



**Transcript for the October 29<sup>th</sup>, 2014, Webchat  
Nonimmigrant and Immigrant Visas**

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Q. I want to visit the U.S. as a tourist so which category i fall and what requirement to apply visa kindly elaborate please

A. If you want to travel as s tourist, you may be eligible for a B-2 visa. Info about applying is on our website - <http://london.usembassy.gov/niv/b2.html>. Remember, you don't need firm travel plans before you apply for the visa

Q. I am a native of Nigeria, I have been doing postgraduate research in the past four years at one of UK's prestigious university. I got an offer recently to come for a PhD at One of US university in Chicago. I currently have a B2 VISA. I would like to know if the I can apply for the student VISA here in the UK? Do I obtain the student VISA from my home country? or Do I travel with the B2 VISA to Chicago so the school will process my VISA

A. If you're physically present in the UK, you can apply for a visa at the Embassy in London. When applying, you'll need to present evidence of your strong ties outside the United States. If you are applying in a country where you are not normally resident, please note that the consular officer can't adjudicate ties to a third country

Q. hello. I have a question regarding my criminal check background. I have a petition filled by my fiancé. To prepare all documents i know i need criminal check from all the countries where i lived more then 6 months. I have been issued a criminal check from my country. My problem is this. The police officer has mentioned in my criminal check that is need for marriage visa abroad. Well, my petition is for fiancée visa so it should be mentioned on my criminal check that this is for fiancée visa not for marriage, so it should be mentioned K1. I really need your help to my question. Thank you in advance.

A. That should not be a problem. Police certificates for the purposes of immigration are generally standard so the same document will be fine for a fiancé visa, which is considered an immigrant visa.

Q. Hi I have asked this question a few times to various of your colleagues but still not been given a clear answer I live in UK I am a British citizen when I retire in a years time I want to go and live with my wife in USA as an immigrant (Green Card) we have applied and we are waiting My wife (sponsor) does not earn enough money to sponsor me unless she takes a second job. Can we use my pension which will be paid to me in USA from when I move there to increase her income and that way take our new Household income will be much higher than is needed. Or will she need to take a second job? Please do not refer me to another document because none of the FAQs or documents seems to answer this simple question.

A. If you're applying for an immigrant visa and your wife is sponsoring you, your wife will need to complete an I-864 form. When completing the form, you can count your UK pension, but it needs to be counted as an asset and not as income. Only income earned from a U.S. source can be counted on the Affidavit of Support.



Q. We have to move out of our flat in England and into a new flat in Scotland, how do we update the address change on our case and update our mobile phone numbers (because we had to get new numbers as well) to make sure that once the immigrant visa is issued and our documents are mailed, that they get mailed to the correct new address and we are notified via text message to the correct new mobile number?

A. You can contact the Embassy using our contact form in order to provide your new address. Be sure to quote your case number and full names

Q. I wanted to asked if it is ok to mailed the affidavit form to the embassy instead of sending it to individuals? Considering the fact that it contains the sponsor's vital information. Thanks

A. The applicant should be prepared to submit the original Affidavit of Support (I-864 form) signed by the petitioner at the time of their interview, along with any supporting documents and the petitioners most recent tax return.

Q. Hi, i have a question I am a British Citizen and have desired to purchase some land in the United States of America. What Visa do I need.

A. If you want to travel to the United States to visit as a tourist, you'll need a tourist visa (B-2). Purchasing land in the U.S. does not grant any rights of residency, or increase eligibility for a nonimmigrant visa.

Q. Would 2 small assault charges with no jail time and only fines be enough in admin processing to deny a visa after the consular officer approved it? Approved in interview and no slip given, told 5-10 days and now it's been 5 weeks stuck in admin processing. Please shed some light on this issue as I am worried sick everyday.

A. If you were told 5-10 days, but have not yet received your documents, you should use our contact form [http://london.usembassy.gov/niv/contact\\_page.html](http://london.usembassy.gov/niv/contact_page.html). We can't give out case specific information during this chat, for privacy reasons

Q. Hi, because of my criminal record from 1992 i came for an interview at the embassy in Aug 2011 to travel to Las Vegas for a holiday. Approx 16 weeks after my interview with you i was granted the visa but unfortunately the holiday fell through so i did not use the visa. I am looking to go to Las Vegas in Feb 2015. Do i have to come and have another interview at the Embassy or because i was granted one last time and nothing has changed with my circumstances can i just apply on line for a visa . Thanks for your help. Gary.

A. If you've ever been arrested, cautioned or convicted, you will always need a visa in order to travel to the United States. If you wish to travel to the U.S. you will need to make an entirely new application, including a new interview and new fee. We advise applicants that they don't need firm travel plans in order to apply for a visa. Also, please note that, if you are found ineligible and require a waiver of ineligibility, processing time is approximately 6 months at present.



Q. Hi, I am a UK citizen applying for a spousal visa and I am currently waiting for my I-130 to be processed. Meanwhile, my wife has just moved to the US as required for her work. What options do I have for making a temporary visit (or a few depending on how long I have to wait in London for my visa) to see my wife whilst I wait for my application to be processed and, hopefully, approved?

A. You're not prohibited from travelling to the U.S. as a visitor while an immigrant visa is being processed for you. At the time you travel to the United States, you will be required to demonstrate that you are a bona fide visitor and that you have a residence abroad which you have no intention of abandoning. If you are at an advanced stage of an immigrant visa, you may find it hard to meet that requirement. Final decision to admit or deny all travelers to the United States rests with immigration officials at the port of entry.

Q. My daughter is citizen of India but has not resided in India since being 3 years old. She has been in the USA from June 2008 onwards on F-1 visa, obtained BS and MS qualifications from MIT, Cambridge USA and then has been working in USA on OPT. She is now approved for H1B status. She would be visiting her parents on UK visit visa in November 2014 & would need H1B visa stamped in her passport before returning to USA. Can she get the H1B visa stamped in US Embassy London?

A. Yes, if she is physically present in the UK, your daughter can apply for a visa at the Embassy in London. Your daughter should be prepared to remain in the UK throughout the visa processing time.

Q. hi, i live in UK with no visa status, my husband filed a petition in Chicago lock box. Can i, the beneficiary attend the immigrant visa interview in UK? Does UK visa status make any difference in case of us immigrant visa? Will I be asked for my UK status in my interview time period?

A. If you are physically present in the UK, your immigrant visa application can be processed through the Embassy in London. The consular officer will discuss your status in the UK at the time of your interview. If you choose to depart the UK and return to your home country, you should advise the National Visa Centre as soon as possible

Q. I wanted to know what the best Visa would be for me to apply for to do some Voluntary unpaid work in America at a Radio station?

A. If you want to work in the United States, even if you will not be paid, you will need the appropriate employment based visa. Information about employment based visas is available from our website - <http://london.usembassy.gov/niv/apply.html>. Your employer will be required to file a petition for you with the U.S. Citizenship and Immigration Services, which must be approved before you can apply

Q. I have a question regarding, if my husband applied i- 130 for me am i allowed to apply for any visa to go to America to visit him?

A. You're not prohibited from visiting while an immigrant visa is processing for you. However, you will be required when applying for a visa (or when travelling under the Visa Waiver Program) to demonstrate that you are a bona fide visitor with no intention of residing in the U.S.



You might find it difficult to meet this requirement, if you are at an advanced stage in your immigrant visa

Q. Hi, I will be going on an industrial placement to Chicago in Jan next year for 3 months. The end date for my placement is the 18th of April but my passport expires on the 19th of April. Would this be an issue for visa issuance?

A. We advise that your passport should be valid for 6 months beyond the duration of your stay in the United States. Some countries are exempt from this requirement, the list is available from the Department of State <http://dld.bz/ah29g>

Q. How can I transfer valid visa stamp from cancelled passport from India to new passport from United Kingdom?

A. It's not possible to transfer visas. If you have changed your nationality and wish to apply for a visa, you will be required to make an entirely new application. If you are now a British citizen, you may be eligible to travel visa free under the Visa Waiver Program (VWP). Check your eligibility here - <http://london.usembassy.gov/niv/vwp.html>

Q. Hi, Could I know if the B-1 visa is valid for scientists applying to do independent research in a US university? If so, could you please suggest the website with all the info for the application?

A. If you are undertaking independent research at a U.S. institution, you may be eligible for a B-1 visa. Information about applying is available from our website - <http://london.usembassy.gov/niv/b1apply.html>. The final decision on each applicant's eligibility can only be made by a consular office at the time you apply.

Q. Hi, I am a permanent resident of the US who has been out of the States for a year and a half to take care of my grandmother in the UK. Is there any way to get back to the US (I stupidly did not apply for a reentry permit)?

A. If you have remained outside the United States for more than 12 months (2 years with a re-entry permit) you have lost your entitlement to status and will be required to apply for a new immigrant visa if you wish to return to reside permanently in the United States. <http://london.usembassy.gov/immigrant-visas.html>

Q. hi, i have been told my application for a H1b visa in under review in administrative processing. I was told it will not be put online, is there any particular reason for this? and on average how long does this process take?

A. If your case is under review, it is not possible to track the status of your application online via the Embassy website. There is no set time that the review takes, but please be assured that you will be contacted as soon as it is completed, or if any other information is required from you.

Q. Hello! I was wondering what is an approximate time between when my case is closed at NVC and when I have an interview in embassy?

A. When you are notified that NVC has finished processing your case, you can expect to wait approximately 8 weeks for your case file to be transferred to the Embassy or Consulate for



processing. You will be contacted and advised of the next steps in your application. We can't guarantee that an interview will be scheduled by a specific date. Immigrant Visa applicants are advised that the entire process, from the date the petition is filed, takes about 10-12 months

Q. What would happen if I entered the USA on a tourist visa but I already have a permanent resident card? I have been out of the country longer than a year? Thanks in advance

A. If you wish to travel as a tourist, you must file form I-407 with the USCIS before travelling. If you do not do so, you may be refused boarding at the airport. Info about filing form I-407 is available from the Embassy website - <http://london.usembassy.gov/dhs/uscis/abandon.html>

Q. On June 10th 2014 my son in law visited the American Embassy for an interview to apply for a visa due to him being fined £20 over 10 years ago for being found in possession of a small amount of cannabis. When can please expect a decision.

A. Sorry, we can't comment on individual cases. We can advise that applicants who require a waiver of ineligibility can expect their application to take approximately 6 months to be processed

Q. hi i m uk citizen i applied for 212 d 3 in feb still waiting for answer can u plz guide me it say admin processing on ceac. can u plz tell me how long does it takes or can u give me any email address where i can find more info abt my case it has been 10 months now

A. Sukhdev, if your case is subject to administrative processing, you can check the progress online via the Embassy website and using your batch number (given to you at the time of your application) - [http://london.usembassy.gov/niv/administrative\\_processing.html](http://london.usembassy.gov/niv/administrative_processing.html)

Q. If I have a permanent resident card/green card that is still valid can I still enter the USA on a tourist visa if I am just going for a visit?

A. If you are a permanent resident, you should be entering the U.S. using your passport and valid Green Card. You do not require a tourist visa if you hold a valid Permanent Resident Card

Q. My UK police certificate AND medical expires in December. If I don't get my interview scheduled by that time do I need to get both of those things done again? (my case has been done and closed by NVC and just waiting for an interview)

A. Yes, the UK police certificate must be issued less than 12 months from the date the visa is issued. If an interview has not yet been scheduled for you, you will require a new valid medical before an interview date will be scheduled.

Q. What proof do i have to show in my ties to the UK, when applying for a visa?

A. There's no set form that evidence must take, since it varies with each applicant. If you are applying for a visa, you can bring whatever documents you believe show that you have strong ties outside the United States. Remember, when applying for a nonimmigrant visa, the consular officer may not ask you for additional documents, only if they are necessary to help establish your eligibility



Q. Hi, how long it takes to process E2 visa after submitting the file?

A. Current processing times for E2 visas are on our website - <http://london.usembassy.gov/niv/e.html>

Q. Hi we have put in an application for a K-3 spouse visa so i can join my Husband in the USA. He received a letter stating that they had received our forms about 2 months ago, and we have not heard anything since. Would you be able to tell me who i can contact or how much longer we need to wait for more information?

A. If you have received a Notice of Approval of a petition filed for you, you can expect to wait approximately 8 weeks for your case file to be transferred to the Embassy for processing. If it has been more than 8 weeks, you can use our contact form and we will try to assist you. [http://london.usembassy.gov/niv/contact\\_page.html](http://london.usembassy.gov/niv/contact_page.html)

Q. Do you have any advice on what documents or evidence i can provide to immigration officials at port of entry that i am a bona fide visitor with a residence i have no intention of abandoning? Since i will hopefully be leaving the UK in the coming months, i have arranged to move out of my rented accommodation in the near future.

A. There is no set form that evidence must take, as each individual circumstance is different. You should be prepared to present whatever evidence you believe demonstrates that you have a permanent residence abroad. Final decision to admit or deny all travelers to the United States rests with Immigration officials at the port of entry.

Q. We filed an I-130 over 2 months ago, should we be concerned that we haven't heard back?

A. If you filed with USCIS in the United States, you can use your receipt number to track the progress of your petition. If you have filed and not received an acknowledgement of receipt, you should contact the USCIS office where the petition was filed for assistance.