

9 FAM 41.121 EXHIBIT IV SAMPLE REFUSAL LETTER FOR DENIALS UNDER INA 214(B)

(CT:VISA:807; 05-04-2006)



Date: _____

Dear Applicant:

We regret to inform you that you have been found ineligible for a nonimmigrant visa based on section 214(b) of the U.S. Immigration and Nationality Act (INA). Under U.S. immigration law, all applicants for nonimmigrant visas must satisfy the interviewing officer that they are entitled to the type of visa for which they are applying. A denial under section 214(b) means that you were not able to demonstrate that your intended activities in the U.S. would be consistent with one of the nonimmigrant visa categories established under U.S. immigration law, or, more commonly, that you were unable to satisfy the requirements of the particular nonimmigrant visa category for which you have applied today.

The requirements of each nonimmigrant visa category differ from one another. However, one of the most common elements within the various nonimmigrant visa requirements is for the applicant to demonstrate that they have a residence in a foreign country which they have no intention of abandoning. Applicants to whom this requirement applies usually meet the requirement by demonstrating that they have strong ties overseas which would ensure their return to a foreign country after a temporary visit to the United States. Some of the ties that may be considered during the interview include professional, employment, educational, family or social linkages to a foreign country. You have not demonstrated that you have the ties that will compel you to return to your home country after your travel to the United States.

Depending on the nonimmigrant visa classification, other requirements could also apply and have also been the basis for refusal of the visa. In your case you have applied for a _____(enter Visa type here), but have

failed to demonstrate your eligibility due to the lack of _____
(short description of missing component).

Today's decision cannot be appealed. However, you may reapply if you have additional evidence to demonstrate your qualification for a visa. If you do decide to reapply, you must submit a new application form and photo, pay the visa application fee again, and, as applicable, be interviewed by a consular officer. If you choose to reapply, you should be prepared to provide information that was not presented in your original application, or to demonstrate that your circumstances have changed since that application. There can be no guarantee that you will receive a different decision. Only a new interview can determine that.

Sincerely,

Consular Officer
Nonimmigrant Visa Section