

What to do About Past Immigration Problems Causing a Current Visa Denial?

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Submitted by Chief Editor on Jul 2nd 2019

I'm an Indian, living in Canada on PR. I recently applied for a visit visa to the US, and got denied. The main questions I got were regarding University of Farmington. It was a fake university setup by ICE, and then they did a swoop and arrested and deported a lot of the students. I was enrolled into Farmington from Feb 2017 - Feb 2018.

I was asked if:

1) How I didn't think it was weird that there were no classes?

My response - Well yes, that's why I left after a year

2) So what did you do for a year?

My response - waited on more information from the university regarding class timings, and just kinda hung around

3) I was pressed on what I did when I was hanging around, how I paid for things

My response - I worked during that time

The officer typed up something into the screen for sometime (I'm assuming it's whatever was discussed above) and gave me a denial.

I did not want to start a debate about immigration laws or how this was Entrapment, or the "bait car" tactic. I thanked him, took my passport and the pink rejection letter and left.

What are my options ahead? Should I:

1) Re-apply and give it another shot?

2) Wait to become a Canadian citizen, then apply?

3) Enroll into an organization that has conferences and such in the US, and based on an upcoming conference (eg: Chicago, or NY), then apply for that conference only?

4) Hire a lawyer to fight this in court as being unfair.

ANSWER:

Watch the Video on this FAQ: What to about past immigration [2]

problems causing a current visa denial? [2]

Video Transcript

I think you should hire a lawyer. Your lawyer should first reach out to the consulate wherever the visa was denied and ask them the reason for denial. At the same time they should apply for Freedom of Information Act (FOIA) request. Get a copy of all the documents that the government has on you. It is a long, tedious process and it could take months or even years to get it straightened out.

If possible you should also look at 212(d)(3) waiver. These are available for non-immigrant visas such as a tourist visa even though you have a bar from entering the United States.

More... [2]

Note: This is a verbatim transcript of the referenced audio/video media delivered as oral communication, and, therefore, may not conform to written grammatical or syntactical form.

Nonimmigrant Visas:

General Nonimmigrant Visa [3]

Immigration Law :

FOIA and Privacy Act [4]

FAQ Transcript:

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Unless the context shows otherwise, all answers here were provided by Rajiv [5] and were compiled and reported by our editorial team from comments and blog on immigration.com [6]

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Links:

[1] <https://immigration.com/faq/what-do-about-past-immigration-problems-causing-a-current-visa-denial>

[2] <https://youtu.be/rLXVQFiAm4Q?t=767>

[3] <https://immigration.com/visa/nonimmigrant-visas/general-nonimmigrant-visa>

[4] <https://immigration.com/law/immigration-law/foia-and-privacy-act>

[5] <http://www.immigration.com/law-offices-rajiv-s-khanna-pc>

[6] <http://www.immigration.com>

[7] <https://immigration.com/JavaScript%3Avoid%280%29%3B>