



**Transcript for the July 25, 2013, Webchat  
Immigrant and Nonimmigrant Visas**

Q. I would like to know if I can get a visa that would allow me to stay in the US for longer than the 90 days my normal ESTA is valid for? My eldest son is married and lives in Virginia and now that they have a daughter it would be nice to spend more time with them.

A. If you would like to travel to the United States for a visit, after which you will return to your place of residence abroad, then you should apply for a B-2 (tourist) visa. Please see our website at <http://dld.bz/nivsteps> for information. If you decide to apply for a B-2 visa, please return to that website on or after July 26 for information about our new appointment booking system.

Please note, if you wish to reside in the United States indefinitely or permanently, you will require an immigrant visa: <http://dld.bz/iv>

Q. Hello my boyfriend is a US citizen living in US and I am British. We want to get married in USA and are unsure which will be the quickest option the K1 fiancé visa or to get married first and then apply for the I-130 marriage visa? We have a baby who has dual nationality. Can I still travel to US on ESTA while the K1 or I-130 is being processed? Are you able to give us a rough idea of how long these visas take, I appreciate you can't say exactly! Any advice would be hugely welcome thank you very much.

A. The processing of a K-1 (fiancé) or IR-1 (immediate relative) visa petition is a matter for the United States Citizenship and Immigration Services (USCIS), not the Embassy so we recommend that you contact them via [www.uscis.gov](http://www.uscis.gov) if you have specific questions. However, we understand that the processing times are currently broadly comparable at approximately 10-12 months. Once you decide whether you will get married in the UK or in the US, information about the process can be found on our website at <http://dld.bz/iv>

If you are otherwise eligible to travel visa free and you have valid Travel Authorization under ESTA, you may travel to a U.S. Port of Entry to apply for admission if you intend to travel for a temporary visit before returning to your place of residence abroad. However, the decision on eligibility for admission is a matter for U.S. immigration officials and no assurances can be given in advance. You should be prepared to demonstrate that you are a bona fide visitor rather than an intending immigrant at that time

Q. Hi, my name is Daniela I live and work in UK for about 6 years, my boyfriend is from the u.k. and we live together, his brother and his family live in USA and they invite us over for 10 days. I am original from Romania and I have rights to live and work in UK (blue card) I will very much appreciate an answer how can I apply for a visa to USA?

A. Please see our previous answer regarding applying for a B-2 (tourist) visa; full details will be available online at <http://dld.bz/nivsteps> All B-2 visa applicants ages 14-79 (inclusive) are required to attend a visa interview. Remember, the new appointment booking system will go live on July 26. From that time, you will be able to schedule a visa interview appointment and pay your Machine Readable Visa (MRV) fee online. The MRV fee of \$160 will also cover the cost of returning your documents by courier to a regional collection point, if your application is



successful. You can choose to pay extra for home delivery at the time you schedule your appointment, if you would like to.

Your boyfriend may wish to check <http://dld.bz/visafree> to see if he is eligible to travel visa free under the Visa Waiver Program, with particular reference to our interactive visa wizard. If he is not eligible to travel visa free, or if he does not receive Travel Authorization when he registers under ESTA at <https://esta.cbp.dhs.gov> then he should also apply for a B-2 visa.

Q. I travelled to America last August and applied for a visa to do so. I did not receive a hard copy of this visa. I would like to know how I can find out a couple of things, 1) how long does an American tourism visa last for and, 2) how do I find out if my visa is still valid to visit American again in September this year? Please advise me as soon as possible.

A. If you were issued with a nonimmigrant visa, the visa will have been printed in your passport and the expiration date will be shown on that visa. However, if you registered under the Electronic System for Travel Authorization (ESTA) with a view to traveling visa free under the Visa Waiver Program, you can visit the official ESTA website at <https://esta.cbp.dhs.gov> to check the status of your registration.

Q. HI, My parents have a 10 year tourist visa which runs out next May (2014) they are unsure as to whether they need to renew before that date or are they ok to travel end of this year (2013) through to spring 2014? Or should they renew before they travel. They will be home before the visa runs out in May 2014. Any advice would be great. Thank you

A. The validity period of a visa relates to the time in which the visa holder may travel to a United States Port of Entry to apply for admission; it does not determine the length of stay and the visa does not need to be valid for the entire length of the stay. Final determination on each individual's eligibility for admission on each occasion remains a matter for U.S. immigration officials at the Port of Entry.

Q. HI, I am currently in the US on an F1 visa, but have graduated and am on post completion OPT trying to find work. I am planning a trip home, is there a system in place for visa renewal? Or do I go through the same process as initial application?

A. Once you have returned to the UK, please visit our website at <http://dld.bz/nivsteps> for information about applying using our new appointment booking system. You will also pay your visa fee and schedule a courier service via the new booking system.

Q. How long does the B2 allow a person to stay in the US for?

A. The final determination on each individual's eligibility for admission to the United States, including the length of any stay, can only be made by U.S. immigration officials at the Port of Entry. B-2 visa holders can request an initial stay of up to 6 months.

We recommend that you check our website at <http://dld.bz/nivsteps> from July 26 onwards for advice about applying for a B-2 visa.



Q. Once issued, how long is a B2 visa valid for? Can you re apply once it has expired?

A. The validity period of a visa is a matter for the adjudicating consular officer at the time of application. The maximum B-2 visa validity period for a UK citizen is 10 years from the date of issuance. Once a visa has expired, you can apply for a new visa.

Q. I wish to travel to USA & have a b1/b2 visa currently under administrative processing (221g) since last 9 months. I would soon acquire British passport, would it be advisable to apply for ESTA or wait until administrative processing is complete. What is chance of ESTA approval?

A. You may wish to await the outcome of your visa application before traveling. However, if you are otherwise eligible to travel visa free (please see our website at <http://dld.bz/visafree> ) you are not prohibited from doing so.

Please note, if your visa application has been refused pending additional administrative processing, you will be required to declare the refusal when you register under ESTA at <https://esta.cbp.dhs.gov> . If you receive Travel Authorization, you may travel to a U.S. Port of Entry to apply for admission; the decision about your eligibility for admission will be a matter for U.S. immigration officials there. No assurances can be given in advance.

Q. Good afternoon. I have a visa J-2 (dependent of my husband J-1) in my passport, this visa will expire on July 30th. My husband applied for an extension up to October 2013; however, he will remain in the USA and will not leave the USA to re-stamp his visa for this 3 months extension. I do not live in the the UK and want to visit him for a week, my question is if I am I able to use my tourist visa to enter the USA during this period when our visas J1 and J2 have expired and not been re-stamped/re-validated?

A. If you are traveling to the United States for a visit, after which you will return to your place of permanent residence abroad, and you possess a valid B-2 visa or valid Travel Authorization under ESTA, you may travel to a U.S. Port of Entry to apply for admission. At the time you apply for entry, you should make it clear to the immigration officials which nonimmigrant status you are seeking admission under. Final determination on an individual's eligibility for admission is a matter for the immigration officials and no assurances can be given in advance.

Q. Hi I am looking to get married to my fiancé who is from America in March 2014. We haven't started any petition yet, and I have a flight booked out there for September this year. We are looking to get a fiancé visa, if I start the petition off this week, does that affect me getting into the states in September?

A. Please visit <http://dld.bz/visafree> to help you decide if you are eligible to travel visa free. If not, or if you do not receive Travel Authorization under ESTA, you should apply for a B-2 (tourist) visa if you wish to travel for a visit after which you will return to your place of residence abroad.

Whether traveling under the Visa Waiver Program or as the holder of a B-2 visa, the decision on eligibility for admission is a matter for U.S. immigration officials and no assurances can be given



in advance. You should be prepared to demonstrate that you are a bona fide visitor rather than an intending immigrant at that time.

Q. Hi I am flying from London to Jamaica with a connecting flight in Miami. I wanted to know if I require a visa even though I will only be in the airport a few hours. Also I am a UK resident but not a citizen, so I know I can't apply for ESTA.

A. You will need to apply for a visa to travel the United States, even if your travel is just for transit. Based on the information you have furnished, you should apply for a B-2 (tourist) visa. Please visit our website at <http://dld.bz/nivsteps> on July 26 for information about our new application procedures.

Please note, there is no set period of time that a visa application may take and we cannot guarantee an outcome by any set date.

Q. I would like to attend my brother's convocation in USA as he has finished his graduation, which is going to commence in January 2014. If you could please provide me the information whether I can apply for my visa from UK in September or October 2013, I am working in UK and I'm on tier-2 visa at present and I don't have enough holidays to apply for my VISA from INDIA, that's the reason I am visiting USA for only 1 week, as it's not manageable to take more than 1 week of leave, and more importantly as I'm applying from a third party country what are the chances of getting the visa?

A. Anyone physically present in the United Kingdom at the time of application and issuance can apply for a visa here, via the Embassy in London or the Consulate General in Belfast. We can't pre-adjudicate applications or speculate on a likely outcome. Final determination on each individual's eligibility for a visa is a matter for the consular officer at the time of application. You may wish to review our website at <http://www.usembassy.org.uk/visaservices/?p=772> for more information.

Q. When applying for a B2 visa, do I have to give exact dates and locations I will be travelling to, or can I put "California, April 2014"?

A. Form Ds-160 asks applicants to provide brief information about their travel, if they have plans in place. However, it is important to note that you are not required to have confirmed travel plans when you apply for a visa. In fact, we advise applicants not to book tickets or make final travel plans unless they have received their passport containing a valid visa appropriate for their purpose of travel.

Q. We live in the Isle of Man and we are holidaying in Florida in August. Do we need to apply for Visas? We have ESTA's in place. On our passports we are British Citizens.

A. If you are eligible to travel under the Visa Waiver Program (please see <http://dld.bz/visafree> for eligibility criteria) and you have valid Travel Authorization under ESTA - which you can check on the official ESTA website at <https://esta.cbp.dhs.gov> - then you can travel visa free to a U.S. Port of Entry to apply for admission. Final determination on your eligibility for admission to the US will be made by the US immigration officials at that time.



Q. How long can you use the B2 visa (over what duration) and can you re apply once it expires.

A. There is no maximum number of times that a visa holder can apply for admission to the United States per year, and there is no set period of time you are required to remain outside the United States before reapplying for admission. However, final determination on each individual's eligibility for admission on each occasion is a matter for U.S. immigration officials at the Port of Entry. Applicants typically confirm that they are bona fide visitors by demonstrating sufficiently strong social, economic and familial ties to their place of residence to compel them to depart the United States after a brief visit. If there is a pattern of frequent and/or extended travel to the United States, the strength of that individual's ties to their residence abroad may be called into question. If immigration officials are not convinced that an individual is a bona fide visitor rather than an intending immigrant, they will be refused admission and returned to their point of departure at considerable inconvenience and expense.

Q. Hi, I am a Turkish citizen who is recently approved for H1-B visa. I received my approval after I finished my master's degree in US so I have never been outside US since I got my approval. My company is sending me to London office to work for a month. Can I get my H1-B visa stamped in US Embassy in London?

A. Anyone physically present in the United Kingdom at the time of application and issuance can apply for a visa here - please see our website at <http://www.usembassy.org.uk/visaservices/?p=772> for more information.

Q. Hello, I have a question in regards to the E-3 Visa for Australians. I would like to be bringing my same sex spouse with me and heard that due to recent changes that this might be possible. Can you confirm this? Also, does a UK Civil Union count as a spouse or would we need to get married in a country that allows gay marriage first?

A. We recommend that you refer to our blog at <http://www.usembassy.org.uk/visaservices/?p=3153> for more information.

Q. Hi, I want to apply for a non immigrant B2 visa and my 3 year old too will be going with but I want to be sure if I need to apply for her separately although I have included her in my application.

A. If your daughter is not eligible to travel visa free (please see <http://dld.bz/visafree> for more information), she will require a visa in order to visit the United States. Therefore, a separate visa fee and application Form DS-160 will be required for her. She is not required to attend a visa interview; applications for children under 16 can be submitted by courier. However, if you are applying for a visa for yourself, you can submit her application when you attend your visa interview.

Q. My wife and I hold Indian passports and a 10 year multi entry US visa. We now have twin 4 year old boys and we hope to visit the US this winter to attend a medical conference. We live in the Channel Islands. Do we have to travel to London to obtain a multi entry visit visa for the children and what documentation do we need to produce to accompany the application for the twins



A. It is not clear from your message which country or countries your children are citizens of. If they are not eligible to travel visa free (please see <http://dld.bz/visafree> for more information), they will each require a visa in order to visit the United States. Applications for children under 14 can be submitted by courier. Please refer to our website at <http://london.usembassy.gov/nonimmigrant-visas.html> on or after July 26 for information about how to apply for B-2 visas for each of your children. In brief, you will be required to complete and submit a Form DS-160 for each of your children then register as a user on <https://ais.usvisa-info.com/en-gb> and 'Add Applicant' info about each child. After choosing a courier delivery location, you should follow the instructions on how to submit your children's applications. Please ensure that you return to our website at <http://london.usembassy.gov/nonimmigrant-visas.html> carefully for a full list of the documents that will be required in support of each application.

Q. Hi my name is Jonathon, I am from Scotland, UK, and I was wondering if you could give me some information regarding student visas (F). I have applied to undertake an internship at the University of Kansas. This is an unpaid role. However, should I be accepted as for the Internship I will not be enrolled in any classes at the university, nor will I gain any credits during this internship? My question is: is it possible for me to apply for, and be granted a student visa, despite not being enrolled in a class at the University? And are there any other options that are available to me? Thank you. Jonathon Hare, UK citizen

A. We recommend that you visit our website at <http://dld.bz/nivsteps> for a list of the available visa classifications. If you are still not sure which visa matches your purpose of travel, return to the website on or after July 26 for information about how to contact us to discuss your purpose of travel in more detail.

Q. Hi, we are looking into applying for L1 visa to open an office in NYC - we run a business here in the UK, and have US clients already. Is this something I can ask about here, or should I be looking at another section of website?

A. If you have questions after reviewing the information about L-1 visas that is available on our website, please visit <http://london.usembassy.gov/nonimmigrant-visas.html> on or after July 26 to contact us to discuss your travel plans in more detail so that we can advise you further.

Q. Hi, my husband and I are planning to visit the US by September; we reside and work in the UK but not British citizens, what is the probability of us getting the B2 Visa? We intend to visit the US for about 2 weeks.

We can't pre-adjudicate applications or speculate on a likely outcome. Final determination on each individual's eligibility for a visa is a matter for the consular officer at the time of application. To receive a visa, you must satisfy the consular officer that you overcome Section 214(b) of the Immigration and Nationality Act (INA), which stipulates that individuals are presumed to be intending immigrants unless they can establish otherwise. Applicants typically confirm they are bona fide visitors by demonstrating that their social, economic and financial ties to their place of residence are sufficiently strong to compel them to depart the United States after their visit.



Q. Hi, I am national of Pakistan currently residing in UK, I've been here on Tier 4 Student Visa now would like to travel US on Fiancé Visa but my previous leave as a student has been expired, Can I apply here at US Embassy London without going back to my home country as my intentions are not going back rather depart from UK. Moreover, my Passport is expiring in April, 2014 by this I still got 9 months left, would that be enough for travel if my fiancé file a petition in August. Many Thanks!

A. In order to apply for a fiancé visa via the Embassy in the United Kingdom, you must have legal leave to remain in the country for the duration of the application process. This is typically approximately 12 months; however processing varies in each case.

Q. Hi, I would like to query regarding the online application when I did the DS-160 online from , I did not manage to save it to my computer( I pressures the wrong key)can I still use the same Application number? Or do I have to start again and get a new application number? What about the information that I stored on the previous one what will happen to that? Does it affect my application?

A. If you are unable to print your DS-160 confirmation page by following the instructions to 'Retrieve an application' at <https://ceac.state.gov/GenNIV/Default.aspx> , then you should complete and submit a new form DS-160. The new form will replace the previous one.

Q. Hi, I am national of Argentina I got a B1/B2 visa and I would like to travel to the US with my boyfriend who is argentine as well, we are in holidays in London right now, is it possible to do it from London? Thank you very much for the info!

A. Provided that the visa classification is appropriate for your purpose of travel and the visa is valid on the date that you travel to a U.S. Port of Entry to apply for admission, you may travel from any country. Final determination on each individual's eligibility for admission to the United States is a matter for U.S. immigration officials at the Port of Entry and no assurances can be given in advance.

Q. I am trying to pay for the visa at step 3, however it keeps declining the payment from any cards I use, credit/debit etc? Do you know why this is occurring?

A. From July 26, the Machine Readable Visa (MRV) fee will be payable by MasterCard debit card or Visa debit card only. Please see our website at <http://dld.bz/nivsteps> for more information about applying for a visa using the new booking system.