

# 10 Points to Remember When Applying for a Nonimmigrant Visa

*Source: NAFSA Association of International Educators*

## 1. Ties to Your Home Country and Residence Abroad

Under U.S. law, people who apply for nonimmigrant visas, such as F-1 or J-1 student visas, are viewed as "intending immigrants" (who want to live permanently in the U.S.) until they can convince the consular officer that they are not. You must, therefore, be able to show that you have reasons for returning to your "residence abroad" (usually in your home country) that are stronger than reasons for remaining in the United States, and that you intend to depart the United States at the conclusion of your studies.

"Ties" to your home country are the things that connect you to your hometown, homeland, or current place of residence: job, family, owning a house or apartment, financial prospects that you own or will inherit, investments, etc. If you are a prospective student, the interviewing officer may ask about your specific plans or promise of future employment, family or other relationships, educational objectives, grades, long-range plans and career prospects in your home country. Each person's situation is different, of course, and there is no magic explanation or single document, certificate, or letter which can guarantee visa issuance. If you have applied for the U.S. Diversity (green card) Lottery, you may be asked if you intend to immigrate. If you applied for the Diversity Visa Lottery but do not intend to immigrate, be prepared to clarify that, for instance, by explaining that you applied for the lottery since it was available but not with a specific intent to immigrate.

If you have close relatives who are U.S. citizens or permanent residents, it may be harder for you to demonstrate that you are not an intending immigrant.

For further details about this topic, you can visit the State Department's Foreign Affairs Manual at [9 FAM 402.5-5\(E\)](#), which explains the basics of what consular officers will be looking for in the interview process.

## 2. English

The interview will generally be conducted in English and not in your native language. One suggestion is to practice English conversation with a native speaker before the interview, but do not prepare speeches! Expect to have an interactive conversation with the consular officer about your plans for studying in the United States and beyond, your goals, and your ties to your home country. If you are coming to the United States to study intensive English, be prepared to explain how English will be useful for you in your home country.

For further details about this topic, the Department of State Foreign Affairs Manual at [9 FAM 402.5-5\(F\)](#).

## 3. Speak for Yourself

The consular officer wants to interview you, not your family, and a more positive impression is created if you are prepared to speak on your own. Although generally parents or family members will not accompany an applicant into to the visa interview, if you are a minor and need your parents to be there in case there are questions (for example about funding/finances), they should check with the consulate about the consulate's waiting area and any special rules or procedures for non-applicant family members to accompany a visa applicant.

## 4. Know the Program and How It Fits Your Career Plans

If you are not able to explain the reasons why you will study in a particular program in the United States, you may not succeed in convincing the consular officer that you are indeed planning to study, rather than to work or stay in the

United States. You should also be able to explain how studying in the United States relates to your career goals and employment prospects when you return home. If you will be a graduate student in the United States and have a research focus, be prepared to talk about your research plans. Consular officials may want a letter from your supervising professor or faculty member that explains your intended research goals.

### **5. Be Brief and Maintain a Positive Attitude**

Because of the large number of applications they receive, all consular officers are under considerable time pressure to conduct a quick interview. They must make a decision, for the most part, on the impressions they form during the first minute of the interview. What you say first and the first impression you create are critical to your success. Keep your answers to the officer's questions short and to the point, responding precisely to the consular officer's questions and statements. Do not have an argument with the officer. If you are denied a student visa, ask the officer for a list of documents he or she would suggest you bring to overcome the denial and try to get the reason you were denied in writing.

For more information about responding to a visa denial, visit the U.S. [Department of State's web page explaining visa denials](#).

### **6. Supporting Documentation (Know Your Specific Situation or History)**

It should be immediately clear to the consular officer what written documents you are presenting and what they mean. Lengthy written explanations cannot be quickly read or evaluated. Remember that you will have 2-3 minutes of interview time, if you are lucky. Supporting documentation will depend on your particular situation, so it is best to review the consulate's website. However, there are a few supporting documents which are common among all students such as financial documentation, admission letter(s), and scholarship letters. Students should be prepared to take all documentation proving their financial ability to stay in the United States such as scholarships, assistantships or other letters issued by the school, sponsor or other organization. If you will be a graduate student in the United States, consular officials may want a letter from your supervising professor or faculty member that explains your intended research goals. The financial information indicated on your Form I-20 or DS-2019 should match the evidence provided to the consular officer.

### **7. Different Requirements for Different Countries**

Applicants from countries suffering economic problems or from countries where many students have remained in the United States long-term often have more difficulty getting visas. They are also more likely to be asked about job opportunities at home after their study in the United States. You should review your country's specific requirements on the U.S. consulate's website.

Several U.S. consulates around the globe have created YouTube videos which explain the visa process at their specific posts. Always check your specific U.S. embassy or consulate to see if a new YouTube video is available. A select list of consular YouTube videos is located at the end of this resource.

Also be sure to check the U.S. State Department's [Visa Appointment and Processing Wait Times](#) web page, to find average visa appointment and processing wait times at the consulate where you will be applying for your visa.

## **8. Employment**

Your main purpose in coming to the United States should be to study, rather than for the chance to work before or after graduation. While many students work on- or off-campus during their studies, such employment is incidental (secondary/optional) to their main purpose of completing their U.S. education. You must be able to clearly explain your plan to return home at the end of your program. If your spouse or children are also applying for an accompanying F-2 visa, be aware that F-2 dependents cannot, under any circumstances, be employed in the United States. If asked, be prepared to address what your spouse intends to do with his or her time while in the United States. Volunteering in the community and attending school part-time are permitted activities for F-2 dependents.

## **9. Dependents Remaining at Home**

If your spouse and children are remaining behind in your country, be prepared to explain how they will support themselves in your absence. This can be especially difficult to explain if you are the primary source of income for your family. If the consular officer gains the impression that you intend to support your family with money you may earn during your studies in the United States, your student visa application will almost certainly be denied. If your family decides to join you at a later time, it may be helpful to have them apply at the same post where you applied for your visa, but that is not always required if your family is living in another district.

## **10. Other Special Considerations**

### Tell the truth

A ten-digit fingerprint scan is taken of applicants immediately preceding the visa interview, and applicants must attest to the following under penalty of perjury ([See 9 FAM 403.3-6](#), Biometric Signature and Affirmation of DS-160 NIV application):

"By submitting my fingerprint, I am certifying under penalty of perjury that I have read and understood the questions in my visa application and that all statements that appear in my visa application have been made by me and are true and complete to the best of my knowledge and belief. Furthermore, I certify under penalty of perjury that I will tell the truth during my interview and that all statements made by me during my interview will be complete to the best of my ability."

### Social media question on the visa application

Note the "social media" question on Form DS-160, the standard online application used by individuals to apply for a nonimmigrant visa. The item requires applicants to indicate the social media platforms that they have used during the five years preceding their visa application, and to provide any identifiers or handles they used on those platforms. DOS also added a similar item to the Form DS-260 immigrant visa application. See [NAFSA's page on the DS-160 social media question](#) for additional information.

### Administrative processing delays

Some students may experience delays in obtaining a visa because of "administrative processing." This commonly occurs if your name is similar to another individual and the consulate needs to check with other government agencies about your status or background. It may also happen when your area of study is thought to be in a field of sensitive or critical technology, or your faculty adviser is working with sensitive research materials. Some consular officers may even require additional letters from program directors or academic advisers explaining the specific type of research the

student will be involved in and what kind of access to sensitive technology the student will have. If you are unsure whether this applies to your situation, [check with your specific U.S. embassy or consulate](#). For more information, visit the [U.S. Department of State's Administrative Processing Information web page](#).

#### Past visits to the United States

You may be asked to explain past visits and stays in the United States and/or any prior visa statuses held by you or your family members. Also, students who formerly held an employment-based immigration status or had Optional Practical Training (OPT) or STEM OPT might also need to explain the reasons for additional study in the United States instead of working at home.

If you stayed beyond your authorized stay in the United States or violated an immigration status in the past, be prepared to explain what happened and if available, provide supporting documentation regarding the circumstances. You should consider consulting an experienced immigration lawyer for guidance on whether the Overstay or Unlawful Presence provisions impact your eligibility to return to the United States. See [NAFSA's page on Unlawful Presence](#).

#### Third country nationals

If you are not a citizen or permanent resident of the country in which you currently live or the country where you plan to apply for a visa (i.e., you are a "third country national"), you may also wish to explain your intent to return to that country upon completion of your studies in the United States.

#### Arrests and convictions

Documentation should accompany any arrests or convictions within the U.S. or abroad, including any arrests or convictions for driving under the influence of alcohol or drugs. Always check with an experienced immigration attorney if you have any current or past legal issues.

This document is also [available online](#).

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