



## AVOIDING AND OVERCOMING THE INTENDING IMMIGRANT PRESUMPTION – 214(B) VISA DENIAL

When you appear for an interview at a U.S. Embassy or Consulate, you will be asked by an interviewing consular officer about your upcoming trip to the United States. Interviews are short, lasting an average of five minutes. In this period, you must do the following:

- Explain your purpose for going to the United States
- Demonstrate that when your visa expires you will return to your home country with no intentions of abandoning your residence there



### What is the intending immigrant presumption?

U.S. Immigration law presumes that you are intending to immigrate unless you can provide evidence to the contrary.

### How do I overcome this presumption?

The presumption can be overcome by showing evidence (documents and paperwork) of ties to your home country.

### What are examples of ties to my home country?

- Evidence of your official status with your sporting federation.
- A contact name, address, and telephone number for any government official or federation who has interceded on your behalf with the Embassy.
- Documentation establishing your ownership and/or lease commitment for a home, automobile, or significant property. Ex: deed, title, or lease, mortgage payment, electricity bills, telephone bills.
- If applicable, evidence of your marriage, the birth certificates for your children, or any other information you may have in connection with people who rely on you for their support.
- Information relating to any bank accounts, deposits, pay slips to prove employment and a regular salary.



### Know the answer to the five W's

- WHY are you planning to travel to the US?
- WHEN are you planning to travel, and how long do you plan to stay?
- WHERE are you going to stay, and who will you be staying with?
- WHAT are you planning to do while in the US?
- WHO Are planning to see while in the US?