachusetts Avenue, NW, Suite 3300
Washington, DC 20529
Ph: 202-272-1654 ◦ Ron.Rosenberg@dhs.gov

From: Phillips, Mark
Sent: Tuesday, June 10, 2008 2:51 PM
To: Bradford, Catherine M
Subject: Need RAIO Concurrence, AFM Chapter 12, Attorneys and Representatives
Importance: High

Hi Catherine,

[redacted]

Thank you very much. (b)(5)

Mark

R. Mark Phillips
Supervisory Adjudications Policy Officer
Domestic Operations Directorate
U.S. Citizenship and Immigration Services
Department of Homeland Security

20 Massachusetts Avenue NW, Suite 2304
Washington, DC 20529
Phone: (202) 272-8406
Fax: (202) 272-8518
Email: RMark.Phillips@dhs.gov

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: one more document to attach
Attachments: CHAPTER 12 - Guidance for District Directors Regarding 8 CFR.doc

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: McCarthy, Rachel A
Sent: Thursday, September 28, 2006 9:00 AM
To: Divine, Robert; Carpenter, Dea D; Muhletaler, Catherine (b)(5)
Cc: Flynn, Patricia H; Tournay, Frederick H
Subject: one more document to attach

Rachel A. McCarthy
Ethics Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: AFM Chapter 12 - final draft

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: McCarthy, Rachel A
Sent: Tuesday, January 09, 2007 8:19 AM
To: Muhletaler, Catherine
Subject: RE: AFM Chapter 12 - final draft

(b)(5)

Cathy -
It's looking good and it's so great that it's getting closer to completion.
Just a couple of comments -

That's it
Rachel

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103

S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

From: Muhletaler, Catherine
Sent: Monday, January 08, 2007 10:12 AM
To: McCarthy, Rachel A; Mcgee, Ramona L; Salem, Claudia S; Raymond, Robert R
Cc: Tournay, Frederick H; Carpenter, Dea D; Muhletaler, Catherine
Subject: AFM Chapter 12 - final draft
Importance: High

All,

Attached is the most current draft of AFM Chapter 12 containing and incorporating all OCC edits and comments thus far. Ops is requesting that counsel finalize its comments so it can be circulated and cleared to update the AFM. Please give one final review and provide me with any comments/edits by COB 1/10/07 (Wednesday). If you need more time let me know - but OCC needs to clear this asap. Many thanks for your comments on the previous versions. If you have any questions, please let me know. Cathy

<< File: AMF CHAPTER 12 with OCC comments 1-8-07.DOC >>

Catherine Muhletaler
Special Counsel to the Deputy Chief Counsel
USCIS - Office of the Chief Counsel
(202) 272-1448 office
(202) 272-1405 fax

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: revisions oct 4
Attachments: CHAPTER 12 - RD LATEST REVISIONS.DOC

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: McCarthy, Rachel A
Sent: Thursday, October 05, 2006 12:34 PM
To: Mcgee, Ramona L
Cc: Divine, Robert; Carpenter, Dea D; Muhletaler, Catherine
Subject: RE: revisions oct 4

Ramona -
per Robert's message below.
Rachel

Rachel A. McCarthy
Ethics Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

From: Divine, Robert
Sent: Wednesday, October 04, 2006 2:07 PM
To: OCC Conference Room
Cc: Carpenter, Dea D; Muhletaler, Catherine; McCarthy, Rachel A
Subject: RE: revisions oct 4

Rachel, I have edited this some more using track changes. At this point I'd like you to let the Adjudications Law Division put this within a very brief memo introducing the AFM revisions and circulate it for clearance. Great work, and thanks to Cathy for assisting.

Robert C. Divine
Chief Counsel, USCIS
202-272-1400

From: OCC Conference Room
Sent: Wednesday, October 04, 2006 11:28 AM
To: Divine, Robert
Cc: Carpenter, Dea D; Muhletaler, Catherine; McCarthy, Rachel A
Subject: revisions oct 4

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: Chapter 12

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: McCarthy, Rachel A
Sent: Tuesday, January 16, 2007 11:47 AM
To: Muhletaler, Catherine (b)(5)
Subject: Chapter 12

Cathy -

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: revision to chapter 12

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: McCarthy, Rachel A
Sent: Tuesday, October 17, 2006 12:49 PM
To: Muhletaler, Catherine
Subject: RE: revision to chapter 12

the last time I worked on this it was thru Andy Dalal. I cannot remember the name of the ops person, but hopefully Andy will.

Rachel A. McCarthy
Ethics Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

From: Muhletaler, Catherine
Sent: Tuesday, October 17, 2006 12:46 PM
To: McCarthy, Rachel A
Subject: FW: revision to chapter 12

Rachel,

do you have a poc re: publishing the revised chpt on the AFM on the intranet. I'm looking to see if I could include include this info in the cover memo to the ops folks. thanks, cathy

---

From: Divine, Robert
Sent: Monday, October 16, 2006 11:50 PM
To: Muhletaler, Catherine; Mcgee, Ramona L; Groom, Molly M
Cc: Carpenter, Dea D; McCarthy, Rachel A
Subject: FW: revision to chapter 12

I think this addresses the one change I had suggested from the most recent version, so I think this is ready to go. I ask Ramona and Molly to have someone take one more look at it, and Cathy to prepare a cover sheet to clear this, I guess with a cover memo from someone (Aytes and Scialabba? Scharfen? Me?). Thanks for pushing through this.

Robert C. Divine
Chief Counsel, USCIS
202-272-1400

From: McCarthy, Rachel A
Sent: Thursday, October 12, 2006 11:16 AM
To: Divine, Robert; Carpenter, Dea D; Muhletaler, Catherine
Subject: revision to chapter 12

the additional information regarding foreign attorneys is in the attachment using track changes.

Rachel A. McCarthy
Ethics Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: AFM Chapter 12 - final draft

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: McCarthy, Rachel A
Sent: Tuesday, January 16, 2007 1:06 PM
To: Muhletaler, Catherine
Subject: FW: AFM Chapter 12 - final draft

I made changes to 12.1(a) and (b)

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

From: McCarthy, Rachel A
Sent: Tuesday, January 09, 2007 9:36 AM
To: Muhletaler, Catherine; Mcgee, Ramona L; Salem, Claudia S; Raymond, Robert R
Cc: Tournay, Frederick H; Carpenter, Dea D
Subject: RE: AFM Chapter 12 - final draft

AMF CHAPTER 12 with OCC ...

(b)(5)

(b)(5)

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

From: Muhletaler, Catherine
Sent: Monday, January 08, 2007 10:12 AM
To: McCarthy, Rachel A; Mcgee, Ramona L; Salem, Claudia S; Raymond, Robert R
Cc: Tournay, Frederick H; Carpenter, Dea D; Muhletaler, Catherine
Subject: AFM Chapter 12 - final draft
Importance: High

All,

Attached is the most current draft of AFM Chapter 12 containing and incorporating all OCC edits and comments thus far. Ops is requesting that counsel finalize its comments so it can be circulated and cleared to update the AFM. Please give one final review and provide me with any comments/edits by COB 1/10/07 (Wednesday). If you need more time let me know - but OCC needs to clear this asap. Many thanks for your comments on the previous versions. If you have any questions, please let me know. Cathy

<< File: AMF CHAPTER 12 with OCC comments 1-8-07.DOC >>

Catherine Muhletaler
Special Counsel to the Deputy Chief Counsel
USCIS - Office of the Chief Counsel
(202) 272-1448 office
(202) 272-1405 fax

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: AFM Chapter 12
Attachments: Rees Memo.pdf

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

-----Original Message-----
From: Raymond, Robert R
Sent: Wednesday, November 01, 2006 4:49 PM
To: Muhletaler, Catherine; McCarthy, Rachel A
Subject: FW: AFM Chapter 12

Cathy, Rachel, (b)(5)

[redacted]

Bob

-----Original Message-----
From: Muhletaler, Catherine
Sent: Tuesday, October 31, 2006 3:27 PM
To: Raymond, Robert R
Subject: RE: AFM Chapter 12

Sorry ... Didn't realize you did not receive the attachment. Here it is. Thanks, Cathy

-----Original Message-----
From: Raymond, Robert R

(b)(5)

Sent: Tuesday, October 31, 2006 3:21 PM
To: Muhletaler, Catherine
Subject: RE: AFM Chapter 12

[redacted]

-----Original Message-----
From: Muhletaler, Catherine
Sent: Tuesday, October 31, 2006 11:31 AM
To: Mcgee, Ramona L
Cc: Carpenter, Dea D; Hinds, Ian; Raymond, Robert R
Subject: RE: AFM Chapter 12

Hi Bob,

Have you had a chance to look at this? Pls let me know. Thanks, Cathy

-----Original Message-----
From: Mcgee, Ramona L
Sent: Friday, October 20, 2006 6:10 PM
To: Muhletaler, Catherine
Cc: Carpenter, Dea D; Hinds, Ian; Raymond, Robert R
Subject: AFM Chapter 12

(b)(5)

Cathy:

[redacted]

Thanks

Ramona

Ramona L. McGee
Chief, Adjudications Law Division
USCIS-Office of Chief Counsel
Department of Homeland Security
email: Ramona.McGee@dhs.gov <mailto:Ramona.McGee@dhs.gov>
work: (202) 272-1431
fax: (202) 272-1405

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message.

-----Original Message-----
From: Mcgee, Ramona L
Sent: Friday, October 20, 2006 1:19 PM

To: Muhletaler, Catherine (b)(5)
Cc: Carpenter, Dea D
Subject: RE: revision to chapter 12

[redacted]

Ramona L. McGee
Chief, Adjudications Law Division
USCIS-Office of Chief Counsel
Department of Homeland Security
email: Ramona.McGee@dhs.gov <mailto:Ramona.McGee@dhs.gov>
work: (202) 272-1431
fax: (202) 272-1405

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message.

-----Original Message-----
From: Muhletaler, Catherine
Sent: Friday, October 20, 2006 12:30 PM
To: Mcgee, Ramona L
Cc: Carpenter, Dea D
Subject: Re: revision to chapter 12

Hi Ramona,

Just wanted to touch base with you to make certain that your team had taken a look at it and were OK with it. I have a draft cover letter from Robert to the Directorate heads ready to circulate as he requested. Thanks, cathy
---
Sent from my BlackBerry Wireless Handheld

-----Original Message-----
From: Divine, Robert
To: McCarthy, Rachel A; Whitney, Ronald W; Groom, Molly M; Muhletaler, Catherine; Mcgee, Ramona L
CC: Carpenter, Dea D
Sent: Thu Oct 19 23:34:35 2006
Subject: RE: revision to chapter 12

Can we get this circulating?

Robert C. Divine
Chief Counsel, USCIS
202-272-1400

From: McCarthy, Rachel A
Sent: Wednesday, October 18, 2006 11:20 AM
To: Whitney, Ronald W; Groom, Molly M; Divine, Robert; Muhletaler, Catherine; Mcgee, Ramona L
Cc: Carpenter, Dea D
Subject: RE: revision to chapter 12

[redacted]

Ramona -
Can someone on your team address the issue regarding the right to representation in marriage interviews as noted in the case cited in the Rees memo? I think the case is wrongly decided - and does not reflect the practice within the agency with regard to representation during the marriage interview process. My observation is based on the complaints I have received regarding the conduct of some attorneys during interviews.
Rachel

Rachel A. McCarthy
Ethics Counsel
U.S. Citizenship and Immigration Services 70 Kimball Avenue, Room 103 S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

From: Whitney, Ronald W
Sent: Tuesday, October 17, 2006 5:26 PM
To: Groom, Molly M; Divine, Robert; Muhletaler, Catherine; Mcgee, Ramona L
Cc: Carpenter, Dea D; McCarthy, Rachel A
Subject: RE: revision to chapter 12

[redacted]

--Ron

-----Original Message-----
From: Groom, Molly M
Sent: Tuesday, October 17, 2006 5:18 PM
To: Divine, Robert; Muhletaler, Catherine; Mcgee, Ramona L; Whitney, Ronald W
Cc: Carpenter, Dea D; McCarthy, Rachel A

Subject: RE: revision to chapter 12

Including Ron for his thoughts particularly with regrda to representation in refugee interviews.

-----Original Message-----
From: Divine, Robert
Sent: Monday, October 16, 2006 11:50 PM
To: Muhletaler, Catherine; Mcgee, Ramona L; Groom, Molly M
Cc: Carpenter, Dea D; McCarthy, Rachel A
Subject: FW: revision to chapter 12

I think this addresses the one change I had suggested from the most recent version, so I think this is ready to go. I ask Ramona and Molly to have someone take one more look at it, and Cathy to prepare a cover sheet to clear this, I guess with a cover memo from someone (Aytes and Scialabba? Scharfen? Me?). Thanks for pushing through this.

Robert C. Divine
Chief Counsel, USCIS
202-272-1400

From: McCarthy, Rachel A
Sent: Thursday, October 12, 2006 11:16 AM
To: Divine, Robert; Carpenter, Dea D; Muhletaler, Catherine
Subject: revision to chapter 12

(b)(5)



Rachel A. McCarthy
Ethics Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

PAGE WITHHELD PURSUANT TO

(b)(5)

PAGE WITHHELD PURSUANT TO

(b)(5)

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: AFM Chapter 12 - final draft

Importance: High

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: Muhletaler, Catherine
Sent: Monday, January 08, 2007 10:12 AM
To: McCarthy, Rachel A; Mcgee, Ramona L; Salem, Claudia S; Raymond, Robert R
Cc: Tournay, Frederick H; Carpenter, Dea D; Muhletaler, Catherine
Subject: AFM Chapter 12 - final draft
Importance: High

All,

Attached is the most current draft of AFM Chapter 12 containing and incorporating all OCC edits and comments thus far. Ops is requesting that counsel finalize its comments so it can be circulated and cleared to update the AFM. Please give one final review and provide me with any comments/edits by COB 1/10/07 (Wednesday). If you need more time let me know - but OCC needs to clear this asap. Many thanks for your comments on the previous versions. If you have any questions, please let me know. Cathy



AMF CHAPTER
12 with OCC ...

Catherine Muhletaler
Special Counsel to the Deputy Chief Counsel
USCIS - Office of the Chief Counsel
(202) 272-1448 office
(202) 272-1405 fax

Cathy Muhletaler may know - I have added her into this message.

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

From: Renaud, Tracy L
Sent: Monday, June 18, 2007 8:00 AM
To: McCarthy, Rachel A; Beller, W Michael
Cc: Blauvelt, Sally
Subject: RE: BIA drafts w/revisions

Thanks Rachel. I agree that the message should be the same. Right now, I'm just trying to track down status of the guidance.

Tracy L. Renaud
Deputy Chief, Field Operations
U.S. Citizenship & Immigration Services
202.272.1501

From: McCarthy, Rachel A
Sent: Monday, June 18, 2007 7:30 AM (b)(5)
To: Beller, W Michael
Cc: Renaud, Tracy L; Blauvelt, Sally
Subject: RE: BIA drafts w/revisions

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

From: Beller, W Michael
Sent: Thursday, June 14, 2007 5:01 PM
To: McCarthy, Rachel A

Subject: FW: BIA drafts w/revisions
Importance: High

Hi Rachel:

Hope all is going well in Counsel-land. Per Tracy Renaud and Sally Blauvelt's requests below, could you provide a brief status report re: the guidance they're referring to?

Thanks,
Mike

From: Renaud, Tracy L
Sent: Thursday, June 14, 2007 1:52 PM
To: Beller, W Michael
Subject: FW: BIA drafts w/revisions
Importance: High

Mike-

Do you know where Rachel is on this? She's your Regional Counsel, right?

Tracy L. Renaud
Deputy Chief, Field Operations
U.S. Citizenship & Immigration Services
202.272.1501

From: Blauvelt, Sally
Sent: Monday, June 11, 2007 3:31 PM
To: Renaud, Tracy L
Cc: Monico, Jolaine-Mari ; Wheeler, Shannon L; Melero, Mariela; Rogers, Debra A
Subject: FW: BIA drafts w/revisions
Importance: High

(b)(5)

[redacted]

Sally Blauvelt
Division Chief, Community Relations

Office of Communications
USCIS
202.272.1301
Sally.Blauvelt@dhs.gov

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: Office of Citizenship Weekly Outreach Report

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: McCarthy, Rachel A
Sent: Wednesday, April 19, 2006 11:05 AM
To: Muhletaler, Catherine
Subject: RE: Office of Citizenship Weekly Outreach Report

Have at it



INFOR FOR
USCIS EMPL...

Rachel A. McCarthy
Ethics Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-5043, ext. 5437 (phone)
(802) 660-5067 (facsimile)

From: Muhletaler, Catherine
Sent: Tuesday, April 18, 2006 1:24 PM
To: McCarthy, Rachel A; Tournay, Frederick H
Cc: Carpenter, Dea D
Subject: RE: Office of Citizenship Weekly Outreach Report

Sounds great.

As an fyi, I'll be out of the office Friday and Monday so if you need the additional time for drafting, go ahead and use it.

-----Original Message-----
From: McCarthy, Rachel A
Sent: Tuesday, April 18, 2006 1:22 PM
To: Muhletaler, Catherine; Tournay, Frederick H
Cc: Carpenter, Dea D
Subject: RE: Office of Citizenship Weekly Outreach Report

I'll start working on it today and would hope to have it by my COB (2:30 pm) Thursday, if not before. Does that work?

Rachel A. McCarthy
Ethics Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-5043, ext. 5437 (phone)
(802) 660-5067 (facsimile)

From: Muhletaler, Catherine
Sent: Tuesday, April 18, 2006 1:11 PM
To: McCarthy, Rachel A; Tournay, Frederick H
Cc: Carpenter, Dea D
Subject: FW: Office of Citizenship Weekly Outreach Report
Importance: High

Rachel,

[redacted]

-----Original Message-----
From: Divine, Robert
Sent: Monday, April 17, 2006 10:14 PM
To: Muhletaler, Catherine
Cc: Carpenter, Dea D; Aytes, Michael; Renaud, Tracy L; Crocetti, Don
Subject: RE: Office of Citizenship Weekly Outreach Report

[redacted]

From: Muhletaler, Catherine
Sent: Monday, April 17, 2006 5:04 PM
To: Divine, Robert
Cc: Carpenter, Dea D
Subject: FW: Office of Citizenship Weekly Outreach Report
Importance: High

Robert,

Below are OCC's responses to your comments regarding the attached document from the Office of Citizenship. If you need anything further, please let me know. Cathy

****

[redacted]

PAGE WITHHELD PURSUANT TO (b)(5)

-----Original Message-----
From: Divine, Robert
Sent: Monday, April 10, 2006 9:14 PM
To: Aguilar, Alfonso; Carpenter, Dea D; Biggs, Michael C; McCament, James W
Cc: Paar, Tom
Subject: FW: Office of Citizenship Weekly Outreach Report

Please look at my comments in this document (using highlight and track changes functions in Word) to follow up as appropriate. Thanks.

From: Lotspeich, Katherine **On Behalf Of** Citizenship Office, USCIS
Sent: Monday, April 10, 2006 11:28 AM
To: Crewson, Jean C; Crouse, Jacque; Hallstrom, Carol R; Jackson, Jimmy X; Melton, Barbara J; Obregon, Valentin; Albers, Ted W; Burden, Shyconia; Cassidy, Berta M; 'Greene-Janvier, Hiwatha '; Mouw, Sarah ; Williams-Brevard, Gloria; 'bustamante, rudy'; 'Cabrera, Rico P'; Chan, Yiu Wing; Evans, Janna M; Fan, Lucee R ; Guess, Glenna; Gulick, David; Kutara, Darlene; Ramirez, John F; Sale, Edward G; Aguilar, Alfonso; Anton, Susan; Blauvelt, Sally; Hetfield, Miriam J; Johnson, Hermene; Jones, Michael R; Lewis, Jo C; Lotspeich, Katherine; Melero, Mariela; Munoz-Acevedo, Carlos; Patching, Laura; Stiefel, Nathaniel I; Alfonso-Royals, Angelica M; Aran, Maria M; 'Arellano, Jane E'; Asdorian, Megan E; Aytes, Michael; Barrows, Angela K; 'Barsa, John (DHS HQ)'; Bentley, Christopher S; Beyer, Gregg A; Breaker, Chadd; Bucher, Steve P; Cabrera, Marilu; Carpenter, Dea D; 'Caterisano, Richard C'; Daum, Robert L; 'De Leon, Alfonso R'; De Leon, Hector; Divine, Robert; 'Doody, Bernadette '; Frazier, Denise M; Gantner, Mary Ann; Garcia-Upson, Maria; Gong, Ted K; Gonzalez, Emilio T; Goya, Sally S; Han, Shelly; HANSON, MARK; Haspert, Janet K; Heinauer, Gerard; Hinken, Anna; 'Holmes, M Frances '; Howard, Phyllis ; Howell, David R; 'Hudson, Sharon A'; Jarina, M Stella ; 'Jenifer, Carol A'; Johnson, Maryan; Kamenshine, Wendy; Kane, Dan; Khawaja, Nadia M; Kraus, Rebecca; Lacot, Rosalina; LaGonterie, Yvette M; 'Lara, Rodolfo '; Lenihan, Maureen; Lorenzo, Amy L; Mancias Jr, Joseph; McAlpin, Luke; McBroom, Warren E; McGraw, Mark X; 'McNamee, William D'; Melville, Rosemary; Mills, Raymond; Muzyka, Carolyn L; Neufeld, Donald; Nguyen, Chau Q; Okin, Robert J; Ortiz, Mario R; Paar, Tom; Pasquarell, Kenneth L; Pierre, Paul M; Puckett, Alan D; 'Quarantillo, Andrea J'; Ratliff, Gerri; Renaud, Daniel M; Renaud, Tracy L; 'Riordan, Denis C'; Roark, David L; 'Rogers, Debra A'; Rollocks, Dana E; Roney, Lisa S; Rummery, Sharon; Santiago, Ana E; 'Saucier, Shawn '; Sebrechts, Marie T; Simeone, Ann; 'Smith, Gregory B'; Sposato, Janis A; Still, David N; Strack, Barbara L; Taylor, Sarah T; Thai, Lynn L; Tosado, Rebekah; Verdery, Lauren; Pool, Christine A; Wright, Krista E; King-Leatham, Dwight J
Subject: Office of Citizenship Weekly Outreach Report

Colleagues,

Attached, please find the Office of Citizenship Weekly Outreach Report for the time period March 27-31, 2006.

<< File: Weekly Report 3-31-06.DOC >>

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: Chapter 12 status

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: McCarthy, Rachel A
Sent: Monday, April 24, 2006 12:55 PM
To: Pitcairn, Rodger
Cc: Dalal, Andy
Subject: RE: Chapter 12 status

(b)(5)

Rachel A. McCarthy
Ethics Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-5043, ext. 5437 (phone)
(802) 660-5067 (facsimile)

From: Pitcairn, Rodger
Sent: Monday, April 24, 2006 12:22 PM
To: McCarthy, Rachel A
Cc: Dalal, Andy
Subject: Chapter 12 status

Rachel,

I investigated the status of Chapter 12. Here is what I found and what I have done:

PAGE WITHHELD PURSUANT TO (b)(5)

Rodger Pitcaim, Esq.
Adjudication Officer
U.S. Citizenship and Immigration Services
Office of Regulatory and Product Management
111 Massachusetts Ave NW, Suite 3000
Washington, DC 20529
Phone: 202-272-8427, Fax: 202-272-8526
e-mail: rodger.pitcaim@dhs.gov

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: AFM chapter 12 online
Attachments: PUBLIC LIST OF INELIGIBLE INDIVIDUALS.doc; FACT SHEET ON REPRESENTATION.doc

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

(b)(5)

-----Original Message-----
From: McCarthy, Rachel A
Sent: Tuesday, April 25, 2006 8:22 AM
To: Divine, Robert; Dalal, Andy
Cc: Carpenter, Dea D
Subject: RE: AFM chapter 12 online

[redacted]

See what you think

Rachel A. McCarthy
Ethics Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-5043, ext. 5437 (phone)
(802) 660-5067 (facsimile)

-----Original Message-----
From: Divine, Robert
Sent: Monday, April 24, 2006 9:25 PM
To: McCarthy, Rachel A; Dalal, Andy (b)(5)
Cc: Carpenter, Dea D
Subject: RE: AFM chapter 12 online

[redacted]

(b)(5)

[redacted]

-----Original Message-----
From: McCarthy, Rachel A
Sent: Monday, April 24, 2006 12:41 PM
To: Divine, Robert; Dalal, Andy
Cc: Carpenter, Dea D
Subject: RE: AFM chapter 12 online

[redacted]

Rachel A. McCarthy
Ethics Counsel
U.S. Citizenship and Immigration Services 70 Kimball Avenue, Room 103 S. Burlington, VT 05403
(802) 660-5043, ext. 5437 (phone)
(802) 660-5067 (facsimile)

-----Original Message-----
From: Divine, Robert
Sent: Monday, April 24, 2006 11:30 AM
To: McCarthy, Rachel A; Dalal, Andy
Cc: Carpenter, Dea D
Subject: Re: AFM chapter 12 online

Sounds good, pending Dea's review and approval, as I might be missing or forgetting something.

Robert C. Divine
Acting Deputy Director, USCIS
202-272-1000

Sent from my BlackBerry Wireless Handheld

-----Original Message-----
From: McCarthy, Rachel A
To: Dalal, Andy; Divine, Robert
Sent: Mon Apr 24 10:45:47 2006 (b)(5)
Subject: RE: AFM chapter 12 online

[redacted]

(b)(5)

[redacted]

Rachel A. McCarthy
Ethics Counsel
U.S. Citizenship and Immigration Services 70 Kimball Avenue, Room 103 S. Burlington, VT 05403
(802) 660-5043, ext. 5437 (phone)
(802) 660-5067 (facsimile)

-----Original Message-----
From: Dalal, Andy
Sent: Monday, April 24, 2006 10:14 AM
To: Divine, Robert; McCarthy, Rachel A
Subject: RE: AFM chapter 12 online

Robert, I do not recall it either and that is why I was confirming with it with you. Rachel, do you recall? Thanks. Andy

-----Original Message-----
From: Divine, Robert
Sent: Monday, April 24, 2006 9:52 AM
To: Dalal, Andy
Cc: 'RMcCarthy@fins2.dhs.gov'
Subject: Re: AFM chapter 12 online

I don't recall saying not to let that list be public. Please advise on the context.

Robert C. Divine
Acting Deputy Director, USCIS
202-272-1000

Sent from my BlackBerry Wireless Handheld

-----Original Message-----
From: Dalal, Andy
To: Divine, Robert
Sent: Mon Apr 24 09:07:08 2006
Subject: FW: AFM chapter 12 online

[redacted]

(b)(5)

From: McCarthy, Rachel A

Sent: Monday, April 24, 2006 8:51 AM
To: Pitcairn, Rodger; Dalal, Andy
Subject: RE: AFM chapter 12 online

(b)(5)

[redacted]

Rachel A. McCarthy
Ethics Counsel
U.S. Citizenship and Immigration Services 70 Kimball Avenue, Room 103 S. Burlington, VT 05403
(802) 660-5043, ext. 5437 (phone)
(802) 660-5067 (facsimile)

From: Pitcairn, Rodger
Sent: Monday, April 24, 2006 8:48 AM
To: Dalal, Andy; McCarthy, Rachel A
Subject: AFM chapter 12 online

Andy and Rachel,

[redacted]

(b)(5)

Rodger

From: Dalal, Andy
Sent: Monday, April 24, 2006 8:42 AM
To: Pitcairn, Rodger
Subject: FW: ARM ONLINE

Rodger, do you have any information on the issue raised by Rachel? Andy

From: McCarthy, Rachel A
Sent: Monday, April 24, 2006 8:14 AM
To: Raymond, Robert R; Dalal, Andy
Cc: Muhletaler, Catherine
Subject: ARM ONLINE (b)(5)

Bob and Andy -

[redacted]

Rachel

Rachel A. McCarthy

Ethics Counsel

U.S. Citizenship and Immigration Services

70 Kimball Avenue, Room 103

S. Burlington, VT 05403

(802) 660-5043, ext. 5437 (phone)

(802) 660-5067 (facsimile)

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Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: ARM ONLINE

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: McCarthy, Rachel A
Sent: Monday, April 24, 2006 8:14 AM
To: Raymond, Robert R; Dalal, Andy
Cc: Muhletaler, Catherine (b)(5)
Subject: ARM ONLINE

Bob and Andy -

[redacted]

Rachel

Rachel A. McCarthy
Ethics Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-5043, ext. 5437 (phone)
(802) 660-5067 (facsimile)

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: AFM Chapter 12 Revisions-Updated guidance on dealing w/attorneys and other reps
Attachments: Ch 12 revisions, attorneys and other reps, AD05-01.DOC; USCIS Ops Clearance-Ch 12 Attys, AD05-01.doc

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: Pitcairn, Rodger
Sent: Monday, April 24, 2006 3:47 PM
To: Chang, Pearl B; Bucher, Steve P; Neufeld, Donald; Carpenter, Dea D; Iturregui, Carlos
Cc: Hinds, Ian; Mcgee, Ramona L; Mulrean, Mary C; McCarthy, Rachel A; Dalal, Andy
Subject: AFM Chapter 12 Revisions-Updated guidance on dealing w/attorneys and other reps

All,

Please find attached for your concurrence and comment: Revisions to Chapter 12 of the *Adjudicator's Field Manual* (*AFM*) – updated guidance on dealing with attorneys and other representatives as well as the effect of 8 CFR 103.2(a)(3) on representation.

Rodger Pitcairn, Esq.
Adjudication Officer
U.S. Citizenship and Immigration Services
Office of Regulatory and Product Management
111 Massachusetts Ave NW, Suite 3000
Washington, DC 20529
Phone: 202-272-8427, Fax: 202-272-8526
e-mail: rodger.pitcairn@dhs.gov

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Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: ARM ONLINE

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: McCarthy, Rachel A
Sent: Monday, April 24, 2006 8:14 AM
To: Raymond, Robert R; Dalal, Andy
Cc: Muhletaler, Catherine
Subject: ARM ONLINE (b)(5)

Bob and Andy -

[redacted]

Rachel

Rachel A. McCarthy
Ethics Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-5043, ext. 5437 (phone)
(802) 660-5067 (facsimile)

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: AFM Chapter 12 Revisions-Updated guidance on dealing w/attorneys and other reps
Attachments: Ch 12 revisions, attorneys and other reps, AD05-01.DOC; USCIS Ops Clearance-Ch 12 Attys, AD05-01.doc

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: Pitcairn, Rodger
Sent: Monday, April 24, 2006 3:47 PM
To: Chang, Pearl B; Bucher, Steve P; Neufeld, Donald; Carpenter, Dea D; Iturregui, Carlos
Cc: Hinds, Ian; Mcgee, Ramona L; Mulrean, Mary C; McCarthy, Rachel A; Dalal, Andy
Subject: AFM Chapter 12 Revisions-Updated guidance on dealing w/attorneys and other reps

All,

Please find attached for your concurrence and comment: Revisions to Chapter 12 of the *Adjudicator's Field Manual* (*AFM*) – updated guidance on dealing with attorneys and other representatives as well as the effect of 8 CFR 103.2(a)(3) on representation.

(b)(5)

Rodger Pitcairn, Esq.
Adjudication Officer
U.S. Citizenship and Immigration Services
Office of Regulatory and Product Management
111 Massachusetts Ave NW, Suite 3000
Washington, DC 20529
Phone: 202-272-8427, Fax: 202-272-8526
e-mail: rodger.pitcairn@dhs.gov

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Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: AFM Chapter 12 revisions for concurrence purposes

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: McCarthy, Rachel A
Sent: Monday, May 15, 2006 12:29 PM
To: Pitcairn, Rodger
Subject: RE: AFM Chapter 12 revisions for concurrence purposes (b)(5)

i reviewed and offer the following commetns:

[redacted]

NOTE: As of May 1, 2006 (802) 660-1779 (direct line)

Rachel A. McCarthy
Ethics Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

From: Pitcairn, Rodger
Sent: Friday, May 12, 2006 1:08 PM
To: McCarthy, Rachel A; Smith, Pamela
Subject: AFM Chapter 12 revisions for concurrence purposes

Rachel and Pamela,

[redacted]

(b)(5)



Rodger Pitcaim, Esq.
Adjudication Officer
U.S. Citizenship and Immigration Services
Office of Regulatory and Product Management
111 Massachusetts Ave NW, Suite 3000
Washington, DC 20529
Phone: 202-272-8427, Fax: 202-272-8526
e-mail: rodger.pitcaim@dhs.gov

(b)(5)

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: AUDIO TAPING ISSUE

Importance: High

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

-----Original Message-----
From: Rachel A McCarthy
Sent: Tuesday, August 09, 2005 9:21 AM
To: Terrance M O'Reilly
Subject: AUDIO TAPING ISSUE (b)(5)
Importance: High

Terry -

[redacted]

Rachel

Rachel A. McCarthy
Associate Ethics Officer
U.S. Citizenship and Immigration Services
70 Kimball Avenue, room 103
S. Burlington, VT 05403
(802) 660-5043, ext. 5437 (phone)
(802) 660-5067 (FAX)

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: New Hartford Policy Regarding Attorney Representation?

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: Bacon, Roxana [mailto:Roxana.Bacon@dhs.gov]
Sent: Thursday, November 19, 2009 11:21 AM
To: McCarthy, Rachel A; Gallagher, Ellen; Carpenter, Dea D; Bacon, Roxana (b)(5)
Cc: McGregor, Suzanne M
Subject: RE: New Hartford Policy Regarding Attorney Representation?

[redacted]

Roxie

From: McCarthy, Rachel A [mailto:rachel.mccarthy@dhs.gov]
Sent: Thursday, November 19, 2009 11:07 AM
To: Gallagher, Ellen; McCarthy, Rachel A; Carpenter, Dea D; Bacon, Roxana
Cc: McGregor, Suzanne M
Subject: Re: New Hartford Policy Regarding Attorney Representation?

(b)(5)

Ellen

[redacted]

Rachel
Rachel A. McCarthy (message sent from Blackberry)
Bar Counsel
U.S. Citizenship and Immigration Services
(802) 660-1779 (phone)
(802 660-5067 (fax)

----- Original Message -----
From: Gallagher, Ellen <ellen.gallagher@dhs.gov>
To: McCarthy, Rachel A <rachel.mccarthy@dhs.gov>; Carpenter, Dea D <dea.carpenter@dhs.gov>; Rogers, Debra A <debra.a.rogers@dhs.gov>; Bacon, Roxana <Roxana.Bacon@dhs.gov>; Harrison, Julia L <julia.harrison@dhs.gov>
Cc: McGregor, Suzanne M
Sent: Thu Nov 19 10:57:27 2009
Subject: RE: New Hartford Policy Regarding Attorney Representation?

(b)(5)

Ellen Gallagher

Special Liaison Counsel

USCIS Office of the Chief Counsel

(202) 550-4608 tel

(202) 272-1407 fax

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: chapter 12

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: Hinds, Ian
Sent: Friday, July 11, 2008 10:36 AM
To: McCarthy, Rachel A; Muhletaler, Catherine
Cc: Groom, Molly M
Subject: RE: chapter 12

Rachel:

I believe it's with Molly for review at this point.

Ian

From: McCarthy, Rachel A
Sent: Thursday, July 10, 2008 4:05 PM
To: Hinds, Ian; Muhletaler, Catherine
Subject: chapter 12

[redacted]
(b)(5)

thanks

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: New Hartford Policy Regarding Attorney Representation?
Attachments: Re: New Hartford Policy Regarding Attorney Representation?

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

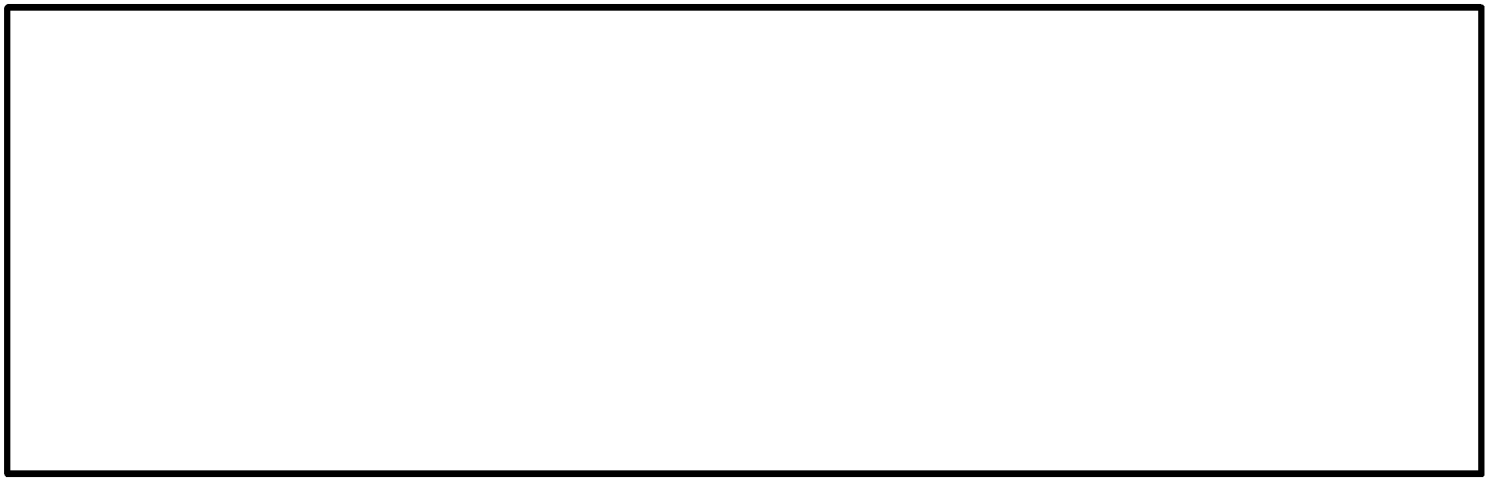
---

From: Gallagher, Ellen
Sent: Thursday, November 19, 2009 10:49 AM
To: McCarthy, Rachel A; Rogers, Debra A; Bacon, Roxana; Harrison, Julia L; Carpenter, Dea D
Cc: McGregor, Suzanne M
Subject: FW: New Hartford Policy Regarding Attorney Representation?

Just realized Dea was not earlier included on this exchange. Including her now.

Ellen Gallagher
Special Liaison Counsel
USCIS Office of the Chief Counsel
(202) 550-4608 tel
(202) 272-1407 fax

From: Gallagher, Ellen
Sent: Thursday, November 19, 2009 10:45 AM
To: McCarthy, Rachel A; Rogers, Debra A; Bacon, Roxana; Harrison, Julia L
Cc: McGregor, Suzanne M (b)(5)
Subject: RE: New Hartford Policy Regarding Attorney Representation?



PAGE WITHHELD PURSUANT TO (b)(5)

Greenwood, Tembra A

From: McCarthy, Rachel A <rachel.mccarthy@dhs.gov>
Sent: Thursday, November 19, 2009 9:32 AM
To: Rogers, Debra A; Bacon, Roxana; Harrison, Julia L
Cc: Gallagher, Ellen; McGregor, Suzanne M
Subject: Re: New Hartford Policy Regarding Attorney Representation?

[redacted]

Rachel
Rachel A. McCarthy (message sent from Blackberry)
Bar Counsel
U.S. Citizenship and Immigration Services
(802) 660-1779 (phone)
(802 660-5067 (fax)

----- Original Message -----
From: Rogers, Debra A
To: 'Roxana.Bacon@dhs.gov' <Roxana.Bacon@dhs.gov>; McCarthy, Rachel A; Harrison, Julia L
Cc: 'ellen.gallagher@dhs.gov' <ellen.gallagher@dhs.gov>
Sent: Thu Nov 19 08:22:24 2009
Subject: Re: New Hartford Policy Regarding Attorney Representation?

[redacted]

----- Original Message -----
From: Bacon, Roxana <Roxana.Bacon@dhs.gov>
To: Rogers, Debra A <debra.a.rogers@dhs.gov>
Cc: Gallagher, Ellen <ellen.gallagher@dhs.gov>
Sent: Thu Nov 19 08:12:16 2009
Subject: FW: New Hartford Policy Regarding Attorney Representation?

Can you take a peek? I sure don't recall this being the end result of our G-28 conversations, but maybe I came in later?

Roxie

From: Gallagher, Ellen
Sent: Thursday, November 19, 2009 6:37 AM
To: Bacon, Roxana; Carpenter, Dea D
Subject: FW: New Hartford Policy Regarding Attorney Representation?

[redacted]

(b)(5)

[redacted]

E

Ellen Gallagher

Special Liaison Counsel

Office of the Chief Counsel

U.S. Citizenship and Immigration Services

(202) 550-4608 tel

(202) 272-1407 fax

From: Enzer, Ethan

Sent: Wednesday, November 18, 2009 4:34 PM
To: Andrew Wizner
Cc: Holmes, M Frances; Bonilla, Iris G; Wicks, Joyce M; Keck, Peggy M; Dyer, Amanda; Kunver, Raj
Subject: RE: New Hartford Policy Regarding Attorney Representation?

Andy:

(b)(5)

Thanks for the note. Here is a more official notice:

[redacted]

Ethan Enzer

Field Office Director - Hartford Field Office

United States Citizenship and Immigration Services

450 Main Street, First Floor

Hartford, CT 06103

Tel: (860) 728 2360 Fax: (860) 728 2355

(b)(5)

From: Andrew Wizner [mailto:AWizner@lkwvisa.com]
Sent: Wednesday, November 18, 2009 3:42 PM
To: Enzer, Ethan
Subject: RE: New Hartford Policy Regarding Attorney Representation?

Andrew L. Wizner, Esq.
Leete, Kosto & Wizner, LLP
999 Asylum Avenue, Suite 202
Hartford, Connecticut 06105
Tel.: 860-249-8100
Fax: 860-727-9184
awizner@lkwvisa.com <blocked::mailto:awizner@lkwvisa.com>

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: AFM Ch. 12, Attorneys and Representatives

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

-----Original Message-----
From: Rosenberg, Ron M
Sent: Wednesday, July 02, 2008 9:00 AM
To: McCarthy, Rachel A; Phillips, Mark; Muhletaler, Catherine; Groom, Molly M; Whitney, Ronald W; OCC-Clearance
Cc: Flynn, Patricia H; Scialabba, Lori; Bucher, Steve P
Subject: Re: AFM Ch. 12, Attorneys and Representatives

Perfect. Thanks so much.

----- Original Message -----
From: McCarthy, Rachel A
To: Rosenberg, Ron M; Phillips, Mark; Muhletaler, Catherine; Groom, Molly M; Whitney, Ronald W; OCC-Clearance
Cc: Flynn, Patricia H; Scialabba, Lori; Bucher, Steve P
Sent: Wed Jul 02 08:45:26 2008
Subject: RE: AFM Ch. 12, Attorneys and Representatives

ALL

[redacted]

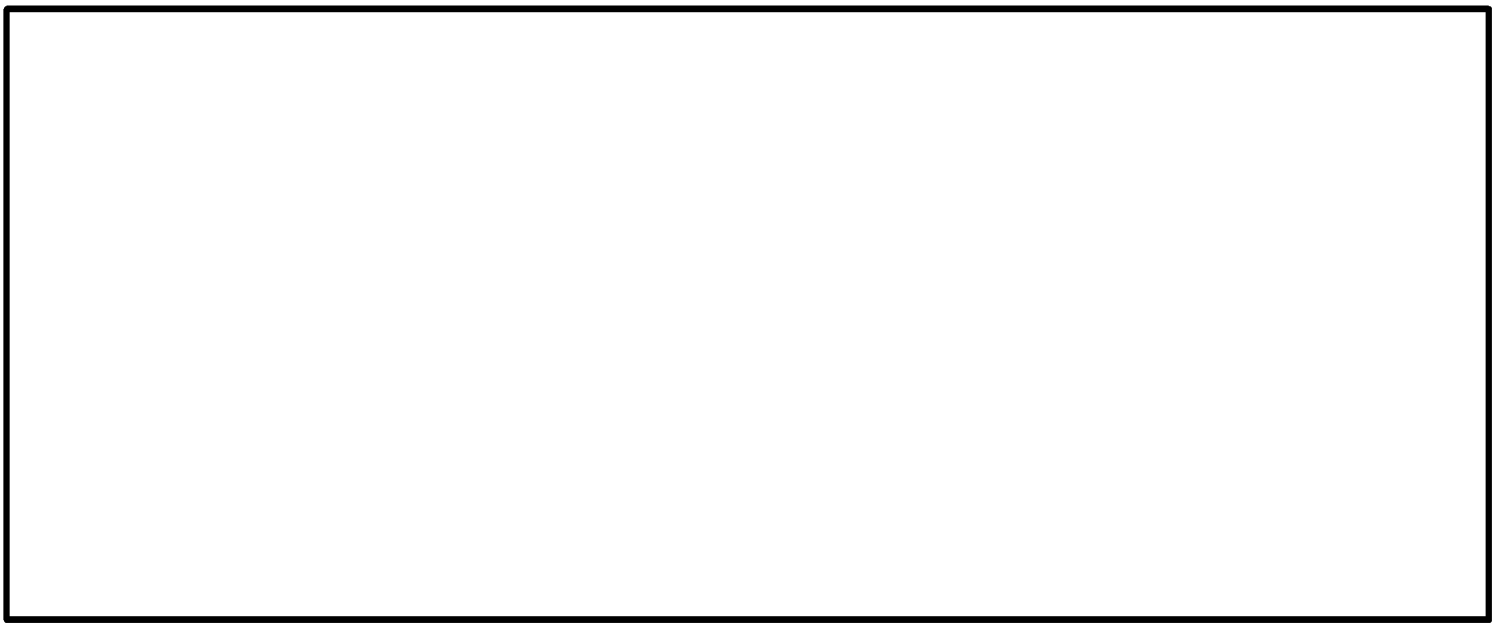
(b)(5)

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779

(802) 660-5067 (facsimile)

(b)(5)

From: Rosenberg, Ron M
Sent: Tuesday, July 01, 2008 5:12 PM
To: McCarthy, Rachel A; Phillips, Mark; Muhletaler, Catherine; Groom, Molly M; Whitney, Ronald W; OCC-Clearance
Cc: Flynn, Patricia H; Scialabba, Lori; Bucher, Steve P
Subject: RE: AFM Ch. 12, Attorneys and Representatives



Moving forward, let's make sure that RAIO is engaged at an early stage in matters that impact overseas operations. Thanks.

Ron--

Ron Rosenberg, Special Assistant

Refugee, Asylum, & International Operations Directorate (RAIO)

U.S. Citizenship and Immigration Services

U.S. Department of Homeland Security

20 Massachusetts Avenue, NW, Suite 3300

Washington, DC 20529

Ph: 202-272-1654 ◦ Ron.Rosenberg@dhs.gov

From: McCarthy, Rachel A
Sent: Monday, June 30, 2008 7:49 AM
To: Rosenberg, Ron M; Phillips, Mark; Muhletaler, Catherine; Groom, Molly M; Whitney, Ronald W; OCC-Clearance
Cc: Flynn, Patricia H; Scialabba, Lori; Bucher, Steve P
Subject: RE: AFM Ch. 12, Attorneys and Representatives

(b)(5)

ALL:

[redacted]

Rachel

Rachel A. McCarthy

Bar Counsel

U.S. Citizenship and Immigration Services

70 Kimball Avenue, Room 103

S. Burlington, VT 05403

(802) 660-1779

(802) 660-5067 (facsimile)

From: Rosenberg, Ron M
Sent: Friday, June 27, 2008 4:37 PM
To: Phillips, Mark; McCarthy, Rachel A; Muhletaler, Catherine; Groom, Molly M; Whitney, Ronald W; OCC-Clearance
Cc: Flynn, Patricia H; Scialabba, Lori; Bucher, Steve P
Subject: RE: AFM Ch. 12, Attorneys and Representatives
(b)(5)

Rachel,

Ron--

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

From: Rosenberg, Ron M

Sent: Wednesday, June 25, 2008 4:24 PM

To: Phillips, Mark; McCarthy, Rachel A; Muhletaler, Catherine

Cc: Flynn, Patricia H

Subject: Re: AFM Ch. 12, Attorneys and Representatives

Apologies. I've been at back to back conferences and have not had a chance to reply properly. I appreciate the need to advance and am confident that we can explore and address our concerns quickly. I'll be back in the office tomorrow.

Ron--

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

From: Phillips, Mark

To: McCarthy, Rachel A; Muhletaler, Catherine; Rosenberg, Ron M

Cc: Flynn, Patricia H

Sent: Wed Jun 25 16:01:31 2008

Subject: RE: AFM Ch. 12, Attorneys and Representatives

Rachel, Cathy, and Ron,

I may have missed some correspondence after Rachel's email of June 16, but it does not appear that RAIO has responded to Rachel's recommendation.

I would greatly appreciate it if OCC and RAIO would work this out, and let me know the final result and product.

If the final version impacts overseas offices or operations, then we can issue the memo jointly from Lori and Don.

Thank you very much.

Mark

R. Mark Phillips

Chief, Residence & Naturalization Division

Office of Policy & Strategy

U.S. Citizenship and Immigration Services

20 Massachusetts Ave. NW, Suite 2304

Washington, DC 20529

Phone: (202) 272-8406

Fax: (202) 272-8518

Email: RMark.Phillips@dhs.gov

From: McCarthy, Rachel A

Sent: Monday, June 16, 2008 7:59 AM

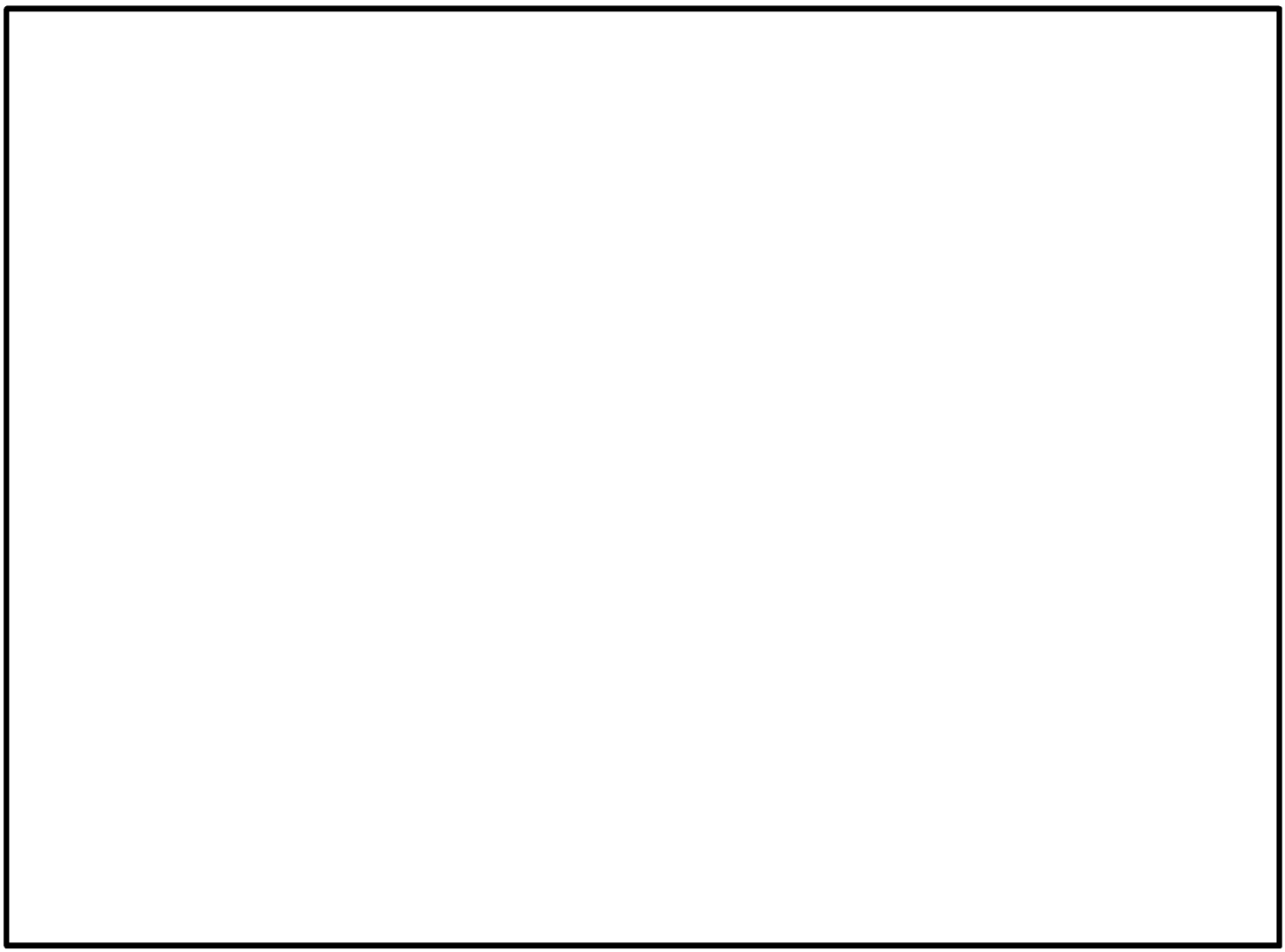
To: Rosenberg, Ron M; OCC-Clearance; Phillips, Mark; Groom, Molly M; Whitney, Ronald W; Mattice, Michael

Cc: Higgins, Jennifer B; Strack, Barbara L; Gardner, Todd E; Ruppel, Joanna; Valverde, Michael; Bird, John W; Bradford, Catherine M; Ripley French, Katherine; Langlois, Joseph; Hussey, Jedidah M; 'Bucher, Steve P'; Scialabba, Lori

Subject: RE: AFM Ch. 12, Attorneys and Representatives

ALL:

(b)(5)



Rachel A. McCarthy

Bar Counsel

U.S. Citizenship and Immigration Services

70 Kimball Avenue, Room 103

S. Burlington, VT 05403

(802) 660-1779

(802) 660-5067 (facsimile)

From: Rosenberg, Ron M

Sent: Friday, June 13, 2008 3:59 PM

To: OCC-Clearance; Phillips, Mark; McCarthy, Rachel A; Groom, Molly M; Whitney, Ronald W; Mattice, Michael

Cc: Higgins, Jennifer B; Strack, Barbara L; Gardner, Todd E; Ruppel, Joanna; Valverde, Michael; Bird, John W; Bradford, Catherine M; Ripley French, Katherine; Langlois, Joseph; Hussey, Jedidah M; Bucher, Steve P; Scialabba, Lori

Subject: AFM Ch. 12, Attorneys and Representatives

(b)(5)

Mark,

Thanks,

Ron--

Ron Rosenberg, Special Assistant

Refugee, Asylum, & International Operations Directorate (RAIO)

U.S. Citizenship and Immigration Services

U.S. Department of Homeland Security

20 Massachusetts Avenue, NW, Suite 3300

Washington, DC 20529

Ph: 202-272-1654 ◦ Ron.Rosenberg@dhs.gov

From: Phillips, Mark

Sent: Tuesday, June 10, 2008 2:51 PM

To: Bradford, Catherine M

Subject: Need RAIO Concurrence, AFM Chapter 12, Attorneys and Representatives

Importance: High

Hi Catherine,

(b)(5)

[redacted]

Thank you very much.

Mark

R. Mark Phillips

Supervisory Adjudications Policy Officer

Domestic Operations Directorate

U.S. Citizenship and Immigration Services

Department of Homeland Security

20 Massachusetts Avenue NW, Suite 2304

Washington, DC 20529

Phone: (202) 272-8406

Fax: (202) 272-8518

Email: RMark.Phillips@dhs.gov

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: follow up

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: McCarthy, Rachel A
Sent: Wednesday, July 16, 2008 2:34 PM
To: Hinds, Ian
Subject: follow up

(b)(5)

Ian

I am trying to tie up loose ends before the conference - see you next week.

thanks
Rachel

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: New Hartford Policy Regarding Attorney Representation?

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
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website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

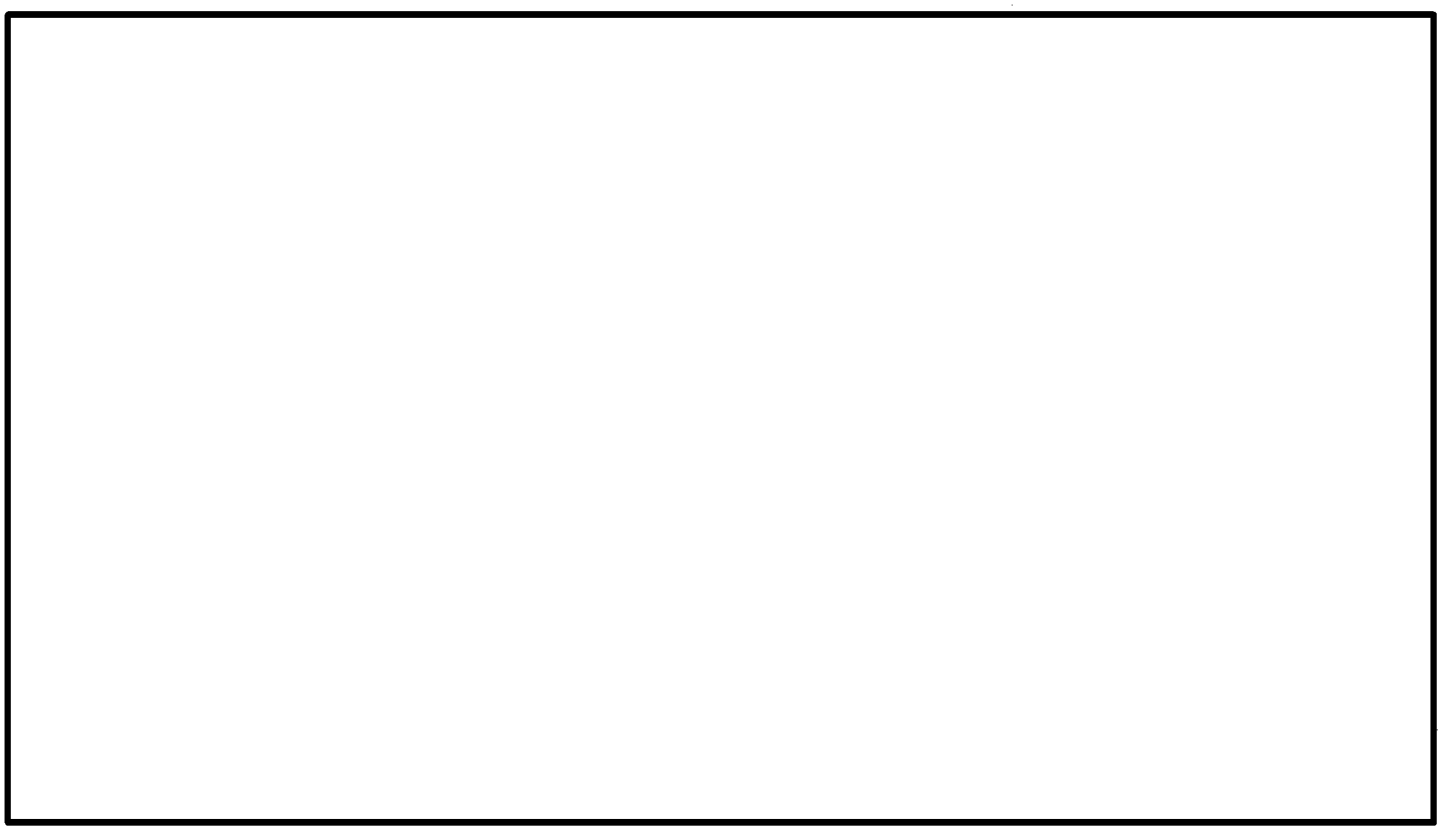
From: McCarthy, Rachel A [mailto:rachel.mccarthy@dhs.gov]
Sent: Thursday, November 19, 2009 10:50 AM
To: Gallagher, Ellen; McCarthy, Rachel A; Rogers, Debra A; Bacon, Roxana; Harrison, Julia L
Cc: McGregor, Suzanne M
Subject: Re: New Hartford Policy Regarding Attorney Representation? (b)(5)

Rachel A. McCarthy (message sent from Blackberry)
Bar Counsel
U.S. Citizenship and Immigration Services
(802) 660-1779 (phone)
(802 660-5067 (fax)

----- Original Message -----
From: Gallagher, Ellen <ellen.gallagher@dhs.gov>
To: McCarthy, Rachel A <rachel.mccarthy@dhs.gov>; Rogers, Debra A <debra.a.rogers@dhs.gov>; Bacon, Roxana <Roxana.Bacon@dhs.gov>; Harrison, Julia L <julia.harrison@dhs.gov>
Cc: McGregor, Suzanne M
Sent: Thu Nov 19 10:45:16 2009
Subject: RE: New Hartford Policy Regarding Attorney Representation?

(b)(5) 1

Thanks, (b)(5)



Ellen Gallagher

Special Liaison Counsel

USCIS Office of the Chief Counsel

(202) 550-4608 tel

(202) 272-1407 fax

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: CHAPTER 12 AFM

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: McCarthy, Rachel A
Sent: Monday, July 07, 2008 7:46 AM
To: Phillips, Mark
Subject: FW: CHAPTER 12 AFM

Mark -
fyi
Rachel

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

From: Muhletaler, Catherine
Sent: Thursday, July 03, 2008 11:41 AM
To: McCarthy, Rachel A
Cc: Groom, Molly M
Subject: RE: CHAPTER 12 AFM

Rachel,

Lynden is finalizing the OCC review. Cathy

-----Original Message-----
From: McCarthy, Rachel A
Sent: Thursday, July 03, 2008 8:51 AM
To: Muhletaler, Catherine
Subject: FW: CHAPTER 12 AFM

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

-----Original Message-----
From: Groom, Molly M
Sent: Tuesday, July 01, 2008 10:44 AM
To: McCarthy, Rachel A; Muhletaler, Catherine
Subject: Re: CHAPTER 12 AFM

Rachel,
We'll try to get back to you tomorrow on this clearance. Thanks, Molly

----- Original Message -----
From: McCarthy, Rachel A
To: Muhletaler, Catherine; Groom, Molly M
Sent: Tue Jul 01 10:36:10 2008
Subject: CHAPTER 12 AFM

Molly and Cathy -
with RAIO's additions and clearance, Mark PHillips is just waiting for OCC to give final clearance to Chapter 12 of the AFM. If you concur with these changes, I would be most happy to inform Mark so that the chapter can be posted.
Rachel

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services 70 Kimball Avenue, Room 103 S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: Query about representation guidelines
Attachments: FACT SHEET ON REPRESENTATION (rev).doc

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: McCarthy, Rachel A
Sent: Wednesday, August 20, 2008 1:42 PM
To: McGrath, Thomas
Subject: RE: Query about representation guidelines

we do indeed. It's chapter 12 of the AFM and it has been awaiting blessing for posting by OCC for . . . don't ask how long. There is also a factsheet on representation that is posted online (public website) that I am attaching for you to use.

Also - I think that I am attending the fraud task force meeting in NYC on Sept 10. Do you think they would want me to do an hour of training on these issues when I am there? I like to consolidate trips whenever possible.

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

From: McGrath, Thomas
Sent: Wednesday, August 20, 2008 11:55 AM
To: McCarthy, Rachel A
Subject: Query about representation guidelines (b)(5)

Good morning, Rachel.

PAGE WITHHELD PURSUANT TO

(b)(5)

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: STATUS INQUIRY

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: McCarthy, Rachel A
Sent: Monday, September 08, 2008 8:39 AM
To: OCC-Clearance
Cc: Flynn, Patricia H
Subject: STATUS INQUIRY

Has Chapter 12 of the AFM been reviewed by Molly and or Lynden yet?
I continue to receive individual inquiries that would be unnnecessary if the revisions were available online.
thank you

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: AFM Ch. 12, Attorneys and Representatives
Attachments: CHAPTER 12 AMENDMENTS sep 11.doc

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: McCarthy, Rachel A
Sent: Wednesday, September 17, 2008 3:55 PM
To: OCC-Clearance
Cc: Groom, Molly M
Subject: FW: AFM Ch. 12, Attorneys and Representatives

Has this revised version gone back to Mark Phillips yet?

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

From: McCarthy, Rachel A
Sent: Thursday, September 11, 2008 8:26 AM
To: Groom, Molly M; Muhletaler, Catherine; Whitney, Ronald W; OCC-Clearance
Cc: Flynn, Patricia H
Subject: RE: AFM Ch. 12, Attorneys and Representatives

the version attached has changes I made in response to molly's concerns and my explanatory comments.
If everyone is comfortable with these changes - will "the box" accept the changes, clean out the "metadata" and then send it to Mark Phillips?

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services

70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

From: Groom, Molly M
Sent: Wednesday, September 10, 2008 5:45 PM
To: McCarthy, Rachel A; Muhletaler, Catherine; Whitney, Ronald W; OCC-Clearance
Cc: Flynn, Patricia H
Subject: RE: AFM Ch. 12, Attorneys and Representatives

Here is Chapter 12—finally—with a few edits. Thanks for continuing to push and I do apologize for the delay.

From: McCarthy, Rachel A
Sent: Monday, June 30, 2008 7:49 AM
To: Rosenberg, Ron M; Phillips, Mark; Muhletaler, Catherine; Groom, Molly M; Whitney, Ronald W; OCC-Clearance
Cc: Flynn, Patricia H; Scialabba, Lori; Bucher, Steve P
Subject: RE: AFM Ch. 12, Attorneys and Representatives (b)(5)

ALL:

[redacted]

Rachel

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

From: Rosenberg, Ron M
Sent: Friday, June 27, 2008 4:37 PM
To: Phillips, Mark; McCarthy, Rachel A; Muhletaler, Catherine; Groom, Molly M; Whitney, Ronald W; OCC-Clearance
Cc: Flynn, Patricia H; Scialabba, Lori; Bucher, Steve P
Subject: RE: AFM Ch. 12, Attorneys and Representatives

Rachel,

[redacted]

(b)(5)

[redacted]

Ron--

-----Original Message-----
From: Rosenberg, Ron M
Sent: Wednesday, June 25, 2008 4:24 PM
To: Phillips, Mark; McCarthy, Rachel A; Muhletaler, Catherine
Cc: Flynn, Patricia H
Subject: Re: AFM Ch. 12, Attorneys and Representatives

Apologies. I've been at back to back conferences and have not had a chance to reply properly. I appreciate the need to advance and am confident that we can explore and address our concerns quickly. I'll be back in the office tomorrow.
Ron--

----- Original Message -----
From: Phillips, Mark
To: McCarthy, Rachel A; Muhletaler, Catherine; Rosenberg, Ron M
Cc: Flynn, Patricia H
Sent: Wed Jun 25 16:01:31 2008
Subject: RE: AFM Ch. 12, Attorneys and Representatives

Rachel, Cathy, and Ron,

I may have missed some correspondence after Rachel's email of June 16, but it does not appear that RAIO has responded to Rachel's recommendation.

I would greatly appreciate it if OCC and RAIO would work this out, and let me know the final result and product.

If the final version impacts overseas offices or operations, then we can issue the memo jointly from Lori and Don.

Thank you very much.

Mark

R. Mark Phillips

Chief, Residence & Naturalization Division

Office of Policy & Strategy

U.S. Citizenship and Immigration Services

20 Massachusetts Ave. NW, Suite 2304

Washington, DC 20529

Phone: (202) 272-8406

Fax: (202) 272-8518

Email: RMark.Phillips@dhs.gov

From: McCarthy, Rachel A
Sent: Monday, June 16, 2008 7:59 AM
To: Rosenberg, Ron M; OCC-Clearance; Phillips, Mark; Groom, Molly M; Whitney, Ronald W; Mattice, Michael
Cc: Higgins, Jennifer B; Strack, Barbara L; Gardner, Todd E; Ruppel, Joanna; Valverde, Michael; Bird, John W; Bradford, Catherine M; Ripley French, Katherine; Langlois, Joseph; Hussey, Jedidah M; 'Bucher, Steve P'; Scialabba, Lori
Subject: RE: AFM Ch. 12, Attorneys and Representatives

ALL:

(b)(5)

(b)(5)

[redacted]

Rachel A. McCarthy

Bar Counsel

U.S. Citizenship and Immigration Services

70 Kimball Avenue, Room 103

S. Burlington, VT 05403

(802) 660-1779

(802) 660-5067 (facsimile)

From: Rosenberg, Ron M
Sent: Friday, June 13, 2008 3:59 PM
To: OCC-Clearance; Phillips, Mark; McCarthy, Rachel A; Groom, Molly M; Whitney, Ronald W; Mattice, Michael
Cc: Higgins, Jennifer B; Strack, Barbara L; Gardner, Todd E; Ruppel, Joanna; Valverde, Michael; Bird, John W; Bradford, Catherine M; Ripley French, Katherine; Langlois, Joseph; Hussey, Jedidah M; Bucher, Steve P; Scialabba, Lori
Subject: AFM Ch. 12, Attorneys and Representatives

Mark,

(b)(5)

[redacted]

(b)(5)

[redacted]

Thanks,

Ron--

Ron Rosenberg, Special Assistant

Refugee, Asylum, & International Operations Directorate (RAIO)

U.S. Citizenship and Immigration Services

U.S. Department of Homeland Security

20 Massachusetts Avenue, NW, Suite 3300

Washington, DC 20529

Ph: 202-272-1654 ◦ Ron.Rosenberg@dhs.gov

From: Phillips, Mark
Sent: Tuesday, June 10, 2008 2:51 PM
To: Bradford, Catherine M
Subject: Need RAIO Concurrence, AFM Chapter 12, Attorneys and Representatives
Importance: High

Hi Catherine,

Thank you very much.

Mark

R. Mark Phillips

Supervisory Adjudications Policy Officer

Domestic Operations Directorate

U.S. Citizenship and Immigration Services

Department of Homeland Security

20 Massachusetts Avenue NW, Suite 2304

Washington, DC 20529

Phone: (202) 272-8406

Fax: (202) 272-8518

Email: RMark.Phillips@dhs.gov

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Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: AFM Ch. 12, Attorneys and Representatives
Attachments: CHAPTER 12 AMENDMENTS sep 11.doc

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: McCarthy, Rachel A
Sent: Tuesday, September 23, 2008 9:11 AM
To: Schmalz, Peter N
Subject: FW: AFM Ch. 12, Attorneys and Representatives

Pete -

[redacted] (b)(5)

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

From: McCarthy, Rachel A
Sent: Thursday, September 11, 2008 8:26 AM
To: Groom, Molly M; Muhletaler, Catherine; Whitney, Ronald W; OCC-Clearance
Cc: Flynn, Patricia H
Subject: RE: AFM Ch. 12, Attorneys and Representatives

the version attached has changes I made in response to molly's concerns and my explanatory comments.
If everyone is comfortable with these changes - will "the box" accept the changes, clean out the "metadata" and then send it to Mark Phillips?

Rachel A. McCarthy
Bar Counsel

U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

From: Groom, Molly M
Sent: Wednesday, September 10, 2008 5:45 PM
To: McCarthy, Rachel A; Muhletaler, Catherine; Whitney, Ronald W; OCC-Clearance
Cc: Flynn, Patricia H
Subject: RE: AFM Ch. 12, Attorneys and Representatives

Here is Chapter 12—finally—with a few edits. Thanks for continuing to push and I do apologize for the delay.

From: McCarthy, Rachel A
Sent: Monday, June 30, 2008 7:49 AM
To: Rosenberg, Ron M; Phillips, Mark; Muhletaler, Catherine; Groom, Molly M; Whitney, Ronald W; OCC-Clearance
Cc: Flynn, Patricia H; Scialabba, Lori; Bucher, Steve P
Subject: RE: AFM Ch. 12, Attorneys and Representatives

(b)(5)

All:

[redacted]

Rachel

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

From: Rosenberg, Ron M
Sent: Friday, June 27, 2008 4:37 PM
To: Phillips, Mark; McCarthy, Rachel A; Muhletaler, Catherine; Groom, Molly M; Whitney, Ronald W; OCC-Clearance
Cc: Flynn, Patricia H; Scialabba, Lori; Bucher, Steve P
Subject: RE: AFM Ch. 12, Attorneys and Representatives

Rachel,

(b)(5)

[redacted]

Ron--

-----Original Message-----
From: Rosenberg, Ron M
Sent: Wednesday, June 25, 2008 4:24 PM
To: Phillips, Mark; McCarthy, Rachel A; Muhletaler, Catherine
Cc: Flynn, Patricia H
Subject: Re: AFM Ch. 12, Attorneys and Representatives

[redacted]

Ron--

----- Original Message -----
From: Phillips, Mark
To: McCarthy, Rachel A; Muhletaler, Catherine; Rosenberg, Ron M
Cc: Flynn, Patricia H
Sent: Wed Jun 25 16:01:31 2008
Subject: RE: AFM Ch. 12, Attorneys and Representatives

Rachel, Cathy, and Ron,

I may have missed some correspondence after Rachel's email of June 16, but it does not appear that RAIO has responded to Rachel's recommendation.

I would greatly appreciate it if OCC and RAIO would work this out, and let me know the final result and product.

If the final version impacts overseas offices or operations, then we can issue the memo jointly from Lori and Don.

Thank you very much.

Mark

R. Mark Phillips

Chief, Residence & Naturalization Division

Office of Policy & Strategy

U.S. Citizenship and Immigration Services

20 Massachusetts Ave. NW, Suite 2304

Washington, DC 20529

Phone: (202) 272-8406

Fax: (202) 272-8518

Email: RMark.Phillips@dhs.gov

From: McCarthy, Rachel A
Sent: Monday, June 16, 2008 7:59 AM
To: Rosenberg, Ron M; OCC-Clearance; Phillips, Mark; Groom, Molly M; Whitney, Ronald W; Mattice, Michael
Cc: Higgins, Jennifer B; Strack, Barbara L; Gardner, Todd E; Ruppel, Joanna; Valverde, Michael; Bird, John W; Bradford, Catherine M; Ripley French, Katherine; Langlois, Joseph; Hussey, Jedidah M; 'Bucher, Steve P'; Scialabba, Lori
Subject: RE: AFM Ch. 12, Attorneys and Representatives

ALL:

(b)(5)

PAGE WITHHELD PURSUANT TO (b)(5)

(b)(5)

Thanks,

Ron--

Ron Rosenberg, Special Assistant

Refugee, Asylum, & International Operations Directorate (RAIO)

U.S. Citizenship and Immigration Services

U.S. Department of Homeland Security

20 Massachusetts Avenue, NW, Suite 3300

Washington, DC 20529

Ph: 202-272-1654 ◦ Ron.Rosenberg@dhs.gov

From: Phillips, Mark
Sent: Tuesday, June 10, 2008 2:51 PM
To: Bradford, Catherine M
Subject: Need RAIO Concurrence, AFM Chapter 12, Attorneys and Representatives
Importance: High

(b)(5)

Hi Catherine,

[redacted]

Thank you very much.

Mark

R. Mark Phillips

Supervisory Adjudications Policy Officer

Domestic Operations Directorate

U.S. Citizenship and Immigration Services

Department of Homeland Security

20 Massachusetts Avenue NW, Suite 2304

Washington, DC 20529

Phone: (202) 272-8406

Fax: (202) 272-8518

Email: RMark.Phillips@dhs.gov

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: AFM Ch. 12, Attorneys and Representatives

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

-----Original Message-----
From: McCarthy, Rachel A
Sent: Friday, October 17, 2008 5:04 PM
To: Hinds, Ian
Subject: Re: AFM Ch. 12, Attorneys and Representatives

Good news. Thanks ian
Rachel A. McCarthy (message sent from Blackberry) Bar Counsel U.S. Citizenship and Immigration Services
(802) 660-1779 (phone)
(802 660-5067 (fax)

----- Original Message -----
From: Hinds, Ian
To: McCarthy, Rachel A; OCC-Clearance; Groom, Molly M (b)(5)
Sent: Fri Oct 17 15:54:02 2008
Subject: RE: AFM Ch. 12, Attorneys and Representatives

[redacted]

Ian

From: McCarthy, Rachel A
Sent: Wednesday, October 15, 2008 11:06 AM
To: Hinds, Ian; OCC-Clearance; Groom, Molly M
Subject: RE: AFM Ch. 12, Attorneys and Representatives

(b)(5)

Rachel A. McCarthy

Bar Counsel

U.S. Citizenship and Immigration Services

70 Kimball Avenue, Room 103

S. Burlington, VT 05403

(802) 660-1779

(802) 660-5067 (facsimile)

From: Hinds, Ian
Sent: Wednesday, October 15, 2008 11:02 AM
To: OCC-Clearance; McCarthy, Rachel A; Groom, Molly M
Subject: RE: AFM Ch. 12, Attorneys and Representatives

I believe final clearance is awaiting resolution of the OCC position on contact with represented parties which is mentioned in this chapter.

Ian

From: Gallagher, Ellen On Behalf Of OCC-Clearance
Sent: Wednesday, October 15, 2008 9:54 AM
To: Hinds, Ian; McCarthy, Rachel A

Subject: FW: AFM Ch. 12, Attorneys and Representatives

Ian - Do you know the answer to this question?

E

Ellen Gallagher

Special Liaison Counsel

Office of the Chief Counsel

U.S. Citizenship and Immigration Services

(202) 550-4608

From: McCarthy, Rachel A
Sent: Wednesday, October 15, 2008 9:06 AM
To: OCC-Clearance
Cc: Muhletaler, Catherine; Gallagher, Ellen
Subject: FW: AFM Ch. 12, Attorneys and Representatives

I am checking on the status of Chapter 12. This is the last message I have archived.

Has the revised version been forwarded to Mark Phillips?

Rachel A. McCarthy

Bar Counsel

U.S. Citizenship and Immigration Services

70 Kimball Avenue, Room 103

S. Burlington, VT 05403

(802) 660-1779

(802) 660-5067 (facsimile)

From: Gallagher, Ellen On Behalf Of OCC-Clearance
Sent: Thursday, September 18, 2008 10:02 AM
To: McCarthy, Rachel A
Subject: RE: AFM Ch. 12, Attorneys and Representatives

thanks!

Ellen Gallagher

Special Liaison Counsel

Office of the Chief Counsel

U.S. Citizenship and Immigration Services

(202) 550-4608

From: McCarthy, Rachel A
Sent: Thursday, September 18, 2008 7:53 AM
To: OCC-Clearance
Cc: Groom, Molly M
Subject: RE: AFM Ch. 12, Attorneys and Representatives

as noted in the sept 11 message below, this version includes "changes I made in response to molly's concerns and my explanatory comments."

Rachel A. McCarthy

Bar Counsel

U.S. Citizenship and Immigration Services

70 Kimball Avenue, Room 103

S. Burlington, VT 05403

(802) 660-1779

(802) 660-5067 (facsimile)

From: Gallagher, Ellen On Behalf Of OCC-Clearance
Sent: Wednesday, September 17, 2008 4:22 PM
To: McCarthy, Rachel A; OCC-Clearance
Cc: Groom, Molly M
Subject: RE: AFM Ch. 12, Attorneys and Representatives

Not from the box. Molly is away for the next week. Do you know, Rachel, whether this includes her edits?

Thanks,

Ellen Gallagher

Special Liaison Counsel

Office of the Chief Counsel

U.S. Citizenship and Immigration Services

(202) 550-4608

From: McCarthy, Rachel A
Sent: Wednesday, September 17, 2008 3:55 PM
To: OCC-Clearance
Cc: Groom, Molly M
Subject: FW: AFM Ch. 12, Attorneys and Representatives

Has this revised version gone back to Mark Phillips yet?

Rachel A. McCarthy

Bar Counsel

U.S. Citizenship and Immigration Services

70 Kimball Avenue, Room 103

S. Burlington, VT 05403

(802) 660-1779

(802) 660-5067 (facsimile)

From: McCarthy, Rachel A
Sent: Thursday, September 11, 2008 8:26 AM
To: Groom, Molly M; Muhletaler, Catherine; Whitney, Ronald W; OCC-Clearance
Cc: Flynn, Patricia H
Subject: RE: AFM Ch. 12, Attorneys and Representatives

the version attached has changes I made in response to molly's concerns and my explanatory comments.

If everyone is comfortable with these changes - will "the box" accept the changes, clean out the "metadata" and then send it to Mark Phillips?

Rachel A. McCarthy

Bar Counsel

U.S. Citizenship and Immigration Services

70 Kimball Avenue, Room 103

S. Burlington, VT 05403

(802) 660-1779

(802) 660-5067 (facsimile)

From: Groom, Molly M
Sent: Wednesday, September 10, 2008 5:45 PM
To: McCarthy, Rachel A; Muhletaler, Catherine; Whitney, Ronald W; OCC-Clearance
Cc: Flynn, Patricia H
Subject: RE: AFM Ch. 12, Attorneys and Representatives

Here is Chapter 12—finally—with a few edits. Thanks for continuing to push and I do apologize for the delay.

From: McCarthy, Rachel A
Sent: Monday, June 30, 2008 7:49 AM
To: Rosenberg, Ron M; Phillips, Mark; Muhletaler, Catherine; Groom, Molly M; Whitney, Ronald W; OCC-Clearance
Cc: Flynn, Patricia H; Scialabba, Lori; Bucher, Steve P
Subject: RE: AFM Ch. 12, Attorneys and Representatives

ALL: (b)(5)

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Ron--

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

From: Rosenberg, Ron M

Sent: Wednesday, June 25, 2008 4:24 PM

To: Phillips, Mark; McCarthy, Rachel A; Muhletaler, Catherine

Cc: Flynn, Patricia H

Subject: Re: AFM Ch. 12, Attorneys and Representatives

Apologies. I've been at back to back conferences and have not had a chance to reply properly. I appreciate the need to advance and am confident that we can explore and address our concerns quickly. I'll be back in the office tomorrow.

Ron--

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

From: Phillips, Mark

To: McCarthy, Rachel A; Muhletaler, Catherine; Rosenberg, Ron M

Cc: Flynn, Patricia H

Sent: Wed Jun 25 16:01:31 2008

Subject: RE: AFM Ch. 12, Attorneys and Representatives

Rachel, Cathy, and Ron,

I may have missed some correspondence after Rachel's email of June 16, but it does not appear that RAIO has responded to Rachel's recommendation.

I would greatly appreciate it if OCC and RAIO would work this out, and let me know the final result and product.

If the final version impacts overseas offices or operations, then we can issue the memo jointly from Lori and Don.

Thank you very much.

Mark

R. Mark Phillips

Chief, Residence & Naturalization Division

Office of Policy & Strategy

U.S. Citizenship and Immigration Services

20 Massachusetts Ave. NW, Suite 2304

Washington, DC 20529

Phone: (202) 272-8406

Fax: (202) 272-8518

Email: RMark.Phillips@dhs.gov

From: McCarthy, Rachel A

Sent: Monday, June 16, 2008 7:59 AM

To: Rosenberg, Ron M; OCC-Clearance; Phillips, Mark; Groom, Molly M; Whitney, Ronald W; Mattice, Michael

Cc: Higgins, Jennifer B; Strack, Barbara L; Gardner, Todd E; Ruppel, Joanna; Valverde, Michael; Bird, John W; Bradford, Catherine M; Ripley French, Katherine; Langlois, Joseph; Hussey, Jedidah M; 'Bucher, Steve P'; Scialabba, Lori

Subject: RE: AFM Ch. 12, Attorneys and Representatives

ALL:

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(b)(5)

Thank you very much.

Mark

R. Mark Phillips

Supervisory Adjudications Policy Officer

Domestic Operations Directorate

U.S. Citizenship and Immigration Services

Department of Homeland Security

20 Massachusetts Avenue NW, Suite 2304

Washington, DC 20529

Phone: (202) 272-8406

Fax: (202) 272-8518

Email: RMark.Phillips@dhs.gov

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: on a roll
Attachments: CHAPTER 12 AMENDMENTS sep 11.doc

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

-----Original Message-----
From: McCarthy, Rachel A
Sent: Wednesday, May 20, 2009 5:00 PM
To: Mcgee, Ramona L
Subject: RE: on a roll

I should have checked my files before responding - this is the most recent version in my records. The comments by RR are attributable to Ron Rosenberg.

Rachel A. McCarthy
Bar Counsel
U.S. Citizenship and Immigration Services Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (facsimile)

-----Original Message-----
From: Mcgee, Ramona L
Sent: Wednesday, May 20, 2009 4:54 PM
To: McCarthy, Rachel A
Subject: RE: on a roll

Is this a separate memo from the reg?

Ramona L. McGee

Acting Chief Counsel

USCIS Office of Chief Counsel

202-272-1400 (main)

202-272-1431 (w)

202-272-1405 (fax)

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From: McCarthy, Rachel A
Sent: Wednesday, May 20, 2009 4:10 PM
To: Mcgee, Ramona L
Subject: on a roll (b)(5)

Ramona –

[redacted]

I really don't want to leave this in limbo as I transition to DHS OGC.

Rachel

Rachel A. McCarthy

Bar Counsel

U.S. Citizenship and Immigration Services

Department of Homeland Security

70 Kimball Avenue, Room 103

S. Burlington, VT 05403

(802) 660-1779

(802) 660-5067 (facsimile)

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Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: Short Version of Adjudicator Interaction

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: McGregor, Suzanne M [mailto:suzanne.mcgregor@dhs.gov]
Sent: Friday, December 10, 2010 10:18 AM
To: McCarthy, Rachel A
Subject: FW: Short Version of Adjudicator Interaction

Fyi – No He doesn't think they are call you too much, he just wants issues to be run through the chain or local counsel. See Patty's message below.

Have a nice weekend! S.

From: Flanagan, Patricia J
Sent: Friday, December 10, 2010 9:45 AM
To: McGregor, Suzanne M
Subject: RE: Short Version of Adjudicator Interaction

(b)(5)

[redacted]

Patricia Flanagan
Associate Regional Counsel -District #2
US Citizenship & Immigration Services
Department of Homeland Security
Hartford, CT 06103
860-728-2366 (w)
[redacted] (b)(6)

From: McGregor, Suzanne M
Sent: Friday, December 10, 2010 9:43 AM
To: Flanagan, Patricia J
Subject: FW: Short Version of Adjudicator Interaction

fyi

From: McCarthy, Rachel A [mailto:rachel.mccarthy@dhs.gov]
Sent: Thursday, December 09, 2010 10:32 AM
To: McGregor, Suzanne M
Subject: FW: Short Version of Adjudicator Interaction

(b)(5)

[redacted]

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://uscis.dhs.gov/bc/

From: Robinson, Amy L
Sent: Thursday, December 09, 2010 10:18 AM
To: Flanagan, Patricia J; Schmalz, Peter N; McCarthy, Rachel A
Cc: Neetenbeek, Janice B
Subject: RE: Short Version of Adjudicator Interaction

Thanks Patty! I am looping in Rachel because she would be the one in the know about chapter 12 revisions. My understanding is that the changes are still pending. Is that correct Rachel?

Thanks-

Amy Robinson
Knowledge Management Coordinator
Office of the Chief Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
(915) 774-5729
amy.robinson@dhs.gov

From: Flanagan, Patricia J
Sent: Wednesday, December 08, 2010 4:09 PM
To: Robinson, Amy L; Schmalz, Peter N
Cc: Neetenbeek, Janice B
Subject: RE: Short Version of Adjudicator Interaction

Hi Amy, (b)(5)

[redacted]

Patty
Patricia Flanagan
Associate Regional Counsel
Citizenship & Immigration Services
450 Main Street, Room 118

Hartford, CT 06103
(w) 860-728-2366 (b)(5)
[redacted] (b)(6)

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From: Robinson, Amy L
Sent: Monday, December 06, 2010 2:11 PM
To: Schmalz, Peter N; Flanagan, Patricia J
Cc: Neetenbeek, Janice B
Subject: Short Version of Adjudicator Interaction

Hi Patty & Pete,

[redacted]

Amy Robinson
Knowledge Management Coordinator
Office of the Chief Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
(915) 774-5729
amy.robinson@dhs.gov

From: Schmalz, Peter N
Sent: Monday, December 06, 2010 10:13 AM
To: Robinson, Amy L
Cc: Flanagan, Patricia J
Subject: FW:

[redacted]

PETE

(b)(5)

From: Flanagan, Patricia J
Sent: Monday, December 06, 2010 12:08 PM
To: Schmalz, Peter N
Subject:

Peter,

I would like slides 24 to End on 3 slides to a page.

Thanks.

Patty
Patricia Flanagan
Associate Regional Counsel
Citizenship & Immigration Services
450 Main Street, Room 118
Hartford, CT 06103
(w) 860-728-2366 (b)(6)

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Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: AILA Response
Attachments: AILA AIC Response.doc ram edits 041111.doc

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

-----Original Message-----
From: McCarthy, Rachel A
Sent: Wednesday, May 04, 2011 11:22 AM
To: Flynn, Patricia H
Subject: FW: AILA Response

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://uscis.dhs.gov/bc/

-----Original Message-----
From: OCC-Clearance [mailto:occclear@fins3.dhs.gov]
Sent: Monday, April 11, 2011 9:52 AM
To: McCarthy, Rachel A
Cc: Miles, John D; janette.martinez@dhs.gov; ian.hinds@dhs.gov; Gallagher, Ellen; OCC-Clearance
Subject: RE: AILA Response

Rachel-

Thank you very much and as for the needed and long pending guidance I add Ian and Ellen to see if they might be able to assist you in getting this on someone's radar screen and move it forward; maybe something for the SPC, do you have the most recent draft?

As for this specific tasking, unless John and Janette have anything to add- kindly forward on your comments/clearance as OCC's to Julie Farnam and please cc OCC-Clearance.

Thank you-

Doug
W. Douglas Craig
Office of the Chief Counsel
Citizenship and Immigration Services
312 239 5943 (desk)
[redacted] (b)(6)

-----Original Message-----
From: McCarthy, Rachel A [mailto:Rachel.A.McCarthy@uscis.dhs.gov]
Sent: Monday, April 11, 2011 7:18 AM
To: OCC-Clearance
Cc: Miles, John D; janette.martinez@dhs.gov
Subject: RE: AILA Response

(b)(5)

Doug
I reviewed the letter and the draft response. The attached document has my suggested edits.

[redacted]

Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://uscis.dhs.gov/bc/

-----Original Message-----
From: OCC-Clearance

Sent: Friday, April 08, 2011 4:09 PM
To: McCarthy, Rachel A
Cc: OCC-Clearance; Miles, John D; janette.martinez@dhs.gov
Subject: RE: AILA Response

Rachel-

(b)(5)

Thanks much, Julie did say ASAP and Monday sounds ASAP to me! As for involving the Regions, let's start now by looping in John and Janette.

[redacted]

-----Original Message-----
From: McCarthy, Rachel A [mailto:Rachel.A.McCarthy@uscis.dhs.gov]
Sent: Friday, April 08, 2011 2:50 PM
To: OCC-Clearance
Subject: Re: AILA Response

Doug
I am not in today and reviewing this on a BB is difficult. I can review but from what I can glean, this is an operational issue that the regional counsel should be involved in as well.
I can review meaningfully on monday - will that work?
Rachel
Rachel A. McCarthy (message sent from Blackberry) Bar Counsel U.S. Citizenship and Immigration Services
(802) 660-1779 (phone)
(802 660-5067 (fax)

----- Original Message -----
From: OCC-Clearance [mailto:occclear@fins3.dhs.gov]
Sent: Friday, April 08, 2011 11:38 AM
To: McCarthy, Rachel A
Cc: OCC-Clearance
Subject: FW: AILA Response

Rachel-

Is this something that would fall within your bailiwick? If so, kindly review and respond to Julie with a cc OCC-Clearance, (is there anyone else you'd recommend review?)-- if not, suggestions for tasking welcome!-

Doug
W. Douglas Craig
Office of the Chief Counsel
Citizenship and Immigration Services
312 239 5943 (desk)
[redacted] (cell) (b)(6)

-----Original Message-----
From: Farnam, Julie E
Sent: Thursday, April 07, 2011 5:19 PM
To: OCC-Clearance
Subject: Fw: AILA Response
Importance: High

(b)(5)

Hi OCC,

[redacted]

Julie Farnam
Special Assistant
Field Operations

----- Original Message -----
From: Pietropaoli, Lori <Lori.Pietropaoli@uscis.dhs.gov>
To: Farnam, Julie E
Sent: Thu Apr 07 15:26:13 2011
Subject: FW: AILA Response

Lori Pietropaoli

Acting Deputy Associate Director | Field Operations | USCIS

Ph: 202-272-1191 | BB: [redacted] (b)(6)

From: Pietropaoli, Lori

Sent: Thursday, April 07, 2011 12:11 PM
To: Farnam, Julie E
Subject: RE: AILA Response

(b)(5)

[redacted]

Thanks! Lori

Lori Pietropaoli

Acting Deputy Associate Director | Field Operations | USCIS

Ph: 202-272-1191 | BB: [redacted]

(b)(6)

From: Farnam, Julie E
Sent: Wednesday, April 06, 2011 4:32 PM
To: Pietropaoli, Lori
Subject: AILA Response

Here is my draft response to the AILA/AIC letter. Please edit as appropriate.

Thank you,

Julie Farnam

Special Assistant

Field Operations Directorate

U.S. Citizenship and Immigration Services

Phone: 202-272-1102

Fax: 202-272-0923

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(b)(5)

Sincerely,

Alejandro Mayorkas
USCIS Director

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: Benef interviews & attorneys

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: Curley, Mark
Sent: Tuesday, November 30, 2010 10:50 AM
To: McCarthy, Rachel A; McGregor, Suzanne M; Parascando, Bridgette H
Subject: RE: Benef interviews & attorneys

Rachel:

I will discuss this with Patty Flanagan in Hartford, CT.

Thanks,

Mark

From: McCarthy, Rachel A
Sent: Tuesday, November 30, 2010 8:32 AM
To: McGregor, Suzanne M; Parascando, Bridgette H; Curley, Mark
Subject: FW: Benef interviews & attorneys

Fyi
(I do not intend to respond to this email)

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://uscis.dhs.gov/bc/

From: Dacosta, Garnet
Sent: Tuesday, November 30, 2010 8:28 AM
To: Wicks, Joyce M; McCarthy, Rachel A; Flanagan, Patricia J; Enzer, Ethan
Cc: Keck, Peggy M; Kunver, Raj; Wicks, Joyce M; Chapman, Sara S; Dixon, Daarina S; Lavoie, Jacqueline; Lombard Jr, Carl C; Lyttle, William H; Maturo, Anthony M; Rubeo, Stephen D; Sullivan, Brian J; West, Dawn
Subject: RE: Benef interviews & attorneys

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Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: How to Interact with Private Attorneys

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: McCarthy, Rachel A
Sent: Monday, May 02, 2011 2:13 PM
To: Busenkell, Kathleen R; McCarthy, Rachel A; Duehning, Kelli; Rojes, Kathleen M
Subject: RE: How to Interact with Private Attorneys

Not at all

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://uscis.dhs.gov/bc/

From: Busenkell, Kathleen R [mailto:Kathleen.Busenkell@dhs.gov]
Sent: Monday, May 02, 2011 1:33 PM
To: McCarthy, Rachel A; Duehning, Kelli; Busenkell, Kathleen R; Rojes, Kathleen M
Subject: RE: How to Interact with Private Attorneys

Thank you, Rachel.

Would you mind if I forwarded your email to our Senior ISO and FOD for distribution?

-Katie

From: McCarthy, Rachel A [mailto:Rachel.Mccarthy@dhs.gov]
Sent: Monday, May 02, 2011 1:34 AM
To: Duehning, Kelli; Busenkell, Kathleen R; Rojes, Kathleen M; 'Rachel.Mccarthy@dhs.gov'
Subject: RE: How to Interact with Private Attorneys

(b)(5)

Kelli

(b)(5)



Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://uscis.dhs.gov/bc/

From: Duehning, Kelli [mailto:Kelli.Duehning@dhs.gov]
Sent: Friday, April 29, 2011 4:42 PM
To: Busenkell, Kathleen R; Rojes, Kathleen M; 'Rachel.Mccarthy@dhs.gov'
Subject: Re: How to Interact with Private Attorneys

Adding Rachel for her thoughts.

Kelli J Duehning
Chief, Western Law Division
US Citizenship & Immigration Serv

From: Busenkell, Kathleen R
Sent: Friday, April 29, 2011 04:39 PM
To: Duehning, Kelli; Rojes, Kathleen M
Subject: How to Interact with Private Attorneys

(b)(5)

Ladies,



PAGE WITHHELD PURSUANT TO (b)(5)

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: AIC Letter/Edits to AFM

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: McCarthy, Rachel A
Sent: Monday, June 20, 2011 11:56 AM
To: Hinds, Ian
Cc: Gallagher, Ellen M; Muhletaler, Catherine
Subject: RE: AIC Letter/Edits to AFM

Ian
I do have comments – but I think that it would be more productive to review the submission with the most recent version of chapters 12 and 15 as I believe that areas of concern may have already been addressed.
Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://uscis.dhs.gov/bc/

From: Hinds, Ian
Sent: Monday, June 20, 2011 11:45 AM
To: McCarthy, Rachel A
Cc: Gallagher, Ellen M; Muhletaler, Catherine
Subject: FW: AIC Letter/Edits to AFM

Rachel,

See attached FYI. Let us know if you have any comments. Not sure what version of Chapter 12 they are editing.

Thanks,
Ian

From: Carpenter, Dea D
Sent: Wednesday, June 15, 2011 4:32 PM

To: Gallagher, Ellen M; Hinds, Ian; Muhletaler, Catherine
Subject: FW:

Would love your thoughts on this.

Dea Carpenter
Acting Chief Counsel
U.S. Citizenship & Immigration Services
202 272 1441

From: Mayorkas, Alejandro N [mailto:Alejandro.Mayorkas@dhs.gov]
Sent: Tuesday, June 14, 2011 11:52 PM
To: 'Lori.Scialabba@dhs.gov'; 'Dea.Carpenter@dhs.gov'; 'Denise.Vanison@dhs.gov'; Monica, Donald J; Crocetti, Don; Neufeld, Donald
Subject: FW:

To be considered and discussed. Thanks very much.
Ali

Alejandro N. Mayorkas
Director
U.S. Citizenship and Immigration Services
20 Massachusetts Ave., N.W.
Washington, DC 20529
(202) 272-1000
Alejandro.Mayorkas@dhs.gov

From: Melissa Crow [mailto:MCrow@immcouncil.org]
Sent: Tuesday, June 14, 2011 11:47 PM
To: alejandro.mayorkas@dhs.gov
Cc: Groom, Molly M; Crystal Williams; Ben Johnson
Subject:

Dear Director Mayorkas: Please see the attached correspondence from Ben Johnson and Crystal Williams, which includes proposed revisions to the sections of the Adjudicator's Field Manual regarding the attorney's role in USCIS interviews. We look forward to seeing you in San Diego. Warm regards, Melissa Crow

Melissa Crow
Director, Legal Action Center
American Immigration Council
1331 G Street, NW
Suite 200
Washington, DC 20005
Tel: (202) 507-7523
Fax: (202) 742-5619
mcrow@immcouncil.org

Please support the American Immigration Council with a financial contribution today! DONATE

Please join me for our Annual Benefit in San Diego on June 17th!

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: Attorney - Bad Behavior?

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: Roman, Jacqueline
Sent: Monday, October 24, 2011 11:47 AM
To: McCarthy, Rachel A
Subject: RE: Attorney - Bad Behavior?

O.k. Thanks for your help. I will pass this information on to the field.

Jackie

Jacqueline Roman, Associate Counsel, Southeastern Law Division
(813) 637 - 3003

From: McCarthy, Rachel A
Sent: Monday, October 24, 2011 11:33 AM
To: Roman, Jacqueline
Subject: RE: Attorney - Bad Behavior?

(b)(5)

Jackie

[redacted]

Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403

PAGE WITHHELD PURSUANT TO (b)(5)

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: AILA Response

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

-----Original Message-----
From: Duehning, Kelli [mailto:Kelli.Duehning@dhs.gov]
Sent: Friday, April 15, 2011 1:13 PM
To: Martinez, Janette M; McGregor, Suzanne M; Conricode, Michael P; Patterson, Judith G (judith.patterson@dhs.gov)
Cc: McCarthy, Rachel A; Miles, John D
Subject: RE: AILA Response

Ok - no worries... I just wasn't sure if we had he unredacted version or not. Thanks! :)

Kelli J. Duehning
Chief, Western Law Division
DHS/USCIS/Office of the Chief Counsel
24000 Avila Road, Room 6000 E
Laguna Niguel, CA 92677
(949) 360-3184
(949) 360-3004 - fax
kelli.duehning@dhs.gov

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-----Original Message-----
From: Martinez, Janette M [mailto:Janette.Martinez@dhs.gov]
Sent: Friday, April 15, 2011 10:08 AM
To: Duehning, Kelli; Martinez, Janette M; McGregor, Suzanne M; Conricode, Michael P; Patterson, Judith G (judith.patterson@dhs.gov)
Cc: McCarthy, Rachel A; Miles, John D
Subject: RE: AILA Response

Hi Kelli,

[redacted]

Regards, (b)(5)

Janette.

-----Original Message-----
From: Duehning, Kelli [mailto:Kelli.Duehning@dhs.gov]
Sent: Friday, April 15, 2011 12:59 PM
To: Martinez, Janette M; McGregor, Suzanne M; Conricode, Michael P; Patterson, Judith G (judith.patterson@dhs.gov)
Cc: McCarthy, Rachel A; Miles, John D
Subject: RE: AILA Response

Janette -

[redacted]

Kelli J. Duehning
Chief, Western Law Division
DHS/USCIS/Office of the Chief Counsel
24000 Avila Road, Room 6000 E
Laguna Niguel, CA 92677
(949) 360-3184
(949) 360-3004 - fax
kelli.duehning@dhs.gov

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-----Original Message-----
From: Martinez, Janette M [mailto:Janette.Martinez@dhs.gov]
Sent: Friday, April 08, 2011 3:57 PM
To: McGregor, Suzanne M; Conricode, Michael P; Duehning, Kelli (kelli.duehning@dhs.gov); Patterson, Judith G (judith.patterson@dhs.gov)
Cc: McCarthy, Rachel A; OCC-Clearance; Miles, John D
Subject: FW: AILA Response

Hi Everyone,

[redacted]

(b)(5)

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(b)(5)

From: OCC-Clearance [mailto:occclear@fins3.dhs.gov]
Sent: Friday, April 08, 2011 11:38 AM
To: McCarthy, Rachel A
Cc: OCC-Clearance
Subject: FW: AILA Response

Rachel-

Is this something that would fall within your bailiwick? If so, kindly review and respond to Julie with a cc OCC-Clearance, (is there anyone else you'd recommend review?)-- if not, suggestions for tasking welcome!-

Doug
W. Douglas Craig
Office of the Chief Counsel
Citizenship and Immigration Services
312 239 5943 (desk)
202 355 8604 (cell)

-----Original Message-----
From: Farnam, Julie E
Sent: Thursday, April 07, 2011 5:19 PM
To: OCC-Clearance
Subject: Fw: AILA Response
Importance: High (b)(5)

Hi OCC,

[redacted]

Julie Farnam
Special Assistant
Field Operations

----- Original Message -----
From: Pietropaoli, Lori <Lori.Pietropaoli@uscis.dhs.gov>
To: Farnam, Julie E
Sent: Thu Apr 07 15:26:13 2011
Subject: FW: AILA Response

Lori Pietropaoli

Acting Deputy Associate Director | Field Operations | USCIS

Ph: 202-272-1191 | BB: [redacted] (b)(6)

From: Pietropaoli, Lori
Sent: Thursday, April 07, 2011 12:11 PM
To: Farnam, Julie E
Subject: RE: AILA Response (b)(5)

[redacted]

Thanks! Lori

Lori Pietropaoli

Acting Deputy Associate Director | Field Operations | USCIS

Ph: 202-272-1191 | BB: 407-267-4407

From: Farnam, Julie E
Sent: Wednesday, April 06, 2011 4:32 PM
To: Pietropaoli, Lori
Subject: AILA Response

Here is my draft response to the AILA/AIC letter. Please edit as appropriate.

Thank you,

Julie Farnam

Special Assistant

Field Operations Directorate

U.S. Citizenship and Immigration Services

Phone: 202-272-1102

Fax: 202-272-0923

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PAGE WITHHELD PURSUANT TO (b)(5)

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: AILA Response
Attachments: AILA AIC Response doc - occ final.doc; AILA AIC Response doc - occ final (3) jmm comments 041411.doc

Importance: High

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

-----Original Message-----
From: Gallagher, Ellen [mailto:egallagh@fins3.dhs.gov]
Sent: Thursday, April 14, 2011 9:27 AM
To: Hinds, Ian; Martinez, Janette M; McCarthy, Rachel A; OCC-Clearance
Cc: dea.carpenter@dhs.gov; Miles, John D
Subject: FW: AILA Response
Importance: High

Including Janette's modified version!

Ellen Gallagher
Special Counsel to the Chief Counsel
U.S. Citizenship and Immigration Services
(202) 604-1553

-----Original Message-----
From: Gallagher, Ellen
Sent: Thursday, April 14, 2011 9:26 AM
To: Hinds, Ian; Martinez, Janette M (Janette.M.Martinez@uscis.dhs.gov); McCarthy, Rachel A; OCC-Clearance
Cc: Carpenter, Dea D (dea.carpenter@dhs.gov); Miles, John D
Subject: FW: AILA Response
Importance: High

E

(b)(5)

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(b)(5)

[redacted]

Thank you for your hard work and dedication. I look forward to speaking with you soon.

Debbie

Debra Rogers
Associate Director
Field Operations
USCIS
202-272-1191

-----Original Message-----
From: Gallagher, Ellen
Sent: Thursday, April 14, 2011 8:52 AM
To: Hinds, Ian; Martinez, Janette M (Janette.M.Martinez@uscis.dhs.gov); McCarthy, Rachel A; OCC-Clearance
Cc: Carpenter, Dea D (dea.carpenter@dhs.gov)
Subject: FW: AILA Response

I am not sure how we can clear it where we have no guidance on the topic - isn't the chapter of the AFM on this "under construction"?

Ellen Gallagher
Special Counsel to the Chief Counsel
U.S. Citizenship and Immigration Services
(202) 604-1553

-----Original Message-----
From: Hinds, Ian [mailto:ian.hinds@dhs.gov]
Sent: Wednesday, April 13, 2011 1:30 PM
To: Martinez, Janette M; McCarthy, Rachel A; OCC-Clearance
Cc: Miles, John D; Gallagher, Ellen; Carpenter, Dea D
Subject: RE: AILA Response

All,

Did OCC eventually clear this letter/send it to the client?

Thanks,
Ian

-----Original Message-----
From: Martinez, Janette M [mailto:Janette.Martinez@dhs.gov]
Sent: Monday, April 11, 2011 12:10 PM
To: McCarthy, Rachel A; OCC-Clearance; Martinez, Janette M
Cc: Miles, John D; Hinds, Ian; Gallagher, Ellen
Subject: RE: AILA Response

Nothing further from me. Thanks.

-----Original Message-----
From: McCarthy, Rachel A [mailto:Rachel.Mccarthy@dhs.gov]
Sent: Monday, April 11, 2011 12:09 PM
To: OCC-Clearance; McCarthy, Rachel A; McCarthy, Rachel A; Martinez, Janette M
Cc: Miles, John D; Hinds, Ian; Gallagher, Ellen
Subject: RE: AILA Response

I am fine with all of these - if there is consensus - I will finalize the draft with all revisions accepted and send to the client.

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://uscis.dhs.gov/bc/

-----Original Message-----
From: OCC-Clearance [mailto:Occ-Clearance@dhs.gov]
Sent: Monday, April 11, 2011 12:06 PM
To: McCarthy, Rachel A; McCarthy, Rachel A; Martinez, Janette M
Cc: Miles, John D; Hinds, Ian; Gallagher, Ellen
Subject: RE: AILA Response

Rachel-

Some suggestions-

Doug
V. Douglas Craig

Office of the Chief Counsel
Citizenship and Immigration Services
312 239 5943 (desk) (b)(6)
[redacted](cell)
-----Original Message-----
From: McCarthy, Rachel A [mailto:Rachel.A.McCarthy@uscis.dhs.gov]
Sent: Monday, April 11, 2011 10:59 AM
To: McCarthy, Rachel A; Martinez, Janette M; OCC-Clearance
Cc: Miles, John D; ian.hinds@dhs.gov; Gallagher, Ellen; OCC-Clearance
Subject: RE: AILA Response

And again, another "final" version
Sorry guys

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://uscis.dhs.gov/bc/

-----Original Message-----
From: McCarthy, Rachel A [mailto:Rachel.Mccarthy@dhs.gov]
Sent: Monday, April 11, 2011 11:49 AM
To: Martinez, Janette M; McCarthy, Rachel A; OCC-Clearance
Cc: Miles, John D; ian.hinds@dhs.gov; Gallagher, Ellen; OCC-Clearance
Subject: RE: AILA Response

This version is cleaned up - with one change highlighted in red.

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://uscis.dhs.gov/bc/

-----Original Message-----
From: Martinez, Janette M [mailto:Janette.Martinez@dhs.gov]
Sent: Monday, April 11, 2011 11:39 AM
To: McCarthy, Rachel A; OCC-Clearance
Cc: Miles, John D; janette.martinez@dhs.gov; ian.hinds@dhs.gov; Gallagher, Ellen; OCC-Clearance
Subject: RE: AILA Response

Hi Rachel,

Attached are some comments for your review and consideration.

Thanks,

Janette.

-----Original Message-----
From: McCarthy, Rachel A [mailto:Rachel.Mccarthy@dhs.gov]
Sent: Monday, April 11, 2011 9:57 AM
To: OCC-Clearance
Cc: Miles, John D; janette.martinez@dhs.gov; ian.hinds@dhs.gov; Gallagher, Ellen; OCC-Clearance
Subject: RE: AILA Response

Doug
Will do.
As for the most recent draft, I think that Ian has it - it was percolating in OCC towards the end of Roxie's tenure.

Janette and john, can you please email me and let me know if you anticipate any edits? By noon if possible?
thanks

Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://uscis.dhs.gov/bc/

-----Original Message-----
From: OCC-Clearance [mailto:occclear@fins3.dhs.gov]
Sent: Monday, April 11, 2011 9:52 AM
To: McCarthy, Rachel A
Cc: Miles, John D; janette.martinez@dhs.gov; ian.hinds@dhs.gov; Gallagher, Ellen; OCC-Clearance
Subject: RE: AILA Response

Rachel-

Thank you very much and as for the needed and long pending guidance I add Ian and Ellen to see if they might be able to assist you in getting this on someone's radar screen and move it forward; maybe something for the SPC, do you have the most recent draft?

As for this specific tasking, unless John and Janette have anything to add- kindly forward on your comments/clearance as OCC's to Julie Farnam and please cc OCC-Clearance.

Thank you-

Doug

W. Douglas Craig
Office of the Chief Counsel
Citizenship and Immigration Services
312 239 5943 (desk)
[redacted](cell) (b)(6) (b)(5)

-----Original Message-----
From: McCarthy, Rachel A [mailto:Rachel.A.McCarthy@uscis.dhs.gov]
Sent: Monday, April 11, 2011 7:18 AM
To: OCC-Clearance
Cc: Miles, John D; janette.martinez@dhs.gov
Subject: RE: AILA Response

[redacted]

Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://uscis.dhs.gov/bc/

----Original Message-----
From: OCC-Clearance
Sent: Friday, April 08, 2011 4:09 PM
To: McCarthy, Rachel A
Cc: OCC-Clearance; Miles, John D; janette.martinez@dhs.gov

Subject: RE: AILA Response (b)(5)

Rachel-

[redacted]

-----Original Message-----
From: McCarthy, Rachel A [mailto:Rachel.A.McCarthy@uscis.dhs.gov]
Sent: Friday, April 08, 2011 2:50 PM
To: OCC-Clearance
Subject: Re: AILA Response

Doug
I am not in today and reviewing this on a BB is difficult. I can review but from what I can glean, this is an operational issue that the regional counsel should be involved in as well.
I can review meaningfully on monday - will that work?
Rachel
Rachel A. McCarthy (message sent from Blackberry) Bar Counsel U.S. Citizenship and Immigration Services
(802) 660-1779 (phone)
(802 660-5067 (fax)

----- Original Message -----
From: OCC-Clearance [mailto:occclear@fins3.dhs.gov]
Sent: Friday, April 08, 2011 11:38 AM
To: McCarthy, Rachel A
Cc: OCC-Clearance
Subject: FW: AILA Response

Rachel-

Is this something that would fall within your bailiwick? If so, kindly review and respond to Julie with a cc OCC-Clearance, (is there anyone else you'd recommend review?)-- if not, suggestions for tasking welcome!-

Doug
W. Douglas Craig
Office of the Chief Counsel
Citizenship and Immigration Services
312 239 5943 (desk)
[redacted](cell) (b)(6)

-----Original Message-----
From: Farnam, Julie E
Sent: Thursday, April 07, 2011 5:19 PM
To: OCC-Clearance
Subject: Fw: AILA Response
Importance: High (b)(5)

Hi OCC,

[redacted]

Julie Farnam
Special Assistant
Field Operations

----- Original Message -----
From: Pietropaoli, Lori <Lori.Pietropaoli@uscis.dhs.gov>
To: Farnam, Julie E
Sent: Thu Apr 07 15:26:13 2011
Subject: FW: AILA Response

Lori Pietropaoli

Acting Deputy Associate Director | Field Operations | USCIS

Ph: 202-272-1191 | BB: [redacted]
(b)(6)

From: Pietropaoli, Lori
Sent: Thursday, April 07, 2011 12:11 PM
To: Farnam, Julie E
Subject: RE: AILA Response

Just 2 small edits. Should the identifying info come directly to Field Ops – or the exec sec channel? (That would be a third edit/comment...)

Thanks! Lori

Lori Pietropaoli

Acting Deputy Associate Director | Field Operations | USCIS

Ph: 202-272-1191 | BB: [redacted] (b)(6)

From: Farnam, Julie E
Sent: Wednesday, April 06, 2011 4:32 PM
To: Pietropaoli, Lori
Subject: AILA Response

Here is my draft response to the AILA/AIC letter. Please edit as appropriate.

Thank you,

Julie Farnam

Special Assistant

Field Operations Directorate

U.S. Citizenship and Immigration Services

Phone: 202-272-1102

Fax: 202-272-0923

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Alejandro Mayorkas
USCIS Director

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(b)(5)

Alejandro Mayorkas
USCIS Director

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Alejandro Mayorkas
USCIS Director

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Alejandro Mayorkas
USCIS Director

PAGE WITHHELD PURSUANT TO (b)(5)

Alejandro Mayorkas
USCIS Director

Greenwood, Tembra A

To: Luong, Quan K
Subject: FW: AFM chapter 12 and 15

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

---

From: Hinds, Ian
Sent: Tuesday, November 08, 2011 4:14 PM
To: McCarthy, Rachel A
Subject: RE: AFM chapter 12 and 15

Rachel.

This is pending with Victoria Lai (since 10/28). Don't know how fast it will move since OCC non-concurred. I expect Ali will want to speak to Steve about this.

Ian

From: McCarthy, Rachel A
Sent: Tuesday, November 08, 2011 4:08 PM
To: Hinds, Ian
Subject: AFM chapter 12 and 15

Ian
I just reviewed a training module for adjudicators interacting with attorneys and other reps and there are some slides that should be revised to be consistent with the language in the revised AFM.
Do you know what the status is of the revisions and when we can expect them to go online?
Thanks
Rachel

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services
Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

Greenwood, Tembra A

To: Luong, Quan K
Subject: Emailing: CHAPTER 12 - RD PROJECT REVISIONS.DOC
Attachments: CHAPTER 12 - RD PROJECT REVISIONS.DOC

The message is ready to be sent with the following file or link attachments:

CHAPTER 12 - RD PROJECT REVISIONS.DOC

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

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PAGE WITHHELD PURSUANT TO (b)(5)

Greenwood, Tembra A

To: Luong, Quan K
Subject: Emailing: MEMO FOR DEA ON 292.JAN07.doc
Attachments: MEMO FOR DEA ON 292.JAN07.doc

The message is ready to be sent with the following file or link attachments:

MEMO FOR DEA ON 292.JAN07.doc

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Greenwood, Tembra A

To: Luong, Quan K
Subject: Emailing: CHAPTER 12 AMENDMENTS 120909.doc
Attachments: CHAPTER 12 AMENDMENTS 120909.doc

The message is ready to be sent with the following file or link attachments:

CHAPTER 12 AMENDMENTS 120909.doc

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Greenwood, Tembra A

To: Luong, Quan K
Subject: Emailing: DRAFT MEMO FOR ROXIE.doc
Attachments: DRAFT MEMO FOR ROXIE.doc

The message is ready to be sent with the following file or link attachments:

DRAFT MEMO FOR ROXIE.doc

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

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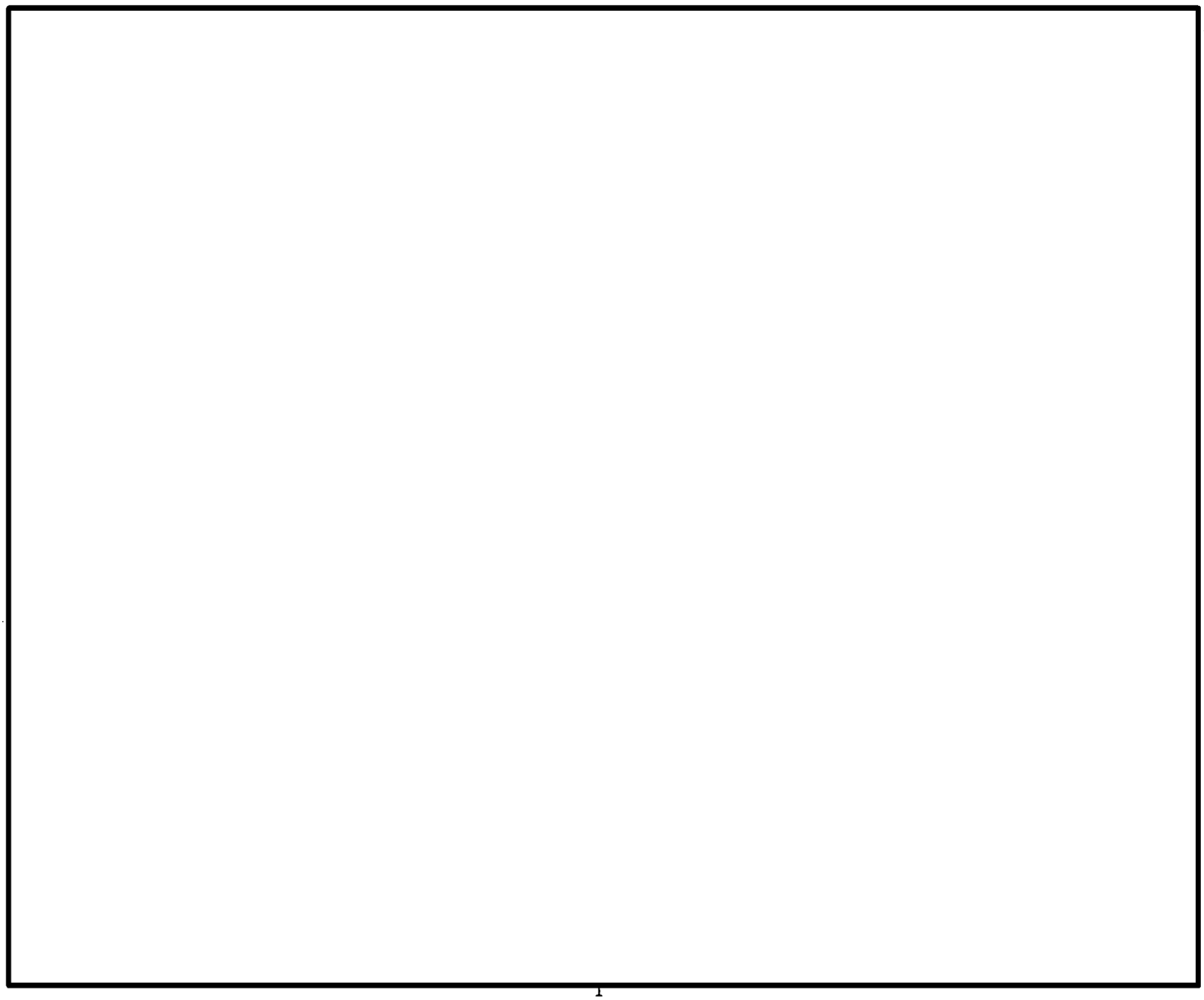
Greenwood, Tembra A

From: Andy P Dalal
Sent: Thursday, May 12, 2005 7:02 AM
To: Rachel A McCarthy; Ian Hinds
Cc: Lynda K Spencer; Andy P Dalal
Subject: RE: RE: AFM
Attachments: AFMAUG~1.RTF

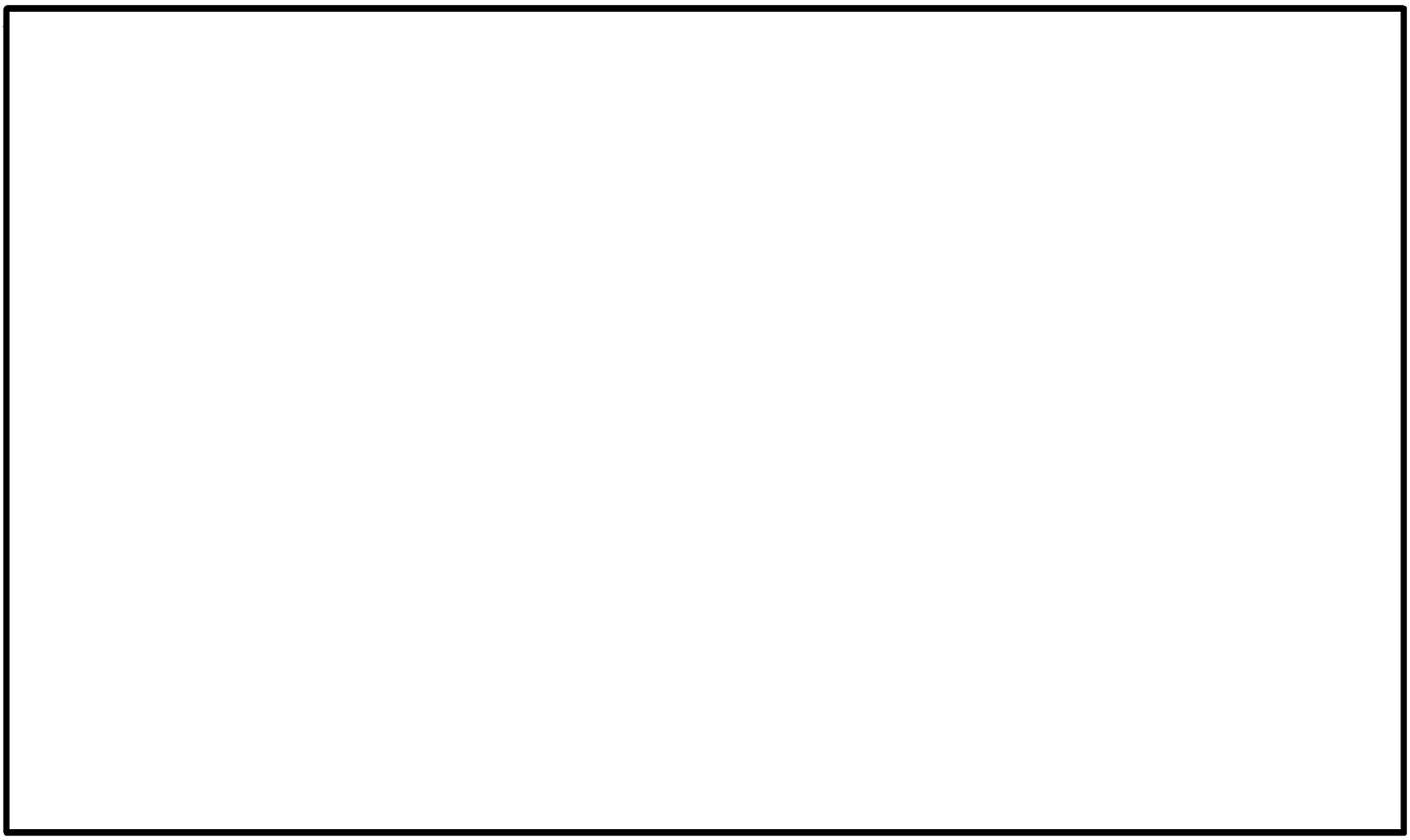
Importance: High

Rachel, please see below for responses. I have copied Lynda Spencer is in the FOIA unit in case she has any comments in regard to my responses. I have also attached one of the more recent versions of the AFM. Andy

-----Original Message-----
From: McCarthy, Rachel A
Sent: Wednesday, May 11, 2005 10:21 AM
To: Hinds, Ian; Dalal, Andy P
Subject: Re:RE: AFM (b)(5)
Importance: High



(b)(5)



Rachel McCarthy
Associate Ethics Officer
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-5043, ext. 5437
(802) 660-5067 (FAX)

_____Reply Separator_____
Subject: RE: AFM
Author: Ian Hinds
Date: 5/11/2005 9:35 AM (b)(5)

Rachel:



Ian

-----Original Message-----
From: McCarthy, Rachel A
Sent: Wednesday, May 11, 2005 9:04 AM
To: Hinds, Ian

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(b)(5)

Greenwood, Tembra A

From: Andy P Dalal
Sent: Tuesday, March 15, 2005 10:59 AM
To: Rachel A McCarthy
Subject: RE: RE: Chapter 12, Reformatted

Thanks. We should be able to take care of it. I'll chat with your colleagues on the ethics team. Andy

-----Original Message-----
From: McCarthy, Rachel A
Sent: Tuesday, March 15, 2005 11:19 AM
To: Dalal, Andy P
Cc: Alvarey, Joel R; Tournay, Frederick H; McGee, Ramona L; Divine, Robert C; Raymond, Robert R
Subject: Re:RE: Chapter 12, Reformatted

sure - go for it - that is why I included that proviso. I didn't want Rodger to assume that my work was the final say for OCC. Since you all are in HQ - is that something you can take care of?

Rachel McCarthy
Associate Ethics Officer
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-5043, ext. 5437
(802) 660-5067 (FAX)

_____Reply Separator_____
Subject: RE: Chapter 12, Reformatted
Author: Andy P Dalal
Date: 3/15/2005 11:06 AM

Rachel, If possible, can we obtain Robert's approval on your revised Chapter 12, Attorneys and Representatives, so that it is a final product or alternatively, a tentative approval to substitute the revised Chapter 12 in the AFM before April 1 for inclusion on the public website? Andy

riginal Message-----
From: McCarthy, Rachel A
Sent: Tuesday, March 15, 2005 10:24 AM
To: Pitcairn, Rodger
Cc: Dalal, Andy P; Alvarey, Joel R
Subject: Re:Chapter 12, Reformatted

Rodger -
I edited the version you emailed me. Please note that my work product should be regarded as a "draft" and not as a final product approved by Robert Divine, Chief Counsel.
Rachel

Hi Rachel,

Andy said that you are the owner of the AFM chapter below. He passed the faxed copy along to me. I scanned and "OCR-ed" the copy. Afterwards, I put the chapter into correct AFM format. At the time, I formatted the chapter, I had not yet received the txt version from you via Andy. I have attached the correctly formatted chapter for your review. Would you, please, proof the chapter and make sure that it is okay. Thanks very much.

Rodger Pitcairn
Adjudication Officer Operations Support Branch U.S. Citizenship and Immigration Services Office of Program and Regulations Development
111 Massachusetts Ave NW, 3rd Floor
Washington, DC 20529
Phone: 202-514-7360

Greenwood, Tembra A

To: Robert C Divine
Subject: RE: FW: FW: RE: Chapter 12, Reformatted

-----Original Message-----
From: Robert C Divine
Sent: Thursday, March 17, 2005 9:05 AM
To: Rachel A McCarthy; Andy P Dalal; Robert R Raymond
Cc: Joel R Alvarey; Frederick H Tournay; Ramona L McGee; Dea D Carpenter
Subject: Re: FW: FW: RE: Chapter 12, Reformatted

Put what you would put and tell me in cover email what Phil would probably say.
He's in Geneva.

Robert C. Divine
Chief Counsel, USCIS
202-272-1400

Sent from my BlackBerry Wireless Handheld

-----Original Message-----
From: McCarthy, Rachel A <RMcCarthy@fins2.dhs.gov>
To: Divine, Robert C <RDivine@fins2.dhs.gov>; Dalal, Andy P <ADALAL@fins2.dhs.gov>; Raymond, Robert R <RRaymond@fins2.dhs.gov>
CC: Alvarey, Joel R <Alvarey@fins2.dhs.gov>; Tournay, Frederick H <Tournay@fins2.dhs.gov>; McGee, Ramona L <Mcgee@fins2.dhs.gov>; Carpenter, Dea D <DCarpenter@fins2.dhs.gov>
Sent: Thu Mar 17 08:57:00 2005
Subject: Re:FW: FW: RE: Chapter 12, Reformatted (b)(5)

Robert -

[redacted]

Rachel

Please see my reply comments to your comments to my "comments" in attached and use them to spur you to make the necessary and appropriate changes to the text itself so that adjudicators are clear on what to do. Thanks!

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Cc: Alvarey, Joel R; Tournay, Frederick H; McGee, Ramona L; Raymond, Robert R; Carpenter, Dea D
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S. Burlington, VT 05403
(802) 660-5043, ext. 5437
(802) 660-5067 (FAX)

_____Reply Separator_____
Subject: RE: Chapter 12, Reformatted
Author: Andy P Dalal
Date: 3/15/2005 11:06 AM

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111 Massachusetts Ave NW, 3rd Floor
Washington, DC 20529
Phone: 202-514-7360
Robert -
Robert -

Greenwood, Tembra A

From: Philip B Busch
Sent: Wednesday, April 06, 2005 4:43 PM
To: Rachel A McCarthy; Rebecca J Roles
Cc: Joel R Alvarey
Subject: RE: RE: UPDATE
Attachments: FDNSCO~1.DOC

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From: McCarthy, Rachel A
Sent: Wednesday, April 06, 2005 7:50 AM
To: Roles, Rebecca J; Busch, Philip B
Cc: Alvarey, Joel R
Subject: Re:RE: UPDATE

(b)(5)

My last two cents ..... (yeah right!)

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(802) 660-5067 (FAX)

_____Reply Separator_____
Subject: RE: UPDATE
Author: Rebecca J Roles
Date: 4/5/2005 5:42 PM

(b)(5)

[redacted]

Thanks, Rebecca

http://powerport.uscis.dhs.gov/uscisfdns/index.htm

http://powerport.uscis.dhs.gov/uscisfdns/policies/02_B-SOPs.htm

-----Original Message-----
From: Busch, Philip B [mailto:PBusch@fins2.dhs.gov]
Sent: Tuesday, April 05, 2005 2:23 PM
To: McCarthy, Rachel A
Cc: Roles, Rebecca J; Alvarey, Joel R
Subject: RE: UPDATE

[redacted]

(b)(5)

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From: McCarthy, Rachel A
Sent: Tuesday, April 05, 2005 2:05 PM
To: Busch, Philip B
Cc: Roles, Rebecca J; Alvarey, Joel R
Subject: UPDATE

Phil -

[redacted]

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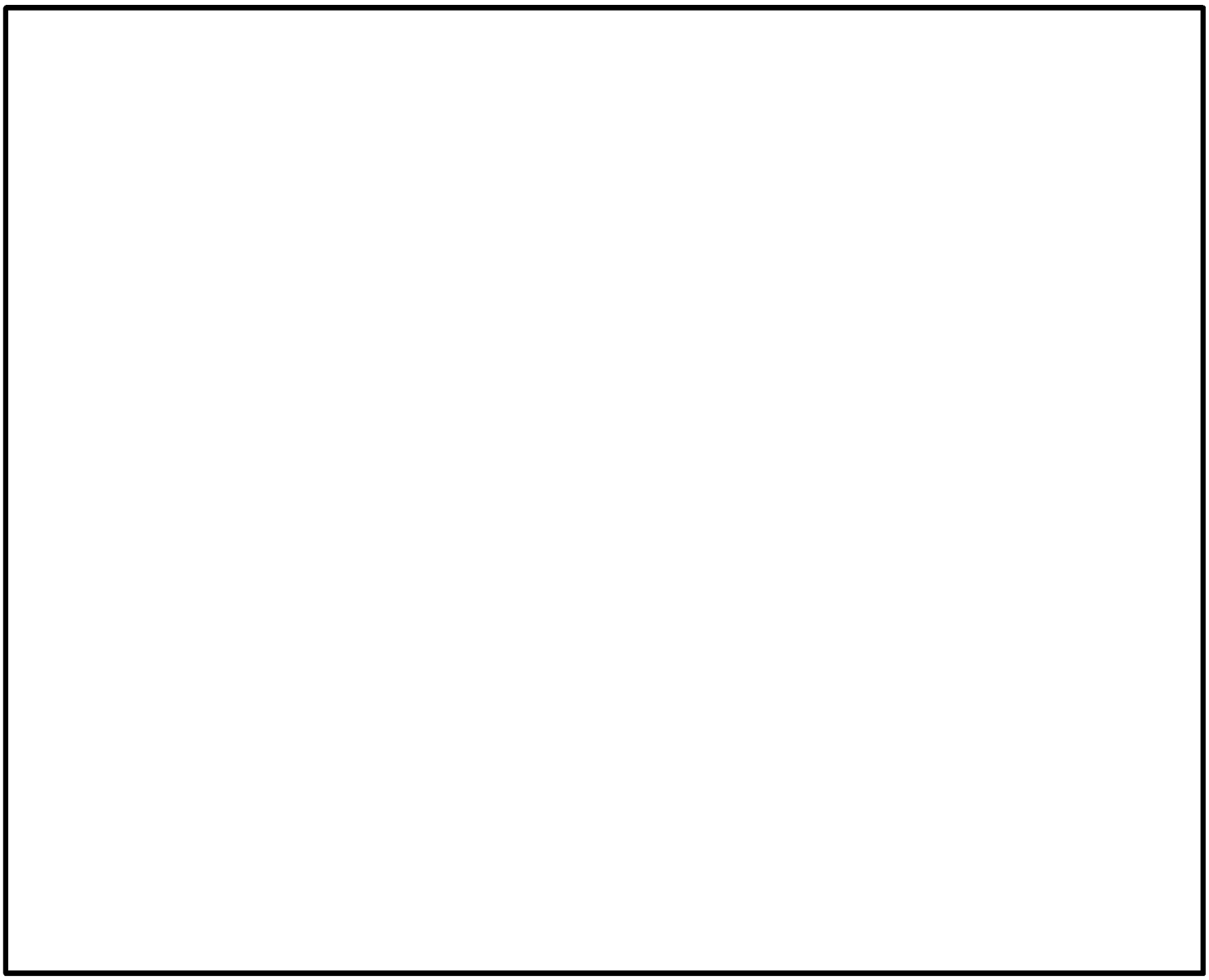
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Subject: RE: UPDATE
Author: Rebecca J Roles
Date: 4/5/2005 5:42 PM

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(b)(5)

Phil -



Rachel McCarthy
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Greenwood, Tembra A

To: Greenwood, Tembra A
Subject: FW: RE: UPDATE
Attachments: FDNSCO~1.DOC

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services Department of Homeland Security
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-1779
(802) 660-5067 (FAX)
website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

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(b)(5)

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Terrell, Lionetta L

To: Greenwood, Tembra A
Subject: FW: RE: UPDATE
Attachments: FDNSCO~1.DOC

Rachel A. McCarthy
Disciplinary Counsel
U.S. Citizenship and Immigration Services Department of Homeland Security
70 Kimball Avenue, Room 103
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(b)(5)

Terrell, Lionetta L

To: Greenwood, Tembra A
Subject: FW: FW: Chapter 12

Importance: High

Rachel A. McCarthy
Disciplinary Counsel
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website: http://dhsconnect.dhs.gov/uscis/org/OCC/disciplinarycounsel/Pages/default.aspx

-----Original Message-----
From: Rachel A McCarthy
Sent: Tuesday, November 09, 2004 7:52 AM
To: Robert R Raymond; Andy P Dalal
Cc: Joel R Alvarey; Frederick H Tournay; Dea D Carpenter
Subject: Re:FW: Chapter 12 (b)(5)
Importance: High

Andy and Bob -

I am copying Joel, Fred and Dea on this message so that they can address the larger issue of coordinating assignments and requests for assistance from ops personnel.
Rachel

Rachel McCarthy
Associate Ethics Officer
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-5043, ext. 5437
(802) 660-5067 (FAX)

_____Reply Separator_____
Subject: FW: Chapter 12
Author: Robert R Raymond
Date: 11/8/2004 2:30 PM

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(b)(5)

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Terrell, Lionetta L

From: Robert C Divine
Sent: Thursday, March 17, 2005 12:43 AM
To: Rachel A McCarthy; Andy P Dalal
Cc: Joel R Alvarey; Frederick H Tournay; Ramona L McGee; Robert R Raymond; Dea D Carpenter
Subject: FW: FW: RE: Chapter 12, Reformatted
Attachments: ~ME00004.DOC

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To: Divine, Robert C; Dalal, Andy P
Cc: Alvarey, Joel R; Tournay, Frederick H; McGee, Ramona L; Raymond, Robert R; Carpenter, Dea D
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Terrell, Lionetta L

From: Andy P Dalal
Sent: Tuesday, March 15, 2005 10:59 AM
To: Rachel A McCarthy
Subject: RE: RE: Chapter 12, Reformatted

Thanks. We should be able to take care of it. I'll chat with your colleagues on the ethics team. Andy

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Robert -
Robert -

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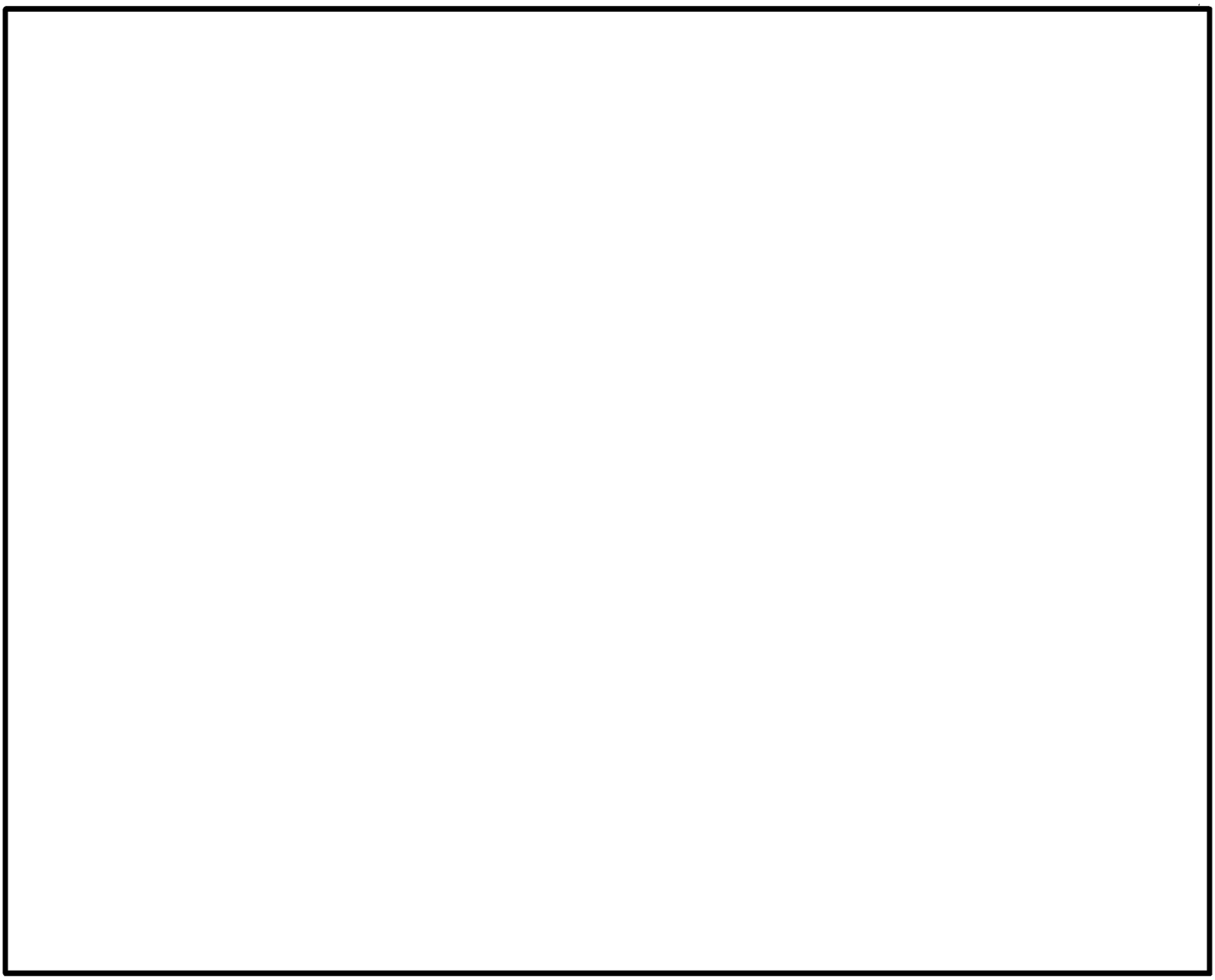
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_____Reply Separator_____
Subject: RE: UPDATE
Author: Rebecca J Roles
Date: 4/5/2005 5:42 PM

(b)(5)

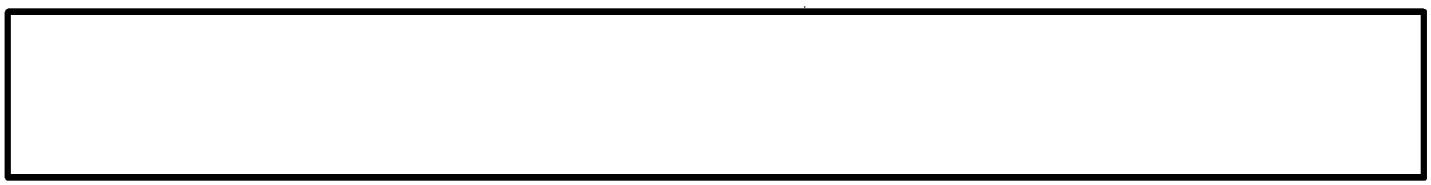


Thanks, Rebecca

http://powerport.uscis.dhs.gov/uscisfdns/index.htm

http://powerport.uscis.dhs.gov/uscisfdns/policies/02_B-SOPs.htm

-----Original Message-----
From: Busch, Philip B [mailto:PBusch@fins2.dhs.gov]
Sent: Tuesday, April 05, 2005 2:23 PM
To: McCarthy, Rachel A
Cc: Roles, Rebecca J; Alvarey, Joel R
Subject: RE: UPDATE



(b)(5)

-----Original Message-----
From: McCarthy, Rachel A
Sent: Tuesday, April 05, 2005 2:05 PM
To: Busch, Philip B
Cc: Roles, Rebecca J; Alvarey, Joel R
Subject: UPDATE

(b)(5)

Phil -

[redacted]

Rachel McCarthy
Associate Ethics Officer
U.S. Citizenship and Immigration Services
70 Kimball Avenue, Room 103
S. Burlington, VT 05403
(802) 660-5043, ext. 5437
(802) 660-5067 (FAX)

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Terrell, Lionetta L

From: Andy P Dalal
Sent: Thursday, May 12, 2005 7:02 AM
To: Rachel A McCarthy; Ian Hinds
Cc: Lynda K Spencer; Andy P Dalal
Subject: RE: RE: AFM
Attachments: AFMAUG~1.RTF

Importance: High

Rachel, please see below for responses. I have copied Lynda Spencer is in the FOIA unit in case she has any comments in regard to my responses. I have also attached one of the more recent versions of the AFM. Andy

-----Original Message-----
From: McCarthy, Rachel A
Sent: Wednesday, May 11, 2005 10:21 AM
To: Hinds, Ian; Dalal, Andy P
Subject: Re:RE: AFM
Importance: High (b)(5)

Andy -

(b)(5)

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_____Reply Separator_____
Subject: RE: AFM
Author: Ian Hinds
Date: 5/11/2005 9:35 AM

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Ian

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Sent: Wednesday, May 11, 2005 9:04 AM
To: Hinds, Ian

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Subject: RE: RE: RE: AFM

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From: McCarthy, Rachel A
Sent: Thursday, May 12, 2005 8:24 AM
To: Dalal, Andy P; Hinds, Ian
Cc: Spencer, Lynda K
Subject: Re:RE: RE: AFM
Importance: High (b)(5)

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Three, is the version of the AFM you attached a "draft" version, ie different than the one currently available on onlineplus? Or is it a more recent version that is available to adjudicators?

*******Based on the other email, I received from you, it looks like you have the most recent version.

If you want to call instead to talk about this, please do so as I would like to get this resolved before 11 am today.
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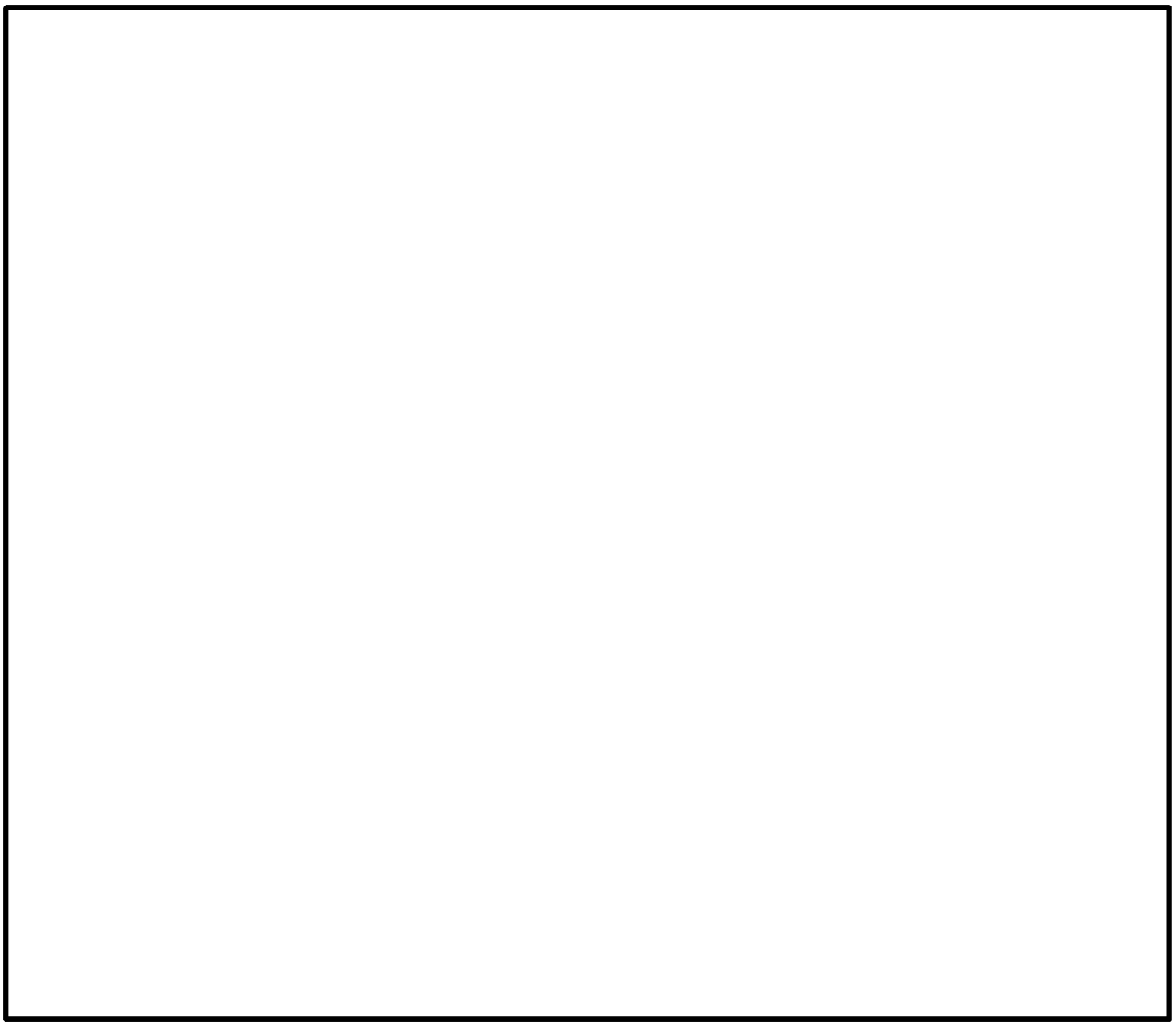
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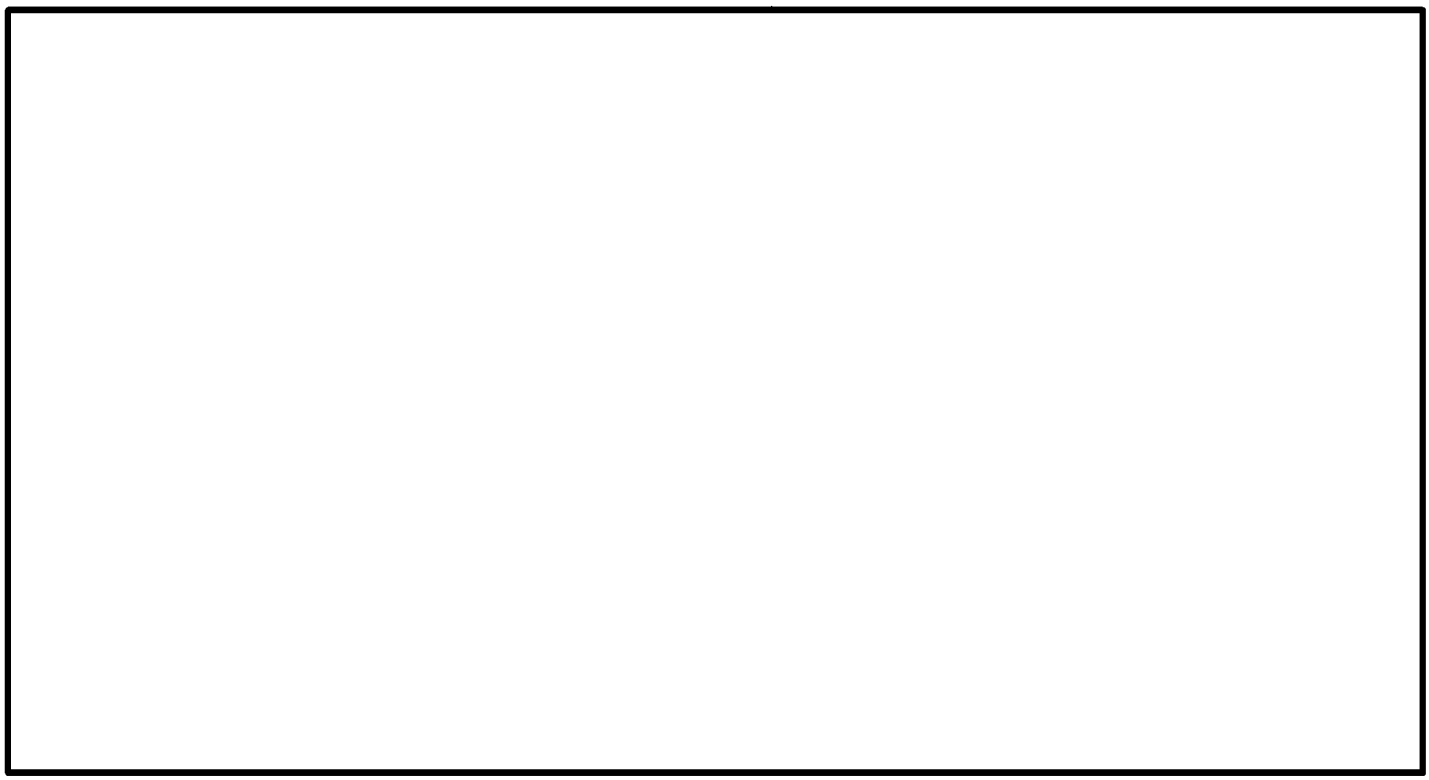
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[redacted]

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Terrell, Lionetta L

From: Andy P Dalal
Sent: Thursday, May 12, 2005 1:47 PM
To: Rachel A McCarthy; Mildred Carter; Michael L Shaul; Ian Hinds
Cc: Lynda K Spencer
Subject: RE: RE: RE: AFM

I believe it is but Rachel will be able to better answer it. Andy

-----Original Message-----
From: Carter, Mildred
Sent: Thursday, May 12, 2005 2:43 PM
To: Shaul, Michael L; Dalal, Andy P; McCarthy, Rachel A; Hinds, Ian
Cc: Spencer, Lynda K
Subject: RE: RE: RE: AFM

(b)(5)

[redacted]

-----Original Message-----
From: Shaul, Michael L
Sent: Thursday, May 12, 2005 1:49 PM
To: Dalal, Andy P; McCarthy, Rachel A; Hinds, Ian
Cc: Spencer, Lynda K; Carter, Mildred
Subject: RE: RE: RE: AFM

(b)(5)

[redacted]

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From: Dalal, Andy P [mailto:ADALAL@fins2.dhs.gov]
Sent: Thursday, May 12, 2005 1:34 PM
To: McCarthy, Rachel A; Hinds, Ian
Cc: Spencer, Lynda K; Shaul, Michael L; Carter, Mildred
Subject: RE: RE: RE: AFM

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Sent: Thursday, May 12, 2005 8:24 AM
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From: Renaud, Tracy L
Sent: Thursday, April 14, 2011 8:47 AM
To: #NER-DD-FOD-COS
Cc: Goodwin, Shelley M
Subject: FW: Field Interaction with Attorneys and Representatives

All-

Please disseminate this within your offices as requested by the Acting Assoc Director of Field Operations. This issue flares up from time to time and we need to issue a reminder.

Tracy L. Renaud
Regional Director, Northeast Region
US Citizenship & Immigration Services
Department of Homeland Security
802-660-5000

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message. Thank you.

From: Monica, Donald J [mailto:djmonica@fins3.dhs.gov]
Sent: Thursday, April 14, 2011 8:27 AM
To: Renaud, Tracy L; Upchurch, Evelyn M; Muzyka, Carolyn L; Redman, Kathy A; Goodwin, Shelley M; Garman, Gary G; Booe, Jim C; Tierney, Terry
Cc: Pietropaoli, Lori; Dominguez, Kathy; Harrison, Julia L; Cowan, Robert M; Robinson, Terri A
Subject: Field Interaction with Attorneys and Representatives

Field Leadership:

Please disseminate the following to all personnel who interact with attorneys and representatives.

We have received reports that several offices appear not to be in compliance with current USCIS practice when dealing with attorneys and representatives. Although Section 12 of the Adjudications Field Manual (AFM) related to this topic is being revised and is unavailable, several pieces of guidance are available including:

1. Section 15 of the AFM includes the following:

> Role of Attorney or Representative in the Interview Process.
>
> Frequently an attorney will be present to represent a subject. The following rules should be followed when the person being interviewed is accompanied by legal counsel:
>
> · Interviewing officers should verify that a properly executed Notice of Entry of Appearance as Attorney or Representative (Form G-28) is part of the record.
> · The attorney's role at an interview is to ensure that the subject's legal rights are protected. An attorney may advise his client(s) on points of law but he/she cannot respond to questions the interviewing officer has directed to the subject. The attorney's

role is even more restricted with regard to a sworn statement taken from an applicant for admission in conjunction with removal proceedings to determine admissibility, where the alien has not yet legally entered the United States.

- Officers should not engage in personal conversations with attorneys during the course of an interview.

2. Our public website has a summary of a Stakeholder meeting help in May 2010 and includes the following:

> Role of the Attorney/Representative
>
> Stakeholders continue to be concerned about how some attorneys are treated by USCIS adjudicators in the context of benefit interviews, particularly with regard to seating arrangements. FO leaders agree that, barring safety or security concerns, attorneys and/or accredited representatives should be able to sit next to their clients during benefit interviews. We are working on guidance to address concerns expressed by stakeholders and will post it once available on the USCIS website.
>
> If an attorney or accredited representative feels that an adjudicator is asking inappropriate questions during the interview, they should ask to speak with a supervisor. USCIS has spent a considerable amount of time training the ISOs on interview techniques; the FO Directorate also has a quality assurance process on test administration to identify and address issues of concern.
>
> The Agency respects the attorney-client relationship and asks that attorneys and accredited representatives likewise respect USCIS staff in the context of benefit and other interviews/interactions. Future guidance will address how ISOs should report instances involving perceived inappropriate conduct by attorneys and/or accredited representatives and also the reverse (i.e., how attorneys and/or accredited representatives should report perceived inappropriate behavior by ISOs).

3. Repeated below (although slightly edited) is an email from then Associate Director for Field Operations Debra Rogers which is still in effect.

Regards,
Donald J. Monica
Acting Associate Director
Field Operations

From: Rogers, Debra A
Sent: Thursday, March 18, 2010 11:04 AM:

Dear Field Operations Leadership Team:

I want to bring to your attention an issue of concern that was raised yesterday. Several in attendance at [the USCIS] stakeholder meeting noted their experience of not being treated properly during client interviews. In particular, stakeholders maintained that attorneys and/or

accredited representatives are not allowed to sit beside their clients in some field offices. I found this information troubling and at first doubted its veracity. To my surprise, however, it appears this practice is fairly standard in some USCIS offices.

Further, the practice has been reinforced by an interviewing techniques module delivered at ISO BASIC training. Officers are taught that an attorney or accredited representative accompanying an applicant should be seated "next to or behind" the applicant. In speaking with the training coordinator, I was informed that this directive was designed to address space constraints and the requirement that some interviews be video-taped. The training material advises that the applicant must always sit in front for full visibility, which is why attorney placement depending on the size and shape of the interview room can vary. This guidance will be removed from BASIC training and replaced with a more appropriate message.

Please advise all ISO's under your direction that it is essential to afford attorneys and accredited representatives the option of sitting next to their client whenever possible. The proximity of an attorney or accredited representative to his or her client is to be determined within that relationship, and not by us.

It has also come to my attention that in some USCIS offices, attorneys or accredited representatives are asked to sit in the back of the interview room based on the belief that such seating affords the ISO better control of the interview. This practice must cease immediately. Please talk to your ISO's about proper seating during adjudicative interviews, and the critical importance of USCIS not engaging in behavior that could be perceived as, or have the effect of, undermining the integrity of the attorney/client relationship.

Any concerns regarding disruptive behavior by a particular attorney or accredited representative should be raised through appropriate channels within the Office of the Chief Counsel.

Thank you for your hard work and dedication.

Debbie

Debra Rogers
Associate Director
Field Operations
USCIS

New York District

U.S. Department of Homeland Security
26 Federal Plaza
New York, NY 10278

U.S. Citizenship and Immigration Services

Interoffice Memorandum

To: All District 3 Employees

From: Andrea Quarantillo
District Director

Date: January 3, 2011

Re: Law Students and Graduates Appearing at Interviews

Pursuant to 8 CFR Section 292.1(a)(2), law students and graduates are eligible to appear on behalf of an applicant provided that he or she is appearing at the request of the person entitled to the representation, and he or she has filed a statement from a supervising attorney or accredited representative. The regulations provide that such an appearance is allowed, subject to the permission of the DHS official. See 8 CFR Section 292.1(a)(2)(iv). The regulation further states that the DHS official may require that law students or graduates be accompanied by a supervising attorney or accredited representative. See 8 CFR Section 292.1(a)(2)(iv).

Please be advised that the District Director requires that law students and graduates be accompanied by a supervising attorney or accredited representative and that they have the required written statement, before they may represent an applicant before the Agency. Therefore, any law students or graduates who do not meet these pre-requisites when they appear must be provided with the attached document and advised of the District Director's requirements.

Attachment (1)

New York District

U.S. Department of Homeland Security
26 Federal Plaza
New York, NY 10278

U.S. Citizenship and Immigration Services

Notice to Law Students and Graduates Appearing at Interviews

Pursuant to Title 8, Code of Federal Regulations, Section 292.1(a)(2), law students and graduates are eligible to appear on behalf of an applicant provided that he or she is appearing at the request of the person entitled to the representation, and he or she has filed a statement from a supervising attorney or accredited representative. The regulations provide that such an appearance is allowed, subject to the permission of the DHS official. See 8 CFR Section 292.1(a)(2)(iv). The regulation further states that the DHS official may require that law students or graduates be accompanied by a supervising attorney or accredited representative. See 8 CFR Section 292.1(a)(2)(iv).

The District Director for the New York District of U.S. Citizenship and Immigration Services requires that law students and graduates be accompanied by a supervising attorney or accredited representative before they may represent an applicant before the Agency. The written statement from the supervising attorney or accredited representative is also required, as per the regulation. Therefore, as a law student or graduate appearing without a supervisory attorney or accredited representative, and/or without the required statement, you may not represent an applicant before the Agency without fulfilling these prerequisites.

From: Renaud, Tracy L
Sent: Friday, September 24, 2010 7:59 AM
To: #NER-DD-FOD-COS
Cc: Goodwin, Shelley; McGregor, Suzanne M
Subject: Attorney Seating During Interviews

NER Leadership-

It has been several months since the issue of attorney seating has come up, however I did notice that it is already an agenda item for the first Open House scheduled in BAL for October 4th. Therefore, I wanted to make sure you all have the response that OFO provided concerning this topic during a stakeholder meeting in late May. This was the stakeholder meeting that the RDs attended in person at HQ and the DDs were on the phone. After going back and looking for this particular item I'm not certain that official, written answers ever got out to you which is why I am sending this out. I believe it is what you all already do, but I want you to have it should the issue come up in your office.

Tracy L. Renaud
Regional Director, Northeast Region
US Citizenship & Immigration Services
Department of Homeland Security
802-660-5000

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-----Original Message-----
From: Rogers, Debra A
Sent: Monday, May 24, 2010 8:22 AM
To: Gallagher, Ellen; Renaud, Tracy L
Cc: Harrison, Julia L
Subject: RE:

Ellen and Tracy: This is good. Lets put this into the script for the meeting this morning. As much as possible, I would like to get my responses to the DDs and RDs in advance of the meeting. Debbie

Debra Rogers
Associate Director
Field Operations
USCIS
202-272-1191

-----Original Message-----
From: Gallagher, Ellen
Sent: Monday, May 24, 2010 8:09 AM
To: Renaud, Tracy L; Rogers, Debra A
Cc: Harrison, Julia L
Subject: Re:

After considerable internal discussion, the following policy has been developed and should guide attorney seating in the context of USCIS benefit interviews.

It is critical that USCIS respect the integrity of the attorney/client relationship. Attorneys and/or accredited representatives should, barring safety or security concerns, be permitted to sit next to their clients during interviews.

They may further voice objections to questions, point out errors on points of law, and provide a closing statement on behalf of their client. They may not, however, answer questions for their client unless requested to do so by the adjudicator, or impede proper questioning by the adjudicator. Where a private attorney or accredited representative believes that an interview is being conducted improperly or in disregard of the law, he or she may bring their concern to the attention of a supervisor as directed locally. Adjudicators are likewise responsible for reporting through proper supervisory channels behavior by an attorney or accredited representative that they believe is unethical or in violation of the law.

In terms of safety and security, in directing seating during benefit interviews, adjudicators should ensure that:

- Officers have a full view of everyone in the room,
- No one in the room, other than the officer, is seated in view of a government computer/monitor screen, and
- Egress is not blocked for any of those present in the interview room.

Out-of-Scope

[redacted]

From: Zanotti, Kimberly J
Sent: Thursday, March 25, 2010 8:24 AM
To: Cardinale, Joseph A; Carrington, John E; Borgen, Randi C
Cc: Rodman, Patrice M; Hogan, Kathleen
Subject: FW:

Randi/Joe/John – please see Tracy Renaud's message below. I thought I had already sent this to you per Russ' request but I guess I had not. That may also be because I felt that it was not an issue in our office but you should at least be made aware of the Director's interest in this issue so I'm forwarding it on to you now.

Kim Zanotti
Field Office Director
USCIS NEW
(973) 639-6899 ext. 7263

From: Owen, Russell W
Sent: Thursday, March 18, 2010 12:39 PM
To: Zanotti, Kimberly J
Subject: FW:

Please alert your SMs and insure that we are following the guidelines. I don't think we have a problem in this regard, but a reminder can't hurt.

Russell W. Owen
Chief of Staff
USCIS
Newark, N.J.

From: Renaud, Tracy L
Sent: Thursday, March 18, 2010 11:24 AM
To: Rogers, Debra A; Muzyka, Carolyn L; Booe, Jim C; Upchurch, Evelyn M; Garman, Gary G; Melville, Rosemary; 'Barrett, Robin L'; Cowan, Robert M; Robinson, Terri A; Goodwin, Shelley; Arellano, Jane; Caterisano, Richard C; Corsano, Anne Arries; Crider, Larry; Curda, Susan M; Dedvukaj, Mick; Dorochoff, Ruth A; FitzGerald, Karen L; Frazier, Denise M; Gomez, Cindy N; Gulick, David; Hansen, Mark B; Heathman, Sandy M; Holmes, M Frances; Jaromin, Michael T; Kehl, Lisa M; Kramar, John; Mather, Robert B; Ortiz, Mario R; Owen, Russell W; Pierre, Paul M; Quarantillo, Andrea J; Redman, Kathy A; Riordan, Denis C; Swacina, Linda; Taylor, Sarah T
Cc: Harrison, Julia L
Subject: RE:

Deb-

I listened to the call hosted by the Director yesterday and it was my intent to send you a message this morning regarding the attorney seating issue. While I'm sure the issue exists in other regions, I believe the attorney who raised the issue was at the stakeholder meeting in person and was referring to an office within the NER. We have some space constraints in some of the individual offices in which we conduct interviews. In this particular situation, we worked very closely with OCC to determine how we most appropriately handle the concern taking into consideration the office size, shape, set-up and number of individuals in any given interview with an eye toward doing our best to accommodate everyone's needs. Please know, and please make sure the Director understands, it has nothing to do with attorney behavior or a desire to keep the attorney from taking an appropriate role during the interview, it is simply a logistics issue. While an attorney/representative may find it completely reasonable to pull a chair up next to their client(s) doing so often blocks egress which we need to avoid for safety purposes and for ease of the officer exiting the room should they need to see a supervisor, etc during the course of the interview.

Below is the guidance that was issued in the one office that I am aware of in NER that has experienced this complaint. This guidance was based on substantial input from OCC.

Tracy L. Renaud | Regional Director, Northeast Region
Department of Homeland Security | U.S. Citizenship and Immigration Services
802-660-5000

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Guidance issued in NER office in Jan 2010 after complaints from attorneys:

After much discussion with officers, supervisors, management, attorneys, our own counsel, and other stakeholders, we have developed an attorney seating policy that we believe allows the officer to maintain proper control of the interview while supporting the role of attorneys to represent their clients in a manner they see as most effective.

Philosophically, we believe that representatives should be able to sit next to their clients during interviews, barring any serious concerns about the attorney negatively affecting the integrity of the interview.

That said, the physical constraints of the office must be taken into consideration. So our policy must be consistent with the following principles:

- Officers must have full view of everyone in the room, so no one can sit behind the computer monitor.
- No one in the room, other than the officer, can be seated in view of the monitor screen.
- Officer egress cannot be blocked.

Consistent with this philosophy and principles, if an attorney and one client are in the interview, the two can sit side-by-side. If the party includes more than two, then the attorney can sit behind, or all three can sit side-by-side if they push the seats away from the desk so that all the principles stated above are met.

Regardless of the number of people participating in the interview, the officer ALWAYS has the discretion to establish seating arrangements outside of the above default arrangements if he or she has cause to believe that such an arrangement is necessary to conduct a proper interview.

We understand that the above policy may differ from what some of you may have been taught at BASIC training, so this may constitute a shift in the policy you have been implementing thus far. We will try this approach effective immediately, but welcome feedback and can make adjustments to this policy as necessary.

From: Rogers, Debra A
Sent: Thursday, March 18, 2010 11:04 AM
To: Muzyka, Carolyn L; Booe, Jim C; Upchurch, Evelyn M; Garman, Gary G; Melville, Rosemary; Barrett, Robin L; Cowan, Robert M; Robinson, Terri A; Renaud, Tracy L; Goodwin, Shelley; Arellano, Jane; Caterisano, Richard C; Corsano, Anne Arries; Crider, Larry; Curda, Susan M; Dedvukaj, Mick; Dorochoff, Ruth A; FitzGerald, Karen L; Frazier, Denise M; Gomez, Cindy N; Gulick, David; Hansen, Mark B; Heathman, Sandy M; Holmes, M Frances; Jaromin, Michael T; Kehl, Lisa M; Kramar, John; Mather, Robert B; Ortiz, Mario R; Owen, Russell W; Pierre, Paul M; Quarantillo, Andrea J; Redman, Kathy A; Riordan, Denis C; Swacina, Linda; Taylor, Sarah T
Cc: Harrison, Julia L
Subject:

Dear Field Operations Leadership Team:

Director Mayorkas ("Ali") hosted a national stakeholders meeting yesterday that was very well attended. Stakeholders expressed appreciation for the outstanding adjudicative work we perform in the field, and the high quality of service we provide daily. You were complimented repeatedly for your dedication to outreach and community engagement. Your efforts are truly appreciated by the Director.

In the context of the meeting, I indicated that soon the Field Office Directorate will host our own national stakeholders meeting with all of you invited to join the call. We hope to host this meeting in May. I am interested in knowing in advance of any issues you believe stakeholders in your community might feature.

I want to bring to your attention an issue of concern that was raised yesterday. Several in attendance at Ali's stakeholder meeting noted their experience of not being treated properly during client interviews. In particular, stakeholders maintained that attorneys and/or accredited representatives are not allowed to sit beside their clients in some field offices. I found this information troubling and at first doubted its veracity. To my surprise, however, it appears this practice is fairly standard in some USCIS offices.

Further, the practice has been reinforced by an interviewing techniques module delivered at ISO BASIC training. Officers are taught that an attorney or accredited representative accompanying an applicant should be seated "next to or behind" the applicant. In speaking with the training coordinator, I was informed that this directive was designed to address space constraints and the requirement that some interviews be video-taped. The training material advises that the applicant must always sit in front for full visibility, which is why attorney placement depending on the size and shape of the interview room can vary. This guidance will be removed from BASIC training and replaced with a more appropriate message.

Please advise all ISO's under your direction that it is essential to afford attorneys and accredited representatives the option of sitting next to their client whenever possible. The proximity of an attorney or accredited representative to his or her client is to be determined within that relationship, and not by us.

It has also come to my attention that in some USCIS offices, attorneys or accredited

representatives are asked to sit in the back of the interview room based on the belief that such seating affords the ISO better control of the interview. This practice must cease immediately. Please talk to your ISO's about proper seating during adjudicative interviews, and the critical importance of USCIS not engaging in behavior that could be perceived as, or have the effect of, undermining the integrity of the attorney/client relationship.

Any concerns regarding disruptive behavior by a particular attorney or accredited representative should be raised through appropriate channels within the Office of the Chief Counsel.

In general, it has been my observation that some of our newer officers and even more seasoned officers would benefit from additional guidance on interview techniques and the role of private attorneys or accredited representatives. We will focus on this issue in headquarters, and soon draft for your review and input related field guidance and training materials. If you have locally developed guidance, I would appreciate receiving a copy, as I am sure there are best practices we can incorporate into this guidance.

Beginning in April, I will begin hosting monthly calls with all of you. This will give us an opportunity to get to know each other better, identify pressing issues and potential solutions, and share success stories. Our first call will be held at 2pm EST on Tuesday, April 6th. You will receive an Outlook invitation including relevant call in information. Participants at least initially will include our Regional Directors, District Directors, and the Field Operations Headquarters Management team. We can discuss further expansion of participants after the first few calls. If there are particular topics you would like to discuss, please send them to Sheila Rawles, Acting Chief of the Communication and Coordination Branch, at your earliest convenience.

Thank you for your hard work and dedication. I look forward to speaking with you soon.

Debbie

Debra Rogers
Associate Director
Field Operations
USCIS
202-272-1191

Terrell, Lionetta L

From: Rodman, Patrice M
Sent: Friday, January 06, 2012 8:25 AM
To: Owen, Russell W
Subject: FW: Attorney Seating During Interviews

-----Original Message-----
From: Rodman, Patrice M
Sent: Thursday, January 05, 2012 10:35 AM
To: Thompson, John E
Cc: Hogan, Kathleen
Subject: FW: Attorney Seating During Interviews

-----Original Message-----
From: McGregor, Suzanne M
Sent: Monday, September 27, 2010 9:48 AM
To: Hardy, Laura J; Burford, Mary H; Clemsen, Kimberly A; Cousins, Barry M; Curley, Mark; Flanagan, Patricia J; Hill, Kasey I; Hogan, Kathleen; Kish, Ronald W; James.loprest@usdoj.gov; Ligor, Douglas C; McCarthy, Thomas F; McFadden, James P; McGrath, Thomas; Metzgar, Michael M; Noto, Marie; Paoli, James D; Parascando, Bridgette H; Raphael, Jason E; Rodman, Patrice M; Schmalz, Peter N
Subject: RE: Attorney Seating During Interviews

Good morning all,

Pete flagged an issue for me that came up in one of our offices (Thanks Pete!):

In the situation where an attorney represents both a visa petitioner and the beneficiary and our officers are interviewing the pair separately, the officer should allow the attorney to be present and to participate in an appropriate manner, as described below, during questioning of the beneficiary.

I am confident that most offices are proceeding this way, but since it has become an issue in one office, I want to make sure we are providing consistent advice if it comes up elsewhere.

Thanks! Suzanne

-----Original Message-----
From: Hardy, Laura J
Sent: Monday, September 27, 2010 7:17 AM
To: Burford, Mary H; Clemsen, Kimberly A; Cousins, Barry M; Curley, Mark; Flanagan, Patricia J; Hill, Kasey I; Hogan, Kathleen; Kish, Ronald W; James.loprest@usdoj.gov; Ligor, Douglas C; McCarthy, Thomas F; McFadden, James P; McGrath, Thomas; Metzgar, Michael M; Noto, Marie; Paoli, James D; Parascando, Bridgette H; Raphael, Jason E; Rodman, Patrice M; Schmalz, Peter N
Cc: McGregor, Suzanne M
Subject: FW: Attorney Seating During Interviews

-----Original Message-----
From: McGregor, Suzanne M
Sent: Friday, September 24, 2010 8:39 AM
To: Parascando, Bridgette H; Curley, Mark; Hardy, Laura J
Subject: Fw: Attorney Seating During Interviews

Fyi.

Laura would you pls distribute to our team? Tx, s

Sent from my BlackBerry Wireless Device

----- Original Message -----
From: Renaud, Tracy L
To: #NER-DD-FOD-COS
Cc: Goodwin, Shelley; McGregor, Suzanne M
Sent: Fri Sep 24 07:59:24 2010
Subject: Attorney Seating During Interviews

NER Leadership-

It has been several months since the issue of attorney seating has come up, however I did notice that it is already an agenda item for the first Open House scheduled in BAL for October 4th. Therefore, I wanted to make sure you all have the response that OFO provided concerning this topic during a stakeholder meeting in late May. This was the stakeholder meeting that the RDs attended in person at HQ and the DDs were on the phone. After going back and looking for this particular item I'm not certain that official, written answers ever got out to you which is why I am sending this out. I believe it is what you all already do, but I want you to have it should the issue come up in your office.

Tracy L. Renaud

Regional Director, Northeast Region

US Citizenship & Immigration Services

Department of Homeland Security

802-660-5000

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message. Thank you.

-----Original Message-----
From: Rogers, Debra A
Sent: Monday, May 24, 2010 8:22 AM
To: Gallagher, Ellen; Renaud, Tracy L
Cc: Harrison, Julia L
Subject: RE:

Ellen and Tracy: This is good. Lets put this into the script for the meeting this morning. As much as possible, I would like to get my responses to the DDs and RDs in advance of the meeting. Debbie

Debra Rogers

Associate Director

Field Operations

USCIS

202-272-1191

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

From: Gallagher, Ellen

Sent: Monday, May 24, 2010 8:09 AM

To: Renaud, Tracy L; Rogers, Debra A

Cc: Harrison, Julia L

Subject: Re:

After considerable internal discussion, the following policy has been developed and should guide attorney seating in the context of USCIS benefit interviews.

It is critical that USCIS respect the integrity of the attorney/client relationship. Attorneys and/or accredited representatives should, barring safety or security concerns, be permitted to sit next to their clients during interviews.

They may further voice objections to questions, point out errors on points of law, and provide a closing statement on behalf of their client. They may not, however, answer questions for their client unless requested to do so by the adjudicator, or impede proper questioning by the adjudicator. Where a private attorney or accredited representative believes that an interview is being conducted improperly or in disregard of the law, he or she may bring their concern to the attention of a supervisor as directed locally. Adjudicators are likewise responsible for reporting through proper supervisory channels behavior by an attorney or accredited representative that they believe is unethical or in violation of the law.

In terms of safety and security, in directing seating during benefit interviews, adjudicators should ensure that:

- Officers have a full view of everyone in the room,
- No one in the room, other than the officer, is seated in view of a government computer/monitor screen, and
- Egress is not blocked for any of those present in the interview room.

Terrell, Lionetta L

From: Rodman, Patrice M
Sent: Friday, January 06, 2012 8:26 AM
To: Owen, Russell W
Subject: FW: VERY IMPT ANNOUNCEMENT FROM ASSOC. DIRECTOR FIELD OPERATONS--PLEASE READ AND COUNSEL ACCORDINGLY [EMPHASIS ADDED]

From: Rodman, Patrice M
Sent: Thursday, January 05, 2012 10:33 AM
To: Thompson, John E
Cc: Hogan, Kathleen
Subject: FW: VERY IMPT ANNOUNCEMENT FROM ASSOC. DIRECTOR FIELD OPERATONS--PLEASE READ AND COUNSEL ACCORDINGLY [EMPHASIS ADDED]

From: Bacon, Roxana
Sent: Wednesday, March 24, 2010 3:15 PM
To: #CIS OCC ALL
Cc: Rogers, Debra A; Gallagher, Ellen
Subject: VERY IMPT ANNOUNCEMENT FROM ASSOC. DIRECTOR FIELD OPERATONS--PLEASE READ AND COUNSEL ACCORDINGLY [EMPHASIS ADDED]

Dear Field Operations Leadership Team:

Director Mayorkas ("Ali") hosted a national stakeholders meeting yesterday that was very well attended. Stakeholders expressed appreciation for the outstanding adjudicative work we perform in the field, and the high quality of service we provide daily. You were complimented repeatedly for your dedication to outreach and community engagement. Your efforts are truly appreciated by the Director.

In the context of the meeting, I indicated that soon the Field Office Directorate will host our own national stakeholders meeting with all of you invited to join the call. We hope to host this meeting in May. I am interested in knowing in advance of any issues you believe stakeholders in your community might feature.

I want to bring to your attention an issue of concern that was raised yesterday. Several in attendance at Ali's stakeholder meeting noted their experience of not being treated properly during client interviews. In particular, stakeholders maintained that attorneys and/or accredited representatives

are not allowed to sit beside their clients in some field offices. I found this information troubling and at first doubted its veracity. To my surprise, however, it appears this practice is fairly standard in some USCIS offices.

Further, the practice has been reinforced by an interviewing techniques module delivered at ISO BASIC training. Officers are taught that an attorney or accredited representative accompanying an applicant should be seated "next to or behind" the applicant. In speaking with the training coordinator, I was informed that this directive was designed to address space constraints and the requirement that some interviews be video-taped. The training material advises that the applicant must always sit in front for full visibility, which is why attorney placement depending on the size and shape of the interview room can vary. This guidance will be removed from BASIC training and replaced with a more appropriate message.

Please advise all ISO's under your direction that it is essential to afford attorneys and accredited representatives the option of sitting next to their client whenever possible. The proximity of an attorney or accredited representative to his or her client is to be determined within that relationship, and not by us.

It has also come to my attention that in some USCIS offices, attorneys or accredited representatives are asked to sit in the back of the interview room based on the belief that such seating affords the ISO better control of the interview. This practice must cease immediately. Please talk to your ISO's about proper seating during adjudicative interviews, and the critical importance of USCIS not engaging in behavior that could be perceived as, or have the effect of, undermining the integrity of the attorney/client relationship.

Any concerns regarding disruptive behavior by a particular attorney or accredited representative should be raised through appropriate channels within the Office of the Chief Counsel.

In general, it has been my observation that some of our newer officers and even more seasoned officers would benefit from additional guidance on interview techniques and the role of private attorneys or accredited representatives. We will focus on this issue in headquarters, and soon draft for your review and input related field guidance and training materials. If you have locally developed guidance, I would appreciate receiving a copy, as I am sure there are best practices we can incorporate into this guidance.

Beginning in April, I will begin hosting monthly calls with all of you. This will give us an opportunity to get to know each other better, identify pressing issues and potential solutions, and share success stories. Our first call will be held at 2pm EST on Tuesday, April 6th. You will receive an Outlook

invitation including relevant call in information. Participants at least initially will include our Regional Directors, District Directors, and the Field Operations Headquarters Management team. We can discuss further expansion of participants after the first few calls. If there are particular topics you would like to discuss, please send them to Sheila Rawles, Acting Chief of the Communication and Coordination Branch, at your earliest convenience.

Thank you for your hard work and dedication. I look forward to speaking with you soon.

Debbie

Debra Rogers

Associate Director

Field Operations

USCIS

202-272-1191

Field Leadership,
Below is a message from Don Monica asking us to ensure our personnel are acting within the established guidelines when dealing with attorneys and representatives.

Terry Tierney
Acting Associate Regional Director Operations, SER
390 N. Orange Ave, Rm 220
Orlando, FL 32801-1640
Ph: 407-237-8824
BB: 407-406-1149
SER docushare: http://docs.uscis.dhs.gov/dsweb/View/Collection-11124

"Every job is a self-portrait of the person who did it. Autograph your work with excellence."

From: Monica, Donald J [mailto:djmonica@fins3.dhs.gov]
Sent: Thursday, April 14, 2011 8:27 AM
To: Renaud, Tracy L; Upchurch, Evelyn M; Muzyka, Carolyn L; Redman, Kathy A; Goodwin, Shelley M; Garman, Gary G; Booe, Jim C; Tierney, Terry
Cc: Pietropaoli, Lori; Dominguez, Kathy; Harrison, Julia L; Cowan, Robert M; Robinson, Terri A
Subject: Field Interaction with Attorneys and Representatives

Field Leadership:

Please disseminate the following to all personnel who interact with attorneys and representatives.

We have received reports that several offices appear not to be in compliance with current USCIS practice when dealing with attorneys and representatives. Although Section 12 of the Adjudications Field Manual (AFM) related to this topic is being revised and is unavailable, several pieces of guidance are available including:

1. Section 15 of the AFM includes the following:

> Role of Attorney or Representative in the Interview Process.
>
> Frequently an attorney will be present to represent a subject. The following rules should be followed when the person being interviewed is accompanied by legal counsel:
>
> · Interviewing officers should verify that a properly executed Notice of Entry of Appearance as Attorney or Representative (Form G-28) is part of the record.
> · The attorney's role at an interview is to ensure that the subject's legal rights are protected. An attorney may advise his client(s) on points of law but he/she cannot respond to questions the interviewing officer has directed to the subject. The attorney's role is even more restricted with regard to a sworn statement taken from an applicant for admission in conjunction with removal proceedings to determine admissibility, where the alien has not yet legally entered the United States.
> · Officers should not engage in personal conversations with attorneys during the course of an interview.

2. Our public website has a summary of a Stakeholder meeting help in May 2010 and includes the following:

> Role of the Attorney/Representative
>
> Stakeholders continue to be concerned about how some attorneys are treated by USCIS adjudicators in the context of benefit interviews, particularly with regard to seating arrangements. FO leaders agree that, barring safety or security concerns, attorneys and/or accredited representatives should be able to sit next to their clients during benefit interviews. We are working on guidance to address concerns expressed by stakeholders and will post it once available on the USCIS website.
>
> If an attorney or accredited representative feels that an adjudicator is asking inappropriate questions during the interview, they should ask to speak with a supervisor. USCIS has spent a considerable amount of time training the ISOs on interview techniques; the FO Directorate also has a quality assurance process on test administration to identify and address issues of concern.
>
> The Agency respects the attorney-client relationship and asks that attorneys and accredited representatives likewise respect USCIS staff in the context of benefit and other interviews/interactions. Future guidance will address how ISOs should report instances involving perceived inappropriate conduct by attorneys and/or accredited representatives and also the reverse (i.e., how attorneys and/or accredited representatives should report perceived inappropriate behavior by ISOs).

3. Repeated below (although slightly edited) is an email from then Associate Director for Field Operations Debra Rogers which is still in effect.

Regards,
Donald J. Monica
Acting Associate Director
Field Operations

From: Rogers, Debra A
Sent: Thursday, March 18, 2010 11:04 AM:

Dear Field Operations Leadership Team:

I want to bring to your attention an issue of concern that was raised yesterday. Several in attendance at [the USCIS] stakeholder meeting noted their experience of not being treated properly during client interviews. In particular, stakeholders maintained that attorneys and/or accredited representatives are not allowed to sit beside their clients in some field offices. I found this information troubling and at first doubted its veracity. To my surprise, however, it appears this practice is fairly standard in some USCIS offices.

Further, the practice has been reinforced by an interviewing techniques module delivered at ISO BASIC training. Officers are taught that an attorney or accredited representative accompanying an applicant should be seated "next to or behind" the applicant. In speaking with the training coordinator, I was informed that this directive was designed to address space constraints and the requirement that some interviews be video-taped. The training material advises that the applicant must always sit in front for full visibility, which is why attorney placement depending on the size and shape of the interview room can vary. This guidance will be removed from BASIC training and replaced with a more appropriate message.

Please advise all ISO's under your direction that it is essential to afford attorneys and accredited representatives the option of sitting next to their client whenever possible. The proximity of an attorney or accredited representative to his or her client is to be determined within that relationship, and not by us.

It has also come to my attention that in some USCIS offices, attorneys or accredited representatives are asked to sit in the back of the interview room based on the belief that such seating affords the ISO better control of the interview. This practice must cease immediately. Please talk to your ISO's about proper seating during adjudicative interviews, and the critical importance of USCIS not engaging in behavior that could be perceived as, or have the effect of, undermining the integrity of the attorney/client relationship.

Any concerns regarding disruptive behavior by a particular attorney or accredited representative should be raised through appropriate channels within the Office of the Chief Counsel.

Thank you for your hard work and dedication.

Debbie

Debra Rogers
Associate Director
Field Operations
USCIS

[redacted]

- **Role of the Attorney/Representative**

Stakeholders continue to be concerned about how some attorneys are treated by USCIS adjudicators in the context of benefit interviews, particularly with regard to seating arrangements. FO leaders agree that, barring safety or security concerns, attorneys and/or accredited representatives should be able to sit next to their clients during benefit interviews. We are working on guidance to address concerns expressed by stakeholders and will post it once available on the USCIS website.

If an attorney or accredited representative feels that an adjudicator is asking inappropriate questions during the interview, they should ask to speak with a supervisor. USCIS has spent a considerable amount of time training the ISOs on interview techniques; the FO Directorate also has a quality assurance process on test administration to identify and address issues of concern.

The Agency respects the attorney-client relationship and asks that attorneys and accredited representatives likewise respect USCIS staff in the context of benefit and other interviews/interactions. Future guidance will address how ISOs should report instances involving perceived inappropriate conduct by attorneys and/or accredited representatives and also the reverse (i.e., how attorneys and/or accredited representatives should report perceived inappropriate behavior by ISOs).

USCIS Response: Over the past several years USCIS has instituted several tools to assist customers in obtaining information about their case status. These tools include "My Case Status," the National Customer Service Center, and Infopass appointments. For general case status inquiries, all customers, including attorneys, should use these tools. Field Operations has discouraged the use of special email addresses for certain stakeholders as it provides unequal access and is fundamentally unfair particularly for applicants who file *pro se*. If you have an inquiry, we recommend that you submit your questions through established processes. If you feel that your inquiry was not responded to appropriately, you are encouraged to raise your concerns to a supervisor.

b. Where attorneys are scheduled for multiple interviews simultaneously, there appears to be no policy or procedure to communicate with the field office to work out a resolution and re-schedule appointments. When two interviews are scheduled for the same attorney on the same date, at the same time, what steps should the attorney take to notify the Field Office of the scheduling conflict? Will the field office reschedule the interviews to ensure that the attorney can appear with both clients?

USCIS Response: Please follow the instructions on the appointment notice to request that one of the interviews be rescheduled. You may also make a rescheduling request by contacting the National Customer Service Center (NCSC) at 1-800-375-5283.

c. Appointments are sometimes scheduled with only ten days notice between the mailing and notice date and the date of the interview. This leaves little time for the applicants to make any necessary arrangements to attend the interview (request time off from work, secure child care, etc.) and to adequately prepare for the interview. Is it possible to extend the period of notice for the interview to a more reasonable time?

USCIS Response: USCIS strives to process and adjudicate applications in a timely manner and we believe that customers appreciate these efforts. If an applicant cannot attend a scheduled interview, he or she may request that the interview be rescheduled. Please keep in mind, however, that a request to reschedule an interview may delay the processing of the case.

Question 4: Right to Effective Representation during Interviews of Applicants and Petitioners

a. Section 15.8 of the USCIS *Adjudicator's Field Manual* (AFM), "Role of Attorney or Representative in the Interview Process" states:

> *The attorney's role at an interview is to ensure that the subject's legal rights are protected. An attorney may advise his client(s) on points of law but he/she cannot respond to questions the interviewing officer has directed to the subject.*
>
> *Officers should not engage in personal conversations with attorneys during the course of an interview.*

Additionally, Subsection (b) of Chapter 15.4 provides that:

> An adjudicator may terminate an interview, even when all essential information has not been elicited, but when "[a]n attorney insists on responding to questions or coaching the person being interviewed."

However, 8 CFR §292.5(b) states:

> ***Right to representation.*** *Whenever an examination is provided for in this chapter, the person involved shall have the right to be represented by an attorney or representative who shall be permitted to examine or cross-examine such person and witnesses, to introduce evidence, to make objections which shall be stated succinctly and entered on the record, and to submit briefs.*

The regulation permits counsel to play a much broader role in the representation of clients during interviews than that set forth in the AFM. We respectfully request that this issue be studied with a view toward amending the AFM to better conform with the scope of the regulations.

USCIS Response: On April 23, 2011, USCIS Director Alejandro Mayorkas met with representatives from AILA and the American Immigration Council (AIC) to discuss this issue. The Agency respects the attorney-client relationship and asks that attorneys and accredited representatives likewise respect USCIS staff in the context of benefit and other interviews/ interactions. Attorneys or accredited representatives may voice objections to questions, point out errors on points of law, and provide a closing statement on behalf of their client. They may not, however, answer questions for their client unless requested to do so by the adjudicator, or impede proper questioning by the adjudicator. Where a private attorney or accredited representative believes that an interview is being conducted improperly or in disregard of the law, he or she may bring their concern to the attention of a supervisor as directed locally. Adjudicators are likewise responsible for reporting through proper supervisory channels behavior by an attorney or accredited representative that they believe is unethical or in violation of the law.

Future guidance will address how ISOs should report instances involving perceived inappropriate conduct by attorneys and/or accredited representatives and also the reverse (i.e., how attorneys and/or accredited representatives should report perceived inappropriate behavior by ISOs).

b. **Role of the Attorney**. We have received reports that some field offices restrict the involvement of the attorney during the interview process. The USCIS Milwaukee Field Office has stated that it follows AFM §15.8, which explains that the attorney's role at the interview is limited to advising his or her clients on points of law, and that the attorney may not respond to questions the interviewing officer has asked the applicant. The office has stated that after the interview, the attorney may follow-up with any concerns regarding the interview and interview questions, or may submit additional information in response to a Notice of Intent to Deny. While we understand the attorney may not answer any questions on

behalf of the applicant, there are often times where it is not only appropriate, but helpful to the examiner for an attorney to help clarify a point of confusion, provide prepared documents on a legal issue, or explain a complicated procedural issue in the applicant's immigration history that the applicant might not fully understand. What guidance, if any, in addition to the AFM, has been provided to USCIS examiners regarding the role of the attorney in the interview process?

USCIS Response: USCIS has spent a considerable amount of time training the ISOs on interview techniques. This training is provided at the field offices and at the ISO Basic training and includes information on the role of the attorney or representative in the interview. Also, as discussed at the meeting with AILA, AIC, and USCIS in April 2011, we welcome suggested language from AILA to potentially incorporate into any guidance USCIS creates regarding this topic.

c. **Attorney Seating.** We have been informed that during interview for immigration benefits, attorneys are sometimes instructed to sit in a corner of the room, behind or otherwise apart from the applicant. Examiners have remarked that this rule is to prevent attorneys from participating in the interview. Such a rule conflicts with the right to representation as provided under 8 CFR §292.5(b). Would Field Operations send clear guidance to the field offices stating that attorneys have a right to attend and represent their clients at interviews for immigration benefits, and should be permitted to sit next to their clients, or make other comparable arrangements if space does not easily permit, that would allow the attorney to properly observe the interview and provide appropriate legal assistance?

USCIS Response: Field Operations provided guidance to its offices regarding seating of attorneys during interviews in May 2010 and again in April 2011.

It is critical that USCIS respect the integrity of the attorney/client relationship. Attorneys and/or accredited representatives should, barring safety or security concerns, be permitted to sit next to their clients during interviews. In terms of safety and security, in directing seating during benefit interviews, adjudicators should ensure that:

- Officers have a full view of everyone in the room,
- No one in the room, other than the officer, is seated in view of a government computer/monitor screen, and
- Egress is not blocked for any of those present in the interview room.

Please understand that some interview rooms are not large enough to accommodate the applicant(s) and attorney all sitting in the same row. In these situations, an attorney may be asked to sit behind his or her client.

Question 5: Post-Interview Follow-up Notices Not Sent to Attorneys

Members have reported instances where USCIS concluded an interview with the G-28 attorney present, and USCIS has later contacted the applicant without notifying the attorney, to request

that the applicant return to USCIS for a second interview, to sign a sworn statement, or to request more evidence. Absent an attorney's written waiver of appearance or withdrawal of representation, what is the protocol for a field office to contact a represented individual without counsel present?

USCIS Response: ISOs should contact the attorney or representative of record; however, on occasion this does not happen. USCIS believes that these are isolated incidents and would welcome examples. We have asked field leadership to remind ISOs that represented applicants should not be contacted without first notifying the attorney and any notices or correspondence should also be sent to the attorney.

Question 6: Adjudications of Form I-751

At the January 2011 Field Operations Directorate Liaison Meeting, AILA asked if, in the wake of a series of reports of harsh treatment of petitioner interviewees under the I-751 hardship and abuse category, USCIS would establish training of officers interviewing these cases similar to that of the VAWA adjudicators at the Vermont Service Center.

While we understand that unprofessional conduct by an adjudicator may also be reported to a supervisor, we believe that an officer who adjudicates cases under this category is in a similar situation to those adjudicating I-360 petitions and should, therefore, have a heightened level of training in the effects of abuse which is afforded to the VAWA adjudicators. Could USCIS designate specific officers with training in that area to adjudicate these petitions?

USCIS Response: It is not always feasible nor is it efficient, particularly in smaller offices, to designate officers for specific types of cases. USCIS is working with the training division to develop a training module focusing on interviewing techniques for victims of abuse or trauma.

Question 7: Defense of Marriage Act Cases

Same-sex marriage is legal in many jurisdictions within the United States, and the Administration recently announced it will no longer defend the constitutionality of section 3 of the Defense of Marriage Act (DOMA) (AILA Doc. No. 11032830).[3]

a. After stating that USCIS would hold I-130 same-sex marriage cases in abeyance while awaiting judicial review, USCIS reversed its position and announced that these cases will move forward. What instructions have field offices received, or will they receive, on these cases, and in particular, how will USCIS adjudicate these I-130s in districts where federal courts have struck down DOMA?

USCIS Response: USCIS briefly held cases to await guidance; USCIS's actions regarding DOMA were misconstrued in the media. USCIS stated on March 28, 2011, "USCIS has issued

[3] See AILA Doc. No. 11032830, http://www.aila.org/content/default.aspx?docid=34956

From: Johnson, Bertha L
Sent: Friday, March 19, 2010 12:43 PM
To: Adams, Barbara D; Burnette, Karen; Aerts, Kellee A; Badgett, Joe R; Baskerville, Julia A; Bell, Charles A; Abraham, Zenebe; Bell, Theresa L; Blair, Harolyn E; Bostick, Joyce; Burchard, Brice D; Dean, Elizabeth V; Epie-Alobwede, Ewang T; Green, April J; Grohmann, Ronald J; Hall-Hawk, Maclisa R; Haynie, Laura R; Okwuosah, Juliette O; Roth, Emanuel J; Seales, Andrea K; Simmons-Casey, Juanita E; Sellars, Valerie A; Singleton, Ronald; Swift, Lloyd; Turner, Nakia P; Abraham, Zenebe; Calhoun, Linda M; Emeghara, Juliet U; Hill, Mary L; Hodges, Krystal M; Mehta, Julie Y; Nguyen, Hong Q; Nnabue, Tony C; Perkins, Vanessa K; Pickett, Marvin; Reed, Gwendolyn F; Singleton, Ronald; Smith, Kennisha N; Stevens, Jaclyn M; Swift, Lloyd; Williams, Gloria June; Wynn, Ruby; McClain, Anita; Griffith, Alicia; Gilmore, Moses; Short, Sheila M; Sachs, Neal; Head, Toni; La Bella, Magteld H; Williams, Roger; 'Hinds, Debra E'; Power, Mentoria A; Jenkins, Vanessa G; Stevens, Jaclyn M
Cc: Johnson, Cheryl L; Duffy, Carla L; Franklin, Eloise; Lee, Richard D; Whitehead, Esther A; DeBoe, Mayburn E; Campbell, Marcella; Hicks, James
Subject: FW: INTERVIEWS - SEATING FOR ATTORNEYS

Importance: High
All please review the message below and ensure that when you are conducting an interview with a client that has an attorney or representative that you are in compliance with the instructions below.

Thanks for your cooperation.

Bertha Johnson
Acting Field Office Director
Department of Homeland Security
U.S. Citizenship & Immigration Services
Atlanta Field Office, District #8
(770) 507-1699
Bertha.johnson@dhs.gov

From: Frazier, Denise M
Sent: Friday, March 19, 2010 7:02 AM
To: Kerns, Kevin J; Johnson, Bertha L; Hutchings, Pamela G; Adair, Jerri; Sapko, Jeffrey M; Gottlieb, Richard H
Cc: Ellis, Mildred D
Subject: FW: INTERVIEWS - SEATING FOR ATTORNEYS
Importance: High

Good Morning –

The below message expresses concerns raised by our stakeholders regarding the seating of attorneys in some USCIS offices

Please advise all ISO's within your Field Offices that it is essential to afford attorneys and accredited representatives the option of sitting next to their client whenever possible. The proximity of an attorney or accredited representative to his or her client is to be determined within that relationship, and not by us.

Should you have any questions and/or concerns regarding this directive, please let me know!

Denise M. Frazier
District Director
Department of Homeland Security
U.S. Citizenship & Immigration Services
District 8
"Leaders in Excellence"

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Hesles, Monica M

From: Hesles, Monica M
Sent: Tuesday, March 16, 2010 3:46 PM
To: Andrews, Melissa; Geha, Mariebelle; Hill, Roseanne; Hines, Tawanda L; Kohn, Angela E; Lower, Daniel; Munuera, Alejandro; Sewall, Amanda F; Thornton, Vincent G; Varichak, Anne M
Subject: Attorney waivers and attorney seating

Fyi

From: Castro, Anouchka
Sent: Tuesday, March 16, 2010 3:37 PM
To: Andrews, Melissa; Anglade, Caroll X; Azemar, Denise; Babekov, Ilona E; Bessard, Tracey; Consul, Dulce M; Dalvery, Mathilde M; Dotel, Melissa; Duque, Fresia; Espada, Iliam; Fagan, Clare; Geha, Mariebelle; Hill, Roseanne; Hines, Tawanda L; Kohn, Angela E; Louis, Angela E; Lower, Daniel; Mansfield, Roketa F; Mateo, Sergio; McCrary, Cassandra E; Munuera, Alejandro; Negrin, Mario; Padin, Sharon; Peric, Anto; Ramos, Ignacio; Rodriguez, Bridgette E; Ruiz, Zulma T; Sewall, Amanda F; Sierra, Marisela; Thornton, Vincent G; Urena, Afrodis S; Varichak, Anne M; Williams, Geraldine J
Cc: Marmar, Bruce L; Bradley, Lisa D; Hesles, Monica M; Veiga, Ashtin M; Wetherbee, Andrew A
Subject: Interviews

To All:

As many of you know, we have a quarterly meeting with AILA where we discuss various issues. A few things have come to our attention and, in preparation for our Wednesday meeting, please ensure that you comply or are complying with the following:

1. If an attorney does not appear for the interview and the client signs the waiver form the waiver form only waives the attorney's appearance it does not waive the G-28. The attorney must still be copied on all correspondence.

2. We have revisited the issue of attorney seating. Effective immediately, it is not required that an attorney be allowed to sit next to their clients during the interview. If an attorney is insistent please do not get into a debate with them. Call a supervisor to assist you. Thank you.

Anouchka Castro
Acting Miami Field Office Director

Hesles, Monica M

From: Hesles, Monica M
Sent: Monday, June 07, 2010 10:01 AM
To: Hesles, Monica M
Subject: Atty's interfereing with interviews

From: Hesles, Monica M
Sent: Monday, April 13, 2009 1:14 PM
To: Louis, Angela E; Azemar, Denise; Espada, Iliam; Babekov, Ilona E; Mateo, Sergio; Munuera, Alejandro; Peric, Anto; Rodriguez, Bridgette E; Sierra, Marisela; Varichak, Anne M; Williams, Geraldine J
Subject: FW: SFR "Showcase Office"

When you get a chance, please watch this 13-minute video created by the SFR CIS office. It shows how to deal with attorneys that interfere with your interviews.

1. Click on the Link below: wro.uscis
2. Click on: "Showcase Office"
3. Scroll to the very bottom (easier if you use your arrows) and play the video: Controlling Your Interview with a Private Attorney".

From: Ow, Alanna
Sent: Monday, April 13, 2009 10:45 AM
To: Bradley, Lisa D; Hesles, Monica M; Wetherbee, Andrew A; Fernandez, Lourdes M; Marmar, Bruce L; Padin, Sharon
Cc: Castro, Anouchka
Subject: FW: SFR "Showcase Office"

FYI -

Alanna Ow | Director, Miami Field Office | U.S. Citizenship and Immigration Services | 8801 NW 7th Avenue, Miami, FL 33150 | : 305.762.8210 | :alanna.ow@dhs.gov

---

From: Swacina, Linda [mailto:linda.swacina@dhs.gov]
Sent: Tuesday, April 07, 2009 7:04 AM
To: Broughton, Elaine G; Fenwick, Robert A; Hackbarth, Joseph M; Meeker, Leslie A; Ow, Alanna; Patterson, Katherine R; Stulz, Enid
Subject: Fw: SFR "Showcase Office"

There doesn't appear to be an attachment; I think we have to get it off their web site.

----- Original Message -----
From: Bulger, Jack M
To: Johnson, Mary Esther; Booe, Jim C; Cowan, Robert M; Garman, Gary G; Goodwin, Shelley; Howie, Craig S; Jarina, M Stella ; Langton, Lynn; Monica, Donald J; Muzyka, Carolyn L; O'Reilly, Timothy P; Pearlman, Sandy A; Redman, Kathy A; Renaud, Tracy L; Robinson, Terri A; Schlesinger, Paul L; Tauchen, Robert B; Upchurch, Evelyn M; Zaragoza, Conrad J ; Arellano, Jane; Caterisano, Richard C; Corsano, Anne Arries; Curda, Susan M; Dedvukaj, Mick; Dorochoff, Ruth A; FitzGerald, Karen L <karen.fitzgerald@dhs.gov>; Frazier, Denise M; Gomez, Cindy N; Gulick, David; Hansen, Mark B; Holmes, M Frances; Jaromin, Michael T; Kehl, Lisa M; Kramar, John; Mather, Robert B; Melville, Rosemary; Ortiz, Mario R; Pierre, Paul M; Quarantillo, Andrea J; Riordan, Denis C; Swacina, Linda; Taylor, Sarah T; Thompson, John E
Sent: Mon Apr 06 16:52:14 2009
Subject: FW: SFR "Showcase Office"

Kudos to the San Francisco Field Office for creating this training video. I think it can be particularly valuable for our FCIP ISOs.

Jack

From: Muzyka, Carolyn L
Sent: Friday, April 03, 2009 7:56 PM
To: Zaragoza, Conrad J ; Bulger, Jack M
Cc: Rogers, Debra A
Subject: FW: SFR "Showcase Office"

FYI – The petitioner is played by the Acting District Director, Larry Crider. You can find the WRO website at: http://wro.uscis.dhs.gov/

From: Muzyka, Carolyn L
Sent: Friday, April 03, 2009 4:53 PM
To: Arellano, Jane; Booe, Jim C; Corsano, Anne Arries; Crider, Larry; Curda, Susan M; Gulick, David; Kramar, John; Melville, Rosemary; Pierre, Paul M
Cc: Bornhoft, Neal L; Gallagher, Rand; Pearlman, Sandy A; Hlavaty, Stephen J; Campos, Linda J
Subject: SFR "Showcase Office"

Good Afternoon,

Soon we will be changing the showcase office on our WRO website homepage. I want to make sure that you don't miss seeing the excellent presentation done by the San Francisco Field Office. Please take some time to watch their training video entitled: "Controlling Your Interview with a Private Attorney". The script was written by Deborah Goodwin, Associate Regional Counsel, San Francisco, produced by Robin Barrett with a cast made up of the local staff ([redacted]) (b)(6)

Kudos to the managers and staff of San Francisco Field Office! Bravo!

Carolyn

Hesles, Monica M

From: Castro, Anouchka
Sent: Wednesday, May 04, 2011 11:05 AM
To: Andrews, Melissa; Anglade, Caroll X; Azemar, Denise; Babekov, Ilona E; Dalvery, Mathilde M; Dotel, Melissa; Duque, Fresia; Espada, Iliam; Hill, Roseanne; Hines, Tawanda L; Kohn, Angela E; Louis, Angela E; Lower, Daniel; Mansfield, Roketa F; McCrary, Cassandra E; Munuera, Alejandro; Negrin, Mario; Padin, Sharon; Peric, Anto; Ramos, Ignacio; Ruiz, Zulma T; Sewall, Amanda F; Sierra, Marisela; Thornton, Vincent G; Urena, Afrodis S; Varichak, Anne M; Veiga, Ashtin M; Williams, Geraldine J; Culmer, Paula D; Frasier, Mamie S; James, Ann J; Klasner, Maria B; Martinez, Maria E; Monfiston, Janet; Saintelien, Carmelita
Cc: Brinkworth, Gerry J; Tavel, Maria; Bradley, Lisa D; Fernandez, Lourdes M; Hesles, Monica M; Wetherbee, Andrew A
Subject: FW: Field Interaction with Attorneys and Representatives

Anouchka Castro
Miami Field Office Director

From: Tierney, Terry
Sent: Monday, April 25, 2011 6:10 PM
To: Adair, Jerri; Allain, Jeannie L; Bae, Connie J; Baranowski, Katherine L; Barbee, Beth H; Bazylak, Mary; Beaulieu, Shelley M; Bradley, Lisa D; Castro, Anouchka; Cavanaugh, Daniel M; Cintron, Roberto; Conner, Lorelie C; Crawford, Jonathan E; Crockett, Stanley W; Cruz, Cindy A; Dalziel, Karen L; Dennis, Lynuel W; Fernandez, Rosalinda; Finnerty, Meryl M; Flint, Donna K; Garcia, Iris M; Gonzalez-Ferrer, Deliana; Gottlieb, Richard H; Hackbarth, Joseph M; Hesles, Monica M; Hill, Robert O; Iglesias, Margaret; Kalb, Richard I; Karabiyik, Elva A; Mammoliti, Frederick G; Maus, Maria I; Medina, Madeline; Meeker, Leslie A; Mendez, Gladys M; Morrow, Meredith A; Muttuswamy, Sivaloganathan L; Olguin, Christina; Onyango, Paul O; Patterson, Katherine R; Ramos, Michelle O; Reither, Stephanie; Rinehart, Brett R; Ruggiero, Phyllis; Sapko, Jeffrey M; Smith, Kristen J; Stulz, Enid; Vasquez, Kenneth; Wilcox, Wendy M
Cc: Parker, Vanessa; Yeager-Bowser, Keri; Alvarado, Mario; Quiles, Elvis; Perilla, Daniel A; Aran, Maria M; Ashley, Tina J; Douglas, David M; Frazier, Denise M; Gomez, Cindy N; Kerns, Kevin J; Ow, Alanna; Pecinovsky, Steven; Swacina, Linda
Subject: Field Interaction with Attorneys and Representatives

Field Leadership,
Below is a message from Don Monica asking us to ensure our personnel are acting within the established guidelines when dealing with attorneys and representatives.

Terry Tierney
Acting Associate Regional Director Operations, SER
390 N. Orange Ave, Rm 220
Orlando, FL 32801-1640
Ph: 407-237-8824
BB: 407-406-1149
SER docushare: http://docs.uscis.dhs.gov/dsweb/View/Collection-11124

"Every job is a self-portrait of the person who did it. Autograph your work with excellence."

From: Monica, Donald J [mailto:djmonica@fins3.dhs.gov]
Sent: Thursday, April 14, 2011 8:27 AM
To: Renaud, Tracy L; Upchurch, Evelyn M; Muzyka, Carolyn L; Redman, Kathy A; Goodwin, Shelley M; Garman, Gary G; Booe, Jim C; Tierney, Terry
Cc: Pietropaoli, Lori; Dominguez, Kathy; Harrison, Julia L; Cowan, Robert M; Robinson, Terri A
Subject: Field Interaction with Attorneys and Representatives

Field Leadership:

Please disseminate the following to all personnel who interact with attorneys and representatives.

We have received reports that several offices appear not to be in compliance with current USCIS practice when dealing with attorneys and representatives. Although Section 12 of the Adjudications Field Manual (AFM) related to this topic is being revised and is unavailable, several pieces of guidance are available including:

1. Section 15 of the AFM includes the following:

> Role of Attorney or Representative in the Interview Process.
>
> Frequently an attorney will be present to represent a subject. The following rules should be followed when the person being interviewed is accompanied by legal counsel:
>
> · Interviewing officers should verify that a properly executed Notice of Entry of Appearance as Attorney or Representative (Form G-28) is part of the record.
> · The attorney's role at an interview is to ensure that the subject's legal rights are protected. An attorney may advise his client(s) on points of law but he/she cannot respond to questions the interviewing officer has directed to the subject. The attorney's role is even more restricted with regard to a sworn statement taken from an applicant for admission in conjunction with removal proceedings to determine admissibility, where the alien has not yet legally entered the United States.
> · Officers should not engage in personal conversations with attorneys during the course of an interview.

2. Our public website has a summary of a Stakeholder meeting help in May 2010 and includes the following:

> Role of the Attorney/Representative
>
> Stakeholders continue to be concerned about how some attorneys are treated by USCIS adjudicators in the context of benefit interviews, particularly with regard to seating arrangements. FO leaders agree that, barring safety or security concerns, attorneys and/or accredited representatives should be able to sit next to their clients during benefit interviews. We are working on guidance to address concerns expressed by stakeholders and will post it once available on the USCIS website.
>
> If an attorney or accredited representative feels that an adjudicator is asking inappropriate questions during the interview, they should ask to speak with a supervisor. USCIS has spent a considerable amount of time training the ISOs on interview techniques; the FO Directorate also has a quality assurance process on test administration to identify and address issues of concern.
>
> The Agency respects the attorney-client relationship and asks that attorneys and accredited representatives likewise respect USCIS staff in the context of benefit and other interviews/interactions. Future guidance will address how ISOs should report instances involving perceived inappropriate conduct by attorneys and/or accredited representatives and also the reverse (i.e., how attorneys and/or accredited representatives should report perceived inappropriate behavior by ISOs).

3. Repeated below (although slightly edited) is an email from then Associate Director for Field Operations Debra Rogers which is still in effect.

Regards,
Donald J. Monica
Acting Associate Director
Field Operations

From: Rogers, Debra A
Sent: Thursday, March 18, 2010 11:04 AM:

Dear Field Operations Leadership Team:

I want to bring to your attention an issue of concern that was raised yesterday. Several in attendance at [the USCIS] stakeholder meeting noted their experience of not being treated properly during client interviews. In particular, stakeholders maintained that attorneys and/or accredited representatives are not allowed to sit beside their clients in some field offices. I found this information troubling and at first doubted its veracity. To my surprise, however, it appears this practice is fairly standard in some USCIS offices.

Further, the practice has been reinforced by an interviewing techniques module delivered at ISO BASIC training. Officers are taught that an attorney or accredited representative accompanying an applicant should be seated "next to or behind" the applicant. In speaking with the training coordinator, I was informed that this directive was designed to address space constraints and the requirement that some interviews be video-taped. The training material advises that the applicant must always sit in front for full visibility, which is why attorney placement depending on the size and shape of the interview room can vary. This guidance will be removed from BASIC training and replaced with a more appropriate message.

Please advise all ISO's under your direction that it is essential to afford attorneys and accredited representatives the option of sitting next to their client whenever possible. The proximity of an attorney or accredited representative to his or her client is to be determined within that relationship, and not by us.

It has also come to my attention that in some USCIS offices, attorneys or accredited representatives are asked to sit in the back of the interview room based on the belief that such seating affords the ISO better control of the interview. This practice must cease immediately. Please talk to your ISO's about proper seating during adjudicative interviews, and the critical importance of USCIS not engaging in behavior that could be perceived as, or have the effect of, undermining the integrity of the attorney/client relationship.

Any concerns regarding disruptive behavior by a particular attorney or accredited representative should be raised through appropriate channels within the Office of the Chief Counsel.

Thank you for your hard work and dedication.

Debbie

Debra Rogers
Associate Director
Field Operations
USCIS

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Wicks, Joyce M

From: West, Dawn
Sent: Wednesday, March 14, 2007 2:50 PM
To: Wicks, Joyce M
Subject: RE: Preliminary AILA agenda

Joyce,

Could we add speaking with AILA about properly filing N-336s with the reason for hearing indicated and their brief or supporting evidence attached (or a request for an extension to submit evidence with good cause being shown) as is stated on the N-336. We should be letting them know that we are planning on adjudicating some of them without interview depending on the case and that failure to submit the proper documentation could lead to the case being adjudicated on it's merits.

-----Original Message-----
From: Wicks, Joyce M
Sent: Wednesday, March 14, 2007 10:46 AM
To: Kunver, Raj; Keck, Peggy M; Person, James H; Pimentel, Fausto; Balcerzak, William J; Bonilla, Iris G; Cyr, Claudette F; Dacosta, Garnet; Dyer, Amanda; Edwards, Lynn A; Hoffman, Michael K; Hood, Jenn; Karlowicz, Derek D; Lavoie, Jacqueline; Maturo, Anthony M; Mccarthy, Timothy; McNeil, Donald D; Preble, Jennifer L; Reffel, Frank; Schiavone, James A; Segrave, Wayne; West, Dawn; Wohlrab, Lisa
Subject: Preliminary AILA agenda

This is an agenda from our side. I will merge it with AILA's agenda and do a final before the meeting. Let me know if we missed anything.

Joyce Wicks
Management and Program Analyst
USCIS
450 Main St., Hartford, CT 06103
860-240-3050 x 4182 (voice)
860-240-3214 (fax)
joyce.wicks@dhs.gov

<< File: USCIS Agenda Items.doc >>

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Wicks, Joyce M

From: Enzer, Ethan
Sent: Monday, April 02, 2007 10:22 AM
To: Wicks, Joyce M
Subject: FW: AILA Forum - Friday 3/30/07

Positive vibes all around is the theme of the report.

Thanks again!

Ethan

From: Enzer, Ethan
Sent: Monday, April 02, 2007 8:51 AM
To: Holmes, M Frances
Subject: AILA Forum - Friday 3/30/07

(b)(5)

Fran,

I promised a follow up on the AILA Forum / Town Hall held in our Exams waiting room on Friday 3/30. We had four panelists from AILA as well as four panelists from our staff, the three SDAO's and Wendy Longo to represent our clerical side (as they are the personnel that staff our public window in Room 421 when we interview). Joyce Wicks was moderator and the AILA Liaison Committee Chair, Jacqueline Bucar and I were seated in the front row of the audience. Twelve of our DAO's were there as well as two union delegates.

[redacted]

We were going to keep the forum to a 90 minute length, but even with some of our staff leaving at the end of their tour to catch their carpools or buses, all asked to continue on. AILA said unanimously that this was the best meeting held in our office from their perspective and they asked for the town hall format to be continued or to replace the quarterly liaisons. Our people rose as one at the end of the session and echoed the sentiment. I do plan on holding at least one more of these sessions this FY.

Ethan

Wicks, Joyce M

From: Enzer, Ethan
Sent: Wednesday, April 11, 2007 9:47 AM
To: Wicks, Joyce M
Subject: RE: AILA Followup

Joyce,

I concur.

Ethan

From: Wicks, Joyce M
Sent: Wednesday, April 11, 2007 9:44 AM
To: Enzer, Ethan
Cc: Balcerzak, William J; Bonilla, Iris G; Cyr, Claudette F; Dacosta, Garnet; Dyer, Amanda; Edwards, Lynn A; Hoffman, Michael K; Hood, Jenn; Karlowicz, Derek D; Lavoie, Jacqueline; Maturo, Anthony M; Mccarthy, Timothy; McNeil, Donald D; Preble, Jennifer L; Reffel, Frank; Schiavone, James A; Segrave, Wayne; West, Dawn; Wohlrab, Lisa; Keck, Peggy M; Person, James H; Pimentel, Fausto
Subject: AILA Followup

Ethan,

There were 6 outstanding issues from our AILA town hall, and I think we can get back to them with information on items 1-3 and 6. Do you concur?

Joyce

From: Wicks, Joyce M
Sent: Monday, April 02, 2007 11:12 AM
To: Enzer, Ethan; Keck, Peggy M; Pimentel, Fausto; Person, James H
Subject: Outstanding AILA issues

(b)(5)

I have the following written down as follow-up issues from Friday's meeting with AILA:



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Cullina by sending a reply e-mail to the sender of this message. Thank you.

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Wicks, Joyce M

From: Enzer, Ethan
Sent: Thursday, October 16, 2008 10:11 AM
To: Cruz, Juan L
Cc: Hart, Maria E; Wicks, Joyce M; Keck, Peggy M; Dyer, Amanda; Person, James H
Subject: FW: October 17, 2008 Training
Attachments: Interaction with Private Attorneys - FINAL 10-14-08.ppt

Juan,

Our Counsel Bill Richards will be here on Friday to present some training. I ask that the power point be set up in the large conference room in time for training that we still need to refine a time for. Can you set up the projector tomorrow morning at 8:00 AM?

Ethan

From: Richards, William H
Sent: Thursday, October 16, 2008 9:52 AM
To: Enzer, Ethan
Subject: October 17, 2008 Training

Ethan,

Enclosed is a PowerPoint presentation to be used at tomorrow's training. I can talk about it informally or do it formally. I have also been asked to talk about preconceived intent, adjustment for arriving aliens and deferred action. I have also put down 11/21/08 and 12/12/08 to come down to maintain office hours, review files and talk with people.

I plan on being there by 7:30 AM. Should I just go see Joyce in the morning?

William H. Richards IV
Associate Regional Counsel
United States Department of Homeland Security
Citizenship and Immigration Services
JFK Federal Building, Room 425
Boston, MA 02203
Tel: (617) 565-4451
Cell: (617) 504-9861
Fax: (617) 565-4921

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Patrice M. Rodman

Associate Regional Counsel

Newark, NJ

(973) 848-3792

From: Bielicki, John S
Sent: Wednesday, April 22, 2009 2:53 PM
To: Rodman, Patrice M
Cc: McGregor, Suzanne M
Subject: FW: G-28 Attorney Involvement in translating documents
Importance: High

Patrice,

Suzanne is out-of-office. Would you be able to assist and answer my questions below? Thank you.

John Bielicki

Regional Adjudication Officer

Northeast Region

Telephone: 802-660-5132

BlackBerry: 802-282-3819

Fax: 802-660-1192

Address:

USCIS - DHS

70 Kimball Avenue

South Burlington, VT 05403

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message. Thank you.

From: Bielicki, John S

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Wicks, Joyce M

From: Enzer, Ethan
Sent: Friday, October 02, 2009 4:05 PM
To: Bonilla, Iris G; Keck, Peggy M; Dyer, Amanda; Wicks, Joyce M; Kunver, Raj
Cc: Holmes, M Frances
Subject: AILA and contacts

Going forward, we have agreed to the following:

Establishing a Hartford Representative e-mail box for each program. Access will be through the SISO's and me. Someone at the SISO level should open the help desk ticket.

Attorneys will be allowed to sit in a row with their clients. They will not have access to the ISO's desk to use as their own. The chairs in offices that have enough room may be placed a few feet back from the desk. If the attorney is attempting to subvert the interview by notes or other means the officer has the right to interrupt the interview and stop the problems.

We have to revisit some of the RFE lead times and not push for 7 days. When the opportunity is there to advance the case to an approvable state and the RFE is the vehicle to do this (even though some initial evidence may be partial or lacking) we should go that route. We're thinking about 30 days to 60 depending on the nature of the defect. I also don't know right now how much the RFE by appointment is working for the I-485's. It came up today.

More to follow.

Have a good weekend all.

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services
450 Main Street, First Floor
Hartford, CT 06103
Tel: (860) 728 2360 Fax: (860) 728 2355

Wicks, Joyce M

From: Enzer, Ethan
Sent: Tuesday, October 20, 2009 1:09 PM
To: Bonilla, Iris G; Wicks, Joyce M; Keck, Peggy M; Dyer, Amanda
Subject: FW: Seating Policy HAR

This is what I sent out to AILA this morning. Please have Daarina move the rolling file cabinet so they'll have to complain about something different.

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services
450 Main Street, First Floor
Hartford, CT 06103
Tel: (860) 728 2360 Fax: (860) 728 2355

From: Enzer, Ethan
Sent: Tuesday, October 20, 2009 10:51 AM
To: Andrew Wizner
Subject: Seating Policy HAR

Good Morning Andy:

I have had a chance to discuss this with Fran. She and I are heading down to our Regional Conference today in NYC. I will be there through the end of the week and Joyce Wicks will be Acting Field Office Director.

Please see the policy –

Hartford CIS expects that the office reflect a professional and dignified environment. Each individual office may have different dimensions. The seating arrangement is to continue to permit the parties to sit alongside each other as agreed to recently. The officer furthermore may set up the seats at a reasonable distance of a few feet from the front and sides of the desk to ensure the privacy of the officer's screen and desk papers.

We will also have the pedestal rolling cabinet removed from in front of ISO Dixon's desk.

The other matters that you raised that weren't covered in the discussions with Fran and me can be placed on the next quarterly agenda. I hope to get some possible dates for you soon on that.

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services
450 Main Street, First Floor
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Tel: (860) 728 2360 Fax: (860) 728 2355

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Wicks, Joyce M

From: Enzer, Ethan
Sent: Wednesday, November 18, 2009 4:34 PM
To: Andrew Wizner
Cc: Holmes, M Frances; Bonilla, Iris G; Wicks, Joyce M; Keck, Peggy M; Dyer, Amanda; Kunver, Raj
Subject: RE: New Hartford Policy Regarding Attorney Representation?

Andy:

Thanks for the note. Here is a more official notice:

Hartford is now in compliance with the regulations as well as agency policy concerning G-28's insofar those persons eligible for representation per 8 CFR 103.2(a)(3). The G-28 form has been revised as you know. In the past we took a somewhat permissive / relaxed position on whether a beneficiary of an I-130 is entitled to sign and therefore be represented by counsel, and permitted such representation. Now we have been reminded, along with the issuance of the new G-28, to not honor any notice of appearance with the alien beneficiary named or signed for as a represented party.

In fairness to the interests of the represented petitioner we will permit the attorney of record to be present in separation interviews (Q&A's) involving the beneficiary only, and the attorney may take notes. The attorney is not permitted to participate in the interview, to elicit or clarify the beneficiary's responses, or to verbally or otherwise engage the beneficiary or the officer.

I-751's are viewed differently in that they are joint petitions. Likewise, in the case of a removal of conditions petition filed by the alien spouse based on the good faith waiver, the alien is the petitioner.

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services
450 Main Street, First Floor
Hartford, CT 06103
Tel: (860) 728 2360 Fax: (860) 728 2355

From: Andrew Wizner [mailto:AWizner@lkwvisa.com]
Sent: Wednesday, November 18, 2009 3:42 PM
To: Enzer, Ethan
Subject: RE: New Hartford Policy Regarding Attorney Representation?

Ethan, thanks for that clarification. Could I impose on you to provide the policy in a brief statement that we could distribute directly to our members? I think we will want to explore this new policy with you after I fully understand it. Thanks. --Andy

Andrew L. Wizner, Esq.
Leete, Kosto & Wizner, LLP
999 Asylum Avenue, Suite 202
Hartford, Connecticut 06105
Tel.: 860-249-8100
Fax: 860-727-9184
awizner@lkwvisa.com

From: Enzer, Ethan [mailto:ethan.enzer@dhs.gov]
Sent: Monday, November 16, 2009 1:25 PM
To: Andrew Wizner
Subject: FW: New Hartford Policy Regarding Attorney Representation?

Andy:

Could you share with me which file # had the simultaneous I-130 and I-751 tha[redacted]mentioned in his notes?

Also, we recognize that in the context of an I-751 alone that there are representational rights for the alien.

(b)(6)

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services
450 Main Street, First Floor
Hartford, CT 06103
Tel: (860) 728 2360 Fax: (860) 728 2355

From: Enzer, Ethan
Sent: Monday, November 16, 2009 12:50 PM
To: Andrew Wizner
Cc: Holmes, M Frances
Subject: RE: New Hartford Policy Regarding Attorney Representation?

Andy:

I do apologize for not getting this office practice out to you beforehand. Over the last 30 days there has been a lot of traffic on the updated G-28. We have been reminded that beneficiaries are not included as eligible for representation per 8 CFR 103.2(a)(3). In the past, we'd not made it an issue because so many G-28's have been signed by the beneficiary. That should not have been the case and we're to be consistent. We've also consulted USCIS Counsel again on exactly who can be represented, and I have been closely involved in those discussions. Because we view the petitioner's interests are represented but not the beneficiary per se, we are going to permit the attorneys to observe when a separation interview occurs (with the beneficiary only) and to take notes, but the attorney is not to advise or clarify or otherwise engage with the beneficiary or the officer. And I remind the attorneys that there is no Stokes precedent controlling in CT.

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services
450 Main Street, First Floor
Hartford, CT 06103
Tel: (860) 728 2360 Fax: (860) 728 2355

From: Andrew Wizner [mailto:AWizner@lkwvisa.com]
Sent: Friday, November 13, 2009 1:24 PM
To: Enzer, Ethan; Holmes, M Frances
Subject: New Hartford Policy Regarding Attorney Representation?

(b)(6)

DD Holmes and Ethan: I am writing to inquire whether there is in fact a new Hartford policy relating to Attorney representation. Below is a portion of an e-mail that I received from Attorney [redacted] ollowing an initial interview (that turned into a Q&A) he had yesterday in Hartford with ISO[redacted]

********* (b)(6)

Hartford Exams has a new policy that in marriage cases the attorney can only speak on behalf of or review documents that pertain to the petitioner, not the beneficiary. Permission to remain in the room while the beneficiary is questioned is "a courtesy," not a right under this policy. So in my Stokes interview I was told I could not speak or pose questions relating to the beneficiary and could not review her Q+A with her. Examine[redacted]were quite clear that this is a new policy, which the supervisor is entirely aware of.

(b)(6)

****

I spoke with Michael about the interview. The case involved an I-130 and an I-751.

I am wondering why AILA did not receive advance notice of this new policy. Could you please provide a copy of the policy so that we can distribute it to our members?

While we are aware of the regulation at 8 C.F.R. 103.2(a)(3), we do not understand how anybody being questioned by the USCIS could be deprived of representation by an attorney. We would like some further clarification of this issue prior to our December 1st meeting.

Meanwhile, we would appreciate advance notice of future policy changes at HAR CIS.

–Andy Wizner

Andrew L. Wizner, Esq.
Leete, Kosto & Wizner, LLP
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Hartford, Connecticut 06105
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Fax: 860-727-9184
awizner@lkwvisa.com

****
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****

Wicks, Joyce M

From: Bonilla, Iris G
Sent: Thursday, March 18, 2010 12:40 PM
To: Keck, Peggy M; Dyer, Amanda; Wicks, Joyce M; Flanagan, Patricia J
Subject: FW: seating policy

Just wondering if any of you ever received the NER guidance provided below since it says it was placed in effect January 2010. It is the first time I'm seeing it and I will be forwarding it to the officers.

Iris

From: Enzer, Ethan
Sent: Thursday, March 18, 2010 11:47 AM
To: Bonilla, Iris G; Keck, Peggy M; Dyer, Amanda; Kunver, Raj; Wicks, Joyce M
Subject: FW: more chairs

Except in HAR some of the difficulty stemmed from attorney behavior as opposed to just space - -

---

From: Holmes, M Frances
Sent: Thursday, March 18, 2010 11:39 AM
To: Enzer, Ethan; Newman, Edward A; Tharpe, Jean; Wyrough, James T
Subject: FW:

More discussion on the attorney seating issue.

From: Renaud, Tracy L
Sent: Thursday, March 18, 2010 11:24 AM
To: Rogers, Debra A; Muzyka, Carolyn L; Booe, Jim C; Upchurch, Evelyn M; Garman, Gary G; Melville, Rosemary; 'Barrett, Robin L'; Cowan, Robert M; Robinson, Terri A; Goodwin, Shelley; Arellano, Jane; Caterisano, Richard C; Corsano, Anne Arries; Crider, Larry; Curda, Susan M; Dedvukaj, Mick; Dorochoff, Ruth A; FitzGerald, Karen L; Frazier, Denise M; Gomez, Cindy N; Gulick, David; Hansen, Mark B; Heathman, Sandy M; Holmes, M Frances; Jaromin, Michael T; Kehl, Lisa M; Kramar, John; Mather, Robert B; Ortiz, Mario R; Owen, Russell W; Pierre, Paul M; Quarantillo, Andrea J; Redman, Kathy A; Riordan, Denis C; Swacina, Linda; Taylor, Sarah T
Cc: Harrison, Julia L
Subject: RE:

Deb-

I listened to the call hosted by the Director yesterday and it was my intent to send you a message this morning regarding the attorney seating issue. While I'm sure the issue exists in other regions, I believe the attorney who raised the issue was at the stakeholder meeting in person and was referring to an office within the NER. We have some space constraints in some of the individual offices in which we conduct interviews. In this particular situation, we worked very closely with OCC to determine how we most appropriately handle the concern taking into consideration the office size, shape, set-up and number of individuals in any given interview with an eye toward doing our best to accommodate everyone's needs. Please know, and please make sure the Director understands, it has nothing to do with attorney behavior or a desire to keep the attorney from taking an appropriate role during the interview, it is simply a logistics issue. While an attorney/representative may find it completely reasonable to pull a chair up next to their client(s) doing so often blocks egress which we need to avoid for safety purposes and for ease of the officer exiting the room should they need to see a supervisor, etc during the course of the interview.

Below is the guidance that was issued in the one office that I am aware of in NER that has experienced this complaint. This guidance was based on substantial input from OCC.

Tracy L. Renaud | Regional Director, Northeast Region
Department of Homeland Security | U.S. Citizenship and Immigration Services
802-660-5000

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Guidance issued in NER office in Jan 2010 after complaints from attorneys:

After much discussion with officers, supervisors, management, attorneys, our own counsel, and other stakeholders, we have developed an attorney seating policy that we believe allows the officer to maintain proper control of the interview while supporting the role of attorneys to represent their clients in a manner they see as most effective.

Philosophically, we believe that representatives should be able to sit next to their clients during interviews, barring any serious concerns about the attorney negatively affecting the integrity of the interview.

That said, the physical constraints of the office must be taken into consideration. So our policy must be consistent with the following principles:

- Officers must have full view of everyone in the room, so no one can sit behind the computer monitor.
- No one in the room, other than the officer, can be seated in view of the monitor screen.
- Officer egress cannot be blocked.

Consistent with this philosophy and principles, if an attorney and one client are in the interview, the two can sit side-by-side. If the party includes more than two, then the attorney can sit behind, or all three can sit side-by-side if they push the seats away from the desk so that all the principles stated above are met.

Regardless of the number of people participating in the interview, the officer ALWAYS has the discretion to establish seating arrangements outside of the above default arrangements if he or she has cause to believe that such an arrangement is necessary to conduct a proper interview.

We understand that the above policy may differ from what some of you may have been taught at BASIC training, so this may constitute a shift in the policy you have been implementing thus far. We will try this approach effective immediately, but welcome feedback and can make adjustments to this policy as necessary.

From: Rogers, Debra A
Sent: Thursday, March 18, 2010 11:04 AM
To: Muzyka, Carolyn L; Booe, Jim C; Upchurch, Evelyn M; Garman, Gary G; Melville, Rosemary; Barrett, Robin L; Cowan, Robert M; Robinson, Terri A; Renaud, Tracy L; Goodwin, Shelley; Arellano, Jane; Caterisano, Richard C; Corsano, Anne Arries; Crider, Larry; Curda, Susan M; Dedvukaj, Mick; Dorochoff, Ruth A; FitzGerald, Karen L; Frazier, Denise M; Gomez, Cindy N; Gulick, David; Hansen, Mark B; Heathman, Sandy M; Holmes, M Frances; Jaromin, Michael T; Kehl, Lisa M; Kramar, John; Mather, Robert B; Ortiz, Mario R; Owen, Russell W; Pierre, Paul M; Quarantillo, Andrea J; Redman, Kathy A; Riordan, Denis C; Swacina, Linda; Taylor, Sarah T
Cc: Harrison, Julia L
Subject:

Dear Field Operations Leadership Team:

Director Mayorkas ("Ali") hosted a national stakeholders meeting yesterday that was very well attended. Stakeholders expressed appreciation for the outstanding adjudicative work we perform in the field, and the high quality of service we provide daily. You were complimented repeatedly for your dedication to outreach and community engagement. Your efforts are truly appreciated by the Director.

In the context of the meeting, I indicated that soon the Field Office Directorate will host our own national stakeholders meeting with all of you invited to join the call. We hope to host this meeting in

May. I am interested in knowing in advance of any issues you believe stakeholders in your community might feature.

I want to bring to your attention an issue of concern that was raised yesterday. Several in attendance at Ali's stakeholder meeting noted their experience of not being treated properly during client interviews. In particular, stakeholders maintained that attorneys and/or accredited representatives are not allowed to sit beside their clients in some field offices. I found this information troubling and at first doubted its veracity. To my surprise, however, it appears this practice is fairly standard in some USCIS offices.

Further, the practice has been reinforced by an interviewing techniques module delivered at ISO BASIC training. Officers are taught that an attorney or accredited representative accompanying an applicant should be seated "next to or behind" the applicant. In speaking with the training coordinator, I was informed that this directive was designed to address space constraints and the requirement that some interviews be video-taped. The training material advises that the applicant must always sit in front for full visibility, which is why attorney placement depending on the size and shape of the interview room can vary. This guidance will be removed from BASIC training and replaced with a more appropriate message.

Please advise all ISO's under your direction that it is essential to afford attorneys and accredited representatives the option of sitting next to their client whenever possible. The proximity of an attorney or accredited representative to his or her client is to be determined within that relationship, and not by us.

It has also come to my attention that in some USCIS offices, attorneys or accredited representatives are asked to sit in the back of the interview room based on the belief that such seating affords the ISO better control of the interview. This practice must cease immediately. Please talk to your ISO's about proper seating during adjudicative interviews, and the critical importance of USCIS not engaging in behavior that could be perceived as, or have the effect of, undermining the integrity of the attorney/client relationship.

Any concerns regarding disruptive behavior by a particular attorney or accredited representative should be raised through appropriate channels within the Office of the Chief Counsel.

In general, it has been my observation that some of our newer officers and even more seasoned officers would benefit from additional guidance on interview techniques and the role of private attorneys or accredited representatives. We will focus on this issue in headquarters, and soon draft for your review and input related field guidance and training materials. If you have locally developed guidance, I would appreciate receiving a copy, as I am sure there are best practices we can incorporate into this guidance.

Beginning in April, I will begin hosting monthly calls with all of you. This will give us an opportunity to get to know each other better, identify pressing issues and potential solutions, and share success stories. Our first call will be held at 2pm EST on Tuesday, April 6th. You will receive an Outlook invitation including relevant call in information. Participants at least initially will include our Regional Directors, District Directors, and the Field Operations Headquarters Management team. We can discuss further expansion of participants after the first few calls. If there are particular topics you would like to discuss, please send them to Sheila Rawles, Acting Chief of the Communication and Coordination Branch, at your earliest convenience.

Thank you for your hard work and dedication. I look forward to speaking with you soon.

Debbie

Debra Rogers
Associate Director
Field Operations
USCIS
202-272-1191

Wicks, Joyce M

From: Enzer, Ethan
Sent: Friday, September 24, 2010 11:15 AM
To: Bonilla, Iris G; Dyer, Amanda; Keck, Peggy M; Wicks, Joyce M
Cc: Flanagan, Patricia J
Subject: FW: Attorney Seating During Interviews

This is the first written guidance I have seen on this topic. It seems not to be a big issue here currently.

Let's keep it so.

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services
450 Main Street, First Floor
Hartford, CT 06103
Tel: (860) 728 2360 Fax: (860) 728 2355

From: Renaud, Tracy L
Sent: Friday, September 24, 2010 7:59 AM
To: #NER-DD-FOD-COS
Cc: Goodwin, Shelley; McGregor, Suzanne M
Subject: Attorney Seating During Interviews

NER Leadership-

It has been several months since the issue of attorney seating has come up, however I did notice that it is already an agenda item for the first Open House scheduled in BAL for October 4th. Therefore, I wanted to make sure you all have the response that OFO provided concerning this topic during a stakeholder meeting in late May. This was the stakeholder meeting that the RDs attended in person at HQ and the DDs were on the phone. After going back and looking for this particular item I'm not certain that official, written answers ever got out to you which is why I am sending this out. I believe it is what you all already do, but I want you to have it should the issue come up in your office.

Tracy L. Renaud
Regional Director, Northeast Region
US Citizenship & Immigration Services
Department of Homeland Security
802-660-5000

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-----Original Message-----
From: Rogers, Debra A
Sent: Monday, May 24, 2010 8:22 AM
To: Gallagher, Ellen; Renaud, Tracy L
Cc: Harrison, Julia L
Subject: RE:

Ellen and Tracy: This is good. Lets put this into the script for the meeting this morning. As much as possible, I would like to get my responses to the DDs and RDs in advance of the meeting. Debbie

Debra Rogers
Associate Director
Field Operations
USCIS
202-272-1191

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

From: Gallagher, Ellen
Sent: Monday, May 24, 2010 8:09 AM
To: Renaud, Tracy L; Rogers, Debra A
Cc: Harrison, Julia L
Subject: Re:

After considerable internal discussion, the following policy has been developed and should guide attorney seating in the context of USCIS benefit interviews.

It is critical that USCIS respect the integrity of the attorney/client relationship. Attorneys and/or accredited representatives should, barring safety or security concerns, be permitted to sit next to their clients during interviews.

They may further voice objections to questions, point out errors on points of law, and provide a closing statement on behalf of their client. They may not, however, answer questions for their client unless requested to do so by the adjudicator, or impede proper questioning by the adjudicator. Where a private attorney or accredited representative believes that an interview is being conducted improperly or in disregard of the law, he or she may bring their concern to the attention of a supervisor as directed locally. Adjudicators are likewise responsible for reporting through proper supervisory channels behavior by an attorney or accredited representative that they believe is unethical or in violation of the law.

In terms of safety and security, in directing seating during benefit interviews, adjudicators should ensure that:

- Officers have a full view of everyone in the room,
- No one in the room, other than the officer, is seated in view of a government computer/monitor screen, and
- Egress is not blocked for any of those present in the interview room.

Wicks, Joyce M

From: Flanagan, Patricia J
Sent: Monday, November 22, 2010 10:42 AM
To: Paul, Michael J
Cc: Keck, Peggy M; Wicks, Joyce M
Subject: Interactions with the private bar
Attachments: Adjudicator+Interaction.OCC-009-01-INTR.01+27+10.pdf; 15.8_-_AFM_Excerpt_of_the_Role_of_Attorneys_at_Interview.doc; AFM_-_Interviewing_-_Appendix_15_re_Non-Adversarial_Techniques.doc

Mike,

Here is the power point presentation that I was talking about. (first attachment). Then there is some additional guidance on the issues we were discussing.

Peggy and Joyce, if you scroll through this power point and think the officers could benefit from this course, I will be happy to present it. Thanks.

Patty

Patricia Flanagan
Associate Regional Counsel
Citizenship & Immigration Services
450 Main Street, Room 118
Hartford, CT 06103
(w) 860-728-2366
(c) 860-992-3960

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Wicks, Joyce M

From: Wicks, Joyce M

Sent: Monday, November 29, 2010 3:52 PM

To: Chapman, Sara S; Dacosta, Garnet; Dixon, Daarina S; Lavoie, Jacqueline; Lombard Jr, Carl C; Lyttle, William H; Maturo, Anthony M; Rubeo, Stephen D; Sullivan, Brian J; West, Dawn

Cc: Keck, Peggy M; Kunver, Raj; Wicks, Joyce M

Subject: Benef interviews & attorneys

Importance: High

The following information is going to be provided to the AILA Liaison group during a meeting tomorrow. Please make sure you are in compliance.

The beneficiary in visa petition proceedings is entitled to the same representation as a petitioner. An attorney who represents a beneficiary in a visa petition proceeding must submit a G-28, check the Applicant box, enter the bene's name, and obtain the bene's signature. The attorney is permitted to ask that the question be rephrased, object to a question, advise his/her client not to answer, and clarify points of law for his/her client.

Patty will provide training on attorney issues soon after tomorrow's AILA meeting.

Joyce Wicks
Supervisory Immigration Services Officer
USCIS, 450 Main St, Hartford, CT 06103
860-728-2362 (phone) 860-728-2355 (fax)
joyce.wicks@dhs.gov

Wicks, Joyce M

From: Enzer, Ethan

Sent: Tuesday, November 30, 2010 9:24 AM

To: Chapman, Sara S; Dacosta, Garnet; Dixon, Daarina S; Lombard Jr, Carl C; Lyttle, William H; Maturo, Anthony M; Rubeo, Stephen D; Sullivan, Brian J; West, Dawn; Lavoie, Jacqueline; Ahmed, Shahin; Arnold, Preston F; Edwards, Lynn A; Preble, Jennifer L; Tirado, Marco D; Wannagot, Robert D; Stuart, James C; Foster, Brenda L; Fisher, Camille C; Kline, Daniel F; Magee, Kenneth W; Segrave, Wayne; Reffel, Frank; Leader-Hastorun, Francesca E; Bilal, Adis; Taylor, Erika E; Merengueli-Wright, Maribel; Chaleun-Aloun, Phoukham; Hass, Aleksandra; Keck, Peggy M; Wicks, Joyce M; Bonilla, Iris G; Dyer, Amanda; Kunver, Raj; McCarthy, Timothy

Cc: Holmes, M Frances; Paul, Michael J

Subject: I-130 Representation of Beneficiaries

Importance: High

All:

HAR is undergoing changes as you know. Those changes include a change in direction on whether beneficiaries are to be permitted representation in I-130 interviews. Effective immediately, a separate G-28 is permitted to be entered on behalf of the applicant (beneficiary) as it is done for the petitioner. This is what is done elsewhere in NER. Attorneys can object to the line of questioning, can ask that the officer rephrase the question or request a clarification. An officer with questions on this can see their supervisor or if that person is not available see me.

Also, questions have emerged from the unit as to how to deal with attorneys. It is not possible to chart out all the myriad scenarios that interviews pose and to pre-define what the attorney can say. It's incumbent on the USCIS officer to maintain equilibrium. There will be training on attorney interactions rolled out from the Office of Chief Counsel that HAR will be getting as soon as possible.

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services
450 Main Street, First Floor
Hartford, CT 06103
Tel: (860) 728 2360 Fax: (860) 728 2355

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Wicks, Joyce M

From: Enzer, Ethan
Sent: Wednesday, December 08, 2010 4:15 PM
To: Keck, Peggy M
Cc: Wicks, Joyce M; Paul, Michael J
Subject: RE: Reschedule policy

This appears to be in alignment with the training scenarios posed today and I concur.

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services
450 Main Street, First Floor
Hartford, CT 06103
Tel: (860) 728 2360 Fax: (860) 728 2355

From: Keck, Peggy M
Sent: Wednesday, December 08, 2010 12:50 PM
To: Enzer, Ethan
Cc: Wicks, Joyce M
Subject: Reschedule policy

Ethan,

Patty has asked that we advise the ISOs what the office's policy is regarding attorneys who arrive late for a scheduled interview. The following is what we put together. Please review and advise if you agree with it. Thanks.

Peggy

If petitioner/beneficiary arrive timely, or within 20 minutes after scheduled appointment time, but the attorney has not arrived, then ISO should ask if they want to proceed without their attorney's presence.

If yes:

> Bring the petitioner/beneficiary into your office and get the attorney waiver signed HOWEVER, if attorney arrives mid-interview and wants to join the interview, we will allow it.

If no:

> Advise the petitioner/beneficiary that we will wait 20 minutes post-appointment time for the attorney to arrive. If after 20 minutes the attorney has not arrived, or if it is already 20 minutes past the appointment time, then we advise them that the appointment will be rescheduled.

If the petitioner/beneficiary arrive 20 minutes late for an appointment, then the receptionist will bring the case to the attention of an SISO to determine if the case will be "squeezed in" or rescheduled.

Officers must be very careful that the signing of any waiver is voluntary in order to eliminate any controversy re coercion or intimidation that might ensue post-interview, particularly should the case end up being denied.

Wicks, Joyce M

From: Enzer, Ethan
Sent: Wednesday, December 15, 2010 11:51 AM
To: Wicks, Joyce M (b)(5)
Cc: Dyer, Amanda; Paul, Michael J; Keck, Peggy M; Bonilla, Iris G; Flanagan, Patricia J
Subject: RE: Observers at interview

[redacted]

Ethan

(if anyone else has ideas please share)

-----Original Message-----
From: Wicks, Joyce M
Sent: Wednesday, December 15, 2010 11:19 AM
To: Enzer, Ethan
Cc: Dyer, Amanda; Paul, Michael J; Keck, Peggy M; Bonilla, Iris G; Flanagan, Patricia J
Subject: RE: Attorney Chapple

Ethan,

Since a standard declaration doesn't seem to exist, can you provide us with guidelines for one?

Joyce

-----Original Message-----
From: Enzer, Ethan
Sent: Friday, December 10, 2010 12:25 PM
To: Flanagan, Patricia J; Bonilla, Iris G
Cc: Dyer, Amanda; Paul, Michael J; Wicks, Joyce M; Keck, Peggy M
Subject: RE: Attorney [redacted]

(b)(6)

I will be sending out the AILA minutes to the liaison committee later today and will add in the requirement that unless there are two attorneys filing G-28's on behalf of a client that the office should expect advance coordination in the form of a declaration on file from the second party and that the SISO needs to have approved this in advance as well.

Ethan

-----Original Message-----
From: Flanagan, Patricia J
Sent: Friday, December 10, 2010 12:12 PM
To: Bonilla, Iris G; Enzer, Ethan
Cc: Dyer, Amanda
Subject: Re: Attorney Chapple

Iris, this just came up in our training this week. Attorneys are supposed to get permission ahead of time before bringing in "reputable individuals" to observe.

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(b)(5)

Wicks, Joyce M

From: Wicks, Joyce M (b)(6)
Sent: Tuesday, January 04, 2011 12:41 PM
To: [redacted]
Subject: RE: request

Thanks Wayne. Please send any status inquiries to the Har Rep email box so I can track them. Unless you are advised differently, for the time being follow this guidance regarding non-attorneys at interview:

The declaration needs to be provided at least 5 business days in advance and should include:

Name of associate / interested party

Contact information / Identity information including A#

Simple statement that the interested party wishes to observe interview(s) for immigration benefits for X party on X date at the Hartford Field Office of USCIS and that the party is entering to accompany X attorney.

In hopes that this would not get lost in the mail, it would be best to email this to the Har Rep email box a couple of weeks in advance of the interview if possible.

Joyce

From: Wayne Chapple [mailto:wayne@chapplelaw.com]
Sent: Tuesday, January 04, 2011 10:04 AM
To: Wicks, Joyce M
Subject: RE: request

Out-of-Scope

[redacted]

Wicks, Joyce M

From: Enzer, Ethan
Sent: Monday, May 23, 2011 9:32 AM
To: Wicks, Joyce M
Cc: Bonilla, Iris G; Keck, Peggy M; Dyer, Amanda; Flanagan, Patricia J
Subject: RE: IIConn G-28 question

Thanks Joyce - We did re-visit this situation given the change in why the other attorney was observing.

I will let AILA know of course.

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services
450 Main Street, First Floor
Hartford, CT 06103
Tel: (860) 728 2360 Fax: (860) 728 2355

From: Wicks, Joyce M
Sent: Monday, May 23, 2011 9:27 AM
To: Enzer, Ethan
Cc: Bonilla, Iris G; Keck, Peggy M; Dyer, Amanda; Flanagan, Patricia J
Subject: RE: IIConn G-28 question

Ethan,

This is from the 11/30/10 AILA meeting minutes. If we have changed our position on requiring a 2nd G-28, can you let AILA know?

UPDATE 12/10/10: Hartford is aware that some attorneys want to bring in persons (i.e. "reputable individuals") who have no direct interest or bearing on the case to observe interviews. If this person is another attorney, then they should enter a G-28 with proper endorsements. If the person is not an attorney, but a paralegal or other associate, or perhaps a friend, then HAR expects that advance coordination be made with the appropriate unit SISO in form of a declaration from the 3rd party. We need to have well it in advance of the proposed visit. The SISO will assess and determine if we will honor the request.

Joyce

From: Flanagan, Patricia J
Sent: Friday, May 20, 2011 9:26 AM
To: Enzer, Ethan; Dyer, Amanda
Cc: Bonilla, Iris G; Keck, Peggy M; Wicks, Joyce M
Subject: RE: IIConn G-28 question

(b)(5)

Hi all,

[redacted]

Patricia Flanagan
1/5/2012

PAGE WITHHELD PURSUANT TO

(b)(5)

From: Wayne Chapple [mailto:wayne@chapplelaw.com]
Sent: Thursday, May 19, 2011 8:38 AM
To: Dyer, Amanda
Subject: FW: IIConn

(b)(6)

[redacted]

From: Wayne Chapple
Sent: Wednesday, May 18, 2011 8:47 AM
To: 'peggy.keck@dhs.gov'
Subject: IIConn

Hi: I e-mailed Joyce last week who forwarded it to Ethan. I am now the Director of Immigration Services at the Int' Inst.. As part of some changes, I want to train the staff of attorneys and accredited representatives in the representation of clients before CIS for 245s and N-400s. I have brought interns from my office previously and then the policy changed. I checked our AILA minutes and if someone is an attorney, it appears a G-28 needs to be done. I am not sure why that is because they will only observe. I do not employ these people if they are coming to my personal clients. As of now, we have not been doing G-28s for any representation, just for the receipt of notices in each office. I have two scheduled interviews on May 26th and June 1st and would like to bring IIC staff to merely sit and learn. May 26th is a spousal 245 at 8:30 [redacted] nd June 1st is a 2nd pref with I-601 245 at 10:45 [redacted] I am asking permission in advance to have you allow them to be there. Please let me know so we can make sure there are no issues. Thanks. Wayne Chapple 860-525-3000.

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Keck, Peggy M

From: Wicks, Joyce M
Sent: Monday, November 29, 2010 3:52 PM
To: Chapman, Sara S; Dacosta, Garnet; Dixon, Daarina S; Lavoie, Jacqueline; Lombard Jr, Carl C; Lyttle, William H; Maturo, Anthony M; Rubeo, Stephen D; Sullivan, Brian J; West, Dawn
Cc: Keck, Peggy M; Kunver, Raj; Wicks, Joyce M
Subject: Benef interviews & attorneys
Importance: High

The following information is going to be provided to the AILA Liaison group during a meeting tomorrow. Please make sure you are in compliance.

The beneficiary in visa petition proceedings is entitled to the same representation as a petitioner. An attorney who represents a beneficiary in a visa petition proceeding must submit a G-28, check the Applicant box, enter the bene's name, and obtain the bene's signature. The attorney is permitted to ask that the question be rephrased, object to a question, advise his/her client not to answer, and clarify points of law for his/her client.

Patty will provide training on attorney issues soon after tomorrow's AILA meeting.

Joyce Wicks
Supervisory Immigration Services Officer
USCIS, 450 Main St, Hartford, CT 06103
860-728-2362 (phone) 860-728-2355 (fax)
joyce.wicks@dhs.gov

Keck, Peggy M

From: Wicks, Joyce M [joyce.wicks@dhs.gov]
Sent: Wednesday, March 05, 2008 2:40 PM
To: Enzer, Ethan
Cc: Keck, Peggy M; Wicks, Joyce M; Person, James H
Subject: RE: rumors / met with staff
Attachments: image001.jpg

Ethan,

(b)(5)

[redacted]

Joyce

From: Enzer, Ethan [mailto:ethan.enzer@dhs.gov]
Sent: Wednesday, March 05, 2008 2:32 PM
To: Jacqueline D. Bucar; Enzer, Ethan
Cc: Keck, Peggy M; Wicks, Joyce M; Person, James H
Subject: RE: rumors / met with staff

Cleared for Distribution and thanks for the prompt and courteous reply!

Ethan

From: Jacqueline D. Bucar [mailto:jbucar@murthalaw.com]
Sent: Wednesday, March 05, 2008 2:14 PM
To: Enzer, Ethan
Cc: Keck, Peggy M; Wicks, Joyce M; Person, James H
Subject: RE: rumors / met with staff

Thank you Ethan. I assume it is ok for me to copy your message into an email to go out to membership? Again, thanks for a reasonable response.

Jacqueline D. Bucar
Counsel
jbucar@murthalaw.com

Murtha Cullina LLP
Whitney Grove Square, Two Whitney Avenue
New Haven, CT 06510-1220
Direct: 203-772-7773
Direct Fax: 860-240-5753
Main: 203-772-7700
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www.murthaimmigration.com

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From: Enzer, Ethan [mailto:ethan.enzer@dhs.gov]
Sent: Wednesday, March 05, 2008 12:14 PM
To: Enzer, Ethan; Jacqueline D. Bucar
Cc: Keck, Peggy M; Wicks, Joyce M; Person, James H
Subject: RE: rumors / met with staff

Jacqui,

I have some solutions for the double scheduling concerns that were raised last week, and also for the seating arrangements at interviews.

If an attorney is scheduled for more than one appointment at the same time (or less than a half-hour away from a preceding or succeeding appointment) they should contact this office as soon as possible so we can reschedule. We currently schedule out between 45-60 days in advance. If the attorney wishes to keep the two slots then we of course will honor the past practice of the member getting coverage for one of the interviews. If Info Pass is set up in conflict with a merits interview in adjudications then I would strongly recommend keeping the merits undisturbed. Info Pass is more flexible and we have capacity. If the attorney does not contact us in advance to request rescheduling and does not move to arrange timely coverage for the interviews as above, we will have one calendar set aside in each schedule (this could be again 60 days out) where we will re-schedule the case that is not seen on the same day as originally scheduled. We can no longer squeeze in double bookings the same day because the staff has scheduled interviews well into the afternoons or the officers are assigned review work that has typically been pending far longer than a case for interview.

On the seating arrangement, I have again repeated that attorneys are not to expect to be placed at the back of the room. Officers do have discretion as to where individuals are to take seats. Instructions are in circulation to ensure that proper representation of clients can continue.

Ethan

From: Enzer, Ethan
Sent: Wednesday, February 27, 2008 4:07 PM
To: 'Jacqueline D. Bucar'
Cc: Keck, Peggy M; Wicks, Joyce M; Person, James H
Subject: RE: rumors?

(b)(6)

Jacqui,

On the first case, if the issue was brought forward by [redacted] I did speak to him about the double-scheduling. It turns out he had two complex cases either at the same time or just a few minutes apart. Only one of the cases had a G-28 however. We have to overcome a backlog in particular of N-400 cases that this office has never seen before. We have to keep to our schedules moving. We expect to be interviewing over 1100 N-400's

per month from March until the end of the fiscal year. The attorneys need to understand this. We do not have staff waiting in reserve to pick up cases and hold them until the attorney is free from prior appointments. By the time that happens the officer will be addressing the rest of his/her calendar. We have at times set cases aside and if resources permit we will interview that day, if we can do it. People who are here on time and are prepared to go forward need to be seen. What do you suggest?

On the second issue, the AO's should not require the attorney to sit in the back of the interview room. Which supervisor was contacted when this supposedly occurred?

Ethan

From: Jacqueline D. Bucar [mailto:jbucar@murthalaw.com]
Sent: Wednesday, February 27, 2008 3:35 PM
To: Enzer, Ethan
Subject: rumors?

Ethan, we have a couple of issues which are of concern, if these complaints are indeed true.
1. It has been reported by at least 3 AILA attorneys that they have been told if they have more than one interview at or around the same time, they are required to ask for a postponement of one of them i.e. they cannot keep both. Obviously this is a huge problem as we already have a taxed problem case issue. If this is indeed the case, we would like to discuss with CIS a mutually satisfactory solution such as having CIS reschedule the interview with a date certain at that time. One DAO stated that this is a policy that has been in effect for a while and that it was discussed at the last liaison meeting. However, this was not discussed at the liaison meeting and no announcement of a change in policy was made to AILA.
2. It has also been reported that at least 2 DAOs will not prohibit the attorney to sit anywhere near the client. In one case, the attorney was instructed to sit at the back of the office, behind his clients.One DAO stated that this is a new policy, However, I had an interview yesterday and was able to sit on the side with no problem so I doubt this is true.
I'm not sure if this is just a renegade policy made by a couple of examiners or if in fact it is a new policy. However, it is important to remember that our clients have retained us to represent them and as professionals, we are well aware of our role and our position. If CIS has a problem with an attorney who does not adhere to the rules of professional responsibility, there are ways to deal with that but to have a wholesale exclusion of an attorney from the process would violate the client's right to be represented.

Again, I emphasize that these two items have been "reported" and we don't know if this is a new office policy, the particular preference of a couple of examiners, or even completely false. But whether it's rumor or truth, I think it is a good idea to get this straightened out quickly.

Jacqueline D. Bucar
Counsel
jbucar@murthalaw.com

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Keck, Peggy M

From: Enzer, Ethan
Sent: Wednesday, November 18, 2009 4:34 PM
To: Andrew Wizner
Cc: Holmes, M Frances; Bonilla, Iris G; Wicks, Joyce M; Keck, Peggy M; Dyer, Amanda; Kunver, Raj
Subject: RE: New Hartford Policy Regarding Attorney Representation?

Andy:

Thanks for the note. Here is a more official notice:

Hartford is now in compliance with the regulations as well as agency policy concerning G-28's insofar those persons eligible for representation per 8 CFR 103.2(a)(3). The G-28 form has been revised as you know. In the past we took a somewhat permissive / relaxed position on whether a beneficiary of an I-130 is entitled to sign and therefore be represented by counsel, and permitted such representation. Now we have been reminded, along with the issuance of the new G-28, to not honor any notice of appearance with the alien beneficiary named or signed for as a represented party.

In fairness to the interests of the represented petitioner we will permit the attorney of record to be present in separation interviews (Q&A's) involving the beneficiary only, and the attorney may take notes. The attorney is not permitted to participate in the interview, to elicit or clarify the beneficiary's responses, or to verbally or otherwise engage the beneficiary or the officer.

I-751's are viewed differently in that they are joint petitions. Likewise, in the case of a removal of conditions petition filed by the alien spouse based on the good faith waiver, the alien is the petitioner.

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services
450 Main Street, First Floor
Hartford, CT 06103
Tel: (860) 728 2360 Fax: (860) 728 2355

From: Andrew Wizner [mailto:AWizner@lkwvisa.com]
Sent: Wednesday, November 18, 2009 3:42 PM
To: Enzer, Ethan
Subject: RE: New Hartford Policy Regarding Attorney Representation?

Ethan, thanks for that clarification. Could I impose on you to provide the policy in a brief statement that we could distribute directly to our members? I think we will want to explore this new policy with you after I fully understand it. Thanks. --Andy

Andrew L. Wizner, Esq.
Leete, Kosto & Wizner, LLP
999 Asylum Avenue, Suite 202
Hartford, Connecticut 06105
Tel.: 860-249-8100
Fax: 860-727-9184
awizner@lkwvisa.com

From: Enzer, Ethan [mailto:ethan.enzer@dhs.gov]

Sent: Monday, November 16, 2009 1:25 PM
To: Andrew Wizner
Subject: FW: New Hartford Policy Regarding Attorney Representation? (b)(6)

Andy:

Could you share with me which file # had the simultaneous I-130 and I-751 tha[redacted]entioned in his notes?

Also, we recognize that in the context of an I-751 alone that there are representational rights for the alien.

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services
450 Main Street, First Floor
Hartford, CT 06103
Tel: (860) 728 2360 Fax: (860) 728 2355

From: Enzer, Ethan
Sent: Monday, November 16, 2009 12:50 PM
To: Andrew Wizner
Cc: Holmes, M Frances
Subject: RE: New Hartford Policy Regarding Attorney Representation?

Andy:

I do apologize for not getting this office practice out to you beforehand. Over the last 30 days there has been a lot of traffic on the updated G-28. We have been reminded that beneficiaries are not included as eligible for representation per 8 CFR 103.2(a)(3). In the past, we'd not made it an issue because so many G-28's have been signed by the beneficiary. That should not have been the case and we're to be consistent. We've also consulted USCIS Counsel again on exactly who can be represented, and I have been closely involved in those discussions. Because we view the petitioner's interests are represented but not the beneficiary per se, we are going to permit the attorneys to observe when a separation interview occurs (with the beneficiary only) and to take notes, but the attorney is not to advise or clarify or otherwise engage with the beneficiary or the officer. And I remind the attorneys that there is no Stokes precedent controlling in CT.

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services
450 Main Street, First Floor
Hartford, CT 06103
Tel: (860) 728 2360 Fax: (860) 728 2355

From: Andrew Wizner [mailto:AWizner@lkwvisa.com]
Sent: Friday, November 13, 2009 1:24 PM
To: Enzer, Ethan; Holmes, M Frances (b)(6)
Subject: New Hartford Policy Regarding Attorney Representation?

DD Holmes and Ethan: I am writing to inquire whether there is in fact a new Hartford policy relating to Attorney representation. Below is a portion of an e-mail that I received from Attorney [redacted]llowing an initial interview (that turned into a Q&A) he had yesterday in Hartford with ISO[redacted]

****

(b)(6)

Hartford Exams has a new policy that in marriage cases the attorney can only speak on behalf of or review documents that pertain to the petitioner, not the beneficiary. Permission to remain in the room while the beneficiary is questioned is "a courtesy," not a right under this policy. So in my Stokes interview I was told I could not speak or pose questions relating to the beneficiary and could not review her Q+A with her. Examiner[redacted]

(b)(6)

and [redacted] were quite clear that this is a new policy, which the supervisor is entirely aware of.

****

I spoke with Michael about the interview. The case involved an I-130 and an I-751.

I am wondering why AILA did not receive advance notice of this new policy. Could you please provide a copy of the policy so that we can distribute it to our members?

While we are aware of the regulation at 8 C.F.R. 103.2(a)(3), we do not understand how anybody being questioned by the USCIS could be deprived of representation by an attorney. We would like some further clarification of this issue prior to our December 1st meeting.

Meanwhile, we would appreciate advance notice of future policy changes at HAR CIS.

--Andy Wizner

Andrew L. Wizner, Esq.
Leete, Kosto & Wizner, LLP
999 Asylum Avenue, Suite 202
Hartford, Connecticut 06105
Tel.: 860-249-8100
Fax: 860-727-9184
awizner@lkwvisa.com

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Dyer, Amanda

From: Enzer, Ethan
Sent: Friday, October 02, 2009 4:05 PM
To: Bonilla, Iris G; Keck, Peggy M; Dyer, Amanda; Wicks, Joyce M; Kunver, Raj
Cc: Holmes, M Frances
Subject: AILA and contacts

Going forward, we have agreed to the following:

Establishing a Hartford Representative e-mail box for each program. Access will be through the SISO's and me. Someone at the SISO level should open the help desk ticket.

Attorneys will be allowed to sit in a row with their clients. They will not have access to the ISO's desk to use as their own. The chairs in offices that have enough room may be placed a few feet back from the desk. If the attorney is attempting to subvert the interview by notes or other means the officer has the right to interrupt the interview and stop the problems.

We have to revisit some of the RFE lead times and not push for 7 days. When the opportunity is there to advance the case to an approvable state and the RFE is the vehicle to do this (even though some initial evidence may be partial or lacking) we should go that route. We're thinking about 30 days to 60 depending on the nature of the defect. I also don't know right now how much the RFE by appointment is working for the I-485's. It came up today.

More to follow.

Have a good weekend all.

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services
450 Main Street, First Floor
Hartford, CT 06103
Tel: (860) 728 2360 Fax: (860) 728 2355

Dyer, Amanda

From: Enzer, Ethan
Sent: Monday, October 05, 2009 10:58 AM
To: Bonilla, Iris G; Keck, Peggy M; Dyer, Amanda; Wicks, Joyce M
Subject: FW: seating - AILA

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services
450 Main Street, First Floor
Hartford, CT 06103
Tel: (860) 728 2360 Fax: (860) 728 2355

From: Holmes, M Frances
Sent: Monday, October 05, 2009 9:05 AM
To: Enzer, Ethan
Subject: seating

Be sure the seating changes for attorneys is followed today and hereafter. Thanks.

Fran Holmes
USCIS, Buffalo, NY
M-Frances.Holmes@dhs.gov
716 843 7995 (desk)
716 551 3131 (fax)

Dyer, Amanda

From: Enzer, Ethan
Sent: Wednesday, November 18, 2009 4:34 PM
To: Andrew Wizner
Cc: Holmes, M Frances; Bonilla, Iris G; Wicks, Joyce M; Keck, Peggy M; Dyer, Amanda; Kunver, Raj
Subject: RE: New Hartford Policy Regarding Attorney Representation?

Andy:

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In fairness to the interests of the represented petitioner we will permit the attorney of record to be present in separation interviews (Q&A's) involving the beneficiary only, and the attorney may take notes. The attorney is not permitted to participate in the interview, to elicit or clarify the beneficiary's responses, or to verbally or otherwise engage the beneficiary or the officer.

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Ethan Enzer
Field Office Director - Hartford Field Office
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Sent: Wednesday, November 18, 2009 3:42 PM
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Subject: RE: New Hartford Policy Regarding Attorney Representation?

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Andrew L. Wizner, Esq.
Leete, Kosto & Wizner, LLP
999 Asylum Avenue, Suite 202
Hartford, Connecticut 06105
Tel.: 860-249-8100
Fax: 860-727-9184
awizner@lkwvisa.com

From: Enzer, Ethan [mailto:ethan.enzer@dhs.gov]
Sent: Monday, November 16, 2009 1:25 PM
To: Andrew Wizner
Subject: FW: New Hartford Policy Regarding Attorney Representation?

Andy:

Could you share with me which file # had the simultaneous I-130 and I-751 that [redacted] mentioned in his notes?

Also, we recognize that in the context of an I-751 alone that there are representational rights for the alien.

(b)(6)

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services
450 Main Street, First Floor
Hartford, CT 06103
Tel: (860) 728 2360 Fax: (860) 728 2355

From: Enzer, Ethan
Sent: Monday, November 16, 2009 12:50 PM
To: Andrew Wizner
Cc: Holmes, M Frances
Subject: RE: New Hartford Policy Regarding Attorney Representation?

Andy:

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Ethan Enzer
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Sent: Friday, November 13, 2009 1:24 PM
To: Enzer, Ethan; Holmes, M Frances
Subject: New Hartford Policy Regarding Attorney Representation?

DD Holmes and Ethan: I am writing to inquire whether there is in fact a new Hartford policy relating to Attorney representation. Below is a portion of an e-mail that I received from Attorney [redacted] following an initial interview (that turned into a Q&A) he had yesterday in Hartford with IS[redacted]

(b)(6) (b)(6)

****

Hartford Exams has a new policy that in marriage cases the attorney can only speak on behalf of or review documents that pertain to the petitioner, not the beneficiary. Permission to remain in the room while the beneficiary is questioned is "a courtesy," not a right under this policy. So in my Stokes interview I was told I could not speak or pose questions relating to the beneficiary and could not review her Q+A with her. Examiner [redacted] were quite clear that this is a new policy, which the supervisor is entirely aware of.

********* (b)(6)

I spoke with Michael about the interview. The case involved an I-130 and an I-751.

I am wondering why AILA did not receive advance notice of this new policy. Could you please provide a copy of the policy so that we can distribute it to our members?

While we are aware of the regulation at 8 C.F.R. 103.2(a)(3), we do not understand how anybody being questioned by the USCIS could be deprived of representation by an attorney. We would like some further clarification of this issue prior to our December 1st meeting.

Meanwhile, we would appreciate advance notice of future policy changes at HAR CIS.

--Andy Wizner

Andrew L. Wizner, Esq.
Leete, Kosto & Wizner, LLP
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Hartford, Connecticut 06105
Tel.: 860-249-8100
Fax: 860-727-9184
awizner@lkwvisa.com

****
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****

Dyer, Amanda

From: Enzer, Ethan
Sent: Friday, September 24, 2010 11:15 AM
To: Bonilla, Iris G; Dyer, Amanda; Keck, Peggy M; Wicks, Joyce M
Cc: Flanagan, Patricia J
Subject: FW: Attorney Seating During Interviews

This is the first written guidance I have seen on this topic. It seems not to be a big issue here currently.

Let's keep it so.

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services
450 Main Street, First Floor
Hartford, CT 06103
Tel: (860) 728 2360 Fax: (860) 728 2355

From: Renaud, Tracy L
Sent: Friday, September 24, 2010 7:59 AM
To: #NER-DD-FOD-COS
Cc: Goodwin, Shelley; McGregor, Suzanne M
Subject: Attorney Seating During Interviews

NER Leadership-

It has been several months since the issue of attorney seating has come up, however I did notice that it is already an agenda item for the first Open House scheduled in BAL for October 4th. Therefore, I wanted to make sure you all have the response that OFO provided concerning this topic during a stakeholder meeting in late May. This was the stakeholder meeting that the RDs attended in person at HQ and the DDs were on the phone. After going back and looking for this particular item I'm not certain that official, written answers ever got out to you which is why I am sending this out. I believe it is what you all already do, but I want you to have it should the issue come up in your office.

Tracy L. Renaud
Regional Director, Northeast Region
US Citizenship & Immigration Services
Department of Homeland Security
802-660-5000

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-----Original Message-----
From: Rogers, Debra A
Sent: Monday, May 24, 2010 8:22 AM
To: Gallagher, Ellen; Renaud, Tracy L
Cc: Harrison, Julia L
Subject: RE:

Ellen and Tracy: This is good. Lets put this into the script for the meeting this morning. As much as possible, I would like to get my responses to the DDs and RDs in advance of the meeting. Debbie

Debra Rogers
Associate Director
Field Operations
USCIS
202-272-1191

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

From: Gallagher, Ellen
Sent: Monday, May 24, 2010 8:09 AM
To: Renaud, Tracy L; Rogers, Debra A
Cc: Harrison, Julia L
Subject: Re:

After considerable internal discussion, the following policy has been developed and should guide attorney seating in the context of USCIS benefit interviews.

It is critical that USCIS respect the integrity of the attorney/client relationship. Attorneys and/or accredited representatives should, barring safety or security concerns, be permitted to sit next to their clients during interviews.

They may further voice objections to questions, point out errors on points of law, and provide a closing statement on behalf of their client. They may not, however, answer questions for their client unless requested to do so by the adjudicator, or impede proper questioning by the adjudicator. Where a private attorney or accredited representative believes that an interview is being conducted improperly or in disregard of the law, he or she may bring their concern to the attention of a supervisor as directed locally. Adjudicators are likewise responsible for reporting through proper supervisory channels behavior by an attorney or accredited representative that they believe is unethical or in violation of the law.

In terms of safety and security, in directing seating during benefit interviews, adjudicators should ensure that:

- Officers have a full view of everyone in the room,
- No one in the room, other than the officer, is seated in view of a government computer/monitor screen, and
- Egress is not blocked for any of those present in the interview room.

Dyer, Amanda

From: Enzer, Ethan
Sent: Monday, May 23, 2011 9:32 AM
To: Wicks, Joyce M
Cc: Bonilla, Iris G; Keck, Peggy M; Dyer, Amanda; Flanagan, Patricia J
Subject: RE: IIConn G-28 question

Thanks Joyce - We did re-visit this situation given the change in why the other attorney was observing.

I will let AILA know of course.

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services
450 Main Street, First Floor
Hartford, CT 06103
Tel: (860) 728 2360 Fax: (860) 728 2355

From: Wicks, Joyce M
Sent: Monday, May 23, 2011 9:27 AM
To: Enzer, Ethan
Cc: Bonilla, Iris G; Keck, Peggy M; Dyer, Amanda; Flanagan, Patricia J
Subject: RE: IIConn G-28 question

Ethan,

This is from the 11/30/10 AILA meeting minutes. If we have changed our position on requiring a 2nd G-28, can you let AILA know?

UPDATE 12/10/10: Hartford is aware that some attorneys want to bring in persons (i.e. "reputable individuals") who have no direct interest or bearing on the case to observe interviews. If this person is another attorney, then they should enter a G-28 with proper endorsements. If the person is not an attorney, but a paralegal or other associate, or perhaps a friend, then HAR expects that advance coordination be made with the appropriate unit SISO in form of a declaration from the 3rd party. We need to have well it in advance of the proposed visit. The SISO will assess and determine if we will honor the request.

Joyce

From: Flanagan, Patricia J
Sent: Friday, May 20, 2011 9:26 AM
To: Enzer, Ethan; Dyer, Amanda
Cc: Bonilla, Iris G; Keck, Peggy M; Wicks, Joyce M
Subject: RE: IIConn G-28 question (b)(5)

Hi all,

[redacted]

Patricia Flanagan

12/28/2011

PAGE WITHHELD PURSUANT TO

(b)(5)

From: Wayne Chapple [mailto:wayne@chapplelaw.com]
Sent: Thursday, May 19, 2011 8:38 AM
To: Dyer, Amanda
Subject: FW: IIConn

(b)(6)

[redacted]

From: Wayne Chapple
Sent: Wednesday, May 18, 2011 8:47 AM
To: 'peggy.keck@dhs.gov'
Subject: IIConn

Hi: I e-mailed Joyce last week who forwarded it to Ethan. I am now the Director of Immigration Services at the Int' Inst.. As part of some changes, I want to train the staff of attorneys and accredited representatives in the representation of clients before CIS for 245s and N-400s. I have brought interns from my office previously and then the policy changed. I checked our AILA minutes and if someone is an attorney, it appears a G-28 needs to be done. I am not sure why that is because they will only observe. I do not employ these people if they are coming to my personal clients. As of now, we have not been doing G-28s for any representation, just for the receipt of notices in each office. I have two scheduled interviews on May 26th and June 1st and would like to bring IIC staff to merely sit and learn. May 26th is a spousal 245 at 8:30 [redacted] nd June 1st is a 2nd pref with I-601 245 at 10:45 [redacted] I am asking permission in advance to have you allow them to be there. Please let me know so we can make sure there are no issues. Thanks. Wayne Chapple 860-525-3000.

(b)(6)

(b)(6)

Kunver, Raj

From: Enzer, Ethan
Sent: Thursday, March 18, 2010 11:30 AM
To: Bonilla, Iris G; Dyer, Amanda; Keck, Peggy M; Wicks, Joyce M
Cc: Kunver, Raj
Subject: FW: Director's Call notes - 3/17

Interesting for HAR in particular - - - chair placement is now an issue for the Director!

Please make sure that staff performing interviews are aware.

From: Enzer, Ethan
Sent: Thursday, March 18, 2010 11:20 AM
To: Holmes, M Frances
Subject: RE:

The rocky period of chair placement is behind us and I will share the message. We still do experience some attorneys who interrupt, speak over the ISO, answer questions or otherwise attempt to take over the interview and the ISO's have followed office procedure to get help once the attorney is instructed not do things like this.

We had an attorney fairly recently who decried an ISO as hostile because in questioning a USC petitioner he could not remember his wife's first and middle name and so repeated the question several times. It was not a language barrier issue. The ISO sought help and in front of the SISO the attorney could not say what exactly was hostile; just that the officer was repeating questions. The petitioner withdrew.

Ethan

From: Holmes, M Frances
Sent: Thursday, March 18, 2010 11:09 AM
To: Enzer, Ethan; Newman, Edward A; Tharpe, Jean; Wyrough, James T
Cc: Fonda, Christopher
Subject: FW:

FYI- this is a follow up from the teleconference I listened to you yesterday. This was one of several topics discussed that will result in new guidance from HQ. Be sure you share this guidance with your staff and that we adhere to it.

Thanks

Fran

From: Rogers, Debra A
Sent: Thursday, March 18, 2010 11:04 AM
To: Muzyka, Carolyn L; Booe, Jim C; Upchurch, Evelyn M; Garman, Gary G; Melville, Rosemary; Barrett, Robin L; Cowan, Robert M; Robinson, Terri A; Renaud, Tracy L; Goodwin, Shelley; Arellano, Jane; Caterisano, Richard C; Corsano, Anne Arries; Crider, Larry; Curda, Susan M; Dedvukaj, Mick; Dorochoff, Ruth A; FitzGerald, Karen L; Frazier, Denise M; Gomez, Cindy N; Gulick, David; Hansen, Mark B; Heathman, Sandy M; Holmes, M Frances; Jaromin, Michael T; Kehl, Lisa M; Kramar, John; Mather, Robert B; Ortiz, Mario R; Owen, Russell W; Pierre, Paul M; Quarantillo, Andrea J; Redman, Kathy A; Riordan, Denis C; Swacina, Linda; Taylor, Sarah T

Cc: Harrison, Julia L
Subject:

Dear Field Operations Leadership Team:

Director Mayorkas ("Ali") hosted a national stakeholders meeting yesterday that was very well attended. Stakeholders expressed appreciation for the outstanding adjudicative work we perform in the field, and the high quality of service we provide daily. You were complimented repeatedly for your dedication to outreach and community engagement. Your efforts are truly appreciated by the Director.

In the context of the meeting, I indicated that soon the Field Office Directorate will host our own national stakeholders meeting with all of you invited to join the call. We hope to host this meeting in May. I am interested in knowing in advance of any issues you believe stakeholders in your community might feature.

I want to bring to your attention an issue of concern that was raised yesterday. Several in attendance at Ali's stakeholder meeting noted their experience of not being treated properly during client interviews. In particular, stakeholders maintained that attorneys and/or accredited representatives are not allowed to sit beside their clients in some field offices. I found this information troubling and at first doubted its veracity. To my surprise, however, it appears this practice is fairly standard in some USCIS offices.

Further, the practice has been reinforced by an interviewing techniques module delivered at ISO BASIC training. Officers are taught that an attorney or accredited representative accompanying an applicant should be seated "next to or behind" the applicant. In speaking with the training coordinator, I was informed that this directive was designed to address space constraints and the requirement that some interviews be video-taped. The training material advises that the applicant must always sit in front for full visibility, which is why attorney placement depending on the size and shape of the interview room can vary. This guidance will be removed from BASIC training and replaced with a more appropriate message.

Please advise all ISO's under your direction that it is essential to afford attorneys and accredited representatives the option of sitting next to their client whenever possible. The proximity of an attorney or accredited representative to his or her client is to be determined within that relationship, and not by us.

It has also come to my attention that in some USCIS offices, attorneys or accredited representatives are asked to sit in the back of the interview room based on the belief that such seating affords the ISO better control of the interview. This practice must cease immediately. Please talk to your ISO's about proper seating during adjudicative interviews, and the critical importance of USCIS not engaging in behavior that could be perceived as, or have the effect of, undermining the integrity of the attorney/client relationship.

Any concerns regarding disruptive behavior by a particular attorney or accredited representative should be raised through appropriate channels within the Office of the Chief Counsel.

In general, it has been my observation that some of our newer officers and even more seasoned officers would benefit from additional guidance on interview techniques and the role of private attorneys or accredited representatives. We will focus on this issue in headquarters, and soon draft for your review and input related field guidance and training materials. If you have locally developed guidance, I would appreciate receiving a copy, as I am sure there are best practices we can incorporate into this guidance.

Beginning in April, I will begin hosting monthly calls with all of you. This will give us an opportunity to get to know each other better, identify pressing issues and potential solutions, and share success stories. Our first call will be held at 2pm EST on Tuesday, April 6th. You will receive an Outlook invitation including relevant call in information. Participants at least initially will include our Regional Directors, District Directors, and the Field Operations Headquarters Management team. We can discuss further expansion of participants after the first few calls. If there are particular topics you would like to discuss, please send them to Sheila Rawles, Acting Chief of the Communication and Coordination Branch, at your earliest convenience.

Thank you for your hard work and dedication. I look forward to speaking with you soon.

Debbie

Debra Rogers
Associate Director
Field Operations
USCIS
202-272-1191

Kunver, Raj

From: Enzer, Ethan
Sent: Wednesday, November 18, 2009 4:34 PM
To: Andrew Wizner
Cc: Holmes, M Frances; Bonilla, Iris G; Wicks, Joyce M; Keck, Peggy M; Dyer, Amanda; Kunver, Raj
Subject: RE: New Hartford Policy Regarding Attorney Representation?

Andy:

Thanks for the note. Here is a more official notice:

Hartford is now in compliance with the regulations as well as agency policy concerning G-28's insofar those persons eligible for representation per 8 CFR 103.2(a)(3). The G-28 form has been revised as you know. In the past we took a somewhat permissive / relaxed position on whether a beneficiary of an I-130 is entitled to sign and therefore be represented by counsel, and permitted such representation. Now we have been reminded, along with the issuance of the new G-28, to not honor any notice of appearance with the alien beneficiary named or signed for as a represented party.

In fairness to the interests of the represented petitioner we will permit the attorney of record to be present in separation interviews (Q&A's) involving the beneficiary only, and the attorney may take notes. The attorney is not permitted to participate in the interview, to elicit or clarify the beneficiary's responses, or to verbally or otherwise engage the beneficiary or the officer.

I-751's are viewed differently in that they are joint petitions. Likewise, in the case of a removal of conditions petition filed by the alien spouse based on the good faith waiver, the alien is the petitioner.

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services
450 Main Street, First Floor
Hartford, CT 06103
Tel: (860) 728 2360 Fax: (860) 728 2355

From: Andrew Wizner [mailto:AWizner@lkwvisa.com]
Sent: Wednesday, November 18, 2009 3:42 PM
To: Enzer, Ethan
Subject: RE: New Hartford Policy Regarding Attorney Representation?

Ethan, thanks for that clarification. Could I impose on you to provide the policy in a brief statement that we could distribute directly to our members? I think we will want to explore this new policy with you after I fully understand it. Thanks. --Andy

Andrew L. Wizner, Esq.
Leete, Kosto & Wizner, LLP
999 Asylum Avenue, Suite 202
Hartford, Connecticut 06105
Tel.: 860-249-8100
Fax: 860-727-9184
awizner@lkwvisa.com

From: Enzer, Ethan [mailto:ethan.enzer@dhs.gov]

Sent: Monday, November 16, 2009 1:25 PM
To: Andrew Wizner
Subject: FW: New Hartford Policy Regarding Attorney Representation?

(b)(6)

Andy:

Could you share with me which file # had the simultaneous I-130 and I-751 tha[redacted]entioned in his notes?

Also, we recognize that in the context of an I-751 alone that there are representational rights for the alien.

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services
450 Main Street, First Floor
Hartford, CT 06103
Tel: (860) 728 2360 Fax: (860) 728 2355

From: Enzer, Ethan
Sent: Monday, November 16, 2009 12:50 PM
To: Andrew Wizner
Cc: Holmes, M Frances
Subject: RE: New Hartford Policy Regarding Attorney Representation?

Andy:

I do apologize for not getting this office practice out to you beforehand. Over the last 30 days there has been a lot of traffic on the updated G-28. We have been reminded that beneficiaries are not included as eligible for representation per 8 CFR 103.2(a)(3). In the past, we'd not made it an issue because so many G-28's have been signed by the beneficiary. That should not have been the case and we're to be consistent. We've also consulted USCIS Counsel again on exactly who can be represented, and I have been closely involved in those discussions. Because we view the petitioner's interests are represented but not the beneficiary per se, we are going to permit the attorneys to observe when a separation interview occurs (with the beneficiary only) and to take notes, but the attorney is not to advise or clarify or otherwise engage with the beneficiary or the officer. And I remind the attorneys that there is no Stokes precedent controlling in CT.

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services
450 Main Street, First Floor
Hartford, CT 06103
Tel: (860) 728 2360 Fax: (860) 728 2355

From: Andrew Wizner [mailto:AWizner@lkwvisa.com]
Sent: Friday, November 13, 2009 1:24 PM
To: Enzer, Ethan; Holmes, M Frances
Subject: New Hartford Policy Regarding Attorney Representation?

DD Holmes and Ethan: I am writing to inquire whether there is in fact a new Hartford policy relating to Attorney representation. Below is a portion of an e-mail that I received from Attorney[redacted]following an initial interview (that turned into a Q&A) he had yesterday in Hartford with ISO[redacted]

****

(b)(6)

Hartford Exams has a new policy that in marriage cases the attorney can only speak on behalf of or review documents that pertain to the petitioner, not the beneficiary. Permission to remain in the room while the beneficiary is questioned is "a courtesy," not a right under this policy. So in my Stokes interview I was told I could not speak or pose questions relating to the beneficiary and could not review her Q+A with her. Examiner[redacted]

(b)(6)

and [redacted] were quite clear that this is a new policy, which the supervisor is entirely aware of.

****

I spoke with Michael about the interview. The case involved an I-130 and an I-751.

I am wondering why AILA did not receive advance notice of this new policy. Could you please provide a copy of the policy so that we can distribute it to our members?

While we are aware of the regulation at 8 C.F.R. 103.2(a)(3), we do not understand how anybody being questioned by the USCIS could be deprived of representation by an attorney. We would like some further clarification of this issue prior to our December 1st meeting.

Meanwhile, we would appreciate advance notice of future policy changes at HAR CIS.

--Andy Wizner

Andrew L. Wizner, Esq.
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Kunver, Raj

From: Enzer, Ethan
Sent: Wednesday, October 07, 2009 5:10 PM
To: Bonilla, Iris G; Dyer, Amanda; Keck, Peggy M; Wicks, Joyce M; Kunver, Raj
Subject: Suggested Text to ISO's Regarding Contact with Representatives

(b)(5)

Please let me know how this reads:

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services
450 Main Street, First Floor
Hartford, CT 06103
Tel: (860) 728 2360 Fax: (860) 728 2355

Enzer, Ethan

From: Enzer, Ethan
Sent: Tuesday, December 15, 2009 9:22 AM
To: Holmes, M Frances
Subject: FW: CT AILA/HAR CIS Liaison Meeting

Fran –

You are right on the minutes as long as the seating language is good. All that is left for older notes is to reinforce the motion time frames

This is what I wrote to AILA regarding motions and the notice in Garnet's office . . .

I also have plans to incorporate this into the minutes as other notes indicate.

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services
450 Main Street, First Floor
Hartford, CT 06103
Tel: (860) 728 2360 Fax: (860) 728 2355

From: Enzer, Ethan
Sent: Friday, December 11, 2009 3:09 PM
To: Holmes, M Frances
Subject: FW: CT AILA/HAR CIS Liaison Meeting

Some reasonable traffic with AILA this afternoon -

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services
450 Main Street, First Floor
Hartford, CT 06103
Tel: (860) 728 2360 Fax: (860) 728 2355

From: Andrew Wizner [mailto:AWizner@lkwvisa.com]
Sent: Friday, December 11, 2009 3:06 PM
To: Enzer, Ethan
Subject: RE: CT AILA/HAR CIS Liaison Meeting

Ethan, now that I have reviewed Section 15.8, I understand position of the Service. Thanks. --Andy

Andrew L. Wizner, Esq.
Leete, Kosto & Wizner, LLP
999 Asylum Avenue, Suite 202
Hartford, Connecticut 06105
Tel.: 860-249-8100
Fax: 860-727-9184
awizner@lkwvisa.com

From: Enzer, Ethan [mailto:ethan.enzer@dhs.gov]
Sent: Friday, December 11, 2009 2:56 PM
To: Andrew Wizner
Subject: RE: CT AILA/HAR CIS Liaison Meeting

Andy:

Thanks for the reminder. The notice that is in ISO Dacosta's office is public notice available on the USCIS website and is excerpted in whole from the Adjudicator's Field Manual Chapter 15.8 – Role of Attorney or Representative in the Interview Process

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services
450 Main Street, First Floor
Hartford, CT 06103
Tel: (860) 728 2360 Fax: (860) 728 2355

From: Andrew Wizner [mailto:AWizner@lkwvisa.com]
Sent: Friday, December 11, 2009 2:51 PM
To: Enzer, Ethan
Subject: RE: CT AILA/HAR CIS Liaison Meeting

Ethan, thanks for the update. Please amend the minutes to reflect the MTR processing times described in your e-mail just now. Also, I was hoping for some information regarding the the notice posted in ISO Dacosta's office, which is mentioned in my December 3rd e-mail below. Many thanks. --Andy

Andrew L. Wizner, Esq.
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Hartford, Connecticut 06105
Tel.: 860-249-8100
Fax: 860-727-9184
awizner@lkwvisa.com

From: Enzer, Ethan [mailto:ethan.enzer@dhs.gov]
Sent: Friday, December 11, 2009 2:49 PM
To: Andrew Wizner
Subject: RE: CT AILA/HAR CIS Liaison Meeting

Andy:

I just wanted to let you know that the minutes that AILA submitted are still undergoing review / revision from CIS' perspective and I should get them to you early next week.

I also wanted to clarify the position on MTR's as things currently stand here.

We are reviewing motions 90 days after receipt. That means the first glimpse taken by an officer is at that time. This is only the re-opening of the file phase. Merits of the reopening generally take 30 days or thereabouts to render a decision. Some decisions do come quicker.

Ethan Enzer
Field Office Director - Hartford Field Office
United States Citizenship and Immigration Services

450 Main Street, First Floor
Hartford, CT 06103
Tel: (860) 728 2360 Fax: (860) 728 2355

From: Andrew Wizner [mailto:AWizner@lkwvisa.com]
Sent: Thursday, December 10, 2009 12:12 PM
To: Enzer, Ethan
Subject: FW: CT AILA/HAR CIS Liaison Meeting

Ethan, I hope you had received the below e-mail last week. Meanwhile, I was wondering if we could get some clarification on the processing times for Motions to Reopen. During our meeting, we heard that MTRs are being processed in about 90 days (HAR CIS is now processing MTRs received in August). I am unclear whether this processing time relates to (1) the re-opening of the file, which is one part of the process, or (2) the issuance of a substantive decision on the merits of the case, which is another part of the process, or (3) both the re-opening and adjudication. I think this issue should be clarified in the minutes so applicants can know what actions to expect and when. Please let me know if and how you would like to amend the minutes to clarify. Thanks. --Andy

Andrew L. Wizner, Esq.
Leete, Kosto & Wizner, LLP
999 Asylum Avenue, Suite 202
Hartford, Connecticut 06105
Tel.: 860-249-8100
Fax: 860-727-9184
awizner@lkwvisa.com

From: Andrew Wizner
Sent: Thursday, December 03, 2009 4:12 PM
To: 'Enzer, Ethan'
Subject: CT AILA/HAR CIS Liaison Meeting

Ethan, thanks to you and your team for meeting with us on Tuesday. Attached are draft minutes for your review and approval. Let me know if you wish to add, delete or modify anything, and then we can discuss. I appreciated very much the opportunity for a candid conversation.

On a separate note, Jay Gans reports that he attended an interview today and observed a a notice on ISO Dacosta's office wall. The notice seemed to provide information regarding G-28s filed by attorneys, engaging in conversations with attorneys and other matters. Could you please provide a copy of the notice on Officer Dacosta's office wall and let us know if it is posted in other ISO offices as well? Thanks. --Andy

Andrew L. Wizner, Esq.
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delete this message and all its attachments.
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PAGE WITHHELD PURSUANT TO (b)(5)

Enzer, Ethan

From: Enzer, Ethan
Sent: Monday, November 16, 2009 12:50 PM
To: Andrew Wizner
Cc: Holmes, M Frances
Subject: RE: New Hartford Policy Regarding Attorney Representation?

Andy:

I do apologize for not getting this office practice out to you beforehand. Over the last 30 days there has been a lot of traffic on the updated G-28. We have been reminded that beneficiaries are not included as eligible for representation per 8 CFR 103.2(a)(3). In the past, we'd not made it an issue because so many G-28's have been signed by the beneficiary. That should not have been the case and we're to be consistent. We've also consulted USCIS Counsel again on exactly who can be represented, and I have been closely involved in those discussions. Because we view the petitioner's interests are represented but not the beneficiary per se, we are going to permit the attorneys to observe when a separation interview occurs (with the beneficiary only) and to take notes, but the attorney is not to advise or clarify or otherwise engage with the beneficiary or the officer. And I remind the attorneys that there is no Stokes precedent controlling in CT.

Ethan Enzer
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Meanwhile, we would appreciate advance notice of future policy changes at HAR CIS.

--Andy Wizner

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Enzer, Ethan

From: Enzer, Ethan
Sent: Wednesday, November 18, 2009 4:34 PM
To: Andrew Wizner
Cc: Holmes, M Frances; Bonilla, Iris G; Wicks, Joyce M; Keck, Peggy M; Dyer, Amanda; Kunver, Raj
Subject: RE: New Hartford Policy Regarding Attorney Representation?

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I-751's are viewed differently in that they are joint petitions. Likewise, in the case of a removal of conditions petition filed by the alien spouse based on the good faith waiver, the alien is the petitioner.

Ethan Enzer
Field Office Director - Hartford Field Office
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From: Andrew Wizner [mailto:AWizner@lkwvisa.com]
Sent: Wednesday, November 18, 2009 3:42 PM
To: Enzer, Ethàn
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From: Enzer, Ethan [mailto:ethan.enzer@dhs.gov]

Sent: Monday, November 16, 2009 1:25 PM
To: Andrew Wizner
Subject: FW: New Hartford Policy Regarding Attorney Representation?

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Could you share with me which file # had the simultaneous I-130 and I-751 that [redacted] mentioned in his notes?

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Out-of-Scope

[redacted]

HAR CIS emphasizes that the role of the attorney is to ask for clarification of questions asked by the Service of the petitioner/applicant or to gain clarification on points of law. The attorney may not answer on behalf of the petitioner/applicant. If an AILA attorney represents only the beneficiary, the AILA attorney must also file a G-28 on behalf of the petitioner in order to respond on behalf of the beneficiary to an RFE or NOID.

13. Medical Exams: In at least one case, an I-485 applicant who had been the subject of a previous arrest received a request from the USCIS panel physician for a copy of her disposition. The arrest did not relate to any ground of inadmissibility related to alcohol or illegal drugs.

RESPONSE: HAR CIS has no idea why this would be occurring.

N-400 Applications for Naturalization

14. Scope of Examination: Many attorneys observe a trend in naturalization where it appears that the ISO is readjudicating the green card and the original visa that brought the person to the United States. The line of questioning in interviews appears to be directed at challenging basis for admission and, in some cases, to put naturalization applicants into proceedings.

RESPONSE: HAR CIS has always looked at admission and adjustment issues in the context of N-400 adjudication. HAR CIS is trying to make the process more transparent to allow the applicant to address any derogatory information that might affect their adjustment or admission. HAR CIS is not looking to NTA people, although those situations will arise. HAR CIS is finding that important facts are left out I-485s, such as children.

A lot of issues come to light at the N-400 application or interview stage that were not addressed at the I-485 stage. HAR CIS looks as to whether new information that is material to the adjudication affects the person's current status and adjudication of the N-400. Routinely, people who entered as unmarried sons or daughters and at the time of naturalization will admit during the naturalization process that they were married at the time of admission as permanent residents. HAR CIS finds a lot of N-400 applicants with children who were not disclosed at the time of the I-485 adjudication. The goal is to ask questions, obtain an explanation, determine if it is material to the adjudication, and make the adjudication.

15. Employment History - Permanent Portability: Attorneys have observed lengthy questioning regarding employment histories of N-400 applicants. AC21 permits I-485 applicants to change employers and still receive their green cards when the following conditions are met:

1) the I-485 remains pending and unadjudicated for at least 180 days;
2) the beneficiary changes jobs or employers; and

3) the new job is in the same or similar occupational classification as the job that was the subject of the I-140 or Labor Certification Application

See American Competitiveness in the Twenty First Century Act, Section 106(c), codified at INA §204(j). Neither the statute nor USCIS guidance requires notice to the Service before or after porting off of a previous employer's labor certification or I-140. The Service has never issued regulations implementing permanent portability.

RESPONSE: N-400 officers do understand the portability provisions. What will trigger a more detailed inquiry is where the employment history on the N400 is inconsistent with employment listed on the I485 or the applicant never worked for the sponsoring employer or in the field through which they obtained an employment- based I-485, such as information technology for example, subsequent to the I-485 approval.

16. Employment History (compliance of a former employer): In naturalization interviews, it appears that ISOs are scrutinizing information about former employers where the applicant obtained LPR status through an employment-based immigrant petition. Please note that beneficiaries of such petitions, whether or not still employed by the petitioning employer, do not have access to the employer's personnel records. Accordingly, these naturalization applicants are concerned when confronted with an N-14 requesting personnel information from a former employer.

RESPONSE: In cases such as these, contact a SISO. Applicants are not required to obtain payroll records or I-140 information of former employers' other employees.

17. Good Moral Character: attorneys report that where an N-400 applicant is a sole member of a limited liability corporation or other legal entity, N-14s are sometimes issued requesting the tax information and incorporation documents for those entities. There does not appear to be a nexus between the activities of a separate legal entity and the N-400 applicant as it relates to N-400s. To our knowledge, this practice is not in place in other jurisdictions.

RESPONSE: It is usually generated from what happens at the interview. Generally, HAR CIS is no longer requesting information regarding LLC's. That was happening a while ago, but no longer. If issues arise or something is in the file from a previous N-400, then the ISO will ask for this type of information.

18. Mortgage documents: Members report that ISOs are requesting copies of mortgage applications from people doing 485 or N-400 interviews. We do not believe this is a common practice across the country. If the applicant ever bought a house with a mortgage, this is being requested.

RESPONSE: On the N-400 side, HAR CIS is aware of particular situations. It is not the practice of HAR CIS to request the mortgage documentation. If there is something in the record or something the applicant testified to at interview, then the ISO will request additional documents, such as mortgage documents. If a request like this is received,