

9 FAM PART IV Appendix Q, 400 CONTINUING CONSULAR INTEREST

9 FAM PART IV Appendix Q, 401 IDENTIFYING FRAUD

(TL:VISA-123; 9-8-95)

Consular officers at several posts have found, in connection with a family second preference case based upon a petition filed by a legalized alien under this program, evidence of fraud in relation to the principal (i.e., legalized) alien. Reports to INS in such cases must be predicated on solid, supportable facts, not mere suspicions. Consular officers should also bear in mind that INS can only take action in such instances under the rescission provisions of INA 246, which has a statutory limitation of five years from date of adjustment to lawful permanent resident.