

October 30: Talk to the Consul Moscow -- View Transcript

Moderator: Welcome to our first "Talk to the Consul" chat for American citizens residing in Russia. We welcome your questions in advance of today's chat.

Please note: Nothing will appear on this screen until the live chat takes place. Rest assured we are receiving your questions.

Kurt Amend: Greetings from Moscow. This is the first time we've done a webchat at the Embassy, and I hope it will be helpful to all of you. I see that there are a number of questions about the new Russian visa regime. Hopefully, we'll point you in the right direction and clarify the new regulations. Kurt Amend

Blue-4: From the point of view of the Consul in Russia, what should be the first point of contact for a U.S. citizen to take his wife to the U.S.? We have been living here for 13 years, and married recently. I am retiring to return to the U.S. in the coming year. The USCIS website is helpful - but the process is daunting and seems to take 2 years or more. How to get off to the best start?

Kurt Amend: Thanks very much for your question. I understand that applying for a U.S. immigrant visa for a spouse can indeed seem daunting at first glance, but the process is actually fairly straightforward. If you are a resident of Russia, you can begin the paperwork here at the Embassy by filing a petition, called the I-130, with the U.S. Citizenship and Immigration Service, or CIS. You'll need to gather up all of your vital records, such as your marriage certificate and both of your birth certificates. There are several steps to the process, and there are other forms that you will need to submit along the way, but we keep you informed along the way and work with you to schedule an interview date as soon as possible.

Blue-4: What is the experience of the Consul in Russia of observing the processing of "new" spouse applications for entry to the U.S.. - How long from application to being able to travel (valid visa)?

Kurt Amend: No two cases are exactly alike, but if there are no complications the process should take about six months. On occasion there are delays because people are not able to locate their vital records or a Washington clearance is required and it takes longer than expected. But, assuming that you have all your records and there's nothing that would delay processing, six months is realistic.

Blue-4: What is the role of the Consul in Russia - in assisting the processing of new-spouse applications for a couple to return to the U.S.?

- Is there an accessible "real person" source of information?

Kurt Amend: That's a very good question, especially since there are so many unofficial sources out there which may give distorted, or even false, information to would-be visa petitioners. There are several ways that you can gather accurate information and communicate with us directly regarding an immigrant visa for a loved-one. The Embassy website at <http://moscow.usembassy.gov> has a comprehensive, step-by-step guide with links to the Department of State website, and you can e-mail us with specific questions at consulmo@state.gov.

In addition, the Citizenship and Immigration Service responds to inquiries through its own e-mail box, moscow.dhs@dhs.gov. If you're in Moscow, you can speak directly to one of the American Citizen Services (ACS) officers; the Unit is open from 9:00 a.m. to 12:00 p.m. and 2:00-4:00 p.m., Monday through Friday. In addition, an officer from the Citizenship and Immigration Service is available during their walk-in hours, 1:00-4:00 p.m., Monday through Friday.

Blue-4: I would like to commend the Consul's performance improvement over the last several years. I have observed the operations here in Russia (Moscow) - for 13 years, and it has been generally erratic, random, and unsatisfactory. I believe it was Jim Pettit who implemented significant on-point changes that dramatically improved the performance and the perception of the Consul in Moscow (I can't comment on the rest of Russia). I expect that you will be continuing the momentum his "watch" created - and the initiation of these webchats may be evidence of that.

If only you could somehow make U.S. citizens feel like the "citizens being served" that we are when we visit the Embassy - instead of criminals already presumed guilty - it would be nicer. (We, of course, understand the security constraints - and that they must apply to everyone - but it would still be nice if you could find away to at least appear to respect the citizens that you deign to serve.

Kurt Amend: I appreciate your comments about improving the quality of our services. We always strive to be friendly, courteous, and efficient to everyone who requests a service from us. Unfortunately, security is a concern for all of us and will continue to be for the foreseeable future. I need to show my badge and go through security when I go to work each morning and when I return home every evening. Security is, unfortunately, a fact of modern life and particularly so overseas.

abt1611: I am married to a Russian citizen currently residing in Moscow with him and our son. With the newest changes in visa regulations; what would be the best actions to take to establish temporary/ long term residency. I of course do not want to loose my and son's citizenship to USA but plan to live in Moscow for at least five years.

Kurt Amend: First, the good news is that you and your son will not lose your U.S. citizenship, so you don't need to worry about that. As someone married to a Russian citizen you can apply for permanent residency here in Russia. Applying for permanent residency in Russia is a long and complicated process, as it is in the United States. You may want to check our guide to the Russian visa regime on our website, <http://moscow.usembassy.gov>, or the website of the Federal Migration Service (in Russian only), at <http://www.fms.gov.ru/>. If you still have questions, stop by and visit us at the Embassy.

kj in russia: My husband and I are renewing our religious work, 1 year, multi-entry visas effective 1 Jan 08. Under the new law(s), will we be able to stay in Russia under a minimum 6 month registration, like we did in 2006 and 2007? Or will we be limited to a 90 day registration? If the later, will we have to wait another 90 days before re-entering? If so, it kind of defeats the purpose of applying for a 1 year visa to do missions work.

Kurt Amend: Thanks for the question, KJ, and I know you're in a difficult situation. We are still trying to clarify the new visa regulations with officials in the Russian government. Our best understanding is that it boils down to whether your visa will be considered a "work" visa, in which case you can stay over the 90 days, or whether it will be treated more like a business or tourist visa, in which case you will be subjected to the 90-day rule.

Check with your sponsor, and feel free to check back with us in the coming weeks – we hope to get a better sense of things as the new regulations are implemented.

kj in russia: What does it take to apply for temporary residency in Russia? Which documents do we need to present at time of application? Is there a limit as to the number of temp residencies Russia will grant to American citizens in each region? If so, do you have a guesstimate how many will be allowed for the Perm Oblast?

Kurt Amend: Our guide to the Russian visa regime has this to say about temporary residency in Russia (see our website for the complete entry):

"Temporary residence is granted for a three-year term. The issuance of temporary residence permits (razreshenie na vremennoe prozhivanie) is subject to a quota established annually by the Government for each separate region of Russia (the quota for the year 2003 was 90,000 for Moscow, 1,000 for St. Petersburg). Certain categories of foreign citizens are not subject to the quota, including, foreign citizens previously citizens of the USSR; foreigners married to Russians residing in Russia; and foreign investors making investments of a magnitude yet to be established."

kj in russia: Has there ever been an incident of either a business/organization or an individual being fined the alluded to thousands of roubles due to improper registration? If so, would you divulge some of the particulars: deportation of individual? revocation of license for business/organization? fine (and amount)?

Kurt Amend: We see a move towards tighter enforcement of existing laws, and closing certain loopholes in Russian visa regulations. The important thing is not to get on the wrong side of Russian law. My best advice is to never, never overstay a visa, and make sure you are always properly registered.

TurtleSoup: Do Russian hospitals accept American health degrees?

Kurt Amend: That's a good question, and I'll confess that I don't know the answer right off the top of my head. Why don't you call the ACS Unit later this week, and we will track down an answer for you?

ACS Russia Participant: Dear Mr. Amend, I am US Citizen presently residing in Moscow and my question is: Can I or any other US citizen apply and have 2 or more US passports. I have in my possession a new type of passport. Thank you, Mike Sogoian

Kurt Amend: Thanks, Mike. The short answer is yes, you may have a second passport that is valid for two years or less. If your current passport has less than two years' validity, we can issue you a new, ten-year passport; otherwise we can issue you a two-year passport. You'll need to bring a letter from your employer or other evidence showing a need for frequent travel, but it's really not a problem.

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ACS Russia Participant: Dear Mr. Amend, Is there any related to IRS service at the embassy grounds, or perhaps accounting/audit assistance for US citizens in Moscow?
Thanks, M.Sogoian

Kurt Amend: Unfortunately we don't offer that kind of service. We try to keep a good supply of U.S. tax forms on hand, and the **IRS website** is an excellent source of information. Unlike Frankfurt, London and Paris, the IRS does not have an office in Moscow.

ACS Russia Participant: In view of the new Oct 4 change on visa registrations, where should American citizens in Moscow go to find accurate information to their questions? There are many conflicting answers and rumors coming from Russian OVIR, etc - nobody seems to know who has the most accurate information and ongoing reliable information.

Kurt Amend: The best source of information is the Russian Federal Migration Service. I know that since the rules were just adopted it may not be clear yet how they will be implemented, but you may want to look at the FMS website (again, Russian only) at <http://www.fms.gov.ru/> and check back with us.

ACS Russia Participant: I am an American citizen living with my Russian husband in Russia. Last month he applied for a visitor visa to the US so that we could spend six weeks with my family for the holidays. We had documents proving our ties to Russia including proof of property ownership, bank account, proof of employment here for my husband and proof of his son's residency and university attendance in Moscow. We had included all of these in the packet with the application and my husband even took my absentee ballot to the interview along with pictures of our wedding. The interviewer refused to look at any of our documents and told my husband that he has too close ties with America so no visa! Any Russian married to an American has "close ties" with America because he is part of an American family.

So why is this a reason to refuse a visitor visa? Of course we can apply again but the only way to get rid of those "close ties" is to divorce or wait until everyone in my family is dead. I thought that family unity was an important factor in American immigration policy but I have heard from many expats that the US Embassy here has also refused to give visas to their family members also. What do we have to do to get our spouses visitor visas?

Kurt Amend: Questions of visa eligibility in cases like your husband's are always difficult. As you may know, to qualify for a U.S. nonimmigrant visa your husband needs to show close ties to a residence abroad. Since each applicant's circumstances differ, it is impossible for me to give you a formula for what your husband needs to demonstrate to the consular officer.

My recommendation? Have him reapply. Last year close to ninety percent of Russian visa applicants were approved. I certainly understand your wish to have your family together at the holidays.

ACS Russia Participant: Dr. Mr. Amend, I recently married a Russian citizen. My husband and I plan on living in Russia together (and we have documents to prove it!), but I would like for my husband to be able to come over to the U.S. for one month to meet my family. However, we have applied for and been rejected for a tourist visa on the grounds that he has an American spouse and that automatically means he would try to immigrate. We have been advised that our only hope of getting him over there is via immigration. But we do NOT plan on living in the U.S., so that is not an option. Why is there no visa option available for spouses who

merely want to visit the country for a short period of time? Why does my husband not have a right to meet my family in the U.S.? I understand you can reapply, but that is only advisable if your circumstances change. If they don't change, that means he will not be able to meet my family. Are there any other options in situations like these? Thank you.

Kurt Amend: Your best option is to have your husband reapply for a tourist visa. As you know, he'll need to show that he has every reason to return to Russia after a short stay in the United States. How does he do that? Proof of employment, property ownership, family ties, and so on. Our consular officers make the best possible judgment based on the information presented to them at the visa interview.

LLL: Please address recent news about limitations of stay in Russia for business visa holders (90/180 day limit). Thank You!

Kurt Amend: We, too, are still sorting through the new regulations and how they will be applied. Our understanding is that basically, if you are here on a employment visa, you don't need to worry – you will not be affected by the 90/180 day limit. The problem is if you are here on a business visa, then you will be subjected to the 90/180 day limit, in which you cannot stay in Russia for more than 90 days in a 180-day period. We know that the process to apply for a employment visa is more complicated than a business visa, but we have to abide by the rules established by the Government of Russia.

Howard: Please tell us about the new Russian visa law. The decree signed Oct 4th and published Oct. 10 2007. Thank you.

Kurt Amend: I know that there is a lot of interest about this out there, and I wish I had more concrete information to give you. I think there are three key changes to bear in mind.

First, if you overstay your visa, the Ministry of Foreign Affairs (MFA) can only authorize an exit visa if your visa expired within the last three days. Otherwise, you have to apply for the exit visa through the Federal Migration Service, which can take up to 20 days (three days in exigent circumstances).

Second, for many categories of visas, you cannot stay in Russia for more than 90 days in a 180-day period. Exactly what exceptions might be made is an excellent question, and we're trying to get more concrete information on that.

The third big change is that you have to apply for a new visa in your home country, unless you have permission to stay in the country where you are applying for the visa for more than 90 days. Keep monitoring our website, and we will post something when we have more definitive information.

tiger2: My family and I are American citizens living in Russia. Our one-year multi-entry Cultural visas expire next week. Will we be able to go to Kiev, Ukraine to obtain our new visas or should we make plans to travel back to the states? How does the new law affect our future as far as being in the country for only 90 days at a time? Thank you

Kurt Amend: The new regulations appear to require that you return to the United States to apply for a new visa unless you have permission to stay more than 90 days in the third country where you are applying for the visa. I would suggest that, if possible, you check with the Russian Embassy in Kyiv to see if they will accept your visa applications. As to the applicability of the 90/180 day rule, it is possible that you

might be subjected to the new regulation. You may want to check directly with the Federal Migration Service or your visa sponsor, if you can.

ACS Russia Participant: Could you please explain how the new visa laws in Russia will affect our current visas (1 year multiple entry "Cultural Exchange")? As they state in our Passport they are valid until July, but we must exit in January. When we exit in January, will our current visa be recognized, or will we have to wait 90 days (until April) before we can return?

Kurt Amend: Again, I suggest that you check with your visa sponsor and directly with the Federal Migration Service. These new regulations have only been in effect for about three weeks, and there are still a number of unanswered questions. We will try to get accurate information to all of you, so keep checking our website. When we have definitive information on the new rules we will post something on the American Citizen Services internet page.

Moderator: To those of you just joining the chat, welcome! We do see your questions coming in. Your questions will only appear on this screen after they have been answered by our guest speaker.

ACS Russia Participant: we have heard about the change in visa laws... is it true that we will no longer be allowed to stay in the country for more than six months a year?

Kurt Amend: It depends on your visa category. As I just mentioned to another webchat participant, for many categories of visas you cannot stay in Russia for more than 90 days in a 180-day period. Exactly what exceptions might be made is an excellent question, and we're trying to get more concrete information on that. Keep checking our website for updates.

kj in russia: Your missionary friend is back :-). Could I apply for a second passport, then apply for a second religious worker (delovaya, not rabochnaya) visa, and use them alternately every 90-days to bypass the new registration limit? To clarify, can I enter Russia in Jan 08 on my old passport with a new visa, get registered for 90 days, leave for the Ukraine or other neighboring country, and within a week, re-enter Russian using the newer second passport and second visa?

Kurt Amend: Welcome back. Under Russian law you can only have one visa at a time. I understand this may represent a hardship, but I don't see that the new visa regulations change this at all. It's regrettable, but it's Russian law.

Samara Bill: Background - my wife is a Russian citizen with a US green card. We will submit her request for restriction removal in two days, but have a few questions.
- Can the biometric work be done in Samara where we reside currently? She will remain in Samara for a month after submission, while I move us to Houston and my new assignment.

- I washed my wife's passport containing her now out of date initial visa. We have copies of the old passport, but Russian insisted upon our submitting the passport to them for we expected to have to leave for the US and my job in a short time. Will she need to present the copies of the old passport with the extension since her passport is now new? (or to enter the US for that matter?) Thank you?

William J. Patton 150-38-0587

Kurt Amend: Bill, you need to check with DHS/Citizen and Immigration Service here at the Embassy. Send a message first to moscow.dhs@dhs.gov.

kj in russia: Does the American government have any sway in asking the Russian government to set effective dates of these sort of immigration rules/laws far enough in the future (say six months) so that the local Russian authorities can work out how to implement the new laws and the foreigners can work out their personal visa/registration situations without fear of being barred from re-entry.

With all the time it takes to secure an APOSTIL (sp?) and all the proper documents to apply for residency, there just doesn't seem to be enough time before the registration runs out. It's frustrating.

In American law, when a new rule is enacted, it usually isn't enforced until the following 1 Jan or 1 Jul. I'm thinking of traffic laws in California, specifically, and I'm certainly NOT a lawyer, but it seems that we do a better job of avoiding frenzy for our immigrants.

Kurt Amend: We do our best to get advance notice from the Russian government of key regulatory changes that might affect U.S. citizens living or working in Russia. In this case, we and all other foreign missions in Russia did not receive such advance notice.

ACS Russia Participant: What website are we to monitor for info on Russian visas, the state dept's or the embassy's?

Kurt Amend: Check out the American Citizen Services page on the U.S. Embassy website: <http://usembassy.ru>.

ACS Russia Participant: When do new regulations for business visas go into effect? My current business visa expires next summer. I plan to leave in December for Christmas, returning in January. Would I then only have 90 days? Or does it go into effect with my next visa? Thank you for any insight you can provide.

Kurt Amend: They went into effect on the day of their publication, October 10, 2007. As for your business visa, you should probably check with your visa sponsor.

clwheatley: Mr. Amend, on the ACS portion of the US Embassy's website, under Russian Visas, it states, "Dual citizen minors who travel on their Russian passports also face special problems." My 2-year old daughter is a dual citizen, holding passports for the US and Russia. What 'special problems' should my wife and I be aware of? -- thank you, Chris

Kurt Amend: The important thing is that you make sure your daughter's Russian passport remains valid. We sometimes hear from dual citizens who cannot leave Russia because their Russian passports have expired, and it can take weeks or even months to obtain a replacement. In those situations, it's very difficult for us at the U.S. Embassy to provide any real assistance, as replacing a Russian passport is entirely a Russian government function. So make sure that her passport, or her mother's passport if she's written into that document, stays valid.

Also, if your daughter is going to be traveling with just one parent, make sure you have a notarized consent form from the other parent giving permission to travel. It should be in Russian, notarized by a Russian notary or a Russian consular official. Having this document may help you avoid problems entering or leaving Russia.

ACS Russia Participant: Kurt,

Your answer to the following Russia visa question is not very helpful. We have been trying, our agency has been trying and the answers we get are contradictory. The

answers to these questions have huge implications on us and our families. Is there anybody within the US embassy that can ask and receive questions on behalf of US citizens that can help people who truly want to follow the laws and get on with their life?

ACS Russia Participant: In view of the new Oct 4 change on visa registrations, where should American citizens in Moscow go to find accurate information to their questions? There are many conflicting answers and rumors coming from Russian OVIR, etc - nobody seems to know who has the most accurate information and ongoing reliable information.

"Kurt Amend: *The best source of information is the Russian Federal Migration Service. I know that since the rules were just adopted it may not be clear yet how they will be implemented, but you may want to look at the FMS website (again, Russian only) at <http://www.fms.gov.ru/> and check back with us."*

Kurt Amend: We fully understand the implications for you and other Americans in your situation. Having said that, as a resident of Russia you are probably aware of the complexity of the Russian visa regime. Since these are new rules it is impossible to predict how they will be applied in practice throughout Russia. We have already met with Russian government officials to seek clarification. What we know is as follows.

First, if you overstay your visa the Ministry of Foreign Affairs (MFA) can only authorize an exit visa if your visa expired within the last three days. Otherwise, you have to apply for the exit visa through the Federal Migration Service, which can take up to 20 days (three days in exigent circumstances).

Second, for many categories of visas you cannot stay in Russia for more than 90 days in a 180-day period. Exactly what exceptions might be made is an excellent question, and we're trying to get more concrete information on that.

The third big change is that you have to apply for a new visa in your home country, unless you have permission to stay in the country where you are applying for the visa for more than 90 days. Keep monitoring our website, and we will post something when we have more definitive information.

ACS Russia Participant: Thank you for your time and helpful information.

ACS Russia Participant: What are the misperceptions of US citizens in Russia about American Citizens Services getting timely and accurate information regarding Russia visa laws?

Kurt Amend: If you have specific questions, please call or drop by and we will answer them.

kj in russia: Can I cry on your shoulder a bit? We're here on a volunteer basis. We are NOT paid. We are an international organization with Russians, Americans, and many other foreigners volunteering together. Our missions creed specifically notates that we are 100% volunteer. We rely solely on donations from family and friends, as well as home churches, but our organization does not pay us.

Despite this fact, our organization (sponsor) is looking into what it would take, as a religious organization, to process work visas instead of business visas. The response from our local OVIR is that members need to be paid, so we can't process work

visas. However, if we pay our staff, we're violating our mission creed, plus subjecting our staff to 50% income tax (Russian). This is money that would normally go to feed the hungry, poor, and orphans. Is there any hope that Russia will make an exception for humanitarian aid workers? Or will she really shoot herself in the foot?

Kurt Amend: KJ, I'm very sorry you're in this situation. All I can say is that this is a sensitive issue for the Russian government. These new regulations do not seem to make things easier for those in your situation, and they were implemented with no prior notice. I wish I could offer you more hope, but keep working with your visa sponsor, and maybe as time goes on we will discover some flexibility in the new rules.

ACS Russia Participant: If you have a current (business) visa, good till mid-2008, and local registration, also good till mid-2008, is it possible to be found in violation of regulations because you didn't leave the country at some 90- or 180-day mid-point? How can you know if your paperwork "means what it says"?

Kurt Amend: We are still seeking confirmation of whether the new 90/180 rule applies to visas issued before the date the new rules went into effect. It's not clear that they do. To be on the safe side you should check with your visa sponsor.

Howard: Thanks you very much for your help. Much appreciated. Very helpful.-
Howard

Moderator: Mr. Amend continues to review your questions.

If you are unable to remain online with us, a transcript of today's discussion will be available within one business day.

kj in russia: Do you know approximately how long it takes to obtain an APOSTIL?

Kurt Amend: An apostille is typically issued by a state authority in the United States. The answer to your question depends on which state and what kind of document. You may wish to check the following link for more information:

http://www.travel.state.gov/law/info/judicial/judicial_2545.html

Howard: Dear Mr. Amend, Are there any near by countries where an American has the right to live for more than 90 days and thereby get a new Russian visa?

Kurt Amend: Howard. Excellent question, one that we will need to research. If possible, send us an e-mail (address it to moscowwarden@state.gov) and we will get an answer back to you.

kj in russia: Thank you so much for the links and for sharing what info you do have.

If and when you meet your Russian counterparts on this issue again, please, please, please intercede on behalf of those volunteering in humanitarian aid and ask them if they'd be willing to make an exception on our behalf and allow us to process work (rabochnoye) invitations despite the fact our staff members aren't paid. Thank you.

kj in russia: I plan on renewing my visa in the US. However, family friends were planning on going to Latvia to renew theirs. In the past, others have gone to the Ukraine and Finland. Since Finland is now EU, and technically, Americans can travel anywhere in the EU for a period of 90 days or less without a visa, would/should we be able to apply there without any sort of Finnish residency requirement to appease the Russian consulate there?

Kurt Amend: Our reading of the new rules is that you need to have permission to stay in a country for more than 90 days. It appears, then, that you would not be able to apply in Finland. The U.K., where Americans sometimes are allowed to stay for up to six months, may be a better option.

ACS Russia Participant: Thanks, first of all, for your help with these questions! A few more:

-How long will you be staying online?

-Do you have an e-mail contact address for further questions after the chat's over?

-What suggestions do you give to US citizens living far from Moscow or St. Pete about whether, and how, to register?

Kurt Amend: We are winding up the session shortly. E-mail us at moscowwarden@state.gov. Registration is easy and available on-line. Go to http://usembassy.ru/consular/acs.php?record_id=registration.

ACS Russia Participant: In your opinion, is temporary residency something that is difficult to obtain? Can you briefly state the major requirements?

Kurt Amend: Good question, although relatively hard to answer. Approval of temporary residency depends on a number of factors to include grounds for residence, family ties (to Russia), length/nature of proposed stay, geographical region, employment, and more.

kj in russia: On a separate issue, our organization was hoping to do some fundraising next fall. We wanted to invite some of our Russian and Ukrainian staff (about 3-4) for a 10-15 day trip, visiting churches and missions groups. However, when I was reviewing the visa types on the American Embassy website, it noted that religious visas were not to be used for fund raising. What sort of visa should we have them apply for - tourist?

Kurt Amend: Kj - it appears that you will require a petition-based (H) visa. If you are interested in pursuing this, your parent organization in the United States should consult a U.S.-based immigration lawyer.

MCLipso: Thanks Kurt for answer our visa questions. Is there a mailing list we can sign up for to receive frequent updates? How often do you update the Moscow Embassy web site?

Kurt Amend: We continually update the Embassy Moscow website although the Embassy does not alert readers when updates are posted. We recommend that you check the site at least once a month for changes.

Kurt Amend: Unfortunately time has run out and the webchat session has to end. I want to thank all of the participants for your interest and good questions. I hope this has been helpful and I look forward to doing it again!

Kurt Amend

Moderator: We wish to thank Kurt Amend for joining us today. The webchat is now closed.

A transcript will be available as soon as possible. Please check the ACS website for updated information.
