



**Transcript for the January 24, 2013, Webchat  
Immigrant and Nonimmigrant Visas**

Q. I am married to a US citizen (USAF) and we currently stationed in England. I am a British National. We filed our petition in 2012 and it was accepted. At the time we had orders for 2012 September to go to the states however our orders were cancelled and our current tour extended for another 4 years. We would like to know how long our petition is valid for as we would like to finish applying for the visa for myself this year. I would like to have my US citizenship before we permanently PCS to the states as I would like to go to school when we are there. Also as a military dependant, are we required to pay for the medical fees? I have had all my vaccinations updated at a USAF medical installation so they all comply with US requirements.

A. Once your petition has been approved, your case will be forwarded to the Embassy having jurisdiction over your place of residence. Once you have received notification that your petition has been received, you should contact the Embassy to advise them of your new circumstances. It may be possible to postpone visa processing until closer to your planned date of departure.

Q. Hi, I would like to go for 6 months working to the USA, I have a job lined up, but need to come home in the middle. What VISA will I need to apply for to allow me to leave and return again? (I had a J1 visa for last summer, does that help/hinder anything?)

A. If you will travel to the United States to work, you will require the appropriate employment based visa. Information about employment based visas is available from the Embassy website: <http://london.usembassy.gov/work.html>. In general, work visas are issued as allowing multiple entries, so you would be permitted to depart the United States and then re-enter to continue your employment.

Q. My current employer is looking to expand the company by opening a branch USA. They would like me to go out to the US over the next 12 - 24 months to work and also to be involved in this process. The company is regarded as one of the largest companies in Europe in their field. I have worked for them for 9 years as a full time employee. I hold dual nationality passports for the UK and for South Africa. What would be the best visa to apply for to enable me to work in the USA? I have looked at the L-1 visa but they don't have a branch currently in the US so this intra company visa might not be an option. Any advice would be appreciated. Thanks

A. The L-1 visa is also appropriate for employees who will travel to the United States to establish a branch of an international company. Your employer would be required to file a petition for you with the U.S. Citizenship and Immigration Services (USCIS). When filing the petition, the international company will be required to show that sufficient physical premises to house the new office have been secured and that within one year of the approval of the petition, the intended U.S. operation will support an executive or managerial position. Once the petition is approved, you will then be required to apply for the visa. The final determination on your eligibility can only be made by a consular officer at the time of your application.

Q. I have recently had a i29f petition approved and the NVC has sent you my case around 2 weeks ago. I have now moved address and cannot seem to find how to change my address with you as I will not receive your correspondence if I don't. How do I change my address? Is calling the 0906 number really the only option - this is expensive at 1.23per minute.



A. It takes approximately 6 weeks for petitions to be received from the NVC. You should contact the Embassy via the Operator Service (09042 450 100, £1.23/min) to advise the Embassy of your new address.

Q. Hello Sir/ Madam, I am an Indian Citizen on Tier 2 Work permit in UK since 3 years. I wish to travel to USA in early July 2013 for summer holidays (40 days) to visit my friends and relatives. I will come back to UK in the second week of August 2013. I would Like to know the following before I submit my Visa Application. 1. Do I need to have a sponsor in USA?? or Because I earn well in UK , can I show my own funds like my Monthly pay slips and bank statements?? If second option is alright, what is the fund (in numbers) that I should show to support myself in USA for 40 days? (I will stay with my relatives at USA) .How many months pay slips and bank statements are required?? 2. I understand that I should have B -2 visa to travel to USA, Please advise me on the required documents to be submitted along with visa application . 3. What is the right time to apply for visa if I intend to travel on 1 July 2013. also what is the total expense of getting B-2 visa ?

A. Detailed information about applying for a B-2 (tourist) visa is available from the Embassy website at <http://london.usembassy.gov/b2.html> You may also wish to review our blog post at <http://www.usembassy.org.uk/visaservices/?p=772> Regarding supporting documentation, there is no set form that evidence may take, and it is not possible for a third party to make guarantees on an applicant's behalf as it is each applicant's responsibility to demonstrate that they qualify for a visa. Since applying for a U.S. visa is not primarily a document based process, the officer will only review documents if they are necessary to make a decision about visa eligibility. In many cases, the information provided orally during the visa interview and via the application form is sufficient for the officer to make a decision.

Q. Will the fact that i have used the vwp with a caution that was not declared (as I did not realize I was supposed to) previously, affect my application for the K1 visa? Also will that bring up problems at port of entry even with a visa in hand?

A. You will be required to present a police certificate at the time of your immigrant visa application and should be prepared to discuss the matter with a consular officer. We regret that, as this Unit does not pre-adjudicate visa applications, we are unable to speculate on the likely outcome of your application.

Q. I am presently studying at Cranfield University (Under general tier 4 visa) and am planning to attend a conference in Houston, TX, US by may this year. I want to confirm if it true i have to stay up to 6 months in the UK before i am eligible to apply for the US a visa. Also, i want to know if any insurance is needed in my supporting documents for the application. Thanks

A. Provided that you are currently resident in the UK, you may apply for a visa at the Embassy in London. At the time you apply, you should be prepared to demonstrate that you have a residence abroad which you have no intention of abandoning. Consular officers may find it difficult to adjudicate your eligibility based on assets held in a third country.

Q. Hi, How long does the whole process take (for holiday visa) from applying on line to day of interview in London?

A. If you have completed the DS-160 form online, then you can contact the Operator Service to arrange an appointment to apply for a visa. Appointments are currently available for all visa categories. Once



you have attended the interview, standard processing time is 5 working days. If your application will take longer to process, you will be advised at the time of your interview.

Q. My husband is due to come in on the 1st of next month for a tourist visa as we intend to visit the USA to attend my sisters wedding. I am concerned because he was denied a visa 3 years ago on the basis that he was unable to show sufficient ties to the UK. We were at a loss as he was born in the UK, we have a mortgage, kids in school, I'm enrolled in law school. I do not know what else we can present to prove that he intends to return. A further complication is that in 2003 he was visiting me in the USA as I used to live there before we got married, and taking wrong advice, he went to Canada and tried to reenter. He was advised by the immigration officer that he should travel to the UK and come back in that way. He was also told that this was not an official refusal to enter. The problem is that when travelling from the US to Canada, the card given to visa waiver holders is not taken back until departure from Canada back to the UK. This caused an overstay of 2 days and thus breach of his visa waiver terms.

A. As your husband has been arrested, he will require a visa before attempting to travel to the United States. If he wishes to travel for a brief holiday, a B-2 visa would be appropriate. Your husband is not prohibited from applying for the visa at any time. At the time he applies, your husband should be prepared to demonstrate that he has a residence abroad which he has no intention of abandoning. He should also be prepared to discuss the circumstances of his arrest and will be required to provide a UK police certificate. The final determination on each applicant's eligibility can only be made by a consular officer at the time of their application.

Q. I am in the USAF stationed in the UK. I have completed the paperwork for my wife's immigration and will be mailing it off soon to the London office. I just received a tasking to deploy for 1 year to Afghanistan and will be departing this area sometime in Mar-April returning in aug-september 2014. If I send this paperwork to you now would I still be able to accomplish required appointments prior to my deployment?

A. If you have not yet filed the petition for your wife, it will not be possible to process an immigrant visa for her before March 2013. Immigrant Visa applicants should expect the entire process, from filing the petition to being issued the visa, to last approximately 10-12 months. Times quoted should be used only as a guide.

Q. How long should we expect to wait before receiving a CR1 visa interview at the embassy in London?

A. Once the Immigrant Visa Unit has received and processed your forms, as well as your medical report from the Embassy's panel physician, you should receive notification of your interview date within approximately four weeks.

Q. Hi I was wrongly convicted for dangerous driving in 2006 due to an epileptic seizure. I spent 9 weeks in prison in 2006. I want to attend my step son's graduation in AZ. How long will a B2 Visa take if I need one? How long in years are they valid for? Is it 4 days to book an appointment at the Embassy in London? What do I need to bring with me? My driving License is completely clean. The DVLA will verify this.

A. Information about applying for a B-2 (tourist) visa, including supporting documents, is available on our website at <http://london.usembassy.gov/b2.html> As processing varies in each case, we advise applicants to apply as soon as possible and not to make final travel plans unless they have received their



passport containing a valid visa appropriate for their purpose of travel. Final determination on each applicant's eligibility for a visa, and the terms of any visa - including the validity period - are matters for the adjudicating consular officer in each case.

Q. On the IV cover letter which I'm sending with the DS forms on Monday, I have asked for my USC wife to attend the interview with me. Is this sufficient, or do I need to call the information line to have her added to the Embassy access list for the day of my interview?

A. If you would like your wife to accompany you to your immigrant visa interview, you should contact the Operator Assisted Information Service to make the request.

Q. I have an Irish passport and recently was in Chicago in October and had ESTA approved then. I am due to go to Denver next week. Do I have to re-apply or am I covered for 2 years? Thanks

A. ESTA is valid for 2 years or for the duration of your current passport, whichever is shorter. Provided that you are travelling on the same passport and that your circumstances have not changed (i.e. you can still answer 'no' to all the ESTA questions), and that your purpose of travel is for business or tourism, you may travel using your current valid ESTA.

Q. I'm an Indian passport holder residing in London on a visa which will expire at the end of Feb 2013. My IV interview is in Feb. My questions are....i. How long embassy will take to issue visa ?ii. As my uk visa is expiring soon after interview date. How it will effect my IV case ?iii. I got married in India and my civil documents are from India. Does/Will it effect my interview processing or visa issuance time.

A. Standard processing time for an immigrant visa is 5-7 days. If processing in your case is likely to take longer, you will be advised at the time of your interview. If you depart the United Kingdom, you should advise the Embassy as soon as possible, as your case will need to be transferred to the Embassy or Consulate having jurisdiction over your new place of residence. If your civil documents are not in English, you must provide a certified English translation with your documents.

Q. I was refused a Tourist visa 4 years ago on my South African passport, having only held a 'Limited Leave to Remain' visa in the UK and not supplying enough documentation. I am now a British Citizen and I am planning to visit the USA this year – do I still need to apply for a tourist visa or can I travel under the VWP on my British Passport?

A. As you are now a British Citizen, you are not prohibited from registering under ESTA. Please note that, even though the visa refusal took place under your previous nationality, you will be required to answer "Yes" to the question "Have you ever been refused a visa?". If your registration under ESTA is refused, you will be required to obtain the appropriate nonimmigrant visa before you travel.

Q. Hello, I am a Colombian citizen and I have a tourist visa Type R B1/B2 that expires on July of 2013. I am currently studying a master's degree in London and would live here until December. I would like to know if I can apply for renewing my US tourist visa in London or if I have to do all back in my country?

A. If you are currently resident in the UK, you may apply for a visa at the Embassy in London. At the time you apply, you should be prepared to demonstrate that you have a residence abroad which you have no intention of abandoning. Consular officers may find it difficult to adjudicate your eligibility based on assets held in a third country.



Q. Do any of my documents that I will be using to apply for a k1 visa and also permanent resident later on need an apostille seal?

A. Information about documentation required on the day of a fiancé visa interview can be found on our website at [http://london.usembassy.gov/application\\_documents.html](http://london.usembassy.gov/application_documents.html) If you have questions after reviewing that website, please contact the Operator Service for clarification.

Q. I am a registered alien in the US and I would to bring my mother over to the US for the last years of her life - what sort of procedure do I have to go through and is it possible?

A. Unfortunately, there is no immigrant visa category for the parents of Permanent Residents. Information about the immigrant visa categories available can be found on the Embassy website: <http://london.usembassy.gov/immigrant-visas.html>

Q. Please assume an immigrant visa applicant appears at your Embassy for a scheduled interview. The applicant has a valid police certificate from the UK, but the applicant's UK visa status is expired on the date of the interview in your Embassy. Will the applicant's illegal immigration status in the UK prevent issuance of the immigrant visa to the US? Will your Embassy report the applicant to the UK immigration authorities?

A. Being out of status in the UK does not, of itself, prevent the Embassy from processing your application. The final determination on visa issuance rests with the consular officer at the time of your interview.

Q. I have a physical disability (Spina Bifida) but walk unaided. I receive continual care (not necessarily treatment) on the NHS. Would this hinder my chances of getting an immigrant visa?

A. A physical disability would not, of itself, affect your eligibility to apply for an immigrant visa. The final determination on each applicant's eligibility can only be made by a consular officer at the time of your application.

Q. I had an interview last Friday morning. Now I didn't get any email from embassy. I'm worry about having something wrong.

A. We regret that we can't respond to case specific enquiries during this webchat. If you are concerned about your case, you should contact the Operator on 09042 450 100 (£1.23/min) for assistance.

Q. My nationality is Trinidadian and I'm doing my masters in the UK until September. However, my B2 visa expires in March and I'd like to travel to the US with my sister in June. Will I need a bank statement from Trinidad (which will be my parents') and a university confirmation letter to apply to renew my visa in London? Thanks.

A. If you are currently resident in the UK, you may apply for a visa at the Embassy in London. At the time you apply, you should be prepared to demonstrate that you have a residence abroad which you have no intention of abandoning. Consular officers may find it difficult to adjudicate your eligibility based on assets held in a third country.



Q. I'm still waiting for my police certificate to arrive, so say I made the telephone appointment on the 1st of Feb, how long roughly would I get date to come to the embassy?

A. Nonimmigrant visa appointments are currently available from January through to July this year. As appointments are scheduled on a first-come, first-serve basis we recommend that applicants call as soon as possible to secure their preferred date. If you have any further questions about applying for a visa that aren't addressed on our website at <http://london.usembassy.gov/nonimmigrant-visas.html>, on our blog at <http://www.usembassy.org.uk/visaservices/>, or in earlier responses during this webchat, then you can ask the Operator at the same time you schedule your visa interview appointment.

Q. I am a UK citizen, completing my post-graduate studies in London. My question to you is: Could you please tell me what kind of visa I would need for as a UK citizen living and working in Chicago for 1 year only. The position would be a paid graduate fellowship within a museum institution. As far as I know the museum will not offer sponsorship to international applicants. Could you please offer me some information and advice about the process of successfully securing a visa. Thank you

A. If you will be working in the United States, you will require the appropriate employment based visa. Information about work visas (H-1 and H-2) is available from the Embassy website, <http://london.usembassy.gov/work.html>. Alternatively, you may consider a J-1 visa, <http://london.usembassy.gov/exchange.html>. Please note that all employment based visas would require that the employer sponsor you.

Q. Should my visa application be approved, what is the process I should expect to go through at point of entry when arriving in America with a British passport and a CR-1 visa, and what documentation do I need to bring? Is there any reason for which I could be rejected at that stage?

A. Information about what you should expect when you enter is available here: [http://london.usembassy.gov/visa\\_processing.html](http://london.usembassy.gov/visa_processing.html) At the bottom of the page is a link to information for new immigrants.

Q. I have my immigrant visa appointment on January 31st, but I have heard about this new fee, will I be subject to the fee?

A. Standard processing time for an immigrant visa is 5-7 days. If your visa is issued after February 1st, you will be subject to the new USCIS fee.

Q. I'm really unhappy about this new fee that is being brought in. I don't see why I should pay it, what happens if I refuse?

A. This fee has been implemented by the U.S. Citizenship and Immigration Services (USCIS). Immigrant visa applicants attending the Embassy on or after February 1, 2013 will be given a letter with instructions on how to submit this payment once they have received the immigrant visa. Further information is available from the USCIS website at [www.USCIS.gov/immigrantfee](http://www.USCIS.gov/immigrantfee). The applicant cannot receive a Permanent Resident (Green) Card until the fee has been paid.

Q. I am married to an American citizen for 4 years now. We are thinking about moving to America. My question is: Once I've been granted the immigrant visa do we have a set period of time to fix residence in the US? i.e. I will have to move to the US no longer than a year after the visa is issued.



A. Once issued, the immigrant visa is valid for up to 6 months. You must travel to the United States to activate the Immigrant visa within the validity period . The validity is printed on the visa in your passport.

Q. What can you do if you are concerned about a bulky paper trail during a K1 application? Say your conversation history was never saved and all of your communication is via voice chats on skype. Is quality photographs and proof of trips enough?

A. When applying for a K-1 visa, you should be prepared to present evidence of your relationship. Evidence varies with each individual case, so you should just bring whatever you feel adequately demonstrates your bona fide relationship. All documents submitted will be reviewed by a consular officer.

Q. Does my wife need a Visa at all for going to the USA for 10 days? She has never needed one before?

A. We recommend that your wife visits <http://london.usembassy.gov/vwp.html> to help her determine if she is eligible to travel visa free under the Visa Waiver Program. If not, or if she does not receive Travel Authorization when she registers under the Electronic System for Travel Authorization (ESTA), then she should apply for a B-2 visa if she wishes to visit the United States for tourism.

Q. Based on the implementation dates you specified, I understand that [if my CR1 visa application is successful] I will have to pay the new \$165.00 USCIS Immigrant Fee. Is this something I can pay before I even travel to America, or do I have to pay it at point of entry?

A. The fee is paid online. Further information is available from the USCIS website at [www.USCIS.gov/immigrantfee](http://www.USCIS.gov/immigrantfee)

Q. Can my husband present a bond that can be held by the embassy to prove that he will return to the uk?

A. Thank you for your email. The Embassy in London cannot accept bonds as evidence that an applicant will return to the UK at the end of their authorized stay.

We're also hosting a Twitter chat on February 13th, come and post your questions using the hashtag #USVisas