

9 FAM 42.68 PROCEDURAL NOTES

*(CT:VISA-699; 02-09-2005)
(Office of Origin: CA/VO/L/R)*

9 FAM 42.68 PN1 STATEMENT ACKNOWLEDGING VISA INELIGIBILITY OF FAMILY MEMBER TO BE FILED UNDER NAME OF INELIGIBLE FAMILY MEMBER

(CT:VISA-699; 02-09-2005)

The acknowledgment of notification of family member's potential ineligibility for an immigrant visa required by 9 FAM 42.68 N1.2 is to be filed under the name of the ineligible family member for reference purposes in the event the family member should subsequently submit a visa application. The *statement* should be stamped for destruction at the end of five years.

9 FAM 42.68 PN2 PROCEDURE IF CHILD ACCOMPANIED BY ONLY ONE PARENT OR IF ALIEN SUSPECTED OF ABANDONING FAMILY

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

If a child is immigrating to the United States with one parent and the other parent is remaining abroad, the consular officer should ask the accompanying parent whether any legal impediment might exist preventing the departure of the child. If the response is inconclusive the consular officer should defer final action on the application and direct an informal inquiry to the local authorities in an effort to learn whether a violation of local law might be involved. If so, the local authorities would probably take action to prevent the child's departure by lifting the child's travel document or by other measures. If the local authorities do not take such action within a reasonable time, the officer should proceed with the consideration of the visa application. The same procedure should be followed if the officer has reason to believe that the family of an applicant is being abandoned.