



*Embassy of the United States of America
Bridgetown, Barbados*

FAQs about Nonimmigrant Visa Refusals

Q: Why did the Consular Officer refuse my nonimmigrant visa?

A: There are generally three categories of refusals:

1. Refusals under section 214 (b) of the Immigration and Nationality Act;
2. Refusals under section 221 (g) of the Immigration and Nationality Act; or
3. Refusals under section 212 of the Immigration and Nationality Act

Section 214 (b) Refusals:

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 that you were unable to satisfy the requirements of the particular nonimmigrant visa category for which you applied. If the Consular Officer refuses your application under section 214 (b), the Officer will provide you with a yellow-colored half-sheet of paper that explains why the officer refused your application.

You cannot appeal refusals under section 214 (b). However, you may reapply if you have additional evidence to demonstrate your qualification for a visa. If you decide to reapply, you must submit a new application form and photo, pay the visa application fee again, and 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. There is no guarantee that you will receive a different decision.

Section 221 (g) Refusals:

Consular officers cannot issue visas to any applicant whose eligibility has not been clearly established. To establish eligibility, Consular Officers may request additional information, documents, administrative processing, or a follow-up interview. If a Consular Officer refuses your application under section 221 (g), the Officer will provide you with a yellow-colored full sheet of paper that states what you need to do to establish eligibility. You have one year from the date of your original interview to provide the requested information. If you do not provide the requested information within one year, you are required to submit a new visa application.

Section 212 Refusals:

Section 214 (b) and Section 221 (g) are the most common reasons Consular Officer's refuse a visa application. If there is another reason the Consular Officer refuses the application, it will be under section 212 of the Immigration and Nationality Act. The Consular Officer will provide you a white sheet of paper that explains the reason for the refusal.

Q: Can I appeal a refusal under section 214 (b) of the Immigration and Nationality Act?

A: You cannot appeal refusals under section 214 (b). However, you may reapply if you have additional evidence to demonstrate your qualification for a visa. If you decide to reapply, you must submit a new application form and photo, pay the visa application fee again, and 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. There can be no guarantee that you will receive a different decision.

Q: Can I reapply for a nonimmigrant visa after I was refused section 214 (b) of the Immigration and Nationality Act?

A: You may reapply at any time if you have additional evidence to demonstrate your qualification for a visa. If you decide to reapply, you must submit a new application form and photo, pay the visa application fee again, and 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. There can be no guarantee that you will receive a different decision.

Q: How can an officer make a decision so quickly?

A: Consular Officers are trained to make sound decisions quickly. In a very short time, a Consular Officer has looked at several aspects of your case: your situation in your country of residence, your stated intent for going to the United States, your previous travel history, your financial situation, etc. Based on the unique circumstances of your case, the Consular Officer asked you the questions he/she deemed necessary. The Consular Officer weighed your answers to those questions with the specific facts of your case. The high volume of applications we receive demands that the Consular Officer examine your case only as far as necessary for him/her to determine whether you overcame the legal presumption of intending immigration to the United States. Unfortunately, visa applicants' stated intent often conflicts with other facts presented.

Q: Why didn't the officer look at my documents?

A: Applying for a nonimmigrant visa is not primarily a documentary process. Consular Officers seldom dwell upon documents. What is at issue is intent. Documents alone will never establish applicants' intentions. Documents that demonstrate that applicants are well established in their own country can in some circumstances help individuals to establish that their intent is to return to their own country after a short visit to the United States. Depending on the specifics of your case, the Consular Officer may or may not have needed to examine your documents closely to make a decision about your intent. You were correct to bring documents with you, in case the Consular Officer needed to refer to them. If the Consular Officer made a decision in your case without a detailed scrutiny of your documents, it was because other circumstances of your case were clear.

You can find more information about how apply for visas to the United States on our website, www.barbados.usembassy.gov and the website of our authorized service provider at <https://ais.usvisa-info.com>.

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