

## 9 FAM 41.24 Notes

(TL:VISA-565; 08-04-2003)  
(Office of Origin: CA/VO/L/R)

### 9 FAM 41.24 N1 Persons Associated with International Organizations

(TL:VISA-463; 09-18-2002)

A qualified person may be issued a “G” visa in one of the categories listed below:

(1) **G-1 visas**—Issued to members of a **permanent mission** of a **recognized government** to an international organization, regardless of rank, and to members of their immediate families. G-1 visas are also issued to the mission’s secretaries, chauffeurs and custodial employees, except domestic employees, who are issued G-5 visas.

(2) **G-2 visas**—Issued to representatives of a **recognized government** and to members of their immediate families traveling to the United States **temporarily** to attend meetings of a designated international organization.

G-2 officials may represent their governments at the United Nations (UN) General Assembly or as TDY officers to that country’s mission to the international organization. G-2 visas may be issued to military officers who are assisting the UN Secretariat with peacekeeping matters. Family members may also be issued G-2 visas.

(3) **G-3 visas**—Issued to representatives of **non-recognized or non-member governments**, regardless of rank, and to members of their immediate families. G-3 visas should also be issued to representatives of such governments so as to participate in temporary meetings of designated international organizations (e.g., a meeting of the UN General Assembly and Security Council).

(4) **G-4 visas**—Issued to personnel of any rank who are proceeding to the United States to take up an appointment at a designated international organization (including the United Nations). Members of their immediate families may also be issued G-4 visas, except their domestic employees, who are issued G-5 visas.

Officers and employees of designated international organizations, who are not assigned in the United States, may be accorded G-4 classification if they intend to transit the United States. The number of entries should be limited to the official request. [See 9 FAM 41.24 N10.]

G-4 visas may also be issued to personnel of any rank on the payroll of a designated international organization proceeding to the United States on behalf of that organization.

(5) **G-5 visas**—Issued to the attendants and personal employees of persons in G-1 through G-4 status.

## **9 FAM 41.24 N2 Persons Proceeding to United Nations**

### **9 FAM 41.24 N2.1 Expeditious Processing of U.N. Visa Applications**

*(TL:VISA-181; 11-20-1998)*

a. Representatives to the United Nations and officials of the U.N. Secretariat are sensitive to the performance by the United States of its host obligations under the Headquarters Agreement with the United Nations. Consequently, any mention of the United Nations on a visa application calls for expeditious consideration, or, where necessary, prompt telegraphic submission for an advisory opinion.

b. When the United Nations was invited to locate its headquarters in the United States, it was evident that persons of many political backgrounds would need to be admitted to the United States on U.N. business. For this reason, Congress provided that persons entitled to international organization status are exempt from most of the grounds of ineligibility listed in INA 212(a). [See 9 FAM 41.21(d) Regs/Statutes for the grounds of ineligibility.]

### **9 FAM 41.24 N2.2 Interns Temporarily Employed at United Nations**

*(TL:VISA-181; 11-20-1998)*

a. Generally, because interns at the U.N. perform hands-on services, an alien may be classified for temporary employment as a B-1 “intern” at the United Nations if he or she is of H-1B caliber. In order to determine that an alien intern has met the H-1B caliber standard, the consular officer should:

(1) Be able to answer affirmatively that the proposed duties chiefly involve the theoretical and practical application of a body of highly specialized knowledge, and,

(2) Ensure that the alien attained a bachelor or higher degree (or its equivalent) in a specific specialty that, in practice, requires the attainment of such a degree in order to enter that specialty.

b. For instance, a degree in chemistry would not qualify the applicant for employment as an accountant. On the other hand, certain jobs in accounting, marketing, and finance would be considered “specialty occupations.” Professions requiring state licensure are generally considered “specialty occupations.” A consular officer should seek an advisory opinion from CA/VO/L/A in any situation where a question exists about a prospective U.N. intern’s qualifications.

## **9 FAM 41.24 N2.3 Cases Involving Possible Ineligibility**

*(TL:VISA-181; 11-20-1998)*

If a person wishes to enter the United States for a purpose connected with the United Nations (or any other international organization), but appears to be ineligible to receive a visa under INA 212(a)(3)(A), (3)(B), or (3)(C), an advisory opinion must be submitted to the Department by cabling CA/VO/L/A. [See 9 FAM 40.6 N1.2.]

## **9 FAM 41.24 N2.4 Communications to Department**

*(TL:VISA-181; 11-20-1998)*

Consular officers shall cable the Department concerning persons who are found ineligible for visas and who are coming to the United Nations. Cables shall be addressed "For CA/VO/L/A, IO/UNP and USUN." In referring a case to the Department, the cable shall include:

- (1) All available details of the supporting evidence;
- (2) The applicable statutory provision; and
- (3) The conclusions and recommendations of the consular officer.

## **9 FAM 41.24 N3 Persons Destined to U.N. Secretariat**

### **9 FAM 41.24 N3.1 U.N. Secretariat Employees, Their Immediate Family Members, and Attendants**

*(TL:VISA-181; 11-20-1998)*

G-4 visas shall be issued to officials and employees of the U.N. Secretariat and to their immediate families, based on a telegraphic request authorized by the Chief of the Transportation Section, U.N. Secretariat. A telegraphic request authorized by the Chief is also required for personal employees (classified G-5) of officials and staff members (classified G-4) of the Secretariat. A request from the Chief is not required in the case of a G-5 who will be employed by a person classified G-1, G-2, or G-3.

### **9 FAM 41.24 N3.2 Participants in U.N. Secretariat Exchange Visitor Program**

*(TL:VISA-181; 11-20-1998)*

Participants in the exchange visitor program of the Training and Fellowship Program Section, Bureau of Technical Assistance Operations, U.N. Secretariat, are classifiable "J".

## **9 FAM 41.24 N4 Director and Teachers of U.N. International School**

(TL:VISA-181; 11-20-1998)

The director and teachers of the U.N. International School are not considered to be staff members. A G-4 visa, however, may be issued to a qualified applicant destined to the school as a director or a teacher, provided the consular officer receives a request by letter or telegram from the Chief of the Transportation Section, U.N. Secretariat.

## **9 FAM 41.24 N5 U.N. Laissez-Passer (UNLP)**

### **9 FAM 41.24 N5.1 Issuing G-4 Visa in U.N. Laissez-Passer**

(TL:VISA-344; 01-09-2001)

a. The U.N. Laissez-Passer (UNLP) is a bound booklet in passport format. The cover bears the gold embossed seal of the United Nations, and is either red or light blue in color, depending upon the rank of the recipient.

b. Only a G-4 visa may be placed in a U.N. Laissez-Passer. The bearer must present a Form DS-156, *Nonimmigrant Visa Application*, and a photograph for a G-4 visa in connection with the UNLP. [See 9 FAM 41.113 PN1.2 for photograph requirements.] The consular officer must receive a written or telegraphic confirmation from the Department or from the Chief of the Transportation Section, U.N. Secretariat, indicating that the applicant is an employee of the United Nations traveling on official business.

### **9 FAM 41.24 N5.2 Validity of G-4 Visas for Holders of U.N. Laissez-Passer**

#### **9 FAM 41.24 N5.2-1 Placing G-4 Visa in U.N. Laissez-Passer**

(TL:VISA-463; 09-18-2002)

The period of validity of a G-4 visa placed in a U.N. Laissez-Passer shall be restricted to cover the official travel certified in a letter or telegram from the Chief of the Transportation Section, U.N. Secretariat. The visa shall be valid for one entry, unless the letter or telegram from the Chief of the Transportation Section, U.N. Secretariat, requests more entries. If the letter or telegram is not clear on these points, the consular officer shall contact the U.S. Mission to the United Nations either by phone on (212) 415-4167, by fax (212) 415-4162, or by cable. Cables should be slugged to the attention of Host Country.

**9 FAM 41.24 N5.2-2 Placing Diplomatic G-4 Visa in National Passport Rather than U.N. Laissez-Passer**

*(TL:VISA-181; 11-20-1998)*

a. The Secretary General, all under secretaries and all assistant secretaries general of the United Nations may be issued G-4 diplomatic visas valid for 60 months with multiple entries. The visas, however, must be placed in the national passport rather than in the Laissez-Passer.

b. For all others at the United Nations or U.N. Secretariat, refer to 9 FAM Appendix C for the reciprocity schedule of the country concerned.

**9 FAM 41.24 N6 Organization of American States (OAS)**

**9 FAM 41.24 N6.1 Issuing G Visas to Employees of OAS General Secretariat**

*(TL:VISA-565; 08-04-2003)*

The Secretariat for Management, through the Department of Human Resources (Personnel Office) of the OAS General Secretariat, is responsible for requesting the issuance of visas for persons appointed to, or under contract to serve in the General Secretariat of the OAS. Consular officers shall accept requests for visas on behalf of such persons (including family members and domestic employees), only from the Secretariat for Management or from the Department of Human Resources of the OAS.

**9 FAM 41.24 N6.2 Official Travel Document of OAS Not Considered "Passport"**

*(TL:VISA-181; 11-20-1998)*

The official travel document of the OAS is issued to an employee of the OAS General Secretariat or other agency of the OAS. The purpose of the document is to identify the holder as an official or employee of an agency of the OAS, and to facilitate travel compatible with the interests of the OAS. The document is not considered a "passport" as defined in INA 101(a)(30), therefore, visas shall not be placed in this document.

**9 FAM 41.24 N7 Participants in Courses Given by International Monetary Fund (IMF) Institute**

*(TL:VISA-463; 09-18-2002)*

An applicant who is nominated by a member government of the International Monetary Fund (IMF), and accepted by the IMF to attend courses given by the Fund's Institute, is classifiable G-2. The applicant must possess evidence from the Fund certifying acceptance for participation in a specific course. The request for the visa must be made or supported by the foreign government concerned.

## **9 FAM 41.24 N8 Participants in Economic Development Institute of International Bank for Reconstruction and Development (World Bank)**

*(TL:VISA-181; 11-20-1998)*

A person nominated by a member government of the World Bank and accepted by the Bank to attend a course given at the Economic Development Institute of the Bank, is classifiable G-2. The applicant must possess a letter from the Economic Development Institute of the Bank certifying acceptance for participation in the course of study. The request for a visa must be made or supported by the foreign government concerned.

## **9 FAM 41.24 N9 Employees of INTELSAT**

### **9 FAM 41.24 N9.1 Definitions**

#### **9 FAM 41.24 N9.1-1 "Successor Entity"**

*(TL:VISA-320; 09-27-2001)*

The term "successor entity" means any privatized entity created from the privatization of INTELSAT or from the assets of INTELSAT. It does not include any entity that is a separated entity.

#### **9 FAM 41.24 N9.1-2 "Separated Entity"**

*(TL:VISA-320; 09-27-2001)*

The term "separated entity" means a privatized entity to whom a portion of the assets owned by INTELSAT are transferred prior to full privatization of INTELSAT.

### **9 FAM 41.24 N9.2 Employee Six Months or More Prior to Privatization Date**

*(TL:VISA-463; 09-18-2002)*

An alien employed as an officer or employee of INTELSAT, six months or more prior to the July 18, 2001, date of privatization, shall be considered to be a nonimmigrant under INA 101(a)(15)(G)(iv) provided the alien:

- (1) Was continuously an officer or employee of INTELSAT during the six month period prior to the date of privatization; and
- (2) Maintained lawful nonimmigrant status as a G-4 during that six-month period.

### **9 FAM 41.24 N9.3 Employee of Successor or Separated Entity of INTELSAT**

*(TL:VISA-320; 09-27-2001)*

If an alien commences service as an officer or employee of a successor or separated entity of INTELSAT before the date of privatization but after March 17, 2000, such alien shall be considered to be a nonimmigrant under INA 101(a)(15)(G)(iv), if the alien:

(1) Was continuously an officer or employee during the six month period prior to the date of privatization; and

(2) Maintained lawful nonimmigrant status as a G-4 during that six month period.

### **9 FAM 41.24 N9.4 Immediate Family Members**

*(TL:VISA-463; 09-18-2002)*

Immediate family members of aliens meeting the criteria in 9 FAM 41.24 N9.2 are also entitled to G-4 status.

### **9 FAM 41.24 N9.5 Domestics of Privatized INTELSAT Personnel**

*(TL:VISA-463; 09-18-2002)*

Domestic servants of privatized INTELSAT personnel are not eligible for G-5 status, even if their employer holds G-4 status under the "grand-fathering" provisions described in 9 FAM 41.24 N9.2.

### **9 FAM 41.24 N9.6 Newly Hired INTELSAT Personnel**

*(TL:VISA-463; 09-18-2002)*

Officers and/or employees of privatized INTELSAT who were hired after the date of privatization (July 18, 2001,) as well as any employees who may have been hired less than six months prior to privatization, are not eligible for G-4 status, and would require an immigrant visa, H visa, or another classification of visa authorizing employment.

### **9 FAM 41.24 N9.7 Annotating Visas of Privatized INTELSAT Employees**

*(TL:VISA-463; 09-18-2002)*

In addition to the standard annotation for G-4 visas, the G-4 visas issued to qualifying privatized INTELSAT officers and/or employees and their immediate family should include the following additional line at the end of the annotation:

**“ISSUED PURSUANT TO SECTION 301 OF Public Law 106-396.”**

## **9 FAM 41.24 N9.8 International Telecommunications Satellite Organization (ITSO) Personnel**

*(TL:VISA-463; 09-18-2002)*

A small part of former INTELSAT was not privatized and will remain a qualifying international organization, under the acronym ITSO (International Telecommunications Satellite Organization). ITSO personnel and their immediate family are eligible for G-4 classification, regardless of the date on which the principal alien was hired. In addition, domestic servants of ITSO personnel are eligible for G-5 classification, as domestics of personnel employed by an international organization.

## **9 FAM 41.24 N10 Issuing Diplomatic or Official Visas to Applicants Classifiable G-4**

*(TL:VISA-463; 09-18-2002)*

Except in those cases listed in 22 CFR 41.26(c), persons who are classifiable G-4 are not entitled to receive diplomatic visas. [Refer to 9 FAM 41.27(c) Regs/Statutes for cases in which such persons are entitled to receive official visas.] In all cases, the consular officer must receive a request, such as that described in 9 FAM 41.24 N3.1, from a designated international organization listed in 9 FAM 41.24 Exhibit I, prior to visa issuance.

## **9 FAM 41.24 N11 Issuing G-4 Visas for Transit Purposes**

*(TL:VISA-181; 11-20-1998)*

a. Officers and employees of designated international organizations who are not assigned in the United States may be accorded G-4 classification if they desire to transit the United States. Posts shall endorse G-4 visas issued to such applicants who are generally on, or returning from home leave, as follows:

### **VALID FOR IMMEDIATE AND CONTINUOUS TRANSIT ONLY**

b. Such an applicant who expects to spend time in the United States for personal business or pleasure must also possess a "B" visa.

## **9 FAM 41.24 N12 Issuing G-5 Visa to Attendants and Personal Employees**

*(TL:VISA-320; 09-27-2001)*

See 9 FAM 41.21 N6.



## **9 FAM 41.24 N13 Issuing Visa to Applicant Entitled to Documentary Waiver**

*(TL:VISA-463; 09-18-2002)*

See 9 FAM 41.21 N8.

## **9 FAM 41.24 N14 Ineligible Applicants Destined to United Nations**

*(TL:VISA-320; 09-27-2001)*

See 9 FAM 40.203 Related Statutory Provisions.

## **9 FAM 41.24 N15 B Visas for UN Permanent Observer Mission Representatives and Dependents**

### **9 FAM 41.24 N15.1 Types of Missions**

*(TL:VISA-268; 04-26-2001)*

Permanent Observer Missions at the UN include non-member states, Intergovernmental Organizations and other entities invited to participate as observers. Most UN Observer Mission personnel are entitled to A, G, C-2, C-3, NATO, or Diplomatic (Courtesy) visas; however, there are numerous UN Observer Missions whose representatives do not qualify for any of the above visa classifications.

### **9 FAM 41.24 N15.2 B Visa Issuance—Visa Classification for Permanent Observer Mission Personnel Not Entitled to A, G, C-1, C-3, NATO Visa, or Diplomatic (Courtesy) Visa**

*(TL:VISA-463; 09-18-2002)*

Principal applicants of UN Permanent Observer Missions who are not otherwise entitled to A, G, C-1, C-3, NATO, or Diplomatic (Courtesy) visas are to be issued B-1 visas. Dependents are to be issued B-2 visas. (See 9 FAM 41.113 PN1.9 and 9 FAM 41.113 PN1.10 for visa annotation procedures.)

### **9 FAM 41.24 N15.3 Exemption from Visa Fees for UN Permanent Observer Mission Representatives Issued B Visas**

*(TL:VISA-268; 04-26-2001)*

Principals and dependents of UN Permanent Observer Missions who are issued 'B' visas are exempt from all visa fees.

## **9 FAM 41.24 N16 Reissuance of A and G Visas by U.S. Mission to United Nations (USUN)**

(TL:VISA-565; 08-04-2003)

a. The USUN has been authorized to reissue visas in the “A” category in cases of individuals accredited in “A” or dual status, who previously were recipients of an “A” visa.

b. In cases where a post inadvertently issues an incorrect visa and *DHS* has approved a change of status, the USUN may cancel the incorrect visa and issue a different category of an “A” or “G” visa. For example, if a post erroneously issues a G-4 visa when G-1 was the appropriate category, the USUN may cancel the G-4 visa and issue a G-1 visa after a change of status has been approved by *DHS*.

c. The USUN should process all visa applications pursuant to the guidance contained in 9 FAM, completing appropriate namechecks and security advisory opinion (SAO) requests. Questions regarding general policy or procedural matters should be directed to *CAVO/F/P*. Questions regarding an individual’s ineligibility for a particular visa category or potential ineligibility under the law should be submitted to *CAVO/L/A* for an advisory opinion. Questions about SAO requests should be directed to *CAVO/L/C*.

e. Under no circumstances is the USUN authorized to reissue a visa in any category other than “A” or “G” as provided above.