

The National Visa Center only handles immigrant visa processing. Its “sister” processing center in Kentucky handles non-immigrant visas and the diversity visa program.

The NVC is a public-private collaboration. Only 10 employees work for the government: five NVC slots are filled by a rotation of foreign service officers; three are USCIS employees; one is an embedded FDNS officer; and one is a State Department administrator who handles the physical plant. The remaining 700 NVC employees work for a private company that holds the federal contract; it is they with whom we interact when we call the NVC.

It takes about six weeks from the time that USCIS approves an I-140, I-130, I-526 or other immigrant visa application to arrive at the NVC. Upon arrival, the USCIS file is given a National Visa Center identification number, and its data is entered in the DOS computers. How the file is handled depends on what type of case it is:

- 1) K, orphans, adoptees, refugees: the cases are moved out of the NVC within two days of receipt. Specifically, they are data-entered, and then shipped out. When the case is shipped out of the NVC, the NVC sends the lawyer and/or party a letter advising where the case has been sent.
- 2) Preference cases that haven’t reached “Chart B” processing: The NVC doesn’t start working on cases until the priority date reaches “Chart B.” Lawyers or parties filing preference cases that haven’t reached the Chart B processing date are sent a letter to advise that the NVC has the case, and that there is nothing to be done at this time. Note: if contact information changes during this period of repose, or if the lawyer no longer is the representative in the case, Ms. MacTaggert advised that we should still promptly notify NVC.
- 3) Preference cases that have reached Chart B processing, and immediate relative cases: The NVC immediately starts processing these cases. If there is a G-28 in the USCIS file received by NVC, the attorney on the G-28 is entered as the “agent” in the NVC processing.
 - a. The initial letter sent to the lawyer/party is the NVC “welcome letter.” It advises the party to choose his/her agent; pay applicable fees; submit his/her visa application; collect financial documents for the affidavit of support; collect post-specific civil documents; and submit the documents to the NVC. Note that no DOS entity—that is, neither the NVC nor consular posts—requires “wet ink” signatures any longer. This means that I-864s can be submitted and processed even if the signature is merely scanned or photocopied.
 - b. Upon receipt of the fees, the financial affidavit and supporting documents, the DS260, and the civil documents, the NVC does a clerical/administrative review of the file. At this time, the NVC is undertaking this review within 11 weeks of receiving all the materials. The NVC is trying to decrease this turnaround period.

Upon review, if the file is documentarily qualified, it is set up for scheduling. (Note that the NVC looks exclusively to the *wages income* shown on the I-864; if the wages are not sufficient [or if there are other deficiencies in the I-864], it will issue an

“assessment letter.” This does not stop the case from proceeding to consular interview, but it should act as notice to attorneys/parties to double check to ensure that the I-864, in its entirety, passes support muster.)

Immigrant visa appointment scheduling is done once a month, and the average time from the NVC’s determination that the file is documentarily qualified until the actual appointment date is currently about 90 days. The appointment is set with an appointment letter which, among other things, advises the party to go online to nvc.state.gov/interview for specific instructions for the particular post at which he/she will be interviewed.

At the immigrant visa interviews at the posts, the consular officers check to ensure that the applicant has all required documents; that the family relationship that forms the premise for the immigrant process exists (if applicable); and that the applicant is not disqualified for, for example, criminal or other reasons.

Ms. MacTaggart advised that, even if an I-601A is pending before USCIS, it is best to keep working with the NVC. When USCIS approves an I-601A, it notifies the NVC.

The NVC recently set up a dedicated email address for EB5 cases – NVCEB5@State.gov

To seek expedites from the NVC, use the dedicated email address: NVCexpedite@State.gov

On every email or letter that you send to the NVC, be sure to list *all* the following. Leaving any out will result in your correspondence being returned to you without processing.

- NVC case number or USCIS receipt number
- Principal applicant’s name and date of birth
- Petitioner’s name
- Attorney of record name/address/phone/email
- Name of person submitting inquiry

If a case is not being processed properly and NVC supervisory scrutiny is required, add to the subject line of your correspondence: “Attention: PI Supervisor.”

Note that, just because your client is scheduled for an interview doesn’t mean that his/her criminal history has been cleared for issuance of an immigrant visa. The NVC does not evaluate the legal effect of criminal activity; rather, the consular officer does.

While the NVC has no formal processes for “undoing” a termination, there are circumstances where this may be appropriate. If an NVC case is wrongly terminated in error, address your concern to the NVC attorney email address. Provide a timeline explaining the NVC’s inadvertent error. For example, sometimes the parties mail a letter to the NVC within the required year, but the NVC computers terminate the case before the NVC mail room opens the letter. In such a case, you should be able to get the case re-opened and to not have to pay the fees a second time.

When an NVC case is terminated, the case is shredded.

I attach an NVC flyer entitled “Tips for Attorneys Working with NVC,” and the business cards for immigrant, and the non-immigrant, visa inquiries



TIPS FOR ATTORNEYS WORKING WITH NVC

COMMUNICATING WITH NVC

Legal representatives may send e-mail inquiries to NVCAttorney@state.gov if they are listed as Attorney of Record on the case.

- Refer to only one case per e-mail. Use the case number or receipt number as the subject line.
- Each time you send an e-mail include the petitioner's name; beneficiary's name **and** date of birth; the name and office of the Attorney of Record; and the requestor's name (if not the attorney).
- Please do not send the same e-mail to multiple addresses. This can delay a response.
- You can phone our Customer Assistance Center at 603-334-0700.
- Customers with questions related to an approved **I-526 petition** should e-mail NVC's EB-5 Investor Assistance Desk at NVCeb5@state.gov, providing the same information listed above.

RECEIVING APPROVED CASES FROM USCIS

Please allow up to six weeks after receipt of an I-797 from USCIS before contacting NVC about a case. This helps ensures USCIS has had enough time to mail the case and NVC can enter it into our database. This is the first point that NVC is aware of a case and is able to provide information.

SCHEDULING VISA INTERVIEWS

NVC schedules interviews on a monthly basis. We receive each embassy's list of available appointment dates and times, and we fill them in the order that cases became documentarily qualified, as long as they are current and there is an available visa number.

Since we work only one month at a time, we cannot predict when a case will be scheduled. A good rule of thumb is to wait 90 days from notice that a case is documentarily qualified before calling about the interview.

ADVICE TO SHARE WITH CLIENTS

- Visit NVC's website to review our Frequently Asked Questions at nvc.state.gov (English) or nvc.state.gov/espanol (Spanish).
- *Do not send original civil documents to NVC.* Submit photocopies of items such as birth certificates. However, applicants must *bring all original civil documents* to the interview for the consular officer to review.
- Mail financial and supporting documents to NVC in one envelope, and include the NVC-provided document cover sheet.
- Visit the nvc.state.gov/interview (English) or nvc.state.gov/interview/espanol (Spanish) after receiving an interview appointment to review embassy-specific instructions for scheduling a medical exam and registering for a courier service. PRIOR to all visa interviews, applicants must have completed a medical exam with an embassy-approved physician in the country of interview.
- I-864 Affidavit of Support Tip Sheets are online at nvc.state.gov/ao and uscis.gov. Please use the July 2, 2015, version of the I-864 form. Submit all pages of forms even if they are blank.
- If a client is processing electronically (submitting documents by e-mail), do NOT also send a copy of these documents via mail. It can delay review of the case. A list of embassies that accept electronic processing is online at nvc.state.gov/submit.



I-601A PROVISIONAL WAIVERS

NVC can continue to collect and review documents for a case during the time an I-601A Application for a Provisional Unlawful Presence Waiver is being adjudicated by USCIS. However, documentarily qualified cases will not move into the queue for a visa interview appointment until USCIS adjudicates the provisional waiver application. NVC will hold a case if **any** applicant on the case has an I-601A being adjudicated at USCIS.

USCIS requires I-601A applicants to include proof that their Immigrant Visa fee has been paid. Applicants who paid online should print a receipt from ceac.state.gov. If they are unable to print a receipt, they can e-mail NVCI601A@state.gov. *This address is only for generating IV fee receipts.* NVC does not respond to general inquiries in this mailbox.

Applicants do not need to tell NVC when a waiver is approved or denied; USCIS will notify NVC of its decision and NVC will take appropriate case action.

CUSTOMER SERVICE IMPROVEMENTS

NVC is always looking for ways to improve. Over the last year we have made many procedural changes to how we review documents, increased our staff, and piloted programs aimed at providing better and faster customer service. Some of our biggest changes are:

- NVC now provides an I-864 "Assessment Letter" when cases are scheduled for an interview appointment. This letter provides suggestions for how the applicant can correct their documents prior to interview with a consular officer.
- All pages on NVC's website, nvc.state.gov, are now translated into Spanish.

- We review all documents simultaneously, including the DS-260 Application for an Immigrant Visa, to avoid sending a "false checklist" that would ask an applicant to send a document that has already been mailed. That's why it's important to send all documents to NVC in one package. This review takes place only after we have received fees, the DS-260, and **both** civil and financial documents.
- NVC sends one instructional letter when processing begins; applicants are responsible for moving themselves through the processing steps.
- We are piloting an electronic immigrant visa process with participating embassies where applicants will upload their documents to NVC through an online program.
- NVC installed a new phone system that includes a 25% increase in the number of available phone lines for our public inquiry line. The average time a customer is on hold is just 12 minutes on Mondays and 5 minutes on Fridays.

WHAT CAN'T NVC DO?

NVC researches cases and communicates with overseas embassies and USCIS when necessary. As the "middle man," NVC cannot on its own:

- Approve an expedite or transfer request
- Reinstate a case
- Explain the reasons for a visa denial

In the above instances, NVC forwards your request to a consular officer overseas and waits for their decision. We are unable to provide information on case status once a petition is returned to USCIS.

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Attorney Customer Assistance Team
National Visa Center

U.S. Department of State 603-334-0700
31 Rochester Avenue NVCattorney@state.gov
Portsmouth, NH 03801 NVCeb5@state.gov (for EB-5 cases)

<http://nvc.state.gov>



usvisas.state.gov
facebook.com/travelgov
twitter.com/travelgov

VISA INQUIRIES

Bureau of Consular Affairs
U.S. Department of State

Non-immigrant visas, (603) 334-0888	usembassy.gov
Immigrant visas, (603) 334-0700	nvc.state.gov/ask
Business visas, (202) 485-7675	businessvisa@state.gov
Legal Inquiries	legalnet@state.gov