

# Visa Application Fundamentals For Romanians & Their U.S. UU Partners

by John Dale, PCC Exec Visa Liaison

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## VISA Vocabulary

Visas for entry into the United States are categorized as either Non-Immigrant or Immigrant. This document deals solely with Non-Immigrant visas, but it will be useful to this discussion to understand the broader context of immigration law.

Immigrant visas allow for workers, permanent residency, and eventual citizenship in the U.S.. Without special skills or close relatives already in the United States, it is almost impossible for the average Romanian to get an immigrant visa. Their chances of winning a spot in the "diversity lottery" are roughly equal to that of winning the state lottery.

We instead concern ourselves with Non-Immigrant visas for the remainder of this discussion. There are four types:

- The **J1 visa** is typically utilized by students for summer employment in the United States. The visa is good for a maximum of 4 months and allows for legal employment in the United States during that period for positions other than camp counselors, housekeepers, and au pairs. Applicants must be at least 20 years of age and speak English. It is necessary for the applicant to have a job-offer letter from the prospective employer before they can receive their J1 visa. Questions about this program are best addressed to the U.S. and Romanian agencies who specialize in exchange programs.
- **Student visas** allow for study in the United States. Questions about these visas should be addressed to the institution(s) where the applicant plans to study.
- **Transit visas** may be needed in those cases where the applicant needs to travel elsewhere besides the United States. An example would be that of a Romanian who travels by plane to New York, but then needs to take a train or car in order to visit their partner church in Canada.
- **Tourist visas** allow for a fixed-length visit to the United States. This is the entry visa for which the vast majority of our co-religionists apply.

## INS Law & Section 214(b)

Section 214(b) is part of the Immigration and Nationality Act (INA). It states:

*Every alien shall be 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 a nonimmigrant status...*

The difficulty in obtaining visas for our Romanian partners is not with their government, it is with ours. U.S. Immigration law stipulates that every visa applicant is to be considered a potential

immigrant unless he/she can prove to the consulate officer that he/she has a compelling reason to return to Romania. The most compelling reasons is proof of property that would be left behind.

## **How To Apply for a Tourist Visa to the United States**

The applicant will need a letter of invitation and a letter of support from you. Samples of both of these documents are posted below. These should be originals (not fax copies) and printed on your UU congregations' letterhead.

**The invitation letter** should be a formal letter of invitation addressed to the applicant. You should state the dates of the visit to the United States and that you and/or your congregation will be responsible for the applicant's support and safe-keeping during the period of stay.

If the applicant will be visiting multiple churches, all the churches should write letters of invitation. The word "Unitarian" should be prominent on the letterhead (worth printing up a new letterhead if it is not). Each letter should give dates and description of all objectives of visit, the home address where the applicant will stay, guarantee all expenses, and state the understanding of the inviting party that the applicant will return to Romania.

**The letter of support** is longer and personalized for the particular circumstances of the applicant. The letter of support should state the reason for the applicant's travel to the United States and document any and all ties that the applicant has to Romania. This is your opportunity to make the case that your applicant will return to Romania at the conclusion of the visit. You should list any property (land, house, cars), salary, educational level, and any other biographical details that would lead the consulate officer to believe that your visitor will honor the terms of his/her visa (you may want to ask the applicant to send you that biographical information in preparation for your writing that letter).

If the applicant is a lay-person, he/she should have the written support of the church. A letter from the parish minister should suffice.

In addition, each applicant will need \$45 for the application fee, a valid Romanian passport, and a recent passport photo.

## **Going to the U.S. Embassy**

The United States Embassy in Bucharest is open for visa applications Monday through Thursday. The Embassy is located in central Bucharest near the Intercontinental Hotel. There is a very visible security presence around the Embassy. You should alert your applicants to this so they are not intimidated. First-time applicants must be in line by 7:30 a.m., applicants appealing a refusal by 9:30 a.m. Everyone in line by that cut-off time will be seen that day.

## **The Interview**

The interview with the consular officer is the most critical component of the visa application process. The applicant should schedule the interview at least one month prior to the anticipated departure date. This will provide enough time to conduct an appeal should the applicant be denied on the first attempt. The applicant should bring letters of invitation and support and any documents that provide proof of income or ownership of property. Based on the PCC's previous track record, the Embassy officials will expect your applicant's paperwork to be in order.

The applicant will have 3-5 minutes to convince the officer that their trip to the United States is necessary (for example, the trip allows for the completion or furtherance of an important task related to the PCC mission), and that they will honor the terms of their visa. The applicant should practice ahead of time with someone who has been through the process successfully. The interviews are conducted in either English or Romanian. If the applicant is fluent in neither, bring an interpreter.

A few further words about the interview, which is so crucial to success: The applicant has to appear confident - not anxious - be persistent, and know exactly what the objectives of the trip are. The applicant must be able to describe strong economic ties to Romania and to make a convincing case that the applicant will return. The applicant must further understand that it is the job of the consular officer to ask difficult and probing questions, and that the only effective response is to remain calm and not take it personally.

## **The Appeal**

Despite the PCC's spotless record with our applicants, the U.S. Embassy turns down a significant percentage of our co-religionists on their first attempt. Young, single applicants are routinely denied, and you should set their expectations accordingly. All is not lost, however.

There is a formal appeal process open to us through the Consul General. Please contact John Dale (jdale28788@aol.com), the PCC Executive Committee's Visa Liaison for assistance with appeals. He will review your case and work with you on an appeal letter as well as provide a supporting cover letter on PCC letterhead. He will fax the appeal package to the Consul General requesting a reassessment of the decision. The Embassy will respond with an email to John notifying him as to whether or not the applicant should return for a follow-up interview. The typical turn-around time between faxing the appeal and receiving the email is 1 week.

**Please do not call your Senator, Congressman, or the U.S. Embassy to complain. This is counter-productive, as the Embassy believes it is carrying out the will of Congress pursuant to section 214(b) of the INS statutes.**

## **Useful Names & Numbers**

- John Dale, PCC Executive Committee Visa Liaison  
404-588-1496 in Atlanta GA  
Jdale28788@aol.com
- U.S. Embassy in Bucharest  
website (www.usembassy.ro)  
U.S. Embassy fax number: 011-40-1-211-3360  
Consul General, Jay Thomas Smith  
Vice Consul, Michael Solberg

(Sample Invitation Letter)

# First Unitarian Church

letterhead

May 1, 2002

An Invitation to:

Ms. XXXX YYYY  
ADDRESS  
ADDRESS  
Romania

Dear Ms. XXXX,

On behalf of the Partner Church Council of the Unitarian Universalist Congregation of ZZZZ, we are pleased to extend to you an official invitation for you to visit us in ZZZZ beginning August 20th through September 10th of this year.

We will be responsible for the cost of your round-trip airfare to ZZZZ, and all transportation within the United States. Additionally, we will provide for your accommodations and maintenance during the period of your visit.

We sincerely hope that the United States Embassy in Bucharest, upon receipt of this letter and other supporting documentation, will provide you with the necessary visa to authorize your visit.

Rev. EEEE and the other members of our congregation join us in wishing you a safe trip. We look forward to welcoming you to ZZZZ this summer, and to strengthening the partnership between our respective congregations.

Sincerely,

Name  
Address  
Address  
USA

(Sample Letter of Support)

May 1, 2002

Consul Steve Pattison  
Consul General  
United States Embassy  
7-9 Strada Tudor Arghezi  
Bucharest, Romania

Dear Consul Pattison,

I am an American citizen writing to support the visa application of Ms. XXXX YYYY. I am the Chair of the Partner Church Committee of the Unitarian Universalist Congregation of ZZZZ, as well as the prospective host.

Ms. YYYY is the daughter of PARENTS of AAAA County. Their church, the Unitarian Church of BBBB, has been partnered with us for 8 years.

<statement about what the applicant will do while here>

Ms. YYYY has extensive family, community, and economic ties that insure her return to Romania. <further statements, based on personal knowledge or from her biography, about why you know she will return to Romania>

We trust that this letter and the other supporting documentation will demonstrate that Ms. YYYY will be well maintained during her stay in the United States, and that she will return to Romania as scheduled on September 10th.

Sincerely,

Name  
Address  
Address  
USA