UNCLASSIFIED STATE 00155679

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FM SECSTATE WASHDC

TO ALL DIPLOMATIC AND CONSULAR POSTS COLLECTIVE
RUEHTRO/AMEMBASSY TRIPOLI 6828
BT

UNCLAS SECTION 01 OF 02 STATE 155679

E.O. 12958: N/A
TAGS: CVIS, CMGT
SUBJECT: ACCESSING NIV PETITION INFORMATION VIA THE CCD

1.   Summary. Consular posts are now able to access the
details of approved nonimmigrant visa petitions through
the CCD in a new report called "PIMS" (Petition
Information Management Service). The Kentucky Consular
Center (KCC) has ceased e-mailing scanned copies of
approved petitions to posts. The electronic PIMS record
created by KCC will now be the primary source of evidence
to be used in determining petition approval. The
following guidance will soon be found in 9 FAM notes and
procedural notes covering all nonimmigrant petition-based
visa categories (H, L, O, P, Q). End Summary.

New FAM Notes

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2. A general note on CCD Access to approved NIV Petition
information will be inserted into all relevant NIV
petition-based visa category sections (H, L, O, P, Q):

a. Posts are able to access the details of approved NIV
petitions through the 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 Petition." The

electronic PIMS record created by the KCC is now the primary source of evidence to be used in verifying petition approval.

b. This change allows all information on a petitioner, petition, and/or beneficiary to be linked through a centrally managed CCD service. The PIMS Petition Report contains a record of all petitioners recorded by KCC as having approved petitions since 2004. In addition, many of the records contain information from KCC's Fraud Prevention Unit. Each new, approved petition is linked to a base petitioner record, allowing superior tracking of NIV petitioner and petition information.

c. As a result of this change, KCC no longer e-mails scanned copies of approved NIV petitions to posts. If you cannot immediately locate information on a specific petition, then you should send an e-mail to PIMS@state.gov. KCC's FPU will research approval of the petition and, if able to confirm its approval, make the details available through the CCD within two working days. Posts may use approved I-129s and I-797s presented at post as sufficient proof to schedule an appointment. The electronic PIMS record created by KCC is the primary source of evidence to be used in determining petition approval.

d. Soon posts will be able to link the NIV case to the PIMS petition record and automatically populate the relevant NIV petition data fields. The new process will validate the petition and provide all available information on the petition and petitioner. Posts will soon be able to add information to petitioner and petition records. Posts will be notified of each innovation and the effect each will have on NIV petition processing as these capabilities expand.

Evidence Forming Basis for Nonimmigrant Petition-based Visa Issuance

a. The basis for (H, L, O, P, Q) visa eligibility consists of an approved Form I-129, Petition for a Nonimmigrant Worker and a Notice of Action/Approval, Form I-797, presented by the visa applicant. The Form I-797 must show either that the petition on his or her behalf has been approved or that his or her authorized stay in NIV petition-based visa category status has been extended. Approval of a Petition for a Nonimmigrant Worker can also reach the applicant from a telegraphic, e-mail, or telephonic notification from the Department of Homeland Security. For visa processing purposes, only the PIMS record constitutes verification of petition approval.

b. Posts are able to access the details of approved NIV petitions through the CCD, through the Petition Information Management Service (PIMS) Petition Report. The electronic PIMS record created by KCC is the primary

source of evidence to be used in verifying petition approval.

c. A valid form I-797 must include the date of the Notice, the name of the petitioner, the name of the beneficiary, the petition/receipt number, the expiration date of the petition, and the name, address, and telephone number of the approving DHS office. The paper Form I-797 is an unsigned computer-generated form that is printed on blue paper. This can be confirmed and used to initiate adjudication processing through PIMS. In the event PIMS does not contain the record, 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.

The approval of a nonimmigrant petition-based visa category by the Department of Homeland Security (DHS) does not establish that the alien is eligible to receive a nonimmigrant visa.

3. If you have questions on the use of PIMS, please contact your VO/F/P liaison officer.

4. Minimize Considered.

RICE