

9 FAM 42.65 PROCEDURAL NOTES

(CT:VISA-1900; 09-25-2012)
(Office of Origin: CA/VO/L/R)

9 FAM 42.65 PN1 INSPECTION OF ORIGINAL DOCUMENT BY CONSULAR *SECTION PERSONNEL* AND ENDORSEMENT OF CERTIFIED OR MECHANICALLY REPRODUCED COPIES

(CT:VISA-1900; 09-25-2012)

When an alien presents a mechanically reproduced copy of any of the required documents listed under 22 CFR 42.65(b), it is important that the original document be inspected by consular *section personnel*. After inspection, the consular *section must* endorse the copy with a rubber stamp *that imprints the name of the post and the fact that the original has been seen and compared. When copies of these required documents have been uploaded electronically into a consular system, the consular section personnel will check the box in the system that indicates original seen and compared.* This procedure does not constitute a certification within the meaning of Item 47 of the Tariff of Fees, since neither the full signature of a *consular* officer nor the official seal of the post is used or required. This service is performed without fee, whether on public documents required under INA 222(b) or on documents submitted in support of Form ETA-750, Application for Alien Employment Certification.

9 FAM 42.65 PN2 VERIFICATION BY CONSULAR OFFICER OF SUPPORTING DOCUMENTS

(TL:VISA-59; 05-15-1992)

- a. Consular officers must examine and verify records or documents which are submitted by the principal alien establishing the principal alien's relationship to a spouse or child who will not accompany the principal alien. After verifying the claimed relationship of the principal alien to a spouse or child who will not accompany the principal alien, the post should stamp on the reverse side of all pertinent documents the following legend:

RELATIONSHIP TO _____
(name of spouse or child and relationship to principal alien) VERIFIED. THIS

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DOCUMENT SHOULD BE PRESENTED IN SUPPORT OF ANY FUTURE VISA APPLICATION BY OR FOR THE PERSON NAMED THEREIN.

- b. The consular officer must initial the stamped legend. In addition to procuring the stamp in English, posts may wish to procure appropriate foreign language versions.

9 FAM 42.65 PN3 ATTACHING PERTINENT PROVISIONS OF FOREIGN LAW TO THE VISA OF AN ALIEN CONVICTED OF CERTAIN OFFENSES

(CT:VISA-1132; 12-19-2008)

When the police record does not clearly show that an offense of which an alien was convicted does not involve moral turpitude within the meaning of INA 212(a)(2)(A)(i)(I), attach a copy of the pertinent foreign statute, together with its translation, to the police record. Attaching the text of the foreign statute will facilitate the examination of the alien at the port of entry (POE).

9 FAM 42.65 PN4 REPORTING AVAILABILITY OF POLICE CERTIFICATES TO THE DEPARTMENT

(CT:VISA-1132; 12-19-2008)

Consular officers should periodically discuss with the host government the availability and quality of police clearance information, as well as the procedures to be followed for visa applicants to obtain clearances both within and outside the country. Posts should provide information concerning the degree of automation and centralization of records, as well as any purge procedures followed by the host country. Posts should also determine how criminal records are indexed in their nation. The use of a unique national identification number as opposed to nonstandard spellings of names is also significant. Posts should provide background to the Department's Post Liaison Division (CA/VO/F/P), as well as draft language for inclusion in the Reciprocity Schedule. Posts should clear information with the regional security officers (RSOs) and coordinate with like-minded foreign embassies as appropriate.