

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

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March 11, 2004

## Visa Vocabulary

Visas for entry into the United States are required by the United States government for all Romanian citizens. Visas fall into one of two general categories, 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 work permits, permanent residency, and eventual citizenship in the United States. Without special skills and/or close relatives already in the U.S. it is almost impossible for the average Romanian to get an immigrant visa. They are eligible to enter the “diversity lottery” which randomly selects a small number of applicants from a pool of countries which are underrepresented in the United States population, but the chances of being selected are roughly equal to that of winning your local state lottery.

We instead will concern ourselves with Non-Immigrant visas for the remainder of this discussion. There are four types that might apply to your Transylvanian Unitarian visitor.

- **The J1 visa** is typically utilized by students for summer employment in the United States. The visa is usually good for a maximum of 4 months and allows for legal employment in the United States during that period. Applicants must be at least 20 years old, speak English, and be a student in good standing at an accredited educational institution in Romania. Often these institutions already have relationships with agencies that facilitate the J1 visa process. These agencies screen the students, locate summer jobs in the US and then act as intermediary for the necessary paperwork to procure the J1 visas. Once the students receive their visas from the US Embassy, the agencies provide a round-trip ticket from Romania to the US. The typical fee for a job, visa, and airline ticket is usually between \$1,000 and \$1,500. Questions about this program are best addressed to the U.S. and Romanian agencies which specialize in exchange programs.
- **Student visas** allow for study in the United States. In general the prospective student will need a letter of admittance from the institution that she plans to attend and be able to prove that she has the means to pay any tuition costs and to support herself (without working) while studying in the U.S. 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 Romania who travels by plane to New York but then needs to take a train or car in order to visit their partner church in Toronto, Canada.
- **Tourist visas** allow for a fixed length visit to the United States (usually 3 months). This is the entry visa for which the vast majority of our co-religionists apply. In rare occasions applicants with outstanding credentials or special circumstances may be granted multiple entry visas.

## Immigration 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 consular officer that he/she has compelling reasons to return to Romania at the conclusion of their visit. The most compelling reason is proof of property that would be left behind.

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

The applicant will need both a letter of invitation and a letter of support from you. Samples of both these documents are posted at the conclusion of this paper. These should be originals (not fax copies) and printed on your UU congregation's 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 their stay. If the applicant will be visiting multiple churches, all of the churches should write letters of invitation. The word "Unitarian" should be prominent on the letterhead (worth printing a new letterhead if it is not). Each letter should give dates and describe the objectives of the visit to the United States, 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 at the conclusion of their visit.

**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 itemize 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 after visiting your congregation. You should list any property (land, house, car), salary, educational level, and any other biographical details that would lead the consular officer to believe that your visitor will honor the terms of his/her visa. It advances the case of your applicant if they intend to leave behind minor children during their visit to the US. Separation from family, however, is not necessarily compelling absent other evidence. If your applicant is the minister of your partner congregation and your church provides a stipend be sure to mention this in your support letter. The actual documentation of the facts that you stipulate in your letter are the responsibility of the applicant. He/she will need to bring any bank statements, salary information, titles to property, etc to the Embassy when appearing for the interview. If the applicant is a lay-person, he/she should have the written support of the church. A letter from the parish minister or district dean should suffice.

Once the applicant has received the necessary letters from your congregation and assembled the other supporting documentation, he must go to the nearest branch of Banca Transylvania to complete the initial visa application. To apply, each applicant will need \$100 for the application fee, a valid Romanian passport, and a recent passport photo.

To eliminate the early morning queue and long wait times, the US Embassy in Bucharest has implemented an appointment system for the interview process. Once the application is completed Banca Transylvania will notify the Embassy via email. Sometime during the next few days the Consulate will post the appointment time on their website [www.usembassy.ro](http://www.usembassy.ro). At the time of this writing the typical interval between application and appointment is between 2 and 3 weeks. If your applicant does not have access to the Internet to look for their appointment time, they have the option of calling the Embassy during specified hours to inquire about their specific appointment time. The Embassy puts on additional staff during these hours to minimize the hold times for callers.

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

Once the applicant has been given their appointment time they will need to make preparations to come to the U.S. Embassy. The United States Embassy in Bucharest is located in central Bucharest near the Intercontinental Hotel. The Intercontinental is easy to find as it is the tallest building in the city. There is a very visible security presence around the Embassy which includes armed security officers and concrete barriers. The applicants will need to show their papers from the Banca Transylvania in order to pass through the screening checkpoint. They will be required to relinquish all electronic devices including cell phones as these are not allowed inside the Embassy. Once inside they will sit in a waiting area until their name is called for the interview.

## **The Interview**

The interview with the consular officer is the most critical component of the visa application process. The applicant should bring with them their letters of invitation and support and any documents that provide proof of income or ownership of property. Based upon 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, they should 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 and social ties to Romania and make a convincing case that he/she will return at the conclusion of their visit to the U.S. 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 to take it personally.

## **The Appeal**

Despite the PCC's spotless track 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.

Should your applicant have their application turned down, there is a formal application process open to us through the Consul General. Please contact John Dale ([jdaleuupcc@yahoo.com](mailto:jdaleuupcc@yahoo.com)), the UUPCC Executive Committee's Visa Liaison for assistance with appeals. He will review your case, and should it merit an appeal, he will work with you on an appeal letter as well as provide a supporting letter on PCC letterhead. He will fax the appeal package to the Consul General requesting that he review the application and additional supporting documentation. 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 7-10 business days.

**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.  
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