

IMMIGRATION

Approved For Release 2003/07/29 : CIA-RDP80R01731R001900050024-5

*W. J. ...
Walter*

18 September 1972

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NOTE TO: *GEN WALTERS*
[Redacted]

1. I mentioned this morning that [Redacted] had called on Friday. General Walters' brother in Atlanta wants to help some employees of his who want to bring their parents from Italy to live here permanently. I gather General Walters wants to give at least some basic information to guide his brother's employees. The first step is to execute and submit form I-130 "Petition to Classify Status of Alien Relative for Issuance of Immigrant Visa". I attach three copies of the form, with accompanying instructions. Although the form is relatively simple, it is likely the applicants will have some questions. If they do, and for advice on any other points, they should consult the office of Immigration and Naturalization Service having jurisdiction for the area. There is such an office in Atlanta, the address being 1280 W. Peachtree St., N.W., Atlanta, Georgia 30309. Note also under item 6 of the instructions that when completed the petition is to be filed with that office.

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2. In approving the petition, I&N determines that the son-father relationship exists and that the petitioner is a U.S. citizen. I&N then notifies the petitioner of approval and forwards the petition, via the State Department, to the appropriate consul office in Italy. That office then contacts the parent and issues the necessary visa. The consul office, before issuing a visa, makes other determinations, such as communist membership or activity, concerning the parent.

3. I am told by the I&N office for Washington that petitions usually are approved in less than 30 days. The D.C. office also surmised that Atlanta's case load might be smaller than Washington's.

4. If there is any other information we can give, please let me know.

[Redacted Signature]

Associate General Counsel

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Attachments

PETITION TO CLASSIFY STATUS OF ALIEN RELATIVE FOR ISSUANCE OF IMMIGRANT VISA

Date filed

Fee stamp

----- TO THE SECRETARY OF STATE: -----

<p>The petition was filed on</p> <p>The petition is approved for status under section:</p> <table style="width: 100%;"> <tr> <td><input type="checkbox"/> 201 (b) SPOUSE, CHILD</td> <td><input type="checkbox"/> 203 (a) (2)</td> <td rowspan="3" style="text-align: center; vertical-align: middle;">DATE OF ACTION DD DISTRICT</td> </tr> <tr> <td><input type="checkbox"/> 201 (b) PARENT</td> <td><input type="checkbox"/> 203 (a) (4)</td> </tr> <tr> <td><input type="checkbox"/> 203 (a) (1)</td> <td><input type="checkbox"/> 203 (a) (5)</td> </tr> </table>	<input type="checkbox"/> 201 (b) SPOUSE, CHILD	<input type="checkbox"/> 203 (a) (2)	DATE OF ACTION DD DISTRICT	<input type="checkbox"/> 201 (b) PARENT	<input type="checkbox"/> 203 (a) (4)	<input type="checkbox"/> 203 (a) (1)	<input type="checkbox"/> 203 (a) (5)	<p>Remarks</p>
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<input type="checkbox"/> 203 (a) (1)	<input type="checkbox"/> 203 (a) (5)							

(PETITIONER IS NOT TO WRITE ABOVE THIS LINE)

1. Petition is hereby made to classify the status of the alien beneficiary for issuance of an immigrant visa as: *(Check one)*

The spouse, child (regardless of age), parent, brother, or sister of a United States citizen.

The spouse or unmarried child (regardless of age) of an alien lawfully admitted to the United States for permanent residence.

Block 1. — Information About Alien Beneficiary			
2. Name (Last, in CAPS) (First) (Middle)	3. Do Not Write in This Space	4. Relationship of beneficiary to petitioner	
5. Other names used; Married woman give maiden name	6. Is beneficiary related to you by adoption?		
7. Place of birth (Country)	8. Date of birth (Month, day, year)	9. Beneficiary's marital status: <input type="checkbox"/> Married <input type="checkbox"/> Widowed <input type="checkbox"/> Divorced <input type="checkbox"/> Single	
10. Petitioner's name (Last in CAPS) (First)	11. Petitioner's phone	12. Has this beneficiary ever been in the U.S.? <input type="checkbox"/> Yes <input type="checkbox"/> No	
13. Name of beneficiary's spouse, if married, and date and country of birth (Omit this item if petition is for your spouse)			
14. Names, birthdates and countries of birth of beneficiary's children, if any			
15. Full address of beneficiary's spouse and children, if any (Omit this item if petition is for your spouse)			
16. If this petition is for your spouse or child, give the following:			
a. Date and place of your present marriage	b. Number of your prior marriages	c. Number of prior marriages of spouse	
d. Last address at which you and your spouse resided together		From	To
(Town or city) (State or Province) (Country)		(Apt. No.) (Number and street)	(Month) (Year) (Month) (Year)
17. If this petition is for a child, (a). Is the child married?(b) Is the child your adopted child?If so, give the names, dates, and places of birth of all other children adopted by you. If none, so state			
18. If this petition is for a brother or sister, are both your parents the same as the alien's parents? If not, submit a separate statement giving full details as to parentage, dates of marriage of parents, and the number of previous marriages of each parent.			
19. If separate petitions are also being submitted for other relatives, give names of each and relationship to petitioner			

20. Have you ever filed a petition for this alien before? If so, give place and date of filing and result:

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Block I. — Information About Alien Beneficiary (Continued)

21. Address in the United States where beneficiary will reside (City) (State)
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22. Address at which beneficiary is presently residing (Apt. No.) (Number and street) (Town or city) (Province or State) (Zip Code, if in U.S.)

23. If beneficiary is in the United States, give the following information concerning beneficiary:

a. He last arrived in the U.S. on (Month) (Day) (Year)	b. He last arrived in U. S. as (Visitor, student, exchange alien, crewman, stowaway, etc.)	c. Show date beneficiary's stay expired or will expire as shown on his Form I-94 or I-95:
d. Name and address of present employer		e. Date alien began this employment

24. Check the appropriate box below and furnish the information required for the box checked:

Beneficiary will apply for a visa abroad at the American Consulate in _____ (City in foreign country) (Foreign country)

Beneficiary is in the United States and will apply for adjustment of status to that of a lawful permanent resident in the Office of the Immigration and Naturalization Service at _____ (City) (State)

If the application for adjustment of status is denied, the beneficiary will apply for a visa abroad at the American Consulate in _____ (City in foreign country) (Foreign Country)

Block II. — Information About Petitioner

25. My name is (Last) (First) (Middle) 26. If you are a married woman, give your maiden name

27. I reside in the United States at (Apt. No.) (Number and street) (Town or city) (State) (ZIP Code)

28. Address abroad (if any) (Number and street) (City or town) (Province) (Country)

29. I was born: (Month) (Day) (Year) In: (City or town) (State or Province) (Country)

30. If you are a citizen of the United States, give the following:

a. Citizenship was acquired: (Check one)

through birth in the U. S. through parents through naturalization through marriage

(1) If acquired through naturalization, give name under which naturalized, number of naturalization certificate, and date and place of naturalization: _____

(2) If acquired through parentage or marriage, have you obtained a certificate of citizenship in your own name based on such acquisition? _____

(a) If so, give number of certificate and date and place of issuance: _____

(b) If not, submit evidence of citizenship in accordance with Instruction 3a.(2).

b. Have you or any person through whom you claim citizenship ever lost United States citizenship? _____

If so, attach detailed explanation on separate sheet.

31. If you are a lawful permanent resident alien of the United States, give the following:

a. Alien Registration Number: _____ b. Date, place, and means of admission for lawful permanent residence _____

c. Have you ever lost status as a lawful permanent resident alien? _____ If so, explain: _____

(If you are married to a citizen of the United States, read instruction 1b carefully)

Block III. — Oath or Affirmation of Petitioner

I swear (affirm) that I know the contents of this petition signed by me and that the statements herein are true and correct.

Signature of petitioner (See Instruction No. 5) _____

Subscribed and sworn to (affirmed) before me this _____ day of _____, A.D. 19_____, at _____

(SEAL) My commission expires _____ (Signature of officer administering oath) _____ (Title) _____

Block IV. — Signature of Person Preparing Form, If Other Than Petitioner

I declare that this document was prepared by me at the request of the petitioner and is based on all information of which I have any knowledge.

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Name (Last, in CAPS) (First) (Middle)		Alien Registration Number
Other names used; Married woman give maiden name		SNDX Code
Place of birth (Country)	Date of birth (Month, day, year)	
Petitioner's name (Last in CAPS) (First) (Middle)		Petitioner's phone
DATE AND ACTION ON VP	SECTION	DATE PETITION FILED
DATE OF ACTION DD DISTRICT	<input type="checkbox"/> 201 (b) (spouse child) <input type="checkbox"/> 201 (b) (Parent) <input type="checkbox"/> 203 (a) (1) <input type="checkbox"/> 203 (a) (2) <input type="checkbox"/> 203 (a) (4) <input type="checkbox"/> 203 (a) (5)	

Relative Petition Card
Form I-130-A
(Rev. 11-1-70) Y

Sent to Consul at:

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INSTRUCTIONS

READ INSTRUCTIONS CAREFULLY. FEE WILL NOT BE REFUNDED.

Not all of these instructions relate to the type of case which concerns you. Please read carefully those which do relate. Failure to follow instructions may require return of your petition and delay final action.

1. Eligibility. A petition may be filed by a citizen of the United States or a lawful permanent resident thereof to classify the status of specified alien relatives as follows:

- a. *By a citizen of the United States:* Except as noted in paragraph 2, a citizen of the United States may submit a petition on behalf of a spouse, child (regardless of age), parent (if the citizen is at least 21 years of age), brother or sister.
- b. *By a lawful permanent resident alien:* Except as noted in paragraph 2, an alien lawfully admitted to the United States for permanent residence may submit a petition on behalf of a spouse or an unmarried child regardless of age. However, if a lawful permanent resident alien is married to a United States citizen and wishes to petition for an unmarried child, such alien should consult the nearest office of the Immigration and Naturalization Service for advice as to whether it would be preferable, or necessary, for the United States citizen spouse to submit the petition instead.

(IMPORTANT: Except as noted in the next sentence, petitions by United States citizens or lawful permanent residents should not be submitted for alien relatives born in any independent foreign country of the Western Hemisphere or in the Panama Canal Zone. However, a citizen of the United States must file a petition on behalf of his parent (if the citizen is at least 21 years of age), or on behalf of his spouse or unmarried minor child, even though such parent, spouse or child was born in an independent foreign country of the Western Hemisphere or in the Panama Canal Zone.)

2. Petitions which cannot be approved. Approval cannot be given to petitions on behalf of—

- a. A parent, unless the United States citizen petitioner is at least 21 years of age.
- b. An adoptive parent, unless the relationship to the United States citizen petitioner exists by virtue of an adoption which took place while the child was under the age of 14, and the child has thereafter been in the legal custody of, and has resided with, the adopting parent or parents for at least 2 years.
- c. A stepparent, unless the marriage creating the status of stepparent occurred before the citizen stepchild reached the age of 18 years.
- d. An adopted child, unless the child was adopted while under the age of 14 and has thereafter been in the legal custody of, and has resided with, the adopting parent or parents for at least 2 years. The same petitioner may not petition for more than two such children unless necessary to prevent separation of brothers and sisters.
- e. A stepchild, unless the child was under the age of 18 years at the time the marriage creating the status of stepchild occurred.
- f. A wife or husband by reason of any marriage ceremony where the contracting parties thereto were not physically present in the presence of each other, unless the marriage shall have been consummated.
- g. A prospective wife or husband.
- h. A grandparent, grandchild, nephew, niece, uncle, aunt, cousin or in-law.

3. Supporting documents. The following documents must be submitted with the petition.

a. To prove United States citizenship of petitioner (where petition is for relative of a citizen).

- (1) If you are a citizen by reason of birth in the United States, submit your birth certificate. If your birth certificate is unobtainable, see "Secondary Evidence" below for submission of document in place of birth certificate.
- (2) If you were born outside the United States and became a citizen through the naturalization or citizenship of a parent or husband, and have not been issued a certificate of citizenship in your own name, submit evidence of the citizenship and marriage of such parent or husband, as well as termination of any prior marriages. Also, if you claim citizenship through a parent, submit your birth certificate and a separate statement showing the date, port, and means of all your arrivals and departures into and out of the United States. (Do not make or submit a photostat of a certificate of citizenship. See Instruction No. 8.)
- (3) If your naturalization occurred within 90 days immediately preceding the filing of this petition, or if it occurred prior to September 27, 1906, the naturalization certificate must accompany the petition. Do not make or submit a photostat of such certificate (See Instruction No. 8).

b. To prove family relationship between petitioner and beneficiary.

- (1) If petition is submitted on behalf of a wife or husband, it must be accompanied by a certificate of marriage to the beneficiary and proof of legal termination of all previous marriages of both wife and husband.
- (2) If a petition is submitted by a mother on behalf of a child (regardless of age), the birth certificate of the child, showing the name of the mother, must accompany the petition. If petition is submitted by a father or stepparent on behalf of a child (regardless of age), certificate of marriage of the parents, proof of termination of their prior marriages, and birth certificate of the child must accompany the petition.
- (3) If petition is submitted on behalf of a brother or sister, your own birth certificate and the birth certificate of the beneficiary, showing a common mother, must accompany the petition. If the petition is on behalf of a brother or sister having a common father and different mothers, marriage certificate of your parents, and proof of termination of their prior marriages must accompany the petition.
- (4) If petition is submitted on behalf of a mother, your own birth certificate, showing the name of your mother, must accompany the petition. If petition is submitted on behalf of a father or stepparent your own birth certificate and marriage certificate of your parents must accompany the petition, as well as proof of termination of prior marriages of your parents.
- (5) If either the petitioner or the beneficiary is a married woman, marriage certificate(s) must accompany the petition. However, when the relationship between the petitioner and beneficiary is that of a mother and child (regardless of age), the mother's marriage certificate need not be submitted if the mother's present married name appears on the birth certificate of the child.
- (6) If the petitioner and beneficiary are related to each other, supporting documents of the adoption certificate must accompany the petition.

c. *Secondary evidence.*

If it is not possible to obtain any one of the required documents or records shown above, the following may be submitted for consideration:

- (1) *Baptismal certificate.*—A certificate under the seal of the church where the baptism occurred, showing date and place of the child's birth, date of baptism, the names of the child's parents, and names of the godparents, if shown.
- (2) *School record.*—A letter from the school authorities having jurisdiction over school attended (preferably the first school), showing the date of admission to the school, child's date of birth or age at that time, place of birth, and the names and places of birth of parents, if shown in the school records.
- (3) *Census record.*—State or Federal census record showing the name(s) and place(s) of birth, and date(s) of birth or age (s) of the person(s) listed.
- (4) *Affidavits.*—Notarized affidavits of two persons who were living at the time, and who have personal knowledge, of the event you are trying to prove—for example, the date and place of a birth, marriage, or death. The persons making the affidavits may be relatives and need not be citizens of the United States. Each affidavit should contain the following information regarding the person making the affidavit: His (Her) full name and address; date and place of birth; relationship to you, if any; full information concerning the event; and complete details concerning how he(he) acquired knowledge of the event.

d. *Documents and secondary evidence unavailable.*

If you are unable to submit required evidence of birth, death, marriage, divorce or adoption because the event took place in a foreign country which does not record such events, and secondary evidence is unavailable, attach a statement to this effect, setting forth therein the following: the date and place of each of your entries into the United States. Also attach any letters, photographs, remittances or similar documents which tend to support the claimed relationship and three passport type photographs of yourself.

e. *Documents previously submitted.*

If your birth abroad was registered with an American consul on Form FS-240, submit that form with this petition. If any required documents relating to your claim of citizenship were submitted to and retained by the American consul who issued FS-240 and you wish to use them in connection with this petition instead of submitting new documents, list such documents in an attachment to this petition and show the location of the consulate. If you wish to make similar use of required documents contained in any Immigration and Naturalization Service file, list them in an attachment to this petition and identify the file by name and number. Otherwise the documents required in support of this petition must be submitted.

f. *Documents in general.*

All supporting documents must be submitted in the original. If you desire to have the original returned to you, and if copies are by law permitted to be made, you may submit photostatic or typewritten copies. Photostatic copies unaccompanied by the original may be accepted if the copy bears a certification by an immigration or consular officer that the copy was compared with the original and found to be identical. A foreign document must be accompanied by a translation, certified by the translator as to the accuracy of the translation and as to his competency to translate. (Do not make a copy of a certificate of naturalization or citizenship.)

4. **Preparation of petition.** A separate petition for each beneficiary must be typewritten or printed legibly, with pen and ink (one copy only).
(If you need more space to answer fully any questions on this form, use a separate sheet, identify each answer with the number of the corresponding question, and date and sign each sheet.)
5. **Execution of petition.** You must sign the petition in your full, true, and correct name and affirm or make it under oath.
 - a. *In the United States* the petition may be sworn to or affirmed before an immigration officer without the payment of fee, or before a notary public or other officer authorized to administer oaths for general purposes, in which case the official seal or certificate of authority to administer oaths must be affixed.
 - b. *Outside the United States* the petition must be sworn to or affirmed before a United States immigration or consular officer.
 - c. *A member of the Armed Forces of the United States*, either in the United States or abroad, may swear to or affirm the petition before an officer of the Armed Forces authorized to perform notarial acts under Article 136, Uniform Code of Military Justice. His wife or other dependent, *abroad only*, may swear to or affirm the petition in like manner.
6. **Submission of petition.** If you are residing in the United States, send the completed petition to the office of the Immigration and Naturalization Service having jurisdiction over your place of residence. If you are residing outside the United States consult the nearest American consulate as to the foreign office of this Service designated to act on your petition. If you are a United States citizen petitioning for an immediate relative classification in behalf of your unmarried child, the petition must be submitted in sufficient time for action to be completed on the petition and for the child to obtain a visa and reach the United States before the date on which he will be 21 years of age.
7. **Fees.** A fee of \$10, payable in United States currency, must accompany this petition. The fee is required for filing the petition and is not returnable regardless of the action taken. If you mail this petition, attach money order or check. **DO NOT SEND CASH.** Money order or check should be drawn on a United States bank to the order of Immigration and Naturalization Service, Department of Justice." If residing in Guam, draw remittance in favor of the "Treasurer, Guam." If residing in the Virgin Islands, draw remittance in favor of the "Commissioner of Finance of the Virgin Islands."
8. **Penalties.** Title 18, United States Code, section 1546, provides: "Whoever knowingly makes under oath any false statement with respect to a material fact in any application, affidavit, or other document required by the immigration laws or regulations prescribed thereunder, or knowingly presents any such application, affidavit, or other document containing any such false statements, shall be fined not more than \$2,000 or imprisoned not more than 5 years, or both."

Title 18, United States Code, section 1426(h), provides: "Whoever, without lawful authority, prints, photographs, makes or executes any print or impression in the likeness of a * * * certificate of naturalization or citizenship, or any part thereof, shall be fined not more than \$5,000 or imprisoned not more than 5 years, or both."