

December 31, 2014

Pending petition doesn't bar you from obtaining a visitor's visa

Q: *My relative has filed an immigrant petition for me, but my priority date is several years away. Can I still apply for a visitor's visa?*

A: Certainly! The Embassy is committed to facilitating legitimate travel by issuing visas to qualified applicants. Consular officers understand that many Jamaicans have relatives in the United States and frequently travel to visit family there. Some applicants may think that having family members in the U.S. looks bad for their visitor's visa application, but visiting family is common and certainly one of many reasons for legitimate travel.

If you have an active immigrant petition awaiting processing, it does not automatically disqualify you from receiving a visitor's visa. Often the immigration petition process can take some time. Officers understand that you can intend to follow the rules and regulations for immigrating to the U.S., but still want to visit while the process is ongoing. Every case is unique and you will need to explain your personal circumstances to the consular officer during your interview. In general, individuals applying for a visitor's visa must demonstrate to the interviewing officer that they will use the visa appropriately and depart the U.S. at the end of the intended stay. Officers consider a wide variety of factors in assessing the probability that an applicant will use his or her visa correctly and return to Jamaica.

With an active immigrant petition in the system, you need to show the officer that you do not plan to immigrate at this time, and will return to Jamaica after a temporary visit to the U.S. We encourage individuals who have pending immigrant visa applications to be forthcoming about their petition, their reasons for wanting to visit the U.S. while they are waiting, and the ways that they remain connected to Jamaica at this time. Ultimately, the decision to issue any visa is based on the interviewing officer's confidence in the applicant with regard to their purpose of travel and intent to return home. [\[kef1\]](#) Consular officers examine each application individually to determine whether the applicant qualifies for visa issuance according to U.S. immigration law and regulations,

The immigrant visa process can involve a lengthy wait, depending on your visa category. If your relative in the U.S. has filed for you, you can check the current status of your priority date in the Visa Bulletin, available at travel.state.gov. The Embassy is currently experiencing high demand for visitor's visa applications, so we recommend applying well in advance of your expected travel date, especially if you plan to attend a specific event such as a wedding, graduation, or other celebration.

Best wishes from the Embassy to you and your family for a prosperous New Year!

You can find more information about how to travel to the U.S. on our website, www.kingston.usembassy.gov, and the website of our authorized service provider at <https://ais.usvisa-info.com/en-jm/niv>. Keep on top of Embassy news on our Facebook page, <https://www.facebook.com/pages/US-Embassy-Jamaica> and by following @USEmbassyJA on Twitter. We also answer general visa questions on our Facebook and Twitter pages.