# Frequently Asked Questions

## 1. What is a visa?

If you're a citizen of a foreign country, in most cases you'll need a visa to enter the United States.

A visa does not permit entry to the United States. A visa simply indicates that your application has been reviewed by a U.S. consular officer at an American embassy or consulate, and that the officer has determined you are eligible to enter the United States for a specific purpose. Consular affairs are the responsibility of the U.S. Department of State.

A visa allows you to travel to the United States as far as the port of entry (airport or land border crossing) and ask the immigration officer to allow you to enter the country. Only the immigration officer has the authority to permit you to enter the United States. He or she decides how long you can stay for any particular visit. Immigration matters are the responsibility of the U.S. Department of Homeland Security.

2. How long before my planned travel date should I apply for a visa?

Because of significant demand for U.S. visas, there is usually a wait for visa interview appointments. If you need a visa interview, you may have to wait at least five working days for an appointment.  Additionally, your visa may not be issued for a period of time because of post-interview processing. When additional administrative processing is required, the timing will vary based on individual circumstances of each case, but usually takes between 6 to 7 weeks. Therefore, we encourage all visa applicants to make an appointment as far in advance of their anticipated travel plans as possible. If you are a frequent traveler or someone who may be required to travel on short notice, we encourage you to keep your visa valid and apply to renew your current visa before it expires.

3. Duration of Stay: How long can I stay in the United States?

If you are allowed to enter the U.S., the Customs and Border Protection (CBP) official will determine the length of your visit on the Arrival-Departure Record  (Form I-94). Since Form I-94 documents your authorized stay in the U.S., it’s very important to keep it with your passport. Please carefully consider the dates of your authorized stay and make sure you are following the procedures under U.S. immigration laws. It is important that you depart the U.S. on or before the last day you are authorized to be in the U.S. on any given trip, based on the specified end date on your Arrival-Departure Record, Form I-94. Failure to depart the U.S. will cause you to be out-of-status.  Being out of status could affect your eligibility to obtain visas in the future.  Please refer to the https://ceac.state.gov/genniv/ website for additional information.

4. What is “visa validity?” What does the word “Entries” mean on the visa?

“Visa validity” generally means that the visa is valid, or can be used from the date it is issued until the date it expires, for travel of the same purpose.  To determine how often you may travel to the US on that particular visa, please look to how many entries you were given.
The visa validity is the length of time within which you are permitted to present your visa to a U.S. immigration inspector and request permission to enter at a United States port-of-entry.

The visa does not guarantee entry to the U.S.  The expiration date for the visa should not be confused with the authorized length of your stay in the U.S., given to you by the U.S. immigration inspector at port-of-entry, on the Arrival-Departure Record, Form I-94, or I-94W for the Visa Waiver Program.  The visa expiration date has nothing to do with the authorized length of your stay in the U.S. for any given visit.

5. What can I do if the company Official Permit Card is lost?

To make a new card, the company is required to present a company formal certification letter.

## Questions on Visa Issuance & Denial

1. How do you decide whether or not to issue a visa?

Section 214(b) of the U.S. Immigration and Naturalization Act states: Every alien is presumed to be an immigrant until he establishes to the satisfaction of the consular officer, at the time of application for admission, that he is entitled to nonimmigrant status...

To qualify for non-immigrant visas, applicants must meet the requirements of U.S. immigration law. Failure to do so will result in a refusal of a visa under Section 214(b). The most frequent basis for such a refusal is failure to overcome the requirement that applicants must possess a residence abroad he/she has no intention of abandoning. Applicants prove the existence of such residence by demonstrating that they have ties abroad that would compel them to leave the U.S. at the end of their temporary stay. The law places this burden of proof on each individual applicant.

2. What are strong ties?

Strong ties differ from country to country, city to city, individual to individual. "Ties" are the various aspects of a person's life that bind them to their country or residence: possessions, employment, social and family relationships. Some examples of ties can be a person's job and income, a house or apartment, a car, close family relationships, bank accounts, etc. Consular officers are trained to look at each application individually and consider professional, social, cultural and other factors. With younger applicants who may not have had an opportunity to form many ties, consular officers may look at the applicant's specific intentions, family situations and long-range plans and prospects within his or her country of residence. Each case is examined individually and is accorded every consideration under the law.

3. Why do all the refused applicants get the same letter of explanation as to why they were turned down?

In most cases where an applicant is denied a visa, the applicant fails to show that he or she has strong enough ties outside the U.S. to convince the officer that the applicant will depart the United States after a temporary period. Many refused applicants believe there is a special document or a special way to answer questions that will enable them to successfully reapply for a visa days or weeks later. However, as the problem for applicants refused under section 214(b) lies in their overall situation, no single answer or document exists which would prove satisfactory in all cases. Applicants are encouraged to reapply only when their overall circumstances have changed. For example, an unemployed recent graduate may decide to reapply following a sustained period of steady employment.

4. Why are the visa interviews so short? I was refused after only a couple of questions and the interviewer hardly looked at my documents?

Visa officers handle thousands of applications every year. Based on this experience, they are able to quickly review the application form and supporting documents in order to narrow the range in which questions may need to be asked. Keep in mind, much of the necessary information required to make a decision is already supplied on the application form itself, so there is usually no need for the officer to ask more than a few additional questions.

5. When I applied for a visa, I told the officer I would return to China after a short stay in the US. Why didn't the officer believe me?

Visa officers are required to evaluate the applicants overall situation in reaching a decision. Statements indicating that the applicant intends to return to China are helpful, but under the requirements of U.S. law the statement alone is not adequate to show that they qualify for a visa.

6. How long do refused applicants have to wait before reapplying?

There is no time restriction on resubmitting an application after a refusal. If additional information or supporting documentation is available which may further demonstrate an applicant’s qualifications for a visa, an application may be resubmitted.

7. I brought all my documents, but my application was turned down anyway. What else should I bring?

The problem is not the documents. Rather, the applicants’ current overall situation (as supported by those documents) was not adequate to overcome the presumption that he or she is an intending immigrant. Remember, U.S. law says that all applicants for nonimmigrant visas are intending immigrant until they show that their overall circumstances would be adequate to compel their return home after visiting the U.S.

8. If I am denied a visa, would it help to have a high ranking official or an American friend contact the embassy?

No. United States law assigns the responsibility for issuance or refusal of visas to consular officers overseas. They have the final say on all visa cases. Additionally, United States law is designed to insulate the decisions in visa cases from outside influences. An applicant can influence a reversal of a prior denial only through presentation of new convincing evidence of strong ties.