



Three-Part Telephone & E-mail Seminar:

Overcoming Hurdles In Consular Processing: Visa Procedures, Security Checks & The TAL

Speakers: with Tien-Li Loke Walsh, Robyn Bishop (DOS), Paul M. Doherty (DOS), Steve Fischel (DOS), Avi Friedman, Leslie Gerson (DOS), Silvia Graves, Sharon Mehlman, Gary Sheaffer (DOS) and Roszel C. Thomsen

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Seminar Outline

Each call features an hour of analysis, strategy and practice tips by Tien-Li Loke Walsh, Robyn Bishop (DOS), Paul M. Doherty (DOS), Steve Fischel (DOS), Avi Friedman, Leslie Gerson (DOS), Silvia Graves, Sharon Mehlman, Gary Sheaffer (DOS) and Roszel C. Thomsen

FIRST Phone Session on March 24: Applying for Visas – Are the Procedures Still the Same?

- Third Country National Visa Processing in Canada and Mexico (Update on Canada and Mexico, Can TCN's still apply?, Can List of 26 or T-7 TCN's still apply?, Changes to the Automatic Revalidation Rule – what happens if the visa is not issued – is my Client Stuck Outside the U.S.?, When should you Consider Border Post in Canada/Mexico over Processing in Home Country?, TCN E-1/E-2 Treaty Trader and Investor Visas)
- Applying for Visas in Home Country (Mandatory Interviews, Personal Appearance Waivers, Appointments and Timing)
- Visa Revalidation through the Department of State – is this still a viable option?
- Importance of Reviewing Forms DS-156 and 157
- What Documents Should Your Client Bring To the Consulate?
- Where can Applicants from List of 26 or Terrible 7 countries apply?

SECOND Phone Session on April 22: Navigating Through the Maze of Security Checks and Special Issues that Warrant Attention

- Data Sharing
- Visas Condor Checks for Applicants from Predominantly Muslim countries or countries of concern
- NCIC Checks and Hits in the Database – remember that DUI or pot conviction or petty theft arrest from 30 years ago?
- False Hits for Individuals with common names
- Visa Restrictions for Citizens and Nationals of State Sponsors of Terrorism - Section 306 of the Border Security Act
- The Impact of Biometric Identifiers and new technologies (Biometrics in US visas – how does this impact visa processing?, ,US VISIT, Biometric requirements and the Visa Waiver program)
- IPASS
- Memorandum of Understanding between the DOS and DHS (what does this mean for visa processing?)
- Special Visa Processing Issues (Applying for a B-1/B-2 after a Visa Waiver refusal, Applying for a visa after failing to register on departure from the U.S., Unlawful presence and 222(g) concerns [applying for a visa after a layoff situation, 222(g) versus 3/10 year bars])

THIRD Phone Session on May 13: Visas Mantis Hits and the Technology Alert List – Why Scientists, Academics, Researchers, Engineers and Hi-Tech Professionals Should Be Concerned

- What is the TAL?
- How does it impact foreign nationals?
- Why should I be worried about it?
- What Should I do if it looks like my Client Will be Subject to TAL
- What Kinds of Documents Should I Bring?
- What Can I Do if my Client is Subject to the TAL?
- What Can I Expect Once My Client is Back in the US?
- The Related Issue of Export Controls (Why is this important now?, What is a deemed export?, What sorts of technologies are covered by export control regulations?, Applying for a License, Basic compliance procedures that every company should have)

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Mar 24 Tape Apr 22 Tape May 13 Tape All seminars are from 1.15pm to 2.45pm ET (10.15am to 11.45am PT)

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(→ see next page for speaker bios)

About the Speakers

Tien-Li Loke Walsh is a senior supervising attorney with the Law Offices of Bernard P. Wolfsdorf in Los Angeles. She practices exclusively in the area of immigration and nationality law, with an emphasis on visas for investors, company transfers, professionals, executives, professors, researchers and entertainers. Ms. Loke Walsh currently serves on the American Immigration Lawyers Association (AILA) Department of State Liaison Committee and previously served two terms on the AILA/California Service Center Liaison Committee. She graduated from the University of Sydney with a B.A. in Political Science and History, and received her J.D. from Boston University School of Law. Ms. Loke Walsh has published extensively and is the author of numerous articles including, The Technology Alert List and Export Control: Frequently Asked Questions; Navigating Through the Maze of Security Checks, Consular Processing - New Restrictive Security Measures Change the Playing Field; Practical Considerations for Immigration Practitioner; Consular Processing: Practice Tips for The Unwary Practitioners in the Post-IIRAIRA Era; Practice Tips for NIV Processing at Adjacent U.S. Consular Posts in Mexico and Canada; Multinational Executives and Managers: Comparing L and E Visas and Practice Tips for NIV Processing at Adjacent U.S. Consular Posts in Mexico and Canada and the Effect of INA Section 222(g). In addition, Ms. Loke Walsh has spoken at numerous national and regional immigration conferences including the Annual AILA California Chapters Conferences (2000-2003), the Annual AILA National Conference (2003), various Southern California Chapter meetings (1999, 2002), the Orange County Bar Association (2003), as well as on several teleconferences for ilw.com seminars.

Robyn Bishop is a career member of the Senior Foreign Service with the rank of Minister Counselor. Prior to assuming her duties as Minister Counselor for Consular Affairs in Mexico City, Ms. Bishop was Deputy Executive Director in the Bureau of Consular Affairs in Washington, DC. She also worked in the Bureau of Human Resources and as a Senior Watch Officer in the State Department's 24-hour Operations Center. She served as Deputy Chief of Mission in Port Moresby, Papua New Guinea (1992-95) and Consul General in Lagos, Nigeria (1990-92). She has held consular assignments in Nairobi, Kenya; Tokyo, Japan; Kuwait; Sydney, Australia and Paris, Congressional Fellow and worked on the staff of Congressman Bill McCollum (R-FL) and for the Senate Subcommittee on Immigration. She joined the Foreign Service in 1973 and is a 1996 graduate of the State Department's Senior Seminar. She holds three Department Superior Honor Awards, one Meritorious Honor Award and four Performance Awards. She is a native of Illinois and a graduate of Beloit College in Wisconsin. She is married to Foreign Service Officer Allen Bishop who is an administrative officer at the American Embassy in Mexico City.

Paul M. Doherty is the Chief of the Coordination Division of Consular Affairs at the Visa Office, DOS. Paul has been with State as a Foreign Service Officer since 1981 and served as a consular officer in Tijuana, Ottawa, Montevideo, Toronto and Mexico City, and in Washington, D.C. where he currently heads the Coordination Division (CA/VO/L/C) of the Visa Office. He is at the office that coordinates the clearance process with other agencies and sends responses to security advisory opinion requests submitted by consular officers abroad.

Steve Fischel is the Director of Legislation, Regulations and Advisory Assistance in the Visa Office of the Department of State. *Mr. Fischel has been invited but his participation has not been confirmed.*

Avi Friedman is a Senior Attorney with Wolfsdorf Associates in Los Angeles, California, and practices exclusively in the area of immigration and nationality law. He has a B.A. degree in Political Science from the University of California, Los Angeles, and a J.D. degree from Loyola Law School, Los Angeles. He was admitted to the California bar in 1995. Mr. Friedman is the author of various immigration related articles, including "U.S. Consulate General in Nogales, Mexico" and "U.S. Consulate in Monterrey, Mexico" for The Visa Processing Guide 2002-03 Edition. He was recently a panelist at the American Immigration Lawyers Association (AILA) Southern California Chapter roundtable on "Satisfying the Gatekeepers at DOS and U.S. Consulates" and at the NAFSA Region VII Conference. Mr. Friedman is also a member of the American Immigration Lawyers Association (AILA) and the Los Angeles County Bar Association (Immigration and Entertainment Law Sections). He has extensive experience in consular processing and frequently travels to U.S. consulates in Mexico to accompany clients to visa interviews.

Leslie Gerson has been a Foreign Service Officer for 26 years, and she holds the rank of Minister Counselor. She currently the Minister Counselor for Consular Affairs in Ottawa, Canada. She is responsible for the coordination of consular operations at all seven U.S. posts in Canada. She was formerly a senior advisor with the Bureau of Democracy, Human Rights and Labor where she also served as Principal Deputy Assistant Secretary from August 1998 until March 2000. In that capacity, she was responsible for multilateral affairs, country reports and asylum, indigenous issues, Latin America affairs and bureau management. Previously she served as Office Director for Science and Environmental Initiatives in the Bureau of Oceans and International Environmental and Scientific Affairs. From 1994-97 she was Charge d'Affaires and Deputy Chief of Mission at the U.S. Mission to the UN in Geneva where human rights, International health, refugees and UN reform were significant portions of her portfolio. Her other diplomatic postings include Consul General in El Salvador, Consul in Antigua (West Indies), non-immigrant visa chief in Haiti, vice consul in both the Former Yugoslavia and the United Kingdom. She served in the Department of State as management analyst, a senior watch officer and as an instructor in consular law practice. Prior to her assignment in Geneva she spent one year in the Senior Seminar, the Department of State's senior level training for its future leaders. Ms. Gerson's language are French, Spanish, Serbian and Haitian Creole. She is married to a Haitian actor, director and writer, and her interests include travel, skiing, primitive art, opera, theater and laughter.

Silvia Graves graduated from The Catholic University of America in Washington, D.C. in 1986, with both a Juris Doctor and a Masters Degree in Psychology. She was a Chair of the American Immigration Lawyers Association (AILA), Texas Chapter (2001-2002). She has served as a Liaison between the American Immigration Lawyers Association and the Immigration Service in Houston, Texas, from 1995 to 1998. She was Program Co-Chair of AILA National Spring Conference in Washington, D.C. in 1998. She was a member of the AILA National Program Planning Committee for the 1999 and 2003 AILA Annual Conference in Seattle, Washington and New Orleans, LA. She was a Chair of the Naturalization Committee at the 1998 AILA National Annual Conference in Houston, Texas. She was the Program Chair for the AILA Texas Chapter 2000 Spring Conference in Santa Fe, N.M. She has served with the AILA Texas Chapter as a Secretary, Treasurer and Vice Chair. She has served as a Chair of the Awards Committee and Chair of the Nominating Committee for Officers of the AILA Texas Chapter (2003). She has been practicing exclusively immigration for seventeen years in Houston. She travels regularly to Mexico and Canada to represent third country nationals applying for nonimmigrant visas. She has been a speaker at a number of AILA, NAFSA and the Houston Bar conferences, on consular practice and other immigration issues.

Sharon Mehlman is a Partner in the law firm of Larrabee & Zimmerman LLP, which is located in the heart of San Diego's technology center. Sharon focuses her practice exclusively on employment-based immigration for high-tech industries. Sharon completed her undergraduate work in Political Science at the University of Massachusetts (Amherst) graduating with a Bachelor of Arts degree and earned her Juris Doctorate Degree at the University of San Diego, School of Law. Prior to joining Larrabee & Zimmerman LLP, Sharon worked in Human Resources in the biotechnology field. Sharon is a member of the California Bar, the San Diego County Bar, and the American Immigration Lawyers Association (AILA). She is currently the Chair of the San Diego Chapter of AILA. Sharon is a frequent speaker on a variety of business immigration topics at both regional and national conferences for both professional associations and companies.

Gary Sheaffer is the head of the consular section at the U.S. Consulate General in Montreal, where he has served since July 2003. Gary joined the Foreign Service in 1984 and has held consular assignments in Vancouver, Algiers and Paris, and served as consular section chief in Istanbul. He has also been assigned to Washington positions with the Office of Visa Services, Office of Overseas Citizen Services and as public affairs officer for the Bureau of Consular Affairs.

Roszel C. Thomsen is a partner in the law firm of Thomsen and Burke LLP, with offices in Washington, DC and Baltimore, MD. He received a BA from Harvard University and JD and MA from the Washington College of Law and School of International Service of the American University. He is admitted to practice in the District of Columbia, Maryland and local federal courts. Roz represents a number of high technology companies particularly in the information industries, with respect to export control compliance. He has been Vice Chair of the Commerce Department, Bureau of Industry and Security's Regulations and Procedures Technical Advisory Committee, an Industry Representative at the Wassenaar Arrangement on Dual-Use Export Controls and currently is a member of the Steering Committee of the FBI's Information Technology Study Group. Roz also has authored articles and spoken at numerous seminars on export control topics.