

Showing Ties to Home Country

Occasionally students have been denied visas due to the consular officer not being sufficiently convinced of the student's intentions to return to their home country after completing their studies.

This is based on Section 214(b) of the Immigration and Nationality Act (INA) that states: "Every alien shall be presumed to be an immigrant until he establishes to the satisfaction of the consular officer, at the time of application for admission, that he is entitled to a nonimmigrant status..."

This means that international students must prove, beyond a reasonable doubt, a "permanent residence" or "strong ties" to his or her home country, illustrating that they do not intend to immigrate or obtain residency/citizenship in the U.S. Fortunately, a visa denial is not permanent and can be reversed, if the student can show new, irrefutable evidence.

Here are some tips to demonstrate strong ties to home country:

- Convince the consular officer that the sole (not just "primary") purpose of the visit to the U.S. is to pursue a program of study
- Outline post-graduation plans upon returning to home country
- Document family ties, business interests and assets in home country
- Discuss job prospects in home country upon completion of U.S. education

One of the most important factors in deciding if you are to be granted a non-immigrant visa during your visa interview are your ties to your home country. USCIS immigration officers want you to demonstrate that you have strong ties to your home country that it will not be easy for you to try to stay in America after you complete your study or visit. They want to see compelling reasons for you to return to your home country. This is simply because you are applying for a non-immigrant visa, which by definition, only grants you a temporary stay in America. USCIS hates it when people use a visa for a different purpose than it was intended for.

Here are some of the key points to follow and remember during your interview and on your application:

- Detail and outline how the program of study you intend on undertaking (for example English at AFI, and maybe some other field of study at a college or university) benefits you in terms of career and business in your home country. By studying English at AFI, you can transfer to a college and get a degree in your field of study, which will help you be successful in your home country.
- Talk about your elderly parents and relatives. For example, do you have to take care of them? Then you cannot possibly immigrate to America because they will stay in your home country.
- Document any property, trust accounts or significant immovable assets in your home country that you would not likely abandon to go to America.

- Document large sums of money in your bank account so that it looks like you don't need to go to America to work.
- Talk about the family business that you may have to take over.
- Do you have a job offer from an employer in your home country to give you a job upon return.
- Reference letter from a previous employer that they would hire you upon your return.
- Religious and nonprofit organizations that you belong to in your home country and that you intend on returning to help them.
- Talk about your fiancée, boy/girlfriend, or spouse and dependents that will remain in your home country and take proof of relationship to convince the USCIS officer you still have loved ones in the home country and you cannot just leave them.

Bring all the evidence with you to the interview and show the USCIS officer that you have reasons to come back to your home country after you complete the purpose of your visit.

Remember: The first red-flag is usually money. If you have barely enough money to go to America, chances are you will try to stay there and work illegally. Make sure you have more than the minimum required amount of money to study or visit.

Most people, coming to America, upon realizing how much money they can make in comparison to their home country, would decide to stay and work, even illegally. The temptation is so great that this is probably why USCIS reject applicants; because they would be enticed to work illegally while in America.