

9 FAM APPENDIX D, 200 CONSULAR LOOKOUT AND SUPPORT SYSTEM (CLASS)

*(CT:VISA-1241; 07-08-2009)
(Office of Origin: CA/VO/L/R)*

9 FAM APPENDIX D, 201 CLASS FEATURES

(CT:VISA-1177; 04-02-2009)

Consular Lookout and Support System (CLASS) is the Department's name-checking system for visa and passport applications. CLASS is installed on the Department's name-check servers at the Beltsville and Kentucky Consular Center (KCC) facilities and is accessed by posts via telecommunications lines. The system is designed to interconnect with all Consular Affairs (CA) automated systems that run name-checks. The names of all passport and visa applicants must be checked against the names in the appropriate CLASS file. CLASS features are described below.

9 FAM Appendix D, 201.1 Visa Database

(CT:VISA-1177; 04-02-2009)

The CLASS visa database contains the names of aliens for visa name checking. An individual's name in CLASS indicates that information exists which may be germane to a visa application. While this information is often derogatory, it is not always. Therefore, CLASS users must understand and be able to interpret the information CLASS provides. Information in the visa portion of the CLASS name files should be used only in accordance with the confidentiality provisions of INA 222(f).

9 FAM Appendix D, 201.2 Passport Name File

(CT:VISA-859; 01-29-2007)

The passport name file contains the names of U.S. citizens for whom the U.S. Passport Office maintains lookouts. Privacy Act restrictions apply to information obtained from this file. The names of U.S. citizens are not included in the CLASS visa database and must not be checked as part of the visa name-check procedure.

9 FAM Appendix D, 201.3 Refugee Information

Entry Sub-System

(CT:VISA-859; 01-29-2007)

The Refugee Information Entry Sub-System transmits refugee data used by those agencies responsible for refugee case processing domestically and abroad. The information is sent after a refugee application has been approved and an alien number assigned to the refugee. The data are then passed to the refugee case processing agencies for their use.

9 FAM APPENDIX D, 202 CLASS PROCEDURES ALL POSTS

(CT:VISA-1177; 04-02-2009)

All visa-issuing posts have direct access to the CLASS Namecheck servers. Access to CLASS is through the nonimmigrant visa (NIV) and immigrant visa (IV) workstation using transmission control protocol/Internet protocol (TCP/IP). Posts must check each nonimmigrant and immigrant visa applicant's name through CLASS before visa issuance. When the telecommunications line or CLASS is not available, the telecommunications manager (TCM) holds queries and refusal and lookout adds until connections are restored.

9 FAM Appendix D, 202.1 Name-Checking

(CT:VISA-1177; 04-02-2009)

Posts send visa name-checks to CLASS via the nonimmigrant visa (NIV), immigrant visa (IV), and Independent Namecheck (INK) systems, which interface with the TCM to transmit the visa query containing the applicant's surname and given name, date of birth, place of birth, gender, passport number and nationality, and the national identity (NID) number (if applicable) directly to the Department's Namecheck servers. CLASS will respond with a message indicating no record (NR), or a list of returns with names, relevant passport numbers, or NIDs in the database matching the query data, or an error message indicating a problem requiring retransmission of the data. A list of CLASS Name-check Error Codes is included on the Consular Affairs' (CA) Web site under CLASS Development/Application Support. Detailed guidance on data entry for name-checking, including guidance for specific cultures, is provided under CLASS General Information and in 9 FAM Appendix F, 500, Guides on Proper Names and Name Citing.

9 FAM Appendix D, 202.2 How Do I Enter Refusals?

9 FAM Appendix D, 202.2-1 General Information

(CT:VISA-1241; 07-08-2009)

- a. Enter refusals into the CLASS visa database through the NIV, diversity visa (DV), and IV case management systems, or by using the independent name-check function (INK) to enter lookouts not linked to a visa application. Enter a refusal or overcome/waiver each time an applicant is refused or has a refusal overcome/waived.
 - (1) If an applicant is ineligible under more than one refusal ground, enter every applicable ground each time the subject is refused.
 - (2) If an applicant requests and is granted a waiver of an INA 212(a) ineligibility, enter both a refusal and refuse waived each time the subject applies for a visa and is granted a waiver.
- b. You **must** have Department concurrence before entering a refusal under INA 212(a)(3)(A), (B), (C), (E) or (F). You also **must** have Department concurrence before entering a refusal under INA 212(a)(3)(B) or (E), **unless** you have evidence on file that the Department previously concurred in a finding of ineligibility under (3)(B) or (E).
- c. Specific information on refusal codes and retention periods is included in the Consular Shared Tables (CST) available at all posts, or on the CLASS home page on the CA Web site under CLASS, General Information, CLASS Refusal and Lookout Codes.

9 FAM Appendix D, 202.2-2 Potentially Ineligible Aliens

(CT:VISA-859; 01-29-2007)

Aliens who may apply for visas at some future time, and who the consular officer has reason to believe might be excludable under a ground of ineligibility other than INA 212(a)(3)(A), (B), or (C), may be entered into CLASS using the appropriate quasi-refusal code. (See CLASS Refusal and Lookout Codes.) Information on possible terrorists who may be subject to INA 212(a)(3)(B) should be immediately submitted to the Department via the "VISAS VIPER" procedure for possible inclusion of the aliens as DPT-00 CLASS entries. A "VISAS DONKEY" security advisory opinion (SAO) request should be submitted on aliens potentially excludable under INA 212(a)(3)(A) or (C), again for possible entry into CLASS under the DPT-00 code. The "VISAS DONKEY" telegram in these cases should clearly indicate that the information pertains to a potentially ineligible alien, rather than an actual visa applicant. If a potential security case is time sensitive, on-line posts should immediately enter the alien's name in CLASS under code L (formerly code 45), and should add "possible DPT-00" in the free field, pending the Department's action on the "VISAS VIPER" or "VISAS DONKEY" telegram.

9 FAM Appendix D, 202.3 New Ineligibility Classes

(CT:VISA-859; 01-29-2007)

The 1990 Immigration and Nationality Act restructured and redefined the ineligibility grounds, effective June 1, 1991. Most are roughly comparable to the predecessor INA 212 provisions except for designations, but there are also certain nuance differences that preclude simply converting all old code citations into the new code series.

9 FAM Appendix D, 202.4 Corrections

(CT:VISA-859; 01-29-2007)

If an incorrect entry is made, posts should make a new CLASS entry with the correct information as soon as possible. Posts should also send a deletion (CLOK) telegram promptly to the Department (CA/VO/I) with sufficient data to identify and justify deletion of the incorrect entry. (See 9 FAM Appendix D, 203 below for detailed information on deletions.)

9 FAM APPENDIX D 203 DELETIONS

(CT:VISA-1241; 07-08-2009)

- a. The Department makes all deletions from CLASS. Deletion request procedures are the same for all posts. Detailed references on standard CLOK request texts are found in 9 FAM Appendix E, 300, References to Standard Visa Texts.
- b. Deletion request procedures for CLASS entries associated with an open visa case require submission of an electronic request by using the *security advisory opinion/advisory opinion (SAO/AO)* module in *nonimmigrant visas (NIV)* or immigrant visas overseas (IVO). Post should restrict CLOK requests to a single CLASS hit per request. Every deletion request has to be submitted individually. Post will receive an electronic confirmation for every deletion that is made through NIV. Posts should perform a namecheck through the Consular Consolidated Database (CCD) to confirm that deletions from IVO have been processed. Should post determine that a CLASS entry not associated with a visa case needs to be deleted, a CLOK deletion telegram must be prepared.
- c. The deletion request must include sufficient information to permit the Department to make an informed decision as to whether the deletion is justified. Certain deletions require the submission of an advisory opinion (AO) request. Posts should not routinely request a manual deletion of Category Two refusals with retention periods of 1 or 2 years. (See 9 FAM Appendix D, Exhibit I, Class Refusal/Lookout Codes for retention periods.)

9 FAM Appendix D, 203.1 Routine Deletions

(CT:VISA-1177; 04-02-2009)

All posts should telegraphically request the Department to delete Category One entries from CLASS if any of the following circumstances apply:

- (1) The original finding for the entry was in error;
- (2) The post has evidence that the applicant has died;
- (3) The alien, after having been included because of ineligibility under INA 212(a)(3)(D)(i) or its predecessor;
 - (a) Is found no longer to be subject to that provision under INA 212(a)(3)(D)(ii) or (iii);
 - (b) The membership either was involuntary or has been terminated and the alien is no threat to the United States; or
 - (c) Although subject to the provision, the alien has been granted relief under INA 212(a)(3)(D)(iv); or
- (4) The alien has been granted relief under INA 212(c), (g), (h), or (i) or by enactment of a private immigration bill.

9 FAM Appendix D, 203.2 Deletions of Entries Relating to Security Grounds of Refusal

(CT:VISA-1177; 04-02-2009)

- a. Posts must submit for an SAO any requests for deletion of refusals under any paragraph of INA 212(a)(3) (and the predecessor paragraphs (27), (28), (29), and (33)) and quasi-refusals under old refusal codes 77, 78, 79, and 83 or the new "P3" series. Entries under these codes and codes 00 will be deleted only after the Department renders a favorable SAO.
- b. Requests for deletions of other Category One entries must be supported by sufficient justification to merit deletion. Deletions will be made only after the Department (CA/VO/I) concurs in such action.

9 FAM Appendix D, 203.3 Automatic Deletions from CLASS

(CT:VISA-859; 01-29-2007)

- a. Each year, CLASS produces printed lists identifying all Category One entries designated for automatic removal using the criteria below. These lists are furnished to the entering posts to review before the entries are deleted. (Lists of Category Two refusals automatically purged are not produced.) Posts should promptly resubmit as "new entries" any names

on the list that should be reentered into CLASS. Posts may reenter such names directly into the NIV and IV systems.

b. The purge criteria are:

- (1) Category One refusals under INA 212(a)(1), (2), (3), (6), (C) and (E), and (8), as re-designated in Public Law 101-649 effective June 1, 1991, are automatically purged from the system when the subject reaches 90 (or, for (3)(E), 100) years of age, and at least 10 years have passed since the date of the last visa activity. Refusals under INA 212(a)(6)(B) (former (17)) are purged after 5 or 20 years depending on circumstances.
- (2) Category Two entries are automatically purged from the computer one or two years after the date of original entry, depending on the grounds of refusal. (See Appendix A, Table A-2 of the Miscellaneous Consular Systems (CX) User's Manual for additional details on automatic deletions.)

9 FAM Appendix D, 203.4 Requests from the Public for Removal of Entries from CLASS

(CT:VISA-1177; 04-02-2009)

a. Requests by U.S. citizens and lawful permanent resident (LPR) aliens to remove their name from CLASS should be submitted in writing to:

Chief, Information Management and Liaison (CA/VO/I)
Visa Office U.S. Department of State
Washington, DC 20522-0113

b. Proof of U.S. citizenship or LPR status must be submitted with the request. This proof should consist of a copy of one of the following documents:

- (1) A U.S. passport;
- (2) A Certificate of Naturalization;
- (3) Form I-551, Alien Registration Receipt (Machine Readable) (Green Card);
- (4) Form I-327, Permit to Reenter the United States; or
- (5) Other forms of proof that may be acceptable if they clearly establish that the subject of a CLASS entry is a U.S. citizen or LPR alien.

c. The Department CLASS entries of individuals who are neither U.S. citizens nor LPRs will only be reviewed for possible removal as part of an active visa application at an overseas post. There is no standard format for a formal request from a non-U.S. person. Inquiries about entries in CLASS made by other agencies should be directed to the concerned

agency.

- d. CLASS entries made by Foreign Service posts and the Department are subject to the confidentiality provisions of INA 222(f). Entries made in CLASS that originate with the Department of Homeland Security (DHS) are considered to be law enforcement sensitive information and should not be discussed or disclosed to the public.

9 FAM APPENDIX D, 204 MANAGEMENT PROCEDURES FOR CLASS

9 FAM Appendix D, 204.1 Namechecking

(CT:VISA-859; 01-29-2007)

Supervisory consular officers must establish procedures to ensure that all visa applicants' names are checked against the CLASS database as specified in 9 FAM Appendix D, 202.

9 FAM Appendix D, 204.2 Entry of Visa Refusals

(CT:VISA-859; 01-29-2007)

Supervisory consular officers must ensure that the names of applicants refused visas are entered into CLASS under the appropriate refusal code. All posts now have direct communications with CLASS and the capacity to make on-line entries.