

Proposed Changes to the Department of State
Records Disposition Schedule
Consular Affairs
Visa Services

Item 1 ● Issued Visa Files - Visa cases issued with electronic storage of VLA record.

Description: Records of nonimmigrant visa applications approved for issuance (paper records of issued immigrant visa are no longer retained by post) and any requisite supporting documentation including I-129B petitions. (Note: Records of visas issued on the basis of a 212(d)(3)(A) waiver are treated as refusal files under B090202.)

Paper Records.

Disposition: Return unnecessary supporting documentation to applicant at time of issuance. Retain application and required or pertinent supporting documentation at post 1 year after issuance then transfer to Kentucky Consular Center for processing. Transfer to WNRC upon completion of processing. Destroy 7 years after issuance.

Item 2 ● Issued Visa Files - Visa cases issued when electronic storage of VLA record was not available

Description: Records of nonimmigrant visa applications approved for issuance (paper records of issued immigrant visa are no longer retained by post) and any requisite supporting documentation including I-129B petitions. (Note: Records of visas issued on the basis of a 212(d)(3)(A) waiver are treated as refusal files under B090202.)

Paper Records.

Disposition: Return unnecessary supporting documentation to applicant at time of issuance. Retain application and required or pertinent supporting documentation at post 1 year after issuance then transfer to Kentucky Consular Center for processing. Transfer to WNRC upon completion of processing. Destroy 11 years after issuance.

Item 3 Visa Refusal Files - Nonimmigrant Visa cases

Description: Records, including applications, supplemental questionnaires, refusal worksheets and supporting or related documentation and correspondence, relating to persons who have been refused immigrant or nonimmigrant visas (including quasi-refusals), under the following section(s) of law:

(1) Category I Refusals: INA subsections 212(a)(1)(A)(i), (iii), and (iv); (2); (3); (6)(C), (E), and (F); (8); (9)(A) (if alien convicted of an aggravated felony), and (C); and 10(D) and (E); 222(g); Title IV of the Helms-Burton Act (22 USC 6021 et seq.); and any cases requiring the Department' s opinion (code 00). (Except quasi-refusal cases under (6)(C)(i).)

Disposition: Retain at post. Destroy when applicant reaches 100 years of age and at least 10 years have passed since date of last visa activity.

Item 4 Visa Refusal Files - Nonimmigrant Visas

Description: Records, including applications, supplemental questionnaires, refusal worksheets and supporting or related documentation and correspondence, relating to persons who have been refused immigrant or nonimmigrant visas (including quasi-refusals), under the following section(s) of law:

Category I Refusals: INA subsection 212(a)(10)(C); Quasi-Refusals under 212(a)(6)(C)(i). Category II Refusals: INA subsections 212(a)(9)(A) and (B)

Disposition: Retain at post. Destroy 20 years after date of last visa activity.

Item 5 Visa Refusal Files - Nonimmigrant Visas

Description: Records, including applications, supplemental questionnaires, refusal worksheets and supporting or related documentation and correspondence, relating to persons who have been refused immigrant or nonimmigrant visas (including quasi-refusals), under the following section(s) of law:

Applications for nonimmigrant visas refused under all other provisions of law, including INA 212(a)(4); (5); (6)(B) and (G); (7)(B)(i); and (10)(A), 212(e), 212(f); 214(b); and 221(g).

Disposition: Retain at post 1 year after refusal then transfer to Kentucky Consular Center for processing. Transfer to WNRC upon completion of processing. Destroy 7 years after refusal.

Item 6 Visa Refusal Files - Immigrant Visa cases

Description: Records, including applications, supplemental questionnaires, refusal worksheets and supporting or related documentation and correspondence, relating to persons who have been refused immigrant or nonimmigrant visas (including quasi-refusals), under the following section(s) of law:

Category I Refusals under INA subsections 212(a)(1)(A)(i), (iii), and (iv); (2); (3); (6)(C), (E), and (F); (8); (9)(A) (if alien convicted of an aggravated

felony), and (C); and 10(D) and (E); 222(g): Title IV of the Helms-Burton Act (22 USC 6021 et seq.); and any cases requiring the Department' s opinion (code 00). (Except quasi-refusal cases under (6)(C)(i).)

Disposition: Retain at post. Destroy when applicant reaches 100 years of age and at least 10 years have passed since date of last visa activity.

Item 7 Visa Refusal Files - Immigrant Visa Cases

Description: Records, including applications, supplemental questionnaires, refusal worksheets and supporting or related documentation and correspondence, relating to persons who have been refused immigrant or nonimmigrant visas (including quasi-refusals), under the following section(s) of law:

Category I Refusals under INA subsection 212(a)(10)(C); Quasi-Refusals under 212(a)(6)(C)(i), and Category II Refusals under INA subsections 212(a)(9)(A) and (B)

Disposition: Retain at post. Destroy 20 years after date of last visa activity.

Item 8 Visa Refusal Files - Immigrant Visas

Description: Records, including applications, supplemental questionnaires, refusal worksheets and supporting or related documentation and correspondence, relating to persons who have been refused immigrant or nonimmigrant visas (including quasi-refusals), under the following section(s) of law:

Category I refusals under INA subsection 212(f).

Disposition: Retain at post during validity of presidential proclamation suspending entry of the alien or group of aliens. Upon rescission of presidential proclamation valid immigrant visa petitions may be processed to conclusion. Destroy if petition no longer valid.

Item 9 Visa Refusal Files - Immigrant Visa Cases

Description: Records, including applications, supplemental questionnaires, refusal worksheets and supporting or related documentation and correspondence, relating to persons who have been refused immigrant or nonimmigrant visas (including quasi-refusals), under the following section(s) of law:

Category II refusals under: INA subsections 212(a)(4); (5); (6)(B) and (G); and (10)(A).

Disposition: Retain at post and destroy 5 years after date of last visa action. Note: Valid immigrant visa petitions must be removed and filed in accordance with

B090207 before file is destroyed.

Item 10 Visa Refusal Files - Immigrant Visa Cases

Description: Records, including applications, supplemental questionnaires, refusal worksheets and supporting or related documentation and correspondence, relating to persons who have been refused immigrant or nonimmigrant visas (including quasi-refusals), under the following section(s) of law:

Category II: INA subsections 212(a)(1)(A)(ii); and 212(e).

Disposition: Retain at post and destroy 3 years after date of last visa activity. Note: Valid immigrant visa petitions must be removed and filed in accordance with B090207 before file is destroyed.

Item 11 Visa Refusal Files - Immigrant Visa Cases

Description: Records, including applications, supplemental questionnaires, refusal worksheets and supporting or related documentation and correspondence, relating to persons who have been refused immigrant or nonimmigrant visas (including quasi-refusals), under the following section(s) of law:

Category II: I 221(g).

Disposition: Destroy upon termination of registration or one year after last visa activity whichever is later.