



**Transcript for the February 25<sup>th</sup>, 2015, Webchat  
Nonimmigrant and Immigrant Visas**

Q. hi there i have family in la and Vegas and desperate want to see them. Have been to states few times but not for 10 years my family are financially secure there and been living there many years. Problem i have few convictions on my record 1 for commercial burglary where nothing was stolen and was in desperate times. spent 7 weeks behind bars ... and recent got a gbh charge in January 2014 where i was attacked and i fought back and was charged with gbh with excessive self defence. Got suspended sentence i have turned my life around since these offences. Question where do i stand about visiting my family in America. am i permantly banned from America or do i need special visa...

A. If you have ever been arrested, cautioned or convicted, you will need to obtain the correct visa before travelling to the United States. If you just want to go for a holiday, a B-2 visa is appropriate. Information about applying is available from the Embassy website: <http://london.usembassy.gov/niv/b2.html>. The final decision on your eligibility can only be made by a consular officer at the time you apply.

Q. Hello my husband and I are applying for the CR1 visa through London Embassy. I have received my case number and I am now in the process of preparing documents. Please could you advise do I need to send copies of the documents such as police certificates, passport etc to the embassy or just bring them to the interview? Also do I need to bring my husbands original passport and birth certificate to the interview he is an American citizen and currently lives in the US so it will be difficult to obtain.

A. You should not send any documents (originals or copies) to the Embassy, but bring them with you to your interview. You don't need to bring your husband's U.S. passport or birth certificate to the Embassy.

Q. Is there a fee of \$325 to pay at the interview at London Embassy and if so what form of payment do they accept?

A. Fee information, including how to pay at the Embassy is available from our website: [http://london.usembassy.gov/iv/visa\\_fees.html](http://london.usembassy.gov/iv/visa_fees.html).

Q. Can British subject passport holders born in Ireland travel to the USA using visa waiver programme? The application form does allow you to select UK - British Subject in country of citizenship & passport issuing country which I find strange if not valid

A. No, British Subjects are not eligible to travel visa free under the Visa Waiver Program with an ESTA registration. They will need to obtain the appropriate visa before travelling.

Q. Hi my question is this, in April I plan to travel to America for a family wedding but round about 6 year ago I was convicted of breach of the peace and assault and got a 400 fine. I have never been in bother since. Will this hamper my chances or should I just say no on ESTA form. Any response will be very much appreciated



A. If you have been convicted, you'll need a visa before travelling. You should apply as soon as possible, but please note that, if you are found to be ineligible and recommended for a waiver of that ineligibility, processing will take at least 6 months.

Q. Hello there, I'm a UK biometrics passport holder and i currently reside and work permanently in the UK, i have a valid 2year US B1/B2 visa that expires in June 2015. It was issued in Lagos, Nigeria where i resided and worked at the time of issuance in June 2013. I've travelled to the US on 3 occasions without overstaying my stamped period of stay. Do i qualify for a Visa Interview renewal program, or do i have to apply all over again? And also can i apply for a 10 year visa or is that usually determined by the Consular officer at the embassy.

A. If you are applying for a B1/B2 visa, you will need to come to the Embassy to apply in person. Final determination on your eligibility and length of time for your visa will be determined by the consular officer at the time you apply.

Q. I am a dual citizen living in the UK and am sponsoring my husband to for an immigrant visa - once this is accepted we will both be moving to the USA. I am filling out my i864 and have a few questions. Firstly I am working as a temporary worker so don't have a set annual income so am unsure what to put in that section. My uncle who lives in the USA has filled an i864 as a joint sponsor as he has the relevant income to do so. Also, in the domicile section I am currently in the UK with the intent to reestablish domicile in the USA as soon as my husbands visa is accepted and will be flying to the USA with him - should i state domicile as UK or USA and i will also be including evidence of intent to reestablish domicile in the USA. Is it true that if the joint sponsor can show sufficient income/tax records etc... it isn't as vital for the original sponsor? Thank you

A. You should list your domicile as in the United States when completing the I-864, Remember, you should only list income earned from a U.S. source, so if you have not earned any income in the U.S., you should list your income as zero.

Q. Hello, I would like to ask what kind of documents will I need when applying for a nonimmigrant visa foe a domestic help, nanny?

A. We can help with that! A list of the documents you will need is available on our website: <http://london.usembassy.gov/niv/domestic.html>.

Q. I was wondering if I actually needed a VISA to travel, I am going away with some friends from Manchester, England to Las Vegas. So everyone will be filling out an ESTA form as England is part of the Visa Waiver Programme. Without going into too much detail I am now 27, but was convicted of theft from employee when I was 18.. I was wondering if I will need to apply for a visa and also come to London for an interview? thanks..

A. Yes, you'll need to apply for a visa and you will need to come to London to apply. You should apply in good time, as if you require a waiver of ineligibility (and that can only be determined at the time of the interview with a consular officer), the application takes about 6 months to be processed.



Q. Hello i am on a student visa in the united kingdom just finished my bachelors degree and would like to apply to U.S.A for my masters program The course starts in June 8 so i would like to apply on march for visa application and go back home for a month holiday and freshen myself up before i start my masters in the U.S.A what documents would i need to show to the embassy. Thank you in advance

A. If you are going to the United States as a student, you will need an F-1 visa. Information about the documents you will need (including an I-20 form from the University where you will study) is available on our website: <http://london.usembassy.gov/niv/students.html>.

Q. I have two questions relating to an immigrant visa. First, what is the current approximate time it takes for the interview to be scheduled at the London Embassy once the application is passed to you from the NVC in the US? Second, I wish to change my passport to my married name but I am concerned about doing so while my visa application is ongoing as it refers to my existing passport in my maiden name. Can I change my passport while the visa application is ongoing? Thank you in advance.

A. You can change your passport while the immigrant visa process is ongoing, just let the Embassy know your new name. Once the case file has been transferred to the Embassy in London, you'll be notified of the next steps by letter. It takes about 8 weeks for the case file to be received in the Immigrant Visa Unit and a letter sent out to you.

Q. I'm an American citizen marrying a UK citizen in England in the next months. After this summer we are planning to settle in the USA. I'd like to start the visa paperwork- but we're not married yet- but will be by the time we plan to move. Is it possible to start the application process now? If so, would I petition for a K1 or K3 visa?

A. If the UK citizen will travel as the spouse of the U.S. citizen, you must wait to file the I-130 petition AFTER the wedding has taken place. If you are married, you will file an I-130 petition and the UK citizen will apply for a CR-1 immigrant visa.

Q. I am holding Tourist Vasa visiting to United Kingdom now. I am wondering if I could apply non immigrant tourist visa to visit US at US embassy London?

A. Yes, if you are physically present in the UK, you can apply at the Embassy in London. Check our blog post <http://www.usembassy.org.uk/specialrelationshipmagazine/?p=104> for information for third country nationals applying in the UK

Q. Can assistance from sponsors mediate difficulties that arise in applying for visas with a criminal record of some kind?

A. Each application is considered on its own merits and only the applicant can demonstrate their eligibility for the visa. We can't accept the assurances of any third party that a visa applicant will adhere to the conditions of their visa while in the United States.



Q. I am a US citizen (recently dual US/UK citizen) and my partner is a UK citizen; we live in the UK permanently. If we wish to get married in the US but return directly to the UK to live, does my partner need to enter the US on a fiancé visa or would he be allowed to enter on the usual visa waiver programme? Many thanks.

A. If you are planning to marry in the United States and then return to live in the UK, your fiancé will not need a fiancé visa. He can travel on a B-2 (tourist) or, if qualified, may travel visa free under the Visa Waiver Program.

Q. Good afternoon. My wife is a Chinese passport holder, currently visiting me in the UK on a non-resident "Family Visit" visa. If we wish to take a holiday in the USA, can she apply for a visa in the UK, or must she first return to China and apply there?

A. Hi there, your wife can apply for the visa here in the UK. Check our blog about applying in country where you are not a citizen or national - <http://www.usembassy.org.uk/specialrelationshipmagazine/?p=104>

Q. Hello. If one goes out to the USA for work on an ESTA, then comes back after three months, do they need a work visa to go out again afterwards? Thanks

A. You can't work on an ESTA, if you are working in the United States you need a work visa.

Q. Hi I have a Valid Visa but my current passport is expiring and I will be issued a new Bio Metric Passport -- will my Visa still be Valid ?

A. Provided that they don't damage your visa when they cancel your old passport, you may still use it to travel, as long as the new passport is the same nationality as your old passport, and that you will travel to the U.S. for the same purpose as your visa was originally issued for.

Q. my medical for my immigrant visa was processed last week Thursday by Knightsbridge Doctors. I completed the DS-260 back in January. When can I expect an interview date?

A. About 6 weeks after the IV Unit receive the medical report, as long as you have also submitted the Notification of Applicant Readiness (its on our website with the instructions for IV applicants)

Q. Good afternoon, my husband, myself and our children would like to move to America. My husbands' company have depots over there. What do we need to do in order to come over? Does he need to have a job already there and do we need someone to sponsor us and do we need a certain amount of funds in a bank account in order to be able to live there?

A. If you want to live in the United States, you will need an immigrant visa. If you don't have any family to sponsor you, you may wish to consider an employment based visa. You will need a bona fide employer to file a petition and sponsor you. Information on work based immigrant visas is available from our website: <http://london.usembassy.gov/iv/index.html>

Q. Hello, I need to know that family member can sponsor for b2 visa? Currently am studying and London and i complete my certificate. I wish apply us for shot term



A. No, you don't require a sponsor for a B-2 visa. Here's how to apply:  
<http://london.usembassy.gov/niv/b2.html>

Q. I am in the early stages of discussion with an American company to potentially become a UK reseller for their software. I know that I will not be eligible for the VWP so can I apply in advance for a Business Visa ( if they ask me to go over there for a business trip) without having a firm offer from the American company? I do have emails conveying an interest in working together.

A. If you are only travelling for meetings, a B-1 visa may be appropriate. You don't need firm plans in order to apply for the visa, but you should be prepared to discuss your planned activities in the United States at the time you apply.

Q. Hi, I went to the embassy on Monday and I had to pay a fee of \$105. I wrote my card details on a slip and they said they'll charge the card. How long will this process take? Just so I know when the money will be removed from my account. Thanks.

A. It can take a few days, if you're concerned about your status you can use our contact form and we'll try to assist you - [http://london.usembassy.gov/niv/contact\\_page.html](http://london.usembassy.gov/niv/contact_page.html)

Q. For my IV, do I need to worry too much about showing US tax forms as I have only worked there for a few months so could only show my W2's from last year. As long as my joint sponsor can show sufficient evidence is that enough?

A. You'll still need to show you most recent tax return, remember U.S. Citizens are required to file tax returns even if they are not resident in the U.S. If you are unable to show sufficient income/assets, a joint sponsor can be used.

Q. my B1/B2 visa was cancelled what do I have to do to gain another all CBP officers apart from the one that sent me back concurred that I was on the right visa

A. If your visa was cancelled, you will need to make an application for a new visa. If you are not sure what visa type you need, contact us and provide some information about your planned activities, we'll try and assist you

Q. I attended my visa application appointment 10.11.2014 and I was recommended for a waiver of ineligibility and I still have not heard anything. I had made firm plans to visit the US 18.03.2015 for my honeymoon and also to attend the wedding of my fiancé's cousin on Long Island, New York. I believe I made these plans prematurely as I was only made aware that I required a visa due to my criminal history. I would be grateful if you could give me an update of my application and the likelihood that I will be able to visit the US.

A. Applicants requiring a waiver of ineligibility take approximately 6 months to be processed, there's no way to make that time frame faster. We also advise applicants not to make non-refundable travel plans before their application has been completed. You'll be contacted by the Embassy once the review of your case is completed.



Q. how can i get a cancellation i.e. same day appointment?

A. Applicants cannot book 'same day' appointments; all appointments must be booked at least 1 day in advance.

Q. Once my IR1 has been issued and I've entered the US for the first time on the visa, am I required to stay in the US for a period of time before leaving, I am I simply allowed to be outside the US for up to 1 year? I may need to enter the US then return to the UK to wrap-up my personal items before moving to the US permanently. I understand the green card will be sent to the address I specify on the DS260 in the US. Please advise.

A. Yes, if you are travelling on an IR1 visa, your visa will be stamped and act as a temporary "Green Card" until the permanent one comes through. You can use that temporary one to exit and re-enter the United States along with your passport. You don't have to stay in the U.S. for a set period before exiting, but you must not remain outside the U.S. for more than 12 months.

Q. Good afternoon; when viewing the "Non-Immigrant Visa Instructions" at <https://ceac.state.gov/genniv> the first drop-down box is for "Location where you will be applying": please can you tell me which option to select for the Belfast Consulate, as there is no entry for either Great Britain or United Kingdom

A. If you are applying in London, select "England, London", for Belfast, select "Northern Ireland, Belfast"

Q. Will my husband (a US citizen) be required to attend my interview for the immigrant visa at the Embassy?

A. No, the petitioner is not required to attend, but if you would like him to come use our contact form to provide his name for the access list- [london.usembassy.gov/immigrant-visas/iv\\_contact\\_page.html](https://london.usembassy.gov/immigrant-visas/iv_contact_page.html)

Q. How long does it take to receive a passport with a visa after you grant the visa?

A. If successful, 3-5 working days, plus 2 for delivery. If it's likely to take longer, you will be told at your interview.