

9 FAM 41.24 NOTES

(CT:VISA-1758; 10-27-2011)
(Office of Origin: CA/VO/L/R)

9 FAM 41.24 N1 PERSONS ASSOCIATED WITH INTERNATIONAL ORGANIZATIONS

(CT:VISA-1049; 10-01-2008)

A qualified person may be issued a "G" visa in one of the categories listed below:

- (1) **G-1 visas**—Issued to members of a **permanent mission** of a **recognized government** to an international organization, regardless of rank, and to members of their immediate families. G-1 visas are also issued to the mission's secretaries, chauffeurs, and custodial employees, except domestic employees, who are issued G-5 visas.
- (2) **G-2 visas**—Issued to representatives of a **recognized government** and to members of their immediate families traveling to the United States **temporarily** to attend meetings of a designated international organization.

G-2 officials may represent their governments at the United Nations General Assembly or as TDY officers to that country's mission to the international organization. G-2 visas may be issued to military officers who are assisting the United Nations Secretariat with peacekeeping matters. Family members may also be issued G-2 visas.
- (3) **G-3 visas**—Issued to representatives of **non-recognized or non-member governments**, regardless of rank, and to members of their immediate families. G-3 visas should also be issued to representatives of such governments so as to participate in temporary meetings of designated international organizations (e.g., a meeting of the United Nations General Assembly and Security Council).
- (4) **G-4 visas**—Issued to personnel of any rank who are proceeding to the United States to take up an appointment at a designated international organization (including the United Nations). Members of their immediate families may also be issued G-4 visas, except

their domestic employees, who are issued G-5 visas.

- (a) Officers and employees of designated international organizations, who are not assigned in the United States, may be accorded G-4 classification if they intend to transit the United States. The number of entries should be limited to the official request. (See 9 FAM 41.24 N10.)
 - (b) G-4 visas may also be issued to personnel of any rank on the payroll of a designated international organization proceeding to the United States on behalf of that organization.
- (5) **G-5 visas**—Issued to the attendants and personal employees of persons in G-1 through G-4 status.

9 FAM 41.24 N2 PERSONS PROCEEDING TO UNITED NATIONS

9 FAM 41.24 N2.1 Expeditious Processing of United Nations Visa Applications

(CT:VISA-1323; 09-24-2009)

- a. Representatives to the United Nations and officials of the United Nations Secretariat are sensitive to the performance by the United States of its host obligations under the Headquarters Agreement with the United Nations. Consequently, any mention of the United Nations on a visa application calls for expeditious consideration, or, where necessary, prompt submission for an advisory opinion (AO).
- b. When the United Nations was invited to locate its headquarters in the United States, it was evident that persons of many political backgrounds would need to be admitted to the United States on United Nations business. For this reason, Congress provided that persons entitled to international organization status are exempt from most of the grounds of ineligibility listed in INA 212(a). (See 22 CFR 41.22(d) for the grounds of ineligibility.)

9 FAM 41.24 N2.2 Interns Temporarily Employed at United Nations

(CT:VISA-1049; 10-01-2008)

- a. Generally, because interns at the United Nations perform hands-on services, an alien may be classified for temporary employment as a B-1 "intern" at the United Nations if he or she is of H-1B caliber. In order to

determine that an alien intern has met the H-1B caliber standard, the consular officer should:

- (1) Be able to answer affirmatively that the proposed duties chiefly involve the theoretical and practical application of a body of highly specialized knowledge; and
 - (2) Ensure that the alien attained a bachelor or higher degree (or its equivalent) in a specific specialty that, in practice, requires the attainment of such a degree in order to enter that specialty.
- b. For instance, a degree in chemistry would not qualify the applicant for employment as an accountant. On the other hand, certain jobs in accounting, marketing, and finance would be considered "specialty occupations." Professions requiring state licensure are generally considered "specialty occupations." A consular officer should seek an advisory opinion from the Office of Legislation, Regulations, and Advisory Opinions (CA/VO/L/A) in any situation where a question exists about a prospective United Nations intern's qualifications.

9 FAM 41.24 N2.3 Cases Involving Possible Ineligibility

(CT:VISA-1323; 09-24-2009)

If a person wishes to enter the United States for a purpose connected with the United Nations (or any other international organization), but appears to be ineligible to receive a visa under INA 212(a)(3)(A), (3)(B), or (3)(C), an security advisory opinion (SAO) must be submitted to CA/VO/L/C.

9 FAM 41.24 N2.4 Communications to Department

(CT:VISA-1758; 10-27-2011)

Consular officers *must* cable the Department concerning persons who are found ineligible for visas and who are coming to the United Nations. Cables *must* be addressed "For CA/VO/L/A, IO/UNP and USUN." In referring a case to the Department, the cable *must* include:

- (1) All available details of the supporting evidence;
- (2) The applicable statutory provision; and
- (3) The conclusions and recommendations of the consular officer.

9 FAM 41.24 N3 PERSONS DESTINED TO UNITED NATIONS SECRETARIAT

9 FAM 41.24 N3.1 United Nations Secretariat Employees, Their Immediate Family Members, and Attendants

(CT:VISA-1758; 10-27-2011)

G-4 visas *must* be issued to officials and employees of the United Nations Secretariat and to their immediate families, based on a telegraphic request authorized by the Chief of the Transportation Section, United Nations Secretariat. A telegraphic request authorized by the Chief is also required for personal employees (classified G-5) of officials and staff members (classified G-4) of the Secretariat. A request from the Chief is not required in the case of a G-5 who will be employed by a person classified G-1, G-2, or G-3.

9 FAM 41.24 N3.2 Participants in United Nations Secretariat Exchange Visitor Program

(CT:VISA-803; 04-27-2006)

Participants in the exchange visitor program of the Training and Fellowship Program Section, Bureau of Technical Assistance Operations, United Nations Secretariat, are classifiable "J".

9 FAM 41.24 N4 DIRECTOR AND TEACHERS OF UNITED NATIONS INTERNATIONAL SCHOOL

(CT:VISA-803; 04-27-2006)

The director and teachers of the United Nations International School are not considered to be staff members. A G-4 visa, however, may be issued to a qualified applicant destined to the school as a director or a teacher, provided the consular officer receives a request by letter or telegram from the Chief of the Transportation Section, United Nations Secretariat.

9 FAM 41.24 N5 UNITED NATIONS LAISSEZ-PASSER (UNLP)

9 FAM 41.24 N5.1 Issuing G-4 Visa in United Nations Laissez-Passer (UNLP)

(CT:VISA-1049; 10-01-2008)

- a. The United Nations Laissez-Passer (UNLP) is a bound booklet in passport format. The cover bears the gold embossed seal of the United Nations, and is either red or light blue in color, depending upon the rank of the recipient.
- b. Only a G-4 visa may be placed in a UNLP. The bearer must present a Form DS-156, Nonimmigrant Visa Application, or Form DS-160, Electronic Nonimmigrant Visa Application, and a photograph for a G-4 visa in connection with the UNLP. (See 9 FAM 41.113 PN1.2 for photograph requirements.) The consular officer must receive a written or telegraphic confirmation from the Department or from the Chief of the Transportation Section, United Nations Secretariat, indicating that the applicant is an employee of the United Nations traveling on official business.

9 FAM 41.24 N5.2 Validity of G-4 Visas for Holders of United Nations Laissez-Passer (UNLP)

9 FAM 41.24 N5.2-1 Placing G-4 Visa in United Nations Laissez-Passer (UNLP)

(CT:VISA-1758; 10-27-2011)

The period of validity of a G-4 visa placed in a United Nations Laissez-Passer (UNLP) *must* be restricted to cover the official travel certified in a letter or telegram from the Chief of the Transportation Section, United Nations Secretariat. The visa *must* be valid for one entry, unless the letter or telegram from the Chief of the Transportation Section, United Nations Secretariat, requests more entries. If the letter or telegram is not clear on these points, the consular officer *must* contact the U.S. Mission to the United Nations (USUN) either by phone on (212) 415-4167, by fax (212) 415-4162, or by cable. Cables should be slugged to the attention of Host Country.

9 FAM 41.24 N5.2-2 Placing Diplomatic G-4 Visa in National Passport Rather than United Nations Laissez-Passer (UNLP)

(CT:VISA-1049; 10-01-2008)

- a. The Secretary General, all under secretaries, and all assistant secretaries general of the United Nations may be issued G-4 diplomatic visas valid for 60 months with multiple entries. The visas, however, must be placed in the national passport rather than in the Laissez-Passer.
- b. For all others at the United Nations or United Nations Secretariat, refer to the reciprocity schedule of the country concerned.

9 FAM 41.24 N6 ORGANIZATION OF AMERICAN STATES (OAS)

9 FAM 41.24 N6.1 Issuing G Visas to Employees of Organization of American States (OAS) General Secretariat

(CT:VISA-1758; 10-27-2011)

The Secretariat for Management, through the Department of Human Resources (Personnel Office) of the Organization of American States (OAS) General Secretariat, is responsible for requesting the issuance of visas for persons appointed to, or under contract to serve in, the General Secretariat of the OAS. Consular officers *must* accept requests for visas on behalf of such persons (including family members and domestic employees) only from the Secretariat for Management or from the Department of Human Resources of the OAS.

9 FAM 41.24 N6.2 Official Travel Document of Organization of American States (OAS) Not Considered "Passport"

(CT:VISA-1758; 10-27-2011)

The official travel document of the Organization of American States (OAS) is issued to an employee of the OAS General Secretariat or other agency of the OAS. The purpose of the document is to identify the holder as an official or employee of an agency of the OAS, and to facilitate travel compatible with the interests of the OAS. The document is not considered a "passport" as defined in INA 101(a)(30), therefore, visas *must* not be placed in this document.

9 FAM 41.24 N7 PARTICIPANTS IN COURSES GIVEN BY INTERNATIONAL MONETARY FUND (IMF) INSTITUTE

(TL:VISA-463; 09-18-2002)

An applicant who is nominated by a member government of the International Monetary Fund (IMF), and accepted by the IMF to attend courses given by the Fund's Institute, is classifiable G-2. The applicant must possess evidence from the Fund certifying acceptance for participation in a specific course. The request for the visa must be made or supported by the

foreign government concerned.

9 FAM 41.24 N8 PARTICIPANTS IN ECONOMIC DEVELOPMENT INSTITUTE OF INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT (WORLD BANK)

(TL:VISA-181; 11-20-1998)

A person nominated by a member government of the World Bank and accepted by the Bank to attend a course given at the Economic Development Institute of the Bank is classifiable G-2. The applicant must possess a letter from the Economic Development Institute of the Bank certifying acceptance for participation in the course of study. The request for a visa must be made or supported by the foreign government concerned.

9 FAM 41.24 N9 EMPLOYEES OF INTELSAT

9 FAM 41.24 N9.1 Definitions

9 FAM 41.24 N9.1-1 "Successor Entity"

(TL:VISA-320; 09-27-2001)

The term "successor entity" means any privatized entity created from the privatization of INTELSAT or from the assets of INTELSAT. It does not include any entity that is a separated entity.

9 FAM 41.24 N9.1-2 "Separated Entity"

(CT:VISA-1049; 10-01-2008)

The term "separated entity" means a privatized entity to which a portion of the assets owned by INTELSAT are transferred prior to full privatization of INTELSAT.

9 FAM 41.24 N9.2 Employee Six Months or More Prior to Privatization Date

(CT:VISA-1758; 10-27-2011)

An alien employed as an officer or employee of INTELSAT, six months or

more prior to the July 18, 2001, date of privatization, *must* be considered to be a nonimmigrant under INA 101(a)(15)(G)(iv) provided the alien:

- (1) Was continuously an officer or employee of INTELSAT during the six month period prior to the date of privatization; and
- (2) Maintained lawful nonimmigrant status as a G-4 during that six month period.

9 FAM 41.24 N9.3 Employee of Successor or Separated Entity of INTELSAT

(CT:VISA-1758; 10-27-2011)

If an alien commences service as an officer or employee of a successor or separated entity of INTELSAT before the date of privatization but after March 17, 2000, such alien *must* be considered to be a nonimmigrant under INA 101(a)(15)(G)(iv), if the alien:

- (1) Was continuously an officer or employee during the six month period prior to the date of privatization; and
- (2) Maintained lawful nonimmigrant status as a G-4 during that six month period.

9 FAM 41.24 N9.4 Immediate Family Members

(TL:VISA-463; 09-18-2002)

Immediate family members of aliens meeting the criteria in 9 FAM 41.24 N9.2 are also entitled to G-4 status.

9 FAM 41.24 N9.5 Domestics of Privatized INTELSAT Personnel

(TL:VISA-463; 09-18-2002)

Domestic servants of privatized INTELSAT personnel are not eligible for G-5 status, even if their employer holds G-4 status under the "grand-fathering" provisions described in 9 FAM 41.24 N9.2.

9 FAM 41.24 N9.6 Newly Hired INTELSAT Personnel

(CT:VISA-803; 04-27-2006)

Officers and/or employees of privatized INTELSAT who were hired after the date of privatization (July 18, 2001), as well as any employees who may have been hired less than six months prior to privatization, are not eligible

for G-4 status, and would require an immigrant visa (IV), H visa, or another classification of visa authorizing employment.

9 FAM 41.24 N9.7 Annotating Visas of Privatized INTELSAT Employees

(TL:VISA-463; 09-18-2002)

In addition to the standard annotation for G-4 visas, the G-4 visas issued to qualifying privatized INTELSAT officers and/or employees and their immediate family should include the following additional line at the end of the annotation:

“ISSUED PURSUANT TO SECTION 301 OF Public Law 106-396.”

9 FAM 41.24 N9.8 International Telecommunications Satellite Organization (ITSO) Personnel

(TL:VISA-463; 09-18-2002)

A small part of former INTELSAT was not privatized and will remain a qualifying international organization, under the acronym ITSO (International Telecommunications Satellite Organization). ITSO personnel and their immediate family are eligible for G-4 classification, regardless of the date on which the principal alien was hired. In addition, domestic servants of ITSO personnel are eligible for G-5 classification, as domestics of personnel employed by an international organization.

9 FAM 41.24 N10 ISSUING DIPLOMATIC OR OFFICIAL VISAS TO APPLICANTS CLASSIFIABLE G-4

(CT:VISA-1323; 09-24-2009)

Except in those cases listed in 22 CFR 41.26(c), persons who are classifiable G-4 are not entitled to receive diplomatic visas (Refer to 9 FAM 41.27 Related Statutory Provision and Notes). In all cases, the consular officer must receive a request, such as that described in 9 FAM 41.24 N3.1, from a designated international organization listed in 9 FAM 41.24 Exhibit I, prior to visa issuance.

9 FAM 41.24 N11 ISSUING G-4 VISAS FOR TRANSIT PURPOSES

(CT:VISA-1758; 10-27-2011)

- a. Officers and employees of designated international organizations who are not assigned in the United States may be accorded G-4 classification if they desire to transit the United States. Posts *must* endorse G-4 visas issued to such applicants who are generally on, or returning from home leave, as follows:

VALID FOR IMMEDIATE AND CONTINUOUS TRANSIT ONLY

- b. Such an applicant who expects to spend time in the United States for personal business or pleasure must also possess a "B" visa.

9 FAM 41.24 N12 ISSUING G-5 VISA TO ATTENDANTS AND PERSONAL EMPLOYEES

(CT:VISA-1247; 07-14-2009)

See 9 FAM 41.21 and 9 FAM 41.22 N4.4.

9 FAM 41.24 N13 ISSUING VISA TO APPLICANT ENTITLED TO DOCUMENTARY WAIVER

(CT:VISA-803; 04-27-2006)

See 9 FAM 41.3 N4.

9 FAM 41.24 N14 INELIGIBLE APPLICANTS DESTINED TO UNITED NATIONS

(TL:VISA-320; 09-27-2001)

See 9 FAM 40.203 Related Statutory Provisions.

9 FAM 41.24 N15 B VISAS FOR UNITED NATIONS PERMANENT OBSERVER MISSION REPRESENTATIVES AND DEPENDENTS

9 FAM 41.24 N15.1 Types of Missions

(CT:VISA-803; 04-27-2006)

Permanent Observer Missions at the United Nations include non-member states, Intergovernmental Organizations, and other entities invited to participate as observers. Most United Nations Observer Mission personnel are entitled to A, G, C-2, C-3, NATO, or Diplomatic (Courtesy) visas; however, there are numerous United Nations Observer Missions whose representatives do not qualify for any of the above visa classifications.

9 FAM 41.24 N15.2 B Visa Issuance - Visa Classification for Permanent Observer Mission Personnel Not Entitled to A, G, C-1, C-3, NATO Visa, or Diplomatic (Courtesy) Visa

(CT:VISA-803; 04-27-2006)

Principal applicants of United Nations Permanent Observer Missions who are not otherwise entitled to A, G, C-1, C-3, NATO, or Diplomatic (Courtesy) visas are to be issued B-1 visas. Dependents are to be issued B-2 visas. (See 9 FAM 41.113 PN6 for visa annotation procedures.)

9 FAM 41.24 N15.3 Exemption from Visa Fees for United Nations Permanent Observer Mission Representatives Issued B Visas

(CT:VISA-803; 04-27-2006)

Principals and dependents of United Nations Permanent Observer Missions who are issued 'B' visas are exempt from all visa fees.