

9 FAM Appendix K, 300 GUIDELINES FOR REFERRALS

*(TL:VISA-637; 07-06-2004)
(Office of Origin CA/VO/L/R)*

9 FAM 301 Types of Referrals

(TL:VISA-627; 05-19-2004)

a. There are two types of visa referrals, Class A Referrals and Class B Referrals. Both types are only appropriate if they further U.S. national interests. Class A referrals usually directly support U.S. national interests. Class B cases might not directly support U.S. national interests, but the referral itself should further USG mission interests in-country. (An example of an appropriate Class B referral would be a key employee of host government agency whom the referring officer does not know personally.) A Class B referral neither implies a recommendation to issue nor vouches for the bona fides of the applicant.

b. Class A referrals may result in a waiver of personal appearance requirements, consistent with guidelines in 9 FAM 41.102 N2.3(3). In addition, Class A referral cases may be waived of visas condor processing and NSEERS registration requirements if the chief of mission (CM) or principal officer (PO) makes such a request in writing at the time the referral is submitted, and, in the case of an NSEERS exception, if the chief of mission or principal officer confirms that a CLASS check and security review of the application were done.

c. Class B referrals only result in procedural courtesies, like faster interview scheduling, special interview space, etc. The availability and character of any special procedures will depend upon conditions and workload at post.

d. Posts must follow guidelines listed below to appropriately identify and handle referral cases.

9 FAM 302 Class A Referral Criteria

(TL:VISA-627; 05-19-2004)

A Class A Referral is appropriate for cases in the national interest where the referring officer specifically recommends that the consular officer issue a visa to the person being referred. In order to qualify for a Class A Referral, applicants must be personally known to the referring officer (except as provided below) and must be:

(1) In categories which might directly affect U.S. national interests, including high-level post contacts, and influential and prominent figures in the government, professional, business, scientific and academic communities;

(2) In categories which significantly promote public diplomacy efforts of the Mission, which would include other distinguished members of the government, professional, business, scientific, and academic communities who warrant special consideration;

(3) Spouses and minor children of the above (even if not personally known to the referring officer, and even if not traveling with individuals described in paras (1) and (2)); or

(4) In need of urgent medical treatment in the United States or deserve, for other humanitarian considerations, special attention.

9 FAM 303 Class B Referral Criteria

(TL:VISA-627; 05-19-2004)

a. Class B referrals are appropriate when:

(1) Travel of the applicant is in the U.S. national interest, but the applicant is not personally known to the referring officer;

(2) Travel of the applicant is not directly in the U.S. national interest, but assisting a key contact with a visa request would promote U.S. national interests or public diplomacy efforts; or

(3) Travel of key contacts when the referring officer does not recommend visa issuance.

b. While criteria for Class B referrals is considerably less stringent in order to assist sections with many requests for visa assistance that they may receive, referring and approving officers should use discretion with such referrals. Frequent submission of referrals for unqualified applicants or repeated cases of questionable national interest may be considered abuse of the referral system.

9 FAM 304 Eligibility to Submit and Approve Referrals

(TL:VISA-637; 07-06-2004)

a. Only U.S. direct hires encumbering an officer position at post may make referrals. Chiefs of mission (CM) have been given the authority to decide which U.S. officers under their authority in the mission may make referrals to the consular section. USG personnel not under authority of the CM are not permitted to utilize the referral system, *except that officers at U.S. missions overseas (NATO, OECD, etc) may submit referrals to consular officers who would normally process visas for the geographic area where the mission is located.* U.S. officers at other posts or in Washington are not authorized to submit referrals unless *they serve at another post in the same country, they have regional responsibilities for the geographic area covered by the consular section, or they have been specifically authorized to do so by CA/VO/F/P.* This does not prevent posts or individual officers with information on a particular case from passing that information to the chief of the consular section using a Visas Tau cable, email or memo.

b. All referrals must be individually approved by the chief of section or agency head. In the absence of a Section and/or Agency head, the chief of mission (CM) or Deputy chief of mission (DCM) may approve the referral. In signing the referral, the approving officer is certifying that they believe the case meets the mission's referral criteria. For Class A referrals, the approving officer's signature also attests that to the best of their knowledge the applicant does not constitute a threat to the safety of national security of the United States.