

9 FAM APPENDIX K, 500 US-VISIT EXEMPTIONS

(CT:VISA-915; 11-27-2007)
(Office of Origin: CA/VO/L/R)

9 FAM APPENDIX K, 501 US-VISIT EXEMPTION BASED ON "A" REFERRAL

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The Chief of Mission (CM), Deputy Chief of Mission (DCM), or Principal Officer at post may approve an exemption from U.S. Visitor and Immigrant Status Indicator Technology (US-VISIT) processing based on an "A" referral for a person who is personally known to the referring officer, has had a Consular Lookout and Support System (CLASS) namecheck run on him or her, and whom the CM, DCM, or Principal Officer believes does not pose a security risk to the United States. (Note: Authority to exempt persons from US-VISIT has also been delegated to the Permanent Representative of the United States to the United Nations and to the Deputy Director of the American Institute in Taiwan.) Such exemptions should be rare and must be justified. They should not be made on a routine basis for all applicants who meet "A" referral criteria. Note that an exemption from US-VISIT processing may actually delay a traveler by requiring exceptional handling after they wait in the normal immigration lines. US-VISIT processes at primary inspection are quick and unobtrusive and are the norm for U.S. admissions, even for travelers that may meet "A" referral criteria.

9 FAM APPENDIX K, 502 PROCEDURES FOR REQUESTING A US-VISIT EXEMPTION

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Officers at post may write an "A" referral and request a US-VISIT exemption for an important contact who is personally known to the referring officer. The "A" referral would then be considered by the CM, DCM, or Principal Officer at post. An officer should request a US-VISIT exemption for an alien only in extremely limited circumstances. If the CM, DCM, or Principal Officer approves the exemption, it would be sent to the consular section for processing. The consular section should input the "USVX" code into CLASS, to notify Department of Homeland Security (DHS), Customs and Border Protection (CBP) officers that the traveler is exempt from US-VISIT

processing.

9 FAM APPENDIX K, 503 REQUESTS FOR CA/VO DAS US-VISIT EXEMPTIONS

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- a. If the traveler in need of a US-VISIT exemption is not eligible for an "A" referral at post, but will be part of an official delegation's consolidated motorcade (see paragraph (b)) traveling from the arrival airport, then the traveler may be eligible for an exemption by the Deputy Assistant Secretary (DAS) for Visa Services. The consular section at post must coordinate with the Office of the Chief of Protocol (S/CPR) and the country desk, and provide the request and justification, along with the visit itinerary and list of applicants in need of the exemption, to Consular Affairs, Office of Field Support and Liaison (CA/VO/F/P) at least one week before the visit starts. The list of qualified travelers must contain correct names, dates of birth, country of citizenship, visa class, and passport number with issuance and expiration dates. The Visa Services (CA/VO) DAS will only consider these exemptions in extraordinary circumstances and only after all possible means to exempt travelers at post have been considered.
- b. In order to assist Diplomatic Security, the Secret Service and other agencies with dignitary protection responsibilities with logistical arrangements, the CA DAS for Visa Services may exempt from US-VISIT processing travelers who are part of an official delegation's consolidated motorcade. A consolidated motorcade consists of members of the press or other visitors not traveling on A or G visas who are going directly from the arrival airport with the official delegation of a foreign government or international organization to a single location to cover/attend a meeting or press conference. Consular Affairs authorizes this exemption to help Diplomatic Security, the Secret Service, etc. move people quickly and to keep the senior foreign government officials or other very important people (VIP's) safe. This logistical security concern is the only basis for an exemption of such travelers by the CA/VO DAS: no other justification qualifies. Submission of consolidated motorcade US-VISIT exemption cases to Washington, DC should be avoided if it is within post's ability to process the case locally.

9 FAM APPENDIX K, 504 COMMUNICATING US-VISIT EXEMPTIONS TO THE PORT OF ENTRY

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- a. The exemption code "USVX" is entered into CLASS for the traveler by the consular section or, in the case of a CA/VO DAS exemption, by Information Management and Liaison (CA/VO/I). Entries into CLASS normally migrate within 30 minutes to DHS's Interagency Border Inspection System. CBP officers at all ports of entry will then see that the traveler is exempt from US-VISIT. The "USVX" code is valid for only three months and then self deletes.
- b. If the exempt traveler already has a visa, the consular section can still enter the US-VISIT exemption code into the CLASS system if there is a valid "A" referral and a request for US-VISIT exemption approved by the CM, DCM, or Principal Officer. For travelers who already have visas but are not personally known to any officers at the mission, Protocol can request CA/VO to approve exemptions and enter the codes into CLASS if the travelers are part of a consolidated motorcade. (See 9 FAM Appendix K, 404.) All application forms and referral documents including the referral itself must be scanned into nonimmigrant visas (NIV). The original visa referral form must be filed with the approved or refused visa application.