

9 FAM 42.71 Procedural Notes

(TL:VISA-502; 12-04-2002)
(Office of Origin: CA/VO/L/R)

9 FAM 42.71 PN1 Timely Visa Issuance

(TL:VISA-502; 12-04-2002)

Section 237 of Public Law 106-113 *and subsequent legislation* directs the Department to establish a policy under which immediate relative and *Fiancé(e)* visas are processed within 30 days of receipt of necessary information from the applicant and INS. Other family-based immigrant visas must be issued within 60 days of receipt of all information.

9 FAM 42.71 PN2 Waiver by INS of Sanctions Imposed Under INA 243(d)

9 FAM 42.71 PN2.1 Discontinuance of Visa Issuance

(TL:VISA-285; 05-17-2001)

Consular officers shall discontinue issuing visas to citizens, nationals, subjects, or residents of a country against which the Attorney General has invoked sanctions under INA 243(d). Visa issuance cannot be resumed until the consular officer has received notification from INS that the sanctions have been waived.

9 FAM 42.71 PN2.2 INS Endorsement on Approved Petitions

(TL:VISA-3; 08-30-1987)

The INS endorsement on approved petitions will read:

“Beneficiary(ies) granted waiver(s) of sanctions imposed under section 243(g) of the Act”.

The grant of a waiver of sanctions to the beneficiary of an approved petition automatically includes the spouse and children of the beneficiary. If a petition was previously approved by INS without a waiver, the consular officer should forward a request for a waiver, in duplicate, to the approving office. The request will be processed by INS, the decision endorsed thereon, and a copy returned directly to the consular post. If a special urgency exists in obtaining an INA 243(g) waiver due to the date of expiration of the individual's exit permit, the request for waiver should include the date of expiration of the exit permit and the name of the petitioner in the United States. The petitioner should be asked to defray the cost of telegraphic notification if that appears to be necessary.

9 FAM 42.71 PN3 Fee Registry and Receipting Requirement

(TL:VISA-3; 08-30-1987)

All consular offices are required by statute (22 U.S.C. 1192, 1193) and by 22 CFR 42.67(b) and 42.71(b) to issue receipts and maintain a registry of all fees collected.