

Federal News Service

REMARKS BY JAMES D. PETTIT, CONSUL GENERAL OF THE EMBASSY OF THE UNITED STATES OF AMERICA, AT A BREAKFAST OF THE AMERICAN CHAMBER OF COMMERCE IN RUSSIA

[ARARAT PARK HYATT HOTEL, 8:45, SEPTEMBER 2, 2004]

Somers: Ladies and gentlemen, may I have your attention please. We are about to start our proceedings. We are delighted that James Pettit, Consul General and Minister Counsellor of the US Embassy in Moscow, is here to address us. This is just about first anniversary of James' arrival here as consul general. And while he was preceded by an excellent consul general, we've seen even a greater improvement in the visa process here. I am sure out there there is a story or two where you might say, what about my problem?

But from the Chamber's perspective, I can tell you, based on the data we have, there has been a tremendous improvement, particularly in issuance of visas before they get checked over to Washington and to what we used to call the black hole, now it's more of a gray hole. But Jim has shown great creativity in exploring properly US regulations which give the consul general discretion, and he has the guts to use it, and Jim does.

Jim has had a distinguished career in the US government. Several times in Russia, first as a student in the 1970s and then in the 1980s, the more black and white days. Prior to coming to Moscow in August of last year, he was minister counsellor and consul general in Vienna for several years. Jim has great experience in many, many departments in the US government, the State Department. So he is familiar with the machinery, and that makes him even more effective.

And Jim will be delighted to answer your questions after his remarks. And now I invite to the podium Jim Pettit of the US Embassy.

Pettit: Thank you very much, Andy. As always it's an honor and privilege to address such a great body as the American Chamber of Commerce here in Moscow. I also want to thank our corporate sponsors, Daimler Chrysler. Some day I'll have to buy a car from you guys.

People who know me and know my style know that it's pretty informal. I really don't want to be a stiff talking head bureaucrat up here. I mean, I'm in a difficult business. I know a lot of you are too. My business is difficult simply because we have a sort of schizophrenic job description in a sense that, on the one hand, we are here to assist Americans, and that includes the American business community. I mean that is certainly a priority for the US government. We want to facilitate trade. We want to facilitate the free flow of goods and services.

But then, on the other hand, we are also charged with protecting our nation's borders, which has taken on, you know, even more serious and new significance since the events of September 11, 2001 and which has introduced a whole lot of new, innovative and maybe sometimes not fully thought-out things that we have to implement, that are still under constant review, that we try to make work to everyone's mutual benefit. There have certainly been serious problems in the past. Some of them even before 9/11, just the very nature of the

visa process and border controls.

Visas are one of those things nobody likes. You certainly don't like it. We don't like it. We deal with our Russian counterparts as well, with their own very unique and exhilarating visa regime. And that is something we discuss early and often with our Russian counterparts. As a matter of fact I have talks coming up in Washington in another 10 days or so. We hold these semiannually, where we discuss a whole range of consular issues.

And, like I say, American businesses and facilitating American business here and then trade with the US is something very important to us. And so that is something we want to work together closely with the AmCham and individual Americans on. I found last year that the questions & answers session will be probably much more interesting than my introductory remarks. And so I want to reserve plenty of time for that, I will try to keep my remarks therefore relatively brief. If there are not a lot of questions I can always blather on.

I want to give you an overview of what the consular section does here at the US Embassy. As I said, we are sort of divided into our warm and nurturing side, which is the American Citizens Services office. They do the routine things that most of you are familiar with in terms of issuance of passports, reports of birth for those of you who do other things besides just working in the office here in Moscow. We do those. It is pretty much cradle to grave. We do, sadly, have to occasionally handle the death of American citizens here. We help next of kin make necessary arrangements. We sometimes actually have to take possession of the deceased American citizens' belongings to safeguard them. And that is recognized by the Russian government as our right.

We also consider the troubling times we live in, and quite frankly the troubling week we are living in -- our whole focus on keeping in touch with the American community on the security situation is also important to us. Most of you are probably familiar with what we call the warden system, which is really an e-mail based information dissemination system when things come to our attention that we feel the broader American community needs to know, they are not all security related, sometimes it is explaining about things like voter registration, especially with the upcoming elections.

The terror incidents that Russia has seen over the last week are very upsetting to a lot of people. We have been getting a lot of inquiries on what is the US government's position, is it safe to fly, is it safe to take public transportation, should people be, you know -- what's the risk to American citizens here in Russia. These are all very reasonable questions, and they are very, very difficult questions to answer because terrorists don't consult with us on what their plans are.

The fact is we do have guidance out, it is also available on our embassy web page www.usembassy.ru. If you click on the American Citizens Services link, you will find really all of the recent warden messages we have sent out. And that is a way we keep people aware of what we understand, what we are thinking, but what you are not going to find there is, at least at this point, some sort of instruction about "well, don't fly" or "don't take the metro" because that's not in there yet. A lot of this is still under investigation by the Russian authorities. And it remains to be seen.

But we do want to keep in close touch, we know it's an item of great concern. We have similar issues in the United States, which is also on heightened alert. And it's something we watch very closely.

I think that our visa responsibility is probably of equally great interest to a lot of you. I can go on and on about visas. I will run over some key elements and then open it up to the floor for questions and answers.

As I said last year, and I want to emphasize, that by and large US immigration law, US visa policy, what we do with Visas has not radically changed since 9/11. The law has really changed very little, and what has changed is some of the procedures. Probably the thing that affected the business community most was that after 9/11 a procedure that already existed and was already in place, which is the requirement for Washington's clearance on certain categories of travelers and certain categories of types of travel, particularly high-tech nonproliferation concern travel, also just certain individuals who for one reason or another are in the system and who require Washington clearance each time, was affected by terrible backlogs that occurred after 9/11 because a lot of the different categories of Washington clearance which used to be automatic, which didn't necessarily require an affirmative response, suddenly we were told, we have to get an affirmative response on all clearances. That was worldwide. So all of a sudden what used to take a few weeks was taking months and months and months.

This was particularly hard on the high-tech industries. And the result was, in many cases, clients unable to come, employees unable to go to the United States, inability to sign contracts. It's hard to calculate the cost, I know that there is a study that AmCham was involved in, I think they stated 30 billion dollars or something, who knows? I mean, we are not disputing that figure. We agree that the impact was very negative. I can tell you now that that situation has improved greatly and in particular the high-tech non-proliferation concern travel. The system has changed. I won't go into details because there is some sensitivity about what goes on, but I can tell you now that they are running less than a month. This is in contrast to what it's been over the last year or two of many months.

We are already seeing this, as a matter of fact, we are getting so many clearances unbacklogged, high-tech cases, that it is almost more than one officer can handle. We are not used to getting that many clearances in. So, this is fairly recent, this streamlining, but some of you will be seeing the change soon.

In terms of the volume of these applications we get, that's remained pretty steady. It depends if you look at the fiscal year or accounting year whether the volume has really gone up a little or down a little, but it's about the same. We get about 100,000 applications a year for all categories of visas. That will include, of course, visas for diplomats and officials. But the vast majority are B1 and B2 visas which is visitors and that includes business travel.

So that you can understand if not sympathize with what we deal with on the visa side, you do need to be aware, we did a validity study, this has been since I was here last year, a validity study on how many people who get B1, B2 visas actually return to Russia within -- and we just picked six months because most people are asking for far less than that and that's actually the maximum that the immigration inspectors will generally grant. We did this by -- there is a very scientific procedure and some of you will understand it -- with a random number generator picking applications at random, it's all very scientific, matching that against

departure records from the Immigration Service, now it is Department for Homeland Security, and allowing for a whole variety of factors we came up with the figure of approximately 16 percent of B1, B2 travelers do not return to the United States after six months.

Some people might consider that figure high, it probably isn't in the world context. There are many countries where it is closer to 100 percent. You also have to take into consideration what our refusal rate is which has actually crept down a bit, probably not statistically significant, but really now I would say that our refusal rate, and by the way, our policy is not to discuss refusal rates, but I'll tell you that the issuance rate is a little above 80 percent these days. So 16 percent of the people are not returning and we are still trying to verify some of this with phone calls. Mind you, those are people who got visas. So, it's still, it's very hard scientifically to know did we refuse the right people, are we issuing the right people. This is difficult work. If anyone has ideas on how we can do this better, I am open to suggestion. We try hard, and this is something that people don't like, that the immigration law which was written many many years ago says, "all aliens applying for entry visas should be interviewed." Over the years many people were exempted from that requirement, but the requirement exists and the reason for that -- because you might ask why does Congress writes laws like that -- is because there is so much document fraud in the world, there is so much document fraud here that an interview sometimes is the only way to kind of match up the applicant with the purpose of the trip.

Someone says they are going on business. Generally, they can convince the consular officer of that in an interview. Documents just don't do it. Documents can be purchased and are purchased. They look very good. Some of them have your companies' logos and letterheads on them, so, sometimes when you find people being turned down who are invited by your company, don't take it personally, it may be that we weren't really sure it was your company. And also, quite frankly, there are a lot of US companies and it's true that we are not familiar with all of them.

We have regular training sessions with our visa interviewing officers, we work on language skills, even though they get language training before they come here, we send them off to Tver for more language training, we want them to be sure they understand what they are hearing and reading. I extended an invitation last year and I extend it again, if people want to come and address my people and tell them about your company you are more than welcome to do that. I think it's helpful for them to hear your side of it, particularly problems that you perceive and that could be corrected.

We do have a tremendous amount of fraud. You have to understand that we see a lot of phony documents, we see a lot of phony entry stamps, faked visas, a lot of misrepresentation. Interestingly enough, that's not always by people who actually aren't going to return, it's just become an industry where some people think, well, that's how I can get a visa even if they are fully intent to go, stay, visit and come back. But we operate in that environment. That's not Russia-unique at all, that's typical worldwide. These phenomena disappear over time as the situation improves, as the economy improves, I mean I've seen tremendous improvement here, believe me, the first time I was here in 1977, it gets better and better here, more and more people actually understand. We look forward to the day when the refusal rate will be very low. Russia is very interested in getting under Visa Waiver Program. I think that's a ways off, since one of the statutory requirements is a refusal rate of below 3 percent. So, we have a way to go on that.

Since I was here last year probably two significant things happened. One happened just as I arrived which was a lot of fun to deal with, it was the expanded interview requirement. Most people who hadn't been interviewed before suddenly had to be interviewed. This presents tremendous inconvenience for people who aren't in Moscow or one of the cities that has a consulate. But also the finger scanning which we and the Russian government thought was going to be a tremendous deal and very politically sensitive turned out to really be nothing. People actually kind of get a kick out of it. They come in and they see the little finger scanning equipment with I think one or two people out of thousands we have interviewed has actually refused to have their fingers scanned. This is not a uniquely American thing, doing biometrics. The International Civil Aviation Organization is very interested in introducing biometrics, that could be iris scans, finger imagery, facial recognition technology. It's coming and I think in just a very few years everybody will be doing biometrics.

The problem is, now that everyone has their fingers scanned, we can't do that remotely, at least not yet. So, whereas we were mulling over the idea of making it easier for some people in distant cities and send a consular officer out maybe and conduct some interviews, that's just not in the cards anymore. It is an on-line high-tech system and the finger scanning is here for the long haul. What we are hoping will happen eventually is that you won't have to have your fingers scanned every time you apply for a visa. I mean, the data is stored, but currently each time one applies for a visa you have to undergo finger scanning again.

One thing that I feel is a very positive experience here, it doesn't directly affect most of you, but we have this summer work travel program and have for a few years with the former Soviet Union and East bloc, which is to attract young undergraduate students to go and work for the summer in the United States in traditional summer jobs in hotels and resorts and that sort of thing. Last year we had a lot of bad press, a lot of kids were either denied because of fraud or simply couldn't be processed because of our tremendous backlogs. This year we had a concentrated effort to deal with recruitment organizations very early on and, bear in mind, we had to interview everybody. Last year we didn't interview anyone under the Summer Work/Travel Program. This year we had to interview everybody. And we would just set aside days to do that, which contributed to a brief backlog in the summer that you may or may not have noticed. But there was a lot of fun because you had a room full of 200 or 300 young people, they all spoke English, and it was nice for my officers because they didn't speak Russian on those days, and a very high issuance rate. Because both sides had learned from their mistakes in the previous year.

I think in general issuance rates are going to continue to climb as a reflection of the improvement of things here. I usually throw out tips on visas for people, but I also don't want to crowd Q&A. So if you just bear with me for a couple of more minutes -- one big complaint we get is communication. It's very frustrating trying to get through to us. I always tell people my own wife usually can't get me on the phone because my staff won't put her through. It's just very hard to get through the gauntlet and to get information the normal way, which is to call somebody up and ask about a case.

However, we do have an e-mail address: consulmo@state.gov that responds generally within two or three working days to any question because we have to research the case. If you have general questions, you can get them on our web page or you can call our pay-per-viewoff-site telephone service. I am not even going to guess what the fee is, but it's reasonable. But those are live people, people like to talk to a human being

when they have questions. They can handle both Russian and English, and they provide service countrywide.

In terms of your employees and clients traveling to the United States, I will just repeat what I said last year, which is please make sure they understand why they are traveling, that they have some understanding of their job if they are an employee or some understanding of their company if it is a client, and that this is not interrogation where it is wise to take the fifth, that they should volunteer information to us. And also we like American, US-based documentation. It's easier for us to get a sense of the legitimacy and the genuineness of the trip.

If a letter comes from the United States, there is no invitation requirement for a US visa, which is different from the Russian visa system. But it is helpful, particularly for business travel. If someone goes over on business or training or whatever, they should be able to produce something from the receiving side in the US. That gives us some detail on they are going to be doing.

And it is not even so important that we know the details but that just we see there are details. What we want to avoid is pro forma letters that just say, we hereby invite so and so, because we are looking for information.

And I do know -- I did review a lot of... I don't want to call them complaints, I call them observations from AmCham members. The recurrent thing was why don't you let a company rep come in to clarify any questions you might have with the applicant? And the answer to that is, it's not so much that we need to really learn about your company. We want to hear from the applicants if they understand, just to make sure that the applicant really is genuine.

I can also say just sort of one last thing and then we will open up for questions that we do want to give -- it just ties in with another complaint. Why isn't there a fast track or expedited treatment for AmCham or for American business? I would say we have fast track for everybody because our backlog is about nine working days, and that if you do flag your inquiries that you are a member of the AmCham, we do give that extra consideration.

I was supposed to give a public service message by the way on absentee voting. We have two Embassy reps here today, one is Bob Hannan, chief of the American Citizen Services office and Terry Kinney, who is with our Law Enforcement Section at the Embassy. On the voting for American citizens, we do have some interesting elections coming up. We can assist you with registration for overseas voting with individual states or you can do it on the Internet yourselves. But if not, our American Citizens Services office can help you.

If you request an absentee ballot and you haven't received it by October 15, there is an emergency provision where you can do a write-in ballot, which is available at the Embassy. Pony Express, (formerly Elf-91) will carry those back to the US free of charge.

So, like I say, I have plenty more that I can say, but I do recall last year, there was a lot of Q&A, and I think that's more interesting. So I am going to open up the floor to Q&A and try my best to answer. (Applause.)

Somers: Jim, thank you for that excellent summary. You have a question right here on the left. Could you identify yourself?

Q: I am counselor Mitchell Gitin, Baker&McKenzie. May I please divert you back to security concerns? Firstly, would I take it that you advise all American citizens to register with the Embassy and how do you do that? Secondly, how do you get connected up with this warden system? And thirdly, will there come a point in time when US passports of American residents in Moscow otherwise valid have to be exchanged for passports with biometric information? Thank you.

Pettit: Good questions. I know Bob would be eager to answer. But I'll try. You can register on line with the Embassy at our web site, which I mentioned earlier: www.usembassy.ru and follow links to American Citizens Services. You can register on line and that automatically puts you on the warden list dissemination.

Like I say, if you are not on the warden list and you can -- well, the AmCham is on the warden list. I don't know if.. How you internally disseminate.

On biometrics for US passports, this is probably one of the reasons that we postponed the requirement that the Visa Waiver countries to have biometrics in their passports by October 26 because why ask them to do it if we haven't done it ourselves? So there are no biometrics in US passports. They are working on it. I heard no suggestion that there would be any trade-in. As a matter of fact, quite the contrary, your current passport, none of which will be valid for more than 10 years, you can continue to use.

I mean, I can't say that new laws won't be written. But what they are envisioning -- first of all, it would overwhelm everyone if there was a big trade in. There are just too many passports out there. So no, you will not have to trade in your passports.

Somers: Other questions? Yes, on the right.

Q: First, I'd like to say thank you for your effort on your behalf last year. I've had about 500 Russian business visitors over the last several years. And because of your intervention and your staff's intervention after rejection of some high profile people last year, a 25-million-dollar program is saved, another 100 million dollars are now in the process. So I want to thank you for something positive happening.

That been said, we would like to find out a way to put some checks and balances in the refusals. Did you consider that at all?

Pettit: Well, it depends on what you call checks and balances. The fact is no refusal is permanent. Our standard refusal language is that if there is new information or change in circumstances, a person can always reapply. As you know -- I am not sure what company --

Q: TTE.

Pettit: You actually got a letter written by me.

Q: Yes, I do. Thank you for that.

Pettit: You can always tell whether it is written by staff or by me. In that case the system works. I know it's a tremendous frustration when it's an important client, multimillion dollars, they are turned down, you can't imagine in your life how that could happen or why it happened.

I honestly don't remember the particulars other than as the law requires: they failed to convince the consular officer. Maybe it's the consular officer's fault, who knows. We do make mistakes. They are correctable because you can send letters, you can fax letters, you can send e-mails. The staff's pretty good about percolating the stuff up to me. In extremis you can avail yourself of the AmCham. I mean there are ways, and the fact is, if we feel a mistake has been made, we can issue the visa with no further interviewing, no further processing. Generally, if we feel that the refusal was based on just a failure by the applicant to comply or to convince, we generally give him another interview. It does work. It's a big hassle and it cause a lot of stress. So, there are checks and balances. In the sense that is there an appeal process, not formally. There is no right to appeal to a court, for example, or to the ambassador. Please, don't write the ambassador, you are free to write to the ambassador, it all comes back to me, usually with a note saying, "Why am I getting these?"

By law, all these refusals are reviewed by a supervisor. So, they are reviewed, but I'll admit it, it's somewhat cursory just because of our volume. So, you have to be persistent.

Q: Jameson Firestone. Firestone Duncan, legal and accounting firm, not to be confused with the tire manufacturer. Two questions. One about visas and it ties in with something you said you'd like to be offered by citizen services. You mentioned the change in circumstances which is typically what they say when they reject somebody for a visa comeback when your circumstances have changed. But as we all know sometimes an applicant just doesn't carry himself or herself well, sometimes the consular officer may having a bad day. I've had this happen before and usually what you do you simply reapply immediately.

Last year, before your time, when it happened I guess I wasn't really thinking and the applicant just went in there and they immediately gave him another rejection which said, your circumstances have not changed sufficiently. That's just kind of funny since the last interview was one week ago. Actually, they did eventually issue a visa.

But how does one prevent that? I ask that because I had an applicant go last week who I encouraged to apply again and I'd like to give some advice on what he should say to a consular officer so he doesn't get an automatic rejection based on circumstances having changed in a week. That's my first question. And the second one is just: Are there any plans to use that nice finger printing equipment you have to allow Americans to voluntarily fingerprint themselves to meet the requirements of gaining Russian residency? Because if you want to get Russian residency, and some of us do, many of my clients do, whether they've married Russian citizens or they have tax reasons for doing that, you have to go to the United States, be fingerprinted by your local police department and then you can do everything from Russia. But it would be a lot nicer to walk into the embassy and use that nice equipment of yours and get fingerprinted here. Thank you.

Pettit: Since my short-term memory is not great, I'll answer the second one first. We provide limited finger printing services, I think it's always at the US government's requirement, that's mostly just workload consideration, kind of a worldwide standard. Secondly, the Russians would have to agree to something like that. The finger scanning we do, you know, it's not ink. It's a digital image, digital computerized image. It's not necessarily excluded that may be something like that would happen if the Russians and Americans agree that such service would be provided, but it would be unusual, we really normally don't provide such services, it will really be a service for a foreign government. Anything is possible. We actually have two kinds of fingerprinting that we do. One is the normal visa-associated finger scanning, but also, for example, if someone has a hit in the national crime index, then he will have to be fingerprinted in an off-site location which is all ten fingers, electronic impression still, nobody uses ink anymore, impression fingerprints, those get forward to FBI. It's separate but it's all US government requirements.

Doing it for people who want it because of the Russian requirement probably isn't happening any time soon. I am not saying it's impossible, I am just saying, there are a lot of things working against that. One would be the Russians to agree, the other would be us being able to do it.

On advising people who have been refused in subsequent applications, there are actually two factors that I mentioned. One is change in circumstances. That's one. The other is we have additional information and generally when we overturn a refusal it's for the latter, especially if it's been a week, there usually aren't significant changes in a week. So, it's preparation. Prep your client, just make sure they understand what they do and what they are going to do in the US and give them paper, give them paper from you, from your company. Sometimes sort of an appeal directly to consular officer. We see those and we actually like them, just saying "so and so is my client and we are sending him from my company, our company, you know, we made 3 billion dollars last year, this is what he is going to do. I think at the last interview perhaps there was an issue about such and such". Just explain it. Explain it. Sometimes a very reasonable explanation can overturn a refusal. More I cannot offer.

Q: Maxim Novikov, KPMG, auditing and consulting firm. I just have a quick question and it concerns the policy of introducing new machine-readable passports for the citizens coming to the USA from the Euro. As far as I note, the holders of such passports can travel to the USA without a visa. But there are some citizens who still have old passports. So, would you please comment how quick the visas through the US embassy in Moscow would be issued? And what's the process? Thank you.

Pettit: If I understood you correctly, you are asking the difference between our visa issuance in Europe and here or you are talking about the difference between people who hold European passports and those who hold Russian passports in terms of getting a visa?

Q: It just concerns holders of passports of citizens from Europe, not the Russian citizens.

Pettit: Okay. Most of the West European countries, actually all of them except Greece, not that Greece is in Western Europe, but non-former East bloc, fall under the Visa Waiver Program, -- they just have to have a passport and there are a few exceptions that I'll get to in a second. But by and large the Visa Waiver

countries, there is no new requirement until October 26, by that time they will not be admitted into the US without a visa unless they have a machine readable passport. There are some exceptions to this and I can't list the countries off the top of my head, but it's available on the Internet. I know that Belgium is excluded and I know that Liechtenstein is excluded for various reasons. They must already have machine readable passports.

There was also going to be a requirement that any passport issued -- from a Visa Waiver country -- issued after October 26 would have to have biometrics included that have been postponed for a year. Does that answer your questions? Oh yes, and about the fee. The fee worldwide, the application fee is 100 dollars. The fee for issuance of the visa varies depending upon nationality and it's based on reciprocity.

Q: Michael Harvey. We bring Americans into Russia. And recently one, through no fault of his, was taken out of a hotel down to the police station because there was a problem with his registration from Saratov. And I am wondering if there is anyone in your office that follows those kind of issues with registration of Americans in Russia?

Pettit: Well, you are looking at them here. Bob Hannon's office, American Citizens Services spends probably half their time on sorting out problems with the Russian visa and registration regime. A disturbing development that's occurred in the last few months is that I understand that the OVIR officials told the hotels in Moscow not to grant lodging to anyone who had an expired or missing visa. This has resulted on a few occasions in people showing up at the south gate of the embassy asking for a place to sleep. We think that this is bad policy and it's something we are going to be discussing with Russian authorities. But that said, we can often be helpful by weighing in when someone is in a situation like that. We can't change the system but we can assist -- actually the Russians often defer when it's our citizen. They say, can you do a letter or something to sort this out? And we do that often. Too often.

Q: Randy Reagan from (inaudible) ... I don't have a lot of details on this but I think you understand. I have some Russian friends in the sport club I belong to that -- she said that she had interviewed with the Russian company who was going to get her a visa and a job in America, and she said she had paid about a thousand dollars or so. Could you comment on that?

Pettit: Well, I can only speculate. It sounds a little bogus. I think she, you know, she might get taken -- the Summer Work Travel Program kind of works that way, but it assumes that you are an undergraduate student going to work at Pizza Hut or something like that. It sounds like a scam. There are lots of scams.

Another scam involves Internet fiances -- by the way we have no problem with Internet fiances. They are perfectly legitimate. If that's what you want to do. But beware that sometimes the lovely lady that you think you are corresponding with is actually named Boris and he is 65 and weighs 300 pounds. And before you send that money for the ticket and visa -- I only mention that because it is a significant problem. And this sounds like an unrelated scam, but nonetheless a scam.

Q: Could there be a key question I could advise her or him to make sure there is legitimacy there?

Pettit: Well, I can only ask -- you can do some research on what it takes to get an employment-based

visa to the United States. The first step is that the employer in the US has to generally obtain a labor certification and file a petition with the Department of Homeland Security. There should be a petition approval from the Department of Homeland Security for an employment-based visa. Without that you don't -- you can't even apply for a visa.

So, if you want, we have an anti-fraud unit that would be happy to look into it. The head of that office is Nicole Specians. If you just ask for her by name, they will put you through.

Q: I know you mentioned you don't think there is sort of a reason to have a representative present at the interview. But can you go into it a little bit more? It just seems to me that since there is a lot of fraud as you mentioned and fake documents, then having someone, you know, present even the person actually sign that letter of invitation would be helpful in terms of information at least.

Pettit: I don't actually completely disagree with you. There are many circumstances where probably it would be useful to have the American rep there. The problem is picking and choosing because what benefit we will get from that is more than outweighed by the problem of third parties at visa interviews and just based on experience. It is not supposed to be -- you are not supposed to be represented by counsel or by anyone else because that undermines the whole intent of the interview, which is to see what the applicant has to say.

Which is why we ask good documentation instead of you standing there and explaining. You should probably write that and present it to the applicant. Along that line by the way, a lot of people don't realize this. You should not mail or fax documents to us in support of a particular applicant who hasn't applied because they are going to the shredder, and we have absolutely no way to match those documents with the applicant who may be interviewed several weeks later. We are too big an operation to do that.

I think that probably horrifies a lot of people -- we get beautifully prepared documents, but ask yourself: a hundred thousand visa applications, Jim Pettit sitting over the pack of documents, how is he supposed to match them up with the applicant who hasn't applied yet? It's all willy-nilly which window a visa applicant will end up at -- it's just too hard. We can't do it. Give it to the applicant.

Q: Tatyana Pokrovskaya, Morgan & Stanley. I was just wondering if you plan to introduce a policy or practice when representatives or clients of American companies going to America on visa invitations could get to certain one, two, three counselors instead of getting all together in one line because summer is a very hot season in any embassy, it's a great frustration for our clients to stand in the queue, waiting for the interview. On the other hand, another frustration is waiting for an interview for three weeks. Sometimes, you know, in the business (inaudible) ... is not practical, sometimes impossible. So basically there are two questions. Is there going to be, if you plan to put in kind of commercial line or private invitation lines? And secondly, this time difference between application and the actual interview, if it can be narrowed as much as possible?

Pettit: First of all, unlike 10 years ago when we really had lines, it's an appointment system now. So what lines there are are not that long. There is a wait. In terms of an expedited line, I said earlier, you know, we've got -- it takes nine days to two weeks, nine business days to two weeks from the time of submitting the applications to Pony Express. You look like you don't agree. That's because this is recent. It was up to almost

four weeks in July. So it is much better now.

There is a thing called group processing, which I failed to mention. It's not for tourists or private travelers, but if you have a group of clients or a group of employees numbering 10 or more, it's going to be worthwhile. Okay, that doesn't resolve your issue. You can arrange, you can contact us to arrange for group processing in the afternoon, there is a special time.

Q. (inaudible)

Pettit: Three weeks. Well, I can only tell you that's how long it takes. I mean that's -- three weeks is great compared to some cases. We've had an unnamed post in South America where the waiting period was up to one year to get a normal visitor visa. Of course there were work-arounds for students and certain cases, but I mean we are doing pretty well compared to Europe too. Our posts in Europe, many of them have much longer backlogs. I mean it's not good, but I am just saying three weeks isn't bad. Have to plan ahead.

Q: (Inaudible)... I was here last year, and I am glad that some progress has been made and there have been some success stories from businesses. But I have a question regarding, I guess, private citizens' inquiries. I have a case where I guess my wife -- we have been married about two years and I still haven't been able to take her and my daughter back to the US. And the main problem with ACS communications is that our case is fairly complicated, we have been in a couple of countries in the last two years. Are there channels to contact somebody in the consulate to kind of sort out the case and figure out where to get it expedited?

Pettit: There are, I mean, channels I mentioned. We've got e-mail, and you can send a letter. Have you sent a letter and not gotten a response?

Q: I have actually had a congressman contact the Embassy on my behalf as well as a lawyer. And all still kind of been without result.

Pettit: Or did you just get a boiler plate response? Is that the problem? Because we do answer congressmen. We've got a rule, three business days for any congressman. Sometimes it's pretty generic.

In your particular case I can tell you just in general that American citizens residing overseas and married to foreigners usually don't have a problem getting visitor visas for their spouses unless they -- you said you have been married two years. The only thing that would prevent us from issuing visitor visas is that if we thought you were really going back to the US permanently.

So in a way you have to demonstrate that you have a contract, that you are working over here, that you are living over here so that we don't think you are circumventing the immigration system. But you should be getting responses to your inquiries.

Q: Well, we have actually married in China, it's a very complicated case, but the main problem was that we haven't been able to get through to the Embassy, be a congressman or a lawyer or myself. I am just

wondering if you have more concrete recommendations?

Pettit: I think what you are saying is that you personally haven't been able to speak to someone at the Embassy probably...

Q: Neither has the Congress person or the lawyer.

Pettit: That's not surprising because we have to insulate ourselves. That is all we would do, be talking on the phone. But you should be getting written responses to your inquiries. So, send us inquiries to the e-mail address and say, for Jim Pettit at his request and we'll see if they believe it and forward it on to me (laughter).

Q: Steven Pollock of UFG. A sort of a follow-up question to that point. There is a lot of Americans who live here, who married Russians, lived in the States for a number of years. Because of the green card delays, their spouses never received the green card. So, back here in Moscow they want to stay for a number of years, they have no intent of really going back to the US, but they want to have their wives visit the parents. The problem is they've already shown an intent to immigrate to the US. They check their box and the visa form which puts them in a very difficult category. And that already makes the consular officer skeptical even though the situation is that, you know, people didn't get a green card because of the two-year delays in New York, which is the case. They are back here, they want to stay here, but they want to go back and visit parents. Is there -- once again it's just writing e-mail to try to get --

Pettit: Yeah, because, I mean, first of all, we understand that, we were well aware of the backlog in green cards. What's key once again is your horizon overseas? If it doesn't look like you are getting ready to move back, then no one is going to say you need to wait. And I don't know what backlogs -- that's sort of a different agency -- I don't know what backlogs are for green cards. Sometimes they are pretty egregious, other times not. If you are a resident of Moscow you know you can file the petition here in Moscow -- we have a DHS office. You don't have to deal with an office back in the United States. I don't know if that applies in your case. It tends to go a lot faster because it's approved here in house.

Q: (Off mike). If you have a green card, does it really help your plight, the point on staying here because of the residence requirements.

Pettit: Oh yes, we find this a lot, business people who are posted overseas with foreign-born spouses, if a foreign-born spouse gets a green card, they have to go back once a year or get a reentry permit and then they can stay up to two years, if they stay overseas beyond two years, they will lose the green card, then they need a visitor visa, it's a hassle.

Q: EurAsia Press. I have actually had an excellent experience with you guys back in May. We are a small business and I was trying to take three Russians, actually one Serbian and two Russians, to the off-shore technology conference in Houston. And this was the first time my company had applied for any American visas and I thought, oh, for sure we're gonna get screwed. Besides, we were late. We applied with just two weeks. Everything went very smoothly. However, my fellow with the Serbian passport who is married to a Russian woman who's been resident here in Moscow for about 12 years, I was already in Houston, he

calls me up in the middle of the night the day before he was to fly to New York. And he says, hey, they made a mistake on my visa. And it turned out that because Yugoslavia, you know, was carved up, his passport said that he was born in a particular place, but apparently whoever issued the visa at the embassy wasn't familiar with the new Serbian geography and they put a different province there.

He was concerned that he was going to be turned back at the border at JFK. I called your call-in service at Direct Star and explained the whole thing. Unfortunately, this particular type of question was off the scrib-run. And she said, right, you can send it back to the embassy, I know the man is flying in 24 hours. So, we took the chance and he had no hassle. But my question is, in a situation like that when the embassy makes a mistake on the visa, can that person be turned back at his point of entry in the United States?

Pettit: The answer is yes, I mean, I would like to pursue that with the comment that we will correct any mistakes as quickly as possible and free of charge. They do happen, sometimes we've got the gender wrong. Usually, if it's something like that, male-female, place, you know, Croatia instead of Bosnia, port of entry doesn't care. They are looking to make sure it's the same person. But it makes people nervous and we will correct them quickly. If people bring them in, we'll correct them quickly. Can people be barred at some port of entry from the States, oh yes, they do, and then we feel awful, I mean, but the traveler has to be sure the visa is alright, and the Russian visas, too just to make sure all the information is correct. Especially now since port of entry is a lot more zero-tolerance than they used to be. If it's something key like the name or the date of birth, or the visa category. There is some flexibility, but yes, one runs the risk, if there is an egregious mistake on the visa, one runs the risk of being bounced back.

Somers: Other questions. Jim, you've been kind enough to mention the AmCham endorsement can mean something and that we have a working relationship. That prompts me to thank Irina Zernova who is our VP of operations who on the AmCham side is a key partner with your office and your colleagues. And whatever success we have in those very instances where the system isn't working and you offer access to us it's Irina Zernova that from our perspective is the person who helps you all with visas when it's necessary.

And secondly, let me use this occasion to say we have over a hundred people here today. These logistics behind our lap. In 2001 when I arrived AmCham had been averaging just about under 10 high-profile speakers a year. We are now doing over a hundred a year. Jim is the most recent example and to schedule a hundred speaker events like this among the very small number of hotels, our first class quality requires superb operations and logistics and again that's Irina Zernova our VP of operations. So, I'd like to give her a hand. (Applause).

And Jim, I'd like to thank you for acknowledging our sponsor, it's so sensitive that he knows that somebody has to pay for this. And again I'd like to thank Daimler Chrysler. I notice some of the Chrysler's up there I don't know if this to push the American side of the thing or the jeep aspect. It's probably direct marketing. But again I'd like to thank Daimler Chrysler and we are very happy to have a global company such as Deutsche Bank is with us today and Daimler Chrysler. It strengthens the American Chamber of Commerce to have not just purely American companies in the Chamber. And last of all Jim I'd like to thank you. You've made as I said earlier, a tremendous improvement. I think the fact that the questions today were, I would say, more constructive and less critical than a year ago reflects the tremendous success you have and the great

credibility you have here with the American Chamber of Commerce in Russia. I'd like to thank you again.
(Applause).