



*Consulate General of the United States of America
Lagos, Nigeria*

June 24, 2008

The Honorable John Warner
United States Senate
225 Russell Building
Washington, DC 20510
Attn: Ms. Patty Kennedy

Dear Senator Warner:

Thank you for your email inquiry of June 23, 2008, regarding the visa applications of Thomas Chukwujekwu Ikegbunam, Pius Chukwunwike Anigbogu and Ambrose Nwancho Nkwuda. You were contacted about their cases by G. John Avoli of the Frontier Culture Museum of Virginia.

Mr. Ikegbunam and Mr. Nkwuda were refused visas on June 17, 2008, under Section 214(b) of the Immigration and Nationality Act (INA). Section 214(b) requires consular officers to view each visa applicant as intending to immigrate to the United States until the applicant demonstrates otherwise. Evidence may come in many forms, but when considered together, it must be enough for the interviewing officer to conclude that the applicant's overall circumstances, including social, family, economic and other ties abroad, will compel him or her to leave the United States at the end of a temporary stay. "Ties" are the various aspects of life that bind one to one's place of residence, such as family relationships, employment and possessions. As each person's situation is different, there is no single answer as to what constitutes adequate ties.

Mr. Ikegbunam is a farmer who has no regular income. During his interview, he indicated he was going to the United States to participate in the Museum's project, but could not articulate anything about the project, why he was chosen or how he was going to contribute to the project. The only thing he said was that he built his own house. Mr. Nkwuda is a traditional builder, but like Mr. Ikegbunam, he is a farmer who ekes out a marginal living and lacks economic ties to Nigeria. Mr. Anigbogu appeared for his interview on June 17, but had not filled out his form properly. He was told to correct the errors and return before the morning intake was completed at 10:30 a.m. He did not come back.

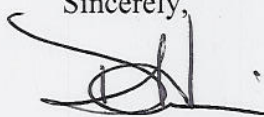
We understand the Museum's desire to move ahead with its project, but the individuals they have selected to participate must meet the requirements of the law in order to qualify for visas. They may apply again – or in Mr. Anigbogu's case, make an application with the correct application form – but I cannot guarantee that they will be issued visas. It is incumbent on the applicants themselves to speak knowingly about the

purpose of their visit and to demonstrate strong ties to Nigeria that will cause them to return here at the end of the project.

Should the applicants decide to apply again, they must make appointments using our on-line appointment system. We are at the height of our busy season, so available slots are quickly filled. To give individual applicants equal opportunity to make an appointment and to guard against fraud, we open appointment slots every Monday at 10:00 a.m. Applicants should check our website, <http://nigeria.usembassy.gov>, at that time to secure one of the available slots. Applicants also should monitor the appointment system regularly, in the event that we add appointments at other times. We are unable to expedite appointments or make appointments outside of the appointment system.

I hope this answers your concerns. If my staff or I may be of further assistance with this or any other matter, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Debra Heien', with a stylized flourish at the end.

Debra Heien
Chief of the Consular Section