



United States Department of State
Washington, D.C. 20520

April 20, 2009

Mr. John F. Roth
210 Main Street
Nanuet, NY 10954

Dear Mr. Roth:

This is in response to your March 15, 2009 correspondence concerning fiancée visa applications submitted at the U.S. Consulate in Guangzhou, China

Under immigration law, Title 22 CFR 42.43, if in the course of reviewing a petition, a consular officer obtains sufficient facts showing that a beneficiary is not entitled to a classification, that there was misrepresentation in the petition process, or that there were facts unknown to the U.S. Citizenship and Immigration Services (USCIS) official at the time the petition was approved, the consular officer must return the petition to the USCIS approving office.

After USCIS reviews the case, the petitioner and/or beneficiary are notified and provided an opportunity to respond and offer proof of the applicant's eligibility. The final decision to revoke or reaffirm a petition rests with USCIS.

We hope this information may be helpful.

Sincerely,

Public Inquiries Division
Visa Services
www.travel.state.gov