
AGLI - Report from Kenya - March 14, 2010

America Imprisoned

Dear All,

I am not talking about the two million Americans currently in prison in the United States. I am talking about all three hundred million plus Americans. If someone cannot visit America, while the excuse is that the person may not be good for America, the real effect is that Americans are prisoners in their own country. The wall the US Government is building on America's border with Mexico is part of this prison.

Dr. Alexia Nibona, doctor and director of the Friends Women's Association's Kamenge Clinic in Bujumbura, Burundi, was denied a visa by the US consular officer in Bujumbura. The consular officer wrote the following letter.

Dear Mrs. Nibona,

Thank you for your inquiry regarding the denial of your non-immigrant visa application. We appreciate the purpose of your planned travel to the U.S. on behalf of the Friends Women's Association, however, this is not the only evidence considered in determining eligibility for a non-immigrant visa.

Your application was denied under Section 214(b) of the Immigration and Nationality Act (INA) which states that applicants for nonimmigrant visas shall be presumed to be intending immigrants, unless they can establish to the satisfaction of the consular officer that they fulfill the various provisions of the nonimmigrant status which they seek. Such requirements for visitors include but are not limited to maintaining a permanent residence abroad. A refusal based on this section of law generally means that the visa applicant was unable to demonstrate strong enough family, social and economic ties to their country of residence that would compel them to depart the United States after a temporary visit. The burden of proof is on the applicant to prove that they overcome the immigrant presumption. Unfortunately, your application did not meet the qualification requirements for the particular type of visa for which you applied.

In many such cases, relatives and contacts in the United States or elsewhere wish to make guarantees that the persons applying for the visas will depart the U.S. and return to the residence abroad at the conclusion of their authorized stay. However, it is the applicant alone who must establish eligibility for a visa. Consular officers may not issue visas based solely on the assurances of third parties.

Please be assured that every possible consideration consistent with U.S. immigration law was given to the review of your visa application.

*Thank you.
The Consular Section*

We had an extensive tour arranged for her between March 29 and May 2. This rejection was a tremendous disappointment to Alexia. As I wrote in my invitation letter, since 2001 AGLI has brought 21 African speakers on tours in the United States and all have returned as scheduled. Although Alexia presented documentation of employment for herself and her husband, title deeds to house, property, and car, marriage certificate, and bank statements, plus the intervention of a US Senator's immigration officer, we still failed. Americans don't realize that their country is becoming as isolated as it was when transport was by sailing ships. How can Americans know what is happening in other parts of the world, if the majority of the world is not allowed in because they are judged guilty until they can prove they are innocent in front of very partial judge?

In order not to disappoint those who worked so hard on arrangements for the tour, Alexandra Douglas, AGLI's extended service volunteer at the Kamenge Clinic, will substitute for her. She will bring a short video presentation by Alexia so that she can have at least some presence in the US. Her tour will include Iowa, California, Missouri, Florida, Tennessee, and DC. Please look at AGLI webpage, www.aglifpt.org for details of her presentations.

Peace,
Dave

New webpage: www.aglifpt.org

New email: dave@aglifpt.org

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