

9 FAM 41.53 PROCEDURAL NOTES

(CT:VISA-930; 02-28-2008)
(Office of Origin: CA/VO/L/R)

9 FAM 41.53 PN1 POSTS NOT TO REQUEST STATUS OF PETITIONS FILED WITH DEPARTMENT OF HOMELAND SECURITY (DHS)

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Posts generally shall not request the Department to provide status reports on petitions filed with Department of Homeland Security (DHS), nor shall they contact DHS directly for such reports. As an alternative, posts may suggest that the applicant communicate with his or her sponsor. Cases of public relations significance may be submitted to the Department (TAGS: CVIS). Justification for such action must be included with post's request.

9 FAM 41.53 PN2 CONSULAR CONSOLIDATED DATABASE (CCD) ACCESS TO APPROVED NONIMMIGRANT VISA (NIV) PETITIONS

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- a. Posts must use the electronic Petition Information Management Service (PIMS) record created by the Kentucky Consular Center (KCC) to verify petition approval. Posts are able to access the details of approved nonimmigrant visa (NIV) petitions through the Consular Consolidated Database (CCD). All users with roles that allow access to the current NIV Petitioner Applicant report will be able to see this information. The new report is called the Petition Information Management Service (PIMS) Petition Report and is listed under a sub-category of the NIV menu called "NIV Petitions." This change allows all information on a petitioner, petition, and/or beneficiary to be linked through a centrally managed CCD service.
- b. The electronic PIMS record created by the KCC must be used to determine petition approval and visa eligibility. The PIMS Petition Report contains a record of all petitioners recorded by the KCC as having

approved petitions since 2004. KCC also now has the capability to query CLAIMS to verify petitions filed earlier or adjustments of status. In addition, the KCC Fraud Prevention Unit (FPU) has provided informational memos on a large percentage of these petitioners. Each new, approved petition is linked to a base petitioner record, allowing superior tracking of NIV petitioner and petition information. As a result of this change, the KCC has ceased e-mailing scanned copies of approved NIV petitions to posts.

- c. If unable to immediately locate information on a specific petition, you must send an e-mail to PIMS@state.gov. KCC's FPU will research approval of the petition and, if able to confirm its approval, will make the details available through the CCD within two working days. Posts may use approved Form I-129, Petition for a Nonimmigrant Worker, and Form I-797, Notice of Action presented at post as sufficient proof to schedule an appointment but only PIMS is sufficient evidence for visa adjudication.

9 FAM 41.53 PN3 TRANSMITTAL OF APPROVED PETITIONS

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U.S. Citizenship and Immigration Services (USCIS) sends all approved petitions to the Kentucky Consular Center (KCC) for transmittal to post. The KCC scans and e-mails the petition approvals to posts within forty-eight hours of receipt. The KCC normally transmits only the approved Form I-129, Petition for a Nonimmigrant Worker and retains the complete file. Posts may request that the entire file or portions of the file be scanned and e-mailed by contacting the KCC at KCCNIVI129@state.gov.

9 FAM 41.53 PN4 PETITION REVOCATION REQUESTS

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Send requests for petition revocations to the following address, using registered mail or express mail:

Attention: Fraud Prevention Manager
Kentucky Consular Center
3505 N. Hwy 25W
Williamsburg, KY 40769