

9 FAM 41.84 PROCEDURAL NOTES

*(CT:VISA-1574; 10-04-2010)
(Office of Origin: CA/VO/L/R)*

9 FAM 41.84 PN1 ISSUING T VISAS

9 FAM 41.84 PN1.1 Post's Role

(CT:VISA-1574; 10-04-2010)

When DHS approves an application for a qualifying immediate family member who is outside the United States, DHS will notify the principal T-1 alien of such approval via Form I-797, Notice of Action. DHS will send a copy of the approved Form I-914 Supplement A (form I-914-A), Application for Immediate Family Member of T-1 Recipient, to the Department's Kentucky Consular Center (KCC), which will then transmit the form electronically through the Petition Information Management Service (PIMS) to the appropriate post. Upon receipt of the approved Form I-914, post must contact the beneficiary, advise her or him of documentary requirements, and schedule an interview.

9 FAM 41.84 PN1.2 Referring Approved T Application to DHS for Reconsideration

(CT:VISA-1574; 10-04-2010)

Posts should consider all DHS-approved Form I-914 applications in light of these Notes, process with dispatch those cases which appear legitimate, and identify those which require local investigation or referral to the DHS Vermont Service Center. Posts should refer cases to DHS for reconsideration sparingly, to avoid inconveniencing bona fide applicants and beneficiaries and causing duplication of effort by DHS. Consular officers must have specific evidence of either misrepresentation in the application process or of previously unknown facts, which might alter DHS's finding, before requesting review of a Form I-914 approval. When seeking reconsideration, the consular officer should, under cover of Form DS-3099, NIV Petition Revocation Request Cover Sheet – Kentucky Consular Center, forward the Form I-914 application, all pertinent documentation, and a written memorandum of the evidence supporting the request for reconsideration to

the Kentucky Consular Center (KCC), which will then forward the request to the DHS Vermont Service Center. The KCC will maintain a copy of the request and all supporting documentation and will track all consular revocation requests. A copy of all material, including the approved Form I-914 and supporting documents, must be retained at post.