



Consular Corner
January 2011
by: Liam Schwartz*

Havana, September 1, 1977

This month marks 50 years since the break in U.S.–Cuban diplomatic relations. Five decades later, the character of U.S.-Cuban relations is described by the [Council on Foreign Relations](#) as “virtually nonexistent.” Indeed, in January 2011 the U.S. economic blockade of Cuba is still in full force, and Cuba remains on the list of State Sponsors of Terrorism.

Sixteen years after the breakdown in diplomatic ties, consular relations were reestablished in parallel with the opening of the United States Interests Section (“USINT”) in the former U.S. Embassy building in Havana.

We are honored to present an account of this historic event through the eyes of Tom Holladay, who was part of the initial team of ten officials sent by the State Department to open USINT in 1977. Tom, who had joined the foreign service a bare five years previously, was assigned to USINT as Consular Chief, tasked with ramping up services to American citizens (particularly those in Cuban prisons) and to Cubans seeking to be reunited with family members in the U.S. Tom is today a “when actually employed” (WAE) consular officer, meaning that he’s the expert whom DOS calls when a consular post somewhere in the world requires a pair of steady hands on a temporary basis.

Without further ado, Tom Holladay on the opening of USINT:

Q: What were the Department’s marching orders for the consular section when you arrived in Havana as one of the “hardy souls” who opened our Interests Section there in 1977?

We had a number of U.S. citizens and their families (*nucleo familiar*) whose repatriations had been pending since the revolution. We were to get them out. They were all getting a monthly subsistence payment from CA. The subsistence payment was cut off by Washington on the theory that doing so would incentivize the Cuban government to let them go. We ended up having to document all the petitionable non-U.S. family members with IVs instead of the previous practice of paroling them into the United States. Even with no money coming in, they still had to pay all the fees. We also had to run Security Advisory Opinions on all the applicants with possible prior Communist affiliations and resolve their ineligibilities, some of which were purely political.

Once we had documented enough immigrants, we organized the flights, summoned the passengers and issued boarding passes of our own design. The first flight was a new Eastern 727 with Congressman Steve Solarz on board. He

commented how nice it was to help some people out and buy some good cigars at the same time. The last flight, just before the 1979 Non-Aligned Movement summit, was a DC-3.

Another of our priorities was looking after U.S. citizen prisoners, probably about 30 in number, ranging from long-term accused spies to hijackers and marijuana runners. We saw them monthly and actually set up a system for buying their groceries. I took them all my old magazines and newspapers, which were probably very valuable inside.

Originally, we were not slated to process immigrant visas, but the Bureau of Consular Affairs changed that, and suddenly we were flooded with I-130 petitions for people with no permission to leave Cuba and people with permission to leave, but no I-130.

Q: What memories can you share about the experience of moving to Cuba and re-opening the doors of the consular section in Havana for the first time in 16 years?

On the very first day, we were mobbed with service-seekers who were talking to the foreign press gathered to cover the opening. To keep their horror stories from marring the opening, the Interest Section's Public Affairs Officer asked me to talk to them as a group beyond the glare of the spotlights. I agreed, and they were ushered into the Consular Section. But the PAO let the press in too. I mentioned the term "I-130," which sparked a run on them in Miami.

There were few working phones in the building, so I went up to the top floor to the old ambassador's office to call Washington and arrange the visas for the Cuban delegation to the opening of the UN General Assembly. Our hardcopy Foreign Affairs Manuals had not arrived yet. Don Lautz in the Visa Office was hesitant to help without SAOs that included the appropriate "animal" code words; but in the end, he took the requests over the phone without them.

Q: What were some of the day-to-day tasks you were charged with in operating the consular section in Havana?

With a colleague and initially four Foreign Service Nationals, I did everything. There was a lot of listening to horror stories. There were stories about treatment in prison and family separation stories. One lady had sent her child with the Peter Pan program and was most distraught that she was not able to follow. People were in terrible binds and they needed a shoulder to cry on. I gave them mine. It was draining and I still had to get the work out. We had to organize the prison visits, and we were flooded with unviable IV cases that we had to make viable. Of course, there was the organization of the office too.

Q: Were there any Foreign Service Nationals in the consular section who had remained on the job during the 16 years in which our Embassy was occupied by Swiss Embassy personnel?

Our Senior FSN was in jail for her activities in connection with documenting expropriations. She was a veteran from the old days. We soon hired Lola and then as things heated up a whole raft of people.

Q: Your sole previous overseas assignment was as young officer in charge of the consular section at the U.S. Embassy in Suriname. How did your two years in Paramaribo prepare you for the challenges that lay ahead in Havana?

I handled the Consular portfolio in the State Department's Office of Cuban Affairs before I went to Havana. Bob Gershenson of the Bureau of American Republics Affairs (now called Western Hemisphere Affairs) commented at a ceremony that it was a transfer of the dumpee responsibilities and the dumpee at the same time. In Suriname, I had been isolated and was responsible for everything with nobody at post to ask. I depended on the FAM. Once I had a stranded basketball team, so I called Washington to ask for advice and got the distinct impression my call was not welcome, so I sent the team to the next consular district (Trinidad).

Q: As a young American foreign service officer, what was your impression of Fidel Castro after meeting him in the late 1970s?

This was in the context of the hijacking of a Delta plane to Havana. I was representing the U.S. and he Cuba. I was supposed to go to the airport in a USINT car, but it had no gas, so I drove my own. Once I got on the highway, two grey Ladas pulled in front and in back of me and "escorted" me to the airport. I had the run of the facility before and after, except on that day, when all the doors were closed. When asked why I was there, having seen Fidel's big black Russian car, I said I was there for the same reason he was.

I think Fidel is a hands-on type of manager and when I showed up, he wanted to deal directly. We sat on a settee. He was his usual imperious self, but also friendly and engaged. As I entered and greeted him in Spanish, he asked me if I was Mexican or Puerto Rican. I replied that I was neither.

Fidel was asked if the passengers could use dollars in the airport stores and authorized, "Let them buy what they want." I asked for the name of the hijacker, which he provided along with the boilerplate on the hijacking agreement. I called it in, and my boss wondered if Fidel would be there long enough for him to come out and talk. The Delta pilot couldn't refuel on his credit card, so I told the Cubans that Delta was good for its money and I would make sure they got it (via Overseas Citizens Services Trust).

After my audience, I was golden with all my Cuban contacts, both at the airport, at the prison and at the Ministry of Foreign Affairs.

Q: The next assignment on your list following Havana was Kobe, Japan, then one of the largest of all U.S. largest NIV units. How did your Havana experience inform your efforts as a consular manager in Kobe?

Havana did not inform me much other than knowing the importance of working with the FSNs as a team. Kobe was the most productive NIV operation in the world. We had the Travel Agencies organized. Walk-ins were few. It was a paper operation. The hard-working and very competent FSNs screened every application for accuracy and completeness. Each used a different colored pencil. One could spot Yakuza. When she did, we ran a check with the cops. She was always right. The microfiche namecheck records were transcribed onto paper and then pasted on giant poster-sized cardboard. This was faster than running checks through the old Automated Visa Lookout System or using the microfiche readers. We were also trying to figure out how to machine-read the Japanese passport, but the technology was not yet available.

The Job Isn't Finished Until the Paperwork is ... Ignored

[Madam le Consul](#) responds to the words heard most often following a visa denial: "The officer didn't even look at my documents!"

"[In July](#), Madam expressed very clearly her experienced opinion of the documents that applicants like to bring to their NIV interviews. What is it about paper, that consular officers love it so much? There is no document anywhere in the world that can't be produced on demand, either as a genuine document fraudulently issued, or as a work of art created by Madam's dear friend Ali on the Corner, all of whose children have graduated debt-free from good US universities thanks to their father's work.

If it's not a mandatory I-20, DS-2019, I-797 or the like, it is not just useless; it is a dangerous distraction. Because let's be clear: there is nothing about a piece of paper, however fancy, that will tell an officer anything about a visa applicant's intentions. Documents are crutches; flipping through them to look for a reason to issue or refuse is a futile task. A bank book, a job letter, a lease, a car title: none of it means anything. If the customer intends to stay in the US, he will willingly leave all those things behind - even if they really exist and he really owns them - without a glance. And besides, an officer's job is to interview applicants, not shuffle papers.

How do you resist the pull of papers? Don't ask for them. When offered,

don't take them. If refused applicants, in their later complaints, eventually get around to the worldwide whine '...and the officer didn't even look at my documents!' the proper response is, 'the officer interviewed you.'"

Courage in Karachi

Consulate General Karachi moved into its new facilities in mid-January and immediately embarked on a significant expansion of visa services. Karachi previously handled only a limited number of nonimmigrant visas (NIVs) for business travel; but as February 1, 2011, residents of the Karachi consular district may apply for many other types of NIVs, including B-2 visitors (for senior citizens only), students, exchange visitors, journalists and petition-based work visas.

Karachi is Pakistan's financial and business capital, and this expansion of visa services will come as good news to many in CG Karachi's district. The district, comprising Sindh and Balochistan, encompasses 30% of Pakistan's population and 60% of its territory.

Consul General William Martin termed these developments "a historic and important move," but he was being far too modest. A recent OIG inspection report of Mission Pakistan provides a comprehensive account of the nature of consular services in Karachi and the truly exceptional courage and dedication of the officers who serve at the Consulate General and the other mission posts in Pakistan.

Interestingly, the conclusion reached by the OIG team that inspected Mission Pakistan was that visa services should *not* be expanded at CG Karachi.

In pertinent part, the OIG report informs us as follows:

On serving in Pakistan:

Pakistan is a dangerous place. The attacks, assassinations, bombings, and the daily stream of terrorist threats, place immeasurable emotional weight on the shoulders of people the United States asks to serve in Pakistan.

People seek assignments in Pakistan for many reasons. Many of those employees that the OIG team interviewed showed a sense of mission and personal commitment...Their daily jobs include separation from family, heavy workloads, Spartan working and living conditions, and danger.

On the backdrop to expanding visa services in Karachi:

All of Karachi's diplomatic operations take place in the shadow of the 1995 and 2006 attacks that killed U.S. and Pakistani staff and the 2002 bombing of the consulate facility.

CG Karachi's staff is motivated, dedicated, and undeterred by a history of violent attacks against American interests in the city.

In November 2009, Karachi resumed processing a limited number of nonimmigrant visas (NIV) pending the move to the new compound.

As of February 2010 (when the OIG visited Karachi), the Consulate General had no full-time consular officer. In the interim, Karachi has hired three NIV locally employed (LE) staff in anticipation of the resumption of full NIV services.

On some of the challenges facing visa operations:

The burden of processing security advisory opinions (SAO) in a country where a significant percentage of the male population shares a handful of common names affects staffing, efficiency, overtime, morale and entry-level officer (ELO) development. SAO processing has paralyzed the issuance of both IVs and NIVs in the past.

SAO processing in Pakistan is onerous and certainly cannot be completed in the normal work day. Once Karachi begins full service NIV processing, the demand for ELO overtime may become an issue there. SAO processing occupies well over half the work week for officers in the visa units.

Consular fraud in Pakistan is pervasive, comprising the complete range of visa fraud: document fraud, marriage fraud, and educational credentials fraud. The sophistication of the fraud, official corruption, the potential for links between fraud and international terrorism, and the pull of the U.S. economy for economic migrants combine to make fraud prevention work in Pakistan challenging and demanding.

On why the new facility was poorly planned

The 2006 plans for the new consulate compound in Karachi did not anticipate the explosive growth that Karachi faces. By FY 2012 Karachi will increase from 33 to 55 U.S. direct-hire positions and from 170 to 191 LE staff. In short, the Karachi consulate compound has become overpopulated before completion.

On why Karachi should not expand visa services

If the new office compound in Karachi were not already so close to completion, and had partial NIV services there not already resumed to great fanfare, the OIG team would not have recommended that NIVs move back to Karachi. The reason: Pakistan has a 70,000-case NIV applicant

pool. Breaking it into smaller pools handled by Islamabad, Karachi and Lahore simply does not make sense.

Consolidation of three operations headed by relatively inexperienced officers into one medium-sized operation headed by a more experienced officer was a good management decision in 1997, and it still is. Because of Pakistan's nexus with Taliban and Al-Qaeda activity, it is important that the visa process in Pakistan be overseen by senior managers and remains consistent.

Click here for CG Karachi's announcement of the February 1, 2011, expansion of visa services:

http://karachi.usconsulate.gov/non-immigrant_visas.html

SAO Cheer

by: Consul Anon

Go, go, SAO!
You're our friend me thinks
Lots of bad guys
But with you the danger's sure to shrink.

Go, go SAO!
You have so many aims,
Like terrorists and criminals
And folks with common names.

Go, go SAO!
You use up such much time
That many of our friends can't see
The reason or the rhyme.

Go, go SAO!
You're a bitter pill
That's why there're those who just give up
And travel to Brazil.

Changes to the Foreign Affairs Manual (FAM) – Monthly Report

The pickings were slim over the past month regarding updates to Volume 9 (Visas) of the FAM. On other fronts, the State Department introduced two new subchapters to 7 FAM that offer an excellent historical analysis of the acquisition and retention of U.S. citizenship by foreign-born citizens.

[Grounds of Inadmissibility Available Waivers](#) (9 FAM 40.6 Exhibit 1)

The section of the inadmissibility chart dealing with “Aliens Unlawfully Present After Immigration Violations” has been updated to include information about Form I-212. According to this new information, while there is no waiver of INA 212(a)(9)(C) available for an immigrant visa, “DHS may grant permission to reapply for admission to the United States to an alien otherwise inadmissible under this section provided that at least ten years have passed following the alien’s last departure from the United States. (Form I-212, Application for Permission to Reapply).”

[Acquisition and Retention of U.S. Citizenship](#) (7 FAM 1100 Appendixes K and L)

Two new subchapters provide a comprehensive history of the retention conditions which Congress has imposed since 1934 on the manner in which an individual born outside of the United States may acquire, and retain, citizenship. On a practical level, these new provisions provide useful information on the adjudication of nonimmigrant and immigrant visa applications by individuals who may have a claim to U.S. citizenship (7 FAM 1160 Appendix L). A chart summarizing the retention provisions on U.S. citizenship imposed by Congress can be found at 7 FAM 1100 Appendix L Exhibit A.

Are You Smarter Than A Consular Officer?

1. Who was the American President who broke off diplomatic and consular relations with Cuba?
 - a) Carter
 - b) Eisenhower
 - c) Kennedy
 - d) Nixon
 - e) Regan

2. Which one of the following entities ceased to exist in October 2010?
 - a) British Virgin Islands
 - b) Dutch Antilles
 - c) French Samoa

3. What is Enumeration at Entry?

4. The State Department’s Smart Traveler Enrollment Program (STEP) is aimed at assisting which one of the following groups?
 - a) U.S. citizens who are traveling to, or living in, a foreign country
 - b) Frequent VWP business travelers with valid ESTA approvals
 - c) Pre-approved, low-risk travelers from Canada

5. Name two nonimmigrant visas which require an approved Labor Condition Application issued by the Department of Labor.

6. K-1 fiancé visas are normally valid for travel to the U.S. for how many days from the date on which they are issued?

- a) 30 days
- b) 90 days
- c) 180 days

7. Employers of which H-1B professionals are not required to file an I-129 petition with the Department of Homeland Security?

8. *Matter of Walsh and Pollard* is a precedential decision of the Board of Immigrant Appeals which is consulted by consular officers in the context of which one of the following nonimmigrant visa categories?

- a) B-1/B-2
- b) Blanket L-1B
- c) E-1/E-2
- d) H-1B
- e) J-1

9. Jean and Jeanne, both French nationals, were married by proxy since Jean was away at the time with the French Foreign Legion. Jeanne is now an F-1 student at UCLA; is Jean eligible to join her as his spouse in the U.S.?

10. According to the State Department's Inspector General, which is the most dangerous U.S. consulate in the world?

Top Ten Visa Wait Times at U.S. Consular Posts, January 2011*

A year ago this month, visa wait times at the United States Interests Section (USINT) in Havana, Cuba broke the 900 day mark for the first time, coming in at a reported 904 days. These wait times reached the 999 day mark in June, where they've remained ever since. We wish the consular officials at USINT and back in Washington every success in their efforts to reduce this daunting two-and-a-half year visa wait time.

#	Country	Consular Post	Visa Wait Time	Increase/decrease from Last Month	Top 10 Position Last Month
1	Cuba	Havana (US Interests Section)	999 days	Unchanged	1

2	Venezuela	Caracas	154 days	Unchanged	2
3	Brazil	Sao Paulo	92 days	- 9 days	3
4	Brazil	Brasilia	68 days	- 22 days	4
5	Nigeria	Lagos	64 days	Unchanged	8
6	Canada	Montreal	62 days	- 9 days	6
7	Brazil	Recife	57 days	+ 9 days	10
8	Nigeria	Abuja	45 days	Unchanged	New listing
9	Brazil	Rio de Janeiro	43 days	-23 days	7
10 (tie)	Canada	Vancouver	42 days	Unchanged	New listing
10 (tie)	China	Shanghai	42 days	- 7 days	9

** Updated to January 4, 2011, and based on published Department of State data. The "visa wait time" is the estimated time in which individuals need to wait to obtain a nonimmigrant visa interview appointment at a given consular post.

Top Wait Times by Region:

The Americas (excluding Cuba)	Venezuela/Caracas	(154 days)
Africa	Nigeria/Lagos	(64 days)
East Asia and Pacific	China/Shanghai	(42 days)
Central and South Asia	Pakistan/Karachi	(35 days)
Middle East and North Africa	Saudi Arabia/Jeddah	(25 days)
Europe and Eurasia	Montenegro/Podgorica	(24 days)

Answers to "Are You Smarter Than A Consular Officer?"

1) (b)

- 2) (b)
- 3) A process by which the Social Security Agency automatically assigns a Social Security number to an individual making an initial entry to the U.S. on an immigrant visa.
- 4) (a)
- 5) E-3, H-1B
- 6) (c)
- 7) H-1B1 professionals from Chile or Singapore.
- 8) (c)
- 9) Yes, in B-2 visitor's status. 9 FAM 41.31 N14.2
- 10) [Consulate General Peshawar](#), Pakistan.

Quote of the Corner

“In almost every decision, embassy leaders balance the imperative to pursue without reserve the President's strategy for Pakistan against the risk to life for mission staff. Risk management is a full-time job.” OIG Inspection Report: *Embassy Islamabad and Constituent Posts, Pakistan* (June 2010).
<http://oig.state.gov/documents/organization/144568.pdf>

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