

UNCLASSIFIED 18 STATE 8202

January 26, 2018

From: SECSTATE WASHDC

Subject: Update to 9 FAM 403.9-4 Validity of Nonimmigrant Visas

1. SUMMARY: The Visa Office has revised 9 FAM 403.9-4, clarifying standards for limiting nonimmigrant visa validity. END SUMMARY.
2. The revised note provides guidance to consular officers on how and when to issue nonimmigrant visas for a period – or provide a number of admissions (“entries”) – less than that prescribed on the basis of reciprocity.
3. As amended, 9 FAM 403.9-4(B)(b), states that visas may be limited to a timeframe and/or number of applications for admission (“entries”) less than that described in the reciprocity schedule if warranted in an individual case. Limitations of visa validity are most appropriate when the applicant’s bona fides in the immediate near term are not in question, but the stability of the applicant’s longer-term ties to his or her residence abroad are in doubt. The revised 9 FAM 403.9-4(C)(c)(3) provides an example of when limitation of visa validity could be appropriate. Consular officers who identify due cause for such limitations are required to obtain concurrence from a consular manager as described in the revised 9 FAM 403.9-4(C)(b).
4. The updated guidance at 9 FAM 403.9-4 is effective immediately. Consular officers should review the entire section to familiarize themselves with the revised portions of the note.