

9 FAM Appendix K, 400 PROCEDURES

(TL:VISA-411; 05-16-2002)

9 FAM 401 Use Local Form(s)

(TL:VISA-411; 05-16-2002)

a. Referrals *must* be transmitted from the responsible Embassy chief of section or U.S. Government agency head, to the chief of the consular *and/or* visa section or nonimmigrant visa unit, using the forms attached to this appendix as exhibits. 9 FAM Appendix K, Exhibit I is designed for Class A Referrals. 9 FAM Appendix K, Exhibit II is designed for Class B Referrals. 9 FAM Appendix K, Exhibit III is for feedback to the referring officer when either the referral itself must be rejected or the applicant must be refused.

9 FAM 402 Senior Consular Officer Responsibility

(TL:VISA-405; 05-10-2002)

The senior consular officer(s) at each post should be responsible for the adjudication of visa referral cases. All Class A visa referrals must be adjudicated by a supervisory consular officer. This will emphasize the importance which the Department and Chief of Mission place on this key consular function, as well as ensure the highest standards of adjudication and consistency in those adjudications. Senior consular management must also be prepared to take responsibility when referrals must be refused for any reason.

9 FAM 403 Tracking System

(TL:VISA-405; 05-10-2002)

Consular sections must establish a log book or a comparable system to keep track of all incoming referrals. A monitoring system must be established at each post, using the NIV software, an electronic spreadsheet program, or other data processing systems, if available, or a simple log book or index cards, to keep track of statistics, patterns, trends, and possible abuses of the referral system. The system should reflect the names of those referred, by whom, the dates of the referral and any follow-up from Form I-275, Withdrawal of Application for Admission/Consular Notification, Form G-325, Biographic Information and other monitoring of return rates.

9 FAM 404 Maintaining File Copies

(TL:VISA-405; 05-10-2002)

The original visa referral form must be filed with the approved or refused visa application.

9 FAM 405 Feedback

(TL:VISA-411; 05-16-2002)

There must be a feedback system to the referring officer, especially if there is a high refusal rate, or high mala fide rate among referred applicants. Feedback at the time of application may take the form of a memo to referring officers that their referral is not acceptable, or is disapproved. [See 9 FAM Appendix K, Exhibit III]. Referring officers should also be informed whenever *it becomes known that* their applicants *have violated* their visa status. The chief of the consular section must inform the Chief of Mission or (DCM) and Regional Security Officer in writing of any instances in which a single agency *or* office is responsible for referring significant numbers of mala fide or unqualified applicants.

9 FAM 406 Verification

(TL:VISA-119; 07-03-1995)

Adjudicating officers, especially at large missions, should periodically check directly with referring officers to verify referrals and signatures.